

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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: January 7, 2013 To: Interested Person

Mark Bello, Land Use Services From:

503-823-7810 / Mark.Bello@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 January 28, 2013. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 12-156429 DZM, in your letter. It also is helpful to address your letter to me, Mark Bello.

## CASE FILE NUMBER: LU 12-156429 DZM MARINE DRIVE APARTMENTS

Applicant: Carl Pirscher

CDA + Pirscher Architects

PO Box 55429, 20011 Ballinger Way NE, Ste 200

Shoreline, Wa 98155

Michael Chiu 373 1st St

Los Altos, Ca 94022-3656

Site Address: NE Marine Drive at N Anchor Way

TL 1600 0.20 ACRES, SECTION 03 1N 1E; TL 1200 0.29 ACRES, Legal Description:

> SECTION 03 1N 1E; TL 1500 0.15 ACRES, SECTION 03 1N 1E; TL 1300 0.24 ACRES, SECTION 03 1N 1E; TL 1400 0.23 ACRES,

SECTION 03 1N 1E

Tax Account No.: R941030510, R941030810, R941031470, R941031480, R941031490 State ID No.:

1N1E03BA 01600, 1N1E03BA 01200, 1N1E03BA 01500, 1N1E03BA

01300, 1N1E03BA 01400

Quarter Section: 1929

Neighborhood: Bridgeton, contact Karen Kane at 503-680-0691.

**Business District:** Columbia Corridor Association, contact Peter Livingston at 503-796-

**District Coalition:** North Portland Neighborhood Services, contact Mary Jaron Kelley at

503-823-4099.

**Zoning:** CMdhx Mixed Commercial zoning with design, Aircraft Landing

and Airport Noise Impact overlay zones

**Case Type:** DZM Design Review with Modification

**Procedure:** Type II, an administrative decision with appeal to the Design

Commission.

**Proposal:** Applicant proposes to construct Marine View Apartments, a 97,578 sq. ft. four story structure, three stories wood frame construction over a podium ground level. The Marine View Apartments will be a mixed use project including 60 units, six retail or live/work units, and 98 parking spaces. The project will be accessed from N. Anchor Way (ingress only) and N.Harbour Drive (ingress/egress).

The applicant has requested a modification to exceed the height limit of 45 ft. The proposed height is 51 ft. to the top of the circular corner tower, excluding the lantern. Note that the height to the parapet of the fourth floor is 43 ft. and to the curved roof above is 48 ft.

Because the project is in a design zone, design review is required. Because the project exceeds the maximum height limit, a modification 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:

Community Design Guidelines

**33.825.040** Modifications

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 29, 2012 and determined to be complete on **December 24, 2012**.

#### **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.
- 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.

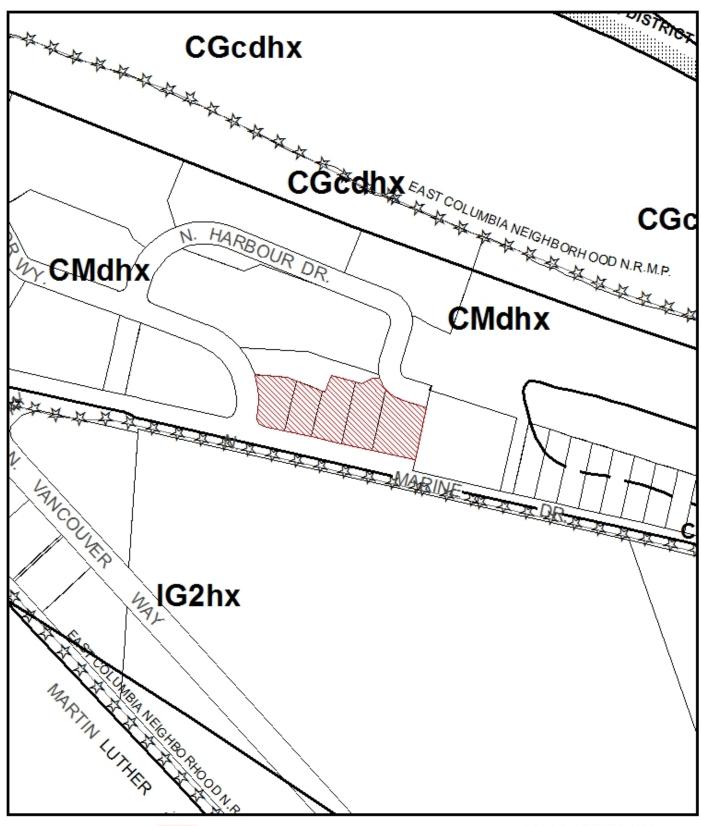
#### APPEAL OF THE FINAL CITY DECISION

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 Plan (A1.3) South Elevation, Partial West Elevation, East Elevation (A-5.1) North Elevation (A-5.2)



ZONING

Site

File No. LU 12-156429 DZ

1/4 Section 1929

Scale 1 inch = 200 feet

State\_Id 1N1E03BA 1400

Exhibit B (Jul 02,2012)



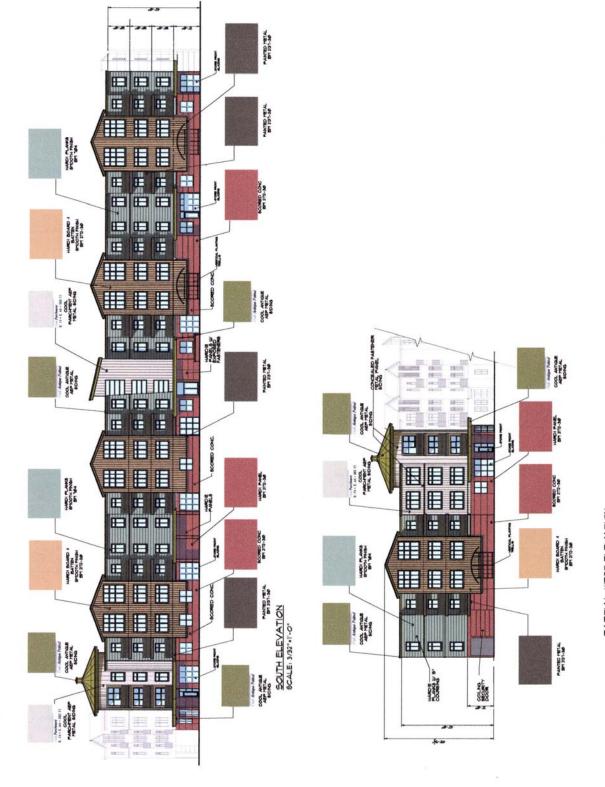




(R) SITE PLAN SCALE: 1" . 20'-0"

A-5.

TO OFFICE



PARTIAL MEST ELEVATION SCALE: 3/32"+1"-0"

