



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

Ted Wheeler, Mayor  
Rebecca Esau, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** August 14, 2019  
**To:** Interested Person  
**From:** Hannah Bryant, Land Use Services  
503-823-5353 / [Hannah.Bryant@portlandoregon.gov](mailto:Hannah.Bryant@portlandoregon.gov)

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

**CASE FILE:** LU 19-183735 DZM AD – Sandy Planned  
Development (Phase One)  
EA 18-180700 PC  
EA 18-281575 DA  
**REVIEW BY:** Design Commission  
**WHEN:** September 5, 2019 @ 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:** Heidi Oien | Mithun  
1201 Alaskan Way #200  
Seattle, WA 98101  
(206) 971-5583

**Owner:** Michael Nanney | SP Jade II LLC | Security Properties  
701 Fifth Ave, Suite 5700  
Seattle, WA 98104

**Site Address:** **2505 NE PACIFIC ST**

**Legal Description:** BLOCK 44&45 TL 12000, SULLIVANS ADD; W 100' OF BLOCK 46, SULLIVANS ADD

**Tax Account No.:** R806101960, R806103450

**State ID No.:** 1N1E36BC 12000, 1N1E36BC 12300

**Quarter Section:** 2933

**Neighborhood:** Kerns, contact Elliott Mantell at [commonchiro@yahoo.com](mailto:commonchiro@yahoo.com)

**Business District:** None

**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.

**Plan District:** Sandy Boulevard

**Other Designations:** None

**Zoning:** CM3 (MU-U)d- Commercial Mixed-Use 3 with Design Overlay  
**Case Type:** DZM AD – Design Review with Modification and Adjustment  
**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 requests Type III Design Review for a proposed first phase of the previously approved Sandy Boulevard Planned Development (LU 18-248691 PDBM). The first phase will include the renovation of the existing Pepsi Pavilion building; one new mixed-income, mixed-use building with 219 units; two levels of below-grade parking; a new publicly-dedicated woonerf-style street (NE Pacific between NE 25<sup>th</sup> & NE 27<sup>th</sup>), and a new publicly accessible plaza with landscaping, seating and art.

An Adjustment is requested to:

1. Number of Loading Spaces [33.266.310.C.1.c] - Reduce the required on-site loading spaces from 1 Type A to zero Type A spaces provided on-site, and 1 Type A provided in the adjacent (off-site) right-of-way.

Modifications requested include:

1. Standards for all Bicycle Parking [33.266.220.C.3.b] Reduced spacing of wall-mounted long-term bike racks from 24 inches to 18 inches,
2. Transit Street Main Entrance [33.130.242.C.1] - Increased distance of transit street main entrances from Sandy Boulevard to be more than 25 feet from the transit street (the Maximum Building Setback was modified to 121' during a previous Planned Development review to accommodate a publicly accessible plaza on Sandy Boulevard, therefore, many of the entrances on Building A and the Pavilion are within the Maximum Building Setback).
3. Transit Street Main Entrance [33.130.242.C.3.b] - Increase the angle of transit street main entrances (more than 45 degrees from the diagonal Sandy Boulevard frontage),
4. Pedestrian Standards [33.130.240.B.2.a] - Reduce the width of a residential-access pedestrian path from 6' to 5' wide.

**Relevant Approval Criteria:**

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

- *Community Design Guidelines*
- *33.805.040 Approval Criteria*
- *33.825.040 Modifications That Will Better Meet Design Review Requirements*

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 25, 2019 and determined to be complete on July 18, 2019.

**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. Please note that all correspondence and testimony received will become part of the public record. The applicant and Bureau of Development 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. 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 due the inclement weather or other similar emergency.

- Hearings Officer: This public hearing will be cancelled if the City of Portland is closed. Check local television or the City of Portland website ([www.portlandoregon.gov](http://www.portlandoregon.gov)) for

closures. Contact the Hearings Office at 503-823-7307, for immediate information regarding cancellations or rescheduling.

- Design Commission, Historic Landmarks Commission or Adjustment Committee: 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. Please call the Bureau of Development Services at 503-823-7617, for information regarding cancellations or rescheduling.

The hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent.

