

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

City of Portland  
Planning and Sustainability Commission  
Mixed Use Zones Project

This is written testimony for submission for the above project in response to PSC Work Session #3 on July 5 2016.

At that session the Commission stated it would accept comments through July 19, 2016.

These comments are in regards to Topic #4. Development and Design Standards regarding building height (1) Step-backs/downs (2) articulation, length, etc.(3) We own property at 2531 SE Ankeny St. that is affected by this Topic. We completed a set of townhouses in 2015. The project is a passive house with a zero net energy use.

We have occupied the townhouse for a little over a year and have been able to meet this goal of zero net energy utilizing passive and active solar installations.

The building project was aided by using both state and federal energy tax credits and support of the Oregon Energy Trust. We hired a design build firm – Green Hammer – who oversaw the design elements of the passive house and solar applications.

The concern we would like the commission to take into consideration is the Design overlay in considering permits for buildings on Ankeny Street directly across from our residence at 2531 SE Ankeny. This overlay would take into consideration the sustainability issue for our solar access.

If a building is allowed to include a 10 ft. bonus height as part of the CM2 zone the additional height to 55' will impact our solar (see attached)  
We understand the bonus could also be applied that may address the scale issue and change the FAR from 2.5;1 to 4:1.

At this time, as far as we know there is no permit issued for the lot/building across the street. Our concern is that in adopting the development standards allowing the additional height will impact our solar access. We would like the commission to take this design overlay into account when issuing any building permits for this location.

Thank you,  
Anne Morrow  
Roger Chope  
2531 SE Ankeny  
Portland OR 97214

Attached Ankeny Row description  
Attached – preliminary architectural notes on solar access

**SUN SHADING CHART**

**LOCATION:** Portland International Ap, OR, USA  
**Latitude/Longitude:** 45.6° North, 122.62° West, **Time Zone from Greenwich -8**  
**Data Source:** TMY3 726980 WMO Station Number, **Elevation 19 ft**

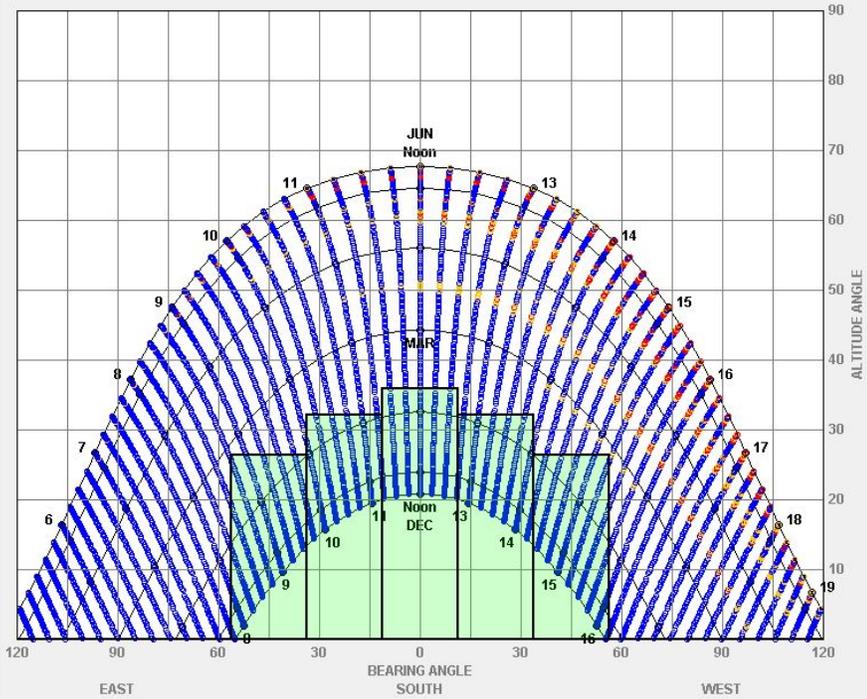
**LEGEND**

- **WARM/HOT > 75°F**  
 (SHADE NEEDED)  
 133 Hours Exposed  
 0 Hours Shaded
- **COMFORT > 68°F**  
 (SHADE HELPS)  
 149 Hours Exposed  
 0 Hours Shaded
- **COOL/COLD < 68°F**  
 (SUN NEEDED)  
 1462 Hours Exposed  
 764 Hours Shaded

**PLOT MONTHS:**

- WINTER SPRING  
 December 21 to June 21  
 SUMMER FALL  
 June 21 to December 21

- Display Grid  
 Display Shading Calculator  
 Display Obstruction Elevation

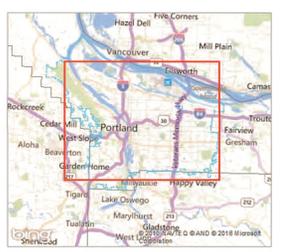
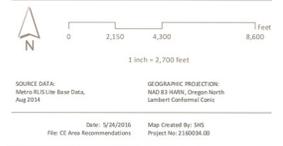


# CE ZONE & NON-CMSO RECOMMENDATIONS Portland, Oregon

- LEGEND**
- Recommended CE Areas
  - Recommended CMSO removals
  - Proposed CMSO
- Proposed Zones**
- CM1 - Mixed Commercial
  - CM2 - Commercial Mixed Use 2
  - CM3 - Commercial Mixed Use 3
  - CE - Commercial Employment
- Current Zones**
- CG (If no hatch, changing to other comp plan desig.)
- Traffic Classifications**
- Regional Trafficway
  - Regional Trafficway & Major City Traffic Street
  - Major City Traffic Street
  - Traffic Access Street
  - District Collector
  - Neighborhood Collector
- Freight Classifications**
- Major Truck Street
  - Priority Truck Street



**33.130.030.D:**  
 The Commercial Employment (CE) zone is a medium-scale zone intended for sites along corridors with a Neighborhood Collector or higher traffic classification, especially along civic corridors that are also Major Truck Streets or Priority Truck Streets. This zone is generally not appropriate in designated centers, except on a site that is currently developed in an auto-oriented manner and urban scale development is not economically feasible...



**MACKENZIE.**  
 P 503.224.9560 • F 503.228.1285 • W MCKENZIE.COM  
 RiverEast Center, 1515 SE Water Avenue, #100, Portland, OR 97214  
 Portland, Oregon • Vancouver, Washington • Seattle, Washington  
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Carol Basch 3327 SE Caruthers Street  
Portland OR 97214  
503-234-6292

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Sincerely  
Carol Basch  
Neighbor

**From:** Dennis Whitworth [<mailto:denway@comcast.net>]  
**Sent:** Tuesday, July 19, 2016 11:56 AM  
**To:** Stockton, Marty <[Marty.Stockton@portlandoregon.gov](mailto:Marty.Stockton@portlandoregon.gov)>  
**Subject:**

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank You,  
Dennis Whitworth  
1725 SE 34<sup>th</sup> Ave  
Portland, Or 97214

**From:** Jacquie Walton [<mailto:jacquiewalton@hotmail.com>]  
**Sent:** Tuesday, July 19, 2016 7:10 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block

Planning and Sustainability Commission:

I understand that the public testimony has been re-opened on the proposed new mixed use zoning proposal for the 3300+ block of Southeast Belmont. I strongly support the original staff proposal of CM-1 zoning as opposed to the recent tinkering by the Planning and Sustainability Commission to upzone it to CM-2. If we continue to obliterate these small parts of our city that give Portland character and make it special, we will be killing the goose that has been laying our golden eggs. Its the special places like our "downtown main street" Belmont that give Portland's neighborhood their sense of community.

You are the commission of planning and SUSTAINABILITY. Please remember that sustainability implies a long term perspective. Many developers are in the game for short term profit. It is up to you to balance that goal with what is going to be in the long-term sustainable economic interests of the city. You have a great responsibility. Don't let us down.

Thank you,

Jacquie Walton

5034 NE Rodney Avenue, Portland, Oregon, 97211

-----Original Message-----

From: Scott Tice [<mailto:scotttice@mac.com>]

Sent: Tuesday, July 19, 2016 6:21 AM

To: Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

Cc: Cunningham, Bill <[Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov)>; Anderson, Susan

<[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick

<[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>;

[fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)

Subject: Composite Zoning Proposal - SE Belmont Street - Historic Block

As a lifelong Portland resident and community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum).

I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

-Scott A. Tice  
3236 SE Johnson Creek Blvd.  
Portland, OR 97222

**From:** Greg Snider [mailto:gregwsnider@gmail.com]  
**Sent:** Tuesday, July 19, 2016 11:36 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Zoning changes near Centers and Corridors

I am writing in regard to the proposed zoning changes for residential neighborhoods near (within 1/4 mile of) Centers and Corridors in SE Portland.

Neighborhoods near Centers and Corridors are already taking the brunt of unchecked development along streets like Division, Hawthorne and Belmont.

Giant complexes with no parking are altering our once livable neighborhoods into concrete environments with little to no urban canopy. They are pushing massive amounts of parking into our residential streets, affecting the safety of our residents and the air quality of our neighborhood.

Homeowners in the proposed zone change neighborhoods often chose their location based on a city code that limited the amount of building in their vicinity. Changing the code is a disservice to the taxpayers that relied on these codes in good faith.

Changing the code will result in more rampant demolition of existing livable housing as developers will seek to maximize profit over livability and neighborhood values and character. We have seen the result of unchecked development already. The fallacy that code changes will result in more affordable housing has been proven untrue by recent development throughout Portland.

I urge you to NOT alter the codes that exist in Portland neighborhoods, particularly around Centers and Corridors. These proposed changes will affect most of SE Portland and all of Portland. Promotion of incentives that encourage businesses that would improve walkability and eliminate food-deserts in areas of Portland that currently do not have walkable neighborhoods and livability infra-structure would be a better alternative than imposing more density and hardships on neighborhoods that are already maxed out by development.

The neighborhoods of SE Portland have suffered enough from unchecked development. Please give us a break and help Portland remain the livable, neighborhood-based vibrant city it is.

Thanks you,

Greg Snider

1148 SE 50th Ave.

Portland, OR 97215

(503) 853-6957

**From:** Eric Slade [mailto:eric@ericslade.com]  
**Sent:** Tuesday, July 19, 2016 7:29 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Belmont Street

**To the Planning and Sustainability Commission:**

**I can guarantee you no one is moving to Portland because they love giant box apartment buildings. Part of the appeal of our city is the scale and architecture. We DO have to build more housing, but we can't do it at the expense of our historic districts. Belmont Street is one of the most loved areas of the city. Five story apartment blocks will ruin that.**

**I urge you to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.**

**Thank you,**

**Eric Slade**

Eric Slade Films  
1920 SE 45th Avenue  
Portland, OR 97215  
503-475-4048  
[eric@ericslade.com](mailto:eric@ericslade.com)  
[www.ericslade.com](http://www.ericslade.com)

**From:** Mary Ann Schwab [mailto:e33maschwab@gmail.com]  
**Sent:** Tuesday, July 19, 2016 4:51 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Proposed Mixed-Use Commercial zoning overlay along transit corridors on inner-southeast narrow streets.

Dear Portland Planning and Sustainability Commissioners:

My take-away reading Middle Housing in Portland, WHO, WHAT, WHEN, AND WHY?

Did you know? Although it may not be readily apparent, middle housing is not new to Portland. In fact, this type of housing is prevalent in several of Portland's historic neighborhoods. **However, in most cases, the zoning code doesn't allow middle housing to be built in areas for single dwellings today.**

Furthermore, project startup July 2015 - Jan 2016 to the Legislative Process public Hearings Fall 2017. Yet, the time line to review the Mixed Use Commercial has been challenging for ONI Neighborhood Coalitions, and their Community Volunteers.

What troubles me? Thanks to SB 5133 Inclusionary Housing MFI 80%, Developers "by right" are able to play a game of monopoly — purchase an entire block between North or South of SE Belmont within that quarter mile. Peacock Lane is but the tip of the ice-berg, as is the historic commercial center at SE 34th and Belmont. Sharing this article on Peacock Lane!! It's not looking good for 522 SE Peacock lane. Hales needs to stop this nonsense and he needs to go he has done more than enough damage to Portland.

<http://www.antiquehomestyle.com/primary-sources/american-builder/peacock-lane.htm>

Did I fail to mention the Design Commission now work behind closed doors to immediate neighbors as well as their Neighborhood Association Lane Use and Transportation Committee representative(s)? About the time Buckman Community Association questioned Catholic Charities Trell Anderson what happened to 32-34 on-site parking spaces.

Again, "by right" the parking spaces vanished due to increased construction costs by a million.

This is a serious socioeconomic equity issue, when Developers are able to hire Land Use Attorneys, and the immediate property owners and their Neighbor Associations lack resources to take the case to LUBA. Adding insult to injury, the Developer's are able to site legal fees a business expense deduction on their income taxes.

I'm thinking, so why would Portland BDS Planners bend to please the Housing Industry Lobbyists and gold rush LLC Developers in their quest to process blueprints prior to Comp Plan 2035 effective date, 2018? Planners acknowledge the single-family zones have worked well since post WW11 building booms 1953 to 2016. So why are they now attempting to destroy our neighborhoods by allowing SB 5133 inclusionary housing Developers to destroy the existing bungalows character and charm? Did I fail to mention the currently property owners are able to add an ADU in garages to accommodate AirBnB visitors, or rent to college students, parent so the main house can be leased or their adult children living it it?

So if it ain't broke — hands off — please don't mess with the current single-family dwellings today, **by approving the quarter-mile overlay along transit corridors within the inner-southeast neighborhoods. To do so, will be approving Developer's "by-right" to insult the character and charm of historic in several of Portland's historic neighborhoods.** Yes, starting with the Sunnyside Neighborhood established in 1888 along the trolley line — ending at SE 39th and Belmont — next to a dairy farm. Proud Past — Bright Future depends on PSC paying attention to neighborhood representatives and property owners over Commissioner Dan Saltzman's hand-selected Developers serving in the RIPSAC, who will benefit financially by the in-fill-middle policy they created. And the quarter-mile Mixed-Use Commercial overlay, BPS recently designed will provide a loophole for SB 5133 inclusionary housing "by right".

Quarter mile circling over Sunnyside from SE Stark Street to SE Hawthorne will destroy the character and charm. Metro's finding indicate there is plenty of land for housing.

### **Neighborhood Associations in District Area**

- Ardenwald-Johnson Creek Neighborhood Association
- Brentwood-Darlington Neighborhood Association
- Brooklyn Action Corps
- Buckman Community Association
- Creston-Kenilworth Neighborhood Association
- Eastmoreland Neighborhood Association
- Foster-Powell Neighborhood Association
- Hosford-Abernethy Neighborhood District (HAND)
- Kerns Neighborhood Association
- Laurelhurst Neighborhood Association
- Montavilla Neighborhood Association
- Mt Scott-Arleta Neighborhood Association
- Mt Tabor Neighborhood Association
- North Tabor Neighborhood Association
- Reed Neighborhood Association
- Richmond Neighborhood Association
- Sellwood-Moreland Improvement League (SMILE)
- South Tabor Neighborhood Association
- Sunnyside Neighborhood Association
- Woodstock Neighborhood Association

Respectfully yours,

Mary Ann Schwab, Community Advocate  
605 SE 38th Avenue  
Portland, OR 97214-3203  
(503) 236-3522

-----Original Message-----

From: Mary Ann Schwab [mailto:e33maschwab@gmail.com]

Sent: Tuesday, July 19, 2016 4:39 PM

To: Planning and Sustainability Commission <psc@portlandoregon.gov>

Cc: Parker Terry <parkert2012@gmail.com>; Schwab Mary Ann <e33maschwab@icloud.com>; Tracy, Morgan <Morgan.Tracy@portlandoregon.gov>; McKnight, Bonny <bonnymcknight@gmail.com>; DeRidder Tamara <SustainableDesign@tdrider.users.panix.com>; Cunningham, Bill

<Bill.Cunningham@portlandoregon.gov>; Manning, Barry <Barry.Manning@portlandoregon.gov>;

Stockton, Marty <Marty.Stockton@portlandoregon.gov>

Subject: Some of the Reasons why keeping the current zoning of 3 story maximum is important for Belmont Street-

Dear Portland Planning & Sustainability Commissioners:

A friend of mine posted this document below to help people with reasons worth mentioning in their letters to the city:

Some of the Reasons why keeping the current zoning of 3 story maximum is important for Belmont Street-

- 1) Incentive to demolish every building on the block is very high if so much money can be made from every property if the zoning is changed from a 3 story maximum to a 5 story maximum. That means that every property will be worth more as an empty lot than what is currently there. If you like what is there then this should concern you. This is called up-zoning.
- 2) With every building and house on Belmont worth so much money to a developer of apartment buildings, all of the businesses that are located on Belmont that do not own the building they are in are in danger of being displaced or put out of business. This means that the reasons why Belmont is cool, a great place for local business, and a fun place to visit and hang out will cease to exist. Belmont will lose any character that it has that makes it a special place. This is bad for our local entrepreneurs and businesses. This is bad for our local and regional economy. Tourism in Portland depends on visitors seeing places that are unique to Portland. Every city in the U.S. has new apartment buildings with a Chipotle on the first floor. If Portland becomes just new apartment buildings it will cease to be a tourist destination. Billions of dollars are put into our local economy by visitors that want to "experience Portland". Belmont is the poster child of what Portland "is".
- 3) A new retail space in a new building is more expensive than one in an existing building. This is why you see mostly corporate chain stores in new buildings.
- 4) A series of tall buildings that are very similar to each other will shade the street for most of the day because Belmont is a narrow street. Five story buildings are too high for a narrow street like that. On a sunny day do you want to walk down a shady, dark street? The reasons to walk down Belmont will cease to exist if it is mostly in shadow throughout each day. In Phoenix or LA this might not be a big deal, but in Portland it is.
- 5) Traffic will get worse and there will be multiple times during the day that parking and traffic will be hard to deal with. People that are moving here and have the money to rent a new apartment are bringing their cars with them. That's reality. Let's deal with reality not the fantasy that people will sell their cars and just ride bicycles when they move here.
- 6) Okay so I said some of the economic reasons, now for other reasons that are just as valid but don't seem to hold sway even though they should. Belmont Street is important. Culture is important. Portland history, OUR story, is important. We should add to the story not erase the past stories of Portland so some people can make a quick profit now. Some things in this life and some places should

be sacred. Portlanders should be proud of what an awesome neighborhood Sunnyside is and what great streets Hawthorne and Belmont truly are. Belmont was the end of a streetcar line and was built in Victorian times ( Victorian era was 1837-1901). Victorian cities are just cool. They built buildings to last and out of great materials. They believed in adornment. They had pride in what was built. We can learn from that era. We need to keep this era alive in our city. Nowadays with such a thirst for authenticity these places shine as real, actual, beautiful places that make you feel alive and happy to be in our city. Belmont street and all it has to offer in terms of character, history, and choices of local businesses is what makes a place great. Other cities would kill to have a street with so much great architecture, interesting businesses, and overall cool vibe that Belmont Street has. This street exemplifies the best of what Portland is and what it should be striving to be in the future. Please don't let it get thrown in the garbage and erased from the story of Portland forever. And remember, once a great place is gone, it can never come back.

Some of the Reasons why keeping the current zoning of 3 story maximum is important for Belmont Street-

1) Incentive to demolish every building on the block is very high if so much money can be made from every property if the zoning is changed from a 3 story maximum to a 5 story maximum. That means that every property will be worth more as an empty lot than what is currently there. If you like what is there then this should concern you. This is called up-zoning.

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3) A new retail space in a new building is more expensive than one in an existing building. This is why you see mostly corporate chain stores in new buildings.

4) A series of tall buildings that are very similar to each other will shade the street for most of the day because Belmont is a narrow street. Five story buildings are too high for a narrow street like that. On a sunny day do you want to walk down a shady, dark street? The reasons to walk down Belmont will cease to exist if it is mostly in shadow throughout each day. In Phoenix or LA this might not be a big deal, but in Portland it is.

5) Traffic will get worse and there will be multiple times during the day that parking and traffic will be hard to deal with. People that are moving here and have the money to rent a new apartment are bringing their cars with them. That's reality. Let's deal with reality not the fantasy that people will sell their cars and just ride bicycles when they move here.

6) Okay so I said some of the economic reasons, now for other reasons that are just as valid but don't seem to hold sway even though they should. Belmont Street is important. Culture is important. Portland history, OUR story, is important. We should add to the story not erase the past stories of Portland so some people can make a quick profit now. Some things in this life and some places should be sacred. Portlanders should be proud of what an awesome neighborhood Sunnyside is and what great streets Hawthorne and Belmont truly are. Belmont was the end of a streetcar line and was built in Victorian times ( Victorian era was 1837-1901). Victorian cities are just cool. They built buildings to last and out of great materials. They believed in adornment. They had pride in what was built. We can learn from that era. We need to keep this era alive in our city. Nowadays with such a thirst for authenticity these places shine as real, actual, beautiful places that make you feel alive and happy to

be in our city. Belmont street and all it has to offer in terms of character, history, and choices of local businesses is what makes a place great. Other cities would kill to have a street with so much great architecture, interesting businesses, and overall cool vibe that Belmont Street has. This street exemplifies the best of what Portland is and what it should be striving to be in the future. Please don't let it get thrown in the garbage and erased from the story of Portland forever. And remember, once a great place is gone, it can never come back.

Granted, MAS is not the only Community Advocate to support the reasons why keeping the current zoning of 3-story maximum is important for Belmont Street as well as on Peacock Lane. Sharing this article on Peacock Lane!! It's not looking good for 522 SE Peacock lane. Charlie Hales needs to stop this nonsense and he needs to go he has done more than enough damage to Portland. <http://www.antiquehomestyle.com/primary-sources/american-builder/peacock-lane.htm>

One point overlooked, the March 3, 2016, SB 5133 inclusionary housing bonus to Developers able to provide MFI 0-30% condos. My fear, while you support maxing 3-stories on SE Belmont and other inner-southeast corridors – this becomes another loop-hole where the Developer “by-right” is per approved to add 3-additional floors. Again, no plans to construct parking garages anywhere in congested areas like SE Division Street. This is an socioeconomic issue where the Developer hires a Land Use attorney, and the immediate property owners and their neighborhood and business associations lack resources to take any case to LUBA.

Please honor, former City Planner Mr. Keefe, who sited schools and parks throughout Portland with public safety in mind – RHI zone for single dwellings.

Thank you,

Mary Ann Schwab, Community Advocate  
605 SE 38th Avenue  
Portland, OR 97214-3203  
(503) 236-3522

**From:** Grace Sanders [<mailto:Gee.whiz@outlook.com>]

**Sent:** Tuesday, July 19, 2016 12:16 AM

**To:** Anderson, Susan <[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick <[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>; [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com); Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block

*Though this (below) is merely a copy of a notice that went out to all interested parties, I am using it because it is a succinct, useful statement of the issue. So many neighborhoods are being "upgraded"...or whatever it is you like to call the destruction by developers of Portland. (Witness the ridiculous building next to the New Seasons on Quimby, with its suicide doors. I spoke to one tenant who told me he was forced to sign a document agreeing that he could not hold the owners responsible if someone jumped or fell out of that door, or if he himself did so. Is that even legal? And the supposed purpose of such doors [incorrectly referred to as Juliet balconies, though not a balcony at all...not even room for a small potted plant!] is to let air in from the bottom of the door to the top. A form of ventilation? But the glass [or plastic?] barrier, which covers only the bottom half, or less, of the doors, does not allow such air from the bottom, so there is actually no point at all in having such a design!)*

*So, here is my request...I hope and assume you have received many such statements:*

"As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood."

*Sincerely yours,  
Grace Sanders*

636 NW 20th Ave., Apt. 8, Portland Oregon 97209

July 19, 2016

Mark D. Whitlow  
MWhitlow@perkinscoie.com  
D. +1.503.727.2073  
F. +1.503.346.2073

**VIA EMAIL**

Portland Planning and Sustainability Commission  
City of Portland  
1900 SW Fourth Avenue #7100  
Portland, OR 97201

**Re: RTF CE Map: Why Auto-Oriented Development Needs CE Zoning to Develop/Redevelop; RTF DT Map: Why Drive-Throughs Are Needed**

Dear Chair Schultz and Commissioners:

This letter supports the previous mapping requests made by the RTF/ICSC GR Committee in prior testimony (CE Zone Map submitted 6/28/16; DT Prohibition Map submitted 7/12/16).

**Supplemental information in support of RTF's proposed CE Zone Map.**

If land previously developed for auto-oriented uses is zoned other than CE (somewhat auto-accommodating under the current CE zone purpose statement), then the land would not be likely to receive any of the land use approvals needed to upgrade the existing auto-oriented development or redevelop it with a new auto-accommodating development, because:

- **Unfeasible Nonconforming Situation Review for Nonconforming QVS Uses.** In other than a CE zone, an existing gasoline service station or fuel station will become a nonconforming use (Quick Vehicle Servicing or QVS) and a nonconforming development (Drive-Through Facility or DT). The applicable review criteria would automatically disfavor expansions of nonconforming gas and fuel stations (QVSs & DTs) when they are placed in mixed use zones, where they would have appearances that arguably would "detract from the desired function and character of the zone." Unless zoned CE, existing gas stations and fuel stations will not be able to expand or upgrade:
  - Under Section 33.258.050 C. 2. a. expansions of building area and exterior improvements for nonconforming uses and developments may be allowed under the nonconforming situation review procedures of 33.258.080.
  - Section 33.258.080 B.3. contains the impossible approval criterion for a nonconforming gas station or fuel station. As stated above, the applicable review criteria disfavor expansions of nonconforming uses and developments which have appearances that "detract from the desired function and character of the zone."

The function and character of the proposed CM zones is pedestrian and transit oriented development. Redeveloping a gas or fuel station built in an old CG in a new mixed use CM1, CM2, or CM3 zone, or in a CMSO overlay, will not be feasible because the required finding is unlikely, based on anticipated comments from neighbors and/or staff. Only CE zoning would be deemed appropriate and, even then the CE zone purpose statement should be revised to make the CE zone primarily auto-accommodating, instead of only incidentally auto-accommodating as now written. See attached proposed Revised CE Zone Purpose Statement in a copy of an email message to the Mayor's Policy Advisor, Camille Trummer.

- **Unfeasible Adjustment Approval for Nonconforming DT Developments.** Likewise, the applicable review criteria disfavor expansions of nonconforming developments which do not any longer fit the character of the new mixed use zone they are in:
  - Under 33.258.070 C. "proposed changes that are not in conformance or do not move closer to conformance, are subject to the adjustment process unless prohibited."
    - Prohibiting DTs in the CM zones and CMSOs makes it legally impossible to get an adjustment to upgrade or remodel one in any zone except the CE zone. Even then, the purpose statement of the CE zone should be revised, as requested above.
    - Staff suggests saying they are considering changing "prohibited" to "not allowed" to avoid that result, but the two terms are synonymous, so LUBA would likely disagree. Further, existing Sections 33.805.030 B. 1.&2. State that uses "not allowed" by the regulations, and restrictions on uses or developments which contain the word "prohibited", are ineligible regulations for adjustments.
  - Under 33.805.040 B. a requested adjustment may be approved in a C zone if the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area", a criteria that an existing auto-oriented drive-through facility development will not be able to satisfy in one of the new mixed use pedestrian-friendly zones that are not auto-accommodating. It will not be feasible to obtain adjustments to redevelop drive-through facilities in any of the new mixed use zones.

### **Supplemental Information in Support of RTF's Proposed DT Prohibition Map.**

As submitted in my oral testimony to PSC during the last hearing, the RTF/ICSC GR Committee worked closely with the Mayor's office in discussing the Mayor's proposed drive-through prohibition policy during the public hearings on the proposed 2035 Comprehensive Plan, resulting in a tacit agreement reflected in the Mayor's revised drive-through policy that drive-through facilities should be prohibited in "walkable areas", while being allowed in other areas which are yet "driveable". Absent this type of input from the RTF, the PSC would not have the benefit of those talks within the related, yet separate legislative process, where the new 2035 Comprehensive Plan policies, including the new drive-through policy, must be implemented now by PSC.

As a result of those negotiations, the proposed drive-through ban policy was revised significantly to remove corridors from the areas of prohibition for new drive-throughs and to clarify that the prohibitions apply only to new drive-through facilities. The following show the initially proposed drive-through policy, followed by the adopted drive-through policy:

**Proposed** – Drive through facilities. Prohibit drive through facilities in the Central City, and limit them in centers and corridors in order to support a pedestrian-oriented environment and reduce conflicts between automobiles and pedestrians and bicyclists.

**Approved** – Drive through facilities. Prohibit new drive through facilities in the Central City, and limit new development in the Inner Ring Districts and centers in order to support a pedestrian-oriented environment.

### **DT Prohibition Map Allows New Drive-Throughs Where Needed by Elderly, Disabled & People with Children.**

It is often difficult to spot unintended consequences of legislative proceedings where many significant changes are being considered simultaneously. A dense urban form can mistakenly seek to remove development patterns deemed inconsistent in form, which are yet needed by the populace as to function. Such is the story of the much maligned drive-through facility. Accused of being unsafe (which they are not unsafe as provided to the City Council in evidence submitted in opposition to the Mayor's proposed policy to ban drive-throughs city-wide), or inconsistent with a pedestrian environment, drive-through facilities are very much needed by a significant segment of the populace in their daily lives, as attested to by the individuals shown in the video clips contained in the following links to the related Portland Tribune online newspaper articles: [Portland Tribune Article](#) and [Portland Tribune Article 2](#).

I attach a further email message to Mayor Hale's Policy Advisor, Camille Trummer, outlining that approach, which was to utilize areas of the City rather than base zones to regulate drive-

through facilities, where many of the existing CM base zones proposed to prohibit drive-through facilities are clearly within "driveable" areas of town, where drive-through facilities should continue to be allowed.

In conclusion, the RTF/ICSC GR Committee requests PSC to implement the City's new drive-through policy through mapped areas instead of base zones to distinguish between "walkable" and "driveable" areas of the City. In addition, we request that PSC adopt the RTF's proposed CE zone map. Unless zoned CE, existing auto-dependent facilities will not be able to upgrade or redevelop in the new mixed use CM zones and CMSO overlay. That is because the proposed expansion or redevelopment of an auto-accommodating use and development would be deemed inconsistent with the character and identity of any of the new mixed use zones. Accordingly, the ability to obtain necessary approvals from nonconforming use review or applications for adjustments in the course of such remodels/redevelopments will be unlikely, thus stagnating the ability to accommodate short-term economic development opportunities and preserving the status quo - an unintended consequence to be avoided that is required by new Plan Policy 6.17 which requires PSC to consider the short-term market when transitioning new development regulations.

Thank you for the ability to supplement our prior testimony regarding proposed CE zone and drive-through prohibition maps.

Respectfully submitted,



Mark D. Whitlow

MDW:sv

Enclosure

Cc: Eric Engstrom  
Barry Manning  
Bill Cunningham  
RTF/ICSC GR Committee

Camille,

We request amendments to the CE Zone purpose statement and standards to make them more auto-accommodating, as required for a multimodal system and as described in the Zoning Code's definition of Auto-Accommodating Development.

"Auto-Accommodating Development. Development which is designed with an emphasis on customers who use autos to travel to the site, rather than those which have an emphasis on pedestrian customers. This type of development usually has more than the minimum required number of parking spaces. The main entrance is oriented to the parking area. In many cases, the building will have parking between the street and the building. Other typical characteristics are blank walls along much of the facade, more than one driveway, and a low percentage of the site covered by buildings."

**1) Revise CE Zone Purpose statement to make more auto-accommodating:**

**D. Commercial Employment zone.** The Commercial Employment (CE) zone is a medium-scale zone intended for sites along corridors in areas between designated centers, especially along Civic Corridors that are also Major Truck Streets or Priority Truck Streets. The zone allows a mix of commercial uses, as well as some light manufacturing and distribution uses that have few off-site impacts. The emphasis of this zone is on auto-accommodating commercial and employment uses, but residential use is also allowed. Buildings in this zone will generally be up to four stories tall. Development is intended to be auto-accommodating, as well as pedestrian-oriented, as well as auto-accommodating, and complement the scale of surrounding areas.

**2) We propose the following revised development standards to match the above definition:**

- allowance for parking between buildings and streets
  - Section 33.130.205 B. & Table 130-2 - Change the Max. Building Setbacks in CE from 10'/20' to Exempt, and add an exemption from the vehicle area frontage limitations of Section 33.266.130. C.3, subject to the modified standards of Section 33.130.215 E. (Alternative maximum building setback for large retailers – we need to revise to fit our needs for smaller sites)
- transit street main entrance location oriented to parking
  - Section 33.130.242 B. Applicability – Add new subsection “3. Does not apply to sites in the CE zone abutting auto traffic streets designated as a Major City Traffic Street or a District Collector Street.”
- allowance for blank walls
  - Section 33.130.230 Ground Floor Windows
    - revise subsection 2. Exemptions to add new “d. Retail store walls devoted to truck loading or external to interior areas used for storage or refrigeration, are exempt from this Section.”

We are also drafting language that we will share now to create preexisting development status for existing DTs, as follows:

**33.130.260 Drive-Through Facilities**

New drive-through facilities are allowed in the zones which are intended for auto accommodating development. Existing, legally established facilities in all commercial/mixed use zones are allowed outright. The standards for drive-through facilities are stated in Chapter 33.224, Drive-Through Facilities.

- A. **CM1, CM2, CM3, CX, and CE zones.** In the CM1, CM2, CM3, CX, and CE zones, all legally established drive-through facilities in existence as of **[INSERT EFFECTIVE DATE OF CODE]**, are allowed outright and are not subject to Chapter 33.258, Nonconforming Situations.
- B. **CM1, CM2, CM3, and CX zones.** Establishment of new drive-through facilities is prohibited in the CM1, CM2, CM3, and CX zones.
- C. **CE zone.** Establishment of new drive-through facilities is allowed in the CE zone, subject to the following:
1. New drive-through facilities within 50 feet of a residential zone boundary must incorporate landscaping to the L2 standard between the drive-through facility and the residential zone.

We thank you for your continued assistance with the 2035 Plan and the MUZ Code amendments.

Mark

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## Vogel, Stephanie (Perkins Coie)

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**From:** Whitlow, Mark (Perkins Coie)  
**Sent:** Tuesday, April 26, 2016 4:54 PM  
**To:** camille.trummer@portlandoregon.gov  
**Cc:** Joseph Angel; Merrill, Melinda S; Joshua L. Lute - Dutch Bros. Coffee (jlute@dutchbros.com); LeFeber Bob; Oxley Gary; Evyan Jarvis (evyanandries@oxleyandassociatesinc.com)  
**Subject:** FW: Draft Meeting with Mayor Notes - Please Comment  
**Attachments:** 26042016[Filename].pdf; Color Figure VII-2.pdf; Auto-Accommodation\_001.pdf; PBA-Proposed\_MUZ\_4-19-16\_reduced.pdf

Dear Camille, thank you very much for your time and assistance yesterday. We felt that our meeting with Mayor Hales was a good exchange of ideas and comments. We are prepared to work with you quickly to move forward, so we are providing you with additional information with this message, as well as a standing offer to come in and meet with you in person for additional background or clarity. The bolded captions provide an issue outline.

The following are our notes on the meeting, with related comments regarding next steps.

- **Pre-Existing Status for Existing Auto-Accommodating Uses & Developments.** Don't make existing auto-accommodating commercial developments nonconforming under the new mixed use zones, which do not provide for new auto-accommodating uses or developments, except in a limited way in the CE zone. Even then, 60% of the parcels and 40% of the CG land was converted to zones other than CE, which is a huge downzone for commercial land. See attached Figure VII-1 and Figure VII-2 attached. There is no more auto-accommodating zone or zoning standards being offered by the City for auto-accommodating uses and developments. Out of fairness, the City needs to make existing auto-accommodating developments pre-existing instead of nonconforming, where they will be treated as conforming until the market conditions are right for them to redevelop under the new zone. Pre-existing use or development would mean: *Any lawful use or activity, located in an area that has been legislatively rezoned to a less permissive zone, that is not listed as a permitted principal or conditional use in the less permissive zone.* (Borrowed from 1985 Zone Code). This treatment is consistent with the Policy 6.17 proposed by the RTF/ICSC (to avoid nonconformity).
- **Limit Areas of Prohibition of Drive-Through Facilities.** It was recognized that drive-through facilities are important adjuncts to grocery supermarket store development, both for their own drive-throughs (for pharmacy and grocery pick-up and for fuel stations) and for their pad users to help spread the cost of development. They do not generate traffic as a destination, as operate off pass-by traffic. They operate safely and do not have a history of unsafe operations in the City. Therefore, drive-throughs should not be prohibited broadly, but only in special areas such as the areas now proposed for CMSO zones and the areas mapped to recognize the City's Low-Rise "Trolley Car Era" Commercial Storefront areas. See attached message from Barry Manning with BPS's PowerPoint presentation to PBA containing maps of Low-rise Commercial Storefront Areas.
- **Create Auto-Accommodating Zone(s).** As the meeting progressed, the realization that the City no longer has an auto-accommodating zone (even the CE is a mixed use zone) prompted the Mayor to suggest that we create one now, or draft a new policy that would evolve into one, or make the CE and MU1 zones more auto-accommodating. It was agreed that the City still needs to have an auto mode that is accommodated, even if the mode split shift goes down on the east side past 39th and on the west side past the ridge, over the next 20 years the mode split is likely to be 60 to 70% autos at 2035. See Metro's "[A snapshot of how the Portland region gets around](#)". We need areas for auto accommodating uses, that do not have the FAR and building orientation limitations of the Storefront zones. See the definition of "Auto-Accommodating Development" in the Code (attached). By contrast, see the purpose statement for the new CE zone also attached, where the CE zone is intended to be pedestrian and transit friendly first, with auto-accommodation only as an after-thought. The City's multimodal system will lack adequate accommodation for the auto mode if the 2035 Plan and the MUZ Project are approved. See copies of prior message to BPS request auto-accommodating zoning regarding 12/24/15 email message to Barry Manning, 3/8/16 email message to Tom Armstrong and 3/23/16 email message to Barry Manning. Most households make 9 plus trips a day but only travel 4.4 miles from their home. Travel to

downtown will continue to make great strides in mode split but other trips will take more time and density to evolve because of lack of transit choices and service times available. Auto-accommodating uses need equitable zoning treatment under the MUZ Project.

- **Auto-Accommodating Retail Policies.** We didn't go over the specific policies that are being proposed/opposed by the RTF/ICSC GR Committee, but we list them below, with comments. We assume that the wording of the new policy after policy 4.23 would be changed to reflect our agreement. We would appreciate the Mayor's support of our other proposed policies and would welcome your insight on them, as well as the need for a new auto-accommodation policy and zone.
  - **New Policy after 4.23 Drive-through Facilities.** We are signed up to oppose this policy. This policy has several oversights:
    - drive-through facilities are needed in the daily lives of people with disabilities, the elderly and mothers with children & should be accommodated, not prohibited, by the City's commercial zones and development standards
    - drive-through facilities are an integral component of grocery supermarkets, with their on-site fuel stations, pick-up pharmacy department windows, and drive isles for pick-up of groceries ordered online
    - multimodal mixed-use commercial zones & development standards still need to accommodate the auto mode for grocery stores, banks, dry cleaners, restaurants, pharmacies, car washes, coffee kiosks and fuel stations
  - **Policy 4.79 Grocery Stores.** We proposed this policy language to address the need to provide enough commercial land adequately zoned to allow the continued development and operation of a "full spectrum" of grocery stores, including those offering affordable groceries. This is a commercial gentrification policy to counter the notion that providing upper-end grocery stores is a win for the City's food desert problem. See attached Portland Area Food Desert Map. It also relates to the carbon footprint problem. We have startling statistics showing the large % of Portlanders who drive out of distance to shop for groceries on the fringe of town, or out of town. The City needs to provide traditional zoning to also allow the lower-end grocery store development (e.g., WinCo & Grocery Outlet, etc.), which can't afford structured parking and high rents. The new mixed use zones make the existing problem even worse, instead of fixing it. We are using this policy to also request the City to amend the EOA for "the full spectrum of retail" that wasn't considered when the EOA was adopted. In that same year PDC received a study from Leland Consulting that the City has an inadequate land inventory for auto-accommodating large format retail.
  - **Policy 6.17 Avoid Nonconformity.** We proposed this new policy. You can't immediately tell at the first reading, but that is the intent behind this vague language finally approved by BPS. We call it the anti-nonconformity policy. Basically, it provides policy authority to phase-in new mixed-use development regulations over time when the long-range market shifts, to avoid creating unnecessary short-term market nonconformity now which stagnates redevelopment. For example, we are asking the City to avoid adopting the CMSO until there is 15 minute frequent transit service and a greater transit ridership than there is now outside the central city. The BPS staff handling the Code amendments were not interested in listening to our phasing requests unless the Plan contained a related policy to avoid creating nonconformity by phasing in regulations over time to match the market. However, the new idea to treat existing auto-accommodating developments as preexisting developments that are conforming instead of nonconforming developments would seem to work as an alternative solution.
  - **New Policy after 6.65. Retail Development.** We proposed this policy. It is related in concept to the Grocery Store Policy 4.79. It is another policy basis to advocate for amending the EOA to provide a sufficient land inventory for the "widest range of retail" that are "affordable" in "underserved areas of the City". There really isn't any land available to develop grocery stores even though the existing EOA says that Portland has an adequate land inventory for retail development, but it does not distinguish auto-accommodating from pedestrian/transit friendly retail which have different land needs and development formats. We need more retail land for traditional grocery store development to reduce VMTs. We have assembled a traffic analysis on that point. We are taken by the Mayor's suggestion that we should create a new auto-accommodating policy and zone or make the CE and CM1 and CM2 zones more auto-accommodating

We appreciate the opportunity to work with you to find the proper balance between planning and the reality of the marketplace.

Best, Mark

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(<http://www.oregonlive.com/>)

## Portland-area food deserts

Below is a map of low-income census tracts in the Portland metro area where the U.S. Department of Agriculture has determined that a significant number or share of residents is more than **a half-mile** or **a mile** from the nearest supermarket in urban areas or more than 10 miles from the nearest supermarket in rural areas. For a nationwide map, **see the USDA site.** (<http://www.ers.usda.gov/data-products/food-access-research-atlas/go-to-the-atlas.aspx>) **Read more: Grocery Outlet's opening in east Portland brings promise to an area lacking supermarkets** ([http://www.oregonlive.com/portland/index.ssf/2013/03/grocery\\_outlets\\_opening\\_in\\_eas.html](http://www.oregonlive.com/portland/index.ssf/2013/03/grocery_outlets_opening_in_eas.html))

 New Grocery Outlet store



(<https://maps.google.com/maps?ll=45.52,-122.7&z=11&hl=en-US&gl=US&mapclient=apiv3>)

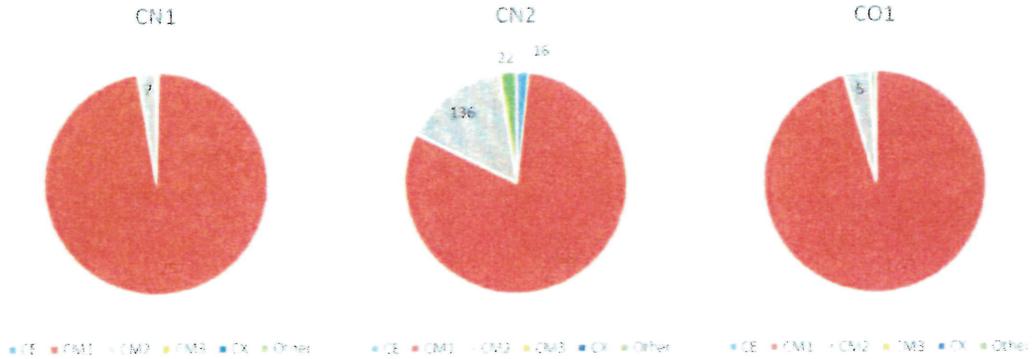
Map data ©2016 Google

Sources: U.S. Department of Agriculture, U.S. Census Bureau; Map: Mark Friesen/The Oregonian

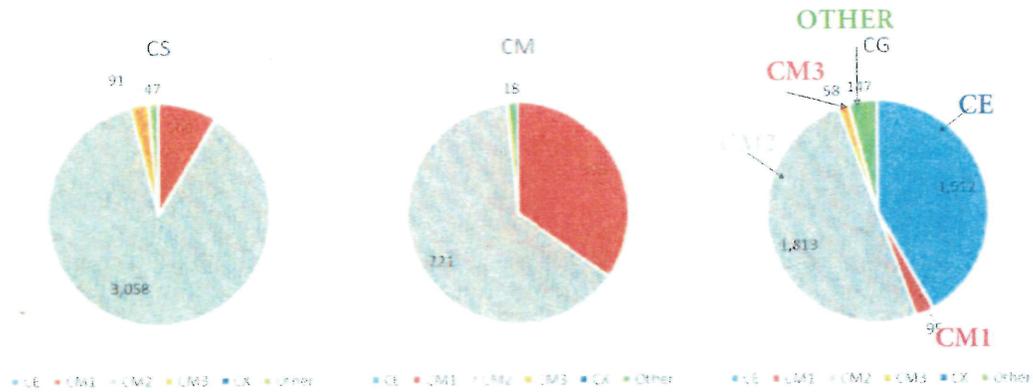
**Figure VII-1: Commercial/Mixed Use Rezoning Summary**

Number of properties assigned to each new zone, by old zones. Other = non Commercial/Mixed Use (EG1, EG2, R1, etc.)

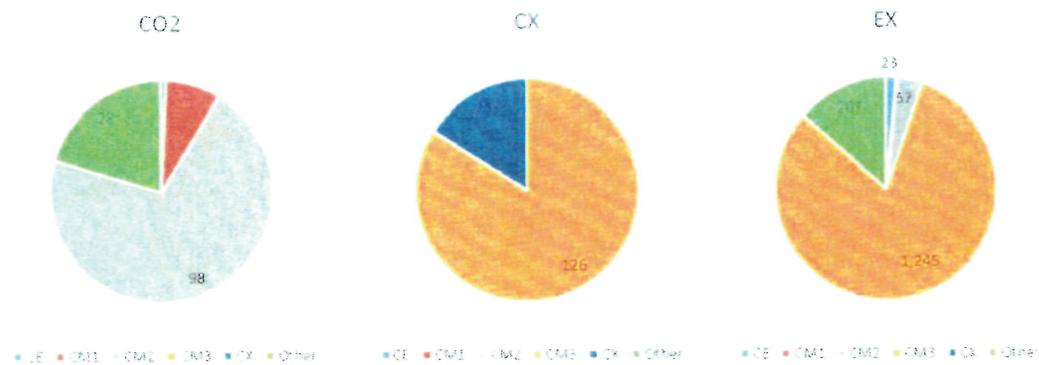
**Small scale commercial zones**



**Medium scale commercial zones**



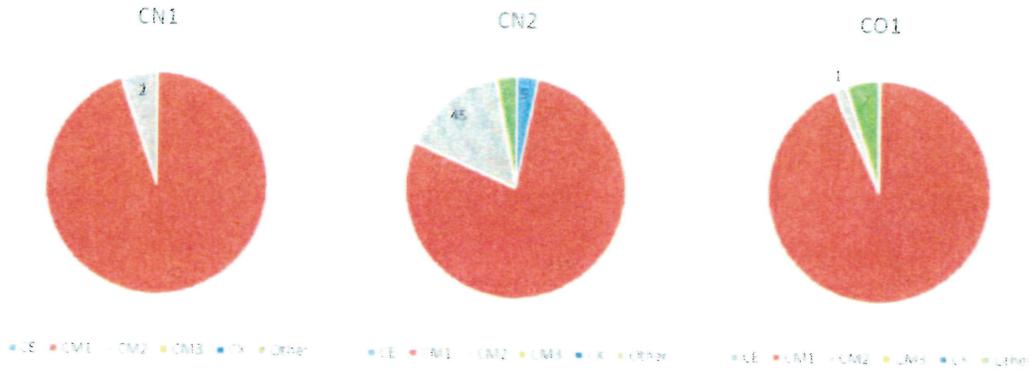
**Medium and large scale commercial zones**



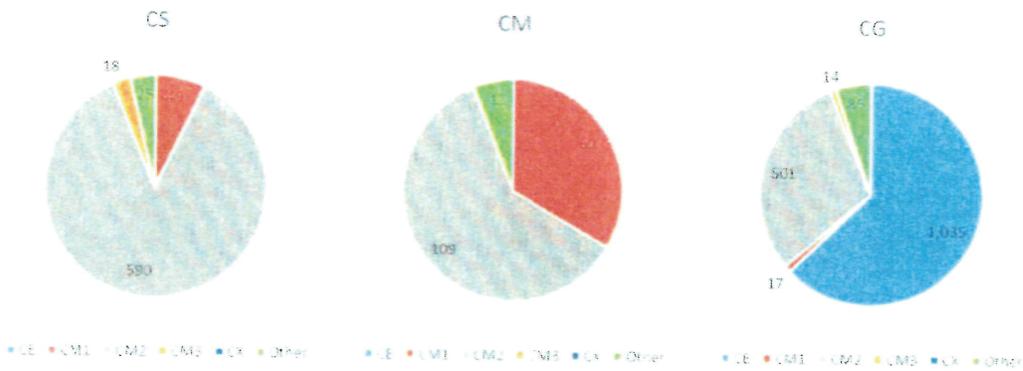
**Figure VII-2: Commercial/Mixed Use Rezoning Summary**

Number of acres assigned to each new zone, by old zones. Other = non Commercial/Mixed Use (EG1, EG2, R1, etc.)

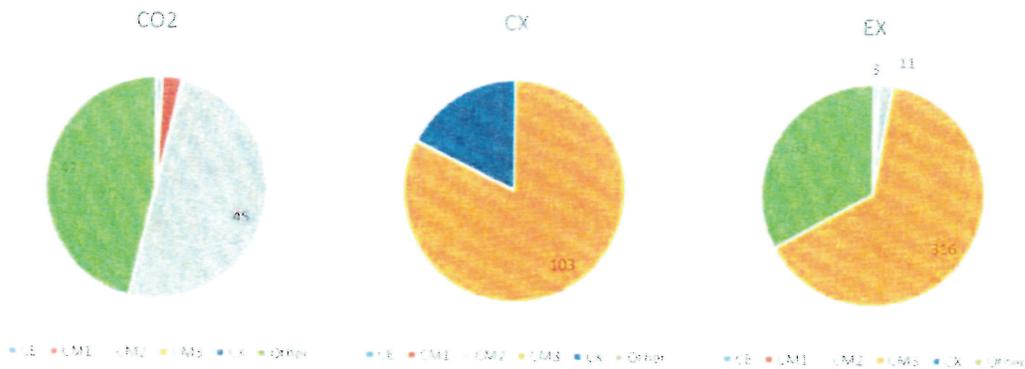
**Small scale commercial zones**



**Medium scale commercial zones**



**Medium and large scale commercial zones**



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## LEGAL MEMORANDUM

TO: Portland Planning and Sustainability Commission

FROM: Tim Ramis

DATE: July 19, 2016

RE: 1512 and 1434 SW 58<sup>th</sup> Rezoning Request  
File No. 50338-74976

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I am providing this summary of key questions and answers to supplement my oral testimony and letter of July 12, 2016 that requested rezoning of two properties in lower Sylvan to conform to their R-2 comprehensive plan designation.

1. Does preservation of two units of existing housing stock justify not conforming the zoning district to the plan district in this case?

No. Staff indicated to the Commission that nonconformity of zoning and plan districts is justifiable in rare cases where updating the zoning to match the plan would create pressure to replace housing with other uses. In this instance, the two existing units would be replaced by up to 22 townhouses. From a housing policy perspective, this is more desirable than the preservation of two small houses on an acre of urban land. The current situation is an obvious underutilization of land resources. The houses, one of which lacks a foundation, are nearing the end of their useful life. Redevelopment under the R2 zone would address the "missing middle" gap in the supply of affordable housing adroitly identified in the staff report; whereas preserving two half acre lots would not.

2. Has there been a change in circumstances that would justify preserving half acre lots in the lower part of Sylvan?

No. In fact the opposite is true. The neighborhood is now well served by the region's substantial investment in transit. The site is a four minute walk from a TriMet stop with frequent service to downtown Portland, Beaverton and Hillsboro. And, it is only a four

July 19, 2016

Page 2

minute drive to drop off a MAX rider to the Zoo Station. Within easy walking distance there are numerous retail, professional and public service uses supporting the neighborhood, including dry cleaners, convenience store, coffee shop, restaurant, alterations service, pizza and sandwich shops, fire station, doctor, dentist and therapist offices, recreation field, middle school and athletic club.

Lower Sylvan is a walkable neighborhood which is well served by transit. The maturing neighborhood, and the substantial investment in transit infrastructure, supports conforming the zoning to the comprehensive plan.

3. Would development at R-2 density have a substantial impact on the Skyline / Sunset Highway interchange?

No. In rezoning the contiguous property to the south, the hearings officer and Bureau staff found that the interchange was designed to accommodate trips generated by development in the area of Sylvan designated R-2 in the comprehensive plan. This legal finding is consistent with the recent traffic study which finds that the net increase at the p.m. peaks is only 9 trips. This falls far below the threshold for conduct of a traffic impact study under ODOT's procedures.

