



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

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**REVISED NOTICE OF A PUBLIC HEARING BEFORE
THE CITY COUNCIL ON AN APPEAL OF THE
PORTLAND HISTORIC LANDMARKS COMMISSION**

CASE FILE: LU 18-187493 HRM, AD – 1727 NW Hoyt (Block 162 Apartments)
WHEN: November 29, 2018, 2:00 pm
WHERE: COUNCIL CHAMBERS, 1221 SW FOURTH AVENUE

Date: November 6, 2018
To: Interested Person
From: Grace Jeffreys, Land Use Services, 503-823-7840

The Review Body decision of **approval with conditions** has been appealed by **Ciaran Connelly on behalf of the Northwest District Neighborhood Association (NWDA)** and by **Tony Schwartz**.

A public hearing will be held to consider an appeal of the Portland Historic Landmarks Commission's decision to approve a 5-story plus residential development in the Alphabet Historic District and the Northwest Plan District at 1727 NW Hoyt. The Historic Landmarks Commission decision of approval with conditions has been appealed by the Northwest District Neighborhood Association (NWDA). At the hearing, City Council will consider the appeal. You are invited to testify at the hearing.

This will be an on-the-record hearing, one in which new evidence cannot be submitted to the City Council. For a general explanation of the City Council hearing process please refer to the last page of this notice.

APPLICATION

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

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

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

Tax Account No.: R180214490, R180214510, R180214530

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

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

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Northwest.
Other Designations: The Buck 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.
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 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]:
 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** 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

REVIEW BODY DECISION

It is the decision of the Landmarks Commission to approve **Historic Resource 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.
- I. Applicant shall work with Urban Forestry and BDS staff to maximize the number and size of street trees on all three frontages.

APPEAL

The Historic Landmarks Commission's decision of an approval with conditions has been appealed by Ciaran Connelly on behalf of the Northwest District Neighborhood Association (NWDA) and Tony Schwartz. According to the statements from both appellants, the appeal of the Historic Landmarks Commission decision is based on arguments that:

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. CDG P2 - Historic and Conservation Districts. 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 06 - 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.
6. CDG 07 - 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 Pl had not been addressed. Staff erroneously determined that CDG Pl did not apply to proposal and declared application complete July 5, 2018. BDS staff informed neighbors, without sufficient explanation, that Pl did not apply. After letter from neighbors, BDS staff determined that Pl did apply. However, response to the guideline from applicant was not received until August 14, only 12 days before the hearing.
2. 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.
3. 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. Public comments addressing approval criteria were not acknowledged or evaluated. 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.

According to the appeal from Tony Schwartz, the appeal of the Historic Landmarks Commission decision is also based on arguments that:

The proposal fails to meet Historic Alphabet District Guideline #3 "Hierarchy of Compatibility" and Community Design Guideline 07.

1. 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 1th 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 only has to "incorporate design themes characteristic of similar buildings in the Historic Alphabet District" and that there is to be no consideration of 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 Compatibility" and there 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 make 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.

2. 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 LI-Shaped or H-shaped" plans. See HAD Interim Design Guidelines pages 27-28.

- Similar buildings cited by the applicant as precedent have LI-shapes. For example, the Wickersham is LI-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 07 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 07 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 07 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!

3. 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. 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.

The full appeal statements can be viewed in the notice located on the BDS website at <https://www.portlandoregon.gov/bds/35625>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number.

Review of the case file: The Historic Landmarks Commission decision and all evidence on this case are now available for review at the Bureau of Development Services, 1900 SW 4th Avenue, Suite 5000, Portland, OR 97201. Copies of the information in the file can be obtained for a fee equal to the City's cost for providing those copies. I can provide some of the information over the phone.

We are seeking your comments on this proposal. The hearing will be held before the City Council. To comment, you may write a letter in advance, or testify at the hearing. In your comments, you should address the approval criteria, as stated above. Please refer to the file number when seeking information or submitting testimony. Written comments **must be received by the end of the hearing** and should include the case file number and the name and address of the submitter. It must be given to the Council Clerk, in person, or mailed to 1221 SW Fourth Avenue, Room 140, Portland, OR 97204. A description of the City Council Hearing process is attached.

If you choose to provide testimony by electronic mail, please direct it to the Council Clerk at karla.Moore-Love@portlandoregon.gov. Due to legal and practical reasons, City Council members cannot accept electronic mail on cases under consideration by the Council. Any electronic mail on this matter must be received no less than one hour prior to the time and date of the scheduled public hearing. The Council Clerk will ensure that all City Council members receive copies of your communication.

City Council's decision is final. Any further appeal must be filed with the Oregon Land Use Board of Appeals (LUBA). Failure to raise an issue in a hearing, in person or by letter, by the close of the record or at the final hearing on the case or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to LUBA on that issue. Also, if you do not provide enough detailed information to the City Council, they may not be able to respond to the issue you are trying to raise. For more information, call the Auditor's Office at (503) 823-4086.

If you have a disability and need accommodations, please call 503-823-4085 (TDD: 503-823-6868). Persons requiring a sign language interpreter must call at least 48 hours in advance.

Attachments:

1. Zoning Map
2. Approved Site Plan
3. Approved Elevations (North, South, East, and West)
4. Appeal Statement #1 - NWDA (on-line version only)
5. Appeal Statement #2 - Tony Schwartz (on-line version only)
6. City Council Appeal Process

GENERAL EXPLANATION OF CITY COUNCIL APPEAL HEARING PROCESS FOR ON-THE-RECORD APPEALS

1. SUBMISSION OF LEGAL ARGUMENT

- a. On-the record appeals are limited to legal argument only. The only evidence that will be considered by the City Council is the evidence that was submitted to the Historic Landmarks Commission prior to the date the Historic Landmarks Commission closed the evidentiary record. Parties may refer to and criticize or make arguments in support of the validity of evidence received by the Historic Landmarks Commission. However, parties may not submit new evidence to supplement or rebut the evidence received by the Historic Landmarks Commission.
- b. Written legal argument must be received by the time of the hearing and should include the case file number. Testimony may be submitted via email to CCTestimony@portlandoregon.gov or in writing to the Council Clerk, 1221 SW Fourth Avenue, Room 130, Portland, Oregon 97204.
- c. Legal argument may be submitted orally (see below).

2. COUNCIL REVIEW

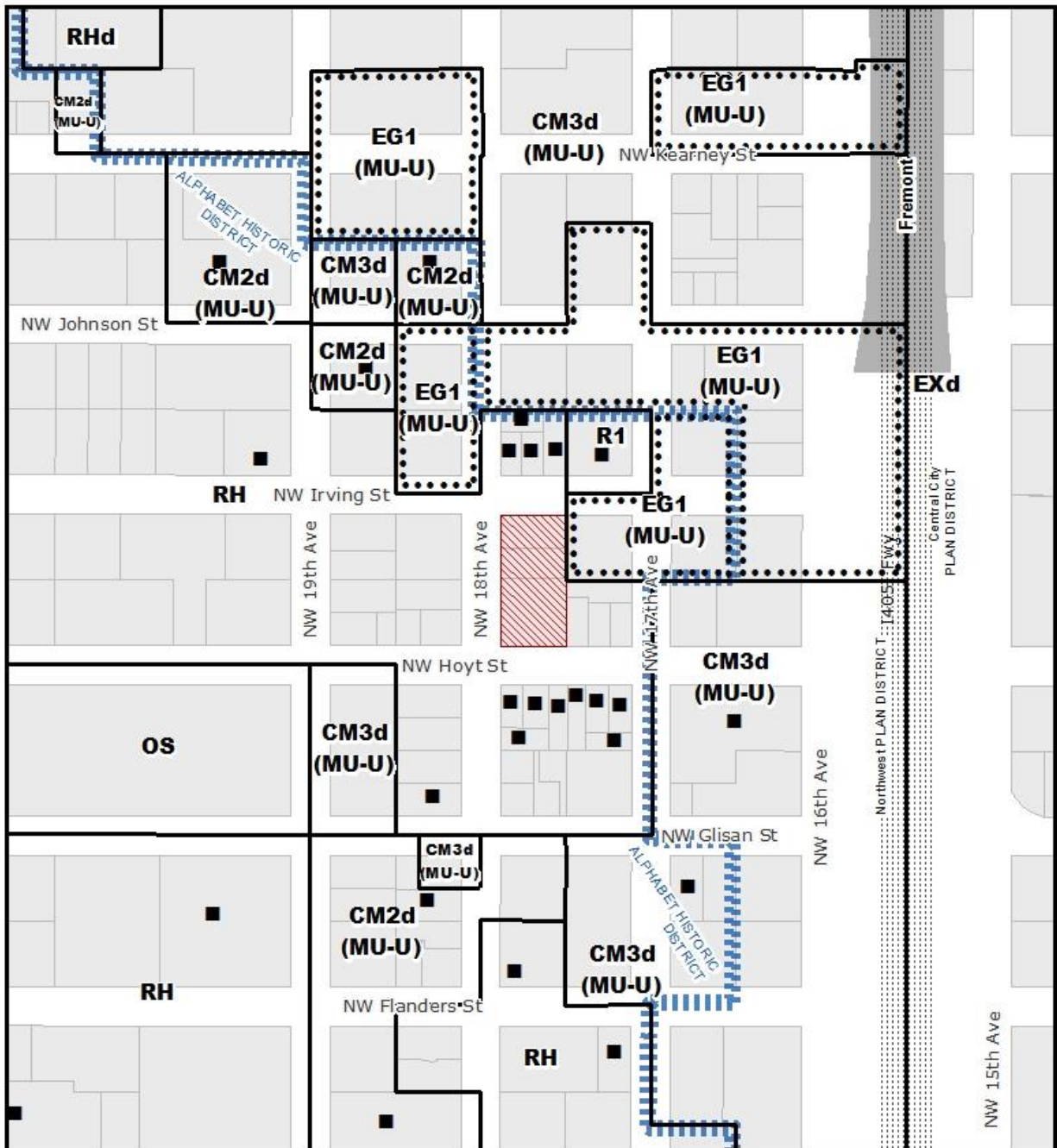
- a. The order of appearance and time allotments are generally as follows:

Staff Report	10 minutes
Appellant 1	10 minutes
Appellant 2	10 minutes
Supporters of Appellant(s)	3 minutes each
Principal Opponent	30 minutes
Other Opponents	3 minutes each
Appellant 1 Rebuttal	5 minutes
Appellant 2 Rebuttal	5 minutes
Council Discussion	
- b. The applicant has the burden of proof to show that the evidentiary record compiled by the Historic Landmarks Commission demonstrates that each and every element of the approval criteria is satisfied. If the applicant is the appellant, the applicant may also argue the criteria are being incorrectly interpreted, the wrong approval criteria are being applied or additional approval criteria should be applied.
- c. In order to prevail, the opponents of the applicant must persuade the City Council to find that the applicant has not carried the burden of proof to show that the evidentiary record compiled by the Historic Landmarks Commission demonstrates that each and every element of the approval criteria is satisfied. The opponents may wish to argue the criteria are being incorrectly applied, the wrong approval criteria are being applied or additional approval criteria should be applied.

3. OTHER INFORMATION

- a. Prior to the hearing, the case file and the Historic Landmarks Commission decision are available for review by appointment, at the Bureau of Development Services, 1900 SW 4th Avenue, #5000, Portland, OR 97201. Call 503-823-7617 to make an appoint to review the file.

If you have a disability and need accommodations, please call 503-823-4085 (TDD: 503-823-6868). Persons requiring a sign language interpreter must call at least 48 hours in advance.



