



City of Portland
Bureau of Development Services
Land Use Services Division

1900 SW Fourth Ave. Suite 5000
Portland, Oregon 97201
Telephone: 503-823-7300
TDD: 503-823-6868
FAX: 503-823-5630
www.portlandonline.com/bds

Date: December 22, 2010
To: Interested Person
From: Tim Heron, Land Use Services
503-823-7726 / theron@ci.portland.or.us

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

Case File: LU 09-171259 DM – Demolition Review for the Kiernan Building [Dirty Duck Tavern], a Contributing Building in the Chinatown National Register Historic District
Pre App: EA #09-143543

ADVICE BY: Portland Historic Landmarks Commission
WHEN: Monday, January 11, 2010 at 1:30 PM
WHERE: 1900 SW Fourth Ave., Room 2500A
Portland, OR 97201

REVIEW BY: Portland City Council
WHEN: Wednesday, February 3, 2010 at 2:00 PM
WHERE: 1220 SW Fifth Ave., Council Chambers
Portland, OR 97204

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: Craig Lewis, Melvin Mark Companies
111 SW Columbia, Ste 1380
Portland, OR 97201

City Of Portland – The Portland Development Commission (Leased)
222 NW 5th Ave
Portland, OR 97209-3812

Dirty Duck Property
222 NW 5th Ave
Portland, OR 97209-3812

Representative: John Smith, Joe Pinzone, SERA Architects
338 NW 5th Ave
Portland OR 97209

Site Address: 421-439 NW 3rd Avenue

Legal Description: BLOCK 25 LOT 5&8 LAND & IMPS SEE COUCHS ADD BLOCK 25; LOT 5&8; LAND & IMPS, COUCHS ADD

Tax Account No.: R180201710

State ID No.: 1N1E34CA 00300

Quarter Section: 2929

Neighborhood: Old Town-China Town, contact Carol McCreary at 503-984-4081.

Business District: Old Town Chinatown Business Association, contact Dorian Yee at 503-224-7066.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - NW Triangle

Other Designations: Contributing Building in the Chinatown National Register Historic District

Zoning: CXd Central Commercial with design overlay

Case Type: DM - Demolition Review

Procedure: Type IV, following a public meeting before the Landmarks Commission there will be a hearing before City Council. The Landmarks Commission may offer comments or suggestions, in the form of a letter or testimony, to City Council. City Council makes the final decision on this matter.

Proposal:

The applicant request Demolition Review approval for the demolition of the Historic Kiernan Building, a contributing structure in the Chinatown National Register Historic District.

Demolition of the building is intended to allow for the construction of a new 3 to 4 story residential group living and soup kitchen building of the same 1/4 -block footprint, to serve the new Blanchet House of Hospitality. The existing Blanchet House of Hospitality, the only other remaining building on Block 25, is a primary contributing structure within the Historic District.

The Kiernan Building, or Dirty Duck Tavern by its common name, is listed as a secondary contributing structure, built in 1916, and is significant to the Chinatown Historic District for the architectural firm of Mac Naughton and Raymond that designed it and their substantial contribution of building designs in Portland [notable the 1915 Marshall Wells Warehouse #2]. It is also significant for several businesses that operated in the building including the Roy Cherkezoff & Sons Confectionary and The Western Machine Works during this secondary period of significance [1916-1944].

Because the proposal is to demolish a Contributing Building in the Chinatown National Register Historic District, a Type IV Historic Design Review is required.

If the Demolition Review is approved by Portland City Council, a Type 3 Land Use Review approval is still required, as well as an issued building permit for the new development, before a demolition permit will be released.

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:

- Section 33.846 Historic Design Review
- Section 33.846.070 Demolition Review

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 filed, provided that the application is complete at the time of filing, or complete within 180 days. This application was filed on November 13, 2009 and will likely be determined to be complete on **December 4, 2009**.

DECISION MAKING PROCESS

The applicant and proponents have the burden of proof to show that each and every element of the approval criteria are satisfied. The Landmarks Commission may offer comments or suggestions, in the form of a letter or testimony, to City Council, at the above-posted Landmarks Commission meeting date.

