



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

Chloe Eudaly, Commissioner  
Rebecca Esau, Interim Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** August 11, 2017  
**To:** Interested Person  
**From:** Jeff Mitchem, Land Use Services  
503-823-7011 / [Jeffrey.Mitchem@portlandoregon.gov](mailto:Jeffrey.Mitchem@portlandoregon.gov)

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

**CASE FILE:** LU 16-283373 DZM  
PC # 16-201977  
**REVIEW BY:** Design Commission  
**WHEN:** August 31, 2017, 1:30 pm  
**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:** Tim Grinstead | GBD Architects  
1120 NW Couch St Suite 300  
Portland, OR 97209

**Owner:** Tom Dichiara | Cairn Pacific, Llc.  
1015 NW 11th Ave #242  
Portland, OR 97209

**Site Address:** SW Abernathy St, SW Lowell St, SW Lane St, SW River Pkwy Block 42/45  
**Legal Description:** TL 300 7.68 ACRES, SECTION 10 1S 1E; TL 400 2.15 ACRES, SECTION 10 1S 1E  
**Tax Account No.:** R991100600, R991100610, R991100600  
**State ID No.:** 1S1E10DB 00300, 1S1E10DB 00400, 1S1E10DB 00300  
**Quarter Section:** 3430  
**Neighborhood:** South Portland NA., contact Jim Gardner at 503-227-2096.  
**Business District:** South Portland Business Association, contact [info@southportlanddba.com](mailto:info@southportlanddba.com).  
**District Coalition:** Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.  
**Plan District:** Central City - South Waterfront  
**Zoning:** CXd,g, Central Commercial with a Design and Greenway Overlay  
**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:**

Two 7-story buildings on Blocks 42 and 45: Block 42 – 206 market rate apartments with 156 parking stalls and 9,000 SF retail; Block 45 – 313 market rate apartments with 200 parking stalls and 5,000 SF retail. The following four (4) Modifications to standards are requested: (1) 33.266.130.F. to allow Tandem Parking without an attendant; (2) 33.266.220 Bicycle Parking Standards to allow reduced spacing for vertically staggered racks; (3) 33.510.215 Required Building Lines to allow increased building setback for plaza space; and, (4) 33.130.215 Maximum Building Setback to allow increased building setback for plaza space.

Design Review is necessary because the proposal is for new construction in a design overlay zone.

**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
- South Waterfront Design Guidelines
- Modification Considered Through Design Review – Section 33.825.040

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 December 7, 2016 and determined to be complete on June 2, 2017.

**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](http://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**

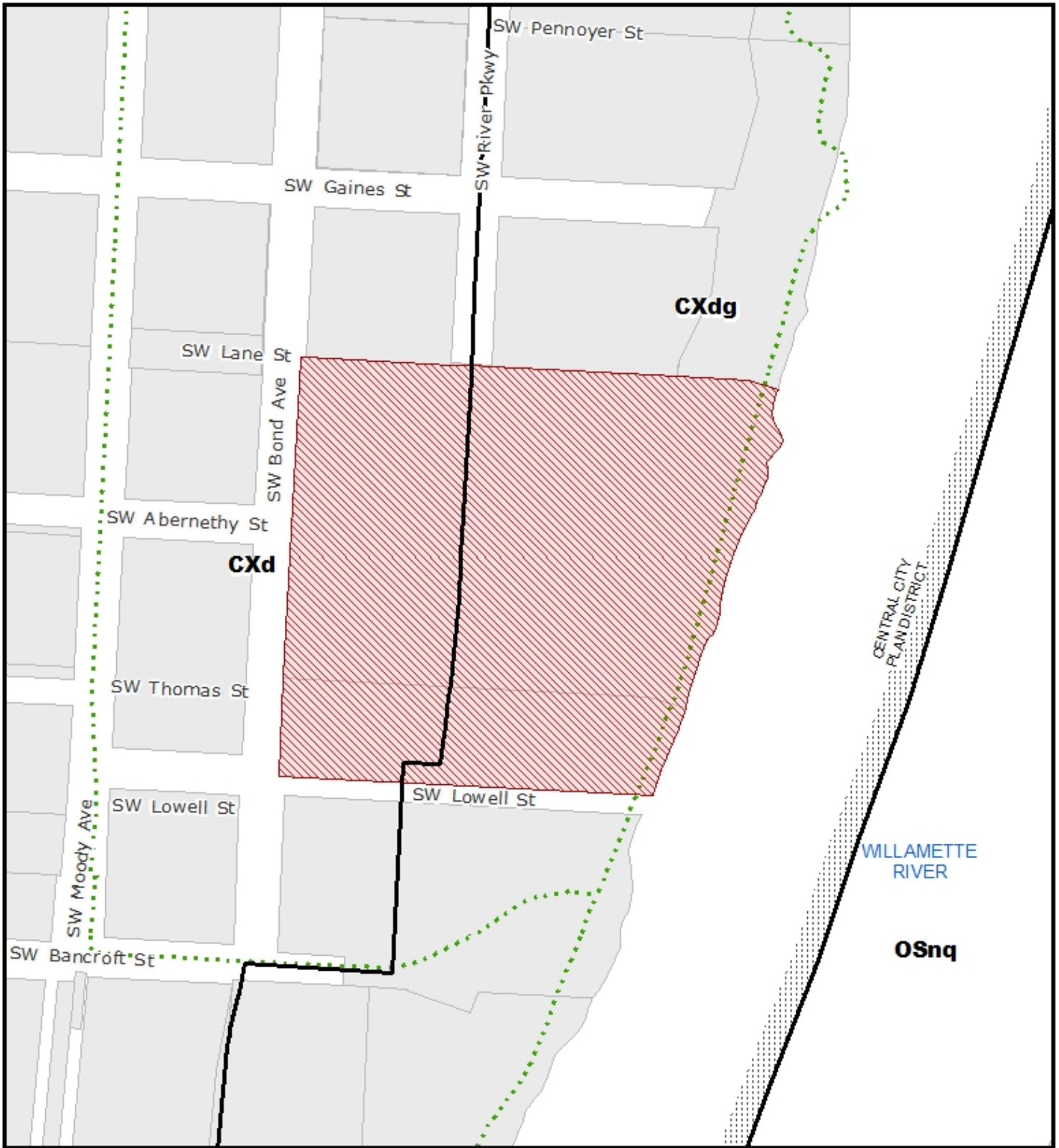
This public hearing will be cancelled if Portland Public Schools close due to inclement weather or other similar emergency. Check local television and radio reports for school closures. The hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent. Please call 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](http://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  
Massing Diagram