4. Does the condition of SW 58<sup>th</sup> justify denial of this request?

No. The development review process and conditions will require substantial improvements of the roadway and streetscape along the property frontage. Moreover, the major need on this segment of SW 58<sup>th</sup> is for safe sidewalks. Adjacent development to the south of the site demonstrates the generous sidewalks that come with redevelopment on the street. We previously provided photographs documenting this improvement. Expanding the network of sidewalks, the width of the sidewalks and the reach of the storm sewer system are needed upgrades to SW 58<sup>th</sup> that will only occur through redevelopment at an urban density consistent with the comprehensive plan.



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July 19, 2016

**VIA EMAIL**

Planning & Sustainability Commission  
Bureau of Planning & Sustainability  
City of Portland  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

Re: Composite Zoning Proposal - Mixed Use Zones Project  
Pliska Investments LLC & Space Age Fuel, Inc.

Dear Commissioners:

This firm represents Pliska Investments LLC and Space Age Fuel, Inc. (“Space Age Fuel”). Pliska Investments LLC owns several properties in which Space Age Fuel operates gas stations/convenience stores/service garages throughout the City. The Mixed Use Zones Project currently proposes to rezone the following Space Age Fuel properties as follows: (1) 16431 SE Foster Rd. from CG to CE; (2) 8410 SE Foster Rd. from EX to CM3; (3) 12920 SE Stark St. from CG to CM2; and (4) 11214 SE Powell Blvd. from CN2 to CM1. All of these properties have gas stations and convenience stores, and the 8410 SE Foster Rd. and 12920 SE Stark St. properties have vehicle repair shops as well. On behalf of Space Age Fuel, we are submitting the following comments and concerns regarding the Composite Zoning Proposal.

Space Age Fuel continues to be concerned about the proposed zoning for its properties and current draft Mixed Use Zones Project because it will render the gas stations and vehicle repair shops on at least three of these properties nonconforming uses and will make it virtually impossible to modernize or upgrade these sites. A gas station or “Quick Vehicle Servicing” use is prohibited in the CM1, CM2 and CM3 zones.<sup>1</sup> The only mixed use zone that would allow a gas station is the CE zone. With the exception of the 16431 SE Foster Rd. property, none of the remaining Space Age Fuel properties are proposed to be zoned CE. As a result of this proposed zoning, the gas stations and vehicle repair shops on three of Space Age Fuel’s properties will be nonconforming uses and will be prohibited from being remodeled, modernized or redeveloped with another gas station. While we understand that the mixed use zones are intended to be more pedestrian friendly, there is still a substantial public need for accessible gas stations throughout the City since automobiles are the primary mode of transportation for the vast majority of Portland residents and

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<sup>1</sup> Gas stations qualify as “Quick Vehicle Servicing” uses under the PCC. PCC 33.920.220(A).

will continue to be so for decades to come. Not only will the proposed mixed use zones impact the existing uses, but they will substantially reduce the value of these properties since it is extremely difficult to redevelop a site that was previously occupied by a gas station.

To avoid converting these existing gas stations into nonconforming uses and significantly reducing the value of these properties, Space Age Fuel requests that the Planning and Sustainability Commission zone all of Space Age Fuel's properties CE for the reasons set forth in Section A below. Based on recent conversations with Barry Manning at the City, the City staff supports a CE zone for the 16431 SE Foster Rd. and 12920 SE Stark St. properties. Space Age Fuel explains below why the other two properties should be similarly zoned CE. Additionally, Space Age Fuel supports City staff's proposal to allow existing gas stations to redevelop in all of the mixed use zones regardless of whether or not such uses are allowed in the underlying zone.

**A. All of Space Age Fuel's properties should be zoned CE.**

The easiest and most effective way to ensure that Space Age Fuel is not adversely impacted by the Mixed Use Zones Project is to zone all of its properties CE. When selecting the appropriate mixed use zone for a particular property, the existing use should weigh heavily in that consideration and the City should avoid imposing a new mixed use zone that will cause the existing use to become nonconforming. Since the CE zone is the only new mixed use zone that allows gas stations, the City should select the CE zone for all of Space Age Fuel's properties that have existing gas stations and/or vehicle repair shops. Not only would zoning these properties CE avoid converting the existing gas stations into nonconforming uses, but there are compelling reasons for changing the zoning to CE.

For the 12920 SE Stark St. property, the CE zone is more appropriate than the proposed CM2 zone. This particular CM2 zoned area is relatively small and is just outside the town center located along SE 122<sup>nd</sup> Ave. The CM2 zone is intended for "smaller mixed use areas that are well served by frequent transit," but this section of SE Stark St. is not well served by frequent transit. Additionally, this CM2 zoned area is practically adjacent to a CE zoned area that extends west along the south side of SE Stark St. The City could simply extend the CE zoned area to the east.

For the 11214 SE Powell Blvd. property, the CE zone is more appropriate than the proposed CM1 zone given the existing uses and the characteristics of the surrounding area. The proposed CM1 zoning applies to a small area around the intersection of SE Powell Blvd. and SE 112<sup>th</sup> Ave. that has predominately auto-oriented uses. This small area includes Space Age Fuel's gas station and convenience store, a quick service automobile battery and repair shop across the street at 11207 SE Powell Blvd. (Battery Specialist) and another gas station on the same block at 11421 SE Powell Blvd. (Leather's Oil), as well as restaurants. Given the predominant auto-oriented uses in this area, the proposed CM1 zone is inappropriate since it is intended to accommodate small scale "pedestrian oriented" development. The City should not impose a new pedestrian-oriented zone on an area that is predominately auto-oriented. In contrast, the CE zone is "intended for sites along corridors in areas between designated centers, especially along Civic Corridors that are also major truck streets." This area is not within a town center, SE Powell Blvd. is a Civic Corridor and this section of SE Powell Blvd. is between designated centers, and therefore the CE is appropriate in this area.

For the 8410 SE Foster Rd. property, the CE zone is more appropriate than the proposed CM3 zone. The immediate surrounding area includes a number of automobile oriented uses, such as Space Age Fuel's gas station, convenience store and vehicle repair shop, an automobile tire service center at 8530 SE Foster Rd. (Premium Tire Service), an automobile service center at 8324 SE Foster Rd. (Automotive Outfitters), and a gas station at the corner of SE Foster Rd. and 82<sup>nd</sup> Ave. (Shell). Given the predominant auto-oriented uses in this area, the proposed CM3 zone is inappropriate since "development is intended to be pedestrian oriented." The City should not impose a new pedestrian-oriented zone on an area that is predominately auto-oriented. In contrast, the CE zone is "intended for sites along corridors in areas between designated centers, especially along Civic Corridors that are also major truck streets." SE Foster Rd. is a Civic Corridor and this section of SE Foster Rd. is between designated centers, and therefore the CE is appropriate in this area.

To the extent the City does not want to make larger changes to the proposed mixed use zoning in these areas, the City can and should change the proposed zoning for just Space Age Fuel's properties given the existing uses on those properties. The Mixed Use Zones Project is proposing single CE zoned properties that are surrounded by other mixed use zones in order to accommodate existing uses in other instances.<sup>2</sup> The City should provide similar accommodations to Space Age Fuel's properties.

Finally, it is important to note that the Mixed Use Zones Project includes proposals to change some residentially zoned properties with established commercial use to a mixed use commercial zone so the existing uses can become legally conforming. If the City is rezoning residential properties to mixed use commercial in order to conform existing nonconforming uses, it should be willing to change the type of mixed use commercial zone for a particular property in order to avoid converting the existing commercial use into a nonconforming use.

**B. The Commission should support the City staff's proposal to broaden the nonconforming use accommodations for these types of uses.**

Although Space Age Fuel has not yet reviewed the City staff's specific code revisions, it supports the City staff's general proposal to broaden the nonconforming use accommodations for existing gas stations, quick vehicle servicing and drive through facilities in the other mixed use zones. The City staff has indicated that it is drafting code revisions that would allow existing gas stations, quick vehicle servicing and drive through facilities to redevelop and modernize even if they are located in one of the mixed use zones that does not allow these types of uses. As an alternative to zoning its properties CE, which is still Space Age Fuel's preferred outcome, it supports the City staff's efforts to minimize the impact of converting this large category of existing uses to

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<sup>2</sup> The following are examples of the City proposing a single CE zoned properties surrounded by other mixed use zones in order to accommodate an existing use. The Mixed Use Zones Project proposes a CE zone for the gas station and vehicle repair shop located at 9808 SE Division St. notwithstanding the fact that it is surrounded by CM1 and CM2 zoned properties. The Mixed Use Zones Project proposes a CE zone for the Fabric Depot property located at 700 SE 122<sup>nd</sup> Ave. notwithstanding the fact that it is surrounded by CM2 and CM3 zoned properties.

nonconforming and allow these properties to be redeveloped or modernized. The Commission should support this as well for multiple reasons.

The City should not prohibit or discourage the modernization and redevelopment of these uses. Space Age Fuel is objecting to the City's mixed use zoning proposals for its properties in large part because it wants to redevelop and modernize these facilities in the near-term future. Some of these facilities are older facilities that would greatly benefit from modernization. The City should encourage this type of investment and improvement to these facilities, not preclude it.

Prohibiting or discouraging the modernization and redevelopment of these uses will not lead to these sites being redeveloped with different uses. As discussed at the July 12, 2016 hearing and work session, past experience shows that converting existing uses to nonconforming uses through these types of zoning amendments does not lead to redevelopment. Rather, it incentivizes the property owner to continue with the existing development as is and not invest in improving the site. That is particularly the case for a gas station site because it is extremely challenging and cost prohibitive to redevelop a former gas station use into another type of use due to environmental issues.

The City needs to ensure that gas stations are reasonably accessible to the public throughout the City. Although we recognize that the City wants the new mixed use zones to be more pedestrian friendly, there is still a substantial public need for gas service stations throughout the City as we explained in our May 10, 2016 comment letter. Given the limited areas that are proposed to include CE zoning, there are simply not enough properties zoned to accommodate the gas stations necessary to serve the growing population. At a minimum, the City should reasonably accommodate the existing gas stations in the other mixed use zones so they can continue to serve the population in those areas.

The City should not adopt new regulations that undermine a specific category of uses and reduce the property values of these properties. One of the stated goals of the Mixed Use Zones Project is to retain and match the use allowances of the zones being replaced and not cause existing uses to become nonconforming. The current draft Mixed Use Zones Project is clearly not adhering to this principle with respect to gas stations and similar drive through facilities because they appear to be one of the few use categories that will be converted to nonconforming uses on a broad scale. While we understand that the mixed use zones are intended to be more pedestrian friendly, the Mixed Use Zones Project does not similarly impact other automobile-intensive uses, including some uses that generate far more traffic than a gas station (i.e. big box retail, grocery store, etc.). At a minimum, the City should provide some accommodations for those existing uses that will be uniquely and disproportionately impacted by the new mixed use zoning standards.

**Conclusion**

For the reasons provided above, the Commission should zone all of Space Age Fuel's properties CE and should support the City staff's proposal to broaden the nonconforming use accommodations for these types of uses in the other mixed use zones. We appreciate your consideration of our comments. We look forward to working with the City further on this matter.

Very truly yours,

HATHAWAY KOBACK CONNORS LLP



E. Michael Connors

EMC/pl  
cc: Clients

**From:** Joan M Pinkert [mailto:pinkertj@spiritone.com]  
**Sent:** Tuesday, July 19, 2016 2:14 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Belmont zoning

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Respectfully  
Joan Pinkert  
4110 SE Morrison St.  
Portland 97214

**From:** Cory Pinckard [<mailto:corypinckard@yahoo.com>]  
**Sent:** Tuesday, July 19, 2016 1:15 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Cc:** Cunningham, Bill <[Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov)>; Anderson, Susan <[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick <[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>; [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block

Planning and Sustainability Commission:

I understand that the public testimony has been re-opened on the proposed new mixed use zoning proposal for the 3300+ block of Southeast Belmont. I strongly support the original staff proposal of CM-1 zoning as opposed to the recent tinkering by the Planning and Sustainability Commission to up-zone it to CM-2. If we continue to obliterate these small parts of our city that give Portland character and make it special, we will be killing the goose that has been laying our golden eggs. Its the special places like our "Downtown Main Street" Belmont that give Portland's neighborhood their sense of community. You are the commission of planning and SUSTAINABILITY. Please remember that sustainability implies a long term perspective. Many developers are in the game for short term profit. It is up to you to balance that goal with what is going to be in the long- term sustainable economic interests of the city. You have a great responsibility. Building (and destroying) for the rich isn't progress or progressive. Constructing systems and environments that produce more winners in society and afford more people the opportunity to thrive is. Don't let us down!

<https://www.facebook.com/groups/stopdemolishingvintageportlandhouses/permalink/1100861286651600/>

Sincerely,  
Cory Pinckard

10830 SW Canterbury Lane #52  
Tigard, OR  
97224

**From:** Mary Ann Schwab [mailto:e33maschwab@gmail.com]  
**Sent:** Tuesday, July 19, 2016 4:41 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Cc:** Parker Terry <parkert2012@gmail.com>; Schwab Mary Ann <e33maschwab@icloud.com>; Tracy, Morgan <Morgan.Tracy@portlandoregon.gov>; McKnight, Bonny <bonnymcknight@gmail.com>; DeRidder Tamara <SustainableDesign@tdridder.users.panix.com>; Cunningham, Bill <Bill.Cunningham@portlandoregon.gov>; Manning, Barry <Barry.Manning@portlandoregon.gov>; Stockton, Marty <Marty.Stockton@portlandoregon.gov>  
**Subject:** Fwd: Revised Portland Population Projections Lowered and where middle housing should go.

With so many e-mails flying between Community Advocates, I want to make sure Terry Parker's suggestion below gets entered into the records.

His computer is down — and his getting adequate time to access computers in the Library is challenging.

By chance did Peter Fry reference you the Rossi Farm property in Parkrose as a development site for 250,000 news comers to Portland?

If not, are is the link about some revised populations projections from Metro — lower than those used by Portland for Everyone, a project of 1000 Friends of Oregon during last nights SE Uplift Land Use and Transportation Committee meeting.

<http://pamplinmedia.com/pt/9-news/315374-193715-metro-projects-big-population-growth-in-suburban-counties>

That article and last evenings land use meeting at SEUL (at which Portland for Everyone paid staff made a presentation) got Terry Parker [and MAS] to thinking.

The Rossi Farm property in Parkrose – probably the portion on the East side of NE 122<sup>nd</sup> – along with the K-Mart property is likely in the very near future to be developed, K-mart redeveloped. A consultant has been at several of the zoning hearings. In that no development exists on the farm property, and next to the next Portland park to be developed – the former Beach Park now with a new Native American Name – is ripe for a community of full so-called middle housing. Inclusive zoning for low income housing will be applied for any development of this size. It is likely that no single family homes will be constructed. The community will undoubtedly be planned as walkable along with how parking - likely insufficient – will be accommodated.

The downside is that even with a planned development of this size, it will be less desirable than existing single family home neighborhoods that have taken decades to develop because it will be a cookie cutter community without character initially lacking mature trees. Walkable will just mean the ease of getting from one place to another.

People need to be pointing out locations like this where middle housing can go instead of demolishing viable homes in fully developed single family home neighborhoods.

Terry Parker  
Advocate

Mary Ann Schwab, Community

1527 NE 65th Avenue  
Portland OR 97223

605 SE 38th Avenue  
Portland, OR 97224-3203

Please note, We Older Americans often face challenges when computers fail.

Hi Terry,

Thank you for sharing. I trust you were able to visit the Library and to have access to a computer.

It is like having my Bernini sewing machine in queue 8-weeks for maintenance — to late August TBA.

Hopefully, others will jump in to forward this to quarter-mile mapping today before 5:00 p.m. I'm off to pick up Erwin's Rx.

Best,  
mas

Begin forwarded message:

**From:** Terry Parker <[parkert2012@gmail.com](mailto:parkert2012@gmail.com)>

**Subject: Revised Portland Population Projections Lowered and where middle housing should go.**

**Date:** July 19, 2016 at 2:56:01 PM PDT

**To:** Mary Ann Schwab <[e33maschwab@gmail.com](mailto:e33maschwab@gmail.com)>

Here is a link to a Trib article about some revised population projections from Metro - lower than used in Portland's Comp Plan.

<http://pamplinmedia.com/pt/9-news/315374-193715-metro-projects-big-population-growth-in-suburban-counties>

That article and last evenings land use meeting at SEUL (at which Portland for Everyone paid staff made a presentation) got me to thinking.

The Rossi Farm property in Parkrose – probably the portion on the East side of NE 122<sup>nd</sup> – along with the K-Mart property is likely in the very near future to be developed, K-mart redeveloped. A consultant has been at several of the zoning hearings. In that no development exists on the farm property, and next to the next Portland park to be developed – the former Beach Park now with a new Native American Name – is ripe for a community of full so-called middle housing. Inclusive zoning for low income housing will be applied for any development of this size. It is likely that no single family homes will be constructed. The community will undoubtedly be planned as walkable along with how parking - likely insufficient – will be accommodated.

The downside is that even with a planned development of this size, it will be less desirable than existing single family home neighborhoods that have taken decades to develop because it will be a cookie cutter community without character initially lacking mature trees. Walkable will just mean the ease of getting from one place to another.

People need to be pointing out locations like this where middle housing can go instead of demolishing viable homes in fully developed single family home neighborhoods.

Terry

**From:** Suzanne Mattox [<mailto:wellspring99@msn.com>]  
**Sent:** Tuesday, July 19, 2016 12:07 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** SE Belmont zoning

**To the Planning and Sustainability Commission:**

**I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.**

**This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.**

**Thank you,**

**Suzanne Mattox**  
4406 SE Clay St., 97215

**From:** colleen l [<mailto:sevensibling@msn.com>]

**Sent:** Tuesday, July 19, 2016 8:56 AM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

**Cc:** Cunningham, Bill <[Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov)>; Anderson, Susan <[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick <[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>; [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)

**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block

Planning and Sustainability Commission: I understand that the public testimony has been re-opened on the proposed new mixed use zoning proposal for the 3300+ block of Southeast Belmont. I strongly support the original staff proposal of CM-1 zoning as opposed to the recent tinkering by the Planning and Sustainability Commission to upzone it to CM-2. If we continue to obliterate these small parts of our city that give Portland character and make it special, we will be killing the goose that has been laying our golden eggs. Its the special places like our "downtown main street" Belmont that give Portland's neighborhood their sense of community. .... You are the commission of planning and SUSTAINABILITY. Please remember that sustainability implies a long term perspective. Many developers are in the game for short term profit. It is up to you to balance that goal with what is going to be in the long- term sustainable economic interests of the city. You have a great responsibility. Don't let us down....Thank you...

Colleen Loprinzi

2742 s e 61st, Portland, Oregon 97206

**From:** Susan Lindsay [mailto:lindsays@pdx.edu]  
**Sent:** Tuesday, July 19, 2016 2:03 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Cc:** Christine Yun <cpyydx@gmail.com>; kjdarch1 <kend@kjdash.com>  
**Subject:** Full Opposition to Targeted "Middle Housing"

Dear Commissioner Baugh and fellow Planning and Sustainability Commissioners,

I stand in firm opposition to the concept that so-called "Middle Housing" only be within 1/4 mile of frequent transit.

If there is going to be a wholesale, outside of the legal framework of the comp plan, mass 'rezoning' taking place without the necessary public involvement and inclusion, then that rezoning needs to be applied city-wide.

This proposal will only further segregate our city into neighborhoods of "have" and "have not", it will protect wealthy neighborhoods from change and cause loss of affordability, increased demolitions and intense rental increases...including ADUs built for the transient/short term housing market.

The SW hills and many parts of NE Portland, along with their highly desired schools, will continue to be areas out of reach of young couples

There is no reason why access to all neighborhoods should not be available to all. All this provision does is create a new form of "gated community".

The Buckman Neighborhood has been doing its work with density all along. "Middle Housing" is nothing new to us. It's time for all other neighborhoods, especially those in NE enclaves, Eastmoreland and the SW hills to share the task of this mass increasing of density and in the making of smaller housing units.

Any imposition of this "outside the comprehensive plan mass rezoning" should occur city-wide...or not at all....as there are certainly some grave legal issues with how this all came to be.

Respectfully Yours,

Susan Lindsay  
625 SE 17th Avenue  
Portland, OR 97214

**From:** Krawczuk, Dana (Perkins Coie) [mailto:DKrawczuk@perkinscoie.com]  
**Sent:** Tuesday, July 19, 2016 4:32 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Cc:** Reynolds, Allison J. (Perkins Coie) <AReynolds@perkinscoie.com>; Lauren Golden Jones <Ljones@capstone-partners.com>  
**Subject:** Zoning Composite Map Zone Change Request for 2800 NE 82nd Avenue

Please include this testimony in the record for the above referenced proceeding.

The undeveloped property at 2800 NE 82<sup>nd</sup> Avenue is the former H.G. Lavelle Landfill site. Given the historic use of the property, development requires 80+ foot piles in some areas order to reach native soil and there are ongoing methane extraction requirements. For these reasons, it is not feasible to develop the property with industrial or other uses allowed in the property's EG2 zone. For example, in the two decades, at least four development proposals of varying levels of retail have failed due to site development costs. A zone that allows retail use is a more appropriate designation for this unique site. Therefore, we request that the property be zoned CE.

Thank you for your consideration,

Dana Krawczuk

**Dana Krawczuk | Perkins Coie LLP**  
**SENIOR COUNSEL**  
1120 N.W. Couch Street Tenth Floor  
Portland, OR 97209-4128  
D. +1.503.727.2036  
F. +1.503.346.2036  
E. [DKrawczuk@perkinscoie.com](mailto:DKrawczuk@perkinscoie.com)

**From:** Doug X [mailto:dougurb@gmail.com]  
**Sent:** Tuesday, July 19, 2016 11:32 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Composite Zoning Map

Doug Klotz  
1908 SE 35th Place  
Portland, OR 97214  
July 19, 2016

To;  
Planning and Sustainability Commission  
Katherine Schultz, Chair

Re: Composite Zoning Map

Dear Ms Schultz and commissioners.

In light of testimony you may be receiving, I wanted to reiterate my position that none of the "downzonings" proposed in the "low-rise commercial areas" should take place, and all of those areas should remain CM-2.

In the 33rd to 34th stretch of Belmont, for instance, there is concern that the one- and two-story buildings there will be replaced, and their historic facades will be lost. (This is an area where the commission already tentatively decided to NOT downzone to CM-1)

However, the proposal in question is to replace a two-story building with a three-story building, which would be allowed in CM-1 anyway. And, any reduction from the current CS (4-story) to CM-1 (3-story), wouldn't take place until 2018.

A better path would be to keep the zoning here and in all other such areas, at CM-2, to allow 4-story buildings, and use the time between now and Jan. 2018 to explore other options to retain at least the historic feel of these street frontages, perhaps with some sort of facade preservation incentive or even requirement, such as apparently is in place in Seattle's Capitol Hill area.

Division Street, likewise, should remain at CM-2.

Thank you.

Doug Klotz

**From:** [BMKLENA@aol.com](mailto:BMKLENA@aol.com) [<mailto:BMKLENA@aol.com>]

**Sent:** Tuesday, July 19, 2016 8:29 AM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

**Cc:** Cunningham, Bill <[Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov)>; Anderson, Susan <[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick <[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>; [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)

**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block

Planning and Sustainability Commission:

I understand that the public testimony has been re-opened on the proposed new mixed use zoning proposal for the 3300+ block of Southeast Belmont. I strongly support the original staff proposal of CM-1 zoning as opposed to the recent tinkering by the Planning and Sustainability Commission to upzone it to CM-2. If we continue to obliterate these small parts of our city that give Portland character and make it special, we will be killing the goose that has been laying our golden eggs. Its the special places like our "downtown main street" Belmont that give Portland's neighborhood their sense of community. .... You are the commission of planning and SUSTAINABILITY. Please remember that sustainability implies a long term perspective. Many developers are in the game for short term profit. It is up to you to balance that goal with what is going to be in the long- term sustainable economic interests of the city. You have a great responsibility. Don't let us down....

Thank you...

Barbara kite  
7733 SE Alder St  
Portland OR 97215

*Barbara Kite*  
**Executive Speaking,  
Professional Acting Coach  
and Speaker**  
[www.barbarakite.com](http://www.barbarakite.com)  
503-423-7437

**From:** Kate & Chris [<mailto:samsa@pacifier.com>]

**Sent:** Tuesday, July 19, 2016 1:22 PM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

**Cc:** Cunningham, Bill <[Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov)>; Anderson, Susan <[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick <[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>; Commissioner Saltzman <[dan@portlandoregon.gov](mailto:dan@portlandoregon.gov)>; Novick, Steve <[Steve.Novick@portlandoregon.gov](mailto:Steve.Novick@portlandoregon.gov)>; [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)

**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block

Please say “no” to up-zoning Historic Belmont Street and keep the CN1 three-story maximum.

It is becoming clear that actual, real, stood-the-test-of-time Portland is disappearing and being replaced by disposable, history-less strip-block planning that displaces the local working class in the service of the global real-estate speculation boom.

This up-zoning boom is antithetical to everything that makes Portland home to those who live here, and everything that attracts businesses and tourists to relocate here.

It is also dangerous to our already fragile economy.

Booms provide only short-term profits to a few at the top of the investment pyramid. Then they end. When this boom ends, it will not end like the 90s boom, leaving us with thoughtfully designed buildings that enhance the existing character of the city. It will leave Portland no longer Portland, in a bad economy, with no industry, and no working or service class. Just blocks of empty, hastily constructed mod cubes that will quickly become tenements that hurl bits of aluminum and particle-board siding on passers by.

In the mean time, all the long-time residents whose hard work has sustained the city will have been priced out by a city that sees their mom-and-pop businesses as a mere obstacle to a quick development buck.

Instead of destroying our city, we need to address the real causes of the housing shortage: mortgage banks holding derelict and foreclosed properties off market to boost their spreadsheets under regulatory scrutiny; affordable housing being knocked down and replaced 1:1 by poorly planned investments that must charge higher rents to pencil out; tax and regulatory structures that make it hard for working-class families to subdivide or add basement units to their single-family houses. Etc.

Portland residents are smart, and they have been telling you what is wrong. You just haven't been listening to them.

There is no evidence that Portland is under-zoned.

There is abundant worldwide evidence that speculatively planned modernist mass-housing

blocks quickly devolve into uninhabited blight.

Meanwhile, there is real evidence that Portland's long-term residents are experiencing economic hardship, and need industrial jobs and middle-income entrepreneurship opportunities, as well as retention of the homes they worked hard for.

Concentrate on building our economy, not knocking down our structures. Serve real Portland. We are this:



Not this:



Thank you,

Katherin Kirkpatrick  
Working-class resident and lifelong Oregonian, Inner SE Portland  
[samsa@pacifier.com](mailto:samsa@pacifier.com)  
503-232-8663

Katherin Kirkpatrick  
1319 SE 53rd Avenue  
Portland, OR 97215

**From:** [patwrites@comcast.net](mailto:patwrites@comcast.net) [<mailto:patwrites@comcast.net>]  
**Sent:** Tuesday, July 19, 2016 11:27 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Subject Line: Testimony AGAINST CN2 zoning for Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the history and livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,  
Pat Janowski  
7804 SE Salmon St  
Portland, OR 97215



520 SW Yamhill St.  
Suite 235  
Portland, OR 97204

**Christopher P. Koback**  
503-205-8400 main  
503-205-8404 direct

[chriskoback@hkcllp.com](mailto:chriskoback@hkcllp.com)

July 19, 2016

**VIA EMAIL**

Planning & Sustainability Commission  
Bureau of Planning & Sustainability  
City of Portland  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

Re: Composite Zoning Proposal-Mixed Use Zone Project  
Robert Foglio, Owner of 2626 NE Dekum

Dear Commissioners:

This firm represents Robert Foglio, owner of the property located at 2626 NE Dekum Street in Portland. Mr. Foglio acquired the property on June 26, 2015. The Property was, and still is, zoned Neighborhood Commercial 2 ("CN2"). That zone is intended for small sites in or near less dense or developing residential neighborhoods. The permitted uses include household living, retail (with limitations), schools, colleges, medical centers and religious institutions. PCC Chapter 130, Table 130-1. Density is determined by FAR and the maximum is .75 to 1 FAR, but that does not apply to residential uses. That lack of an FAR, combined with a 65% maximum building coverage and limited setbacks (10 feet for transit street or pedestrian district) allows for a viable residential development on a small site.

As part of the recently comprehensive plan amendment process, the City initially slated Mr. Foglio's property to be designated Campus Institutional. Mr. Foglio and our firm testified on that matter and that designation was not placed upon his property. Rather, his property was designated CM1 and is currently proposed to be rezoned to CM1 as part of the Mixed Use Project. Mr. Foglio submitted written comments specific to the Mixed Use Project hearings. Mr. Foglio also wants his position set forth in the Composite Zoning Proposal.

Mr. Foglio is concerned over the significant economic impact that rezoning his property to CM1 will have. He believes that retaining the CN2 zoning is the most appropriate zoning for small parcels such as his. While the impact of the proposed rezoning is linked to development standards in the new proposed zone, Mr. Foglio feels it is appropriate for him to address the issue in this forum for a couple of reasons. First, because the new FAR standards for residential uses in the CM1 zone have already been published in draft form, the proposed new zoning is the direct cause of the negative impacts to Mr. Foglio's property. Second, Mr. Foglio is not certain whether there

will be a process in connection with implementing the new development standard in which he will be able to make his points.

**A. The proposed CM1 Zoning will defeat the reasonable economic expectations Mr. Foglio had when he purchased his property.**

Mr. Foglio, and other owners, acquired properties in the CN2 zone because it permits multi-family housing and does not have an FAR. Small lots within a commercial zone are not conducive to commercial redevelopment. But, the lack of FAR allows owners to develop residential uses that are economically feasible. Thus, the highest and best use of these small CN2 parcels is residential redevelopment. The purchase price is based upon that highest and best use and in Mr. Foglio's case, was higher than if he acquired the property that was limited to commercial development or had to meet an FAR requirement for residential uses. In this case, if the CM1 zoning is applied to Mr. Foglio's property, he will have to redevelop his property with an FAR of 1.5 to 1 for all uses including residential living. As a result, he will lose two residential units that he counted on when he acquired the property under the CN2 zoning. That loss in units equates to an annual loss between \$30,000.00 and \$36,000.00. Mr. Foglio strongly believes that the proposal for his property is a taking. If his property was appropriate for a residential development with no FAR prior to the current plan, he does not see how it can now be inappropriate for the same development.

It appears to Mr. Foglio that the City recognizes the significant negative impact the proposal will have on his property, but the suggested response to the proposed rezoning is not adequate. The only options mentioned are to quickly file applications for development before the zone change, or apply for a density bonus, which could permit an FAR of 2.5 to 1. Not many owners can immediately apply for development permits. For example, as in Mr. Foglio's case, he acquired the property subject to an existing lease. That is not unique to Mr. Foglio. It is not uncommon for commercial properties to transfer with existing leases. Redevelopment may be some time down the road. Even if an owner applied and received permits, they would lapse before he could take actions to vest his or her development rights. The only alternative in some cases would be to force an owner to pay a lease termination fee, or violate the lease and be exposed to damages.

As far as Mr. Foglio can determine, the specific density bonus that will be available are not yet published. Based upon his conversations with staff, he understands that the primary focus will be on a bonus for affordable housing. He does not feel that he should be forced to develop and own affordable housing to obtain the development rights upon which he based his acquisition. There is nothing wrong with having incentives to develop affordable housing, but Mr. Foglio feels that the proposed bonuses really try to coerce such development by denying owners the rights they expected when they acquired property unless they develop affordable housing.

**B. There are alternatives that are consistent with the general purposes the City seeks to advance.**

The most effective means to avoid the dramatic economic impact on owners such as Mr. Foglio is for the City to retain the CN2 zoning on small CN2 properties. Mr. Foglio feels that the City should more carefully examine how proposed zoning will impact small commercial parcels that are not appropriate for commercial development and thus, rely upon the lack of FAR to support

feasible redevelopment. He believes that a careful review of the impacts of the CM1 zone on a fairly small population of lots, will lead to a conclusion that those small lots are more appropriate with the CN2 zone. On this point, it does not appear that the general purposes of the CN2 and CM1 zones are substantially different. Both zones are intended to promote small scale development in or near residential areas. While the CM1 zone may be more directed at pedestrian oriented development, that type of development is not inconsistent with the CN2 zone. In fact, the current CN2 zone contains development standards specific to development in pedestrian districts. Pedestrian oriented development is compatible with the CN2 zone.

Another alternative, that would allow the City to accomplish the underlying goals of the Mixed Use Project and not negatively impact the small CN2 parcels, would be to rezone CN2 properties to CM1, but recognize that many current owners purchased CN2 property in reliance upon the CN2 standards and delay the effective date for the application of the new FAR standards. There are a number of options for how the City could do this. One way is to grandfather all CN2 properties under a certain size so they can be developed as residential uses without an FAR requirement. It appears that in other contexts, such as uses that would become nonconforming, the City has considered grandfather provisions to avoid the negative impacts on owners of those properties.

A second way to approach the situation would be to provide owners with a reasonable period of time under the CM1 zoning before the FAR standards apply to former CN2 zoned properties. Recognizing that a number of those properties have long term leases that prevent immediate development, the code could be written to allow owners to proceed with residential development under the current FAR standard for CN2 properties if they do so within a specified period.

#### **Conclusion.**

The City should not take away the reasonable economic expectation of owners who acquired small CN2 properties based, in part, at least on the absence of an FAR requirement. The basic purpose behind the proposed CM1 zone can still be achieved if small CN2 properties remain under that zone. Moreover, even if the CM1 zone is applied, there are steps the City can take to avoid taking a significant amount of the value of the CN2 properties from the owners.

Thank you in advance for your consideration of this request.

Very truly yours,

HATHAWAY KOBACK CONNORS LLP



Christopher P. Koback

CPK/pl

cc: Barry Manning, Senior Planner  
Robert Foglio

**From:** daniel flessas [mailto:theoutsideworld2001@yahoo.com]  
**Sent:** Tuesday, July 19, 2016 10:02 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Belmont

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the [3300 - 3356 SE Belmont Street](#) block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

~Daniel Flessas  
2133 SE Tibbetts  
Portland, OR 97202

**From:** Erin Flasher [mailto:erin@phloxie.com]  
**Sent:** Tuesday, July 19, 2016 4:58 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Opposition to Zoning Changes

Hi,

I'm writing in complete opposition to the zoning changes that are being proposed city-wide to encourage greater density within 1/4 miles of corridors. The plan is VERY poorly thought through and there are many holes to be filled and questions to be answered. For example:

1. With the increase in ADU's how do you prevent these from becoming nightly rentals in lieu of actual housing? (Most nightly rentals (Airbnb, Vacasa) are currently unregistered in the City and the City has made no provision to stop this.)
2. Increasing rentals within the city core will destabilize neighborhoods by creating many more transient-type housing options.
3. Demolitions will increase rapidly as developers have more access to demolish existing homes. Portland will become a city of pressboard and glue instead of beautiful old homes made of old-growth wood.
4. The concept of "missing middle housing" is a myth. We are not missing middle housing. Many people have internal or external ADU's or rent rooms in their homes. Many neighborhoods already have garden apartments, condos, and, trashy L-shaped apartments with parking areas and cats.
  1. The concept of "Missing Middle Housing" seems to be a concession to developers who will no longer be able to profit so greatly from creating McMansions once the scale of new home changes are adopted.
  2. There is absolutely no concrete data that increasing apartments within the city will create "affordable" housing.
  3. What is "affordable" housing? Who determines what that is, where it will go, and the level of quality it will contain?
  4. Does everyone want to live in a converted garage or in someone's basement or attic or have a looming apartment shading their garden?
  5. Should all homeowners aspire to become landlords?
    1. Or, will outside interests take ownership of our City? (this is most likely the case as homes turn over and the quality people who made Portland Portland flee.)
5. Rezoning will increase demolitions instead of internal conversions of existing structures.
6. THERE IS MORE THAN TWICE THE BUILDABLE LAND FOR THE PEOPLE WE EXPECT TO MOVE TO PORTLAND ALREADY AVAILABLE WITHIN THE URBAN GROWTH BOUNDARY! Send Developers there!
  1. Metro's new study that came out today (7/19/2016) states that many of these new residents WILL NOT be moving to Portland proper. They will be moving to suburbs both within and outside of the Urban Growth Boundary.
7. There is no data established to say when enough density in a neighborhood is enough. When do you consider a neighborhood "full" and stop issuing compaction permits to developers and ADU permits to neighbors?
8. Portland is a city of recreation. As much as we all think people should take public transportation, we know most will still own cars so they can enjoy the rest of Oregon at their will.
9. Many, many people do not work downtown and only go downtown infrequently. Thinking everyone needs to be close to downtown is very misguided.
  1. Most residents go out in the vibrant neighborhoods in lieu of going out downtown.
10. What is a "corridor"? Is it any busy street? Is the definition flexible so that it can be manipulated later to serve a developer's needs?

Rezoning a quarter-mile from corridors would be absolutely devastating to ALL neighborhoods in Portland. Why not flesh out the corridors, first, and then see what might still need to happen? Focusing on creating vibrant, walkable neighborhoods away from downtown will help draw people to want to live in those parts of town, too. Most people I know only go downtown once or twice a month. We don't need to solve the housing issue this year for every single person expected. We have another 40 years *to do it right*.

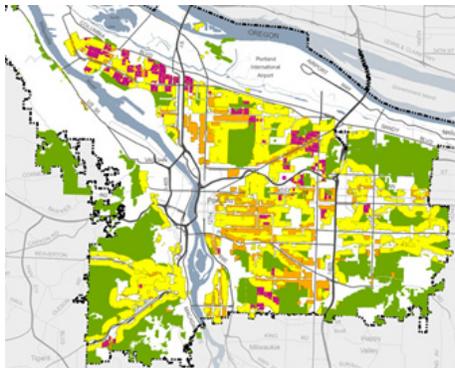
Please do the right thing and say NO to rezoning Portland neighborhoods. It goes against the Comp plan, anyway and may not even be legal.

Erin Flasher  
2024 SE Woodward St.  
Portland, OR 97202

**From:** Teresa Ann Ellis [mailto:teresaann.ellis@gmail.com]  
**Sent:** Tuesday, July 19, 2016 4:27 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Cc:** Teresa Ann Ellis <teresaann.ellis@gmail.com>  
**Subject:** Residential Infill Proposal

[A copy of this letter was sent to Morgan Tracy and Julia Gisler, at the Residential Infill Project]

When I first read about the proposed zoning changes, in the online survey, they seemed like reasonable proposals that would affect a few high-traffic areas. ADU's provide housing, and the house-size limits are a good idea, but they could be tweaked to fit different neighborhoods. However, I'm concerned after seeing the Maps section, where it's clear that an overwhelmingly-large proportion of the city would be affected, as shown below in a copy of the interactive map that results from selecting options for all four proposed changes (see note "\*" at end of letter).



The survey states that the "new Comprehensive Plan encourages relatively smaller and more affordable housing near Centers and Corridors and within Inner Ring neighborhoods." These changes could unleash a frenzy of demolition and development that would irreparably destroy the city's "livability" while preparing conditions for an epidemic of foreclosures in the next economic downturn. Neighborhoods would be changed beyond recognition without any assurance that the supply of affordable housing would increase. There has to be a better set of rules to promote affordability—the current proposals leave too many loopholes that provide opportunities for a quick-buck at the expense of livable neighborhoods.

I specifically oppose the expansion of "Centers and Corridors" to include all areas within a quarter-mile of them, and the proposal for "Cottage cluster development", since those together cover almost all the city. In addition to specific concerns about "infill," the whole project is premature, if not unfeasible, because there is no equivalent attention to the infrastructure that is needed to accommodate the large predicted increase in population. Infrastructure includes "public facility systems [that] provide water, sewer, transportation;" access to "public services [that] include ... public

transportation and police, fire, and emergency response; in addition, services such as access to broadband technology, electricity and natural gas, and comprehensive waste, recycling, and composting services are essential for households and businesses.” [quotes are from page GP-1, 2035 Comprehensive Plan, June 2016].

Sincerely yours,

Teresa Ann Ellis

6246 SE Scott Drive

Portland, OR 97215

503-444-7474

\* People who read the maps quickly might not notice that the use of colors changes on the interactive maps. The basic map includes a KEY to the map’s colors, but some colors on the interactive maps indicate different categories than they do in the KEY. The color yellow, which is keyed as “Single-dwelling Residential” on the basic map, indicates “Centers and Corridors” on the interactive map for that potential change, and green, keyed as “Open Space” on the basic map, indicates “Cottage cluster development” on the interactive map.

Two proposed changes, “Centers and Corridors” and “Cottage cluster development,” affect almost the entire map of the city, with most of the unaffected areas being non-residential categories such as Industrial/Employment, or Open Space (parks, etc.). What does this mean? It seems to mean that, in most areas of the city, the proposed changes could allow someone to replace a single-family house with multiple units. According to the survey, areas “near Centers and Corridors” could “allow duplexes on all lots and triplexes on corner lots” [underline added]. And, for any lot over 10,000 square feet, “cottage clusters” would be allowed, and the review process for them would be “reduced.” The remaining category for proposed conversion to multiple housing units is the now-invisible “narrow lots,” which were doubled or tripled in the past as one lot with one house. Again, these four categories together cover almost the entire residential area of the city, overlapping in many neighborhoods (e.g., see Sunnyside).

**From:** Gina deLeo [<mailto:deleo.gina@gmail.com>]  
**Sent:** Tuesday, July 19, 2016 4:58 PM  
**To:** Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>  
**Subject:** Planning and Sustainability Commission- resident opinion

Dear Mayor Hales,

Dear Amanda,

As a resident of SE Portland, I am sending you this letter in hopes that opinions like mine will help you make decisions regarding planning in Portland.

After years of living at SE 35th and Woodward in the Clinton neighborhood, my family and I moved to SE 53rd and Division in the outer Mt. Tabor neighborhood. Part of the reason for this move was the feeling that we did not recognize our neighborhood anymore, as it became a crowded tourist destination partly brought on by new buildings the PDC encouraged. Now, with the proposed changes to a greater area of SE Portland, our new neighborhood could be following suit.

As far as the new planning of SE Portland and Portland in general, cramming our neighborhoods with multiple housing will not lead to livability. Already, the increase in traffic and parking issues have created havoc in our neighborhoods. The Clinton/ Division area has become a misery of navigating cars, pedestrians and bicyclists at all hours.

The commission has proposed rezoning traditional lots to include multi-family housing and multiple buildings. This results in loss of green space (yards and gardens). Greenspaces are integral to both human and animal mental and physical well-being. The City does not require developers to leave greenspaces or designate money for parks within the area being developed. The loss of light to existing homes when tall buildings are built also impacts our neighborhood for the worse.

Most of the housing that developers are putting up are built quickly and cheaply. Very little thought or care seems to go into the design and building materials, and yet developers are given tax breaks to build this 'infill' housing even as they bulldoze perfectly good homes that were built with local old growth lumber.

Our schools are overcrowded already, streets cannot handle the extra traffic (and having triple buses traveling up and down Division St can only exacerbate this). Where is the infrastructure for the large numbers of people to be crowded in to the inner city?

Is this the Portland that we want to live in and plan toward? Breaking the inner neighborhoods down can only lead to unsustainable crowding. No matter how much developers build in popular downtowns across the country, the prices never decrease, but the livability does. We have a chance to keep Portland's character and not become another crowded city full of generic buildings in a concrete and glass wasteland.

Thank you,

Gina deLeo  
2225 SE 53rd Avenue  
Portland, OR 97215

[deleo.gina@gmail.com](mailto:deleo.gina@gmail.com)  
(503) 758-6949

**From:** Amie Davis [mailto:amie.davis503@gmail.com]

**Sent:** Tuesday, July 19, 2016 6:40 AM

**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>; billcunningham@portlandoregon.gov; Anderson, Susan <Susan.Anderson@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Fish, Nick <NickFish@portlandoregon.gov>; Hales, Mayor <mayorcharliehales@portlandoregon.gov>; fox12news@kptv.com

**Subject:** Do not up zone historic Belmont street

Planning and Sustainability Commission: I understand that the public testimony has been re-opened on the proposed new mixed use zoning proposal for the 3300+ block of Southeast Belmont. I strongly support the original staff proposal of CM-1 zoning as opposed to the recent tinkering by the Planning and Sustainability Commission to upzone it to CM-2. If we continue to obliterate these small parts of our city that give Portland character and make it special, we will be killing the goose that has been laying our golden eggs. Its the special places like our "downtown main street" Belmont that give Portland's neighborhood their sense of community and MAKE IT DESIRABLE FOR PEOPLE TO WANT TO MOVE HERE. Take away that, and people arent going to want to move here any more. You are the commission of planning and SUSTAINABILITY. Please remember that sustainability implies a long term perspective. Many developers are in the game for short term profit. It is up to you to balance that goal with what is going to be in the long- term sustainable economic interests of the city. You have a great responsibility. Don't let us down....Thank you...

Amie Davis  
1732 SE 47th Ave.

**From:** Nancy Chapin [<mailto:nchapin@tsgpdx.com>]  
**Sent:** Tuesday, July 19, 2016 9:06 AM  
**To:** BPS Mailbox <[BPSMBX@portlandoregon.gov](mailto:BPSMBX@portlandoregon.gov)>  
**Subject:** Concern about zoning proposal

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

One of your criteria is "context" and allowing five story buildings in the midst of a two story historic area is not appropriate.

Nancy Chapin  
4635 SE Flavel Drive  
Portland, OR 97206

--

TSG Services  
503-313-1665  
[nchapin@tsgpdx.com](mailto:nchapin@tsgpdx.com)

**From:** jackbookwalter@yahoo.com [mailto:jackbookwalter@yahoo.com]

**Sent:** Tuesday, July 19, 2016 1:33 AM

**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>

**Cc:** PATRICK HILTON <patrickhilton@yahoo.com>; stuart@stuartemmons.com; nerdletta@yahoo.com; Jeff Cole <tjeffcole@gmail.com>

**Subject:** Mixed Use Zoning Belmont

Planning and Sustainability Commission: I understand that the public testimony has been re-opened on the proposed new mixed use zoning proposal for the 3300+ block of Southeast Belmont. I strongly support the original staff proposal of CM-1 zoning as opposed to the recent tinkering by the Planning and Sustainability Commission to upzone it to CM-2. If we continue to obliterate these small parts of our city that give Portland character and make it special, we will be killing the goose that has been laying our golden eggs. Its the special places like our "downtown main street" Belmont that give Portland's neighborhood their sense of community and MAKE IT DESIRABLE FOR PEOPLE TO WANT TO MOVE HERE. Take away that, and people arent going to want to move here any more. You are the commission of planning and SUSTAINABILITY. Please remember that sustainability implies a long term perspective. Many developers are in the game for short term profit. It is up to you to balance that goal with what is going to be in the long- term sustainable economic interests of the city. You have a great responsibility. Don't let us down....Thank you...

JACK BOOKWALTER  
4110 NE KCLICKITAT  
PORTLAND 97212

T-Mobile. America's First Nationwide 4G Network.

**From:** cecelia bockenstedt [[mailto:cecelia\\_bockenstedt@yahoo.com](mailto:cecelia_bockenstedt@yahoo.com)]  
**Sent:** Tuesday, July 19, 2016 9:09 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Cc:** Cunningham, Bill <[Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov)>; Anderson, Susan <[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick <[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>; [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** [Approved Sender] Composite Zoning Proposal - SE Belmont Street - Historic Block

I understand that the public testimony has been re-opened on the proposed new mixed use zoning proposal for the 3300+ block of Southeast Belmont.

I strongly support the original staff proposal of CM-1 zoning as opposed to the recent tinkering by the Planning and Sustainability Commission to upzone it to CM-2.

If we continue to obliterate these small parts of our city that give Portland character and make it special, we will be killing the goose that has been laying our golden eggs. Its the special places like our "downtown main street" Belmont that give Portland's neighborhood their sense of community.

You are the commission of planning and SUSTAINABILITY. Please remember that sustainability implies a long-term perspective. Many developers are in the game for short-term profit. It is up to you to balance that goal with what is going to be in the long-term sustainable economic interests of the city.

You have a great responsibility. Don't let us down!

Thank you.

Cecelia Bockenstedt  
20140 SE Borges Road, Damascus, OR 97089

**From:** stella-lee Anderson [<mailto:stellaleeanderson@gmail.com>]

**Sent:** Tuesday, July 19, 2016 3:52 AM

**To:** BPS Mailbox <[BPSMBX@portlandoregon.gov](mailto:BPSMBX@portlandoregon.gov)>

**Subject:**

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Sincerely,  
Stella Anderson

50 yacht coe dr. Apt 232 hilton head island, sc. 29928

**From:** markydsade@gmail.com [mailto:markydsade@gmail.com] **On Behalf Of** Mark Donahue

**Sent:** Monday, July 18, 2016 3:57 PM

**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>; Cunningham, Bill <Bill.Cunningham@portlandoregon.gov>; Anderson, Susan <Susan.Anderson@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Fish, Nick <NickFish@portlandoregon.gov>; Hales, Mayor <mayorcharliehales@portlandoregon.gov>

**Subject:** Testimony AGAINST CN2 zoning for Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the history and livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,

Mark Donahue

3067 NE Oregon St

Portland, OR 97232

**From:** Christine Yun [mailto:cpypdx@gmail.com]

**Sent:** Monday, July 18, 2016 8:54 PM

**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>

**Subject:** zoning change on Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story) which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the growth of the Portland metropolitan economy.

This block reflects the streetcar era in its scale and diversity. Do not let it turn into a place that could be anywhere.

Christine Yun

1915 SE Alder St.

Portland, OR 97214

**From:** Bettina Wolochuk [mailto:[bwolochuk@gmail.com](mailto:bwolochuk@gmail.com)]  
**Sent:** Monday, July 18, 2016 6:45 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** SE Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,  
Bettina Wolochuk

1836 SE 42nd Ave, Portland, OR 97215

**From:** DEE WISE [<mailto:wisemove1@msn.com>]

**Sent:** Monday, July 18, 2016 7:22 AM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

**Subject:** Belmont St.

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the [3300 - 3356 SE Belmont Street](#) block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Thank you,

Dee Wise

Delores Wise  
7227 SE Hawthorne Blvd  
Portland OR 97215

**From:** Judi and Tom Webb [mailto:clanwebb@comcast.net]  
**Sent:** Monday, July 18, 2016 3:51 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** STOP DEMOLISHING PORTLAND

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Judi Webb  
3757 SE Alder St  
Portland OR 97214  
503-888-5833

**From:** Courtney Von Drehle [<mailto:cvond@teleport.com>]  
**Sent:** Monday, July 18, 2016 10:22 AM  
**To:** BPS Mailbox <[BPSMBX@portlandoregon.gov](mailto:BPSMBX@portlandoregon.gov)>  
**Subject:** Belmont street CN2

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Sincerely,

Courtney Von Drehle  
2210 SE Brooklyn St  
Portland OR 97202

[cvond@teleport.com](mailto:cvond@teleport.com)  
[3legtorso.com](http://3legtorso.com)  
[voniga.com](http://voniga.com)  
[klezmocracy.com](http://klezmocracy.com)

**From:** Jessica Van Raden [mailto:jessica@explorewashingtonpark.org]  
**Sent:** Monday, July 18, 2016 8:02 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Zoning changes for SE Belmont

To the Planning and Sustainability Commission:

As a long time previous Business Manager of the Belmont Dairy, located at 3340 SE Belmont and native to Portland, I am shocked and saddened by the proposal to increase building height from 3 to 5 stories. Money hungry developers with no interest in our City besides the ever loving dollar, should not be the driving force defining our City's historic character. The City of Portland continues to disappoint at every turn. Who do we really represent?

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Jessica Van Raden  
7730 SE Knight St  
Portland, OR 97206  
503-960-8578

\*Please excuse any grammatical errors, as this message is being sent from my cellular phone.

**From:** Richard Turner [mailto:richardturner42@outlook.com]  
**Sent:** Monday, July 18, 2016 6:36 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Stop gutting Portland

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Richard Turner  
3411 SE 52<sup>ND</sup> AVE.  
Portland, OR 97206

July 18, 2016

PSC Commissioners:

Today I write you in order to reaffirm my statement that I made at last week's meeting. To move forward with this project at 2135 NW 29<sup>th</sup> Avenue would only show your commission's complete lack of foresight. Before we consider developing housing, we must consider how our neighbors will afford it. Encroaching upon the Guilds Lake Industrial Sanctuary will chase away many of the well-paying jobs that permit our neighbors to both afford their homes and support our local economy. Approving this project will only yield an overpriced and vacated monument to your ignorance.

Furthermore, I wish to express my support for Craig Hamilton's letter. His earnest message reflects the thoughts and concerns expressed by the entire neighborhood. Our position on this issue is resolute. We urge you to make the correct choice and protect our jobs. Forgo redevelopment on this land and end this project.

Thank you,

Jim Tsoumas

RECEIVED  
PLANNING & SUSTAINABILITY  
2016 JUL 19 P 3 39

**From:** nancy tannler [<mailto:nancyt@inseportland.com>]  
**Sent:** Monday, July 18, 2016 1:47 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** 3300 - 3356 SE Belmont

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Please listen to the voice of the people in this neighborhood. They already deal with a lot of the negatives of our society by having one of the highest rate of late night bars per block in the city. Don't side with the developers by allowing these buildings to dwarf the surrounding homes and businesses, please rule with common sense and compassion.