ZONING

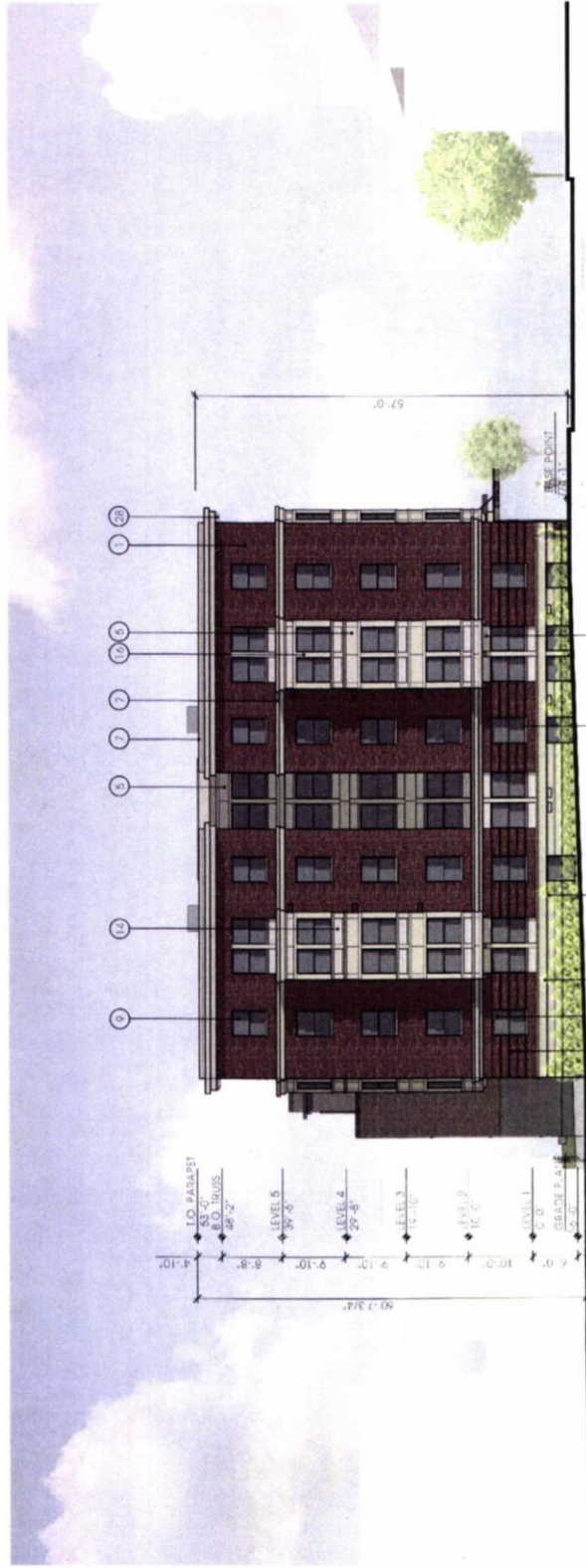
THIS SITE LIES WITHIN THE:
NORTHWEST PLAN DISTRICT
ALPHABET HISTORIC DISTRICT

-  Site
-  Historic Landmark
-  Bridge

File No.	LU 18-187493 HRM AD
1/4 Section	2928
Scale	1 inch = 200 feet
State ID	1N1E33AC 4200
Exhibit	B Jun 19, 2018



BUILDING ELEVATION - NORTH



KEYNOTES

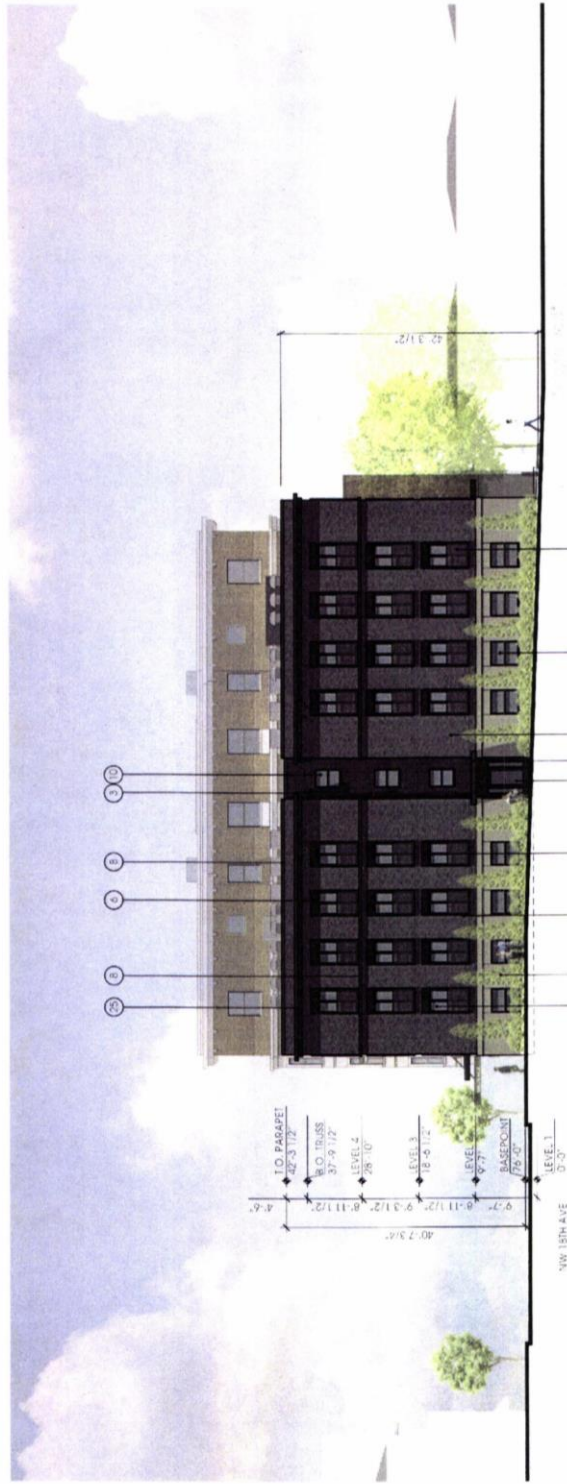
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2. Modular brick, running bond, color 2
3. Modular brick, stacked bond, color 3
4. Existing modular brick, running bond, color 4
5. Restore and repaint
6. Fiber cement panel siding, white
7. Metal panel siding, dark bronze
8. Metal trim/finishing, white
9. Fiber glass window, white
10. Fiber glass window, dark bronze
11. Custom wood window, painted
12. Reconstructed rough opening with custom wood windows, painted

13. Fiberglass patio door, dark bronze
14. Architectural metal grille, white
15. Architectural metal grille, dark bronze
16. Composite trim, white
17. Parge coat over brick, white
18. Restore and repaint existing parge coating, dark gray
19. Steel entrance canopy
20. Metal parapet eyebrow, based on historic photo
21. Wood entrance door and sashes, painted
22. Aluminum storefront with sashes, white
23. Aluminum storefront with sashes, dark bronze
24. Metal cornice
25. Decorative metal guardrail, laser cut and painted

27. Decorative metal gate
28. Wood bracketing, painted
29. Precast concrete panel
30. Precast concrete sill
31. Wall sconce
32. Metal exhaust vent, painted to match adjacent surface
33. Roof access beyond, fiber cement panel siding, dark bronze
34. Window graphic with historical information on Buck-Proger Building
35. Generator Exhaust grille



BUILDING ELEVATION - SOUTH



KEYNOTES

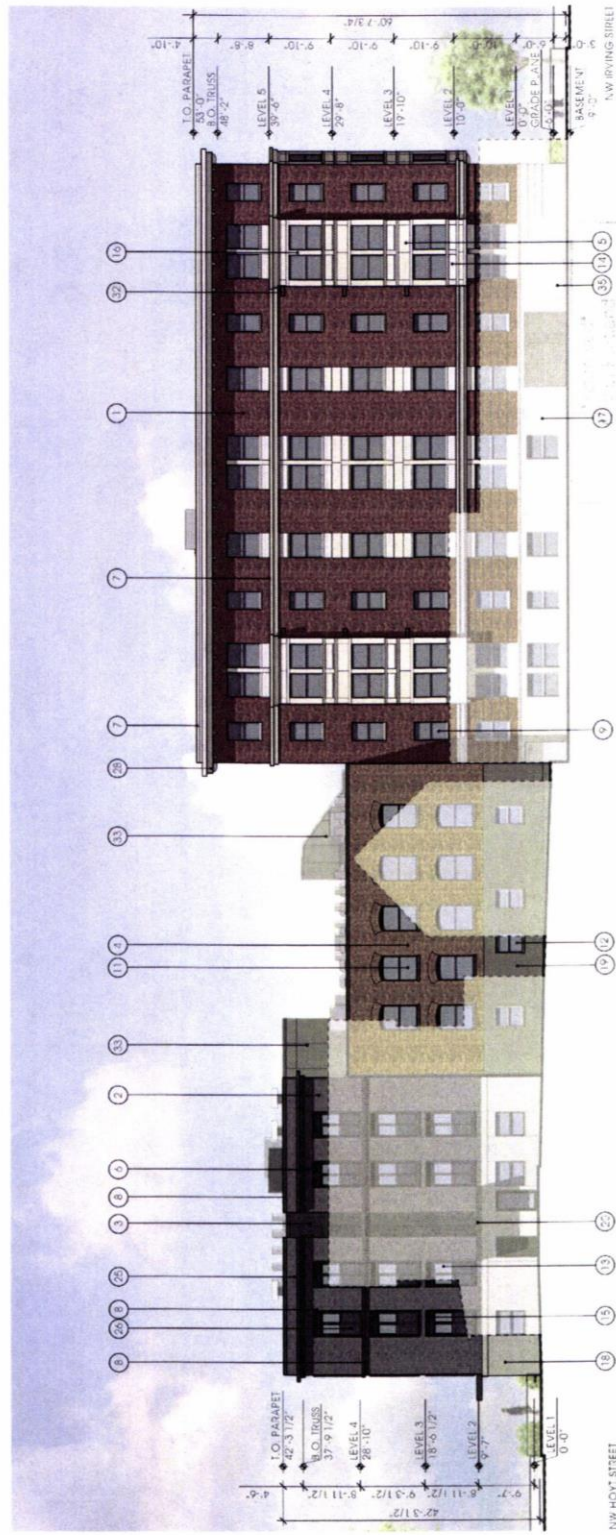
1. Modular brick, turning bond, color 1
2. Modular brick, turning bond, color 2
3. Modular brick, stacked bond, color 3
4. Existing modular brick, turning bond, color 4
5. Fiber cement panel siding, white
6. Metal panel siding, dark bronze
7. Metal trim/finishing, white
8. Metal trim/finishing, dark bronze
9. Fiberglass window, white
10. Fiberglass window, dark bronze
11. Custom wood window, painted
12. Reconstructed rough opening with custom wood windows, painted
13. Fiberglass patio door, dark bronze
14. Architectural metal grille, white
15. Architectural metal grille, dark bronze
16. Composite window, white
17. Parge coat over brick, white
18. Parge coat over brick, light gray
19. Restore and repaint existing parge coating, dark gray
20. Steel entrance canopy
21. Metal parapet eyebrow, based on historic photo
22. Wood entrance door and sashes, painted
23. Aluminum storefront with sashes, white
24. Aluminum storefront with sashes, dark bronze
25. Metal cornice
26. Decorative metal guardrail, laser-cut and painted
27. Decorative metal gate
28. Wood bracing, painted
29. Precast concrete panel
30. Precast concrete sill
31. Wall sconce
32. Metal exhaust vent, painted to match adjacent surface
33. Root access beyond, fiber cement panel siding, dark bronze
34. Window graphic with historical information on Buck Praeger Building
35. Generator Exhaust grille



