



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 28TH DAY OF JULY, 1999 AT 9:30 A.M.

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

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

Agenda No. 1073 was pulled from Consent. On a Y- roll call, the balance of the Consent Agenda was adopted as follows:

**CONSENT AGENDA - NO DISCUSSION**

- 1070** Accept bid of Skyward Construction LLC to furnish Washington Park facility re-roofing project for \$121,777 (Purchasing Report - Bid 99228)

**Disposition:** Accepted; prepare contract.

- 1071** Accept bid of Consolidated Supply Co. to furnish tapping sleeves for \$48,099 annually for two years (Purchasing Report - Bid 99231)

**Disposition:** Accepted; prepare contract.

- 1072** Accept bid of ECCO dba S & L Landscaping, Inc. to furnish Overlook Park improvements for \$164,875 (Purchasing Report - Bid 99241)

**Disposition:** Accepted; prepare contract.

- 1074** Reject the bid of G. R. Morgan Construction to furnish Pendleton Park improvements (Purchasing Report - Bid 99245 SMP)

**Disposition:** Accepted.

- 1075** Vacate a certain portion of SW Porter Street, under certain conditions (Ordinance by Order of Council; C-9955)

**Disposition:** Passed to Second Reading August 4, 1999 at 9:30 a.m.

- 1076** Vacate a certain portion of N Alberta Street, under certain conditions (Ordinance by Order of Council; C-9960)

**Disposition:** Passed to Second Reading August 4, 1999 at 9:30 a.m.

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**Mayor Vera Katz**

- \*1077** Pay claim of Pamela Gunderson (Ordinance)

**Disposition:** Ordinance No. 173595. (Y-5)

- \*1078** Agreement with the Oregon National Guard to support approved counterdrug missions (Ordinance)

**Disposition:** Ordinance No. 173596. (Y-5)

- \*1079** Agreement for the Portland Police Bureau to provide photographing and fingerprinting of youth at the Juvenile Detention Home facility (Ordinance)

**Disposition:** Ordinance No. 173597. (Y-5)

- \*1080** Authorize interim financing for various capital projects (Ordinance)

**Disposition:** Ordinance No. 173598. (Y-5)

- 1081** Authorize Water System Revenue Bonds (Ordinance)

**Disposition:** Passed to Second Reading August 4, 1999 at 9:30 a.m.

- 1082** Extend the City's existing contract with Airtouch Cellular for cellular telephone services and provide for payment (Ordinance; amend Contract No. 40120)

**Disposition:** Passed to Second Reading August 4, 1999 at 9:30 a.m.

**Commissioner Jim Francesconi**

- 1083** Approve Amendment of Articles of Incorporation of Pioneer Courthouse Square of Portland, Inc. (Resolution)

**Disposition:** Resolution No. 35808. (Y-5)

**Commissioner Charlie Hales**

- \*1084** Authorize contract with Portland Excavating, Inc. on NE Martin Luther King Jr. Blvd. and provide for payment (Ordinance)

**Disposition:** Ordinance No. 173599. (Y-5)

- \*1085** Amend Ordinance which vacated a portion of NW Savier to eliminate conditions 3(e) and 3(f) (Ordinance; amend Ordinance No. 103485)

**Disposition:** Ordinance No. 173600. (Y-5)

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**Commissioner Dan Saltzman**

- \*1086** Authorize a contract and provide for payment for the removal and salvage of tug boats lying in the path of the Columbia Boulevard Wastewater Treatment Plant outfall pipeline (Ordinance)

**Disposition:** Ordinance No. 173601. (Y-5)

**Commissioner Erik Sten**

- 1087** Direct City Council to take a stand in opposition of federal House Rule 623, calling for the repeal of plumbing efficiency standards and endorsing the Position Statement on National Water Efficiency Standards (Resolution)

**Disposition:** Resolution No. 35809. (Y-5)

- \*1088** Contract with Community Alliance of Tenants for \$30,000 for the Community Alliance of Tenants -- Renter Stabilization and Education Program and provide for payment (Ordinance)

**Disposition:** Ordinance No. 173602. (Y-5)

- \*1089** Contract with AIDS Housing of Washington for \$30,000 to assist the City with planning to meet the housing needs for people living with HIV/AIDS in the Portland Housing Opportunities for Persons with AIDS/Eligible Metropolitan Service Area and provide for payment (Ordinance)

**Disposition:** Ordinance No. 173603. (Y-5)

**REGULAR AGENDA**

- 1073** Accept bid of Pacific Northern Environmental Corp. to furnish parking lot and site improvements for \$145,742 (Purchasing Report - Bid 99243)

**Discussion:** Harry Jacocks, Bureau of Purchases, said Holefield Construction Company indicated it was going to protest this bid. However, Mr. Holefield is not here today and Purchasing has worked very hard to resolve his issues.

