



**Bureau of
Development Services
Land Use Services Division**

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**NOTICE OF FINAL
FINDINGS, CONCLUSIONS AND DECISION
OF THE CITY OF PORTLAND HISTORIC LANDMARKS COMMISSION
ON AN
APPEALED ADMINISTRATIVE DECISION
(Type II Process)**

**CASE FILE: LU 07-180515 HDZ, Irvington Squire
LOCATION: 1510 NE HANCOCK**

The administrative decision for this case was appealed to the Portland Historic Landmarks Commission [PHLC] by the Irvington Neighborhood Association.

The PHLC overturned the administrative decision of approval and granted the appeal, denying the request. The original analysis, findings and conclusions have been revised by the Review Body and follow.

I. GENERAL INFORMATION

Applicant: 1510 Hancock LLC, Owner
PO Box 401/ Lake Oswego, OR 97034

Representative: John Perkins, Architect (503) 287-7468
Perkins Architectural
4036 NE Sandy Boulevard, Suite 4/ Portland, OR 97212

Site Address: 1510 NE HANCOCK STREET
Legal Description: LOT 1&2 BLOCK 260, HOLLADAYS ADD
Tax Account No.: R396219050
State ID No.: 1N1E26DC 10800 **Quarter Section:** 2832
Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
District Coalition: Northeast Coalition of Neighborhoods, Lauren McCartney at 503-823-4135.

Other Designations: Irvington Conservation District
Zoning: RH, High-Density Residential
Case Type: HDZ, Historic Design Review
Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal: The applicant requests historic design review approval to construct a new 5-story condominium building [14 units total] on a 10,000 SF lot at the corner of NE 15th Avenue and NE Hancock Street in the Historic Irvington Conservation District. The building height is approximately 64 feet to the top of the rooftop mechanical screen and 60'-8" to the top of parapet of the attic penthouse. *[Maximum height allowed for this site under current regulations is 75'.]* Sixteen parking spaces are proposed on the first floor with vehicle access from NE Hancock. The ground level also includes lobby/parlor area at the corner and building services and trash/utilities access facing NE 15th Avenue.

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

- 33.846, Historic Reviews
- 33.445, Historic Resource Protection Overlay Zone
- Community Design Guidelines

Public Hearings: The first appeal hearing was held on August 25, 2008. At that hearing, the appellant requested that the record remain open to provide additional testimony. After the appellant submitted additional testimony and the applicant submitted additional testimony, the second appeal hearing was held on September 22, 2008.

Testimony at the 8-25-08 Hearing: Steven Unger, neighbor
Stuart Tyson, neighbor
Dustin Carsey, neighbor
Terrence Flanagan, Teragan & Associates Inc
Marilyn McWilliams, neighbor
Karin D. Poida, neighbor
Ken Corum, neighbor
Michael Wallace, neighbor
Cheryl DeLozier
Cathy Galbraith, Bosco-Milligan Foundation
Michael Bishop
Jim Heuer, neighbor

II. ANALYSIS

Site and Vicinity: The 10,000 square-foot site is located within the Irvington Conservation District and occupies the northwest corner of the block bounded by NE Hancock Street, NE 16th Avenue, NE Schuyler Street, and NE 15th Avenue. The site is developed with a 7,244 square-foot apartment building. The Irvington neighborhood is primarily composed of single-family residences. However, Holladay's Addition, located in the southern portion of the neighborhood, is the only portion of Irvington that historically did not have deed covenants restricting structures to single-family residences, and therefore this area contains a number of multi-unit structures.

Between NE 15th and 16th Avenues immediately south of this block at NE Schuyler Street, the Irvington Conservation District boundary ends and the Central City Plan District boundary begins. The Central City Plan District is considered Portland's densest neighborhood. The site is also adjacent to, not within, the Albina Community Plan District. In the immediate area, the boundary lines for the Albina Community Plan District run north and east of this site along NE Hancock and NE 16th. With the adoption of the larger Albina Community Plan in 1993, this block was rezoned from R1 [medium density] to today's zoning of RH [high density].

Two historic properties share this block with the subject site. Directly south of the site is the Gustav Freiwald House, which is listed on the National Register of Historic Places and is also a City of Portland Historic Landmark. The Freiwald House, currently a bed and breakfast, is a well-preserved and distinctive example of Queen Anne architecture and stands alone as the only example of its kind in Irvington. The house was built in 1906. Distinguishing features include the steeply pitched hip roof with pedimented dormers and a two-story cupola with a tent roof over an encircling front porch. A low wall of quarry-faced ashlar retains the site and opens at a corner entrance. The retaining wall is original to the property's development and is noted as a contributing feature. The historic Irvington Bowman Apartments, also known as the Norton Apartments, are located on the northeast corner of the subject block. The Irvington Bowman

Apartments were constructed in 1912. The building is listed on the National Register of Historic Places and is significant due to its architectural integrity as an Arts and Crafts style apartment building. The Irvington Bowman Apartments building was the first multi-family dwelling structure built by local builder Frederic E. Bowman.

Portland's Transportation System Plan classifies NE 15th Avenue as a Neighborhood Collector Street, Transit Access Street, City Bikeway, and City Walkway. NE Hancock Street and NE 16th Avenue are designated as Local Service Bikeways and Local Service Walkways. NE Schuyler is a Local Service Bikeway.

Zoning: The High-Density Residential (RH) zone is a high-density multi-dwelling residential zone. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use is regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will range from 80 to 125 units per acre. For this 10,000 square foot site, density would generally range from 19-29 units. The current development proposal includes 14 residential units. Allowed housing is characterized by medium to high height and relatively high percentage of building coverage. The major types of new housing development will be low, medium, and high-rise apartment and condominiums. Generally, RH zones will be well served by transit facilities or be near areas with supportive commercial services.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks. The regulations that pertain to these properties protect certain historic resources in the region and preserve significant parts of the region's heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

Land Use History: City records indicate that prior land use reviews include the following:

- LUR 97-014906 AD (reference file #97-00860): Design Review approval with the following modifications: reduce all parking spaces to compact size; reduce the north landscape setback adjacent to the parking area to 3 feet; and waive the east setback along the parking area.
- LU 07-111424 HDZ: Case withdrawn because the land use review timeline expired.
- EA 07-1577361 DA: Design Advice Request for the Irvington Squire project. Summary notes from the Landmarks Commission hearing are included in the Exhibits for this case, Exhibit G.4.

Agency Review: The first "Notice of Proposal in Your Neighborhood" was mailed **January 22, 2008**. The following Bureaus have responded with no issues or concerns:

- Portland Fire & Rescue;
- Portland Water Bureau;

The Bureau of Environmental Services responded with the following comment. Please see Exhibit E.1 for additional details.

