



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

Charlie Hales, Mayor
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: March 15, 2013
To: Interested Person
From: Hillary Adam, Land Use Services
503-823-3581 / Hillary.Adam@portlandoregon.gov

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

CASE FILE: LU 13-107395 DZM PC # 12-193194
REVIEW BY: Design Commission
WHEN: Thursday, April 4, 2013 @ 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/ Owner: Wade Johns, 469-941-4515 / Alamo Manhattan Properties
2808 Fairmount St., Ste 200 / Dallas, TX 75201

Applicant: Robert Lamkin, Architect / Hensley Lamkin Rachel Inc
14881 Quorum Dr / Dallas Tx 75254

Site Address: 0601 SW ABERNETHY ST

Legal Description: BLOCK 173 TL 700, CARUTHERS ADD

Tax Account No.: R140916160

State ID No.: 1S1E10DB 00700

Quarter Section: 3429, 3430

Neighborhood: South Portland NA., contact Jim Gardner at 503-227-2096.

Business District: South Portland BA, contact Kevin Countryman at 503-750-2984.

District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

Plan District: Central City - South Waterfront

Other Designations: none

Zoning: CXd - Central Commercial with Design overlay

Case Type: DZM - Design Review with Modification request

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 proposes a 177,699 square foot, 6-story residential building with approximately 200 units, a rooftop deck, and approximately 200 underground vehicle parking spaces, accessed from SW Abernethy Street. Approximately 1,680 square feet of retail space will be provided at the corner of SW Bond and SW Abernethy with additional active space for use by the residents which is designed so that it can be converted to retail space in the future. The applicant requests a modification to reduce the 10'-0" required clearance to 8'-8" for the 2 loading spaces in the underground garage. Exterior materials include stucco, brick veneer, burnished block, exposed concrete, cementitious panel system, cast stone, high grade vinyl windows, storefront systems, metal canopies, and painted steel guardrails with wire mesh screens. The proposal includes a landscaped courtyard area that will include stormwater treatment planters.

Design Review is required because the proposal is for new development in the "d" overlay in the South Waterfront subdistrict of the Central City Plan District.

Relevant Approval Criteria:

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

- 33.825 Design Review
- 33.825.040 Modifications Thru Design Review
- Central City Fundamental Design Guidelines
- South Waterfront Design Guidelines

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 January 22, 2013 and determined to be complete on **February 12, 2013**.

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.

