



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

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

Date: December 17, 2015
To: Interested Person
From: Jeff Mitchem, Land Use Services
503-823-7011 / Jeffrey.Mitchem@portlandoregon.gov

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

CASE FILE: LU 15-254878 DZM
REVIEW BY: Design Commission
WHEN: January 7, 2016 1:30pm
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.

Applicant: Judson Moore
Works Partnership Architecture
524 E Burnside Street, Suite 320
Portland OR 97214

Owner: Michael T Quinn
PO Box 5908
Portland, OR 97228-5908

Site Address: 811 SE STARK ST

Legal Description: BLOCK 182 ELY OF SANDY BLVD-S 5' OF LOT 3 EXC PT IN ST ELY OF SANDY BLVD LOT 4 EXC PT IN ST LOT 5, EAST PORTLAND

Tax Account No.: R226511590

State ID No.: 1N1E35CC 10800

Quarter Section: 3031

Neighborhood: Buckman, contact Matthew Kirkpatrick at 503-236-6350.

Business District: Central Eastside Industrial Council, contact Peter Fry at 503-274-2744.

District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.

Plan District: Central City - Central Eastside

Zoning: EXd, Central Employment with a 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:

Type III LUR follow-up to previously approved Type III (LU15-119651 DZM). Applicant proposes wood siding at the ground floor storefront in place of steel as required by Condition of Approval in previous case.

Design review is necessary because the proposal is for exterior alteration to a previous land use approval within a Design Overlay Zone.

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:

- 33.825 Design Review
- Modification Criteria (33.825.040)
- Central City Fundamental 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 October 30, 2015 and determined to be complete on November 13, 2015.

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.

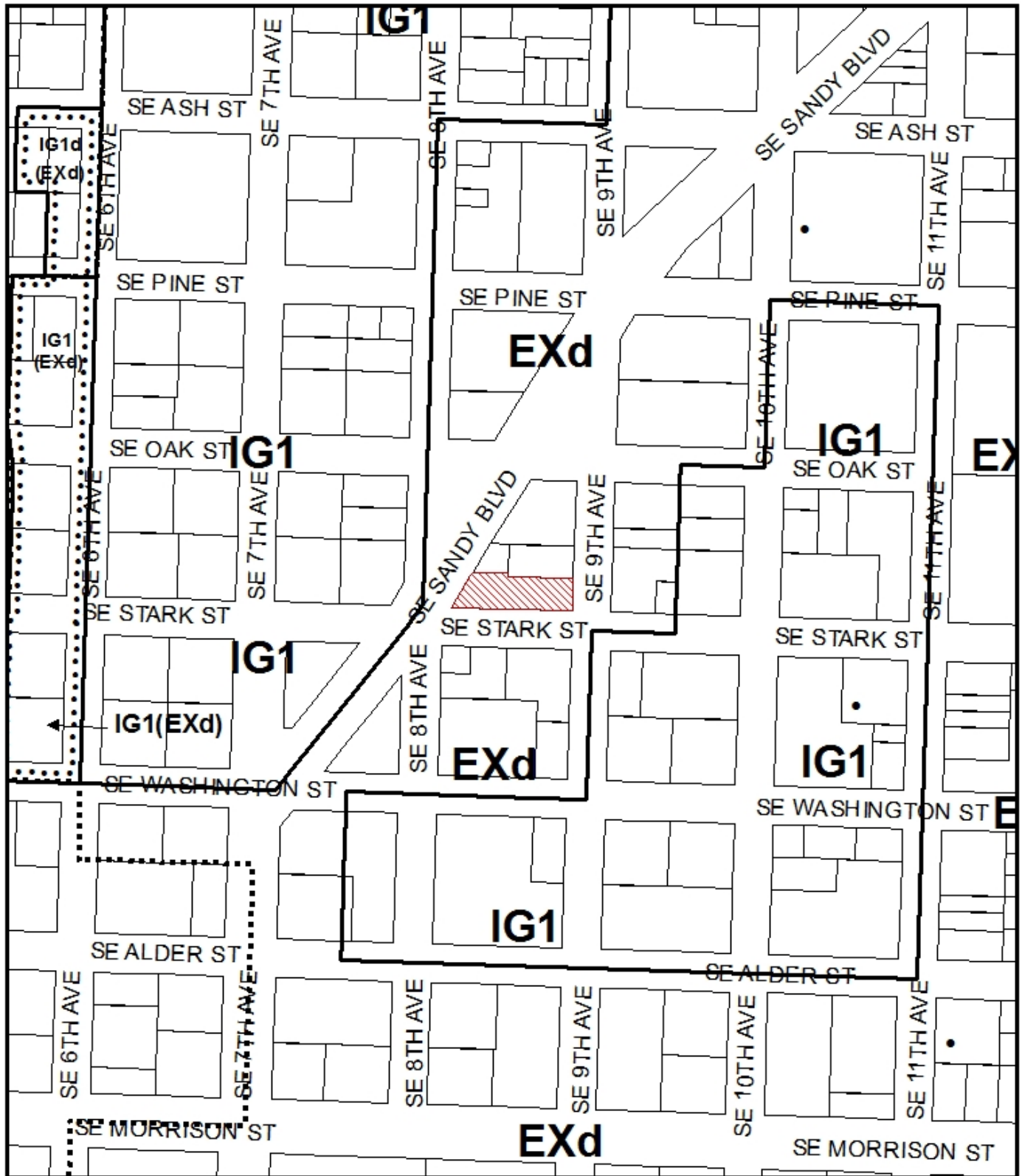
To attend the hearing, public transportation is available. Tri-Met buses stop near the BDS building at SW Fifth or Sixth Ave. at SW Hall St. and SW Harrison St. Call Tri-Met at 503-238-7433 (or