"BES Summary Response: BES cannot recommend approval of the current proposal as insufficient information has been provided regarding proposed stormwater management. Though BES does not have specific approval criteria for this review, inadequately addressing stormwater at this stage may require site revisions later on, thereby potentially triggering additional design review. Please see below for additional comments.

Sanitary Services

1. There are two public combination sewer lines adjacent to the subject site:

- 10-inch VSP line in NE Hancock St (BES 2-0144), flowing west.
- 8-inch VSP line in NE 15th Ave (BES job no. 2-0484), flowing north.

These lines connect at a manhole in the intersection of Hancock and 15th, from which flow is conveyed west.

2. Due to capacity issues, BES recommends the applicant discharge sanitary waste to the combination sewer in NE 15th Ave.
3. Connection to the public sewer must follow BES's "Rules of Connection" and meet the standards of the City of Portland's Sewer and Drainage Facilities Design Manual. The Design Manual is on the internet at www.portlandonline.com/bes/, and contains the "Rules of Connection" in Appendix H.

Stormwater Management & Water Resources

The stormwater runoff generated from the proposed development must meet the requirements of the City of Portland's Stormwater Management Manual (SWMM) current at the time of building plan review. For all projects, the Stormwater Destination/Disposal Hierarchy must be addressed (pages 1-18 and 1-19 of the SWMM). Free CD-ROM discs of the 2004 SWMM are available at the City of Portland Development Services Center, 1900 SW 4th Avenue or on the internet at www.portlandonline.com/bes/. The applicant may also contact BES with any questions or for additional information.

1. There are two public storm-only sewer lines adjacent to the subject site. These lines run parallel to – but are separate from – the combination sewer lines described above:
 - 15-inch CSP line in NE Hancock St (BES job no. 3337), flowing west.
 - 15-inch CSP line in NE 15th Ave (BES job no. 3337), flowing north.

These lines connect at a manhole in the intersection of Hancock and 15th, from which flow is conveyed west.

2. Currently the street and surrounding area is partly served by a public combination sewer. The combined nature of flow in this system – i.e. both stormwater and sanitary discharge in the same pipes – is a primary contributing factor to combined sewer overflows (CSOs). Therefore, the SWMM requires that stormwater be managed on-site through surface infiltration facilities to the maximum extent practicable. Where approved by BDS Site Development, roof runoff may be managed in drywells or soakage trenches, and surface (i.e. parking lot, driveway and other ground-level impervious area) runoff must be managed in surface infiltration facilities. Pollution reduction is required for all non-rooftop runoff, and all runoff that is not infiltrated on site. Flow control requirements must be met for most runoff that is disposed off-site. A disposal location for stormwater must be identified for any size development, and any proposed new connections or additional stormwater disposal to the combination system will be restricted through requirements of the SWMM.
3. BDS Site Development (SD) has asked for additional information to determine if on-site infiltration is feasible for this project. Until such information has been reviewed to the satisfaction of BDS SD and BES, an appropriate disposal point cannot be determined. If infiltration is feasible, and if the Title 33 maximum allowed building setbacks provide adequate space for an infiltration facility, all stormwater runoff from the project must be infiltrated on-site. **BES strongly recommends the applicant submit stormwater information to the satisfaction of BDS SD and BES at this time, as changes to the site plan after this design review may trigger another design review.**

4. The applicant currently shows a stormwater planter on the eastern edge of the property. However, it is not clear what the intent of this planter is (i.e. infiltration or flow-through only); if there is adequate space for the planter; or if it meets the Destination/Disposal Hierarchy (see above comment). BES therefore concurs with BDS SD that a stormwater report which adequately addresses the Hierarchy (including infiltration feasibility), facility sizing, and all other applicable requirements of the SWMM should be submitted prior to BES recommendation of approval of this review.

Additional Information

1. BES sewage system connection fees are assessed at the time of building plans review and change every fiscal year beginning July 1st. For additional information on these fees, please call Development Assistance at 503-823-7761.
2. The Oregon Department of Environmental Quality (DEQ) has regulations for underground injection control (UIC) devices (e.g. private drywells, soakage trenches, etc.) in order to protect groundwater. If such a device is feasible (see above comments) and proposed, it may require DEQ registration. The City of Portland's permit approval process does not replace authorization from DEQ – the applicant is responsible for registering all UICs with DEQ as appropriate. To learn more about DEQ's UIC regulations, please visit their website (www.deq.state.or.us/wq/uic/uic.htm) or contact the DEQ UIC program at 503-229-5945. For copies of applications and forms call 503-229-5189. The applicant may also refer to the SWMM for general UIC information.
3. Cooling towers with a recirculating system and industrial boilers require occasional or regular water discharges (blowdown). Therefore, if this type of equipment will be installed or upgraded as part of the site improvements at the time of building permit application, the building plans will need to show a sanitary drain connected to the waste line which will provide a discharge location for the cooling tower or boiler blowdown water.

Building Permit Issues

1. Building plans for this project must include a detailed site utility plan which shows proposed and existing sanitary connections, as well as stormwater management that meets the requirements of the version of the SWMM that is in effect at the time permits are submitted.
2. Please have your construction contractor contact us prior to site development. During construction, any groundwater or precipitation water that must be removed from the site for development purposes may require additional controls. If disposal to a City sewer is intended, pre-authorization through the City's Batch Discharge Program must be obtained prior to discharge. Requests for batch discharges to the sanitary sewer system and to the storm sewer system have separate processes and requirements. Fees are assessed for temporary and permanent groundwater discharges to the City's sewer system, please refer to <http://www.portlandonline.com/shared/cfm/image.cfm?id=161719> for current rates. Please note that combined sewer discharges will incur the sanitary sewer rate, while discharges to the storm sewer will incur the storm rate. Testing may be required to establish characteristics of the discharge to verify that local discharge limits and water quality standards are not exceeded. Please contact 503.823.7122 for further information.

For more information regarding our program for construction and groundwater discharges, please reference the web site at <http://www.portlandonline.com/shared/cfm/image.cfm?id=121289>.

3. Design requirements from Chapter 4 of the SWMM that may be pertinent to this project are briefly described as follows. BES also recommends the applicant review Chapter 4 to

help recognize other requirements that may apply to this project at the building permit stage.

- Solid waste and recycling areas require pavement underneath the receptacles, protection from stormwater/rainwater through berming or grading (hydraulic isolation), a structural cover that is relative in size to the perimeter of the trash/recycling area, and a sanitary (waste line) drain inside the bermed/graded area. Depending on where the area is located, a planning/design review may be required. If the covered area is large, a structural engineering review may be required for the structural cover.
- Catch basins located in covered parking areas are required to discharge to the sanitary sewer. Trench drains or catch basins located at the entrance into the parking structure may discharge to the storm sewer system.
- Loading docks (material transfer areas) require protection from stormwater/rainwater within the first 3 feet of the dock face (hydraulic isolation). This area cannot accept stormwater run-on and must be plumbed to the sanitary sewer.”

