



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: June 29, 2012
To: Interested Person
From: Kara Fioravanti, Land Use Services
503-823-5892 / Kara.Fioravanti@portlandoregon.gov

**NOTICE OF A PUBLIC HEARING ON A PROPOSAL
IN YOUR NEIGHBORHOOD**

CASE FILE: LU 12-135162 MS (*PC # 11-160116*)
Northwest Master Plan for Con-way site
REVIEW BY: Design Commission
WHEN: Thursday, July 19, 2012 at 1:30 pm
WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

Development has been proposed in your neighborhood requiring a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map are attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Applicant: Con-Way Properties Inc.
PO Box 4138 / Portland, OR 97208-4138

Craig Boretz, / Con-Way Properties Inc.
1717 NW 21st Avenue / Portland, OR 97209

Representatives: John Spencer, / Spencer Consultants
1950 NW Overton Street / Portland OR 97209

Phil Beyl, / GBD Architects, Inc.
1120 NW Couch Street, Suite 300 / Portland, OR 97209

Site Address: The site is 17.49 acres. It is roughly defined by: NW 22nd & 19th Aves., and NW Upshur & Pettygrove Sts. (1417 NW 20TH AVENUE)

Legal Description: BLOCK 16 TL 1600, BLACKISTONES ADD; BLOCK 261 LOT 5&8&9&11-18 TL 3500, COUCHS ADD; INC PT VAC ST LOT 7&10&11 BLOCK 262 INC PT VAC ST LOT 14 BLOCK 262 INC PT VAC STS LOT 15 BLOCK 262 INC PT VAC ST LOT 16-18 BLOCK 262, COUCHS ADD; BLOCK 290&291 TL 100, COUCHS ADD; INC PT VAC STS BLOCK 292, COUCHS ADD; BLOCK 293 TL 2300 LAND & IMPS ALSO SEE SUB ACCT R529517 (180230571), COUCHS ADD; LOT 1-3 BLOCK 294 INC PT VAC ST LOT 4&5&8 BLOCK 294 LOT 6&7&10 BLOCK 294 LOT 11&14 BLOCK 294,

COUCHS ADD; BLOCK 294 INC PT VAC ST LOT 9&12 INC PT VAC ST LOT 13&18 LOT 15-17, COUCHS ADD; BLOCK 296 LOT 1-10, COUCHS ADD; BLOCK 296 LOT 11-18, COUCHS ADD; BLOCK 295 LOT 1-18 TL 2700, COUCHS ADD

Tax Account No.: R080301300, R180223140, R180223300, R180230010, R180230390, R180230570, R180230750, R180230870, R180231250, R180231350, R180231070

State ID No.: 1N1E28CD 01600, 1N1E28DC 03500, 1N1E28DC 03900, 1N1E33BA 00100, 1N1E28CD 02400, 1N1E28CD 02300, 1N1E28CD 02800, 1N1E28CD 02900, 1N1E28CD 02500, 1N1E28CD 02600, 1N1E28CD 02700

Quarter Section: 2827

Neighborhood: NW/NW, Northwest District, contact John Bradley at 503-313-7574.

Business District: Nob Hill, contact Patricia Fielder at 503-407-6163.

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

Plan District: Northwest Plan District

Zoning: **EXd**, Central Employment w/ design overlay & **IG1**, General Industrial 1

Case Type: MS, Northwest Master Plan

Procedure: Type III. (A Northwest Master Plan is processed through a Type III procedure, reviewed by the Land Use Hearings Officer. The Design Commission also reviews Northwest Master Plans, and makes a recommendation to the Hearings Officer on the approval criteria in 33.562.300 G.2. The decision of the Hearings Officer can be appealed to City Council.)

Proposal:

Con-way owns the above described land parcels, which include and adjoin their office buildings in NW Portland. The applicant seeks approval on the proposed NW Master Plan for the Con-way site in Northwest Portland. Section 33.562.300 C. of the Portland Zoning Code requires a NW Master Plan for future development. Con-way does not intend to participate as a developer on any of the land parcels it may sell at this time. Rather, Con-way intends to have an approved NW Master Plan in advance of potential land sale agreements with various developer/investor prospects.

Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are 33.562.300 G. 1.-4.

Public Hearings Process:

All approval criteria are reviewed and evaluated by the Land Use Hearings Officer.

- The Design Commission (on July 19th) makes a recommendation to the Hearings Officer on the approval criteria in 33.562.300 G.2.
- The Hearings Officer (on August 27th) may approve, deny, or apply conditions of approval to the Northwest Master Plan. Please note: a separate public notice of this August 27th Hearings Officer hearing will be mailed before or on August 7th.

