



City of Portland
Bureau of Development Services
Land Use Services Division

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**NOTICE OF A PUBLIC HEARING BEFORE THE CITY COUNCIL ON A
COMPREHENSIVE PLAN MAP AMENDMENT AND ZONE MAP AMENDMENT**

CASE FILE: LU 13-109305 CP ZC
WHEN: Thursday, June 13, 2013, at 2:00 PM
WHERE: CITY COUNCIL CHAMBERS
1221 SW FOURTH AVENUE

Mailing Date: May 23, 2013
To: Interested Person
From: Douglas Hardy, Senior Planner (503) 823-7816

A public hearing will be held to consider the Land Use Hearings Officer's recommendation on an application for a Comprehensive Plan Map and Zoning Map Amendment. On May 16, 2013, the Hearings Officer issued a recommendation of approval, with conditions, of the requested Comprehensive Plan Map and Zoning Map Amendments. Because this case includes a Comprehensive Plan Map Amendment, the City Council must make the final decision.

Copies of the existing and proposed zoning maps and submitted site plan are attached. I am the staff person handling this case. Please contact me with any questions regarding this proposal, the Council hearing, or how to testify in this matter. **For a general explanation of the City Council hearing process, please refer to the last page of this notice.**

Applicant: Back Bridge Lofts LLC, property-owner
c/o Ben Kaiser
5229 NE Martin Luther King Jr. Boulevard, Suite 101
Portland, OR 97217

Destin Ferdun, consultant
Lunabridge
3575 NE Shaver Street
Portland, OR 97212

Site Address: Southeast corner of N. Williams Avenue and NE Fremont Street

Legal Description: Lot 11, Albina Hmstd Add; Lot 12, Lot 13 Exc Pt in St, Albina Hmstd Add; Block 6, Lot 3, Williams Ave Add; Block 6, Lot 4&5, Williams Ave Add; Block 6, Lot 4&5, Cancel Account/Williams Ave Add

Tax Account No.: R010800230, R010800250, R916401290, R916401310, R916401311
State ID No.: 1N1E27AA 02300, 1N1E27AA 02400, 1N1E27AA 02600, 1N1E27AA 02500, 1N1E27AA 02500A1

Quarter Section: 2730

Neighborhood: Eliot, contact Mike Warwick at 503-284-7010
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321
District Coalition: Northeast Coalition of Neighborhoods, contact Shoshana Cohen at 503-388-5004

Plan District: Albina Community
Existing Zoning: R1d - Multi-Dwelling Residential 1,000 with a Design overlay zone
Case Type: Comprehensive Plan Map Amendment (CP)
Zoning Map Amendment (ZC)
Procedure: Type III, with a public hearing before the Hearings Officer. The Hearings Officer will make a recommendation to City Council, who makes the final decision on this matter.

PROPOSAL

The applicant is requesting a Type III Comprehensive Plan Map Amendment from Medium Density Multi-Dwelling to Central Residential, as well as a Type III Zoning Map Amendment from Multi-Dwelling Residential 1,000 (R1) with a Design overlay zone to Central Residential (RX) with a Design overlay zone on this 33,568 square foot vacant site. The RX zone is a high-density residential zone that allows a high percentage of building coverage. The zone allows a floor area ratio (FAR) of up to 4:1, which means given the size of the site a building having up to 134,272 square feet of floor area could be built. A limited portion of the floor area can be used for retail and office space. No specific development is proposed at this time.

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:

- **33.810.050 Comprehensive Plan Map Amendment**
- **33.855.050 Zoning Map Amendments**

DECISION MAKING PROCESS

Review of the Case File: The Land Use Hearings Officer's recommendation and all evidence on this case are available for review (by appointment) at the Bureau of Development Services, 1900 SW Fourth Avenue, 4th Floor, Portland, OR 97201. Please contact the receptionist at 503-823-7300 to schedule a time to review the file. 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 for such services. You may also find additional information about the City of Portland and City bureaus as well as a digital copy of the Portland Zoning Code, by visiting the City's home page on the Internet at www.ci.portland.or.us

We are seeking your comments on the proposal. The hearing will be held before the City Council. To comment, you may write, or testify at the hearing. In your comments, you should address the approval criteria, which are identified above. Please refer to the case file number when seeking information or submitting testimony. Written comments **must be received by the end of the public testimony of the hearing**, and should include the case file number and name and address of the submitter. It must be given to the Council Clerk in person, or mailed to 1221 SW Fourth Avenue, Room 140, Portland, OR 97204.

