



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: January 31, 2013
To: Interested Person
From: Kate Marcello, Land Use Services
503-823-7538 | kate.marcello@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires 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 is 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.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on February 21, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-108833 DZ, in your letter. It also is helpful to address your letter to me, Kate Marcello.

CASE FILE NUMBER: LU 13-108833 DZ – New Rooftop Mechanical Units and Revision to Lighting Approved Under LU 12-172099 DZ

Applicant: Jonathan Heppner, Lever Architecture (503-928-6045)
239 NW 13th Avenue, Suite 303 | Portland, OR 97212

Jonathan Ledesma, Project^ (503-922-0056)
413 SW 13th Avenue, Suite 300 | Portland OR, 97212

Site Address: 1025 SW Stark Street

Legal Description: BLOCK 87 TL 2400 LAND & IMPS SEE R651727 (R667709151) FOR AIRSPACE, PORTLAND

Tax Account No.: R667709150

State ID No.: 1N1E34CC 02400

Quarter Section: 3029

Neighborhood: Portland Downtown; contact Jennifer Geske at 503-750-9843

Business District: None

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

Plan District: Central City Plan District; Downtown Subdistrict

Zoning: Central Commercial (CX) base zone; Design (d) overlay zone

Case Type: Design Review (DZ)

Procedure: Type II (an administrative decision with appeal to the Design Commission)

Proposal: The applicant requests Design Review approval for new lighting and rooftop mechanical units. The site is a through-lot with frontage on SW Stark Street and SW Oak Street/W Burnside Street. The two existing buildings on the site are currently being altered to accommodate the

creation of micro-retail spaces and a restaurant space, with an internal passageway connecting the two buildings.

The new lighting is proposed in place of lighting approved through LU 12-172099 DZ. The previously approved lighting would have been located on the underside of a new steel canopy located on each of the two street-facing elevations. The new lighting is proposed as light-emitting diodes (LEDs) recessed in the concrete walking surface, just inside the property lines. Four LEDs will be located at each of the two street-facing elevations. The lights will be arranged in a linear fashion. Each light is 0'-2" in diameter, with a flat lens.

Five new mechanical units are proposed on the rooftop. On the attached roof plan, they are referred to as units A, B, C, D, and E.

- Unit A is an air conditioning and heating unit. It is about 3'-11" tall.
- Units B and D are exhaust fans. Each one is about 2'-10" tall.
- Units C and E are make-up air fans. Each one is about 2'-6" tall.

Unit F is an existing rooftop unit, but the applicant proposes to re-locate it. It is an air conditioning and heating unit. It is about 4'-1" tall.

The mounting curbs for units A and F are each 1'-2" tall. The mounting curbs for units B, C, D, and E are each 1'-8" tall.

Because the proposal is for non-exempt exterior alterations to an existing building on a site with design overlay zoning in the Central City Plan District, Design Review is required prior to the issuance of building permits.

Note: The attached roof plan shows additional mechanical units. These units are either existing units or they are new units that meet the Design Review exemption criteria of 33.420.045.M.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33 (Portland Zoning Code). The relevant criteria are:

- 33.825 Design Review, and
- 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 January 24, 2013 and determined to be complete on January 29, 2013.

DECISION-MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and:

- Approve the proposal,
- Approve the proposal with conditions, or
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule 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.

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.

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 www.portlandonline.com.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Design Commission. This review body will hold a public hearing for the appeal.