Nancy Tannler  
7814 SE Morrison St.  
Portland, OR 97215

**From:** Ali Susanna [mailto:[alisfingers@gmail.com](mailto:alisfingers@gmail.com)]  
**Sent:** Monday, July 18, 2016 4:42 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Old Portland's heart hurts.

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Ali Susanna  
6434 N Vancouver Ave  
Portland 97217

**From:** Carolyn Stapleton [<mailto:carolynstapleton@me.com>]  
**Sent:** Monday, July 18, 2016 7:24 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Belmont zoning

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the [3300 - 3356 SE Belmont Street](#) block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,  
Carolyn Stapleton  
7831 SE Harrison St.  
Portland, OR 97215

**From:** Laurie Sonnenfeld [<mailto:lauriesonnenfeld@gmail.com>]  
**Sent:** Monday, July 18, 2016 11:09 PM  
**To:** BPS Mailbox <[BPSMBX@portlandoregon.gov](mailto:BPSMBX@portlandoregon.gov)>  
**Cc:** QTN <[qtn@efn.org](mailto:qtn@efn.org)>  
**Subject:** Belmont planning policies

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Laurie Sonnenfeld

Inner Southeast Portland Real Estate Broker  
1326 SE 23rd Ave, Portland OR 97214

**From:** Debbie Sherwood [mailto:[debbiesherw@gmail.com](mailto:debbiesherw@gmail.com)]  
**Sent:** Monday, July 18, 2016 9:10 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** zoning on Belmont

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Please stop demolishing the historic homes and buildings of beautiful Portland.

Regards,

Deborah Sherwood  
1719 SE 35th Ave, Portland, OR 97214.

**From:** [Suzanne Sherman](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Hales, Mayor](#); [Commissioner Fish](#); [Commissioner Fritz](#); [Commissioner Saltzman](#); [Novick, Steve](#); [Cunningham, Bill](#); [Anderson, Susan](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Monday, July 18, 2016 12:59:04 AM

---

To the Planning and Sustainability Commission:

I am writing to express my serious concern about the proposal to change the zoning in the Historic Block of 3300 - 3356 SE Belmont Street from CN1 (3 story maximum) to CN2 (5 story). I urge the Planning and Sustainability Commission to keep the livability of this SE Belmont Street neighborhood by zoning this Historic block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

A change to CN2 (5 story) will most definitely make the historic buildings on this street vulnerable to demolition and will result in displacement of local small businesses and residents as well as destroy the much loved character of the Sunnyside Neighborhood. Traffic will become unbearable and the sunlight will be lost as Belmont is a narrow street and was never meant to be flanked by such tall and out of scale structures.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Please do not approve this up-zoning change for the Historic Block of 3300-3356 SE Belmont.

Thank you,

Suzanne Sherman  
Mt Tabor Resident

Sent from my iPad

> -----Original Message-----

> From: Camron Settlemier [<mailto:csettlemier@highdeftrains.com>]

> Sent: Monday, July 18, 2016 9:06 AM

> To: Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

> Subject: [User Approved] Do not zone the 3300 block of Belmont CN2

>

> To the Planning and Sustainability Commission:

>

> I am tired of you being in the hands of developers. Stop destroying Portland. Just stop it already! In particular the 3300 Block of Belmont is under attack, with evildoers wanting to destroy this historic area with a CN2 (5 story designation). No! Do not increase the height in this area. Ugly 3 story condos are bad, Shitty and ugly 5 story condos are even worse. Can't we keep a few areas of Portland livable? Must we really bow down to the all mighty developer dollar and the corruption it spreads?

>

> Camron Settlemier

>

PO Box 172

Woodburn, OR 97071

**From:** Mary Rondthaler [<mailto:maryrondthaler@gmail.com>]  
**Sent:** Monday, July 18, 2016 7:09 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** SE Belmont St

To the Planning and Sustainability Commission:

The below are not my words but these words express my feelings about this issue.

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Some of the Reasons why keeping the current zoning of 3 story maximum is important for Belmont Street-

- 1) Incentive to demolish every building on the block is very high if so much money can be made from every property if the zoning is changed from a 3 story maximum to a 5 story maximum. That means that every property will be worth more as an empty lot than what is currently there.
- 2) With every building and house on Belmont worth so much money to a developer of apartment buildings, all of the businesses that are located on Belmont that do not own the building they are in are in danger of being displaced or put out of business. This means that the reasons why Belmont is cool, a great place for local business, and a fun place to visit and hang out will cease to exist. Belmont will lose any character that it has that makes it a special place. This is bad for our local entrepreneurs and businesses. This is bad for our local and regional economy. Tourism in Portland depends on visitors seeing places that are unique to Portland. Every city in the U.S. has new apartment buildings with a Chipotle on the first floor. If Portland becomes just new apartment buildings it will cease to be a tourist destination. Billions of dollars are put into our local economy by visitors that want to "experience Portland". Belmont is the poster child of what Portland "is".
- 3) A new retail space in a new building is more expensive than one in an existing building. This is why you see mostly corporate chain stores in new buildings.
- 4) A series of tall buildings that are very similar to each other will shade the street for most of the day because Belmont is a narrow street. Five story buildings are too high for a narrow street like that. On a sunny day do you want to walk down a shady, dark street? The reasons to walk down Belmont will cease to exist if it is mostly in shadow throughout each day. In Phoenix or LA this might not be a big deal, but in Portland it is.
- 5) Traffic will get worse and there will be multiple times during the day that parking and traffic will be hard to deal with. People that are moving here and have the money to rent a new apartment are bringing their cars with them. That's reality. Let's deal with reality not the fantasy that people will sell their cars and just ride bicycles when they move here, especially in the rain.

6) Belmont Street is important. Culture is important. Portland history, OUR story, is important. We should add to the story not erase the past stories of Portland so some people can make a quick profit now. Some things in this life and some places should be sacred. Portlanders should be proud of what an awesome neighborhood Sunnyside is and what great streets Hawthorne and Belmont truly are. Belmont was the end of a streetcar line and was built in Victorian times ( Victorian era was 1837-1901). They built buildings to last and out of great materials. They believed in adornment. They had pride in what was built. We can learn from that era. We need to keep this era alive in our city. Nowadays with such a thirst for authenticity these places shine as real, actual, beautiful places that make you feel alive and happy to be in our city. Belmont street and all it has to offer in terms of character, history, and choices of local businesses is what makes a place great. Other cities would kill to have a street with so much great architecture, interesting businesses, and overall cool vibe that Belmont Street has. This street exemplifies the best of what Portland is and what it should be striving to be in the future. Please don't let it get thrown in the garbage and erased from the story of Portland forever. And remember, once a great place is gone, it can never come back.

Please don't let Belmont St turn into another Division St!

Thank you,  
Mary Rondthaler  
5624 SE Bush St Portland, OR 97206

**From:** Liza Bear [mailto:lizabearpdx@gmail.com]

**Sent:** Monday, July 18, 2016 7:46 AM

**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>

**Subject:**

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you Elizabeth Rodenburg

I rent and I vote.

1212 SW Clay St. #516

Portland, Or. 97201

**From:** Info [<mailto:info@kimberliransom.net>]

**Sent:** Monday, July 18, 2016 1:08 PM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

**Subject:** Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1

**To the Planning and Sustainability Commission:**

**I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.**

**This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.**

**Thank you,  
Kimberli Ransom**

5419 NE Everett St. Portland, OR 97213

**DARYL M. PULLEY**  
Attorney at Law

1924 NE 45<sup>th</sup> Ave.  
Portland, OR 97213  
Phone: (503) 288-0148  
Fax: (503) 288-0140  
pulleylaw@yahoo.com

July 18, 2016

To: The Planning and Sustainability Commission  
City of Portland  
Portland, OR

Via email psc@portlandoregon.gov.

Re: **1934 NE 45<sup>th</sup> Avenue, Portland, OR**  
**Proposed 25 unit Structure**

Dear Sir or Madam:

On March 18, 2016 a Statutory Warranty Deed was recorded in Multnomah County Records evidencing the sale of Lot 12, Block 41, Rose City Park in the City of Portland, County of Multnomah, State of Oregon, (commonly known as 1934 SE 45<sup>th</sup> Street, Portland, OR 97213).

Rose City Investment Properties LLC, sold the above described property to James Kaczarowski and Brett Fogelstrom, (Purchasers/Developers), one of whom states he is a construction contractor.

I am the owner of 1924 NE 45<sup>th</sup> Avenue, Portland, OR, the property next door to the south of the above referenced property.

The above deed recites that the property at 1934 NE 45<sup>th</sup> Avenue is subject to, among other things, "...an easement of record, if any". I am attaching a copy of the Statutory Warranty Deed and a copy of the 1916 easement for "...common driveway or runway for automobiles." I believe that approximately 10 feet of the easement is within Lot 12, Block 41. If the property at 1934 NE 45<sup>th</sup> Avenue is 50 feet by 100 feet, I believe that the building area of Lot 12, Block 4 is 40 feet by 100 feet.

I met with the Purchasers/Developers of Lot 12, Block 41. They informed me that they intend to build 25 units on the property, which is one of the reasons they paid \$600,000.00 for the property. They, through their attorney, are threatening me and attempting to intimidate me to modify the easement. I am not willing to do so for many reasons, some of which have to do with my use and my client's use of the easement, but many of the other reasons are as follows:

1. I use the easement for my clients who do not park on the street because of their disabilities.
2. "Limited Parking" is not the same as "No Parking". The Purchasers/Developers report that they intend to build out to the lot lines and will not provide any parking, except for 60 bicycle racks.
3. It is totally ridiculous to believe that the 25 or so residents will not own cars.
4. Street parking is severely limited now, with the exception of the driveway and the few spaces on the street.
5. There is no public parking that is not restricted. Parking is available to the customers of Whole Foods and Grocery Outlet. There is no paid public parking in the area.
6. On Saturdays, Hollywood Farmers Market customers use the few on-street parking spaces. On Sundays, the parishioners of Rose City Park Presbyterian Church use the few on-street parking spaces.
7. Lot 120 was a 2 unit up/down (basement) duplex for many years. The renters had several vehicles, but parked mostly on the property including on the easement.
8. Lot 12 and Lot 11 share a common wall at the rear of the lots for a garage. The common wall is on the south property line.
9. The developers/purchasers could see clearly that there was an easement but purchased Lot 12, nonetheless.
10. The structures in this portion of the city appear to be designed by the same architect whom I believe was J. Bryson Moore. The structures and the materials used are unique and possibly could be eligible for "Historical" status. Please take the opportunity to see why I say this. The outsides and insides of the structures are unique. A 25 unit structure would not fit into the neighborhood.
11. A multi-unit structure would not allow rain water to be absorbed onto the property and would further burden the city's efforts to minimize storm water issues. 25 units using the sewage system would be excessive.
12. The siding underneath the outside covering has peeling and lead based paint. I've occupied 1924 NE 45<sup>th</sup> Avenue for nearly 39 years and am aware of what was covered up by the metal sidings. There is most likely other hazardous substances in 1934 NE 45<sup>th</sup> Avenue.
13. When the Hollywood Comprehensive Plan was proposed, the information sent out did not make it clear that "Limited" parking would be "No" Parking. Additional times and hearings with proper notices concerning the availability of parking need to be held, so that all of the neighbors know what to expect. I am not

aware that any of my neighbors know the consequences of the Hollywood Comprehensive Plan.

14. Please take the time to contact me so that I can physically demonstrate why the proposal for multiple story structures would not be appropriate for 45<sup>th</sup> or 46<sup>th</sup> Avenues, South of Sandy Boulevard and North of Halsey Street.
15. In the past, a structure such as the Purchasers/Developers propose had to provide parking. Will the existing structures that had to provide parking now be free to delete that requirement and be allowed to construct their structures on all of their lots?

The Purchasers/Developers made a mistake in buying 1934 NE 45<sup>th</sup> Avenue. They should not be financially rewarded for their errors in judgment and their greed.

Sincerely,



Daryl M. Pulley  
Encs.

RECORDING REQUESTED BY:



Multnomah County Official Records  
R Weldon, Deputy Clerk

2016-033651

03/18/2016 01:11:18 PM

1R-W DEED Pgs=3 Stn=70 ATKRH  
\$15.00 \$11.00 \$10.00 \$20.00

\$56.00

**GRANTOR'S NAME:**

Rose City Investment Properties, LLC, an Oregon Limited Liability Company

**GRANTEE'S NAME:**

James Kaczarowski and Brett Fogelstrom

**AFTER RECORDING RETURN TO:**

James Kaczarowski and Brett Fogelstrom  
1934 NE 45th Avenue  
Portland, OR 97213

**SEND TAX STATEMENTS TO:**

James Kaczarowski and Brett Fogelstrom  
1934 NE 45th Avenue  
Portland, OR 97213

R259484

1934 NE 45th Avenue, Portland, OR 97213

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

Rose City Investment Properties, LLC an Oregon Limited Liability Company, Grantor, conveys and warrants to James Kaczarowski and Brett Fogelstrom, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Multnomah, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SIX HUNDRED THOUSAND AND NO/100 DOLLARS (\$600,000.00). (See ORS 93.030).

**Subject to:**

1. Covenants, Conditions, Restrictions, Reservations, set back lines, Power of Special Districts, and easements of Record, if any.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

Recorded by TICOR TITLE 36261600/22

**STATUTORY WARRANTY DEED**

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

3/17/16

*Spencer Rogers*

SPENCER ROGERS, OPERATING  
MANAGER

State of OREGON  
County of MULTNOMAH

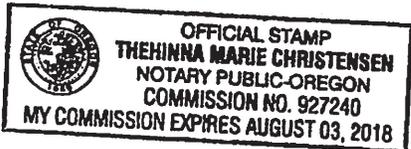
This instrument was acknowledged before me on March 17<sup>th</sup>, 2016 by

Spencer Rogers as Operating Manager of Rose City Investment Properties,  
LLC, an Oregon Limited Liability Company.

*Thehinna Marie Christensen*

Notary Public - State of Oregon

My Commission Expires: 8-3-18



**EXHIBIT "A"**  
Legal Description

Lot 12, Block 41, ROSE CITY PARK, in the City of Portland, County of Multnomah and State of Oregon

Witnesses

Kate Rickert  
Mellie Bell

Mrs M F English  
English  
H C Hutson

Rec for Record Sept 18, 1918, at 2:54 P M

J C #155501

SEYMOUR WITH HOTCHKISS

THIS AGREEMENT made in duplicate this 9th day of September 1918 by and between Hazel H Seymour party of the first part and John T Hotchkiss party of the second part: WITNESSETH WHEREAS the party of the first part is owner of lot twelve (12) block forty one (41) in Rose City Park in City of Portland, County of Multnomah, State of Oregon, and the party of the second part is owner of lot eleven (11) in said block and the party of the second part desires a drive way or run way for automobiles along and over the boundary line between said lots for the Common use of said parties their respective heirs and assigns.

NOW THEREFORE IN Consideration of the sum of one dollar (\$1.00) By the party of the second part to the said party of the first part in hand paid the receipt of which is hereby acknowledged and the covenants hereinafter contained it is mutually stipulated and agreed:

That the party of the second part may at their own cost and expense lay and construct a cement run way strip for automobiles on the said lot in the said block belonging to said party of the first part from the street line in front of the said lot to a point as near the rear of the said lot as said party of the second part may desire the said strip to be parallel with boundary line of said lot and upon construction of said cement strip said party of the second part their heirs representatives and assigns may use said strip for a common driveway or run-way for automobiles forever and that the said party of the first part may have similar use of similar driveway or run way for automobile which said party of the second part shall cause to be laid or constructed for similar purposes on said lot belonging to said party of the second part

THESE AGREEMENTS shall be a covenant running with the land

IN WITNESS WHEREOF the said parties have hereunto set their hand and seals the day and year first above written.

Witnesses

B E Chase

Hazel H Seymour Party of first part  
John T Hotchkiss Party of the second part

Portland, Oregon

I hereby assign my right and interest in the said driveway for automobiles mentioned in this document to Viola Messinger and J H Messinger their heirs and assigns

September 10, 1918

John T Hotchkiss

Rec for Record Sept 18, 1918, at 2:54 P M

J C #155517

TIFFT WITH HOSKINS

THIS CONTRACT made in duplicate this 24th day of May A D 1918 by and between Joan C Tiff of the City of Portland, Oregon, the first Party and Nellie Hoskins of the same place the second party

WITNESSETH that the first party in consideration of the covenants and agreements herein contained agrees to sell unto the said second party all of the land situated in the County of Multnomah and State of Oregon, and bounded and described as follows, to wit:

All of lot twenty-two (22) in block eight (8) in Oakhurst according to the duly recorded plat of said addition on record in the office of the County Clerk of the aforesaid

**From:** Wendy Peyton [<mailto:wendypeyton@gmail.com>]  
**Sent:** Monday, July 18, 2016 7:34 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Please Save Our City

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the [3300 - 3356 SE Belmont Street](#) block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Please honor people and history above developers.

Sincerely,  
Wendy Peyton  
(24 year Portland resident)

3938 N Overlook Blvd, 97227

sent from Wendy's phone | 503.528.9845

**From:** Natalie Pearson [<mailto:npearson@uoregon.edu>]  
**Sent:** Monday, July 18, 2016 3:24 PM  
**To:** BPS Mailbox <[BPSMBX@portlandoregon.gov](mailto:BPSMBX@portlandoregon.gov)>  
**Subject:** Belmont zoning

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,  
Natalie Pearson from Friends of Tryon Creek

[1677 Glenmorrie Dr, Lake Oswego, 97034](mailto:npearson@uoregon.edu)

**From:** Dan Patterson [mailto:hoosierpatterson@hotmail.com]  
**Sent:** Monday, July 18, 2016 2:04 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Belmont

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,

Dan Patterson  
2606 SE 50th

P.S. Over fifty years ago, the preservation movement was born in America when Penn Station in New York was torn down to make a buck. I know it's important to make a buck in Portland, but it can be done without razing our city. Please have mercy on Belmont and all the people who love it!

**From:** Jen Patterson [<mailto:jencousin@hotmail.com>]  
**Sent:** Monday, July 18, 2016 6:21 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Keep SE Belmont livable!!!

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,  
Jen Patterson  
2606 SE 50th Ave  
Portland, OR 97206  
503-234-2893

**From:** Kate O'Brien [mailto:kate@katesmusicstudio.com]  
**Sent:** Monday, July 18, 2016 7:25 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Keep Belmont Beautiful

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the [3300 - 3356 SE Belmont Street](#) block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

~ Kate O'Brien  
Kate's Music Studio  
971.221.4237  
2800 SE Harrison St, Portland, OR 97214

**From:** Jeff Nye [mailto:[jeff@jeffnye.com](mailto:jeff@jeffnye.com)]  
**Sent:** Monday, July 18, 2016 9:36 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** opposed to a CN2 for Belmont

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

**Jeff Nye**

*Learning Solutions & Web Development*

**web:** [jeffnye.com](http://jeffnye.com)

**phone:** [503-961-4217](tel:503-961-4217)

**email:** [jeff@jeffnye.com](mailto:jeff@jeffnye.com)

**skype:** jeffnyepdx

4315 NE 75th Ave.  
Portland, OR  
97218

**From:** Nancy Novak [mailto:nancyshka@gmail.com]  
**Sent:** Monday, July 18, 2016 6:48 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Belmont St. zoning

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the [3300 - 3356 SE Belmont Street](#) block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you, Nancy Novak  
6220 SE 70th, Portland

Sent from my iPhone

**From:** peggynolan [mailto:peggynolan@yahoo.com]  
**Sent:** Monday, July 18, 2016 8:07 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Testimony about belmont st zoning

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the [3300 - 3356 SE Belmont Street](#) block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,  
Margaret Nolan  
2625 SE 48th Ave  
Portland, OR

Sent from my iPhone

> From: Stevie Newcomer [<mailto:stevien@comcast.net>]  
> Sent: Monday, July 18, 2016 7:01 AM  
> To: Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
> Subject: Belmont livability  
>  
>  
> To the Planning and Sustainability Commission:  
>  
> I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.  
>  
> This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.  
>  
> Stevie Newcomer  
18240 SE Willamette Drive 97267

**From:** Maya Muir [mailto:mayamuir@comcast.net]  
**Sent:** Monday, July 18, 2016 3:43 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Belmont zoning

**To the Planning and Sustainability Commission:**

**I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.**

**This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.**

**Thank you,**

**Maya Muir  
4504 SE Clay St.**

**From:** Marshall Johnson [mailto:marshall.d.johnson@gmail.com]  
**Sent:** Monday, July 18, 2016 4:40 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Zoning Changes on Belmont

Good Afternoon,

I've been tracking the intended changes to zoning in historically dense neighborhoods as part of the mixed use zones and general comprehensive planning update process. I support the Planning and Sustainability Commission's plan to adjust current zoning from CN1 to a CN2 designation in the spirit of accommodating greater density of people in this geographically rich, close-in area.

Thank you for all your care in studying the impacts of planning efforts and making complex decisions that will continue to position Portland as leader in sustainability and urban planning.

Best regards,

Marshall Johnson  
2133 SE 47th Avenue

**From:** Mastrantonio, Lori [mailto:LoriM@co.clackamas.or.us]

**Sent:** Monday, July 18, 2016 12:29 PM

**To:** Manning, Barry <Barry.Manning@portlandoregon.gov>; Planning and Sustainability Commission <psc@portlandoregon.gov>

**Cc:** Craig Meuser <meuser.craig@gmail.com>; lori meuser <meuser.lori@gmail.com>

**Subject:** PSC Mixed Use Zones Testimony

To: The Planning and Sustainability Commission  
Chair Schultz and Commissioners

Re: PSC Mixed Use Zones Testimony

This email/letter is in addition to the email and testimony I submitted for the May 10, 2016 Planning and Sustainability Commission hearing on this matter. I presented testimony at this hearing as well. This is also in addition to the email/letter I sent to the Planning and Sustainability Commission May 17, 2016.

In my emails and testimony I presented information in opposition to the initial proposal to downzone a four block section of SE Hawthorne Boulevard between SE 34<sup>th</sup>/35<sup>th</sup> and 38<sup>th</sup> Avenues to CM1 which would not allow the wholesale of goods and limit the height of structures to three stories. It is my understanding that the Commission might not downzone this section of Hawthorne Boulevard and instead may recommend that this area be zoned CM2 which would allow development up to four or five stories in height, the wholesale of goods and other uses currently allowed in the CS zone. (Our property is currently zoned CS.) If this is accurate, I support this area being zoned CM2.

Thank you for all of your efforts and hard work regarding these zoning considerations.

Sincerely,

Lori Meuser  
11426 SW Oak Creek Drive  
Portland, OR 97219

503 293-6999

**From:** Greg Maguire [mailto:[megaguire@gmail.com](mailto:megaguire@gmail.com)]  
**Sent:** Monday, July 18, 2016 9:07 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Testimony against zoning CN-2 on Belmont

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,

-Greg Maguire

5805 NE 30th Ave.  
Portland, OR 97211

**From:** Darvel T Lloyd [mailto:darvlloyd@gmail.com]  
**Sent:** Monday, July 18, 2016 8:47 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Cc:** Crail, Tim <Tim.Crail@portlandoregon.gov>  
**Subject:** Re-zoning of Belmont Business District

To all members of the Planning and Sustainability Commission:

Please listen to the residents of Portland and especially the people who live in or near the Belmont Business District! The integrity of this thriving historic district of Portland is at stake! I've lived in SE Portland nearly 20 years now, and I abhor the thought of a wall of high, new buildings ruining the character, charm, and livability on that already over-crowded street.

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,

Darvel Lloyd  
54 SE 74th Ave.  
Portland, OR 97215-1443  
503-593-2996

**From:** Rosie [<mailto:rosielindsey@spiritone.com>]

**Sent:** Monday, July 18, 2016 6:04 PM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

**Subject:** SE Belmont zoning!!

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum).

Who benefits from changing this zoning from 3 to **5** stories?? What happens to people who garden in their yards??

I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you for your attention.

Rose Lindsey  
3265 SE Madison St  
Portland, 97214

**From:** Danielle Lee [mailto:dlee.lmt@gmail.com]  
**Sent:** Monday, July 18, 2016 8:36 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Belmont Zoning

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

I have lived in Portland all my life and have worked in the Belmont Chiropractic building at 2035 SE Belmont St. for the last 6 years. I am disheartened to think that what's left of our city view will become even more blocked out than it already has. There is a complex being built right across the street from us and three stories is quite enough to make us feel closed in, not to mention all the parking these buildings are displacing for residents and businesses who have thrived in this neighborhood for decades.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

I hope you'll reconsider advocating for future residents who do not yet reside here (and who have no history here) and advocate for the dedicated Portlanders who have been riding the roller coaster of population explosion for years, hoping their city values us as much as they do their hometown.

Sincerely,

Danielle Lee, LMT

**From:** Alyssa Isenstein Krueger [<mailto:pdxhappyhouse@gmail.com>]  
**Sent:** Monday, July 18, 2016 11:44 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Cc:** Cunningham, Bill <[Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov)>; Anderson, Susan <[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick <[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>; [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Save Historic Belmont!

As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

**Alyssa Isenstein Krueger**  
Living Room Realty  
503-724-6933  
[pdxhappyhouse@gmail.com](mailto:pdxhappyhouse@gmail.com)  
[www.livingroomre.com](http://www.livingroomre.com)  
broker licensed in Oregon

2348 SE Tamarack Ave.  
Portland, OR 97214

**From:** donaleen Kohn [mailto:[donaleen@gmail.com](mailto:donaleen@gmail.com)]  
**Sent:** Monday, July 18, 2016 7:13 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Belmont Zoning

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Donaleen Kohn  
110 SE 41st ave  
97214

**From:** leequa [<mailto:leequa@yahoo.com>]

**Sent:** Monday, July 18, 2016 7:37 AM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

**Subject:** Belmont street zoning

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,

Lisa Kiraly

3720 se 40th avenue, 97202

> -----Original Message-----

> From: Beth Kerschen [<mailto:bethnessvoice@me.com>]

> Sent: Monday, July 18, 2016 3:34 PM

> To: Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

> Subject: Belmont Street zoning

>

> To the Planning and Sustainability Commission:

>

> I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

>

> This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

>

> -----

Beth Kerschen

PO BOX 11473

Portland, Or 97211

**From:** Raymond Keller [<mailto:raymondkellerstudio@gmail.com>]  
**Sent:** Monday, July 18, 2016 9:52 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Belmont Zoning

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Sincerely

Raymond Keller  
3327 SE Caruthers Street  
Portland OR 97214  
503-320-4643

**From:** j. michael kearsey [<mailto:berksnow@teleport.com>]  
**Sent:** Monday, July 18, 2016 3:24 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Cc:** jmichaelkearsey kearsey <[berksnow@teleport.com](mailto:berksnow@teleport.com)>  
**Subject:** "no" to five stories in old belmont

Dear Sirs and Madams,

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Yours Truly,  
j. michael kearsey  
1824 se madison  
portland, or  
97214

**From:** Michael Johnson [mailto:jammingmj@gmail.com]  
**Sent:** Monday, July 18, 2016 7:48 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** zoning the 3300 - 3356 SE Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Michael A Johnson  
6221 NE 22nd Ave  
Portland 97211

**From:** Miriam Hough [<mailto:badgerlips13@gmail.com>]

**Sent:** Monday, July 18, 2016 6:04 PM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>; Cunningham, Bill <[Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov)>; Anderson, Susan <[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick <[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>

**Subject:** Testimony AGAINST CN2 zoning for Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the history and livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,

Miriam Hough  
1019 N E 75th Ave  
Portland Oregon 97214

**From:** Nalota Herms [<mailto:nalotah@yahoo.com>]  
**Sent:** Monday, July 18, 2016 12:24 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Belmont Street Zoning

To the Planning and Sustainability Commission:

As a longtime Sunnyside resident and homeowner since 1990, I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the [3300 - 3356](#) SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you for your consideration of my plea.

Sincerely,  
Nalota Herms  
4023 SE Mason St PDX 97214

**From:** Dana Herms [<mailto:danaherms@yahoo.com>]  
**Sent:** Monday, July 18, 2016 11:19 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Belmont Wtreet zoning

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Dr. Dana Herms  
Naturopathic Physician  
Portland Oregon  
2640 SE 33rd Place, Portland 97202  
503.313.5930  
Fax: 503.235.5325

**From:** Tim Hardin [<mailto:thardin@pps.net>]  
**Sent:** Monday, July 18, 2016 8:51 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** belmont

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Tim Hardin

2742 SE 61 Ave Portland

**From:** Robert Hall [mailto:heyrobhall@comcast.net]  
**Sent:** Monday, July 18, 2016 10:24 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Testimony against changing Belmont St zoning from CN-1 to CN-2

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,

Robert Hall  
1220 NE 17th Avenue  
Portland, OR 97232

**From:** Christine hale [<mailto:mchrishale@comcast.net>]  
**Sent:** Monday, July 18, 2016 12:27 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** STOP DESTROYING PORTLAND

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Chris Hale  
Portland, Oregon  
503.706.1602

Christine Hale  
6039 SW Miles Court  
Portland, Oregon 97219  
5037061602

> From: Pamela Gurnari [<mailto:gurnari@centurylink.net>]  
> Sent: Monday, July 18, 2016 8:58 PM  
> To: Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
> Subject: It's not all about the money  
>  
>  
> To the Planning and Sustainability Commission:  
> I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.  
> This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.  
> I live at 2615 SE Salmon Street and have since I bought my 1906 house in 1993.  
> Pamela Gurnari  
> 503-349-7468

**From:** Wendy Garbart [mailto:wendy.garbart@gmail.com]  
**Sent:** Monday, July 18, 2016 11:08 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Proposed Belmont Street Zoning Change

To the Planning and Sustainability Commission:

I have lived in the Sunnyside neighborhood since 1981: that is over half of my life, and my husband's life, and the entire lives of our two young adult sons (although one is temporarily studying in Eugene). It is crucial to my family and me to retain the character of the Belmont District. That character is part of our Portland culture, and it is also at the heart of our very identity: who we are; where we have chosen to live; how we go about our everyday lives. That essential character will quite literally be DESTROYED by allowing a zoning change that endorses 5-story businesses and 'dwelling units,' as you refer to our houses and apartments, in the Belmont District. In addition, allowing buildings of that height will block out the sun on this narrow street we call home (and the character of which we want to remain as is): that is completely unacceptable. That increased building height would bring with it additional problems: it would markedly increase the population of people living and working here, which may *sound* good, but in reality, it would bring unacceptable stress to the infrastructure on Belmont (sewers; traffic; parking; and noise issues, to name but a few). This is not a solution; it is the creation of a new problem! No, thank you.

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Thank you,

Wendy M Garbart  
Thomas (Tom) Rutter  
Graham R Rutter  
Thomson J Rutter  
736 SE 48th Ave  
Portland OR 97215-1723

**From:** Sharron Fuchs [<mailto:SharronF@tdinjurylaw.com>]

**Sent:** Monday, July 18, 2016 3:49 PM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>; BPS Residential Zoning <[ResidentialZoning@portlandoregon.gov](mailto:ResidentialZoning@portlandoregon.gov)>

**Subject:** Written Testimony for Proposed Zoning Map - NE 60th St. area South of Halsey to the Max station

Dear PSC et. al.,

Regarding the NE 60<sup>th</sup> St. area south of Halsey to the Max. station; after extensive outreach by the Rose City Park Neighborhood Association, the immediately surrounding neighborhood, the Rose City Park Land Use committee and the Rose City Park Neighborhood Association voted to keep the base zoning the same for the area, including streets to the east and west, until infrastructure and basic services are built not only for use as the neighborhood exists today but also built to support any increase in density as may occur in the future. To go against the public Will and vote for this area would be a great injustice and make a mockery of the desire of the City for public input.

Please keep the base zoning the same.

Yours truly,

Sharron Fuchs

Rose City Park Neighborhood member  
NE Portland, Oregon 97213  
6105 NE Sacramento St.  
Portland , Oregon 97213

-----Original Message-----

From: Michael [<mailto:michael@fontanarosadesign.com>]

Sent: Monday, July 18, 2016 3:46 PM

To: Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

Cc: [drutzick@gmail.com](mailto:drutzick@gmail.com)

Subject: testimony against CN@ zoning

I am strongly opposed to the CN2 designation of Belmont street block. As a resident of SE and business owner I have seen the livability, character and infrastructure issues that have arisen from the development of Division and surround areas. The rate and type of development has created a many issues that have not been adequately addressed. Belmont should remain as it is as it so we can maintain it character, not contribute to the traffic crisis that exist in inner SE and push out existing small businesses.

I will be awaiting the outcome of this zoning decision.

Sincerely

Michael

**Michael Fontanarosa**

Fontanarosa design

1909 S.E. 25th ave

Portland OR.

97214

503.568.5572

[mike@fontanarosadesign.com](mailto:mike@fontanarosadesign.com)

7/18/2016

TO: Planning and Sustainability Commission, Portland City Council

FROM: Bob Foglio- 13705 SE Thurmont, Clackamas OR 97068

RE: Comp Plan Designation(s).

Multiple parcel owners are falling in the cracks of this massive re-zoning effort. Particularly small commercial and high density residential parcels that are typically purchased with a specific use within the current code. This Highest Use is identified in the due diligence phase of the purchase process and justifies the higher prices paid for these smaller parcels. When that use is limited or removed it is a massive hemorrhage to the property value and use.

In this process multiple properties are being downzoned from 5 housing units (R-1 to R2). A 12 plex to 10 plex (CN1 due to FAR being applicable as of 1/2018). Com allowing a drive thru to no longer allowing drive thru, etc.,. In many cases this is a **20-50% loss** in property value and or use to small parcel owners.

***I REQUEST THAT STAFF AND COMMITTEE Create a "Sunset Law", "Grandfather" clause, Special Exception, that allow Current landowners to complete projects under CURRENT ZONING and/or Proposed Zoning designated for 2018.***

I believe the proposed clause or condition would be used minimally. Knowledgeable staff would attest to that point and can explain the details of FAR and setback and increases and benefits allowed by new zoning proposal(s). This primarily is a small parcel exception that it necessary. This would be a simple, time and cost effective way of proceeding to a resolution for small parcel owners.

The major beneficiaries of the re-zone in terms of increased density and uses are institutions, hospitals and universities and larger parcel owners. That is logical and understandable. However it should not over flow into the taking of others property uses. Reasonable accommodation must be provided to this population of landowners that fall between the cracks and do not have the resources to act expeditiously due to forthcoming changes.

Appropriate staff and committee will tell you they have overlays to allow for density bonus etc.to maintain current levels however they come with other "affordability" concerns that don't make sense for many reasons. Sounds great however it is simply not cost effective or applicable in **most cases** to the small parcel owner.

*The best solution from staff to date is to submit project before the zoning changes occur. This is impractical, unreasonable for many reasons including leases with current owners for 3-5 years.*

This is acknowledgement that there is major oversight in the proposed zoning process for a percentage of property owners.

Thank you for your time and consideration. Please recognize the need for a simple exception.

Bob Foglio

503-522-4184

**Summary of my parcel and process-**

2626 NE DEKUM(CN2) 5,000 sqft lot.

Purchased- 7/01/2015.....\$380,000.00

Existing use is a non-profitable mini-market. Therefore I purchased with intention to demolish and build multifamily housing for students. Multi family was and remains the highest and best use. Purchase price was high but due to student demand justified.

I felt it important to hire an attorney, Chris Kobacks, to be assured that we maintained the commercial use versus a proposed Campus designation. This was accomplished with at a significant legal expense. Great!

NO- Now we find out that the FAR (Floor area ratio) as proposed is applicable in this zone. Now we need to re-visit this extremely stressful, time consuming process again due to the following effect of new proposed zoning:

My situation is the taking of approximately 1500 sqft , from 9000 to 7500 of floor area, or two 750 sqft apartments. This equates to approximately 30,000.00 per year in lost income in the first year. Or at time of purchaser based off the highest and best out right use I overpaid approximately 60,000.00 a year ago. This is not complicated to understand, it is simple math no trickery or otherwise.

I feel 95% of new zoning code are positive and accomplishing the desired effect. I see it adding value to the community, city, and commerce in terms of streamlining and expediting growth in our region.

I represent one 5000 sqft lot but one can see the major financial impact and adverse effect that this has on the pieces that are left in the cracks. We are very small percentage of properties and not many would benefit from exercising the prior to 1/2018 zoning suggestion. This "Sunset" or a version of makes sense and streamlines the process for potentially effected small parcel owners.

I believe you will come to the consensus that this is a fair and simple way to eliminate a massive flaw in the proposed zoning. It basically eliminate the FAR conflict and downzoning in residential high density and maintains ones property rights as purchased. This situation is unique to small percentage of properties so the overall use of this exception should be minimal. Example, if commercial was the best use for my site the allowable area would double under proposed changes. (From .75 to 1.5 FAR). Therefore I would build bigger market over the existing mini-market. One can see the new zoning works in profitable areas for small parcel owners as well.

Thank you again

Bob Foglio

503.522.4184

13705 SE Thurmont

Happy Valley Or 97068



**From:** Jeannine Firestenberg [mailto:g9fire@comcast.net]  
**Sent:** Monday, July 18, 2016 7:50 AM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Belmont Neighborhood

To Whom It May Concern,

I am writing about the SE Belmont Street Neighborhood zoning. There is a proposed change being considered right now. I am very much against this change and feel it would not be in the best interest of Portland and the people who live in and cherish this neighborhood. There are so many nearby neighborhoods in NE and SE Portland that really could use some updating to help with crime and housing issues but this is a historic neighborhood that is thriving with the current zoning.

Please do not change the zoning in this neighborhood. I am a previous SE Portland resident and I continue to return to this area for goods and Restaurants.

Thank you,  
Jeannine Firestenberg  
503-860-7500  
28001 SE Sunray Drive  
Boring, OR

> -----Original Message-----

> From: Tama Filipas [<mailto:tamaflip@gmail.com>]

> Sent: Monday, July 18, 2016 3:04 PM

> To: Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>

> Subject: Belmont zoning

>

> To the Planning and Sustainability Commission:

>

> I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

>

> This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

>

> Tama Filipas  
79 NE Stanton St  
Portland OR. 97212

-----Original Message-----

From: Nadine Fiedler [mailto:nfiedler@comcast.net]

Sent: Monday, July 18, 2016 1:50 AM

To: Planning and Sustainability Commission <psc@portlandoregon.gov>

Subject: Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you--Nadine Fiedler, 6451 SE Morrison Ct., 97215

Sent from my iPad

**From:** Susan Estinson [mailto:susan.estinson@gmail.com]  
**Sent:** Monday, July 18, 2016 3:41 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Preserving Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Regards,  
Susan Estinson  
3245 NE Couch Street  
Portland, Oregon 97232

**From:** [Elizabeth Ereckson](#)

**Sent:** Monday, July 18, 2016 8:58 PM

**To:** [psc@portlandoregon.org](mailto:psc@portlandoregon.org)

**Subject:** Hawthorne/Division/Belmont

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Elizabeth Ereckson  
1345 SE Bidwell st. Portland 97202

**From:** [Drake, Don](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Manning, Barry](#); [Frederiksen, Joan](#); [Peter Fry \(peter@finleyfry.com\)](mailto:peter@finleyfry.com)  
**Subject:** 820-830 NW 18th and 839 NW 17th 1n1e33ac 5400 & 5500, Portland OR.  
**Date:** Monday, July 18, 2016 9:35:02 AM  
**Attachments:** [image001.png](#)  
[PSC testimony.pdf](#)

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[https://www.portlandmaps.com/detail/property/820-830-NW-18TH-AVE/R140822\\_did/](https://www.portlandmaps.com/detail/property/820-830-NW-18TH-AVE/R140822_did/)  
[https://www.portlandmaps.com/detail/property/820-830-WI-NW-18TH-AVE/R140821\\_did/](https://www.portlandmaps.com/detail/property/820-830-WI-NW-18TH-AVE/R140821_did/)

We are the asset manager of the above referenced properties. In April 2016 we received notice that the property was being rezoned from Exd to CM3. I attended several meetings to understand the implications of the new zoning and was satisfied that the CM3 zoning was consistent with existing and most likely future potential uses of the property which is commercial retail currently but has potential to be office and otherwise mixed use in the future. The property has enjoyed long term tenancy for its existing commercial uses and the intention is for those uses to remain into the future until such time is becomes desirous and economically feasible to redevelop.

In June 2016 we received notice that the zoning was to now be changed to EG1. The only reason I was able to find out from planning staff that this was being done was to attempt to satisfy NWNA desire to maintain EG1 uses in the neighborhood.

The ownership of the property objects to having the property reclassified to EG1 and respectfully requests that the property be reclassified to the new CM3 zoning for the following reasons.

- 1) The CM3 zoning is consistent with the current mixed use nature of the neighborhood and the comprehensive plan.
- 2) EG1 zoning would be more appropriately placed in the Guilds Lake area of NW Portland where there are larger sites, better parking and traffic circulation better suited to EG1 uses. This has been the case for the last 100+ years and should satisfy NWNA's desire to keep employment uses in the nearby vicinity.
- 3) The EG1 zoning if implemented would make the past and existing uses of the property allowed under EXD non-conforming and is an underutilization of the site's potential.
- 4) The EG1 zoning would prohibit future mixed use development and density that is currently allowed where the CM3 zoning would allow future development and uses consistent with the comprehensive plan and the existing growth patterns associated with the neighborhood and need for closer in density.

I attended the July 12<sup>th</sup> hearing and asked Peter Fry our planning consultant to provide oral and written testimony which was previously submitted by email and hard copy at the

meeting. A copy is again attached. I don't see where it was entered into the record the website provides access to.

We would appreciate planning staff's and the commission's reconsideration of the zoning this property (1n1e33ac 5400 & 5500, Portland, OR.) CM3 because it's the right thing to do.

Thank you

Don Drake



Don Drake | Vice President

Melvin Mark Brokerage Company

111 SW Columbia | Suite 1380 | Portland, OR 97201

D: 503.546.4527 | F: 503.546.4727

O: 503.223.9203 | C: 503.789.8688

[ddrake@melvinmark.com](mailto:ddrake@melvinmark.com) | [www.melvinmark.com](http://www.melvinmark.com)

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This e-mail, and any attachments, is intended to be confidential and proprietary in nature. If you are not the intended recipient please reply to the sender that you have received this communication in error and then immediately delete it. Nothing in this email, including any attachment, is intended to be a legally binding signature.

**From:** Michele T. Douglas [mailto:[micheletdouglas@gmail.com](mailto:micheletdouglas@gmail.com)]  
**Sent:** Monday, July 18, 2016 5:16 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Subject Line: Testimony AGAINST CN2 zoning for Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the history and livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,

Michele T. Douglas

118 NE 50th Ave.  
Portland 97213

**From:** Nancy & David Cutler [<mailto:nancyleecutler@q.com>]  
**Sent:** Monday, July 18, 2016 12:17 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** [User Approved] Belmont Street

To the Planning and Sustainability Commission:

We are very concerned about the loss of old Portland on the east side. Too much is changing there too quickly. Before you know it old East Portland will be gone. We are aware of the zoning proposals for Belmont street. We urge the planning commission to retain the context of the old housing in the 3300-3356 of SE Belmont by not making a zoning change. We feel such a change to the zoning will ruin the serene ambiance of this beautiful old neighborhood and ultimately contribute to the destruction of another piece of what makes Portland a special and historic city.

This area is important because it has an aura which exemplifies the best of what a vintage Portland neighborhood has to offer. Please don't let it go.

Nancy Lee Cutler  
7030 SW Canyon Drive  
Portland, Oregon 97225

**From:** Elie C [<mailto:eliepdx@hotmail.com>]

**Sent:** Monday, July 18, 2016 3:36 PM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>; Cunningham, Bill <[Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov)>; Anderson, Susan <[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick <[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>

**Subject:** Testimony AGAINST CN2 zoning for Belmont Street; Composite Zoning Proposal - SE Belmont Street - Historic Block

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Thank you,

Elie Charpentier

3048 NE Oregon Street

Portland, OR 97232

**From:** Amy Lauren Botula [mailto:[amylbotula@gmail.com](mailto:amylbotula@gmail.com)]

**Sent:** Monday, July 18, 2016 4:21 PM

**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>; Cunningham, Bill <[Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov)>; Anderson, Susan <[Susan.Anderson@portlandoregon.gov](mailto:Susan.Anderson@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Fish, Nick <[NickFish@portlandoregon.gov](mailto:NickFish@portlandoregon.gov)>; Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>

**Subject:** Testimony AGAINST CN2 zoning for Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the history and livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Thank you,

Amy Botula

1815 SE Main #4  
PDX 97214

**From:** Jaguar (N. Best) [mailto:[jagstaruar@gmail.com](mailto:jagstaruar@gmail.com)]  
**Sent:** Monday, July 18, 2016 10:16 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** Belmont livability

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Nancy Best

Nancy Best  
1002 SE Miller  
Portland Oregon 97202

**From:** Barbara Bader [mailto:[bbader53@gmail.com](mailto:bbader53@gmail.com)]  
**Sent:** Monday, July 18, 2016 2:40 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:**

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Thank you.

Barbara Bader

**From:** Stacey Atwell [mailto:[stacey.atwell@gmail.com](mailto:stacey.atwell@gmail.com)]  
**Sent:** Monday, July 18, 2016 6:06 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** 3300 Block of Belmont Street

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Thank you for your consideration,

Stacey Atwell

1745 SE Locust Ave  
Portland, OR 97214

**From:** [Suzanne Sherman](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Please DO NOT Change Zoning for SE Belmont Street  
**Date:** Sunday, July 17, 2016 11:21:47 PM

---

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the [3300 - 3356 SE Belmont Street](#) block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood. This area is also important as a regional destination for locals and tourists alike because it exemplifies the best of what a vintage Portland neighborhood has to offer. As a regional destination it is important now and in the future for the greater Portland metropolitan economy.

Thank you,  
Suzanne Sherman  
Mt Tabor Resident

Sent from my iPad

**From:** [PATRICK HILTON](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Testimony against changing Belmont Street Zoning from CN1 to CN2  
**Date:** Sunday, July 17, 2016 11:02:26 PM

---

To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

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Thank you,  
Patrick E. Hilton

# KENNETH S. EILER, P.C

*Receiver*

*Attorney at Law*

*Bankruptcy Panel Trustee*

---

PMB 810  
515 NW Saltzman Rd.  
Portland, Oregon 97229

kenneth.eiler7@gmail.com  
Phone 503.292.6020  
Fax 503.297.9402

JULY 16, 2016

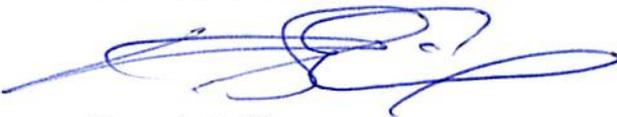
PORTLAND PLANNING AND SUSTAINABILITY COMMISSION  
BY EMAIL ONLY: [psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)

RE: MIXED USE ZONE PROJECT  
PROPOSED ZONE CHANGE TO CM1 ON SE HAWTHORNE BLVD

Greetings,

This letter is intended to follow up on the two letters I have previously submitted, together with the testimony that I have previously given, in opposition to the initial proposal to downzone a four(4) block section of SE Hawthorne Blvd. between 34<sup>th</sup> and 38<sup>th</sup> to CM1. It is my understanding that the Commission has decided to recommend against downzoning this section of Hawthorne Blvd. and instead is recommending that this area be zoned CM2. I am writing today in support of your proposal to zone this section of Hawthorne Blvd. to CM2. The allowed uses and conditions in a CM2 zone fully address the concerns presented in my early letters and testimony. Thank you for your diligence and attention to this matter.

Very truly yours,



Kenneth S. Eiler



July 15, 2016

City of Portland  
Planning and Sustainability Commission  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

**Re: Sunnyside Neighborhood Association – Low-Rise Commercial Storefront Area**

Dear Planning and Sustainability Commission,

The Sunnyside Neighborhood Association (SNA) boundary includes the northern side of Hawthorne Boulevard and all of Belmont Street between SE 28th and SE 49th Avenues. Of the corridor blocks within the Sunnyside boundary, the SNA Board [mailing address: 3534 SE Main Street, Portland, OR 97214] supports the City applying a Low-Rise Commercial Storefront Area only to the south stretch of Belmont Street between SE 33rd and 34th Avenues. The SNA Board also supports the City awarding transferable development credits for owners whose properties are downzoned to Commercial Mixed-Use 1 (CM1). The SNA Board also supports the City awarding transferable development credits for owners of a select number of qualifying historic buildings on corridor blocks within our neighborhood.

Sincerely,

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

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

Cc: Susan Anderson, Portland Bureau of Planning and Sustainability Director

**From:** [Rosie Struve](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Friday, July 15, 2016 6:03:45 PM

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As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

**From:** [Thomas Karwaki](#)  
**To:** [BPS Comprehensive Plan Testimony](#)  
**Cc:** [Planning and Sustainability Commission](#)  
**Subject:** Supplemental Consolidated Zoning Map Comments of NPLUG  
**Date:** Friday, July 15, 2016 4:59:22 PM

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The North Portland Land Use Group, the land use committee chairs of the eleven North Portland Neighborhood Associations, supports these comments of the Piedmont Neighborhood Association:

Planning and Sustainability Commission  
1900 SW 4th Ave, Suite 7100  
Portland, OR  
97201

Hello,

On behalf of the Piedmont Neighborhood Association and North Portland Land Use Group we object to the Comp Plan rezoning proposal 1356.

The rezoning concept is expressed in a draft of the Comprehensive Plan 2035, in which property defined by streets N Borthwick/N Kerby, between N Dekum and N Rosa Parks, would be rezoned from R5 to R2.5.

Here is the link to original report:

<http://www.portlandoregon.gov/bps/article/568819>

pg. B-24 for Piedmont specifically.

Rezoning this area would be inappropriate for numerous reasons, as enumerated below:

Effects of zoning change:

- On existing community
- On future growth
- Unintended consequences

On existing community:

An analysis of the history of this part of our neighborhood is important. The main feature of this area was a convent and a school for troubled girls, founded by the Sisters of the Good Shepard in 1902, and moved to new buildings in Piedmont in 1917.

The main building, also known as Villa St. Rose, is now on the National Registry of Historic Places, and is used for affordable senior housing.

The Rosemont facility and property were purchased by the City of Portland in 1995, and plans for development went to bid under the parameters that there would be a mixture of housing options for a range of income levels. The city fast-tracked the planning and infrastructure before construction- streets, sewer, permitting.

Walsh Construction Co. won the bid, because their proposal addressed the desired and stated goals of providing different housing types for a diverse demographic- some rentals, some affordable homes built by Habitat for Humanity, some market-rate homes. Northwest Housing Alternatives now owns the Rosemont Commons, 100 apartments for affordable senior living in Rosemont Court, and 18 affordable-rent apartments in Rosemont Town Homes.

We feel that the city urgently needs to sponsor more bold development projects such as these, and not succumb to current trends for development projects within these target zones that are unresponsive to existing neighborhood

needs and contexts.

Additionally, the cohesive neighborhood feeling is in evidence by a colorful street painting that was created by the local residents at the corner of N Dekum and North Borthwick, and the proposed Comp Plan changes do not support a unifying principle that would support further neighborhood assets such as these.

On future growth:

The current demographic of the proposed rezoning area is 16% African American, 9.9% Latino, 30% renters, and \$34,784 median income. The 35 units in the proposed rezoning area are affordable housing for residents/renters with relatively low median income, and the residents of this historically ethnically and economically diverse area would be at risk for displacement. The type of development made possible by the proposed rezoning would lead to further gentrification and to displacement of low-income residents.

We recognize the projected growth in our city in the future. However, re-zoning, and the development patterns within this area, will not properly address density goals, as current trends show that after the demolition of existing houses, investors and developers are building larger, expensive single family houses that do not provide housing opportunities for renters, lower income home buyers, and multiple families. Increase in building size does not translate to increase in density.

Future affordability?

To date, the few infill and remodeling projects done by developers on the street have resulted in no affordable housing. In fact, these projects have resulted in less affordable housing as previous section 8 tenants who'd been long time residents on the street were forced to move as a result of such development. In our experience, developers have built environmentally unfriendly, expensive properties that result in less diversity in our neighborhood.

Unintended consequences:

This "piecemeal" approach to addressing density goals is inadequate to the greater task, and the effects in and near to these affected areas are too great to be of benefit to the larger surrounding community.

The Residential and Open Space Zoning Map (Proposed Draft, March 2016) does not give a convincing argument for the rezoning. The fact that Rosa Parks to the south is zoned R1 is irrelevant, and the fact that Rosemont Commons to the North is R2 is clearly a very special and unique case. Both east and west are R5, nothing is R2.5. It is not clear why these blocks were singled out, and the general feeling in the neighborhood is that it certainly was not explained properly.

It is also not correct to describe the area as "very well served" – both the grocery store and the coffee shop on the corner of Albina and Rosa Parks are not really nice and inviting facilities, and the Max Yellow line and New Seasons Market on Interstate are not really close.

Zoning ordinances should be embraced to protect the integrity of neighborhoods and the quality of life of the people who live in these areas. They should not be adopted to allow developers to profit from indiscriminate land use.

