



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

Chloe Eudaly, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: April 14, 2017
To: Interested Person
From: Hillary Adam, Land Use Services
503-823-3581 / Hillary.Adam@portlandoregon.gov

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

CASE FILE: LU 16-100496 DZM MS – Block 290
PC # 14-242574

REVIEW BY: Design Commission

WHEN: May 4, 2017 @ 1:30pm

WHERE: CH2M Building
2020 SW Fourth Ave., Lincoln Room
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: Greg Mitchell, Architect
LRS Architects
720 NW Davis St Suite 300
Portland, OR 97209

Thomas Brenneke, Owner
Guardian Real Estate
760 SW 9th Ave., Suite 2200
Portland, OR 97204

Russell A Marzen, Owner
XPO Properties, Inc
1851 West Oak Parkway
Marietta, GA 30062

Site Address: BLOCK 290 - 1417 NW 20th Avenue

Legal Description: INC PT VAC ST BLOCK 291, COUCHS ADD; INC PT VAC ST BLOCK 290, COUCHS ADD

Tax Account No.: R180230010, R180230190

State ID No.: 1N1E33BA 00100, 1N1E33BA 00101
Quarter Section: 2927

Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact at nobhillportland@gmail.com.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest
Zoning: EXd – Central Employment with Design overlay

Case Type: DZM MS – Design Review with Modifications and *potential* Master Plan Amendment

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 Design Review for a new multi-story residential building with ground floor retail, below-grade parking, and a roof terrace. Proposed exterior materials include Norman brick, zinc-alloy panels, fiber cement panel, vinyl windows, aluminum storefronts, wood doors, and aluminum and glass balconies. The proposal also includes development of a publicly-accessible plaza and a portion of the vacated NW Quimby right-of-way.

Modifications are requested to:

1. Con-way Master Plan Standard #1 – to increase the maximum height from 47’ to 57’ for a penthouse amenity space on the lower portion of the building;
2. Con-way Master Plan Standard #7 – to reduce the 50’ depth requirements for ground floor retail fronting on the square to as little as 34’ in some locations and to reduce the amount of retail/neighborhood facilities fronting the square to below 75% at the northern square-facing wall;
3. Con-way Master Plan Standard #8 – to reduce the amount of windows on the east and south façades of the upper floors of the east wing from 35% to approximately 25% and to reduce the required setback of the upper floor of the east and south façades of the east wing from 5’-0” to 0’-0”;
4. Con-way Master Plan Standard #10 – to reduce the clearance of the ground plane connection between the square and the park from 25’ to an average of 15’, with a minimum clearance of 13’-9”; and
5. 33.266.220.C.3.b – to reduce the width of required long-term bicycle parking spaces from 24” to 18”.

A *potential* Master Plan Amendment is requested to be considered that would:

1. Amend the boundaries of designated open areas and development areas by revising Map 04-7, and subsequently revising Map 05-1 and 05-6 of the Master Plan to align with the new boundaries, in order to allow the proposed development to shift approximately 8’-2” to the east in the event that the overhead utility lines along NW 21st Avenue cannot be relocated.

The previous version of this proposal included a Master plan Amendment to allow vehicular access from NW Pettygrove Street; however, this has since been removed.

Design Review is required because the proposal is for new development is a design overlay.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the criteria of Title 33. The relevant criteria are:

- Community Design Guidelines
- Section 5 of the Con-way Master Plan
- 33.825.040 Modifications That Will Better Meet Design Review Requirements
- Approval Criteria 1-3 of Section 8 of the Con-way Master Plan

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 January 5, 2016 and determined to be complete on March 29, 2016.

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. The Hearings Officer does not accept comments via e-mail. 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/CH2M 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:

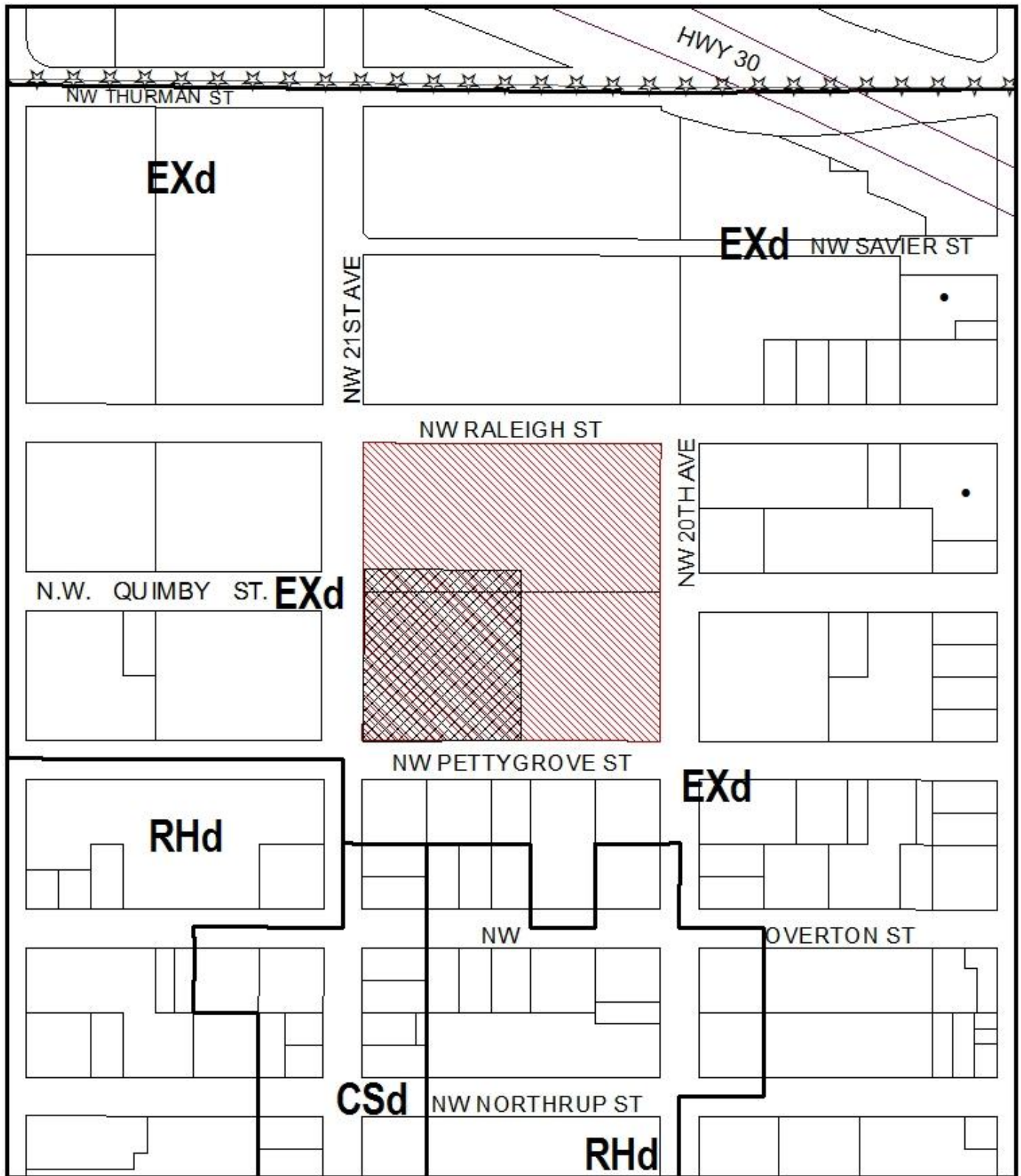
Zoning Map

Site Plan

Perspective – SE Corner

Perspective – NW Corner

Perspective – The Square



ZONING

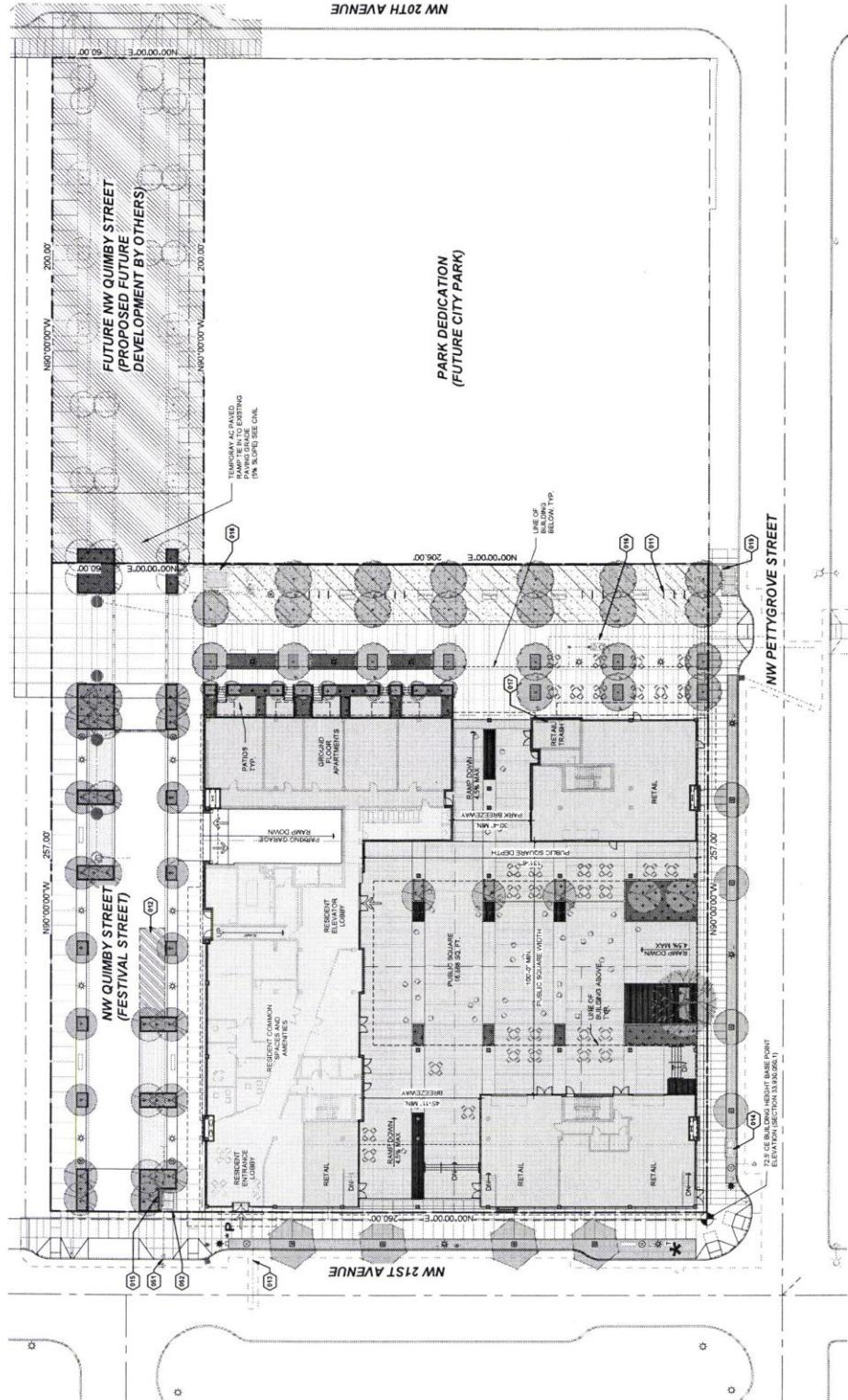


This site lies within the:
NORTHWEST PLAN DISTRICT

-  Project Area
-  Site
-  Recreational Trails
-  Historic Landmark

File No.	<u>LU 16-100496 DZM</u>
1/4 Section	<u>2927 2827</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E33BA 100</u>
Exhibit	<u>B (Apr 12, 2017)</u>

LU 16-100496 DZM MS - Block 290 Apartments



GENERAL NOTES:
A. SITE INFORMATION IS BASED ON OWNER'S INFORMATION AND FIELD SURVEY. OWNER'S RESPONSIBILITY IS TO VERIFY ALL INFORMATION.
B. SIZE OF CURB LOADS SHALL BE AT A MINIMUM 10' X 10' WITH A MINIMUM OF 12" OF VERTICAL CLEARANCE.
C. ALL UTILITIES SHALL BE SHOWN AND DEPTH INDICATED ON THE PLAN. ALL UTILITIES SHALL BE INDICATED TO THE WEST PROPERTY LINE.
