



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

FROM CONCEPT TO CONSTRUCTION

Charlie Hales, Mayor
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: April 25, 2013
To: Interested Person
From: Staci Monroe, Land Use Services
503-823-0624 / staci.monroe@portlandoregon.gov

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

CASE FILE: LU 13-123630 DZM AD – Block A Apartments
PC # 12-148566
REVIEW BY: Design Commission
WHEN: May 16, 2013 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: Dustin White (503) 224-9656
GBD Architects
1120 NW Couch St, Suite 300
Portland, OR 97209

Owners: Kali Bader
Rembold Companies
1022 SW Salmon #450
Portland, OR 97205

Barry Schlesinger
Starterra LLC
610 SW Alder St #1221
Portland, OR 97205

Eric Jacobson
Portland Development Commission
222 NW 5th Avenue
Portland, OR 97209

Site Address: Portion of site bounded by NE Multnomah, NE MLK, NE Holladay and NE 2nd

Legal Description: PARTITION PLAT 2013-8, LOT 1, PARTITION PLAT 2013-7, LOT 1, HOLLADAYS ADD, BLOCK 47, INC PT VAC ST LOT 8 EXC PT IN ST, HOLLADAYS ADD, BLOCK 47, LOT 7 EXC PT IN ST

Tax Account No.: R653115, R653114, R182149, R182148

State ID No.: 1N1E34AA 3001, 1N1E34AA 2402, 1N1E34AA 2600, 1N1E34AA 2700

Quarter Section: 2930

Neighborhood: Lloyd District Community, contact Michael Jones at 503-265-1568.

Business District: Lloyd District Community Association, Gary Warren at 503-234-8271.

District Coalition: None

Plan District: Central City - Lloyd District

Zoning: CXd – Central Commercial zone with a Design overlay

Case Type: DZM AD – Design Review with Modifications and Adjustment Review

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 seeks Design Review approval for a new mixed use development, referred to as Block A Apartments, on a portion of the property bounded by NE MLK, NE Multnomah, NE 2nd and NE Holladay. The property recently went through a lot consolidation (12-136569 LC) and a Property Line Adjustment (12-143098 PR) that results in its current configuration. The building is proposed in the northeast portion of the larger site with a shared private driveway straddling the properties to the south and west, which have been included in the project’s “site” area.

The proposal includes a 6-story, mixed-use building with 186 residential units and 3600 SF of retail on the ground level at the northwest and southeast corners of the site. Twelve of the residential units are walk-ups accessed directly from Multnomah and the private driveway to the south. The private driveway would provide access to 97 spaces within the parking garage and to surface loading and parallel parking spaces on both sides of the driveway. The private driveway would also provide a vehicular and pedestrian connection through the block from NE MLK to NE Multnomah. A total of 308 bike parking spaces are proposed (285 long-term and 14 short-term), mostly in the parking garage and some within grade of the sidewalk. A roof level courtyard on the 2nd level along the eastern portion of the development would provide an outdoor amenity to the residents.

The following Modifications are requested:

- *Required Building Line* (33.510.215.D) – This standard applies to the portion of the development along MLK and requires the building to extend to the street lot line along for at least 75% of its length or within 12’ of the street lot line with additional landscaping. The proposed building extends along 24% of the MLK street lot line.
- *Parking Space Width* – The parallel parking spaces in the private driveway must be 8’ in width. The width proposed is 7’.
- *Loading Space* (33.266.310) – Two loading spaces, 18’ long x 9’ wide x 10’ vertical clearance in size, are required. The two provided in the private driveway are only 7’ in width.
- *Superblock Regulations* (33.293.030) – This portion of the superblock site is required to provide its percentage of the overall site’s superblock plaza and walkway requirements. A reduction in the amount required is requested since the “site” includes the properties to the south and west, which are anticipated to be developed in the near future and will provide their share of the requirements at time of development.
- *Maximum Building Setback* (33.130.215.C) – The proposed building is required to be within 10’ of Holladay Street given its designation as a Regional Transitway and Major Transit Priority Street. This standard would not be met by this proposal since a new building is anticipated between the proposed building and Holladay Street in the near future.

