



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

Dan Ryan, Commissioner
Rebecca Esau, Director
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www.portland.gov/bds

Date: January 5, 2022
To: Interested Person
From: Benjamin Nielsen, Land Use Services
503-865-6519 / Benjamin.Nielsen@portlandoregon.gov

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

CASE FILE: LU 21-100992 DZM AD
PC # 21-058331
Choice Cambria Hotel

REVIEW BY: Design Commission
WHEN: January 27, 2022 at 1:30 PM

REMOTE ACCESS: Design Commission Agenda
<https://www.portland.gov/bds/design-commission>

Due to the City's Emergency Response to COVID19, this land use hearing will be limited to remote participation via Zoom. Please refer to the instructions included with this notice to observe and participate remotely.

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/
Representative:** Gary Golla, SERA Design Architecture, LLC
338 NW 5th Ave, Portland, OR 97209
(503) 445-7372, garyg@seradesign.com

**Construction
Management:** Casey Gemunder, Choice Hotels International
1 Choice Hotels Circle, Rockville, MD 20850

Civil Engineer: Ellesse Desmarteau, Highside Development, LLC
4100 E Mississippi Ave, Denver, CO 80246

Civil Engineer: Martha Williamson, Vega Civil Engineering, LLC
1300 SE Stark St #207, Portland, OR 97214

**Owner on File
(135 NW Park Ave):** Smithco Properties Inc
230 NW 10th Ave, Portland, OR 97209

**Owner on File
(105 NW Park Ave):** Richard Hass
PO Box 64142, St Paul, MN 55164

Site Address: 105 & 135 NW PARK AVE

Legal Description: BLOCK 57 LOT 1&4, COUCHS ADD; BLOCK 57 LOT 5, COUCHS ADD;
BLOCK 57 LOT 8, COUCHS ADD

Tax Account No.: R180204970, R180204990, R180205010

State ID No.: 1N1E34CB 08600, 1N1E34CB 08700, 1N1E34CB 08800

Quarter Section: 3029

Neighborhood: Pearl District, contact planning@pearldistrict.org.

Business District: Downtown Retail Council, contact at info@portlandalliance.com & Pearl District Business Association, contact at info@explorethepearl.com

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

Plan District: Central City - Pearl District

Zoning: CXd – Central Commercial with Design Overlay

Case Type: DZM AD – Design Review with Modification and concurrent Adjustment Review

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 Design Review for a new, approximately 69-foot tall, six story hotel with 178 guest units. A large lobby/reception area and combined lounge/restaurant/bar area are found at the central portion of the ground floor facing NW Park Ave. A 1,700 square foot retail space at the ground floor anchors the corner of NW Park Ave and Couch St. A 1,400 square foot lobby lounge/multi-use room will be located at the corner of NW Park Ave and Davis St. The proposed building will be clad in two colors of brick on its street-facing elevations: a dark ebony color at the ground level and the full height of the recessed courtyard-façade and red brick at the upper stories of the north and south wing of the building. The west elevation will be clad with red colored stucco. A mechanical screen composed of cementitious panels will enclose the building's mechanical units on the roof. Two alternative window details are proposed at the upper stories: the first is a bullnose brick sill that projects 4" beyond the face of the brick, and the second is a pre-finished sheet metal window surround that projects 2" beyond the face of the brick.

The applicant requests one Modification to zoning code development standards:

1) 33.510.215.B.5, Required Building Lines, Standards for the Park Blocks.

- The applicant requests to provide an approximately 14'-6" deep setback in the middle of the block on the NW Park Ave frontage for approximately 49% of the block length (which equals 98'-0") instead of the required 75% block length (which equals 175'-0") and minimum 12'-0" deep setback. (Note that the current plans show a setback area of approximately 48.7% of the block length [or about 97'-3].)
- The applicant also requests to provide approximately 530 square feet of landscaped area, though drawings show only approximately 453.5 square feet of landscaped area, which is less than the 710.5 square feet that would be required for a setback

area as large as proposed. The standard requires a minimum of 50% of the setback area to be landscaped with ground cover and shrubs.

The applicant also requests one Adjustment to zoning code development standards:

- 1) 33.266.310.C, Number of loading spaces. The standard requires two Standard A loading spaces for a development with more than 50,000 square feet of net building area in uses other than Household Living. The applicant proposes to provide one Standard A loading space, with access from NW Davis St.

Design Review is required for proposed new development in the design overlay zones of the Central City Plan District. Adjustment Review is required for development that does not meet use-related zoning code standards. Modifications to site-related zoning code standards may be requested with Design Review in lieu of using the Adjustment Review process.

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 for the Design Review with Modification are:

- Central City Fundamental Design Guidelines
- River District Design Guidelines
- PZC 33.825.040, Modifications That Will Better Meet Design Review Requirements

The applicable approval criteria for the Adjustment Review are:

- PZC 33.805.040, [Adjustment] 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 October 28, 2021 and determined to be complete on December 6, 2021.

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. To comment, you may write or testify at the remote hearing. Please refer to the file number when seeking information or submitting testimony. In your comments, you must address the approval criteria as stated in the administrative report and decision which you previously received. Please note that all correspondence and testimony received will become part of the public record.

Written comments must be received by the close of the record and should include the case file number. Any new written testimony should be emailed to Benjamin Nielsen at Benjamin.Nielsen@portlandoregon.gov.

Please note regarding USPS mail: If you choose to mail written testimony via USPS, due to the Covid-19 Emergency, USPS mail is only received a couple times a week, and testimony must be received before the close of the record. Therefore, please mail testimony well in advance of the hearing date.

Thank you for any information you can provide regarding this case. Note: If you have already written, it is not necessary to write again; your correspondence will be given to the Design Commission.

If you plan to testify at the hearing, please refer to instructions included with this notice.

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) 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.

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

North Elevation

East Elevation

South Elevation

West Elevation