

Moore-Love, Karla

From: Madeline Kovacs <madeline@friends.org>
Sent: Wednesday, April 26, 2017 5:38 PM
To: Council Clerk – Testimony
Subject: DOZA - testimony from Portland for Everyone
Attachments: P4E DOZA Letter 04.26.17.docx

Dear Mr. Mayor and Commissioners,

The organizations and individuals comprising Portland for Everyone are pleased to offer some brief comments on the Design Overlay Zone Assessment (DOZA) review recently completed by the consultant Walker Macy.

Thank you for your continued attention to the housing affordability aspects of ALL projects under your consideration during this time.

In gratitude,

Madeline Kovacs & the Portland for Everyone team

--

Madeline J. Kovacs (she/her/hers)
Program Coordinator, Portland for Everyone
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o: 503.497.1000 x137 | c: 510.410.4176

"The world needs beauty as well as bread..." - John Muir



April 26, 2017

Portland City Council
1221 SW 4th Ave., Room 130
Portland OR 97205

Dear Mr. Mayor and Commissioners,

The organizations and individuals comprising Portland for Everyone are pleased to offer some brief comments on the Design Overlay Zone Assessment (DOZA) review recently completed by the consultant Walker Macy.

We urge the City to:

- 1) Support the consultant's recommendation to clarify that the scope of design review doesn't include changes to entitlements given by long-range planning and zoning (and therefore the number of homes the City has already planned for in designated high-capacity areas).
- 2) Better align development and design review processes, to reduce delays and cost increases which add significant delays and costs to projects, impacting both availability and affordability,
- 3) Allow the type of review to be appropriate for the size of the project, with clear and objective standards that builders can meet, and
- 4) Consider where, outside the Central City, the d-overlay may not be appropriate, and weigh its application carefully with potential impact on affordability. **In particular, consider allowing non-profit developers and/or affordable housing projects to meet a different set of clearly defined standards.**

Code states that higher-level plan district entitlements supersede regulations in overlay zones, base zones, and other regulations (PCC 33.700.070.E.1.a).

We also encourage the City to consider that any limitations on entitlements, and therefore on new housing will, **by virtue of the recently adopted Inclusionary Housing program, also result in a potential loss of permanently-affordable housing in our most well-connected, amenity-rich areas.**

The Planning & Sustainability Commission's recommendations include two that we'd like to reiterate here: 1) Improvements to public involvement processes focused on inclusion, especially of renters, and 2) Differentiating between more intensive Central City subdistricts, and less intensive subdistricts to reflect the unique character of different neighborhoods.

Lastly, we encourage the City to always consider the d-overlay, and indeed any project, in light of its stated long-range planning goals, namely the Climate Action Plan and the Comprehensive Plan's Equity and Anti-Displacement goals:

As Dan Bertolet put it earlier this week, "[The] benefits of compact communities... are ubiquitous in the past three decades' research on cities. Indeed, the main lesson of that entire body of work is that compact, transit-rich, walkable, mixed-use, mixed-income cities are critical ingredients to a sustainable future. Seattle officials shouldn't have to prove this anymore than they have to prove that hydro- and wind-powered Seattle City Light electricity is better for the planet than the coal power that many rust belt cities rely on."¹

Portland for Everyone will consistently encourage the Portland City Council to make inclusive and equitable policy and funding decisions to:

- Provide plenty of affordable and diverse housing types in all Portland neighborhoods
- Prioritize housing for historically and currently under-served populations
- Prioritize housing for humans over housing for cars
- Allow more people to live in areas with good access to transportation, parks, and services
- Create and maintain economically diverse neighborhoods

We look forward to continuing to follow the DOZA report and project through it's completion & implementation.

Sincerely,



Madeline Kovacs

Program Coordinator
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133 SW 2nd Ave. Suite 201
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¹ <http://www.sightline.org/2017/04/20/not-in-your-backyard-cottages-in-law-apartments-and-the-predatory-delay-of-halas-adu-rules/>

Parsons, Susan

From: Fioravanti, Kara
Sent: Wednesday, April 26, 2017 11:24 AM
To: Council Clerk – Testimony
Cc: Lillard, Lora; Wood, Sandra; Runkel, Marshall; Jonson, Love; Nameny, Phil; Monroe, Staci
Subject: DOZA Final Report testimony from Design Commission
Attachments: 2017-04-26 DOZA Letter to Council - Final Rev02.pdf; ATT00001.htm

Design Commission testimony for DOZA Final Report today. Thank you!

Sent from my iPad



City of Portland

Design Commission

1900 SW Fourth Ave., Suite 5000
Portland, Oregon 97201
Telephone: (503) 823-7300
TDD: (503) 823-6868
FAX: (503) 823-5630
www.portlandonline.com/bds

Date: 04/26/2017
To: Mayor Wheeler and Commissioners Eudaly, Fish, Fritz, and Saltzman
From: Portland Design Commission
Re: Design Overlay Zoning Assessment (DOZA)

Thank you to Mark Hinshaw of Walker Macy, Lora Lillard of the Bureau of Planning & Sustainability (BPS), and Kara Fioravanti of the Bureau of Development Services (BDS) for their thorough and thoughtful assessment of our city's design review processes. Portland has performed some level of formal design review of development proposals for 35 years. Given the current pace of development and the projected population growth outlined in the 2035 Comprehensive Plan, DOZA has been a timely check-in that looks at both how we've done so far and how we can prepare for a rapidly changing future.

Design Commission hopes BPS and BDS will receive Council's support to move forward quickly with follow up work to either change or confirm existing practice. From the Commission's perspective, the most urgent issues outlined in the DOZA recommendations are:

- 1) Recommendation A1, Adjust the thresholds for design review to provide a high level of review for larger projects in d-overlay districts but lessen the level of review for smaller projects.**
As land availability dwindles and redevelopment of small lots in and immediately adjacent to the Central City increases, effective oversight is needed to assure the quality and character of our urban environment is maintained. Commission supports maintaining reviews for all proposed new construction and large additions/alterations in the Central City. Commission also supports a streamlined review process and staff discretion for small scale renovations.

An alternate standard of review, comparable to the proposed Mixed-Use Zones' (MUZ) Centers and Corridors not adjacent to the Central City, is appropriate for the Gateway District.
- 2) Recommendation A2, Improve the review processes with a charter, better management of meetings, and training for both the Design Commission and Staff.**
Training should also be available to Applicants, Neighborhood Associations, and other interested parties.
- 3) Recommendation A3, Align the City review process with the design process.**
This work requires a fresh approach to the content and timing of hearings and has already begun.
- 4) Recommendation A4, Improve the public involvement system.**
Preliminary planning for a "Citizens Academy" is underway. Related to public involvement, the Commission would like to embrace social media and 21st century technology and asks Council to support development of a stand-alone, easy-to-navigate, well-designed Design Commission web site that is independent of City standards.
- 5) Recommendation B1, Clarify and revise the purpose and scope of the d-overlay.**
All Portlanders appreciate our walkable, pedestrian-oriented city. All Portlanders should also appreciate that it's taken 35 years of steady, deliberate, building-by-building discussion to get to where we are today. Better, broader understanding of the d-overlay will lead to more effective engagement and better advocacy as our city continues to grow.

6) Recommendation B1c, Clarify the scope of design review.

This recommendation deserves further discussion that includes verifying the City's legal interpretation of base zone entitlements (as guaranteed or allowed maximums) and a review of relevant case studies to identify the degree of impact. The current scope of design review enables the City the flexibility to fine tune large scale planning efforts at a local level for sites that are complicated or have a unique context.

7) Recommendation B3, Use the three tenets of design to simplify, consolidate, and revise the standards and guidelines.

The standards and guidelines are dated, bulky, and difficult to navigate.

Greater detail on these and other topics is provided in the attached letter to Mark Hinshaw dated February 7, 2017.

Thank you for your consideration,



David Wark, Chair



Tad Savinar, Vice Chair



Jessica Molinar



Don Vallaster



Julie Livingston



Andrew Clarke



Sam Rodriguez

Design Commission

Cc: BDS staff



City of Portland Design Commission

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Date: February 7, 2017
To: Mark Hinshaw, Walker Macy
From: Design Commission
Cc: Lora Lillard, DOZA Project Manager
Re: Design Overlay Zone Assessment (DOZA) Draft Recommendations Feedback

Dear Mr. Hinshaw,

Thank you for providing the Design Commission the opportunity to review your team's draft recommendations for the city's design overlay tool. The Design Commission held a special work session with City staff on January 13, 2017 to discuss the Design Overlay Zone Assessment (DOZA) Draft Recommendations and provide feedback.

The Design Commission, authorized under Portland City Code 33.710.050, provides leadership and expertise on urban design and architecture and on maintaining and enhancing Portland's historical and architectural heritage. As members of the Design Commission, we are committed to upholding the goals and policies set forth in the City's Comprehensive Plan and Climate Action Plan.

We are pleased to be part of this process and to work with your team to improve the City's design review. The Design Commission discussed the Draft DOZA Recommendations and offers the following feedback:

PROCESS RECOMMENDATIONS

A.1. Adjust the thresholds for design review to provide a high level of review for larger projects in d-overlay districts but lessen the level of review for smaller projects.

Summary: There was little support for reducing design review for small projects within the Central City and considerable debate for its application in the Gateway District.

Reducing the workload was not viewed as a high priority by itself. Developing a process that is efficient for applicants, Staff and the Commission while also allowing for meaningful feedback that results in projects that meet the goals of the design review process is supported. If other recommendations from your report are implemented that result in a more streamlined process,

then the workload issue may become a moot point. This would also apply to shifting review to staff.

As more development occurs within d-zones it becomes imperative to apply the City's goals to *promote the conservation, enhancement, and continued vitality with special scenic, architectural, or cultural value*. The cumulative effect of small projects was a concern. Support was expressed for solutions that would reduce cost impacts on smaller projects, which could include a streamlined and accelerated process. The metric of size does not directly correlate to impact as we have seen in recent cases. In addition, Property Owners who have gone through the design review process have an expectation that adjacent properties will be given the same level of review to ensure a consistent level of development, which would also help to ensure their investment. Also, the Design Commission sees many opportunities outside d-zones for the small and "quirky" developments with an updated set of Base Zone development standards.

Alterations to existing buildings should be considered for a different design threshold to encourage proper care and improvements.

There was no consensus about **Gateway**. Some Commissioners felt the alternate design review threshold could work given implementation of the Mixed-Use Zone development standards. Other Commissioners felt Gateway deserved the same quality of design as the Central City and debated if the alternate threshold was in alignment with the urban design goals of Gateway.

A.2. Improve the review process with a charter, better management of meetings and training for both the Design Commission and staff.

Summary: The Commission generally supports parts of this recommendation, but more detail needs to be provided.