- *Pedestrian Connection (33.130.240)* – 6’ wide walkways are required to connect the building to Holladay Street. A connection to Holladay is not provided since a new building is anticipated between the proposed building and Holladay Street in the near future.

The following Adjustment is requested:

- *Parking Access (33.510.264.F.6)* – New vehicle access to any parking area or structure is not allowed from MLK per Map 510-9. The private, shared driveway is proposed off of MLK and provides access to surface and structured loading and parking spaces.

A Type III Design Review is required because the proposed new development is in the Lloyd sub district of the Central City Plan District and exceeds the value of \$2,038,500.

Relevant Approval Criteria:

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

- | | |
|----------------------------------------------|-------------------------------------------------------|
| ▪ Central City Fundamental Design Guidelines | ▪ Adjustment Approval Criteria – Section 33.805.040 |
| ▪ Lloyd District Design Guidelines | ▪ Modification Approval Criteria – Section 33.825.040 |

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 March 6, 2013 and determined to be complete on March 27, 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.

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 decision 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 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 Design Commission 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

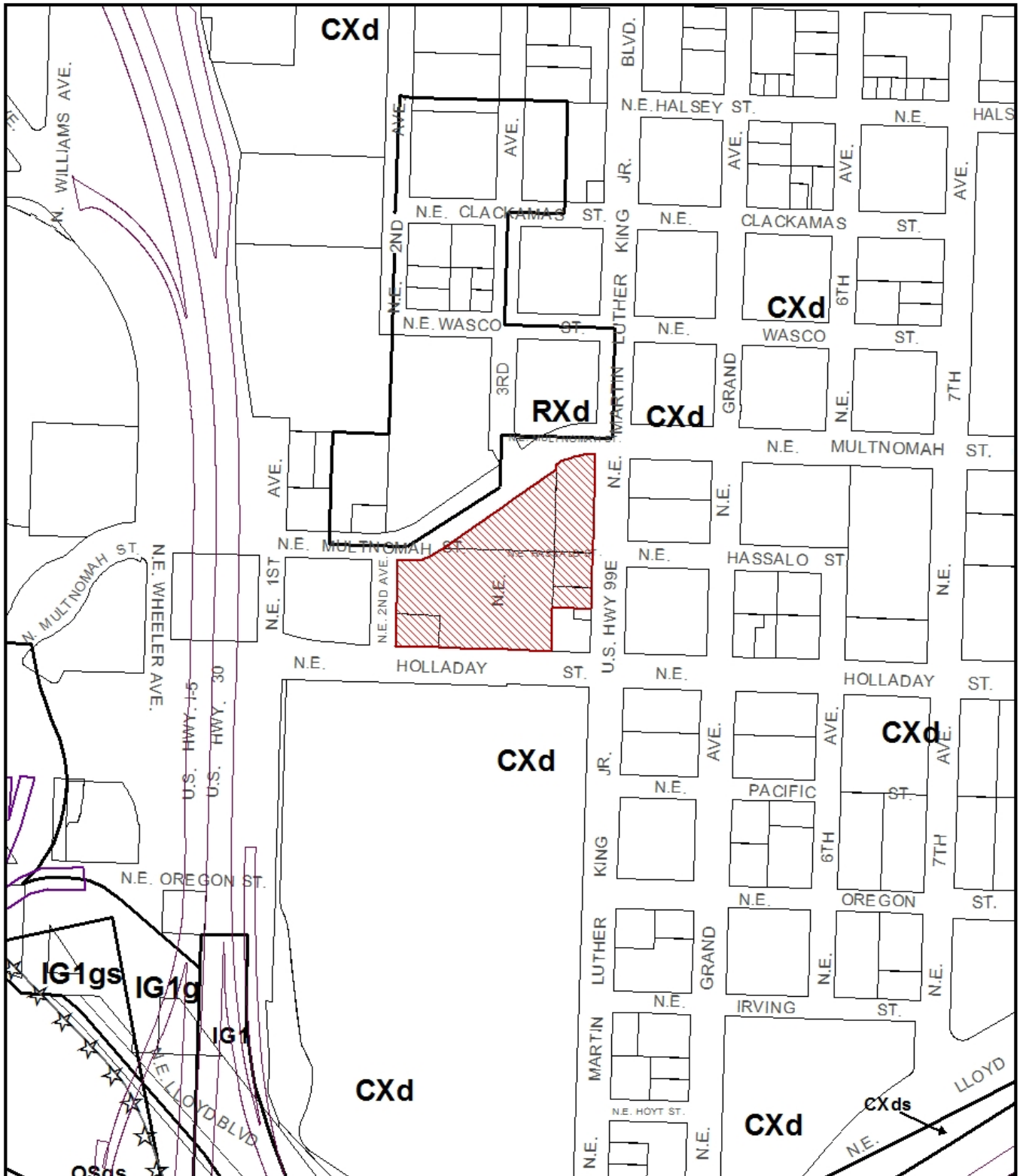
This public hearing will be cancelled if Portland Public Schools close due to inclement weather or other similar emergency. Check local television and radio reports for school closures. The hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent. Please call 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
Building Elevations