The **Bureau of Transportation Engineering & Development** responded with the following comment. Please see Exhibit E.2 for additional details.

“Portland Transportation has no concerns with this development that are specifically related to the Design Review approval criteria.

The following comments are provided to aid the applicant in future building permit phases of the development in compliance with Title 17. The following comments may impact the building design.

- 1) The existing NE 15th Avenue sidewalk configuration of a 0.5-foot curb, 2.5-foot planting strip, 6-foot sidewalk, and 3-foot frontage zone will be required to be modified along the site frontage to provide an additional 3 feet of sidewalk width to the back of the existing sidewalk. This modification will achieve a sidewalk corridor configuration of a 0.5-foot curb, 2.5-foot planting strip, and a 9-foot wide sidewalk. The existing right-of-way width along the NE 15th Avenue frontage accommodates the recommended 12-foot corridor, no additional right-of-way dedication will be required.

If the curbs and/or sidewalks along the site frontage are in disrepair or become damaged during construction the frontages will be required to be repaired to the standards of the City Engineer.

- 2) The existing right-of-way along the NE Hancock Street frontage accommodates a 12-foot sidewalk corridor, no additional right-of-way dedication will be required. The existing sidewalk configuration of a 0.5-foot curb, 3.5-foot planting strip, 6-foot sidewalk, and 2-foot frontage zone generally meets City guidelines; however, the recommended width for a planting strip is 4 feet instead of the existing 3.5 feet. Because NE Hancock Street is improved with 3.5-foot wide planting strips for several blocks in either direction the applicant will not be required to reconstruct the sidewalk corridor.

If the curbs and/or sidewalks along the site frontage are in disrepair or become damaged during construction the frontages will be required to be repaired to the standards of the City Engineer.

- 3) The site plan needs to show all existing right-of-way lines for NE 15th Avenue and NE Hancock Street. The existing rights-of-way need to be dimensioned and labeled on the

plans. The site plan also needs to identify the existing curblines and sidewalk corridors for each street.

- 4) All proposed building encroachments into public right-of-way need to be labeled and dimensioned on the plans. The building elevation sheets need to be updated to show the adjacent street right-of-way locations and need to dimension and label any proposed encroachments into the public right-of-way.
- 5) Driveways and Curb Cuts (Section 17.28) Curb cuts and driveway construction must meet the requirements in Title 17. The Title 17 driveway requirements will be enforced during the review of building permits.

The existing curb cut on NE Hancock Street will be required to be closed with curb and sidewalk to match the existing sidewalk corridor.

- 6) The building permit plans will need to include details for any gates proposed to serve the SE Hancock Street residential parking garage driveway. The building permit plans will need to specify the operational speed/cycle length of the proposed gate, and the plans will need to specify that remote controllers must be used to operate the gates for vehicles entering the driveway.
- 7) Transportation System Development Charges (Section 17.15) System Development Charges (SDCs) may be assessed for this development. The applicant can receive an estimate of the SDC amount prior to submission of building permits by contacting Rich Eisenhauer at 503-823-7080.”

The **Site Development Section of the Bureau of Development Services** responded with the following comment. Please see Exhibit E.3 for additional details.

“Stormwater disposal and treatment. This proposal must be found to comply with the stormwater hierarchy. The hierarchy is found on pages 1-18 and 1-19 of the Stormwater Management Manual. To summarize, the applicant must, in order, address the possibility of using on-site infiltration with a surface infiltration facility, on-site infiltration with a public infiltration sump, private drywell or soakage trench, off-site flow to a drainageway, river or storm-only pipe, and off-site flow to a combined sewer. To review the Stormwater Management Manual, please visit the Bureau of Environmental Services (BES) web site at <http://www.portlandonline.com/bes>.

Insufficient information has been provided for Site Development to determine whether the proposed design would comply with stormwater requirements. Site Development will require a stormwater report, including calculations and the results of infiltration testing performed by a geotechnical engineer, addressing the stormwater hierarchy.

If the proposed building footprint, which covers the entire lot, was designed to comply with zoning code lot coverage or building line requirements (as determined by the case planner), then the stormwater hierarchy mandate will defer to those requirements and allow discharge to an off-site system if there is capacity (BES must make that determination). The stormwater report should clarify if this was the case. Please refer to the response from BES regarding stormwater requirements pertaining to this project.

However, if the proposed building footprint does not provide sufficient space to allow for an on-site stormwater disposal facility due to a design preference or exception to a rule, then the

stormwater hierarchy requirement will apply and the applicant will be required to consider on-site stormwater disposal first.

Drywells and soakage trenches may not be located any closer than 10 feet to any structures and 5 feet to any property lines, as measured from the middle of the facility. A plumbing code appeal would be required if a reduction in setbacks is proposed (and no other options are feasible); a favorable report from the geotechnical engineer and recommendations regarding foundation design from the structural engineer would be required for Site Development to support such an appeal.

Please direct questions to Mike Ebeling, R.S., at 503-823-7247.”

The **Life Safety (Building Code) Section of the Bureau of Development Services** responded with the following comment. Please see Exhibit E.4 for additional details.

“Based on the information provided, there appears to be no conflicts between the proposal and applicable building codes.”

The **Urban Forestry Division of Portland Parks & Recreation** responded in TRACS with the following comment.

“protect existing street trees. No trees over 12" dbh, on private property, may be cut prior to issuance of building permit.”

The **Tri-County Metropolitan Transportation District of Oregon (TriMet)** responded with the following comment. Please see Exhibit E.5 for additional details.

“**Maintain current bus stop and bus zone:** The existing stop is located approximately 15 feet south of Hancock on 15th Ave and currently serves 58 daily passengers either boarding or alighting, including significant mobility device lift activity. We will maintain this stop location and bus zone.

TriMet also requests the following:

- **Repair sidewalk:** The current bus stop offers 25 feet of concrete at the curb face, including an area just south of the wood utility pole that serves as a landing pad for our buses’ rear doors (apx. 35 to 40 feet south Hancock on 15th). The concrete in this area has settled, create a lip between the main sidewalk and the concrete in the furnishing zone. We request that this sidewalk lip is repaired, as it creates a tripping hazard for people existing the rear door of the bus.”

Additional Agency Review: A “**REVISED Notice of Proposal in Your Neighborhood**” was mailed **May 2, 2008**. The following Bureaus have responded with no issues or concerns:

- Portland Fire & Rescue;
- Portland Water Bureau; and
- Life Safety (Building Code) Section of the Bureau of Development Services.

The **Bureau of Transportation Engineering & Development** responded in TRACS with the following comment.

“See Feb 12, 2008 PDOT response. There are no changes necessary for the PDOT response with the revised plan.”

The **Bureau of Environmental Services** final response included the following comment. Please see Exhibits E.6 and E.8 for additional details.

