

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

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

1. Name of Initiator Kathleen Stokes		2. Telephone No. 503 823 7743	3. Bureau/Office/Dept. BDS/Land Use Services
4a. To be filed (hearing date): October 15, 2014, 2:00 TC	4b. Calendar (Check One) Regular Consent 4/5ths <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: October 15, 2014
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 Single-Dwelling Attached Residential to Medium Density Multi-Dwelling Residential, and current Zoning Map Amendment from R2.5 to R1.

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 Attached Single-Dwelling Residential [designation] and R2.5 [zoning] to Medium Density Multi-Dwelling Residential [designation] and R1, [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 type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input checked="" 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.

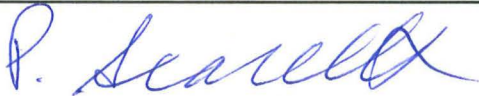
d) Who designed and implemented the public involvement related to this Council item? City Council adopted the procedures outlined in the Zoning Code. The Bureau of Development Services implements these land use review procedures.

e) Primary contact for more information on this public involvement process (name, title, phone, email): Kathleen Stokes, City Planner II, is the assigned planner for this quasi-judicial land use review. Staff prepared the public notices used for mailing and posting. Kathleen’s phone is 503-823-7743, her e-mail address is:

kathleen.stokes@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
Land Use Services

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Portland, Oregon 97201
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www.portlandonline.com/bds

To: City Council

From: Kathleen Stokes, City Planner II, BDS

Date: November 4, 2014

Re: Reschedule Items 1137 & 1138 Adoption of City Council Findings for
LU 13- 173075 CPZC

1137	TIME CERTAIN: 10:15 AM – Consider the proposal of Robert Cushman for William Allen LLC, et al, and the recommendation from the Hearings Officer for approval, to change the Comprehensive Plan Map designation from Attached Residential to Medium Density Multi-Dwelling and the Zoning Map designation from R2.5 to R1 for property located at 3322 SE Cesar E. Chavez Blvd (Introduced by Commissioner Fritz; Previous Agenda 1086; Findings; LU 13-173075 CP ZC) 10 minutes requested for items 1137 and 1138	
1138	Amend the Comprehensive Plan Map designation and change zoning of property at 3322 SE Cesar E. Chavez Blvd, at the request of Robert Cushman, for William Allen LLC, Lead Applicant; and owned by Jeffrey Evershed (Introduced by Commissioner Fritz; Second Reading 1087; LU 13-173075 CP ZC)	

I have been working with City Attorney, Kathryn Beaumont, to prepare revised findings for City Council to adopt for this case. We find that we need to have some additional time to allow the appropriate amount of care that these revisions require. Therefore, we are requesting that the time for the adoption of the findings be postponed and that the matter be rescheduled for 11:00 a.m. on Wednesday, November 12, 2014. Thank you very much for your cooperation and assistance in this matter.

cc: Kathryn Beaumont, Application Case File



City of Portland, Oregon
Bureau of Development Services
Office of the Director
FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
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MEMORANDUM

October 15, 2014

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

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

RE: City Council hearing on LU 13-173075 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 October 15, 2014 at 2:00 pm.

Site Address: 3322 SE CESAR E. CHAVEZ BLVD

BDS Representatives: Kathleen Stokes (City Planner II)

1. **Land Use Reviews Requested:** Comprehensive Plan Map Amendment and Zoning Map Amendment from the Attached Residential designation and the R2.5 zone to the Medium Density Multi-Dwelling Residential designation and R1 zone.

2. **Key Elements of Proposal:**

The applicants, Robert Cushman, for William Allen LLC et al, have requested to change the map designation and zoning for this 19,575 square-foot residential property. The intention is to demolish the existing single-dwelling residence and redevelop the site with the allowed R1 density of 19 units.

3. **Staff and Hearings Officer Recommendation:** The Staff Report to the Hearings Officer was to approve the request, with conditions. The Hearings Officer's recommendation to City Council is to approve the request, but without requiring any conditions.

4. **Requested Council Action:** Accept the Hearings Officer's recommendation.

