



CITY OF

# PORTLAND, OREGON

OFFICIAL  
MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 8TH DAY OF NOVEMBER, 1995 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer (late), Hales, Kafoury and Lindberg, 5.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Ben Walters, Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

Items 1777 and 1786 were pulled from Consent and on a Y-4 vote the balance was adopted as follows:

## CONSENT AGENDA - NO DISCUSSION

- 1774** Vacate a certain portion of NE Elrod Drive west of NE 33rd Drive, under certain conditions (Ordinance by Order of Council; C-9888)
- Disposition:** Passed to Second Reading November 15, 1995 at 9:30 a.m.
- 1775** Vacate NW Ogden Street south of NW Mills Avenue, under certain conditions (Ordinance by Order of Council; C-9890)
- Disposition:** Passed to Second Reading November 15, 1995 at 9:30 a.m.

## Mayor Vera Katz

- \*1776** Pay claim of Gary Schrader (Ordinance)
- Disposition:** Ordinance No. 169453. (Y-4)
- \*1778** Amend contract with KPMG Peat Marwick LLP for consulting services (Ordinance; amend Contract No. 29779)
- Disposition:** Ordinance No. 169454. (Y-4)
- \*1779** Authorize extension to Legal Service Agreement with Lehner, Mitchell, Rodrigues and Sears (Ordinance; amend Agreement No. 29111)
- Disposition:** Ordinance No. 169455. (Y-4)

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**Commissioner Earl Blumenauer**

**\*1780** Authorize the Purchasing Agent to sign a Purchase Order as a contract with Advanced Traffic Products in the estimated amount of \$180,000 without advertising for bids and provide for payment (Ordinance)

**Disposition:** Ordinance No. 169456. (Y-4)

**\*1781** Designate and assign an area adjacent to SW Barbur Boulevard for public street purposes and accept payment (Ordinance)

**Disposition:** Ordinance No. 169457. (Y-4)

**Commissioner Charlie Hales**

**\*1782** Contract with City of Gresham for periodic mutual emergency assistance (Ordinance)

**Disposition:** Ordinance No. 169458. (Y-4)

**1783** Agreement with AGI Technologies for completion of an environmental assessment report for the Fire Bureau at a cost of \$18,358 (Ordinance; waive City Code Section 5.68)

**Disposition:** Passed to Second Reading November 15, 1995 at 9:30 a.m.

**1784** Accept loan of an inflatable boat to the Fire Bureau from the FBI (Second Reading Agenda 1751)

**Disposition:** Ordinance No. 169459. (Y-4)

**Commissioner Gretchen Kafoury**

**1785** Accept contract with JASCO Construction to perform tenant improvements at the Pacwest Building as complete and authorize final payment and release of retainage (Report; Contract No. 29947)

**Disposition:** Accepted.

**\*1787** Declare forfeited property at 1665 N. Jantzen Avenue, #E1, surplus and authorize its sale and conveyance (Ordinance)

**Disposition:** Ordinance No. 169460. (Y-4)

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**\*1788** Authorize a Purchase Order and provide for payment for sitework for the East Portland Community Policing Facility by Gerding Investment Company (Ordinance)

**Disposition:** Ordinance No. 169461. (Y-4)

**\*1789** Amend agreement with Aron Faegre and Associates for architectural services in remodeling the Penumbra Kelly Building for Southeast Community Policing Facility (Ordinance; amend Contract No. 29685)

**Disposition:** Ordinance No. 169462. (Y-4)

**Commissioner Mike Lindberg**

**1790** Accept completion of the Stark Basin CSO sump project, Unit 3, and authorize final payment to Brundidge Construction, Inc. (Report; Contract No. 29837)

**Disposition:** Accepted.

**\*1791** Authorize Wholesale Sewer Service Agreement between City of Portland and City of Gresham (Ordinance)

**Disposition:** Ordinance No. 169463. (Y-4)

**City Auditor Barbara Clark**

**\*1792** Authorize new bonded lien interest rates for installment payment contracts financed by 1995 Series A Limited Tax Improvement Bonds and establish limits on interim interest rates for contracts subject to future bond sales (Ordinance)

**Disposition:** Ordinance No. 169464. (Y-4)

**Note:** Commissioner Blumenauer was present to hear items on the Regular Agenda.

**REGULAR AGENDA**

**\*1777** Authorize amendments to credit agreement for the Oregon Arena Project (Ordinance)

**DISCUSSION:** Paul Richmond, P.O. Box 454, 97207, said it is shameful for the City to be spending this much money when there are so many homeless.

**Disposition:** Ordinance No. 169465. (Y-4)

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**\*1786** Authorize agreement with KXL News Radio 750 for access to the City's 800 MHz trunking radio system (Ordinance)

**DISCUSSION:** Mr. Richmond said he has heard from the Police that the 800 MHz system is not working well and results in frequent breakdowns. Also, this restricts access to information by citizens at a time when their increased involvement in community policing is sought.

