



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: June 11, 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 13-139762 DZM AD – Block 15
EA # 12-208906 PC, EA #13-106266 DA
REVIEW BY: Design Commission
WHEN: Thursday, July 11, 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.

For more complete information on the proposal, please visit the website at:

<http://www.portlandonline.com/bds/index.cfm?c=42441>

Click "Design Commission Agenda", then click the top link on the Design Commission agenda to access information on the current proposal, which is located under **LU 13-139762 DZM AD – Block 15**.

Applicant: John Meadows, Applicant (503) 226-1575
BOORA Architects Inc, 720 SW Washington Suite 800, Portland, OR 97205

Tiffany Sweitzer, Owner
Block 15 LLC, 1022 NW Marshall St Suite 270, Portland, OR 97209

Site Address: Lot bound by NW 10th & NW 11th Aves. & by NW Northrup & NW Overton Sts

Legal Description: LOT 17, HOYT STREET YARDS NO 2; LOT 18, HOYT STREET YARDS NO 2; LOT 19, HOYT STREET YARDS NO 2; LOT 20, HOYT STREET YARDS NO 2

Tax Account No.: R405840900, R405840950, R405841000, R405841050

State ID No.: 1N1E34BB 02620, 1N1E34BB 02621, 1N1E34BB 02622, 1N1E34BB 02623

Quarter Section: 2929

Neighborhood: Pearl District, contact Patricia Gardner at 503-243-2628.

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.

Plan District: Central City - River District

Zoning: EXd – Central Employment with Design overlay
Case Type: DZM AD – Design Review with Modification(s) and Adjustment 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 new 28-story building with 362,444 gross square feet, including:

- 152 residential units;
- 10,000 square feet of ground floor retail space, including 5 ground floor flexible (live/work) spaces along NW Overton Street;
- 171 above-grade automobile parking spaces, contained within the building, as well as 238 long-term bicycle parking spaces and 11 short-term bicycle parking spaces.

The building consists of a 28-story point tower with a 4-story podium containing residential units and parking, with additional garden style residential units fronting the landscaped rooftop courtyard. Building materials will primarily be glass curtain wall with areas clad with fiber cement planks. The additional 2,444 square feet of floor area over the 9:1 maximum is from a prior FAR transfer.

The following Modifications are requested:

- **Ground Floor Windows in the EX Zone (33.140.230)** – The proposal does not meet the standard with regard to length and percentage along NW 11th.
- **Transit Street Main Entrance (33.140.242)** – The SW retail space is proposed to face NW 11th rather than the transit street (NW Northrup), as is required.
- **Height (33.510.205 C)** – The Zoning Code allows the maximum building height for this site to be increased if the amount of shadow cast by the proposed building on the adjacent open space (Fields Park) will be less than or equal to the shadow that would result from a building constructed to the maximum height allowed. The shadow cast by the proposed 350'-tall building casts a shadow on Fields Park that is more than what would be cast by a tower that is 225'-tall, which is the maximum height allowed by the Zoning Code.
- **Ground Floor Active Uses (33.510.225)** – 50% of the south half of the block's street-facing façades must be designed to allow ground floor active uses. This standard is not met along NW 11th.

The following Adjustment is requested:

- **Number of Loading Spaces** – 33.266.310 requires one loading space meeting Standard A or two loading spaces meeting standard B. The applicant is proposing only one space meeting standard B, accessed from NW 11th.

Type III Design Review is required because the proposal is for a new construction project that meets the valuation threshold for a Type III design review in the Central City Plan District. A Modification review and an Adjustment review are also required because the proposal does not meet some of the standards outlined in the Portland Zoning Code for this zone district.

