



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

PORTLAND CITY COUNCIL WORKSHOP

WEDNESDAY, SEPTEMBER 3, 1997

9:30 a.m. to 3:30 p.m.

NOTE: The Portland City Council held an all-day workshop on Measure 50 budget allocations beginning at 9:30 a.m., with a lunch break from 12:15 to 1:30 p.m. The meeting was open to the public but no public testimony was taken at that time.



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A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 4TH DAY OF SEPTEMBER, 1997 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Hales, Kafoury and Sten, 4.

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

On a Y-4 roll call, the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

1342 Accept bid of Triad Mechanical, Inc. for Inverness pump station improvements for \$1,927,694 (Purchasing Report - Bid 98017)

Disposition: Accepted; prepare contract.

1343 Reject all bids for Tryon Creek Wastewater Treatment Plant water system upgrade for the Bureau of Environmental Services (Purchasing Report - Bid 98020)

Disposition: Accepted.

1344 Accept bid of Richmond Construction Enterprises, Inc. dba Willie Make It for furnishing an annual supply of portable comfort station rentals and service for \$65,525 (Purchasing Report - Bid 98026)

Disposition: Accepted; prepare contract.

1345 Accept bid of Manuel Q. Franco Reforestation for natural area restoration services (3-years) for \$253,534 (Purchasing Report - Bid 98027-A)

Disposition: Accepted; prepare contract.

1346 Accept bid of Moore Excavation, Inc. for SE Clatsop St. and SE 48th Ave./SE Mitchell St. water mains for \$174,110 (Purchasing Report - Bid 98029)

Disposition: Accepted; prepare contract.

SEPTEMBER 4, 1997

1347 Vacate a certain portion of NW 111th Avenue east of NW St. Helens Road, under certain conditions (Ordinance by Order of Council; C-9927)

Disposition: Passed to Second Reading September 10, 1997 at 9:30 a.m.

1348 Vacate an unnamed right-of-way north of SE Powell Boulevard and east of I-205, under certain conditions (Second Reading Agenda 1308; C-9902)

Disposition: Ordinance No. 171545. (Y-4)

Commissioner Jim Francesconi

1349 Appoint Carol J. Lentz to the Taxicab Board of Review (Report)

Disposition: Confirmed.

*1350 Authorize a contract with White Bear Sales for purchase of four traffic scooters in the amount of \$73,984 without advertising for bids and provide for payment (Ordinance)

Disposition: Ordinance No. 171546. (Y-4)

*1351 Authorize indemnification agreement with NIKE, Inc. as a condition of receiving a donation for resurfacing of the Grant High School track (Ordinance)

Disposition: Ordinance No. 171547. (Y-4)

*1352 Authorize agreement for acquisition of the Garner property south of Powell Butte Nature Park between the Springwater Corridor and Johnson Creek in the Urban Waterways Local Share Target Area (Ordinance)

Disposition: Ordinance No. 171548. (Y-4)

*1353 Authorize Intergovernmental Agreement with Metro to have the City of Portland do the preliminary engineering and contract administration work for a 1.15 mile multi-use trail project (Ordinance)

Disposition: Ordinance No. 171549. (Y-4)

*1354 Authorize local agency agreement between the Oregon Department of Transportation, Metro and the City of Portland to implement 1.7 miles of multi-use trail (Ordinance)

Disposition: Ordinance No. 171550. (Y-4)

SEPTEMBER 4, 1997

- *1355** Authorize intergovernmental agreement with Metro to transfer federal transportation funds from the Springwater-OMSI trail to the Peninsula Crossing Trail (Ordinance)

Disposition: Ordinance No. 171551. (Y-4)

Commissioner Charlie Hales

- 1356** Accept completion of contract with Tice Electric for remodel of five traffic signals and installation of one new signal and make final payment (Report; Contract No. 30513)

Disposition: Accepted.

- 1357** Accept contract with Davis Landscape Nursery, Inc. for Bloomington Park improvements as complete, authorize final payment and release of retainage (Report; Contract No. 30543)

Disposition: Accepted.