**Disposition:** Ordinance No. 169466. (Y-4)

**1773** **TIME CERTAIN: 9:30 AM** - Invite Stakeholder Task Force to review policies relating to industrial sanctuary protection and provide clarification where needed (Resolution introduced by Commissioners Blumenauer and Hales)

**Discussion:** Commissioner Blumenauer concerns about protecting the integrity of the Northwest Industrial Sanctuary and about how to get the greatest return on millions of dollars in transportation investment were raised at the Costco land-use hearing. He said this is an appropriate time for review of sanctuary policy and representatives of the area have volunteered to form a task force to help the City frame and analyze the issues.

Dave White, Vice President, Northwest Industrial Neighborhood Association and ESCO employee, said recent discussions about what businesses can locate in the sanctuary have raised questions about the effectiveness of the current wording, which may be misleading, endangering investments made in the area. Property and business owners in the area have proposed this task force to review the policy to see if modifications are needed. This task force could serve as a prototype for other industrial sanctuaries as well.

Commissioner Hales said it is better to take this approach than to fight the battle of the moment and then return to the status quo, eventually eroding away the policy without anyone knowing quite how it happened.

**Disposition:** Resolution No. 35460. (Y-4)

**Mayor Vera Katz**

**\*1795** Adjust FY 1995-96 Budget for Period Three Adjustments (Ordinance)

**Discussion:** Ruth Roth, Office of Finance and Administration, said these are carryover adjustments, primarily of unexpended grants and encumbrances. She said the \$2.4 million placed in general operating

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contingency in hopes that the City would be able to levy its tax increment debt will instead be transferred to the Housing Investment Fund. She described other transfers, including \$270,000 for the temporary homeless shelter, \$200,000 for presidential overtime, some adjustments for the District 10 annual settlement and \$120,000, the low-end amount estimated as needed to make up the shortfall in the Golf Trust Fund. The golf fee income is not rebounding as hoped and the amount of transfer may be closer to \$300,000 to \$400,000 by year end.

**Disposition:** Ordinance No. 169467. (Y-5)

**Commissioner Earl Blumenauer**

**1796** Consider vacating a portion of N Pierce Avenue south of N Decatur Street at the request of Don R. Doerrie, Jr. (Hearing; Report; C-9886)

**Disposition:** Approved; City Engineer prepare ordinance. (Y-5)

**\*1797** Authorize an Intergovernmental Agreement between the City of Portland, Multnomah County, Cities of Gresham, Troutdale, Fairview, Wood Village and Maywood Park, Multnomah County Rural Fire Protection District 14 (Corbett) and Sauvie Island Fire District No. 30 for the provision of emergency call receiving and dispatch services by the Bureau of Emergency Communications (Ordinance)

**Disposition:** Ordinance No. 169468. (Y-5)

**Commissioner Charlie Hales**

**1798** Direct Bureau of Planning staff to institute necessary changes in processing Type III land use reviews in order to comply with the 120 day deadline established by ORS 227.178(1) (Resolution)

**Discussion:** Commissioner Hales said this and the following item respond to recent changes in State law which created a new expedited procedure for land division. He said staff spent time with neighborhood contacts and the development community to make sure this is acceptable and have received generally favorable signals.

Susan Feldman, Planning Bureau, said House Bill 3065 requires that time not previously counted now be included as part of the 120-day time limit for final decisions. Under current Code, the process goes over that limit. Staff proposes that if applicants waive rights to a 120-day process, they can continue to have "de novo" hearings, which

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allow the introduction of new evidence at the second evidentiary hearing. But if they want to meet the 120-day deadline, the hearings must be "on the record," allowing no new evidence. She asked for Council direction.

Commissioner Lindberg asked if staff expects that people who want to do something in the fastest amount of time will not generally ask for extensions.

Commissioner Hales said if people want a speedy review, they will ask for the process to be "on the record." If there is a larger policy or political issue involved and they want full review by Council "de novo" they must waive the 120-day rule.

Commissioner Lindberg asked if the City had supported this legislation.

Commissioner Hales said the City negotiated some provisions of the legislation but it was initiated by the Homebuilders Association and other real estate groups.

Ms. Feldman said the City supported the expedited land division portion but not this provision.

Commissioner Lindberg noted that when Council has had to choose, it has generally opted for "de novo" and asked if that would change now to "on the record."

Ms. Feldman said it would for those who do not waive the 120-days.

Commissioner Hales said some applicants will want further review.

Commissioner Blumenauer said the COSTCO case is an example.

Ms. Feldman said experienced developers may sign a waiver mid-stream when they find that staff is leaning toward denial and they want more time to work things out with neighbors or do another study to show they meet the approval criteria. If they waive the 120-days in mid-stream, however, they will still have an "on the record" hearing and will not be able to introduce new evidence beyond what was introduced at the hearings officer's level.

Mayor Katz asked if there will be no more "de novo" appeals.