D. ALL UTILITIES SHALL BE INDICATED TO THE WEST PROPERTY LINE.

LEGEND

--- (Solid Line)	SEE DETAIL
- - - (Dashed Line)	SEE DETAIL
--- (Dotted Line)	SEE DETAIL
--- (Long Dash)	SEE DETAIL
--- (Short Dash)	SEE DETAIL
--- (Dash-dot)	SEE DETAIL
--- (Circle Dash)	SEE DETAIL
--- (Triangle Dash)	SEE DETAIL
--- (Square Dash)	SEE DETAIL
--- (Hexagon Dash)	SEE DETAIL
--- (Octagon Dash)	SEE DETAIL
--- (Star Dash)	SEE DETAIL
--- (Cross Dash)	SEE DETAIL
--- (Circle Dash)	SEE DETAIL
--- (Square Dash)	SEE DETAIL
--- (Hexagon Dash)	SEE DETAIL
--- (Octagon Dash)	SEE DETAIL
--- (Star Dash)	SEE DETAIL
--- (Cross Dash)	SEE DETAIL
--- (Circle Dash)	SEE DETAIL
--- (Square Dash)	SEE DETAIL
--- (Hexagon Dash)	SEE DETAIL
--- (Octagon Dash)	SEE DETAIL
--- (Star Dash)	SEE DETAIL
--- (Cross Dash)	SEE DETAIL
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--- (Star Dash)	SEE DETAIL
--- (Cross Dash)	SEE DETAIL

