



CITY OF PORTLAND
Bureau of Development Services
1900 SW Fourth Avenue, Suite 5000
Portland, OR 97201 **P524**
Land Use Notice Enclosed
Case # LU 12-144988 DZ - Hearing

16

Return Service Requested



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

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: July 26, 2012
To: Interested Person
From: Mark Walhood, Land Use Services
503-823-7806

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

CASE FILE: LU 12-144988 DZ - Arthouse
Pre-App.: PC # 12-125347
REVIEW BY: Design Commission
WHEN: Thursday August 16, 2012 @ 1:30 pm
WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

It is important to submit all evidence to the Design Commission. City Council will not accept additional evidence if there is an appeal of this proposal.

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: Calista Fitzgerald
LRS Architects
720 NW Davis St., Ste. 300
Portland, OR 97209

Property Owner: Powell Family Real Estate & Company LLC
Attn: Emily Powell
7 NW 9th Ave
Portland, OR 97209-3301

Developer: Anyeley Hallova
Project Ecological Development
413 SW 13th Ave #300
Portland OR
97205

Site Address: 33 NW PARK AVE

Legal Description: BLOCK 56 LOT 5&8, COUCHS ADD

Tax Account No.: R180204910
State ID No.: 1N1E34CB 10500
Quarter Section: 3029

Neighborhood: Pearl District, contact Patricia Gardner at 503-228-3273.
Business District: Pearl District Business Association, contact Adele Nofield at 503-223-0070.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Zoning: **CXd** (Central Commercial base zone with Design overlay zone), **Central City Plan District/River District Subdistrict**

Case Type: **DZ** (Design Review) **with Exception to 3202.3.2 – SSC, Window Projections into Public Right-of-Way**

Procedure: **Type III**, with a public hearing before the Design Commission. The decision of the Design Commission can be appealed to City Council.

Proposal:

The applicant has proposed the construction of a new seven-story, 55,809 square foot mixed-use building. The first floor would have retail spaces, a residential lobby, and accessory loading, bike parking, and service areas. The upper floors would include 60 apartments. The project is being built by the Powell Family to house Pacific Northwest College of Art (PNCA) art students.

The site is a quarter-block parcel of 10,000 square feet, located on the North Park Blocks at the southwest corner of the intersection of NW Park Avenue and Couch Street. The building is generally L-shaped in plan, with primary walls oriented to the street lot lines, and an open interior courtyard at the southwest corner, towards the middle of the block. The ground floor walls are held back slightly from most of the street lot line, allowing for outdoor seating at the future corner retail space, and to contain entry and exit door movements on the private property. Two retail spaces and a residential lobby front onto NW Park Avenue, and two additional retail spaces and a single truck loading bay face NW Couch Street. The residential lobby is connected directly to an interior landscaped courtyard that includes a functional stormwater management facility and outdoor deck area, with an enclosed bike parking room beyond.

The building exterior includes brick walls and aluminum-framed storefront window systems and doors at the ground floor, metal ventilation louvers above selected doors and windows, and a coiling metal loading bay door. Upper floors include metal panel siding, vinyl windows, and aluminum-framed vertical windows. Mechanical equipment, metal screening, and a combined elevator overrun/mechanical building are located on the building rooftop.

The upper floors of the building abutting both streets are angled to the street property line in such a way as to create shallow V-shapes facing the street. The metal panel material on the upper floors is also molded into an undulating chevron pattern, with vertically-oriented valleys and ridges on each panel. Further, individual sections of metal panel surrounding individual upper-story windows are pivoted at repeating angles next to one another, creating a sense of movement and a layered 'fishscale' pattern. On the interior facades facing the courtyard or abutting properties, the chevron-shaped metal panel material is applied without the pivot, flush with the building walls.

The outermost corner of the building at the upper floors, at the NW Park/Couch intersection, projects slightly into the right-of-way. Regulations for such projections of a building into the right-of-way limit the length to a maximum of 12'-0" wide (3202.3.2 – SCC, Window Projections into Public Right-of-Way). As proposed, the angled corner projection is 24'-10" long facing NW Park, and 13'-6" facing NW Couch. Therefore, the applicant has requested an Exception to the maximum 12'-0" width standard in 3203.3.2.