Elizabeth Normand, Land-Use Hearings Officer, said if there is to be an appeals process, the time frame has to be shortened. She assumes that Council would like the initial evidentiary process to be as

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thorough as possible to reduce the number of reviews in the first place. If there is no appeal, 120 days is not a problem even under the new legislation. She said there is not a lot of time that can be cut out of the initial process and her sense is that most cases will continue to be "de novo" reviews as most delays currently result from the applicants needing more time to propose modifications or supporting materials. She said the resolution is a good idea because it gives staff time to see how the policy works prior to changing the Code.

Ms. Feldman said the time lines will be shorter for appeal notices and posting notices when someone opts for an "on the record" hearing. The Code change in the future will still recommend that there be an "on the record" hearing in order to meet the 120-days limit unless new legislation is passed. Today they seek direction from Council as to whether it concurs with this approach. She said they believe some Code deadlines might be missed but that is better than having an appellant take the City to the Circuit Court on a writ of mandamus because it did not make a decision within 120 days.

Commissioner Hales said he prefers "de novo" review but the law no longer gives the City many choices. Moving to "on the record" review where requested is the least invasive of the tradition of "de novo" review in front of Council.

Commissioner Blumenauer said he is disappointed when people do not take the initial hearing to heart and wait to file information until the matter comes before Council. He said most jurisdictions operate more rigorously "on the record" and he thinks that is better than having a free-for-all before Council. He said with "on the record" hearings the City may end up with something that improves the decision-making process, makes it easier on the neighborhoods and reduces the number of unnecessary appeals.

Mayor Katz said she views Council as the public's last court of appeal and is disappointed to lose a valuable tool. This shuts the door for citizens to make their case, even if not entirely on point. She said she hopes Ms. Normand is right and that, for the most part, the current process will continue.

**Disposition:** Resolution No. 35461. (Y-5)

**\*1799**

Establish a fee schedule for expedited land divisions (Ordinance)

**Discussion:** Ms. Feldman said the legislature also decreed that fees be equal to the estimated full cost of processing an application. She said they hope this will truly be an expedited process.

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Commissioner Lindberg asked if there was an estimate as to the additional amount of revenues that would be generated.

Ms. Feldman said the guess is \$20,000 but no one really knows.

**Disposition:** Ordinance No. 169469. (Y-5)

1793

Request of John R. Miller to address Council regarding an issue facing East County residents (Communication)

**Discussion:** John R. Miller, 2120 NE 136th Avenue, addressed Council regarding the East County Recycling Center at 12409 NE San Rafael Street. He said they are not filling the mined-out gravel pit there and it is time for the City to fulfill its promise to do so. He noted a letter he received from the Planning Bureau stating that the Hearings Officer did not assume the site would ultimately be filled. He called for the site to be restored to its natural surface to enable the future development of multi-residences there.

Commissioner Hales said Planning Bureau Director David Knowles' response to him was meant to be the City's response.

Mr. Miller said that response was uninformed and inadequate.

Mayor Katz said she would like time to review this and have the City Attorney review it to see if the allegations about what was promised are accurate.

Commissioner Hales said the City does want to see the site redeveloped consistent with the community plan. The question is what legal means the City has to deal with the problem, given the limitations on its authority over a private property owner. He said the City will reexamine its assumptions about that.

Mayor Katz said this issue will be raised during discussion of the Outer Southeast Community Plan as well.

Mr. Miller said the current occupant has a permit to operate the facility which expires in August, 1996. Now is the time to get everyone organized to get it relocated in an industrial area.

**Disposition:** Referred to Commissioner of Public Safety.



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**1794**

Request of Frank Selker to address Council regarding the siting process for the proposed Southwest Community Center (Communication)

**Discussion:** It was noted that Mr. Selker was not present.

**Disposition:** Filed for no further consideration.

At 10:26 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 8TH DAY OF NOVEMBER, AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Mike Holstun, Deputy City Attorney; and Martin xx, Sergeant at Arms.

**1800**

**TIME CERTAIN: 2:00 PM** - Adopt and implement the Woodstock Neighborhood Plan (Ordinance introduced by Commissioner Hales)

**Discussion:** Colleen Acres, Planning Bureau, described the neighborhood and the planning process, which began 18 months ago. She said residents dealt with a number of contentious issues, including housing density, mixed-use, transportation and the future of the Woodstock Community Center, and came up with a win-win result.

Elizabeth Ussher Groff, Chair, Woodstock Neighborhood Association, said this process brought people together with a new sense of community spirit. The village center concept is in integral part of the Plan and thanks to development along trolley lines many years ago, Woodstock will be able to retaining a small town feeling much more readily than many other communities.

Mary Tompkins, Woodstock Business Association board member, said this plan served as a catalyst for the rebirth of the organization.

Phillip Windell, Chair, Woodstock Neighborhood Plan Steering Committee, described the substantial community involvement which helped to identify a shared vision for the community.

Mayor Katz asked how the Committee got to closure on the disputed issues.