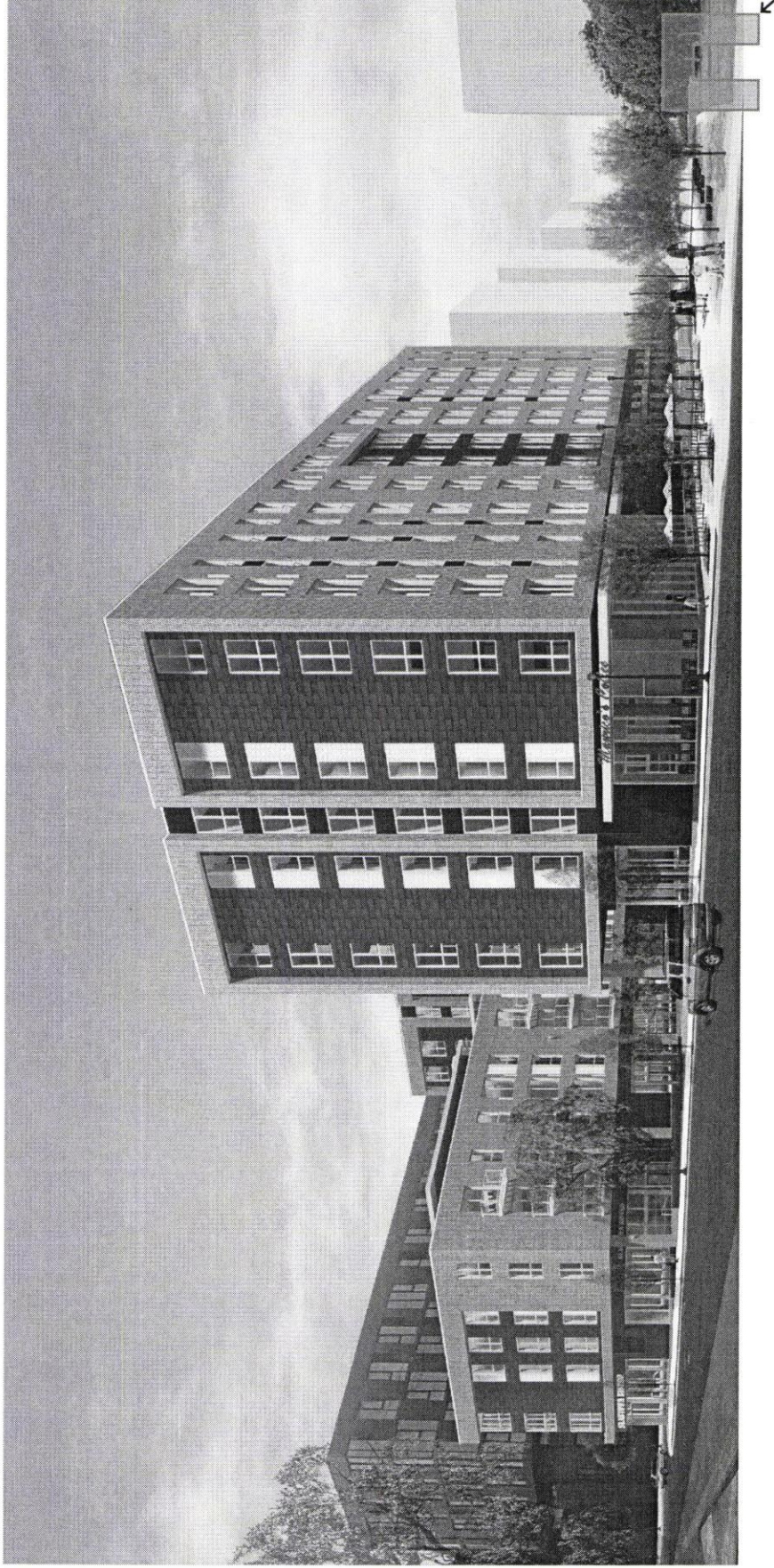
- KEYNOTES**
- 011 BICYCLE RACK SHIRT TAIL SEE DETAIL
 - 012 BICYCLE RACK SHIRT TAIL SEE DETAIL
 - 013 SANITARY SEWER CONNECTION, SEE
 - 014 DOMESTIC WATER LINE CONNECTION AND
 - 015 FIRE DEPARTMENT CONNECTION (FDC)
 - 016 GAS METER SEE CIVIL
 - 017 GAS METER SEE CIVIL
 - 018 FIRE LINE CONNECTION SEE CIVIL
 - 019 FIRE LINE CONNECTION SEE CIVIL
 - 020 FIRE LINE CONNECTION SEE CIVIL



