

IMPACT STATEMENT

Legislation title: Appeal of the *Hyatt Place* development by the *Pearl Neighbors for Integrity of Design (PNID)*. The proposal is located on a quarter block site within the Pearl Sub-District of the Central City Plan District. The proposed 250' tall, 23-story mixed use building includes 160 hotel rooms and 113 dwelling units.

Contact name: Arthur Graves, City Planner, BDS Land Use Services

Contact phone: 503.823.7803

Presenters names and contact information:

- Arthur Graves (BDS Planner): arthur.graves@portlandoregon.gov
- Tim Heron (BDS Senior Planner): tim.heron@portlandoregon.gov
- Teresa Montalvo: (PBOT Supervisor II):
teresa.montalvo@portlandoregon.gov
- Fabio De Freitas (PBOT Senior Planner): fabio.defreitas@portlandoregon.gov
- Li Alligood (Applicant): li.alligood@otak.com
- Carrie Richter (Appellant's representative): 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 (*Hyatt Place*) was appealed by the *PNID*.

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 Pearl District Neighborhood Association, Pearl District Business Association and Neighbors West/Northwest 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 (*PNID*), 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 July 18, 2019 (staff recommended denial), the second hearing was on November 21, 2019 (staff recommended

approval), at the conclusion of the hearing the record was requested to be held open (by the attorney for the PNID), a closed record hearing was held on January 09, 2020, the closed record hearing was held open until January 16, 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

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