

**VANPORT SQUARE PROJECT ADVISORY COMMITTEE**  
**Committee Meeting**  
**April 11, 2006**  
**Session Notes**

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**VSPAC Members in Attendance:** Francene Grewe, James Jardee-Borquist, Dick Levy, Martin Soloway, John Tyler (first hour).

**Staff in Attendance:** PDC Project Manager Bernie Kerosky. Facilitator : Sue Dicile.

**Development Team Members in Attendance:** Jeanna Woolley, Ray Leary.

**Others in Attendance:** Karl Dinglespiel, Project Manager for Piedmont Place.

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*Note:*

*"Q" = a PAC member question*

*"A" = an answer contributed by the previously noted presenter, unless otherwise noted.*

*"C" = a PAC member comment (Public comments are noted in a separate section)*

The meeting convened at 6:10 pm.

**PUBLIC COMMENT**

There was no opening public comment.

**ADMINISTRATION**

**Review of 3/7/06 Meeting Notes**

- The notes were adopted without revision.

**PROJECT UPDATE**

Jeana Woolley and Ray Leary provided the following overview:

- The developers are "close" to having a signed DDA with PDC. The DDA is expected to be signed by Friday of this week. The delay has not be on substantive points of the deal, but mostly due to a long queue of such agreements being processed by a small number of staff at PDC.
- 80% of the design development is completed.
- A lot of work has been done with Green Building Services, including redesign of the HVAC system and some redesign of the storefront area elements. The project will definitely certify at a "silver" LEED level, and it is looking likely that it will certify at a "gold" level.
- The project is 84% signed. Only one flex space and one retail space are left in the Marco Building, plus space in the Pad. There are several prospects, so now the team is seeking a good occupant balance and "fit" that will maximize the vitality of the project.
- With regard to financing, the developers have been talking with Continental Pacific Bank and Albina Bank, and they are interested in handling the tenant financing.
- Work in starting on the condo documents this month, so that the owner/occupants can begin their approval and financing work.

Q: What is the range of services represented in the pool of prospective occupants?

A: A deli, a small day spa, a photographer, a small tapas-type eatery. Still looking for a coffee shop/bakery operation that will activate the site in the morning hours.

C: It is gratifying that these banks have begun to participate in the development of this neighborhood.

Q: How do you view the risk to public dollars represented by this project? What is the worst that could happen?

A: The worst would be if the project couldn't "stand on its own two feet" and owners go into default.

A: (PDC)That is why PDC is taking care to qualify owners, and have provided a very favorable interest rate. Also the financial package has been structured so that at PDC's discretion the loans are assumable. These have all been attempts to minimize the risk.

## **MLK DEVELOPMENT STRATEGY UPDATE**

PDC Project Manager Bernie Kerosky distributed a one-page summary and a draft copy of the MLK Blvd Strategy and Action Plan, and provided the following update:

- The money for MLK revitalization is running out.
- The Portland Development Commission has instructed staff to work with PDOT for MLK revitalization.
- The strategy is being circulated in draft form to get input from various stakeholders, including this PAC.
- The strategy seeks to use the remaining money as effectively as possible.
- A finalized plan will be presented to the Commission in early June.
- There are aspects of the strategy, such as the component on commercial condominiums and commercial mixed-use development that relate directly to Vanport Square.
- At the April 24<sup>th</sup> meeting of the MLK Advisory Committee there will be an opportunity for input.

The key points of the Action Plan were overviewed. *For a list of the key points, please see the draft that was distributed at the meeting.*

- C: There has been a lot of discussion of land trusts, driven by the concern that the objective of “wealth creation” leads to gentrification, so the only way to keep prices affordable is via land trusts. While this model may work for residential, it is not a good model for commercial development.
- C: Expansion of the OCC-URA boundary is critical. MLK’s boundaries as they exist now are not conducive to commercial development because of the zig-zagging boundary lines of the OCC-URA district, due to sites zoned for housing. The vacant sites on MLK now are zoned for high-density housing, which the market is not yet ready to support.