ZONING

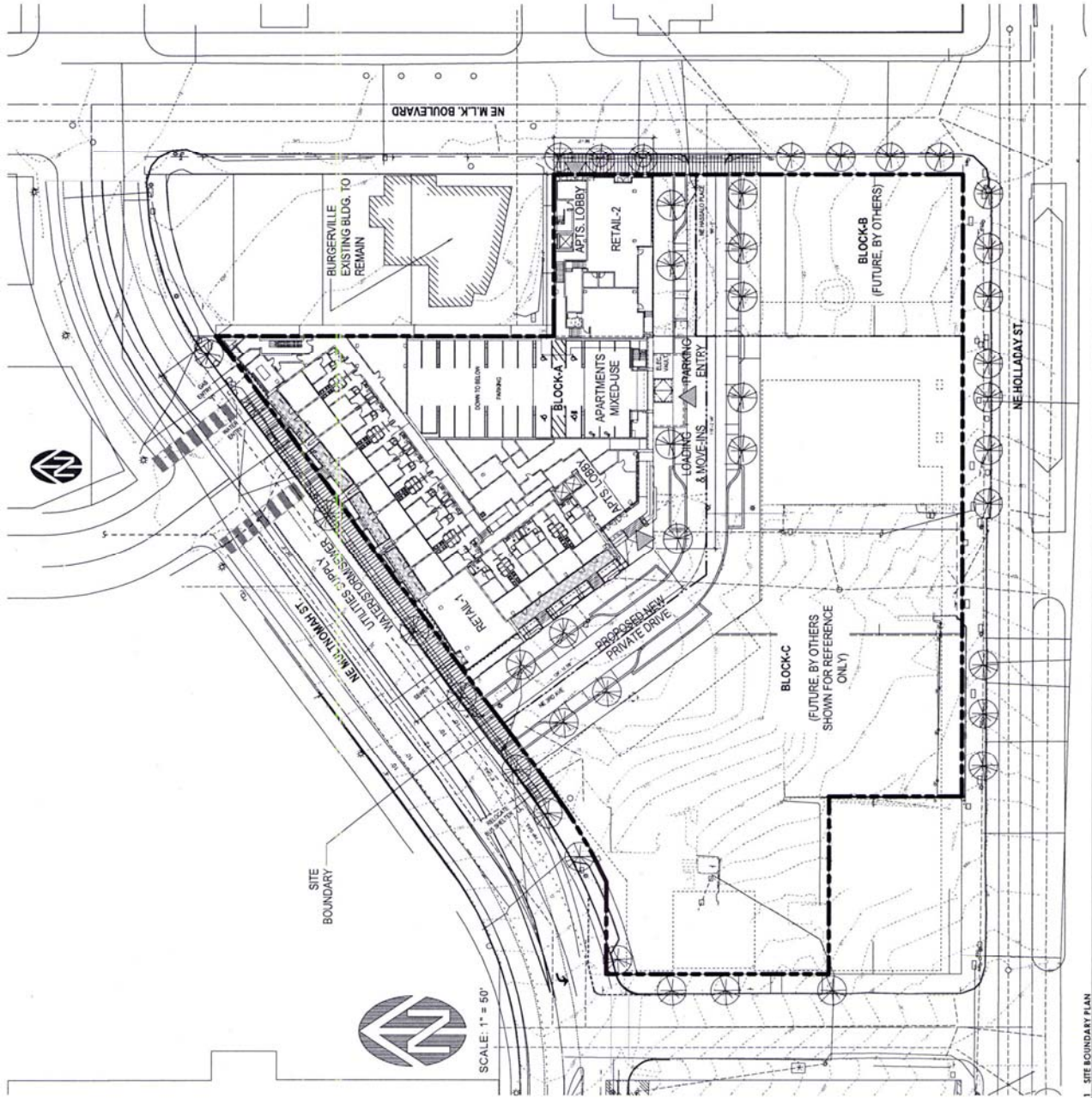
 Site



This site lies within the:
CENTRAL CITY PLAN DISTRICT
LLOYD DISTRICT

