



Bureau of Planning and Sustainability
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AMENDMENT

MEMO

October 5, 2012

MEMORANDUM

To: Mayor Sam Adams
Commissioner Amanda Fritz
Commissioner Nick Fish
Commissioner Randy Leonard
Commissioner Dan Saltzman

AUDITOR 10/05/12 AM11:08

From: Joe Zehnder, Chief Planner *JZ*

Subject: Amend Item 1155 to Acknowledge New Council Hearing Date
Council Agenda October 10, 2012

A review of the Planning and Sustainability Commission's recommendations regarding the adoption of the SE 122nd Avenue Rezone Project was originally scheduled for a public hearing at Council's September 19th meeting. Due to expanded public comment regarding the coal train resolution and subsequent loss of a quorum on that date this item was cancelled and rescheduled to the October 10th City Council meeting. In order to acknowledge this change of schedule the following new section 14 should be inserted into the adoption ordinance (and the existing section 14 retained and renumbered 15):

14. Because the September, 19, 2012 City Council public hearing on the SE 122nd Avenue Rezone Project - Recommended Draft report was cancelled due to a lack of quorum, this public hearing was rescheduled for October 10, 2012. Public notice was again mailed to all owners of properties in the study area, the legislative mailing list, the Planning and Sustainability Commission, and other interested individuals on September 26, 2012.

The remaining ordinance language, exhibits and related resolution submitted for City Council consideration are unchanged.



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185682

Moore-Love, Karla

From: Cole, John Andrew
Sent: Tuesday, September 18, 2012 4:31 PM
To: Moore-Love, Karla
Cc: Scarzello, Christina; Stein, Deborah; Zehnder, Joe; Hamilton, Joan; Papaefthimiou, Jonna
Subject: Cancel 122nd Avenue Rezone Hearing

Karla,

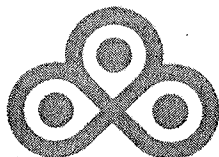
It is apparent that between the coal train agenda item running over and City Council losing their quorum at 3:45 that there will not be enough time to consider the 122nd Avenue Rezone Study. Accordingly, **please cancel this item** and I will contact those members of the public who had intended to testify. I will try and reschedule with you and the Mayor's office later this week.

regards

John Cole, Senior City Planner
Bureau of Planning and Sustainability
john.cole@portlandoregon.gov
(503) 823-3475

9/19/2012

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Portland Planning and Sustainability Commission

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Michelle Rudd, Vice Chair

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Irma Valdez

September 5, 2012

185682

Mayor Sam Adams and Portland City Council
Portland City Hall
1121 SW 4th Avenue
Portland, OR 97204

Subject: SE 122nd Avenue Rezone Project

Dear Mayor Adams and City Commissioners,

At a public meeting held on June 26, 2012 the Planning and Sustainability Commission voted unanimously in support of the proposed Comprehensive Plan Map and Zone Map changes recommended in the Staff Report entitled SE 122nd Avenue Rezone Project: An Implementation Measure of the SE 122nd Avenue Study. These land use changes have been advocated strongly by the EPAP and other community members throughout the planning process and represent an important step towards providing additional neighborhood serving commercial enterprise in an otherwise underserved neighborhood of the City. In this regard these changes are supportive of the Portland Plan's Economic Prosperity and Affordability Strategy, which seeks to expand economic opportunities for Portlanders, and the Healthy Connected City Strategy, which promotes complete and vibrant neighborhood centers and corridors.

In addition to support for land use changes, the Planning and Sustainability Commission also received testimony from community members who spoke to the City's larger responsibility to East Portland on issues ranging from infrastructure funding to poverty eradication strategies. Their testimony was compelling and an indication that much work remains to be done in East Portland to address infrastructure inequities and economic disparity. Some additional revisions to the City's home occupation regulations and multi-family residential design standards were touched on in the Staff Report that would address some of these concerns but were beyond the scope of this project. These issues are being carried forward into the larger Comprehensive Plan Update process currently underway.

Our motion included land use changes at the intersection of SE 122nd Avenue and Powell Boulevard shown on Map 1 of the Staff Report. The proposed rezonings at this intersection had been the source of some concern to Oregon Department of Transportation staff due to the potential conflict that new development allowed by the proposed zone changes would create for traffic safety at this intersection. According to ODOT testimony, the intersection of Powell Boulevard and SE 122nd Avenue has a high rate of accidents and an increase in activity at this intersection could exacerbate this problem in the absence of adequate safety improvements. In response to these concerns, the PSC directed City staff to work with ODOT staff to agree on an approach that meets the community's desire for additional neighborhood-serving retail while coordinating the necessary safety improvements with such new development.