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. This application was submitted on April 26, 2012 and determined to be complete on May 17, 2012.

DECISION MAKING PROCESS

The Bureau of Development Services will be making a recommendation on this proposal; our report and recommendation will be available 10 days before the hearing. The Staff report will be

posted on the Bureau of Development Services website. Look at www.portlandonline.com. On the left side of the page use the search box to find Development Services, then click on the Zoning/Land Use section select Notices and Hearings. Land use review notices are listed by the District Coalition shown at the beginning of this document. The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <http://www.portlandonline.com/auditor/index.cfm?c=28197>.

The neighborhood association, listed on the first page of this notice, may take a position on this application and may have scheduled an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

To comment, you may write to the Bureau of Development Services, 1900 SW Fourth Ave., Suite 5000 or FAX your comments to 503-823-5630; or you may testify at the hearing. In your comments, you should address the approval criteria. Please refer to the file number when seeking information or submitting testimony. Written comments must be received by the end of the hearing. The applicant and Planning staff will be at the hearing to answer questions and respond to comments. The general order of appearance for oral testimony at the hearing is as follows: Bureau of Development Services staff report, applicant testimony, testimony of interested parties who wish to ask questions or testify, staff response and closing comments, and applicant's closing comments. Design Commission will make a recommendation to the Hearings Officer about this proposal at the hearing or will grant a continuance.

The applicant and proponents have the burden of proof to show that each and every element of the relevant approval criteria are satisfied. In order to prevail, the opponents must persuade the Design Commission to find that the applicant has not carried the burden of proof with regard to one or more of the approval criteria. The opponents may also explain to the Design Commission how or why the facts asserted by the applicant are not supported by evidence in the record. Opponents may wish to recommend conditions of approval which will make the proposal more acceptable, if approved.

Prior to the conclusion of the hearing before the Design Commission, any participant may request an opportunity to present additional evidence or testimony regarding the application. If such a request is made, the record will be held open for seven days to receive the new evidence and the record shall be held open for at least an additional seven days to provide the other parties an opportunity to respond to that new evidence.

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 extended at the request of the applicant.

APPEAL PROCESS

You can appeal the decision of the Hearings Officer to the City Council. If appealed, City Council will hold an evidentiary hearing. New evidence can be submitted to the City Council in the event of an appeal of an evidentiary hearing

A fee is charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver. The City Council's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA).

Failure to raise an issue in person or in writing by the close of the record at or following the final evidentiary hearing on this case may preclude an appeal to LUBA on that issue. Also, if you do not provide enough detailed information to the Design Commission, they may not be able to

respond to the issue you are trying to raise. In such a situation an appeal to LUBA based on that issue may not be allowed.