The City Code requires City Council to hold a public hearing on the Demolition Review, and you will have the opportunity to testify at that hearing.

The Bureau of Development Services will be making a recommendation on this proposal; our report and recommendation will be available 10 days before the City Council 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. If you call 503-823-7967, the receptionist can mail you the report, or you may pick it up at our office at 1900 SW Fourth Ave., Suite 5000. The file on this case is available for your review at our office at no charge; and 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 for such services. You may also find additional information about the City of Portland and City Bureaus as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage 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-Land Use Services, 1900 SW Fourth Ave., Suite 5000, Portland Oregon 97201 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 BDS Land Use Services 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. Landmarks Commission will make a decision about this proposal at the hearing or will grant a continuance.

APPEAL PROCESS

City Council's decision may be appealed to LUBA. Failure to raise an issue, in person or by letter, by the close of the record by City Council on the Demolition Review may preclude an appeal to LUBA on that issue. Also, if you do not provide enough detailed information to City Council, LUBA 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 503-823-7967, for immediate 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.

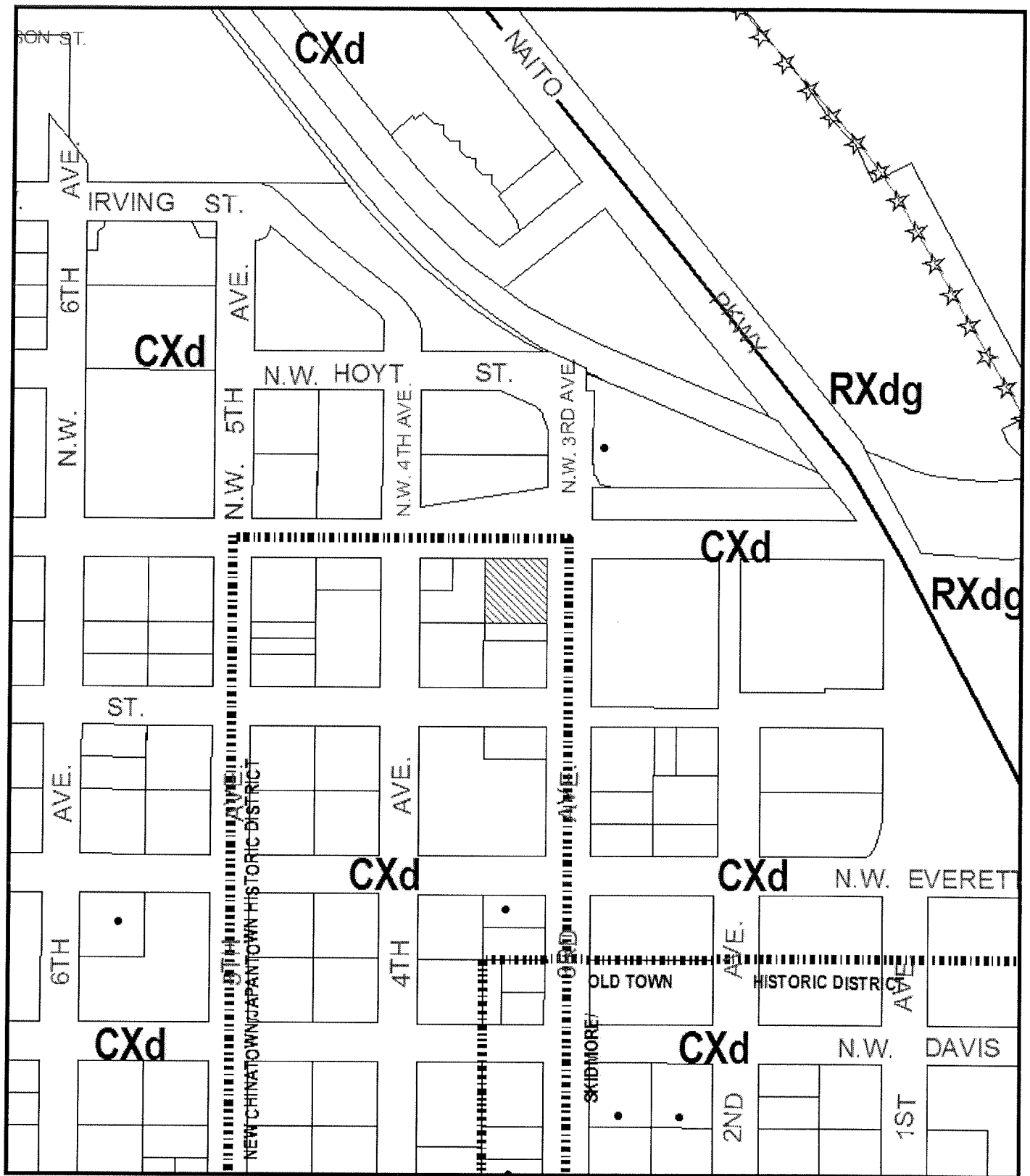
The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).