Because of the project valuation (\$7.5 million) and Central City location, a Type III Design Review is required.

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:

- The *Central City Fundamental Design Guidelines*;
- The *River District Design Guidelines*; and
- **3203.3.2** – Structural Specialty Code, Window Projections into Public Right-of-Way.

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 May 29, 2012 and determined to be complete on **June 22, 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.

We are seeking your comments on this proposal. The evidentiary proceeding before the Design Commission will be the only opportunity for the parties to submit oral and written evidence in this matter. Any appeal to the City Council will be limited to legal arguments concerning the Design Commission decision and the evidence in the record compiled by the Design Commission in support of that decision.

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. The Design Commission will make a decision about this proposal at the hearing or will grant a continuance.

Comments for a Design Review or Historic Design Review should be sent directly to the Planning staff listed in this document.

The applicant and proponents have the burden of proof to show that each and every element of the 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 Design Commission decision to City Council. However, the appeal to City Council will be conducted as an on-the-record review of the Design Commission decision. The City Council will consider legal arguments (for example arguments pointing out ways the Design Commission decision improperly interprets or applies relevant approval criteria). The City Council will also consider arguments that the Design Commission findings are not supported by the evidence submitted to the Design Commission. However, the City Council will not accept or consider new evidence that was not submitted to the Design Commission.

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

Failure to raise an issue, in person or by letter, by the close of the record by the Design Commission in 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 on that issue may not be allowed.

Thank you for any information you can provide to help us make this decision. Please call me if you have any questions. My name and number are on the first page of this notice.

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, First Floor Plan, North and East Elevations, South and West Elevations



ZONING

-  Site
-  Also Owned
-  Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No. LU 12-144988 DZ
 1/4 Section 3029
 Scale 1 inch = 200 feet
 State_Id 1N1E34CB 10500
 Exhibit B (Jun 04,2012)

GENERAL NOTES
 1. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 3. FOR ADDITIONAL INFORMATION REFER TO PROJECT FLOOR PLAN.

