



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

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

Date: August 15, 2014
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 14-169513 DZM AD – 419 E Burnside
PC # 13-173133
REVIEW BY: Design Commission
WHEN: September 4, 2014 @ 1:30pm
WHERE: 1900 SW Fourth Ave., Room 2500A
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: Erik Winter, Architect
Robert Boileau, Architect
Myhre Group Architects
620 SW 5th Ave Suite 500
Portland, OR 97204

Owner: Jack Paauw and Allison Finn
Trinsic Acquisition Company, Llc
605 First Ave #100
Seattle, WA 98104

RH Burnside LLC, Owner
2250 NW Flanders St #G02
Portland, OR 97210-3475

Central City Concern, Owner
232 NW 6th Ave
Portland, OR 97209-3609

Site Address: 419 E BURNSIDE ST & 20 NE MARTIN LUTHER KING JR BLVD

Legal Description: BLOCK 107 LOT 1 EXC PT IN ST LOT 2 LOT 7&8, EAST PORTLAND;
BLOCK 107 LOT 3 LOT 4 EXC PT IN ST, EAST PORTLAND; BLOCK 107
LOT 5 EXC PT IN ST & LOT 6, EAST PORTLAND

Tax Account No.: R226507220, R226507240, R226507260, R226507220, R226507220
State ID No.: 1N1E35CB 08800, 1N1E35CB 08900, 1N1E35CB 08700, 1N1E35CB 08800, 1N1E35CB 08800
Quarter Section: 3031

Neighborhood: Kerns, contact Steve Russell at 503-784-8785.
Business District: Central Eastside Industrial Council, contact Peter Fry at 503-274-1415.
District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.

Plan District: Central City - Central Eastside

Zoning: EXd – Central Employment with Design overlay

Case Type: DZM AD – Design Review with Modifications and Adjustment request
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 proposes a new 6-story ¾-block mixed-use building with 153 residential units, 3 live/work units, ground floor commercial space, as well as shared and private rooftop terraces. The proposal includes an arcade along E. Burnside that includes living area above the public right-of-way. Parking is provided within the building for 81 vehicles, including 17 tandem spaces, to be accessed from NE Grand Avenue, with 2 loading spaces accessed from NE Couch Street. Exterior materials include cast-in-place concrete, metal panel, operable storefront systems, fiberglass doors, and vinyl windows. The existing 2-story building at the northwest corner of the block is proposed to remain.

Modifications are requested to:

- 33.140.230.B *Ground Floor Windows in the EX Zone* – to reduce the amount of ground floor windows on Couch Street from the required 50% of the length to 31%;
- 33.266.220 *Bicycle Parking Standards* – to reduce the width of approximately 100 of the required 232 long-term bicycle parking spaces from the required 2'-0" to 1'-6";

An **Adjustment** is requested to:

- 33.510.265.F(6.b) *All Parking* – to allow vehicle parking access on NE Grand Avenue, a parking access restricted street.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan
- 33.825.040 *Modifications That Will Better Meet Design Review Requirements*
- 33.805.040 *Approval Criteria*

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 June 13, 2014 and determined to be complete on July 13, 2014.

