

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

1. Name of Initiator Sylvia Cate		2. Telephone No. 503 823 7771	3. Bureau/Office/Dept. BDS/Land Use Services
4a. To be filed (hearing date): November 21, 2013, 2:00 TC	4b. Calendar (Check One) Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: November 21, 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:

The request is not for a legislative action, but instead is a Type III Quasi-Judicial Comprehensive Plan Map amendment from Industrial Sanctuary to Central Employment, and current Zoning Map Amendment from R5a to R2.5.

2) Purpose of the Proposed Legislation:

The request is not for a legislative action, but instead is a Type III Quasi-Judicial Comprehensive Plan Map amendment to change the current designation and zoning on the site from High Density Single Dwelling Residential [designation] and R5a [zoning] with Alternative Design Density overlay zone to AR, Attached Residential [designation] and R2.5, [zoning]. Legislative Procedures described in Zoning Code Chapter 33.740 are handled by the Bureau of Planning & Sustainability. Quasi-Judicial Procedures described in Zoning Code Chapter 33.730, commonly known as "Land Use Reviews" are handled by the Bureau of Development Services. Quasi-judicial procedures specifically describe the City Council as the decision-maker for Type III Comprehensive Plan Map Amendment and concurrent review requests, per 33.730.030.E.3.

In this case, the Land Use Review includes a Comprehensive Plan Map Amendment and Zoning Map Amendment. The Hearings Officer has submitted a recommendation of approval. Staff will be presenting the Hearings Officer's recommendation at the hearing.

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 checked="" type="checkbox"/> XX Northeast | <input 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.

There is no impact on current or future revenue as a result of this legislation.

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.)*

This is not a legislative action. There are no costs to the City associated with this Quasi-Judicial land use review. The City resources necessary to review the Comprehensive Plan Map Amendment and Zoning Map Amendment are fully covered by the land use review fees paid by the applicant.

6) Staffing Requirements:

This is not a legislative action, and so there are no staffing “requirements”. No positions will be created, eliminated or reclassified as a result of this quasi-judicial land use review.

Staff/responsibilities involved in processing Land Use Reviews include: The assigned Planner(s) from BDS/Land Use Services (LUS) Division, Records Management staff from LUS, supervisory oversight, staff from PBOT, BES, BPS and potentially other city agencies who have been involved in this land use review.

- **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.)

None.

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

[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?

The impacts from this proposal are what the Comprehensive Plan Map and Zoning Map Amendment will allow, as considered in this review. Staff and the Hearings Officer have analyzed the anticipated impacts. The Hearings Officer's recommendation speaks to these under the applicable approval criteria. In summary, the Hearings Officer found the requested amendment was, on balance, equally or more supportive of the relevant Comprehensive Plan goals and policies than the existing designation on the site. The Hearings Officer found the request will have no impacts to public services.

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?

The Zoning Code requires for a Type III Land Use Review that public notice be mailed to property owners within 400 feet of the subject site and that the site be posted for a minimum of 30 days prior to the first hearing before the Hearings Officer. The notice also goes to the neighborhood association and any city-recognized business associations. Notice of the City Council hearing was also mailed to all the individuals and organizations described above. Hearings are also posted on the BDS website. There are no other public involvement efforts on the part of city staff.

c) How did public involvement shape the outcome of this Council item? Interested persons were encouraged to write and/or testify at the first public hearing conducted before the Hearings Officer. Public input is also welcome at the hearing before City Council.

d) Who designed and implemented the public involvement related to this Council item? City Council adopted the procedures outlined in the Zoning Code. The Bureau of Development Services implements these land use review procedures.

e) Primary contact for more information on this public involvement process (name, title, phone, email): Sylvia Cate, Senior Planner is the assigned planner for this quasi-

judicial land use review. Staff prepared the public notices used for mailing and posting. Sylvia's phone is 503-823-7771, her e-mail address is: sylvia.cate@portlandoregon.gov. However, these procedural activities are not a public involvement process per se.

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

No. Once City Council conducts the hearing and makes their decision, the official maps will be changed, if approved. If the City Council decision is appealed it will be heard by the State Land Use Board of Appeals (LUBA). Public involvement is not a component of the review done by the higher review bodies.



Paul L. Scarlett, Director, Bureau of Development Services

APPROPRIATION UNIT HEAD (Typed name and signature)



City of Portland, Oregon
Bureau of Development Services
Office of the Director

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
 Paul L. Scarlett, Director
 Phone: (503) 823-7308
 Fax: (503) 823-7250
 TTY: (503) 823-6868
www.portlandoregon.gov/bds

MEMORANDUM

November 21, 2013

TO: Mayor Charlie Hales
 Commissioner Nick Fish
 Commissioner Amanda Fritz
 Commissioner Steve Novick
 Commissioner Dan Saltzman

FROM: Paul L. Scarlett, Director
 Bureau of Development Services

PLS

RE: City Council hearing on LU 13-115249 CP ZC

The purpose of this memorandum is to transmit the adopting Ordinances, Financial Impact Statement and a brief description of the land use review that will be presented to you in public hearing on November 21, 2013 at 2:00 pm.

