



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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Date: October 31, 2013
To: Interested Person
From: Mark Walhood, City Planner
503-823-7806 / mark.walhood@portlandoregon.gov

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

CASE FILE: LU 13-189059 DZM – Abigail Apartments
Pre-App.: EA 12-180268 PC
REVIEW BY: Design Commission
WHEN: Thursday, November 21, 2013 @ 1:30 PM
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: Isaac Johnson, (503) 977-5274 / Ankrom Moison Associated Architects
6720 SW Macadam Ave. / Portland, OR 97219

Purchaser/Operator: Nicole Peterson, (503) 459-3088 / Bridge Housing Corporation
925 NW 19th, Studio B / Portland, OR 97209

Property Owner: Hoyt Street Properties LLC
1022 NW Marshall St., #709 / Portland, OR 97209-2989

Site Address: Northeast Corner of NW 13th & Raleigh Streets

Legal Description: BLOCK 2 TL 708, WATSONS ADD
Tax Account No.: R883800160
State ID No.: 1N1E28DD 00708
Quarter Section: 2828
Neighborhood: Pearl District, contact Patricia Gardner at 503-243-2628.
Business District: Pearl District Business Association, contact Adele Nofield at 503-223-0070.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Zoning: **EXd** (Central Employment base zone with Design overlay zone), **Central City plan district/River District Subdistrict/North Pearl Subarea**
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 is proposing the development of a six-story apartment building on a block-sized portion of a larger site at the north end of the Pearl District. The site boundary includes a south edge in alignment with NW Raleigh Street, a west edge in alignment with NW 13th Avenue, and a northeast diagonal edge abutting the rail corridor between the property and NW Front Avenue. The proposal includes 143 apartments, ground floor lobby and tenant community room, and a small retail café. The building is arranged in with an east wing and west wing layout, with connection through an enclosed pedestrian bridge. The plan of the building creates a series of outdoor courtyards on the site south of the bridge, north of the bridge, and east of the angled east wing. The main entry lobby and corner retail/café space have doors oriented to NW 13th Avenue, with a secondary entry door at the bridge from the south courtyard, and three units having direct entries to the south in alignment with Raleigh Street. A basement parking level, with access from NW 13th Avenue near the northwest corner of the project, accommodates one loading stall, 81 cars and 258 long-term bike parking spaces.

The exterior design and materials of the buildings are similar, but differentiated in color and details between the east and west wings. The west wing has buff colored brick and inset earth-toned vertical metal panel materials, and the east wing has dark gray brick with light gray vertical metal panel materials. The connecting bridge element has metal composite panel skin and clear and colored window elements. Upper story windows are vinyl, with the exception of some fiberglass windows on the bridge, and ground floor windows are typically metal storefront systems on the west wing, and vinyl/residential windows on the east wing.

The applicant proposes to dedicate the full 60' public right-of-way of NW 13th Avenue to the City on the west edge of the site between NW Raleigh and Xavier Streets. Improvements in this dedicated right-of-way would include a raised concrete dock along the entire frontage with stairs near the main lobby entry, and a ramp at the south end. The applicant proposes to construct a temporary 36'-wide asphalt roadway in NW 13th Avenue, without sidewalks on the west side of the roadway. A gravel turnaround would be provided to allow trucks to turn around just north of the improved section of NW 13th Avenue, until future projects north and west of the site are developed. In alignment with NW Raleigh Street on the south edge of the site, the applicant proposes a 26'-wide fire access and utility easement with a 6'-wide concrete sidewalk and curb, and a 20'-wide asphalt roadway with stormwater planter.

The Design overlay zoning and site location require the project to receive approval through a Type III Design Review process. Concurrently, the applicant has requested three Modifications through Design Review to several development standards. These include the following:

- Perpendicular parking stalls must be 8'-6" wide (33.266.130.F.2). Nine of the 81 parking spaces have structural columns that reduce the width of portions of a space near the column to a range of from 7'-8" to 8'-5";
- Bike parking stalls must be at least 2'-0" wide (33.266.220.C.3). 208 of the long-term bike parking spaces are provided in vertical racks that stagger and put individual bikes in a 'stall' that is only 1'-6" wide; and
- The required loading bay must be 35' long, 10' wide, and have 13' clearance. As proposed, the basement loading stall is only 21'-6" long, 9'-0" wide and with 8'-2" clearance.