ORDINANCE No. WITHDRAWN FROM CONSIDERATION

Amend the Comprehensive Plan Map designation and change zoning of property at 3322 SE Cesar E. Chavez Blvd, at the request of Robert Cushman, for William Allen LLC, Lead Applicant; and owned by Jeffrey Evershed (Ordinance; LU 13-173075 CP ZC)

The City of Portland ordains:

Section 1. Council finds:

1. The Applicant seeks, for the property at 3322 SE CESAR E. CHAVEZ BLVD, the following:
 - a. a Comprehensive Plan Map Amendment from Attached Residential to Medium Density Multi-Dwelling for the property identified as State ID No. 1S1E12AD 07600, legally described as TL 7600 0.45 ACRES, SECTION 12 1S1E, as recorded in Multnomah County (hereinafter referred to as the "Property"); and
 - b. a Zoning Map Amendment from R2.5 to R1 for the Property; and
2. An application complying with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland seeking amendment of the Comprehensive Plan Map and Zoning Map has been received with the proper fee for filing paid.
3. The Hearings Officer held a duly noticed public hearing on August 4, 2014, and a Recommendation was issued on August 29, 2014, (BDS File No. LU 13-173075 CP ZC). The Hearings Officer recommended approval of the requested Comprehensive Plan Map Amendment and Zoning Map Amendment.
4. The requested Comprehensive Plan Map Amendment and Zoning Map Amendment, based on the findings contained in the Recommendation of the Hearings Officer, are found to be in conformance with the Comprehensive Plan Map and relevant Title 33 approval criteria.

NOW THEREFORE, the Council directs:

- a. City Council adopts the facts, findings, conclusions and recommendations of the Hearings Officer in BDS File No. LU 13-173075 CP ZC.
- b. The Comprehensive Plan Map Amendment and Zoning Map Amendment for the Property legally described as TL 7600 0.45 ACRES, SECTION 12 1S1E, as recorded in Multnomah County, are approved as follows:

1. A Comprehensive Plan Map Amendment from Attached Residential to Medium Density Multi-Dwelling Residential for the Property.
2. Zoning Map Amendment from R2.5 to R1 for the Property.

Passed by the Council:

Commissioner Amanda Fritz
Prepared by: Kathleen Stokes, BDS
Date Prepared: October 15, 2014

LaVonne Griffin-Valade
Auditor of the City of Portland
By

Deputy

1087 1138 1166

Agenda No.
ORDINANCE NO.
Title

Amend the Comprehensive Plan Map designation and change zoning of property at 3322 SE Cesar E. Chavez Blvd, at the request of Robert Cushman, for William Allen LLC, Lead Applicant; and owned by Jeffrey Evershed (Ordinance; LU 13-173075 CP ZC)

INTRODUCED BY Commissioner/Auditor: Commissioner Amanda Fritz	CLERK USE: DATE FILED <u>OCT 09 2014</u>
COMMISSIONER APPROVAL	LaVonne Griffin-Valade Auditor of the City of Portland
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz <i>T. Bigham</i>	By: <i>[Signature]</i>
Position 2/Works - Fish	Deputy
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL	ACTION TAKEN:
Bureau: Paul L. Scarlett Bureau Head: Director, Bureau of Development Services <i>[Signature]</i>	OCT 15 2014 CONTINUED TO NOV 05 2014 10:15 AM TIME CERTAIN
Prepared by: Leanne Torgerson Date Prepared: 10/2/2014	NOV 05 2014 <i>Rescheduled to</i> NOV 12 2014 11:00 AM TIME CERTAIN
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	NOV 12 2014 WITHDRAWN FROM CONSIDERATION
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date 10/15/14, 2:00 TC	
City Attorney Approval <i>Ksbeaumont</i>	

AGENDA 2 of 2
TIME CERTAIN <input checked="" type="checkbox"/> Start time: <u>2:00 p.m.</u> Total amount of time needed: <u>60 minutes</u> (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz	
2. Fish	2. Fish	
3. Saltzman	3. Saltzman	
4. Novick	4. Novick	
Hales	Haless	