

Evergreen Neighborhood Association (ENA - CC)
Coordinating Committee
Thursday, January 24, 2013, 6:30 – 8:30 p.m.
Our Lady of the Lake School, Jerusalem Room

Minutes

Board members present: Ron Spears – Chair, Dave Pinch, Pete Davis, Diane Grover, Greg Wimmer, Paden Prichard, Don Graham, Joy Strull, and Carol Radich

Board members absent: Diana Boom, Warren Bacon, Carol Goss, Darryl Boom

Other ENA residents present: Bill Gordon, Norma Prichard

Other guests: Sarah Kreisman (noted below)

Ron called the meeting to order at 6:30 p.m. There was a quorum, with 9 board members present. Minutes from meeting of 10/11/2012 approved.

I. Connecting with your local state park: Sarah Kreisman, OUTread Coordinator, Friends of Tryon Creek.

Sarah gave a brief history of Tryon Creek State Park and explained that while the state is responsible for basic maintenance of the property, all other activities are supported through the non-profit, Friends of Tryon Creek. Friends has a staff of nine and a head ranger. Upcoming events at the park include the chili cook-off, the trillium festival, various guided hikes, etc. Sarah provided various materials including a calendar of park events and, importantly, guides related to removal of invasive plants and the backyard habitat certification program.

II. Neighborhood Committee Reports

Treasurer Report: Joy Strull. Joy provided a detailed report of ENA expenses and revenue, showing a current balance of \$2010.37. Most income was a result of the auction at the Christmas party.

Evergreen Park: Paden Prichard. Evergreen Park is owned by LORA and is in the EC zone (commercial, mixed use). A zone change would be necessary if the property were to be used for a neighborhood park. Because there are currently no specific plans for the future of City Hall and this adjoining property, it was agreed that it was not a good time for ENA to pursue a zoning change. However, Paden, together with Dave Pinch, volunteered to find out what would be involved if ENA does want to ask for a change in the future.

North Anchor Project Status: Paden. With the defeat of the Library bond measure and the election of a new council, this project is in limbo.

Foothills: Paden The framework plan was approved in June and comprehensive plan changes have been made that would allow the Foothills project to proceed. The previous council adopted an urban renewal plan including tax-increment financing to pay for the infrastructure

necessary for the project. Paden, who has been an active member of the CAC working on the Foothills plan for 3 years, explained how the financing will work and how tax revenues for the City will grow to outweigh any initial costs. Additionally, no money will be provided by the City until a developer comes forward with a proposal and money for the project. It is possible that the new council may rescind this financing plan, which will most likely stop the Foothills project from proceeding.. This issue is on the agenda for the Feb. 5 council meeting. Paden, will speak at the meeting in support of the urban renewal plan including the tax increment financing. **A motion was made and seconded to give the support of the ENA board to the plan. The motion passed, 6 to 3..**

Holiday Party: Norma. There were 79 attendees at the Dec. 14 party at the Adult Community Center. To ensure that more board members can attend next year, the holiday party is scheduled for a week earlier. It will be Dec. 6 at the Heritage House. Norma thanked all those who helped with the party, and, in turn, Norma was thanked for all her hard work to make the holiday party a successful event.

III. Other business.

Greg Wimmer volunteered to research the City's neighborhood grant program and determine some ways that ENA might make use of the grant money. He will meet with Dave Pinch and Carol Radich to brainstorm some ideas.

Joy, Norma, and Carol will develop a list of possible neighborhood projects to utilize funds in the ENA treasury. Suggestions briefly discussed by the board included ways to involve younger families and offering assistance to older and/or disabled residents.

Eligibility for ENA board membership was questioned. It is currently permissible to have two board members from the same household, and, though there is no requirement to do so, it is desired that we have board members representing various locations in the neighborhood. After a brief discussion, it was determined that there was no need to change the by-laws in regards to eligibility. Warren, Paden, and Darrell will continue to be the nominating committee, though any neighborhood resident may make nominations or volunteer to be added to the list of candidates.

The final topic on the agenda for discussion was how the ENA Neighborhood Plan might get better recognition from the City. Specifically, the ENA overlay, meant to limit the size of houses built in the neighborhood, does not have the desired effect for homes built on large lots. Paden mentioned that Old Town is amending their neighborhood plan to include more specific design elements. There were no proposals from the board to address the issue at this time.

Next board meeting – tentatively scheduled for mid-March though no date was determined.

Next general meeting – May 9. Joy will ask for use again of OLL's Jerusalem Room.

The meeting was adjourned at 8:40 p.m.

Submitted by:

Carol Radich in the absence of
Diana Boom
ENA CC secretary

Date Approved: _____

Evergreen Neighborhood Association (ENA - CC)
Coordinating Committee
Tuesday, March 12, 2013, 6:30 – 8:30 p.m.
Our Lady of the Lake School, Jerusalem Room

Minutes

Board members present: Ron Spears – Chair, Pete Davis, Greg Wimmer, Warren Bacon, Carol Goss, Paden Prichard, Don Graham, and Carol Radich

Board members absent: Diana Boom, Darryl Boom, Dave Pinch, Diane Grover, Joy Strull

Other ENA residents present: Norma Prichard, Greg Lang, Chris Brien, ??

Other guests: Sarah Seldon (noted below)

Ron called the meeting to order at 6:30 p.m.

I. City Updates: Sarah Seldon, Neighborhood Planner

Comprehensive Plan: Sarah updated the board on the status of the plan update, a project that has been ongoing for the past several years. Seven topics have been through preliminary hearings and will have another planning commission and council hearing before final adoption. A summary of changes in the new plan will be made available.

Parking Plan: Sarah stated the project to make changes to parking requirements for new development appears to be stalled, but she will find out the current status of the study and inform ENA.

Paden asked about the influence of neighborhood plans on new development. He explained that the setback requirements for Evergreen combined with the tree cutting code are insufficient for enforcing compatibility of home size/design in the neighborhood. With Sarah's assistance, the Old Town neighborhood is revising their plan to include more specificity related to size and design. The same kind of changes to the ENA plan would first require neighborhood input and then availability of city staff time for assistance. Further discussion of this topic was tabled until a future board meeting.

Traffic: Sarah informed the board that for city assistance on traffic issues, we should call 503-635-0238 (a non-emergency number) giving time of day and location of the traffic problem.

Pathways: ENA asked about possible extension of the Headlee Walkway up to 5th St. as defined in the transportation plan as part of a regional pathway. This would be an expensive project and would require permission from the railroad. Moreover, it is unlikely that there is sufficient space to meet the 25 foot setback from the center of the tracks. For other neighborhood pathways, ENA would be most likely to get funding if the pathway proposal is already in the overall plan.

Evergreen Park: The city is currently not discussing future uses of this space.

Neighborhood Grants: Applications for up to \$5000 should be made by June; forms are expected to be available in April.

II. Neighborhood Committee Reports

Grants: Greg Wimmer. (see above) Greg has requested input from Dave Pinch and Carol R. and will continue to elicit ideas.

Parking: Pete Davis. (see above). Pete will wait for input from Sarah.