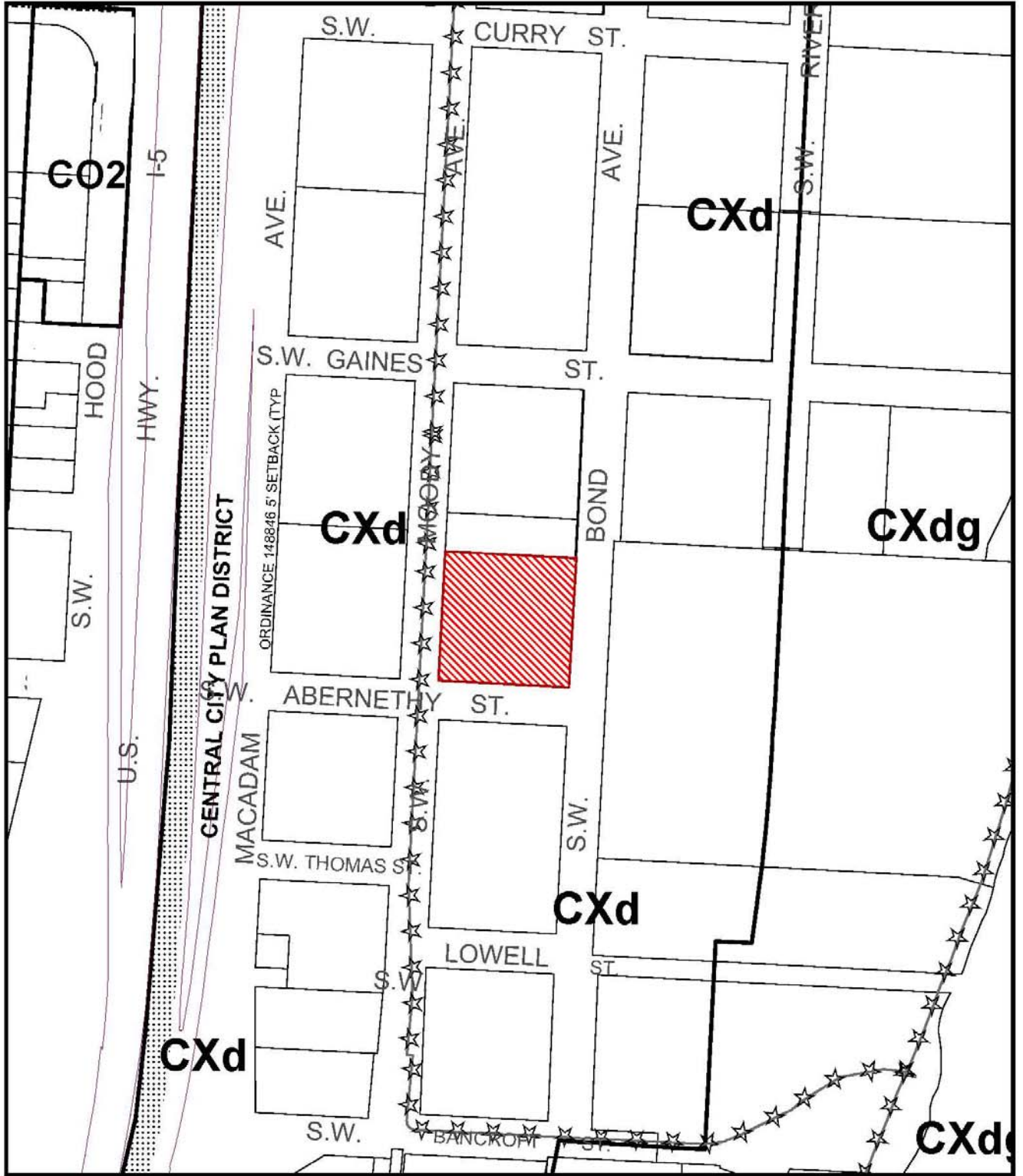
HEARING CANCELLATION

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; Floor Plan Unit Levels 2-6 (Typ.) ; North and East Elevations; South and West Elevations; View from NE; View from SW



ZONING

 Site



This site lies within the:
 CENTRAL CITY PLAN DISTRICT
 SOUTH WATERFRONT

File No.	<u>LU 13-107395 DZM</u>
1/4 Section	<u>3429,3430</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E10DB 700</u>
Exhibit	<u>B (Jan 22,2013)</u>

Block 43

ALAMO MANHATTAN
PORTLAND, OREGON

Hensley Lamkin Rachel, Inc.
ARCHITECTURE AND PLANNING
5455 NE 28th Ave
Portland, OR 97218
503.253.4400
FAX 503.253.4401