Enclosures:


Zoning Map


Site Plan

Photos of Building



ZONING

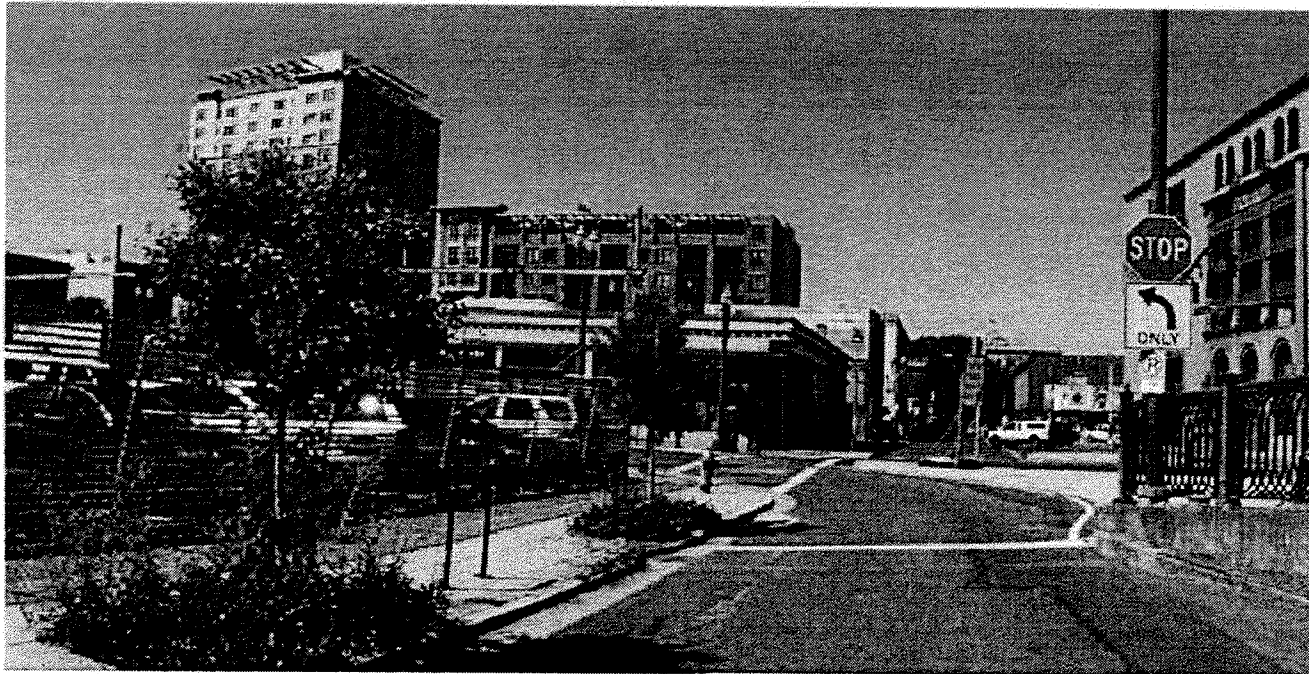
 Site

 Historic Landmark

This site lies within the:
 NEW CHINATOWN / JAPANTOWN HISTORIC DISTRICT
 CENTRAL CITY PLAN DISTRICT