Summer party: Norma. It was agreed by the board to have another BBQ in September, the date to be determined after the fall football schedule is consulted (last year's attendance was impacted by a football game same day/same time).

III. Other business.

Lakewood Bay Community Club (LBCC) asked to have a link provided to their website from the ENA website. The board approved.

At the March 18 DRC meeting, a public hearing will be held to review the traffic maintenance and monitoring plan for Our Lady of the Lake (OLL). Paden has reviewed the documents and found several issues that should be addressed by ENA. There are discrepancies in traffic counts and it appears that parents are being directed to use Evergreen as a secondary route. Paden urged the board to attend the meeting and present testimony for ENA.

Development of the Wizer block is again under discussion. A preliminary plan calls for mixed use development with 240 apartments above retail. Board members suggested that the plan should include an outdoor plaza and a small grocery store, and that the maple tree should be saved.

Next board meeting – no date was determined.

Next general meeting – May 9.

The meeting was adjourned at 8:30 p.m.

Submitted by:

Carol Radich in the absence of
Diana Boom

ENA CC secretary

Date Approved: _____

Evergreen Neighborhood Association (ENA - CC)
Coordinating Committee
Tuesday, April 16, 2013, 6:30 –7:30 p.m.
Our Lady of the Lake School, Jerusalem Room

Minutes

Board members present: Ron Spears – Chair, Pete Davis, Warren Bacon, Carol Goss, Paden Prichard, Don Graham, Dave Pinch, and Carol Radich

Board members absent: Diana Boom, Darryl Boom, Diane Grover, Greg Wimmer, Joy Strull

Other ENA residents present: Norma Prichard, Bill Gordon, Dave Hawley, Jim Stewart, Judy Belk

Ron called the meeting to order at 6:30 p.m.

I. Minutes of March meeting approved.

II. Neighborhood Committee Reports

Parking: Pete Davis. Pete reported that recommendations for the LO parking plan have yet to go to the City Council. The plan will, however, be discussed by the Chamber group next Friday, April 19; Paul Graham is the Chamber contact.

III. Other business.

Comprehensive Plan - Paden gave a brief summary of the controversial issue currently before the City Council regarding the new Comprehensive Plan. Development of the new plan has been in process for several years; it has involved the work of a CAC, city staff, and consultants. Councilor Kehoe made a motion in the last council meeting that included, among several other proposals, removal of all subject matter, goals and policies unrelated to land use and removal of any policies that obligate the City to future expenditures. Public input regarding Councilor Kehoe's motion will be held at tonight's (April 16) City Council meeting.

DRC meeting regarding OLL traffic. Carol Goss reported that she and Paden attended the DRC meeting of 4/15. This was a continuance of the public hearing to review the traffic maintenance and monitoring plan for Our Lady of the Lake (OLL). Carol reported that OLL sent a letter, April 2, to all school parents advising them to use only A Ave. and 8th Street when delivering or picking up students. The DRC and ENA were satisfied with this action by OLL. Traffic monitoring will continue for the next two years. ENA can ask for additional reviews after the two years if significant traffic increases occur.

ENA correspondence, website, etc. Joy Strull, current treasurer, has, for several years, assumed responsibility of many ENA tasks including maintenance of our website, maintaining the neighborhood email list, receiving/sending/ distributing official correspondence, and securing meeting places. Joy will be retiring her position and others will assume these responsibilities. The treasurer position will be elected at the May annual meeting (Dave Pinch has stated that he

would accept this position). Ron stated that he, as chairperson, will take responsibility for scheduling meeting sites. Paden stated that he and Warren are willing to be recipients of City emails as most of them are intended for their use (e.g. notices of upcoming pre-app meetings, etc.). The secretary will be responsible for meeting notifications (placing signs and sending required notices to the City and ??). Website maintenance is currently unassigned but will be discussed again at the May general meeting. It was suggested that perhaps Darryl Boom would be interested in this task; Darryl wasn't present so could not respond.

ENA Neighborhood Plan. Dave Pinch noted that Old Town neighborhood is pursuing updates to its plan which would include tighter restrictions on home sizes; Dave asked why ENA is not pursuing the same. This topic had been discussed at the board meeting of March 12 and tabled until a future meeting. Paden has additional information on this issue and will email it to the board to aid future discussion.

Development of the Wizer Block Paden will ask the developer to speak at the May annual meeting..

Nominating Committee. Warren, Paden, and Darryl are developing a list of potential candidates for election at the general meeting.

Annual meeting – It was suggested that the date be changed from May 9 to May 13 to accommodate several board members who could otherwise not attend. Ron will contact OLL to determine if the Jerusalem Room would be available on that date.

The meeting was adjourned at 7:30 p.m. to allow several board members to attend the Council meeting..

Submitted by:

Carol Radich in the absence of
Diana Boom
ENA CC secretary

Date Approved: _____

Evergreen Neighborhood Association (ENA)
General Meeting
Monday, September 30, 2013 , 7:00 –9:30 p.m.
Our Lady of the Lake Parish Hall

Minutes

Board members present: Paden Prichard - Chair, Darryl Boom, Greg Wimmer, Warren Bacon, Carol Goss, Pete Davis, Don Graham, Dave Pinch, Ron Spears, Norma Prichard, Dave Hawley, Bill Gordon, Carol Radich

Board members absent: Diana Boom, Diane Grover, Jim Stewart

Approximately 110 persons were in attendance.

Paden called the meeting to order at 7:12 p.m. As noted in the mailings to ENA members, the primary purpose of the meeting was to discuss the Wizer Block redevelopment proposal.

I. Presentation by Brant Williams, Economic Development Director for the City.

Brant described the Lake Oswego Redevelopment Agency (LORA) process as follows. LORA was established in the 1980s for purposes of urban renewal. The total maximum indebtedness for the East End District is approximately \$94 million and, to date, \$45million has been spent on various projects such as Lakeview Village, Millennium Park and the Headlee Walkway. The tax base on properties in the urban renewal district was frozen when the urban renewal project was declared. Increased taxes from developed properties are used to pay off the LORA debt.

For the Wizer block redevelopment, the LORA board has agreed to fund \$5.5 million for the project; this includes \$4 million to the City for development fees, and \$750,000 to the developer. The benefits to the public include increased taxes of an estimated increase of \$630,00 from the developed property, new public parking, additional housing and retail, and a pedestrian walkway through the new development.

Following Brant's presentation, he was asked when the increased property taxes will begin to go back to the community, rather than to paying off the LORA debt. He answered that the frozen tax base will expire when the urban renewal area expires which is estimated to be in the year 2029, though it could be sooner. At that time the local taxing jurisdictions will receive taxes on the full assessed value of the area.

II. Presentation by Patrick Kessi, developer, and David Stazcek project architect with ZGF

David presented the visuals and gave an overview of the project. The current proposal is for two 4-story buildings and one building with a partial 5th floor. Together these buildings will include 228 residential units, 28,000 square feet of retail on First St. and A Avenue, 500 underground parking places, as well as bicycle parking and residents' storage units. He also referred to input that has been received and how the design has changed to respond to that input as follows: To minimize the massiveness of the buildings, the 4th floor and 5th floors have been pushed back, structured within the dormers. Garbage collection has been moved from

2nd St. to Evergreen and 1st. Mass on the corners of the buildings has been reduced. To give a more residential feel, balconies were extended.