Thank you for your consideration.

Sincerely,

Piedmont Neighborhood Association and North Portland Land Use Group.

Thomas Karwaki  
NPLUG Coordinator  
253.318.2075

**From:** [Alexander Gilbert](#)  
**To:** [Planning and Sustainability Commission](#)  
**Date:** Friday, July 15, 2016 11:55:38 AM

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I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

This area is a regional resource that is important as a cultural destination for locals and tourists alike. The future of the Portland's regional economy depends on preserving culturally important areas like Belmont Street.

Thanks,

Alexander Gilbert

# GALVANIZERS COMPANY



2406 N.W. 30th AVENUE

PORTLAND, OREGON 97210

7/15/16

PSC  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

Dear PSC Commissioners:

I gave a brief and unplanned testimony at the July 10, 2016 PDC meeting, concerning the closure of NW Roosevelt Street between NW 29<sup>th</sup> Avenue and NW 30<sup>th</sup> Avenue. I wanted to expand upon that testimony to make sure my concerns were shared with you.

Cairn Pacific LLC is under contract to purchase Royal Oak Metal Craft (2135 NW 29<sup>th</sup> Ave.). Their intent is to close Roosevelt Street and combine the Royal Oak property with the adjoining Naito property and erect a mixed use development on that site. This property borders the Guilds Lake Industrial Sanctuary (GLIS). In a letter from Travis Henry of Cairn Pacific dated May 21, 2016 he states, "We believe that this property is a gateway to the NW District from the North, and represents an opportunity to bring a mixture of uses and services that will be desirable to area residents".

Mr. Henry doesn't seem to understand what the Guilds Lake Industrial Sanctuary is all about. The GLIS became effective December 21, 2001. It was on November 14, 2001 that the City Council voted unanimously to pass, with one amendment, Ordinance No. 176092, which adopted the GLIS and amended the Comprehensive Plan and Zoning Code.

The purpose of the GLIS is to maintain and protect this area as a unique place for a broad variety of industrial land uses and businesses. The plan recognizes the unique role of industrial land in Portland's economy and the importance of industrial businesses in providing living-wage jobs. Galvanizers Company provides living-wage jobs to 35 households. These households are depending upon long term employment with a company who has been operating at its current site for 75+ years. Much of Portland's infrastructure has been galvanized for corrosion protection by our facility. The Tri-met light rail system, the East Bank Esplanade, many of Portland's traffic signal poles and light poles along the freeways, the majority of the highway sign bridges structures which guide traffic in and out of our city, and many of the high rise buildings in downtown Portland have canopies or internal support systems that were coated at Galvanizers Company.

The huge influx of apartment buildings and condo's as well as non-industrial businesses is encroaching upon the GLIS. As noted in the Guilds Lake Industrial Sanctuary Plan, "GLIS has come under increasing pressure for changes to land use and development patterns that could diminish its role as a premier industrial district". The existence or expansion of nearby residential and mixed-use areas (such as Cairn Pacific's proposed plan) creates potential land use and traffic conflicts with industrial operations in the GLIS. Additionally, noted in the plan, "The GLIS is a unique and important part of the city and the region. As a valuable source of well-paying jobs

and regional, national and international commerce, the GLIS is a vital component of the region's economy".

In 1996, the City Council recommended that the four northwest neighborhood associations with industrial zoning agree on issues related to long-term industrial land use. NINA (Northwest Industrial Neighborhood Association) sponsored a workshop to determine how the four neighborhoods could work together. An outgrowth of this workshop was the Northwest Industrial Sanctuary Working Group (SWG). In 1999 the SWG coalition reached a consensus on recommendations for criteria and boundaries of industrially zoned areas, including establishing "buffer areas" between industrial and residential mixed-use areas. As noted in the plan, "Whenever appropriate and possible, the two-block buffer zones should exclude new residential zoning". The Cairn Pacific proposed property would not fall in line with this recommend "buffer area".

Industry by its very nature can be loud, dirty, and rely heavily upon a transportation system that allows large trucks, barges, and other heavy equipment. The beauty of the GLIS is its excellent road, rail and water transportation networks. This includes NW Nicolai Street which becomes St. Helens road and runs in front of the Cairn Pacific proposed property. This proposed mixed-use development is going to put a strain on the transportation system, place families in a living situation which faces a very heavily traveled truck route, and several heavy industrial operations. The current use of the property provides that "buffer area" and is a good use of the property.

As noted in the GLIS plan, "GLIS businesses have helped Portland become a national model for sustainable development by integrating environmentally sensitive industrial practices with economic efficiency. The GLIS has helped Portland meet regional targets for job growth during the past twenty years. Several thousand family-wage jobs have been added through business expansion increases in production capacity and employee density and through redevelopment of obsolete and contaminated sites".

It is imperative that the PDC and City Council honor and support the continued existence of the Guilds Lake Industrial Sanctuary. Industry has been and needs to continue to be an important part of Portland's economic growth. Encroachment upon the GLIS by developments such as the Cairn Pacific proposed plan will ultimately result in closure of operations such as ours. This type of encroachment will force industry out of business and mean the loss of thousands of living-wage jobs.

April 28, 2016

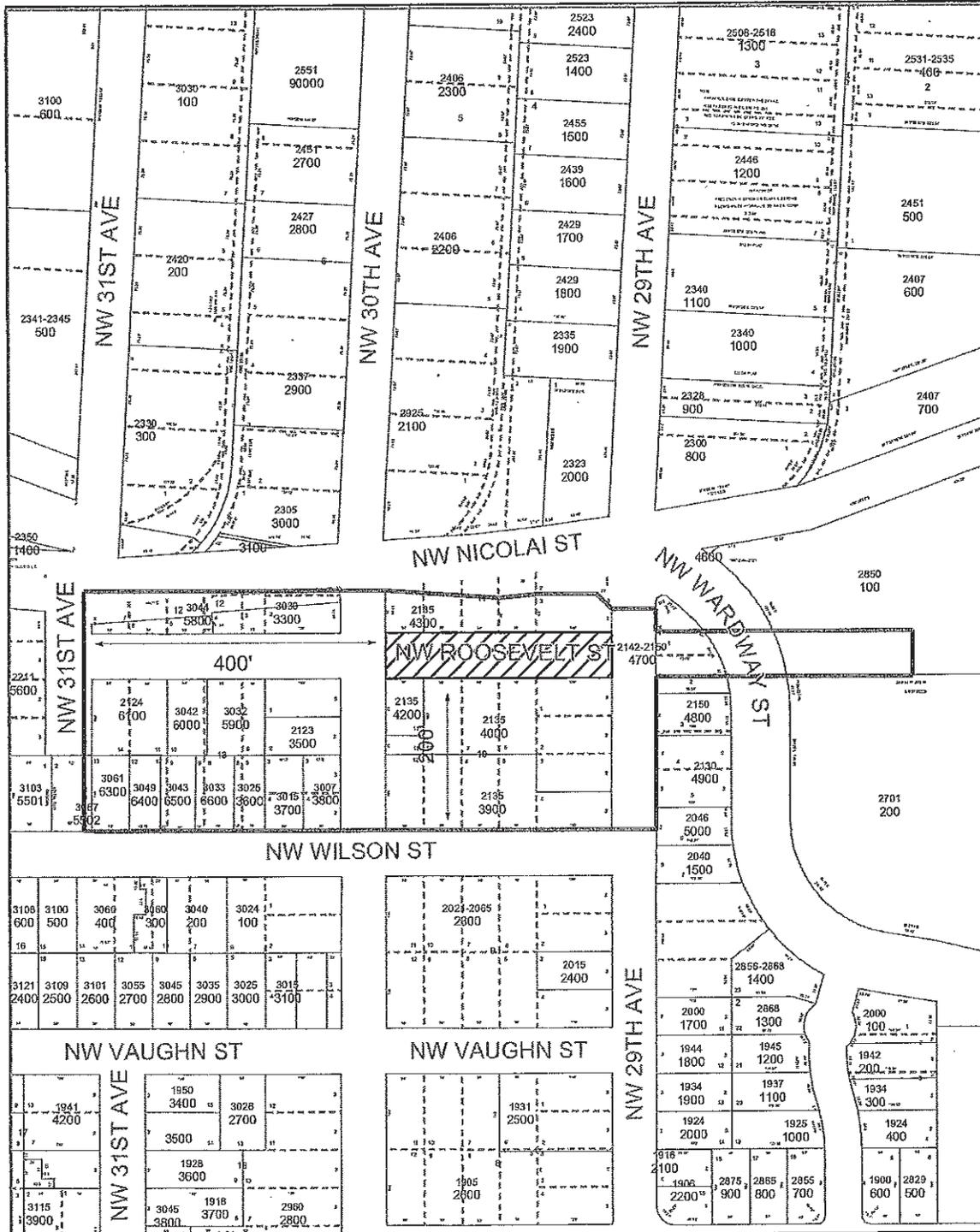
Cordially,



Craig Hamilton  
Plant Manager

Enclosure: Exhibit A Map

# Exhibit A



## NW Roosevelt St between NW 29th and 30th Aves

Petitioner: Cairn Pacific Acquisitions LLC

Area proposed for vacation
  Affected Area

1/4 Section: 2826      Section: 1N1E29DB



1 inch = 200 feet

**From:** [Katie Bretsch](#)  
**To:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Planning and Sustainability Commission](#)  
**Cc:** [Tiffany CONKLIN](#)  
**Subject:** Preserve scale of historic Belmont trolley stop main street  
**Date:** Friday, July 15, 2016 9:46:17 PM

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As a community member, former Sunnyside Neighborhood Association board member and Land Use Chair when we did the previous neighborhood plan in the mid '90s, I ask you to respect the long expressed wish of Sunnyside residents to preserve the historic character and scale of the Belmont trolley stop main street on Belmont between 33rd and 34th.

I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.”

Thank you for your consideration.

MK Katie Bretsch  
3336 SE Yamhill  
Portland Oregon 97214  
[Kbretsch@gmail.com](mailto:Kbretsch@gmail.com)  
503.750.1624

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MK (Katie) Bretsch  
1.503.750.1624  
[kbretsch@gmail.com](mailto:kbretsch@gmail.com)  
Sent from Gmail Mobile

**From:** [Jea Alford](#)  
**To:** [Planning and Sustainability Commission](#); [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Friday, July 15, 2016 8:02:56 AM

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Dear Planning and Sustainability Commission Members,

As a community member and resident of the Sunnyside neighborhood, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

Sincerely,  
Jea Alford

--  
Jea Alford  
[jeaalford.com](http://jeaalford.com)  
[inhouseresidency.org](http://inhouseresidency.org)

**From:** [Randi Wolfe](#)  
**To:** [Planning and Sustainability Commission](#); [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 9:07:38 AM

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I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

Randi Sypher Wolfe  
Portland Native

Principal Real Estate Broker  
Keller Williams Portland Central

**From:** [Rick Witte](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com); [Cunningham, Bill](#)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 9:44:58 AM

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As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

Rick Witte RN  
503.515.6395

**From:** [Chris Stephens](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 11:06:34 AM

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As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood

**From:** [Katie Petersen](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Save our neighborhood!  
**Date:** Thursday, July 14, 2016 3:25:33 PM

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To whom it may concern,

As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

Thank you  
Katie Petersen

Sent from my iPhone

**From:** [TERESA MCGRATH](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 11:16:17 AM

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"As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood."

**From:** [Darvel T Lloyd](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [KPTV-Channel 12 News](#); [Nancy Tannler](#)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 8:33:02 AM

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As a concerned resident of the Mt. Tabor Neighborhood, I urge the Planning and Sustainability Commission to keep the livability of the Sunnyside Neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

Thank you,

Darvel Lloyd  
54 SE 74th Ave.  
Portland, OR 97215  
503-593-2996

**From:** [Kyra Goodhart](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 5:51:33 PM

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**To Whom it May Concern,**

My husband and I have owned our home at SE 34th and Taylor for 10 years and are very concerned at the prospect of loosing the historic 3300 block of Belmont Ave. As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

Thank you,  
Kyra Littlefield

**From:** [Larrabee](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [manda@portlandoregon.gov](mailto:manda@portlandoregon.gov); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Profit Taking Displacement Diaspora - Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 7:57:43 AM

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Hey City that works for Developers,

RE: 3300 - 3356 SE Belmont Street

As a longtime community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

Sincerely,

Brad Larrabee  
Portland, OR

**From:** [John W Hopkins](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 8:04:21 AM

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To Whom it may concern:

As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

Thank you!

John W Hopkins

Sent from my iPad

**From:** [Maria Hein](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 8:44:22 AM

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As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this neighborhood. We are rapidly decimating the historic character of the old business districts and, with each new multi-story building, impacting the livability of nearby residential neighborhoods.

Sincerely,

Maria Hein

--

Maria Hein  
Portland, OR

A civilization flourishes when people plant trees under which they will never sit.  
- Greek Proverb

**From:** [Zac Hathaway](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - 3300-3356 Historic Block  
**Date:** Thursday, July 14, 2016 2:05:13 PM

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To the Planning and Sustainability Commission:

I strongly urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this important and unique historic Portland neighborhood.

I am a long time resident of the Sunnyside neighborhood and live next to the block in question (915 SE 33<sup>rd</sup> Ave). This change in zoning and the proposed development on the block will fundamentally alter the fabric of my neighborhood. Please reconsider this change in zoning.

Regards,  
Zac Hathaway

**Zac Hathaway, MUS** | Consultant  
**Research Into Action, Inc.**  
p 503 287 9136 d 503 943 2371

Energy Program Evaluation | Market Research

**From:** [Stuart Emmons](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com); [Jeff Cole](#); [Meg Hanson](#); [Stacey Atwell](#); [Tiffany Conklin](#); [Kyra Goodhart](#); [Tony Jordan](#); [Neil Heller](#); [Mike Sellinger](#); [Patrick Hilton](#); [Jack Bookwalter](#); [Brian Libby](#)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - 3300-3356 Historic Block  
**Date:** Thursday, July 14, 2016 7:36:08 AM

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To the Planning and Sustainability Commission:

I urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this wonderful Portland historic neighborhood.

Thank you,  
Stuart Emmons

Stuart Emmons  
cell: 503.705.3050  
email: [stuart@stuartemmons.com](mailto:stuart@stuartemmons.com)  
website: [www.stuartemmons.com](http://www.stuartemmons.com)  
twitter: @stuart\_emmons

**From:** [Carie Cook](#)  
**To:** [Planning and Sustainability Commission](#); [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Subject line: Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 2:51:10 PM

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As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood

thank you!

**From:** [Tiffany Conklin](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com); ["Jeff Cole"](#); ["Stuart Emmons"](#); ["Meg Hanson"](#); ["Stacey Atwell"](#); ["Kyra Goodhart"](#); ["Tony Jordan"](#); ["Neil Heller"](#); ["Mike Sellinger"](#); ["Patrick Hilton"](#); ["Jack Bookwalter"](#); ["Brian Libby"](#); ["Zac Hathaway"](#); ["Belliveau, Jackie :LSO Human Resources"](#)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - 3300-3356 Historic Block  
**Date:** Thursday, July 14, 2016 10:02:30 AM  
**Importance:** High

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To the Planning and Sustainability Commission:

I strongly urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this important and unique historic Portland neighborhood.

I have lived at the historic Thaddeus Fisher House (915 SE 33<sup>rd</sup>) just a block away from the Belmont District main street for almost 7 years and know this area well. It is one of Portland's oldest and most historically well-preserved main streets and to allow large-scale redevelopment (like the one's proposed on the 3000 block of Belmont) will destroy the character of the streetscape, and by extension, the cohesiveness of the Sunnyside neighborhood.

Thank you,  
Tiffany Conklin

**Tiffany Conklin, MUS | Research Associate**  
**Portland State University Survey Research Lab**  
[tconklin@pdx.edu](mailto:tconklin@pdx.edu) | 503-725-5970



**From:** [mark.colman](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 8:16:21 AM

---

To Whom It Concerns,

As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

Please save this wonderful place!

Mark Colman

**From:** [Paul Cienfuegos](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** URGENT re Composite Zoning Proposal - SE Belmont Street - Historic Block ....  
**Date:** Thursday, July 14, 2016 1:05:24 PM

---

As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

We who live in this area are sick and tired of the City not respecting the will of those of us who live here. You represent US. If necessary, there will be nonviolent direct action to stop this outrage. Start listening to the people who live here.

Paul Cienfuegos

- \* [PaulCienfuegos.com](#) (My dismantling corporate rule work)
- \* [CommunityRightsPDX.org/Podcast](#) (Local group I co-founded & Archive of my Weekly KBOO Radio Commentary/Podcast since August 2014)
- \* [100fires.com](#) (My online bookstore)

[paul@100fires.com](mailto:paul@100fires.com)

POB 86605, Portland, OR 97286  
Cascadia, USA, Mother Earth

**From:** [kathy bue](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com); [Commissioner Saltzman](#); [Commissioner Novick](#)  
**Subject:** Belmont street  
**Date:** Thursday, July 14, 2016 8:36:07 AM

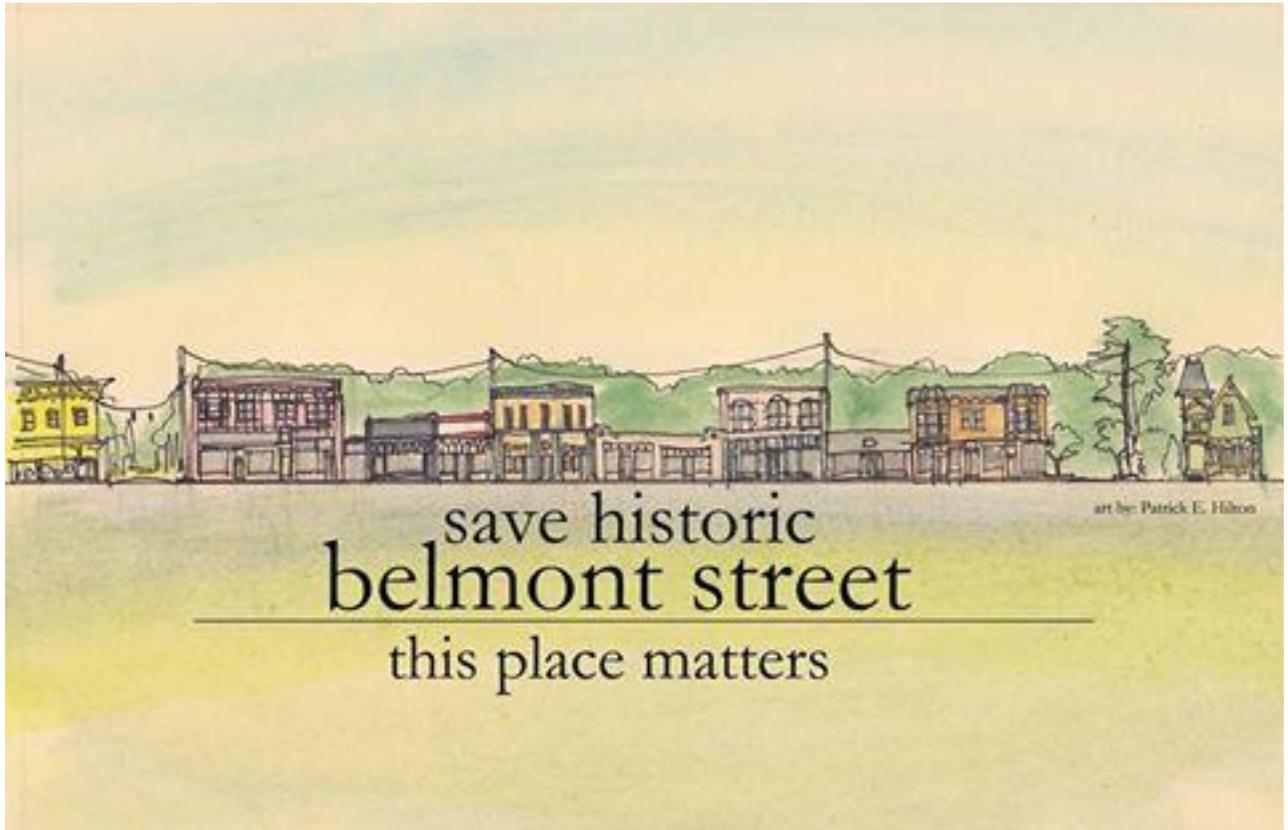
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Greetings:

Please consider this: "As a community member, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood."

Sincerely,

**Kathy Bue**



art by: Patrick E. Hilton

save historic  
**belmont street**  
this place matters

**From:** [Belliveau, Jackie :LSO Human Resources](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - 3300-3356 Historic Block  
**Date:** Thursday, July 14, 2016 10:19:38 AM  
**Attachments:** [image001.png](#)

---

To the Planning and Sustainability Commission:

I strongly urge the Planning and Sustainability Commission to keep the livability of the SE Belmont Street neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am very opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of this important and unique historic Portland neighborhood.

Sincerely,  
Jacqueline Belliveau

**Jacqueline Belliveau** | HR Business Analyst, Sr., Human Resources Business Intelligence  
| Legacy Health  
1919 NW Lovejoy Street | Portland, OR 97209 | ☎ 503-415-5743 | ✉ [jbellive@lhs.org](mailto:jbellive@lhs.org)

**Need something from Human Resources? Check out [MyHR!](#)**



**From:** [danbridge](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Cunningham, Bill](#); [Anderson, Susan](#); [Commissioner Fritz](#); [Fish, Nick](#); [Hales, Mayor](#); [fox12news@kptv.com](mailto:fox12news@kptv.com); [examiner@inseportland.com](mailto:examiner@inseportland.com)  
**Subject:** Composite Zoning Proposal - SE Belmont Street - Historic Block  
**Date:** Thursday, July 14, 2016 11:06:27 AM

---

Dear Planning and Sustainability Commission,

I am a resident of Buckman, and live a few blocks from the beloved Historic Belmont Blocks. As a community member and active participant in the Belmont community, I urge the Planning and Sustainability Commission to keep the livability of our neighborhood by zoning the 3300 - 3356 SE Belmont Street block CN1 (3 story maximum). I am vehemently opposed to a CN2 designation (5 story), which will ruin this historic block and negatively impact the livability of our neighborhood.

Thank you,

Daniel Baxter

Daniel Baxter 503 515 2052  
2539 SE Madison St.  
Portland OR 97214

**From:** [Garlynn Woodsong](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Zoning Map Comments  
**Date:** Wednesday, July 13, 2016 5:55:01 PM

---

Dear Planning & Sustainability Commission,

It has come to my attention that on many of our retail corridors, the proposed zoning will not allow (much less require) ground-floor retail.

Ground-floor retail should be allowed on all transit streets in the city; and it should be required on all frontages of all main streets in the city.

Where this is currently not the case, the selected parcels should either be re-zoned, or their zoning should be re-defined to allow or require ground-floor retail. For instance, where an R zone is currently applied, then either an overlay needs to be applied to allow/require ground floor retail, the R-zone itself needs to be re-defined to allow or require ground-floor retail, or the parcels need to be re-zoned from R to CM1-3 (as appropriate for the height of the existing zone).

Finally: this is not about retail, per se. The City probably has plenty of retail zoned capacity. The issue is about active ground-floor uses, and not having "dead zones" on our commercial streets, which can deter pedestrian activity.

These active ground-floor uses could be retail, services, live-work, offices, or residential -- but their design should be such that they are flexible enough to accommodate and are built to ground-floor retail standards. The market will then dictate their actual use over the century-plus life of each building.

Thanks for working to figure out a way to make this critical change to the zoning before it is finalized.

Sincerely yours,  
~Garlynn G Woodsong  
5267 NE 29th Ave  
Portland, OR 97211

**From:** [dhsmith\\_email@yahoo.com](mailto:dhsmith_email@yahoo.com)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** zoning changes at 3101-3107 SE Stark  
**Date:** Wednesday, July 13, 2016 5:07:47 PM

---

Hi - I own a 4 unit building at 3101-3107 SE Stark St that is a a non-conforming development (zoned R5). There is room in the unfinished basement to add 1-2 more units. Such use would be consonant with 'growing up, not out' idea of the Comprehensive plan. Please advise if there is any potential for such a zoning change and what I would need to do.

Thank you,  
Dave Smith  
503 704 6167

**From:** [BPS Comprehensive Plan Testimony](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** FW: Testimony re. Composite Zoning Proposal  
**Date:** Wednesday, July 13, 2016 8:48:46 AM

---

**From:** john collins [mailto:jcollins.nd@gmail.com]  
**Sent:** Tuesday, July 12, 2016 5:53 PM  
**To:** BPS Comprehensive Plan Testimony <cputestimony@portlandoregon.gov>  
**Subject:** Testimony re. Composite Zoning Proposal

Dear PSC,

Please consider rezoning my property at 2907 NE Weidler St. as CE.

CE is the current designation of the contiguous properties at 2915 NE Weidler (a private single-family dwelling very similar to mine) and 3030 NE Weidler (Fred Meyer shopping center).

Currently I maintain my residence and operate a home-occupation family business in the house. My purpose in making this request for CE zoning is to open the possibility of hiring an employee or associate who is not a family member; this is not possible with a home occupation business on R1 property.

I have no plan or desire to replace or substantially alter the present house.

Thank you.

John Collins  
2907 NE Weidler St.

July 12, 2016

Dana L. Krawczuk  
DKrawczuk@perkinscoie.com  
D. +1.503.727.2036  
F. +1.503.346.2036

VIA EMAIL (PSC@PORTLANDOREGON.GOV)

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
1900 SW Fourth Avenue, Suite 7100  
Portland, OR 97201-5380

**Re: WREH's Testimony Regarding Zoning Changes for Lloyd Plaza**

Dear Chair Schultz and Members of the Planning and Sustainability Commission:

As you know, this office represents WREH Lloyd Plaza LLC ("WREH"), the owner of Lloyd Plaza, located at 1425-1435 NE Irving Street (the "Property"). The Property is currently zoned Central Commercial (CX) and developed with four commercial buildings known as Lloyd Plaza. The Adopted 2035 Comprehensive Plan and the Proposed Draft of the Mixed Use Zones Project ("MUZP") will retain the Property's CX zoning.

As explained in more detail below and in our previous correspondence and testimony on May 10, 2016, we support retaining the CX zoning for the Property at this time as long as an allowance for a height bonus is provided in order for the Property to reach its full potential.

Without additional height than what is proposed, the resulting development of the large sites, such as the Property, would have to resort to low and massive buildings. If the allowed FAR of 900,000 sf is limited to 75 feet in height, then the building would have 5 floors with 180,000 square foot floor plates, which leaves little site area for open space and light. See the attached schematic massing study at **Exhibit A**.

We have identified the following two solutions to address the regulatory gap detailed below, and provide this additional height that is necessary for the Property:

1. Amend the MUZP to allow height bonuses up to 160 feet through Planned Development for CX-zoned sites outside of the Gateway and Central City Plan Districts ("CCPD"), including the Property<sup>1</sup>; or
2. Include the Property in the CCPD.

---

<sup>1</sup> We acknowledge that this solution is a zoning text solution, not a zoning map solution. However, because the alternative solution amends the zoning map, we believe that our testimony is relevant and appropriate.

### **Additional Height is Essential for the Property's Redevelopment**

As shown on the attached Figure 1, the Property is approximately 5.2 acres and bordered by I-84 to the north and the on-ramp to the east. The Property consists of four one-story buildings, all built in 1963-64 for the Bonneville Power Administration.

The proposed Comprehensive Plan and zoning amendments have led WREH to consider what may be the best development potential for the Property. Although, WREH has no immediate redevelopment plans for the Property, a mixed use development would best utilize the Property's size, accessibility to transit and proximity to the Lloyd District, Central Eastside, Willamette River and Downtown.

The Site's large size, combined with the proposed 4:1 FAR limit and low 75-foot height limit without potential for bonus FAR or height will encourage both under-utilization of the site and large floor plate developments which do not promote urban design objectives, such as open space, green space and light. As noted above, the proposed maximum FAR and low height results in a 5 story building with a 180,000 sf floor plate.

From an economic perspective, it would be very difficult to develop the Property (or sites in the same situation) without the option to utilize additional height. To encourage a mixed use development which would include open green spaces and proper floor plate sizes for this size of site, a height limit of 120 feet or higher would be appropriate.

### **Solution1: Address the Regulatory Gap for CX Properties Outside of Plan Districts**

The Property is currently zoned CX and will retain this zoning under the MUZP changes. WREH supports this zoning for the Property, as long as the City provides the additional height needed to make redevelopment feasible. One way to provide this is to address the regulatory gap for CX-zoned sites outside of Plan districts. The new CM and CE zones created under the MUZP will have a number of bonus options for FAR and height. However, since most CX zones are either located in a plan district, or proposed to be rezoned to CM, CX zoned sites do not benefit from the MUZP bonus options. Thus, CX-zoned properties outside of the plan districts are left in a regulatory gap where they do not benefit from either plan district or base zone bonuses. This regulatory gap will have the effect of stunting CX-zoned sites, relative to less intensive CM and CE-zoned sites. This is contrary to the intent of the City's zoning scheme, in which development on CX-zoned sites "is intended to be very intense with high building coverage, large buildings and buildings placed close together." (MUZP Section 33.130.030.E, Characteristics of the Zones.)

The current draft of the MUZP also excludes the CX zone from the new height and FAR bonuses available through a Planned Development that is applicable to the other mixed use zones. Specifically, under the Property’s proposed CX zone, the maximum height is 75 feet, but the Planned Development available to other mixed use zones allows a height of up to 120 feet. Immediately north of the Property, across the Banfield, base heights of 150 to 250 feet and bonus heights of 225 to 325 feet are achievable

One solution we recommend is to amend the MUZP to provide Planned Development height bonuses in the CX Zone. We request that the Commission allow for the intended level of development on CX-zoned properties outside of the plan districts by adding CX to the list of zones that may utilize Planned Development bonuses in MUZP Section 33.130.212.B.1. We propose an amendment to the MUZP language as follows (amended text underlined), and corresponding amendments to the other MUZP sections as shown on the attached **Exhibit B**:

33.130.212.B.1. Unless specified below, the bonus options in this section are allowed only in the CM1, CM2, CM3 and CE zones and in the CX zone outside of the Central City Plan District and Gateway Plan District. Sites located within Historic or Conservation districts are not eligible to use bonus options.

Our proposed amendment would require a corresponding amendment to Table 130-3 to add the CX zone. We propose a maximum FAR of 4 to 1 (no increase from base), a maximum of 75 feet in height with bonuses (no increase from base) and a maximum height of 160 feet as part of a Planned Development. This change would recognize the unique nature of the CX-zoned sites outside of the plan districts and allow additional height for sites two acres and larger only when warranted through the Planned Development process. The proposed changes to Table 130-3 are underlined below (existing language shown in grey).

Table 130-3 Summary of Bonus FAR and Height						
		CM1	CM2	CM3	<u>CX</u>	CE
<b>Overall Maximums Per Zone</b>						
Maximum FAR with bonus		2.5 to 1	4 to 1	5 to 1	<u>4 to 1</u>	3 to 1
Maximum Height with bonus		35 ft.	55 ft. 75 ft.[1]	75 ft. 120 ft.[1]	<u>75 ft.</u> <u>160 ft.[1]</u>	45 ft.
<b>Increment of Additional FAR and Height Per Bonus</b>						
Affordable Housing (see 33.130.212.C)	FAR Height	1 to 1 none	1.5 to 1 10 ft.	2 to 1 10 ft.	[tbd] [tbd]	none none

Affordable Commercial Space (see 33.130.212.D)	FAR Height	0.5 to 1 none	0.75 to 1 10 ft.	1 to 1 10 ft.	[tbd] [tbd]	0.5 to 1 none
Large Site Master Plan (see 33.130.212.E)	FAR Height	none none	1.5 to 1 up to 30 ft.	2 to 1 up to 55 ft.	[tbd] [tbd]	1.5 to 1 up to 30 ft.

[1] This larger overall maximum is only allowed through the Planned Development bonus option and required Planned Development Review

**Solution 2: Include the Property in the Central City Plan District**

A second option to achieve the needed height for redevelopment of the Property is to include the Property in the Central City Plan District. The same elements that make the more intense CX base zone appropriate for the Property (ideal location for infill development, proximity to transit and distance from sensitive uses) make it a logical choice for inclusion in the adjacent CCPD.

The Property forms a connection between the existing Central Eastside employment area and the Lloyd Center, which are both within the CCPD. It is located next to the freeway and Benson Polytechnic High School and adjacent to the current CCPD boundaries to the north and west. The Adopted SE Quadrant Plan for the Central City included the “Banfield Portal” area, including the Property, in its transportation study area due to its importance for land use and transportation proposals in the SE Quadrant. The property is well-served by transit, including bus lines along 12th Avenue and the yellow, blue and red MAX lines at the nearby Lloyd Center Station.

The Property’s large size (5.2 acres) provides considerable potential mixed use development consistent with the desired character of the CCPD. As the City continues to grow east, it is important to adjust the CCPD to promote higher levels of development on appropriate sites. We request that the Commission adjust the boundaries of the CCPD to include the Property.

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
July 12, 2016  
Page 5

Thank you for your consideration of these requests.

Very truly yours,



Dana L. Krawczuk

DLK:cr1

Enclosure: Exhibit A, Figure 1 and Exhibit B

cc: Brent Lower (via email) (with enc.)  
Josh Keene (via email) (with enc.)  
Mr. Barry Manning (via email) (with enc.)



**OPTION 1**  
**MAX BUILDOUT**

EXHIBIT A - FAR MASSING STUDY

Figure 1



**Exhibit B**

Proposed Amendments to MUZP Text (shown in underline):

33.130.212.B.1. Unless specified below, the bonus options in this section are allowed only in the CM1, CM2, CM3 and CE zones and in the CX zone outside of the Central City Plan District and Gateway Plan District. Sites located within Historic or Conservation districts are not eligible to use bonus options.

Table 130-3 Summary of Bonus FAR and Height						
		CM1	CM2	CM3	<u>CX</u>	CE
<b>Overall Maximums Per Zone</b>						
Maximum FAR with bonus		2.5 to 1	4 to 1	5 to 1	<u>4 to 1</u>	3 to 1
Maximum Height with bonus		35 ft.	55 ft. 75 ft.[1]	75 ft. 120 ft.[1]	<u>75 ft.</u> <u>160 ft.[1]</u>	45 ft.
<b>Increment of Additional FAR and Height Per Bonus</b>						
Affordable Housing (see 33.130.212.C)	FAR Height	1 to 1 none	1.5 to 1 10 ft.	2 to 1 10 ft.	[tbd] [tbd]	none none
Affordable Commercial Space (see 33.130.212.D)	FAR Height	0.5 to 1 none	0.75 to 1 10 ft.	1 to 1 10 ft.	[tbd] [tbd]	0.5 to 1 none
Large Site Master Plan (see 33.130.212.E)	FAR Height	none none	1.5 to 1 up to 30 ft.	2 to 1 up to 55 ft.	[tbd] [tbd]	1.5 to 1 up to 30 ft.

[1] This larger overall maximum is only allowed through the Planned Development bonus option and required Planned Development Review

33.270.100.I. Additional height and FAR. For sites in the CM2, CM3 and CE zones and in the CX zone outside of the Central City Plan District and Gateway Plan District that are greater than 2 acres in size, additional height and FAR may be requested through a Planned Development as specified in 33.130.212. Floor Area and height Bonus Options and Table 130-3.

33.270.200 Additional Requirements for Planned Developments in the Commercial/Mixed Use Zones

Planned developments in the CM2, CM3, and CE zones and in the CX zone outside of the Central City Plan District and Gateway Plan District must meet all of the following requirements: . . . .

July 12, 2016

Mark D. Whitlow  
MWhitlow@perkinscoie.com  
D. +1.503.727.2073  
F. +1.503.346.2073

**VIA EMAIL**

Portland Planning and Sustainability Commission  
City of Portland  
1900 SW Fourth Avenue #7100  
Portland, OR 97201

**Re: Proposed Drive-Through (DT) Map & CE Zone Request Map**

Dear Chair Schultz and Commissioners:

This letter is written on behalf of the Retail Task Force (RTF) and the Oregon Government Relations Committee for the International Council of Shopping Centers (ICSC). Please make this letter a part of your record in the above matter.

**Map Requests:**

**1) Prohibit drive-throughs by the area of town (walkable versus drivable) per proposed DT Map (attached), to implement the Mayor’s new Comp Plan drive-through Policy<sup>1</sup>**

- We worked with the Mayor during the adoption of his new drive-through Plan Policy to decide where drive-throughs should be prohibited (walking areas) and where drive-throughs should be allowed (driving areas).
- We agreed that the Central City and similar intensely developed areas (Pedestrian Districts; Inner-Ring District and adopted Centers & Plan Districts) were “walkable” areas where *new* DTs should be prohibited.
- The base zones don’t identify those walkable versus drivable areas, so prohibiting DTs in the CM zones regardless of area of town isn’t workable to pick the right places.
- Walkable areas can be mapped as areas inside the Central City and other adopted Centers and Districts, including the Inner-Ring Districts, Pedestrian Districts & Plan Districts where intensification of development is feasible.
- Drivable areas are the other areas outside and between the walkable areas where urban scale development is futuristic, but where drive-through development is already adequately regulated by Chapter 33.224, Drive-Through Facilities.

---

<sup>1</sup> Drive through facilities. Prohibit new drive through facilities in the Central City, and limit new development in the Inner Ring Districts and centers in order to support a pedestrian-oriented environment.

- Drive-through facilities should not be prohibited east of Cesar Chavez Boulevard, except in adopted Centers, Plan Districts, Pedestrian Districts and CMSOs.
- See proposed DT prohibition map attached.
- Amend Central City Plan District and CM base zones accordingly.

**2) Use CE Zoning to Implement New Comp Plan Policies: As Short-Term Market Placeholder under Comp Plan Policy 6.17<sup>2</sup>; to Facilitate Affordable Grocery Supermarket Development under Comp Plan Policy 4.79<sup>3</sup>**

- Auto-accommodating (CE) zoning and development standards are a solution to the Food Desert problem in the eastern portion of the City to allow the widest range of grocery supermarket development under policy 4.79.
- Sites planned for mixed use zoning can be zoned in the interim as CE to address the short-term market under Policy 6.17, until the sites are feasible for urban scale development in the future.
- CE zoning allows drive-through facilities which are needed to accomplish affordable grocery supermarket development, as grocers use drive-through facilities on site for fuel, pharmacy pick-up windows and grocery pick-up lanes.
- Revise purpose statement for CE zone to make more auto-accommodating.
- We request the above as equitable commercial zoning and development standards for auto-accommodating businesses, where the current and projected transportation mode split was 80.5% auto in 2010 is and is to remain 74.50% % auto by 2035. See City of Portland mode share analysis attached.

---

<sup>2</sup> Policy 6.17 - New Sub-Policy. Requested by Salzman (Council agenda #P51).

Consider short-term market conditions and how area development patterns will transition over time when creating new development regulations.

<sup>3</sup> Policy 4.79. Requested by Salzman (Council agenda #P44).

Grocery stores and markets in centers. Facilitate the retention and development of grocery stores, neighborhood-based markets, and farmers markets offering fresh produce in centers. Provide adequate land supply to accommodate a full spectrum of grocery stores catering to all socioeconomic groups and providing groceries at all levels of affordability.

Portland Planning and Sustainability Commission  
July 12, 2016  
Page 3

Please adopt the mapping approach to the prohibition of new drive-through facilities. Please adopt CE zoning in commercial areas not ready for mixed use development.

Respectfully submitted,



Mark D. Whitlow

MDW:sv

Enclosure

Cc: Eric Engstrom  
Barry Manning  
Bill Cunningham  
RTF/ICSC GR Committee

Mode % calculation are based on 2010/2035 RTP model.

Table 1. 2010 daily mode split

	CBD	River Dist	L Albina	Lloyd	SEID	SW WatFront	Goose Hollow	N Portland	NE Portland	SE Portland	FNE Portland	FSE Portland	SW Portland	NW Portland	C-City	City	Sub	Region
auto P	55.0%	56.9%	86.1%	81.3%	84.9%	83.9%	73.4%	85.1%	84.1%	82.0%	87.3%	84.9%	85.4%	82.5%	67.2%	80.5%	84.4%	81.4%
Transit	19.5%	13.4%	5.9%	8.7%	6.1%	6.9%	8.9%	6.7%	6.8%	7.8%	6.8%	7.9%	6.5%	6.3%	14.3%	8.1%	6.3%	6.9%
Bike	5.5%	5.8%	3.2%	3.4%	3.3%	3.7%	3.3%	2.2%	3.2%	3.5%	2.1%	2.5%	3.1%	2.8%	4.5%	3.1%	2.2%	2.8%
Walk	19.9%	23.9%	4.8%	6.7%	5.7%	5.5%	14.5%	5.9%	5.9%	6.7%	3.7%	4.7%	5.1%	8.4%	14.0%	8.3%	7.1%	8.9%
SOV %	30.5%	30.1%	51.3%	43.0%	49.6%	48.2%	39.7%	49.9%	47.5%	45.6%	49.5%	47.0%	47.8%	46.3%	37.3%	45.2%	46.2%	44.4%
HOV %	24.6%	26.8%	34.8%	38.3%	35.4%	35.8%	33.7%	35.2%	36.6%	36.3%	37.8%	37.9%	37.6%	36.2%	29.9%	35.4%	38.2%	37.0%
Non-SOV	69.5%	69.9%	48.7%	57.0%	50.4%	51.8%	60.3%	50.1%	52.5%	54.4%	50.5%	53.0%	52.2%	53.7%	62.7%	54.8%	53.8%	55.6%

Table 2. 2010 daily HBW mode split

	CBD	River Dist	L Albina	Lloyd	SEID	SW WatFront	Goose Hollow	N Portland	NE Portland	SE Portland	FNE Portland	FSE Portland	SW Portland	NW Portland	C-City	City	Sub	Region
auto P	38.3%	43.2%	78.0%	62.6%	77.8%	77.5%	61.5%	84.3%	80.9%	76.1%	85.1%	82.2%	78.9%	80.8%	50.6%	75.7%	86.8%	82.3%
Transit	43.6%	35.2%	14.6%	27.4%	14.5%	12.5%	21.8%	10.8%	11.1%	13.9%	10.3%	11.9%	12.4%	10.5%	34.6%	16.0%	7.6%	9.6%
Bike	11.6%	10.3%	4.9%	7.5%	5.4%	7.5%	5.1%	3.4%	6.1%	7.6%	3.6%	4.5%	7.3%	4.8%	9.5%	5.4%	3.1%	4.6%
Walk	6.5%	11.4%	2.4%	2.5%	2.3%	2.5%	11.5%	1.5%	1.9%	2.4%	1.0%	1.4%	1.3%	3.9%	5.3%	2.9%	2.6%	3.5%
SOV %	29.4%	34.1%	68.3%	51.6%	67.0%	67.5%	52.6%	72.4%	69.9%	65.5%	73.5%	71.0%	66.6%	68.9%	40.9%	64.2%	74.0%	70.4%
HOV %	9.0%	9.2%	9.8%	11.0%	10.9%	10.0%	9.0%	12.0%	11.1%	10.6%	11.6%	11.2%	12.3%	12.0%	9.8%	11.6%	12.7%	11.9%
Non-SOV	70.6%	65.9%	31.7%	48.4%	33.0%	32.5%	47.4%	27.6%	30.1%	34.5%	26.5%	29.0%	33.4%	31.1%	59.1%	35.8%	26.0%	29.6%

Table 3. 2035 daily mode split

	CBD	River Dist	L Albina	Lloyd	SEID	SW WatFront	Goose Hollow	N Portland	NE Portland	SE Portland	FNE Portland	FSE Portland	SW Portland	NW Portland	C-City	City	Sub	Region
auto P	47.0%	48.2%	76.8%	69.5%	72.6%	72.8%	60.4%	80.8%	80.5%	78.0%	83.3%	82.4%	81.7%	78.4%	59.2%	75.9%	83.2%	79.4%
Transit	24.1%	19.0%	10.7%	14.2%	13.0%	10.2%	15.8%	9.6%	9.2%	10.5%	9.2%	9.1%	8.9%	8.7%	18.7%	10.7%	6.6%	7.8%
Bike	6.4%	6.8%	5.0%	5.1%	5.4%	8.0%	4.9%	2.8%	3.7%	4.0%	2.6%	3.0%	3.9%	3.5%	5.8%	3.7%	2.5%	3.2%
Walk	22.5%	26.0%	7.4%	11.2%	9.0%	9.0%	18.9%	6.8%	6.7%	7.4%	4.8%	5.5%	5.4%	9.4%	16.3%	9.6%	7.7%	9.6%
SOV %	24.5%	23.5%	43.0%	34.6%	38.0%	37.6%	28.3%	47.0%	45.4%	43.0%	47.4%	45.9%	45.5%	43.7%	30.5%	42.1%	45.9%	43.4%
HOV %	22.5%	24.7%	33.9%	34.9%	34.6%	35.1%	32.1%	33.9%	35.1%	35.0%	35.9%	36.6%	36.2%	34.7%	28.7%	33.9%	37.3%	35.9%
Non-SOV	75.5%	76.5%	57.0%	65.4%	62.0%	62.4%	71.7%	53.0%	54.6%	57.0%	52.6%	54.1%	54.5%	56.3%	69.5%	57.9%	54.1%	56.6%

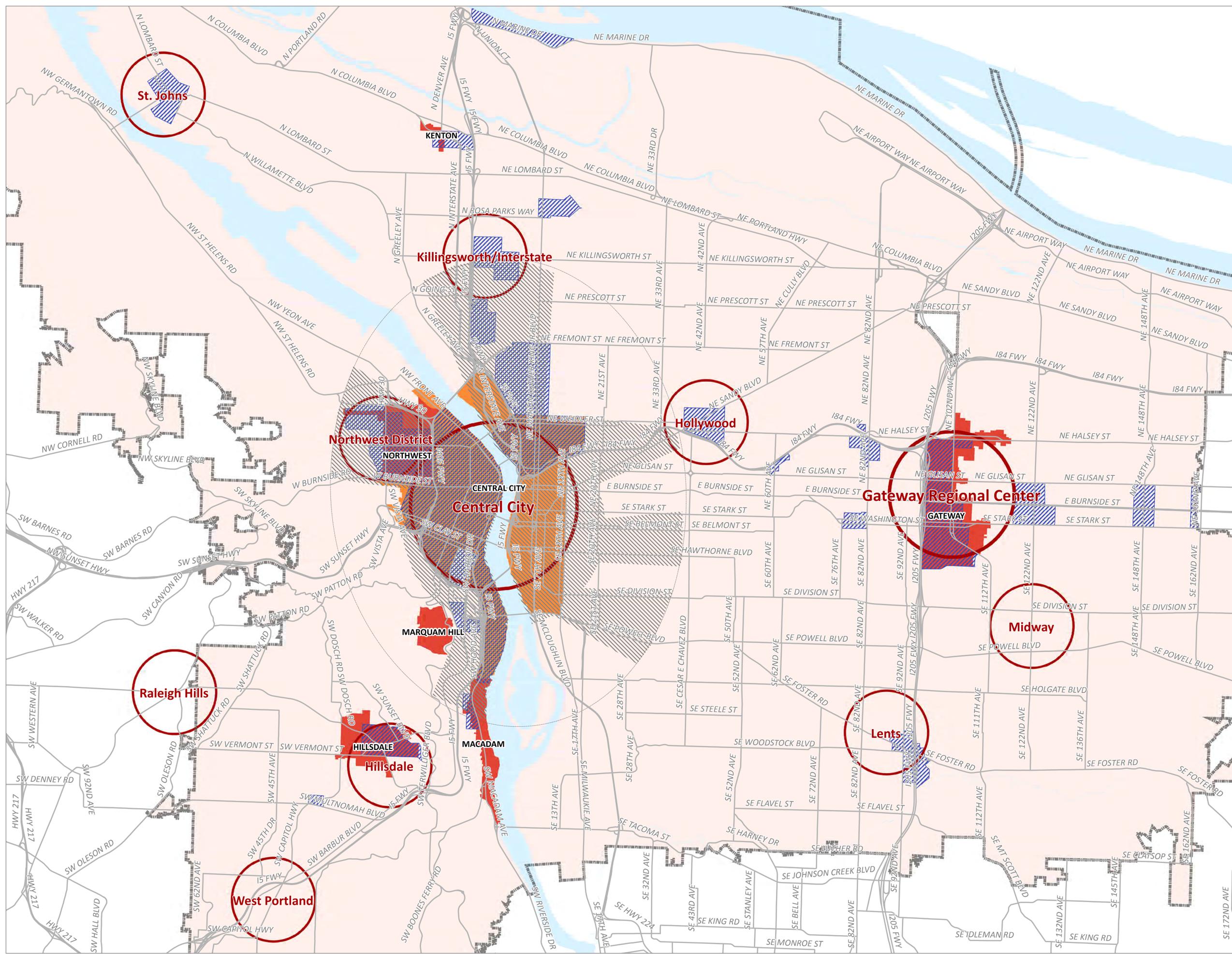
Table 4. 2035 daily HBW mode split

	CBD	River Dist	L Albina	Lloyd	SEID	SW WatFront	Goose Hollow	N Portland	NE Portland	SE Portland	FNE Portland	FSE Portland	SW Portland	NW Portland	C-City	City	Sub	Region
auto P	25.1%	28.9%	58.7%	42.1%	48.4%	51.6%	32.2%	77.6%	75.2%	69.2%	78.8%	78.4%	72.1%	74.7%	35.7%	68.1%	85.2%	79.1%
Transit	51.2%	43.3%	28.6%	38.9%	34.4%	22.8%	41.7%	15.8%	15.3%	19.2%	15.1%	14.2%	16.9%	14.6%	43.3%	20.9%	7.9%	11.1%
Bike	13.1%	11.6%	9.5%	12.0%	12.2%	20.5%	9.6%	4.6%	7.2%	8.8%	4.5%	5.6%	9.4%	6.1%	12.5%	6.8%	3.8%	5.5%
Walk	10.6%	16.3%	3.2%	7.0%	5.0%	5.1%	16.5%	2.0%	2.4%	2.8%	1.7%	1.8%	1.6%	4.6%	8.6%	4.2%	3.0%	4.3%
SOV %	18.0%	21.6%	47.6%	31.9%	37.2%	38.1%	23.5%	65.2%	63.9%	58.7%	67.5%	67.1%	60.2%	62.7%	26.4%	56.5%	72.3%	67.2%
HOV %	7.2%	7.3%	11.1%	10.3%	11.3%	13.5%	8.7%	12.4%	11.2%	10.5%	11.3%	11.2%	11.9%	12.0%	9.2%	11.5%	12.9%	11.9%
Non-SOV	82.0%	78.4%	52.4%	68.1%	62.8%	61.9%	76.5%	34.8%	36.1%	41.3%	32.5%	32.9%	39.8%	37.3%	73.6%	43.5%	27.7%	32.8%

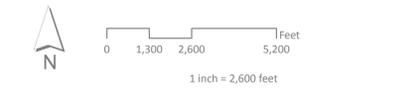
# COMP PLAN DRIVE-THROUGH POLICY PROHIBITION AREAS MAP Portland, Oregon

- LEGEND**
- Regional Centers
  - Town Centers
  - New Drive-Throughs Prohibited:**
  - Central City Plan District
  - Other Plan Districts Where Prohibited
  - Pedestrian Districts
  - Inner Ring Districts

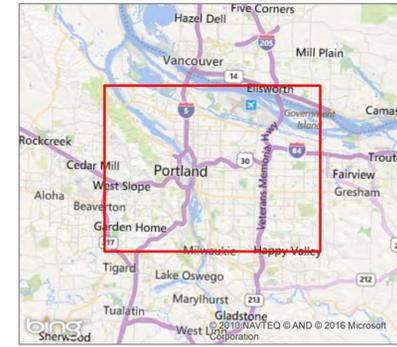
**Notes:**  
DTs prohibited in mapped areas  
DTs allowed elsewhere per Chap 33.224



Prepared for the RTF/ICSC GR Committee 7/12/16



SOURCE DATA: Metro RLS Line Base Data, Aug 2014  
GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic  
Date: 7/12/2016 Map Created by: KWB  
File: Drivethroughlimits\_CompPlan Project No: 2160034.00



**From:** [john.keshar.wenderoth](mailto:john.keshar.wenderoth)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Composite Zoning Testimony re: 7640 N Jersey, 97203  
**Date:** Tuesday, July 12, 2016 2:41:41 PM

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Hello,

I'd like to submit testimony regarding my intentions to improve the property at 7640 N Jersey, Portland, OR, 97203, in the event that a zoning change is approved in the future. I live next door to this property (at 7626 N Jersey) and have been a proud resident of St. Johns for the past 14 years - i was fortunate to buy the bordering property back in 2010 when the opportunity presented itself and in the interim have maintained the property with little change to the neighborhood. My friend and neighbor, architect Joseph Purkey, let me know about the city's comprehensive plan review a few years back and i've worked with him to understand the plan and it's potential towards how i might improve the property.

A few things i've kept in mind and consider in lieu of the fact that i love my neighborhood, have become great friends with my neighbors and that i'd like to see the neighborhood continue to grow and maintain its quality:

- the structure at 7640 was formerly a single story grocery and for the past ~40 years has been office space. The construction is unreinforced brick masonry and, though functional, is at great risk in a large seismic event.