**Disposition:** Accepted; prepare contract.

**Commissioner Erik Sten**

- \*1090** Loan agreement with Oregon Food Bank for \$1,980,000 of Community Development Block Grant float funds to acquire property for development of a new warehouse, distribution and office facility and provide for payment (Ordinance)

**Discussion:** Commissioner Sten said this is an innovative use of community development block grant funds and helping hungry people eat is obviously an eligible use of those funds. He said often the block grant money sits in Washington D.C. for a long time between the

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time Council budgets the money and when it actually gets paid. Under federal rules, Council cannot take that money and bank it but it can lend it to community groups.

Martha McLennan, Bureau of Housing and Community Development (BHCD), explained how the float mechanism works and said the Bureau is trying to calculate the full potential for its use as typically there is between \$6 and \$18 million in the federal letter of credit balance at any given time. Conservatively, BHCD could float up to the full \$6 million level and with this loan, they are approaching that level. Today's transaction will help the Food Bank acquire property which they will then develop as a warehouse distribution and office facility. It will replace two facilities which are too small and not consolidated. The loan is for two percent for a 24-month term and is secured by a letter of credit from U.S. Bank. The Food Bank will undertake a capital campaign to raise funds for the full development, which they estimate at \$8.5 million. Ms. McLennan said the block grants can only be used for eligible projects for which an income stream is generated to pay back the loans. The loans are limited to 2-1/2 years.

Commissioner Sten asked if some kind of process is needed if there are other groups out there that might be interested in applying for these funds.

Ms. McLennan said the City does not have substantial capacity beyond what has already been committed. They can usually foresee what eligible projects, such as housing projects and public facilities, are in the pipeline that might have gap financing needs that could use this mechanism.

Commissioner Francesconi asked if the float loans are included as part of the City's strategy or does HCDC wait until people apply.

Ms. McLennan said within each project they have established goals and priorities and have intake methods to consider projects which meet those. This could be looked at as a tool to stimulate City-desired initiatives. They have recently been exploring a variety of different financing techniques.

Rachel Bristol, Executive Director, Oregon Food Bank, thanked staff for working with them on the feasibility study which led to the decision that building permanent facilities was the best option for the Food Bank. She said when they approached potential major donors to the capital fund, they were told they had to have control of their property first and this loan will make that possible.

Mayor Katz asked how this will be paid back.

Ms. Bristol said they are gearing up for a capital campaign and have initiated requests to the State, Metro and Meyer Memorial Trust. Because of the broad scope of their services, they are hoping to gain more public agency support than traditional operations do. They have received approval from Multnomah County to apply for \$3 million in bond financing to complete construction within an 18-month timeframe. The new facility will increase their capacity by 40 percent as currently they must turn away food because they lack the space to access it and are spending \$50,000 a year on cold storage alone. To date they have received about \$50,000 in in-kind services and have pledges of another \$50,000. The Board has pledged \$585,000 out of Food Bank reserves towards the project should the loan be called within the two-year period.

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Lee Barrett, Commercial Recycling Services, Bureau of Environmental Services, said 27 percent of the food produced for humans ends up in landfills. He said this will help ensure that food intended for human consumption ends up being used for that purpose.

Mayor Katz said it is the US Bank that would be at risk, not the City, if the loan is not repaid.

Commissioner Hales said this is a great example of a public/non-profit partnership outside the areas of housing and parks.

Commissioner Sten said the Food Bank is taking on a big but worthy risk and he believes it will succeed.

**Disposition:** Ordinance No. 173604. (Y-5)

**City Auditor Gary Blackmer**

- 1091** Assess benefited properties for the cost of constructing street and storm sewer improvements in the NE 55th Avenue/Ainsworth Local Improvement District (Second Reading Agenda 1062; C-9929)

**Disposition:** Ordinance No. 173605. (Y-5)

At 10:05, Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 28<sup>TH</sup> DAY OF JULY, 1999 AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Ruth Spetter, Senior Deputy Auditor; and Officers Chuck Bolliger and Larry Siewert, Sergeant at Arms.