PROJECT NUMBER: 211227
 PROJECT NAME: ART HOUSE
 33 NW PARK AVENUE
 PORTLAND, OREGON
 97208

LEVER ARCHITECTURE
 CONSULTANT

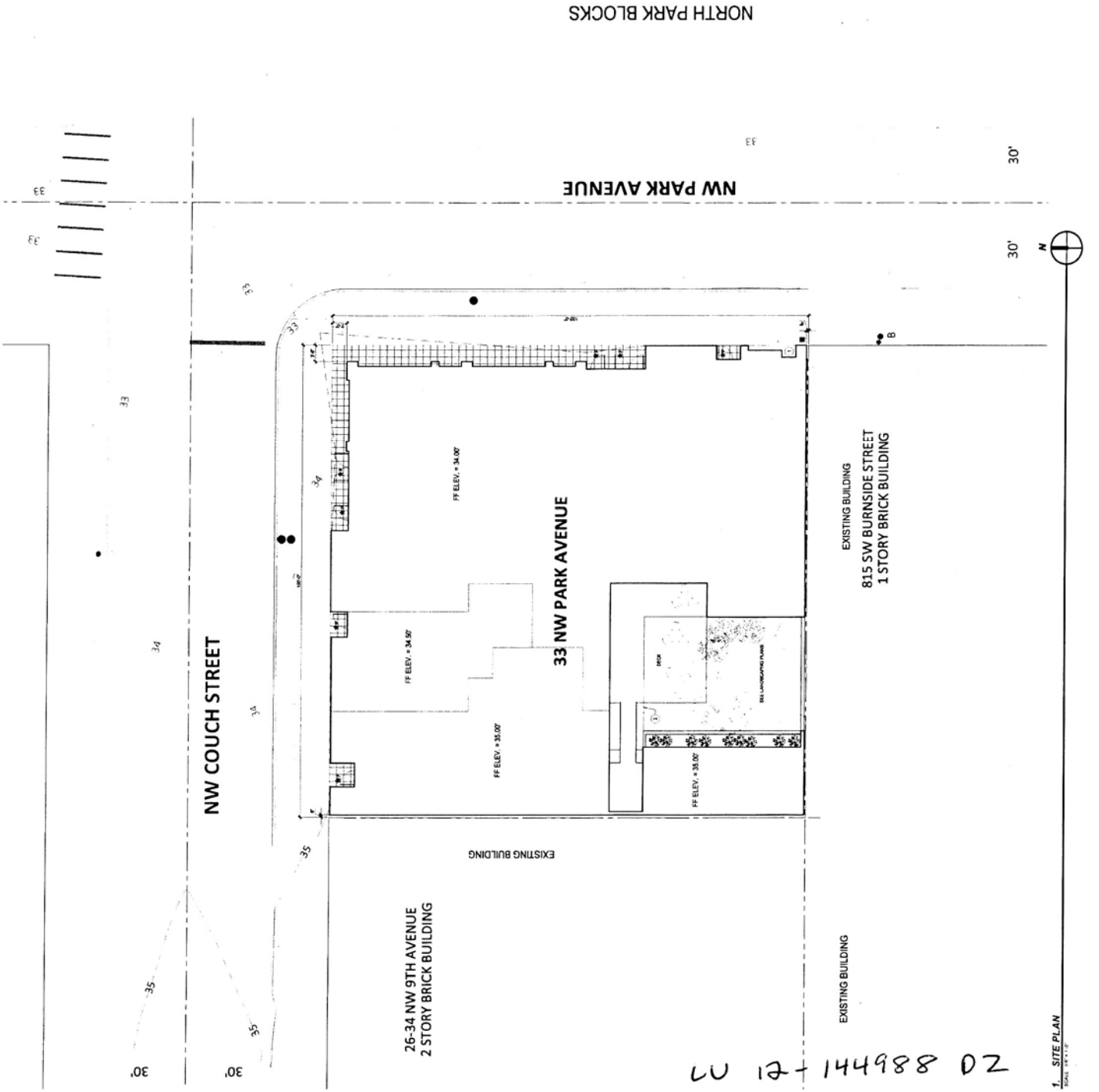
KEY NOTES
 1. 1/4" = 1'-0"
 2. OUTLINE OF EXISTING FOOTPRINT

PROJECT NUMBER: 211227
 PROJECT NAME: ART HOUSE
 33 NW PARK AVENUE
 PORTLAND, OREGON
 97208

LEGEND
 - - - - - EXISTING BUILDING FOOTPRINT
 - - - - - EXISTING SITE FOOTPRINT
 - - - - - EXISTING BUILDING
 - - - - - EXISTING OUTLINE

PROJECT NUMBER: 211227
 PROJECT NAME: ART HOUSE
 33 NW PARK AVENUE
 PORTLAND, OREGON
 97208

PROJECT NUMBER: 211227
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 PORTLAND, OREGON
 97208



