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CITY OF  
**PORTLAND, OREGON**

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**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 10TH DAY OF SEPTEMBER, 1997 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Kafoury and Sten, 5.

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

On a Y-5 roll call, the Consent Agenda was adopted as follows:

**CONSENT AGENDA - NO DISCUSSION**

- 1380 Cash investment balances July 24 through August 20, 1997 (Report; Treasurer)  
**Disposition:** Placed on File.
- 1381 Accept bid of Triad Mechanical, Inc. for the St. Johns pump station remodel for the Bureau of Environmental Services for \$356,354 (Purchasing Report - Bid 98007)  
**Disposition:** Accepted; prepare contract.
- 1382 Accept bid of Deborah Wilcott dba Wilcott Landscaping for furnishing decorative fountain maintenance services for \$100,392 (Purchasing Report - Bid 98008)  
**Disposition:** Accepted; prepare contract.
- 1383 Accept bid of Polynesian Landscape Company, Inc. for furnishing an annual landscape maintenance contract for \$19,020 (Purchasing Report - Bid 98032)  
**Disposition:** Accepted; prepare contract.
- 1384 Vacate a certain portion of NW 111th Avenue east of NW St. Helens Road, under certain conditions (Second Reading Agenda 1347; C-9927)  
**Disposition:** Ordinance No. 171567. (Y-5)

**SEPTEMBER 10, 1997**

**Mayor Vera Katz**

**\*1385** Establish new classifications and salaries for Procurement Manager and Procurement Director in accordance with the Personnel Rules adopted by the City Council (Ordinance)

**Disposition:** Ordinance No. 171568. (Y-5)

**\*1386** Authorize appointment of Linda Bidwell and Sue Klobertanz to the position of Procurement Manager at a rate of pay at the top of the range (Ordinance)

**Disposition:** Ordinance No. 171569. (Y-5)

**Commissioner Jim Francesconi**

**\*1387** Authorize acquisition, then immediate sale, of property located at NE 82nd and Halsey to assist Portland Habilitation Center in providing affordable special needs housing (Ordinance)

**Disposition:** Ordinance No. 171570. (Y-5)

**\*1388** Release surety on contract with Festival Services, Inc. for concession services at Portland International Raceway (Ordinance; Contract No. 28199)

**Disposition:** Ordinance No. 171571. (Y-5)

**\*1389** Amend contract with URS Greiner, Inc. to increase the amount by \$13,250 and extend the completion date to December 30, 1997 (Ordinance; Contract No. 30986)

**Disposition:** Ordinance No. 171572. (Y-5)

**Commissioner Charlie Hales**

**1390** Set hearing date, 9:30 a.m., Wednesday, October 8, 1997, to vacate a portion of NE Holman Street south of NE Airport Way (Report; C-9932)

**Disposition:** Adopted.

**1391** Accept contract with Barnum Construction for landslide repair at SW Arnold Street west of SW Boones Ferry Road as complete and release final payment (Report; Contract No. 31226)

**Disposition:** Accepted.

SEPTEMBER 10, 1997

**1392** Accept Certificate of Completion, Change Order No. 1 and final estimate for Phase 1 seismic retrofit of NE 12th Avenue overpass of I-84 by Baseline Industrial Construction, Inc. (Report; Contract No. 31237)

**Disposition:** Accepted.

**\*1393** Accept jurisdiction from Multnomah County of certain County roads, lying within the corporate limits of the City of Portland, pursuant to the Intergovernmental Agreement authorized by Ordinance No. 155651, passed by Council March 1, 1984 (Ordinance)

**Disposition:** Ordinance No. 171573. (Y-5)

**Commissioner Gretchen Miller Kafoury**

**\*1394** Contract with Southeast Uplift, Inc. for \$36,000 for the Harney Park Neighborhood target area in the Brentwood Darlington neighborhood and provide for payment (Ordinance)