Patrick listed the benefits of the project as: increased public parking, a large increase in taxes, additional retail and housing, job creation (from 70 current jobs to an estimated 110 - 120), and a special one-time \$250,000 tax revenue to LO schools.

Dirk Otis, a consultant with the development firm, briefly discussed information related to traffic issues. First, there is currently no information available from any formal traffic studies of the development area. However, Dirk did provide the following data: according to an established traffic metric, 72,000 square feet of retail (the size of the current Wizer property) would create more traffic than the combined 228 residential units and 28,000 square feet of retail that are proposed for the development. The parking to be provided is estimated at 5 parking places per thousand square feet of retail and 1.4 parking places for each residential unit.

III. Questions (Q) and comments (C) from the floor. Where applicable, answers (A) given.

Note: wherever two comments or questions are nearly identical, only one is recorded.

Q. How will parking be handled during construction

A. No definitive answer at this time.

Q. How high are the existing townhouses at 2nd St.?

A. The townhouses are 3 stories at 43 feet .

Q. Are there any other developments in LO of comparable density?

A. No.

Q. Is there a study that shows the shadow projected by the development?

A. Yes, there is a study available.

C. The balconies should be reduced to a width no bigger than a flower pot to avoid the problem of 'unsightly' items such as chairs and bicycles being left on balconies.

C. There will be lack of light particularly on the outdoor areas on 1st St.

Q. What is the size of the units and the anticipated average rental cost?

A. 950 square feet average at \$2200 per month.

Q. What is the plan for number of condos and what would be the cost for the buyer?

A. There is currently no firm plan for the number of condos. The cost would be approximately \$500,000 per 1000 square feet.

C. ENA should establish a traffic mitigation sub-committee. Chris Brien stated that she would chair such a committee.

Q. What is Gene Wizer's plan for the project?

A. He will purchase back 27,000 feet of retail and then lease it.

C. Given that this is a pet-friendly development, there will undoubtedly be a large number of dogs that will require some outdoor space/facility. This will be an issue.

C. Traffic will be significantly increased in the neighborhood and on A Avenue.

Q. Who is the target market for the 228 units?

A. Older couples downsizing, young couples, emerging professionals (single). This will be high end cost-wise for LO.

Q. What is the configuration of the units?

- A. 45% 1-bedroom, 45% 2- bedroom, 10% 3-bedroom
- Q. When will the decision be made as to the number of condos vs. apartments?
- A. 'soon'
- Q. Why are there so many units? Can't it be downsized?
- A. For a high quality (LEED) project to be successful, it must be feasible. The only way to get quality is to have quantity. And, more important, City code allows the proposed density at this location.
- C. The results of the 'vote' should be invalidated because the 'ballot' choices are loaded.
- Q. Why hasn't there been a vote before now?
- Q. The Chamber put together a 'blue ribbon' traffic study. Why hasn't that been made known to the neighborhood?
- A. ENA chair not aware of the traffic study. (note: information received after the meeting indicates that the Chamber did a parking study, not a traffic study, and the City has not officially responded to it.)
- C. Most of the units will have two cars. If there are only 1.4 parking spaces per unit, there will be no place (except the street) for many cars.
- C. The development is attractive but the size of it will dwarf the downtown village.
- C. Neighbors should have a conversation regarding the development without the developers present.
- C. The Wizer block will be six times more dense than Block 136 (the townhouses). This is too much density.
- C. The 'ballot' is not a ballot but is really a survey.
- Q: Will parking places be sold to those who buy the condos? If so, what will be the impact on the original 1.4 places per unit that would then be reduced?
- A. No decision has been made regarding this issue
- C. The LORA plan, with 4 and 5 stories, gives no benefit to the community.
- C. This looks more like a transit center development, not a village.
- C; The development is too big and the parking for retail will not be sufficient.
- C. If this development is approved, it sets a precedent for other developments in the downtown area. Maybe the code needs to be changed before downtown is overwhelmed.
- C. Any and all residents are welcome to go to the DRC meeting (tentatively scheduled for Dec. 2) and give input, regardless of the outcome of the ENA vote.
- C The proposed development is good for downtown LO because of the additional retail parking it will provide.
- C. Given the number of residences currently in the neighborhood (approximately 373 single and multi-family combined) this development, at 228 units, will represent an increase of about 60%; that is too great an increase.
- C. ENA should have another meeting, without the developer present, to discuss this issue, including traffic, before the DRC meeting in December.
- C. STAY INVOLVED

III. Other business. - none

IV. Reminder - ENA holiday party is scheduled for Dec. 6 at the Oswego Heritage House.

The meeting was adjourned at 9:30 p.m.

Submitted by:

Carol Radich in the absence of Diana Boom ENA CC secretary

Date Approved: 10/23/13

Evergreen Neighborhood Association (ENA - CC)
Coordinating Committee
Tuesday, October 15, 2013, 7:00 p.m.
Adult Community Center

Minutes

Board members present: Chair - Paden Prichard, Pete Davis, Carol Goss, Ron Spears, Don Graham, Darryl Boom, Greg Wimmer, Norma Prichard, Bill Gordon, Dave Hawley, Jim Stewart, and Carol Radich

Board members absent: Diana Boom, Dave Pinch, Warren Bacon, Diane Grover
Other ENA residents present, Mary Magrath

Paden called the meeting to order at 7:00 p.m.

Minutes of 5/13 and 8/12 meetings were approved.

Discussion of upcoming ENA meeting regarding Wizer Block Development

Paden asked for a facilitator to conduct the Oct. 23 general meeting. Also, because of some confusion and misrepresentation at the past meeting about applicable city code as it pertains to the development, he would like to ask for a representative from the City Planning Dept. to speak at the beginning of the meeting to clarify the code and answer any questions. There were no objections.

There followed a discussion of what testimony ENA will present to the DRC meeting in December regarding the development. At a minimum, it was agreed that the results of the ballot/survey will be given, including both the majority and minority opinions. It was also agreed that at the Oct. 23 meeting, the main agenda item will be to elicit input from ENA members regarding ENA testimony.

In preparation for the meeting, Carol, Bill, and Darryl will prepare a summary of the comments from the surveys and the 9/30 meeting, including both majority and minority opinions.

Traffic mitigation was briefly discussed. Paden asked Pete and Dave Hawley if they would participate in the subcommittee looking at traffic mitigation. Paden can provide a list and maps as a starting point. Chris Brien has offered to head that committee.

The monthly Mayor's Meeting will be held Saturday morning (the 19th). Because he cannot attend, Paden asked if anyone else could go in his place. He suggested Carol and Darryl attend since both had attended previous meetings. Darryl offered to attend and it was suggested that he introduce the subject of the development, asking which neighborhoods might be active or interested in the project and if so, who ENA might contact.