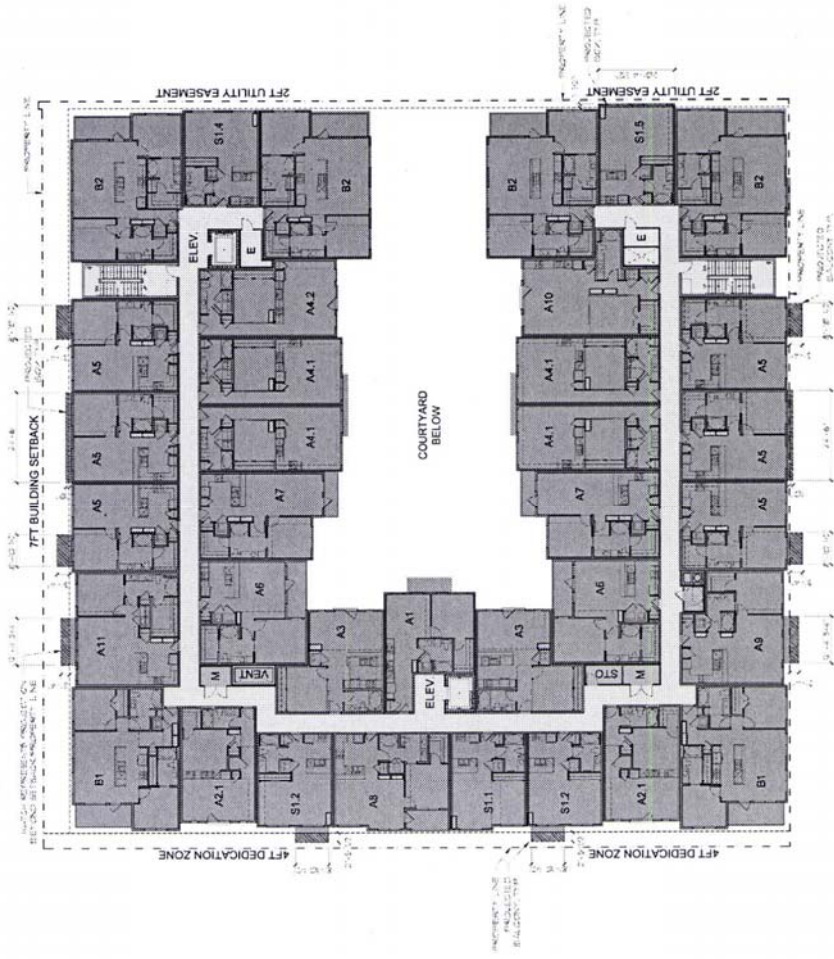


DATE: 08/13
DRAWN BY: JLS
CHECKED BY: JLS
PROJECT: 43
SHEET: 50

12260
A24
FLOOR PLAN
UNIT LEVELS 2-6 (TYP.)
V-01-08-13

PROGRAM LEGEND

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<input checked="" type="checkbox"/>	PROJECTIONS BEYOND PROPERTY LINE



FLOOR PLAN UNIT LEVELS 2-6 (TYP.)

BLOCK 43

ALAMO MANHATTAN
PORTLAND, OREGON

Hensley Lamkin Rachel, Inc.
ARCHITECTURE AND PLANNING

SUITE 500
1000
FAX 503 236-9403



1800 QUINCY DRIVE
PORTLAND, OREGON 97208

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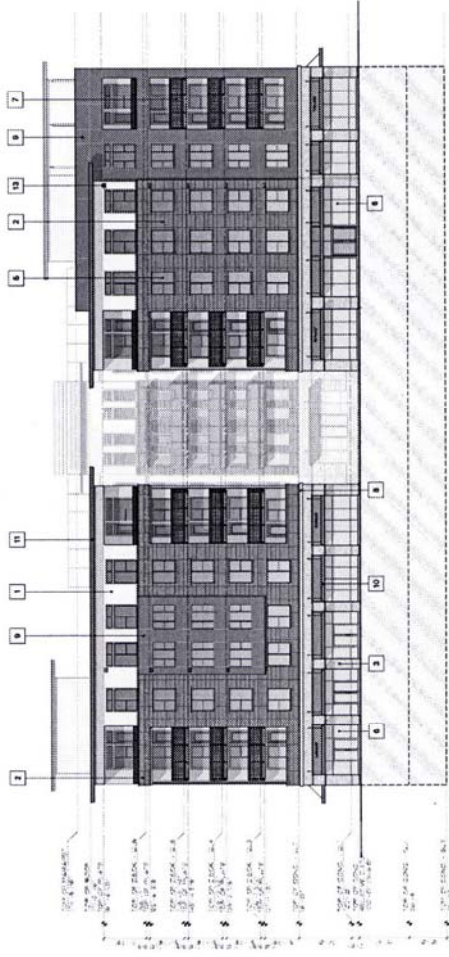
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CHECKED BY: [REDACTED]
DATE: 07/20/11

PHASE: 4E - BULK
CONSTRUCTION BY: [REDACTED]
ARCHITECT: HENSLY LAMKIN RACHEL, INC.
ENGINEER: [REDACTED]

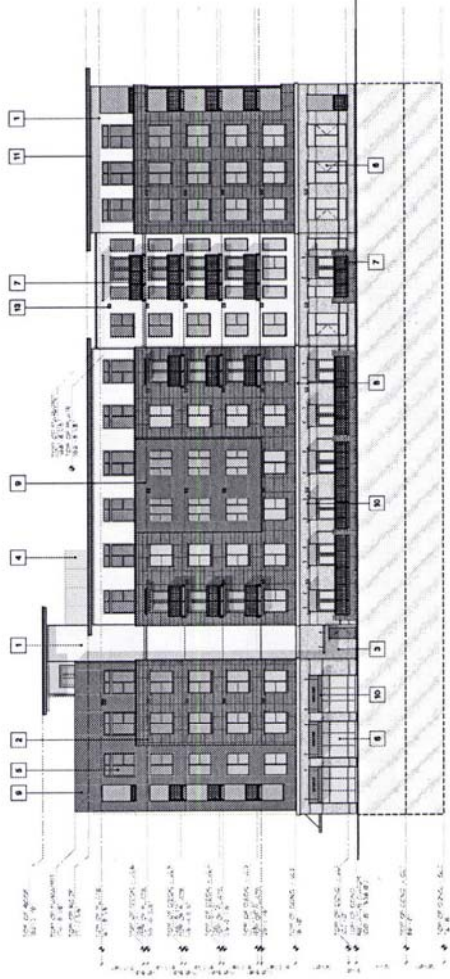
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REVISION