The proposed time limits for each case and topics of discussion are unrealistic given the varying levels of scale and complexity between cases, an applicant's responsiveness to the guidelines, unpredictable public testimony, antiquated technology – and at times seven Commissioners present. While recognizing the need to manage meetings in a timely fashion, there is also an acute need to balance efficiency while providing relevant feedback, which often results in an idea driven dialogue between the applicant and Commission. This dialogue often provides applicants with much needed clarity.

A refined Charter, training, and regularly scheduled retreats at least twice per year, were all supported.

A.3. Align the City's review process with an applicant's typical process.

Summary: Design Commission supports the idea of this recommendation, but many of the specific details are in question.

Should a DAR be required for all Type III cases regardless of size? Several smaller projects have come through design review recently and a DAR would have helped the process significantly. A positive aspect of required DAR's - they would no longer be "bumped" due to schedule conflicts (which does occur) and would result in more reliable timelines. The terms early schematic design, end of schematic design, and end of design development, and when they occur need to be revised to allow for projects that can address the design guidelines and Commission's comments more quickly. It should also be noted that when applicants cannot or do not address the guidelines or Commission's comments the process may take longer by resulting in multiple hearings.

Design Commission included information in The Best Practices document (now known as the Guide to Design Review Process) that outlined our view as to the purpose, focus, and presentation materials of DAR's. This information could be helpful in forming the final recommendations.

A.4. Better communicate the role of urban design and the d-overlay tool

Summary: Design Commission supports this recommendation.

A.6. Require applicants to document response to neighborhood input.

Summary: Design Commission briefly discussed this recommendation and is generally supportive.

Neighborhood Associations can have a critical role in the review process, but they need to participate in a timely manner. Requiring the applicant to submit a form documenting the process is not feasible. There was no consensus on how to refine the requirement but further exploration is encouraged to ensure the goal of neighborhood involvement is maintained.

TOOLS RECOMMENDATIONS

B.1. Clarify and revise the purpose of the d-overlay and simplify terminology.

Summary: The Design Commission is generally supportive of this recommendation; however, at the heart of design review there should be a clearly stated set of aspirational/qualitative goals.

The current definition: **Design Review** is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area and to promote quality development near transit facilities.

B.3. Use the three tenets of design to simplify, consolidate, and revise the Standards and Guidelines.

Summary: Design Commission is supportive of these three tenets.

Design Commission has been interested in simplifying and updating the Standards and Guidelines for several years so they are more relevant and better reflect the current values of our City. As a result, we are very supportive of this recommendation. The Design Commission also feels strongly that The Standards and Guidelines need to be a combination of **qualitative and quantitative** metrics, terms, and definitions. We also have questions about the definition and focus of each tenet.

For example, is Context concerned with massing, height, setbacks, air and light, etc.; or is it more focused on aesthetics, character, and fitting into an existing neighborhood – we suggest a combination of the two.

For the second tenet, Elevate the Public Realm, we strongly encourage keeping the same requirements for glazing/transparency and Active Ground Floor Use. We also suggest that housing remain an Active Use where appropriate, but not allowed in more locations throughout the city than are currently identified in the Comprehensive Plan, CC2035, and the MUZ. The Design Commission has long struggled with the current definition and application of Active Use and it is critical that the new standards and guidelines fully define Active Use in terms of interior uses allowed.

How will Quality and Permanence be defined and evaluated? Materials and details matter. Can Quality and Permanence also include the quality of the overall design?

B.5. Recognize the unique role of public buildings in urban design.

Summary: Design Commission is supportive, but there is not sufficient detail regarding this recommendation.

Additional Points of Discussion

Consultant presentations to the Design Commission included statements that Portland is considered a leader, and looked to as a model throughout the country, for its design review process. This should be noted in the report as well as the result of this 35-year process being the high quality of Portland's built environment.

Buildings are long term insertions into the urban fabric and have significant impacts on the quality of life within our city. As stated in the Introduction to the Central City Fundamental Design Guidelines -*The design and historic design review processes are not intended to achieve minimal design solutions. The goal of these processes is to foster the development of **high quality and innovative designs**.* We must not lose sight of this overarching statement in the pursuit of convenience and efficiency.

Design Commission also feels that the report should include a narrative addressing the **role and responsibilities of applicants and service bureaus** in the process.

Many aspects of the DOZA Report are applicable to historic district and landmark structure reviews. It seems appropriate for the **Landmarks Commission** to consider and voice their opinions on these proposed recommendations.

Thank you for the opportunity to comment on the recommendations your team has put forth. We look forward to continuing the discussion and the Design Commission on February 9, 2017.

Sincerely,



David Wark, Chair



Tad Savinar, Vice Chair



Jessica Molinar



Don Vallaster



Julie Livingston



Andrew Clarke



Sam Rodriguez

Design Commission



OREGON LOCUS

Responsible Real Estate Developers and Investors

an affiliate of Smart Growth America's national developer coalition

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Alliance Residential Company

Noel Johnson
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Wade Lange
American Assets Trust

Michael Nagy
Wood Partners

Peter Skei
Specht Properties

Brad Schnell
*Greystar Real Estate
Development*

Christe White
*Radler White Parks & Alexander
LLP*

Brian Wilson
Mainland Northwest

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Gerding Edlen Development

Executive Director
Mike Kingsella
mkingsella@locusdevelopers.org

April 26, 2017

Portland City Council
1221 SW Fourth Ave.
Portland, OR 97205

Dear Mayor Wheeler and Commissioners Eudaly, Fish, Fritz and Saltzman,

Oregon LOCUS appreciates the opportunity to comment on the Design Overlay Zone Assessment (DOZA) review produced by Walker Macy as Council considers accepting the report. Overall, we are encouraged by the thoughtful analysis of the ways in which the design overlay zone processes and tools can be updated to better achieve the City's development and growth goals.

Our focused comments are on the specific impacts of the process on entitled height and density. First Oregon LOCUS believes that quality design is not in conflict with affordable, dense and walkable developments. Portland and its residents deserve well-designed housing at all levels of affordability. At the same time, we wholeheartedly agree with the consultant's findings that design review has shifted away from the big picture and into minutiae, at times has conflicted with the legislatively adopted height and density entitlements and has lengthened the permit timeline and increased costs.

For example, Grand-Belmont Apartments is a half-block site in inner southeast adjacent to the Morrison bridgehead and located directly on the Portland Streetcar line. The site was zoned by the City for 250 feet of height and a 12:1 Floor to Area Ratio (FAR). The developer of the site initially proposed a project of approximately 220 units in a 14-story tower. The proposal was significantly shorter than the entitled zoning but maximized the zoned FAR. Historic Review staff was not in favor of the proposed density, even though the recently adopted Southeast Quadrant Plan and greater Central City Plan District explicitly allowed the density. The developer, working within this feedback, subsequently proposed a 22-story tower which achieved a slightly lower unit count of 200 units. Again, staff came back with a negative report, advising the developer to reduce the density below the level permitted by the code, asserting that 22 stories was too tall, even though the proposed 230 feet was within the existing density and height specifically approved for the site. Staff further indicated that they would be more comfortable with a seven-story proposal. Ultimately, the developer decided to avoid the risk of appeal and further costly development delay, and submitted a seven-story project with 121 units—approximately 100 units short of the initial proposal, and well below the housing planned for the site by the zoning.

Oregon LOCUS strongly supports Walker Macy's recommendation to clarify that the Design Commission does not have the purview to impact basic entitlements in the zoning code, specifically FAR and height. Reductions in base FAR and height entitlements reduce housing in high-density, opportunity areas of Portland, especially in the Central City.

This loss of density frustrates many planning objectives for the Central City including efficient delivery of services, and seems to also run afoul of the specific hierarchy of regulations in the code. Under PCC 33.500.040 and 33.700.070.E.1.a, the code states:

1020 SW Taylor St., Suite 770 | Portland, Oregon 97205

"Where there is a conflict between the plan district regulations and base zone, overlay zone, or other regulations of this Title, the plan district regulations control. The specific regulations of the base zone, overlay zones or other regulations of this Title apply unless the plan district provides other regulations for the same specific topic." PCC 33.500.040.

"When the regulations conflict...the regulations of a plan district supersede regulations in overlay zones, base zones, and regulations in the 600s series of chapters." PCC 33.700.070.E.1.a."

The code seems clear. Applying a design guideline from a lower level overlay zone in conflict with an entitlement in a higher-level plan district is not permitted under PCC 33.500.040 and 33.700.070.E.1.a.

Oregon LOCUS recognizes that interpretive discretion renders this issue more challenging, which is why the DOZA report recommendation is so important. These past patterns and practices of reducing entitled FAR and height *could translate into thousands of units of unbuilt housing across Portland*—density that Council-adopted long-range plans explicitly put in place to ensure the City's growth goals are satisfied.

It is critical that we clarify the code hierarchy so that all stakeholders in the design review process can work together to deliver on the City's density and design objectives.

We urge City Council to accept the DOZA report and look forward to working with Council, the Commission and staff on its successful implementation.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Kingsella", with a stylized flourish at the end.

Mike Kingsella
Executive Director
Oregon LOCUS

Parsons, Susan

From: Derek Blum <derekb@stanfordalumni.org>
Sent: Wednesday, April 26, 2017 12:47 PM
To: Council Clerk – Testimony
Subject: Testimony for 4/26/17 Design Overlay Zone Assessment (DOZA) hearing

To: City Council

My brief testimony relates to the Design Overlay Zone Assessment report created by the Bureau of Planning and Sustainability. Overall, I think this is a great report with good aims: to help ensure that Portland's growth does not sacrifice positive design and opportunities for better aesthetics and livability. I am very concerned that these good plans are going to be undone by the State's proposed bill HB 2007 which addresses, among other things, housing affordability throughout the state. One goal is to facilitate development of housing, which includes mixed use as well as residential zoned property. In their effort to do this, they are trying to reduce barriers that delay or prevent development. On its face, this may not be bad, but if it leads to bad design, more demolitions, and other problems then I oppose the parts of the bill that allow developers to avoid the sort of engagement with the City and community to achieve the best outcomes.

Of most concern within the bill are the...

- * Mandate coming from the state, rather than the local/City level to decide what will work best in Portland
- * Requirement that every project have clear and objective standard to meet for permitting. In areas where Portland is trying to affect positive community change, such as Gateway, developers will be able to do what's best for themselves and not for the community or City.
- * Removal of the most tangible benefits for new national historic districts, namely demolition review and historic resource review. Without these, historic preservation will be more limited and Portland will risk losing important historic resources throughout the City.
- * Demolitions -- The push for affordable housing is likely to only increase demolitions throughout the City of Portland. Affordable housing should be added in the places that make the most sense and we haven't generally seen that in Portland. Instead, developers demolish homes and structures where their profit potential is highest and this has guaranteed neither higher density, more affordability, not greater livability.