Paden made a motion that ENA funds not be used for legal fees for any appeals of this development because it was his assumption that the funds were to be collected for neighborhood social purposes and needs, for the betterment of the neighborhood. There was sufficient opposition to the motion that it was withdrawn.

Norma reminded the board of the Holiday party on December 6 and of the board responsibility to provide food as in the past.

The meeting was adjourned at 8:10 p.m.

Submitted by:

Carol Radich in the absence of Diana Boom
ENA CC secretary

Date Approved: _____

Evergreen Neighborhood Association (ENA)
General Meeting
Wednesday, October 23, 2013 at 6:30 p.m.
Our Lady of the Lake Parish Hall

Minutes

Wizer Block Redevelopment

Board members present: Paden Prichard, Warren Bacon, Darryl Boom, Diana Boom, Pete Davis, Bill Gordon, Carol Goss, Don Graham, Dave Hawley, Dave Pinch, Norma Prichard, Carol Radich, Ron Spears, Jim Stewart, Greg Wimmer

Board members absent: Diane Grover

Roster had 77 people signed in. Approximately 95 people attended, according to a count by Amy Cleary, mediator.

[Secretary's Note: During this meeting, some people did not use the microphone at the front of the room to speak, but gave their comments where they were in the audience. In those cases, if their comments were not understandable, they are not part of the minutes. Minutes are more detailed regarding motions. Meeting was recorded.]

I. Introductions - Paden Prichard, chair

Paden opened the meeting at 6:30 p.m. He introduced the ENA board, and Amy Cleary, mediation services supervisor with Clackamas County. Amy will act as facilitator for the meeting. Amy listed ground rules for the meeting.

II. Discussion - Wizer / Block 137 Development Proposal

Overview - Leslie Hamilton and Hamid Pishvaie, LO Planning Dept.

Leslie is a senior planner. Hamid is the assistant planning director for the city. Leslie gave a history of the downtown development, beginning with the East End Redevelopment Plan in 1986. Leslie had handouts, including a district map. The district extends as far as 6th Street (west), Old Town (south), the river (east) and the north city boundary. Hamid stated several times that he could not speak about the current specific Wizer Block application. All his comments instead are meant to be general statements about procedures and policies.

Block 137 is not adjacent to a residential zone; mixed use is allowed. There are standards in the district, but exceptions are allowed and every previous project has had exceptions to the code. There are 3 criteria to allow exceptions: 1) based on physical characteristics of the site; 2) to vary design; 3) an alternative design is better or equal to standards.

The maximum height allowed is 60'. In downtown district there are no density limits. The Community Development Code (CDC) implements the policies and long-range vision of the Comprehensive Plan (Comp Plan). Leslie presented an overview of the CDC Chapter 50 for the East End District (downtown).

Q&A Hamid Pishvaie & Paden Prichard

[Note: Hamid answered most of the questions. Paden is named when he spoke.]

Q: This project seems to move way away from the density vision in the Comp Plan. How does the issue of density move from the Comp Plan to the Redevelopment Plan to the neighborhood? What is the process, the best way to object to the density this project?

A: The Comp Plan is a vision statement of how the city should develop over next 20-40 years. It is basically a vision statement. By itself, it does not govern development. It is instead broad statements or guidelines. It gets implemented in a variety of ways: CDC / Zoning Code is one part, Other parts are: Sign Ordinance, Public Facility Plan are other parts. There are many different documents, codes that implement different aspects of the Comp Plan.

In terms of density, the document that determines density is the CDC - not the Comp Plan. The CDC for this particular zone does not proscribe minimum or maximum density. In a typical residential zone (R-6, R 7.5, R-10) there is a specific formula for determining density based on minimum lot size. There is no equivalent standard in the EC zone, which is the East End Commercial zone.

The way that issue [density] is addressed in the EC zone is through several other means. For example, there's a standard called Floor Area Ratio or FAR. FAR controls and regulates the volume of development on a piece of property. For EC, the standard is 3.021. It means that if you have a 10,000 sq. ft lot, you can build up to 30,000 sq. ft development. The [Wizer]

block is approximately 100,000 sq. ft. Under the code, one can build a 300,000 sq. ft development on it, and fit in whatever the zone allows: restaurants, offices, residential, medical, anything the zone allows. It doesn't say that this block should have a 50-unit or 350-unit housing element. It regulates the development by overall size through the FAR.

Q: When the East End dev code was written it included a specific description of mixed use for Block 137. Has that been amended?

A: There is no "East End Dev Code." There is the development plan and an Urban Design Plan, which are broad, general statements as to how this area is to be developed. What implements that plan is the Downtown Redevelopment design standards, which do not regulate density, but deal with building height, number of floors, parking and so forth - very heavy on building design.

Q: So there are 2 plans that speak to vision?

A: There's a Comp Plan that is very general for the city as a whole, and an Urban Design Plan for the downtown area only.

Q: The plan for Block 137, Mixed Use Development reads, "the preferred project shall be mixed use with retail fronting on First, a public library overlooking Millennium Park, and a 30-70 unit hotel or housing." That is the vision that we arrived at this meeting with. If that's only a vision, we weren't aware of that. Where does it say in the preface that this is only a vision?

A: You just alluded to it: "the preferred project." It doesn't say this is how the project should be developed.

Q: At what point do we jump in to get back to the area where the first plan meshes with the reality today? What is the process that we should go through?

A: Let's talk about the process. We have received an application for the Wizer Block, and deemed it incomplete because they have not submitted all the necessary information to enable us to make findings and make recommendations to the DRC which is the decision-maker in this case. We are waiting for additional information. Once the information is received, we will again review the application and at some point if it is determined to be complete, we will schedule a public hearing before the DRC. The DRC is the venue for you to attend and make your point, whether it's about parking, density, traffic, landscaping or whatever.

My recommendation to you if you want to testify is to be very pointed as to the standards. If you go before them and say "we feel" it won't matter. They act as judges. In fact it is a quasi-judicial procedure. The commission's sole responsibility is to review a project against applicable standards and make findings as to whether those standards have been adequately addressed.

If the DRC makes that finding, they will approve the project. There can be 5000 people testifying against the project, but DRC will approve the project unless you provide compelling evidence - your own traffic report, soils report, whatever - that says the applicant's information has some deficiencies. The DRC will judge the expert opinions - the conflicting information - and make a decision.

Q: Who makes up the DRC?

A: The members of the DRC are your cohorts, your fellow citizens who are professionals. We have a retired attorney, a working architect, others. They are volunteers, appointed by the city council for a term of 3 years. Their sole mission of the DRC is to review projects against the standards. All the downtown projects have been approved by DRC.

Q: You said testimony should be specific as to standards. Can you be specific about what standards?

A: Effective testimony before this type of commission would be very pointed as to the standards of the EC zone, the overlay, landscaping standards, parking standards.

Q: With no density standards, which is a big objection, how do we approach that?

A: Not speaking about this particular project, but in a broad sense, there are still parking standards, traffic requirements. You could use indirect ways to address the density issue. If a zone has density formula, it is easier. In zones that don't have density formulas, it is more difficult, but there are indirect ways such as traffic impacts, parking standards.