When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

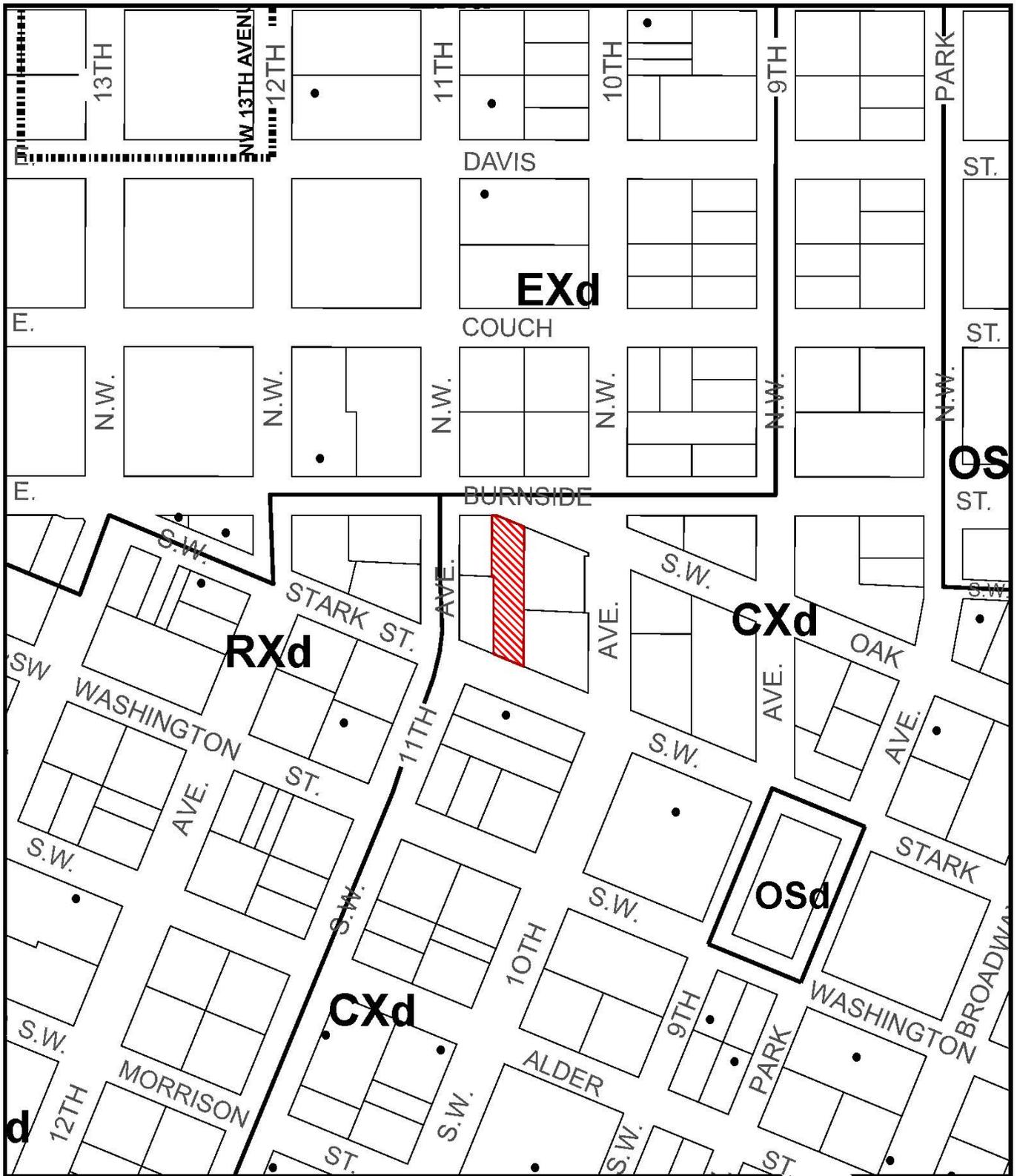
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

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/Roof Plan
Floor Plan
Section Drawing