In conclusion, I hope that Portland will protect our City's great resources and neighborhoods without sacrificing design. Development should, first and foremost, emphasize value for current residents while planning responsibly for the future.

Sincerely,
Derek Blum
7920 SE Reed College Place
Portland

1908 SE 35th Pl
Portland, OR 97214
April 26, 2017

To: Mayor Wheeler and City Council
RE: Design Overlay Zones Assessment Final Report

Dear Mayor Wheeler and Commissioners:

I have lived in the Richmond Neighborhood for 25 years and welcome the new development there.

I support the direction of the DOZA Final Report. This document recommends needed changes to streamline the process to achieve good design while quickly approving more needed housing. With 110 people a day moving here, this is essential.

I support the Planning and Sustainability Commission's letter, as well as the thoughts of the AIA/ASLA Urban Design Panel, especially regarding using Urban Design Diagrams as "Context".

In some cases, Design Review has led to height reductions, setbacks and massing adjustments that result in fewer housing units because of the higher costs .

Section B.1.c. says "Long-range planning must be the process for establishing basic zoning entitlements." I support this. Where Type III or Type II Design Review is applied, these should not reduce the entitlements in the zoning code for height or FAR, or otherwise reduce the bulk of the building, e.g. through additional setbacks.

The zoning shows what the city expects on a site. Design guidelines urging stepdowns to neighboring buildings should be avoided, and instead the desired heights should be defined in the zone.

I support the choices in the Threshold matrix in A.1.b. which call for most projects outside the Central City to be Type II (planner) review. It is not an efficient use of volunteer time to have the Design Commission review medium-sized neighborhood buildings.

The "two-track" system, where Community Design Standards can be used instead of Design Review, is proposed to be applied almost everywhere outside the Central City. The remaining Design Review requirement for projects over 55' high and on sites over 20,000 s.f. should be removed, and "two-track" offered everywhere outside the Central

City. This would follow the city's current interpretation of State Housing requirements, and enable much-needed housing to be built more easily.

The "Tall" threshold of "more than 55'" should be modified to 64'. In CM-2, (on most Inner corridors), the maximum height with the Inclusionary Housing bonus is 55'. However, if the bonus for a Taller Ground Floor, and for Roofline Articulation are used, these buildings can reach 63.5' The threshold should be set at 64'. Otherwise, the use of these bonuses, which incentivize better design, will be discouraged.

I support defining the "Small" sites as "5000 s.f. and under" rather than "Less than 5000 s.f.".

Design Review has contributed to the well-planned Central City. But, the process needs refinement, especially now that it will expand to neighborhood centers.

Thank you.

A handwritten signature in black ink that reads "Doug Klotz". The signature is written in a cursive, flowing style.

Doug Klotz

Parsons, Susan

From: David Sweet <cullyguy@gmail.com>
Sent: Wednesday, April 26, 2017 8:19 AM
To: Council Clerk – Testimony
Subject: DOZA Report

Mayor Wheeler and Commissioners:

I support the recommendations in the Design Overlay Assessment Report. The Thresholds for review seem a reasonable way to reduce the Commission's workload while ensuring an appropriate level of review.

I also support the continued availability of a "Clear and Objective" standards option, so housing outside of the Central City is not burdened by the additional costs and delays of any type of Design Review process. The improved Community Design Standards will ensure good design.