Q: What are the documents that pertain to the Wizer block project. Is it one document, several? What city codes apply to that project?

It is the Community Dev Code, Chapter 50 in the city code. (Paden asked Leslie to send him Chapter 50 as pdf file. Paden will send to to ENA mail list. He can get hard copy for anyone who doesn't use a computer.)

ACTION ITEM: Paden will send Chapter 50 as pdf file to ENA mail list.

A: The Community Development Code is a complex document. We use different terms to describe it: standards, regulations, codes. It basically regulates the use of land. This document contains specific requirements for zoning, which relates to views, heights, FAR, setbacks and so forth. It also contains development standards that regulate landscaping, drainage, access, circulation, parking, downtown redevelopment design standards.

A tool that may be helpful for you is the "pre-app notes." This contains the list of standards that staff has identified as being applicable to this project. You can use the pre-app notes and refer to code sections and prepare your comments.

Q: You also referred to zoning, overlay and such?

A: Yes, they're all in there [referring to pre-app notes].

ACTION ITEM: Paden will send "pre-app notes" to ENA mail list.

A: (Paden) There is another way you can find them [referring to zoning codes, overlay, etc.]. With the survey results we sent [to ENA mail list] a pdf file of the developer's response to the code ["Block 137 Design Review Narrative"]. We have 3 hard copies of both the traffic report and the narrative which we can circulate for people who do not have a computer. In the narrative each of the various code sections is written as well as the developer's response. You might want to look at this document to see what the development code states. This document is not online.

The narrative and the traffic study ["Traffic Impact Analysis"] went to everyone on ENA mail list. If you want Paden to email the narrative, make a note on the sign-in sheet.

Q: Is the narrative going to be updated? And if so, can we get a copy of the updated application?

A: (Paden) The narrative will be updated because their application was considered incomplete. The code sections won't change if you're looking for the code sections they are in the narrative. As soon as the application is complete, we can get a new submittal [narrative] and we can email and get hard copies to circulate. The traffic report is a sizable document - it may be easier to have a hard copy to review.

Q: Are the exceptions and standards for number of stories in one of these documents?

A: When the Downtown Redevelopment Design Standard was adopted, it was recognized that it had to be flexible enough to provide opportunities for altering design. It did something unique: it provided not only opportunity to except the standards in the overlay (which is limited to downtown), but opportunity to vary standards that are applicable city-wide.

For example, landscaping has universal application. Commercial developments require a certain percentage of landscaping. For a development located downtown, an applicant can apply for an exception to reduce that standard - even though that standard is not unique to downtown, but applicable city-wide. An applicant can apply for exceptions to standards that apply city-wide as well as to standards that only apply to downtown.

You will not find a section in the code that says how many stories it can have. The code says the maximum number is 3. One may go up to 4th story if you meet certain standards - without an exception. If a project wants 6 stories, the additional 2 would need an exception.

Q: How do we address the exception they are asking for?

A: I can not talk about the project. All I can tell you is that there are exception criteria. The DRC will apply 3 different criteria; not all of them are applicable. If the project satisfies any one of those criteria, the exception will be granted. Whether the exception is number of floors, design elements, amount of landscaping, or materials, whatever. As has been done in other projects downtown. I think there was only one that didn't apply for an exception.

What you need to address is the exception criteria, to see whether the applicant has done a good job of satisfying that.

A: (Paden) LOC 50.08.005 is code section for exceptions.

A: (Paden) Reading from the code section regarding 4th story:

"A 4th story may be permitted subject to the following: The 4th story is residential and is contained within a gabled or hipped roof; the site is sloping and structure has 3 or fewer stories on the uphill side; the 4th story is significantly stepped back from the building plane created by the lower stories; or 4th story design elements are used to break up the mass of the building."

I think that if you were going to the DRC and object to the height of the building, this part about the "4th story is residential

and contained within a gabled or hipped roof" is fairly subjective. It could be argued that it is not contained enough. Or maybe it's ok. That's the kind of comment to make to the DRC.

Q: Now that you have explained the process, what if a citizen objects to all of that - I don't want that in my downtown - where does that citizen begin with opposition to the code itself?

A: To change the law, go to city council. In terms of change, the council is the legislative body of the city. There's a process for it. It would go to Planning Commission. If you don't like a law, the place to go is the city council.

Q: The city makes decisions based on these vision documents. If the vision documents are going to be adhered to, how do we say no? That's the vision document, those are the stated goals, that's what we want to see executed.

A: We have the Comp Plan which is a vision statement that has lots of policies about how we're supposed to look and grow and what have you. That document doesn't have applicability for the type of applications that are considered to be minor developments. (The Wizer Block is considered a minor development.)

The Comp Plan comes into play for applications considered major developments - Conditional Use Permits (CUP). For example a new church in a residential zone requires a CUP. That type of application is subject to Comp Plan regulatory policies.

For projects that are called minor developments, the Comp Plan simply doesn't apply. That's a fact. The Urban Design Plan doesn't apply. The Urban Design Plan talks about the preferred plan for this block is "x" - it is really guidelines and doesn't have the applicability of law that the DRC, or the council on appeal, can apply. If they wanted to, they could have adopted those things as standards in the CDC, Chapter 50, but they're not there.

They (Comp Plan and Urban Design Plan) help LORA to encourage development of certain types in certain blocks, they proscribe road improvements, but they really don't have applicability of law in land use applications.

Q: What are some criteria for minor and major development?

A: The primary difference is the applicability of the Comp Plan. For a Conditional Use application, the Comp Plan and the Neighborhood Plan (if there is one for that particular neighborhood) would apply. A CUP is considered a major development.

A Design Review application (like Bock 137), is subject to minor development application process. For that the Comp Plan doesn't apply. It's just the nature of the code.

Comment: (from audience) You have to speak to the criteria before the DRC, which is just the pre-app conference notes. The numbers are the code - chapter 50. The rest of what you might talk about might enlighten, which might be helpful, but they are not going to judge the project on it. The other thing is the definition of village character is part of code and compatibility with that.

A: Please contact staff if you have specific questions about the project.

Survey Results from 9/30/13 ENA meeting - Carol Radich

The choices were:

- A. I agree with and support the concept of the project as presently designed.
- B. I do not agree with the concept as presently designed.
- C. I agree with the concept but believe the project should not have 5th living space along 2nd Street. (This would reduce the total number of units by 10 or 12).
- D. I think the project should not exceed 2 stories above retail and that the residential portions should not exceed 4 stories at any place. (This is the equivalent of reducing the whole project by one story.) This would reduce the total number of units to approximately +/- 160. Presumably the residential parking would be reduced accordingly to around 230

Results were:

- A. = 10 (agree with project)
- B. = 70 (do not agree with project as presently designed)
- C. = 16 (remove 5th floor)
- D. = 57 (2 stories above retail, reduce entire project by one story)

A huge majority voted against the current design. Based on the input from the neighborhood survey and comments at the 9/30 general meeting, the following are the main objections to the currently proposed development of the Wizer block.