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
Site Plan
Elevation



ZONING

-  Site
-  Historic Landmark

This site lies within the:
 CENTRAL CITY PLAN DISTRICT
 CENTRAL EASTSIDE SUBDISTRICT



File No. LU 15-254878 DZM
 1/4 Section 3031
 Scale 1 inch = 200 feet
 State_Id 1N1E35CC 10800
 Exhibit B (Nov 04, 2015)



PROPERTY INFORMATION:

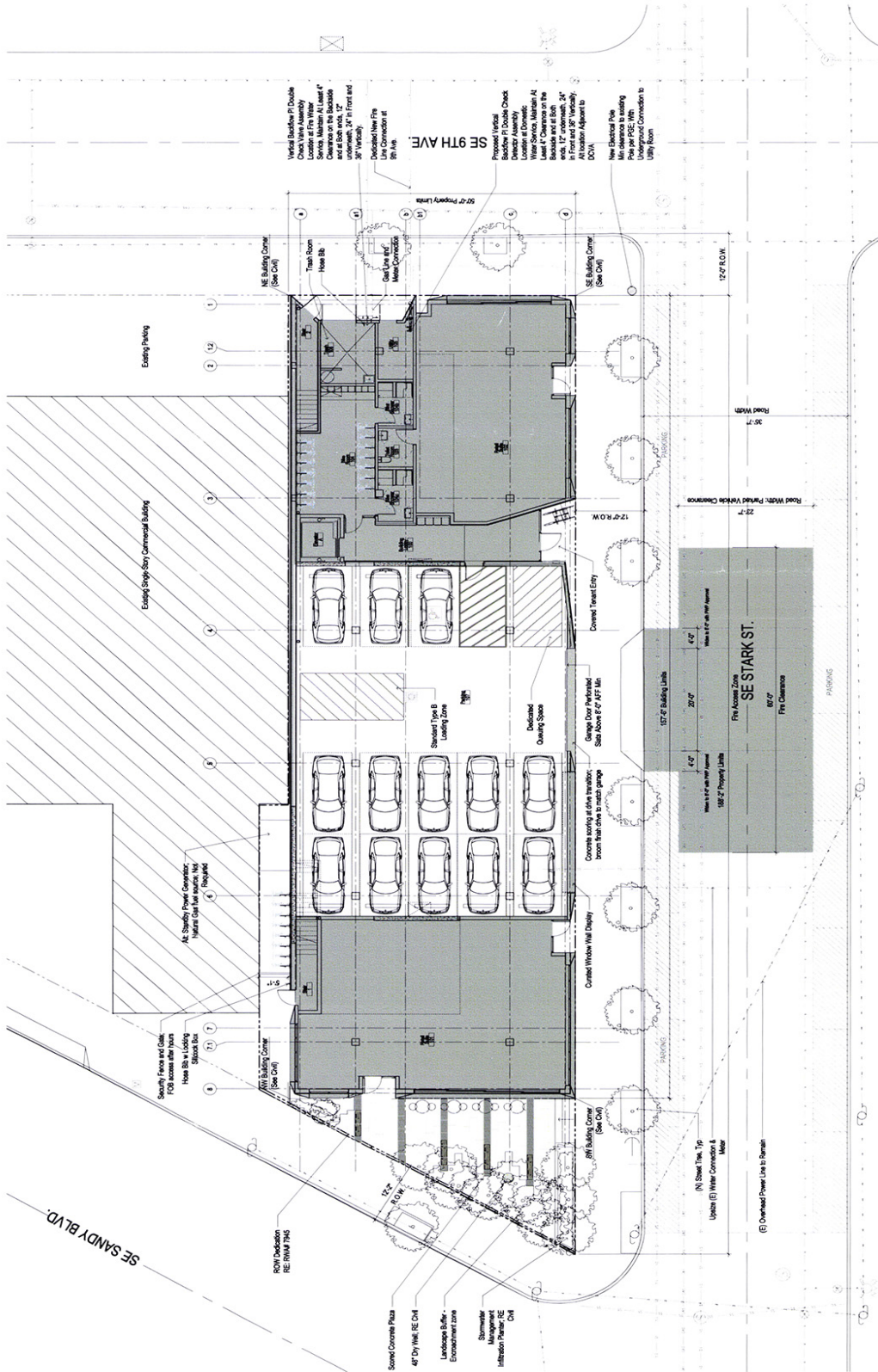
Project Address: 811 SE Stark St., Portland, OR 97214
 Legal Description: R150333
 EAST SIDE, U.S. BLOCK 169
 ELY OF SANDY BLVD LOT 3
 ELY OF SANDY BLVD LOT 4, LOT 5
 STATE ID: N1E5530-108000
 Property / Lot Area: 8,853sf
 (N) Building Footprint: 7,639sf
 (E) Building Footprint: 2,092sf
 Building Coverage: 85%
 (E) Impervious Area: 2,092sf
 Roof: 6,808sf
 Hardscape: 6,808sf
 TOTAL IMPERVIOUS AREA: 8,906sf
 TOTAL PERVIOUS AREA: 63 sf