HEARING CANCELLATION

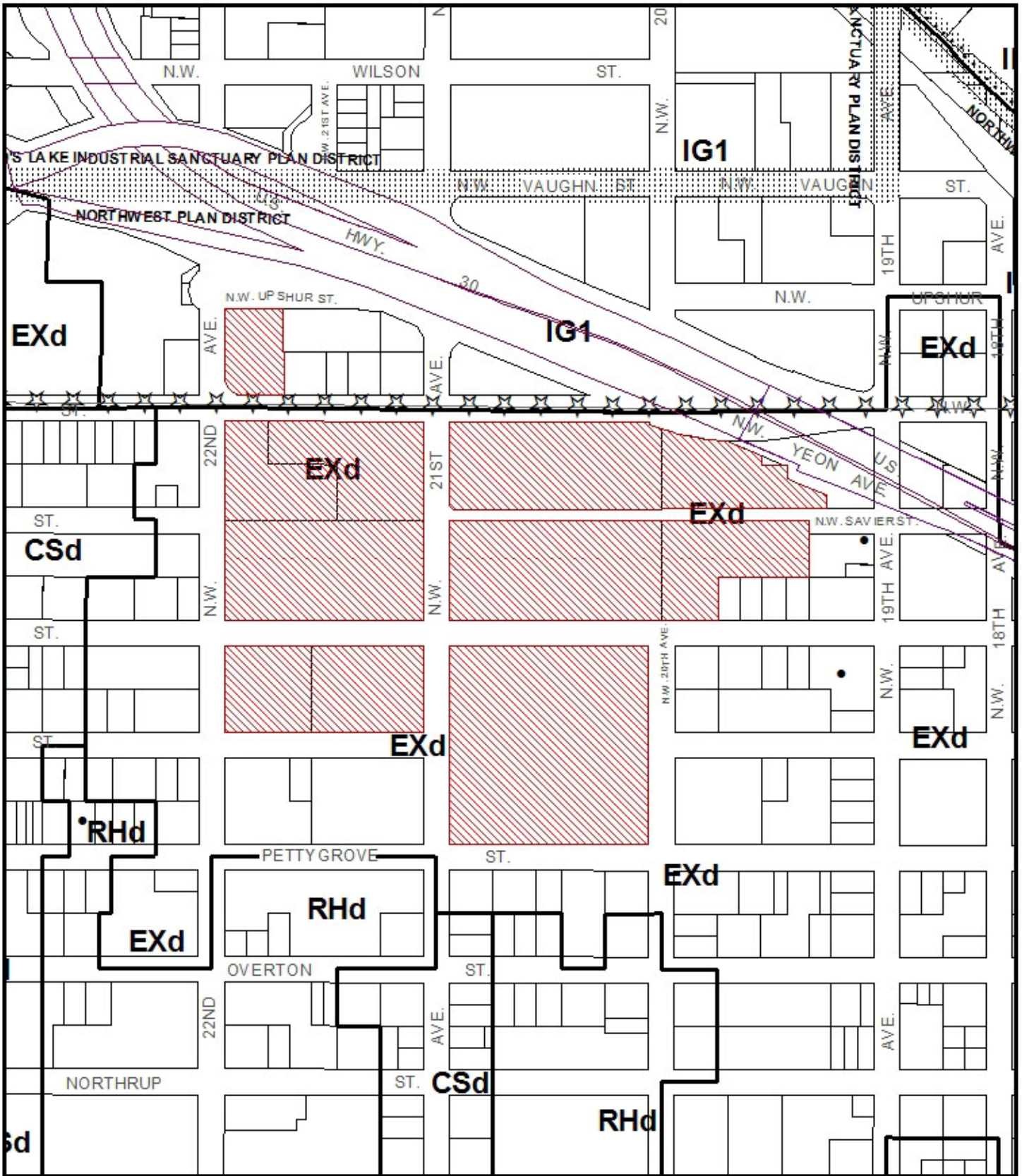
This public hearing will be cancelled if Portland Public Schools close due to inclement weather or other similar emergency. Check local television and radio reports for school closures. The hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent. Please call the Bureau of Development Services at 503-823-7617, for information regarding cancellations or rescheduling.

To attend the hearing, public transportation is available. Tri-Met buses stop near the BDS building at SW Fifth or Sixth Ave. at SW Hall St. and SW Harrison St. Call Tri-Met at 503-238-7433 (or www.trimet.org/schedule/allroute.htm) for routes and times. Hourly rated public parking is available a half block south of the building on Fourth Ave.

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).

Enclosures:

Zoning Map
Site Plan



ZONING



Site



Historic Landmark



This site lies within the:
NORTHWEST PLAN DISTRICT

File No. LU 12-135162 MS

1/4 Section 2827,2828,2927

Scale 1 inch = 300 feet

State_Id 1N1E28CD 2700

Exhibit B (May 01,2012)