**Disposition:** Ordinance No. 171574. (Y-5)

**\*1395** Contract with Portland Community Design for \$41,160 to provide architectural design and planning services to non-profit developers carrying out Community Development Block Grant eligible projects and to complete a business planning process and provide for payment (Ordinance)

**Disposition:** Ordinance No. 171575. (Y-5)

**\*1396** Contract with John Ball for \$20,000 to provide consulting services on workforce development redesign and provide for payment (Ordinance)

**Disposition:** Ordinance No. 171576. (Y-5)

**Commissioner Erik Sten**

**1397** Accept completion of the Taggart Basin, Unit 4, Project No. 5493, and authorize final payment to Moore Excavation, Inc. (Report; Contract No. 31175)

**Disposition:** Accepted.

**\*1398** Contract with Global Action Plan for the Earth for \$55,000 to provide a sustainable lifestyle campaign for Portland residents (Ordinance)

**Disposition:** Ordinance No. 171577. (Y-5)

**SEPTEMBER 10, 1997**

**\*1399** Authorize agreements for the conveyance of property to the Bureau of Environmental Services, subject to certain conditions being fulfilled, and authorize acceptance of deeds and payment of expenses (Ordinance)

**Disposition:** Ordinance No. 171578. (Y-5)

**\*1400** Issue a Purchase Order to the lowest responsible bidder to provide three progressing cavity pumps for the digester modifications project at the Columbia Boulevard Wastewater Treatment Plant (Ordinance)

**Disposition:** Ordinance No. 171579. (Y-5)

**\*1401** Authorize a contract with the lowest responsible bidder for Inverness pump station for the Bureau of Environmental Services (Ordinance)

**Disposition:** Ordinance No. 171580. (Y-5)

**\*1402** Authorize a contract and provide for payment for the Sullivan Gulch sewer repair, Project No. 6227 (Ordinance)

**Disposition:** Ordinance No. 171581. (Y-5)

**1403** Authorize an Intergovernmental Agreement between Bureau of Environmental Services and Portland State University in the amount of \$119,191 to assist the Solid Waste and Recycling Program in waste reduction activities (Ordinance)

**Disposition:** Passed to Second Reading September 17, 1997 at 9:30 a.m.

**1404** Authorize an Intergovernmental Agreement with Multnomah County for Water/Sewer Bill Discount and Crisis Assistance Program administration of eligibility verification (Ordinance)

**Disposition:** Passed to Second Reading September 17, 1997 at 9:30 a.m.

**1405** Contract with the U.S. Geological Survey for streamflow and water quality monitoring without advertising for bids (Second Reading Agenda 1370)

**Disposition:** Ordinance No. 171582. (Y-5)

**City Auditor Barbara Clark**

**1406** Approve Council Minutes for January 2, 1997 through May 28, 1997 (Report)

**Disposition:** Accepted.

**REGULAR AGENDA**

\*1378

**TIME CERTAIN: 9:30 AM** - Authorize Intergovernmental Agreement with Clark County, Washington for cooperation and coordination of the 800 MHz radio system (Ordinance introduced by Commissioner Francesconi)

**Discussion:** David Kish, Director, Bureau of General Services, said this agreement reflects seven years of hard work between the City and Clark County and will enhance seamless communications in the whole region. It will allow the sharing of resources in emergency situations and for a back-up of each other's communications systems to see if ultimately, when there is a large enough customer base, they can go ahead with some shared radio sites, resulting in considerable savings to tax payers.

Thara Bradshaw, Director, Clark County Emergency Services, said it is extremely important to cement this regional partnership now that Vancouver is ready to turn on its 800 MHz system.

Dan Friehoe, Vancouver Fire Chief, said they foresee added improvements in the provision of critical emergency services as the regionalization of services continues.

Roxanne Brown, Director, Washington County Consolidated Agency, said they are very pleased to be a partner in this agreement.

**Disposition:** Ordinance No. 171583. (Y-5)

1408

Report on the City Hall renovation project from the Director of the Bureau of General Services (Report)

**Discussion:** Mr. Kish reviewed the quarterly report from the oversight committee on the City Hall renovation project. He described some of the added costs as well as the resources that can be drawn upon to pay for them.