- The scale of the buildings: the East End Development Plan specifies that the scale of the buildings in the downtown

area should be compatible with adjoining buildings. The proposed development, at 4 and 5 stories, exceeds the number of stories on Block 138 (2 stories on 1st Street) and Block 136 (3 stories on 2nd Street)

- The height of the building will cut off too much natural light on the east side of 1st Street
- Traffic: the large number of residential units plus new retail will generate too much traffic at the already congested intersection of A & State St., and on 1st & 2nd. The additional traffic will also cause more cut-through traffic on the neighborhood's residential streets, creating dangerous situations for pedestrians and especially for children.
- Type and number of residential units - 228 apartments, even with some converted to condos, results in far too much density for the downtown area
- Parking: the current number of parking spaces will not be sufficient and overflow parking will be on the streets. There should be more parking both for residents and guests.
- Village feel: the size of the buildings and large number of units would cause downtown LO to feel less like a small town or village and more like a mini Pearl district. This would jeopardize the quality of life we currently enjoy.
- Pets: with so little green space in the neighborhood, and none in the development block, pet waste will be a problem.

Of the 10 who approved the project as proposed, two stated that the project should be at least 50% condos.

Those are the results and comments. The votes were overwhelmingly against the project. Now we have to figure out what to do next.

(Paden) All neighborhood residents on email list did get the summary and survey results.

Next steps - Amy Cleary

Amy spoke about the importance of coming together with a consistent message: I encourage you to realize that this is an opportunity to make a difference and to figure out the best way to do that. Some things will be beyond your control in this process, and other things you'll have the ability to impact. If you can be strategic about that you can come together as a neighborhood association with one voice and a message that is coherent and focused. My experience in dealing with issues like this is that if you can do that, you'll be heard and respected and taken into consideration. But if you're fighting amongst yourselves and you can't decide what your message is going to be, you'll lose your opportunity. It looks like the DRC hearing is in early December, which will be the next time to give input.

Jan Goodwin

Leslie handed out a map tonight of the EC / redevelopment area. Unless we can challenge development, then not just the Wizer block but the entire area can be developed as minor development. We should think about how that policy affects the entire area which surrounds the core of our city.

Annie Meneakis

In 1999 ENA was faced with a proposal which raised neighborhood concerns due to its design and size. We could have said we didn't have any recourse because people said the plans met code. The developer could have ignored ENA's concerns. But instead we met with the developer and others and the result was a mutually beneficial collaboration which the neighborhood fully supported. That was Lakeview Village and developer Barry Cain.

We are now faced with a proposal that presents a far greater threat to our neighborhood and the village character of our downtown. We should not be deterred. Let us vote for ENA to speak against the inappropriate density of this project. I propose that Carol Radich chair a committee to draft an argument to DRC calling for reduced density and increased compatibility with the village character.

NOTE: Paden asked that we hear motions at the end of the meeting.

Dave Pinch

One concern is the number of residential units. Another concern is that Gene Wizer has not given his point of view. Third is why LORA would subsidize this development? Why are they so for this development that is clearly against neighborhood interests that they are willing to spend \$5.2 million to encourage this development?

Gerry Good

If you are going to appeal, you must be factual. Emotion has no place in this. You've got to go to the specifics of the code and you've got to challenge it. You must be willing to pay for experts to testify on your behalf or you will not prevail. Surveys like

you have are not allowed. What I have heard in every meeting is rampant emotion. If I were the developer, I'd be cheering. You are falling right into the trap, unless you get facts. I've heard people talking about traffic. You've got to have your own traffic study. You can't just say State Street is crowded. If you want to challenge this you have to put up some money and get your own experts. Otherwise it's going through.

One other observation: This is what's coming for all of Lake Oswego. The reason I brought up Metro is that Metro has dictated a 25% population for this city in the next 20 years. Metro has dictated high-density housing in residential areas.

Carol Radich

I agree we need facts. I hope that we can put together a neighborhood group to oppose this. We certainly have the numbers from our survey. We need people to help to go through the documents - the narrative, traffic study, parking plan, the 4th floor requirements, what does "significantly set back" mean? We need anyone who is willing dig through this stuff. We need to build a case based on facts, not emotions. I'm willing to get it organized.

Paden

People can use the sign-in sheets to sign up to help. The by-laws stipulate how a subcommittee can be set up. The bylaws are on the website.

Don Nash

I don't think we want to fight this battle on our own. I think we need some fundraising to get expert help to convey our message. They'll have experts.

Paden

Challenging the traffic study could be a significant piece of ammunition. As I understand it, their traffic study has responded exactly to what was required in the pre-app meeting. A different traffic expert may say it wasn't enough; that more information is needed or whatever.

(TRAFFIC MITIGATION DISCUSSION)

Chris Brien - Chair of Traffic Mitigation Subcommittee

Asked to use to talk about and have people sign up for the Traffic Mitigation committee.

Paden

We can all agree that there is a need for traffic mitigation now. There's a lot of cut-through traffic, there are going to be a lot more cars. Their traffic study shows 1,400 new trips a day going into the residential garage. Traffic mitigation will be needed.

Chris has agreed to chair a Traffic Mitigation subcommittee. It would be under the purview of and report to the board and those findings would be presented. If ENA decides mitigation will be necessary, it would be presented to the DRC. It would be a condition of approval if they accept it. If anyone would like to assist Chris or Carol, please sign up tonight.

ACTION: People should contact Chris Brien or Carol Radich to help.

Paden

Quite a few of the roads in Evergreen do not meet local road standards. They're too wide or the shoulders aren't right or there are drainage issues. These are some things we might suggest as mitigation measures: Intersection squaring, alignments, corner bulbs (to bring it down to the 20' local width that is required), signage, street trees, one-way streets, striping, stop bars, zip-car parking, rain gardens, etc.

This would be a lot of work but it's something that needs to be done, just like scouring the code for other issues. We know that traffic will increase with this project, and there are places where excess traffic is a problem now. I don't think we could ask the city to do much now, but the LO-Tigard water project will tear up Evergreen (5th to 10th) and 5th (Cabana to Evergreen), and traffic mitigation could be done with that. It's going to take public input for us to get the streets repaired and drainage put in or corrected the way we want. I'd like to see people who live along 5th and Evergreen take the lead in some of that.

Audience

Why are you talking about mitigation measures in relation to whether or not the project is supported? If you start talking about mitigation, you start talking about compromising.

Paden

If the DRC supports the project and we haven't asked for mitigation, we're out in the cold. I prefer that we speak to mitigation because it makes sense.

Gerry Good

What you're talking about has nothing to do with that project and what will be discussed by the DRC and city council. You have to deal with the traffic study. The traffic mitigation measures that you're talking about exist today, and involve the city

spending funds unless you can convince the developer to pay. The 20' street width and all that other stuff have nothing to do with this project. You have to stay on target.

Paden

It would get split up among the city, the water project and the developer.

Carol Radich

When blocks 136 and 138 were developed we worked to make it better, and also got as a condition of approval that the developer put in money for the diverter on Evergreen because there would be more traffic.