ZONING



Site



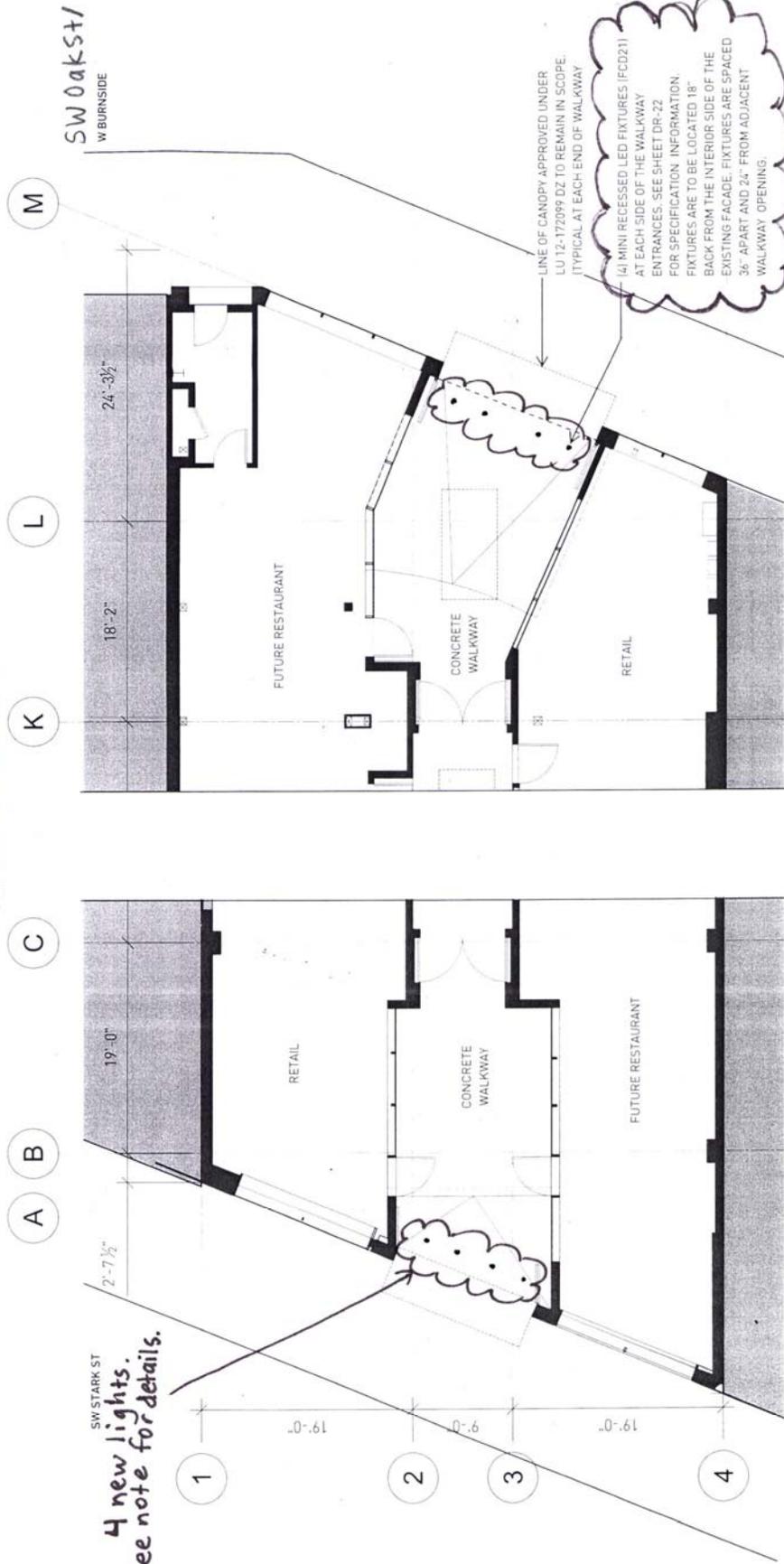
Historic Landmark

This site lies within the:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN



File No. LU 13-108833 DZ
 1/4 Section 3029
 Scale 1 inch = 200 feet
 State_Id 1N1E34CC 2400
 Exhibit B (Jan 25, 2013)

Floor Plan



4 new lights.
See note for details.

LINE OF CANOPY APPROVED UNDER LU 12-172099 DZ TO REMAIN IN SCOPE. TYPICAL AT EACH END OF WALKWAY

(4) MINI RECESSED LED FIXTURES (FCD21) AT EACH SIDE OF THE WALKWAY ENTRANCES. SEE SHEET DR-22 FOR SPECIFICATION INFORMATION. FIXTURES ARE TO BE LOCATED 18" BACK FROM THE INTERIOR SIDE OF THE EXISTING FACADE. FIXTURES ARE SPACED 36" APART AND 24" FROM ADJACENT WALKWAY OPENING.

2 FIRST FLOOR PLAN - PARTIAL
A2.01 1/8" = 1'-0"

Reduced sheet size.

