

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

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

1. Name of Initiator Sheila Frugoli		2. Telephone No. 503-823-7817	3. Bureau/Office/Dept. BDS/Land Use Services
4a. To be filed (hearing date): October 1, 2014 2:00 PM TC	4b. Calendar (Check One) <div style="display: flex; justify-content: space-around;"> Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/> </div>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: September 12, 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 High Density Multi-Dwelling to Central Commercial, and a Zoning Map Amendment from RH, High Density Multi-Dwelling Residential to CX, Central Commercial.

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 from High Density Multi-Dwelling to Central Commercial, and a Zoning Map Amendment from RH, High Density Multi-Dwelling Residential to CX, Central Commercial for property located in the vicinity of SW 20th and 19th Avenues and SW Main and Madison Streets. 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, 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 type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input checked="" 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 a legislative action, but rather a Type III quasi-judicial land use review to change the Comprehensive Plan Map and Zoning Map designations on the site. The request comes from the property-owner of the subject site. As such, this request has no impact on generating or reducing revenue coming 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.)***

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; LUS supervisory oversight; staff from Portland Bureau of Transportation, Bureau of Environmental Services, the Water Bureau 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?

Any impacts associated with the requested Comprehensive Plan Map and Zoning Map Amendments are identified in the Hearings Officers recommendation on this land use review, which was forwarded to the City Council (LU 14-105474 CP ZC). 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 Comprehensive Plan Map 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 for a Zoning Map Amendment, with conditions, 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):

Sheila Frugoli, Senior Planner
503-823-7817
Sheila.Frugoli@portlandoregon.gov

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)

REFERRED TO COMMISSIONER OF
PUBLIC UTILITIES

ORDINANCE No.

Amend the Comprehensive Plan Map designation and amend the Zoning Map for property in the vicinity of SW 20th and 19th Avenues and SW Main and Madison Streets at the request of Sam Rodriguez, Mill Creek Residential Trust, LLC (Ordinance; LU 14-105474 CP ZC).

The City of Portland ordains:

Section 1. Council finds:

1. The Applicant seeks, for property at a vacant city block—Block 7 , bounded by SW 20th and 19th Avenues and SW Main and Madison Streets, the following:
 - a. Comprehensive Plan Map Amendment from High Density Multi-Dwelling to Central Commercial for the property identified as State ID No. 1N1E33CD 09300, 1N1E33CD 09400, 1S1E04BA 01800, 1S1E04BA 01900, 1S1E04BA 01700, 1S1E04BA 01600, 1S1E04BA 01500, 1S1E04BA 02000, 1S1E04BA 02100, 1N1E33CD 09500, , legally described as BLOCK 7 TL 9300, AMOS N KINGS; BLOCK 7 TL 9400, AMOS N KINGS; BLOCK 7 TL 1800, AMOS N KINGS; N 1/2 OF N 1/2 OF SE 1/4 BLOCK 7, AMOS N KINGS; BLOCK 7 TL 1700, AMOS N KINGS; BLOCK 7 TL 1600, AMOS N KINGS; BLOCK 7 TL 1500, AMOS N KINGS; BLOCK 7 TL 2000, AMOS N KINGS; BLOCK 7 TL 2100, AMOS N KINGS; BLOCK 7 TL 9500, AMOS N KINGS, in Multnomah County (hereinafter referred to as the “Property”); and
 - b. Zoning Map Amendment for the Property from RHd, High Density Multi-Dwelling Residential with a Design overlay zone, to CXd, Central Commercial with a Design overlay zone. The Central City Plan District will remain applicable to 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 May 21, 2014, and a Recommendation was issued on July 10, 2014, (BDS File No. LU 14-105474 CP ZC). The Hearings Officer recommended approval of the requested Comprehensive Map Amendment and Zoning Map Amendment, with conditions.
4. The requested Comprehensive Plan 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 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 14-105474 CP ZC.
- b. The Comprehensive Plan Map Amendment and Zoning Map Amendment for the Property legally described as BLOCK 7 TL 9300, AMOS N KINGS; BLOCK 7 TL 9400, AMOS N KINGS; BLOCK 7 TL 1800, AMOS N KINGS; N 1/2 OF N 1/2 OF SE 1/4 BLOCK 7, AMOS N KINGS; BLOCK 7 TL 1700, AMOS N KINGS; BLOCK 7 TL 1600, AMOS N KINGS; BLOCK 7 TL 1500, AMOS N KINGS; BLOCK 7 TL 2000, AMOS N KINGS; BLOCK 7 TL 2100, AMOS N KINGS; BLOCK 7 TL 9500, AMOS N KINGS, a recorded plat in Multnomah County, are approved as follows:
 1. A Comprehensive Plan Map Amendment from High Density Multi-Dwelling to Central Commercial for the Property.
 2. Zoning Map Amendment from RHd, High Density Multi-Dwelling Residential with a Design overlay zone, to CXd, Central Commercial with a Design overlay zone, for the Property.
 3. The Comprehensive Plan Map and Zoning Map Amendments are subject to the conditions below. Any violation of these conditions is subject to the enforcement procedures in the City code, but will not void the Comprehensive Plan Map and Zoning Map Amendments:
 - A. As part of any future building permit application submittal, the following conditions (B through F) must be noted on the required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 14-105474 CP ZC." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
 - B. Development on the site must include a minimum of 194 residential dwelling units. Occupancy permits for other approved uses—hotel or accessory Multnomah Athletic Club ("MAC") parking—are prohibited prior to the issuance of occupancy permits for the required residential units.
 - C. The site is limited to a maximum of 296 residential dwelling units. Up to 16 of the dwelling units may be used as short-stay/hotel suites (a Retail Use) to serve MAC guests. Uses, other than Household Living and hotel suites, that are allowed, limited or are Conditional Uses in the CX zone are prohibited on this site. Accessory parking to serve the residential units, MAC hotel suites and the MAC facility are allowed per the provisions of Title 33 and the other conditions of approval.
 - D. If approved through a future Type III, Central City Parking Review (PCC 808.100),