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REVISION LEGEND	
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02 EAST ELEVATION 5TH FLOOR BOND
SCALE: 1/8" = 1'-0"



03 NORTH ELEVATION 5TH FLOOR BOND
SCALE: 1/8" = 1'-0"

Block 43

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Hensley Lamkin Rachel, Inc.
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7120A
DAVIS TOWER
1000 GARDEN DRIVE
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FAX: 503.231.4405

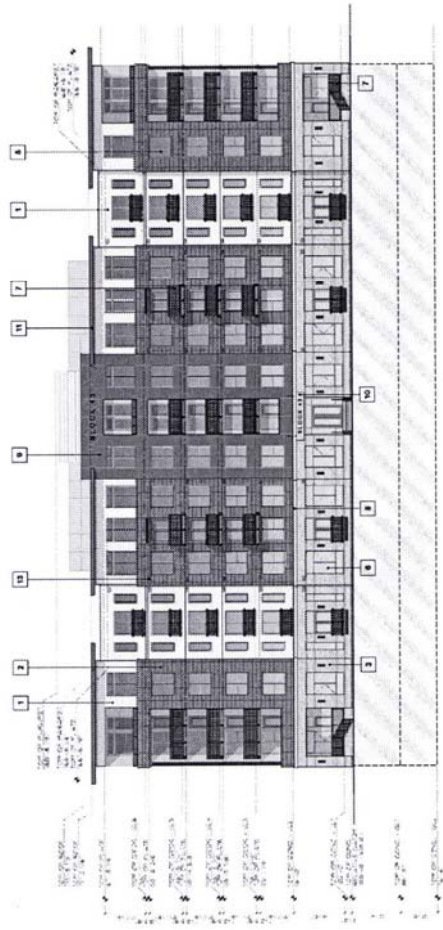


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CONTRACTOR: PT BAR
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REVISION 1 - 01/11/11
REVISION 2 - 01/11/11