“BES has reviewed the First Floor Plan (Sheet A-1001), revised 06/26/08, emailed by the applicant on 7/3/05. The revised plan is showing two options for stormwater treatment/disposal: the first option is a drywell in the eastern setback between the proposed structure and the eastern lot line, and the second option is a flow-through planter with overflow to the public sewer. There appears to be adequate area for the drywell to meet setback requirements from proposed/existing structures (10’), and to lot lines (5’). In addition, the planter appears to provide adequate treatment area per 2004 Stormwater Management Manual (SWMM). Findings can be made that the proposed design can accommodate stormwater facilities that meet the SWMM. At the time of building permit review, the applicant will be required to submit infiltration testing to confirm whether the drywell will be feasible. If feasible, the drywell will be required to meet the SWMM’s Hierarchy for stormwater discharge.

Therefore, based on the revised site plan and verbal communication with BDS Site Development, BES has no further objections to the proposal.”

The **Site Development Section of the Bureau of Development Services** responded with the following comment. Please see Exhibit E.7 for additional details.

“The information provided in the revised proposal does not address the requirements noted in Site Development’s original Land Use Review Response dated February 7, 2008. A UIC Fact Sheet is enclosed; the applicant is advised that registration of drywells or soakage trenches with Oregon DEQ may be required, in addition to City requirements.”

The **Urban Forestry Division of Portland Parks & Recreation** responded in TRACS with the following comment.

“protect existing street trees”

Neighborhood Review: The first “**Notice of Proposal in Your Neighborhood**” was mailed on **January 22, 2008**. A total of 79 written responses were received from either the Neighborhood Association or notified property owners in response to the proposal. Six of these letters included multiple signatures. The findings in this report address the relevant issues raised – please refer to the “Zoning Code Approval Criteria” section below.

Of the 79 written responses, 78 were opposed to the proposal. One respondent, Janet Helzer, wrote in support of the proposal and stated that the building would be a “wonderful addition” to the neighborhood (Exhibit F.12).

The Irvington Community Association (ICA) Land Use Committee submitted a response recommending that the application for this proposal be denied (Exhibit F.71). The ICA letter states that the proposal is massive and would be detrimental to the character and quality of the neighborhood. Further, the ICA believes the proposal does not meet applicable approval criteria and would set a damaging precedent for future development in the neighborhood. In addition, the letter states that the proposed building would overwhelm the historic Gustav Freiwald House (also known as the Lion and the Rose Bed & Breakfast) and detract from other historic properties in the area. The ICA believes that the applicant should be required to reduce the height of the building to 45’ (four stories), provide additional setbacks on 15th and Hancock to reflect the

character of the area and preserve mature street trees, and the parking should be partially or fully below grade.

The letters received in opposition to the proposal echo the sentiments of the ICA. Specifically, that the proposal is not appropriate for this location and that the proposed building design, height, mass, and scale, are not compatible with the Irvington neighborhood. Numerous responses suggest that these issues could be resolved by limiting the height of the building to 45 feet, although one response suggested that the height of the building be reduced to 35 feet (F.75) and another suggested 60 feet (F.74). In addition the responses also suggest that the building setbacks should be increased to preserve the patterning of the neighborhood and mature street trees.

Many of the respondents also take issue with locating the building's parking area at the ground level and feel that its presence at this location doesn't align with pedestrian goals and may contribute to criminal activity. Suggestions to correct this issue include locating the parking underground and incorporating active and/or residential spaces at the building's ground level.

Additionally, a number of responses referred to the proposal's inconsistency with the Community Design Guidelines. Specific guidelines that are cited in a number of the responses include, P1: *Community Plan Area Character*, P2: *Historic and Conservation Districts*, and D7: *Blending into the Neighborhood*. Many of the responses also discuss the role of the Community Design Guidelines in relationship to the Portland Zoning Code, and respondents are worried that the guidelines will be ignored.

Many of those who responded are also concerned with the development's potential impacts on traffic congestion in the neighborhood. In addition, a number of respondents are also concerned with the impacts of the development on access to sunlight for the surrounding properties. Finally, numerous responses also referred to the negative precedent this project would set for future development in the neighborhood.

A **"REVISED Notice of Proposal in Your Neighborhood"** was mailed on **May 2, 2008**. A total of 19 written responses have been received from the Neighborhood Association, notified property owners, or interested parties in response to the revised proposal. All 19 responses were written in opposition to the revised proposal (Exhibits F.80-F.98). The objections expressed in these responses reiterate those received from the previous notice of proposal. Specifically, that the proposal does not meet Community Design Guidelines, the proposed design is inappropriate for the location, the height should be limited to 45 feet, and the setbacks should match the patterning found in the neighborhood.

The Irvington Community Association (ICA) also maintains their previous objections to the proposal (Exhibit F.98). Their letter states that the ICA will oppose the project until the following changes are made: the setback along NE 15th Avenue is increased to at least 7 feet; the setback of the 5th floor is increased to at least 6 feet from the face of the building; all rooftop equipment is moved to the center of the building and covered or enclosed; and the overall height of the structure (including rooftop equipment) does not exceed 54 feet.

Public testimony, following the basis for the appeal, was received at the first hearing. The appellant requested that the record be held open for an additional 8 days, which resulted in additional testimony that, again, followed the basis for the appeal.

ZONING CODE APPROVAL CRITERIA

CHAPTER 33.846 HISTORIC REVIEWS

Purpose of Historic Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Design Review Approval Criteria

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is within the Irvington Conservation District. Therefore the proposal requires Historic Design Review approval. Because of the site's location, the applicable design guidelines are the Community Design Guidelines.

Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality**, which establishes Portland's urban design framework; **(E) Pedestrian Emphasis**, which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design**, which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

The PHLC has considered all guidelines and has addressed only those guidelines considered applicable to this project.

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.

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.

D8. Interest, Quality, and Composition. All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for P2, D7 and D8: The site is located within the Irvington Conservation District. The Irvington neighborhood was primarily developed between 1890 and 1930, and existing single-family and multi-family structures that date from this time period represent a variety of architectural styles. The historic multi-family buildings within Irvington are primarily simple brick and stucco structures. Since the Design Advice Request [DAR] and in direct response to commission comments, the building design has been simplified, particularly with limiting the variety of window types, better aligning elements of the building, removing the mansard roof, simplifying the balconies and bays, and decreasing the scale of a 2-story building base. Also since the DAR and in direct response to commission comments, one story of the building was removed and the top floor was recessed.

The craft of materials proposed was well received by the PHLC at the DAR and the 2 public hearings; some public comments also acknowledged the high level of quality. The

proposal incorporates a number of elements featured on nearby quality buildings. For example, the building's proposed material palette includes wood windows, brick cladding, a stone base, precast concrete sills and lintels, and solid recessed panels at the angled bay windows, all high-quality materials that work together to form a cohesive composition. In addition, the design successfully expresses a base, middle, top through the incorporation of brick banding between the first and second floors and a diamond brick patterning at the fourth floor.