Mayor Katz asked how the reconfiguration of City Hall will be monitored over time.

Mr. Kish said one check will be the Oregon Historic Landmarks Commission. Council also adopted space standards which General Services will try to maintain.

Mayor Katz said the oversight committee could be used to think that through.

Mr. Kish said the committee could be asked to continue on in a monitoring capacity.

**Disposition:** Accepted.

SEPTEMBER 10, 1997

1379

**TIME CERTAIN: 9:45 AM** - Direct revisions to the City of Portland FY 1997-98 Adopted Budget (Resolution introduced by Mayor Katz)

**Discussion:** Ken Rust, Office of Finance and Administration, said this resolution reflects the modifications called for at last week's Council workshop on the consequences of Ballot Measure 50. The resolution implements those decisions in two phases.

Commissioner Francesconi asked if it was all right to include Pioneer Square renovations in the first phase.

Mr. Rust said there is no problem from their point of view.

Commissioner Francesconi requested that appropriation be moved up for funding now.

Mayor Katz, hearing no objections, so ordered.

Harry Bruton, Commission on Housing, thanked Council for authorizing the funds for housing. He noted that the recent housing audit recommended implementation of a team by July 1 and he still sees no team in place.

Amanda Fritz, 4106 SW Vacuna, thanked Council for its support of schools and cited one example of how that money has been used. She also supported the \$450,000 for parks allocation in Southwest Portland, which is parks deficient, and to help address the impacts of increased density there as a result of the Urban Growth Boundary. She encouraged Council in the next budget cycle to consider having a relatively small amount of money, such as this is, to allocate to communities that have done community planning.

Commissioner Hales said whether those funds are just for Southwest should be clarified.

Commissioner Francesconi said the two parts of the City that are most park deficient are Southwest, especially south of Barbur, and the Outer East side, the Wilkes neighborhood in particular. Some properties has potentially been identified in different areas of town and one strategy would be to take out options to try to hold the land. Part of what is decided will depend on the most that can be done with the amount of money that is available. The article in the Oregonian is a little misleading because the \$450,000 is not just targeted for Southwest and, because of the critical need in outer Northeast as well, staff is working through what would make the most sense with that money.

Ms. Fritz noted that yesterday the Planning Commission had a talk about the parks needs in Sellwood and there are clearly areas all over the City that desperately need parks, especially if they are accommodating increased growth.

SEPTEMBER 10, 1997

Commissioner Francesconi said parks are also desperately needed in Southeast. The \$450,000 is a drop in the bucket and raises the issue of how to get more funding for park acquisitions.

Dixie Johnston, Collinsville Neighborhood Association, thanked Commissioner Francesconi for asking that schools examine their fiscal accountability. She also asked that a second look be taken at a proposed pocket park for Collinsville which the Planning Bureau deemed inappropriate.

Aiken Blitz, Rotary Club of Portland, supported the expenditure of \$600,000 in one-time money to begin the process of acquiring the vacant OMSI property and converting it to a Children's Museum. The Rotary Club has agreed to begin a very ambitious program to raise money to renovate the building.

Others speaking in support of this project included:

Reg Keddie, Rotary Club District 5100  
John Houseman, Executive Director, Children's Museum  
Phil Beil, Children's Museum board member

Commissioner Francesconi said without Rotary Club participation, this conversion would not happen as the City simply does not have the funds to renovate the building.

Bob Packard, Pioneer Square Board member, thanked Council for authorizing additional funding for the Square now and not six months later. He said they are 30 days away from beginning their capital improvement project and are also developing a business plan and programming for the Square that will take advantage of these improvements.

Karen Whitman, Manager, Pioneer Square, said they are working very hard to bring the Square back up to standard.

Kathy Fong Stephens and Mike Powell, representing the Portland Schools Foundation, expressed thanks to the City for its financial support of the schools.

