

## IMPACT STATEMENT

**Legislation title:** Consider appeal by Leonard Gionet, Yvonne Meekcoms, and Mary Henry De Tesson represented by Carrie Richter, against the Design Commission's decision to approve, with conditions, the Alamo Manhattan 4-block development in the South Waterfront Sub-District of the Central City Plan District (Hearing; LU 20-102914 DZM AD GW)

**Contact name:** Staci Monroe, City Planner, BDS Land Use Services

**Contact phone:** 503.823.0624

**Presenters names and contact information:**

- Staci Monroe (BDS Senior Planner): [staci.monroe@portlandoregon.gov](mailto:staci.monroe@portlandoregon.gov)
- Morgan Steele (BDS Planner): [Morgan.Steele@portlandoregon.gov](mailto:Morgan.Steele@portlandoregon.gov)
- Matt Segrest (Applicant): [matt.segrest@alamomanhattan.com](mailto:matt.segrest@alamomanhattan.com)
- Dana Krawczuk (Applicant's representative): [dana.krawczuk@stoel.com](mailto:dana.krawczuk@stoel.com)
- Carrie Richter (Appellant's representative): [crichter@batemanseidel.com](mailto:crichter@batemanseidel.com)

**Purpose of proposed legislation and background information:**

This is an appeal of a Type III Land Use Review decision (a quasi-judicial action). Title 33, Zoning Code Section 33.730.030 G provides that Type III Land Use Review decisions may be appealed to City Council. The Design Commission decision for the proposed development (*Alamo Manhattan Blocks*) was appealed by the *Carrie Richter representing Leonard Gionet, Yvonne Meekcoms, and Mary Henry De Tesson*.

**Financial and budgetary impacts:**

This is an appeal of a Type III quasi-judicial land use review (not legislation). The City Council decision on this matter will not have financial or budgetary impacts on the City.

Generally, Land Use Reviews are fee supported. In this case, the appeal fee was not waived because the appellant is not a Recognized Organization as defined by 33.910. City costs associated with this appeal are for staff time to process the appeal.

**Community impacts and community involvement:**

The notification procedures for this Type III land use application followed the public involvement requirements contained within the Portland Zoning Code, as reviewed and adopted by the Portland City Council.

For Type III Land Use Reviews, the Zoning Code requires public notice be mailed to recognized neighborhood and business associations that are within 1,000 feet of the site. For this site, the South Portland Neighborhood Association, South Portland Business Association, Southwest Neighborhoods Inc. District Coalition, Brooklyn Action Corps, Greater Brooklyn Business Association and Southeast Uplift District Coalition received notice. In addition, all property owners within the 400 feet of the site were mailed notice of the public hearing and the site was posted with notice boards. City Bureaus were also mailed notice. Interested persons were encouraged to write and/or testify at the public hearing conducted before the Design Commission.

A number of comments were received from the public, including those affiliated with the appellant (*Carrie Richter representing Leonard Gionet, Yvonne Meekoms, and Mary Henry De Tessian.ID*), and were submitted to the Design Commission as both oral and written testimony during the review process. The initial hearing before the Design Commission took place on March 5, 2020 (staff recommended denial), second hearing was on March 12, 2020 (staff recommended denial), third hearing on June 11, 2020 (staff recommended approval with conditions) which at the conclusion of the hearing the record was requested to be held open (by a representative of the Portland Audobon). A closed record hearing was held on July 2, 2020 for a final procedural vote by the Design Commission.

The City Council decision on this appeal will be the final decision of the City, per Zoning Code Section 33.730.030.H.9. However, the City Council's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA).

### **Budgetary Impact Worksheet**

**Does this action change appropriations?**

☐ **YES:** Please complete the information below.

☒ **NO:** Skip this section

<b>Fund</b>	<b>Fund Center</b>	<b>Commitment Item</b>	<b>Functional Area</b>	<b>Funded Program</b>	<b>Grant</b>	<b>Sponsored Program</b>	<b>Amount</b>