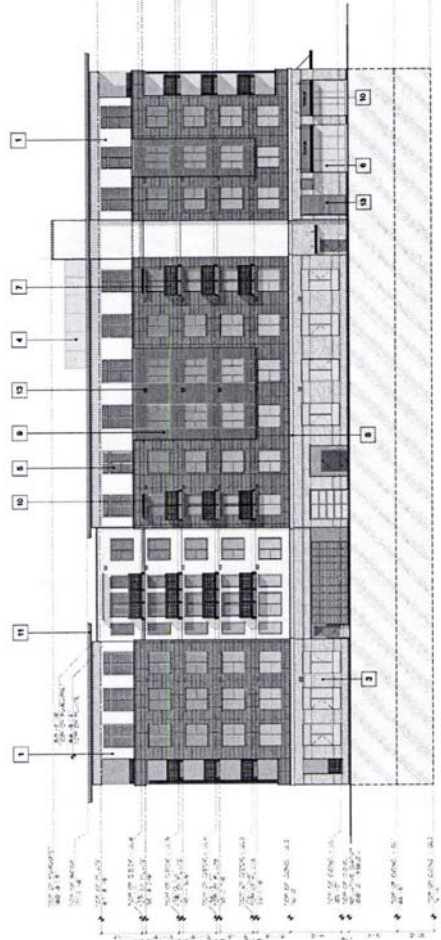
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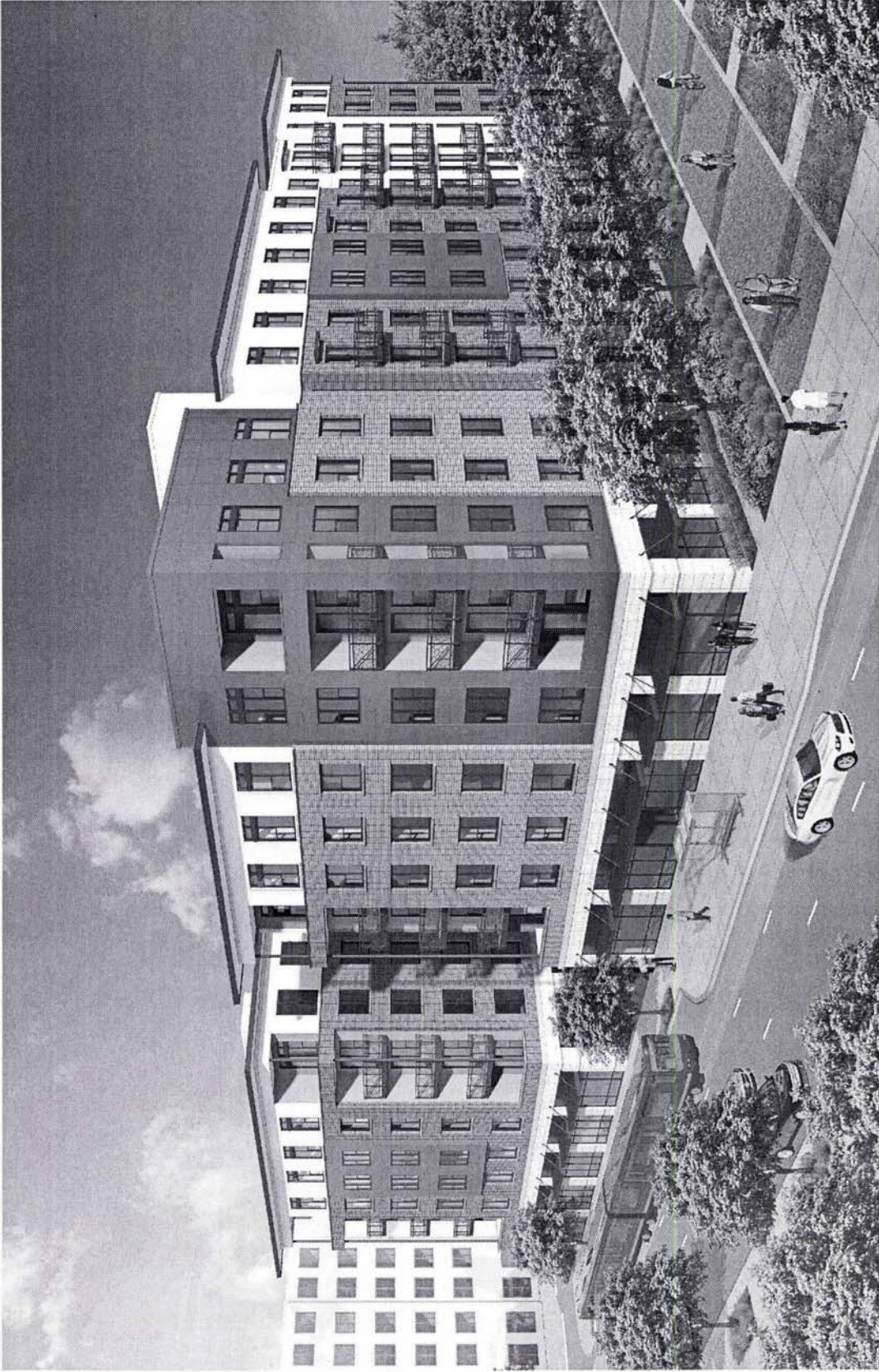
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02 WEST ELEVATION 911 MOODY
SCALE: 1/8" = 1'-0"



03 SOUTH ELEVATION 911 ABERNETHY
SCALE: 1/8" = 1'-0"



VIEW FROM NE ON BOND
SCALE 1/8" = 1'-0"

V-01-08-13

A61
REVISION

T2260

CONSTRUCTION BY B&B

PRINTED BY B&B

SCALE 1/8" = 1'-0"

CHECKED BY: [Signature]

DATE: [Date]

PROJECT: [Project Name]

LOCATION: [Location]

DATE: [Date]

SCALE: [Scale]

PROJECT: [Project Name]

LOCATION: [Location]

DATE: [Date]

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DATE: [Date]

