



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner  
Paul L. Scarlett, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** January 17, 2014  
**To:** Interested Person  
**From:** Kara Fioravanti, Land Use Services  
503-823-5892 / [Kara.Fioravanti@portlandoregon.gov](mailto:Kara.Fioravanti@portlandoregon.gov)

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

**CASE FILE:** LU 13-233011 DZM    The Overton Apartments  
*(PC # 13-212985)*  
**REVIEW BY:** Design Commission  
**WHEN:** Thursday, February 6, 2014 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/ Owners:** Julie Currier, Unico Properties  
1215 Fourth Avenue / Suite 600 / Seattle, WA 98161

**Representative:** Bertha Martinez, ZGF Architects  
925 Fouth Avenue / Suite 2400 / Seattle, WA 98104

Peter Van Der Meulen, ZGF Architects  
1223 SW Washington Street / Suite 200 / Portland, OR 97205

**Site Address:** 1301 NW 12<sup>TH</sup> AVENUE and 1333 NW 12<sup>TH</sup> AVENUE  
(entire block bound by SW Overton, Pettygrove, 12<sup>th</sup>, 13<sup>th</sup>)

**Legal Description:** BLOCK 227 LOT 1, COUCHS ADD; BLOCK 227 LOT 2-8, COUCHS ADD

**Tax Account No.:** R180220470, R180220490

**State ID No.:** 1N1E33AA 01600, 1N1E33AA 01500    **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 - North Pearl

**Zoning:** EXd, Central Employment with design overlay

**Case Type:** DZM, Design Review with Modifications

**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 full-block mixed-use development. The proposed development is for a 26-story building with 285 residential units and a small corner retail space at NW Pettygrove and NW 13<sup>th</sup>. The building is approximately 250' tall and 306,000 square feet above grade.

The 2 and 3 story podium is primarily brick with live-work units facing NW 13<sup>th</sup> and townhomes facing NW 12<sup>th</sup>. The underground parking for 233 vehicles is accessed from NW 12<sup>th</sup>. The main through-lobby is accessed through a small courtyard space off NW Pettygrove and a large generous plaza space off NW Overton. Loading is accessed at-grade off NW 13<sup>th</sup>, and the NW 13<sup>th</sup> live-work units are accessed via an elevated dock within the typical sidewalk zone of the right-of-way. The roof of the private podium is primarily eco-roof and outdoor gathering spaces (dog run, play area, terrace, water feature).

The tower is centrally located on the block and rotated off the urban grid. It is a concrete, glass and metal structure atop the podium, but touches the ground at the south plaza lobby.

**Modifications to Zoning Code Development Standards:**

The following applicable development standards are not fully met by the proposal:

1. 33.266.220 C. establishes minimum bike parking dimensional standards. Required bike parking stalls must be at least 2' x 6'. The Modification request is to the required 2' minimum dimension. The proposed wall-hung vertical rack system used for 467 of the required 471 long-term bike parking spaces provides parking that is only spaced 18" on center, with a 6" inch stagger.

**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:

- Central City Fundamental Design Guidelines
- River District 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 November 27, 2013 and determined to be complete on December 20, 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](http://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](http://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.