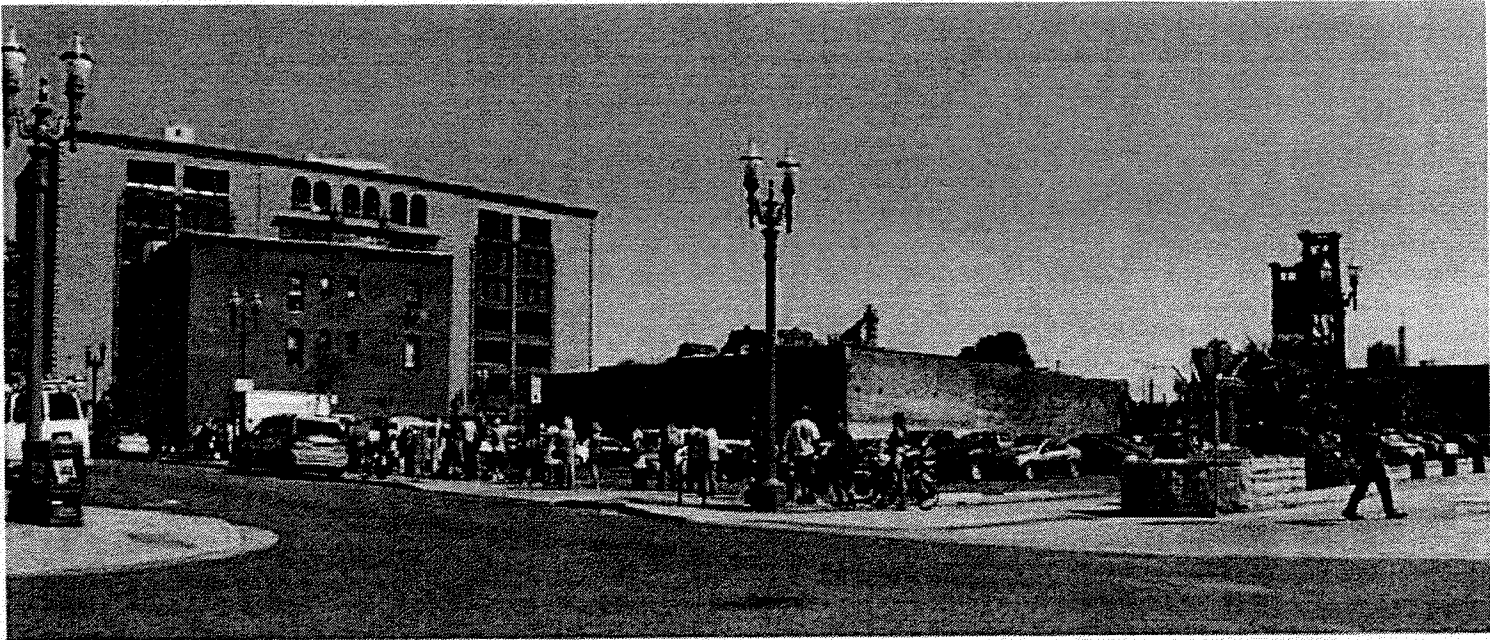


File No.	<u>LU 09-171259 DM</u>
1/4 Section	<u>2929,3029</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E34CA 300</u>
Exhibit	<u>B</u> (Nov 17,2009)