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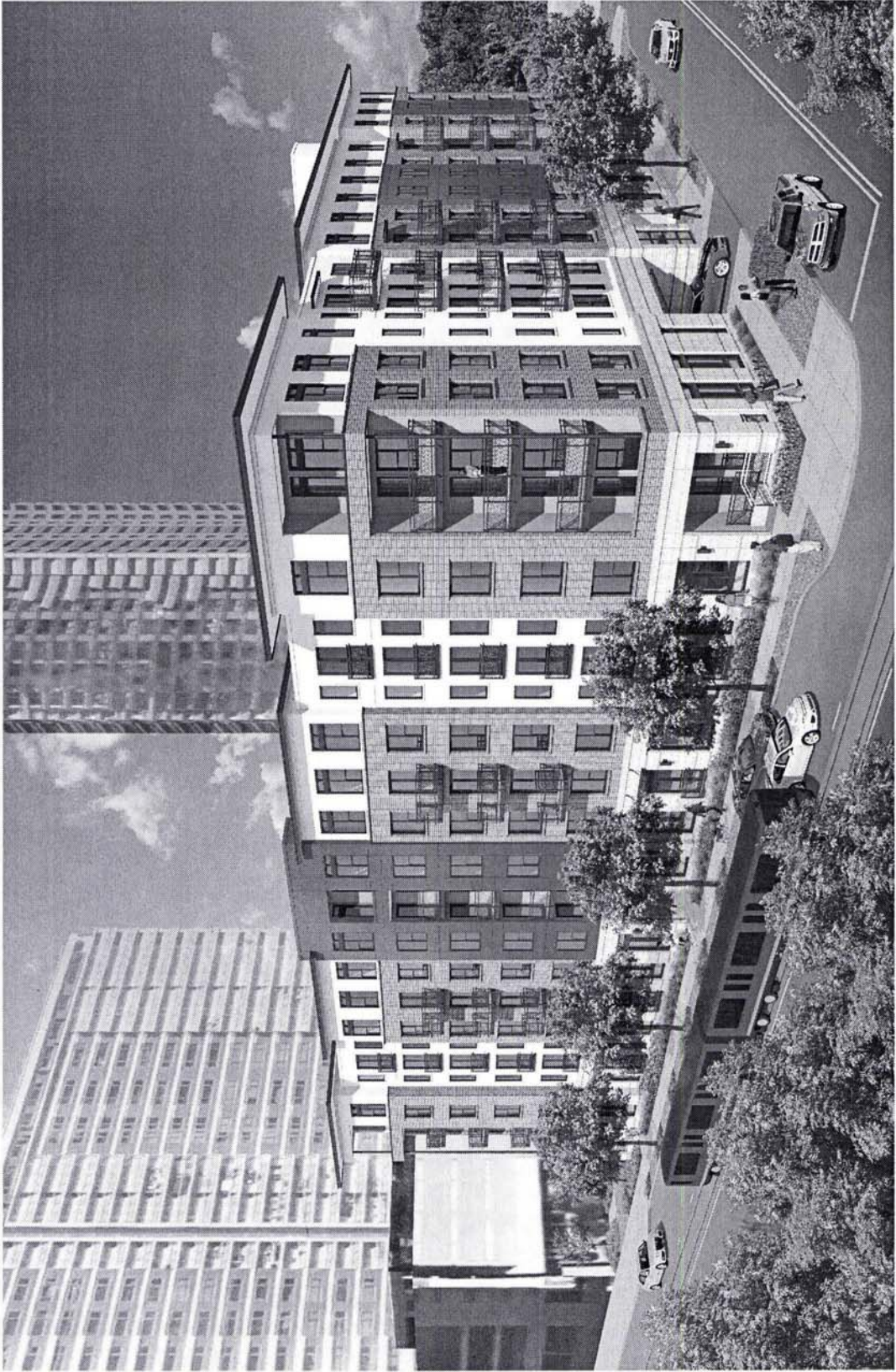
DATE: [Date]

Block 43

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18401 GILBERT DRIVE
DALLAS, TEXAS 75248
PH 972.236.4400
FAX 972.236.4401



VIEW FROM SW ON MOODY
SCALE 1/8"

12260

A6.3

PORTLAND

14-01-08-13

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PROJECT NAME: _____
 DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____
 SHEET NO.: _____
 TOTAL SHEETS: _____
 CONSTRUCTION BY: _____
 NETWORK: _____



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