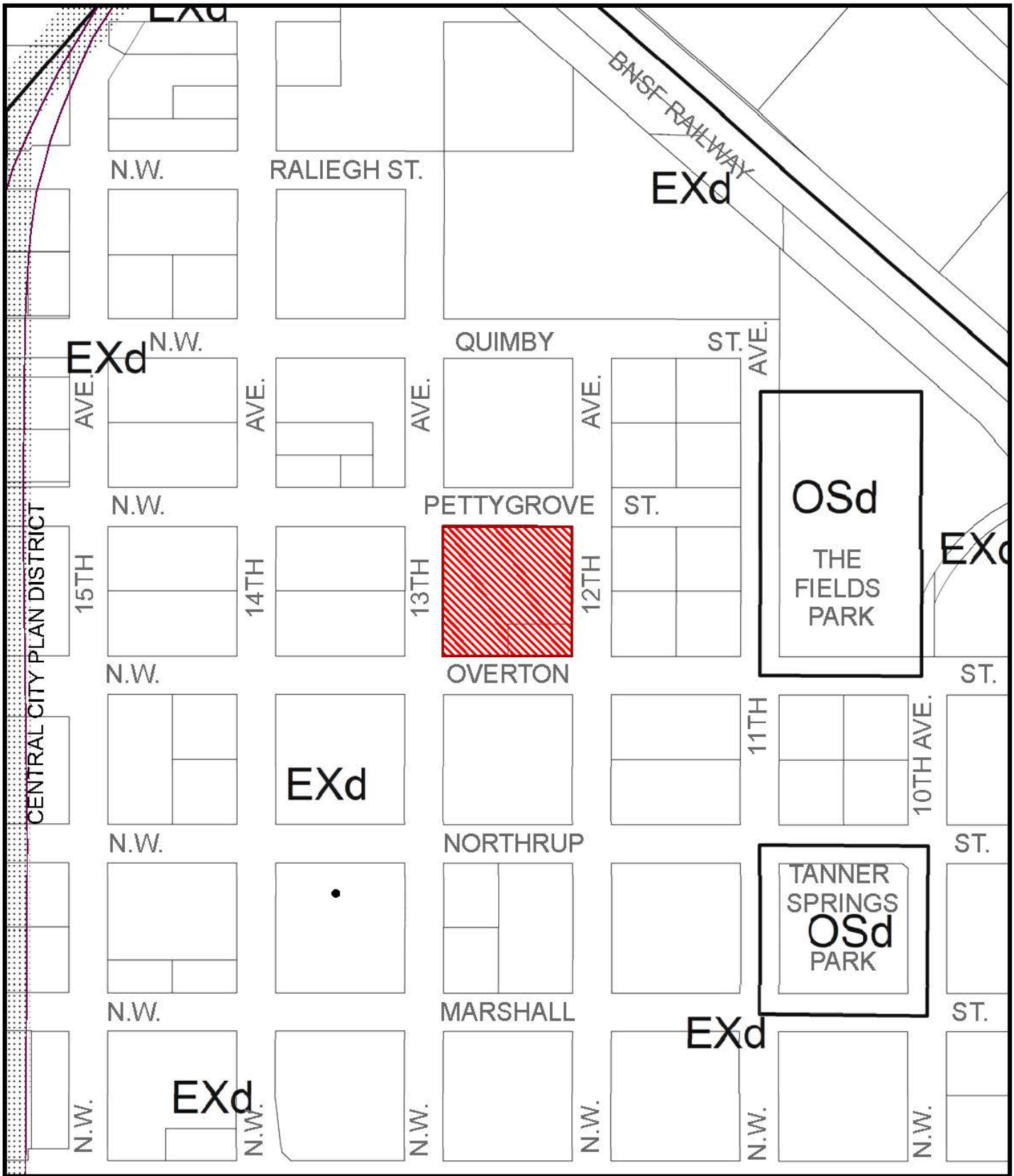
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

**Enclosures:**

Zoning Map

Site Plan

Building Drawings



# ZONING



Site



Historic Landmark



NORTH

This site lies within the:  
**CENTRAL CITY PLAN DISTRICT**  
**RIVER DISTRICT**  
**NORTH PEARL SUB AREA**

File No.	<u>LU 13-233011 DZM</u>
1/4 Section	<u>2928</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E33AA 1500</u>
Exhibit	<u>B (Dec 03, 2013)</u>