1092

**TIME CERTAIN: 2:00 PM** – Appeal of the Madison South Neighborhood Association against Hearings Officer's decision to approve the application of Park Forest LLC for a conditional use in order to construct an addition to the Park Forest Care Center located at 8643 NE Beech Street (Hearing; 99-00218 CU)

**Discussion:** Ruth Spetter, Senior Deputy City Attorney, outlined the procedures to be followed.

Mayor Katz asked for conflicts of interest and ex parte contacts.

Kathleen Stokes, Office of Planning and Development Review, said this is an application for a 45,000 square foot addition to an existing development with a net increase of six skilled nursing beds and 10 residential care suites, and 46 assisted living suites. There would be a total of 121 residents cared for by a staff of 74. The proposal calls for 44 parking spaces. Because this use is classified as group living it requires a conditional use review in a single-dwelling zone and because the increase in floor area and number of residents is more than 10 percent, it requires a Type III review. The Hearings Officer approved the proposal with conditions and addressed the traffic and noise impacts raised by neighbors in the original hearing. The Madison South Neighborhood Association appealed that decision, contending that the development would not fit in with the neighborhood, would create numerous impacts on livability and that streets could not handle the increase in truck and auto traffic.

Ms. Stokes said the appeal statement pointed out a number of errors made by staff and the Hearings Officer in the description of the site. The application originally did not include the parcel to the north even though it was included in the site plan. The Zoning map was amended to include that parcel but the information sheet was not amended. She said that parcel needs to be included and noted that there is R7 zoning on that portion of the site. She said the notification requirement does not change as a result of including this parcel because the Grotto was the only neighbor that would have required notification. Ms. Stokes said the figures changed on some portions of the analysis but there were no substantive changes that would affect the decision based on the inclusion or exclusion of this property. One of the main points raised by the opponents was that the previous conditional use approval for this site contained a condition limiting the number of beds and stating that it was the intent of the approval that no further expansion of the site be allowed hereafter. The Hearings Officer, however, found the current application has to be considered on its own merits under the current approval criteria and that a new proposal can be considered which exceeds the previous limit. Ms. Stokes showed pictures of the current site, the surrounding neighborhood and the area where new development is proposed. She said the parking area has been sited in the front of the building in order to preserve the mature trees and maximum

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amount of open space in the back. She said new findings will be brought to Council to correct the erroneous and missing information from the original decision. It appears clear that the Code allows a new proposal to be considered that exceeds the old limit imposed on this site and Council must decide whether the earlier condition limiting the number of beds to 80 should be superceded.

Mayor Katz said the Hearings Officer references the 80 bed limit and says a significant portion of the property has been upzoned from R7 to R5. Have there been changes to the property since 1988?

Ms. Stokes said no, that was part of the erroneous information. The original portion of the property described by the applicant was zoned R5. The missing parcel is zoned R7. Somehow the Hearings Officer missed that on the zoning map. Ms. Stokes said she did some calculations and found the same density is allowed for group living use in either the R5 or R7 zones. The maximum density allowed on the site would be 160 residents.

Mayor Katz asked if everything the Hearings Officer says on Page 5 about the changes brought about when the 1991 Zoning Code was adopted are incorrect.

Ms. Stokes said there were significant changes. She said the major differences between the two zones is that if this site was developed for single dwelling homes, there could be 21 homes, based on considering the entire site as R5. Because half the site is R7, there could only be 17 homes.

Commissioner Saltzman asked if there have been situations before where Council has relied on a previous condition or a statement accompanying it calling for no further expansion.

Ms. Stokes said she is unaware of any other conditions worded in this way, as is staff. However, the Code specifically states that previous conditions can be revisited by going through the same process in which they were imposed, in this case the Type III conditional use review.

Commissioner Hales noted that the applicant has submitted a site plan along with the conditional use and asked if that is the usual procedure.

Ms. Stokes said almost universally staff approves a specific site plan with a conditional use application because what is being approved is a program and development. The approval criteria talk about physical compatibility with the neighborhood and the only way to ensure that is to tie it to a specific site plan and/or elevations.

