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STEPHEN E C MACPHERSON
FOUR SEASONS CONDOS
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PORTLAND OR 97205-1535

SUSIE YOUNIE
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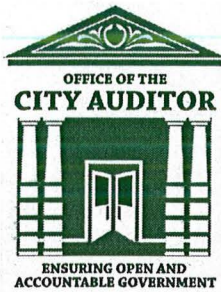
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EMAILED: SHEILA FRUGOLI,KATHRYN
BEAUMONT,YVONNE POELWIJK,DOUG
MORGAN,KURK KRUEGER,DAWN KRANTZ,KIA
SELLEY,ROBERT HALEY,DAWN UCHIYAMA,ELISABETH
REESE CADIGAN,MARI MOORE,BPS-GIS

LU 14-105474 CP ZC
ORDER OF COUNCIL MAILED: 01/14/15

LU 14-105474 CP ZC EMAILED 01/15/2015 TO:

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CITY OF PORTLAND

Office of City Auditor Mary Hull Caballero

Council / Contracts

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Email: Karla.Moore-Love@portlandoregon.gov

Phone: (503) 823-4086 Fax: (503) 823-4571



NOTICE OF FINAL DECISION

TO: All Interested Persons

DATE: January 14, 2015

RE: LU 14-105474 CP ZC

Consider the proposal of Sam Rodriguez, Mill Creek Residential Trust, LLC and the recommendation from the Hearings Officer for approval to change the Comprehensive Plan Map designation from High Density Multi-Dwelling to Central Commercial and the Zoning Map designation from RHD, High Density Multi-Dwelling Residential with a design overlay zone, to CXD, Central Commercial with Design overlay zone, for property in the vicinity of SW 20th and 19th Avenues and SW Main and Madison Streets (Hearing; LU 14-105474 CP ZC)

Enclosed is a copy of the Order of Council on LU 14-105474 CP ZC. Based on the applicant's withdrawal of its application on January 8, 2015, the effect of the Council's Order is: the Council's consideration of the application is terminated and **the site's current comprehensive plan designation and zoning is unchanged. The comprehensive plan designation remains High Density Multi-Dwelling and the zoning remains RH.** For further information, please contact Karla Moore-Love, Council Clerk by email at: Karla.Moore-Love@portlandoregon.gov or at (503) 823-4086.

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. The Board's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call the Land Use Board of Appeals at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

Encl.



CITY OF PORTLAND

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web: www.portlandonline.com/auditor/

Email: Karla.Moore-Love@portlandoregon.gov

Phone: (503) 823-4086 Fax: (503) 823-4571



January 14, 2015

Sam Rodriguez
Mill Creek Residential Trust, LLC
220 NW 2nd Avenue
Portland, OR 97209

RE: LU 14-105474 CP ZC

Consider the proposal of Sam Rodriguez, Mill Creek Residential Trust, LLC and the recommendation from the Hearings Officer for approval to change the Comprehensive Plan Map designation from High Density Multi-Dwelling to Central Commercial and the Zoning Map designation from RHd, High Density Multi-Dwelling Residential with a design overlay zone, to CXd, Central Commercial with Design overlay zone, for property in the vicinity of SW 20th and 19th Avenues and SW Main and Madison Streets (Hearing; LU 14-105474 CP ZC)

To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 14-105474 CP ZC. Based on the applicant's withdrawal of its application on January 8, 2015, the effect of the Council's Order is: the Council's consideration of the application is terminated and **the site's current comprehensive plan designation and zoning is unchanged. The comprehensive plan designation remains High Density Multi-Dwelling and the zoning remains RH.**

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. The Board's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call the Land Use Board of Appeals at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

Yours sincerely,
Mary Hull Caballero
Auditor of the City of Portland

By: 

Karla Moore-Love, Council Clerk

Encl.

Cc: Steve Janik, Ball Janik, LLP
Norman Rich, Mac Block 7 LLC

ORDER OF COUNCIL ON PROPOSAL OF SAM RODRIGUEZ, MILL CREEK RESIDENTIAL TRUST, LLC AND THE RECOMMENDATION FROM THE HEARINGS OFFICER FOR APPROVAL TO CHANGE THE COMPREHENSIVE PLAN MAP DESIGNATION FROM HIGH DENSITY MULTI-DWELLING TO CENTRAL COMMERCIAL AND THE ZONING MAP DESIGNATION FROM RHD, HIGH DENSITY MULTI-DWELLING RESIDENTIAL WITH A DESIGN OVERLAY ZONE, TO CXD, CENTRAL COMMERCIAL WITH DESIGN OVERLAY ZONE, FOR PROPERTY IN THE VICINITY OF SW 20TH AND 19TH AVENUES AND SW MAIN AND MADISON STREETS (HEARING; LU 14-105474 CP ZC)

