

PDC

PORTLAND DEVELOPMENT COMMISSION

DATE: August 13, 2008
TO: Board of Commissioners
FROM: Bruce A. Warner, Executive Director
SUBJECT: Report Number 08-102

EXECUTIVE SUMMARY

BOARD ACTION REQUESTED

Re-adopt Resolution No. 6625 as Resolution No. 6631

ACTION SUMMARY

This action will authorize the Portland Development Commission (PDC) to intervene in the appeal of the River District Urban Renewal Plan Amendments on the side of the City of Portland.

PUBLIC BENEFIT

Intervention in the appeal will signal PDC's support for the City of Portland's approval of the River District Urban Renewal Plan Amendments, which were originally recommended by PDC. In addition, intervention in the appeal will give PDC party status, permitting it to file briefs and participate in oral argument. The PDC will also bring unique expertise in urban renewal law which will be an asset to the City of Portland in supporting the validity of the amendments. The programs, projects, and increased maximum indebtedness will allow PDC to deliver on the district's goals and objectives. Some of these projects in the amendment area include redevelopment of blighted property, preservation of Union Station and development of affordable housing for residents, such as the Resource Access Center.

This action will support the following PDC goals:

- Develop healthy neighborhoods
- Provide access to quality housing
- Help businesses to create and sustain quality jobs
- Support a vibrant Central City (urban core)
- Contribute to a strong regional economy

PUBLIC PARTICIPATION AND FEEDBACK

There was extensive public outreach in the development of the goals and objectives for the Westside Amendments (which include the River District Urban Renewal Plan Amendments now on appeal), including the increase in River District maximum indebtedness. The public outreach included nine televised hearings over public access by the Urban Renewal

Advisory Committee, multiple hearings before Commission, Planning Commission and City Council. Notification was sent by postcard to citizens who live in the City of Portland. A website was created which is dedicated to the Future of Urban Renewal and contains all documents and information and ways in which citizens can provide input.

COMPLIANCE WITH ADOPTED PLANS AND POLICIES

The original adoption of the River District Urban Renewal Plan Amendments by the PDC Commission was in compliance with adopted plans and policies. This action simply authorizes PDC to intervene in the appeal to support the validity of those amendments.

FINANCIAL IMPACT

The financial impact will be limited to staff time and potential consultant contracts who may be called upon to assist.

RISK ASSESSMENT

If the appeal of these amendments is successful, there could be an impact on the amount of money available for the River District Urban Renewal Area's (URA's) programs and projects. Depending on the outcome of the appeal, there could also be an impact on the River District fifty-acre boundary expansion.

WORK LOAD IMPACT

There will be staff impacts in support of this effort. But intervenor status, as opposed to assisting the City Attorney in the City's appeal, may not be appreciably different.

ALTERNATIVE ACTIONS

The PDC could choose, instead, to file an Amicus Brief in support of the City, if permitted by the Land Use Board of Appeals. The filing of Amicus Briefs is at the Oregon Land Use Board of Appeal's (LUBA's) discretion. But filing an Amicus Brief would not give PDC party status in the appeal and PDC could not participate in oral argument.

The PDC could also choose not to participate in the appeal at all.

CONCURRENCE

City attorney's office is supportive of this Motion to Intervene.

BACKGROUND

On July 25, 2008, two amendments to the River District Urban Renewal Plan became effective, as approved by the Portland City Council. These two amendments accomplish the following:

- Ordinance No. 181971: Expand the River District Urban Renewal Area (URA) by 50.23 acres (or a net 41.98 acres after certain properties were removed) and increase maximum indebtedness to \$549,500,000 from \$224,780,350.
- Ordinance No. 181972: Expand River District URA by 8.53 acres and increase maximum indebtedness by \$19,000,000 (David Douglas Satellite District proposal).

On July 15, 2008, the Friends of Urban Renewal appealed these plan amendments to the State of Oregon LUBA. Therefore, the ultimate status of the plan amendments is currently uncertain and the outcome and final timeframe for all legal processes to be resolved is unknown. However, the initial resolution through LUBA typically takes seven to nine months.

CC:

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