Commissioner Hales asked if staff considers the site plan approvable with the conditions.

Ms. Stokes said that is correct.

Commissioner Hales said he is concerned about putting the parking lot in the front of a parcel in a residential district and is unsure why staff approved that. He said parking lots belong beside or behind buildings, not in front of them.

Michael McSwiggen, Madison South Neighborhood Association, 8605 NE Beech, 97220, said there are three reasons their appeal should succeed. First, the Hearings Officer's

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decision was based on faulty information and the criteria cannot, therefore, be applied correctly. Two, an existing agreement between the care center, the City and the neighborhood limits the size of the facility to 80 beds. The Hearings Officer incorrectly ignored the existing condition. Three, the application does not meet the conditional use criteria. Among the errors in the staff report and the Hearings Officer's decision was designation of the entire site as R5 with an alternative design overlay and that a significant portion of the property has been upzoned from R7 to R5 since the 1988 decision. The Hearings Officer also states that the adjacent area is developed with one- and two-story single dwelling homes. County tax records, however, show only one two-story residence out of the 93 homes on Milton and Beech Streets between 82<sup>nd</sup> and 90<sup>th</sup> Avenues. He said several statements in the decision attempt to establish that the 1988 Conditional Use approval was not acted upon and is therefore void. He contended, however, that it was built and therefore the conditions imposed at that time must be respected. Mr. McSwiggen said the leading condition in the 1988 approval limited the number of beds to 80 and restricted further expansion. He cited neighborhood concerns about the impact of a larger facility on the character and livability of the neighborhood. Among the issues he cited were noise from garbage and other service delivery trucks, increased traffic on Beech Street, the incompatibility of a large two-story building with the rest of the neighborhood and the location of parking in front of the facility. He also criticized the care center for not contacting the neighborhood earlier about their expansion plans to identify the concerns.

Other individuals testifying in support of the appeal included:

Robert Hixson, 6190 Caldwell Road, Gladstone, OR 972027  
Dale Toll, 8714 NE Beech, 97220  
Josephine Towell, 8725 NE Milton, 97220  
Judy Chown, 4002 NE Rocky Butte Road, 97220  
Susan Hamilton, Chair, Madison South Neighborhood Association  
Charlotte Johnson, 8640 NE Beech, 97220  
Sherri Quick, 8556 NE Beech, 97220  
Karen Kelly, 8605 NE Beech, 97220

Opponents of the conditional use approval said Park Forest Care Center had failed to comply with conditions imposed in the 1988 Conditional Use approval which called for limiting delivery times for garbage and delivery trucks. They said a facility of this size does not fit in a quiet, family-centered neighborhood and added that Beech Street was in no condition to accommodate more traffic. They said they do not oppose care centers in residential areas and would gladly accept a smaller facility if it were designed to fit into the neighborhood.

Amanda Elegant, Curry Brandaw Architects, said the current facility is in a state of disrepair and was purchased by Prestige Care two years ago with the intent to upgrade it. She described the changes that Prestige Care has proposed and noted that a certain amount of parking has been moved to the front in order to preserve some very large trees in back. Landscaping has been added in front to screen the parking. Locating the parking there also allows the building to be moved further back, distancing it more from the road. The applicants are also willing to make the improvements required by the Office of Transportation to upgrade their portion of Beech Street, including curbs, gutters and full sidewalks. They believe the upgrade will improve the appearance of the whole area and also allow for the only continuing care facility currently on the east side that will offer



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assisted living, an Alzheimer's unit and skilled nursing. Currently this facility has four deliveries a week and night pickups for commercial garbage pickup have been rescheduled to the daytime. She said they believe this facility will attract far less traffic than the number of single family residences that would be allowed under the current zoning. Over a third of staff currently use buses to get to the site. Architectural details have been incorporated into the design to ensure that the facility appears residential in nature and while it is two-stories, it does replace an existing two-story building. She said they did try to reach neighbors to address the livability concerns and had a very positive neighborhood meeting although few attended. Regarding traffic, she said the new units will generate 1.7 trips daily per suite compared to eight trips per day for single family residences. Ms. Elegant said this is a very large site, 107,000 square feet, which backs up on the Grotto, and they believe the facility will minimally impact surrounding areas. She said the planned landscaping should screen cars from negatively impacting the neighborhood but, since the applicants have proposed more than the required number of parking spaces, they would consider removing some of the spaces near the Grotto entrances and reconfiguring the loading area.