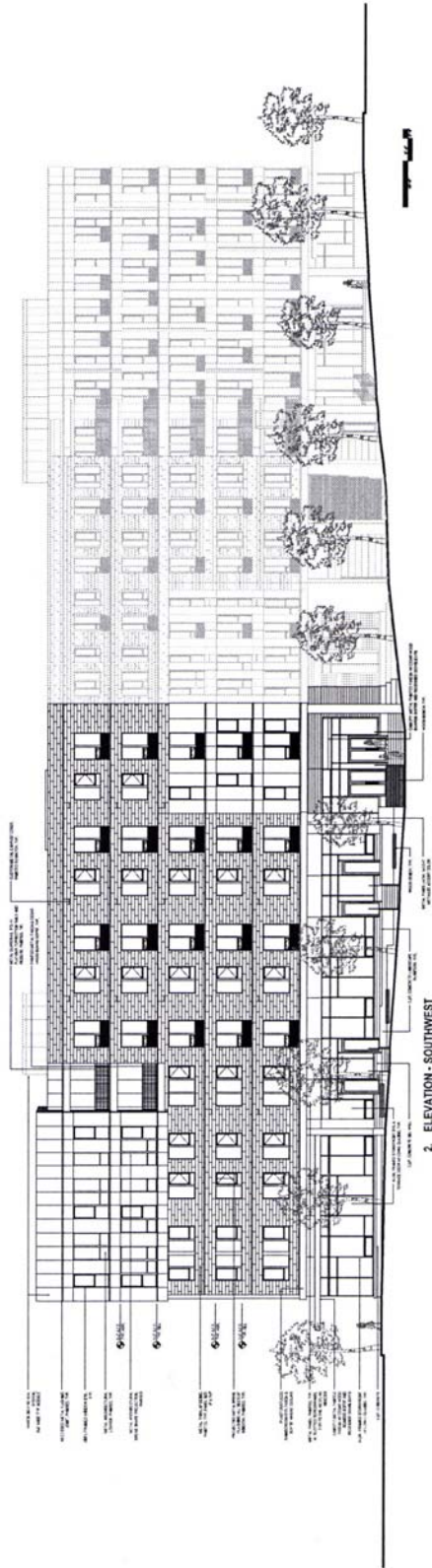
File No.	LU 13-123630 DZM
1/4 Section	2930
Scale	1 inch = 300 feet
State_Id	1N1E34AA 3001
Exhibit	B (Mar 08, 2013)