APPEAL PROCESS

The decision of the City Council may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol Street NE, Salem, OR 97310. The phone number for LUBA is (503) 373-1265. Failure to raise an issue in person or in writing by the close of the record at or following the final evidentiary hearing before the City Council on this case may preclude an appeal to LUBA on that issue. Also, if you do not provide enough detailed information to the review body, 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.

Public transportation to City Hall is available. Call TriMet at (503) 238-7433 (or www.trimet.org/routes_times.htm) for routes and times. Hourly rated public parking is available underneath the Portland Building immediately north of City Hall. Other public parking garages are in the immediate vicinity.

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations please call 503-823-4085 (TDD: 503-823-6868). Persons requiring a sign language interpreter must call at least 48 hours in advance.

Attachments:

1. Existing Zoning Map
2. Proposed Zoning Map
3. Site Plan
4. City Council Hearing Process

ZONING EXISTING



**This Site Lies Within The:
Albina Community Plan District**

File No. LU 13-109305 CP,ZC

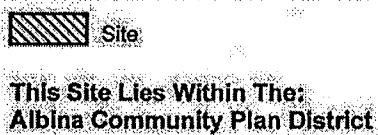
1/4 Section 2730,3420

Scale 1 inch = 300 feet

State Id 1N1E27AA 2400

Exhibit B.1 (Jan 28, 2013)





File No. LU 13-109305 CP,ZC
1/4 Section 2730.3420
Scale 1 inch = 300 feet
State Id 1N1E27AA 2400
Exhibit B.2 (Jan 28, 2013)

LOTS 3, 4 AND 5, BLOCK 6, "WILLIAMS AVENUE ADDITION"
SITUATED IN THE NE 1/4, SECTION 27, T.1N., R.1E., WM.
CITY OF PORTLAND, COUNTY OF MULTNOMAH,
STATE OF OREGON

PATH
ARCHITECTURE

LEGEND

- - INDICATES MONUMENT FOUND AS NOTED
- X - INDICATES FOUND BRASS SCREW UNLESS OTHERWISE NOTED
- - INDICATES 50" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LATHROP L.S. 877" TO BE SET.
- DATA IS "MEASURED" UNLESS OTHERWISE SHOWN
- FFR (3) = DOCUMENTS REFERENCED
- F = FOUND BY (3) SET BY (1) REFERENCE
- (B) (1) = BOOK " ", PAGE " "
- BS = BRASS SCREW
- IR = IRON ROD
- IP = IRON PIPE
- R/W = RIGHT OF WAY
- WYPC = WITH YELLOW PLASTIC CAP
- S.F. = SQUARE FEET
- SEWER LINE (SIZE) ————
- WATER LINE ————
- CB = CATCH BASIN
- PP = POWER POLE
- JE = INVERT ELEVATION
- SE = WATER METER
- ⊗ = FIRE HYDRANT
- X = WATER VALVE
- DECIDUOUS TREES AND SIZE

NOTES:

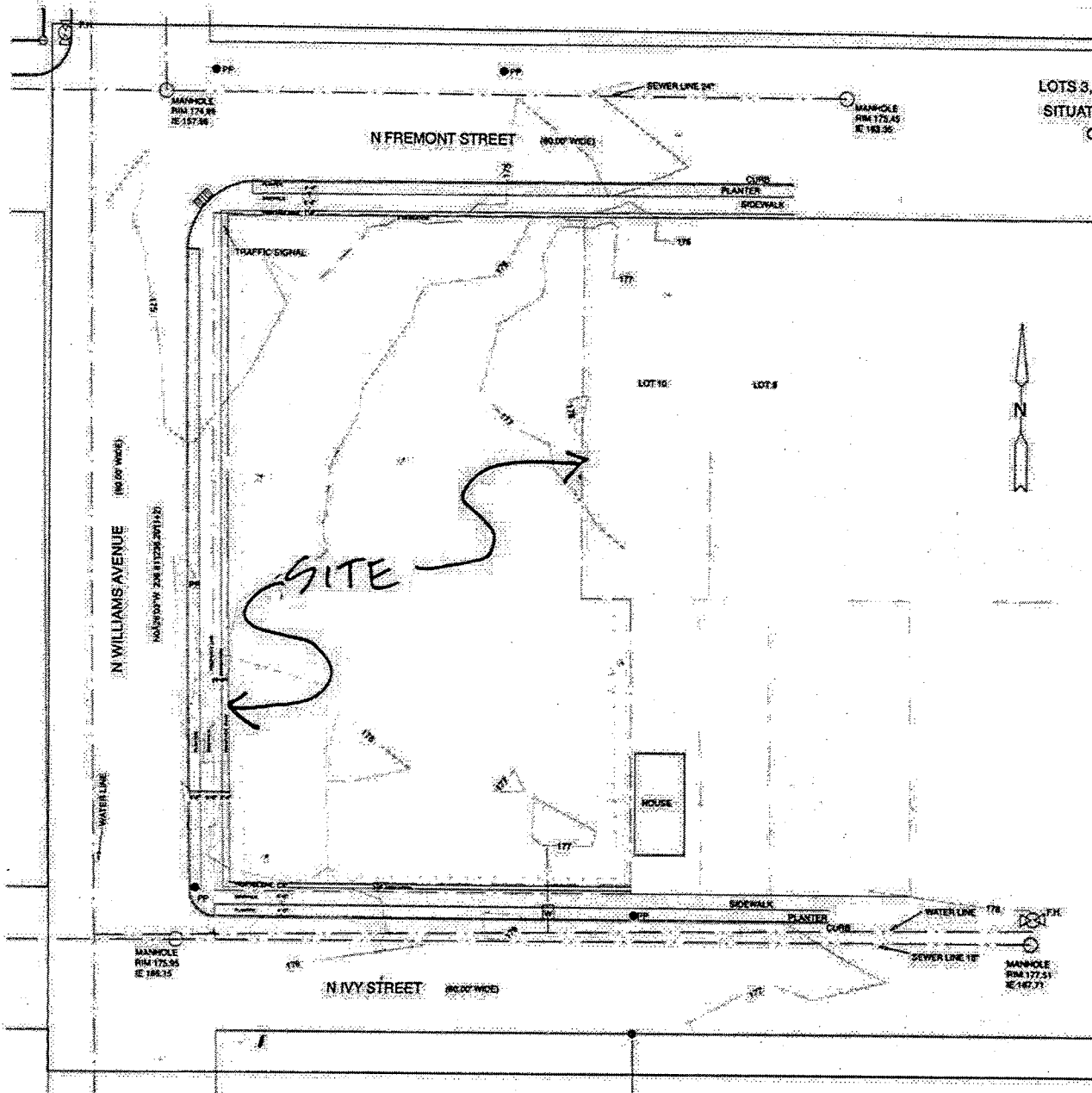
DATUM COR.
BENCH MARK 5111.
1' CONTOUR INTERVAL.
DIMENSIONS AND AREAS MAY VARY SLIGHTLY UPON
FINAL SURVEY RESOLUTION.

Ivy Cubes
3542 SE Oak St.
PORTLAND, OREGON

ARCHITECTURE

CONSTRUCTION SET
DATE: 03/24/2013

CASE NO. 13-103305-20
EXHIBIT C-1



**GENERAL EXPLANATION OF THE CITY COUNCIL PROCESS FOR
EVIDENTIARY/DE NOVO HEARINGS**

1. SUBMISSION OF TESTIMONY

- a. Testimony may be submitted in writing to the Council Clerk, 1221 SW Fourth Avenue, Room 140, Portland, OR 97204. Written comments must be received by the time of the hearing and should include the case file number.
- b. Testimony may be submitted orally (see below).

2. HEARINGS PROCESS

- a. The order of appearance and time allotments are generally as follows:

Staff Report	10 minutes
Applicant	10 minutes
Supporters of Applicant	3 minutes each
Principal Opponent	15 minutes
Opponents	3 minutes each
Applicant Rebuttal	5 minutes
Council Discussion	

- b. The applicant and proponents have the burden of proof to show that each and every element of the approval criteria can be satisfied. If the applicant is opposing the Hearings Officer's recommendation, the applicant may also argue the criteria are being incorrectly interpreted, the wrong approval criteria are being applied or additional approval criteria should be applied.
- c. In order to prevail, the opponents of the application must persuade the City Council to find that the applicant has not carried the burden of proof to show that the evidence submitted in support of the application demonstrates that each and every element of the approval criteria is satisfied. The opponents may wish to argue the criteria are being incorrectly applied, the wrong criteria are being applied or additional approval criteria should be applied.
- d. The failure to address an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) on that issue.

3. OTHER INFORMATION

- a. Prior to the hearing, the case file and the Hearings Officer decision are available for review, by appointment, at the Bureau of Development Services, 1900 SW 4th Avenue, Portland, OR 97201. Call 503-823-7300 to make an appoint to review the file.

If you have a disability and need accommodations, please call 823-4085 (TDD: 823-6868). Persons requiring a sign language interpreter must call at least 48 hours in advance.