KEY PLAN

LU 18-187493 HRM AD

BUILDING ELEVATION - EAST



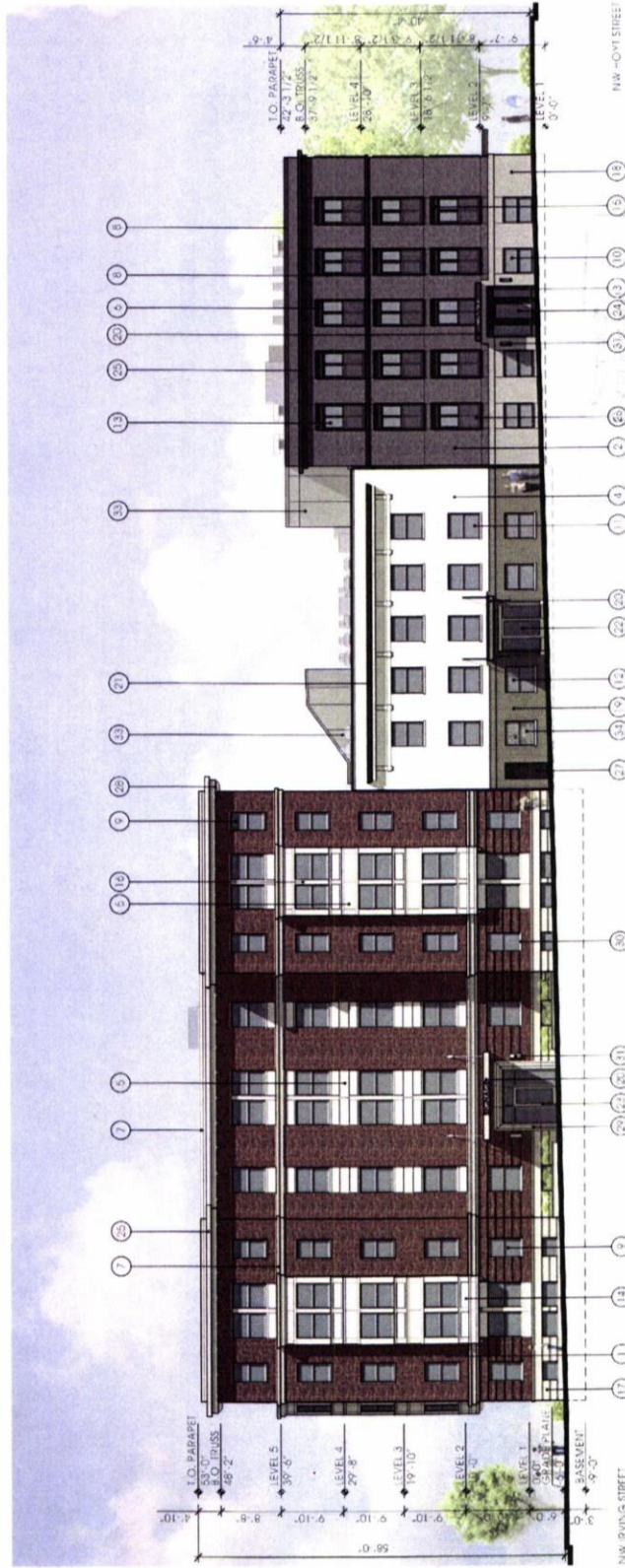
KEYNOTES

1. Modular brick, running bond, color 1
2. Modular brick, running bond, color 2
3. Modular brick, stacked bond, color 3
4. Existing modular brick, running bond, color 4
5. Restore and repair existing, white
6. Precast concrete panel, dark bronze
7. Metal trim/finishing, white
8. Metal trim/finishing, dark bronze
9. Fiberglass window, dark bronze
10. Custom wood window, painted
11. Reconstructed rough opening with custom wood windows, painted
12. Decorative metal guardrail, laser-cut and painted
13. Fiberglass patio door, dark bronze
14. Architectural metal grille, white
15. Architectural metal grille, dark bronze
16. Composite trim, white
17. Composite trim, white
18. Paint and repair existing, white
19. Paint and repair existing, white
20. Steel entrance canopy, dark gray
21. Metal parapet eyebrow, based on historic photo
22. Wood entrance door and sashes, painted
23. Aluminum storefront with sashes, white
24. Aluminum storefront with sashes, dark bronze
25. Metal cornice
26. Decorative metal guardrail, laser-cut and painted

27. Decorative metal gate
28. Wood bracketing, painted
29. Precast concrete panel
30. Precast concrete panel
31. Wall concrete sill
32. Metal exhaust vent, painted to match adjacent surface
33. Roof access beyond, fiber cement panel siding, dark bronze
34. Window graphic with historical information on Buck Proger Building
35. Generator Exhaust grille

LU 18-187493 HRM AD

BUILDING ELEVATION - WEST



KEYNOTES

1. Modular brick, running bond, color 1
2. Modular brick, running bond, color 2
3. Modular brick, stacked bond, color 3
4. Existing modular brick, running bond, color 4
5. Restore and repaint
6. Fiber cement panel siding, white
7. Metal panel siding, dark bronze
8. Metal trim/finishing, white
9. Fiber glass window, dark bronze
10. Custom wood window, painted
11. Reconstructed rough opening with custom wood windows, painted
12. Reconstructed rough opening with custom wood windows, painted
13. Fiber glass patio door, dark bronze
14. Architectural metal grille, white
15. Architectural metal grille, dark bronze
16. Composite trim, white
17. Paint coat over brick, white
18. Restore and repaint existing large coating, dark gray
19. Steel entrance canopy, based on historic photo
20. Metal entrance door, dark bronze
21. Wood entrance door, dark bronze
22. Aluminum entrance door, dark bronze
23. Aluminum entrance door, dark bronze
24. Aluminum entrance door, dark bronze
25. Metal entrance door, dark bronze
26. Decorative metal guardrail, obscure and painted

27. Decorative metal gate
28. Wood bracing, painted
29. Precast concrete panel
30. Precast concrete sill
31. Wall sconce
32. Metal exhaust vent, painted to match adjacent
33. Road access beyond, fiber cement panel siding, dark bronze
34. Window graphic with historical information on Buck-Prager Building
35. Generator Exhaust grille



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 HRMAD

FOR INTAKE, STAFF USE ONLY

Date/Time Received 10/22/18 @ 2:45 pm

Received By Mary Butchschoen

Appeal Deadline Date 10/22/18 @ 4:30 pm

☐ Entered in Appeal Log

☐ Notice to Auditor

☐ Notice to Dev. Review

☒ Action Attached

Fee Amount \$5,000

☐ [N] Fee Waived - in process of getting waiver

Bill # 4403170

☐ ☒ Unincorporated MC

APPELLANT: Complete all sections below. Please print legibly.

PROPOSAL SITE ADDRESS 1727 NW Hoyt, Portland OR, 97209 DEADLINE OF APPEAL October 22, 2018

Name Northwest Neighborhood Association (NWD) - Contact JoZell Johnson NWD Secretary

Address 533 NW 18th Avenue

City Portland

State/Zip Code 97209

Day Phone 503-227-2864

Email secretary@northwestdistrictassociation.org

Fax

Interest in proposal (applicant, neighbor, etc.) Neighborhood Association

Identify the specific approval criteria at the source of the appeal:

Zoning Code Section 33. 700 . 070.E

Zoning Code Section 33. 730 . 060.C.2 . third bullet

Zoning Code Section 33. See *** below

Zoning Code Section 33. See *** below

Describe how the proposal does or does not meet the specific approval criteria identified above or how the City erred procedurally:

Please see attached statement describing how proposal does not meet criteria and listing procedure errors.

*** Guidelines P1, P2, D6, and D7 of the Community Design Guidelines

*** Guidelines #2 and #3 of the Historic Alphabet District: Community Design Guidelines Addendum

Appellant's Signature Ciaran Connelly

(Ciaran Connelly, NWD President)

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 of Portland

☒ Fee waiver for ONI Recognized Organizations approved (see instructions under Appeals Fees A on back)

☐ Fee waiver request letter for low income individual is signed and attached

☐ Fee waiver request letter for Unincorporated Multnomah 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 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.

Type III Appeal Hearing Procedure

A Type III Decision may be appealed only by the applicant, the owner, or those who have testified in writing or orally at the hearing, provided that the testimony was directed to a specific approval criterion, or procedural error made. It must be filed with the accompanying fee by the deadline listed in the decision. The appeal request must be submitted on the Type III Appeal Form provided by the City and it must include a statement indicating which of the applicable approval criteria the decision violated (33.730.030) or what procedural errors were made. If the decision was to deny the proposal, the appeal must use the same form and address how the proposal meets all the approval criteria. There is no local Type III Appeal for cases in unincorporated Multnomah County.

Appeal Hearings for Type III Decisions are scheduled by the City Auditor at least 21 days after the appeal is filed and the public notice of the appeal has been mailed.

Appellants should be prepared to make a presentation to the City Council at the hearing. In addition, all interested persons will be able to testify orally, or in writing. The City Council may choose to limit the length of the testimony. Prior to the appeal hearing, the City Council will receive the written case record, including the appeal statement. The City Council may adopt, modify, or overturn the decision of the review body based on the information presented at the hearing or in the case record.

Appeal Fees

In order for an appeal to be valid, it must be submitted prior to the appeal deadline as stated in the decision and it must be accompanied by the required appeal fee or an approved fee waiver. The fee to appeal a decision is one-half of the original application fee. The fee amount is listed in the decision. The fee may be waived as follows:

Fee Waivers (33.750.050)

The director may waive required fees for Office of Neighborhood Involvement (ONI) Recognized Organizations and for low-income applicants when certain requirements are met. The decision of the director is final.

A. ONI Recognized Organizations Fee Waiver

Neighborhood or business organizations recognized by the City of Portland Office of Neighborhood Involvement (ONI) or Multnomah County are eligible to apply for an appeal fee waiver if they meet certain meeting and voting requirements.

These requirements are listed in the Type III Appeal Fee Waiver Request for Organizations form and instruction sheet available from the Bureau of Development Services Development Services Center, 1st floor, 1900 SW 4th, Portland, OR 97201. Recognized organizations must complete the Type III Appeal Fee Waiver Request for Organizations form and submit it prior to the appeal deadline to be considered for a fee waiver.

B. Low Income Fee Waiver

The appeal fee may be waived for an individual who is an applicant in a land use review for their personal residence, in which they have an ownership interest, and the individual is appealing the decision of their land use review application. In addition, the appeal fee may be waived for an individual residing in a dwelling unit, for at least 60 days, that is located within the required notification area. Low income individuals requesting a fee waiver will be required to certify their annual gross income and household size. The appeal fee will only be waived for households with a gross annual income of less than 50 percent of the area median income as established and adjusted for household size by the federal Department of Housing and Urban Development (HUD). All financial information submitted to request a fee waiver is confidential. Fee waiver requests must be approved prior to appeal deadline to be considered for a fee waiver.

Information is subject to change

Attachment to NWDA 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. **CDG P2 – Historic and Conservation Districts.** 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.*
6. **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.*
2. **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.*
3. **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. **Public comments addressing approval criteria were not acknowledged or evaluated.** *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.*

C. Requested Condition of Approval to Ensure Affordability. Northwest District Association actively supports affordable housing in our neighborhood. We requested a condition of approval that would require the proposed housing to be affordable. The Landmarks Commission did not apply the condition, and did not ask the applicant if they would voluntarily accept it.



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

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

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

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

Tax Account No.: R180214490, R180214510, R180214530

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

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

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

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.

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 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]:

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 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).

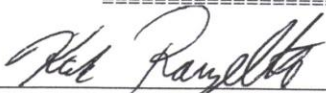
Approval for **non-standard development in the ROW's** on NW 18th, NW Hoyt, and NW Irving.

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.
- I. 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 INDICATED

- 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
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.
 3. 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
 2. Pre-Application Conference Summary Memo, 12/26/17
 3. Design Advice Request Summary Memos, 5/16/18
 4. Request for Completeness with BES response, 6/9/18
 5. 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)
9. 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.