parking that is accessory to the MAC must be limited to a maximum of 225 parking spaces. The accessory parking must be constructed below street grade.

- E. Prior to approval of a future Central City Parking Review, the MAC must submit a Parking Management Plan and Transportation Demand Management Plan to the PBOT Active Transportation Section. The Parking Management Plan and Transportation Demand Management Plan must include:
1. Documentation of then-current and projected post-development mode shares to the MAC facilities;
 2. Mode share targets for three, ten and twenty years, based on adopted City, regional and State policies;
 3. Facilities information, financial investments, and educational strategies that will likely achieve the mode share targets;
 4. Regular mode share reporting requirements;
 5. Contingency strategies and enforcement mechanisms to ensure that targets are met and
 6. The plans must be developed with PBOT Active Transportation staff and included in the CCPR application.
- F. Existing or future driveways on the subject site (Block 7) are prohibited from providing vehicle access to any parking that is accessory to the MAC. Driveways to parking and loading areas that are accessory to the residential use are allowed.

Passed by the Council:

Commissioner Amanda Fritz
Prepared by: Sheila Frugoli, BDS
Date Prepared: October 1, 2014

LaVonne Griffin-Valade
Auditor of the City of Portland
By

Deputy

Agenda No.
ORDINANCE NO.
Title

Amend the Comprehensive Plan Map designation and amend the Zoning Map for property in the vicinity of SW 20th and 19th Avenues and SW Main and Madison Streets at the request of Sam Rodriguez, Mill Creek Residential Trust, LLC (Ordinance; LU 14-105474 CP ZC)

<p>INTRODUCED BY Commissioner/Auditor: Commissioner Amanda Fritz</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz <i>Amanda Fritz</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p>BUREAU APPROVAL</p> <p>Bureau: Paul L. Scarlett Bureau Head: Director, Bureau of Development Services <i>P. Scarlett</i></p> <p>Prepared by: Leanne Torgerson Date Prepared: September 12, 2014</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date October 1, 2014 2:00 PM (TC)</p> <p>City Attorney Approval <i>J. R. Rees</i></p>	<p style="text-align: right; color: blue;">SEP 26 2014</p> <p>CLERK USE: DATE FILED _____</p> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p> <p>OCT 01 2014 CONTINUED TO OCT 30 2014 3:00 pm TIME CERTAIN</p> <p>OCT 30 2014 <i>Rescheduled to</i> DEC 04 2014 2 P.M. TIME CERTAIN</p> <p>DEC 04 2014 CONTINUED TO JAN 8, 2015 3PM TIME CERTAIN</p> <p>JAN 08 2015 REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p>
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AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/></p> <p>Start time: 2:00 PM</p> <p>Total amount of time needed: 3 Hours (for presentation, testimony and discussion)</p> <p>CONSENT <input type="checkbox"/></p> <p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

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	Hales	