



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

FROM CONCEPT TO CONSTRUCTION

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

Date: August 16, 2013
To: Interested Person
From: Kara Fioravanti, Land Use Services
503-823-5892 / Kara.Fioravanti@portlandoregon.gov

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

CASE FILE: LU 13-178392 DZM - Pearl Block 17
EA 12-217936 PC and 13-106862 DA
REVIEW BY: Design Commission
WHEN: Thursday, September 5, 2013 at 1:30PM
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: Tiffany Sweitzer, Block 17 LLC
1022 NW Marshall Street Suite 270 / Portland, OR 97209

Steve Yoon, Block 17 Holding, LLC
20 Sunnyside Avenue, Suite B / Mill Valley, CA 94941

Representative: John Meadows, BOORA Architects Inc.
720 SW Washington Street, Suite 800 / Portland, OR 97205

Site Address: Block bound by NW 11th, 12th, Overton, Pettygrove
Legal Description: LOT B, HOYT STREET YARDS NO 2; LOT 25, HOYT STREET YARDS NO 2;
LOT 26, HOYT STREET YARDS NO 2; LOT 27, HOYT STREET YARDS NO 2
Tax Account No.: R405840750, R405841300, R405841350, R405841400
State ID No.: 1N1E34BB 2634, 1N1E34BB 2630, 1N1E34BB 2631, 1N1E34BB 2632
Quarter Section: 2928
Neighborhood: Pearl District, contact Patricia Gardner 503-243-2628.
Business District: Pearl District Business Association, contact Adele Nofield 503-223-0070.
District Coalition: Neighbors West/Northwest, contact Mark Sieber 503-823-4212.
Plan District: Central City - River District
Zoning: Exd, Central Employment with design overlay
Case Type: DZM, Design Review with Modification Requests
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 building in the River District of the Central City Plan District. Housed in a high and a low-rise structure, Block 17 will supply 281 rental apartment units. 210 parking spaces are provided in a two level below grade parking structure. The five-story low rise building along NW 11th Ave incorporates 5 flex units, 58 residential units as well as a small retail and lobby at the ground level, oriented to NW Overton to the south. Toward the west of the site along NW 12th Ave, a 16-story tower at approximately 178 feet tall houses 3 flex spaces and 215 apartment units. Between the two buildings is a through-block courtyard, allowing the units maximum daylight potential and providing private and shared outdoor space for the residents.

The applicant seeks approval for 5 **Modifications** to required Zoning Code standards:

1. **Ground Floor Windows** 33.130.230. This standard requires windows into active areas of the building for at least 50% of the building's wall length and 25% of the building's ground level wall area. The proposed building does not meet this standard at NW 12th Avenue. The NW 12th Avenue ground level only includes windows for 35% of the building wall length.
2. **Stacked Parking** 33.266.100. This standard requires an attendant to be present to move vehicles when stacked parking is proposed. The project includes some stacked parking, but will not include an attendant for daily operations.
3. **Size of Vehicle Spaces** 33.266.130. This standard requires 90-degree parking stalls to be at least 16' long and 8.5' wide. 60 of the 210 spaces proposed are 16' long, but only 7.5' wide.
4. **Bike Parking** 33.266.220. This standard requires bike parking spaces to be 2' wide x 6' long. The vertical rack system proposed in the garage provides spaces that are 16" on center. The vertical rack system proposed in the residential units provides spaces that are 20" wide x 44" long.
5. **Loading Clearance** 33.266.310 D. This standard requires 2 loading stalls that are at least 18' long, 9' wide and 10' clear. The 2 spaces proposed are 18' long and 9' wide, but only 8'-4" clear.

