RESOLUTION No. 3 6 7 8 0   As Amended

Direct the Bureau of Planning and Sustainability to negotiate a development agreement with the University of Portland for consideration by City Council (Resolution)

WHEREAS, the Bureau of Planning and Sustainability has prepared a land use policy document and implementing regulations entitled The River Plan/North Reach (River Plan); and

WHEREAS the Planning Commission has recommended the River Plan for adoption by the City Council; and

WHEREAS, the River Plan addresses economic prosperity, watershed health and access to the Willamette River and includes a Natural Resources Inventory that provides the basis for the new River Environmental (e) zone and refinements to the existing Environmental Protection (p) and Environmental Conservation (c) zones; and

WHEREAS, according to the Natural Resource Inventory, the Willamette Bluff in this location is part of a seven-mile wildlife connectivity corridor that parallels the Willamette River on the eastside and supports Oregon White Oak and Pacific Madrone vegetation assemblages. The steep portions of the bluff are susceptible to landslides and wildfires; and

WHEREAS, the River Plan designates the bluff on a portion of the University's property as a Special Habitat Area and proposes that environmental protection and conservation overly zones be applied to that area as shown on Exhibit A; and

WHEREAS, the University of Portland is the major institution in the North Reach and owns property within the boundary of the River Plan including historic holdings on the bluff, has plans to expand the University onto the recently acquired Triangle Park property and has expressed some interest in the possible future acquisition of the McCormick & Baxter riverfront property. Both of these parcels have been vacant for over a decade. The University began to discuss expanding toward the river in the 1980's and purchased the hillside property in the 1990's as the first step toward the River; and

WHEREAS, the University plans to build a signature gateway structure to connect the upper campus with the new riverfront campus in the area along the N. McCosh Street frontage between N. Portsmouth Avenue and N. Van Houten Street as shown as # 16 on Exhibit B. The University's plans in this matter have been under development since 2005; and

WHEREAS, the University has plans to allow some community and neighborhood access to the athletic facilities that may in the future be part of the River Campus on the McCormick and Baxter site; and

WHEREAS, the University of Portland and the City have discussed ways to achieve mutually supportive environmental and development objectives including removal of the environmental conservation overlay zone along the N. McCosh Street frontage between N. Portsmouth Avenue and N. Van Houten Street in exchange for mitigation commensurate with what may be required under environmental review for a conservation overlay zone; and

WHEREAS, the University of Portland and the City desire to explore the potential for achieving their mutual objectives through a Development Agreement; and

WHEREAS, the current budget situation constrains the ability of City staff to take on new, unbudgeted work such as the preparation of a development agreement.

NOW, THEREFORE, BE IT RESOLVED that the Bureau of Planning and Sustainability, with assistance from the Bureau of Development Services, the Bureau of Environmental Services, the Office of Healthy Working Rivers and other affected City bureaus, is directed to pursue negotiating a Development Agreement with the University of Portland, including a public open house concerning the development proposal and, if negotiations are successful, to present a draft for a City Council hearing no later than October 15, 2010. If City Council approves the development agreement the City will remove the environmental overlay zoning on the University of Portland property along the N. McCosh Street frontage between N. Portsmouth Avenue and N. Van Houten Street and the University will, in exchange for this reduction in the area and application of the Environmental Overlay zones, agree to mitigate for disturbance of the area where the conservation zone is removed, consistent with what would be required as a result of an environmental review.
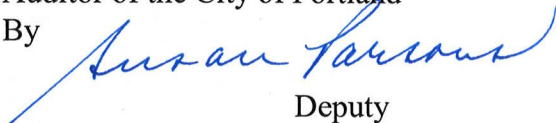
BE IT FURTHER RESOLVED that the University of Portland will pay the costs required to create the development agreement. This will include the hourly rate for staff who participate in negotiating the Agreement and the cost of any required consultants.

Adopted by the Council: APR 1 5 2010

Mayor Sam Adams and Commissioner Fish
Prepared by Sallie Edmunds
March 24, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland
By *Susan Parsons*
                               Deputy

Agenda No. ~~455~~ 528

RESOLUTION NO. 36780 As Amended

Title

Direct the Bureau of Planning and Sustainability to negotiate a development agreement with the University of Portland for consideration by City Council (Resolution).

INTRODUCED BY Commissioner/Auditor: **Mayor Sam Adams and Commissioner Nick Fish**	CLERK USE: DATE FILED _____
COMMISSIONER APPROVAL	MAR 2 6 2010
Mayor—Finance and Administration - Adams	
Position 1/Utilities - Fritz	LaVonne Griffin-Valade
Position 2/Works - Fish _Comm. Fish by ESA_	Auditor of the City of Portland
Position 3/Affairs - Saltzman	By: _____
Position 4/Safety - Leonard	Deputy
BUREAU APPROVAL	ACTION TAKEN:
Bureau: Planning and Sustainability Bureau Head: Susan Anderson	APR 01 2010 **CONTINUED TO** APR 15 2010 **2 P.M.**
Prepared by: Sallie Edmunds Date Prepared: March 25, 2010	
Financial Impact Statement	
Completed ☒ Amends Budget ☐ Not Required ☐	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes ☐ No ☒	
Council Meeting Date **April 1, 2010**	
City Attorney Approval _DLW for Linda Meng_	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
TIME CERTAIN ☒ Start time: **2:00 pm** Total amount of time needed: **30 mn** (for presentation, testimony and discussion)		1. Fritz	1. Fritz		✓
		2. Fish	2. Fish	✓	
CONSENT ☐		3. Saltzman	3. Saltzman	✓	
REGULAR ☐ Total amount of time needed: _____ (for presentation, testimony and discussion)		4. Leonard	4. Leonard	✓	
		Adams	Adams	✓	