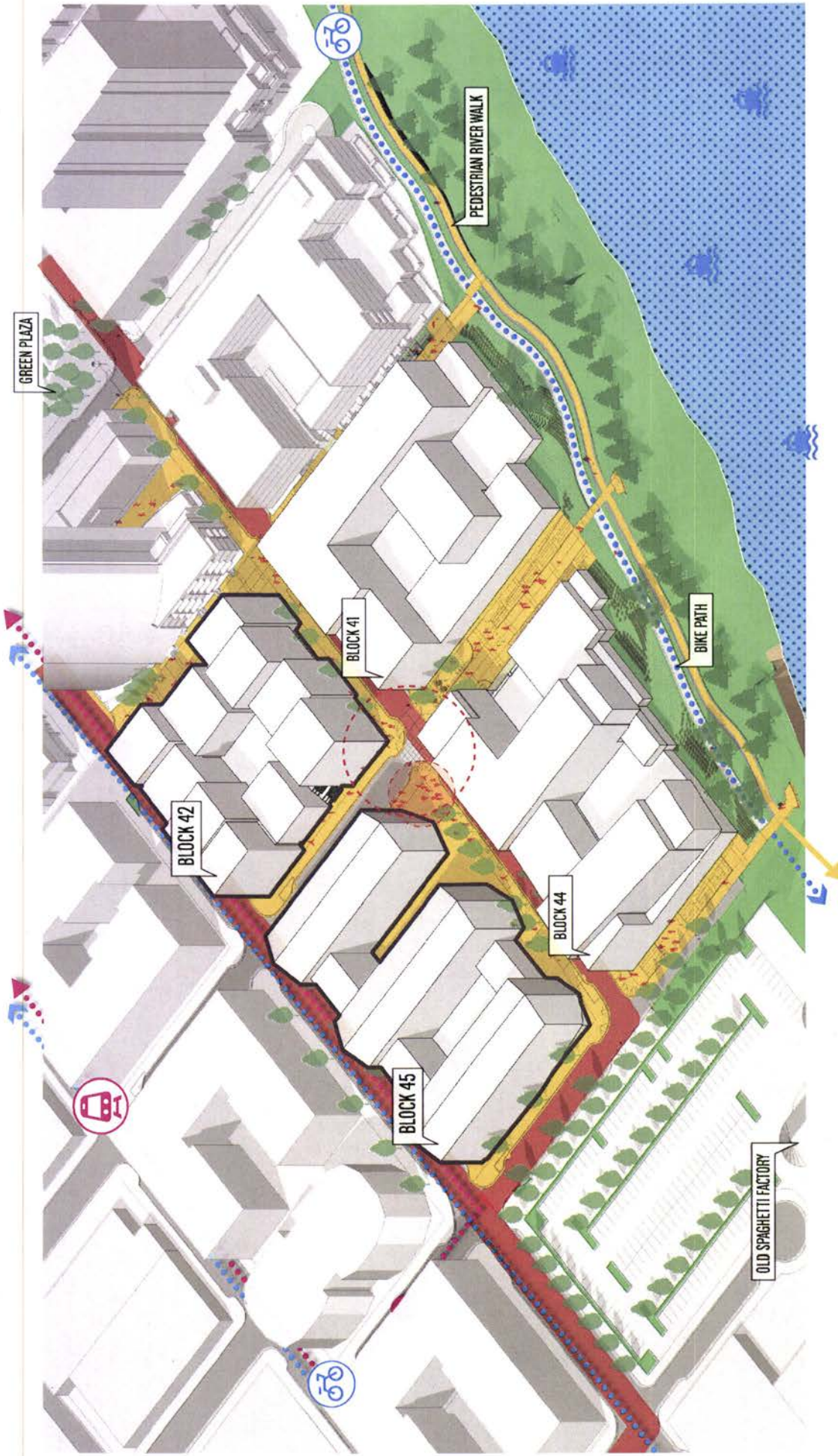
**ZONING**   
NORTH

 Site  
 Recreational Trails

File No.	LU 16-283373 DZM
1/4 Section	3430
Scale	1 inch = 200 feet
State ID	1S1E10DB 300
Exhibit	B Jun 08, 2017



# SITE PLAN



# SITE AXON