Martie Sucec, first vice-president, Southwest Neighborhoods Information, and Doug Weir, President, Friends of Terwilliger, supported the allocation to Parks, but also noted the need to acquire more open space and playgrounds in Southwest.

Doug Strickler, Director, Lents Target Area Plan, and Kathleen Lansing, Lents Neighborhood Association, thanked Council for its support for Outer Southeast.

SEPTEMBER 10, 1997

Individuals requesting added funding for community family service centers included:

Kathleen Roy, 4707 SE Hawthorne, 97215  
Angela Richardson, 2438 SE 41st, #204, 97214  
Michelle Krajeski, Portland Impact, 2438 SE 41st, 97214

Mayor Katz noted that this was a request for money for services which Multnomah County had reduced. Commissioner Kafoury explained how social service funding was divided between the City and the County.

Commissioner Francesconi said this year's budget allocation sends a signal about the City's priorities.

Commissioner Sten said he is proud to be able to put additional City money into schools and parks. The next step is to take care of next year's school funding problem.

Mayor Katz agreed that the budget reflects Council's priorities. She said additional officers will allow the police to reach the benchmark the City set earlier and she is grateful for the federal support. In addition to continued support for schools and parks, the importance of making needed infrastructure investments to deal with growth must be acknowledged.

**Disposition:** Resolution No. 35641 as amended. (Y-5)

#### **Mayor Vera Katz**

**\*1407** Authorize the execution of an Intergovernmental Agreement between Multnomah and Washington Counties and the City of Portland; authorize the City to join with Multnomah and Washington Counties in establishing a Workforce Development Board; authorize the appointment of a Workforce Development Board and direct how future appointments shall be made (Ordinance)

**Discussion:** Mayor Katz said this authorizes a consortium to provide workforce development programs with a new board and a new workplan. It reconstitutes the Portland Industry Council into a workforce development board that will deliver services through community-based groups.

**Disposition:** Ordinance No. 171584. (Y-5)

#### **Commissioner Jim Francesconi**

**\*1409** Accept a grant from Multnomah County in the amount of \$48,195 for FY 97-98 for operation of an integration program for senior citizens who have mental retardation/developmental disabilities (Ordinance)



SEPTEMBER 10, 1997

**Disposition:** Ordinance No. 171585. (Y-5)

**Commissioner Charlie Hales**

- 1410 Consider vacating portions of SE Tacoma Street, SE 24th and 25th Avenues, at the request of Kasch's Garden Center (Hearing; Report; C-9905)

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

**Commissioner Erik Sten**

- \*1411 Accept a grant from the Governor's Watershed Enhancement Board in the amount of \$55,000 for FY 97/98 and FY 98/99 to continue a water education program in the Columbia Slough watershed (Ordinance)

**Disposition:** Ordinance No. 171586. (Y-5)

- \*1412 Authorize an agreement with Enron/Portland General Electric for \$37,000 to assist their multifamily customers with weatherization (Ordinance)

**Disposition:** Ordinance No. 171587. (Y-5)

**City Auditor Barbara Clark**

- \*1413 Create a local improvement district to construct street and sidewalk improvements in the NE Martin Luther King Junior Boulevard/Wygant Street Local Improvement Project (Hearing; Ordinance; C-9942)

**Disposition:** Ordinance No. 171588. (Y-5)

**Communications**

- 1414 Request of Anne Hatch for passage of an ordinance precluding housing of a Siberian tiger at its current location (Communication)

**Discussion:** Anne Hatch, 3122 SW Wilbard, 97219, described her fears about having a Siberian tiger "one tiger's leap" away from where her children play. She noted that the Oregon Department of Agriculture issued an exotic animal permit to the owner, Greg Anderson, but that he has failed to meet the criteria. She said he carries no liability insurance as required and repeatedly has allowed the tiger out of its kennel. Ms. Hatch asked Council to pass an ordinance banning predatory animals on private property within the City.