- the cost of retrofitting the structure is sizeable, to restore it to its original appearance and retrofit it (it was given a cosmetic stucco facelift during the 80's) does not appear to be cost effective.

- a zoning change and the following allowances for appropriate business to function in an improved space would make an overhaul of the property cost effective.

- the structure dates back prior to St. Johns being annexed to Portland. Though the neighborhood has changed, 7640 N Jersey has maintained in continuous use as office space and has been a quiet and consistent component of the neighborhood and street. I would not want to affect the street and neighborhood in regards to the quiet and traffic levels that residents have come to expect.

Joe Purkey has provided insight on how to potentially and most cost effectively improve the property while maintaining both an appearance and use that would revitalize the space and create a space that's functional and beneficial to the neighborhood for the long haul.

Thanks!

John Wenderoth  
(owner 7640 N Jersey, 97203)  
7626 N Jersey.  
971-506-9197



## NORTH PORTLAND LAND USE GROUP

RE: COMPOSITE ZONING MAP TESTIMONY

July 12, 2016

Commissioners:

The University Park Neighborhood Association Board and the North Portland Land Use Group (NPLUG) which is composed of the land use committees of the eleven neighborhood associations of North Portland Neighborhood Services, have approved these comments and request that you consider them in your deliberations.

The consolidated zoning map comments are:

1) The UPNA Board and NPLUG strongly support the rezoning from Mixed Use Commercial to Residential 5 for the five properties east of the Railroad Cut on the South side of Willamette Boulevard, as approved by the City Council.

2) UPNA Board and NPLUG recommend that the Major Trail alignments in North Portland reflect BOTH the current alignments (which are generally on public right of way), AND the Staff Recommended alignments (which often are on private land with no approval by land owners). This is to support the 40 Mile Trail Board and North Portland Greenway positions. Essentially the argument is that Trails should be viewed like Bikeways which the City Council has approved a corridor approach for PBOT to study. Putting BOTH alignments on the composite and Miscellaneous Map allows flexibility for future siting and maintains the current trail network.

3) NPLUG strongly supports INCREASING ACCESS to the Columbia Slough, the Columbia River and Willamette River. In particular, NPLUG supports the comments of the East Columbia Neighborhood Association which for THIRTY years has requested of the Planning Commission, PBOT and City Council for ACCESS to the Slough at NE 13<sup>th</sup> Avenue (off NE Fazio Way).

4) NPLUG supports rezoning areas of Hayden Island from Mixed Use Dispersed to Mixed Use Neighborhood, as approved by the City Council.

5) NPLUG recommends changing the EG2 zoning on the Hayden Meadow area. This would

allow work-live units, artist lofts, restaurants, and a town-like development that encourages pedestrian and multi-modal access rather than just big-box retail establishments that are auto-oriented (which the current plan and composite zoning map requires).

6) NPLUG requests that the Planning & Sustainability Commission create a **Public Health & Safety Overlay Zone** on North Portland. This overlay is attached, and has been requested by NPLUG and the Coalition of Chairs of North Portland Neighborhood Associations in the past. It would force a heightened scrutiny of future development's impacts on the air quality, water quality, exposure to toxic substances, and traffic and pedestrian/bicycle safety in North Portland.

Submitted by:

Thomas Karwaki, 7139 N. Macrum Ave. Portland OR 97203

Vice Chair, University Park Neighborhood Association, North Portland Land Use Group

ATTACHMENT: HEALTH OVERLAY

## **Introduction**

North Portland is a vibrant, diverse community of single and multi-family homes, commercial centers, and industrial preserves situated at the confluence of the Columbia and Willamette rivers. Our eleven neighborhoods face increasing growth and density in the coming years. The City of Portland Comprehensive Plan identifies inner neighborhood areas such as North Portland as ideal for increased density. The plan recognizes, however, that increased density carries with it the challenge of maintaining a healthy, connected city where residents have access to clean air, accessible green space, and vibrant employment centers.

In order to meet the coming growth in our community without compromising the health and well being of our residents, North Portland's neighborhood representatives recommend a health overlay zone. This zone applies specific land use, design, and monitoring requirements on new development in North Portland to mitigate negative health and safety impacts. The health overlay zone supports a vision along with goals and strategies outlined below that together preserve and enhance our way of life while accommodating new development in our community.

Our community draws inspiration for our recommendations from two key sources. Portland's comprehensive plan update, Policy 4.28.d, encourages design and land use patterns that mitigate negative air quality and noise impacts in Portland neighborhoods, especially near high vehicle traffic areas, and other sources of air pollution. Similarly, Portland's Climate Action Plan (CAP) goals 1-4 aim to reduce the environmental impacts of new development through more sustainable land use and design principles.

## **Vision**

*A North Portland community that preserves and enhances the health and well being of its residents while accommodating growth and density needs.*

## **Goals**

To achieve our vision, North Portland's neighborhoods propose the following three goals:

- *Better Air and Water Quality*: Land use, design, and monitoring requirements that reduce or minimize the negative impact of future development on energy demand, air conditioning use, air pollution and greenhouse gas emissions, heat-related illness and mortality, and water quality.
- *Reduced Noise Pollution*: Land use, design, and monitoring requirements that reduce or minimize the negative impact of future development on unwanted or distressing sound.
- *Increased Safety*: Land use, design, and monitoring requirements that reduce or minimize the negative impact of future development on criminal activity and emergency preparedness.

## **Strategies**

Goals provide benchmarks by which to measure progress towards our vision. Each goal, however, is supported by specific, actionable strategies that residents, community leaders, and City of Portland staff can use to better our community. We provide an illustrative list of strategies below based on NPLUG discussions, but we expect individual neighborhood association meetings to generate and refine strategies to best fit our community vision.

### *Better Air and Water Quality*

- Improve storm water management design standards for new developments
- Require air filtration in all new residential developments
- Improve ventilation requirements for new residential developments
- Require building features that facilitate less energy use
- Require moisture-infiltration and ventilation features that reduce mold formation
- Eliminate exposure to harmful asbestos materials
- Install traffic-calming, pedestrian, and bicycle features to minimize the use of single-occupancy vehicles (SOVs)
- Install more and better transit infrastructure to encourage more energy-efficient transportation modes
- Require low-emissions freight vehicles
- Preserve and build connections between existing green spaces
- Plant trees that will help filter the air of carbon dioxide, harmful particulates, and other atmospheric contaminants in all new housing developments
- Install air-monitoring stations in North Portland neighborhoods<sup>1</sup>

### *Reduced Noise Pollution*

- Improve noise abatement design standards for new developments
- Install noise abatement walls or similar constructs between residential areas and freight corridors

### *Increased Safety*

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<sup>1</sup> Monitoring stations do not directly affect air quality, but do allow for on-going evaluation of air quality mitigation efforts.

- Educate residents on emergency preparedness procedures
- Improve coordination between neighborhood organizations and Portland Police Bureau North Precinct services
- Improve coordination between neighborhood organizations and Portland Fire and Rescue
- Improve coordination with other neighborhood, city, county, and state emergency and safety preparedness groups

## **Conclusion**

These goals and strategies support our community vision of a North Portland that accommodates future growth and density without compromising our health, safety, or well being. By incorporating these elements into the City of Portland comprehensive plan update, we may ensure our community is ready and capable of meeting future growth needs while guaranteeing existing and future residents enjoy a healthy, safe, and vibrant North Portland.

Allison J. Reynolds  
AReynolds@perkinscoie.com  
D. +1.503.727.2168

July 12, 2016

**VIA EMAIL (PSC@PORTLANDOREGON.GOV)**

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
1900 SW Fourth Avenue, Suite 7100  
Portland, OR 97201-5380

**Re: SolTerra Testimony Requesting Zone Change to Prevent New Mixed Use  
Developments from Becoming Non-Conforming**

Dear Chair Schultz and Members of the Planning and Sustainability Commission:

This office represents SolTerra Architecture, Inc. (“SolTerra”) which owns property located at 25 North Fargo Street (the “Woods Site”) and 3138 WI/North Vancouver Avenue (the “Strata Site”). SolTerra recently learned that the Composite Zoning Map changes for these properties will make its new mixed use developments non-conforming, both as to development and use.

SolTerra requests that the Commission retain the current zoning for these properties or, as an alternative, rezone both sites RH (at the 4:1 FAR and 75 foot height level) and provide for the ground floor retail to remain a conforming use.

Non-Conforming Use Issues:

Both the Woods and Strata Sites are located along the vibrant Vancouver-Williams corridor. Except for the two and one half blocks surrounding the Woods and Strata sites, this corridor will be rezoned commercial mixed use (CM2 and CM3). The character of the corridor supports ground floor commercial development and ground floor active uses will be required along the rest of the corridor for the six blocks north of SolTerra’s Sites.

In line with the City’s desired character for this corridor, SolTerra’s developments will contain ground floor retail uses. These are allowed by right in new developments in the RX zone. However, the RH zone (proposed for the Woods Site and requested for the Strata Site if RX zoning is not permitted), these commercial uses will become non-conforming uses. The R1 zone proposed for the Strata site also does not permit commercial. Limited retail and office use

is allowed in the RH zone as a conditional use only for sites within 1,000 feet of a transit station, which the Code defines as a light-rail station. Although the Vancouver-Williams corridor is well served by bus transportation, the City has not extended light-rail to this portion of Northeast Portland, meaning that the SolTerra properties could not conform to this requirement.

As the Commission knows, non-conforming uses, unlike non-conforming developments, are subject to much stricter rebuilding requirements and a non-conforming use designation can make financing, sale and insurance difficult for projects. SolTerra therefore requests that the Commission address this issue when converting properties from RX to RH. The Commission could do this in two ways: first, revise the Code to state that non-residential uses permitted in the RX zone under the previous Code will not become non-conforming uses under the new Code; and second, revise the RH zoning limitation on commercial uses to allow limited, conditional commercial use in areas served by bus, rail or streetcar transit. These options would allow mixed use developments that obtained permits under the previous Code to be treated as conforming uses under the Code changes.

#### Non-Conforming Development Issues:

##### *Woods*

The Woods Site is proposed to be down-zoned from RXd to RHd, which we understand is part of the City's effort to eliminate the RX zone outside of the Central City and Gateway Plan Districts. SolTerra's proposed development, which in the last stages of building permit review, and will be constructed before the Composite Zoning Map changes become effective, will conform to the Property's current RX zoning. The development will also conform to the RH development standards if the 4:1 FAR and 75 foot height limits are imposed. SolTerra requests that if the RH zoning is imposed, the Woods Site is allowed a 4:1 FAR and 75 foot height limit. The Woods Site is surrounded on three sides by commercial (CM2 and CM3) zoned properties which allow more intense commercial uses and high density residential. High density residential zoning is therefore appropriate for this Site.

##### *Strata*

The Strata Site is proposed to be down-zoned from RXd to R1d. We understand that this down-zone was requested by the Elliot Neighborhood Association as part of a comprehensive land use proposal. The down-zoning of this Site was adopted by the City because existing development on the block conforms to R1 zoning. However, the block has frontage on three sides in higher density zoning, including institutional campus, CM2 and CM3. As noted above, with the exception of the two and one-half blocks surrounding the Strata and Woods Sites, the entire Vancouver-Williams corridor is zoned for mixed use. This corridor boasts a New Seasons Market and many community-scale commercial uses, and a bike freeway. For these reasons, the

Strata Site is an appropriate location for higher density housing and mixed use development which will maximize City and private investment in this corridor area.

SolTerra began the permitting process for the Strata Site in 2015 and is in the midst of a conditional use review to allow development on the Site.<sup>1</sup> SolTerra has invested months of time and considerable financial resources permitting and designing the Strata Site for development that conforms to its current RX zoning and expects to submit its Design Review application within the next few weeks. The Strata development will be completed or well underway by the time the Composite Map Amendments become effective.

A down-zone to R1 will make the Strata project non-conforming as to almost every development standard. To avoid rendering a brand new mixed-use development non-conforming, we request that the Commission either retain the current RX zoning for the Site, or rezone the Site RH at the 4:1 FAR and 75 foot level.

SolTerra acknowledges that RH zoning for this Site is not compatible with the 2035 Comprehensive Plan recently adopted by the City Council, but requests that the Commission rezone the Site as a signal to the City Council to adopt higher density zoning. During the last round of City Council amendments, the Council made a large number of revisions to the Comprehensive Plan to avoid making new developments non-conforming. SolTerra plans to request this type of amendment for the Strata Site and asks the Commission to lead the way in requesting this change.

Thank you for your consideration of these requests.

Very truly yours,



Allison J. Reynolds

AJR:rsr

Enclosure: Figure 1

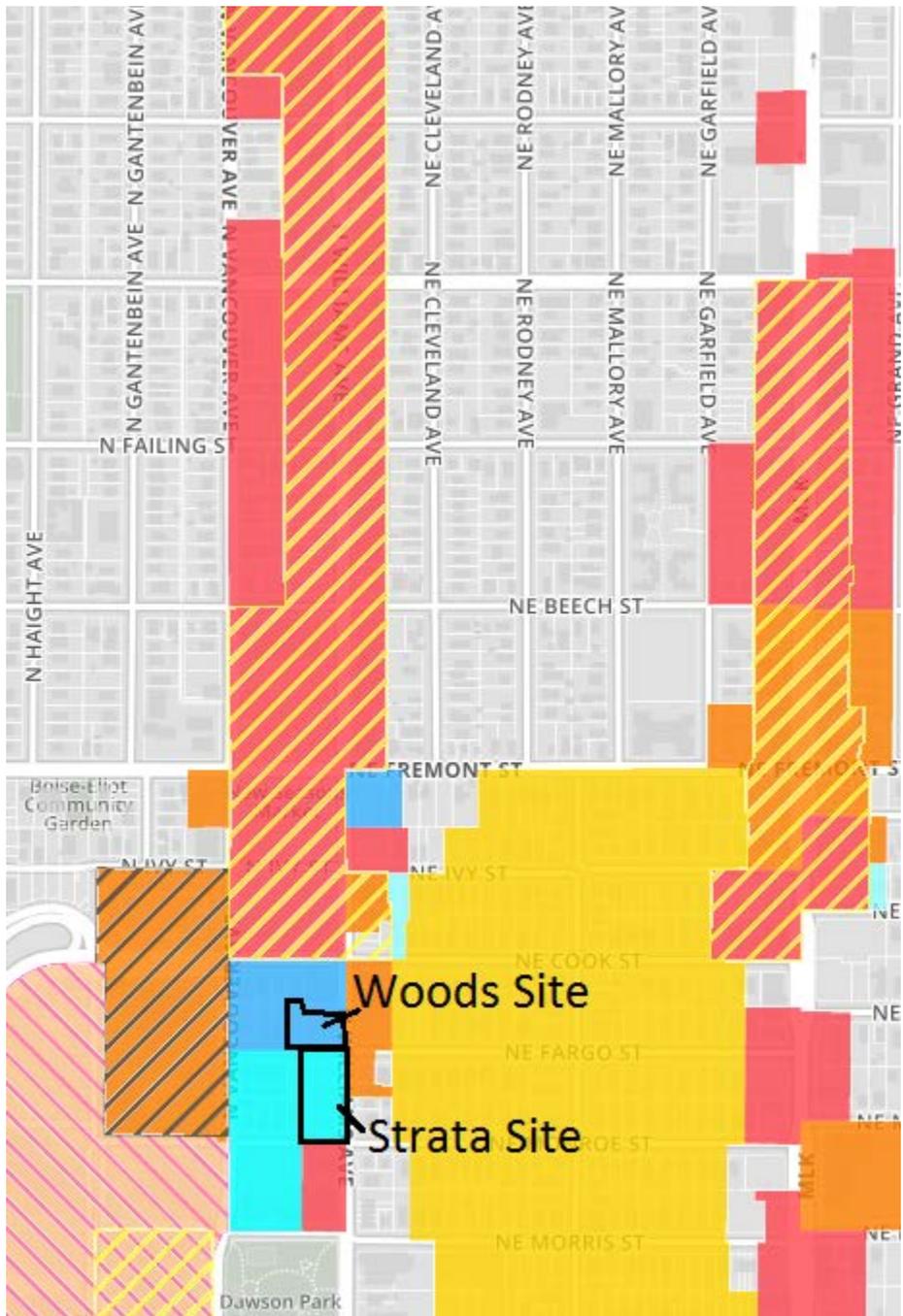
cc: Melynda Retallack (via email)  
Andrea Wallace (via email)  
Nate Ember (via email)

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<sup>1</sup> The Vancouver Avenue First Baptist Church previously owned the Strata Site and during that ownership the Site was included in the conditional use for the Church. In order to develop the Property to its RX zoning, the conditional use must be revised.

**Figure 1**

Map colors show proposed zoning for the Sites and surrounding areas. Source: Portland Map App.



**From:** [Rod Merrick](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Stockton, Marty](#); [Cole, John](#); [Lorraine Arvin](#)  
**Subject:** Zoning Map  
**Date:** Tuesday, July 12, 2016 4:30:24 PM

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Houses in the Eastmoreland Neighborhood south of Woodstock Boulevard should not be included the the Reed Campus Institutional zone.

Rod Merrick, AIA NCARB  
[Merrick Architecture Planning](#)  
Portland, OR 503.771.7762

July 12, 2016

Allison J. Reynolds  
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**VIA EMAIL (PSC@PORTLANDOREGON.GOV)**

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
1900 SW Fourth Avenue, Suite 7100  
Portland, OR 97201-5380

**Re: Con Am's Testimony Supporting Zone Change for 910 N Harbour Drive**

Dear Chair Schultz and Members of the Planning and Sustainability Commission:

This office represents Con Am Management Corporation ("Con Am") which owns property located at 910 North Harbour Drive, developed as the Harbour Court Apartments (the "Property," as depicted on the attached Figure 1). Please include this testimony in the record of the Composite Zoning Map proceedings, and provided us with notice of the final decision.

The Property is proposed to be rezoned from Commercial Mixed Use ("CM") to Commercial Mixed Use 2 ("CM2") through the Composite Zoning Map changes. The Property's proposed CM2 zoning is compatible with the Mixed Use Neighborhood Comprehensive Plan designation recently approved for the Property by the City Council. The Harbour Court Apartments were constructed in 1997 under a 1996 Design Review approval (LUR 90 00374 SU DZ). This approval allowed a height modification of 72 feet for the apartment building. Under this land use approval, the approved design will continue to be conforming under the proposed CM2 zone, which has similar development standards to the Property's current zoning. Therefore, Con Am supports the zone change for this Property and we encourage the Commission to adopt this change.

Thank you for your consideration of this requests.

Very truly yours,

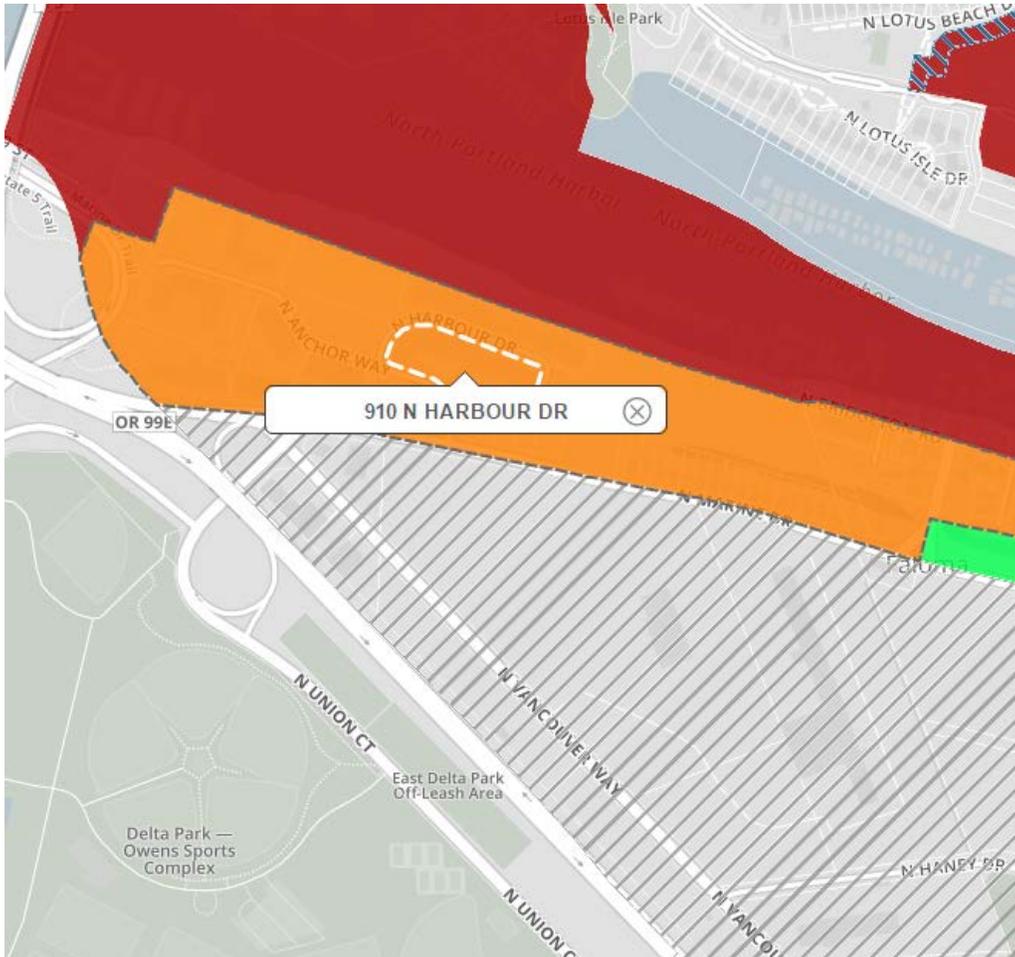


Allison J. Reynolds

AJR:rsr  
Enclosure

cc: Mr. Roger Galassi (rgalassi@conam.com)

**Figure 1**



July 12, 2016

Dana L. Krawczuk  
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**VIA EMAIL (PSC@PORTLANDOREGON.GOV)**

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
1900 SW Fourth Avenue, Suite 7100  
Portland, OR 97201-5380

**Re: Killian Pacific Testimony Requesting Zoning Map Amendment for  
8112 SE 13th Avenue and 4534 SE McLoughlin Boulevard**

Dear Chair Shultz and Members of the Commission:

As you know, this office represents Killian Pacific (“Killian”). Killian owns property located at 8112 SE 13th Avenue, as shown on the attached Figure 1 (the “Tacoma Site”), and 4534 SE McLoughlin Boulevard, as shown on the attached Figure 2 (the “McLoughlin Site”). Under the Mixed Use Zones Project (“MUZP”) the Tacoma Site is proposed to be split-zoned CM1 and CM2, and Killian requests that the full property be rezoned either CM2 or CM3. The McLoughlin Site is proposed to be rezoned CE, and Killian requests that this site be rezoned CM3. However, as noted in our previous correspondence, Killian’s first priority for both Sites is to act as a good community member and neighbor. Therefore, if the City and surrounding communities feel strongly that the proposed zoning will best maximize the City’s goals for these Sites, Killian is happy to defer to these community interests.

We submitted written and oral testimony regarding these properties at the Mixed Use Zones Project (“MUZP”) hearings on June 10, 2016. We understand that the Commission discussed the down-zoning proposed for the Tacoma Sites and others as part of the Low Rise Commercial Storefront Areas policy and has directed staff to re-map the full Tacoma Site to CM2. Killian appreciates the Commission’s acknowledgement that the CM1 downzone would not allow the desired redevelopment of the Tacoma Site and urges the Commission to adopt CM2 or CM3 zoning for the full Tacoma Site.

This letter provides additional information about both of Killian’s properties supporting the requested zoning changes. We appreciate your consideration of these requests.

### **Tacoma Site**

During the May 2016 Commission hearings on the MUZP, a large amount of testimony was provided opposing the proposed Low Rise Commercial Storefront Areas policy. This policy

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
July 12, 2016  
Page 2

attempts to retain the character of older non-historic main street areas with low-rise Streetcar-Era storefronts by limiting height and density along these commercial corridors. Many of those providing testimony were owners of properties along the corridors whose sites would become non-conforming or financially infeasible to redevelop. Many neighbors also testified that density and height should be concentrated along developed commercial corridors rather than pushed into the lower density neighborhoods that surround the corridors.

Killian also provided testimony at the June 10, 2016 hearing opposing this policy as applied to the Tacoma Site. The half of the Tacoma site with frontage along SE 13th Avenue is proposed to be down-zoned to CM1m, while the rest of the property that fronts only Tacoma Street will be zoned CM2. This proposed change will split-zone the Tacoma Site and the existing building on the Site, which is contrary to the City's long-held policy for zone changes.

The Tacoma Site has frontage on both SE 13th Avenue and SE Tacoma Street. SE Tacoma is a more-established commercial corridor and proposed for CM2 zoning. All of the Tacoma Site's retail establishments front SE Tacoma Street and benefit from the commercial intensity of that corridor. The Tacoma Site is more appropriately considered a part of the Tacoma corridor and should therefore be zoned CM2 or CM3 to allow for similar height and density as other properties along the corridor. To the extent that the Tacoma Site also fronts SE 13th Avenue, higher heights at the corner of SE 13th with a more intense commercial corridor (SE Tacoma Street) would be a natural development pattern consistent with the desired Storefront character.

The Tacoma Site is significantly under-developed, as shown on the attached Figure 3. The Site currently contains a large surface parking lot that occupies half of its SE 13th Avenue frontage and small, one-story buildings built in the 2000's that do not have historic significance. The Tacoma Site is within walking distance of the new MAX Orange Line station at SE Johnson Street and SE Tacoma Street and the Sellwood Bridge. It is also across the street from New Seasons Market. The Tacoma Site is an excellent location for higher-density housing and mixed use development. that will maximize the use of these resources. A mixed use development at this location will support the City's sustainability goals by placing more housing near amenities like grocery and transit. It is unlikely that redevelopment of the Tacoma Site will be feasible with the proposed CM1 split-zoning, which will preserve the underutilization of the Site. If Killian continues to own the Tacoma Site, it does not believe redevelopment would be financially feasible under the proposed CM1 zoning.

Finally, according to the Low Rise Commercial Storefront Analysis used to choose Storefront areas, SE 13th Avenue ties for the lowest percentage of *street frontage* with Streetcar-era buildings (50%) and has the lowest percentage of *lots* with Streetcar-era buildings (52%). The corner of SE 13th and Tacoma streets contains only one lot with a building from the Streetcar

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
July 12, 2016  
Page 3

Era. While Killian agrees that the Storefront Area down-zoning may be an effective policy to safeguard the character of areas with high coverage of Streetcar-era buildings (many areas have upwards of 80% coverage), it is not appropriate to use this policy to depress commercial areas where these buildings do not predominate.

### **McLoughlin Site**

The McLoughlin Site is primarily developed as a surface parking lot, as shown on the attached Figure 4, and is adjacent to a 24-Hour Fitness and other commercial uses. It is not near lower-density residential uses and is easily accessible from the SE 17th and Holgate MAX Station and Tri-Met bus lines 17, 19, 30, and 70. Due to these surrounding land uses and access to transportation resources, the McLoughlin Site is best suited for large-scale employment, housing, or mixed-use development.

The MUZP proposes CE zoning for the McLoughlin Site, which is intended for medium-scale commercial and employment uses with a focus on drive-throughs and auto-accommodating uses. The CE zone allows only 45 feet in height and a base FAR of 2.5:1 with fewer options to earn bonus FAR through providing affordable housing, affordable commercial space or a historic transfer. The CM3 zone, which provides 65 feet in base height, a base FAR of 3:1 and FAR bonus potential of up to 5:1 would make redevelopment more feasible on the McLoughlin Site. Redevelopment using the MUZP bonuses would provide affordable housing and commercial spaces in a location well-served by transit. A larger scale development would maximize the City's investment in transportation and provide greater utilization of the private commercial resources nearby (such as 24-Hour Fitness).

Killian acknowledges that the Comprehensive Plan designation for the McLoughlin Site is Mixed Use Neighborhood, which is not compatible with the CM3 zone. Killian requests that, in consideration of the policy arguments made here, that the Commission recommend rezoning this property to CM3 with a note to the City Council to consider reconciling the Comprehensive Plan designation to allow this more appropriate zoning.

Killian appreciates the City's competing tasks to respond to neighborhood concerns regarding higher density, while maximizing the investment in light rail and other infrastructure that should drive higher density in mixed-use areas. Killian has no current plans to develop either the Tacoma or McLoughlin Sites at this time, but requests that the Commission consider rezoning both Sites to allow greater density. Both Sites are located within commercial areas that can support greater heights and density than is currently proposed. If the City wishes to see properties like these redeveloped within the 2035 planning horizon, additional density will encourage this in a way the proposed zoning will not.

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
July 12, 2016  
Page 4

Thank you for your consideration of these requests.

Very truly yours,



Dana L. Krawczuk

DLK:rsr

cc: Mr. Noel Johnson (via email)  
Mr. Barry Manning (via email)

Figure 1: Tacoma Site

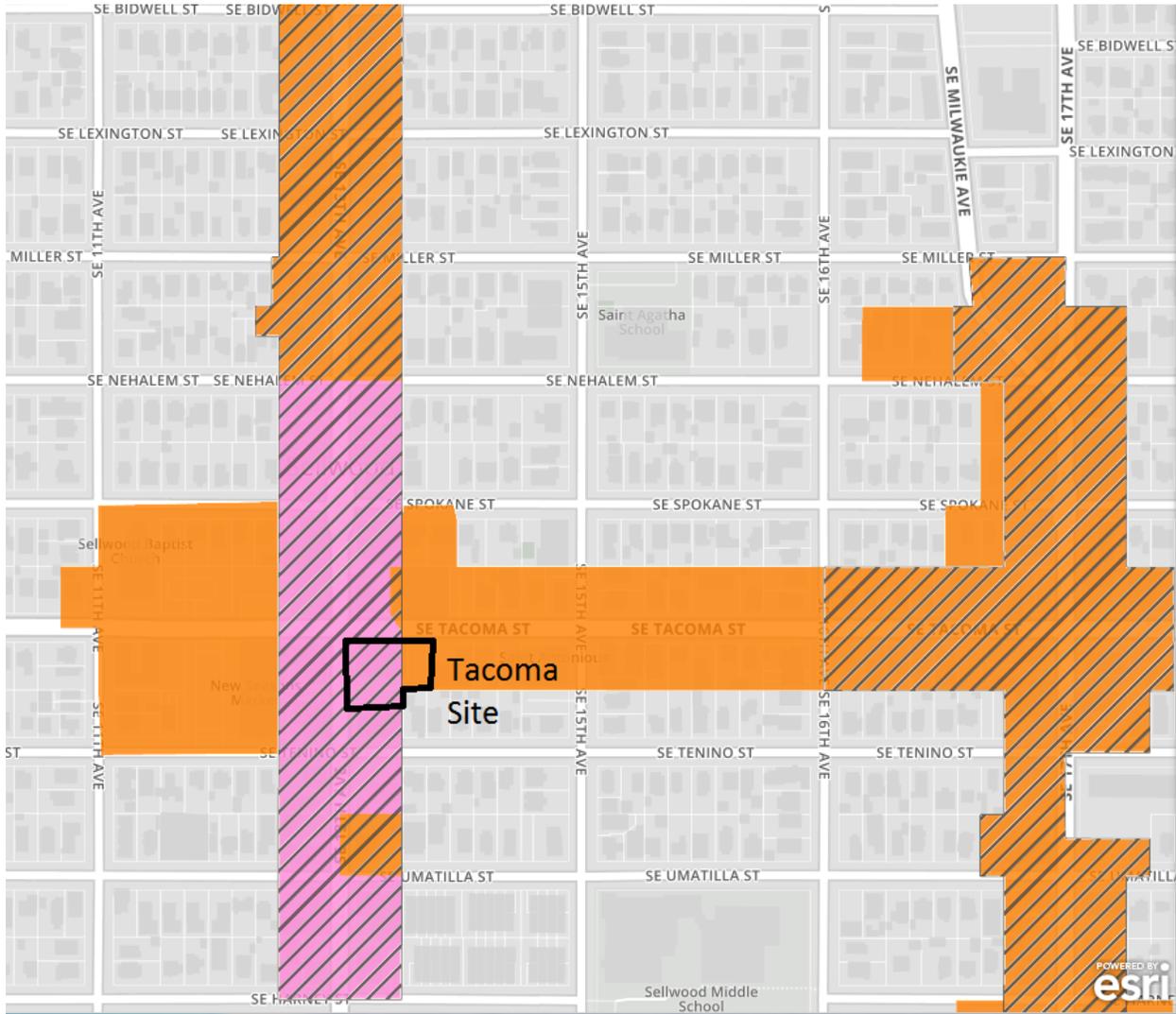


Figure 2: McLoughlin Site

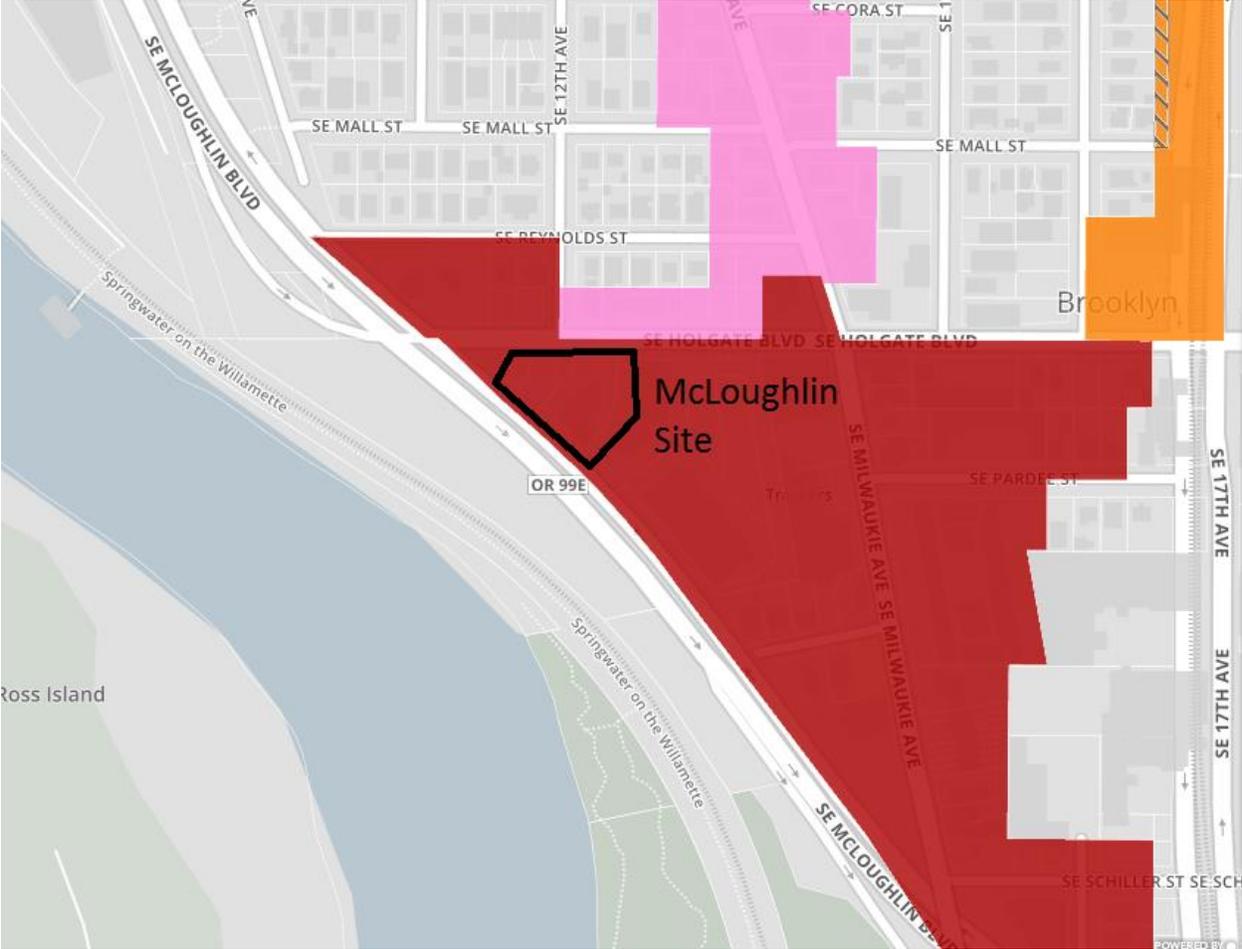


Figure 3: Tacoma Site Aerial



Figure 4 McLoughlin Site Aerial



**From:** [Allen Brown](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** [Approved Sender] Testimony on Composite Zoning Map Update  
**Date:** Tuesday, July 12, 2016 4:15:50 PM

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Greetings,

I am writing in opposition to the composite zoning map update, and specifically I am opposed to the rezoning of my community, the NE 60<sup>th</sup> Avenue MAX Station area in the Rose City Park neighborhood, which I'll call "East Normandale."

Not only do I oppose rezoning but so do the majority of homeowners in East Normandale. Moreover, the Rose City Park Neighborhood Association sent a letter to the Commission in opposition to rezoning. Even moderate redevelopment would change East Normandale for the worst. As the neighborhood association has pointed out, East Normandale lacks the infrastructure to absorb significant redevelopment.

In lieu of rezoning East Normandale, or any other area, I urge the city to pursue the Residential Infill Project. East Normandale is a 126 year old neighborhood, and for the majority of its history, East Normandale has developed according tenets of residential infill. Hence, the area has over the years developed so-called middle housing such as duplexes, tri-plexes, four-plexes, and so on. That development, however, has happened organically in the neighborhood, with infill not only fitting into the neighborhood but also only developing in the parts of East Normandale that can support it.

Again, while I oppose rezoning this or any other area, I do support efforts of the city to pursue processes embodied in the Residential Infill Project.

Sincerely,

Allen J. Brown  
1115 NE 60<sup>th</sup> Avenue  
Portland, OR 97213

Sent from [Mail](#) for Windows 10

**From:** [Jenny Boyce](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Testimony on Composite Zoning Map Update  
**Date:** Tuesday, July 12, 2016 4:02:59 PM

---

To the Portland Sustainability Commission:

My name is Jenny Boyce (legal Mary Jennifer Boyce) and I live at 6215 NE Wasco St., Portland, OR 97213.

I am emailing to ask that you reconsider the re-zoning of my neighborhood, NE 57th to NE 63rd between NE Halsey and highway 84. I am supportive of high density cities and know that Portland is dealing with a housing crisis, and I also believe that what makes Portland great and why people are moving here is because of neighborhoods like mine - it is working class and diverse with Latinos, Asians, whites, blacks, gay, straight, families, single folks, young and older adults. There is an industrial area surrounding the neighborhood that might be a better area for condos and businesses instead of displacing families and elders.

Most of the homes in my neighborhood would not sell for a price that would allow someone to buy another home in Portland. My house would bring in 350,000 at best. So instead of protecting a vital element of our city, there will be a loss of diversity in race, class, sexual identity, and age.

We are a creative city, please lets figure out ways to increase housing with out displacing people.

Sincerely,

Jenny Boyce

--

Jenny Boyce, LPC  
Art Therapist  
Jenny Boyce Counseling  
503-984-7343  
[jennyboycecounseling.com](http://jennyboycecounseling.com)

**From:** [MICHAEL KIMBERLY BOTTER](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Proposed Zoning  
**Date:** Tuesday, July 12, 2016 3:26:58 PM

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To whom it may concern,

I am the current Land Use Chair for Madison South Neighborhood Association. I would like to take this time to express support for the current proposed zoning of Commercial Mixed Use 2 along NE 82nd Avenue from NE Siskiyou to around NE Beech. We would like to see a more pedestrian-oriented (vs. car dependent) development than what the current commercial zone provides. The added Centers Main Street overlay (Neighborhood Center) also supports this vision and I would like to see that it makes it to the final draft of the Comprehensive Plan. This area is between two neighborhoods, Madison South and Roseway, with transit use and in need of pedestrian focused improvements and neighborhood friendly/community building businesses. As it is now it encourages blight and neglect. I would like to add that I would like to see that the CM2 and Centers Main Street overly to extend south of NE Siskiyou and to include the property at 2800 NE 82nd Ave. This piece of property, which is a former landfill, has the potential to turn this area around and if developed properly could end the blight and neglect that has plagued this area for decades. Keeping it as General Employment would be a mistake and a missed opportunity for Madison South. It is an expensive piece of property to build on due to being a landfill which makes it unlikely and unprofitable to be an office type building/center. This area is in need of infrastructure, such as grocery store and retail mixed use businesses (sit down coffee shop, etc) that would be a benefit to the surrounding communities. Having it (2800 NE 82nd Ave) as General Employment and limiting retail opportunities would be in opposition to neighborhood vision for this area.

Thank you for this opportunity to provide testimony.

Sincerely,

Kimberly Botter  
MSNA Land Use Chair &  
Madison South Resident

Address:  
3426 NE 88th Ave  
Portland OR 97220

**From:** [Jennifer Kapnek](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Zoning map changes  
**Date:** Tuesday, July 12, 2016 1:48:57 PM

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Hello,

The Comprehensive Plan Designation for my property, 7401 N. Albina Ave, 97217, is proposed to change from Residential (R-1) to Mixed Use Dispersed. The zoning, however, is proposed to remain Residential (R-1).

Currently, the property has a grandfathered storefront, and for the past 10 years, it has been operative with a non-conforming use. I am requesting a commercial zoning to go with the commercial designation. I would very much like to eliminate the non-conforming status of the property.

Although I do not have plans to re develop the property at this time, I would most like a CM2 designation, which would allow for a structure of up to 45 feet. However, if the zoning were changed to CM1 I would be happy with that as well.

Sincerely,

Jennifer Kapnek  
7401 N. Albina Ave  
Portland OR 97217

(503) 957-9683

did not  
ksth

Portland Planning and Sustainability Commission  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

July 12, 2016

RE: Zoning Map change request for Parcels R009602850 (aka 435 NE Stanton) and R009602870

Dear Commissioners;

I have lived in the Eliot neighborhood nearly 40 years and I was actively involved in the previous Eliot Neighborhood and Albina Plan processes that resulting in the current Comprehensive Plan and zoning for NNE Portland. I have seen firsthand how minor, last minute changes to proposed zoning can have devastating impacts on a neighborhood. Consequently, as Eliot Land Use Chair, I led our neighborhood's response to the current planning process.

Eliot has embraced the vision of the proposed Plan to concentrate density in centers and along corridors. In that spirit, Eliot reviewed all zoning within the "Upper Albina" area; Eliot's residential and historic core. We submitted a wholesale zoning change proposal as our initial comment on the proposed Plan. It changed zoning in our centers and corridors to encourage mixed use development, generally at higher densities that current zoning allows. It chance residential zoning to provide greater protection to Eliot's historic housing stock, including within the Eliot Historic Conservation District where the surviving remnants of the original City of Albina and Portland's historic Volga German and African American communities. Planning accepted most of our proposal, although the limited residential protections to the area bounded by the Eliot Historic Conservation District and increased development density outside those boundaries along our two corridors (MLK and Williams/Vancouver). The Eliot Neighborhood Association through its Board and Land Use Committee endorsed the Planning staff proposal and associated zoning.

The original Planning staff proposal changed these properties from R2 to R1. This was not done at the request of the property owner (me) or the Association, but I learned it was due to the "up" zoning of adjacent properties along MLK and to be consistent with existing development density on Stanton, which is medium density residential and mixed use, not low density residential. As both Land Use Chair and the property owner, I believe this makes good sense from a planning perspective. However, I write this letter in response to a change to the zoning initially proposed to the subject properties back to R2, although the Comp Plan still designates them for R1 development, or did a month ago.

These two parcels should be rezoned in the Comp Plan to R1 to provide an orderly transition from the CM zone and development on MLK, to be consistent with existing development density in this area of NE Stanton, and to facilitate development of "missing middle" housing.

This request is limited to these two parcels only. A neighbor living on Morris to the east of a vacant parcel just north of R009602870 has objected to the zone change proposed by Planning so as to prevent development of that vacant lot. However, development on the subject parcels will not directly affect this neighbor and his concerns should not outweigh City interest in increased density and a broader range of housing choice.

Respectfully submitted (via email);  
Mike Warwick  
535 NE Thompson St.

**From:** [Susan Ferguson](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Commissioner Fish](#); [Commissioner Fritz](#); [Hales, Mayor](#); [Commissioner Novick](#); [Commissioner Saltzman](#); [ted@tedwheeler.com](mailto:ted@tedwheeler.com)  
**Subject:** [User Approved] Zoning testimony  
**Date:** Tuesday, July 12, 2016 2:28:59 PM

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To whom it may concern:

With the development of our new Comprehensive Plan, Portland has a unique opportunity to take the lead (as we did with our Bottle Bill) in embracing egalitarian zoning *throughout our City*. Through the support of racial and income diversity *in each and every ZIP code* in Portland, we will not only be living what Portlanders like to think of as our values, but we will be addressing one of the key drivers of inequality--educational parity for all children, regardless of family income.

I support the concept of middle housing as an alternative to McMansions and skinny houses as long as they are planned for and developed *in each and every neighborhood or ZIP code*. They can increase density, promote affordability and support diversity, while remaining in character with existing homes.

By promoting an equitable mix of income levels *in every ZIP code* we will be allowing kids, regardless of household income, to go to the same schools and to receive the same quality of education. It is not right that some schools can raise more money for playgrounds and other amenities, while poor schools (I.e. poor kids) do without. Having *all levels of housing in every ZIP code* has the added benefit of enriching the lives of the more privileged by introducing them to fellow citizens with different experiences and perspectives. Additionally, by having kids go to good schools, in their own neighborhoods, the City would be promoting a sense of community. "Community" is lost when we bus kids out of their neighborhoods in the hope that they will receive a better educational experience.

Again, I support middle housing as part of the solution to our housing, educational and racial crises. But it must be implemented *In every neighborhood* in Portland.

We Portlanders like to consider ourselves as "creative" and "out of the box" thinkers. Let's lead the way out of these current local and national crises by demonstrating our commitment to equality for all. Let's open our hearts and do the right thing for our kids, our neighborhoods, our City, our nation and our future.

Respectfully,

Susan Ferguson  
6129 NE Sacramento Street  
Portland OR 97213  
503.284.0048

Sent from my iPhone

✓ 8

Portland Planning and Sustainability Commissioner Public Hearing

Date: 7/12/16

Name: BOB Foglio (Please print legibly)

Authorized Spokesperson representing: \_\_\_\_\_ (if applicable)

Address: 13705 S.E. THURMONT

City: CLACKAMAS Zip: 97088 Phone: 503.522.4184

Email Address and/or Fax No.: foglio@yahoo.com

What agenda item do you wish to comment on? Composic. Zoning Map

Site Address, if different from above: 2626 N.E. DETUM

(check if written comments are included on back)

The concept is good however it should not adversely impact current outright uses. Many small com. properties have been impacted by Floor Area Ratio (FAR). Previously FAR did not apply and now as proposed will apply.

This is a 20-25% loss of usable space in many cases, especially in the CNZ & CNZ zones.

Portland Planning and Sustainability Commissioner Public Hearing

Date: 12 July 2015

Name: Phillip Lee (Please print legibly)

Authorized Spokesperson representing: 2519 E Burnside (if applicable)

Address: ↓

City: Portland Zip: OR Phone: 97214

Email Address and/or Fax No.: philglee@comcast.net

What agenda item do you wish to comment on? Composite zoning map

Site Address, if different from above: \_\_\_\_\_

(check if written comments are included on back)

my Address 20255 SW Cassner  
Aloha OR 97007

I would like commercial zoning on 2519 & 2525 E Bernside. I own the 2519 property which is a veterinary clinic that was established in the early 1900's (for trolley horses). There is a proposal in process for the 2525 property - ~~the~~ the 2519 (property) building abuts that building.

July 12, 2016

Planning and Sustainability Commission (PSC)  
Composite Zoning Proposal Testimony  
1900 SW 4<sup>th</sup> Ave., Suite 7100  
Portland OR 97201

To the Members of the PSC,

This letter is to request, as a group, that our property be zoned CM2d as part of the Comprehensive Plan update of the City of Portland. This letter is to demonstrate that all the property owners together are unified in this request.

Please find attached to this request, comments from the owners of each of these properties. Each of these parcels formally requests CM2d zoning:

<b>Acct Number</b>	<b>Address</b>	<b>Owners</b>
R308873	20 N Alberta	Luther Strong Jr, Jessie Strong
R308872	106 N Alberta	Darnell Strong, Jackie Strong
R308871	114 N Alberta	Darnell Strong
R308869	122 N Alberta	Stephanie Gaidosh
R308855	4931 N Williams	Jackie Strong
R639049	N Williams	Luther Strong Jr, Jessie Strong
R308856	N Williams	Luther Strong Jr, Jessie Strong
R308867	4922 N Vancouver	Lise-Allynne Scott
R308868	4934 N Vancouver	Douglas McCabe
R308870	4946 N Vancouver	Ernest and Sonya Hill
R298052 R298051	30 N Webster Street	State of Oregon
R298050 R298049		Shannon Ryan DAS Administrator

Respectfully,

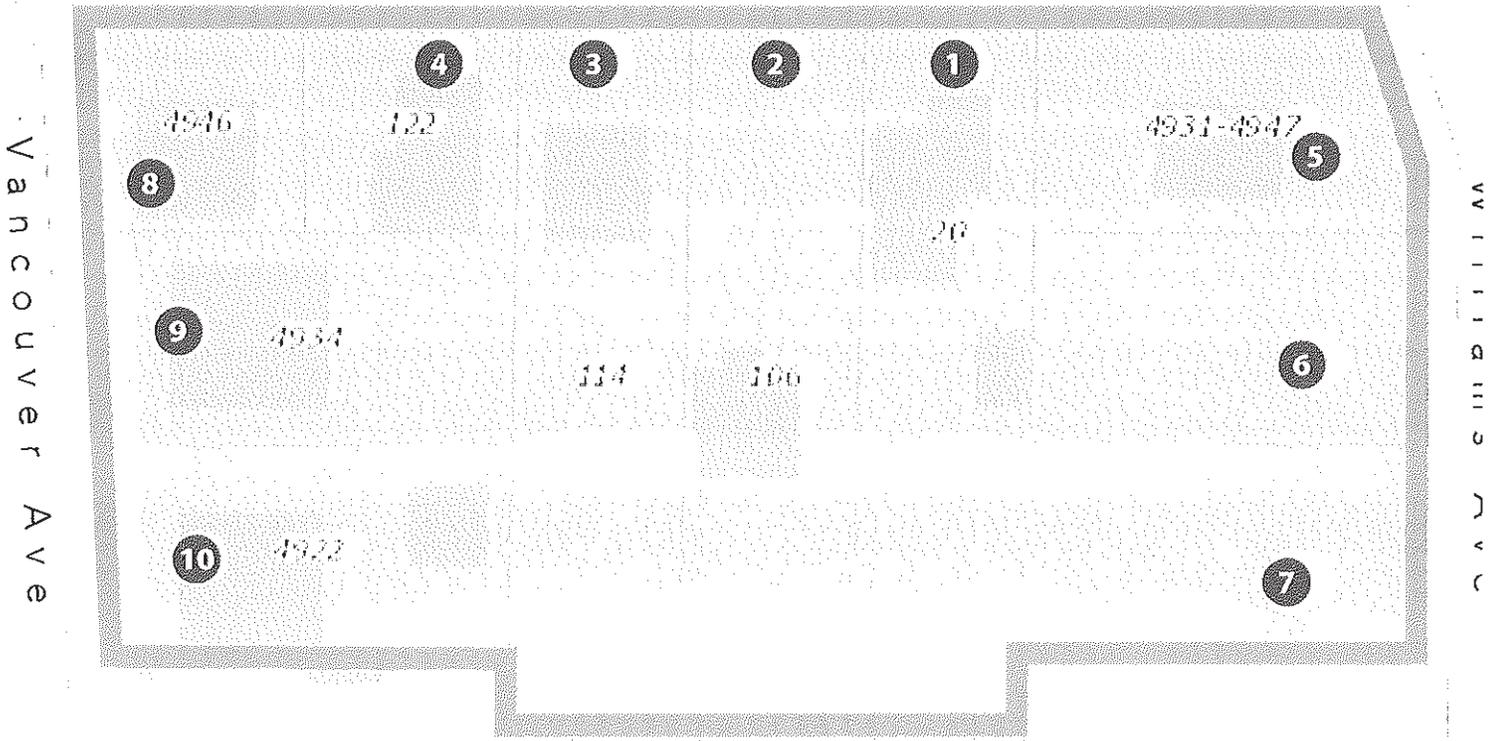


Letter delivered by Jackie Strong on behalf on this group of property owners to the Planning and Sustainability Commission on July 12, 2016



# Property Owners on Alberta Street & Vancouver / Williams Avenue Request CM2d Zoning for their parcels

Alberta Street



1	R308873	20 N Alberta	Luther Strong Jr, Jessie Strong
2	R308872	106 N Alberta	Darnell Strong, Jackie Strong
3	R308871	114 N Alberta	Darnell Strong
4	R308869	122 N Alberta	Stephanie Gaidosh
5	R308855	4931 N Williams	Jackie Strong
6	R639049	N Williams	Luther Strong Jr, Jessie Strong
7	R308856	N Williams	Luther Strong Jr, Jessie Strong
8	R308867	4922 N Vancouver	Lise-Allyne Scott
9	R308868	4934 N Vancouver	Douglas McCabe
10	R308870	4946 N Vancouver	Ernest and Sonya Hill



# Oregon

Kate Brown, Governor

Department of Administrative Services  
Enterprise Asset Management – Administration Office  
1225 Ferry Street SE  
Salem, OR 97301-4281  
PHONE: 503-378-2865  
FAX: 503-373-7210

July 12, 2016

Planning and Sustainability Commission  
c/o City of Portland Bureau of Planning and Sustainability  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

Re: Mixed Use Zones Testimony

Members of the Commission:

The Oregon Department of Administrative Services (DAS) owns the block bounded by North Webster Street, North Williams Street, North Alberta Street, and North Vancouver Avenue. The property consists of four contiguous parcels with the address of 30 North Webster Street:

Property ID	Legal Description	Area
R298052	WALNUT PK, BLOCK 20, LOT 7-9	15,900 SF
R298051	WALNUT PK, BLOCK 20, S 45' OF E 40' OF LOT 5, S 45' OF LOT 6	4,050 SF
R298050	WALNUT PK, BLOCK 20, LOT 4, LOT 5 EXC S 45' OF E 40', LOT 6 EXC S 45'	10,950 SF
R298049	WALNUT PK, BLOCK 20, LOT 1-3&10-12	29,180 SF

The block currently carries CN2 zoning. Under the 2035 Comprehensive Plan Update, this block and surrounding area are designated Neighborhood Mixed Use, with a proposed CM1 zone.