The south and east setbacks are important in decreasing impacts on adjacent neighbors. The north and west setbacks are equally important in softening the hard building wall from passersby and creating an environment with human scale. Articulation in the building's façade, such as the recesses and bays, and the balconies at each corner of the second through fourth floors, also work to reduce the building's overall mass.

Many public responses were received throughout the land use process. The dominant concern was with regard to height, scale and mass. It is certainly challenging for all trying to balance goals of high-density infill development in an established neighborhood, let alone a conservation district. The commission struggled with a 6-story building at the DAR. They also acknowledged how a recessed top floor could help to reduce the perception of building bulk. The top floor of the current proposal, the fifth floor, is set back 3'-10" from the face of the building, which was described as, "not enough". The building height is 60'-8" to the top of the fifth floor parapet and 50'-4" to the top of the fourth floor parapet. Additionally, one Commissioner commented that the brick detailing at the 4th floor accentuated the height of the building. For these reasons, the PHLC agreed the scale and mass of the proposed building design threatens the identity and characteristics of the Conservation District and overwhelms the two adjacent landmarks.

Guidelines P2 and D7 are not met and Guideline D8 is met.

- E1. The Pedestrian Network.** Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.
- E2. Stopping Places.** New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.
- E3. The Sidewalk Level of Buildings.** Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.
- E4. Corners that Build Active Intersections.** Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.
- E5. Light, Wind, and Rain.** Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

Findings for E1 through E5: The proposal incorporates a number of design elements that will contribute to the success of the pedestrian environment in the area. Northeast 15th Avenue serves as the major pedestrian path linking the Lloyd District and Sullivan's Gulch neighborhoods to Irvington. The large ground floor windows at 15th Avenue, which continue around the corner to Hancock, allow views into the residential lobby and a "sitting area", which will function to promote an active intersection. One commissioner at the DAR likened the function of this space to the function of front porches. Further, the building's corner at 15th and Hancock, with ground level glazing, and balconies and bay

window elements at the upper floors, will establish a strong and active intersection. The proposed canopy over the residential entrance at the 15th Avenue elevation serves the dual purpose of defining this entrance and enhancing the comfort of pedestrians entering and exiting the building. Fine-scale details at the ground level help establish a human scale that enhance the pedestrian experience – art glass transoms, light fixtures, brick reveals, stone base, and well crafted windows and doors. The proposal also includes a small seating area, within the building setback and under a trellis at the southwest corner of the site. This area includes short-term bike parking and provides a comfortable place, just off the pedestrian circulation path, where people may stop, visit, meet, and rest. Furthermore, it is within view of outdoor deck areas above to ensure a safe environment.

Northeast Hancock Street serves as a local pedestrian path and design considerations have been taken to create a safe and convenient pedestrian environment along this street frontage as well. Access to the parking garage will be at this elevation and the design team is proposing two residential proportioned and well-detailed garage doors at this façade, as opposed to one large garage door, to better blend in with the residential scale of the neighborhood north of the site. In addition, the interior areas of the garage will not be visible from the pedestrian environment, and art glass transom windows are planned along this frontage, adding interest to the ground-level façade. A trellis system will extend the length of the eastern half of this ground level and additional plantings within the building setback will introduce texture to the sidewalk environment along this street frontage.

Maintaining the mature street trees on the site supports the comfort and safety of the pedestrian environment, as well as the preservation of a consistent streetscape along this block. The original application included the preservation of three mature trees in the southern side yard and street trees along NE 15th. The PHLC debated this issue after hearing and reading testimony from different arborists with regard to the reality of saving the trees. While the decision was made to deny the project solely based on the building being out of scale with the neighborhood [Guidelines P2 and D7], there was strong encouragement from the PHLC for tree preservation. *Overall, it was decided that these guidelines are met.*

D1. Outdoor Areas. When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;

D3. Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

Findings for D1 and D3: The proposed landscaped areas will enhance the pedestrian experience along the sidewalk and will function to buffer the new development from adjacent properties. For example, the proposal pays careful attention to the east and south side yards and the plans include a variety of landscape features, which consist of ground covers, shrubs and small ornamental trees. These setbacks are integral to limiting the impacts of new development on adjacent neighbors – the commissioners were unanimous at the DAR in support of the required south and east setbacks being met; the proposal fully complies with setback requirements.

The trellis systems, proposed at both street frontages, will enhance the street level experience, and a third trellis system at the south elevation will help to screen the building base for the property to the south. The landscaped setbacks at both Hancock and 15th will contribute to the greenery of Irvington. The landscape setbacks at the street

frontages will certainly soften the building wall for passersby. At 3'-deep the landscape setbacks at the street frontages balance the desire for greenery at the street edge with the urban character of the zoning and street designations. In a similar way, these landscaped areas provide a transition from the more urban environment along NE Broadway to the more residential nature of the areas primarily north of the site. And, as commented by the PHLC, the street setbacks proposed are appropriate for this building type. As previously stated, the small seating area, located just off the sidewalk along NE 15th, will create an effective gathering area.

Finally, the original application included the preservation of three mature trees in the southern side yard and street trees along NE 15th. The PHLC debated this issue after hearing and reading testimony from different arborists with regard to the reality of saving the trees. While the decision was made to deny the project solely based on the building being out of scale with the neighborhood [Guidelines P2 and D7], there was strong encouragement from the PHLC for tree preservation. *Overall, it was decided that these guidelines are met.*

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

Findings: The design of the proposed building, with a common main entrance, follows the design of many established multi-dwelling buildings throughout Irvington. Though slight, the recess at the entrance, which extends the height of the building, supports the prominence of the entry. This entrance, highlighted by a canopy, is located directly off the sidewalk, and is within close proximity to the bus stop located at the corner. *Therefore, this guideline is met.*

D4. Parking Areas and Garages. Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.

Findings: The proposed parking has been designed in a manner that minimizes negative impacts on the community and pedestrians. The PHLC debated the inclusion of parking at the ground level at the DAR and each hearing. The result was general support from the PHLC for the parking configuration as proposed at the ground level. The ground level improved since the DAR with the inclusion of lighting and art glass transoms. Sixteen parking spaces will be fully contained within the building and will not be visible from the pedestrian environment. The parking entrance and exit will be located off of NE Hancock. In addition, rather than one large garage door, nicely detailed separate entry and exit doors will be provided, which are more in scale with the residential neighborhood to the north of the site. *Therefore, this guideline is met.*

D5. Crime Prevention. Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

Findings: The proposal has been designed to discourage criminal activity along the site. The transparent glazing at the ground level at NE 15th Avenue, and at the corner of NE Hancock, will allow for visual connections between active interior spaces and the sidewalk environment. In addition, the significant amount of glazing at the building's upper floors, along with the proposed balconies will create additional surveillance

opportunities at this block. Adequate ground level lighting at each pilaster will appropriately light the sidewalk at night. *Therefore, this guideline is met.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

III. REVIEW BODY CONCLUSIONS

The Portland Historic Landmarks Commission unanimously voted to, “deny the project based on Guidelines D7 and P2 because the building as proposed is out of scale.” It should be noted, after the initial motion was made, one Commissioner added mention that finding a way to preserve trees is important.