A survey was distributed that invites participants to provide input to the MLK Strategy and Action Plan, and indicate their priorities among the strategies and actions addressed in the plan. The survey, or any other input on the plan, can be mailed or faxed to Bernie, or it can be handed in at the PAC meeting in May.

Karl Dinkelspiel, project manager for the Piedmont Place, made the following remarks:

- As a housing project, we are interested in whether the area has matured enough to support the housing that the zoning calls for. Piedmont Place is that kind of high-density housing, providing at least 30 units on one acre.
- There are several small lots zoned residential on MLK. We are just beginning to consider how they can be developed while accommodating required elements such as parking.

## **GOOD NEIGHBOR AGREEMENT**

Jeana Woolley provided the following background on Good Neighbor Agreements (GNA), and proposed a process for crafting a GNA between King Neighborhood Association and Vanport Square. She distributed a one-page handout listing 9 items the GNA could be anticipated to address, as a starting point for the PAC discussion. She also handed out a one-page summary of the proposed process.

- A City ordinance put GNA’s “one the map” about 15 years ago. They were created as a means to manage nuisance factors from bars and convenience stores. Therefore there aren’t a lot of examples of GNA’s for the type of development represented by Vanport Square.
- There is nothing at the City that gives these agreements authority. They are done between the neighborhood where the subject entity resides and the entity. There is no “teeth” in these agreements at the City. There isn’t even a place at the City where such agreements are maintained. Where they exist, they are maintained at the neighborhood association. The only “authority” of the agreements is in the good faith between the parties.

- The developers have met with Chad Dabnum, chair of the King Neighborhood Association. They have discussed having an inclusive process for establishing this GNA. They have proposed a small working group to draft the document for consideration by the PAC, and then consideration by a King NA committee, and submittal to the King Neighborhood Association for adoption.
  - In addition to the representatives of the development team and the King Neighborhood Chair, the proposed working group would include:
    - 3 Vanport PAC members.
    - 1 Humbolt neighborhood representative.
    - 1 Piedmont neighborhood representative.
  - The small group will take tonight's input and draft a draft agreement.
  - The agreement will come back to the PAC at the May meeting for review.
  - It will then go back to Chad Dabnum's committee at King Neighborhood Association to be finalized. This committee will also include PAC members who are King NA members.

C: Concordia did a GNA with New Seasons. This would provide an example that is not bar or convenience store-related.

C: There was also a GNA done with the Mudai Ethiopian Restaurant. It addresses things such as the hours they can have music on their patio. It has apparently been successful.

Q: What is the deliverable date for the GNA, according to the adopted development schedule?

A: August.

Q: Without teeth in the agreement, can some of the things that are really important to the PAC, such as speed bumps on Garfield, be built right in to the project?

A: That could happen based on a PAC recommendation, but it is not within the budget of the project. But such items could be discussed with other city agencies. Traffic on Garfield is a top concern of the King Neighborhood Association also.

C: Our concern is that, at some point after the project is completed, the cost of things like speed bumps, that are made necessary due to the presence of this project, will fall to the neighbors. We would like to try to head that off at on outset.

Q: As a point of information, how is it that new occupants coming in to the project will be vetted?

A: For at least the first 10 years of the project, there are significant constraints based on the use of the New Markets Tax Credits.

→ Process adoption: The facilitator asked if all members present concurred with the process for drafting the GNA as outlined by Jeana. All agreed with the process as proposed.

→ Volunteers to serve on the small group: John Tyler previously had indicated his interest in serving on the small group. Francene Grewe volunteered to serve also.

→ The facilitator was requested to poll the group for a third participant from the PAC.

### **PAC members identified the following points to be addressed in the GNA for Vanport Square.**

It was noted that some of these elements might be better addressed in other agreements, such as in the Vanport Square contract with its property maintenance firm, or in PDC's agreements with other agencies.

