

IMPACT STATEMENT

Legislation title: Appeal of residents of the 937 Condos against the noise variance granted to Bremik Construction to conduct six day-long concrete pours with early morning set up for the hotel construction project located at 485 NW 9th Avenue

Contact name: Toni Anderson

Contact phone: 503-823-4022

Presenter name: Paul Van Orden

Purpose of proposed legislation and background information:

The purpose of this Council item is to provide the appellants, residents of 937 Condos the opportunity to appeal the City's Noise Control Officer's Noise Variance/Permit #3889851-001 granted to Bremik Construction for the hotel construction project at the corner of NW Glisan Street and NW 9th Avenue.

Appeals to City Council of variance decisions may be submitted by the "applicant, their legal representative, any affected neighborhood association or any person who has submitted oral or written testimony on the application" per Portland City Code Subsection 18.14.020 I.1.

Per Code Subsection 18.14.020 I.1., the Auditor upon receipt of an appeal shall place the matter on the agenda.

Financial and budgetary impacts:

This Council item will not generate or reduce current or future revenue coming to the City. There are no costs to the City as a result of the Council item

Community impacts and community involvement:

Public notification of the Bremik Construction's noise variance application was required per the Noise Control Officer's decision. No future public involvement is anticipated or considered necessary for this Council item. After the City Council has made its decision on this appeal, there is no further opportunity for public involvement at the City level.

Budgetary Impact Worksheet

Does this action change appropriations?

YES: Please complete the information below.

NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

APRIL 19, 2017 - 3:30 PM Time Certain

Residents of the 937 Condos against Noise Variance granted to Bremik Construction to conduct six day-long concrete pours with early morning set up for the hotel construction project located at 485 NW 9th Avenue

Staff Report	10 minutes (or as needed)
Appellant <ul style="list-style-type: none">• David Mitchell (937 Condos) & Mary Sipe (Livability & Safety Committee – Pearl District N.A.)	10 minutes
Supporters of Appellant – David Mitchell/937 Condos (from Clerk’s sign-up sheets)	2 minutes each
Principal Opponent of the Appeal (Noise Control Officer)	15 minutes
Other Opponents of the Appeal (Supporters of the Noise Control Officer from the Clerk’s sign-up sheets)	2 minutes each
Appellant Rebuttal <ul style="list-style-type: none">• David Mitchell/937 Condos	5 minutes
Council Discussion as needed	