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

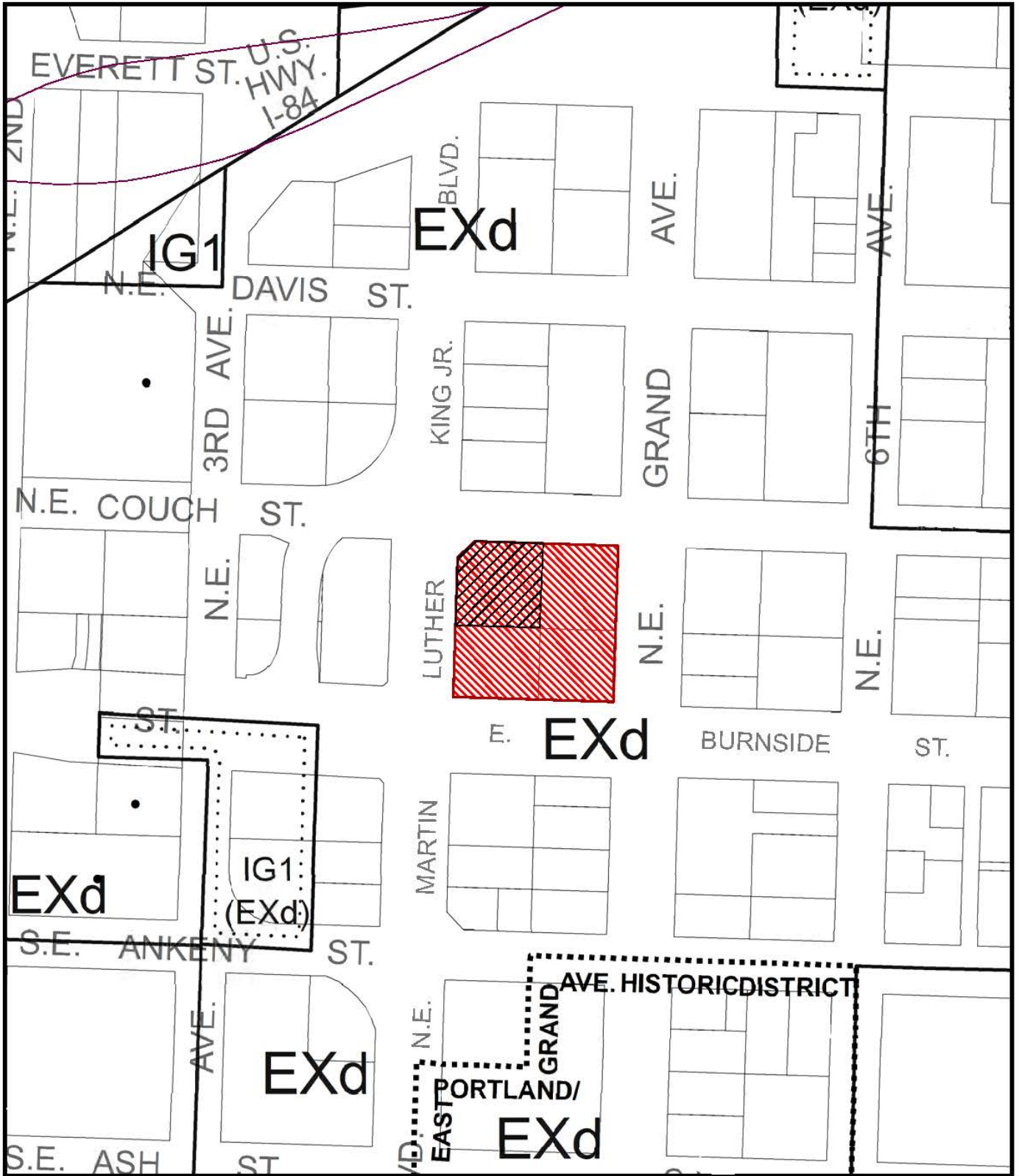
This public hearing will be cancelled if Portland Public Schools close due to inclement weather or other similar emergency. Check local television and radio reports for school closures. The hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent. Please call 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 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
South Elevation
East Elevation
North elevation
West Elevation