Mr. Windell said not all the issues, particularly regarding the growth of the business district and its effect on the immediately surrounding residential area, were completely resolved but the Plan identifies the village center and contains policies that can be pursued in resolving issues such as traffic flow.

Ms. Ussher-Groff said one controversial issue involved unimproved streets, which some want to remain less than fully paved with bicycle and pedestrian paths. This is controversial both within the

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neighborhood and in the Office of Transportation. Another was the future of the Woodstock Community Center, which they have been struggling to save for several years. The Center has been revitalized through this process and many more people now use it. Another issue has been housing.

Ms. Tompkins said the Plan represents a compromise between businesses and the neighborhood, particularly regarding the need for expansion as many businesses are at capacity and there is no more commercial space available in the Woodstock neighborhood.

Timothy Wilder, Neighborhood Planner, Southeast Uplift, said his organization will be an implementation partner on certain parts of the Plan. The key challenge is development along Woodstock Boulevard which will likely be the site of expansion and higher density. He noted the Plan's positive effect in strengthening community relationships.

Sue Phillips, Crime Prevention Organizer and advisor to the Woodstock Neighborhood Association, said the neighborhood wants to retain its integrity as a place that is good for walking and transit and provides good access for seniors.

Jeanette Elliott, 5434 SE Reedway, 97206, said she has lived in the neighborhood for 70 years and is very pleased with this Plan.

Terry Griffiths, 4128 SE Reedway, 97206, said the village center concept is the key to the success of this Plan. How it gets initiated is the major issue. Housing is also a critical component and some higher density housing is needed to support businesses and make good use of the two bus lines that run down Woodstock Boulevard. The neighborhood is ready to accept higher-density housing if it is of high quality design and construction.

Moshe Lenske, 4314 SE Crystal Springs Boulevard, 97206, and Woodstock Neighborhood Association board member, said it is a great pleasure to bring this Plan to Council as he believes there is now widespread understanding that the neighborhood is the appropriate small unit from which to address important community issues. He noted that the Plan's traffic committee earned an award from Metro which will allow them to do something about the decades old traffic problem.

Frank McBride, 6106 SE 48th, 97206, said he and his wife are very concerned about being within the Woodstock village center as they fears this will lead to higher density housing and eventually a zone change. He also opposed paving Martin Street because of the cost.

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He said high density housing and expansion of the business district will cause more noise and pollution and turn Woodstock into another Hawthorne Boulevard, which he would hate to see. He said these changes benefit businesses and do very little for older residents living in the R5 area of Woodstock Boulevard. He said most homeowners in the area do not realize what the impact of this zone change will be.

Cal Stockton, 6029 SE 49th, 97206, opposed the commercial encroachment on the two blocks north and south of Woodstock. He said business owners do not live in the affected areas, which are being targeted for commercial uses. He said very few residents want improved streets because of the expense and because they will mainly benefit businesses. Overall, the negatives in the Plan outweigh the positives for residents.

Commissioner Blumenauer said he is pleased with the work that has been done and believes many other neighborhoods envy what Woodstock has been able to accomplish here.

Commissioner Hales said although there are concerns about how the zoning will actually work in practice, the only way to preserve what you like and prevent what you do not is to have a plan. After that you need a certain level of accord and then you need to have the City follow through and make sure City activities are run through the screen of neighborhood plans.

Mayor Katz said she likes the small town feel of this plan which should help give the area a feeling of control and a sense of community. That is critical in the face of growth.

**Disposition:** Passed to Second Reading November 15, 1995 at 2:00 p.m.

**1801**

Adopt the Implementation Action Charts of the Woodstock Neighborhood Plan (Resolution introduced by Commissioner Hales)

**Disposition:** Continued to November 15, 1995 at 2:00 p.m.

## REGULAR AGENDA

### Commissioner Charlie Hales

**1802**

Uphold with modified conditions appeal of Bible Temple/Judson Baptist College, applicant, against Hearings Officer's decision to impose certain conditions in approving a conditional use master plan for a church and bible college located at 9200 NE Fremont (Previous Agenda 1770; 94-00415 MS)

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**Discussion:** Steve Gerber, Planning Bureau, said complete accord on the findings has been reached between the applicant and the City. He said one amendment, striking the words "school hours" from Condition F (Page 19), is needed to correct a minor error. The chapel parking lot referred to in that Condition is there primarily for school parking.

Commissioner Hales moved to strike those two words. Commissioner Lindberg seconded and, hearing no objection, the Mayor so ordered.