Relevant Approval Criteria:

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

- 33.140, Employment Zones
- 33.420, Design Overlay Zone
- 33.510, Central City Plan District
- 33.825, Design Review
- 33.825.040, Modifications That Will Better Meet Design Review Requirements
- 33.805.040, Adjustment Approval Criteria
- Central City Fundamental Design Guidelines
- River District 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 April 16, 2013 and determined to be complete on May 7, 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

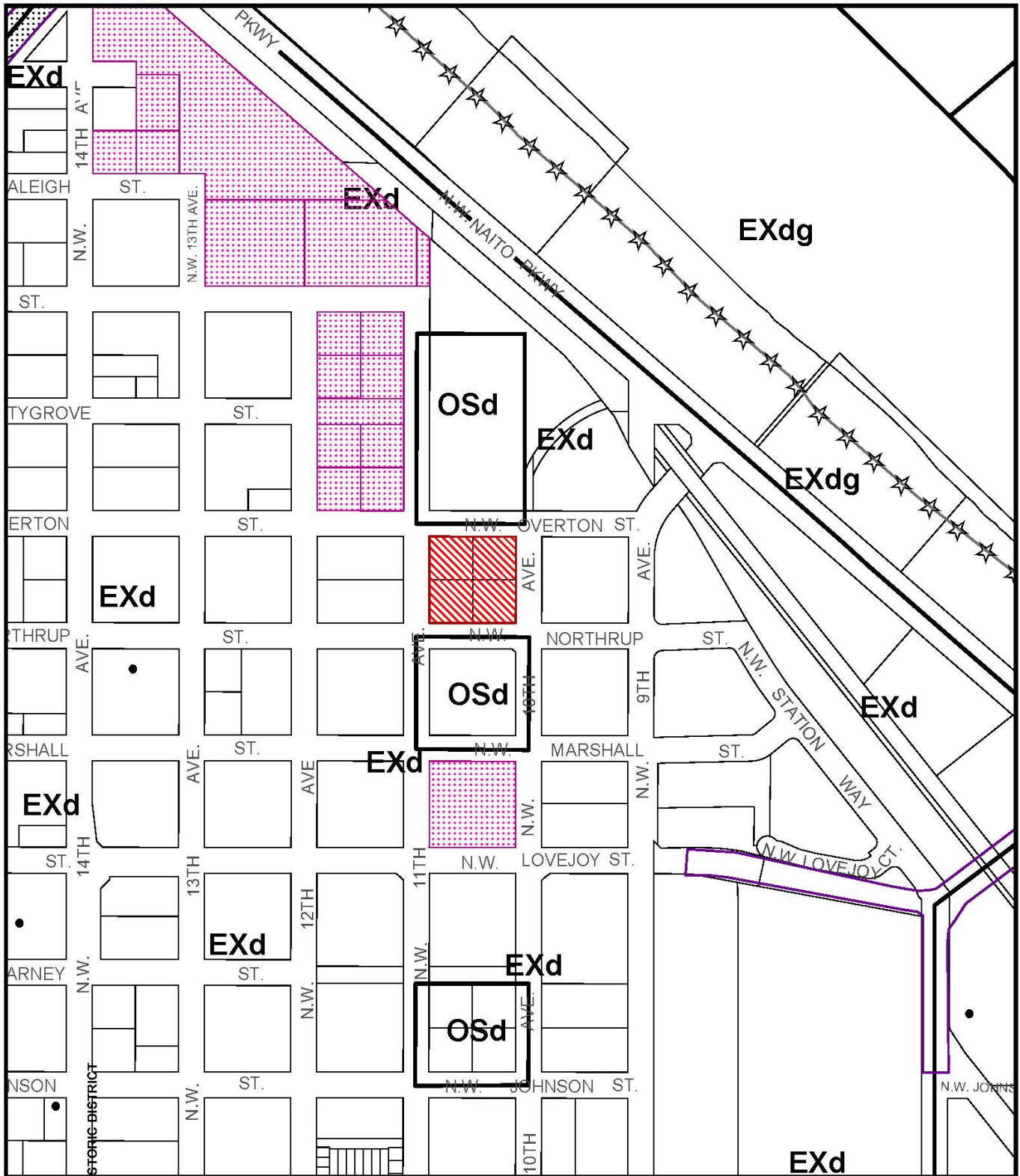
This public hearing will be cancelled if Portland Public Schools close due to inclement weather or other similar emergency. Check local television and radio reports for school closures. The hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent. Please call 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
- Rendering
- Ground Floor Plan
- Level 2 Plan
- Level 3 and 4 Plans
- Level 5-13 and 14-25 Plans