1. SITE PLAN
 DATE: 10-11-12

PRELIMINARY
 NOT FOR
 CONSTRUCTION

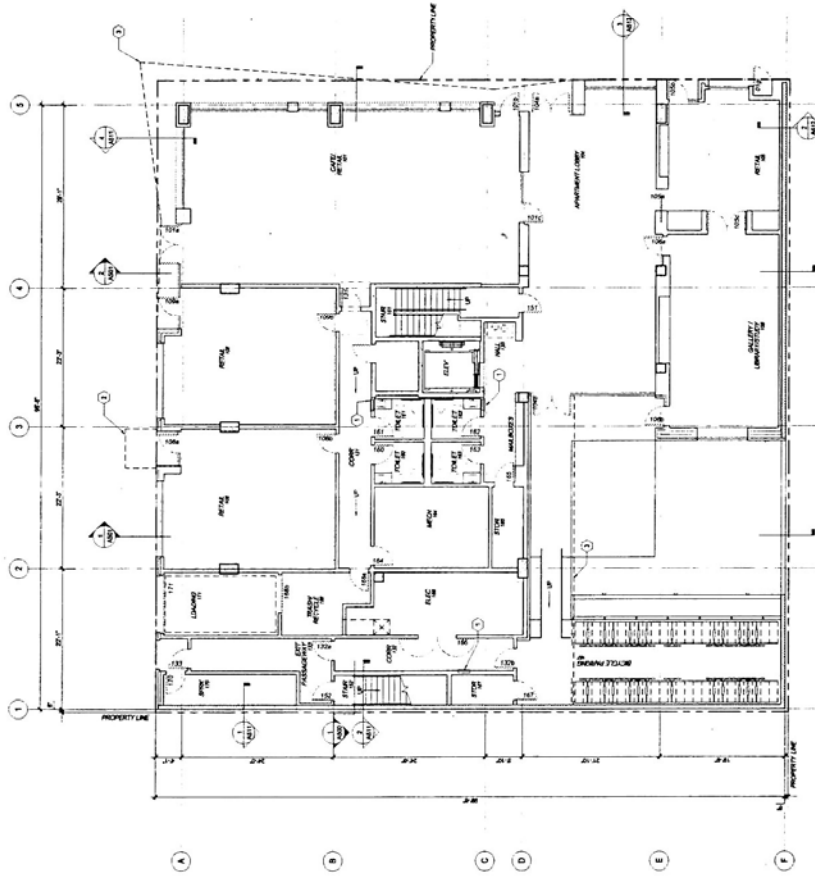
LEVER | ARCHITECTURE
 CONSULTANT

PROJECT NUMBER: 21123
ART HOUSE
 33 NW PARK AVENUE
 PORTLAND, OREGON
 97209

SHEET TITLE:
First Floor Plan

DRAWN BY:
 DATE SHOWN: MAY 28, 2012

SHEET: **A201**
 LUR APPLICATION



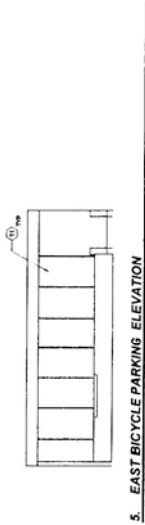
1. GROUND FLOOR PLAN
 SCALE: 1/8" = 1'-0"

GENERAL NOTES

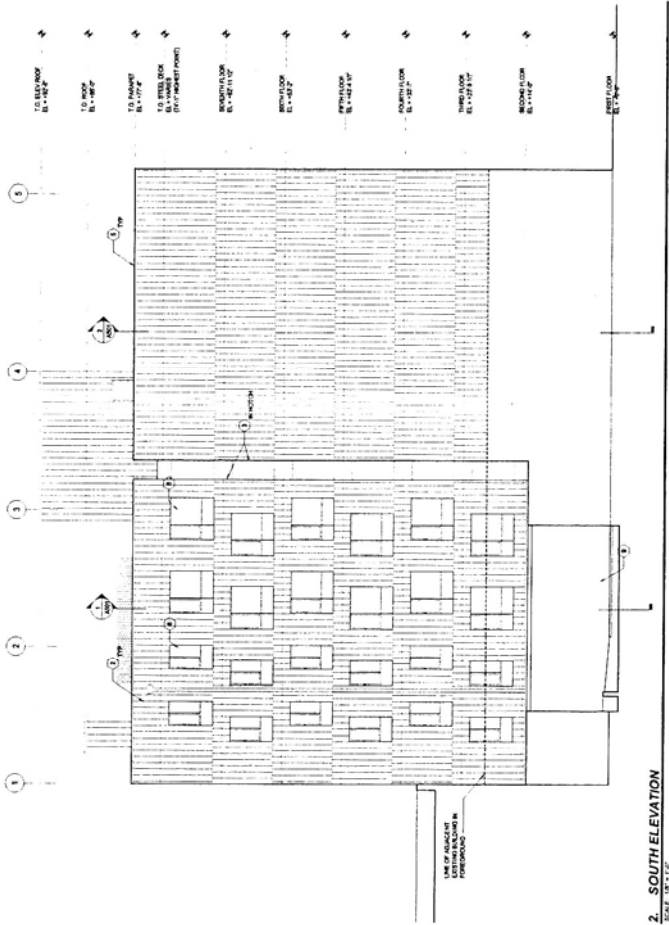
1. PAINT ALL UNPAINTED SURFACES UNLESS NOTED OTHERWISE.
2. METAL SURFACES TO BE PAINTED WITH ANTI-RUST PRIMER.
3. METAL SURFACES OF EXTERIOR, EXCEPT NOTED OTHERWISE, TO BE PAINTED WITH ANTI-RUST PRIMER.
4. SEE DOOR AND WINDOW SCHEDULES FOR ELEVATIONS FOR ADDITIONAL INFORMATION.
5. WINDOWS TO MATCH VERTICALLY TYPICALS.