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:

- The *Central City Fundamental Design Guidelines*; and
- The *River District 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 August 6, 2013 and determined to be complete on October 4, 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. 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
Basement Plan
West Elevation
South Elevation

File No. LU 13-189059 DZM
1/4 Section 2828
Scale 1 inch = 200 feet
State_Id 1N1E28DD 708
Exhibit B (Aug 29, 2013)

UPDATED SITE PLAN
INFORMATION



Site Description

The site will be plotted from within a larger parcel that is owned by Hoyt Street Properties. The boundary lines are based on the extension of NW 13th Avenue along the west edge, and the alignment with NW Raleigh Avenue along the south edge. The north and east boundary lines align with historic alignments of NW 12th Avenue and NW Sawyer Street, although these streets do not extend to this site. The site also borders the railway, which bisects the northeast corner of the site.

SITE AREA - 39,909 sf

ZONING - EXd Central Employment with Design Overlay, Map 2828

FAR - 4:1 (base) With residential bonus option of FAR 2:1 add 73,400 sf, resulting in available FAR of 6:1

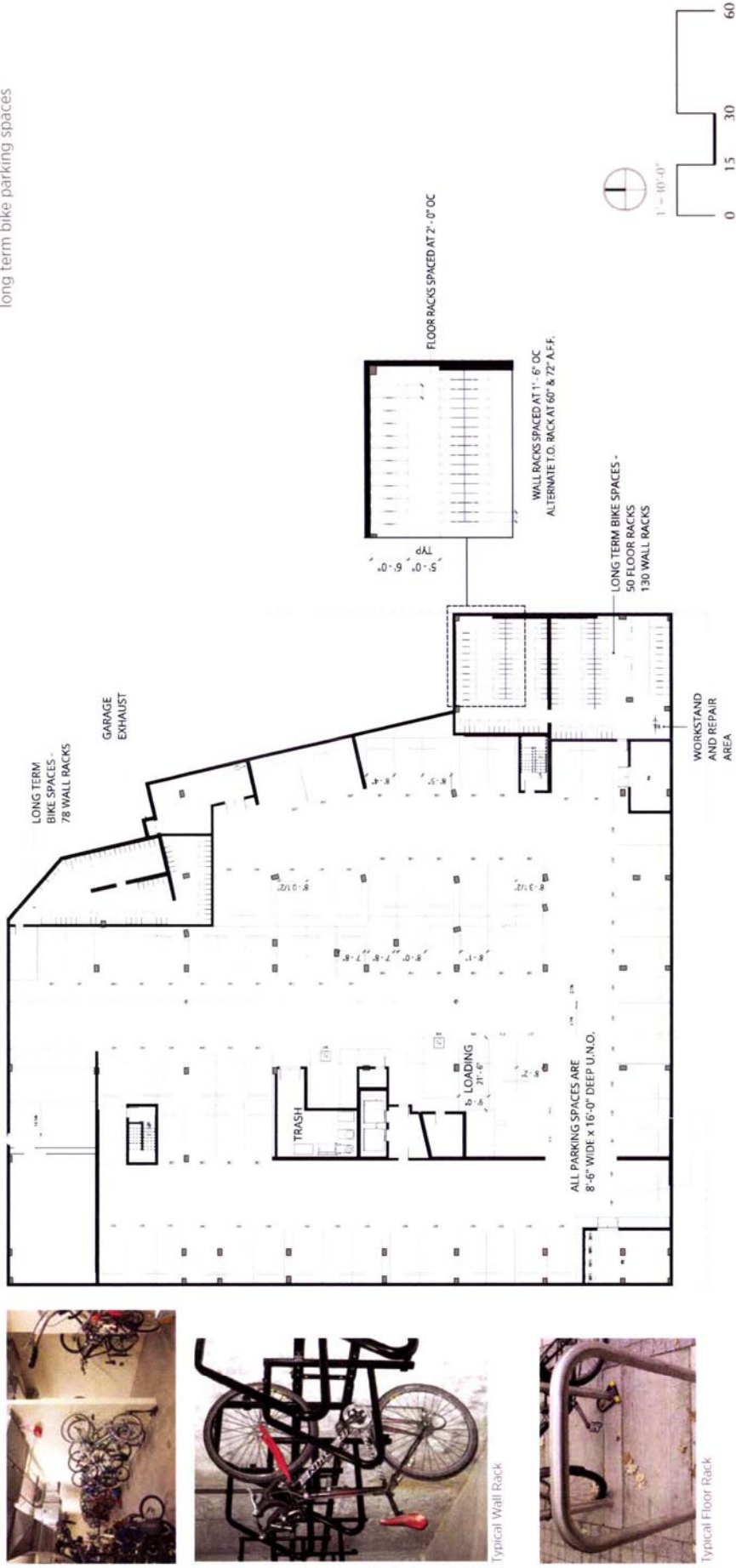
HEIGHT - Table 140-3 EX zone maximum height of 65' is superseded by CCPD and section 33.510.205, Map 510-3 (1 of 3) indicates the Maximum Building Height is 100 ft. Per 33.510.205.H, the site is available for the North Pearl Height Opportunity Area, allowing either 175' or unlimited height.