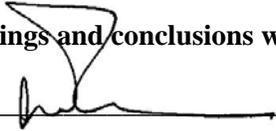
IV. REVIEW BODY DECISION

Grant the appeal and reverse the administrative decision of approval. The Portland Historic Landmarks Commission therefore denies the Irvington Squire proposal.

Staff Planner: Kara Fioravanti

Date Tentative Decision Rendered: September 22, 2008

These findings and conclusions were adopted by the REVIEW BODY on October 13, 2008

By 

Portland Historic Landmarks Commission
Art DeMuro, Chair

Date Final Decision Mailed: October 24, 2008

Appeal of this decision. This decision is final and becomes effective the day the notice of decision is mailed (noted above). This decision may not be appealed to City Council; however, it may be challenged by filing a "Notice of Intent to Appeal" with the State Land Use Board of Appeals (LUBA) within 21 days of the date the decision is mailed, pursuant to ORS 197.620 and 197.830. A fee is required, and the issue being appealed must have been raised by the close of the record and with sufficient specificity to afford the review body an opportunity to respond to the issue. For further information, contact LUBA at the Public Utility Commission Building, 550 Capitol Street NE, Salem, OR 97310 [Telephone: (503) 373-1265].

EXHIBITS – NOT ATTACHED UNLESS INDICATED

- A. Applicant’s Submittals
 - 1.a. 12-18-07 Submittal
 - 1.b. Original Narrative
 - 1.c. Original Drawings
 - 2.a. 1-31-07 Additional information for complete application
 - 2.b. Modification Narrative

- 3.a. 3-20-08 Revisions
4. 4-23-08 Revisions
5. 6-10-08 Revisions
6. 6-25-08 Planting Plan
7. 7-3-08 Revisions
8. 7-7-08 Window information
9. 7-10-08 Revisions
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. First floor and FAR diagrams (attached)
 2. Planting plan
 3. 2nd floor plan
 4. 3rd and 4th floor plans
 5. 5th floor plan
 6. Roof plan
 7. East elevation
 8. North elevation
 9. East and north elevations (attached)
 10. South elevation
 11. West elevation
 12. South and west elevations (attached)
 13. Sections
 14. Sections
 15. Details
 16. Details
 17. Window cut sheet
 18. Double-hung sections
 19. Casement sections
 20. Light fixtures
 21. Door information
- D. Notification information:
 1. Mailing list, 1-22-08
 2. Mailed notice, 1-22-08
 3. Mailing list for Revised Notice, 5-2-08
 4. Mailed Revised Notice, 5-2-08
- E. Agency Responses:

In response to first Notice, 1-22-08:

 1. Bureau of Environmental Services, 2-12-08
 2. Bureau of Transportation Engineering and Development Review, 2-12-08
 3. Site Development Review Section of BDS, 2-7-08
 4. Life and Safety, 1-28-08
 5. TriMet, 1-28-08

In response to second Notice, 5-2-08:

 6. Bureau of Environmental Services, 5-22-08
 7. Site Development Review Section of BDS, 5-21-08
 8. Bureau of Environmental Services, 7-10-08
 9. Bureau of Transportation Engineering and Development, 8-6-08
- F. Correspondence:

In response to first Notice, 1-22-08:

 1. Ann Masson, 1/12/2008, objections to proposal
 2. Dean Smith, Co-chair, ICA Land Use Committee, 1/22/08, objections to proposal
 3. Darryl Brown, 1/27/2008, objections to proposal

4. Janet Stanton, 1/28/2008, objections to proposal
5. Anne Lipsitz & Bill Malloch, 1/29/08, objections to proposal
6. Mel Solomon, 1/29/2008, objections to proposal
7. Rachel Reich, 1/29/2008, objections to proposal
8. Doug & Ann Van Fleet, 1/30/2008, objections to proposal
9. Mark Newton, 1/30/2008, objections to proposal
10. Barb Welty, 2/1/2008, objections to proposal
11. Dale Masten, 2/1/2008, objections to proposal
12. Janet Helzer, 2/1/2008, support for proposal
13. Junelle Stanton, 2/1/2008, objections to proposal
14. Community letter w/ multiple signatures, 2/1/2008, objections to proposal
15. Gina Bjorvik, 2/3/2008, objections to proposal
16. Jean Mitchell, 2/4/2008, objections to proposal
17. Jim Anderson & Anne Lynch, 2/4/2008, objections to proposal
18. S. Goodman, 2/4/2008, objections to proposal
19. Teresa Goodman, 2/4/2008, objections to proposal
20. John Milliken, 2/6/2008, objections to proposal
21. Karin and Walter Poida, 2/6/2008, objections to proposal
22. Community letter w/ multiple signatures, 2/6/08, objections to proposal
23. Steve Unger & Dustin Carsey, Lion and Rose Bed & Breakfast, 2/6/2008, objections to proposal
24. Tony Greiner, 2/6/2008, objections to proposal
25. Suzanne Smith Knight & Jonathan Hansche, 2/7/2008, objections to proposal
26. David Stauffer & Tony Mix, 2/8/2008, objections to proposal
27. Marilyn McWilliams, 2/8/2008, objections to proposal
28. Mary Hensley Cutler, 2/8/2008, objections to proposal
29. Michael Bishop & Barbara Bryan, 2/8/2008, objections to proposal
30. Nancy Benson, 2/8/2008, objections to proposal
31. Nancy Dutton Haack, 2/8/2008, objections to proposal
32. Nathan Clark Corser, 2/8/2008, objections to proposal
33. Paul Howard, 2/8/2008, objections to proposal
34. Diane Drum, 2/9/2008, objections to proposal
35. Jim Martini, 2/9/2008, objections to proposal
36. John Brown, 2/10/2008, objections to proposal
37. Martin Zone, 2/10/2008, objections to proposal
38. Amy McFeeters-Krone, 2/11/2008, objections to proposal
39. Angela Moos, 2/11/08, objections to proposal
40. Beverly Spenst, 2/11/2008, objections to proposal
41. Bjorn Olson, 2/11/2008, objections to proposal
42. Candace Laska, 2/11/2008, objections to proposal
43. Cathy Galbraith, Architectural Heritage Center, 2/11/2008, objections to proposal
44. Chris Poole-Jones, 2/11/2008, objections to proposal
45. Community letter w/ multiple signatures, 2/11/2008, objections to proposal
46. Cynthia Chilton & Ed Abrahamson, 2/11/2008, objections to proposal
47. Dan Martin, 2/11/2008, objections to proposal
48. Dean & Susan Gisvold, 2/11/2008, objections to proposal
49. Susan Gisvold, Portland Guest House, 2/11/2008, objections to proposal
50. Francis & Luella Landfair, 2/11/2008, objections to proposal
51. Kate Tanner, 2/11/2008, objections to proposal
52. Kenton Corum, 2/11/2008, objections to proposal
53. Lynn Baker, 2/11/2008, objections to proposal
54. Marie Taber, 2/11/2008, objections to proposal
55. Mary Ott Piper, 2/11/2008, objections to proposal