Steve Williams, Prestige Care/Prestige Senior Living, noted that they held a meeting with neighbors at the care center and had a frank discussion about what has changed since 1988 in terms of assisted living. The goal is to create a continuing care center so that the elderly do not have to move when their needs change. He said they operate 23 facilities in the West and only about 10 percent of residents drive. Of the 46 residents in assisted living apartments, about four will drive and they estimate that traffic generated will be much less than the single-family residences would cause. He said their Milwaukie facility won a beautification award for its landscaping, typifying the company's approach. He noted that assisted living did not exist in the 1980s and there is a new care dynamic for the elderly.

Ms. Elegant said the site will generate a third of the traffic that apartments do and the increases will not be substantial. This is a very difficult site where they have been very careful not to develop beyond what can be accommodated and they believe the planned upgrades will benefit the community.

Mr. Williams said they would be willing to provide a service entrance to eliminate concerns about large truck deliveries. There are no semis coming down Beech Street

Commissioner Francesconi asked why the facility had to be so large and why it had to be two stories.

Mr. Williams said they want to keep their rents affordable. He said there is a large structure on the site now that is in gross disrepair and they propose a garden space for what exists now.

Ms. Elegant said a two-story building with an elevator is more convenient for occupants as it cuts down on the distance they must walk to get to their rooms.

Commissioner Francesconi asked if the parking lot could be moved.

Ms. Elegant said that would require removal of some large trees. They have added to the parking lot as much as possible but there is a tradeoff,

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Mayor Katz asked what has changed since 1988 in the neighborhood, noting that the zoning has not changed. She said the Hearings officer's rationale for approval was based on some erroneous assumptions and, if those are removed, she is uncertain as to the basis for Council approval of far more than 80 units.

Mr. Williams said they are now proposing different types of units than what was foreseen in 1988. They are only proposing six new beds of skilled nursing; currently there are only 54 such units. Assisted living is a different use with less traffic trips and more residential in nature.

Commissioner Saltzman asked what would happen if Council wished to maintain the 80 beds.

Ms. Elegant said this proposal tries to upgrade what is already there. There are economies of care as well as economies of scale and it takes a larger facility to provide the kind of care that is really necessary.

Mr. Williams said it is senior housing that is being added, not a hospital. He said use is very much tied to the continuum of care that enables elderly persons to get increased care as their needs change. Senior housing use was not anticipated in 1988 and assisted living was not ever considered then. This is a whole different use.

In rebuttal, Mr. McSwiggen said the two-story building proposed for removal is significantly smaller than the one proposed. Prestige Care has owned this facility for two years and he is concerned that they let it deteriorate so badly.

Mr. Hixon said the calculation of 17 as the number of single-family homes that would be allowed on this site did not take into consideration the roadways, sidewalks, etc. that would be needed. The 1988 decision limiting the number to 80 discussed factors such as livability and the condition of Beech Street. The truck traffic study done by the American Senior Housing Authority indicates there would be 20 service vehicle trips per day while the applicant asserts there would be only nine, contradicting their own information. He noted also that garbage pickup occurs twice a day, compared to once a week for residences. He said staff was told after the 1988 decision that no construction had taken place but the neighbors took information to the Hearings Officer that clearly showed construction had taken place in 1989 and 1990 and that was disregarded.

Mr. McSwiggen said senior housing sounds like apartment buildings and perhaps that is where senior housing of this size belongs. He said he would be comfortable with a smaller facility, perhaps with one story in front and two in the back and with parking in the back. He said the applicant never talked to any of the immediate neighbors except the Grotto and only scheduled a meeting a week before the hearing.

Commissioner Francesconi asked if they would be satisfied with the size proposed if the parking were in back and a few trees removed.

Mr. McSwiggen said they would still have a problem with the street, which is incapable of handling that amount of traffic. Ten years ago the neighborhood said they would accept 80 and they see no reason for an increase.

Mayor Katz asked what has changed in the neighborhood since 1988.

Mr. Hixson said Beech Street has deteriorated and that is the only change.

Mayor Katz said she is stuck on the fact the Hearings Officer built his conclusions quite substantially on errors in the staff report, even though they have now been corrected. For instance, the Hearings Officer did not think the conditional use was acted upon and that is not correct. Also, the decision implies that there were more than two homes with two stories in the neighborhood, that the zoning had changed and that there was a design overlay.