C.25 Basement Plan

THE ABIGAIL/ PORTLAND, OR

UPDATED BICYCLE PARKING AND CAR PARKING INFORMATION

Below grade parking garage with access ramp along 13th Avenue provides 82 car parking stalls, 1 loading space, and 258 long term bike parking spaces



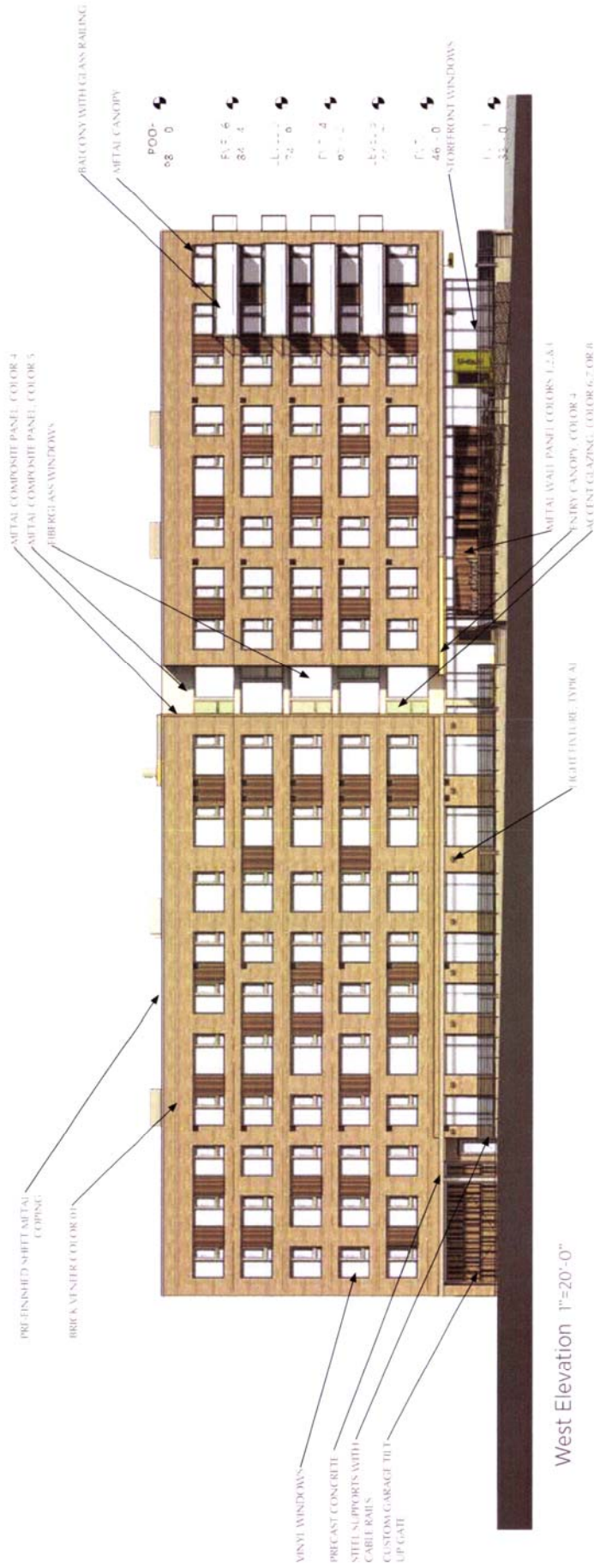
BRIDGE HOUSING
ANKROM MOISAN ARCHITECTS, INC.

DESIGN REVIEW EXHIBITS

9.30.2013



UPDATED ELEVATOR OVERRUN,
EXHAUST VENTS AND LIGHTING



UPDATED ELEVATOR OVERRUN,
EXHAUST VENTS AND LIGHTING