**Disposition:** Findings Adopted as amended. (Y-5)

At 2:55 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD AT PORTLAND ADVENTIST HOSPITAL, 10123 SE MARKET STREET, THIS 8TH DAY OF NOVEMBER, 1995 AT 7:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, and Lindberg, 4.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Michael Holstun, Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

**1803**

**TIME CERTAIN: 7:00 PM** - Direct preparation of ordinance and resolution adopting and implementing the Outer Southeast Community Plan and eleven subordinate plans (Resolution introduced by Commissioner Hales)

**Discussion:** Jerry Brock, Planning Bureau, Manager, Outer Southeast Community Planning program, said the purpose of this hearing is to receive testimony on the Planning Commission's recommended Outer Southeast Community Plan. The Plan area is the largest of eight such plans and covers 28 square miles, 33 percent larger than the Albina Plan's 19 square miles. About one-third of the Plan area was annexed into Portland as of July, 1994. He described public outreach efforts, the adoption process and plans for final adoption in January, 1996. He said the Plan consists of districtwide subarea policies, objectives and actions, 10 neighborhood plans, one business plan and an update of the Comprehensive Plan. It also contains amendments to the Gateway and Johnson Creek Plan districts.

Rick Michaelson, President, Portland Planning Commission, said this Plan has been the most difficult of the three planning efforts done around the City, probably because it is about change in an area where a variety of different development patterns have emerged and where there has been no overall identity in the past. For that reason the process has been long and somewhat rocky. He said he is very pleased staff has taken extra time to work through all the issues with the community, even after the Planning Commission deliberations were completed. The ultimate measure of success of this Plan will be measured not on how many housing units are created or how many roads are improved but on whether it improves the sense of community and identity in this area.

Sharon Owen, Chair, Hazelwood Neighborhood Association, said they have been involved in working on this plan for three years and the

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resulting plan has received approval of nearly all the neighborhood associations, including Hazelwood. She noted three broad areas of concern. First, they are not exactly ecstatic with the amount of density increase as shown in the Planning Commission's recommended rezoning of the area. The density increase for Hazelwood has been especially severe since much of the area falls within the light rail corridor from Stark to Glisan and all the Glisan regional center. Second, the quarter-mile circles drawn around the transit stations are not, in their view, always a reasonable and practical procedure. The circles do not take into consideration neighborhood traffic patterns, the housing stock or the general character of the area. Third, while they are delighted about the Gateway regional center designation, they believe it is essential to hold established neighborhoods inviolate. Ms. Owens said there are eight specific areas regarding the zoning map where they disagree with the Planning Commission and noted that these are covered in the written materials submitted. Three are within the quarter-mile circles around transit stations. The Neighborhood Association also strongly opposes the continued inclusion of a portion of the Wilkes neighborhood in the Plan. Residents of this area did not know they were even included in Outer Southeast until the last year of the process. Finally, the combined Outer Southeast Neighborhood Association's testimony is considered by Hazelwood to be part of its testimony. That is vital to several concepts that were promulgated but which they do not want to repeat now.

Ed Sullivan, representing Mildred Gemelli, said Ms. Gemelli would like her property (Map 3347, page 256) at the southeast corner of 167th and Division to retain its current General Commercial (CG) zoning designation. Staff originally designated it R1 and the Planning Commission recommendation is CM, a mixed-use and residential designation. The property has been zoned commercial since the 1960s and there is an existing auto-oriented structure on the site in addition to her home. Hers is one of those edge properties, the last in a line of commercial uses or vacant properties.

Mildred Gamelli, owner of the property at 16710 SE Division, asked that her property remain General Commercial as she does not want to have the auto repair shop on that site become a non-conforming use. She said allowing for half residential and half commercial here does not make sense as Division is very busy, with little or no foot traffic. She said introducing a CM zone here will not change the current pattern and noted that a residential mix is unlikely to occur in a location next to a Les Schwab Center, a Burger King and a Rose Moyer theatre.

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Greg Winterowd, land-use planner at 700 N. Hayden Island Drive, representing Ms. Gamelli, said he reviewed the zoning options on her property and concluded that General Commercial (CG) is best in an area which is already built up as an auto-accommodating commercial area. The businesses along Division serve regional as well as local needs, making CG more appropriate than mixed commercial which is meant to serve only local needs. Another option might be a lower intensity commercial use, such as NC2 (Neighborhood Commercial 2). Even though there is a lot of R1 zoning in the immediate area, it is essentially all a mobile home park. He noted that right across the street is an auto-oriented restaurant which is also zoned NC2 commercial two.

Greg Swanson, 5812 SE Center, opposed the proposed zone change from R2.5 to General Commercial-B for his property and the two adjacent lots on each side (Map 3436). This designation is undesirable because the closest existing businesses are not of the storefront retail or mom-and-pop operations. Those businesses have no need to expand onto the lots cited and such an expansion would significantly disturb the residential neighborhood aspect for the properties along Center Street. He said this zoning puts their home equity at risk and could potentially create a situation where property taxes increase but the resale price, compared to other neighboring residential property, decreases. He proposes another option, which he has presented in written testimony.

Fran Hart, 15237 SE Gladstone, supported the Centennial Community Association amendments (Map Amendment No. 2 and the R7 and RC zoning and retention). She also expressed support for the Council ruling against clear-cutting on the north side of Powell Butte.