Thank you,

David

~~~~~  
David Sweet  
4759 NE Going Street  
Portland, OR 97218  
503-493-9434  
[cullyguy@gmail.com](mailto:cullyguy@gmail.com)

**Parsons, Susan**

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**From:** Alan Kessler <alankessler@gmail.com>  
**Sent:** Wednesday, April 26, 2017 8:16 AM  
**To:** Council Clerk – Testimony  
**Subject:** DOZA Report

Mayor Wheeler and Commissioners:

I'm a Richmond Neighborhood resident, and I support the recommendations in the DOZA report.

Not every building needs Design Review. The suggested Thresholds will reduce Planning & Sustainability work load, while ensuring the appropriate level of review for larger buildings.

As is now true, projects with housing outside of the Central City should have the options of a "clear and objective" Standards route, to avoid costs and delays to the much-needed housing in our neighborhoods.

Sincerely,  
Alan Kessler

## Parsons, Susan

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**From:** Ocken, Julie  
**Sent:** Tuesday, April 25, 2017 9:06 PM  
**To:** City Elected Officials  
**Cc:** Schultz, Katherine; Katherine Schultz; Anderson, Susan; Zehnder, Joe; Council Clerk –  
Testimony; City Elected Officials Exec's  
**Subject:** PSC recommendations on DOZA  
**Attachments:** psc\_doza\_final.pdf

Mayor and City Commissioners,

The Planning and Sustainability Commission just finished a briefing session with staff and the project consultant for the Design Overlay Zone Assessment (DOZA) Final Report. Please find their letter of recommendation attached. PSC Chair Katherine Schultz will present this letter and additional comments on behalf of the Commission at your hearing tomorrow afternoon.

Thank you for your consideration.

Julie Ocken  
PSC Coordinator

Julie Ocken  
City of Portland  
Bureau of Planning and Sustainability  
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503-823-7700: Traducción o interpretación | Chuyển Ngữ hoặc Phiên Dịch | 翻译或传译 | Turjumida ama Fasiraadda | Письменный или устный перевод | Traducere sau Interpretare | Письмовий або усний переклад | 翻訳または通訳 | ການແປພາສາ ຫຼື ການອະທິບາຍ | الترجمة التحريرية أو الشفهية | [www.portlandoregon.gov/bps/71701](http://www.portlandoregon.gov/bps/71701)

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April 25, 2017

Mayor Ted Wheeler and Members of Portland City Council  
Portland City Hall  
1221 SW Fourth Avenue  
Portland, OR 97204

### Subject: Design Overlay Zone Assessment (DOZA) Report

Dear Mayor Wheeler and City Commissioners:

The Planning and Sustainability Commission (PSC) had the opportunity to review the Design Overlay Zone Assessment (DOZA) Final Report and look forward to testifying in person at your hearing on April 26, 2017. As stewards of the Comprehensive Plan and Climate Action Plan, we are keenly interested in developing and maintaining the Zoning Code to carry out the goals and policies of those plans.

Portland's design overlay zone applies to two types of areas: places where the City intentionally encourages high-density development – centers and corridors – to accommodate growth, and places that have a special scenic, architectural or cultural value. As these areas change over time, the PSC is vested in ensuring high-quality development and an efficient design review process that aligns with our recently-adopted Comprehensive Plan goals and policies. We therefore support the recommendations in the DOZA Final Report.

The PSC formed a subcommittee to discuss the draft recommendations and identified areas of specific concern or importance. During the next phase of DOZA, we encourage additional focus and refinement in the following areas:

- A1a. We support **restructuring the thresholds for Gateway** and allowing development in the district to use clear and objective standards. Like other neighborhoods in transition, Gateway needs the right tools to offer clear guidance while encouraging redevelopment.
- A1a. The report recommends the same thresholds for all of the Central City. We suggest **differentiating between more intense Central City subdistricts, such as Downtown, and less intense subdistricts.** The Comprehensive Plan recognizes the importance in maintaining the character and uniqueness of our neighborhoods – the design review process should as well.



City of Portland, Oregon | Bureau of Planning and Sustainability | [www.portlandoregon.gov/bps](http://www.portlandoregon.gov/bps)  
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868

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- A1b. The **Design Review thresholds should be right-sized based on impact**. Removing regulatory barriers can allow innovation and testing of new systems and can give small developers and property owners a chance to succeed. This furthers equity goals of the Comprehensive Plan. Determining the specific metrics for thresholds for design review is critical; therefore, we recommend additional refinement on the scale, location and process that trigger different levels of review.

The refinement of the thresholds needs to be done in conjunction with updating of the **Community Design Standards and Community Design Guidelines**. This would ensure projects of lesser impact are able to meet a clear set of standards that maintains the unique character of our centers and corridors while removing unnecessary regulatory burdens.

- A5. **Community Involvement** is a critical component of the Comprehensive Plan. We strongly support the recommendation to improve public notification and ensure inclusivity. In addition to the report’s recommendations, we propose providing “just-in-time” training to people receiving public notice – such as an online primer or webinar. This training would assist stakeholders in understanding the intent of the design review process while clarifying the purview of the Design Commission and what is appropriate for the public to comment on during design review hearings.
- A6b. The PSC used to have a designated member on the Design Commission to provide stronger continuity and alignment between the two commissions’ work. In the absence of that, we suggest that the Design Commission **present their annual report to the Planning and Sustainability Commission**, in addition to reporting to City Council.
- B1. The **purpose of the d-overlay** needs to be updated to reflect the goals of the Climate Action Plan and Comprehensive Plan, with particular attention to equity; reconcile the tension between compatibility and change; and outline the objectives of discretionary review.
- B1c. We support the consultant’s reasoning for why **zoning regulations** establish floor-to-area ratios (FAR) and height and that reductions are **not within the purview of the design review system**. To meet the Comprehensive Plan density and community involvement goals, it is critical that the tension between projects “responding to context” and the Comprehensive Plan density goals be clarified in the next phase of this project.
- B3. We encourage staff to continue the discussion about the balance of the **three tenets** in the implementation phase of DOZA and recommend that prioritization of the tenants be reviewed against the goals in the Comprehensive Plan. In particular, the tenant of **quality and permanence** needs to be clearly defined and understood by all.

We encourage **fast tracking some of the recommendations** and recommend that staff explore options – such as implementing process changes – that do not require Zoning Code amendments.

There are many parallels between design review and **historic resource review**. Many of the report’s recommendations should be considered for historic resource review and the Historic Landmarks Commission as well.



Design Review is not broken, but it does need improvement in order to succeed. The implementation of these recommendations is critical to support the increased intensity of development in our centers and corridors while ensuring the public has the opportunity to engage in the process. Overall, we believe that further development and implementation of the DOZA recommendations will ensure that we effectively support high-quality design during this period of rapid growth in our city.

Sincerely,



Katherine Schultz

Chair



**Moore-Love, Karla**

---

**From:** nkahl@msn.com  
**Sent:** Tuesday, April 25, 2017 12:59 PM  
**To:** Council Clerk – Testimony  
**Subject:** DOZA Testimony  
**Attachments:** DOZA HWG Letter 4-25-17.pdf; DOZA Furniture Plus Letter 4-25-17.pdf; DOZA Kahl Properties Letter 4-25-17.pdf

Please see the attached letters for submission as testimony regarding DOZA.

Regards,  
Nidal Kahl

April 17, 2017

Dear Planning and Sustainability Commission, City Council, and any party associated with the DOZA report:

I am writing on behalf of the Halsey Wiedler Group to share our support for the consultant's recommendations in the Design Overlay Zone Report. We are a subcommittee of the Gateway Area Business Association comprised of business owners, property owners, and community members focused on the development and growth of Gateway with a focus on the Halsey/ Weidler corridor. We have been an integral part of supporting and working through the various activities within Gateway over the last 3-4 years including the streetscape plan for the Halsey/ Weidler corridor, Gateway Discovery Park & Urban Plaza and the Gateway Action Plan. We recognize that the existing process has had a repressive effect on business growth in Gateway, particularly for small businesses. Streamlining and simplifying fees and processes has the potential to reduce the regulatory burden on businesses in Gateway and all over the city. Now that the Gateway Action Plan has been approved by City Council, it will be imperative that developers and anyone interested in moving their business or starting a new business in Gateway is not hindered by the current design review standards, especially for smaller projects. There are some specific topics that I would particularly like to highlight.

1. Item A.1. (commentary) talks about the Gateway Plan District and its role as a Regional Center. Although Gateway has been designated as a regional center for more than 20 years, "market forces" have not been in place to provide an opportunity for Gateway to grow into its role as regional center. A suburban area needs multiple steps before it can become a "second downtown", it doesn't happen instantly, and requirements such as a Type 2 or Type 3 Design Review discourage redevelopment and new development.
2. Item A.1.a correctly recognizes that allowing some projects such as alterations to a building or smaller buildings to be reviewed through the Community Design Standards process, rather than design review, would help Gateway see more investment in the near term. I fully support this concept.

If the Community Design Standards can be allowed for some projects, this would be a significant step to simplify and streamline the time and cost of alteration and some new building projects because the standards apply when a building permit application is made, and it is not a land use review process.

The Community Design Standards, as they are currently structured, address many of the same goals that are in the Gateway Design Guidelines. For example, standards 33.218.140.A – C (applied to new structures in the RH, RX, CX and EX zones) address similar items as Design Guideline A2:

**33.218.140**

A. Building placement and the street. Landscaping, an arcade, or a hard-surfaced expansion of the pedestrian path must be provided between a structure and the street. All street-facing elevations must meet one of the following options. (1. Foundation landscaping option, 2. Arcade option, 3. Hard-surface sidewalk extension option.)

B. Improvements between buildings and pedestrian oriented streets. 1.a. A building wall that faces a transit street or City Walkway or is in a Pedestrian District, may be set back no more than 10 feet from the street lot line. 1.b. The area between the building and an adjacent transit street, City Walkway, or street in a Pedestrian District must be hard-surfaced for use by pedestrians as an extension of the sidewalk.

C. Reinforce the corner. 4. A main entrance must be on a street-facing wall and either at the corner or within 25 feet of the corner.

While Design Guideline A2 advises:

A2. Enhance visual and physical connections. Guideline: 1. enhance visual and physical connections between buildings and adjacent sidewalks. 2. Orient semi-public building spaces to the sidewalk and street.

This guideline may be accomplished by: 1. Incorporating large ground floor windows facing the sidewalk. 2. Developing flexible wall systems adjacent to the sidewalk. 3. Expanding the sidewalk level of the building. 4. Emphasizing permeability at the ground level. 5. Orienting the main entrances and/or lobbies to the sidewalk.

3. Fees. An example highlights the issue. For a \$100,000 project that alters the exterior of a building or expands the footprint of the building, the fee for the Community Design Standards review (as part of the building permit review) is \$.0075 of the project value, or \$750. That same project in Gateway right now would cost \$4590 under Tier F (as identified on the LUS fee sheet) Type II Design Review (\$.032 of the project value \$3200. Plus \$1390 for other bureau reviews.)

Based on all of the above, I am asking you to consider implementing the use of the Community Design Standards immediately, not at the end of a 1 to 2 -year planning project code revision process. Allowing the use of the standards would provide a huge relief to any property owner who has in the recent past been stymied by the design review process.

It is further recommended that a committee is formed immediately which we feel could be facilitated through the Halsey Weidler Group to focus on the DOZA issues. This would serve as a district review committee to help our businesses and property owners make the necessary improvements that the community deems important, regardless of whether the project meets the review guidelines. Many properties in our area are distressed and we feel that any historic changes to each property must remain "Grandfathered in" and not be grounds to penalize a property/ business owner for trying to make simple improvements. We have had some members run into costly challenges in recent years that hindered their ability to redevelop and/or renovate distressed properties and created an unnecessary burden for community and business members trying to improve our district.

Design review requirements historically have created unnecessary challenges and delays, and we feel the district organizations and community members should have some say in what and how things get developed. We would serve as the committee to acquire community support/opinion for any specific project that may encounter challenges while trying to improve our district. The authority of this committee would allow them to overrule design standards that do not impact safety, if and when needed to keep our district improvements thriving. We suggest this would be a final option in the DOZA reserved for smaller projects on a tighter budget, but would also help build our community and improve our district by involving the community in the projects that get developed in our district.