- **Recitals** *(add to the list of major topic areas)*

*Elements to include in the Recitals section:*

- Statement of the intent of the GNA to represent the best interests of both parties.
- Statement of importance of mutual trust and cooperation.
- Outline of a mutual problem-solving/dispute resolution process. (The example provided in the Billy Ray's GNA might provide an example).

- **Parking**

*Elements to include in the Parking section:*

- Suggestions or remedies for the problem of parking on Garfield. The problem is that there is parking on one side of the street currently, so parking capacity is already constrained. It will be further strained by added housing on west side of the project.
  - Policies and suggested location(s) for employee parking.
  - Means to motivate use of public transportation.
- **Deliveries and loading**  
*Elements to include in the Deliveries section:*
    - Represent the “value” of minimizing noise, disruption and street blockage.
    - Set parameters for time of day for deliveries.
    - Address loading and unloading of oversized trucks.
    - Agreement that neighbors not park in the commercial lot.
- **Public Amenities**  
*Elements to include in the Public Amenities section:*
    - Statement of intent to include neighborhood input into decisions about programs and events to be held in the public space, including the process whereby input is obtained and considered.
    - Agreement about non-commercial public access to and use of the public space.
    - Agreement about community posting opportunities.
- **Traffic Management and Mitigation**  
*Elements to include in the Traffic Management/Mitigation section:*
    - Parameters for speed and through-traffic management on Garfield
    - Accommodation for safe pedestrian crossing on MLK.

*(Note These elements will be explored by PDC.)*
- **Lighting**  
*Elements to include in the Lighting section:*
    - Containment of light “spillage” into the neighborhood.
    - Sidewalk area lighting.
- **Garbage and Litter Control**  
*Elements to include in the Garbage and Litter Control section:*
    - Represent the “value” of a clean and attractive neighborhood as a “Portland value”, and that we can “raise the bar”.
    - Agreements on control of litter from the site:
      - Consistency of maintenance.
      - Frequency of trash collection.
      - Presence of trash cans.
      - Maintenance of the community space.
      - Landscaping standards.
      - Graffiti control/removal. *(This was noted as an important point).*
- **Noise and Odor**  
*Elements to include in the Noise and Odor section:*
    - Agreement to abide by City guidelines with regard to noise level.
    - Constraints on the time of day for music or other loud noise.
    - Notification (invitation?) of special events that will contribute noise in addition to what is typical.
    - Agreement on the venting of odors in a manner appropriate to a residential area.
- **Problem-Solving and Dispute Resolution**  
*Elements to address in the Problem-Solving and Dispute Resolution section:*
    - Designate a Vanport Square point of contact.
    - Define timeframe of providing a response to a notification of a problem
    - Outline the process for submitting a complaint.
    - Agreement that the condo association will be the first point of contact for neighbors when a complaint arises.

- Agreement on a periodic meeting with neighborhood. This could be annual, or more frequent at the beginning to insure ironing out of issues. Could occur once a year at a Neighborhood Association meeting.
- Address the way in which the GNA may be revisited and amended as conditions change over time.

#### **NEXT MEETING**

The next PAC meeting will be held on May 2<sup>nd</sup>, 2006. The focus of the meeting will be review of the Good Neighbor Agreement draft.

The meeting adjourned at 8:00 pm.

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Handouts distributed at this meeting:

- MLK Blvd. Action Plan Input Questionnaire
- MLK Blvd Strategy Update and Action Plan Overview Description
- DRAFT MLK Blvd Strategies and Action Plan
- Vanport Good Neighbor Agreement List of Possible Topics
- Proposed Process for Agreement Development

Respectfully submitted by facilitator Sue Dicile

If you have comments about the notes from this meeting please direct them to the facilitator at 503-287-9345 or: [sdicile@aol.com](mailto:sdicile@aol.com)