Ms. Stokes said the Hearings Officer's decision stated that the Neighborhood Association brought copies of building records showing that the 1988 approval had been acted upon and then states that there seemed to be some dispute about that. However, as the current application is for a new Conditional Use and not an amendment of the 1988 approval, it is unnecessary to resolve that dispute.

Mayor Katz said the Hearings Officer used that misinformation to build his case for approval. For instance, based on his belief that the site had an alternative design density overlay, he found that approval would provide opportunities for development at slightly higher densities when community design standards are met. That does not make sense if there is no overlay.

Ms. Stokes said the A overlay does not have any provisions that would apply to this proposal. Even with the overlay, it would have no effect on this proposal.

Commissioner Hales objected to putting the parking in front of the building and said it would be better to replace the trees than offer an inferior design to the neighborhood. He said he would be willing to support an even larger number of units if this facility met the design criteria. He believes the traffic impact from a facility like this will be very minimal but what is missing is an urban design that puts "eyes on the street." He recommended that this be denied and that the applicants begin again although returning to the Hearings Officer would not be a good idea as he has concerns about how City Codes are being implemented. What the City wants is a design that fits into the neighborhood and the applicants should not be impeded by antiquated Code requirements, such as parking minimums, in order to build a good place. He said he would be happy to waive the fee since the City has erred.

Mayor Katz asked if this could be sent back for a new design or remanded. She said it could be continued to allow the applicant and the neighborhood to revisit this.

Ms. Spetter said since the 120 days was waived, Council can do either of those things, if the applicants are willing.

Commissioner Sten said he is not as bothered by the design as Commissioner Hales is and believes Council should stick to the Code regarding the parking and trees. He is troubled, however, by the Hearings Officer's previous decision limiting the units to 80 as 10 years seems a fairly short time to return and request an increase. Nevertheless, he does believe the redevelopment could benefit the neighborhood and, with a little give on the units, applicants could get the economies they need to build something a lot nicer. Regarding noise from garbage trucks, the facility owner could pick another commercial hauler and specify the

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pick-up hours. He believes a lot of these things could be worked out and mitigated through a collaborative process.

Commissioner Saltzman said he too struggled with changing the number short of ten years. He also thinks this kind of facility is much needed in the community and he would love to see a revised design acceptable to both sides.

Commissioner Francesconi said he would like to continue this to see if agreement can be reached. He does not accept the street capacity argument but is struggling with the 1988 agreement. He believes there was another case where Council concluded that conditions of previous approvals were not really binding but currently that is the message the neighborhoods get.

Ms. Spetter said Council cannot bind future governments and that is why there is a process to reevaluate prior approvals.

Commissioner Francesconi said that should be made clearer to neighborhoods when conditions like this are added. While he likes Commissioner Hales' suggestion about the parking lot, he thinks developers must follow the Code as it is written. He would like to see a good neighbor agreement result from further discussions but also believes more of these facilities are badly needed and some economic incentive is needed to change the ugly buildings that are there now.

Mayor Katz agreed with the other Council members.

Mr. McSwiggen said they would love to have further discussions with Park Forest Care Center about this to see what could be done.

Ms. Chown described some of their prior, unsatisfactory conversations with the Care Center representatives.

Mayor Katz asked the applicants if they are willing to look at a redesign to see if the neighbors would be willing to increase the number of units if the other issues are dealt with.

Mr. Williams said they need a certain minimum number to make the operation economically feasible but he is willing to consider some design changes.

Commissioner Hales recommended continuing this for 90 days to give the parties an opportunity to readdress the design issues. There is some interest in looking at a different total number if other issues are addressed. As Commissioner in Charge of Transportation, he would be interested in supporting an adjustment to the parking requirements as these facilities have too much parking and on-street parking cannot be counted without an adjustment.

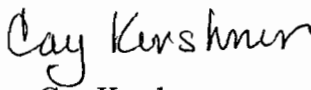
Mayor Katz said Council could go either way on this so both sides need to be flexible.

**Disposition:** Continued to October 27, 1999 at 2:00 p.m.

At 4:10 p.m., Council adjourned.

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GARY BLACKMER  
Auditor of the City of Portland

  
By Cay Kershner  
Clerk of the Council