ZONING

- Project Area
- Site

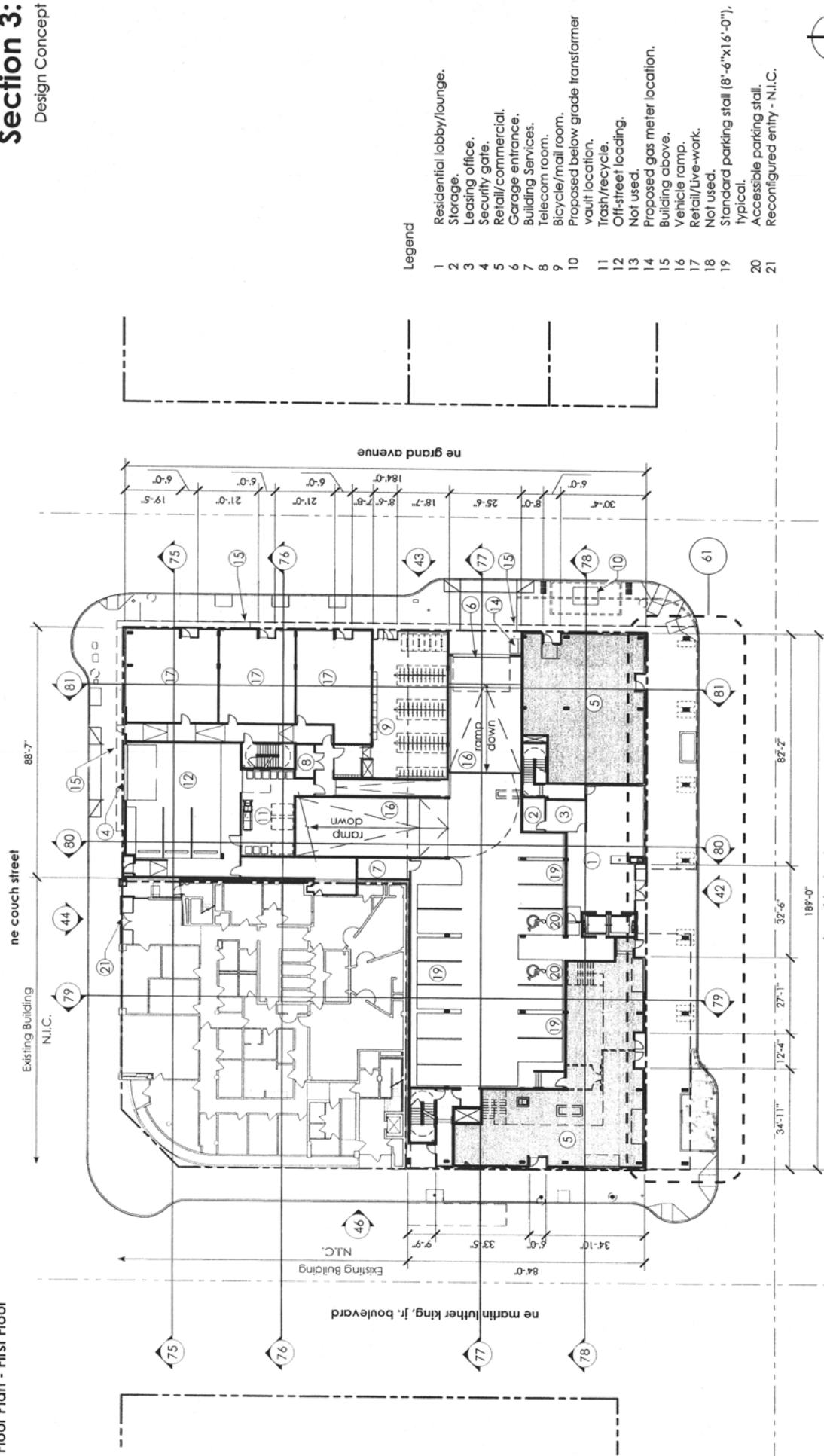


This site lies within the:
CENTRAL CITY PLAN DISTRICT
CENTRAL EASTSIDE

File No. LU 14-169513 DZM, AD
 1/4 Section 3031
 Scale 1 inch = 200 feet
 State_Id 1N1E35CB 8900
 Exhibit B (July 21, 2014)