- 1358** Accept contract with Davis Landscape Nursery, Inc. for Oaks Bottom improvements as complete, authorize final payment and release of retainage (Report; Contract No. 30627)

Disposition: Accepted.

- 1359** Accept completion of Terwilliger Parkway Path renovation by Eagle Elsner, Inc., make final payment and release retainage (Report; Contract No. 31001)

Disposition: Accepted.

- *1360** Authorize applications to the Oregon Department of Transportation for grants in the amount of \$90,000 to implement the Vancouver/Williams Bikeway project and \$20,000 to develop and print a family-oriented bicycle map (Ordinance)

Disposition: Ordinance No. 171552. (Y-4)

- *1361** Revocable permit to Widmer Brothers Brewing to close N. Russell between Interstate and Mississippi on September 13, 1997 (Ordinance)

Disposition: Ordinance No. 171553. (Y-4)

- *1362** Amend Intergovernmental Agreement with Multnomah County related to streetcar accommodations on the Hawthorne Bridge and provide for payment (Ordinance; amend Contract No. 31375)

SEPTEMBER 4, 1997

Disposition: Ordinance No. 171554. (Y-4)

- *1363 Waive City Code Chapter 5.32 to facilitate contracting for emergency sewer repair (Ordinance)

Disposition: Ordinance No. 171555. (Y-4)

- *1364 Increase contract amounts with Bernard, Johnson, Young, Inc. by \$32,500 and EsGil Corporation by \$32,500 to provide plan review and engineering services (Ordinance; amend Contract Nos. 31156 and 31157)

Disposition: Ordinance No. 171556. (Y-4)

- *1365 Authorize indemnification agreement with NIKE, Inc. as a condition of receiving a donation for gymnasium floors for community centers (Ordinance)

Disposition: Ordinance No. 171557. (Y-4)

Commissioner Gretchen Miller Kafoury

- *1366 Contract with School District No. 1 for \$414,797 for the Home Repair Training Program and provide for payment (Ordinance)

Disposition: Ordinance No. 171558. (Y-4)

- *1367 Amend agreement with The Private Industry Council, Inc., increasing the amount by \$35,500 for summer employment for North/Northeast youth and provide for payment (Ordinance; amend Agreement No. 31253)

Disposition: Ordinance No. 171559. (Y-4)

Commissioner Erik Sten

- 1368 Accept contract with Hollinger Construction, Inc. for the hoist and crane systems, Carolina and Washington Park No. 2 water pump stations as complete, authorize final payment and release of retainage (Report; Contract No. 31008)

Disposition: Accepted.

- *1369 Grant a temporary, revocable permit to Portland LFG Joint Venture and establish terms and conditions (Ordinance)

Disposition: Ordinance No. 171560. (Y-4)

SEPTEMBER 4, 1997

- 1370** Contract with the U.S. Geological Survey for streamflow and water quality monitoring without advertising for bids (Ordinance)

Disposition: Passed to Second Reading September 10, 1997 at 9:30 a.m.

- *1371** Amend a Purchase Order with Landslide Technology for additional professional engineering services to mitigate the Ditch Camp landslide area (Ordinance)

Disposition: Ordinance No. 171561. (Y-4)

- 1372** Consent to transfer of Cedar Mill Disposal, Inc. solid waste and recycling franchise to Metropolitan Disposal Corporation, a subsidiary of USA Waste Services, Inc. (Second Reading Agenda 1333)

Disposition: Ordinance No. 171562. (Y-4)

REGULAR AGENDA

Commissioner Charlie Hales

- *1373** Contract with Infrastructure Management Group, Inc. in an amount not to exceed \$92,700 to develop a series of plans for integrating the City's development review functions (Ordinance)

Discussion: Margaret Mahoney, Director, Bureau of Buildings, said an interbureau group, with outside consultation, recommends the award of this contract to Infrastructure Management Group based on its experience in doing similar work for a number of other jurisdictions. A report to Council is expected in December.

Commissioner Hales said he is pleased with the help being given by bureaus as well as the Stakeholders Committee and consulting team. He said he is cautiously optimistic that this problem will finally be solved.