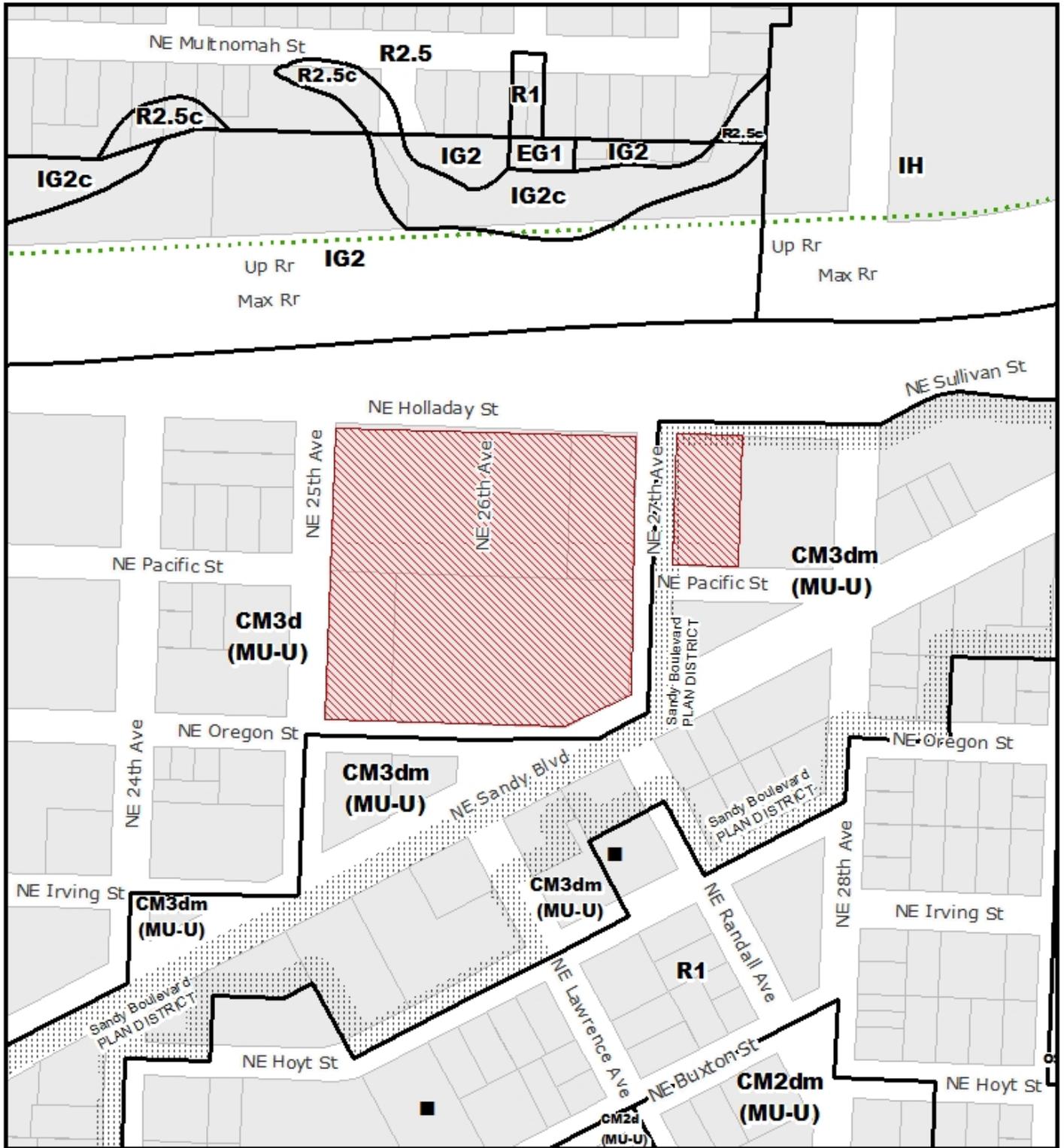
To attend the hearing, public transportation is available. Tri-Met buses stop near the BDS building at SW Fifth or Sixth Ave. at SW Hall St. and SW Harrison St. Call Tri-Met at 503-238-7433 (or [www.trimet.org](http://www.trimet.org)) for routes and times. Hourly rated public parking is available a half 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



**ZONING**   
 NORTH  
 THIS SITE LIES WITHIN THE:  
 SANDY BOULEVARD PLAN DISTRICT

-  Site
-  Historic Landmark
-  Recreational Trails

File No.	LU 19-183735 DZM AD
1/4 Section	2933
Scale	1 inch = 200 feet
State ID	1N1E36BC 12000
Exhibit	B Jun 27, 2019

# OVERVIEW | TYPE III REVIEW BOUNDARY

- LEGEND**
- REQUIRED PUBLICLY ACCESSIBLE PARK OR PLAZA
  - ADDITIONAL PUBLICLY ACCESSIBLE OPEN SPACE
  - IMPROVED PUBLIC OPEN SPACE IN ROW
  - - - PHASE 1A TYPE III REVIEW BOUNDARY

LU REVIEW INCLUDES  
INTERIM & FINAL WOONERF