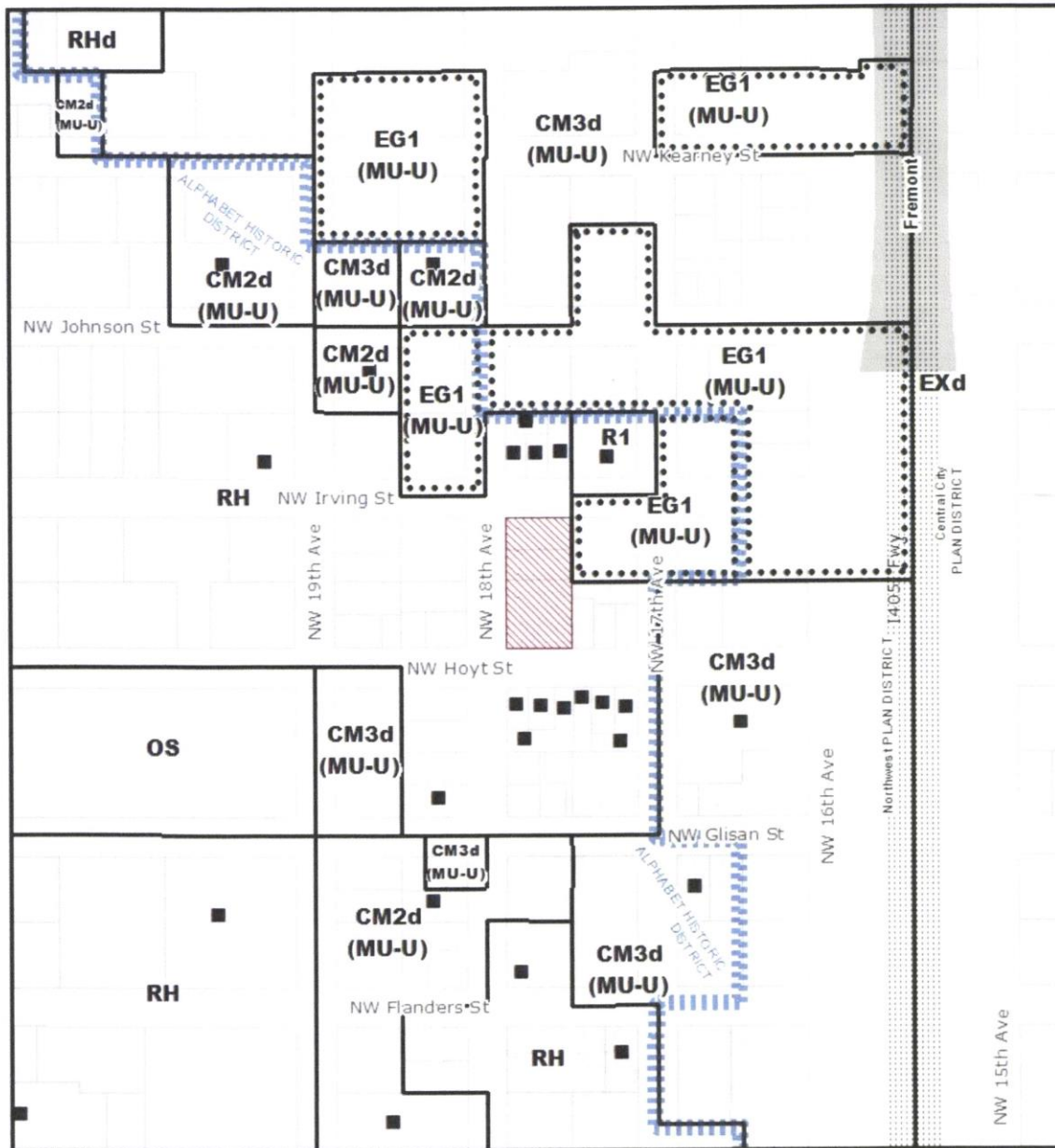
(Received at first Hearing on 8/27/18)

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

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



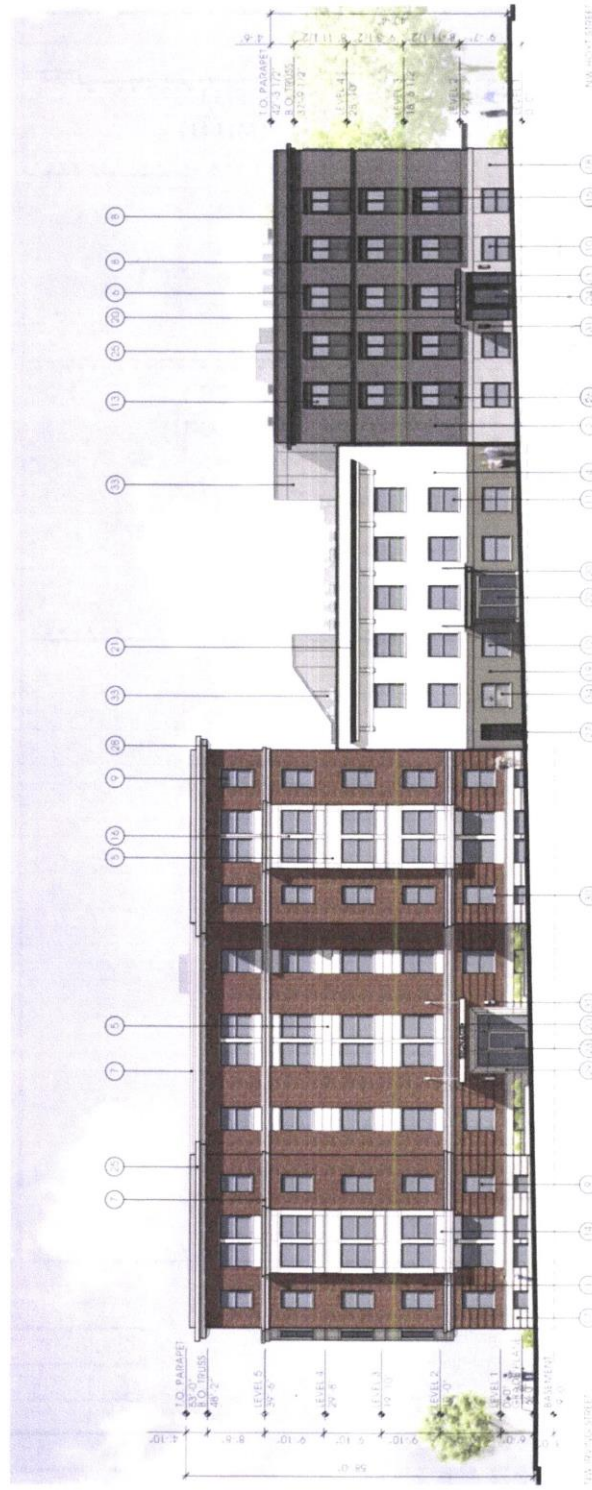
ZONING

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

-  Site
-  Historic Landmark
-  Bridge

File No.	LU 18-187493 HRM AD
1/4 Section	2928
Scale	1 inch = 200 feet
State ID	1N1E33AC 4200
Exhibit	B Jun 19, 2018

BUILDING ELEVATION - WEST



KEYNOTES

- 1 Modular brick, running bond, color 1
- 2 Modular brick, running bond, color 2
- 3 Modular brick, stacked bond, color 3
- 4 Existing modular brick, running bond, color 4
- 5 Restore and repoint
- 6 Fiber cement panel siding, white
- 7 Metal panel siding, dark bronze
- 8 Metal trim flashing, white
- 9 Fiber glass window, white
- 10 Custom wood window, painted
- 11 Metal door with transoms, white
- 12 Windows painted
- 13 Fiber glass patio door, dark bronze
- 14 Architectural metal grille, white
- 15 Architectural metal grille, dark bronze
- 16 Composite trim, white
- 17 Parge coat over brick, white
- 18 Parge coat over brick, light gray
- 19 Restore and repoint existing parge coating, dark gray
- 20 Steel entrance canopy
- 21 Metal parapet eyebrow, based on historic photo
- 22 Wood entrance door and sashes, painted
- 23 Aluminum storefront with sashes, white
- 24 Metal cornice
- 25 Metal door with transoms, white
- 26 Decorative metal guardrail, laser cut and painted

- 27 Decorative metal grille
- 28 Wood backer, painted
- 29 Precast concrete panel
- 30 Precast concrete sill
- 31 Wall sconce
- 32 Metal exhaust vent, painted to match adjacent surface
- 33 Roof access beyond, fiber cement panel siding, dark bronze
- 34 Window graphic with historical information on Buck Prager Building
- 35 Generator exhaust grille

CARLETON HART
ARCHITECTURE



BLOCK 162 APARTMENTS

100 WEST STREET

LU 18-187493 H5M

C 11

BUILDING ELEVATION - NORTH



KEYNOTES

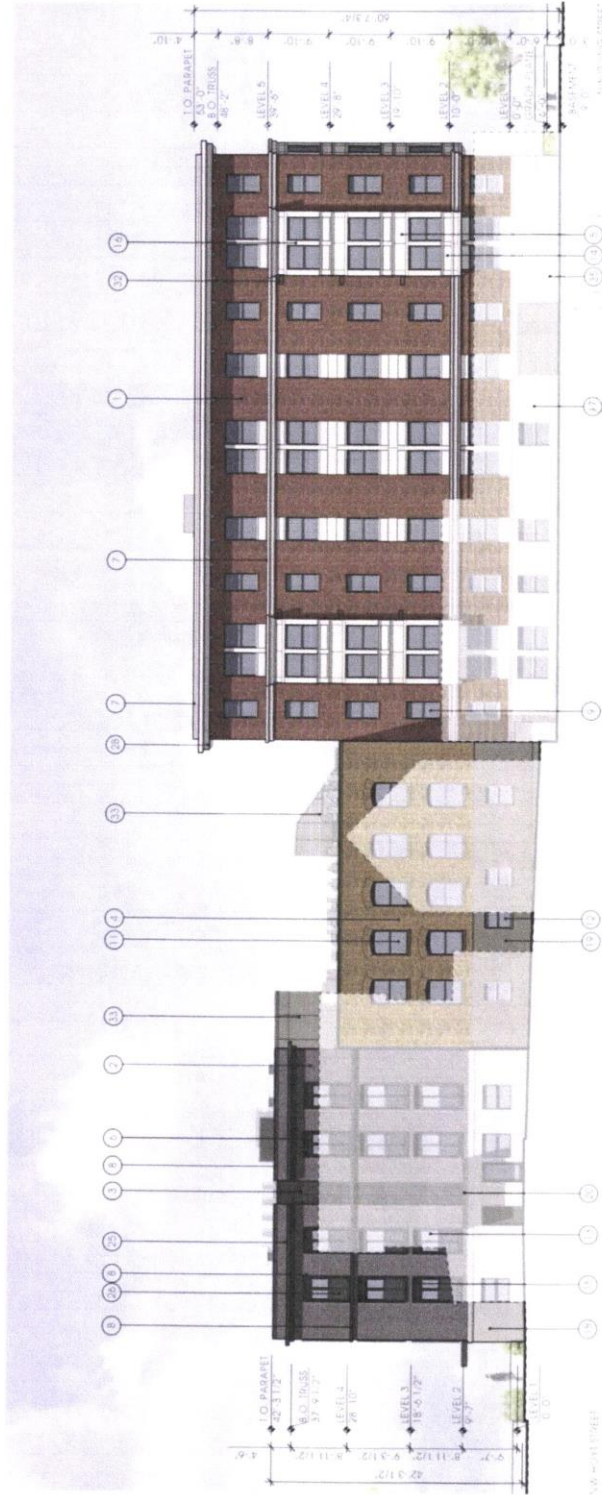
- 1 Modular brick, running bond, color 1
- 2 Modular brick, running bond, color 2
- 3 Modular brick, stacked bond, color 3
- 4 Existing modular brick, running bond, color 4
- 5 Restore and repair
- 6 Cast cement concrete, white
- 7 Metal flashing, white
- 8 Metal flashing, dark bronze
- 9 Fiberglass window, white
- 10 Fiberglass window, dark bronze
- 11 Custom wood window, painted
- 12 Reconstructed rough opening with custom wood windows, painted
- 13 Fiberglass patio door, dark bronze
- 14 Architectural metal grille, white
- 15 Architectural metal grille, dark bronze
- 16 Cast concrete, white
- 17 Forge coat over brick, white
- 18 Forge coat over brick, light gray
- 19 Restore and repair existing forge coating, dark gray
- 20 Steel entrance canopy
- 21 Metal palapalet eyebrow, based on historic photo
- 22 Wood entrance door and sidelites, painted
- 23 Aluminum storefront with sidelites, white
- 24 Aluminum storefront with sidelites, dark bronze
- 25 Metal cornice
- 26 Decorative metal guardrail, painted and painted
- 27 Decorative metal gate
- 28 Wood railing, painted
- 29 Precast concrete panel
- 30 Precast concrete sill
- 31 Mail sconce
- 32 Metal exhaust vent, painted to match adjacent surface
- 33 Roof access beyond steel cement panel siding, dark bronze
- 34 Window grilles with historical information on back of building
- 35 Generator Exhaust grille