SITE PLAN NOTES:

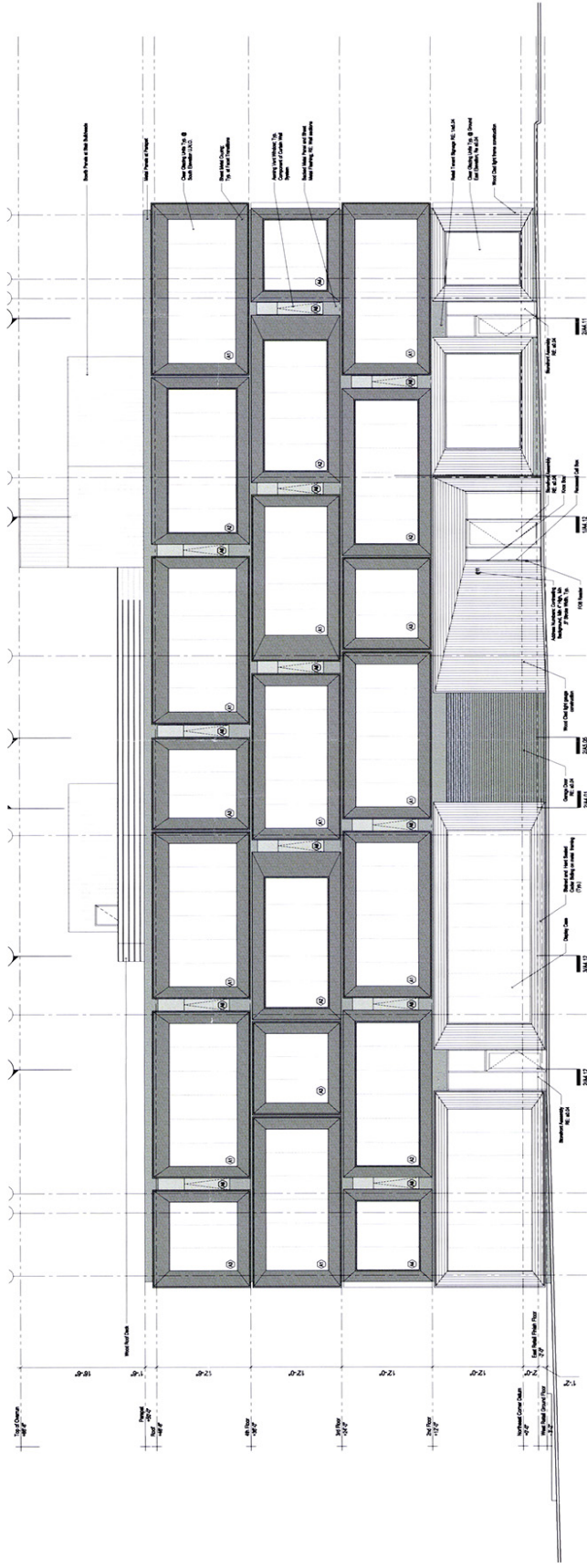
- Contractor To Verify Existing Utility Locations Prior To Construction Type
- Erosion Control Measures Per Jurisdictional Requirements Approved Design Review DSR LU 15-11951 DZM
- Requires Conditions of Approval per LU 15-11951 DZM:
 - Provide Zoning Compliance Page and Lot Requirements
 - No Field Changes Allowed
 - Replace the Wood Material at the Base of the Building with 16 ga Lacquered Steel. Except the Main Office Entry Where Material Will Remain Stained Cedar.
 - Add Fence and security Gate at Entry to Enhance Bike Pedestrian Safety
 - Observe as Art Program for the Garage Wall Display Cultural Council
 - Window Through Consultation with the Regional Arts and Cultural Council
 - At Eye Level of Garage Door Tighten the Gradation of Perforation to Better Obscure Views into the Garage.
 - Reduce the Dimension of the Greenscape Projections Within the Corridor to no Less than 30 inches Square.
 - Provide Accessible Pathways and Ramps for Pedestrians and Provide Accessible Side Areas Around All Courtyard Benches.
- Provide Required signage for all Fire Protection Equipment in accordance with OFC and Fire Marshall's Approval
- RE: PMP TH2024