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:

- River District Design Guidelines
- Central City Fundamental Design Guidelines
- 33.825.040 Modifications

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 July 11, 2013 and determined to be complete on August 1, 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

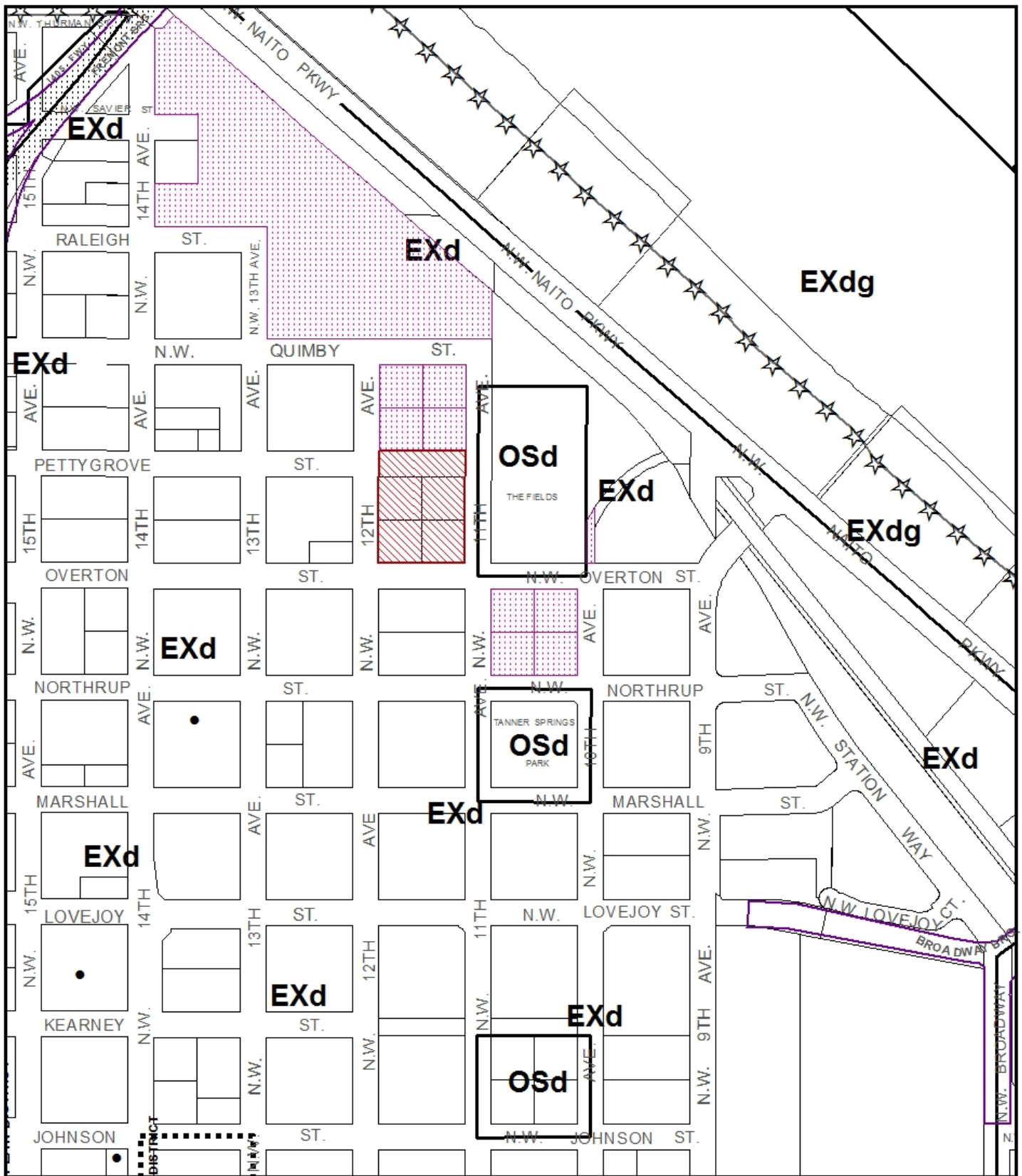
You can appeal the decision of the Design Commission to the City Council. If appealed, City Council will hold an evidentiary hearing. New evidence can be submitted to the City Council in the event of an appeal of an evidentiary hearing. A fee is charged for appeals. Recognized neighborhood associations 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, Elevations