CARLETON HART
ARCHITECTURE

BLOCK 162 APARTMENTS

LU 18 187493 HEN
C 13

BUILDING ELEVATION - EAST



KEYNOTES

- 1 Modular brick, running bond, color 1
- 2 Modular brick, running bond, color 2
- 3 Modular brick, stacked bond, color 3
- 4 Existing modular brick, running bond, color 4
- 5 Restore and repoint
- 6 Fiber cement panel siding, white
- 7 Metal panel siding, dark bronze
- 8 Metal trim flashing, white
- 9 Metal trim flashing, dark bronze
- 10 Fiber glass window, dark bronze
- 11 Custom wood window, painted
- 12 Restore and repoint, rough cleaning with custom wood windows, painted
- 13 Fiber glass patio door, dark bronze
- 14 Architectural metal grille, white
- 15 Architectural metal grille, dark bronze
- 16 Composite trim, white
- 17 Polge coat over brick, light gray
- 18 Restore and repoint existing patge coating, dark gray
- 19 Steel entrance canopy
- 20 Metal paraper eyebrow, based on historic photo
- 21 Wood entrance door and sashes, painted
- 22 Aluminum storefront with sashes, white
- 23 Aluminum storefront with sashes, dark bronze
- 24 Metal cornice
- 25 Decorative metal gudrail, laser cut and painted

- 27 Decorative metal gate
- 28 Flood bracketing, painted
- 29 Precast concrete panel
- 30 Precast concrete panel
- 31 Wall sconce
- 32 Metal exhaust vent, painted to match adjacent surface
- 33 Roof access beyond, fiber cement panel siding, dark bronze
- 34 Window graphic, with historical information on Buck-Prager Building
- 35 Generator Exhaust grille

CARLETON HART
ARCHITECTURE

BLOCK 162 APARTMENTS

06.11.2019

LU 18 187493 HEM

C 14

AV

ADJACENT PROPERTY ZONED EGI
CENTRAL EMPLOYMENT

ADJACENT PROPERTY ZONED: RHD
(HIGH DENSITY MULTI-DWELLING)



BLOCK 162 APARTMENTS

LU 18-187493 HRM

BUILDING ELEVATION - SOUTH



KEYNOTES

- 1 Modular brick, turning bond, color 1
- 2 Modular brick, turning bond, color 2
- 3 Modular brick, turning bond, color 3
- 4 Facing modular brick, turning bond, color 4
- 5 Restraint and repair
- 6 Fiber cement panel siding, white
- 7 Metal panel siding, dark bronze
- 8 Metal trim flashing, white
- 9 Fiberglass window, dark bronze
- 10 Fiberglass window, white
- 11 Custom wood window, painted
- 12 Windows, painted
- 13 Fiberglass door, dark bronze
- 14 Architectural metal grille, white
- 15 Composite trim, white
- 16 Porge coat over brick, white
- 17 Restraint and repair, existing porge coating, dark gray
- 18 Steel entrance canopy
- 19 Wood entrance door and sashes, painted
- 20 Aluminum storefront with sashes, dark bronze
- 21 Metal cornice
- 22 Decorative metal grille
- 23 Wood blocking, painted
- 24 Precast concrete panel
- 25 Metal cornice
- 26 Metal exhaust vent, painted to match adjacent surface
- 27 Roof access beyond fiber cement panel siding
- 28 Window graphic with historical information on Buck Pinner Building
- 29 Generator Exhaust grille

CARLETON HART
ARCHITECTURE

BLOCK 162 APARTMENTS
08/11/2018

LU 18-187493-HRM

4/0

C 16

NWDA Planning October 11, 2018

Attendees: John Bradley, Roger V, Bill Welch, Dennis Harper, JoZell Johnson, Greg Theisen, Steve Ramos, Parker McNulty

Guests: Alan Claussen, Jessica Richman, Vicki Skyhra

Agenda:

Announcements

Approve meeting minutes – JoZell/Parker - Unanimous

1) Buck Prager Project

- Decision at this link: <https://www.portlandoregon.gov/bds/article/699850>
- Bill/Dennis – move to discuss the appeal
- Review of the summary for grounds of appeal
- Discussion of process
 - Summary of points that initiate the appeal
 - Appreciation that previous councils feedback on demolition review is called out which were not called out in the discussion
 - Review of the staff report
 - Calls out not about affordable housing but contains specific references to affordable housing throughout the report
- Move to approve to appeal to City Council
 - John/Roger
 - Discussion of the case – how strong is it
 - They are not following the “rules” that they have set out themselves
 - The process is getting sloppier and sloppier – and has become people’s opinions not review of the regulations
 - Maybe we should point that out more strenuously – this is wrong based on their own regulations
 - Need to be sensitive to political “football” but that can be done through meetings with commissioners directly and with staff
 - Are there any assurance that this is not the same as going up at 16th and Marshall – no - designation for affordable housing -
 - Discussion of process at Landmarks committee
 - Concern over not qualifying for funding
 - Was this submitted pre IZ (Inclusionary Zoning)
 - Was put in for DRA on Landmarks review in January 2018
 - Final filing calls out June 2018
 - Discussion of what they could do – within the envelope
 - Might masterlease to Avamere – Age restricted housing
 - Recommendation
 - Go through all communications to staff – put them on record
 - Discussion that historic testimony and correspondence was put record

-
- Need to ensure proper messaging of our appeal – supporting the people but not the design for this project
 - Make sure that all commissioner and staff meetings are shared with the Planning committee
 - Mayor has BDS under his preview – pulled back within his cover
 - Discussion of review of underwriter of affordable housing
 - Aging in place is not well supported
 - Did not make the threshold for funding at state level
 - Need to ensure that the design is the focus – it is a crap design – impact to the neighborhood
 - Make sure the design itself is the focus
 - Strategy – when you meet with staff planner – that you speak to design – when you meet with housing activists speak to the funding issue
 - Concern over the formal finding highlighting it as affordable housing
 - Discussion of Rent/Utility rate
 - Expedited permit process for affordable housing –
 - Did they get some type of floor area bonus for affordable
 - They application calls out 5:1 and don't count the basement as a floor
 - Did not get an extra floor based on request
 - What is the schedule
 - Have until October 22 to file appeal
 - Columbus Day as first mailing
 -
 - Vote: Unanimous

Coming soon:

Zone change at 1715 NW 17th Ave

<https://www.portlandoregon.gov/bds/article/699772>



Northwest District Association

NWDA Board Meeting: Monday, October 15, 2018, 6:00 to 7:30pm

Motions

- Motion 1: Approve minutes of September 17, 2018 Board Meeting
- Motion 2: Ratify appointment of Wayne Wirta as NWDA representative to Parks & Rec. fund
- Motion 3: Ratify sending of letter regarding noise concerns at new event space
- Motion 4: Approval of the Parks Committee Workplan as presented with the addition of the committee roster – motion as a recommendation from the committee
 - Note – as part of the approved workplan – the board supported sending a letter for reserving Wallace Park for July 18th – NWDA Board President signature required
- Motion 5: Allow treasurer to pay the LUBA appeal bill when funding comes into budget
- Motion 6: Approve NWDA to support an appeal of the Landmark Committees decision to City council utilizing the criteria presented and recommended affordable housing use designation

	Board Member		Status	Motion 1		Motion 2		Motion 3		Motion 4		Motion 5		Motion 6	
1	Brunke	Ji In	U												
2	Connelly	Ciaran	P	2	Y		Y		Y		Y		Y	2	Y
3	Duffy	Charles	P		Y		Y	1	Y		Y		Y		Y
4	Eddy	Rodger	P		Y		Y		Y		Y		Y		Y
5	Karlsson	Karen	P		Y	2	Y	2	Y		Y	2	Y		N
6	Johnson	JoZell	P		Y	1	Y		Y		Y		Y	1	Y
7	Johnson	Noel	U												
8	McNulty	Parker	E												
9	Pinger	Steve	U												
10	Schwartz	Tony	P		Y		Y		Y		Y		Y		Y
11	Selinger	Phil	E												
12	Stockwell	Page	E												
13	Walters	Ron	E - traffic												
14	Welch	Bill	P	1	Y		Y		Y		Y	1	Y		Y
15	Wirta	Wayne	E												
Y	Ramachandran	Sagarika	P												

Key: 1- motioned, 2 - seconded, y - in favor, n - against, a – abstain

Key: P - present, E - excused, U – unexcused

Guests:

Alan Clausen, Jessica Richmond, Vicky Skyhra, Annette Jolin, Richard U'ren, Michel Harrison

Committee Chairs: Tanya March, Jeanne Harrison, Greg Theisen, (Rodger Eddy standing in for Page)



Northwest District Association

Call to Order, Call of the Roster

Review and Approval of Minutes for the April and May Board Meetings

- Motion 1: Approve minutes of September 17, 2018 Board Meeting
- Correction to the date of the meeting
- Tony Schwartz – updated Unexcused absence to Excused due to health action
- Bill/Ciaran - unanimous

NWDA representative on NW Neighborhoods Parks & Rec. Fund

- Motion 2: Ratify appointment of Wayne Wirta as NWDA representative
- JoZell/Karen - unanimous

Letter re noise concerns at new space at 1221 NW 21st (former Wildwood)

- Motion 3: Ratify sending of letter regarding noise concerns at new event space
- Discussed last month noise coming out of planned event space coming out of old Wildwood space
- Letter drafted and sent with approval of executive committee
- Chuck/Karen - unanimous

Committee Reports

- Jeanne Harrison, Transportation
 - Transportation bill
 - Fiscal year 2019 –
 - improvements on headways on the buslines 77, the 15, 16 and new service on line 24 (over morrison) and more frequent service on Burnside
 - Streetcar updating frequent service – good headways throughout the day
 - NW Transportation Nov 15 – at Eleanor room at Chown Hardware – 5-7pm
 - NW in Motion – transit in motion
 - Posters about
 - Flanders bridge and greenway
 - Question on light at Flanders/16 – still in discussion
 - Line 24 extension
 - Zone M parking changes and more
 - Scooters
 - Encouraging people to send comments to PBOT and Mayor – Nov 4 deadline
 - City council will make determination in November
 - Opinions coving a range
 - Question if the board wants to take a position – rainy season may discourage some of them – no final decision
 - Timbers and lack of Parking Plan
 - Ron Walters presented plan/or lack of at transportation meeting
 - Current plan in place but does not address addition 4k seats and their transportation and parking
 - Six things discussed as action



Northwest District Association

- More enforcement needed on parking on game days
 - Sundays as well
 - Thorns games are not being “policed”
 - Over 10k attendance so should be
- No incentives provided on web page
 - Example Similar to transportation wallet
- Timbers providing post game activities to spread out peaks
 - Light rail capacity is full at peaks – additional needs study going
- More on time communication with fans
 - Rainy versus sunny, afternoon vs evening, weekdays vs weekends
- Scooters to the game and then parking them wherever
 - Dedicated scooter parking?
 - But not drinking and scooting home
- Timbers suggested a pickup place for lift and uber in neighborhood
 - Suggested NW 20th
 - Committee adamant about this not being a good street
 - The MODA center does not work because of backup
 - Suggested off the street parking place – like St Mary’s or Trinity, Fred Meyer
- Motion NW – street discussion classifications
 - Upgrade local street to neighborhood collectors
 - Recommended no upgraded collectors to the west of 23rd
 - 18/19 Everett/Glisan, Northrup/Raleigh are current collector streets
- Parking SAC meets next Wednesday and will be spending a lot of time on the timbers parking issue – Friendly house – 4pm
 - Welcome to attend
 - Include Good Sam offering spaces
 - 1k spaces
- Number of Neighbors in Willamete heights asking about Thurman Street ramp closure (Greg Theisen question)
 - No one can get clear answer – part of 21 LID
 - Closing down part of the system without the new system closed
 - People still making U turns
 - Trying to get ahold of PBOT and no responses
 - Concern it is setting a bad precedence with public
 - Action - Jeanne to reach out to PBOT to get a status and report back
 - ODOT wants to come and present at transportation or board -



Northwest District Association

- Appeal estimated to be argued the last week of November first week of December
- NWNW Board meeting re: Downtown election
 - Contested election and NWNW actions
 - Existing board and board panel –undeclared cadency
 - Agreed to submit controversy to dept of justice
 - Issued decision that incoming board had not complied so old board was still correct board in place
 - Seeking board will need to declare their candidacy and call a vote
 - NWDA does not need to have a position – just fyi
- Board Member obligations
 - Remind everyone that one of the requirements of being a board member is being a member of the board or undertake a special project – if you are not on a committee or want to take on a special project – let Ciaran know
- Committee Work Plans
 - Approved Parks Committee Plan this year
 - Goal is to approve all plans by year end – November or December meeting
 - Executive committee as well