Scale: 1/8" = 1'-0"

DR-3

FIRST FLOOR PLAN

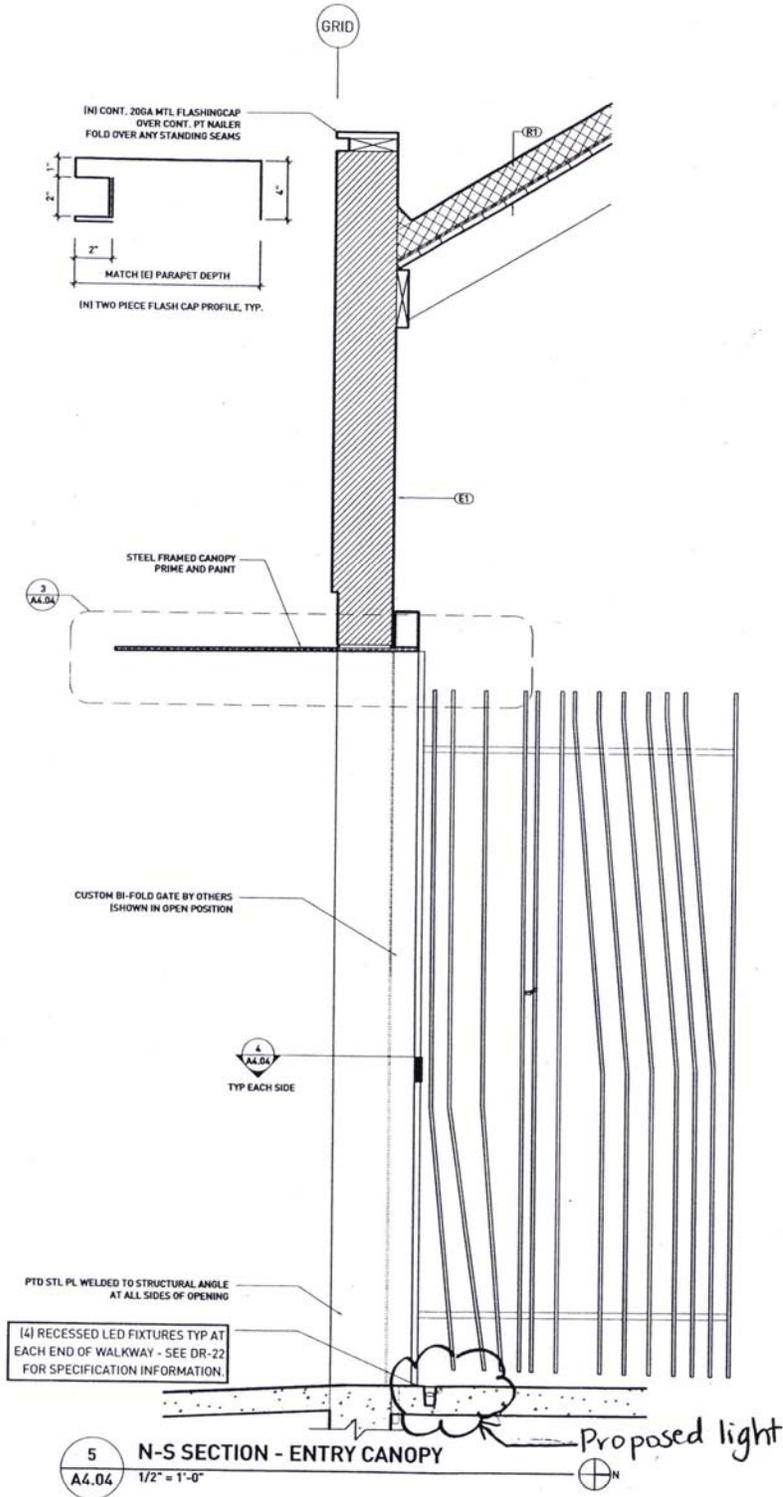
A2.01

N →

NOTE:
- THE (8) LINEAR FLUORESCENT FIXTURES SPECIFIED TO BE ATTACHED TO THE UNDERSIDE OF EACH CANOPY UNDER APPROVED AND RECORDED LU 12-172099 DZ ARE REQUESTED TO BE REMOVED FROM THE PROJECT SCOPE UNDER THIS DESIGN REVIEW APPLICATION. THESE FIXTURES ARE PROPOSED TO BE SUBSTITUTED WITH THE RECESSED LED FIXTURES SPECIFIED IN THIS APPLICATION.

LU 13-108833 DZ

Section Drawing - New Lights



LU 13-108833 DZ