SITE PLAN

3.2 LRS
ARCHITECTS
0309/17

LU 16-100496 DZM MS - BLOCK 290 APARTMENTS

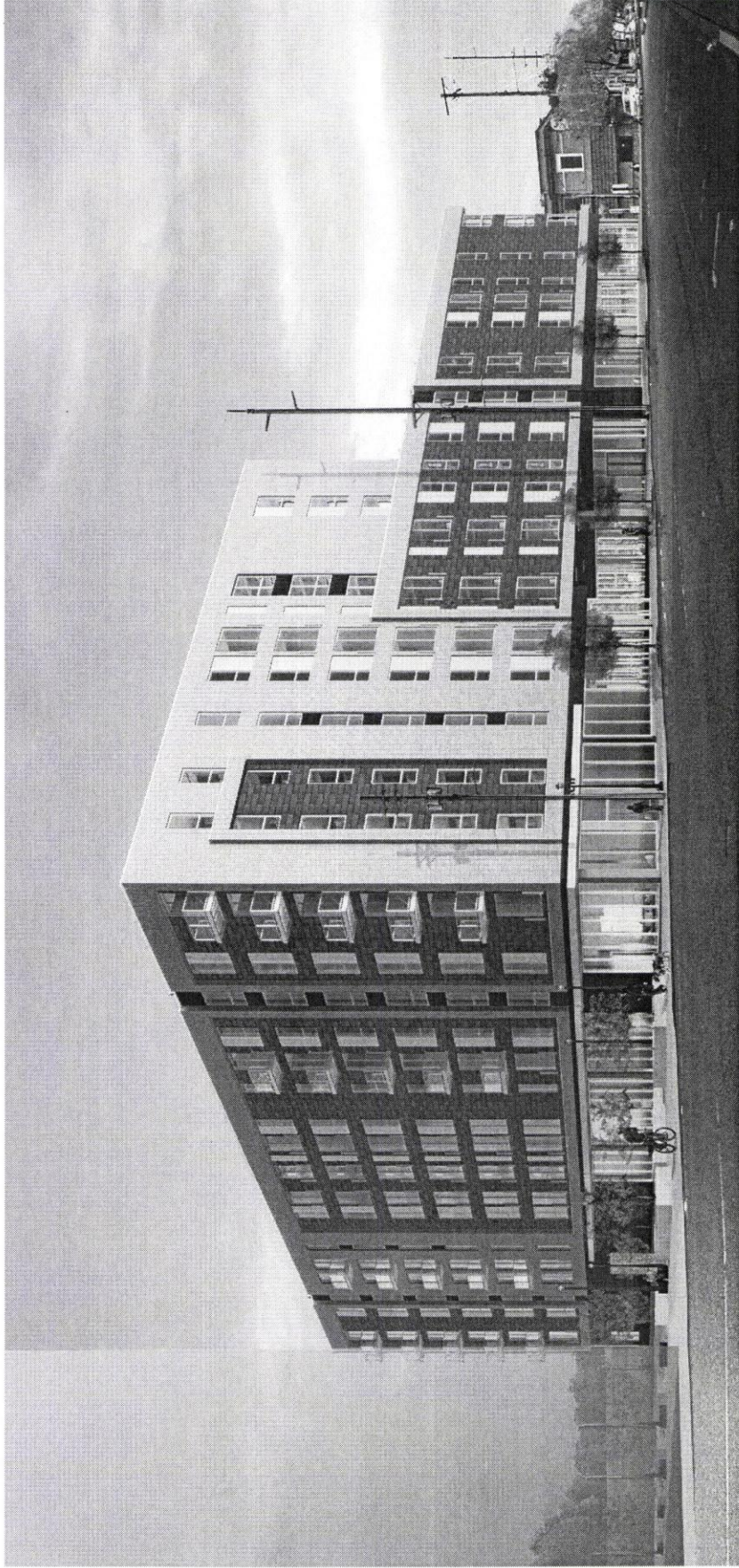


PERSPECTIVE - SE CORNER ACROSS NW PETTYGROVE



MARCH 09, 2017

LU 16-100496 DZM MS - BLOCK 290 APARTMENTS