Buck Praeger appeal — JoZell Johnson

Motion – Have NWDA Support the Proposal with the criteria as presented for an appeal to city council – JoZell/Ciaran

- Passed with board approval except Karen

Buck Praeger Discussion – The criteria is well laid out and we support it – but what we need to do is to start making the case in the political world

- Talk to council staff far before this stage
- The subcommittee plans action to meet with the city will follow the appeal filing
 - Commissioner staff, housing staff
- Appeal – to ensure it is keeping it as affordable housing that puts NWDA in position that it is not NIMBY but in support of affordable housing

Discussion of NWDA position on parking structures

- Exploring the possibility of building off street parking structures with Parking funds
- Historically NWDA has been opposed – so need to revisit if that is still our current position
- Discussed at transportation committee
 - Go back to neighborhood plan – there was the assumption that there would be additional parking on neighborhood sites and a cap – once that cap was reached then it would be no longer built
 - Surface parking lots are strictly regulated – limits in the plan districts – 20k square feet
 - Structured parking was preferable over surface lot parking



Northwest District Association

- Parking SAC is getting money in from meter revenue
 - Lot of effort put into alternative transport mode
 - Idea is not to go off and spend money on a parking garage but divvy money to different buckets
 - This would be a budget exercise
 - What we have learned is that the residents are having the hardest find finding parking
 - Create garages that may be focused at residents first
 - As we learn more – making a blanket no seems too restrictive
 - MLC discussion – they are a designated parking area – West of the Building
 - MLC is supportive of it
 - Parking construction may not be viable because of steel cost
 - MLC, Northrup and Marshall, 21st across from the gas station, lot behind papa Hayden – were the three that were designated by the city over NWDA objections
 - All of the concerns had asked for several choices (parking meters, zones) which have come to pass so now may be the time to review the stance
 - Jessica - Question of Underground parking – may be more expensive but not as destructive to the neighborhood
 - Condo parking for neighborhood as part of existing neighbors who do not have access to off-street parking
 - Jeanne – the discussion of structured parking – we don't know if the TDM measures are having the effect proposed because we are not measuring them
 - Michael – issue should be what is getting torn down – that was the historic concern with parking structures.
 - Cobbler shop example
 - Ciaran – neighborhood plan approved 4 specific sites – in subsequent time some of those sites have become non-viable
 - Sagarika – concern on safety/security on the lots versus street parking
 - Vicki – Opportunistic win win – Lutheran Church discussion on future development where neighbors would “buy” deeded lots and then supply revenue for overall development
 - Karen – future parking is looking at integrated into the developments – not stand along
 - Tony – concern against unequivocal no's – need to have negotiation opportunity
 - Continue to next month
 - One discussion – does neighborhood support/oppose structured parking
 - Two – is it the role of the neighborhood
 - Request from Parking SAC – put a line item in the budget – different then exploring if it is feasible

Public Comment

Adjourn



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 Fee Waiver Request for Organizations

FOR INTAKE, STAFF USE ONLY

LU Number: LU 18-187493 HRM, AD

Date/Time Received 10/22/18 @ 2:45 PM

Received By Mary Butenschoen

☒ Directors Approval Letter Requested

☐ Waiver Approved by Director

☐ Waiver Denied

Date waiver Approved/Denied: _____

APPLICANT: Complete all sections below that apply to the proposal. Please print legibly.

This form is to request a waiver for the fee charged for an appeal. To file an appeal, a separate form must be completed.

Development Site Address or Location 1727 NW Hoyt, Portland OR 97209

File Number LU 18-187493 HRM, AD Appeal Deadline Date October 22, 2018

Organization and Appeal Information

Organization Name Northwest District Association (NWDA)

Person Authorized by the Organization to file the Appeal Secretary: JoZell Johnson

Street Address 533 NW 18th

City Portland

State OR

Zip Code 97209

Day Phone 503 227-2864

FAX _____

email secretary@northwestdistrictassociation.org

By signing this form, the organization confirms that:

- ☒ yes ☐ no The organization testified orally or in writing at the hearing, and the testimony was directed to a specific approval criterion;
- ☒ yes ☐ no The appeal is being made on behalf of the recognized organization, and not on behalf of an individual; and
- ☒ yes ☐ no The vote to appeal was done in accordance with the organization's bylaws.

Name/Title Ciaran Connelly, President Northwest District Association

Signature/Date [Signature] October 17, 2018

Please complete all of the information requested below.

See reverse side for additional information on fee waiver requirements.

Date of meeting when the vote to appeal the land use decision was taken :

The decision to appeal was made by a vote of (check one of the following):

- ☐ The general membership in a meeting of the organization as listed above.
- ☒ The board in a meeting of the organization as listed above.
- ☐ The land use subcommittee in a meeting of the organization as listed above.

Please include at least one of the following:

- ☐ A copy of the minutes from the meeting when the vote to appeal was taken.
- ☒ Vote results to appeal - Number of YES votes to appeal 6 Number of NO votes to appeal 1

To request a waiver of an appeal fee for a land use review take:

- ☐ This completed fee waiver request form and any supplemental information necessary to qualify for a fee waiver.

The City must receive the appeal fee waiver request and 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 waiver application 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.



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

Received By Emily Wilson

Appeal Deadline Date 10/22/18 4:30pm

☐ Entered in Appeal Log

☐ Notice to Auditor

☐ Notice to Dev. Review

☒ Action Attached

Fee Amount \$ 5,000

☐ Fee Waived

Bill # 4403226

☐ [Y] [N] Unincorporated MC

APPELLANT: Complete all sections below. Please print legibly.

PROPOSAL SITE ADDRESS 1727 NW Hoyt Block 162 DEADLINE OF APPEAL 10.22.18

Name Tony Schwartz

Address 520 SW 6th Ave, #600 City PDX State/Zip Code 97204

Day Phone 503 505 4674 Email tonyschwartz.law@gmail.com Fax com

Interest in proposal (applicant, neighbor, etc.) neighbor / testifier

Identify the specific approval criteria at the source of the appeal:

Zoning Code Section 33. 846 . 060

Zoning Code Section 33. 700 . 070.E

Zoning Code Section 33. 846 . 070

Zoning Code Section 33. 730 . 060.C.2

Describe how the proposal does or does not meet the specific approval criteria identified above or how the City erred procedurally:

I attach my own letter and other material.

Appellant's Signature

ACS

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 of Portland

☐ Fee waiver for ONI Recognized Organizations approved (see instructions under Appeals Fees A on back)

☐ Fee waiver request letter for low income individual is signed and attached

☐ Fee waiver request letter for Unincorporated Multnomah 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 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 only 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 Compatibility" and there 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. **CDG P2 – Historic and Conservation Districts**. 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.*
6. **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.*
2. **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.*
3. **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. **Public comments addressing approval criteria were not acknowledged or evaluated.** *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 P524
Land Use Decision Enclosed
Case # LU 18-187493 HRM AD

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the TTY at 503-823-6868 or the Oregon Relay Service at 711.

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Traducere sau Interpretare | 번역 및 통역 | الشفوية أو التحريرية
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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

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

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

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

Tax Account No.: R180214490, R180214510, R180214530

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

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

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

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.

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 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]:

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 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 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 – J) 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.

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 INDICATED

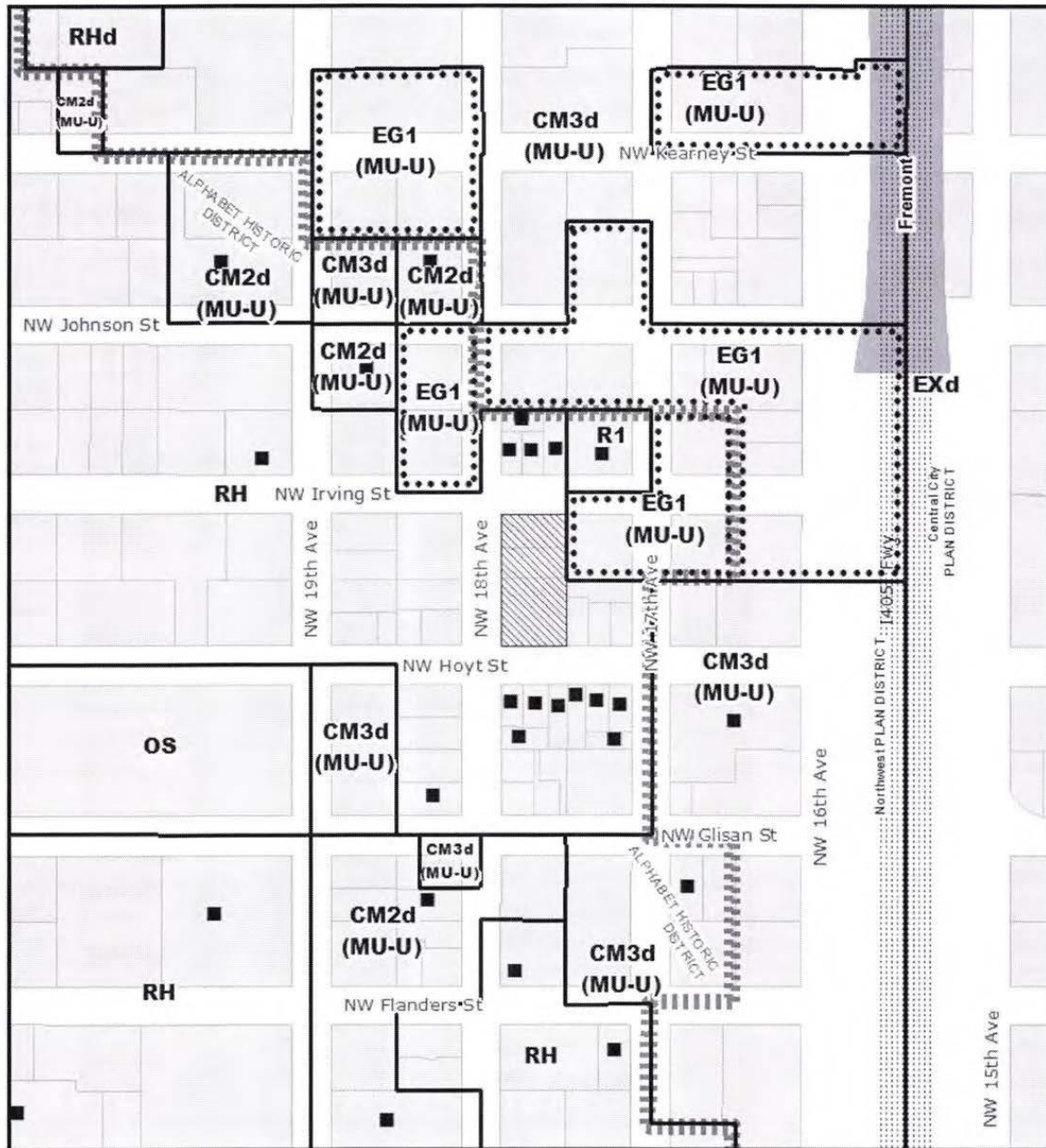
- A. Applicant's Statement:
 - 1. Original Submittal, 6/9/18
 - 2. Response to staff email, 6/25/18
 - 3. 100-day timeline not applicable, 7/3/18
 - 4. Request to deem application complete, 3/7/18
 - 5. FAR diagrams, 7/9/19
 - 6. Revised FAR diagram, 7/10/18
 - 7. Geotech report & other SB issues, 7/13/18
 - 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
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.
 - 3. 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
 - 2. Pre-Application Conference Summary Memo, 12/26/17
 - 3. Design Advice Request Summary Memos, 5/16/18
 - 4. Request for Completeness with BES response, 6/9/18
 - 5. 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)
9. 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

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, Verlana 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