On behalf of the Halsey Weidler Group, I thank you for your consideration on this topic.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nidal Kahl', written in a cursive style.

Nidal Kahl, Halsey Weidler Group Chair

April 17, 2017

Dear Planning and Sustainability Commission, City Council, and any party associated with the DOZA report:

I am writing as the owner of Furniture Plus, LLC, located at 10246 NE Halsey Street, to share my support for the consultant's recommendations in the Design Overlay Zone Report. This store opened in Gateway in 2010 and has had some struggles thriving in a distressed area. Furniture stores at this location prior to opening this store eventually failed. In speaking with other business operators, some of us have had limitations getting landlords to make improvements to the properties due to some current standards that would make redevelopment and improvement cost prohibitive. Our store anchors 103<sup>rd</sup> whose redesign as a festival street has been built into the streetscape design for the district, and we provide ~75 feet of window street frontage on Halsey. We have a desire to redevelop this property, but we also recognize that the existing process has had a repressive effect on business growth in Gateway, particularly for small businesses. Streamlining and simplifying fees and processes has the potential to reduce the regulatory burden on businesses in Gateway and all over the city. Now that the Gateway Action Plan has been approved by City Council, it will be imperative that developers and anyone interested in moving their business or starting a new business in Gateway is not hindered by the current design review standards, especially for smaller projects. There are some specific topics that I would particularly like to highlight.

1. Item A.1. (commentary) talks about the Gateway Plan District and its role as a Regional Center. Although Gateway has been designated as a regional center for more than 20 years, "market forces" have not been in place to provide an opportunity for Gateway to grow into its role as regional center. A suburban area needs multiple steps before it can become a "second downtown", it doesn't happen instantly, and requirements such as a Type 2 or Type 3 Design Review discourage redevelopment and new development.
2. Item A.1.a correctly recognizes that allowing some projects such as alterations to a building or smaller buildings to be reviewed through the Community Design Standards process, rather than design review, would help Gateway see more investment in the near term. I fully support this concept.

If the Community Design Standards can be allowed for some projects, this would be a significant step to simplify and streamline the time and cost of alteration and some new building projects because the standards apply when a building permit application is made, and it is not a land use review process.

The Community Design Standards, as they are currently structured, address many of the same goals that are in the Gateway Design Guidelines. For example, standards 33.218.140.A – C (applied to new structures in the RH, RX, CX and EX zones) address similar items as Design Guideline A2:

**33.218.140**

A. Building placement and the street. Landscaping, an arcade, or a hard-surfaced expansion of the pedestrian path must be provided between a structure and the street. All street-facing elevations must meet one of the following options. (1. Foundation landscaping option, 2. Arcade option, 3. Hard-surface sidewalk extension option.)

B. Improvements between buildings and pedestrian oriented streets. 1.a. A building wall that faces a transit street or City Walkway or is in a Pedestrian District, may be set back no more than 10 feet from the street lot line. 1.b. The area between the building and an adjacent transit street, City Walkway, or street in a Pedestrian District must be hard-surfaced for use by pedestrians as an extension of the sidewalk.

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This guideline may be accomplished by: 1. Incorporating large ground floor windows facing the sidewalk. 2. Developing flexible wall systems adjacent to the sidewalk. 3. Expanding the sidewalk level of the building. 4. Emphasizing permeability at the ground level. 5. Orienting the main entrances and/or lobbies to the sidewalk.

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Based on all of the above, I am asking you to consider implementing the use of the Community Design Standards immediately, not at the end of a 1 to 2 -year planning project code revision process. Allowing the use of the standards would provide a huge relief to any property owner who has in the recent past been stymied by the design review process.

It is further recommended that a committee is formed immediately which I feel could be facilitated though the Halsey Weidler Group, a subcommittee of the Gateway Area Business Association, to focus on the DOZA issues. This would serve as a district review committee to help our businesses and property owners make the necessary improvements that the community deems important, regardless of whether the project meets the review guidelines. Many properties in our area are distressed and we feel that any historic changes to each property must remain "Grandfathered in" and not be grounds to penalize a property/ business owner for trying to make simple improvements. There have been property and business owners who have run into costly challenges in recent years that hindered their ability to redevelop and/or renovate distressed properties and created an unnecessary burden for community and business members trying to improve our district.

Design review requirements historically have created unnecessary challenges and delays, and I feel the district organizations and community members should have some say in what and how things get developed. The Halsey Weidler Group could serve as the committee to acquire community support/opinion for any specific project that may encounter challenges while trying to improve our district. The authority of this committee would allow them to overrule design standards that do not impact safety, if and when needed to keep our district improvements thriving. We suggest this would be a final option in the DOZA reserved for smaller projects on a tighter budget, but would also help build our community and improve our district by involving the community in the projects that get developed in our district.

On behalf of Furniture Plus, LLC, I thank you for your consideration on this topic.

Sincerely,



Omar Obeid, Store Manager

April 17, 2017

Dear Planning and Sustainability Commission, City Council, and any party associated with the DOZA report:

I am writing as the owner of Kahl Properties, LLC, located at 10246 NE Halsey Street, to share my support for the consultant's recommendations in the Design Overlay Zone Report. I moved into Gateway in 2010 and quickly made new friends and shared stories with other property owners wanting to improve our properties. Some of us have had limitations with redevelopment due to some current standards that would make redevelopment and improvement cost prohibitive. My property anchors 103<sup>rd</sup> whose redesign as a festival street has been built into the streetscape design for the district, and we provide ~75 feet of window street frontage on Halsey. We have a desire to redevelop this property, but we also recognize that the existing process has had a repressive effect on business growth in Gateway, particularly for small businesses. Streamlining and simplifying fees and processes has the potential to reduce the regulatory burden on businesses in Gateway and all over the city. Now that the Gateway Action Plan has been approved by City Council, it will be imperative that developers and anyone interested in moving their business or starting a new business in Gateway is not hindered by the current design review standards, especially for smaller projects. There are some specific topics that I would particularly like to highlight.

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If the Community Design Standards can be allowed for some projects, this would be a significant step to simplify and streamline the time and cost of alteration and some new building projects because the standards apply when a building permit application is made, and it is not a land use review process.

The Community Design Standards, as they are currently structured, address many of the same goals that are in the Gateway Design Guidelines. For example, standards 33.218.140.A – C (applied to new structures in the RH, RX, CX and EX zones) address similar items as Design Guideline A2:

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It is further recommended that a committee is formed immediately which I feel could be facilitated though the Halsey Weidler Group, a subcommittee of the Gateway Area Business Association, to focus on the DOZA issues. I am the chair of this committee and serve on the GABA board as their secretary. This would serve as a district review committee to help our businesses and property owners make the necessary improvements that the community deems important, regardless of whether the project meets the review guidelines. Many properties in our area are distressed and we feel that any historic changes to each property must remain "Grandfathered in" and not be grounds to penalize a property/ business owner for trying to make simple improvements. We have had some members run into costly challenges in recent years that hindered their ability to redevelop and/or renovate distressed properties and created an unnecessary burden for community and business members trying to improve our district.

Design review requirements historically have created unnecessary challenges and delays, and I feel the district organizations and community members should have some say in what and how things get developed. The Halsey Weidler Group could serve as the committee to acquire community support/opinion for any specific project that may encounter challenges while trying to improve our district. The authority of this committee would allow them to overrule design standards that do not impact safety, if and when needed to keep our district improvements thriving. We suggest this would be a final option in the DOZA reserved for smaller projects on a tighter budget, but would also help build our community and improve our district by involving the community in the projects that get developed in our district.

On behalf of Kahl Properties, LLC, I thank you for your consideration on this topic.

Sincerely,



Nidal Kahl, Property Owner

**Parsons, Susan**

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**From:** Christopher Eykamp <chris@eykamp.com>  
**Sent:** Monday, April 24, 2017 10:31 PM  
**To:** Wheeler, Mayor; Commissioner Eudaly; Commissioner Fish; Commissioner Fritz;  
Commissioner Saltzman; Council Clerk – Testimony; Planning and Sustainability Commission  
**Subject:** DOZA Report Testimony  
**Attachments:** HAND DOZA Letter To Council and PSC.pdf

Please see the attached letter from the Hosford-Abernethy Neighborhood District regarding the DOZA Final Report.

Thank you,

Chris Eykamp



Mayor Ted Wheeler  
Commissioner Chloe Eudaly  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Dan Saltzman

CC: Planning and Sustainability Commission

**RE: Design Overlay Zoning Assessment (DOZA)**

Dear Mayor and Commissioners:

The Hosford-Abernethy Neighborhood District (HAND) wishes to convey both our appreciation for the excellent work that has gone into the DOZA report and our reservations about a few of the recommendations given their likely impact on the future look and function of our neighborhood.

We share similar concerns to those voiced by other neighborhoods:

- 1) The thresholds triggering review along commercial corridors do not provide sufficient opportunities for neighborhood input into the design review process;
- 2) A Design Commission focus on the Corridors and Centers targeted for growth in the Comprehensive Plan is needed now;
- 3) Ensure revisions to Standards and Guidelines acknowledge what is already in place in addition to designing for “future context”. A predominant focus on the future is likely to result in the remaining, unique characteristics of our neighborhoods being replaced by what many perceive as interchangeable square boxes.

**A1: Thresholds:** We agree with the SMILE Neighborhood Association when they wrote:

The proposed building height and site size thresholds for Design Review, especially for new construction, are too high, and would still leave much of new development in our neighborhood without the desired review and opportunities for public input. Most of our mixed use development is short (less than 55 feet) and on medium-sized sites (5,000 to 20,000 sf) and would only require community design standards with no public input under the proposed thresholds. No development should be too small to receive scrutiny: a 55 foot tall building on a 4,999 sf lot would have a significant impact in our neighborhood.

We would also stress that (aside from parking issues), much of the concern and conflict in our community arises at the commercial/residential interface whether it be along linear corridors or within areas designated as Town Centers. Such sites often bring greater challenges and opportunities, and closer review can lead to better outcomes for new

tenants and nearby residents. Perhaps a Type II review could be applied instead of relying solely on Community Design Standards.

The Division Design Initiative proposed a matrix of key items related to community context that could be used by staff to achieve greater consistency during reviews. Design review can be more important on narrower streets where taller, larger buildings tend to have greater impacts on their surroundings.

**A4:** We support improved public information and education so residents can be better prepared to engage in constructive dialogue on proposed projects and understand the role and purview of staff reviews as well as the Design Commission(s). The timing of notification is important so neighborhoods can meet their Open Meetings Law obligations in hosting these reviews and discussions.

Most neighborhood associations meet monthly, and may have months when they do not routinely meet, such as August and/or December. Notifications are not uncommonly received too late to be included in one month's meeting agenda, with response-due dates before the next meeting date. Therefore, we would request, at minimum, a 60 day response period.

There should be an additional module added to The A,B,C's of Land Use currently coordinated by ONI. We need a "D" which could focus on Design, helping neighborhoods to understand the design review process and providing some common language and access to additional design resources. The "D" could also deal with Demolition and Displacement to educate neighborhoods on how to use City structures and resources already in place, as well as encouraging development of new strategies as needed.