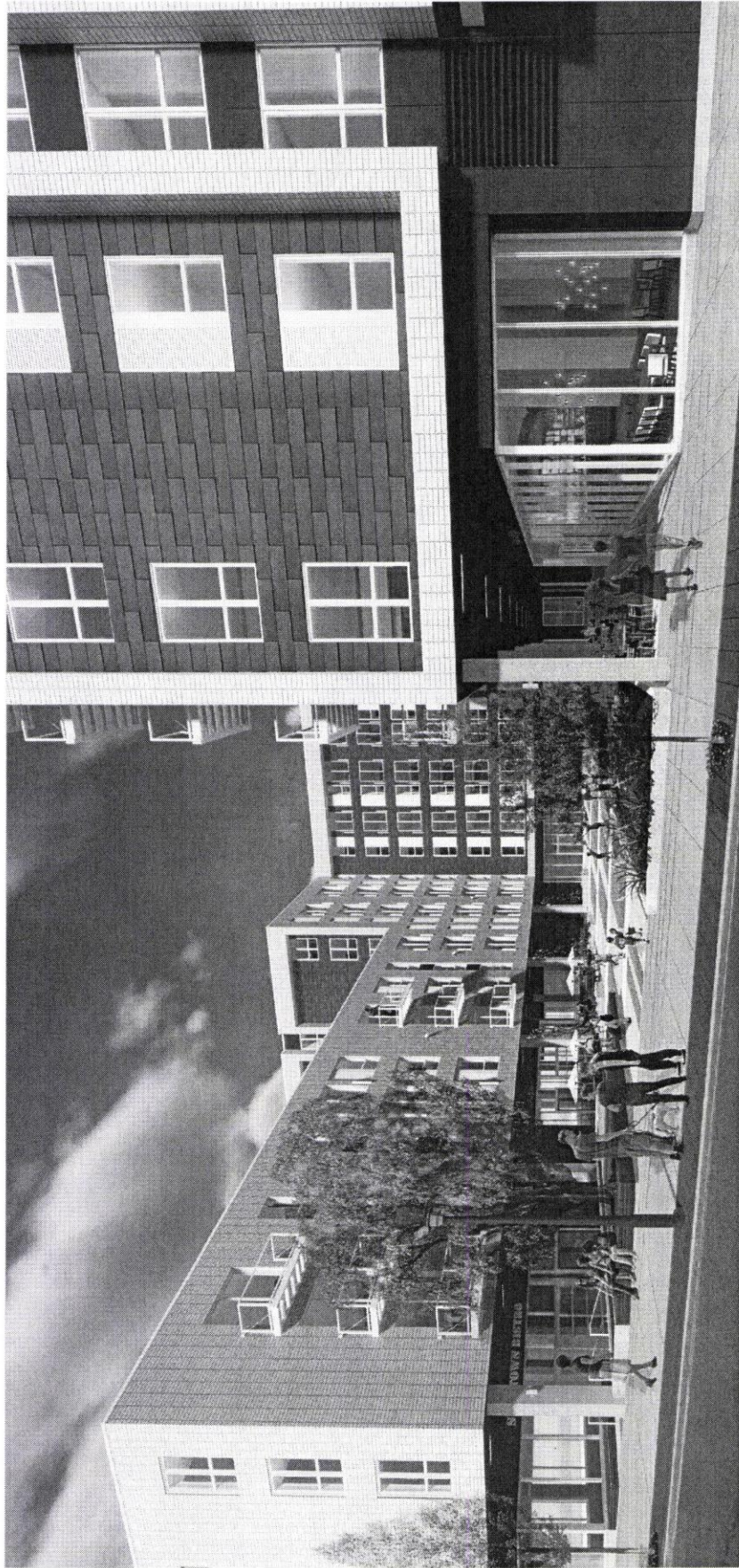


PERSPECTIVE - NW CORNER ACROSS NW 21ST



MARCH 09, 2017

LU 16-100496 DZM MS - BLOCK 290 APARTMENTS



PERSPECTIVE - THE SQUARE FROM SW PETTYGROVE

4.28 LRS ARCHITECTS

MARCH 09, 2017