Roger Huffman, Administrator, Oregon Department of Agriculture, said the State issues permits for exotic animals if the applicant meets the requirements regarding facilities and cages. Animals are categorized on the basis of size and risk. He said

SEPTEMBER 10, 1997

Mr. Anderson's cage met all the requirements.

Commissioner Hales asked if this was covered under Oregon Statutory Regulations or administrative rules.

Mr. Huffman said it was covered under both.

Commissioner Hales said the State could draft a rule that said such animals do not belong in urban neighborhoods. He said he hoped State regulations could recognize the difference between someone living in the City and someone with 30 acres in the country.

Chuck Craig, Oregon Department of Agriculture, said the Attorney General could adopt rules restricting location based on some criteria but the Department does not have the authority to ban such animals within City limits.

Commissioner Hales asked if the Department could not distinguish between urban and rural areas.

Mr. Craig said it would have to go beyond that.

Mayor Katz asked if new rules could be grandfathered in to apply to this situation.

Mr. Craig said it would be hard to apply them retroactively to permits already granted.

Hank Miggins, Director, Multnomah County Animal Control, said the County drafts an animal control ordinance which applies to all jurisdictions within its boundaries, including Portland. Portland later adopts it.

Commissioner Francesconi asked when the County expects to have the new ordinance.

Mr. Miggins said by December.

Commissioner Sten said the City would like the State to revoke its permit.

Mayor Katz said the City could write an ordinance but revocation of the permit seems the easiest way to go.

Commissioner Hales said he would hope State regulations could recognize the difference between city and country.

Mr. Craig said cities and counties have the authority to screen out certain animals while the State does not.

SEPTEMBER 10, 1997

Mayor Katz asked why State officials are reluctant to pull the permit, given the violations.

Mr. Craig said they try to educate people into compliance. The animal was a juvenile when it was let outside the cage.

Commissioner Kafoury asked Mr. Craig and Mr. Huffman to reconsider the decision not to pull the permit.

Mr. Craig said they will certainly reconsider it but there may be significant legal restraints. In this case, the owner was informed of the violation and told that if another occurred, the permit would be revoked. The Department's policy is to first give a warning and then bring the owner into compliance.

Commissioner Francesconi asked whether an ordinance passed by Multnomah County would preempt the State's permit.

Mr. Miggins explained the County's role in animal control.

Commissioner Sten said a distinction needs to be made between exotic and dangerous animals.

Commissioner Hales said the City will do something itself if there is no other choice. He said he thought the County had authority to do regulatory work.

Harry Auerbach, Deputy City Attorney, said no one can pass a law to make it illegal to do something yesterday but one can make it illegal to do it tomorrow. The City has the authority to ban exotic animals as of an effective date regardless of whether the owner had a State permit. Or the ordinance could be made effective upon expiration of the permit.

Mayor Katz asked Commissioner Kafoury to follow through on an ordinance or require one of Multnomah County and risk any legal challenges that might ensue. She discussed with Mr. Auerbach which animals should and could be banned.

Commissioner Kafoury said she would like to know the State's time line.

Mr. Craig said the State will act as fast as it can but if the City wants to take action in the meantime, it can.

Mr. Huffman said the State has the option of issuing a warning or revoking the permit.

Mr. Auerbach noted that the permittee must be given a reason for revocation plus an opportunity for a hearing.

**SEPTEMBER 10, 1997**

In response to queries from Council, Mr. Miggins said he would get back in a week as to whether the County will do a separate ordinance.

Mayor Katz said in the meantime she will talk to the Attorney General about what can be done.

Ms. Hatch said Multnomah County issued a warning to the permittee three months ago but the State said it would not recognize that. There have been violations on four separate occasions.

**Disposition:** Placed on File.

At 11:20 a.m., Council recessed.

