

Portland, Oregon  
**FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT**  
**For Council Action Items**

(Deliver original to City Budget Office. Retain copy.)

1. Name of Initiator Mark Walhood, City Planner		2. Telephone No. 503.823.7806	3. Bureau/Office/Dept. BDS, Land Use Services
4a. To be filed (hearing date):  June 12, 2013, 3:00 TC	4b. Calendar (Check One)  <div style="display: flex; justify-content: space-around;"> <span>Regular <input checked="" type="checkbox"/></span> <span>Consent <input type="checkbox"/></span> <span>4/5ths <input type="checkbox"/></span> </div>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: May 31, 2013
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

**1) Legislation Title:**

This is an appeal of a quasi-judicial action. There is no legislation involved.

**2) Purpose of the Proposed Legislation:**

There is no legislation involved.

This is an appeal of the Portland Design Commission's conditional approval of a land use review for the Riverscape Apartments project (case file # LU 12-212602 DZM GW AD). As a Type III land use review, the appeal path leads from Design Commission to the City Council, as outlined in Chapter 33.730 of the Portland Zoning Code.

The Design Commission decision of conditional approval has been appealed by the Northwest District Association (NWDA), represented by John Bradley, Chair of the NWDA Planning Committee.

**3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?**

- |   |                                    |   |                                |
|---|------------------------------------|---|--------------------------------|
| <input type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input checked="" type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast  | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest            | <input type="checkbox"/> East  |
| <input type="checkbox"/> Central City       |                                    |   |                                |

**FINANCIAL IMPACT**

**4) Revenue:** Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

This is not legislative action, but rather an appeal of a (quasi-judicial) land use review. There are

no revenue impacts to the City.

**5) Expense:** What are the costs to the City as a result of this legislation? What is the source of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the level of confidence.)*  
*No costs to the City as a result of this quasi-judicial action.*

This is not a legislative action, but rather an appeal of a (quasi-judicial) land use review. There are no costs to the City or necessary sources of funding.

**6) Staffing Requirements:**

- Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)* No.

- Will positions be created or eliminated in future years as a result of this legislation?

No.

*(Complete the following section only if an amendment to the budget is proposed.)*

**7) Change in Appropriations** *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount
							N/A

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

## PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

☒ YES: Please proceed to Question #9.

☐ NO: Please, explain why below; and proceed to Question #10.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

Community impacts from this appeal hearing are related to the design, function and appearance of a proposed four-building apartment complex in Northwest Portland. The appellants, the Northwest District Association, has requested that the proposal be modified according to the points raised in their appeal letter. If the appeal is denied the apartment project can proceed to building permit review based on the design as approved by the Portland Design Commission. If the appeal is upheld and the project is denied, the proposal would have to start over with another land use review application in order to proceed.

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

Standard land use review notification procedures were followed, per Zoning Code requirements. This includes mailed notification to city agency reviewers, media organizations and other interested parties on the mailing list, ONI-recognized organizations within 1,000 feet of the site, and all property owners within 400 feet of the site. The site was also posted with eight posting boards summarizing the proposal and identifying the hearing time and location and city staff contact information.

c) How did public involvement shape the outcome of this Council item?

Neighbors have been notified and invited to attend and participate in the appeal hearing. The NWDA, per BDS fee policy for appeals of land use reviews, was allowed a free appeal on this item to allow public discussion of neighborhood concerns before the City Council, as they held a vote to appeal in accordance with their bylaws.

d) Who designed and implemented the public involvement related to this Council item?

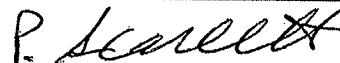
Staff followed required all public notification requirements for this land use review and appeal hearing, as provided for in the Portland Zoning Code, Chapter 33.730.

**e) Primary contact for more information on this public involvement process (name, title, phone, email):**

Mark Walhood, City Planner II, 503.823.7806, mark.walhood@portlandoregon.gov

**10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.**

No. Notification requirements for appeal hearing have been met, and individuals have the right to testify at the appeal hearing.



Paul L. Scarlett, Director, Bureau of Development Services

APPROPRIATION UNIT HEAD (Typed name and signature)

## LU 12-212602 DZM GW AD RIVERSCAPE APARTMENTS

### COUNCIL MOTIONS:

- 6-12-2013    **Motion to tentatively uphold Design Commission's decision and deny the appeal. Prepare findings for July 3, 2013 at 9:30 a.m. Time Certain:** Moved by Fish and seconded by Saltzman.

Council Voted as follows:

Yea: Fritz, Fish, Saltzman, Novick, Hales

- 7-3-2013    **Motion to deny the appeal and uphold the Design Commission's decision; approve the findings:** Moved by Fritz and seconded by Fish.

Council Voted as follows:

Yea: Fritz, Fish, Saltzman, Novick, Hales