ZONING



Site



Also Owned



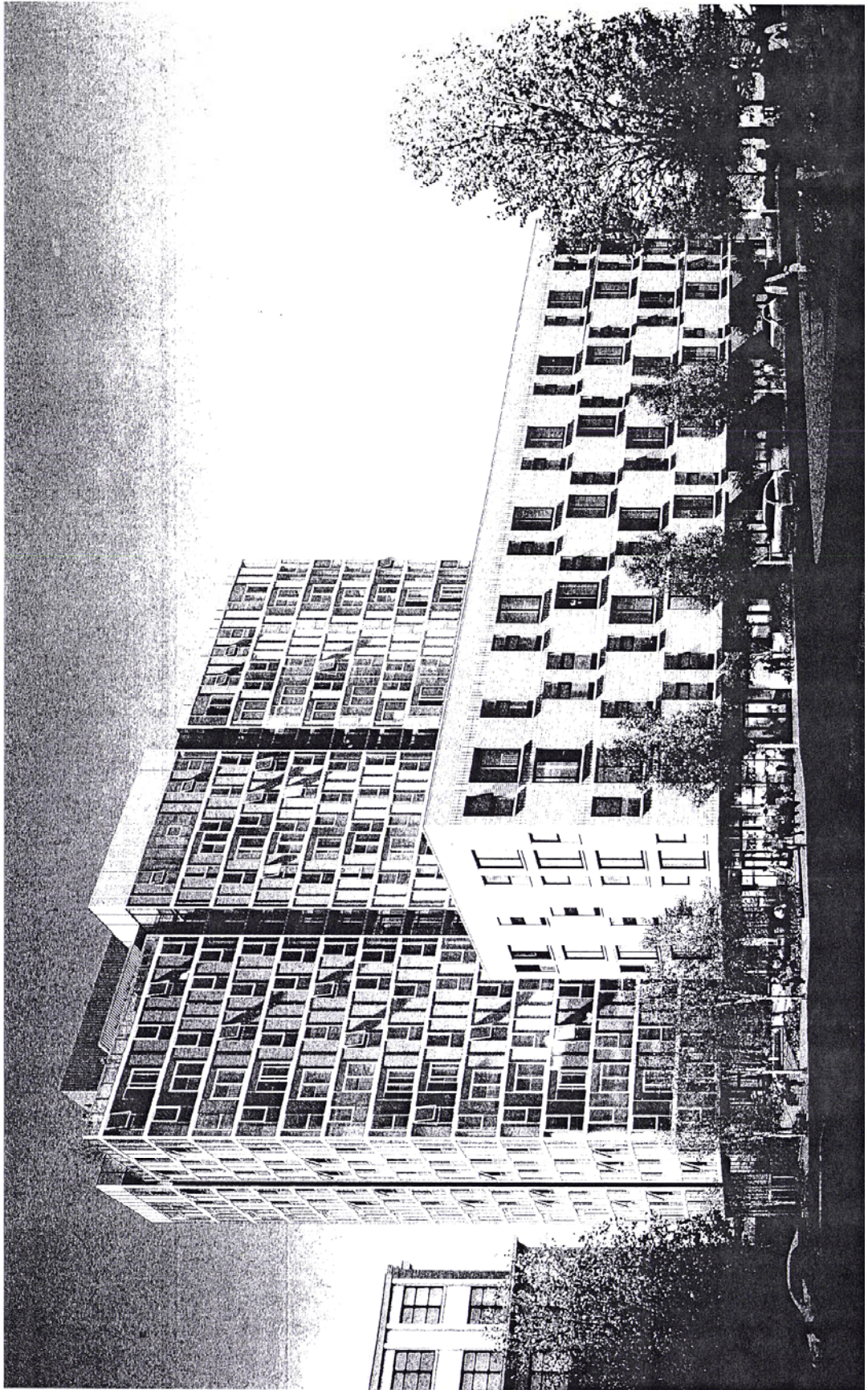
Historic Landmark



NORTH

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

File No.	LU 13-178392 DZM
1/4 Section	2928
Scale	1 inch = 300 feet
State_Id	1N1E34BB 2632
Exhibit	B (Jul 12, 2013)



Level 01 Tower Plan



Level 01 Low-Rise Plan

12TH AVE

PETTYGROVE STREET

Level 02 (Typ. Even Floor Through Level 14) Tower Plan



Level 02 Low-Rise Plan

OVERTON STREET

Residential	Retail	Future Flex Units
Lobby/Common	Service/Storage, Typ.	Outdoor Landscape

Scale: $1/32" = 1' 0"$