**A5:** We strongly support improved public notice. As is done in other cities, large signs should be posted at development sites with a site plan, elevation drawing, and information on how to comment. A construction timeline (subject to change of course), could also be included. Development plans should be available online.

**A6:** Without a more serious response to neighborhood input from developers, we will continue to waste everyone's time. The Division Design Initiative has developed an excellent proposal for Notification and Engagement that could be adopted city-wide. As their proposal suggests, it would be helpful if developers were encouraged to meet with neighbors during the early, conceptual phase, and then again for a review of the final proposal. It is unreasonable to think neighbors can have any impact on design when the developer is planning to apply for permits the same week as the meeting. We suggest you create a template for developers that makes it easier to respond in writing to questions and suggestions raised at neighborhood meetings. Those presenting often offer to consider community ideas, but no follow up is forthcoming, and it is hard to know what the result of those suggestions were.

**A7a:** A method for monitoring and evaluating the impact of development is needed for all new construction and should help to evaluate the cumulative impact of development over

time in an area. Neighborhoods can plan more effectively if they have data to help them see trends and patterns. For example, knowing number of new units built, size of units, number of affordable units, trees gained/lost, locally owned businesses gained/lost, parking space availability, etc., could help in setting priorities for neighborhood problem solving.

**A8:** The addition of a second Design Commission tasked with reviewing development along corridors and within centers should be a high priority. The interface of commercial and residential zones is particularly important in our older neighborhoods and such a commission could help provide a consistent approach citywide. Currently, such a Commission is proposed only after other DOZA recommendations have been implemented and evaluated. We think such a Commission needs to be established as soon as possible given the current pace of development.

**B1:** We support clarification of the purpose of the design overlay and simplified terminology.

**B2:** We support synchronizing the standards and guidelines, making sure it is done in a way that simplifies our multi-layered system for the average community member attempting to use it.

**B3:** We again reference concerns we share with the SMILE neighborhood and strongly urge you to consider the following:

To assess the context of proposed commercial and multi-family development, the Standards and Guidelines first need to be based on characteristics of the existing neighborhood (including tree preservation, landscaping, building scale, roof forms, windows, materials, style, ornamentation, and color). Neighborhoods want to retain their sense of place even in areas which transition to higher densities. The premise that development is evaluated for an undefined "future context," not the apparently out-dated existing context, seems to suggest that massive, boxy structures have become the de facto design standard. We would oppose a four-story box design standard.

We envision a richer tapestry of possibilities for our neighborhood and want our Standards and Guidelines to reflect this.

These comments should not be interpreted as opposing density, but rather as supporting cohesive neighborhood design that recognizes and values today's built environment.

**D1: "Recognize Changing Context of City"** – Designing for a future context ignores Portland's rich fabric of existing buildings and without more corridor planning and standards for main streets of special character, much of this fabric will be lost. As the Final Report notes on Page 24:

Many recent building designs have been less thoughtful about considerations of context and lively streets and have tended toward the creation of repetitive, and seemingly interchangeable, building forms. Parts of the city are beginning to lose an idiosyncratic character that Portland is known for. Achieving place-specific results in the built environment is perhaps being discouraged by the current procedures and standards of review.

These words from the report reflect our concerns about the lack of tools to encourage new development to relate to or be compatible with the main street character of our area. We do not wish to preclude innovative design nor reduce capacity or affordability goals, but we also want to stem the loss of the character that makes Portland a unique and attractive place. We seek the City's leadership in balancing these goals.

These recommendations were revised and approved by the HAND Board of Directors on April 18, 2017. Thank you for considering our comments.

Sincerely,

Susan E. Pearce  
HAND Chair

## Parsons, Susan

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**From:** Rob Mumford <robert\_mumford@yahoo.com>  
**Sent:** Monday, April 24, 2017 6:57 PM  
**To:** Planning and Sustainability Commission  
**Cc:** Council Clerk – Testimony  
**Subject:** Doza, Final report Wed. 4/26 3PM

To Mayor Wheeler and Commissioners,

The final consultant report on DOZA is going to be discussed on Wednesday. I had three brief points I hope you could take into consideration.

1. Support the consultant's recommendation, in **B.1.c.(p.59)** "Clarify the scope of design review", including "Modify the language describing the scope of Design Commission's purview to delete reference to height and bulk (as these are entitlements)". Design Review should not require reductions in height or Floor Area Ratio (FAR) that is allowed by the zone, nor should it require reshaping of volumes such that significant extra expense is involved.

2. Support the Proposed Thresholds laid out in **A.1.b. (p.42)**, which suggest which buildings would require Type III review (Design Commission) and which would be Type II (reviewed by a City Planner), and which would not require review (sites outside Central City, of less than 5,000 s.f.).

This matrix was designed to lower the load on the volunteer Planning Commission, which already meets for 4-hour sessions twice a month, by having smaller buildings handled by a planner. Some neighborhood groups want all projects reviewed by the Commission, so they can testify about them, instead of sending letters. This would add time and expense for developers. Support keeping most "neighborhood" reviews a Type II, to reduce costs and delays for project. The threshold between "Short" and "Tall" should be at 64' not 55' to accommodate the Taller First Floor and Varied Roofline bonuses, which add 5' and 3.5' to the max. 55' height in the CM-2 zone, most common in neighborhoods. (Otherwise these bonuses would never be used) And, perhaps the threshold for "no review" should be "sites of 5000 s.f. and smaller", instead of the proposed "less than 5000 s.f."

3. Support the continuation of the current "two-track" system. Mandated in part by state law, this practice allows buildings that include housing, to have the option of meeting the "clear and objective" Community Design Standards (CDS), with dimensions and requirements, instead of going through Design Review. Check boxes on the Threshold charts (p.42) show where this is proposed to apply (the "Eligible for Two-Track" boxes). Many developers prefer the certainty in time and expense in using the CDS path to permitting.

Thank you for your time.

Rob Mumford

SE Woodward and 41st

## Moore-Love, Karla

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**From:** Brian Posewitz <brianposewitz@comcast.net>  
**Sent:** Monday, April 24, 2017 11:02 AM  
**To:** Council Clerk – Testimony  
**Subject:** Design Overlay Zone Assessment - Comments

Dear City Council and Planning Commission:

I understand the City is doing an assessment of design overlay zones. My interest is purely as a citizen (i.e., I am not a developer or builder). I have lived in Portland for 30 years – the last 20 in Sellwood. Please consider my comments as follows:

1. Design review and design standards benefit the community, provided they are based on generally accepted design principles and not just one person's taste over another's.
2. Design review/standards need to be balanced against the interest of a community in personal freedom, including the freedom to do what one wants with one's own property (although I agree that some limits are necessary and appropriate).
3. We should be making new development and re-development easier, not harder. Development helps clean up blighted properties and provides us with homes, offices, restaurants, stores, etc. Developers make money because they build things people want. People seem to forget that. Making development easier also will help contain housing prices by reducing costs of development and by increasing the supply of housing.
4. Given the above, design review/standards should:
  - a. Limit design review outside the central city to sites of "more than" 5,000 square feet. (There should not be design review for a project on a standard residential lot.)
  - b. Continue a two track system that provides an option of meeting clear and objective standards without design review.
  - c. Continue to allow some design review by staff instead of the Design Commission, including for most neighborhood reviews, to help reduce project costs and delays.
  - d. Never require reductions in height or floor area ratios allowed by the zone; nor require reshaping that significantly increases the cost of the project.

Thank you for considering my comments.

Regards,

Brian Posewitz  
8508 SE 11th Ave.  
Portland, OR 97202  
503-432-8249  
[brianposewitz@comcast.net](mailto:brianposewitz@comcast.net)

**Moore-Love, Karla**

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**From:** Doug K <dougurb@gmail.com>  
**Sent:** Sunday, April 23, 2017 4:35 PM  
**To:** Council Clerk – Testimony  
**Cc:** Planning and Sustainability Commission  
**Subject:** Support for DOZA Final Report, Item 425, April 26, 2017

Apr.23, 2017

To: Mayor Wheeler and City Council  
RE: DOZA Final Report

Dear Mayor Wheeler and Commissioners:

I support the direction of the Design Overlay Zones Assessment (DOZA) Final Report of April 2017. This document recommends needed changes to streamline the process to achieve good design while speeding approval of needed housing. The city is now in a “housing crisis” for many reasons, but a chief reason is simple economics: The supply of housing, in areas where people want and need to live, is not keeping up with the demand caused by, among other things, 111 new residents per day.

In many cases, Design Review, whether Type III or Type II, has added costs to projects and introduced setbacks and massing adjustments (“build it lower there and higher here”) that result in fewer housing units because it’s then too expensive to build the same number with the new restrictions.

As the consultant explains in section B.1.c. on pp. 61-62, “Long-range planning must be the process for establishing basic zoning entitlements.” I urge the recommendations in B.1.c. be followed, but modified to this: Where Type III or Type II Design Review is applied, these should not reduce the entitlements in the zoning code for height or FAR, or otherwise reducing the bulk of the building, e.g. through additional setbacks, beyond what the zoning for the property specifies. This prohibition should include the removal of any references to setbacks or step-backs, lowering of height, or other prescriptions that reduce building entitlements as a way to respond to “context” in any Guidelines.

Design Review will expand to many neighborhoods. I support the choices in the Threshold matrix in A.1.b. on pp 44-45, which direct most projects to be Type II (planner review). It is not an efficient use of volunteer time to have Design Commission review small-to-medium sized neighborhood buildings.

The “two-track” system, where Design Review is optional and Community Design Standards can be used instead, is proposed to be applied everywhere outside the Central City. I support this two-track system, giving flexibility for buildings with housing that are being built outside the Central City, and also the suggested thresholds, with the following exceptions: The Threshold matrix indicates that Design Review would still be required for buildings that are

over 55' high and on sites over 20,000 s.f. This should be changed to also allow "two-track" for this size building, at least in Mixed-Use Zones.

And, the 55' "Tall" threshold should be modified to 64'. In CM-2, (on most Inner corridors), the maximum height with the Inclusionary Housing bonus is 55' (5 stories). However, if the bonus for a Taller Ground Floor (5'), and the bonus for Roofline Articulation (3.5') are used, these buildings can reach 63.5' (still 5 stories) The threshold should be set at 64'. Otherwise, the use of these bonuses, which incentivize better design, will be discouraged. I also support describing the "Small" sites as "5000 s.f. and under" rather than "Less than 5000 s.f.".

Design Review has certainly contributed to the well-planned design of much of the Central City. However, this report details needed tweaks to control the excesses that lead to higher costs without noticeable improvements. It is a step in the right direction, when refined with the suggestions I offer here.

Thank you.

A handwritten signature in black ink that reads "Doug Klotz". The signature is written in a cursive, flowing style.

Doug Klotz  
1908 SE 35th Pl.  
Portland, OR 97214

**Moore-Love, Karla**

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**From:** David Schoellhamer <chair.landuse.smile@gmail.com>  
**Sent:** Sunday, April 23, 2017 12:10 PM  
**To:** Council Clerk – Testimony  
**Subject:** Testimony for April 26 DOZA hearing item 425  
**Attachments:** SMILE DOZA Council letter April 2017.pdf

Attached is written testimony from the Sellwood Moreland Improvement League (SMILE) on the Design Overlay Zone Assessment Final Report to be considered by the Council April 26.

--  
David Schoellhamer  
Sellwood Moreland Improvement League (SMILE)  
Land Use Committee Chair  
[chair.landuse.smile@gmail.com](mailto:chair.landuse.smile@gmail.com)

# S·M·I·L·E

SELLWOOD MORELAND IMPROVEMENT LEAGUE  
8210 SE 13th AVENUE, PORTLAND, OR 97202  
STATION 503-234-3570 • CHURCH 503-233-1497

April 20, 2017

Dear Commissioners:

The Sellwood-Moreland neighborhood is experiencing phenomenal growth with 1,438 residential units in the development pipeline, a 24% increase over the total number of units in our neighborhood in 2015. The design overlay is a key tool for accommodating growth in a manner that preserves the character of the Sellwood-Moreland neighborhood. We are pleased that the City is assessing and improving the design overlay.

We offer the following comments on the recommendations of the Design Overlay Zoning Assessment (DOZA) project. Our primary concerns are that 1) the thresholds do not provide enough public input especially at the crucial boundary between residential and commercial development, 2) a Design Commission focused on corridor development is needed, and 3) that designing for future context would allow boxy four-story buildings to be the design standard. Our comments are organized by recommendation number below.