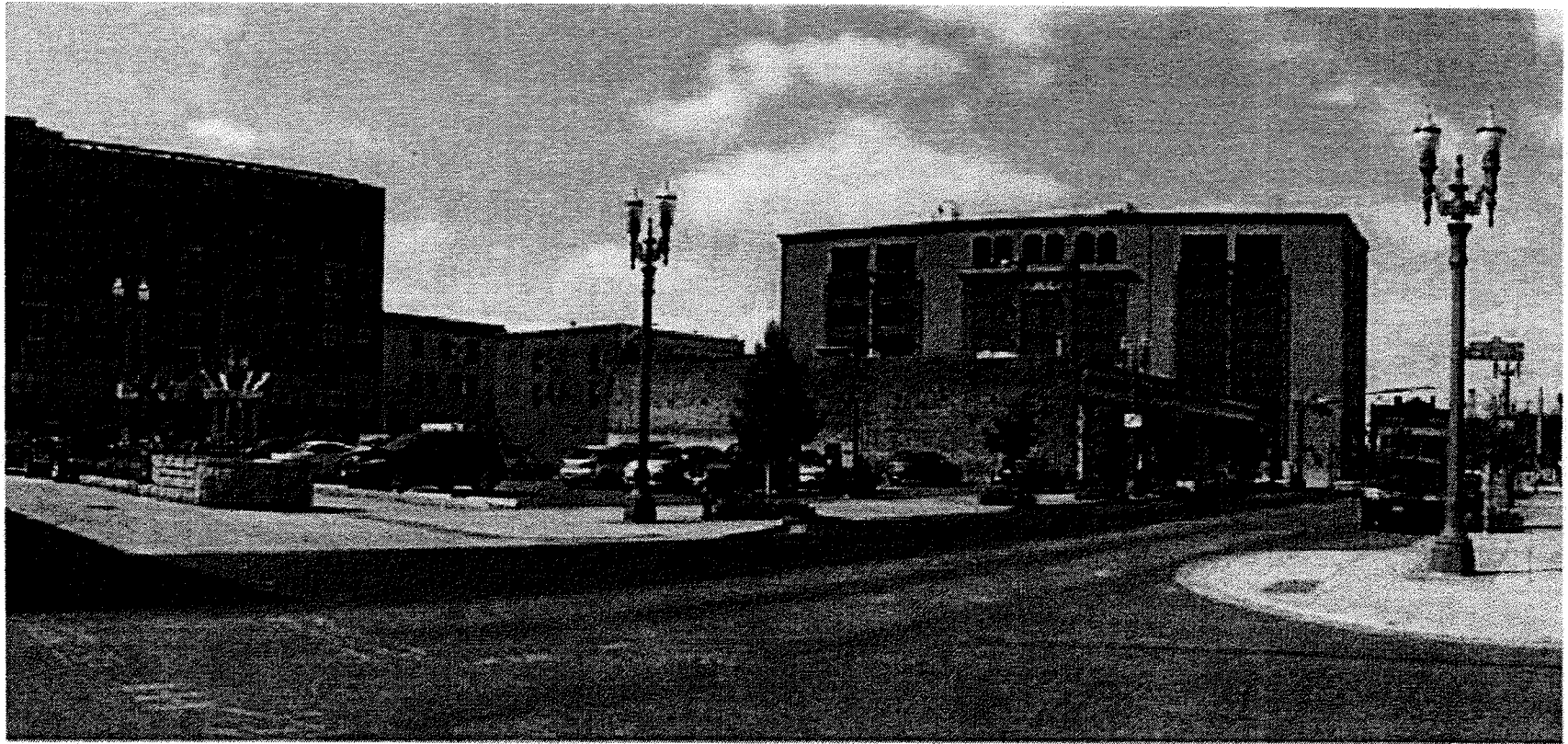
Blanchet House of Hospitality

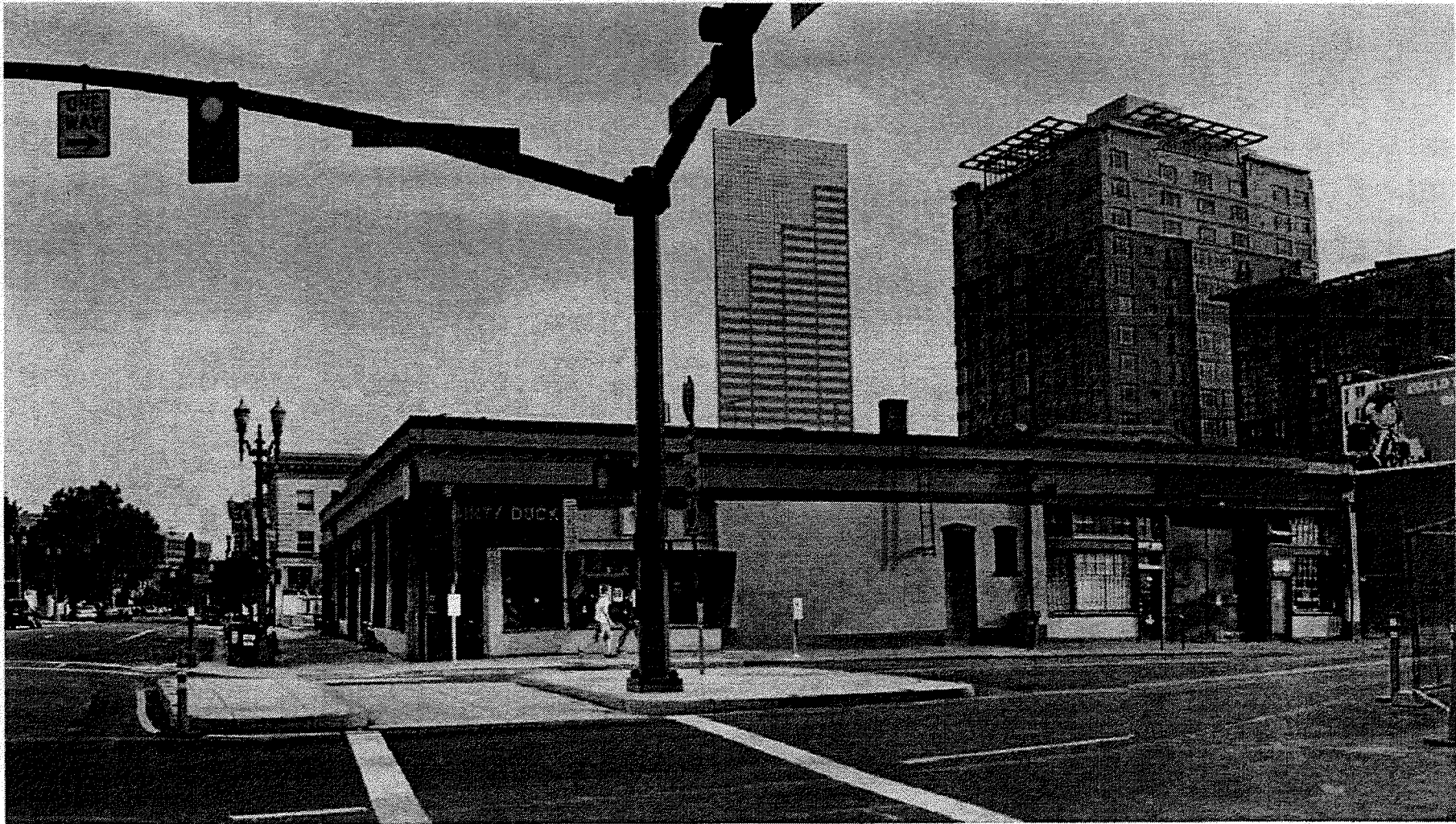
current site conditions



Blanchet House of Hospitality

current site conditions



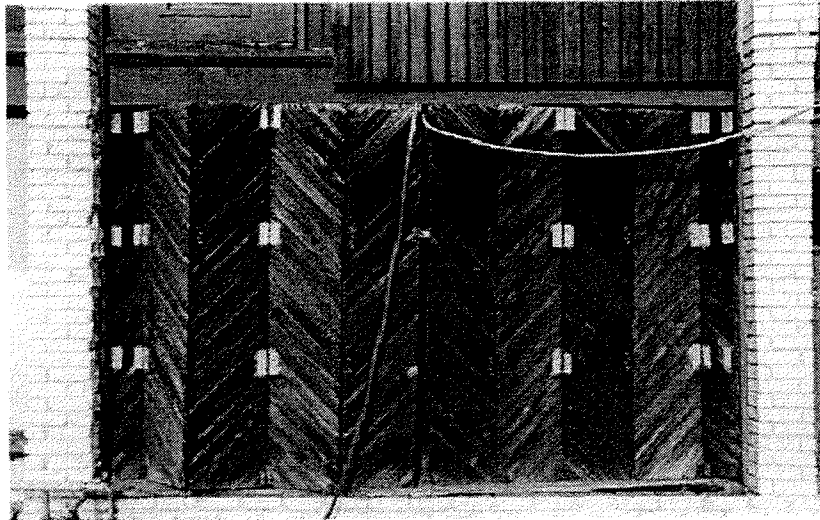