56. Nanci Dickinson, 2/11/2008, objections to proposal
57. Sarah Thomas, 2/11/2008, objections to proposal
58. Susan Hathaway-Marxer & Larry Marxer, 2/11/08, objections to proposal
59. Tahni Hamilton, 2/11/2008, objections to proposal
60. Thomas Robbins, 2/11/2008, objections to proposal
61. Amy Hunter, Sabin Community Association, 2/12/2008, objections to proposal
62. Ann Garrett, 2/12/2008, objections to proposal
63. Charles Dickinson, 2/12/2008, opposed to proposal
64. Community letter w/ multiple signatures, 2/12/2008, objections to proposal
65. Community letter w/ multiple signatures, 2/12/2008, objections to proposal
66. Community letter w/ multiple signatures, 2/12/2008, objections to proposal
67. Coralie Stevens, 2/12/2008, objections to proposal
68. Coy & Cheryl Delozier, 2/12/2008, objections to proposal
69. David McFeeters-Krone, 2/12/2008, objections to proposal
70. David Stover, 2/12/2008, objections to proposal
71. Dean Smith & Dean Gisvold, Co-chairs, ICA Land Use Committee, 2/12/2008, objections to proposal
72. Deborah Flynn-Hanrahan & Tim Hanrahan, 2/12/2008, objections to proposal
73. Deborah Naugler, 2/12/2008, objections to proposal
74. Edward Vranizan, 2/12/2008, objections to proposal
75. James Heuer, 2/12/2008, objections to proposal
76. Nathan Newell, 2/12/2008, objections to proposal
77. Robert & Carolyn Elden, 2/12/2008, objections to proposal
78. Steve Lebwohl, 2/12/2008, objections to proposal
79. Tony Greiner, 2/12/2008, objections to proposal

In response to second Notice, 5-2-08:

80. David Stover, 5/12/2008, objections to proposal
81. Junelle Stanton, 5/13/2008, objections to proposal
82. Nancy Haack, 5/14/2008, objections to proposal
83. Nanci Dickinson, 5/15/2008, objections to proposal
84. Lynn Baker, 5/19/2008, objections to proposal
85. Suzanne Smith Knight & Jonathan Hansche, 5/20/2008, objections to proposal
86. Edith Jones, 5/20/2008, objections to proposal
87. Cathy Galbraith, Architectural Heritage Center, 5/21/2008, objections to proposal
88. Michael Bishop, 5/22/2008, objections to proposal
89. Steve Unger & Dustin Carsey, Lion and Rose Bed & Breakfast, 5/22/2008, objections to proposal
90. Marilyn McWilliams, 5/22/2008, objections to proposal
91. Coy & Cheryl Delozier, 5/23/2008, objections to proposal
92. Jean and Robert Mitchell, 5/23/2008, objections to proposal
93. Paul Howard, 5/23/2008, objections to proposal
94. Beverly Spent, 5/23/2008, objections to proposal
95. Kenton Corum, 5/23/2008, objections to proposal
96. Susan Gisvold, Portland Guest House, 5/23/2008, objections to proposal
97. Mel Solomon, 5/23/2008, objections to proposal
98. Irvington Community Association, 5/23/2008, objections to proposal
99. Community letter w/ multiple signatures, 2/13/2008, objections to proposal
100. Teresa McGrath, 3/11/08, objections to proposal
101. Doug and Ann Van Fleet, 5/27/08, objections to proposal