**SEPTEMBER 10, 1997**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 10TH DAY OF SEPTEMBER, 1997 AT 2:00 P.M.

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

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

### **REGULAR AGENDA**

#### **Commissioner Charlie Hales**

- 1416** Amend the Zoning Code and adopt the Community Design Guidelines to implement the Community Planning follow-up proposals (Second Reading Agenda 1375; amend Title 33)

**Disposition:** Ordinance No. 171589 as amended. (Y-4)

- 1415** **TIME CERTAIN: 2:00 PM** - Appeal of Lents Neighborhood Association against Hearings Officer's decision to deny the application of Lents Seventh Day Adventist Church for an expansion of their existing parking lot at 8835 SE Woodstock Boulevard (Hearing; LUR 97-00464 MS CU)

**Discussion:** Nan Stark, Planning Bureau, showed slides and explained the proposed parking lot expansion, which was denied last year by the Hearings Officer and City Council. Council, however, credited the church's land-use fee towards creation of a Master Plan and encouraged the applicant to return with one. She said the basis for the Hearings Officer's denial of the parking lot expansion is based on two criteria: 1) the proportion of household to non-household uses; and 2) the use of 9,000 square feet to meet parking needs for four hours of parking per week, resulting in the loss of nine potential housing units.

Ms. Stark said the Hearings Officer also found that a number of Transportation Element policies of the Comprehensive Plan had not been met and noted that the church is within the Lents pedestrian district, which encourages the use of alternate transportation modes. The Neighborhood Association argues that all the criteria have been met and that the parking expansion will alleviate on-street parking conflicts and also allow the church to grow. She also cited a letter from a neighbor to the north who opposes the expansion.

Dena Platman, Transportation Planning, said the denial was based on inclusion of the proposed parking lot within the Pedestrian Transit District which discourages additional auto trips as well as its failure to comply with Comprehensive Plan

SEPTEMBER 10, 1997

policies. 6.14, 6.16 and 6.17. She said staff believes that even with expansion of the fellowship hall, the parking lot expansion is not needed.

Raymond Hites, Land-use Chair, Lents Neighborhood Association, said a majority of those attending the June neighborhood association meeting voted to appeal the denial. They believe the proportion of household uses has to take into account that residential uses are present in the CM zone. This is not a large expansion but is needed to enable the church to accommodate growth. The association heard repeatedly from church attendees that on-street parking was a problem and that current off-street parking is used seven days a week, by the Baptist Church across the street and the Gleaners, as well as by the Seventh Day Adventists. The planned fellowship expansion will remove some off-street parking so that on-street parking will only get worse. The neighborhood association also supports expansion of the fellowship hall and canopy. Mr. Hites said the church did submit a Transportation Demand Management plan regarding the use of alternate transportation modes, including a bike path on Woodstock, but that most of the congregation is spread out over a large area.

Commissioner Hales asked why the church is asking for an exception to the Pedestrian District and still expects off-street parking needs to be met.

Mr. Hites said the main focus was the fact that the off-street parking is shared throughout the week by several organizations, not just the church at peak times. He said he keeps hearing from area businesses that there is not enough parking for customers and, although the church has not had much success yet in signing people up for shared parking, he will peruse this with them further.

Commissioner Francesconi said the application makes it sound like the lot is being expanded for four hours on Saturday. He asked about the need for market-rate housing in the area and how that potential could be traded off for parking.

Mr. Hites said the neighborhood does not view this as a location where housing is ever likely to happen.

Duane Peterson, church architect, said the church will lose 10 to 12 parking spaces when it adds the fellowship hall and the reconfiguration adds only nine spaces, not 42. Basically, the church will end up with the same number of spaces it is losing. Currently there is an average of 2.3 people per car at services, or about 300 cars at services. As the church grows, they foresee parking congestion, whether on- or off-street.

Warren Dick, Lents Church, said there are no buses on Woodstock now to get people to church on Sunday. He said if this application is denied again, the congregation may consider moving to another location rather than expanding here. He said the

SEPTEMBER 10, 1997

church would like to have at least as many parking spaces as it has now. He said they are using on-street parking now although older members prefer the convenience of parking in a lot.