DAS fully supports the comprehensive plan designation.

The property includes a full block face frontage along North Vancouver Avenue, which is home to higher density development than permitted under CM1 zoning. Neighbors on the northern half of the block south of the DAS-owned parcels (fronting on Vancouver, Alberta, and Williams) have requested CM2 zoning be applied to their properties.

**DAS requests that the CM2 zone be applied to the DAS block and has no objection to the neighbors' request for CM2 zoning for their parcels.**

Sincerely,

Shannon Ryan  
Administrator

Portland City Council  
1221 S.W. Fourth Avenue  
Portland Oregon

Re: Comprehensive Plan and Zone Testimony

Dear Members of the Portland City Council,

This testimony applies to the property at 4934 N Vancouver Avenue in Portland Oregon with Property ID R308868 Map 1N1E22AC 1500. The owner of the property is Douglas McCabe of the McCabe Group.

Currently the property carries a Neighborhood Commercial 2 (CN2) commercial zone.

The new proposed Comprehensive Plan designation is Mixed Use Neighborhood. This designation is acceptable to the property owner with the assumption that the new zone for the property becomes **COMMERCIAL MIXED USE 2 (CM2)**.

The new Comprehensive Plan and zones proposed by the City will be in place for a long time. The City's progressive development attitude benefits the trend to live "close in" to take advantage of the resulting commercial amenities and transit. Project values, project loan criteria, and the market will be important to determine the development for new projects.

This specific 5740 Sq.ft. property fronts N. Vancouver Avenue which is a major north south Avenue that has experienced tremendous development lately. Many of the buildings on Vancouver Avenue and nearby are 4-6 stories in height with high density. The abilities of the **CM2** zone allow for similar height and density as other properties in the area.

A letter from adjacent property owner Jackie Strong (114 and 106 Alberta Street) will be submitting a similar request for his 18,000 SqFt. of property located east.

In conclusion, Douglas McCabe feels the resource of his 5740 Sq.Ft. property at this location is best suited to the **MIXED USE NEIGHBORHOOD COMPREHENSIVE PLAN DESIGNATION WITH A CM2 ZONE**.

Thank you very much for your consideration,

Douglas McCabe POBox 14593 Scottsdale Arizona phone 503-314-3331

Portland City Council  
1221 S.W. Fourth Avenue  
Portland Oregon

Re: Comprehensive Plan and Zone Testimony

Dear Members of the Portland City Council,

This testimony applies to the property at 4946 N. Vancouver Avenue in Portland Oregon with Property ID 308870 Map 1N1E22AC 1400. The owner of the property is Ernest and Sonya Hill.

Currently the property carry a Neighborhood Commercial 2 (CN2) commercial zone.

The new proposed Comprehensive Plan designation is Mixed Use Neighborhood. This designation is acceptable to the property owner with the assumption that the new zone for the property becomes **COMMERCIAL MIXED USE 2 (CM2)**.

The new Comprehensive Plan and zones proposed by the City will be in place for a long time. The City's progressive development attitude benefits the trend to live "close in" to take advantage of the resulting commercial amenities and transit. Project values, project loan criteria, and the market will be important to determine the development for new projects.

The specific 3080 Sq.Ft. property is a corner location and fronts both N. Vancouver Ave. and N. Alberta Street both of which are significant traffic carriers that have experienced numerous developments lately. Many of the buildings nearby on Vancouver Avenue and MLK Ave. are 4-6 stories in height with high density. The abilities of the **CM2** zone on this property allow for similar height and density as other properties in the area.

A letter from adjacent property owners Douglas McCabe (4934 N. Vancouver Ave.) and Jackie Strong (106 and 114 N. Alberta St.) will be submitted to request a similar zone for their properties.

In conclusion, Ernest and Sonya Hill feel the resource of their 3080 Sq.Ft. property at this location is best suited to the **MIXED USE NEIGHBORHOOD COMPREHENSIVE PLAN DESIGNATION WITH A CM2 ZONE**.

Thank you very much for your consideration,

Ernest and Sonya Hill 4946 N. Vancouver Ave Portland Ore

**Subject:** RE: Alberta House  
**From:** Gaidosh Stephanie D (Stephanie.D.Gaidosh@doc.state.or.us)  
**To:** dougkolberg@yahoo.com;  
**Date:** Thursday, July 7, 2016 10:06 AM



**From:** Douglas Kolberg [mailto:dougkolberg@yahoo.com]  
**Sent:** Thursday, July 07, 2016 10:04 AM  
**To:** Gaidosh Stephanie D  
**Subject:** Re: Alberta House

I love the tails, but can't suck the guts!!! Will bring some ice cold Modelo especial. A case.

---

**From:** Gaidosh Stephanie D <Stephanie.D.Gaidosh@doc.state.or.us>  
**To:** 'Douglas Kolberg' <dougkolberg@yahoo.com>  
**Sent:** Thursday, July 7, 2016 9:58 AM  
**Subject:** RE: Alberta House

Cool!! See you then! We boil up 50 lbs of crawfish with the works!

---

**From:** Douglas Kolberg [mailto:dougkolberg@yahoo.com]  
**Sent:** Thursday, July 07, 2016 9:54 AM  
**To:** Gaidosh Stephanie D  
**Subject:** Re: Alberta House

I would love to come on the 30th. Lots to talk about then---rugby, tickets, OSU, property, more. Thx for the invite. Doug

---

**From:** Gaidosh Stephanie D <Stephanie.D.Gaidosh@doc.state.or.us>  
**To:** 'Douglas Kolberg' <dougkolberg@yahoo.com>  
**Sent:** Thursday, July 7, 2016 9:43 AM  
**Subject:** RE: Alberta House

Yes....we have season tickets....we USED to be in the valley center end zone...but now we got bumped to the family section where the visitors used to sit (I don't know where they put the visitors now???)  
We always go to the big first away game....but we'll also be at the Stanford, Washington and UCLA (possibly the Colorado) games this year.

We have 4 tix....keeping the cheap ones until my daughter graduates in '19 from Grant.  
 We make it to every home game....if you aren't able to use your tickets we definitely would!  
 Don't you have a place in Arizona? I haven't been to any of the games there.  
 I host a big crawfish boil on July 30<sup>th</sup> that everyone's invited to....you should come to that if you are around.  
 ....any time after 2ish....bring your own cup, chair, and a bottle to share....all the rest is on me. Feel free to  
 bring anyone with you.  
 Remember we talked about it...I along with some other women started the women's rugby team in 1993 at  
 OSU.

---

**From:** Douglas Kolberg [mailto:dougkolberg@yahoo.com]  
**Sent:** Thursday, July 07, 2016 9:37 AM  
**To:** Gaidosh Stephanie D  
**Subject:** Re: Alberta House

of course. Did I tell you I am Beaver fan?? Father Elmer all American football in 1930s and he scored  
 18 when Beavs beat tall firs the yr they were national champs. My brother Jeff played football in early  
 70s was OSU mvp. Jeff played for Bud Riley in Canadian league for 4 years and one yr with patriots.  
 Father played for Steelers and Eagles until WWII and then PT Boat captain in South Pacifis. I played  
 one year freshman basketball and blew knee. Have 2 50 yd line tickets. Can't make all games. Do you  
 have season tickets?? Cool about Minnesota game!!!! Let's have coffee/beer when you are back in  
 own if want. Doug

---

**From:** Gaidosh Stephanie D <Stephanie.D.Gaidosh@doc.state.or.us>  
**To:** 'Douglas Kolberg' <dougkolberg@yahoo.com>  
**Sent:** Thursday, July 7, 2016 9:14 AM  
**Subject:** RE: Alberta House

Your welcome.  
 Please let me know when you intend to do something with your property.

PS Go Beavs and we are going to the game in Minnesota Labor Day weekend...should be fun!

---

**From:** Douglas Kolberg [mailto:dougkolberg@yahoo.com]  
**Sent:** Thursday, July 07, 2016 9:12 AM  
**To:** Gaidosh Stephanie D  
**Subject:** Re: Alberta House

Hi Stephanie, Thanks for the support. BTW the zoning we are talking about will not be implemented  
 until 2018. With the design, city approval process, etc, it will likely be 2020 before anything would  
 happen out there. And that is if all goes well. I will keep you in the loop on how things go for the  
 CM-2 zoning. Again, thanks for the support, Doug

---

**From:** Gaidosh Stephanie D <Stephanie.D.Gaidosh@doc.state.or.us>  
**To:** 'Douglas Kolberg' <dougkolberg@yahoo.com>  
**Sent:** Thursday, July 7, 2016 9:04 AM  
**Subject:** RE: Alberta House

Good morning.  
 I understand the proposal.

But you can also understand that when/if you, Jackie, Hill sell their properties I'm in the middle of a bunch of high rises.

I'm very aware of the changes as I deal with rental tenants, bike traffic, car traffic, lack of parking, drunks on my porch, bikes stolen, and more importantly gentrification. Like you say "that is life" and change happens. What is your intention with your property? I know Luther says he wants to stay in his place, but they are getting up there in age and really doubt the kids will move into his property. I know Jackie was been wanting to get the block reassessed for a higher value for selling. Any time the property gets reassessed my taxes go up.....which we are fortunate to be in a little pocket that still has low taxes comparatively to other home owners in Portland.

I'll support the CM-2 zoning....but I'm hoping that you and the rest of the group are considering the bigger picture of the folks in our city that have been affected by these neighborhood changes and the cost of living for folks that aren't getting rich off of the housing market.

Thanks for keeping me in the loop.

~Stephanie

---

From: Douglas Kolberg [<mailto:dougkolberg@yahoo.com>]  
Sent: Wednesday, July 06, 2016 2:52 PM  
To: Gaidosh Stephanie D  
Subject: Re: Alberta House

Hi Stephanie, here is some thoughts and info: The City just approved the new comprehensive plan for the area. Your designation is commercial. The next step for the City is to establish the zoning for the properties. A flyer was sent out a couple of months ago to all commercial landowners in the City that revealed what zone the City thought your property would have. You and the adjacent properties (owners mentioned already to you) were CM-1 which is a small-scale zone. It calls for a max height of 35'. The CM-2 zone is a medium-scale zone. It allows 45' height and if certain public amenities are proposed for the development, it could be 55'. In other words 4-5 stories. As you are aware, there are many of these buildings close by your property. But, there are many nearby residential zoned properties with the ability to build this high also.

You are probably aware of the great appreciation in value for real estate in this area, and there are many property owners in owner occupied houses. With the value of these houses---both owner occupied and multi-tenant rentals---the useful life of these houses will be determined by the value in the marketplace. No property owners, either owner occupied houses or rental houses, will be required to do anything, like sell. Yes, the entire area is going to grow and new buildings built which will certainly surround all the properties (both residential and older commercial/industrial) that are not ready to be sold or developed. But that is life.

What the Strong family and the other landowners with property in the north half of the block are trying to establish is the CM-2 zoning which will give them the advantages in the future that come with the medium-scale zone. It does not mean that any property owner has to sell their property at any specified time.

The property owners in the north half of the block are unified in their proposal for the CM-2 zoning. Of course, they would like you to join with them to support this change. You would not need to do anything at the City. The group has hired a consultant to do this. You are not required to pay any money for the consultant as your property is quite small. All I need from you is an e-mail that states you would be in support of the CM-2 zone and not the CM-1 zone.

We are time sensitive. Basically, we need to turn in additional support data by the end of the week. So a quick response would be great. Again, all the CM-2 zone does is ALLOW for one more story (and maybe two under some circumstances), it does not require anyone to sell or build. Does this help???

Thanks, Doug

---

**From:** Gaidosh Stephanie D <[Stephanie.D.Gaidosh@doc.state.or.us](mailto:Stephanie.D.Gaidosh@doc.state.or.us)>  
**To:** 'Douglas Kolberg' <[dougkolberg@yahoo.com](mailto:dougkolberg@yahoo.com)>  
**Sent:** Tuesday, July 5, 2016 12:50 PM  
**Subject:** RE: Alberta House

Howdy.

If you could get me additional info that would be great, I've been reading what the city sends.....I'm the only person that actually owns and lives in my home and plan on staying there for some time. From an investment perspective I'm sure it's looking good...but from a residents perspective that lives right in the middle of businesses and rentals it's a different perspective.

When does the city plan on making this decision and how would I give my vote?

Thanks for sending the info and keeping me informed.

~Stephanie

---

**From:** Douglas Kolberg [<mailto:dougkolberg@yahoo.com>]  
**Sent:** Tuesday, July 05, 2016 11:37 AM  
**To:** Gaidosh Stephanie D  
**Subject:** Re: Alberta House

Thank you for the e-mail. Regarding Luther, we are working with his son Mark and his daughter. What we are requesting from you is support for the CM-2 zone from the City's proposed CM-1 zone. Basically, this applies to the north half of the block and the State of Oregon property north of Alberta. Included are the properties owned by the Strong family, Doug McCabe, Ernest Hill, and the Wellness Center and all these parties are working together. The CM-2 zone offers more diversity for future development than the CM-1 zone. I can get you the particular development criteria if you like, but the FAR is greater as is the height allowance from 35' to 45'---about one more story---and if public concerns are met, maybe another floor.

Of course, there is no hurry to develop your property or commitment to do so. This just makes for a better opportunity later. Please advise, thanks, Doug Kolberg

---

**From:** Gaidosh Stephanie D <[Stephanie.D.Gaidosh@doc.state.or.us](mailto:Stephanie.D.Gaidosh@doc.state.or.us)>  
**To:** "'dougkolberg@yahoo.com'" <[dougkolberg@yahoo.com](mailto:dougkolberg@yahoo.com)>  
**Sent:** Tuesday, July 5, 2016 9:59 AM  
**Subject:** Alberta House

Howdy.

Sorry it has taken some time for me to get back to you.

Last time you tried to reach me I was in New Orleans on vacation and it sounded like it was a last minute thing and you needed a response ASAP, so I figured that had been resolved.

This time I'm working out of town and then gone for the 4<sup>th</sup> holiday.

I talked to Luther recently and he didn't mention anything you guys were working on...but maybe you are talking to Jackie since he also left me message.

What is that you guys are wanting to do?

Email is usually the best way to reach me...you can use this one or [sgaidosh70@gmail.com](mailto:sgaidosh70@gmail.com)

Hope all is well!

~Stephanie Gaidosh

# PortlandMaps

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**122 N ALBERTA ST - HUMBOLDT  
- PORTLAND**

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General Information	
Property ID R308869	
County MULTNOMAH	
State ID 1N1E22AC 1300	
Alt Account # R916500410	
Map Number 2530 OLD	
Site Info	
Site Address 122 N ALBERTA ST	
City/State/Zip PORTLAND OR 97217	
Owner Info (Privacy)	
Owner(s) Name GAIDOSH STEPHANIE D	
Owner Address 122 N ALBERTA ST	
City/State/Zip PORTLAND OR 97217	

Property Description	
Tax Roll WILLIAMS AVE ADD 2, BLOCK 1, E 1/2 OF LOT 17	Use RESIDENTIAL IMPROVED
Lot 17	Block 1
Tax Districts	
101 PORT OF PORTLAND	130 CITY OF PORTLAND
130L CITY OF PORTLAND - NEW LEVIES	130M CITY OF PORTLAND PARKS LOP
143 METRO	164 EAST MULT SOIL/WATER
170 MULTNOMAH COUNTY	170L MULT CO LIBRARY LOCAL OPT TAX
171 URBAN RENEWAL PORTLAND	173 URB REN SPECIAL LEVY - PORTLAND
198 TRI-MET TRANSPORTATION	304 MULTNOMAH ESD
309 PORTLAND COMM COLLEGE	311 PORTLAND SCHOOL DIST #1

Deed Information			
Sale Date	Type	Instrument	Sale Price
04/01/1998	WARRANTY DEED	98073970	\$72,500.00
11/01/1996	WARRANTY DEED	96170186	\$60,900.00
02/01/1996	WARRANTY DEED	96024168	\$45,500.00
07/01/1995	WARRANTY DEED	95088792	\$6,000.00
	BARGAIN & SALE DEED	2009020869	\$0.00
	BARGAIN & SALE DEED	2005049611	\$0.00

Land Information		
Type	Acres	SQFT
RESIDENTIAL LAND	0.0700	3,085

**Subject:** Fwd: property zoning change  
**From:** jackiestrong@comcast.net (jackiestrong@comcast.net)  
**To:** dougkolberg@yahoo.com;  
**Cc:** jackiestrong@comcast.net;  
**Date:** Monday, June 27, 2016 11:01 AM

Doug here is the communication with the health center,  
Jackie

---

**From:** "Annabelle Snow, LAc" <annabelle@northportlandwellness.com>  
**To:** "jackiestrong" <jackiestrong@comcast.net>  
**Sent:** Wednesday, May 25, 2016 6:25:22 PM  
**Subject:** RE: property zoning change

Hello Jackie,

Sorry for the delay in getting back to you. We were all hit with some sort of strange flu and now we've been running like crazy to prep for a 5 week Europe trip in early June.

I agree, it wouldn't likely hurt anyone to have the zone changed. What happened with testifying? Did anyone end up going? What was the result?

Thanks and sorry again to be out of touch.

Annabelle

**Annabelle Snow, LAc**  
**North Portland Wellness Center**  
4922 N. Vancouver Avenue  
Portland, OR 97217  
**Office:** 503-493-9398 x205 **Fax:** 503-493-9518  
**Web:** [northportlandwellness.com](http://northportlandwellness.com)  
**Social:** [facebook.com/npdxwellness](https://www.facebook.com/npdxwellness); [twitter.com/npdxwellness](https://twitter.com/npdxwellness)  
**Join Our Mailing List!**

**From:** jackiestrong@comcast.net [mailto:jackiestrong@comcast.net]  
**Sent:** Thursday, May 05, 2016 1:43 PM  
**To:** Annabelle Snow, LAc  
**Cc:** jackiestrong  
**Subject:** Re: property zoning change

Hi Annabelle and Lili,  
Thanks for your getting back to me. Here are a few thoughts I have about your email...

# PortlandMaps

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**4922 N VANCOUVER AVE -  
HUMBOLDT - PORTLAND**

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Wz/mess

General Information	
Property ID R308867	
County MULTNOMAH	
State ID 1N1E22AC 1600	
Alt Account # R916500370	
Map Number 2530 OLD	
Site Info	
Site Address 4922 N VANCOUVER AVE	
City/State/Zip PORTLAND OR 97217	
Owner Info ( <a href="#">Privacy</a> )	
Owner(s) Name VITALITY CONCEPTS LLC % SCOTT, LISE-ALLYNNE	
Owner Address 4922 N VANCOUVER AVE	
City/State/Zip PORTLAND OR 97217	0 63 FT

Property Description			
Tax Roll WILLIAMS AVE ADD 2, BLOCK 1, LOT 15	Use RESIDENTIAL, COMMERCIAL USE		
Lot 15	Block 1		
Tax Districts			
101 PORT OF PORTLAND	130 CITY OF PORTLAND		
130L CITY OF PORTLAND - NEW LEVIES	130M CITY OF PORTLAND PARKS LOP		
143 METRO	164 EAST MULT SOIL/WATER		
170 MULTNOMAH COUNTY	170L MULT CO LIBRARY LOCAL OPT TAX		
171 URBAN RENEWAL PORTLAND	173 URB REN SPECIAL LEVY - PORTLAND		
198 TRI-MET TRANSPORTATION	304 MULTNOMAH ESD		
309 PORTLAND COMM COLLEGE	311 PORTLAND SCHOOL DIST #1		
Deed Information			
Sale Date	Type	Instrument	Sale Price
07/16/2010	QUIT CLAIM DEED	2010081302	\$340,000.00
05/20/2005	WARRANTY DEED	2005094113	\$193,000.00
01/01/1995	WARRANTY DEED	95007998	\$42,000.00
	BARGAIN & SALE DEED	99170211	\$0.00

Land Information		
Type	Acres	SQFT
RESIDENTIAL, COMMERCIAL USE	0.1300	5,550

Improvement Information

Portland City Council  
1221 S.W. Fourth Avenue  
Portland Oregon

Re: Comprehensive Plan and Zone Testimony

Dear Members of the Portland City Council,

This testimony applies to the property at 106 and 114 N. Alberta Street in Portland Oregon with Property IDs R308872 and R308871 Map 1N1E22AC 1100 and 1200. The owner of the properties are Darnell (Jackie) Strong.

Currently the properties carry a Neighborhood Commercial 2 (CN2) commercial zone.

The new proposed Comprehensive Plan designation is Mixed Use Neighborhood. This designation is acceptable to the property owner with the assumption that the new zone for the property becomes **COMMERCIAL MIXED USE 2 (CM2)**.

The new Comprehensive Plan and zones proposed by the City will be in place for a long time. The City's progressive development attitude benefits the trend to live "close in" to take advantage of the resulting commercial amenities and transit. Project values, project loan criteria, and the market will be important to determine the development for new projects.

These specific 18,000 Sq.Ft. properties front N. Alberta Street which is a significant east-west Street that has experienced numerous developments lately. Many of the buildings nearby on Vancouver Avenue and MLK Ave. are 4-6 stories in height with high density. The abilities of the **CM2** zone on this property allow for similar height and density as other properties in the area.

A letter from adjacent property owner Douglas McCabe (4934 N. Vancouver Ave.) will be submitted to request a similar zone for his 5740 SqFt. of property located west.

In conclusion, Jackie Strong feels the resource of his 18,000 Sq.Ft. property at this location is best suited to the **MIXED USE NEIGHBORHOOD COMPREHENSIVE PLAN DESIGNATION WITH A CM2 ZONE**.

Thank you very much for your consideration,

Jackie Strong 12165 N.W. Big Fir Ct. Portland Oregon Phone 503-309-2460

Zone Change Request Strong Brothers

**To:** Planning and Sustainability Commission (PSC)

**From:** Darnell Jackie Strong and Luther Strong (Property owners in the N/NE Portland corridor/center)

**Address of properties:** 4931 N. Williams; 4937 N. Williams; 4939 N. Williams; 4947 N. Williams; 20 N. Alberta; 106 N. Alberta; 114 N. Alberta (Jointly these properties equal approximately 1 acre).

**Date:** 5/05/16

**Re:** Document requesting Zone designation be revised to CM2 on properties owned by the mentioned parties.

Dear committee members:

We the Strong brothers have been engaged in conversations with various members of PSC for several months. During the course of those conversations and related meetings we came to believe our property had a good chance to be zoned as CM2. However in the recent draft of the comprehensive plan it appears that you have proposed a CMI designation, to our surprise and disappointment.

The purpose of this document is multiple, first it is to ask the Planning and Sustainability Commission to consider zoning our property to (CM2) versus the proposed zoning of (CM1) as outlined in your tentative plan.

The second purpose is to present our reasons why we are requesting this zone change to happen and to have those reasons documented with your office. The following bullet points details the reasons we are making this request:

- A review of your proposed draft summary reveals that the intent of the plan is to create zones of activity so that persons have the ability to walk or bike to get the things they need. Our properties have the unique position of being in the middle of the activity happening all around us. It is our belief that our property could be the center jewel in the middle of this activity.
- Our property is situated a mere 2 to 3 tenths of a mile from (Killingsworth) to the North, (Skidmore) to the South, (MLK) to the East and (Albina) to the West all short walking distances. There are also regular bus schedules and bike lanes that make our property easily accessible to community members. The high level of activity happening all around us reflects that we are not in a low density area and high density mixed use developments are going up within close proximity to our property regularly. Our properties are directly on the

Zone Change Request Strong Brothers

- I have been in contact with several neighbors close to our properties and they are in agreement that a CM2 zone designation supports their vision of how this block should zoned.
- The Strong family, African American owners of the properties involved, have been long time neighborhood members dating back to 1956. The family is well known politically and is also known as being socially conscientious as represented by Luther Strong and Opal Strong, who is now 100 years of age. Both were community activists and mentors to leaders of color. Opal Strong was appointed by the late Governor Vic Atiyeh and served as a board member for the council of senior citizens, a state wide effort. She was also a founding member and active participant leading the Humboldt/King neighborhood associations dating back to model cities, which is now the N/Ne coalition of neighborhoods.

Their social work skills were passed on to their children and grandchildren who are also passionate about serving the community of Portland. The off springs have shown that same drive to help others and illustrate such by having positions of importance in the African American community and the community at large. For example her two sons who own these properties are concerned about how to address the issues of gentrification, affordable housing and job creation in N/NE Portland. Another one of her grandchildren is the Pastor of one of the largest predominantly African American churches in Portland, while yet another grandchild is a top administrator at the United Way.

I believe that as long time residents of this neighborhood and as long time owners of these properties since 1976, we are uniquely positioned to give credible and sound input about future zoning in the community where we still live and care deeply about.

In conclusion I want to reiterate that it is the Strong brother's intent to pursue development opportunities for our properties. Additionally we are excited about the possibility of teaming with the City of Portland, the offices of the Commissioners, Private developers, Nonprofit housing programs like the Portland Housing Bureau and the African American community to quell the issue of gentrification and affordable housing.

Thank you for your time to receive and review our input about changing the proposed zone to CM2.

The Strong brothers  
Jackie Strong  
Luther Strong

Portland City Council  
1221 S.W. Fourth Avenue  
Portland Oregon

Re: Comprehensive Plan and Zone Testimony

Dear Members of the Portland City Council,

This testimony applies to the property at 20 N. Alberta Street in Portland Oregon with Property ID R308873 Map 1N1E22AC 200. The owner of the property is Luther and Jesse Strong.

Currently the property carry a Neighborhood Commercial 2 (CN2) commercial zone.

The new proposed Comprehensive Plan designation is Mixed Use Neighborhood. This designation is acceptable to the property owner with the assumption that the new zone for the property becomes **COMMERCIAL MIXED USE 2 (CM2)**.

The new Comprehensive Plan and zones proposed by the City will be in place for a long time. The City's progressive development attitude benefits the trend to live "close in" to take advantage of the resulting commercial amenities and transit. Project values, project loan criteria, and the market will be important to determine the development for new projects.

The specific 4980 Sq.Ft. property fronts N. Alberta Street which is a significant traffic carrier that has experienced numerous developments lately. Many of the buildings nearby on Vancouver Avenue and MLK Ave. are 4-6 stories in height with high density. The abilities of the **CM2** zone on this property allow for similar height and density as other properties in the area.

A letter from adjacent property owners Douglas McCabe (4934 N. Vancouver Ave.) and Jackie Strong (106 and 114 N. Alberta St.) and others will be submitted to request a similar zone for their properties.

In conclusion, Luther and Jesse Strong feel the resource of their 4980 Sq.Ft. property at this location is best suited to the **MIXED USE NEIGHBORHOOD COMPREHENSIVE PLAN DESIGNATION WITH A CM2 ZONE**.

Thank you very much for your consideration,

Luther and Jesse Strong 20 N. Alberta Street Portland Ore Telephone contact: 503-309-2460 (Jackie Strong)

To the Planning & Sustainability Commission:

We understand that the City of Portland is currently updating and implementing elements of the 20 year Comprehensive Plan, of which Zoning is a part. In light of this we would like to submit testimony concerning Environmental Overlays in North Portland. In particular we are concerned with the wooded bluff area between N Going Street and the residences on the north side of N Skidmore Court.

We would like to propose that the zoning for this currently undeveloped area be revised to Environmental Protection Zone status, rather than the current Environmental Conservation Zone status that allows for development. We argue that this area can not tolerate any development, even if considered “environmentally sensitive development”.

Our primary points of concern include:

- heightened landslide risk,
- increased traffic noise for residence,
- property damage from construction, and
- destruction of a nature corridor

Please see the attached testimony: *An appeal for Environmental Protection Zoning for the N Prescott Bluff*

Kind Regards,

Sharonne and Jeremy Broadhead, on behalf of the N Skidmore Court residence

## **An appeal for Environmental Protection Zoning for North Prescott Bluff.**

This testimony outlines the concerns of the residents of fifteen homes on the north side of N. Skidmore Court in the Overlook neighborhood in relation to the possible development of a steep grade forested bluff to the north of their properties.

The bluff runs along the south side of N. Going Street and to the north of N. Skidmore Court, with Interstate Boulevard and Greeley Avenue to the east and west respectively. The area falls into an R5c zone and contains tax map 1N1E21AC lot numbers 14300, 14400, 14500, 14600 and 14700. The area on the north side of N. Going Street between Interstate Boulevard and Greeley Avenue falls under OS and OSc zoning as does the area on the south side of N. Going Street to the west of the area in question (tax map 1N1E21DB lots 1800, 1900, 2000, 2100). The open space designation on the north side of N. Going Street came about as part of the city's N. Going Street noise mitigation project in the 1980's; the city demolished residences along N. Going Street to create some of the open space.

According to Portland Maps the bluff area is in a High Earthquake Hazard Zone and also falls under the following classifications:

- Steep Slope Area (25%), and
- Potential Landslide Area.

We would like to propose that this currently undeveloped area be assigned Environmental Protection Zone status, rather than the current Environmental Conservation Zone status that allows for development. We argue that this area can not tolerate any development, even if considered "environmentally sensitive development".

Our primary points of concern include: landslide risks, increased traffic noise, property damage from construction, and the destruction of a nature corridor.

### **Landslide risk:**

Over past decades a number of landslides have occurred along the bluffs close to the proposed development area.

In the late 1950's Union Pacific constructed a retaining wall along the lower portion of the Skidmore-Overlook bluff, above N. Greeley Avenue. The wall was reinforced with steel, seven feet thick at its base, over 50 feet tall, and over 500 feet long. It was either close to completion or finished in early April 1958 when an approximately 300 foot section of the wall failed, releasing tons of dirt from the bluff, knocking over electricity poles and lines on Greeley Avenue and covering a section of the railway yard in dirt and debris. In response, Union Pacific paid to have Greeley Avenue realigned 75 feet: the bluff over Greeley was graded, and two houses at the end of N. Skidmore Court and N. Skidmore Terrace were demolished to allow the grading for the new bluff profile. What is left of the lots of those houses is now the Mocks Crest Parklet --

the Skidmore Bluffs. Failure of this substantial retaining wall would suggest that the bluff is composed of unstable material that retaining walls may be insufficient to contain.

Further landslides took place some 16 years ago beyond the house at the end of N. Skidmore Court on the north side, closest to the Mocks Crest Property. Farther around the bluff, a landslide recently took place just south of the Overlook House on N. Melrose Drive. A City of Portland Public Works sign currently marks the site. Additionally, a number of trees at the base of the bluff next to N. Going Street are growing at odd angles, suggesting that earth on the slope has been moving.

Major factors contributing to landslide risk include cuts being made to a slope, tree removal, heavy rainfall and tectonic activity (see UN Food and Agriculture Organization '[Forests and Landslides](#)' publication). Development of properties on the bluff will necessitate cutting a roadway and removing trees and Portland is also susceptible to heavy and prolonged rainfall and tectonic activity. The geological structure of the bluff may contribute an additional risk factor since local knowledge suggests that the slopes are composed of landfill and were used as a dump.

A landslide or multiple landslides could affect the stability of the land on which the homes on the north side of N. Skidmore Court are now situated and deforestation resulting from development or a landslide would leave properties open to increased noise levels from N. Going Street (see below). Leaving the slope in its current state and managing the area to maintain an unevenly structured stand of natural vegetation containing a diverse range of trees and shrubs would help protect against landslide risk.

#### **Noise levels:**

In 1978 the city of Portland began a study of truck noise along N. Going Street. Noise levels were found to be potentially damaging to health for occupants of homes at the side of the street. As a result, the city opted to relocate the residents and a number of homes were demolished. Noise reduction walls were erected and the small cross streets that opened onto N. Going Street were shut down. In all, seventeen houses and seven apartment buildings on both sides of N. Going Street were demolished. Remaining houses in the area were given the option of installing double-pane windows. By 1983, city and federal funds spent on the project totalled around \$3.4 million.

Currently this corridor has trees growing on both sides of the "canyon," providing a natural noise barrier between the local neighborhoods and the freight corridor of N. Going Street. At the time of the study, the sound level on N. Going Street was around 80 decibels. Traffic volumes are now considerably higher than 30+ years ago and noise levels are likely to have risen in accordance. Removal of trees on the forested bluff for housing development would increase noise levels in the homes along the north side of N. Skidmore Court and additional mitigation measures may be necessary to maintain a healthy environment for residents.

**Development damage:**

Although it is not clear what kind of engineering techniques will be used, development of residential properties and retaining walls along the bluff may have direct impacts on the the current residences aside from landslide risk. It is likely that anchors will be needed for retaining walls and these could affect the stability of ground beneath current residences. Changes to the hydrology of the land could also affect building foundations. No studies have been available to suggest that these risks are insubstantial.

**Natural habitat degradation:**

The natural strip of forest spanning the entire length of the Overlook bluffs provides a considerable contribution to nature preservation and habitat connectivity. The rest of the bluffs area to the north of N Going Street and along N. Greeley Avenue is zoned as an OS or OSc area and only the section proposed for development is zoned as R5c. The bluffs contain a diverse selection of native trees and plants including a Madrona tree at least 80 years old which has been nominated for Heritage Tree status. Animals that utilize this wildlife area include the usual raccoons and coyotes, but also deer and newts. Birds seen and heard here include flickers, varied thrushes, downy woodpeckers, Cooper's hawks, great horned owls, and even bald eagles. Development of the area would destroy much of the natural vegetation and reduce the area available for the birds, mammals, reptiles and insects that currently inhabit the area.

**Summary:**

The North Prescott Bluff with intact vegetation has value to the residences on the north side of N. Skidmore Court in terms of landslide prevention and noise mitigation. The Bluff is also of broader value as a natural corridor. Development of the area has the potential of substantially reducing these values and of posing risk to the continued stability of the residences N. Skidmore Court. Changing the status of the area to an Environmental Protection Zone will preserve the geological stability of the area, maintain noise reduction services provided by trees and other vegetation and contribute to biological conservation in Portland.



## Rose City Park Neighborhood Association

**Subject: Testimony to the Portland Planning and Sustainability Commission related to zoning in the MAX station area of the Rose City Park Neighborhood, July 12, 2016.**

In April of this year, and then again last month, meeting notices were distributed to residents within the boundaries of NE Halsey to the North and I-84 to the South, from NE 57th to NE 63rd Avenues. At meetings open to the public, the Rose City Park Neighborhood Association Land Use and Transportation Committee discussed comp plan and zoning options with neighbors in the MAX station area.

At the first meeting, representatives from PBOT were present to discuss potential transportation infrastructure improvements. An up zoning modification to the comp plan was voted on by residents to be presented to the City Council. With the exception where there are pre-existing densities higher than allowable in a R-5 zone, an accompanying motion was passed to retain the existing R-5 zoning until some infrastructure improvements are made, and to protect the many historic houses in the area.

This portion of the neighborhood includes affordable starter homes - some of them fixer uppers, homes over 100 years old, well kept working class single family homes - many of them in better shape than the Portland Building, and a few duplexes and multi-family units that are scaled in height and mass to fit in with the single family homes.

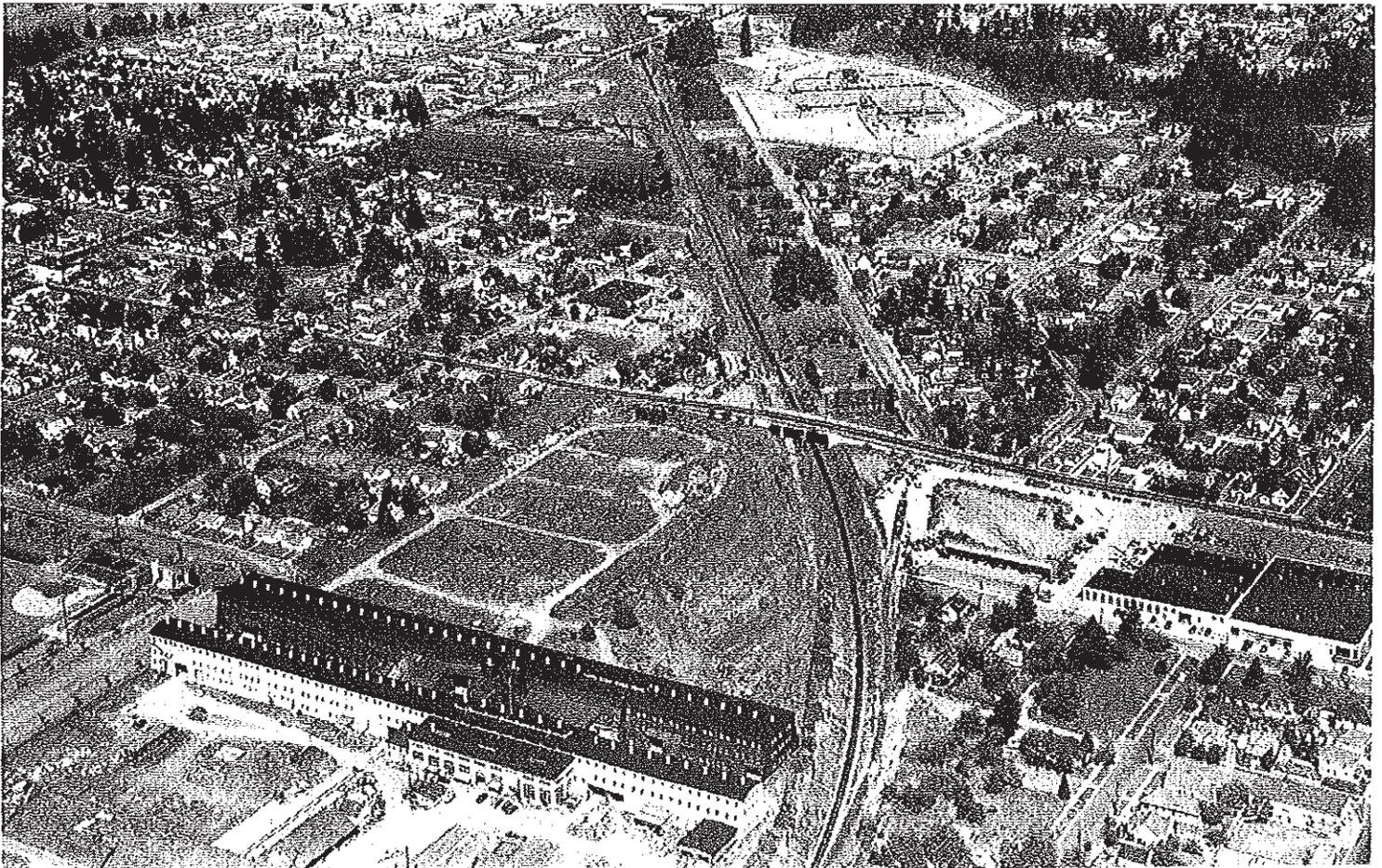
At the meeting last month, there was a strong sentiment articulated by residents that the city did not care about them - the homeowners. A similar motion to retain the existing R5 zoning until infrastructure improvements are made unanimously passed. This reflects the direction of the PSC a few years back when an agreement was reached with the neighborhood that up zoning should not occur until infrastructure improvements are made.

Top priorities for the neighborhood include a left turn signal from eastbound NE Halsey to southbound NE 60th, reestablishing some of the skip-striping for additional peak period travel lanes on NE Halsey, wider sidewalks on NE 60th that now with a one-foot curb are only four feet wide, and establishing various marked crosswalks. Piecemeal improvements that would likely come with new development are not an acceptable alternative.

The Rose City Park Neighborhood Association, as unanimously passed by the board, is again asking the PSC to support and recommend retaining the existing R5 zoning until such time as a full range of infrastructure improvements are made.

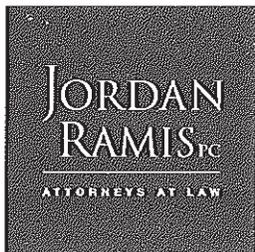
Respectfully submitted,

Terry Parker  
Board Member, Land Use and Transportation Committee Member,  
Rose City Park Neighborhood Association



Above: Circa 1950 Columbia Steel Casting Company and the site of Pacific Car and Foundry Company. The overpasses over the Union Pacific Railroad tracks were constructed around 1917. The Banfield Freeway (I-84) has not yet been built. Not all properties in the proposed area to be up zoned have been developed. Below: Google Earth showing I-84, MAX light rail and the same area nearly fully developed with mostly single family homes.





Lake Oswego  
Two Centerpointe Dr., 6th Floor  
Lake Oswego, OR 97035  
503-598-7070  
www.jordanramis.com

Vancouver  
1499 SE Tech Center Pl., #380  
Vancouver, WA 98683  
360-567-3900

Bend  
360 SW Bond St., Suite 510  
Bend, OR 97702  
541-550-7900

July 12, 2016

Portland Planning and Sustainability Commission  
1900 SW 4th Ave Ste 7100  
Portland OR 97201

Re: **Comprehensive Plan Update; 1434 and 1512 SW 58<sup>th</sup>**  
*Zoning Issues*  
Our File No. 50539-38241

Dear Commission Members:

This letter requests your recommendation to conform the zoning for these two Sylvan area properties to their current comprehensive plan designations. The properties total approximately one acre. The existing base zone of R20 is a suburban single family zone allowing two dwellings per acre. The comprehensive plan designation of R2 is a multifamily zone allowing for up to 21 dwellings per acre.

The properties in this lower part of SW 58<sup>th</sup> were first designated R2 multifamily in the comprehensive plan map many years ago, and since that time, similarly designated parcels with R2 zoning to the south have developed with attractive townhouses and a half street improvement across the street from the East Sylvan Middle School. The immediately adjacent property on the south (1530 SW 58<sup>th</sup> Ave.) shares the R2 comprehensive plan designation, was rezoned R2 in 2005 and is currently being entitled. The City has consistently approved zone changes on these parcels to match the comprehensive plan designation, provide urban levels of density and obtain necessary street improvements.

The neighborhood development pattern is established by the comprehensive plan, as it should be. The unusual disparity between the current suburban zoning and the urban comprehensive plan impedes development and makes it unnecessarily difficult for Portland to achieve its housing goals.

The neighborhood is increasingly active and in need of the sidewalks and street improvements development will bring. East Sylvan Middle School is receiving renewed attention and will host Portland Public School's Odyssey program starting in the fall of 2016. In addition, the school will likely see an increase in afterhours and weekend facilities reservations and other community use as students and families are once again utilizing the building and grounds.

July 12, 2016

Page 2

Staff has expressed reluctance to support harmonizing the zoning with the comprehensive plan, out of concern about transportation impacts around the interchange. However, they have provided no support for this reluctance, and this suburban model – protect traffic flows around the interchange at all costs – is the wrong paradigm for this walkable neighborhood with good transit. When the adjacent property to the south applied for a zone change (LU-04-048798 ZC), the Bureau of Transportation had “no objections with the requested zone change” and required “a dedication of approximately seven feet...in order to construct frontage improvements”. The hearings officer decision noted the “interchange improvements were designed to accommodate traffic levels based on future development in conformance with the Comprehensive Plan designation of R2.” The hearings officer noted that PBOT “concurred” the assumptions and methodology in the applicant’s traffic study were reasonable and appropriate, and agreed with PBOT.

On this block, new development has consistently been conditioned to provide a half street improvement, with additional paving for on street parking, curb and gutter, a landscape strip with street trees, and a generous sidewalk. Except for gaps in front of just two underdeveloped properties, there are already sidewalks in place leading directly to neighborhood destinations including the school, the Tri-Met Route 58 bus stop, the Max light rail station at the zoo, and neighborhood shopping and services like restaurants, coffee shops, and medical offices.

This particular street serves a limited area and is very unlikely to have enough traffic to justify three vehicle lanes. On narrow two lane streets, the sidewalks and street trees installed with redevelopment provide traffic calming, and of course traffic calming is appropriate and necessary along the school frontage, as seen at other schools like Fernwood, Alameda and Rose City.

The attached aerial photo illustrates the close proximity of the urban node to the subject properties. Additional sidewalks would improve walkability to important transportation hubs. The Route 58 bus stop, Stop 895, has westbound departures at half hour intervals with the wait time decreasing to 20 minutes during commuter times. Stop 894, located .2 miles away and within a five minute walk, has eastbound departures to the Goose Hollow stop and MAX connection. The proposed additional density would allow for housing and walkability where commuters could leave the car at home, thereby mitigating the already minimal traffic impact (see the attached traffic analysis).

SW 58<sup>th</sup> needs the safe pedestrian routes which redevelopment creates. Analysis by a qualified traffic engineer indicates that full build out of the site at R2 density will generate only 9 additional peak hour trips but will result in pedestrian and safety improvements needed on the street.

The engineer confirms in the attached letter that while the nearby Sylvan interchange does get busy during the rush hour, congestion is well within city and ODOT standards. The conclusion is that needed public services can be provided as the properties develop, as has been successfully accomplished by our neighbors to the south. This is a prime location for density, in a walkable neighborhood featuring a blend of urban and commercial with townhouses, medical offices, restaurants, the school and transit. While R-20 zoning may have made sense in the past, it no longer does so.

July 12, 2016  
Page 3

We therefore ask that the Commission recommend upzoning these properties to their comprehensive plan designation. Thank you for your courtesies and consideration.

Sincerely,

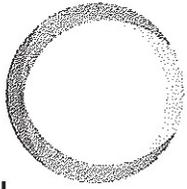
JORDAN RAMIS PC



Timothy V. Ramis  
*Admitted in Oregon*  
tim.ramis@jordanramis.com  
OR Direct Dial (503) 598-5573

Enclosures

cc: Michael Foster



clemow  
associates LLC

June 14, 2016

Jordan Ramis, PC  
Attention: Tim V. Ramis  
2 Centerpointe, 6<sup>th</sup> Floor  
Lake Oswego, Oregon 97035

Re: 1434 & 1512 SW 58<sup>th</sup> Avenue Zone Change – Portland, Oregon  
*Technical Letter #1 Transportation Analysis*

Project Number 20160602.00

Dear Mr. Ramis:

This technical letter supports the proposed property rezone at 1424 and 1512 SW 58<sup>th</sup> Avenue, Portland, Oregon. The following items are specifically addressed in this letter:

1. Property Description and Proposed Land Use Action
2. Trip Generation
3. Transportation Impacts
4. Proximity to Services
5. Frontage Improvements and Access Connections
6. Summary

#### **1. PROPERTY DESCRIPTION AND PROPOSED LAND USE ACTION**

The two, 0.50-acre properties (totaling 1.00 acres) are located at 1424 and 1512 SW 58<sup>th</sup> Avenue, Portland, Oregon and are identified as Tax Lots 2600 and 2500 on Multnomah County Assessor's Map 1S-1E-06CA. Property access is to SW 58<sup>th</sup> Avenue connecting to SW Montgomery Street to the south.

The properties are currently zoned City of Portland Residential 20,000 (R20), a low-density single-family dwelling zone allowing 1 unit per 20,000 square feet and each has one single-family dwelling. The City is currently undertaking a legislative Comprehensive Plan map change and rezoning process and the desire is to include these properties as part. As such, it is proposed these properties be rezoned to Residential 2,000 (R2), a low-density multi-family dwelling zone allowing 1 unit per 2,000 square feet.

The proposed zoning has potential to increase site trip generation; therefore, transportation impacts are quantified and evaluated as part of this letter.

## 2. TRIP GENERATION

The subject properties total 1.00 acres, or 43,560 square feet in size. Reasonable worst-case development in the proposed R2 zone allows 21 low-density multi-family dwelling units and the current R20 zone allows 2 single-family dwelling units.

Trip generation for reasonable worst-case development in the proposed and current zone designations is estimated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9<sup>th</sup> Edition. For the proposed R2 zone, ITE Land Use 230 – Residential Condominium/Townhouse is used and for the current R20 zone, ITE Land Use – 210 Single-Family Detached Housing is used. Resulting trip generation is summarized in the following table.

TABLE 2-1 DEVELOPMENT TRIP GENERATION						
Land Use	ITE Code	Size (Units)	Average Daily Trips	PM Peak Hour Trip Generation		
				Enter	Exit	Total
<i>Proposed R2 Zone Designation</i>						
Residential Condominium/Townhouse	230	21	122	7	4	11
<i>Current R20 Zone Designation</i>						
Single-Family Detached Housing	210	2	19	1	1	2
<b>Trip Generation Difference</b>			<b>103</b>	<b>6</b>	<b>3</b>	<b>9</b>

As identified in the table above, the proposed zone designation has potential to increase site trip generation by 9 PM peak hour trips.

## 3. TRANSPORTATION IMPACTS

The subject properties directly access SW 58<sup>th</sup> Avenue and residential development traffic is anticipated to primarily travel to/from the south and east on SW 58<sup>th</sup> Avenue, SW Montgomery Street, and SW Skyline Boulevard. No transportation infrastructure improvements are anticipated to be necessary to support this small potential traffic increase. As such, existing traffic patterns are anticipated to remain the same and increased subject property development is not anticipated to increase residential neighborhood cut-through traffic to the north.

Overall transportation impacts are small with a potential trip generation increase of 9 PM peak hour trips. As such, the proposed rezone is not anticipated to significantly affect the transportation system.

#### 4. PROXIMITY TO SERVICES

The subject properties are located approximately 900 feet (i.e., less than a ¼ mile walking distance) from commercial properties located adjacent SW Skyline Boulevard and SW Montgomery Street. These properties are zoned General Commercial (CG) allowing a full range of retail and service businesses with a local or regional market. CG zone development standards promote attractive development, an open and pleasant street appearance, and compatibility with adjacent residential areas. CG development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.

Overall, the subject properties are located sufficiently close to complimentary commercial services to promote walking, thereby reducing automobile reliance.

#### 5. FRONTAGE IMPROVEMENTS AND ACCESS CONNECTIONS

If the subject properties are rezoned and redevelopment is proposed, at a minimum, the applicant will be required to construct half-street improvements along the property frontage consistent with the City of Portland local street standard. This includes any necessary roadway widening, curb and gutter, sidewalk and any necessary right-of way dedication.

Overall, as properties develop/redevelop along SW 58<sup>th</sup> Avenue to urban density, it is anticipated the City will continue to require construction of half-street improvements, including sidewalks, with the intent of ultimately providing a continuous sidewalk along SW 58<sup>th</sup> Avenue. This will result in continuous sidewalks between the subject property and the commercial area to the south facilitating pedestrian travel.

#### 6. SUMMARY

The proposed 1434 and 1512 SW 58<sup>th</sup> Avenue property rezone will only generate 9 new PM peak hour vehicle trips and is not anticipated to significantly affect the transportation system. Additionally, the property rezone is not anticipated to promote residential neighborhood cut-through traffic and the property is sufficiently close to commercial services to promote walking.