## **A1, Thresholds:**

The proposed building height and site size thresholds for Design Review, especially for new construction, are too high, and would still leave much of new development in our neighborhood without the desired review and opportunities for public input. No development should be too small to receive scrutiny: 55 foot tall building on a 4,999 sf lot would have a significant impact in our neighborhood.

The thresholds should allow greater review of development at the boundary of residential and commercial development. Most of our conflict and angst over building design occurs at this boundary. We have 2.7 miles of mixed use corridor, so this boundary is a substantial part of our neighborhood and includes most of our mixed use properties. We recommend that properties adjacent to this boundary have one level of greater scrutiny. In addition, design review is more important on narrower streets where buildings are more imposing than on wider streets.

**A4:** We support improved public information and education so residents can be better informed on the design overlay and how to participate. Use online forums such as Nextdoor to

disseminate information and allow sufficient review time for Neighborhood Associations to satisfy their public meeting requirements and have open discussions with their members on land use topics.

**A5:** We support improved public notice. Large signs should be posted at development sites with a site plan, elevation drawing, and information on how to comment. Development plans should be available online.

**A6:** We support a more rigorous response to neighborhood input. Some developers respond well, others minimally or not at all. The Division Design Initiative has developed an excellent engagement process that should be adopted citywide. More meaningful interaction between developers and neighbors early in the review process would reduce the burden on the City for design review. Compliance with revisions should be monitored.

**A7a:** Monitoring and evaluating the impact of development is needed for all new construction and should evaluate the cumulative impact of development.

**A8:** A priority is to add a Design Commission that focuses review on development along corridors, where development is concentrated in our neighborhood and most of Southeast Portland. The interface of commercial and residential zones is particularly important along these corridors and such a commission would provide a consistent approach citywide.

**B1:** We support clarification of the purpose of the design overlay and simplified terminology.

**B2:** We support syncing the standards and guidelines

**B3:** To assess the context of proposed commercial and multi-family development, the Standards and Guidelines first need to be based on characteristics of the existing neighborhood (including tree preservation, landscaping, building scale, roof forms, windows, materials, style, ornamentation, and color). Neighborhoods want to retain their sense of place even in areas which transition to higher densities. The premise that development is evaluated for an undefined "future context," not the apparently out-dated existing context, seems to suggest that massive, boxy structures have become the de facto design standard. We would oppose a four-story box design standard.

These recommendations were drafted by the SMILE Land Use Committee on March 1, 2017, and revised and approved by the SMILE Board of Directors on March 15, 2017. Please contact David Schoellhamer, Chair of the Land Use Committee, at [chair.landuse.smile@gmail.com](mailto:chair.landuse.smile@gmail.com) if you have any questions or would like to follow up.

Sincerely,

Corinne Stefanick, President  
Sellwood-Moreland Improvement League



**City of Portland**  
Historic Landmarks Commission

1900 SW Fourth Ave., Suite 5000 / 16  
Portland, Oregon 97201  
Telephone: (503) 823-7300  
TDD: (503) 823-6868  
FAX: (503) 823-5630  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

April 19, 2017

Portland City Council  
1221 SW 4th Avenue, Room 130  
Portland, OR 97204

Portland Bureau of Development Services  
1900 SW 4th Avenue, Suite 5000  
Portland, OR 97201

RE: Design Overlay Zone Assessment ("DOZA")

Dear Mayor Wheeler, Council Members and Commissioners:

On March 13, 2017, the Portland Historic Landmarks Commission ("PHLC") received a briefing from BPS and BDS staff concerning the DOZA project, the final report for which was published on April 6, 2017 at <https://www.portlandoregon.gov/bps/70324>. PHLC was pleased to note that the final report reflected many of the comments provided by Commissioners during the March 13<sup>th</sup> briefing.

Although the DOZA project does not affect historic resource review, with which this body is charged, recommendations contained in the DOZA report will likely impact potential historic districts, areas immediately adjacent to existing historic districts, and historically significant properties that are not subject to historic design review under the current code. We thus write to offer our comments on the various sections of the report for your consideration prior to adoption.

*A.1. Thresholds, Context.* PHLC Commissioners noted that the *context*, rather than the size of the project, determines how much impact a project may have. Ground-level changes generally have more impact than upper-level changes to a building. Therefore, consideration of the height and scale of an alteration project in context may be a more appropriate trigger for design review than the cost of a project, which is determining factor under the DOZA proposal as to whether a project is subject to Type II or Type III review. In addition, a higher level of design review may be necessary regardless of a project's size or cost, if its context so dictates. One example discussed by the PHLC was the demolition of a small but significant building on a street of historic buildings in the Belmont neighborhood, where the replacement project had enormous impact on its surrounding context, regardless of its size and cost. Similarly, projects immediately adjacent to historic districts or landmarks should also trigger a heightened level of design review.

*A.2. Charter, Conduct of Hearings.* PHLC supports the DOZA report's recommendations concerning improvements to the conduct of actual hearings, specifically, PHLC endorses the report's recommendations for managing hearings more effectively and focusing deliberations. The response to a proposal should be focused on the applicable standards and guidelines. Applicants are frustrated and often feel they have to "read between the lines". The applicant, and the public, will then place emphasis on anything the commission says during the discussion period. The checklists handed out at the hearings should be concise and adhered to in order to place emphasis back on the approval criteria. .

*A.3a. Process.* PHLC appreciates the DOZA report's proposed process but is concerned as to whether the recommendation extends the timeline for an already lengthy and costly design review process.

Commissioners are also concerned about the timing of the pre-application conference and the type of feedback provided to the applicant during such conference versus that provided during design review or design advice. In general, the pre-application conference may be more appropriately scheduled after a design advice hearing rather than before. While a pre-app conference is less about the design and more about site and use, applicants may receive input during the pre-application conference that may result in an investment in time and effort on a design that later is revealed during design (or historic) review to be inappropriate in mass or scale. Therefore, including such feedback during the pre-application conference or clearly informing the applicant that such matters will be addressed at design review may improve the design review process.

*A. 5.c. Public Involvement.* While Neighborhood Association testimony may not always be available, when such input is available, it would ideally be reviewed independently, rather than through the lens of an applicant's presentation. Thus, while PHLC appreciates the DOZA report's recommendation that applicants document community input, this might be more appropriately tasked to the Neighborhood Association itself, rather than the applicant. One way to encourage Neighborhood Association input would be to require Neighborhood Associations to complete standardized forms to submit to the City, whether or not they are separately providing testimony. Getting neighborhood input should also be done much earlier in the process, perhaps as part of the pre-application process, since applicants have invested too much time and money after the DAR to make substantial changes.

*B4 and B.5 General Design Tools.* PHLC Commissioners agree with the DOZA report that there should be greater scrutiny on public (civic) buildings and believe that this additional scrutiny should also apply to city-owned landmarks and historic structures and areas of development within the public realm. PHLC agrees with the DOZA report that changes at the sidewalk level of buildings should be scrutinized more heavily than changes that occur at the top or upper levels of a building as they may serve to elevate the public realm. That said, PHLC is concerned with a rejection of the "base middle top" approach since it is not used consistently - it currently appears in some design guidelines and not others. "Other design approaches" might already be allowable under most approval criteria.

*B.7 Community Design Standards.* While PHLC supports the DOZA report's goal of facilitating certain projects by creating alternative ways to meet standards, it is uncertain as to whether a menu of options is an appropriate design tool. Applicants may find picking from a menu of options to be too rigid.

In summary, while the PHLC supports the DOZA report's recommendations, it has identified a number of issues as described above that we urge City Council and BPS to bear in mind. Thank you for considering the Commission's comments on this matter.

Sincerely,



Kirk Ranzetta and Kristen Minor

Chair and Vice Chair of the Portland Historic Landmarks Commission

CC: Kara Fioravanti, Portland Bureau of Development Services  
Portland Design Commission

**Moore-Love, Karla**

---

**From:** Dan Rutzick <sunnysidelut@gmail.com>  
**Sent:** Sunday, April 16, 2017 4:22 PM  
**To:** Council Clerk – Testimony  
**Subject:** DOZA Testimony  
**Attachments:** Sunnyside Neighborhood Association - DOZA Final Report.pdf

Council Clerk,

Here is Design Overlay Zone Assessment testimony from the Sunnyside Neighborhood Association for the upcoming City Council public hearing.

Thank you,

Dan Rutzick- SNA Board Member  
3534 SE Main St  
Portland, OR 97214



April 13, 2017

Council Clerk  
1221 SE 4<sup>th</sup> Ave, Room 130  
Portland, OR 97204

**Re: Sunnyside Neighborhood Association – DOZA Final Report Testimony**

Dear Mayor Wheeler and City Commissioners,

The Sunnyside Neighborhood Association (SNA) Board [mailing address: 3534 SE Main St, Portland, OR 97214] appreciates the City's efforts to assess and refine the Design Review process, especially as will have stretches along Hawthorne and Belmont with a d-overlay once the Comprehensive Plan Update goes into effect. The SNA Board supports the Design Overlay Zone Assessment (DOZA) Final Report recommendation that long range planning must be the process for establishing basic zoning entitlements. As such, code language describing the scope of the Design Commission's authority, as well as that of Staff Planners handling land use reviews, should not reference modifications to height, setbacks, and Floor Area Ratio (as these are entitlements). Code language should be rephrased to focus on "modifying the shaping and arrangement of allowable floor area in a building to better recognize contextual relationships."

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'T' followed by a horizontal line.

Tony Jordan, President  
on behalf of the Sunnyside Neighborhood Association Board

Cc: Mayor Wheeler and Commissioners Fish, Fritz, Saltzman, and Eudaly



AUDITOR 04/18/17 PM 1:51

April 17, 2017

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Commissioner Chloe Eudaly, Room 210  
Commissioner Nick Fish, Room 240  
Commissioner Amanda Fritz, Room 220  
Commissioner Dan Saltzman, Room 230  
Portland City Hall  
1120 SW 4<sup>th</sup> Avenue  
Portland, Oregon 97204

RE: Design Review Overlay Zone Assessment

We appreciate the work of the Bureau of Planning and Sustainability.

Conceptually we agree with the recommendations, except for the recommendation to collate the special district design guidelines into one set of guidelines. The city is a construction of unique neighborhoods with individual characters. Design guidelines specific to Downtown or Lloyd District would not work in Central Eastside.

As the project is implemented; we offer the following considerations:

- 1) Central Eastside consists of distinct areas with edges: multiple use corridors abutting industrial sanctuary; Central Eastside abutting residential neighborhoods to the east; the OMSI areas, and individual properties abutting a proposed development. The guidelines need to help integrate new development into existing neighborhoods.
- 2) Applicants should have the right to choose a Type III process.
- 3) The guidelines are guidelines and not standards.
- 4) Street design needs to address the character of abutting uses.
- 5) Individual issues that are resolved through consensus or standards should be "boxed" and not reopened as other issue are addressed in the design process. Design compatibility standards could be developed for the "design" areas to allow a non-discretionary decision making process.
- 6) Developers need a certainty of concept and not required to keep searching for a solution.
- 7) The relationship between allowed height and floor to area ratio (bulk) determines the City's form. High heights and low floor to area result in tall skinny buildings. Low heights and high floor to area result in short bulky buildings. The choice is a tall City or one of monolithic buildings.

In the Central City Plan, we supported the expansion of design review into our district. Design review can be a positive process of collaboration if the goal is consensus.

Sincerely,

  
Peter Finley Fry, Vice-chair

Central Eastside Industrial Council Land Use and Development Committee

**CENTRAL EASTSIDE INDUSTRIAL COUNCIL**

PO Box 14251, Portland, OR 97293-0251

(503) 768-4299, Fax (888) 550-3703 – [ceic@ceic.cc](mailto:ceic@ceic.cc) – [www.ceic.cc](http://www.ceic.cc)

## Moore-Love, Karla

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**From:** Lillard, Lora  
**Sent:** Wednesday, April 12, 2017 1:25 PM  
**To:** Council Clerk – Testimony  
**Subject:** FW: UDP Letter on DOZA  
**Attachments:** UDP DOZA LETTER 4 11 17.pdf

Please accept this testimony for DOZA.

Let me know if you have any questions.

Lora

Lora Lillard  
Project Manager, Design Overlay Zone Assessment  
City of Portland \\ Bureau of Planning and Sustainability \\ Urban Design Studio

[www.portlandoregon.gov/bps/doza](http://www.portlandoregon.gov/bps/doza)  
503-823-7721

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**From:** John Spencer [mailto:john@spencerpdx.com]  