ZONING

-  Site
-  Also Owned
-  Historic Landmark

 NORTH
 This site lies within the:
CENTRAL CITY PLAN DISTRICT
RIVER DISTRICT

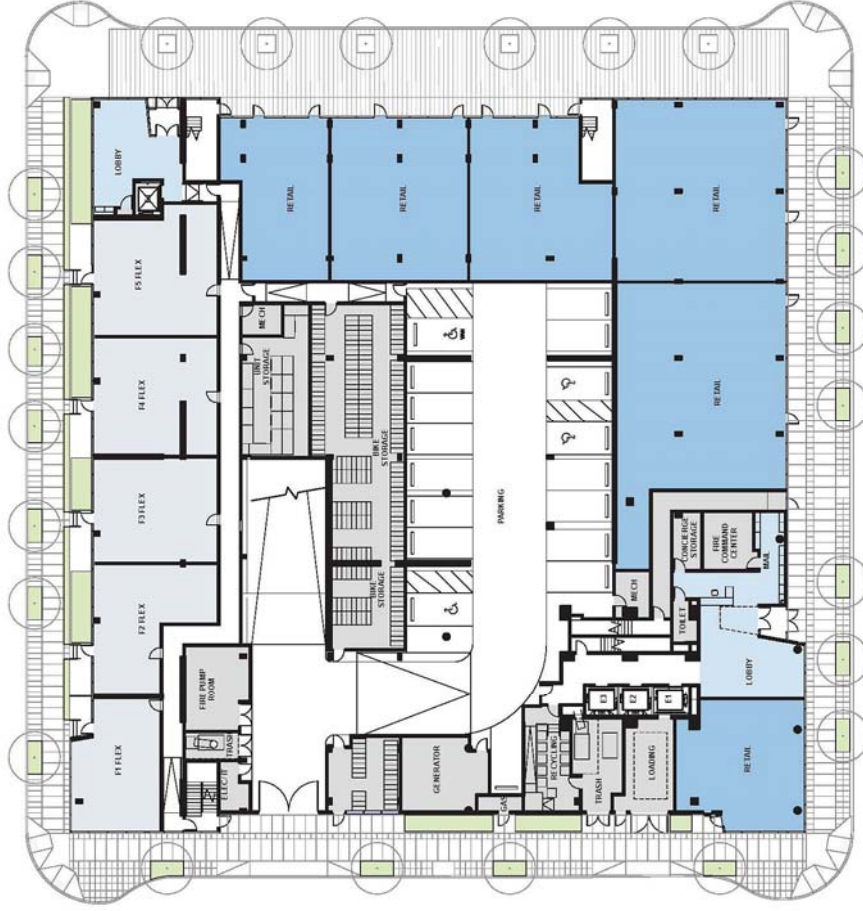
File No. LU 13-139762 DZM,AD
 1/4 Section 2928,2929
 Scale 1 inch = 300 feet
 State_Id NONE
 Exhibit B (Apr 22,2013)



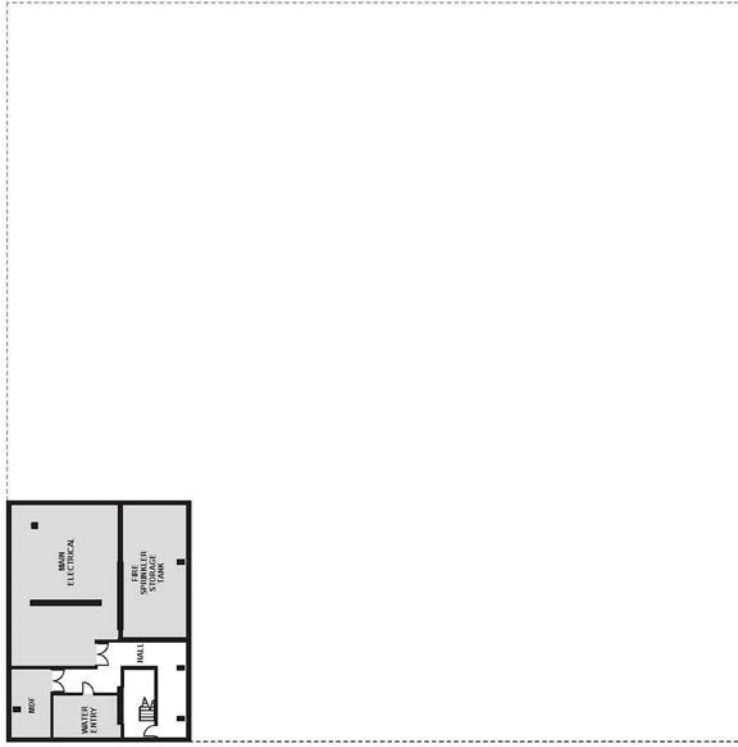
Perspective from NW 10th and Northrup
Renderings