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As reported to the PSC executive committee, City and ODOT staff developed a compromise proposal in which properties in the Map 1 area with frontage on Powell Boulevard would have their Comprehensive Plan Map designation changed, but not the zoning at this time. Any rezoning to match the Comprehensive Plan Map designation would then be evaluated to ensure proposed development would occur in conjunction with identified traffic safety improvements. This is less than the full rezoning seen as ideal by the Planning and Sustainability Commission but represents an acceptable approach to balancing the economic and safety concerns competing at this intersection.

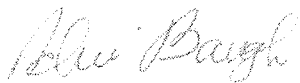
The Planning and Sustainability Commission recommends that Council:

1. Adopt the Ordinance changing the Comprehensive Plan and zoning map as described in the attached materials, and
2. Adopt the Resolution, directing City staff to work with ODOT staff to develop a safety plan for traffic improvements at the intersection of Powell Boulevard and SE 122nd Avenue consistent with the Outer Powell Boulevard Conceptual Design Plan including a financing plan.

Efforts should taken by both the City and ODOT to fund the safety improvements developed for this intersection and minimize the costs that are assigned to individual property owners.

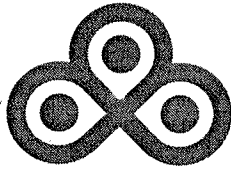
Thank you for the opportunity to participate in the review of this rezoning project and for considering our recommendations.

Sincerely,



Andre Baugh
Chair
Portland Planning and Sustainability Commission





185682

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MEMO

DATE: September 7, 2012
TO: Mayor Sam Adams
FROM: Susan Anderson, Director

Ordinance Title: Amend Portland's Comprehensive Plan Map and Zoning Map for properties along and near SE 122nd Avenue between Powell Boulevard and Foster Road (Ordinance; amend Title 33, Comprehensive Plan Map).

Contact: John Cole, Senior Planner, (503) 823-3475

1. Council Date: September 19, 2012
2. ☐ Consent Agenda Item ☒ Regular Agenda Item
☐ Emergency Item ☒ Non-Emergency Item
3. **Purpose of Agenda Item:** This agenda item is a legislative rezone proposal recommended for approval by the Planning and Sustainability Commission that will:
 - rezone approximately 17 acres along the SE 122nd Avenue corridor to one of four commercial zoning designations,
 - change the Comprehensive Plan Map designation from "Low and Medium Density Multi-Dwelling" to "Neighborhood Commercial" for an additional five acres of property whose vehicular access is from Powell Boulevard, and
 - rezone 1.84 acres of property under ownership of the Portland Parks Bureau currently within the Leach Botanical Gardens from "(R1) Low Density Residence" to "(OS) Open Space".

This ordinance is accompanied by a resolution directing the Bureau of Transportation to develop traffic safety improvements and a financing plan to address safety concerns at the intersection of SE 122nd Avenue and Powell Boulevard expressed by the Oregon Department of Transportation during the development of these rezoning recommendations.



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4 History of Agenda Item/Background:

The roots of this proposal can be found in the *East Portland Action Plan* (EPAP) adopted in 2009 to improve the quality of life, help foster strong community connections, increase the area's regional significance and improve equity for East Portland residents. Following the EPAP, *The SE 122nd Avenue Study: A Pilot Project of the Comprehensive Plan* was approved by City Council in February of 2011. This pilot study was a focused review of actions the community could take to improve the livability of a study area roughly bounded by SE Division Street and Foster Boulevard four blocks on either side of SE 122nd Avenue. Among the recommendation of this study was specific direction to consider changes to zoning to support a desired retail environment including the potential for a grocery store at the south end of the study area.

5. Legal Issues:

Proposed rezonings in this area must be in conformance with the City of Portland Comprehensive Plan; The Metro Regional Functional Plan; the Outer Southeast Portland Area Plan, and the Powellhurst-Gilbert Neighborhood Plan. Legal findings documenting conformance with these documents is included as an attachment to the Staff report.

6. What individuals or groups are or would be supportive or opposed to this action?

Mark White, President of the Powellhurst-Gilbert Neighborhood Association testified at the PSC Hearing that the recommendations are not a sufficient action by the city to address the inequities experienced by East Portland residents.