REVISION
DATE
APRIL 10, 2013
PROJECT NUMBER
2201012
SCALE
1" = 50'
SHEET TITLE
SITE PLAN



1. SITE BOUNDARY PLAN

W 13-123630 DZM AD



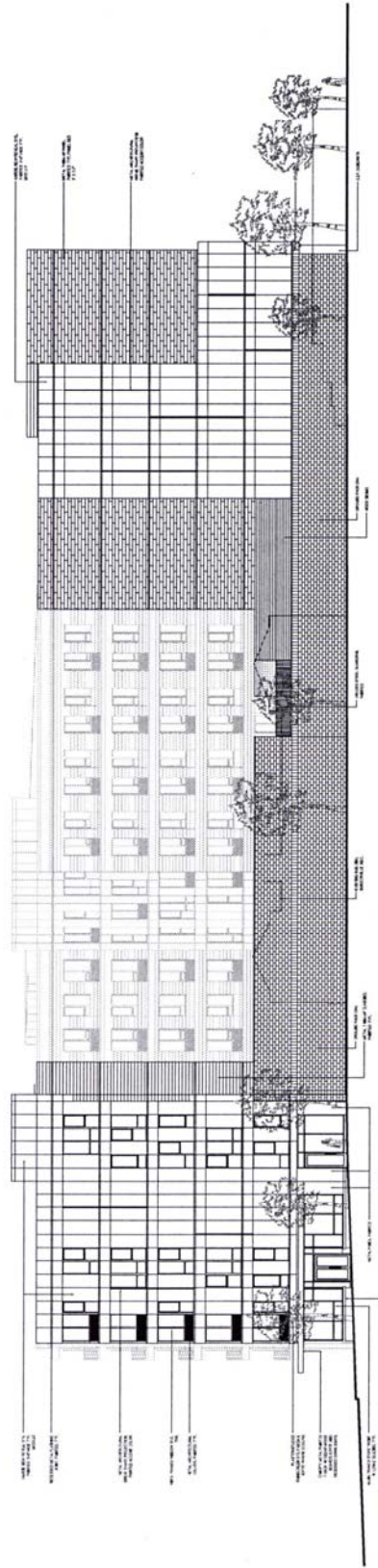
ELEVATIONS - SOUTH AND SOUTHWEST

LU 13-123630 DZM AD



1. ELEVATION - NORTHWEST

SCALE 1/8" = 1'-0"



2. ELEVATION - EAST

SCALE 1/8" = 1'-0"

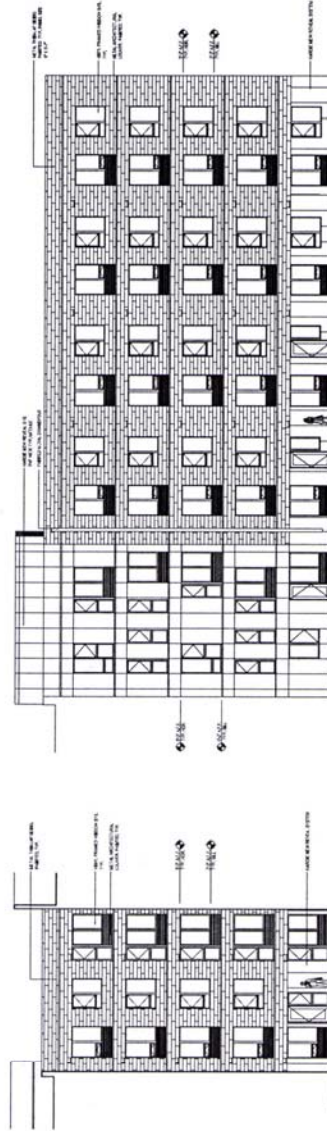
ELEVATIONS - NORTHWEST AND EAST

LW 13-123630 02M AD

SECTION TITLE: DESIGN PLANS AND ELEVATIONS



1. ELEVATION - SOUTH COURTYARD



2. ELEVATION - SOUTHWEST AND NORTHWEST COURTYARD

ELEVATIONS - COURTYARD

LU 13-123630 DZM AD