ZONING

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



Site



Historic Landmark



Bridge

File No. LU 18-187493 HRM AD

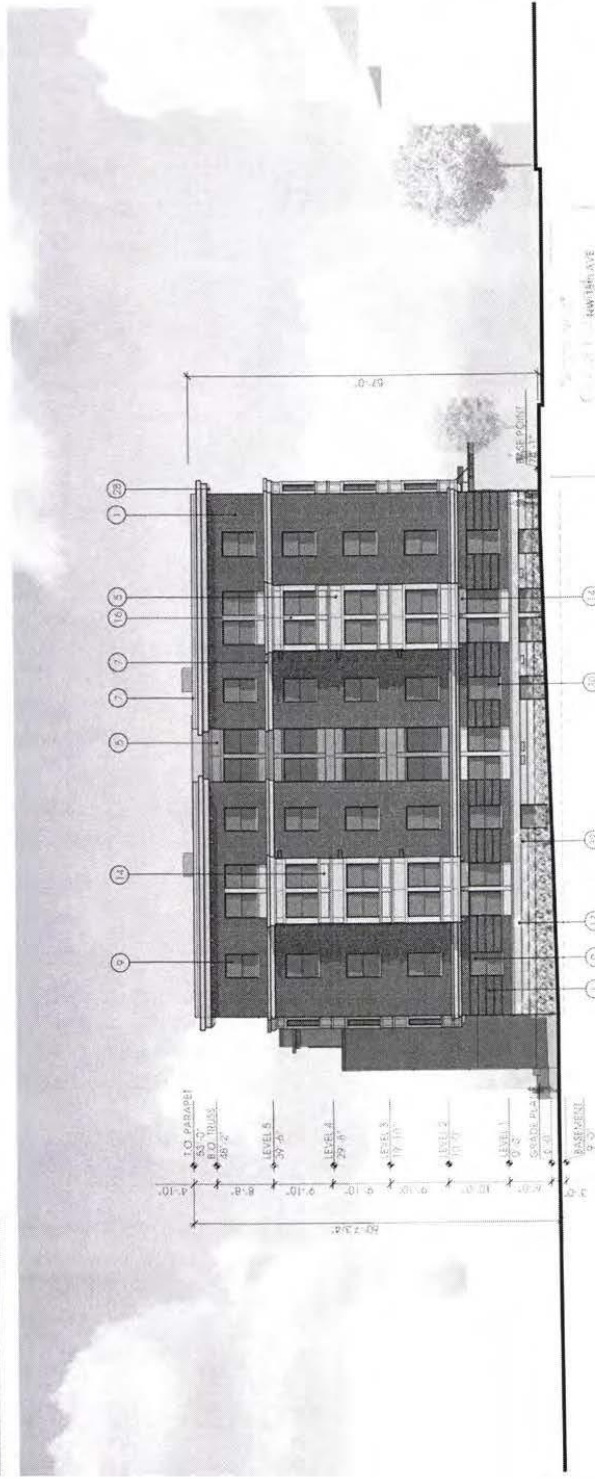
1/4 Section 2928

Scale 1 inch = 200 feet

State ID 1N1E33AC 4200

Exhibit B Jun 19, 2018

BUILDING ELEVATION - NORTH



KEYNOTES

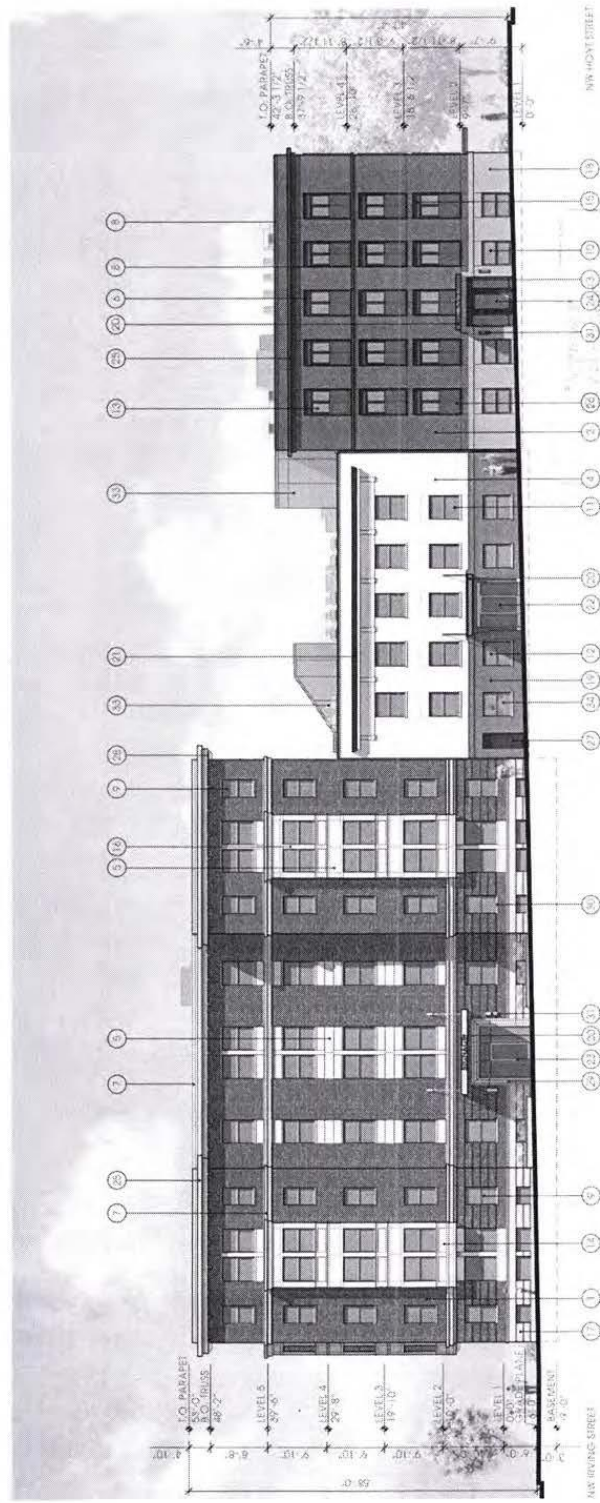
1. Modular brick, running bond, color 1
2. Modular brick, running bond, color 2
3. Modular brick, stacked bond, color 3
4. Existing modular brick, running bond, color 4
5. Rustic and repair
6. Fiber cement panel siding, white
7. Metal trim/siding, white
8. Metal trim/siding, dark bronze
9. Fiber glass window, white
10. Fiber glass window, dark bronze
11. Reconstructed rough opening with custom wood windows, painted
12. Reconstructed rough opening with custom wood windows, painted
13. Fiberglass patio door, dark bronze
14. Architectural metal grille, white
15. Architectural metal grille, dark bronze
16. Composite trim, white
17. Parge coat over brick, light gray
18. Restore and repair existing parge coating, dark gray
19. Steel entrance canopy
20. Steel entrance door, based on historic photo
21. Wood entrance door and sashes, painted
22. Aluminum storefront with sashes, white
23. Aluminum storefront with sashes, dark bronze
24. Metal cornice
25. Decorative metal guardrail, laser cut and painted
26. Decorative metal gate
27. Wood bracing, painted
28. Precast concrete panel
29. Precast concrete sill
30. Wall sconce
31. Metal exhaust vent, painted to match adjacent
32. Metal exhaust vent, painted to match adjacent
33. Parge coat beyond, fiber cement panel siding, dark bronze
34. Window graphic with historical information on
35. Buck-Prager Building
36. Generator Exhaust grille

CARLETON HART
ARCHITECTURE

BLOCK 162 APARTMENTS
08.10.2018

LU 18187493 HRM
C13

BUILDING ELEVATION - WEST

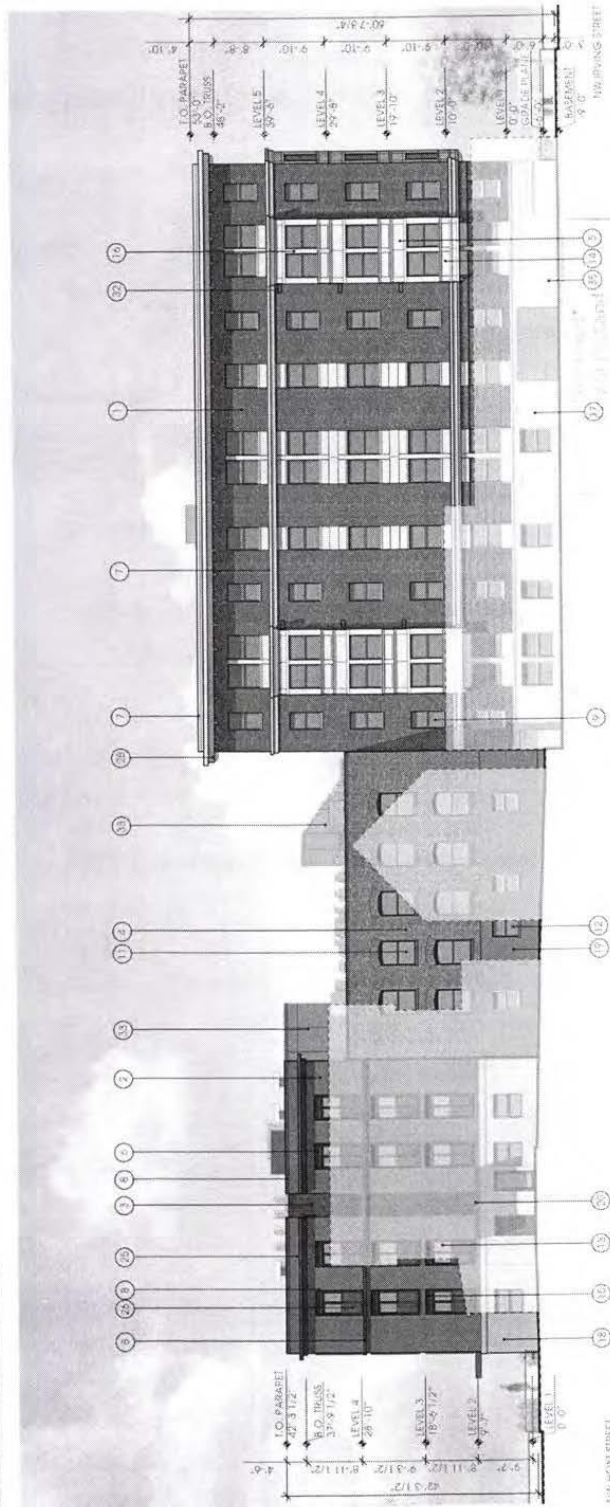


KEYNOTES

- 1 Modular brick, running bond, color 1
- 2 Modular brick, running bond, color 2
- 3 Modular brick, stacked bond, color 3
- 4 Existing modular brick, running bond, color 4
- 5 Restore and repoint
- 6 Fiber cement panel siding, white
- 7 Metal panel siding, dark bronze
- 8 Metal trim/fascia, dark bronze
- 9 Metal trim/fascia, white
- 10 Fiberglass window, dark bronze
- 11 Custom wood window, painted
- 12 Reconstructed rough opening with custom wood windows, painted
- 13 Fiberglass patio door, dark bronze
- 14 Architectural metal grille, white
- 15 Architectural metal grille, dark bronze
- 16 Composite trim, white
- 17 Farge coat over brick, white
- 18 Restore and repoint existing farge coating, dark gray
- 19 Farge coat over brick, light gray
- 20 Metal parapet eyebrow, based on historic photo
- 21 Metal parapet eyebrow, based on historic photo
- 22 Wood entrance door and sashes, painted
- 23 Aluminum storefront with sashes, white
- 24 Aluminum storefront with sashes, dark bronze
- 25 Metal cornice
- 26 Decorative metal guardrail, laser-cut and painted

- 27 Decorative metal grille
- 28 Wood bracing, painted
- 29 Precast concrete panel
- 30 Precast concrete sill
- 31 Wall sconce
- 32 Metal exhaust vent, painted to match adjacent
- 33 Precast concrete beyond, fiber cement panel siding, dark bronze
- 34 Window graphic with historical information on Buck-Prager Building
- 35 Generator Exhaust grille