Sincerely,



Christopher M. Clemow, PE, PTOE  
Transportation Engineer

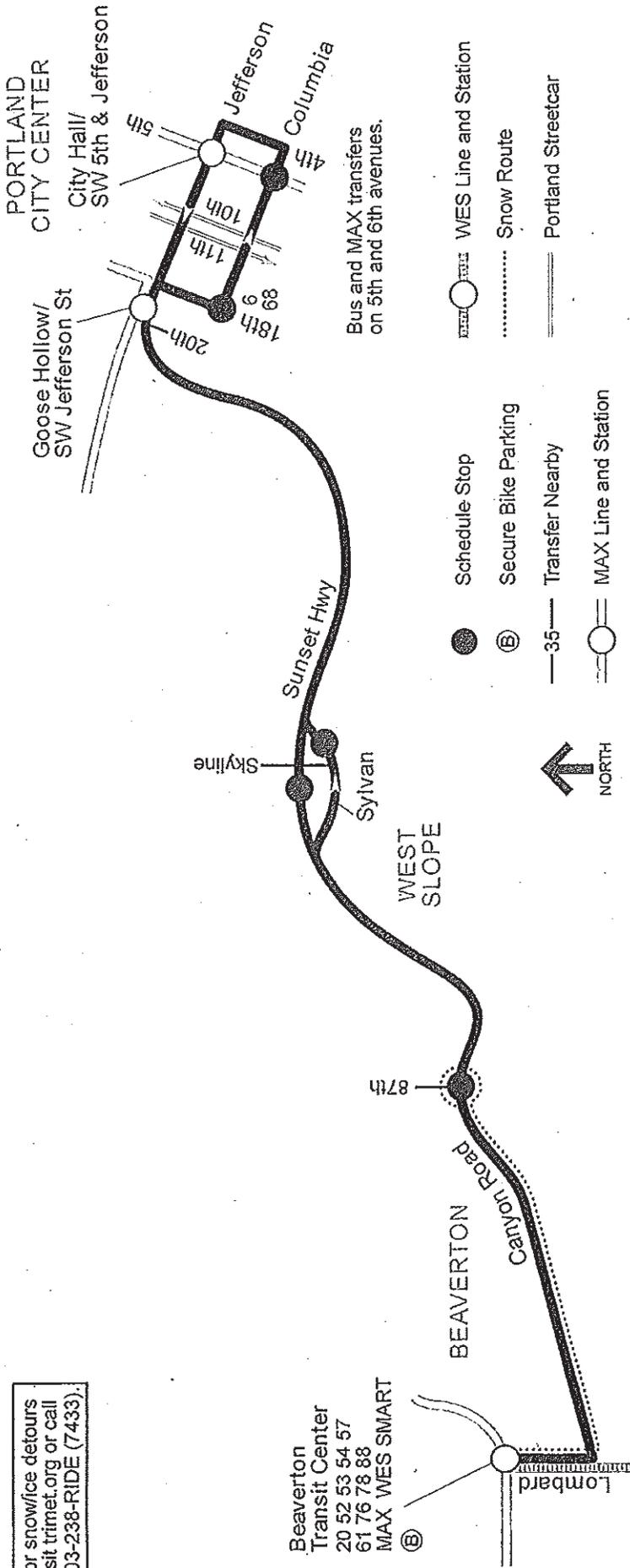


RENEWS 31 DEC 2017

# 58-Canyon Rd

For snow/ice detours  
visit [trimet.org](http://trimet.org) or call  
503-238-RIDE (7433).

Beaverton  
Transit Center  
20 52 53 54 57  
61 76 78 88  
MAX WES SMART  
Ⓟ



Bus and MAX transfers  
on 5th and 6th avenues.

# Schedule for

Hwy 26/Canyon Rd Ramp & SW Skyline Westbound

<b>Monday</b> Today	<b>Thursday</b> 7/14	<a href="#">more</a>
------------------------	-------------------------	----------------------

Viewing by line

View by time

<b>58 Canyon Rd to Beaverton TC</b>	
-------------------------------------	---

5:30am	6:00am	6:30am	7:01am	7:19am	7:37am	7:55am
8:13am	8:32am	9:01am	9:31am	10:01am	10:32am	11:03am
11:35am	12:06pm	12:39pm	1:11pm	1:43pm	2:14pm	2:45pm
3:18pm	3:50pm	4:21pm	4:52pm	5:23pm	5:52pm	6:19pm
6:48pm	7:18pm	7:48pm	8:18pm	8:48pm	9:48pm	10:46pm

Find nearby stops

12

# Schedule for

Hwy 26/Canyon Rd Ramp & SW Skyline Westbound

<b>Saturday</b> 7/16	<b>Tuesday</b> 7/19	<a href="#">more</a>
-------------------------	------------------------	----------------------

[Viewing by line](#)

[View by time](#)

Showing only 58-Canyon Rd

[Show all lines](#)

58-Canyon Rd to Beaverton TIC

10:41am	11:11am	11:41am	12:11pm	12:41pm	1:11pm	1:41pm
2:11pm	2:41pm	3:11pm	3:41pm	4:11pm	4:41pm	5:11pm
5:41pm	6:11pm					

[Find nearby stops](#)

13

# Schedule for

Hwy 26/Canyon Rd Ramp & SW Skyline Westbound

Saturday  
7/16

Tuesday  
7/19

more

Viewing by line

View by time

58 Canyon Rd to Beaverton TC



10:41am 11:41am 12:41pm 1:41pm 2:41pm 3:41pm 4:42pm  
5:42pm

Find nearby stops

14

# Schedule for

Hwy 26 On Ramp & SW Skyline Eastbound

<b>Monday</b> Today	<b>Thursday</b> 7/14	<a href="#">more</a>
------------------------	-------------------------	----------------------

[Viewing by line](#)

[View by time](#)

<b>58 Canyon Rd to Portland</b>	
---------------------------------	---

5:11am	5:40am	6:10am	6:37am	6:54am	7:11am	7:28am
7:45am	8:05am	8:37am	9:09am	9:40am	10:11am	10:42am
11:14am	11:45am	12:17pm	12:49pm	1:21pm	1:52pm	2:23pm
2:55pm	3:25pm	3:56pm	4:27pm	4:57pm	5:26pm	5:55pm
6:25pm	6:56pm	7:27pm	7:58pm	8:28pm	9:28pm	10:26pm

[Find nearby stops](#)

15



**MAIN STREET**  
DEVELOPMENT  
DREAM • DESIGN • BUILD

June 13, 2016

Portland Planning and Sustainability Commission  
1900 SW 4th Ave Ste 7100  
Portland OR 97201

Re: **Comprehensive Plan Update; 1434 and 1512 SE 58<sup>th</sup>**  
*Zoning Issues*

Dear Commission Members:

This letter is written to support my neighbors Michael Foster and Tim Ramis in their request that the city adjust the zoning for the referenced properties consistent with their current R2 comprehensive plan designations. Main St. Development owns the property at 1530 SW 58<sup>th</sup> just to the south of the Ramis property, and our property is already zoned R2. We specialize in townhouses, and my intention is to build consistent with the R2 zoning, just like my neighbor to the south did successfully. The Foster and Ramis properties suffer from an unusually wide disparity between the existing base zoning of R20, a single family zone with only two dwellings per acre, and their comprehensive plan designation of R2, a multifamily zone for 21 dwellings per acre, more than ten times the density of the existing zone.

I haven't owned my property very long and am unclear why the south half of the block is R20 and the north half is R2. To say that's awkward is an understatement, and of course we can provide new housing and public improvements, like a wider street and sidewalks where none currently exist, more efficiently with consistent zoning. With uneven zoning, the neighborhood will be left with the occasional one-off projects of different types, and on again, off again sidewalks.

This neighborhood has all the ideal features for urban townhouses. You can walk to the local shopping, the light rail is an easy bike ride away, and the Sylvan Middle School and its park land is right across the street. We therefore ask the PSC to smooth out the uneven zoning, and implement the R2 zoning for Messrs. Foster and Ramis.

Sincerely,

Eric Rystadt

Main Street Development  
(503) 422-7707  
PMB #208  
5331 SW Macadam Ave., Ste 258  
Portland OR 97239

**Zoning Testimony**

To: Planning and Sustainability Commission

From: Vladimir Ozeruga, Portland Redevelopment LLC

Address: 7050 and 7036 NE MLK

Please change the zoning as to match the comprehensive plan map. I want to develop a mix-use project, not all residential.

**My vision and Plan**

1. CM2, mixed commercial will give me opportunity to develop more housing units, than existing R2 zone.
2. Develop commercial retail which will give opportunity to employ more people in this city.
3. This is a center of the city, next to downtown, and R2 zone does not fit to surrounding environment, where six story buildings exist now (across the street and sides). It is from my point of view.
4. My lot is empty and surrounded by commercial businesses (see my chart on next page).
5. There is an intense bike route, bus routes. I think it is good to meet city plan to develop high density buildings and instead of large square footage dwelling, build more compact housing.
6. Portland maps does not give true information about my lots. My lots are empty but Portland maps show a house on one of them, which contains a medical dispensary.

Thank you,

Vladimir Ozeruga



Phone: 503-969-8395

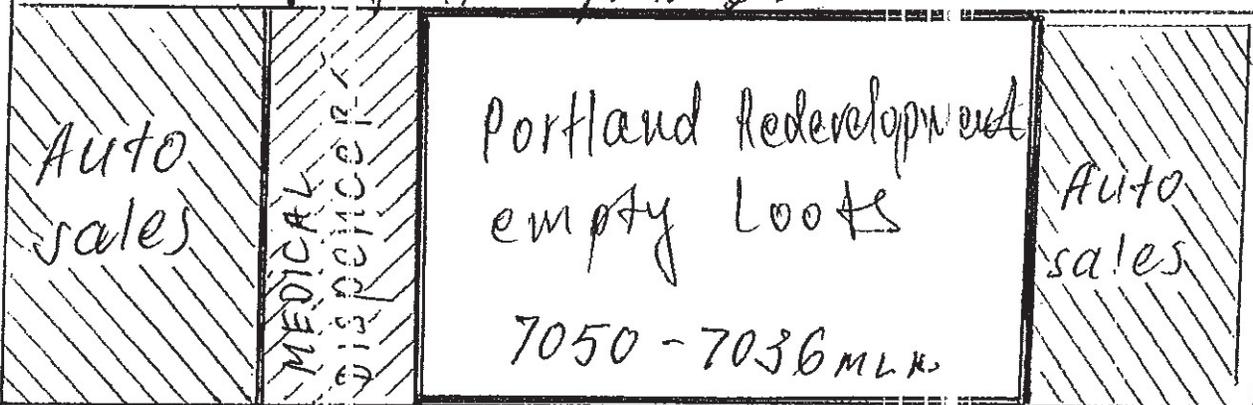
Fax: 503-655-1322

Email: tuur151@gmail.com

IOM

1. What ~~you~~ testify ng about?  
7050, 7036 NE MILK – change zone from R1 to CM2, mixed commercial.
  
2. Reason?
  - a. Develop more housing.
  - b. Develop commercial retail- employ more people.
  - c. Center of city, next to downtown (bikes, buses route s).
  - d. Small units instead of large.
  
3. How it effects my organization?  
Duplexes, condos, or row houses will be hard to sell.  
Multi dwellings you can rent or sell.

It is registered for some reason  
on my lot. (7050). but it has it's  
own different physical number. My  
lots are empty. I am not an owner  
of that premises.



M L K

TERRY PARKER  
P.O. BOX 13503  
PORTLAND, OREGON 97213-0503

**The following questions to the PSC are of my own asking, July 12, 2016**

Why is up zoning is in the works for the Rose City Park Neighborhood near the MAX station and not near the MAX stations in the Laurelhurst and East Moreland neighborhoods?

Is it that Rose City Park is a working class neighborhood and both Laurelhurst and East Moreland are more upscale and more affluent neighborhoods?

Where is the equity as it relates to displacement and in due course, the demolition of a huge swath of a reasonably affordable single family home neighborhood?

Respectfully submitted,

Terry Parker  
Northeast Portland

# Wendy Chung

1729 NW Irving Street • Portland, OR 97209 • (720.218.2925) • wcrossiter@yahoo.com

July 12, 2016

Bureau of Planning and Sustainability  
900 SW 4th Ave #7100  
Portland, OR 97201

RE: Comprehensive Plan Update: Composite Zoning Proposal – Alphabet Historic District

Dear Commissioners:

I am writing on behalf of the NWDA Planning Committee concerning proposed zoning in and around the Alphabet Historic District that is described in the Composite Zoning Proposal (CZP) on the Map App. NWDA appreciates BPS' receptiveness to feedback provided in the form of public testimony throughout the Comp Plan 2035 process, much of which is reflected in the CZP. There are, however, a few areas in the CZP for which we request underlying base-zone changes in order to comply with the Comp Plan Policy 4.49 to reconcile conflicts in historic districts and to refine base zoning: *Policy 4.49 Resolution of conflicts in historic districts. Adopt and periodically update design guidelines for unique historic districts. Refine base zoning in historic districts to take into account the character of the historic resources in the district.*

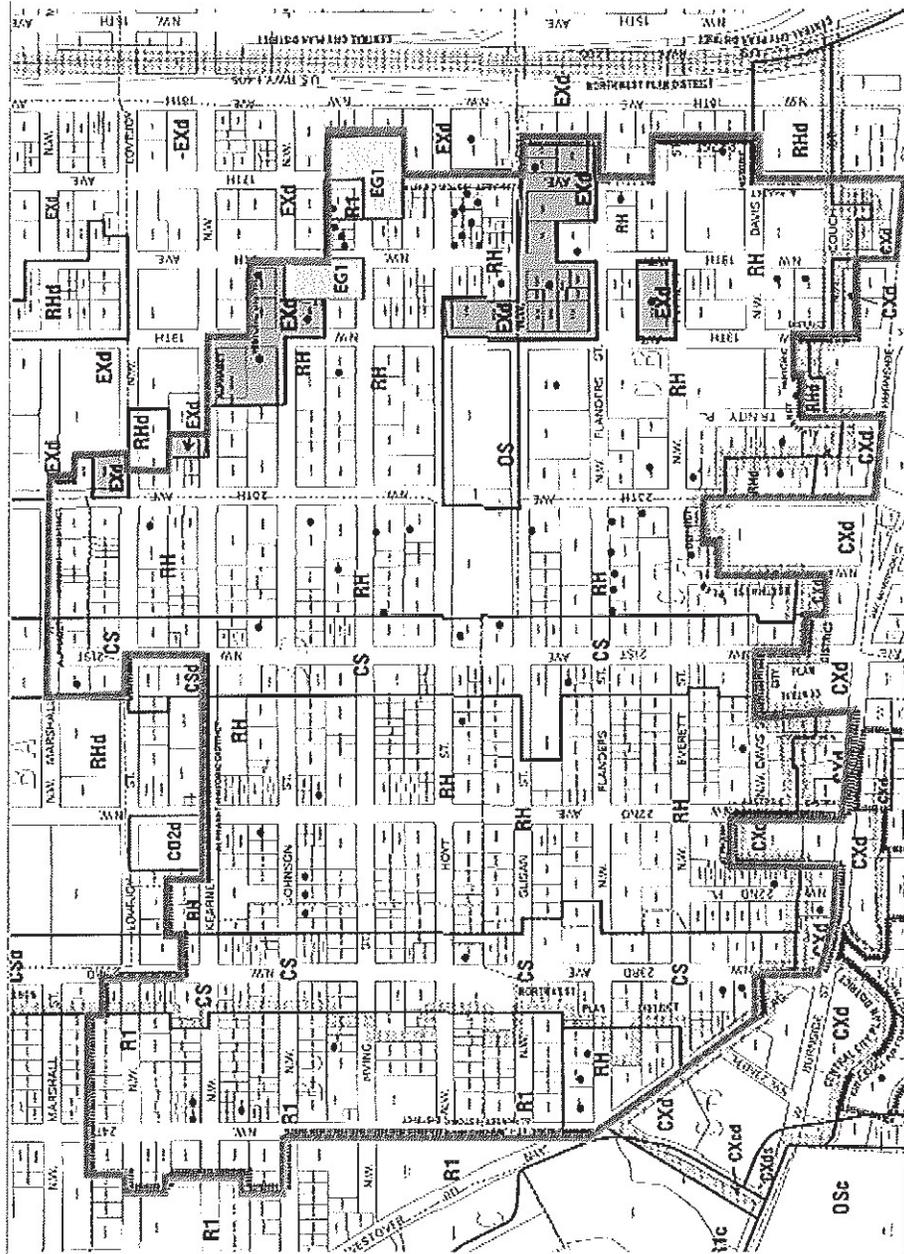
The proposed zoning in these few areas appear to potentially encourage development that would conflict with the Northwest District Plan and the Alphabet Historic District Addendum to the Community Design Guidelines by encouraging demolition of historic resources and out-of-scale projects that would detract from the character of individually-listed and contributing structures within the Alphabet Historic District:

- *Northwest District Plan - Eastern Edge: Desired Characteristics and Traditions* "The historic resources of the Eastern Edge, part of which is located in the Alphabet Historic District, should be preserved. The scattered remnants of the historically working-class Slabtown neighborhood, located in northern portions of the area, are a particularly vulnerable component of the area's built environment that should also be preserved."
- *Alphabet Historic District Addendum to Community Design Guidelines* –
  - *Historic Alphabet District Guideline 2:* "The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement."
  - *Historic Alphabet District Guideline 3:* "Hierarchy of Compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a historic or conservation district, with the rest of the District. Where practical, compatibility will be pursued on all three levels."

# Wendy Chung

1729 NW Irving Street • Portland, OR 97209 • (720.218.2925) • wcrossiter@yahoo.com

Specifically, NWDA believes that the proposed CM3 zoning within Alphabet Historic District should be zoned CM2 instead, because we believe a) lower FAR and height allowances are more compatible with the historic designation of such properties, and b) a base zone more consistent with historic policies and guidelines will provide more up-front certainty and clarity to developers. We request that the dark grey areas on the map below (marked EXd) be zoned CM2 rather than CM3.



# Wendy Chung

1729 NW Irving Street • Portland, OR 97209 • (720.218.2925) • wcrossiter@yahoo.com

As described in the examples listed below, many of the properties listed are historically significant, and are either listed individually on the National Register of Historic Places as historic landmarks or contributing structures within the Alphabet Historic District on the National Register. Others are adjacent to such properties and thus should appropriately be zoned CM2 rather than CM3, in order to encourage development that is "compatible with the historic qualities of the district" and consistent with Historic Alphabet District Guidelines 2 and 3.

Address	Within Historic District?	Historic Designation	Proposed	Requested
1819 NW Everett St./NWNCC	Yes	Individually Listed on National Register of Historic Places	CM3	CM2
732 NW 19 <sup>th</sup> Ave	Yes	Individually Listed on National Register of Historic Places	CM3	CM2
1815 NW Flanders St.	Yes	Contributing Structure in NR Alphabet Historic District	CM3	CM2
535 NW 16 <sup>th</sup> St <sup>1</sup>	No	Individually Listed on National Register of Historic Places	CM3	EG1
811 NW 19 <sup>th</sup> Ave	Yes	Individually Listed on National Register of Historic Places	CM3	CM2
829 NW 19 <sup>th</sup> Ave.	Yes	Contributing Structure in NR Alphabet Historic District	CM3	CM2
1809 NW Johnson St.	Yes	Individually Listed on National Register of Historic Places	CM3	CM2
1927 NW Lovejoy St.	Yes	Non-Contributing (adjacent to Contributing)	CM3	CM2
1959-63 NW Kearney St.	Yes	Non-Contributing (adjacent to Contributing)	CM3	CM2
434 NW 19 <sup>th</sup> Ave	Yes	Contributing in NR Alphabet Historic District	CM3	CM2
1818 NW Glisan St.	Yes	Contributing in NR Alphabet Historic District	CM3	CM2
425 NW 18 <sup>th</sup> Ave.	Yes	Individually Listed on National Register of Historic Places	CM3	CM2

Photographs of some of these properties are included in the attached map for illustrative purposes.

Thank you for considering our request to change the CZP to reflect that CM3 properties within the Alphabet Historic District be zoned CM2.<sup>1</sup>

Sincerely,



Wendy Chung

Encl.

<sup>1</sup> We also request that the Individually-Listed Historic Landmark at 535 NW 16<sup>th</sup> St (Ace Hardware), be zoned EG1 rather than CM3 as described in the CZP.



7/12/2016

PROPERTY: 2833 NE WEIOLER ST  
PORTLAND OREGON

PROPERTY OWNER: MATTHEW & RHONDA NAVA

RE: PSC ZONING MAP CHANGE

REQUEST: ZONE CHANGE TO COMMERCIAL GENERAL

REASONS FOR REQUEST:

- 1) PURCHASED PROPERTY IN 2005 WITH UNDERSTANDING THAT PROPERTY WAS TO BE RE-ZONED IN NEAR FUTURE.  
BOUGHT PROPERTY TO USE AS OFFICE W/ POSSIBLE RENTAL UNITS, PROPERTY PRESENTLY BE USED AS RENTAL.
- 2) PROPERTY IS LOCATED BETWEEN FRED MEYERS AND BROADWAY. PROPERTY IS NO LONGER A RESIDENTIAL ENVIRONMENT, WEIOLER IS BEING USED PRIMARILY FOR PARKING FOR FRED MEYERS AND BUSINESSES ON N.E. BROADWAY
- 3) MY DIRECT NEIGHBORS TO THE WEST OF NE AND TO THE EAST AS WELL AS THE HOME OWNER LOCATED AT THE N.E. CORNER OF 30TH & BROADWAY MET W/ COFP BUREAU OF DEVELOPMENTAL SERVICES IN 2009 FOR PRE-APPLICATION MEETING FOR ZONE CHANGE. DURING MEETING IT BECAME CLEAR THAT THE PROCESS WAS MORE INVOLVED AND COSTLY THAN ANTICIPATED. WE WERE ADVISED BY BPS TO WAIT FOR THE ANTICIPATED ZONE CHANGE TO OCCUR AROUND 2011 - 2012.
- 4) LONG TERM INTENT OF PROPERTY WAS FOR RETIREMENT INVESTMENT PURPOSES. VALUE OF PROPERTY WOULD BE INCREASED WITH ZONE CHANGE TO COMMERCIAL PRESENT VALUE DIMINISHED DUE TO ITS LOST IDENTITY AS A RESIDENTIAL NEIGHBORHOOD IN A COMMERCIAL ENVIRONMENT

July 12, 2016

Planning and Sustainability Commission (PSC)  
Commercial Zoning Proposal Testimony  
1900 SW 4<sup>th</sup> Ave., Suite 7100  
Portland OR 97201

To the Members of the PSC,

The owners of the property and businesses on NE Fremont Street request their property be zoned CM2d as part of the Comprehensive Plan update of the City of Portland.

Attached are letters from the 9 property owners along the North side of NE Fremont. They represent 90% of the business property along this portion of Fremont Street. These owners want their property to be zoned CM2, the same zoning as the Fremont properties closer to 42<sup>nd</sup> Ave.

Support for this zoning includes long-time locally-owned neighborhood institutions like Almafis and Stanich's.

The following owners support the zone change to CM2d.

<b>Acct Number</b>	<b>Address</b>	<b>Owners</b>
R317707	4623-4627 NE Fremont	Paradise 39 Grape LLC Richard Larson
R111559	4703 NE Fremont	Almafis Fred Baker
R111560	4727 NE Fremont	Richard Seaberg Properties LLC
R111561	4741-4743 NE Fremont	Holly Mallinson
R111562	4759 NE Fremont	Modern Pacific Prop LLC Mark Fuentes
R111563	4765 NE Fremont	Alameda Brew Pub Kejo Enterprises LLC
R111564	4803 NE Fremont	PCF Properties LLC John Sheils
R111567	4915 NE Fremont	Stanichs - Gladys & George LLC
R111568	4929 NE Fremont	Settlemer Awards Jacket Inc

Sincerely Submitted,



Doug Kolberg  
Representative for these Fremont Street property owners and business.

**Subject:** Re: 4623-4627 N.E.Fremont Street  
**From:** Richard Larson (richard.cityhouses@gmail.com)  
**To:** dougfkolberg@yahoo.com;  
**Date:** Tuesday, July 12, 2016 8:30 AM

Confirmed.

Thanks,  
Richard Larson  
(503) 710-7638

On Jul 12, 2016, at 8:21 AM, Douglas Kolberg <dougfkolberg@yahoo.com> wrote:

Regarding the above identified property, I request and support the CM-2 zoning and NOT the CM-1 zoning. Thank you, Richard Larson--Paradise 39 Grape LLC.  
Please confirm with reply. Thx Doug

**Subject:** Re: Zoning on Fremont  
**From:** Kiauna@amalfis (kiauna@amalfisrestaurant.com)  
**To:** dougfkolberg@yahoo.com;  
**Cc:** deervalleyrd@gmail.com;  
**Date:** Monday, July 11, 2016 6:21 PM

Hi Doug,

Both myself (business owner) as well Fred Baker (property owner) highly favor the CM2 zoning. Please put us on record.

Fred's contact info as followed:

Fred Baker  
 Deer Valley, Inc.  
 Bend, OR  
 503-810-9313  
 deervalleyrd@gmail.com

Thank you for your time and effort here, Doug. Greatly appreciated!

Best,

**Kiauna Floyd | President**  
 Amalfi's Restaurant | Est. 1959  
 t:: 503.284.6747  
 e: Kiauna@AmalfisRestaurant.com  
 w:: www.AmalfisRestaurant.com



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**Subject:** zoning on fremont  
**From:** Ric Seaberg (rics@webehere.net)  
**To:** dougfkolberg@yahoo.com;  
**Cc:** rics@webehere.net;  
**Date:** Thursday, July 7, 2016 11:14 AM

My building is located at 4727 NE Fremont. I would like to go on record that I believe cm2 zoning would be most appropriate for my property, especially since the cemetery is directly behind my building, and a higher building would not disturb neighborhood tenants. Thank you,

Ric Seaberg

My story in annoying detail:

Website: <http://www.ricseaberg.com>

Facebook: <https://www.facebook.com/ric.seaberg.5>

Blog: <http://www.ricseaberg.blogspot.com>

CDBaby: <http://www.cdbaby.com/m/artist/RicSeaberg>

iTunes: <https://itunes.apple.com/us/artist/ric-seaberg/id7749841>

Soundcloud: <https://soundcloud.com/ric-seaberg>

Cell:

503.887.0111

**Subject:** Re: 4741-4743 N.E. Fremont Street  
**From:** H Mallinson (h.mallinson333@yahoo.com)  
**To:** dougfkolberg@yahoo.com;  
**Date:** Tuesday, July 12, 2016 8:46 AM

I am the owner of the above described property (R111561) and request and support the CM-2 zoning and NOT the CM-1 zoning. Thank you,

Holly Mallinson

On Tuesday, July 12, 2016, 8:42 AM, Douglas Kolberg <dougfkolberg@yahoo.com> wrote:

I am the owner of the above described property (R111561) and request and support the CM-2 zoning and NOT the CM-1 zoning. Thank you. Please confirm with e-mail back. Doug

**Subject:** Re: 4759 N.E. Fremont Street  
**From:** modernpacificproperties@gmail.com (modernpacificproperties@gmail.com)  
**To:** dougfkolberg@yahoo.com;  
**Date:** Tuesday, July 12, 2016 8:57 AM

As owner of the property located at 4759 NE Fremont (R111562) I support and request the CM-2 zoning NOT the CM-1 zoning for this property.

Mark Fuentes  
Modern Pacific Properties, LLC

Sent from my iPad

On Jul 12, 2016, at 8:36 AM, Douglas Kolberg <dougfkolberg@yahoo.com> wrote:

I request and support the CM-2 zoning and NOT the CM-1 zoning for the above identified property (R111562). Thank You. Mark, could you please confirm with e-mail back. Thx  
Doug

**Subject:** Alameda  
**From:** Keytra Bafford (keytra.bafford@gmail.com)  
**To:** dougfkolberg@yahoo.com;  
**Date:** Tuesday, July 12, 2016 12:20 PM

Hi Doug,

I understand that you did not receive my last email. If you need me to sign what appears to be a petition, I'm happy to participate and represent Alameda Brewhouse LLC on the list.

Cheers.



**Keytra Bafford | Owner**  
keytra.bafford@gmail.com  
(c) 208.340.5496 (w) 503.460.9025

Alameda Brewhouse | 4765 NE Fremont St. Portland, OR 97213  
Alameda Brewing Company | 4736 SE 24<sup>th</sup> Ave. Portland, OR 97202  
www.alamedabrewing.com | #alamedabrewing | @alamedabrewing

**Subject:** Re: 4803 N.E. Fremont  
**From:** John Sheils (JohnS@pcfinc.com)  
**To:** dougkolberg@yahoo.com;  
**Date:** Sunday, June 19, 2016 11:44 AM

Dear Zone Committee,

The properties are identified by Multnomah County as R111566 (Map 1N2E19CD Tax Lot 2700) and R111564 (Map 1N2E19CD Tax Lot 2800). Both carry the city address of 4803 N.E. Fremont Street Portland Oregon. Although I have no memory of being notified of the city's new zone proposal for my properties, it is assumed the city is proposing CM-1. I have been informed of the development criteria for the CM-1 zone, and feel the CM-2 zone offers much more development diversity and better suits the location of my properties. I understand that the Stanich and Settlemier ownerships adjacent east are challenging their CM-1 proposed zone if favor of CM-2 and support their CM-2 request and they support mine.

I give permission to Douglas Kolberg to offer city testimony on my behalf---either written or oral--- and to meet the Cully Neighborhood Assn. regarding this zone issue.

Thank You,

John Sheils

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PSC

1900 S.W. Fourth Avenue

Suite 7100

Portland Oregon 97201

Re: PSC Mixed Use Zones Testimony

Dear Members of the PSC,

- This testimony applies to the property at 4915 N.E. Fremont Street in Portland Oregon with Property ID R111567 Map 1N 2E 19CD 2600. The owner of the property for many, many years is the Gladys and George LLC and their business Stanich's Restaurant continues by the family at this location to this day.

Currently, the property carries a Neighborhood Commercial 2 (CN2) commercial zone.

The new proposed Comprehensive Plan designation is Mixed Use-Neighborhood. This designation is acceptable to the property owner with the assumption that the new Zone for the property becomes **COMMERCIAL MIXED USE 2—CM2**.

The reasons for these plan and zone requests are as follows:

1. This property has 100 feet of Street frontage on N.E. Fremont Street. N.E. Fremont Street is a well established commercial corridor in northeast Portland. This particular area of Fremont Street has numerous long standing residential and commercial development.
2. Lately, there has been a recent residential development nearby on Fremont Street of a four (4) story building in an existing CS zone. The CS zone allows for a 45ft height limitation, which is similar to the new Zone CM2.
3. The specific property lends itself to the density and height criteria of the CM2 zone. The property is bordered southerly by Fremont Street, on the north by the open space of a cemetery, on the west by N.E. 49<sup>th</sup> Avenue, and on the east by Settlemier Jackets. Settlemier Jackets are also requesting a CM2 zone. There is very limited impact on any adjacent properties.
4. N.E. Fremont Street provides City transit (bus line).
5. The new Comprehensive Plan and Zones will be in place for a long time. The City's progressive development attitude benefits the trend to live "close in" to take advantage of the resulting commercial amenities and transit. Property values, project loan criteria and the market will be important to determine the development for new projects. **PRECEDENCE ALREADY ESTABLISHED: The City approved and construction recently completed five (5) blocks away at 4429 NE Fremont Street the four (4) story Beaumont Village mixed use development.** The Gladys and George LLC believes, given the increased demand for these infill sites, the ability for greater density with the bonuses and incentives of the CM2 zone will be crucial to the property ultimate development and pricing of the final product.

In conclusion, the Gladys and George LLC feels the resource of a 10,000 sqft property at this location is best suited to the Mixed Use-Neighborhood Comprehensive Plan designation with a **CM2 ZONE**.

Thank you very much for your consideration of this matter.

The Gladys and George LLC 4915 N.E. Fremont Street Portland Oregon 97213 tele: 503-544-1633 (Steve Stanich)

Portland City Council  
1221 S.W. Fourth Avenue  
Portland Oregon

Re: Written Comprehensive Plan and Proposed Zone Testimony

Dear Members of the Portland City Council,

This testimony applies to the property at 4929 N.E. Fremont Street in Portland Oregon with Property ID R111568 Map 1N 2E 19CD 2500. The owner of the property for many, many years is Settlemier Award Jackets, Inc. and their business continues at this location to this day.

Currently, the property carries a Neighborhood Commercial 2 (CN2) commercial zone.

The new proposed Comprehensive Plan designation is Mixed Use-Neighborhood. This designation is acceptable to the property owner with the assumption that the new Zone for the property becomes Commercial Mixed Use 2 (CM2)

The reasons for these plan and zone requests are as follows:

1. This property has 100 feet of Street frontage on N.E. Fremont Street. N.E. Fremont Street is a well established commercial corridor in northeast Portland. This particular area of Fremont Street has numerous long standing residential and commercial development.
2. Lately, there has been a recent residential development nearby on Fremont Street of a four (4) story building in an existing CS zone. The CS zone allows for a 45ft height limitation, which is similar to the new Zone CM2.
3. The specific property lends itself to the density and height criteria of the CM2 zone. The property is bordered southerly by Fremont Street, on the north by the open space of a cemetery, on the west by property owned by the Gladys and George, LLC, and on the east by a newer three (3) story building with main floor commercial uses and residential uses on the upper floors. The Gladys and George, LLC owners are also requesting a CM2 zone also. There is very limited impact on any adjacent properties.
4. N.E. Fremont Street provides City transit (bus line).
5. The new Comprehensive Plan and Zones will be in place for a long time. The City's progressive development attitude benefits the trend to live "close in" to take advantage of the resulting commercial amenities and transit. Property values, project loan criteria and the market will be important to determine the development for new projects. **PRECEDENCE ALREADY ESTABLISHED: The City approved and construction recently completed five (5) blocks away at 4429 NE Fremont Street the four (4) story Beaumont Village mixed use development.** Settlemier Award Jackets, Inc. believes, given the increased demand for these infill sites, the ability for greater density with the bonuses and incentives of the CM2 zone will be crucial to the property ultimate development and pricing of the final product.

In conclusion, the Settlemier Award Jackets, Inc. feels the resource of a 10,000 sqft property at this location is best suited to the Mixed Use-Neighborhood Comprehensive Plan designation with a CM2 Zone.

Thank you very much for your consideration of this matter.

Settlemier Award Jackets, Inc 4929 N.E. Fremont Street Portland Oregon 97213

1

Doug Klotz  
1908 SE 35<sup>th</sup> Place  
Portland, Or 97214

July 12, 2016

Katherine Schultz, Chair  
Portland Planning and Sustainability Commission  
1900 SW Fourth Ave.  
Portland, OR 97201

Re: Composite Zoning Map

Dear Ms. Schultz and Commissioners:

Here are my thoughts on the **Composite Zoning Map**:

**1. Areas where CM-1 should be changed to CM-2. (Formerly areas of Low-Rise Commercial)**

It is my understanding that this is a “zoning” issue, and thus open for testimony at this time. The following areas, which are now listed as CM-1 on the Composite Zoning Map, should be changed to CM-2 to reflect their location in the heart of Neighborhood Centers, to allow greater residential and commercial density where it is needed the most.

- A. NE Alberta (NE 17<sup>th</sup> to 19<sup>th</sup>)
- B. Roseway area (NE Sandy from NE 67<sup>th</sup> to 70<sup>th</sup>, and Fremont and NE Sandy, from NE 71<sup>st</sup> to 73<sup>rd</sup>, as well as properties just north of Sandy on NE 73<sup>rd</sup>)
- C. Parkrose (NE Sandy from NE 105<sup>th</sup> to 108<sup>th</sup>)
- D. Kerns (NE 28<sup>th</sup> from Burnside to Davis)
- E. SE Belmont (SE Belmont from SE 33<sup>rd</sup> to approx. 36<sup>th</sup>, and SE Yamhill from SE 34<sup>th</sup> to 35<sup>th</sup>.)
- F. SE Hawthorne (SE Hawthorne from SE 35<sup>th</sup> Ave. to SE 38<sup>th</sup>, and SE Clay from SE 37<sup>th</sup> to 38<sup>th</sup>)
- G. SE Division (SE Division from SE 35<sup>th</sup> Ave. to SE 38<sup>th</sup>)
- H. SE Foster (SE Foster from SE 63<sup>rd</sup> to approx 68<sup>th</sup>)
- I. SE Woodstock (SE Woodstock from SE 44<sup>th</sup> to 47<sup>th</sup>, including one property on SE Martins St.)
- J. Montavilla (SE Stark from SE 78<sup>th</sup> to approx 82<sup>nd</sup>)
- K. Sellwood (SE 13<sup>th</sup> from SE Harney to Nehalem)
- L. Moreland (SE Milwaukie from Claybourne to Rural, SE 16<sup>th</sup> from Glenwood to Rural, and SE Bybee from approx. 15<sup>th</sup> to 17<sup>th</sup>)
- M. Multnomah Village (SW Capitol Hwy from SE 34<sup>th</sup> to 37<sup>th</sup>, SW Troy from 34<sup>th</sup> to 37<sup>th</sup>, Multnomah Blvd. from 36<sup>th</sup> to 37<sup>th</sup>)

## **2. Other areas where zone should be changed from CM-1 to CM-2**

NE 28<sup>th</sup> from Davis to Everett, both sides. This would be a one block gap in the CM-2 zoning along 28<sup>th</sup>. There are 3 residences and 4 commercial or mixed use buildings here. It makes sense to zone this block CM-2 for continuity with the rest of the 28<sup>th</sup> corridor, rather than CM-1.

SE Milwaukie Ave. from Center to Holgate, and SE Holgate from SE 12<sup>th</sup> to Milwaukie. Since no zoning is being changed right at the 17<sup>th</sup> and Holgate Max Station, Milwaukie Ave. is the closest opportunity for Transit-Oriented Development, to maximize the public investment in the Max line. I realize that the neighborhood supported CM-1, but think CM-2 is more appropriate here.

## **3. Upzoning from R-5 to R-2.5 in compliance with Comp. Plan Designation**

I support the upzoning of R-5 to R-2.5 wherever it is proposed. This change will help add needed density near Centers and Corridors. A lot of this occurs near SE Division, Hawthorne, Cesar Chavez Blvd. and Powell Blvd., and is in ideal locations for new growth.

## **4. Upzoning from R-5 to R-1 in compliance with Comp. Plan Designation**

I support the upzoning of R-5 to R-1 wherever it is proposed. This will confirm the multifamily zoning along Corridors such as SE Cesar Chavez, where it makes the most sense.

## **5. More Appropriate zoning in Upzoned Areas near Hawthorne and Chavez node:**

I support an increase in proposed zoning, to encourage higher density near this important transit node and in the Hawthorne Neighborhood Center. While CM-2 is the goal, I think even CM-1 would be an improvement over what is proposed.

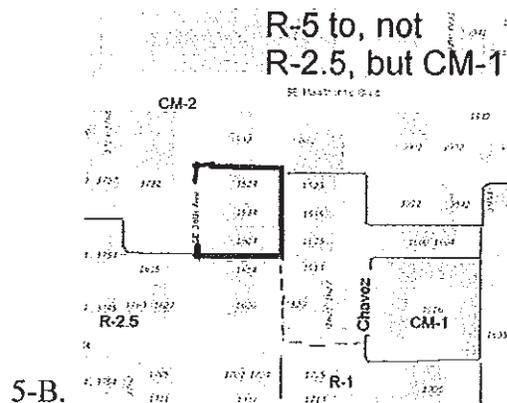
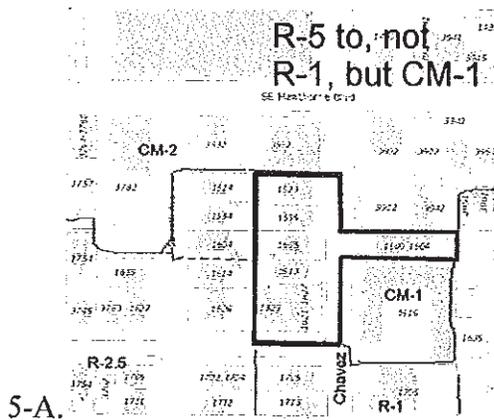
**5-A. Area with MU-UC and R-5 Zoning which are being upzoned to R-1.** These lots, on Chavez south of Hawthorne, were Designated NC, and will be MU-UC. R-1 zoning is proposed. To facilitate more density near the Chavez/Hawthorne node, they should be zoned at least CM-1, which matches the old NC designation, rather than the residential-only R-1 designation. CM-1 also matches the adjacent large properties on Chavez.

*1523-1727 SE Chavez, and 3829 SE Market, as well as 1600-1604 SE Chavez.*

**5-B Area with MU-UC and R-5 Zoning which area being upzoned to R-2.5**

These lots on the east side of 38<sup>th</sup> Ave. south of Hawthorne, were also NC, and will be MU-UC. They are currently R-5 and are being upzoned to R-2.5. Instead, they should be zoned at least CM-1, the closest equivalent to the NC designation they formerly had, to help add to the density at the Chavez/Hawthorne node. (I also support zoning the parking lot of the Wells Fargo Bank at 3782 Hawthorne as CM-2, as proposed)

*1524 to 1604 SE 38<sup>th</sup> Ave.*



**Summary:**

I understand the staff philosophy of incremental change, but would argue that leaving some properties with a lower classification for the 20 years until the next update, will actually result in new development that is underbuilt for these important nodes and corridors. I believe now is the time to adopt the denser zones, to guide fast-moving development pressures to the result desired.

Thank you.

Sincerely,

Doug Klotz

July 12, 2016

Dana L. Krawczuk  
DKrawczuk@perkinscoie.com  
D. +1.503.727.2036  
F. +1.503.346.2036

**VIA EMAIL (PSC@PORTLANDOREGON.GOV)**

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
1900 SW Fourth Avenue, Suite 7100  
Portland, OR 97201-5380

**Re: Broadmoor Inc.'s Testimony Requesting Zoning Map Amendment for  
22.08 Acres at Broadmoor Golf Course (3509 NE Columbia Boulevard)**

Dear Chair Shultz and Members of the Commission:

This firm represents Broadmoor Inc. ("Broadmoor"), which is comprised of a family that has owned and operated the Broadmoor Golf Course located at 3509 NE Columbia Boulevard (the "Property") for over 100 years. Please include this testimony in the record of the Composite Zoning Map proceedings, and provide us with notice of the final decision.

We have three requests:

1. Amend the zoning of the Property's 22.08-acre frontage on NE Columbia Boulevard General Employment 2 (EG2) (see attached map); or
2. In the alternative, amend the zoning of the Property's 22.08-acre frontage on NE Columbia Boulevard to General Industrial 1 (IG1); and
3. Remove the proposed Major Public Trail that crosses the Property.

**Rezone the Property's 22.08-Acre Frontage on NE Columbia Boulevard**

In June 2016, the City Council adopted an Industrial Sanctuary Comprehensive Plan designation over the Property's 22.08-acre frontage on NE Columbia Boulevard. During that process, the PSC was supportive of Broadmoor's October 27, 2015 request to have the zoning map designation amended concurrently with the Comprehensive Plan designation. However, the current Composite Zoning Map does not make that change and retains OS zoning for most of the 22.08-acre area.

We request that the 22.08-acre area depicted on the attached map be rezoned to support employment uses. The issue then becomes a question of which zoning designation, EG2 or IG1,

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
July 12, 2016  
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is most appropriate for the 22.08-acre area. No change to the proposed Prime Industrial overlay is requested.

As Broadmoor has evaluated the feasibility of redeveloping the Property's frontage, we have determined that the topography of that area is better suited for the slightly more flexible uses allowed in the EG2 zone than the limited uses in the IG1 zone. For example, the steep topography makes truck access from NE Columbia Boulevard challenging, and significant fill would be required to provide level building pads suitable for industrial uses. The EG2 zone is more appropriate because it allows all of the IG1 uses (except for Railroad Yards and Waste-Related) but also allows slightly more office and retail sales and service uses. See Code Table 140-1. Zoning the 22.08-acre portion of the Property EG2 would allow job-intense uses; particularly those that support nearby industrial uses. Also, EG2 uses would provide the economic lift necessary to facilitate natural resource enhancement on the remaining 111 acres of open space on the Property.

Broadmoor acknowledges that the Comprehensive Plan designation approved by City Council for the 22.08-acre area is Industrial Sanctuary, which is not compatible with the EG2 zone. Broadmoor believes that the more appropriate Comprehensive Plan designation for this area is Mixed Employment, which corresponds to the EG2 zone, but also allows IG1 zoning. Broadmoor requests that, in consideration of the practical infeasibility of developing IG1 uses on the Property, that the Commission recommend rezoning this property to EG2 with a recommendation to the City Council to consider reconciling the Comprehensive Plan designation to allow this more appropriate zoning.

### **Removal of Major Public Trails Designation**

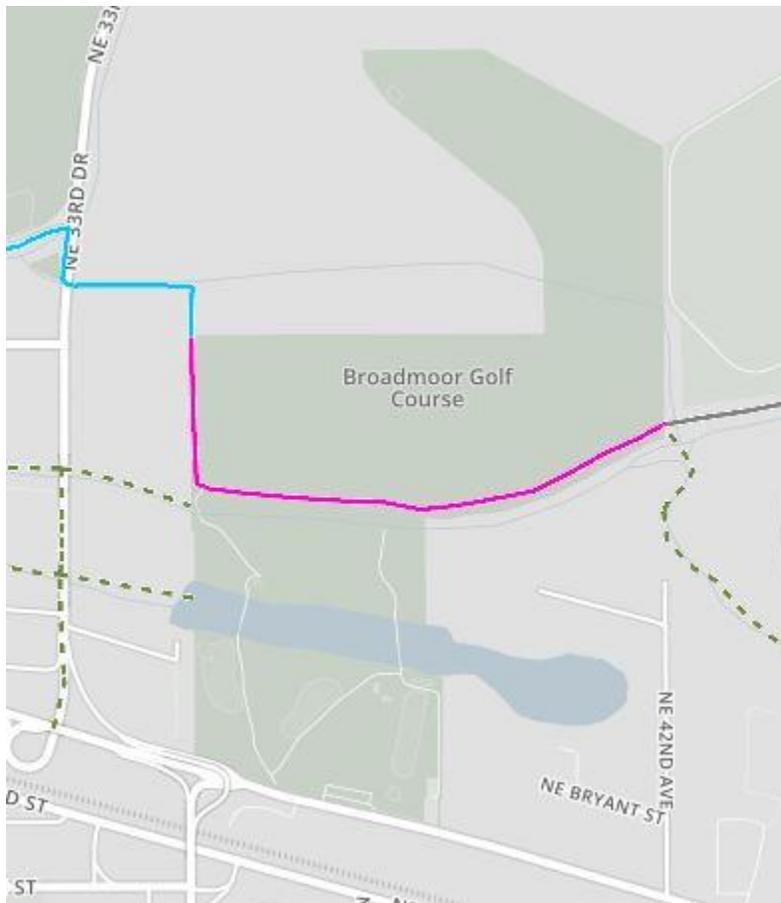
Broadmoor participated in the Comprehensive Planning process. During that extensive process, Broadmoor received no notice of, and was not aware of any discussion relating to, the new major public trail that is proposed to bisect the Property. Broadmoor's lack of awareness is not surprising. No mailed notice was provided, and the sole reference to the trail across the Property is buried on the "Major Trails, Public Trails" map; a single map located on the last page the Comprehensive Plan's "Chapter 8: Public Facilities and Services" (Figure 802, page GP 8-29, attached). Broadmoor first learned of this proposed trail when it received a notice of this public hearing, which occurred *after* the public record was closed on the Comprehensive Plan.

This single map and faint "future public trails" line that runs through the golf course was not subject to any public discussion, and yet it has devastating negative consequences on the ongoing operation of the Property as a golf course, and further reduces the likelihood that the frontage

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
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acreage will redevelop with IG1 uses. Broadmoor strongly objects to the zoning map amendment designating a Major Public Trail through the Property.

The Major Public Trails function on the Portland Map App is depicted below, and illustrates the trail immediately adjacent to active fairways running east-west, and then making a 90-degree turn so that it cuts through two active greens and two active tee boxes as it runs north-south. Most of this area is in a “p” or “c” environmental overlay zone.



Source:

<https://www.portlandmaps.com/bps/mapapp/maps.html#mapTheme=majorTrails>

At least five of the golf course's 18 holes are directly impacted by the trail's alignment. Not only are more than a quarter of the golf course's holes encroached upon by the trail, but

Ms. Katherine Schultz, Chair  
Planning and Sustainability Commission  
City of Portland  
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Broadmoor's ability to operate the golf course is significantly impacted. It is unreasonable to require Broadmoor to bear the risk of inviting the public to cross through an active golf course where they may be injured by golf balls that are propelled at great rates of speed. Members of the public using a public trail would not be engaged in the sport of golf (and therefore unaware of the risks of the game) and would likely be distracted (e.g., jogging with headphones on), presenting even greater risk of injury.

The new trail requirement also has an outsized impact on Broadmoor's Property because of the Code's triggers for dedicating and constructing trails. The Code requires dedication of the mapped trail if a building permit is issued, and the trail must be constructed (including permitting through the environmental overlay zone) for any "new development" or improvements to the exterior of an existing development in excess of 35% of the assessed value of the existing improvements. For most types of development that derive their value from *structured* improvements, the trail costs are triggered by activities that simultaneously provide a large amount of value (e.g., building a new office development). Broadmoor's use is on undeveloped land and involves some necessary, but not high value-enhancing, structures (such as a golf cart storage shed). Requiring Broadmoor to dedicate a trail easement for small structural improvements that do not provide large amounts of value to its operation makes the new trail requirement particularly egregious.

For all of these reasons, Broadmoor requests that the zoning map be amended so that the Major Public Trail does not cross the Property. An alternative, more suitable location would be for the trail to be relocated so that it crosses the Metro-owned open space, which is already publicly-owned land, or so that it follows the right of way.

Thank you for your consideration of these requests.

Very truly yours,



Dana L. Krawczuk

DLK:dlk

cc: Scott Krieger, Broadmoor, Inc. (via email)  
Erik Krieger, Broadmoor Inc. (via email)  
Steve Kountz, Senior Economic Planner, BPS (via email)  
Tom Wright, Mackenzie (via email)  
Gabriela Frask, Mackenzie (via email)



**BROADMOOR GOLF COURSE** **Portland, Oregon**  
**Zoning Map Amendment Request (July 12, 2016)**

0 200 400 800 Feet  
 1 inch = 400 feet

**SOURCE DATA:**  
 Metro GIS Site Base Data, Aug 2015

**GEOGRAPHIC PROJECTION:**  
 NAD 83 NAD 83 Oregon North Lambert Conformal Conic

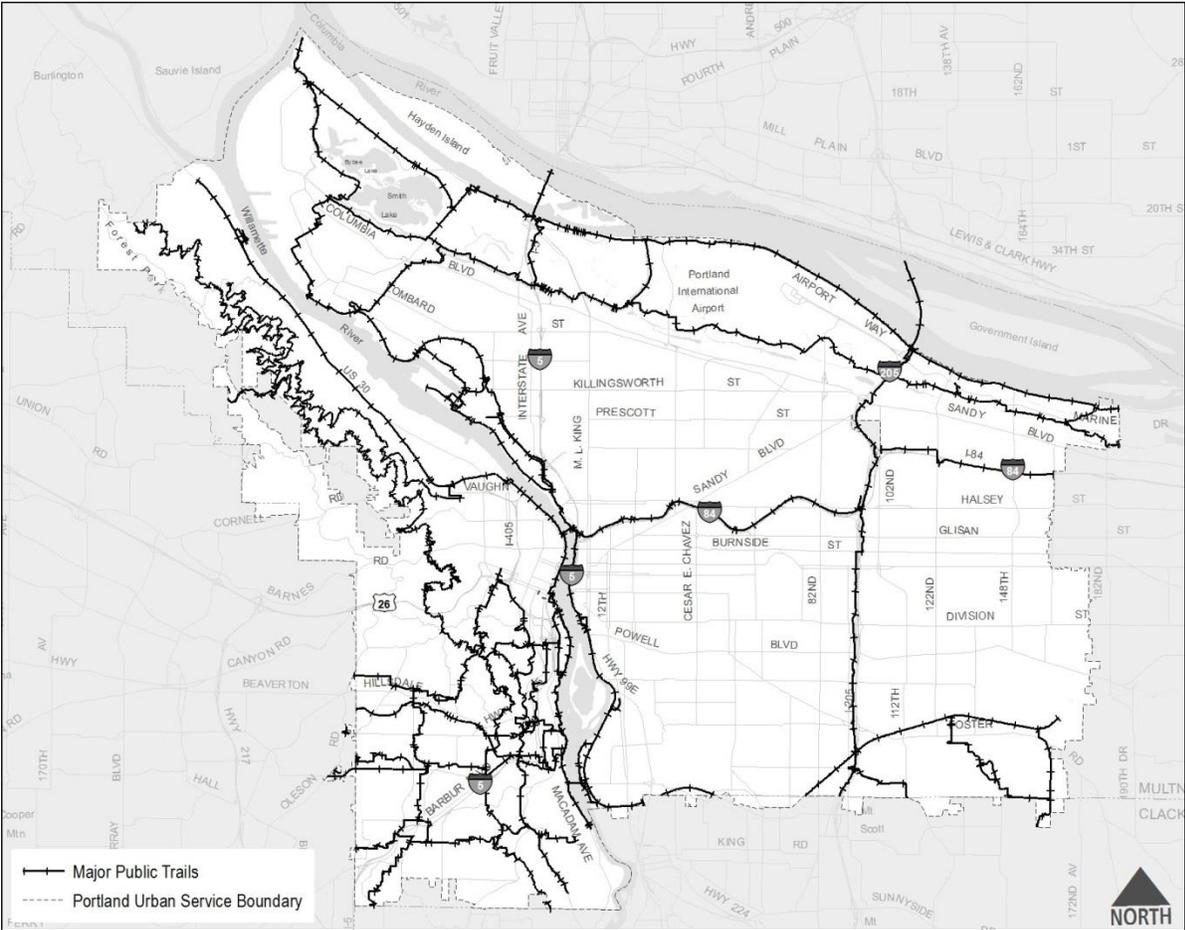
Date: 07/12/2016 Map Created By: GP  
 File: ProposalRequest\_05\_Mackenzie

**MACKENZIE.**

505.224.3900 • 505.228.1285 • [www.mackenzie.com](http://www.mackenzie.com)  
 River East Office: 1515 SE Water Avenue #100, Portland, OR 97214

Portland, Oregon • Business Development • Seattle, Washington  
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Figure 8-2. Major Public Trails



**From:** [Peter Collins](#)  
**To:** [Planning and Sustainability Commission; Stark, Nan](#)  
**Subject:** Zoning change request for 3436 NE 47th Ave  
**Date:** Tuesday, July 12, 2016 10:00:10 AM

---

Dear Commissioners

I am requesting that my property located at 3436 NE 47th Ave be rezoned so that the entire block between Ne 47 and NE 48th along the south side of Fremont is one commercial zone.