HOYT. BLOCK 15 - DRAFT
boora

Ground Floor Plan



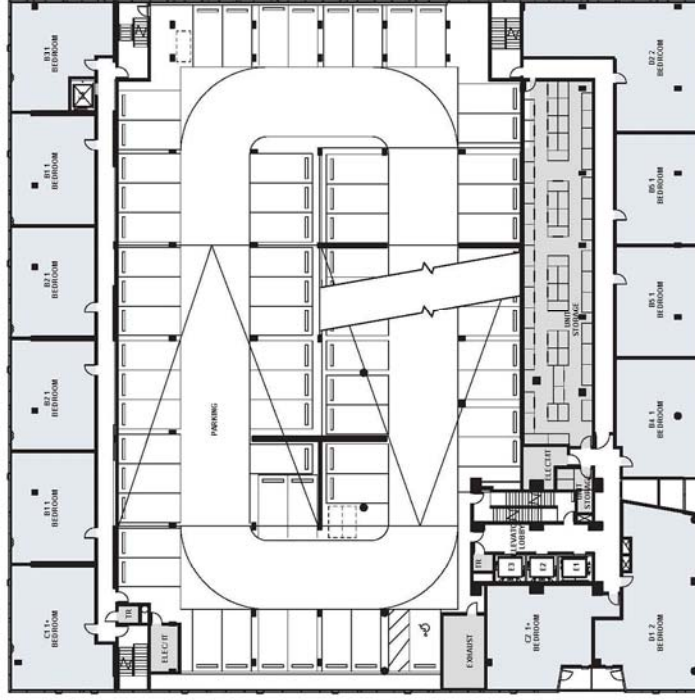
Basement Level



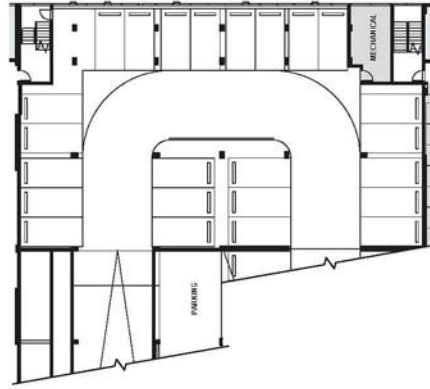
- Residential
- Lobby/Common
- Retail
- Service/Storage, Typ.
- Outdoor Landscape

① Scale: 1/32" = 1' 0"

Level 02 Plan



Mezzanine



- Residential
- Lobby/Common
- Retail
- Service/Storage, Typ.
- Outdoor Landscape

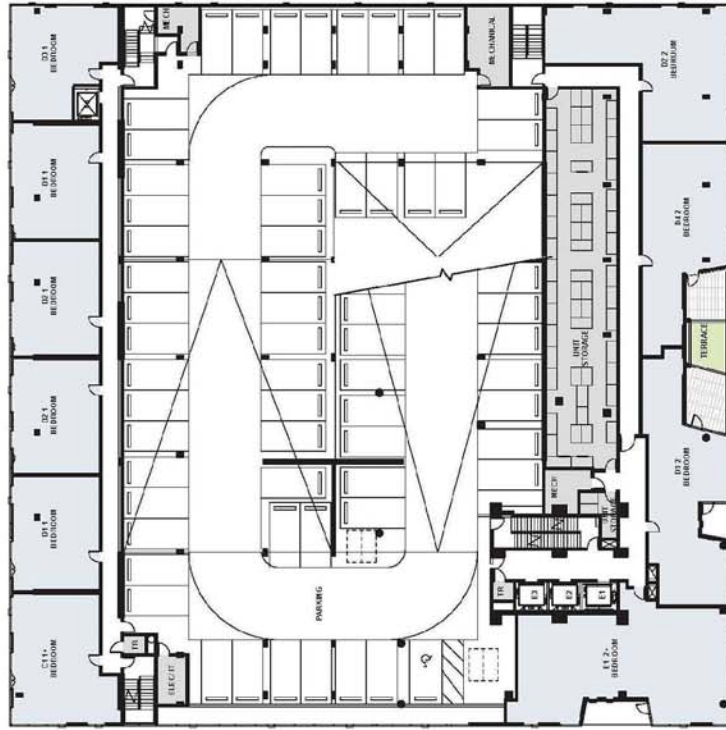
① Scale: 1/32" = 1' 0"