Applicant: Sam Rodriguez
Mill Creek Residential Trust, LLC
220 NW 2nd Avenue
Portland, OR 97209

Representative: Steve Janik, Attorney
Ball Janik, LLP
101 SW Main Street Suite 1100
Portland, OR 97204

Owner: Norman Rich, Manager
Mac Block 7 LLC
Multnomah Athletic Club
1849 SW Main St, Suite 1100
Portland, OR 97207

Site Address: Vacant block (Block 7) bounded by SW 20th, 19th Avenues and SW Main and Madison Streets

Legal Description: BLOCK 7 TL 9300, AMOS N KINGS; BLOCK 7 TL 9400, AMOS N KINGS; BLOCK 7 TL 1800, AMOS N KINGS; N 1/2 OF N 1/2 OF SE 1/4 BLOCK 7, AMOS N KINGS; BLOCK 7 TL 1700, AMOS N KINGS; BLOCK 7 TL 1600, AMOS N KINGS; BLOCK 7 TL 1500, AMOS N KINGS; BLOCK 7 TL 2000, AMOS N KINGS; BLOCK 7 TL 2100, AMOS N KINGS; BLOCK 7 TL 9500, AMOS N KINGS

Zoning: RHd, High Density Multi-Dwelling Residential zone with the “d” Design overlay zone

Procedure: CP ZC – Comprehensive Plan Map and Zoning Map Amendment Reviews Type III, with a public hearing before the Hearings Officer. A recommendation of the Hearings Officer will be presented in a second public hearing to City Council. Council will make the final decision.

Proposal: The applicant is requesting a Comprehensive Plan Map and Zoning Map Amendment to change the current designation and zoning on a 43,557 square foot site from the High Density Multi-Dwelling designation and zone (RH) to the Central Commercial designation and zone (CX). The “d” Design overlay zone and the provisions in the Central City Plan District will remain applicable.

The applicant is requesting the map amendment in order to develop a multi-story building that will contain 260-280 multi-dwelling residential units, and approximately 16 studios that will be used as short-term stay (hotel) rooms for the exclusive use of the Multnomah Athletic Club (MAC)

members and guests. The site will contain approximately 420 parking spaces. If approved through a separate Central City Parking Review, 225 spaces will serve the adjacent MAC facilities. Access to the 225 MAC spaces will be limited to a vehicle and pedestrian tunnel (under SW Main St.) that will connect to the existing MAC parking garage. This will enable vehicles to access the Block 7 MAC parking spaces through the existing accessway of the MAC garage. The applicant states that the additional MAC parking will address parking demand from the existing MAC facilities. The applicant intends to construct 191 parking spaces that will serve the proposed residential units. The residential parking spaces will have separate vehicle access (driveway) from one of the fronting streets on Block 7.

Residential development and accessory parking is allowed in the RH zone. The applicant is requesting the map change from the RH to CX zone so that MAC parking and the short-stay rooms, which are classified in the Portland Zoning Code as Retail Sales and Service Uses, may be proposed on the site. If this Comprehensive Plan Map and Zoning Map Amendment request is approved, the applicant will then seek approval of a Type III Design Review for the new building and a Type III Central City Parking Review for the MAC parking.

The City Council hearing on the applicant's proposal was opened in the Council Chambers, 1221 SW 4th Avenue, on October 1, 2014 at approximately 2:00 p.m. After hearing public testimony Council continued the hearing to October 30, 2014 at 3:00 p.m. On October 30, 2014 Council rescheduled the hearing to December 4, 2014 at 2:00 p.m. On December 4, 2014 after hearing public testimony Council continued the hearing to January 8, 2015 at 3:00 p.m.

On January 8, 2015, the Applicant withdrew his application for the Comprehensive Plan Map and Zoning Map Amendment by letter to the City Council.

On January 8, 2015 at 3:00 p.m. the City Council convened and, based on the letters from the Applicant, voted 4-0 to adopt the following decision.

DECISION

Based on the record in **Case File LU 14-105474 CP ZC**, it is the decision of Council to adopt an order that states:

A. The applicant has withdrawn the underlying application for a comprehensive plan map amendment and zone change (LU 14-105474 CP ZC (Block 7));


B. As a result, the Council lacks jurisdiction to address the substantive issues raised in response to the hearings officer's recommendation on the application or to approve or deny it;

C. All Council proceedings on this application are terminated and it will receive no further consideration by the Council. Council expressly takes no position on the arguments raised by the applicant, supporters, opponents, and others concerning the substantive merits of the application or the Hearings Officer's recommendation; and

D. The effect of the applicant's withdrawal of the application and the Council's action is that the site's comprehensive plan designation remains High Density Multi-Dwelling and the zoning remains RH.

IT IS SO ORDERED:

1/14/2015
Date



Mayor Charlie Hales
Presiding Officer at Hearing of
January 8, 2015
2:00 p.m. Session