**Sent:** Tuesday, April 11, 2017 4:45 PM  
**To:** Fioravanti, Kara <Kara.Fioravanti@portlandoregon.gov>; Lillard, Lora <Lora.Lillard@portlandoregon.gov>  
**Cc:** Mark Hinshaw <mhinshaw@walkermacy.com>  
**Subject:** UDP Letter on DOZA

Kara, Lora and Mark,

Attached is a letter from the UDP in strong support of design review and the DOZA recommendations. Please forward to the appropriate commissions/council/staff.

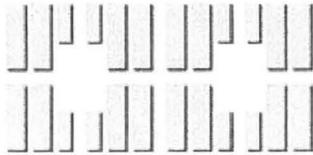
Also, let me know when this item is schedule for the 3 bodies; I understand that public testimony will only occur before council, and we plan to attend that meeting.

Great work to all of you, especially Mark.

Let's press hard to get all of these recommendations enacted!

Best,

John



John C. Spencer, AICP  
SPENCER CONSULTANTS  
1950 NW Overton Street  
Portland, OR 97209  
p 503.789.0112  
e [john@spencerpdx.com](mailto:john@spencerpdx.com)  
w [www.spencerpdx.com](http://www.spencerpdx.com)

# AIA/APA/ASLA Urban Design Panel

Portland and Oregon Chapters of the American Institute of Architects, American Planning Association and American Society of Landscape Architects

Date: April 11, 2017

To: Portland Design Commission  
Portland Planning and Sustainability Commission  
Portland City Council

## **Design Overlay Zoning Assessment (DOZA)-Final Report April 2017**

The Urban Design Panel (UDP) is sponsored jointly by the Oregon and Portland Chapters of the American Institute of Architects, the American Planning Association and the American Society of Landscape Architects, and composed of urban design professionals from those three organizations. Many Panel members regularly represent clients seeking design review approvals, and have served on the Design Commission itself.

As early as 2013, the Urban Design Panel has been concerned about the lengthening time and expense of navigating the design review process, of the outdated Community Design Standards and Guidelines and of the prospect of expanding design districts when it is clear that both staff and the Design Commission are overtaxed. The Panel has discussed these issues with the Design Commission, staff and City Council, has sponsored an open house with the City Club of Portland to gain insight from the design and development communities, issued position papers on these topics, and actively supported what is now called DOZA.

Portland is a model for integration of the public realm with private development over time based on rigorous planning and solid processes. Maintaining and improving Design Review is critical to enhancing Portland's international reputation as a livable city.

'Design Review' has been, and continues to be a great process that has experienced some explainable organizational drift. Refocusing this process on urban design outcomes (vs building design) using a limited list of well-maintained and relevant guidelines drawn from explicit and well vetted urban design diagrams is needed. This focus will provide applicants/designers, staff, and commissioners the support and guidance they need (as well as holding each accountable to that rigor). Committing to monitor results against outcomes and continually refine the processes, guidelines, and support tools are the unifying threads behind all of these recommendations.

The UDP has closely followed the DOZA project, has received several briefings by staff and Mr. Hinshaw, and the UDP and individual UDP members have provided direct input to Mr. Hinshaw. We enthusiastically support the work done and the recommendations described in the Final Report. The UDP urges the City to move aggressively to implement all of the priority recommendations contained in the report as soon as possible. A long or piece-meal approach to implementation will not solve the problems clearly and convincingly identified by Mr. Hinshaw.

Specific recommendations that the UDP would like to highlight are the following:

**Strengthen the Design Commission Charter by adding professional membership requirements (Recommendation A-2).** The UDP strongly supports the recommendation that requires inclusion of professional architects, landscape architects and planners on the Design Commission, as well as a neighborhood representative.

**Utilize Adopted Urban Design Diagrams as Context (Recommendations A-3, B-9 and B-11).** Adding to the alignment of the review process found in Recommendation A-3, the UDP supports the practice that at the pre-application stage, staff should provide applicants with an adopted urban design diagram(s) and let the applicant know that at the following stage they must address the urban design context and their project's role within that context. Urban design diagrams were adopted for all sub-districts within the Central City. For areas outside the Central City, similar urban design diagrams should be developed by the city for important districts subject to design review, such as Gateway, NW, Hollywood and other centers and important corridors. Urban Design diagrams should also be developed for new districts where the d overlay is proposed.

**Organize by Public Realm, Context and Quality/Permanence Tenets (Recommendation A-3).** The UDP strongly supports this proposal to group design guidelines and organize design review deliberations by these overarching factors. We believe that this will ensure that deliberations focus on urban design and integration, with building design as a supportive topic.

**Rebrand as Urban Design Review and Guidelines (Recommendation A4).** The UDP recommends that the review process and updated design guidelines and standards should focus on urban design considerations rather than architecture. Renaming the process will reinforce the urban design emphasis and help to focus applicants, staff and the Commission on the issues most important to the city's public realm, districts and neighborhoods.

**Monitor and Evaluate Amendments Annually Over the Next 4-5 Years (Recommendation A-6).** The UDP supports this recommendation and suggests that measures for success be identified early so that they can form a baseline for evaluating the intent and success of amendments to the process and tools described in the report. The UDP offers to assist in any way that is useful, and especially to participate in identifying measures for success and the monitoring and evaluation process.

**Simplify, Consolidate and Revise the Standards and Guidelines (Recommendation B-3).** The Urban Design Panel strongly supports this recommendation. The UDP recommends that the entire set of design guidelines be consolidated to 10 pages or less.

**Emphasize Site Design Review for Larger Projects (Recommendation B-3).** The UDP supports an emphasis for site design analysis on large sites and areas in transition. Connectivity master plans should be encouraged that show how a large site can be fully redeveloped to meet long-term goals while providing for a short-term development project to move forward.

In summary, the Urban Design Panel is in strong support of the design review process, and of all the recommendations included in the DOZA Final Report. The Panel commits to help in any way to make these recommendations a success.

Sincerely,

DOZA Sub-Committee of the AIA/APA/ASLA Urban Design Panel

Dave Otte, AIA

Robert Boileau, AIA, AICP

Joseph Readdy, AIA

Brian Campbell, FAICP

John Spencer, AICP

Jean Senechal Biggs, ASLA

Sean Batty, ASLA

Kurt Lango, ASLA

Executive Committee of the AIA/APA/ASLA Urban Design Panel

Dave Otte, AIA

Robert Boileau, AIA, AICP

Brian Campbell, FAICP

John Spencer, AICP

Jean Senechal Biggs, ASLA

cc: *American Institute of Architects/Portland Chapter, American Planning Association/Oregon Chapter  
American Society of Landscape Architects/Oregon Chapter*

**From:** Fred Sanchez <fredsanchezemail@gmail.com>  
**Sent:** Tuesday, April 11, 2017 12:36 PM  
**To:** Council Clerk – Testimony  
**Subject:** DOZA testimony

I am a stakeholder (property and business owner) in the Gateway District and plan to make improvements on five of our parcels. Two are now affected by Gateway's Design Overlay Zone and when zoning changes are approved by the State another 3 will be affected. I've experienced how the structure, regulations, guidelines, administration and enforcement of the design overlay zone affects outcomes in Gateway.: Many of the buildings in Gateway are of older stock but solidly constructed, so that a typical project involves interior and exterior remodeling, not new construction. The exterior changes trigger design review, and in a majority of the cases the review costs more than the exterior changes.

An example from several months ago: I applied for permits to install several new light fixtures and an automatic door at 11124 NE Halsey St. Before a permit was granted I went through a timely and expensive Design Review process even though the total cost for this project was less than \$2500. My tenants and I are concerned about making improvements to the tenant spaces since the Design Overlay Zone review and process is so costly and time-consuming. I believe the following changes to the design review system will increase its effectiveness, efficiency and impact:

1) Remove review for projects costing less than \$5000 and decrease the level of review (eg, allow the design standards to be used for building permits) for projects costing between \$5001 to \$50,000. Then gradually increase review for amounts exceeding \$50,000 to \$1,000,000. at which threshold the review will be higher.

2. These and other tools considered during DOZA review should occur as soon as possible and after monitoring and evaluation of the amendments, changes can be addressed.

The Gateway District in Portland is changing and the Design Review process must be recrafted to recognize this. There is momentum in Gateway that we would like to see continued, so the sooner the design standards can become effective the better.

Thank you for your attention.

Fred Sanchez

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## Moore-Love, Karla

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**From:** jackie m putnam <eatducksoup@yahoo.com>  
**Sent:** Monday, March 20, 2017 8:46 AM  
**To:** Moore-Love, Karla  
**Cc:** Bob & Donna Earnest; Jackie McKinnon Putnam  
**Subject:** Design Overlay Zone Assessment Modification

Karla Moore-Love  
Council Clerk  
City of Portland

Dear Ms Moore-Love:

This letter of support of the new Design Overlay Zone Assessment(DOZA) is co-authored by Jackie Putnam and Bob Earnest, former co-chairs of the Gateway Urban Renewal Program Advisory Committee (PAC). We would like to share our support for the consultant's recommendations in the Design Overlay Zone Report. As a PAC, we endorsed and supported the current design review. We now realize there are unintended consequence of the current design review process which we believe negatively impacts development within the Gateway area. The current design review affects new construction, modification and alterations. This was never the intent or vision of the PAC when it endorsed current policy in 2001.

We, as former PAC co-chairs, care about Gateway and recognize that the existing process has had a repressive effect on business growth in Gateway, particularly for small businesses. Streamlining and simplifying fees and processes has the potential to reduce the regulatory burden on businesses in Gateway and all over the city. There are some specific topics that I would particularly like to highlight.

1. Item A.1. (commentary) talks about the Gateway Plan District and its role as a Regional Center. Although Gateway has been designated as a regional center for more than 20 years, "market forces" have not been in place to provide an opportunity for Gateway to grow into Its role as regional center. A suburban area needs multiple steps before it can become a "second downtown", it doesn't happen instantly, and requirements such as a Type 2 or Type 3 Design Review discourage redevelopment and new development.
2. Item A.1.a correctly recognizes that allowing some projects such as alterations to a building or smaller buildings to be reviewed through the Community Design Standards process, rather than design review, would help Gateway see more investment in the near term. I fully support this concept.

If the Community Design Standards can be allowed for some projects, this would be a significant step to simplify and streamline the time and cost of alteration and some new building projects because the standards apply when a building permit application is made, and it is not a land use review process.

The Community Design Standards, as they are currently structured, address many of the same goals that are in the Gateway Design Guidelines. For example, standards 33.218.140.A – C (applied to new structures in the RH, RX, CX and EX zones) address similar items as Design Guideline A2:

**33.218.140**

A. Building placement and the street. Landscaping, an arcade, or a hard-surfaced expansion of the pedestrian path must be provided between a structure and the street. All street-facing elevations must meet one of the following options. (1. Foundation landscaping option, 2. Arcade option, 3. Hard-surface sidewalk extension option.)

B. Improvements between buildings and pedestrian oriented streets. 1.a. A building wall that faces a transit street or City Walkway or is in a Pedestrian District, may be set back no more than 10 feet from the street lot line. 1.b. The area between the building and an adjacent transit street, City Walkway, or street in a Pedestrian District must be hard-surfaced for use by pedestrians as an extension of the sidewalk.

C. Reinforce the corner. 4. A main entrance must be on a street-facing wall and either at the corner or within 25 feet of the corner.

While Design Guideline A2 advises:

A2. Enhance visual and physical connections. Guideline: 1. enhance visual and physical connections between buildings and adjacent sidewalks. 2. Orient semi-public building spaces to the sidewalk and street.

This guideline may be accomplished by: 1. Incorporating large ground floor windows facing the sidewalk. 2. Developing flexible wall systems adjacent to the sidewalk. 3. Expanding the sidewalk level of the building. 4. Emphasizing permeability at the ground level. 5. Orienting the main entrances and/or lobbies to the sidewalk.

3. Fees. An example highlights the issue. For a \$100,000 project that alters the exterior of a building or expands the footprint of the building, the fee for the Community Design Standards review (as part of the building permit review) is \$.0075 of the project value, or \$750. That same project in Gateway right now would cost \$4590 under Tier F (as identified on the LUS fee sheet) Type II Design Review (\$.032 of the project value \$3200. Plus \$1390 for other bureau reviews.)

Based on all of the above, we are asking you to consider implementing the use of the Community Design Standards immediately, not at the end of a 1 to 2 -year planning project code revision process. Approving the recommendations in the DOZA is the right thing to do.

We thank you for your consideration on this topic.

Respectfully,

/s

Jackie Putnam

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/s

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