Level 04 Plan



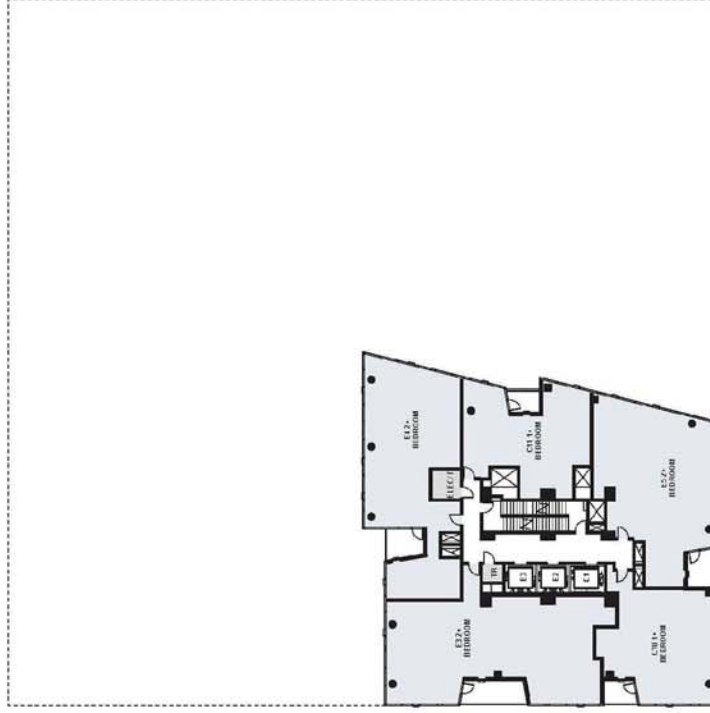
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Level 03 Plan

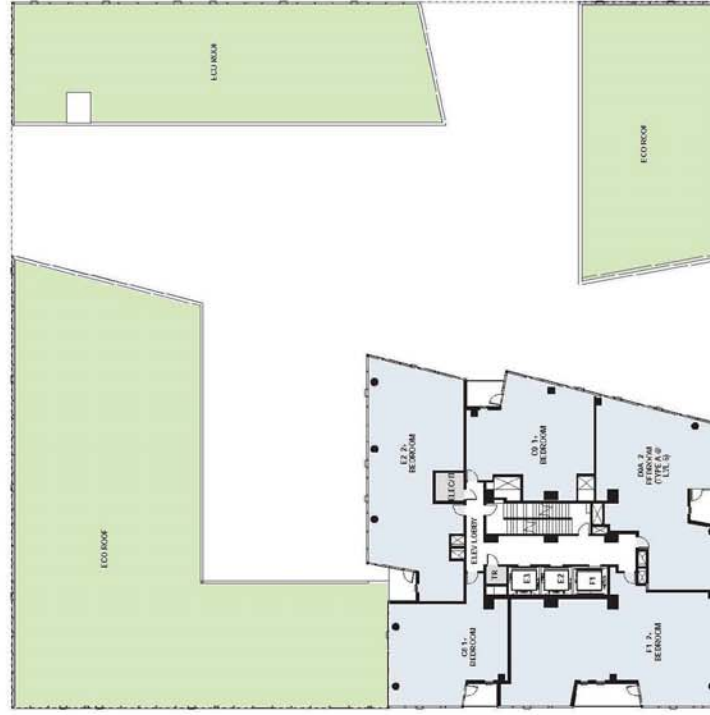


- Residential
- Lobby/Common
- Retail
- Service/Storage, Typ.
- Outdoor Landscape

Typical Upper Tower (Levels 14-25)



Typical Lower Tower (Levels 5-13)



- Residential
- Lobby/Common
- Retail
- Service/Storage, Typ.
- Outdoor Landscape

Scale: 1/32" = 1' 0"