BUILDING ELEVATION - EAST



KEYNOTES

1. Modular brick, running bond, color 1
2. Modular brick, running bond, color 2
3. Modular brick, stacked bond, color 3
4. Easting modular brick, running bond, color 4
5. Restore and repair existing brick
6. Metal lintel, dark bronze
7. Metal lintel, white
8. Metal lintel, dark bronze
9. Metal lintel, white
10. Fiberglass window, dark bronze
11. Custom wood window, painted
12. Reconstructed rough opening with custom wood windows, painted
13. Fiberglass patio door, dark bronze
14. Architectural metal grille, white
15. Architectural metal grille, dark bronze
16. Cast concrete, white
17. Cast concrete, white
18. Paint coat over brick, white
19. Restore and repair existing garage coating, dark gray
20. Steel entrance canopy
21. Metal paraper eyecrow, based on historic photo
22. Wood entrance door and sash, painted
23. Aluminum storefront with sash, white
24. Aluminum storefront with sash, dark bronze
25. Metal cornice
26. Decorative metal guardrail, laser-cut and painted

27. Decorative metal grille
28. Wood bracketing, painted
29. Precast concrete panel
30. Precast concrete fill
31. Wall sconce
32. Metal exhaust vent, painted to match adjacent surface
33. Roof access beyond fiber cement panel siding, dark bronze
34. Window graphic with historical information on Buck-Proger Building
35. Generator Exhaust Gille

CARLETON HART
ARCHITECTURE

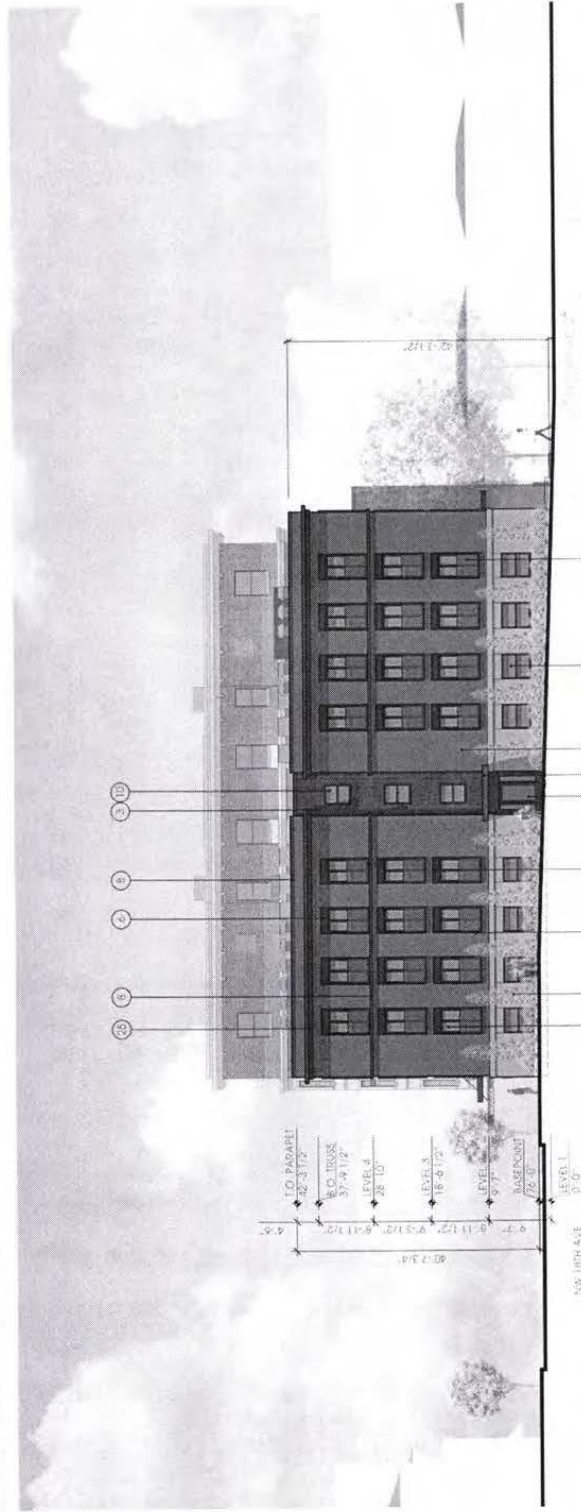
BLOCK 162 APARTMENTS

08.10.2015

LU 18-187493 HRM

C.14

BUILDING ELEVATION - SOUTH



KEYNOTES

1. Modular brick, running bond, color 1
2. Modular brick, running bond, color 2
3. Modular brick, stacked bond, color 3
4. Existing modular brick, running bond, color 4
5. Restored and repoint
6. Fiber cement panel siding, white
7. Metal panel siding, dark bronze
8. Metal louvering, white
9. Fiber cement panel siding, white
10. Fiber cement panel siding, white
11. Custom wood window, painted
12. Reconstructed rough opening with custom wood windows, painted
13. Fiberglass patio door, dark bronze
14. Architectural metal grille, white
15. Architectural metal grille, dark bronze
16. Composite trim, white
17. Porge coat over brick, white
18. Fiber cement panel siding, white
19. Fiber cement panel siding, white
20. Steel entrance canopy, based on historic photo
21. Metal paragon eyebrow, based on historic photo
22. Wood entrance door with scullies, painted
23. Aluminum storefront with scullies, white
24. Aluminum storefront with scullies, dark bronze
25. Metal cornice
26. Decorative metal guardrail, laser-cut and painted

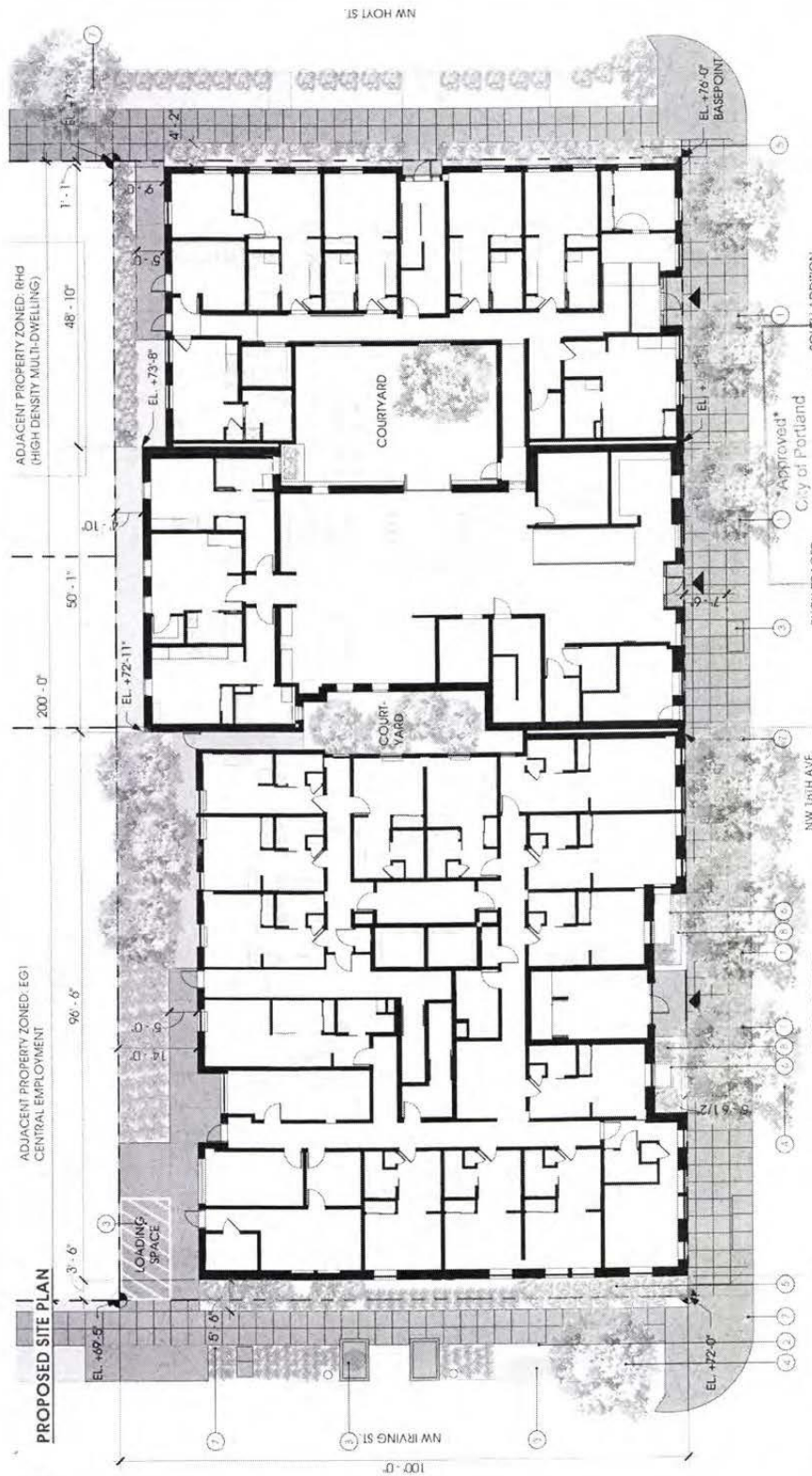
27. Decorative metal gate
28. Wood bracketing, painted
29. Precast concrete panel
30. Wood bracketing, painted
31. Metal exhaust vent, painted to match adjacent surface
32. Metal exhaust vent, painted to match adjacent surface
33. Roof access beyond, fiber cement panel siding, dark bronze
34. Window graphic with historical information on Buck-Pager Building
35. Generator Exhaust grille

CARLETON HART
ARCHITECTURE

HOUSING
RESEARCH

BLOCK 162 APARTMENTS
06.10.2018

LU 18-187493 HRM
C.16



KEYNOTES

1. Street frontage (not for disclosure)
2. Street frontage (not for disclosure)
3. Street frontage (not for disclosure)
4. Street frontage (not for disclosure)
5. Street frontage (not for disclosure)

BUCK PRAGER
City of Portland
Bureau of Development Services SOUTH ADDITION

Approved*
10/3/18

Power line
Landscaping planter with integrated bench
Egress well from development unit

BLOCK 162 APARTMENTS
09.10.2018

**CARLETON HART
ARCHITECTURE**

LU 18-187493 HRA
C.2

GENERAL EXPLANATION OF CITY COUNCIL APPEAL HEARING PROCESS FOR ON-THE-RECORD APPEALS

1. SUBMISSION OF LEGAL ARGUMENT

- a. On-the record appeals are limited to legal argument only. The only evidence that will be considered by the City Council is the evidence that was submitted to the Historic Landmarks Commission prior to the date the Historic Landmarks Commission closed the evidentiary record. Parties may refer to and criticize or make arguments in support of the validity of evidence received by the Historic Landmarks Commission. However, parties may not submit new evidence to supplement or rebut the evidence received by the Historic Landmarks Commission.
- b. Written legal argument must be received by the time of the hearing and should include the case file number. Testimony may be submitted via email to CCTestimony@portlandoregon.gov or in writing to the Council Clerk, 1221 SW Fourth Avenue, Room 130, Portland, Oregon 97204.
- c. Legal argument may be submitted orally (see below).

2. COUNCIL REVIEW

- a. The order of appearance and time allotments are generally as follows:

Staff Report	10 minutes
Appellant 1	10 minutes
Appellant 2	10 minutes
Supporters of Appellant(s)	3 minutes each
Principal Opponent	30 minutes
Other Opponents	3 minutes each
Appellant 1 Rebuttal	5 minutes
Appellant 2 Rebuttal	5 minutes
Council Discussion	

- b. The applicant has the burden of proof to show that the evidentiary record compiled by the Historic Landmarks Commission demonstrates that each and every element of the approval criteria is satisfied. If the applicant is the appellant, the applicant may also argue the criteria are being incorrectly interpreted, the wrong approval criteria are being applied or additional approval criteria should be applied.
- c. In order to prevail, the opponents of the applicant must persuade the City Council to find that the applicant has not carried the burden of proof to show that the evidentiary record compiled by the Historic Landmarks Commission demonstrates that each and every element of the approval criteria is satisfied. The opponents may wish to argue the criteria are being incorrectly applied, the wrong approval criteria are being applied or additional approval criteria should be applied.

3. OTHER INFORMATION

- a. Prior to the hearing, the case file and the Historic Landmarks Commission decision are available for review by appointment, at the Bureau of Development Services, 1900 SW 4th Avenue, #5000, Portland, OR 97201. Call 503-823-7617 to make an appoint to review the file.

If you have a disability and need accommodations, please call 503-823-4085 (TDD: 503-823-6868). Persons requiring a sign language interpreter must call at least 48 hours in advance.