Site Address: 3607, 3617, 3623 and 3637 NE 14TH AVE

BDS Representatives: Sylvia Cate (Senior City Planner)

1. **Land Use Reviews Requested:** Comprehensive Plan Map Amendment and Zoning Map Amendment from the High Density Single Dwelling Residential designation and R5a zone to the Attached Residential designation and the R2.5 zone.
2. **Key Elements of Proposal:**

The applicants, Firenze Development LLC et al, has requested to change the map designation and zoning on four residential lots along NE 14th Avenue just north of NE Fremont Street. The intention is to redevelop two of the lots, which are currently vacant, in the near future with attached residential units. The remaining two lots are anticipated to redevelop sometime in the future.
3. **Staff and Hearings Officer Recommendation:** The Staff Report to the Hearings Officer and the Hearings Officer's recommendation to City Council is to approve the request, with conditions.
4. **Requested Council Action:** Accept the Hearings Officer's recommendation.

Emailed:SYLVIA CATE,L REES,K
BEAUMONT,YVONNE POELWIJK,D MORGAN,K
KRUEGER,DAWN KRANTZ,ROBERT
HALEY,CHAR SHARKEY,DAWN
UCHIYAMA,ELISABETH REESE
CADIGAN,BPS-GIS,MARI MOORE,HEARINGS
OFF CLERKS

BRUCE VINCENT
BEDSAUL/VINCENT CONSULTING
LLC
416 LAUREL AVE #3
TILLAMOOK OR 97141

PETER KUSYK
FIRENZE DEVELOPMENT INC
7110 SW OLD WILSONVILLE RD
WILSONVILLE OR 97070

DAWN M MEANEY
4745 CALAROGA DR
WEST LINN OR 97068

KEVIN PALMER
3623 NE 14TH AVE
PORTLAND OR 97212-2258

YVONNE POELWIJK
BUREAU OF DEVELOPMENT
SERVICES
1900 SW 4TH AVE STE 5000
PORTLAND OR 97204

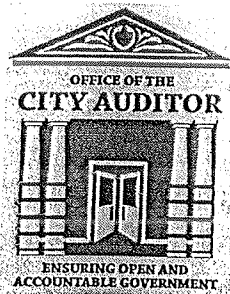
TEAM OREGONIAN
1320 SW BROADWAY
PORTLAND OR 97201

HELEN SHERMAN
3634 NE 13TH AVE
PORTLAND OR 97212

JANET WALKER
3702 NE 14TH AVE
PORTLAND OR 97212

RACHEL LEE
SABIN COMMUNITY ASSOC
C/O NE COALITION OF
NEIGHBORHOODS
4815 NE 7TH AVE
PORTLAND OR 97211

LU 13-115249 CP ZC
ORDER MAILED: 12/02/13



CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

1221 S.W. 4th Avenue, Room 130, Portland, Oregon 97204

phone: (503) 823-4086

web: www.portlandonline.com/auditor/

Email: Karla.Moore-Love@portlandoregon.gov

Phone: (503) 823-4086 Fax: (503) 823-4571



December 2, 2013

Bruce Vincent, Main Contact
Bedsaul/Vincent Consulting, LLC
416 Laurel Ave #3
Tillamook, OR 97141

RE CASE FILE: LU 13-115249 CP ZC

Consider the proposal of Firenze Development Inc. et al, and the recommendation from the Hearings Officer for approval to change the Comprehensive Plan Map designation from High Density Single Dwelling to Attached Residential and the Zoning Map designation from R5a to R2.5 for property located in the vicinity of NE 14th Ave and NE Fremont St (Hearing; LU 13-115249 CP ZC)

Dear Applicant:

On November 27, 2013, at approximately 9:30 a.m., at a regularly scheduled meeting in Council Chambers, the Council voted 5-0 and passed Ordinance No.186358.

This Ordinance must to be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. Please send a check to this office for \$46.00 payable to the Multnomah County Recorder, indicating the file number on your check.

Yours sincerely,

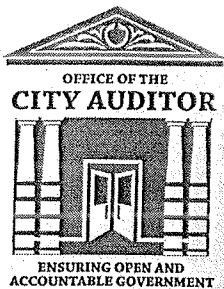
LaVonne Griffin-Valade
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Enc.

cc: Peter Kusyk, Lead Applicant
Dawn M Meaney
Kevin Palmer



CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

1221 S.W. 4th Avenue, Room 130, Portland, Oregon 97204

phone: (503) 823-4086

web: www.portlandonline.com/auditor/

Email: Karla.Moore-Love@portlandoregon.gov

Phone: (503) 823-4086 Fax: (503) 823-4571



December 2, 2013

NOTICE OF DECISION

RE CASE FILE: LU 13- 115249 CP ZC

Consider the proposal of Firenze Development Inc. et al, and the recommendation from the Hearings Officer for approval to change the Comprehensive Plan Map designation from High Density Single Dwelling to Attached Residential and the Zoning Map designation from R5a to R2.5 for property located in the vicinity of NE 14th Ave and NE Fremont St (Hearing; LU 13-115249 CP ZC)

To Whom It May Concern:

On November 27, 2013, at approximately 9:30 a.m., at a regularly scheduled meeting in Council Chambers, the Council voted 5-0 and passed Ordinance No.186358.