Molly Cooley, representing the Neighborhood Pride Team in Brentwood Darlington, cited Page 300, 3736, and said adoption of the Brentwood Darlington Plan in 1991 resulted in a major revitalization of the area. The Marshall Plan, which is being developed now, is heavily involved in getting business incubators and skill centers going and there is no property in the whole neighborhood that would be appropriate for such a use. The Pride Team is interested in the property at 6126 SE Duke but would have to get a conditional use permit for that. To avoid that cumbersome process, she requested more CN1 and CN2 zoning in certain portions of the neighborhood, which she cites in her written testimony.

Marjorie Jones, Centennial area resident, supported the zoning amendments except for No. 7. She said the 20-acre landfill near 155th and Mill (Lynch Plaza) was promised as a park to nearby residents. More parks are sorely needed and the landfill should



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remain zoned R7, making it less expensive to purchase for a park.

Commissioner Blumenauer noted that this is a different site than the one cited by John Miller at the 9:30 a.m. session.

Susan Booker, said she is one of a group of neighbors living in the MAX corridor between SE 148th and SE 162nd and between NE Glisan and SE Stark. She said a Glenfair Neighborhood Association is now in the process of being formed. It would be separate from the Wilkes Neighborhood Association, of which they are technically a part but which has been unable to properly represent them. She said the tremendous zoning changes proposed in their neighborhood plan are of great concern as they fear these will increase the density so much that the character of the neighborhood will be completely changed. They have requested that the zoning in the interior portion of their neighborhood remain the same, without the small "a." Allowing R1, R2 and some RH zoning on the main arterials will allow enough growth and change in density to satisfy the City's desire for increasing ridership on MAX and still allow the neighborhood to retain its character. They are pleased that Hazelwood has asked that Glenfair be removed from the Plan, a request originally made by the chair of the Wilkes Neighborhood Association. It was assumed that they would be removed and they were very surprised to find out, only recently, that they were not.

Jerry Ernst, Emerging Glenfair Neighborhood Association, said increasing density in established single-family neighborhoods is a betrayal and to allow the construction of apartment houses here is unacceptable. He asked if the City would even consider doing this in such areas as Eastmoreland. He charged that the Planning Bureau took advantage and mislead the neighborhood, which is willing to participate in equitable solutions to the growth problem and to light rail but not at the expense of their homes or personal security. He asked for Council consideration of their recommendations to the Planning Commission.

Ms. Booker said the neighborhood met with staff recently but were unaware of the small "a" designation until now.

Mayor Katz said she understands there was some confusion about this.

Spencer Vail, planning consultant representing the property owner on the South side of Glisan, between 99th and 100th (Map 3040), asked that the CX zoning be extended to the west to include this property as they believe this is in compliance with the goals and objectives of the Gateway Regional Center.

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Commissioner Hales asked if that recommendation was for the Bowen property only.

Mr. Vail said yes, the other would be a conditional use in any zone.

Paulette Rossi, no address stated, said not all property owners affected by the Plan were contacted because staff relied on contacting residents by mail, thus missing owners of vacant property. She said the only property owners directly contacted were those whose properties were down-zoned. She said all citizens must participate if the Plan is to succeed.

Russell Iverson, 112 SE 155th Place, said he is within the MAX corridor 148th to 162nd between Burnside and Stark. He asked that higher-density zoning not be imposed in the areas between the main streets. He said the inner streets should be protected as single-family residential areas. He is worried about the crime rates that higher density always seems to produce, noting that he had been broken into three times since construction of the high density area along Stark and 162nd. He said drug traffic and shoplifting at that corner drove him out of business.

Louise Cody, Centennial Community Association, proposed a number of amendments which will guarantee 1,000 housing units over 20 years within the neighborhood, the approximate target of the Planning Bureau and Planning Commission. The amendments also support development on major transit streets by placing a significant amount of multi-family density along existing or future major transit streets - on Division, Stark and Powell but not on 148th or 162nd where transit is not planned. She noted that Centennial was not completely annexed until the Summer of 1994 and was not able to share its needs with the City, including its vision of a park at the landfill site at 155th north of SE Main or the protection of the north slope of Powell Butte. She said since February, 1994, Centennial has worked hard to provide input into the Plan and these amendments try to protect established residential neighborhoods which are more than 1/4 of a mile from existing or planned major transit streets. Their goal was to protect even those residential neighborhoods near major transit streets but that was not possible. With these amendments, multi-family development in Centennial overall will markedly increase but in a way that is more compatible with the suburban nature of the neighborhood.