The EPAP newsletter has indicated support for the PSC recommendations. One or more members of the project advisory group have indicated that they will testify in support of the recommendations.

ODOT staff may speak in support of the Comprehensive Plan Map amendments at the Powell Boulevard intersection and to the need for traffic safety improvements at that location.

5 How does this relate to current City policies?

The PSC recommendation will provide additional commercial zoned property needed to support neighborhood serving commercial enterprise in an otherwise underserved neighborhood. In this regard it is supportive of the **Portland Plan's Economic Prosperity and Affordability Strategy** which seeks to expand economic opportunities for Portlanders and the **Healthy Connected City Strategy** which promotes complete and vibrant neighborhood centers and corridors. To the extent that it is seeking to make land use improvements in one of the city's demographically diverse and economically challenged neighborhoods, it is consistent with the Portland Plan's Equity Framework.



Portland, Oregon
FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator John Cole		2. Telephone No. (503) 823-3475	3. Bureau/Office/Dept. Planning and Sustainability
4a. To be filed (date): September 19, 2012	4b. Calendar (Check One) Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: September 7, 2012
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

Amend Portland's Comprehensive Plan Map and Zoning Map for properties along and near SE 122nd Avenue between Powell Boulevard and Foster Road (Ordinance; amend Title 33, Comprehensive Plan Map)

2) Purpose of the Proposed Legislation:

The proposed Comprehensive Plan Map amendments and changes in zoning will implement portions of the *SE 122nd Avenue Study: A Pilot Project of the Comprehensive Plan*. These changes will facilitate the development of additional neighborhood serving commercial activity within an otherwise commercially underserved area.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | |
|--|---|
| <input type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast |
| <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input checked="" type="checkbox"/> Southeast |
| <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | |
| <input type="checkbox"/> Internal City Government Services | |

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

The proposed Comprehensive Plan Map and Zoning Map changes may prompt earlier development of the identified properties with an attendant increase in property value and property taxes.

5) Expense: What are the costs to the City related to this legislation? What is the source of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the level of confidence.)*

No additional costs to the City are related to this action.

6) Staffing Requirements:

- Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

No

- Will positions be created or eliminated in *future years* as a result of this legislation?

No

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

There is no funding appropriation related to this ordinance.

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section – REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

- ☒ YES: Please proceed to Question #9.
☐ NO: Please, explain why below; and proceed to Question #10.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

Earlier development of neighborhood serving commercial uses along SE 122nd Avenue than otherwise would occur.

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

Significant public involvement including specific outreach to eastern European, Asian and Latino communities was included in the SE 122nd Avenue Study (2011). A project advisory group comprised of Powellhurst Gilbert NA and Midway BA representatives and individual residents provided ongoing oversight for the subsequent rezoning project. The Powellhurst-Gilbert Neighborhood Association, The East Portland Action Plan and the Midway Business Association were given additional briefings over the course of the project. Staff from the Oregon Department of Transportation provided input regarding land use changes proposed at the Powell Boulevard intersection. Staff from the Parks Bureau requested additional zone changes for the Leach Botanical Gardens. Staff from both the Portland Bureau of Transportation and Development Commission participated in the SE 122nd Avenue Rezone Project Open House in October 2011.

c) How did public involvement shape the outcome of this Council item?

The project advisory group helped establish the review criteria used in choosing the location and categories of zoning applied. Additional property at the intersection of SE 122nd Avenue and Powell Boulevard and south of SE Raymond Street was added to the proposed commercial zone changes in response to community input. Property was also added in response to a request from Parks Bureau staff. Comprehensive Plan Map changes were substituted for zone changes along Powell Boulevard in response to safety concerns submitted by ODOT staff.

d) Who designed and implemented the public involvement related to this Council item?

BPS Staff John Cole and Chris Scarzello

e) Primary contact for more information on this public involvement process (name, title, phone, email):

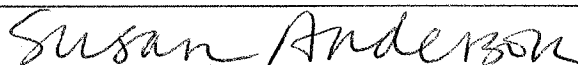
John Cole, Senior Planner, (503) 823-3475, john.cole@portlandoregon.gov

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

Future rezoning applications will be reviewed by City Council for the properties along Powell Boulevard where the Comprehensive Plan Map is being amended. The timing of these applications is controlled by the subject property owners.

Public involvement will be incorporated into the specific traffic safety improvements developed by the Bureau of Transportation for the Powell Boulevard / SE 122nd Avenue intersection.

Susan Anderson



BUREAU DIRECTOR (Typed name and signature)