

## **ORDINANCE No. 190433**

\*Authorize Development Agreement with AM/DRI Willamette LLC to develop Blocks 41, 42, 44, and 45 in South Portland and install South Portal Transportation Improvements (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. AM/DRI Willamette, LLC is a developer that owns land on S Bond Ave from S Lane St to S Lowell St in the City of Portland and is presently, and in the future, undertaking development of their property. The Portland Bureau of Transportation (PBOT) has identified improvements required within the rights-of-way adjacent to the Development.
2. The initial conditions of approval were based upon the phasing assumption that Blocks 41 (Lot 1) and 44 (Lot 4) would be developed as the first phase, followed by Blocks 42 (Lot 2) and 45 (Lots 3) as a second phase. The Developer's phasing of the Project differs from the Subdivision Approval conditions and instead includes the following three phases: "Phase 1" includes Blocks 41 (Lot 1) and 42 (Lot 2); "Phase 2" includes two buildings on Block 45 (Lot 3); and "Phase 3" includes Block 44 (Lot 4). Site development depictions are attached as Exhibits to this ordinance.
3. AM/DRI Willamette LLC is responsible for the design, planning, and construction of the "South Portal Transportation Improvements". These transportation improvements will include the installation of a new traffic signal and reconfiguration of the intersection geometry and signal phasing at S Macadam and S Bancroft to allow the eastbound and westbound left turn movements to occur simultaneously, prohibit the eastbound through movement, and construction of any improvements necessary to accommodate a second eastbound left turn lane with a 75 foot long storage (initially to be striped as a single left turn lane). All transportation improvements shall be made to the satisfaction of the City Engineer.
4. AM/DRI Willamette LLC shall seek approval for immediate transportation system development charge (TSDC) credit for the full anticipated cost of designing, constructing, and installing the South Portal Transportation Improvements. The TSDC credit will be adjusted based upon actual costs following completion of the South Portal Transportation Improvements. The City will review receipts for actual costs submitted by the Developer after construction of the South Portal Transportation Improvements is complete and shall provide for a subsequent adjustment in accordance with City Code Section 17.13.070.B.2.

5. The Development Agreement, attached as Exhibit A to this ordinance, was developed by PBOT working with AM/DRI Willamette LLC to govern design and construction of the transportation system improvements established as conditions of Development Approval LU 20-102914 DZM AD GW, and ensure the City's interests are protected.

NOW, THEREFORE, the Council directs:

- a. The Director of the Bureau of Transportation is authorized to execute Exhibit A on behalf of the City in substantially similar form to those attached to this ordinance.

Section 2. The Council declares that an emergency exists because the proposed development is in progress and provides housing supply; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, June 2, 2021

Commissioner Jo Ann Hardesty  
Prepared by: Gene Yamamoto: CB  
Date Prepared: 4/28/2021

**Mary Hull Caballero**  
Auditor of the City of Portland  
By *Christina Thomas*

Deputy

**412**  
Agenda No.  
**ORDINANCE NO. 190433**  
Title

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<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Jo Ann Hardesty</b></p>	<p>CLERK USE: DATE FILED <u>May 25, 2021</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Keelan McClymont</i></u> Deputy</p> <p><b>ACTION TAKEN:</b></p>
<p>Mayor—Finance &amp; Administration - Wheeler</p>	
<p>Position 1/Utilities - Rubio</p>	
<p>Position 2/Works - Ryan</p>	
<p>Position 3/Affairs - Hardesty <i>JL Hardesty</i></p>	
<p>Position 4/Safety - Mapps</p>	
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p>	
<p>Bureau: PBOT Bureau Head: Christopher Warner <small>Digitally signed by Christopher Warner Date: 2021.05.13 10:04:12 -07'00'</small></p>	
<p>Prepared by: <b>Gene Yamamoto</b> Date Prepared: <b>4/28/2021</b></p>	
<p>Impact 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><b>City Auditor Office Approval:</b> required for Code Ordinances</p>	
<p><b>City Attorney Approval:</b> Eric Shaffner <small>Digitally signed by Eric Shaffner Date: 2021.05.07 12:14:18 -07'00'</small> required for contract, code, easement, franchise, comp plan, charter</p>	
<p>Council Meeting Date <b>June 2, 2021</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <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. Rubio	✓	
2. Ryan	✓	
3. Hardesty	✓	
4. Mapps	✓	
Wheeler	✓	