Disposition: Ordinance No. 171563. (Y-4)

- *1374** Amend the Comprehensive Plan Map and Zoning Map for the property located on one block bounded by 14th Avenue, Burlington Northern Railroad, 17th Avenue and Thurman Street and one block bounded by Thurman, Savier Streets, 15th and 16th Avenues from Industrial Sanctuary (IG1) to Central Employment with a design overlay (EXd) (Previous Agenda 1336; Findings; LUR 97-00158 CP ZC)

Discussion: Mayor Katz noted that this was continued because not enough Council members were present at the last meeting to pass it.

Disposition: Ordinance No. 171564. (Y-4)

1375 Amend the Zoning Code and adopt the Community Design Guidelines to implement the Community Planning follow-up proposals (Previous Agenda 1266; amend Title 33)

Discussion: Michael Harrison, Planning Bureau, presented the five issues that Council raised at the earlier hearing. The first was to extend the time for testing the standards that apply to rowhouses. The Bureau recommends that Council proceed to take action on the Guidelines now with the understanding that the Interim Design regulations will provide an opportunity to talk about rowhouse development throughout the City. He said they have done considerable testing and would like to proceed now even though further refinements may be needed later, as the current standards in 33.295 being used now as an alternative to design review in Albina and Outer Southeast are causing problems.

The second issue is the neighborhood contact requirement, a new tool now being used in Albina and Outer Southeast, which continues to cause considerable problems. Staff believes the solution lies in working with the neighborhoods and the development community, rather than in changing the language of the Code. The Bureau recommends continuing to monitor the process but not making a Code change now.

Mr. Harrison said the third issue is setback averaging, based on considerable testimony, particularly from Southwest Portland residents. The Design and Landmarks Commission recommended requiring setback averaging in Southwest and in historic conservation districts. Upon further discussion with the Planning Commission, staff is confident that the Commission will add a setback standard averaging provision as part of the Southwest Community Plan and, for that reason, staff believes it would be expeditious to go ahead and do it now, applying the standards in historic conservation districts and in the design zones in Southwest. Currently there are none in Southwest but some will be created when the Hillsdale Town Center Plan is adopted and more will be proposed later.

Commissioner Hales said the argument Council heard was that if setback averaging was not done, rowhouses will not have to pay any attention to the context of those neighborhoods. But what about the rest of the City?

Mr. Harrison said this would apply only to existing design zones and most of the City is not within them. The Planning Commission will soon be considering Interim Design Standards that would be applied Citywide.

SEPTEMBER 4, 1997

Mr. Harrison said there was also a suggestion that some of the compatibility standards being deleted be retained as an option. Those proposals had to do with setbacks, building height and roof pitch. The setback issue has been taken care of with the recommendation to add the setback standards back into the Code. With regard to building heights, they have learned that determining the average height of surrounding buildings is very difficult process and counterproductive to speeding up the permitting process. Given that height limits were reduced in 1991, staff recommends using the height limits in the base zone. He said they will be talking about height limits for rowhouses as part of the upcoming discussions on the Interim Design Standard regulations.

On the issue of pitch, staff recommends that it be added back into the Code as an option. A developer could choose to be within the range of roof pitches in the adjacent buildings rather than within the range specified in the Code. Finally, on the issue of side-facing treatments and windows, staff recommends against making a change. Often there is little space between the sidewalls of buildings and adding a requirement for more windows could have negative consequences, including loss of privacy, noise and light. Staff is also encouraging pulling windows to the street facing, rather than the side and rear. This will also be a topic in the Interim Design regulations.

Commissioner Hales asked if a side is treated differently if it is on a street.

Mr. Harrison said the Community Design standards they propose today increase the required window area for houses fronting on a corner. That would increase the requirement from eight to 15 percent. It does not conflict with or affect the Building Code.

Commissioner Hales said there are some real compatibility issues here that the current Code does not solve but there is a question of how burdensome the City wants to be. He would rather be more burdensome in terms of design and said if Council agrees it should let the Planning Commission know.