Katherine Chartraw

You're talking about hiring experts. Is there another group that we can partner with to fight this and make it a group effort? (Save Our Village said they would speak.)

Ron Blaj

I agree with what's been said - Yes we need to be factual, but emotion does play a role at the right moment. It's going to take a lot of time, perhaps some money to hire experts. Two critical factors:

- 1) Lobbying people that are on decision-making bodies at the appropriate times, under the appropriate rules.
- 2) Using the media. There's nothing like timing when it comes to presenting contrary experts. I'm talking about giving information at the right time to help your cause. Be organized. When testifying, interspersing the factual comments with a few emotion-based comments will help a lot.

Annie Meneakis

I remember that on Block 138, ENA opposed the project at the DRC, but between the DRC meeting and a council meeting, amazing collaboration occurred. At the council meeting, ENA expressed support for the project but asked that the first of 2 permits be contingent upon a traffic study to be conducted by a professional agreed upon by Mr. Cain and ENA. And that the engineer would recommend traffic mitigation measures addressing ENA's concerns. The second permit was conditioned upon Mr. Cain following through - as he did so well.

At that point Gramor was obligated to fulfill it's promise to ENA in paying for and installing the traffic mitigation devices as recommended. That was accomplished prior to the second permit being issued and project completion.

So should traffic mitigation devices be mentioned - without compromising ENA's opportunity to oppose this project - it is something that can be brought up later.

Barry Cain

Once you get a project you basically support, there's plenty of time to get little things like that. Right now you're talking about a big project that you don't want at all. Maybe just hold firm.

Pete Davis

I support making a coordinated effort with other groups and neighborhood associations in opposing this project. I think we'd be more effective as a coordinated group rather than doing this on our own.

Rob Mogentale

Tonight's comments and the survey show a lot of opposition to this project. What would it take for ENA to take an official position opposing this project? Can that happen tonight?

Paden

We could do that tonight, but I don't think we have adequate representation of the neighborhood here tonight to do that. I think what's happened with the various meetings we've had is that only the people who oppose the project attend the meetings, as opposed to people who might support the project.

When we finish with the discussion, we can take motions, but I want people to keep in mind what has been said about the DRC and where we might get with an emotional decision as opposed to a factual decision.

Amy Cleary, mediator

I see a lot of frowns, so I want to say a couple of things. You do have a mix of people and opinions. You'll always have a mix in situations like this. If what you want is to just say you oppose this completely, that's a very strong statement and does it really address the things the DRC is going to consider in their decision.

Jonathan Puskas

I think it's pretty clear where the neighborhood stands on this. To ignore the data is to ignore the neighborhood's perspective. We want people involved, but some people chose not to come to the meetings or express opinions. I encourage ENA to take a stand at this point.

Lyn Gordon

Because everything about this has been against the project as presented, have you talked about what you might want? Because something will be there. I don't know what that is? If you're going to make a presentation to DRC you should have in mind what you would like to see? You negotiated over the townhomes I live in and you negotiated over the other and you got something you thought was reasonable. I would like personally to see mixed-use development there. I'm curious: what does the neighborhood want?

Jonathan Puskas

I think your point is a fair one. The developer said at LORA and at our last meeting that he could not do this project with less than 228 units. Which means you have a yes or no vote situation - which means it's a no vote for this project.

That does not mean we are anti-development. I doubt there's anyone here who does not want to see that block re-developed. Most people want to see our city continue to improve. Most people are against this project specifically because they think it far exceeds the acceptable neighborhood feel that was created in the block you live in and Block 138, and the other development that has occurred successfully and have made money for those developers in the last 20 years.

Gerry Good

I'd recommend that you develop a strategy for how you're going to fight this thing and I'd develop facts based on what the code says. It's going to take a long time. Taking a vote tonight is an emotional reaction that doesn't get anything on record that can be heard as a violation of the objective parts of the code that can be heard at the DRC. But it makes everyone in the neighborhood think that it's over - "We oppose this. It's done."

Barry Cain

Just because you take a vote tonight saying you're against it doesn't mean you're not going to follow through with the details and look for good reasons why they shouldn't approve it, or be able to appeal it and win it on appeal. You have to start somewhere and it seems like a good start is to say that we don't like this project, because of this or that, or take off the 4th and 5th stories because it doesn't meet the village character, so we vote against it. So vote, and then try to figure out where to go. Do we pool resources, or whatever - that's just another decision.

Amy Cleary, mediator

Based on your discussion so far, do you want to try to generate a list of things that you want to see changed in the development so that it would be acceptable? Or do you just want to say that you don't agree with it at all? What is your goal for tonight? It doesn't sound like you want to use your time to say what you want it to look like.

David Radich

It seems to me that with the results of the survey that we could reasonably say that we do not support the project as presented. There are all kinds of things for us to decide later, but it would say that the neighborhood is not in favor of this project.

Tana Haynes

I joined Lita Grigg who started the group "Save Our Village." It is essential that you take a stand tonight because public opinion is critical. You're out of time - you have 5 weeks until December 2 [DRC hearing]. You have to get your voice heard - express yourself in the Review. Take a flyer, sign up for our email list. There are people organizing to figure out how to get a less massive structure that will be a permanent part of our downtown. It's huge, it's permanent.

Ron Blaj

You're mentioned that this will come before DRC in December, but Hamid said the application isn't complete. The process is that they need to complete the application and staff needs to review it, so how can DRC take this up at the December meeting if no one has an opportunity to react to the resubmittal.

Tana Haynes

This is being pushed through like a freight train, really fast. If you're on SOV email list, you'll get a notice of the DRC hearing date.

Paden

Ron is absolutely correct. It will not be heard by DRC in December. The application is not complete. They will not set the date until it's complete. As soon as we know it's complete and it's on the agenda, ENA will send an email to our list. It might be wise to make the assumption that it will be heard in December and have your arguments ready.

Leslie Pirotta

If you're on the Save Our Village email list, we will notify you when the hearing is set.

Tim Keenan

Yes your testimony should be factual, but there is a place for emotion, and a lot of that gets expressed in the Review. Letters are important. You can look at articles and other letters to try to put together your comments.

Amy Cleary, mediator

We've heard from people in the neighborhood as well as a few others. Where do you want to go from here?

Paden

What I haven't heard is any constructive things about what we'd like to see on that block, but perhaps we don't have an opinion there. (Audience comments) What everyone said about getting factual information together, getting consultants, etc. is correct, but the DRC will decide this.

Dave Pinch

I don't think we should lose track of the point that we can join with others. We need the resources and support of other people.

Paden

Anyone who wants to sign up with Save Our Village can do that. There are also others in town who are opposed to this project, along with some who have expressed approval of the project. Maybe not in Evergreen, but there is a wide mix of opinions.

Carol Radich

I want to make a motion.

[Discussion about motions, discussion of motions, by-laws, whether or not meeting was legally noticed. City guidelines were followed for notification of this and previous ENA meetings.]

Paden

ENA is required to state majority and minority opinions when presenting testimony to a city governing body. We can't just say we want something or don't want something. We have to provide both sides of the picture.