G. Other:

1. Original LU Application
2. Site History Research
3. Incomplete application letter, 12-28-07

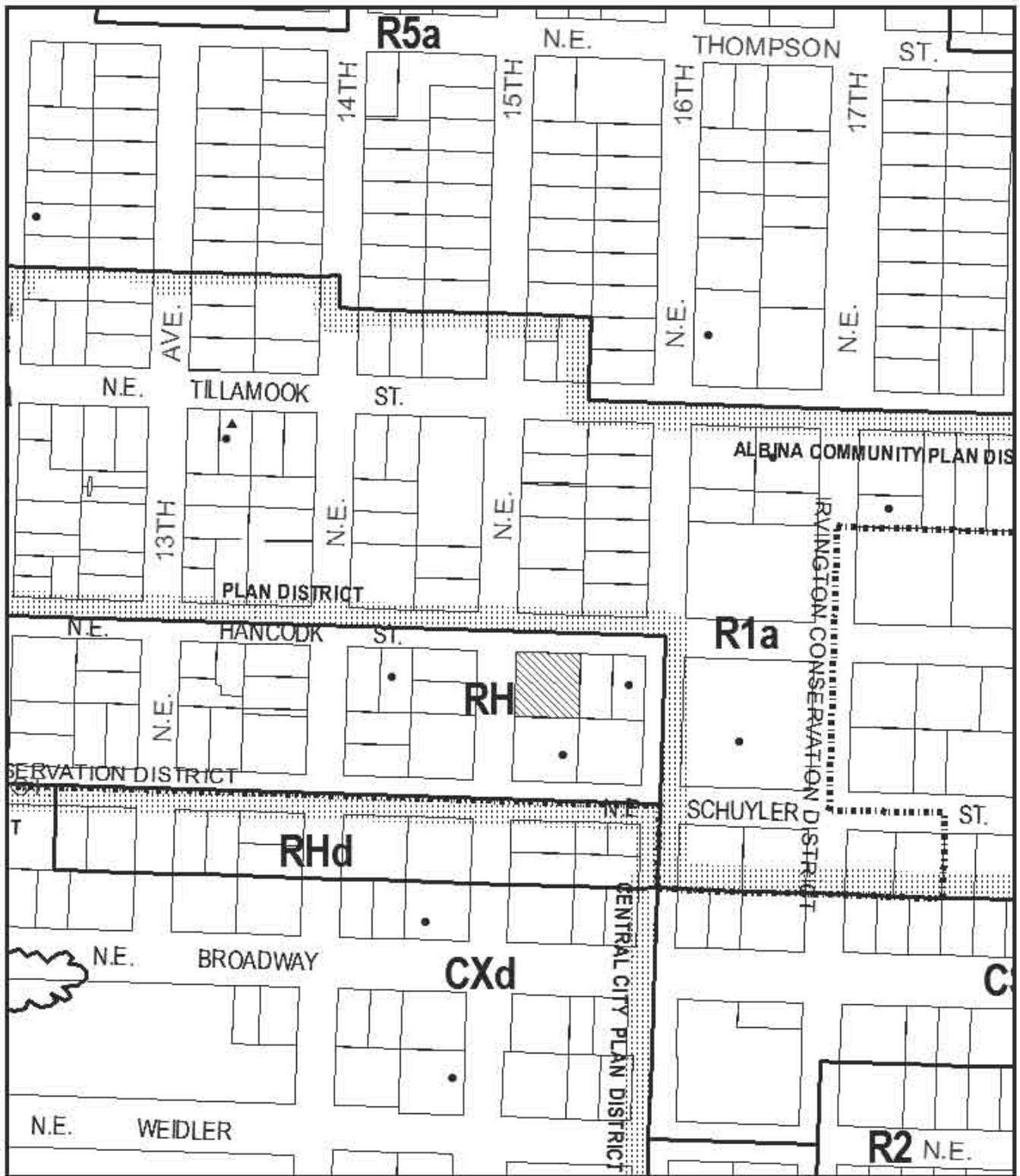
4. Summary Memo for 07-157361 DA
 5. Request for 120-day extension, 2-27-08
- H. Appeal
1. Type II and IIX Decision Appeal Form, 7-31-08
 2. Mailing list, 8-08-2008
 3. Mailed notice, 8-08-2008
 4. Janet Robinson, 8-01-08, objections to project
 5. Julie Richard-Schtop, 8-01-08, objections to project
 7. Chris Creviston, 8-4-08, objections to project
 8. Lynn and Ray Baker, 8-4-08, objections to project
 9. Junelle Stanton, 8-4-08, objections to project
 10. Deborah Peters, 8-4-08, objections to project
 11. Gary Halvorson, 8-4-08, objections to project
 12. Marilyn McWilliams, 8-5-08, objections to project
 13. Teresa McGrath, 8-6-08, objections to project
 14. Kenton Corum, 8-7-08, objections to project
 15. Thomas Robbins, 8-7-08, objections to project
 16. Lee Montgomery & Tom Byrnes, 8-7-08, objections to project
 17. Emily Karr, 8-7-08, objections to project
 18. Doug and Ann Van Fleet, 8-7-08, objections to project
 19. Tony Greiner, 8-7-08, objections to project
 20. Charles Dickinson, 8-7-08, objections to project
 21. Nanci Dickinson, 8-7-08, objections to project
 22. Karin and Walter Poida, 8-7-08, objections to project
 23. Matt Brown and Lissa Kaufman, 8-7-08, objections to project
 24. Jean Mitchell, 8-7-08, objections to project
 25. Susan Hathaway-Marxer & Larry Marxer, 8-7-08, objections to project
 26. Stephanie Oliver, 8-11-08, objections to project
 27. Michael Bishop & Barbara Bryan, 8-11-08, objections to project
 28. Tahni Hamilton-Robbins, 8-8-08, objections to project
 29. Christopher Coyle, 7-31-08, objections to project
 30. Joyce Bernheim, 7-31-08, objections to project
 31. Beverly Spenst, 8-8-08, objections to project
 32. Ben Gomez, 8-18-08, objections to project
 33. Charles Kobin, 8-18-08, objections to project
 34. Jonathan Cogan, 8-19-08, objections to project
 35. Carrie Rasmussen, 8-19-08, objections to project
 36. Chris Hertel, 8-19-08, objections to project
 37. Jan Stover & Jeff Espedal, 8-19-08, objections to project
 38. Tracy Ross, 8-19-08, objections to project
 39. Daniel Mitchell, 8-19-08, objections to project
 40. Charles and Christine Palmer, 8-19-08, objections to project
 41. Rose Marie and Stuart Tyson, 8-20-08, support for project
 42. Terence Mitchell, 8-20-08, objections to project
 43. Jennifer Shirley, 8-20-08, objections to project
 44. Jonathan Hansche & Susan Smith Knight, 8-20-08, objections to project
 45. Bruce Hazen, 8-20-08, objections to project
 46. Sandra Coons, 8-20-08, objections to project
 47. Mark Pratt, 8-21-08, objections to project
 48. Steve Dishman, 8-21-08, objections to project
 49. Kathryn Duffy, 8-21-08, objections to project
 50. Nancy Traub, 8-21-08, objections to project

51. Edward Vranizan, 8-21-08, support for project
52. Steven Unger & Dustin Carsey, 8-22-08, objections to project
53. Anna Elizabeth Brown, 8-21-08, objections to project
54. Lily Lilly, 08-21-08, objections to project
55. John Brown, 8-22-08, objections to project
56. David Stauffer, 8-22-08, objections to project
57. James Heuer, 8-22-08, objections to project
58. Maiya Martin Burbank, 8-22-08, objections to project
59. Amy McFeeters-Krone, 8-22-08, objections to project
61. Clark Pope, 8-25-08, objections to project
62. Dean Smith, 8-25-08, testimony before PHLC
63. Dean Gisvold, 8-25-08, testimony before PHLC
64. Christine Coers-Mitchell, 8-25-08, testimony before PHLC
65. Coy Robert Delozier & Cheryl Delozier, 8-25-08, objections to project
66. Terrence P. Flanagan, 8-25-08, tree protection at 1510 NE Hancock
67. Rex Burkholder, Metro Council, 8-25-08, support for project
68. Michael Wallace, 8-25-08, objections to project
69. Irvington Community Association, 8-25-08, rebuttal testimony
70. Irvington Community Association, 8-25-08, comparative analysis of FARs
71. James Heuer, 8-29-08, objections to project
72. Christine Coers-Mitchell & Dean Gisvold, 8-29-08, supplemental testimony of the Irvington Community Association
73. Terrence Flanagan, 9-2-08, review of developer's tree preservation plan
74. Steven Unger & Dustin Carsey, 9-2-08, additional testimony
75. John Perkins, 9-9-08, response to testimony received from interested parties
76. BDS, 8-25-08, Type II Appeal to the PHLC PowerPoint Presentation
77. Notice of Final Findings, Conclusions and Decision of the City of Portland PHLC on an Appealed Administrative Decision presented to PHLC on October 13, 2008 [note: revisions to the findings in this document were made by the PHLC at the October 13, 2008 hearing; those revisions are reflected in the mailed signed document]

Copies

1. Applicants
2. Representatives
3. Appellants
4. All Parties whom Wrote or Submitted Testimony at the Public Hearing
5. Neighborhood and/or Business Association(s)
6. Auditor's Office
7. Planning and Zoning

BDS, 10-16-08



ZONING

 Site

 Historic Landmark



This site lies within the:
IRVINGTON CONSERVATION DISTRICT

File No.	<u>LU 07-180515 HDZ</u>
1/4 Section	<u>2832</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1N1E26DC 10800</u>
Exhibit	<u>B (Aug 06, 2008)</u>