SITE PLAN SYMBOLS LEGEND:

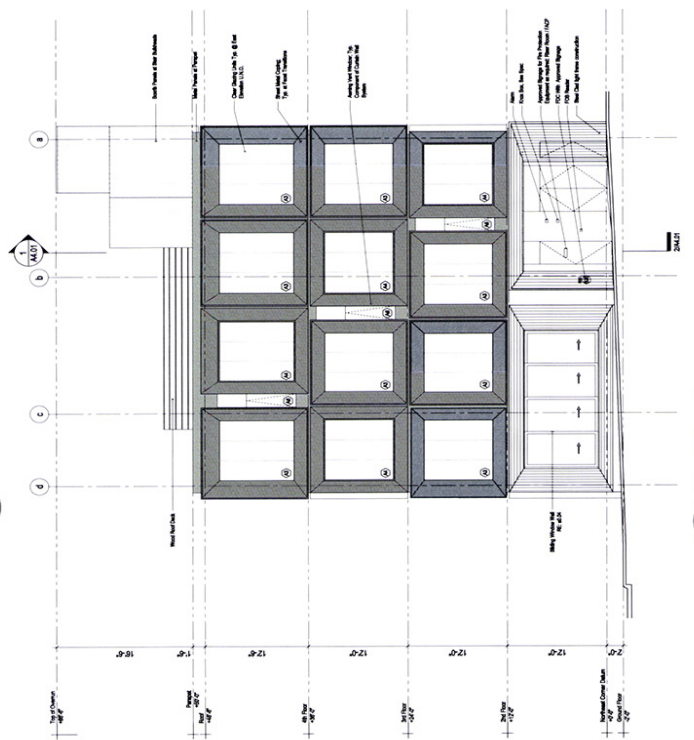
- Property Line
- Fence
- Building (Wall to Be Demolished)
- Curb Line
- Water Line
- Combined Storm/Sewer
- Storm Line
- Sanitary Sewer Line
- Underground Gas Line
- Overhead Power Line
- Underground Power Line
- Storm Catch Basin
- Manhole
- Power Pole / Light Pole
- Light Pole
- Sign
- Fire Hydrant
- Water Meter
- Electric Meter



Proposed Site Plan
 1/4" = 10'-0"



1 South Elevation
8.3.01 1/8"=1'-0"



2 East Elevation
8.3.02 1/8"=1'-0"

Notes This Sheet:
1 For Current Components and Materials Schedule, See 8.3.03

Legend:

- Steel Panel A - 24" High Single Glazed Insulated Glass
- Steel Panel B - 48" High Double Glazed Insulated Glass
- Steel Panel C - 18" High Double Glazed Insulated Glass