Ms. Platman said the regional transportation and 2040 plans show Woodstock as having a high-transit line within the next 20 years. There is no bus service now but several are within a block or two.

Ms. Stark said commercial uses are not allowed to share parking in residential zones and the church has had difficulty in getting adjacent churches to share their lots although there is still the potential for Lents Baptist to share.

Ron Smith, Seventh Day Adventists, said the church has no desire to sell or build houses on the property in question. He said it goes against reality to think that people who drive a long distance to get to church will park some distance away.

Commissioner Hales said granting the church the parking request runs counter to what the district desires to become and what the zoning code calls for. Here there is a different conception about how much parking there needs to be and what the geography can absorb. There are different expectations among members of this congregation about being able to drive to church and park in a parking lot versus the City's own zoning code. Practically, however, there will be no transit service on Woodstock on weekends any time soon so, although he is not very happy about this application and believes it creates some policy problems, the fact that both the neighborhood association and the congregation want to do this causes him to lean slightly in favor of overturning the Hearings Officer's decision.

Commissioner Kafoury said this is a case where Council has to consider reality versus a vision and she does not think a favorable decision sets a precedent. She said requiring that the added parking be tied to the building expansion makes it clear that the parking is linked to enhanced use of the property. She also believes the chances are slim of there ever being housing here.

Mayor Katz said she can support a reversal of the Hearings Officer's decision if it is tied to expansion of the fellowship hall.

Commissioner Hales said the phasing plan shows the parking lot expansion comes first because it serves as a stage for the construction.

Mr. Dick said the Master Plan calls for completion within 20 years so quite a lot of work must be done simultaneously.

Commissioner Hales said he does not want to authorize the parking without any certainty about construction of the fellowship hall. He said perhaps the two should be tied together.

SEPTEMBER 10, 1997

Harold Follett, attorney, Western Conference, Seventh Day Adventists, said the church agrees to initiate the two simultaneously within two years.

Commissioner Kafoury moved approval based on that commitment and with Council's encouragement of shared parking.

Ms. Stark said adding a goal regarding shared use is not an enforceable condition. She said conditions could be added to lessen the noise by applying either the L-3 or L-4 landscaping standard and to require that lights be directed inward. The L-4 calls for a combination of masonry walls and trees while L-3 provides for an opaque screen of shrubs and trees. The non-perimeter landscaping needs to be brought into conformance also.

Cathy Mahoney, co-owner of property on 88th Street, said the adjacent neighbors really do need protection and would like the higher L-4 standard to be considered, with a wall rather than just hedges. She said their property will be surrounded by cars.

Commissioner Hales said he is not sure how many people want to live next to a six-foot masonry wall and whether that standard does any adjacent property owner much good.

Commissioner Kafoury said she does not like the cement and believes a huge screen is too much.

Ms. Stark read the regulations for the L-3 and L-4 standards.

Commissioner Hales and Commissioner Kafoury agreed to add L-3 standard landscaping and inward directed lights as conditions.

Commissioner Hales moved to tentatively overturn the Hearings Officer's denial of the parking lot, approve the Conditional Use master Plan with a two-year time table for beginning construction of both the parking lot and the fellowship hall with conditions dealing with parking lot lighting and perimeter landscaping that is non-conforming now. Commissioner Kafoury seconded.

Commissioner Francesconi said he is personally happy that the church will get its parking lot expansion as he appreciates all it has done for the neighborhood. He also knows that parking on the street is inconvenient but will vote against this because he does not believe an exception can be made for a church or for an organization because it does good work. If a business requested a parking



**SEPTEMBER 10, 1997**

expansion, he could not approve it despite the tremendous economic consequences on many businesses in Lents which are suffering from a lack of parking.

**Disposition:** Tentatively grant appeal; applicant prepare findings for October 1, 1997 at 2:00 p.m. (Y-4; N-1, Francesconi)

At 3:10 p.m., Council adjourned.

BARBARA CLARK  
Auditor of the City of Portland

*Cay Kershner*

By Cay Kershner  
Clerk of the Council