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. The Board's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call the Land Use Board of Appeals at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

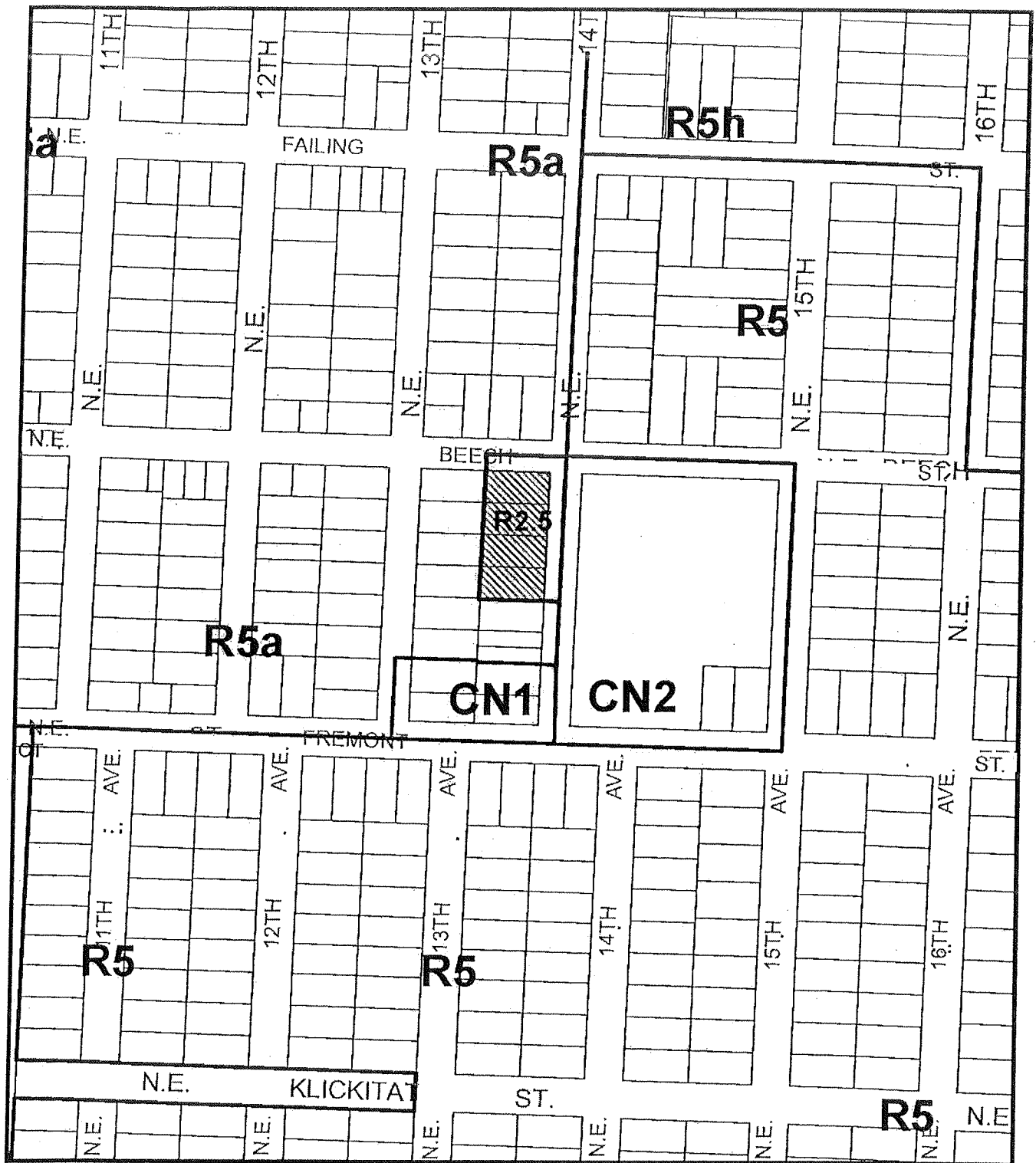
Yours sincerely,

LaVonne Griffin-Valade
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Enc.



ZONING PROPOSED



File No.	LU 13-115249 CP,ZC
1/4 Section	2631
Scale	1 inch = 200 feet
State_Id	1N1E23CD 19400
Exhibit	B2 (Mar 26, 2013)