Bruce Cody, Centennial Community Association, said their amendments support multi-family development near major transit streets but protect established residential neighborhoods outside the 1/4 mile zone limit by retaining current zoning except for the

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relatively large area south of Powell off 174th Street. They also ask that the "a" alternative density overlay not be applied in the residential neighborhoods. They would accept R5 zoning for the 20-acre landfill site at 155th and Main but it should be shown as a park acquisition site. R7 zoning should be retained with a conservation overlay on the site recommended for R5 and R5C between the north slope of Powell Butte and SE Francis. Mr. Cody asked that the existing zoning be retained in the residential neighborhoods but that a trigger be added which calls for activation of the Planning Commission recommended zoning designations if less than 500 housing units are created in Centennial within 10 years. Two recommendations outside the package are that Wilkes be removed from the Plan and that Mrs. Gemelli's property not be rezoned as currently recommended as it is in an auto-oriented strip.

Commissioner Hales asked if the trigger would be the rate of development on the boulevards where higher density is proposed.

Mr. Cody said yes, if they do not reach the targeted number of housing units, they would start encroaching on the neighborhoods along 148th and 162nd.

David Nelson, Wilkes Neighborhood Association, said a small portion of this community, from 148th to 162nd and from Glisan to Stark, was assured early in the process that they would be dropped from the Plan. They believe the entire Wilkes community should be planned at one time and have considerable undeveloped property that can be zoned for more appropriate densities rather than placing the burden entirely on the transit corridor portion. The planners have used blanket zoning rather than picking strategic sites where density can be added without destroying existing neighborhoods. He said minimum zoning of R5 is proposed with approximately half the area at R2 or higher. That will encourage apartments with 20 plus units per acre on flag lots in established neighborhoods. Areas close to light rail are proposed to have minimum densities of 30 units per acre. This is not good planning. He asked that this area be included with the rest of Wilkes in the Outer Northeast Community Plan or, alternatively, that the City tell them what their share of the expected growth is, give them a planner and they in return will show how to increase density, absorb their share and yet retain their neighborhood integrity. They have noticed a tremendous increase in problems near MAX stations, namely gang activity and drugs, and believe these problems will increase as density is added.

David Wilson, Centennial Neighborhood Association, said residents want to retain the character of their neighborhoods as they grow. He thanked Commissioner Hales for helping to stop the clear-cutting on

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the north slope of Powell Butte and called for continued protection of those trees. He supported the amendment to R7C for the portion of Powell Butte between Gladstone Dr. and Francis, which would make it easier to purchase for park purposes at a lower price.

Bob Riddle, Centennial Community resident, supported all the zoning amendments proposed by Centennial, especially the R7 Conservation zone on the wooded north slope of Powell Butte, a large portion of which was clear-cut last year (Map 3445).

Jim Worthington, Centennial Community Steering Committee member, said a portion of the Wilkes area was not represented in the development of the Plan and should be taken out so that the neighborhood is not split.

Art Beehler, 490 NE 151st, said his property is within the 148th to 162nd/Glisan to Stark area and he believes it is very unfair to zone it from R5 to R1 as this decreases home values and possibly increases crime. The City should let residents of this area decide their own future and Wilkes should be removed from future planning and left for single-family dwellings.

Bob Head, 6432 SE Foster, asked for retention of the current zoning on this property (Map 3441 and 3541), the old and now vacant Holgate Farms where the proposed zoning is Storefront Commercial. The property has been sold to Rose City Development Corporation which proposes 60 units of low income and senior housing there along with a Loaves and Fishes facility. Rose City requests that the current CG be retained as it allows more flexibility and that this property is not now, or in the future, likely to be a pedestrian-oriented storefront commercial zone.

J.R. Stout, 345 NE 157th Avenue, member of the newly formed Glenfair Association, opposed strip zoning for multiple use 300 feet back, particularly when good houses are already there. He also opposed the "a" overlay.

Mark Cvetko, Chair, Mill Park Neighborhood Association, 12134 SE Grant, said Mill Park supports the Plan with several exceptions. They take exception to the overlapping boundary designation, noting that Mill Park residents, at a City-sanctioned election, voted that they did not want overlapping boundaries. Irregardless of what Hazelwood says, Mill Park should have the right to determine its own boundaries.

Howard Holt, 1235 SE 150th, supported Mr. Cvetko's position on the Mill Park overlapping boundary issue. He said because of this

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dispute the Mill Park neighborhood has been hampered from solving problems and asked for Council's help with this.

John O'Hara, 340 NE 150th Place, said the area along Glisan (Page 219, Map 3045) should not be zoned R1 as it is almost entirely single-family residential and higher density here would severely impact the quality of life.

Don Bogh, 636 NE 151st, said in the 1950s the Wilkes, Glenfair and Glendoveer area became an ascot zoning district, the first in the State. He said the area was residential with no commercial or apartments. When Multnomah County asked if it could take over that district, they agreed, but only if there would be no zoning changes. The County agreed and so did the City when it took over. When the Mt. Hood freeway was cancelled and light rail was established they were again told that the zoning would not change. But once it was established residents were told a zoning change was needed to increase ridership. It is not fair to establish all these apartments around the light rail stations and destroy the livability, particularly when two stations (on 148th and 162nd) are so close together. Wilkes requested to withdraw from the Plan but that has been turned down.