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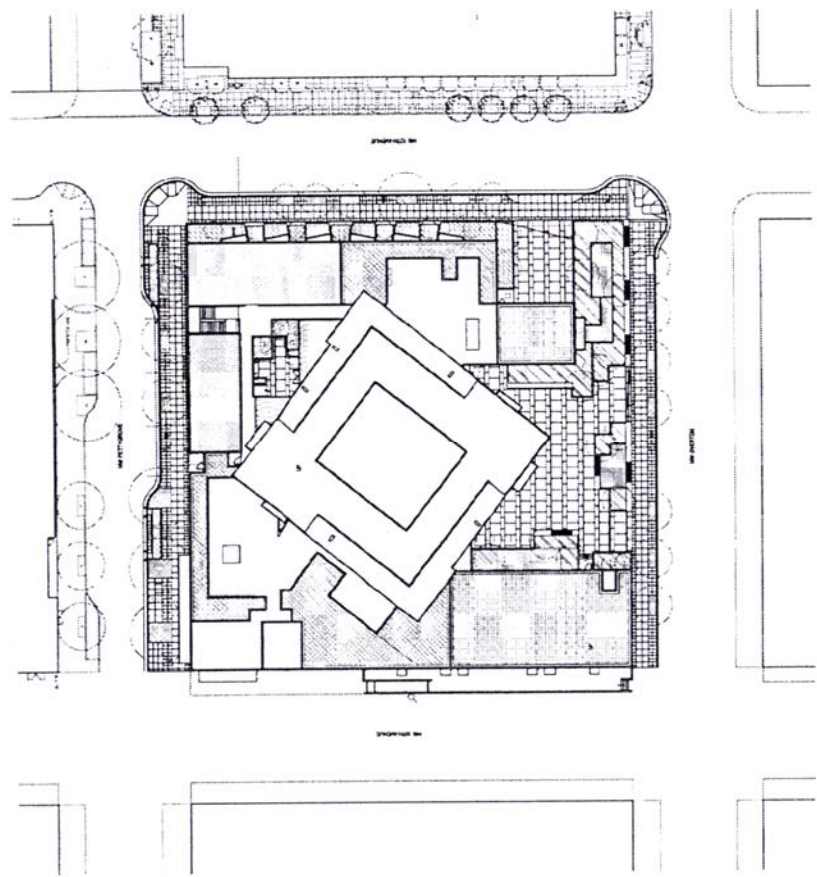
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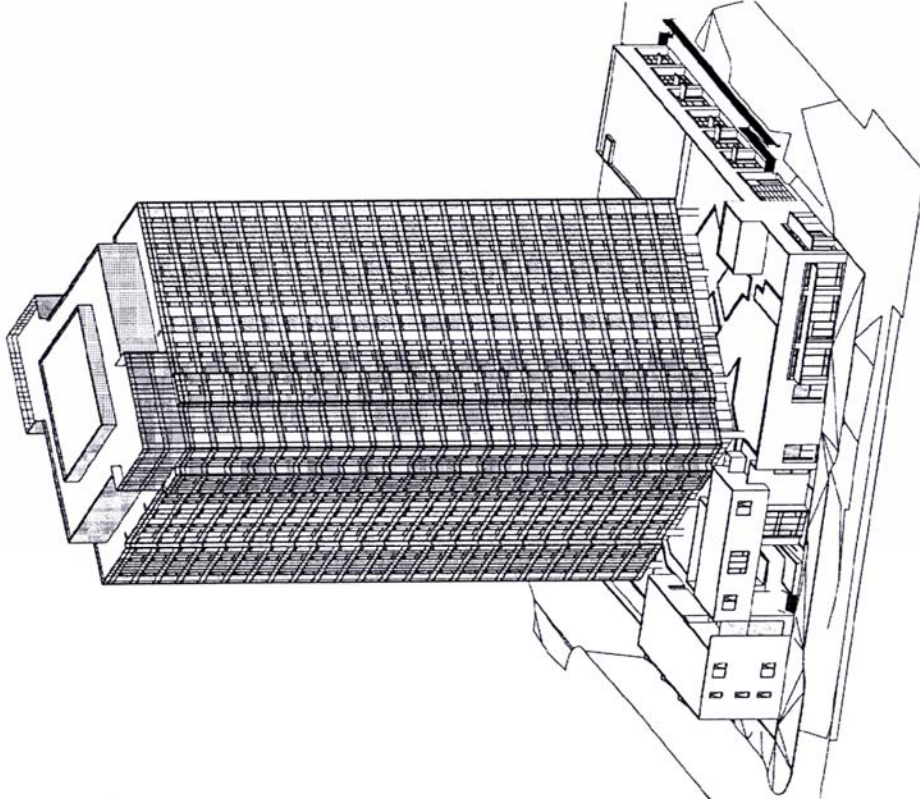
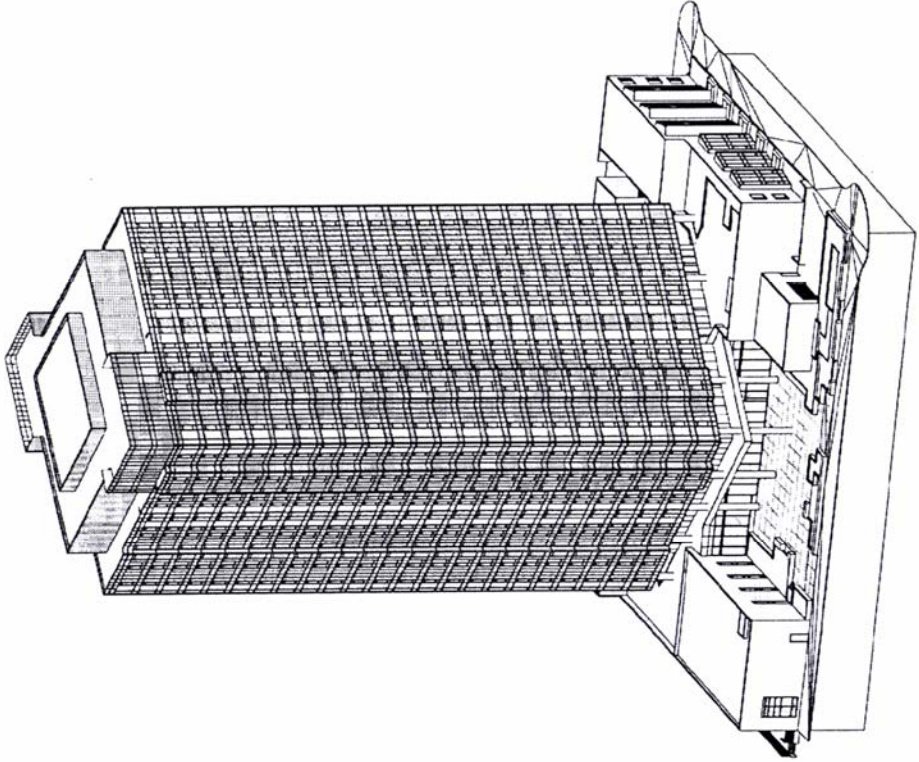
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**PLAN SITE**

**DATE**  
 01/11/11  
**SCALE**  
 AS SHOWN  
**PROJECT NO.**  
 100010000





OVERTON

1001 F Street, NW, Suite 200  
Washington, DC 20004

3D VIEWS

A0.05

Schematic Design

3D - SE View

3D - NW View