Mayor Katz agreed. She said there is tension both between regulation and flexibility and between affordability and design. She said design is a critical issue for the community and she is not sure that something cannot be designed that is both affordable and aesthetically pleasing. She is still not pleased with the rowhouse discussion and hopes that staff will consider that in the next set of design elements. She believes the City needs to be far more aggressive about design elements, even if it loses some units here and there.

Commissioner Hales agreed that there is not necessarily a tradeoff between good design and cost.

Commissioner Kafoury said when there are design guidelines for districts, then each project does not have to do its own expensive architectural work.

SEPTEMBER 4, 1997

Commissioner Sten said the buildings that Eliot neighborhood complains about are the ones that are non-subsidized. The difference is about \$30,000 in government funding per unit for the subsidized affordable housing projects so good design can cost money, although he believes it is worth the extra expense.

Commissioner Hales noted that Mr. Harrison has recommended putting back in the setback averaging tool in Southwest and historic conservation districts and adding back the averaging option for roof pitches.

Bruce Sternberg, 7134 SE 34th Avenue, said affordable housing is not necessarily low-cost housing and is often more expensive than market-rate housing. He said his experience is that the construction cost has no relationship to the quality of design. He said he believes a majority of neighborhoods will want to have design overlay zones. Regarding monitoring, he said relying on that process to determine the standards is a false presumption. He is very disappointed with staff's position on row houses as he understand that Council had asked for a process for reviewing revised rowhouse options. Instead of a process, staff is saying the standards are good as they are. He said the neighborhoods will be up in arms over these standards, which do not solve problems with height, setbacks, roof pitches and the 18-foot driveways. Council should not wait for the Interim Design Guidelines to kick in. On setback averaging, this should apply to the entire City, not just Southwest. Every traditional neighborhood wants buildings set back more than 10 feet and the 2.5 foot rowhouse setback will create a gross conflict and the worse kind of encroachment into existing neighborhoods. Regarding roof pitches, he believes averaging will not encourage the quality of design the City is looking for. He urged Council to return to the six to 12-foot standard. Finally, if the setback issue is addressed, concerns about the side setback will also be met.

Michael Roche, 8920 SW 40th St., supported staff's decision to put setback averaging back in Southwest and believes there are other neighborhoods where that should probably also apply. He is confused about whether the new infill standard or the existing neighborhood standard will apply. He said given the price of land in Southwest, that will probably dictate rowhouse development and here the quality of design is very important as it will severely impact the neighborhood. Roof pitches are problematic. In Southwest, a flat roof may work better on a hill than a 6/12 or 3/12. These should be looked at on a case-by-case basis. He said lining Capitol Highway with 35-foot rowhouse roof pitches with 18-foot driveways is not going to work.

Commissioner Hales asked if the amount of window area required on end units is raised from eight to 15 percent, what issues remain regarding rowhouse standards.

SEPTEMBER 4, 1997

Mr. Roche said he is concerned about the intrusion on privacy from balconies if rowhouses are built on a high grade.

Mr. Sternberg said he does not like the requirement for repeated roofs. He also does not like the requirement for 18 feet between driveways at the property line. He proposes to keep the 18 feet the entire length of the driveway with landscaping along the entire length.

Mr. Harrison said if that standard were recommended it would require rowhouses to be at least 27 feet wide, which would significantly impact potential density. The larger number of rowhouses now being built are around 16 to 19 feet wide. He said requiring 18 feet at the front property line allows people to have a narrower driveway by angling it towards the curb cut and in effect that could be cut down between 14 to 16 feet at the front property line. That would allow for rowhouses 16 feet wide and preserve more on-street parking.

Disposition: Passed to Second Reading as amended September 10, 1997 at 9:30 a.m.

Commissioner Erik Sten

***1376** Settle compensation under US Sprint franchise; authorize early franchise renewal discussions (Ordinance)

Discussion: David Olson, Office of Cable Franchises, said this is a fair agreement.


Disposition: Ordinance No. 171565. (Y-4)

1377 Grant a franchise to GST Telecom Oregon, Inc. for a period of ten years (Second Reading Agenda 1337)

Disposition: Ordinance No. 171566. (Y-4)

At 3:30 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland


By Cay Kershner
Clerk of the Council