Blanchet House of Hospitality

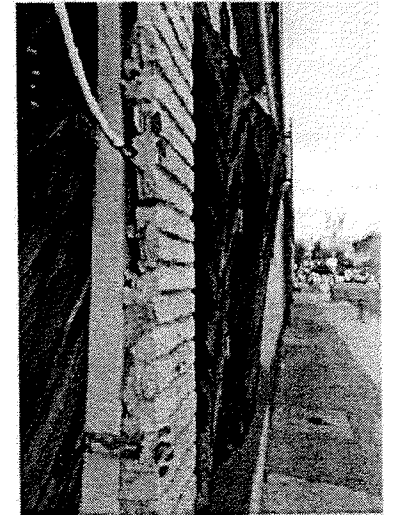
existing site photo



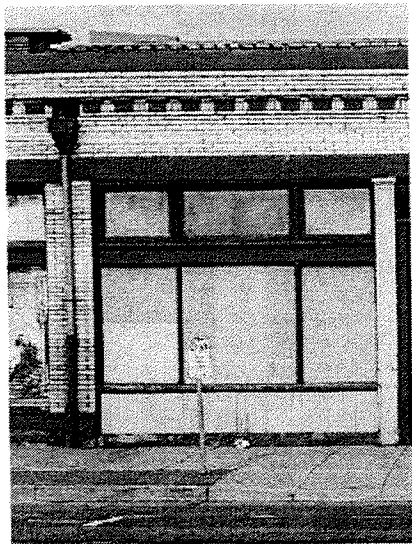
existing bay elevation



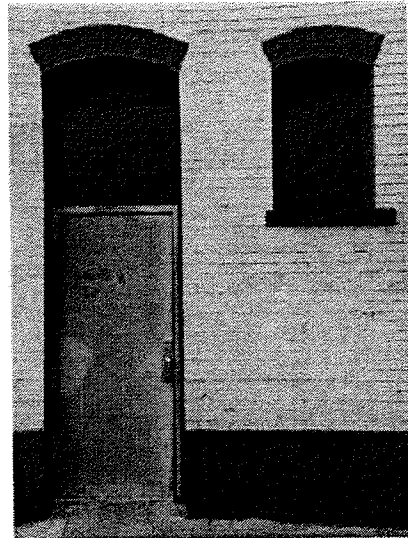
existing bay elevation



existing elevation profile



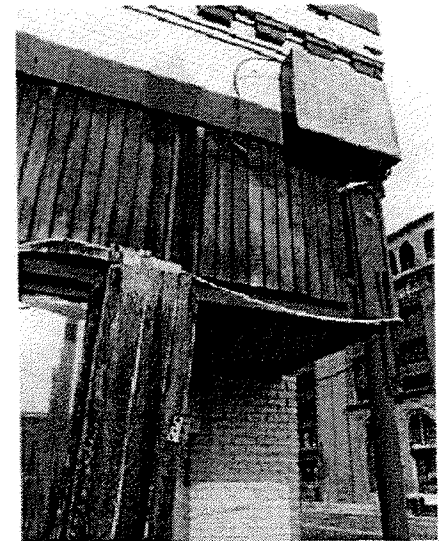
existing bay elevation



existing conditions at openings



existing conditions at ground



existing facade & soffit at entry