SITE PLAN

SECTION 04

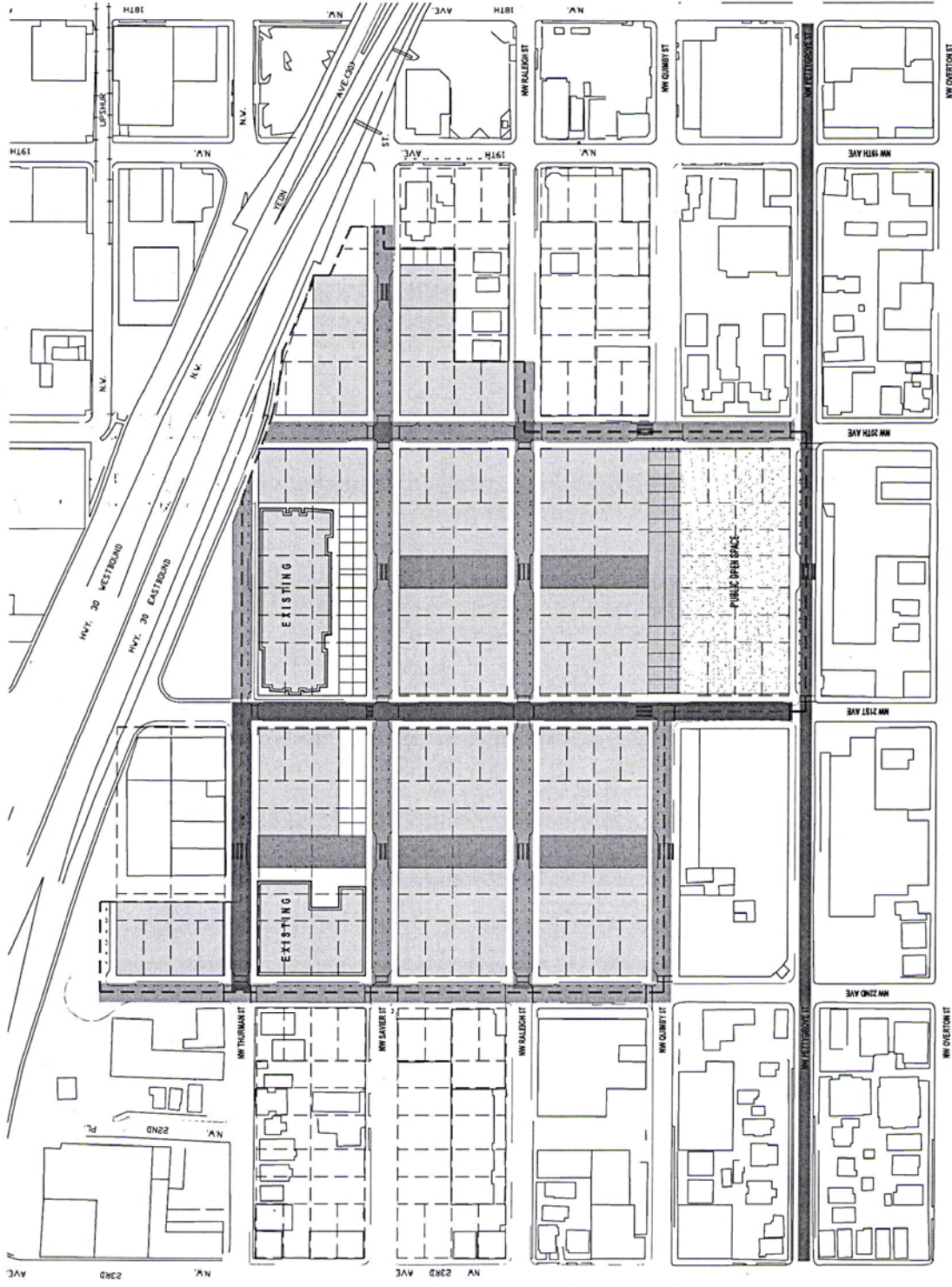
NEIGHBORHOOD COMMUNITY MAIN STREET

LOCAL SERVICE STREETS

CITY DESIGNATED GREEN STREET

LOCAL SERVICE STREET W/ SPECIAL DESIGN FEATURES

PEDESTRIAN ACCESSWAYS



CIRCULATION SYSTEM: PEDESTRIAN & VEHICULAR

Map 04-2 illustrates the proposed configuration for the various circulation systems within the Con-way Master Plan area. The plan has been developed to comply with City of Portland plans, policies, and characteristics for pedestrian, bike and vehicular circulation systems. Details include:

Pedestrians:

- The Con-way plan reinforces the entire district's designation as a Pedestrian District.
- All sidewalks within the right-of-way within the plan area will be constructed to comply with the policies of the Portland Comprehensive Plan and PCOT standards for Neighborhood Collector, Community Main Streets and Local Service Streets.
- New mid-block, "Pedestrian Accessway," enhance pedestrian access through the plan area by providing public access through private land and connectors to open space; within the plan area.
- NW Quinby between 20th and 21st will be designated as a local service street with special design features. The design for this street will occur in concert with the design of the public open space.

Vehicles:

- All streets and sidewalks within the Con-way plan area will be constructed to comply with the policies, street classifications, and street designation of the Transportation Element of the Portland Comprehensive Plan. The proposed street plan provides a series of multi-modal street connections that match the surrounding street grid pattern, where feasible, and as supported by the Portland Bureau of Transportation. Streets within the Con-way property will continue to operate consistent with their current functional classification as designated in the Portland Transportation System Plans. See Section 6 Transportation for additional detail described in the Multi-Modal Transportation Impact Analysis.
- NW 21st Avenue and Thurman Street will continue to function and operate as Neighborhood Collector and Community Main Streets.
- NW 20th Street, 22nd Street, Paisley Street, Quinby Street (except between NW 20th and 21st) and Pellygrave Street will continue to function and operate as Local Service Streets.

MAP 04-2
CIRCULATION SYSTEMS