KEY NOTES

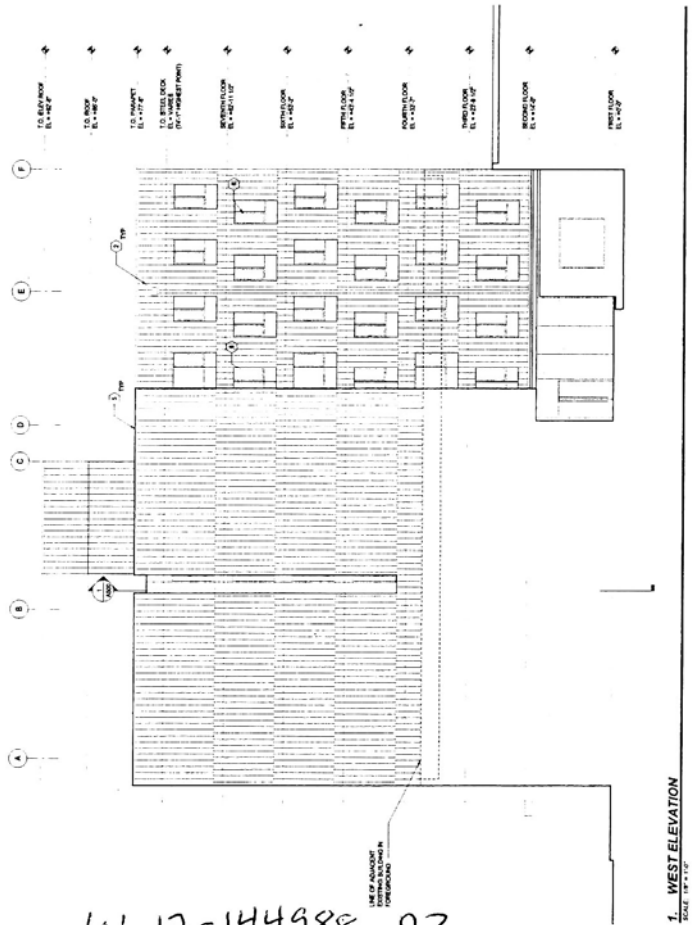
1. CONCRETE TO BE FINISHED TO 1/4" BELOW FINISH FLOOR WITH ANTI-RUST PRIMER.
2. METAL SURFACES TO BE PAINTED WITH ANTI-RUST PRIMER.
3. METAL SURFACES OF EXTERIOR, EXCEPT NOTED OTHERWISE, TO BE PAINTED WITH ANTI-RUST PRIMER.
4. SEE DOOR AND WINDOW SCHEDULES FOR ELEVATIONS FOR ADDITIONAL INFORMATION.
5. WINDOWS TO MATCH VERTICALLY TYPICALS.
6. METAL COPING.
7. METAL FINISH WITH CUSTOM PAINT COLOR.
8. LAMINATE FLOORING SLABING.
9. SAME BOTH DOOR.
10. ROCK.
11. STEEL FRAMED CURTAIN WITH METAL SLABING.
12. FINISHED METAL WEIR.



5. EAST BICYCLE PARKING ELEVATION
SCALE: 1/8" = 1'-0"



2. SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



3. PARTIAL WEST ELEVATION
SCALE: 1/8" = 1'-0"

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