Rob Mogentale

If we need an alternative for some reason, we could probably agree on: Make it like the block across the street. How about that?

Paden

Several people want to make motions. I think we should have more than one motion so we have more than one opinion, because there may be someone who wants to express an opinion partially toward the project or something like that.

Carol Radich

I have the bylaws and we can vote this meeting; it was noticed properly.

MOTION: Because of the neighborhood survey results and the testimony received at the meeting of 9/30, I make a motion that the Evergreen Neighborhood Association go on record to the DRC as opposing the Wizer Block development as currently proposed and that both a written document and a verbal statement by a designated speaker detail the neighborhood's reasons for this opposition. The written document should also, according to ENA by-laws, contain a statement of the minority opinion.

During discussion, Carol amended her motion to state that the motion contained a "statement" instead of an "acknowledgement" of the minority opinion. (Jan Goodwin seconded the original motion and the amendment.)

Bill Gordon

Does the motion state there will be a minority opinion?

Darryl Boom

Does this motion reflect our survey?

Carol Radich

Yes, the survey and discussion from both general meetings.

Paden

Since a minority opinion has been suggested in this motion, the minority opinion could be stated rather than just referred to. I suggest the motion be amended to reflect a minority opinion that we should accept this project granting exceptions 2, 3, and 4 to the downtown district and EC code, but recommend that DRC deny exception 1, which allows for a 5th story along Evergreen.

Audience

Wouldn't the minority opinion be that 10 people voted for the project?

Paden

No I don't think so. I think the minority opinion should be that we would accept this project with the exception of the 5th story and that Millennium Plaza corner should be reduced to 3 stories.

Jan Goodwin

This is an amendment to the motion on the floor.

Bill Gordon

I'm one of the people who thinks that the project is okay minus the 5th floor with a softening of the corner. My wife and I voted on the survey for option D - which was take a floor off all the way around. I'm okay at 4 stories, but I'm a lot better with 3 stories. I love the project with no more than 3 stories. The reason I go through this, is that the way Carol outlined it is okay with me. She's saying that a majority of the people oppose the project and why. And as long as there is an acknowledgement that there is a minority opinion, I'm ok.

Everyone can express their opinion separately. Even the minority opinion, if I were to help shape it, is that I don't approve of the project as presented. In the community, I don't know if the big picture is: I'm ok with 4 stories, but 3 is better, and you, virtually all of you, are definitely not ok with 4, but 3 is what I want. I bet that it kind of boils down to 4 versus 3. And so I support the motion as long as the minority opinion is recognized.

Ron Blaj

Ten people out of 153 like the proposal as submitted. So a motion that supports the fact that people don't approve the project as submitted is a factual statement. I don't think it's a great idea to start supporting or commenting on alternate versions of the proposal. First, it's not our job. Secondly, there's a lot of analysis that has to be done - the traffic study being something that will affect any version of this proposal. My opinion is that we should approve the motion as stated without the amendment.

Dave Hawley

I don't see anything wrong with visioning something better or different. If we write that off and let the developers do it, we'll get what they offer us.

Ron Blaj

I'm just suggesting we need more time to come together for that.

Pete Davis

The developers have stated what they want. I think ENA does need to make a strong majority statement that we are opposed to this project. Once that statement is made we can address all these other things that we need to do: density, traffic, design, land use attorneys, etc. Making a statement opposed to this project doesn't affect that other stuff; it still needs to be done, but if we have a stand we can then go after specific things.

Carol Radich

Re-read her motion.

Paden

Only those people who are in Evergreen can vote. Motion was seconded by Fontes and Jan.

MOTION: Because of the neighborhood survey results and the testimony received at the meeting of 9/30, ENA go on record to the DRC as opposing the Wizer Block development as currently proposed and that both a written document and a verbal statement by a designated speaker detail the neighborhood's reasons for this opposition. The written document should also, according to ENA by-laws, contain a statement of the minority opinion. Second by Fontes. Passed: 38 yes, 6 no, 0 abstain

Diana Boom

I move that we have a subcommittee to draft the testimony to the DRC. Second by Dave Radich.

Anne Meneakis

Earlier tonight I suggested that Carol Radich steer that committee.

Paden

My comment on the motion is that committee must be selected from the neighborhood board. I don't think that committee can be selected at large from the neighborhood, because it's a subcommittee that reports to the board and to the chair of the board and I believe it should be from the ENA board.

Audience murmuring: No. Why? (More comments regarding whether or not the committee membership has to be appointed by the board.)

Bill Gordon

Are we now debating the drafting the letter to DRC that we just voted on?

Carol Radich

The letter is the culmination, but as we said before, we need people to help look at traffic, parking, etc., and put all that together. And not just say we're against it.

Diana Boom

It [the motion] is about drafting the testimony will go to DRC. The only thing this motion has to do with the first motion is that the neighborhood is opposed to it, so that's the basis.

(More audience discussion and comments about how committee should be formed.)

Jan Goodwin

The bylaws don't have a provision for subcommittee appointments, but they do have a provision that they follow Roberts Rules of Order (RRO), so having no specified provision you revert to RRO for subcommittees, which can be done with a majority of 20 people at a general membership meeting, which this is. It's done by motion to the chair and under discussion you can stipulate that the subcommittee reports to the officer and coordinating committee, but there's no provision that you can't form a subcommittee.

Diana Boom

I amend my motion (to add Carol Radich as chair). Amended motion is that we form a subcommittee with Carol Radich as chair in order to draft Evergreen's testimony to DRC. (Dave Radich seconded.)

MOTION: ENA will form a subcommittee with Carol Radich as chair to draft Evergreen's testimony to DRC. Second by Dave Radich. Passed 33 yes, 0 no, 1 abstain.

Jonathan Puskas

I move that Carol be empowered to select up to 7 members, but the total would be an odd number for the entire subcommittee. Rachel Verdick seconded.

Discussion. Discussion about hiring experts, committee makeup. Speakers not identified.

This committee will be made up of neighborhood people? No one is excluded, but not likely to be hiring experts.

MOTION: Carol Radich shall be empowered to select up to 7 members for her committee, and the total number of members will be an odd number. Second by Rachel Verdick. Passed 28 yes, 2 no, 3 abstain.

III. Traffic Mitigation SubCommittee - Chris Brien chair

Email Paden if you want to work on Traffic Mitigation Committee. He will forward to Chris.

IV. City Code for Downtown - Paden

Does ENA want to go before city council to challenge the city code for downtown?

Bill Gordon

With the various groups such as Save Our Village and Carol's committee, it would seem that what might come out of all of that work, a kind of strategy could evolve to address the city council. I would suggest the group not get into it right now. It most likely will happen, but not tonight.

V. Approve Minutes 9/30/13

Diana Boom made a motion to approve the minutes of 9/30/13 general meeting. Carol Radich seconded.

MOTION: Approve the minutes of the 9/30/13 general meeting. Second by Carol Radich. Unanimous vote

Meeting adjourned at 9:00 p.m.

Submitted by: Diana Boom, ENA Secretary

Minutes Approved: May 13, 2014