



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

Carmen Rubio, Commissioner
Rebecca Esau, Director
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www.portland.gov/bds

Date: March 17, 2023
To: Interested Person
From: Tim Heron, Land Use Services
503-823-7726 / Tim.Heron@portlandoregon.gov

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

CASE FILE: LU 23-004591 DZM
PC # 21-105637

REVIEW BY: Design Commission
WHEN: April 6, 2023 at 1:30 PM
REMOTE ACCESS: Design Commission Agenda
<https://www.portlandoregon.gov/bds/dcagenda>

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: Dave Otte, Holst Architecture, dotte@holstarc.com
123 NE 3rd Ave., #310
Portland, OR 97232

Owner: Tri-County Metro Trans Dist Of Oregon
4012 SE 17th Ave
Portland, OR 97202-3940

Owners Agent: Fiona Lyon, Trimet
1800 SW 1st Avenue, Suite 300
Portland OR 97201

Party of Interest: Masaye Hoshide, Portland Housing Bureau
1900 SW 4th Ave., Ste 7007
Portland, OR 97201

Developer: Sarah Schubert, Bridge Housing Corporation
1631 NE Broadway Pmb #153
Portland, OR 97232

Site Address: 4110 NE HALSEY ST

Legal Description: BLOCK 44 LOT 9-13, LAURELHURST
Tax Account No.: R479107630
State ID No.: 1N1E36AA 00100
Quarter Section: 2934

Neighborhood: Hollywood, contact Jo Schaefer at jaschaef@comcast.net
Business District: Hollywood Boosters, contact hollywoodboosters@gmail.com
District Coalition: Central Northeast Neighbors, contact Alison Stoll at alisons@cnncoalition.org

Plan District: Hollywood - Subdistrict A
Zoning: CM3d,m – Commercial-Mixed Use 3, design overlay, main street overlay

Case Type: DZM – Design Review [DZ] with Modification Considered Through Design Review [M]
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 approval for a new 12-story, 224-unit, 223,000 SF affordable housing project. Building amenities will include community rooms, meetings spaces, resident services, bike and vehicular parking. The project incorporates a central courtyard which will be adjacent to the TriMet developed paseo/market street and new stairs and ramp access to the Hollywood Transit Station and pedestrian bridge I84 overpass. Building materials include brick, metal panel, concrete and aluminum storefront windows.

Please note: The adjacent TriMet site for the pedestrian ramp and stair access to the Hollywood Transit Center and I84 pedestrian overpass is being processed as a separate Type 2 Design Review LU 23-003912 DZ. Please contact the Planner above if any questions for that project.

Resident parking and loading access [5 resident stalls and two Type Bs] are proposed from NE Halsey Street, adjacent to the existing Target retail store access.

Modification considered through Design Review

1. 33.130.225 Landscaped Areas. Request to reduce the minimum required 15% landscape area to 8%. Mitigation proposed includes additional seating areas, turf for year-round playground use, varied paving, and colors.

Because the proposal is for new development in the design overlay zone, Design Review is required.

Relevant Approval Criteria:

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

- [Portland Citywide Design Guidelines](#)
- [Modifications considered through Design Review \[PZC 33.825.040\]](#)

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 filed, provided that the application is

complete at the time of filing, or complete within 180 days. This application was filed on January 13, 2023 and determined to be complete on **February 16, 2023**.

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 at <http://www.portlandoregon.gov/bds/35625>. Land use review notices are listed on the website by the District Coalition in which the site is located; the District Coalition for this site is identified at the beginning of this notice. 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 City's website at <http://www.portlandoregon.gov>.

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 Tim Heron at Tim.Heron@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, First Floor Plan, Enlarged Plaza Plan, Elevation, Rendering