Linda Bauer, representing Pleasant Valley Neighborhood Association, asked for adoption of her neighborhood's plan and thanked staff for their work.

Jon Repp, representing three properties (Page 267), two on SE 136th and one on SE Cora, said he understands R7 and R10 was placed on these properties because of the 100-year flood zone but he has yet to see documentation that there has been any flooding here in the past 100 years. He requested that the zoning be changed to R5 across the board. The City has agreed to zone areas on 122nd R2 because it is good for the growth of the City and yet that is also within the flood plain.

Joan Pritchett, owner of property 4343 SE 136th (also referred to by Mr. Repp), said it will be unfeasible for them to develop this property if it is zoned R10. She said she cannot understand why some areas closer to the water are zoned R5 and yet hers is R10.

Jeff Veenker, real estate broker for Ms. Pritchett and Mr. Repp, said his letter of September 25, 1995 to the City requested a zone change for these properties as they are next to each other but have two different zoning designations. He said he never received any reply to his request and asked Council to review the elevations and the zoning here. The property has never been under water.

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Kay Collier, 1718 SE 100th Avenue, Vice Chair, Hazelwood Neighborhood Association and Chair, East Portland District Coalition, thanked the Planning Bureau for keeping the area she lives in, Cherry Blossom Park, as a residential area. She said the Wilkes area should be dropped from this plan and included in another one as they have not had enough time to prepare.

Miles Newmark testified regarding property on the South side of Division between 60th and 61st (Page 233). He asked that the portion of this property currently zoned R2a be zoned CS.

Mary Davis, representing the Brentwood Darlington Neighborhood Association, said two key components not yet fully addressed deal with Brentwood Darlington's transition from a countrified neighborhood to more of an urban village. Because of this transition, some elements of their neighborhood plan, adopted in January, 1992 are less and less relevant. Specifically, not enough areas are designated for opportunities for small-scale neighborhood business development. They would like to reexamine the commercial zoning along 52nd, Duke, 72nd, Flavel and 82nd which could lead to an update of the neighborhood plan. Brentwood Darlington also needs better transit service as there is a sizable hole around Flavel Drive which has been designated a major arterial for transit service in Metro's 2040 Plan.

Richard Dickenson, 13737 SE Ellis, urged Council to change the R2a zoning on Map 3544 (page 280). He said he and his neighbors would like to see that area zoned R5. It was recently annexed to the City and the infrastructure there does not allow it to bear the brunt of a lot of growth all at once. He also questioned whether multi-family dwellings should be placed in an area which has been identified as having a high degree of risk in the event of seismic activity.

Peter Fry, 722 SW 2nd, representing Paul Beker, requested a change of zone for his client's two lots, from CO1 to R1a. This request supports the Plan by reinforcing transit, providing new open space and focusing new development on infill and opportunity sites.

Oscar Hess, 8965 SE Division, said Division is a highly travelled street with two lanes in each direction. Everything between 82nd and 92nd is zoned CG except for the Portland Nursery property which needs CG zoning very desperately because they have trucks unloading all the time. The two blocks directly north, which are 60 by 100 feet deep, would provide a lot of jobs and opportunities for small businesses. Directly west of this property are small lots, 50 by 100 feet, which are zoned CG and are perfect for small businesses which need outside storage. He asked why bigger lots should be

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zoned CM2? He said he realizes he is fighting an uphill battle after Planning Commission approval of the CM2 but he believes it was mislead because only staff could talk to them once the initial testimony was given. When this recommendation was made, staff told the Planning Commission that there was no history on this property even though it was permanently zoned commercial, on both sides of the street, when it was part of the County. The City has lost many job opportunities because of the bad zoning on Division Street.

Mayor Katz noted that Council told Mr. Hess on previous occasions to pursue his zone change requests through this process and now he is telling Council they were not made to his satisfaction.

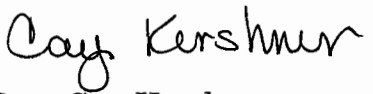
Bill Bitar, 9828 E. Burnside, Suite 200, commended Planning staff on behalf of the Outer Southeast Business Coalition for its help in formulating the business plan. He said the area on NE 82nd abutting the Banfield freeway (Maps 2939/2940), which is proposed to go from CG to CS, is an auto-oriented area and the change to CS seems inappropriate with a freeway right next door and on and off ramps going east and west. He said the CS zone restricts building orientation to the street and questioned whether businesses would do well if parking was placed behind instead of in front of the buildings. He said there is always a vacancy at the building complex on NE 82nd and Siskiyou which has the building upfront and the parking behind. He asked that CG zoning be retained here.

Mayor Katz asked staff to identify those areas which they think Council should review. She said after visiting the area she believes there are places where the Plan could be tweaked.

**Disposition:** Continued to November 15, 1995 at 2:00 p.m.

At 9:25 p.m., Council adjourned.

BARBARA CLARK  
Auditor of the City of Portland

  
By Cay Kershner  
Clerk of the Council