Floor Plan - First Floor

Section 3:
Design Concept



Legend

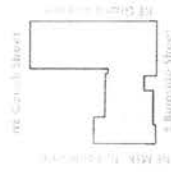
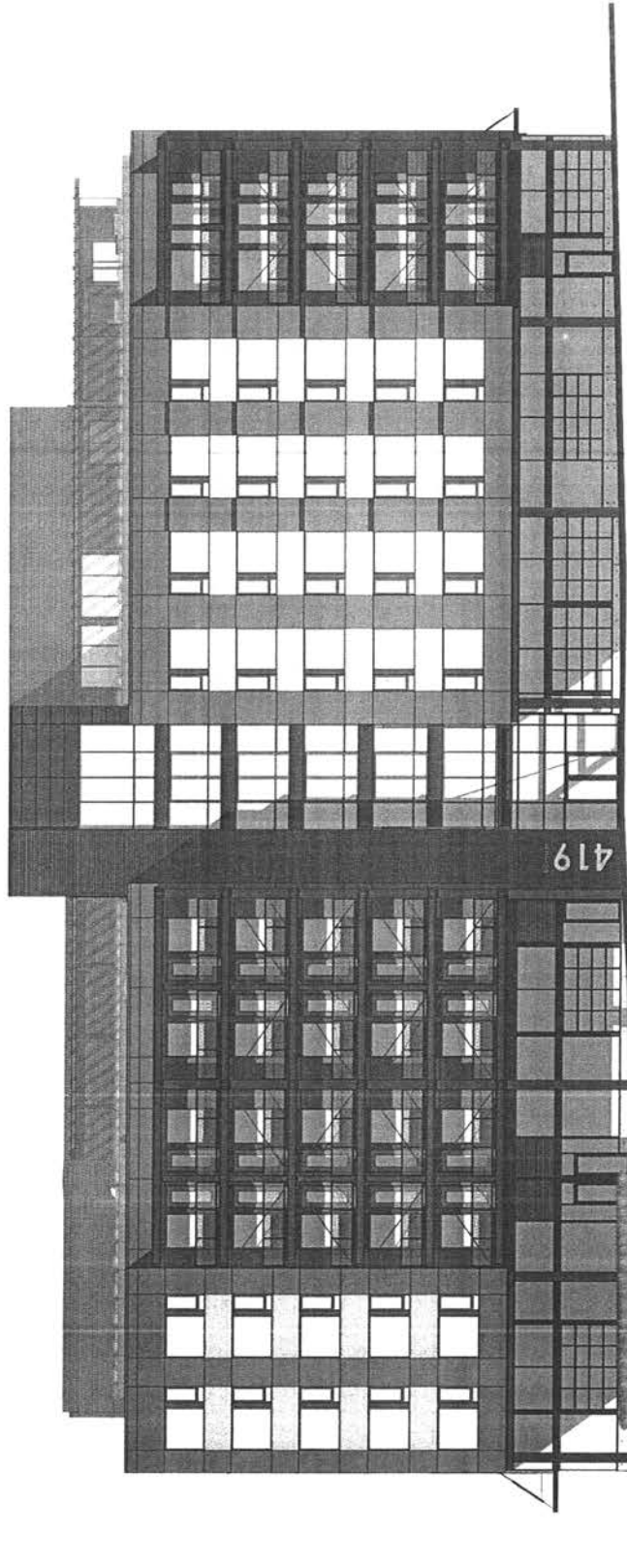
- 1 Residential lobby/lounge.
- 2 Storage.
- 3 Leasing office.
- 4 Security gate.
- 5 Retail/commercial.
- 6 Garage entrance.
- 7 Building Services.
- 8 Telecom room.
- 9 Bicycle/mail room.
- 10 Proposed below grade transformer vault location.
- 11 Trash/recycle.
- 12 Off-street loading.
- 13 Not used.
- 14 Proposed gas meter location.
- 15 Building above.
- 16 Vehicle ramp.
- 17 Retail/Live-work.
- 18 Not used.
- 19 Standard parking stall (8'-6"x16'-0") typical.
- 20 Accessible parking stall.
- 21 Reconfigured entry - N.I.C.



Section 3:

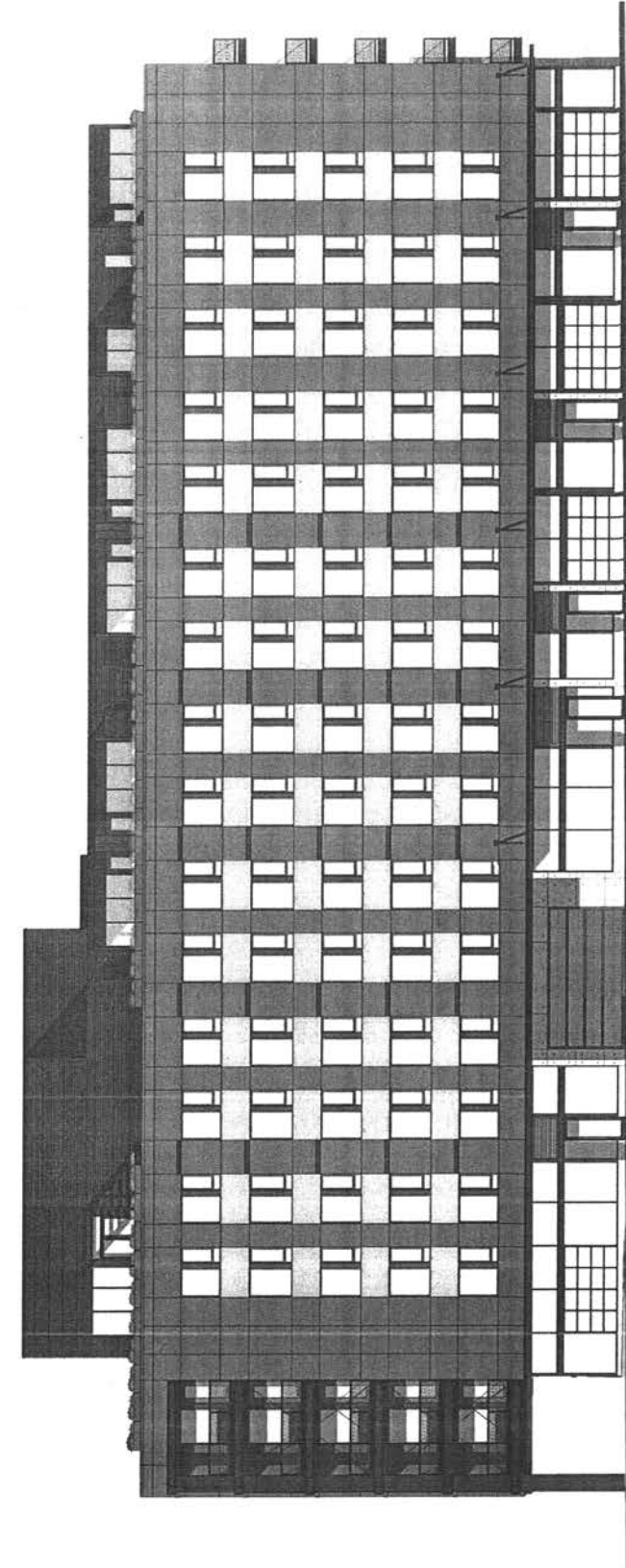
Design Concept

- T.O. Stair Enclosure 153.35'
- T.O. Parapet 136.35'
- T.O. Sixth Floor 122.55'
- T.O. Fifth Floor 112.35'
- T.O. Fourth Floor 102.55'
- T.O. Third Floor 92.35'
- T.O. Second Floor 82.35'
- T.O. First Floor 0'

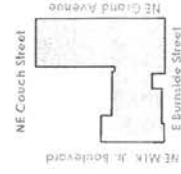


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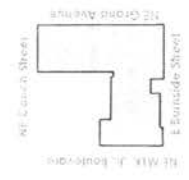
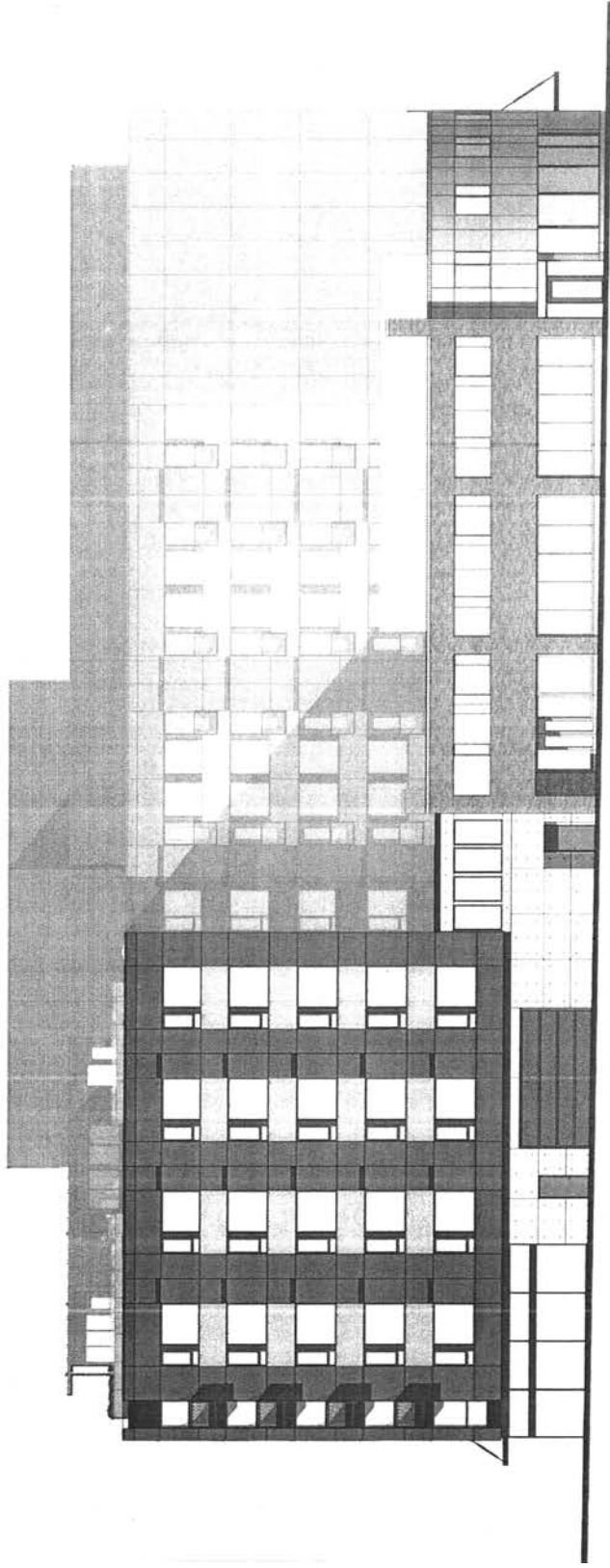
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