It does not make sense to rezoned the double lot which is a non conforming use while the two remaining homes remain residential.

That section of Fremont would look very strange with half the block commercial (4 story building) and then two small residential houses.

I would like my house to be rezoned in the update of the comp plan to reflect the zoning change that is being applied to the non conforming use (so CM).

Please let me know if you have any questions

Thanks

Peter Collins

3436 NE 47th Ave

Portland, OR 97213

Sent from my iPhone

**From:** [BPS Comprehensive Plan Testimony](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** FW: Zoning Map Testimony  
**Date:** Tuesday, July 12, 2016 10:41:28 AM

---

**From:** Terry Dublinski-Milton [mailto:terry.dublinski@gmail.com]  
**Sent:** Tuesday, July 12, 2016 10:02 AM  
**To:** BPS Comprehensive Plan Testimony <cputestimony@portlandoregon.gov>  
**Subject:** Zoning Map Testimony

To Whom it May Concern,

As we are in a housing crises, our household believes that the recommended comprehensive upzoning of the entire city should be done.

Every strategy to increase housing supply should be used including

Encouraging The missing middle  
Eliminating single family zone in all transit communities thus allowing duplexing everywhere, tri-plexing on comers  
Second ADUs

Specifically, all the R1 and R2 around the 60 th MAX station should be implemented immediately. Affordable housing should be included in the mixed use buildings.

The blocks between 53 Rd and 58 th on the NORTH side of NE Glisan should be zoned for whole block developments minimally 7 stories, preferably 10.

Our property at the below address we have requested R1. If it is not given, as we butt up to a mixed use zone and other R1 properties, we will require clear legal reasons as to why not.

Thank you for your work,

Terry Dublinski-Milton and Krystofer Dublinski-Milton  
6111 East Burnside Portland 97215  
503 867 7723

**From:** [Joy Jaquillard](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Against Rezoning of the 60th Ave. Station Area to Comprehensive Plan Density  
**Date:** Tuesday, July 12, 2016 12:04:53 AM

---

We can't keep adding density without preparing for it. Earlier hearings led to the conclusion that increasing density in this area with the then-existing infrastructure would make the area more unsafe for pedestrians. The infrastructure hasn't changed; the results of the hearing should not change.

Joy Jaquillard  
2725 NE Cesar E Chavez Blvd  
Portland, OR 97212

**From:** [Mark Haines](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** 1435 NE 62nd Ave  
**Date:** Tuesday, July 12, 2016 9:23:47 AM

---

Hi there,

My name is Mark Haines. I own the house at 1435 NE 62ND AVE and noticed the comp plan shows our property as being re-zoned to commercial mixed use yet the zoning plan shows us remaining at R2. I'd like to see the zone plan match the comp plan now so we can close the awkward gap between the two commercial zones that surround our property.

Thank you,  
Mark Haines

**From:** [vs kryha@aol.com](mailto:vs kryha@aol.com)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Testimony on Composite Zoning Proposal  
**Date:** Tuesday, July 12, 2016 8:28:23 AM

---

Planning and Sustainability Commissioners:

I am a property owner in the Eastern Edge of the Northwest Plan District, also in the Alphabet Historic District. I served as a member of the Mixed Use Zones Policy Advisory Committee and appreciate your consideration of zoning adjustments.

I urge support of the NWDA Planning Committee's position that the proposed CM3 zoning in the Alphabet Historic District be rezoned to CM2. NWDA members have carefully analyzed the impact of proposed mixed use zone changes with respect to the district plan, historic preservation and maintenance of employment concerns in the neighborhood.

The requested CM2 zoning is consistent with Comp Plan Policy 4.49 which directs that base zoning in historic districts be refined to take into account the character of the historic resources. The Northwest District Plan and Alphabet Historic District guidelines outline desired characteristics for the Eastern Edge area more consistent with CM2 zoning.

Maintaining and expanding zoning supportive of businesses that provide employment and community amenities is also important. Please consider NWDA's proposed changes that will retain traditional employment areas and historic character in the eastern portion of the Northwest District.

Thank you,

Vicki Skryha  
1728 NW Hoyt Street  
Portland, OR 97209

**From:** [BRIGHTMAN Darrin W \\* DAS](#)  
**To:** [Cole, John; Planning and Sustainability Commission](#)  
**Subject:** Testimony for PSC July 12 Composite Zoning Map Hearing  
**Date:** Tuesday, July 12, 2016 1:11:29 PM  
**Attachments:** [das-testimony-cm2\\_201607121255.pdf](#)

---

Hello!

The attached letter is testimony in reference to the composite zoning map.

The Oregon Department of Administrative Services owns a block bounded by Albina, Vancouver, Webster, and Williams. This block has a proposed zoning of CM1. DAS requests that it be zoned CM2.

Neighbors immediately to the south across Albina have requested that their properties, also proposed to be zoned CM1, be zoned CM2. DAS has no objection to their request.

The letter provides more detail.

Please contact me if there is any further information you need, and please add me to the email contact list for this project.

Thank you!

[Darrin Brightman](#), AICP, OPMA  
Real Estate Project Manager  
Real Estate Services  
Oregon Department of Administrative Services  
1225 Ferry Street SE, U100  
Salem, OR 97301-4281  
Tel: 503-373-7065  
Fax: 503-373-7210

**My Email address is now [Darrin.W.Brightman@oregon.gov](mailto:Darrin.W.Brightman@oregon.gov).**  
Please update your records. Thank you.



# Oregon

Kate Brown, Governor

**Department of Administrative Services**  
Enterprise Asset Management – Administration Office  
1225 Ferry Street SE  
Salem, OR 97301-4281  
PHONE: 503-378-2865  
FAX: 503-373-7210

July 12, 2016

Planning and Sustainability Commission  
c/o City of Portland Bureau of Planning and Sustainability  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

Re: Mixed Use Zones Testimony

Members of the Commission:

The Oregon Department of Administrative Services (DAS) owns the block bounded by North Webster Street, North Williams Street, North Alberta Street, and North Vancouver Avenue. The property consists of four contiguous parcels with the address of 30 North Webster Street:

Property ID	Legal Description	Area
R298052	WALNUT PK, BLOCK 20, LOT 7-9	15,900 SF
R298051	WALNUT PK, BLOCK 20, S 45' OF E 40' OF LOT 5, S 45' OF LOT 6	4,050 SF
R298050	WALNUT PK, BLOCK 20, LOT 4, LOT 5 EXC S 45' OF E 40', LOT 6 EXC S 45'	10,950 SF
R298049	WALNUT PK, BLOCK 20, LOT 1-3&10-12	29,180 SF

The block currently carries CN2 zoning. Under the 2035 Comprehensive Plan Update, this block and surrounding area are designated Neighborhood Mixed Use, with a proposed CM1 zone.

DAS fully supports the comprehensive plan designation.

The property includes a full block face frontage along North Vancouver Avenue, which is home to higher density development than permitted under CM1 zoning. Neighbors on the northern half of the block south of the DAS-owned parcels (fronting on Vancouver, Alberta, and Williams) have requested CM2 zoning be applied to their properties.

**DAS requests that the CM2 zone be applied to the DAS block and has no objection to the neighbors' request for CM2 zoning for their parcels.**

Sincerely,

Shannon Ryan  
Administrator

July 11, 2016

Planning and Sustainability Commission

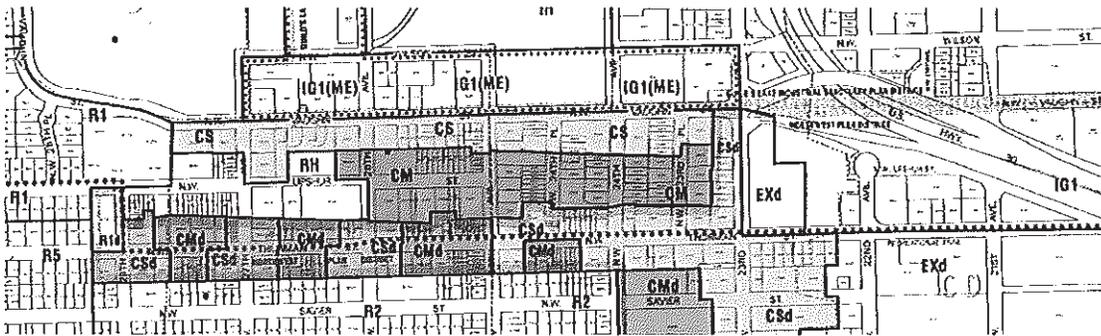
Re: Composite Zoning Map

The NWDA Planning Committee has been participating and providing testimony on the Early Implementation Projects of Employment Zoning, Campus Institutional Zoning and Mixed Use Zoning. Several of the comments we have made have been reflected in the plan, but a few have not. In order to be consistent with our Northwest District Policy Plan adopted November 5<sup>th</sup> 2003, we request the following changes.

## 1. Thurman-Vaughn Subarea of the Northwest District Plan

Current Zoning is a mixture of CS and CM with a d overlay for Thurman development.

The Zoning Map proposes this whole area be zoned as CM2.



### NW District Policy in the Thurman-Vaughn Subarea

Enhance this mixed-use subarea by emphasizing housing along NW Upshur and NW Thurman Streets and commercial uses on the south side of NW Vaughn Street and in nodes at intersections along NW Thurman Street.

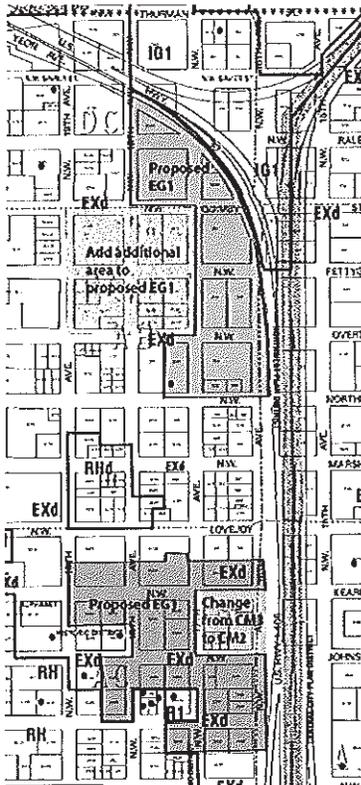
### Thurman-Vaughn Subarea Objectives

- A. Enhance NW Thurman Street as a neighborhood-oriented main street that is primarily residential, with commercial uses clustered at intersections.
- B. Emphasize residential and live/work opportunities on NW Upshur Street.
- C. Encourage development on the south side of NW Vaughn Street that includes a continuous frontage of commercial buildings, unifies the streetscape, and supports both the mixed-use area to the south and the industrial sanctuary to the north.

In the NWDA testimony for the Mixed Use Zoning we requested that the areas currently zoned CM would become CM1 while the CS become CM2 in support of the policy.

***We request the areas currently designated CM be changed to CM1 with a d Overlay. Areas currently CS can remain CM2 as shown on the map.***

## 2. Eastern Edge Subarea of the Northwest District Plan



Area is currently zoned Employment EX.

The Zoning Map proposes some of this area as EG1.

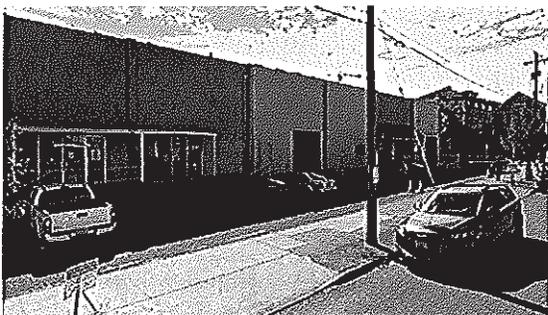
### NW District Policy in the Thurman-Vaughn Subarea

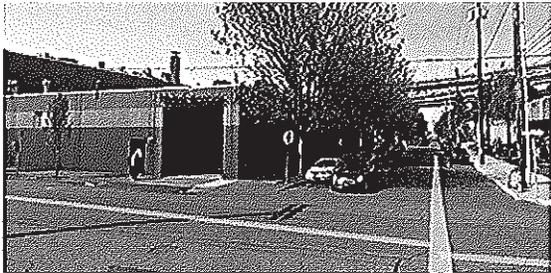
Foster the development of the Eastern Edge as a transition between the more urban Central City and the Northwest District.

### Eastern Edge Objectives

- A. Support the established mixed-use urban character of this subarea.
- B. Encourage the location of businesses that serve local needs along NW 18th and NW 19th Avenues.
- C. Foster the establishment and growth of firms that provide living-wage jobs in this subarea.
- D. Protect existing housing from conversion to other uses.
- E. Protect existing industrial firms in the subarea from being forced to relocate out of the area.
- F. Increase multi-modal connectivity between the Central City and the Eastern Edge.

In our testimony for the Mixed Use Zoning, NWDA testified in support of the areas shown for EG1 rather than CM3 to support the existing industries in the area, several of which have been lost to high density residential development. In the area shown in yellow there are several light industrial or service jobs that we want to also see protected. These include Cascade Rubber, Parr Lumber, ARC Printing, two machine shops, creative office space and others.





***We request the area identified above in yellow be added to the area proposed as EG1.***

In addition, in order to be compatible with the character of the EG1 area in the southern portion of the Eastern Edge and adjacent to the Alphet Historic District, the block between NW Kearney & Johnson, and NW 16<sup>th</sup> and 17<sup>th</sup> should be zoned CM2 instead of CM3 as shown on the map. The block consists of several houses that are not protected by the Historic District and would be more vulnerable to demolition.



***We request the area identified above in light red be zoned CM2 not CM3 as shown on the Composite Zoning Map.***



Additional testimony is being provided by Wendy Chung, another NWDA Planning Committee member regarding Comp Plan Policy:

Policy 4.49 Resolution of conflicts in historic districts. Adopt and periodically update design guidelines for unique historic districts. Refine base zoning in historic districts to take into account the character of the historic resources in the district.

Mixed Use Zone CM3 as shown on the Composite Zoning Map is not appropriate within the Historic Alphabet District.

Sincerely,

A handwritten signature in cursive script that reads "Karen Karlsson". The signature is written in black ink and is positioned above the printed name.

Karen Karlsson

NWDA President and Member of the Planning Committee



133 SW 2<sup>nd</sup> Ave, Suite 201 • Portland, OR 97204 • (503) 497-1000 • [www.friends.org](http://www.friends.org)

Southern Oregon Office • PO Box 2442 • Grants Pass, OR 97528 • (541) 474-1155

Willamette Valley Office • PO Box 51252 • Eugene, OR 97405 • (541) 520-3763

July 11<sup>th</sup>, 2016

## **Updesignation in mixed-use zones: a critical value-capture & anti-displacement tool**

Dear Portland Planning & Sustainability Commission,

1000 Friends of Oregon writes to urge you to consider updesignation – changing a parcel's Comprehensive Plan designation without modifying the underlying zoning, typically on the condition that developers give back in some way to the surrounding community – as a core density-promotion strategy in the Mixed Use Zones project, as opposed to the current emphasis on upzoning to allow density by right.

The reality is that our city has precious few tools to promote density while ensuring that the benefits of that density accrue to existing communities in ways which prevent residential and commercial displacement. Updesignation gives the City a way to do just that; as we face the likelihood of explosive population growth in our city over the next decades while experiencing an unprecedented housing crisis, we must protect every tool in our toolbox.

Retaining updesignation as a tool also furthers several of the Anti-Displacement PDX (ADPDX) policy goals built into the City's new Comprehensive Plan. First, updesignation is a form of value-capture, allowing existing residents to share in the benefits that density brings, particularly absent a general citywide community-benefits agreement for new development. Second, by building updesignation into the Mixed Use Zones project, we ensure that there are at least some anti-displacement provisions proactively included on the front end.

We urge the Planning & Sustainability Commission to focus on updesignation as a value-capture tool instead of simply upzoning to promote density.

Respectfully submitted,

Andrew Riley  
Community Engagement Coordinator  
1000 Friends of Oregon  
[andrew@friends.org](mailto:andrew@friends.org)  
Office: (503) 497-1000 ext. 129  
Cell: (503) 936-9430

**From:** [Elizabeth Adams](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** "Testimony on Composite Zoning Map Update"  
**Date:** Monday, July 11, 2016 11:14:25 PM

---

Dear Committee,

I am in agreement with the Rose City Park Neighborhood Association in requesting postponement of the rezoning of the 60th Ave. Sta. Area. In the future, if rezoning is under consideration, appropriateness of any rezoning should be reassessed.

Thank you very much for working on this issue.

Regards,  
Elizabeth Adams  
1817 NE 54th Ave  
Portland, OR 97213

**From:** [Jan Holibaugh](#)  
**To:** [PDX Comp Plan](#)  
**Cc:** [Lee Buhler](#); [Planning and Sustainability Commission](#)  
**Subject:** Proposed zoning changes for 04 Hamilton Street  
**Date:** Monday, July 11, 2016 10:47:44 PM

---

To the PSC:

I have received the mailer informing me that my property at **04 Hamilton Street** is no longer being considered for a zoning change and **I would like to strongly request that the decision be reconsidered. I want my house to be zoned Mixed Use/Commercial now.**

1) There are only TWO houses in the two blocks between Barbur and Corbett that are not presently zoned Mixed Use/Commercial - mine being one of them. My house at 04 Hamilton is off the corner of Barbur and across from the Swan Island Market and is considered one of the busiest corners in Portland - especially during rush hour. The residential zoning of my house is puzzling and impractical because all of the other houses and townhouses in this two block area are commercially zoned and not on this very busy corner like mine.

2) I had discussions last year with a staff person who agreed that this review of the neighborhood and zoning for the future is the perfect time to CORRECT this zoning glitch. I was required to request this change in writing and check with my neighbors regarding their feelings for my house being zoned like the rest of the street, and they all were supportive of it. They didn't understand the discrepancy in zoning either.

3) Two years ago I was contacted by a Portland staff person who was working on the proposal for light rail down Barbur who told me that my corner would be the ideal one to put the transit stop at. Whether or not this will happen, it is an indication of the amount of traffic around my street corner.

I do not understand why my house is not being brought in to Mixed Use/Commercial Zoning like the rest of the street. I see no reason why this should not be rectified. Please consider my request. I am perplexed because I thought this request was taken care of last year.

Thank you,

Jan Holibaugh  
04 Hamilton Street  
Portland, Or.

503-490-1884

**From:** [lee](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Jan Holibaugh](#)  
**Subject:** 018 SW Hamilton  
**Date:** Monday, July 11, 2016 10:48:37 PM

---

I own the property at 018 SW Hamilton. This property is designated to change to mixed use in the comprehensive plan. I think the property should be changed to mixed use now. My house and my neighbor's house are the only properties on the block not zoned commercial. My property and my neighbor's adjacent to a major transit stop at Hamilton and Barbur. It does not make sense to keep this property residential.

Lee Buhler

**From:** [Rick Peterson](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Central City 2035 Comprehensive Plan  
**Date:** Monday, July 11, 2016 7:46:01 PM

---

Petition for Zoning Change for 3 tax lots

- 1) 3430 NE 50th Ave., 97213
- 2) Vacant lot on 50th & NE Fremont St.,  
97213

Both parcels are designated as CM1 according to the 2035 Comprehensive Plan, and we are requesting that the zoning be changed on both parcels to CM1.

- 3) 5024 NE Fremont St., 97213

This parcel is currently zoned R-2 and we are requesting a zoning change to CM1, because we would like to develop all three properties as one project. If this parcel were to stay as currently R-2 zoned and developed into 2 units, it would require additional driveways on Fremont, which already has a nearby bus stop, a crosswalk, and is a transit corridor. To access this property as currently zoned would be unsafe and not practical, due to the high volume of vehicle and pedestrian traffic. I hope you will take these concerns seriously when you make your decision.

Thank you for your consideration of these matters.

Rick A. Peterson  
Blair J. Peterson  
Jason M. Peterson  
Sara J. Peterson

Phone contact 971-276-2734

**From:** [Jack Hopkins](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Mixed Use Zones Testimony  
**Date:** Monday, July 11, 2016 1:19:21 PM  
**Attachments:** [ATT00001.txt](#)

---

>

>

>>

>> Greetings,

>>

>> I am writing today to encourage you to change the zoning on a piece of property that I lease to

>> Metropolitan Family Services at:

>> 1808 SE Belmont in Portland.

>>

>> This property has been R2.5 which does not reflect its current nonconforming commercial (office) use and does not encourage additional capital investment for the building. I think that the Planning staff did an excellent job with their recommendation of a zone change to CM2 in the current Proposed Draft of the Composite Zoning Map. With the adoption of the 2035 Comprehensive Plan Map, this property now has a Mixed Use-Urban Center comprehensive plan map designation. I respectfully request the CM2 zone to match the intent of the comprehensive plan map designation.

>>

>> It is time to replace the roof on this building, I would like to also spend additional money to improve the looks and feel of the building. The people who work at this office building love the neighborhood, good transit access and the off-street parking. It is also a convenient commute for people visiting their office.

>>

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Disclaimer: This Electronic Transmission (E-Mail) may contain customer Protected Health Information. If you are not the intended recipient, nor the agent responsible for the delivery to the intended recipient, please contact the sender and then delete this message. You are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. Electronic mail may be altered or corrupted during transmission and should not be relied upon as a document bearing an original signature or seal. Thank you. Northwest Medical, Inc.



 **MFS** Metropolitan Family Service  
Moving Lives Forward.  
503.232.0007  
www.metfamily.org

SE 18th M

SE 18th Ave

**From:** [BPS Mailbox](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** FW: proposed mixed-use zoning changes  
**Date:** Monday, July 11, 2016 9:12:00 AM

---

NaTasha Gaskin  
City of Portland  
Bureau of Planning and Sustainability  
Ph: 503-823- 7802  
Follow us on [Twitter](#): @PortlandBPS  
Subscribe to the [BPS Enews](#)  
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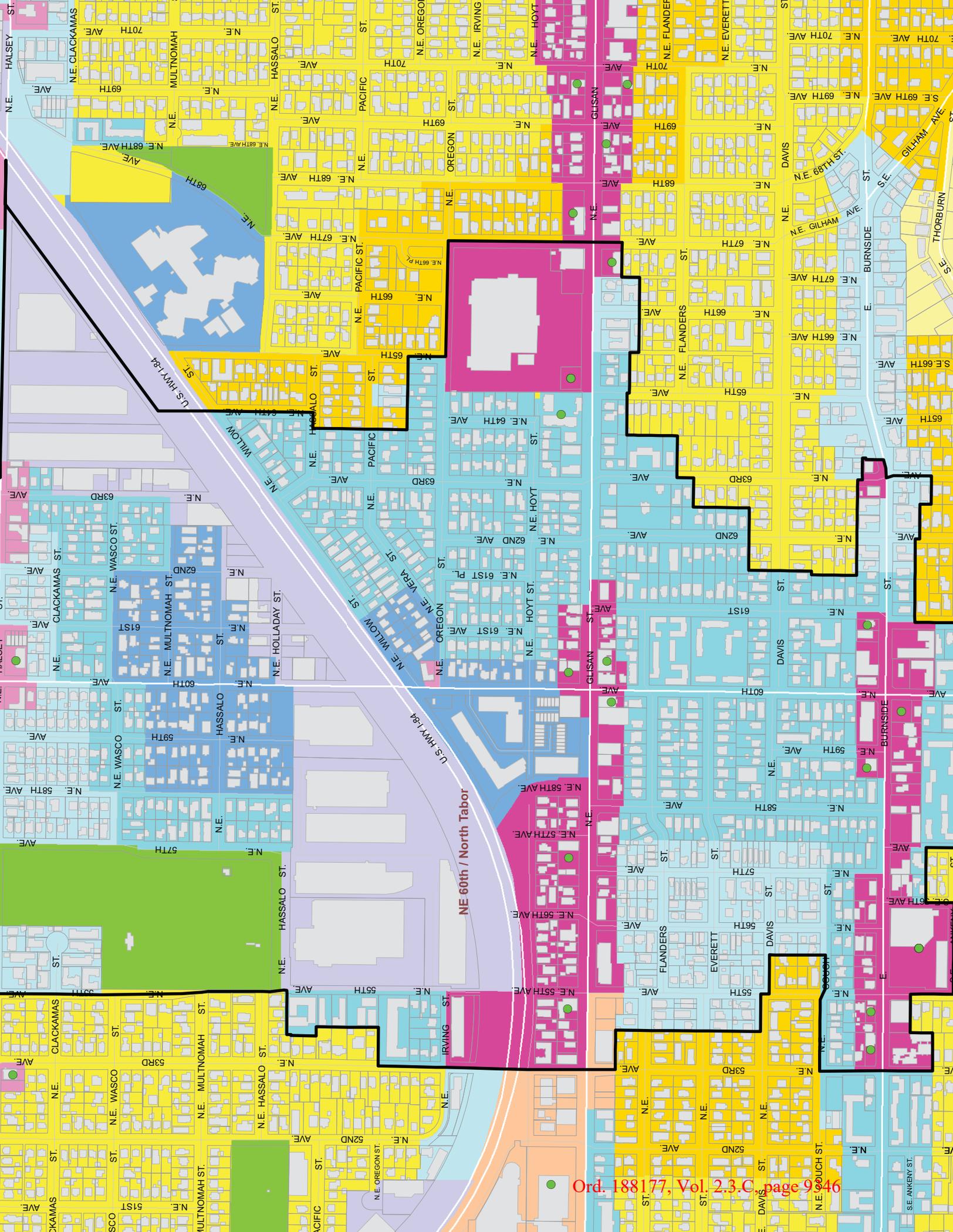
**From:** Jean Madden [mailto:jeanpmadden@msn.com]  
**Sent:** Sunday, July 10, 2016 3:07 PM  
**To:** BPS Mailbox <BPSMBX@portlandoregon.gov>  
**Subject:** proposed mixed-use zoning changes

To whom it may concern:

I've heard that the planning commission is considering allowing 4-story (or even higher) mixed-use buildings on Fremont east of NE 46th Ave. Please don't allow zoning higher than CM-1 on Fremont between NE 46th and 57th. The bus service along Fremont is extremely meager, making it inconvenient for additional apartment residents in this area who don't own cars. Please , please, please.

Thank you

Jean Madden  
3653 NE 47th Ave  
Portland 97213



**From:** [John Waalkes](#)  
**To:** [Planning and Sustainability Commission](#)  
**Cc:** [Ron Waalkes](#); [Gregg E-mail](#)  
**Subject:** Fwd: Composite Zoning Testimony  
**Date:** Sunday, July 10, 2016 5:56:20 PM

---

Sent from my iPad

> Regarding;

> Propose zone change from R-5a to R-2ad lot address:

> 2515 SE Tacoma St.

> Portland, OR 97202

> State ID. 1S1E24CB 800

>

>

> I was raised at this location after my parents purchased it in 1950..They lived at this location until recently, passing away at the ages of 97 and 100. I am familiar with residential and commercial changes in the neighborhood.

>

> I agree a zone overlay change for the area is appropriate for the following reasons:

>

> 1) The new Max Line Station is within easy walking distance, couple blocks making it very convenient to commute by public mass transit.

>

> 2) A new Les Schwab is just across the street to the South from this address, closed on Sundays and after 6:00 pm the remaining days.

>

> 3) A Several new multi story apartment buildings has been built within blocks on SE 22nd. An indication of need for higher density living.

>

> 4) To the East of this address, separated by one residential lot, is a commercial building that is now part of a used car lot. It was originally a Piggly Wiggly grocery store that was closed on Sundays and after 6:00 pm the remaining days.

>

> 5) The proposed zone change area is a "pocket" with Les Schwab, the used car business, and Westmoreland Park on the three sides.. By the way, in this corner of Westmoreland Park is a lighted baseball field with bleachers, announcing booth, dugouts etc. for local family entertainment. Residential offices or mixed commercial would be even better usage.

>

> Therefore it seems appropriate to change the zoning for higher density use.

>

> I have attached photos for reference... The small white house, built in 1918 is this address...It is worn out...

> John Waalkes. 2515 SE Tacoma St. Portland, Or 97202,

> Cell phone 907-441-8606

John Waalkes, 3103 w 36th ave, Anchorage, Alaska 99517  
907-441-8606



July 8, 2016

Portland Planning and Sustainability Commission  
City of Portland  
1900 SW Fourth Avenue #7100  
Portland, OR 97201

**Re: Request for CE Zoning at 5810 N. Lombard**

Dear Chair Schultz and Commissioners:

I own property at 5810 N. Lombard. This letter is to request that the property be zoned CE instead of CM2. Please make this letter a part of the record.

This site is currently developed with an existing, multi-tenant commercial building with parking between the building and the street to accommodate automobile traffic from the adjacent traffic street, a District Collector. Please understand that the area is not yet ready to develop to urban densities, so the zoning should not be CM2, but should be CE as the most similar zone to the current CG zoning. I attach an aerial photo to show the existing development.

For the reasons set out above, please zone the property at 5810 N Lombard CE.

Respectfully submitted,

Timothy J. Secolo



801 NE 21<sup>st</sup> Avenue  
Portland, Oregon 97232  
Phone: 503-234-7526  
E-Mail: [jfrank@sunshinedairyfoods.com](mailto:jfrank@sunshinedairyfoods.com)  
Web: [www.sunshinedairyfoods.com](http://www.sunshinedairyfoods.com)

July 8, 2016

Bureau of Planning and Sustainability  
City of Portland, Oregon  
1900 SW 4<sup>th</sup> Avenue  
Suite 7100  
Portland, Oregon 97201

Dear Planning and Sustainability Commissioners:

I am writing in regards to four properties (State ID: 1N2E33BB 2100, 1N1E35AD 1302, 1N1E35AD 1301, 1N1E35AD 2400) currently zoned CG, EXd, EXd, and EXd, respectively. The properties are owned by Karamanos Holdings, Inc. the parent company of Sunshine Dairy Foods. The purpose of this letter is threefold. First, I would like to paint the picture of who Sunshine is and its history. Second, I hope to describe some of Sunshine's relevant strategic plans as they relate to the proposed land use and proposed zoning initiatives in front of this Commission. Third, I would like to provide our recommendation for adjustments to the proposed zoning map.

With that said, Sunshine Dairy Foods was founded in Oregon on May 17, 1935; 81 years ago. Sunshine has continued its storied tradition of producing and serving the highest quality dairy products to local food service customers, food manufacturer partners, retailers and co-packing partners. The company has built its business around producing the highest quality, best tasting, and natural dairy products. Sunshine's products are produced at two separate facilities, both located in Portland, and products are generally distributed out of a leased facility in Clackamas.

With 81 years of history in Portland, Sunshine has become a large local employer and has given back to its community in a number of ways. Sunshine's dedication is to its hundreds of Portland-area consumers, thousands of hours of volunteer work by its employees and owners, tens of thousands of dollars in donated products to local charities and food banks, and community support through over 100 living-wage jobs. The history of Sunshine has helped to craft and solidify Portland's unique spirit.

Sunshine is unique in Portland because we use a cold bowl separation process for our fluid milk products that may take longer, but results in superior products since the milk is only heated at the pasteurization step. The taste is clean and fresh, never over processed. Sunshine's growing number of chefs, café owners, bakeries, hospitals, retailers and consumers who are concerned about the quality and source of their ingredients continue to choose Sunshine.

We have concerns about the proposed zoning changes affecting our properties. Like most, if not all, private businesses, Sunshine is subject to many separate and powerful market influences: Commodity prices for fluid milk, labor markets, macro-economic trends, and consumer tastes and preferences, just to name a few. Historically, the close-in location of Sunshine was a tremendous asset for us and was a major competitive advantage that allowed us to serve our food service customers better than anyone else. As the city grows and the market changes, this value will increasingly be offset by the inconvenience of operating a dairy processing facility within a densely populated area mixed with housing and other commercial enterprises. The surrounding area has grown in intensification with commercial and residential uses. These uses increasingly create conflict with Sunshine dairy's operation. As some point, the area will simply not allow the operation of an employment use in its midst.

Our facilities in Portland handle five to seven tanker trucks of raw milk and 12 or more semi-truck loads of product in and out every day. It is our long-term plan to consolidate facilities and re-locate the operation to a manufacturing and distribution friendly location within Portland. This is not a plan that can be executed within a year or two. It is a long-term plan that will unfold over the course of ten to fifteen years. This will leave the properties vacant and in a condition that is not their highest and best use. In this scenario, the properties will need to be re-developed and converted into neighborhood-consistent developments and not used by another dairy or similar enterprise.

The EXD zoning allows us to operate the dairy and not foreclose the ultimate redevelopment of the site consistent with the surrounding neighborhood.

This location zoned EG1 for the 2035 plan is inconsistent to the newly adopted Portland Comprehensive Plan Goals and Objectives. The Comprehensive plan describes the zone as "typically in a low-rise, flex-space development pattern". "Residential uses are not allowed ... to limit the proximity of residents to truck traffic and other impacts." The development uses surrounding this proposed General Employment zone are commercial and residential uses that will be adversely impacted by a low-rise and truck generating employment use. These surrounding uses also adversely impact the operation of Sunshine dairy and would be the primary reason the dairy is forced out of the site despite the underlying zoning.

The application of general employment at this location is completely inconsistent with the surrounding land use patterns and creates conflicts between the closely proximate zones.

Employment uses need to be in an industrial park, campus, or sanctuary to ensure proximity of compatible uses, synergy between businesses, and the public's ability to provide appropriate and cost effective infra-structure

The location as EG1 violates the Transportation Element as it is located on a secondary neighborhood collector, limited offsite parking, difficult for truck maneuvering, and remotely located from arterials and the interstate system.

The EXd and CM3 allow outright a wide range of residential and retail use. The EG1 zone prohibits residential and limits retail making existing and future similar uses of the property non-conforming or prohibited. The current zoning allows an entitlement of intensity for traffic, sewer, water, and other services. The General Employment changes that service entitlement without any analysis of impact on the subject property or surrounding uses. The property developed as residential has a much

different service impact than a property limited to employment uses. For example, residential uses do not generate truck traffic.

The property owner could request a zone change back to the CM3 (similar to the EXd). The applicant would have to prove that services exist for the change in intensity; services that did exist in 2016 for the property designated EXd. A prudent property owner would immediately request the quasi-judicial zone change in conformance with the Comprehensive Plan before the surrounding growth in intensification consumed all the available services.

The General Employment zone was processed in the Employment/Industrial project not the Commercial/Mixed Use project. The application of an employment zone in the Commercial/Mixed Use project entirely lacks the process of the Employment/Industrial project. The misapplication of the general employment zone is an extremely probable outcome.

Finally, and with all of that in mind, we respectfully request the following changes to the proposed zoning changes. Please, keep in mind that our recommendation is for the three close-in properties: 1N1E35AD 1302, 1N1E35AD 1301, and 1N1E35AD 2400.

- 1) Consistent zoning for all adjacent properties.
- 2) A zone with the same entitlements as the existing EXd zone.

We appreciate your consideration of our request and recommendation. We look forward to your response.

Sincerely,



Jason Frank  
Executive Vice President  
Karamanos Holdings, Inc.



July 8, 2016

Attention: Composite Zoning Proposal Testimony  
Planning and Sustainability Commission (PSC)  
City of Portland Bureau of Planning and Sustainability  
1900 SW 4th Avenue, Suite 7100  
Portland, OR 97201-5380

Re: **Proposed zone changes at 1208 SE Boise Street & 4214 SE 12<sup>th</sup> Avenue**

Dear Planning and Sustainability Commission Members:

As part of the City's Comprehensive Plan update, my landlord Jerry Baker and I submitted testimony requesting a commercial plan designation on the two parcels located at 1208 SE Boise Street & 4214 SE 12th Avenue. This would allow for property line adjustments to separate the two residential structures from the lower, eastern portions of the rear yards which are partially paved and utilized by the adjoining commercial properties for parking and storage. As a result, Commissioners Fritz and Saltzman sponsored a change to *Mixed Use - Neighborhood* during the Council hearings on the Comprehensive Plan amendments. This plan designation was proposed to be implemented with the Commercial Employment (CE) zone.

Having recently met with the Brooklyn Action Corps (BAC) regarding our businesses and this site, I've learned of their concerns regarding the four-story buildings that would be allowed in the CE zone and their preference for the Commercial Mixed Use 1 (CM1) zone, which would only allow 3-story buildings. As my primary interest is in completing the property line adjustment rather than replacing the existing houses, we have explored other options with the BAC and with staff from the Bureau of Planning and Sustainability (BPS) and Bureau of Development Services. BPS planner Marty Stockton recently suggested that the City could impose two separate zoning designations on the properties, with the west portion (containing the houses) zoned CM1 and the east portion (containing a retaining wall and the paved commercial area) zoned CE. Then, once the new zoning is in effect, we could complete the property line adjustments as the lower portion of the properties would then have the same base zone as abutting commercial property to the east.

The BAC and I support this approach and would request that the PSC recommend this change to the City Council. The attached diagram illustrates the approximate location of the two proposed zone designations on these properties. At this time we do not have the survey data necessary to determine the precise location of the zoning boundary that would allow the property line adjustment. However, I propose to hire a surveyor in the coming months and to coordinate with BPS staff to define the zoning boundary alignment prior to the City Council hearing in October.

This approach will protect my business interests, support jobs in southeast Portland, and provide transition between the CE zone and residential properties to the west. Thank you for your consideration and your support.

Sincerely,

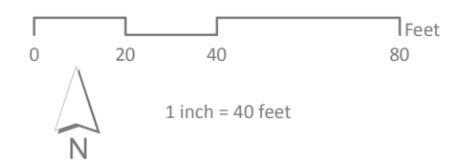
Matt Thomas  
Townshend's Tea Company  
Brew Dr. Kombucha

Enclosure: Zone Change Concept Diagram, dated 7/8/16

# Zone Change Concept Diagram Portland, Oregon

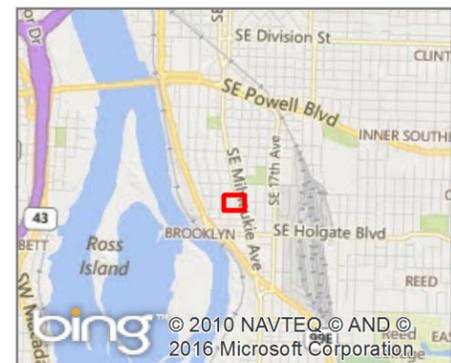
## LEGEND

- Existing CG zone to be changed to CE zone
- Proposed CE zone
- Proposed CM1 zone



SOURCE DATA: Metro RUS Lite Base Data, Aug 2014  
GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic

Date: 7/8/2016 Map Created By: BJV  
File: Zone change exhibit Project No: 2140451.00



## MACKENZIE.

P 503.224.9560 • F 503.228.1285 • W MCKNZE.COM  
RiverEast Center, 1515 SE Water Avenue, #100, Portland, OR 97214

Portland, Oregon • Vancouver, Washington • Seattle, Washington  
Ord. 188177, Vol. 2.3.C, page 9354  
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Portland, OR 97205  
T. 503.224.3380  
F. 503.220.2480  
www.stoel.com

July 8, 2016

STEVEN W. ABEL  
Direct 503.294.9599  
steve.abel@stoel.com

**VIA EMAIL** [pse@portlandoregon.gov](mailto:pse@portlandoregon.gov)  
**and HAND DELIVERY**

Planning and Sustainability Commission  
Employment Zones Testimony  
1900 SW 4th Ave., Suite 7100  
Portland, OR 97201

**Re: Employment Zones Testimony/Bill Naito Company**

Dear Members of the Commission:

This office represents the Bill Naito Company. The Bill Naito Company owns the Montgomery Park building located in northwest Portland along with four other adjacent developed properties. Among those properties are North Parking Garage (located on the Montgomery Park site), the NACCO Warehouse, the "American Can" building, a tools and storage building, and an office building presently occupied by NBC Grimm. All of these properties have historic landmark designations.

The City Council recently affirmed the existing zoning of EX for the Montgomery Park building, the North Parking Garage, and the NACCO Warehouse.

The remainder of the sites, consisting of the "American Can" building, the tools and storage building, and the NBC Grimm office building, are proposed to be amended from IH to EG. The Bill Naito Company does not object to that change.

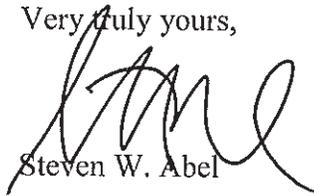
Under existing EG provisions, historic landmarks are given a FAR incentive raising the FAR from two to one. Presumably, the FAR incentive is used to make sure circumstances are such that historic resources can be fully utilized and are not put under pressure for demolition.

The revised EG zone eliminates any FAR limitation and thus, the policies imbedded within the historic resource FAR incentive are, in a sense, imported into the new EG provisions. We have no objection to that, as long as the existing historical resource status at the property continues to be recognized for purposes of incentives.

Planning and Sustainability Commission  
July 8, 2016  
Page 2

Since the rezoning the EG will retain at least a two-to-one FAR (and is, in fact, unlimited) on the EG properties, the Bill Naito Company has no objection to the proposed zone change.

Very truly yours,

A handwritten signature in black ink, appearing to read "S. Abel", written over the typed name "Steven W. Abel".

SWA:sm

cc: Marc Fazio, Bill Naito Company

**From:** Gabriele Hayden <[gabriele.hayden@gmail.com](mailto:gabriele.hayden@gmail.com)>  
**Sent:** Friday, July 8, 2016 1:28 PM  
**To:** Lum, Leslie  
**Subject:** Mixed Use at Interstate Lanes & 5009 Interstate

Hi Leslie,

I'm very concerned that two Early Assistance proposals have gone in for apartments along Interstate near Killingsworth that do not include commercial/mixed uses. Given the Comp Plan's emphasis on creating walkable neighborhoods and transit oriented design, it seems hugely irresponsible to allow large buildings to go in with no ground floor retail. The Interstate Lanes development is particularly concerning because with no ground floor retail it would create a "dead zone" for pedestrians a block long. And although the 5009 Interstate proposal is for a much smaller building, it would remove an existing neighborhood amenity (a neighborhood cafe) and replace it with the worst of all worlds--ground floor parking. Please encourage TVA Architects to eliminate parking in favor of ground floor retail. Given the low ROI on parking, I find it hard to believe that the financiers/investors would prefer parking to retail. I suspect that the retail along this part of Interstate has shown low absorption rates recently, but this is clearly a short term problem. The creation of these two buildings, as well as the 1510 Sumner building and the proposed 5237 Interstate development, should create the necessary density for a more vibrant, walkable cityscape that will discourage cars in favor of people walking. But if long stretches of the main drag are windows covered by blinds, that walkable, economically vibrant, safe space will be much less likely to develop.

Many thanks,  
Gabriele Hayden,  
homeowner and longtime Portlander  
1624 N Emerson St

## Hartinger, Kathryn

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**From:** Phil <philglee@comcast.net>  
**Sent:** Friday, July 08, 2016 2:55 PM  
**To:** Planning and Sustainability Commission  
**Subject:** Zoning change to 2525 and 2519 E. Burnside

Dear Sir,

I own the property at 2519 E Burnside which literally abuts the 2525 E Burnside building. I would like BOTH buildings re-zoned commercial.

The veterinary clinic in the 2519 building was established for trolley horses back in the early 1900s and has been a Veterinary Clinic continuously since then. I don't understand why it was subsequently zoned as residential given that it, and the building abutting it (2525 E. Burnside) have been commercial buildings for multiple decades and contain well established businesses.

I know it's use has been "grandfathered" but I would like it zoned back to commercial use to reflect what has been there for the last ~100 years.

Best Regards,  
Phillip G. Lee

JOHN KEANE  
CAB HOLDING, LLC  
6805 SE MILWAUKIE AVE.  
PORTLAND, OR 97202  
E-mail: cabholdingllc@gmail.com

July 8, 2016

***VIA E-MAIL ONLY TO: PSC@PORTLANDOREGON.GOV***

Composite Zoning Testimony  
1900 SW Fourth Ave., Ste. 7100  
Portland, OR 97201

Reference: Zoning Map Proposal: CS to CM1

Dear Portland Sustainability Commission:

I am John Keane, the owner of the property located at 6805 and 6809 SE Milwaukie Ave. in Westmoreland (the “Property”). I have lived in Sellwood-Moreland for my entire life, and currently live and work in Westmoreland. The Property is proposed for significant and economically damaging downzoning from CS to CM1 (the “Proposal”). This letter requests that the City of Portland abandon the downzoning Proposal and treat the Property the same as all other properties currently in the CS zone on Milwaukie in Westmoreland and apply the proposed CM2 zone.

The Property is in the heart of the Westmoreland commercial district and is surrounded by other commercial development. The Proposal to downzone the core of the commercial district, but to leave the rest of the corridor that abuts directly against existing single family neighborhoods at a higher density, runs counter to the City’s traditional zoning policy of stepping zoning down in order to buffer residential neighborhoods. The current Proposal allows dense redevelopment adjacent to single family neighborhoods and reduces development potential in the commercial core, where accessibility is highest. This Proposal does not make sense and runs counter to Portland land use and transportation planning paradigm.

The Property is located within one-half mile of the Bybee Light Rail Station. The Bybee Station Area is unique for light rail station areas because it is surrounded by a golf course, rail lines, and a park. Single family residential zoning surrounds the park and the golf course. Thus, the only area available for additional development within proximity to the light rail station area are those areas currently zoned CS, the very properties proposed for downzoning to CM1.

The downzoning proposal runs counter to the planning completed for the Milwaukie light rail line and station area and does not provide the same level of incentive for housing as the CM2 zone.

The proposed downzoning is drastic. Today, under the CS zone, the FAR is 3 to 1 and the base maximum height is 45 feet. The proposed CM1 zoning, with the Main Street Overlay, proposes a maximum 2 to 1 FAR and a 35 foot maximum height. The difference in development capacity and land value from the proposed zone change for the Property is significant and, after three decades of CS zoning, unfair.

The Proposal is also inconsistent with Comprehensive Plan Policies. For example, *Policy 3.13* describes the role of centers as follows: “Enhance center as anchors of complete neighborhoods that include **concentrations of commercial** and public services, housing, employment, gathering places, and green spaces.” The proposed downzoning would deconcentrate development. *Policy 3.36* states “In Neighborhood Centers, provide for **higher concentrations of development**, employment, commercial and community services . . .” Here the City is proposing to lower concentrations of development in a neighborhood center. The Proposal is similarly inconsistent with the *Sellwood-Moreland Neighborhood Action Charts*, adopted by City Resolution No. 35663. Action BG 11 sets forth as an ongoing action to “Strengthen **urban design** and **economic function** of core intersections,” including the intersection of Milwaukie and Bybee. *Comprehensive Plan Policy 3.42* provides direction on how to maintain and enhance district identities: “Use historic preservation and design review tools to **accommodate growth** in ways that preserve historic resources and enhance the distinctive characteristics of Inner Ring Districts, especially in areas experiencing significant development.” Here, rather than implementing the City’s policy with carefully considered design standards to accommodate growth, the Proposal seeks to simply limit growth. The Proposal, therefore, is flatly inconsistent with the City’s land use planning principles, plans and policies.

The proposed change in zoning is inconsistent with decades of Portland planning and development policy. It is unfair and punitive because it arbitrarily severs significant value from the Property without any guarantee that such a change will preserve the character of Westmoreland. The downzone does not prevent demolition, redevelopment, change and growth, it simply takes away long-vested property rights. Growth planning requires Portland to accommodate planned growth, not limit growth in response to parochial neighborhood reactions to growth. Portland’s planning calls for growth in centers, near services and transportation. The Property is located in a neighborhood commercial center within one-half mile of a regional light rail station and along three high-frequency bus lines. By all measures, it is an ideal location for additional commercial and housing development. Downzoning from CS to CM1 will simply

limit growth and frustrate the broader purposes behind regional and state land use planning policies.

For the reasons set forth above, we request that the City discontinue further consideration of the Proposal to downzone as a means of preserving neighborhood center character because it is punitive and inconsistent with the City's transportation and land use policies. Rather than downzoning, the City should take the time to work with the entire community (residents and businesses) to develop design standards that help to preserve neighborhood character, while accommodating planned growth.

Very truly yours,

John Keane  
Member, CAB Holding, LLC

1165513



133 SW 2<sup>nd</sup> Ave, Suite 201 • Portland, OR 97204 • (503) 497-1000 • fax (503) 223-0073 • www.friends.org

Southern Oregon Office • PO Box 2442 • Grants Pass, OR 97528 • (541) 474-1155 • fax (541) 474-9389

Willamette Valley Office • PO Box 51252 • Eugene, OR 97405 • (541) 520-3763 • fax (503) 223-0073

To: Portland Planning & Sustainability Commission

From: Mary Kyle McCurdy

Deputy Director, 1000 Friends of Oregon

Date: July 8, 2016

Re: Composite Zoning Proposal

Commercial / Mixed Use Zones

1000 Friends of Oregon works with Oregonians to enhance our quality of life by building livable urban and rural communities, protecting family farms and forests, and conserving natural areas. Since our inception over 40 years ago, this has included insuring affordable housing and walkable neighborhoods in every community.

As part of this work, 1000 Friends has served on several recent Portland advisory committees, including the Mixed Use Zones Advisory Committee, the Centers & Corridors Parking Advisory Committee, and the Residential Infill Project Stakeholder Advisory Committee. Therefore, we are concerned to see that the city is considering downzoning in some Neighborhood Centers – changing existing zoning from CS to CM1 to reduce the allowed height of buildings - which will result in the loss of housing and employment capacity in the mixed-use walkable core of many neighborhoods. These are places where other Portland polices seek to encourage just such density and mix of uses.

We understand this is being considered for up to 13 Neighborhood Centers because they have concentrations of 1-2 story buildings from the “Street Car Era,” and their current zoning of CS would allow building heights up to 45 feet – in other words, 3-4 story buildings. Therefore, the city is considering *downzoning* these areas to CM1, a designation that would allow buildings up to only 2 stories.

We oppose the blanket use of this downzoning, for several reasons:

- It will effectively remove tens of thousands of square feet of potential residential and/or small business space from core, walkable areas. These are the very areas that the city has, correctly, otherwise said should hold more housing and local employment.
- While the lost potential might seem small relative to the overall capacity of the city for these uses, it is the *locations* that are valuable. These Neighborhood Centers are served by transit and offer other opportunities and amenities within walking distance for the largest and fastest growing part of the population – those in 1-2 person households, and in particular older persons.
- The analysis used by the city to pick these 13 Neighborhood Centers focused only on the height and age of the buildings. It lacks an analysis of transit and other amenity

accessibility. For example, the Moreland Neighborhood Center is within walking distance of a MAX Orange Line station (0.4 mile); three neighborhood schools; several neighborhood parks (Westmoreland Park, Sellwood Park); and has two bus lines that intersect in it. Other Neighborhood Centers to which this downzoning is being considered might have similar amenities and services, but these factors do not seem to be included in the city's analysis.

- Locating housing and local employment near to transit is a particularly effective tool in reducing transportation-related greenhouse gas emissions.

We recommend that instead of downzoning these areas based on one criterion (street car era building heights), that the city retain the current height capacity (which would mean a rezoning to CM2, not CM 1), and instead use a tool more focused on the particular historical features of each Center, such as a Design Overlay with design guidelines appropriate to the particular Center.



July 8, 2016

Portland Planning and Sustainability Commission  
City of Portland  
1900 SW Fourth Avenue #7100  
Portland, OR 97201

**Re: Mixed Use Zones Project - Request for CE Zoning for Starbucks Stores**

Dear Chair Schultz and Commissioners:

For more than 40 years, Starbucks has built a brand that is about fostering moments of connection between our customers. We have 73 company operated and 35 licensed stores in Portland, and are proud to employ 1,500 partners in the city.

With regard to the City's proposed rezone, we understand four Starbucks stores are slated to be rezoned for mixed-use. We respectfully request these stores be zoned Commercial Employment ("CE") and not subjected to the Centers Main Street Overlay ("CMSO") zone during this process.

In an effort to meet the evolving needs of our customers and to address normal 'wear and tear' on our stores, Starbucks regularly updates our locations with a refresh every five years and a remodel every ten years. Often these updates include a full 'reinvention' of the interior – and sometimes exterior – spaces to improve the customer experience and speed of service model, modernize wi-fi and technology elements, and comply with new ADA laws.

Once this new zoning is in effect, the very foundation of these stores' success – the drive-thru window – will be unlawful. This will present very real problems when Starbucks seeks to refresh or remodel these stores. Depending on the type of remodel, the City may also require the drive-through to be removed.

Therefore the rezone could effectively prohibit future drive-thru uses at our stores. Customers depend on drive-thru business for convenience, so preserving the existing use is a critical element of our business model. It's important to have the ability to expand, remodel, and reconstruct existing stores without being subject to significant areas of non-conformity with Portland City Code.

The City proposes to rezone four Starbucks locations as mixed-use zones and apply the Centers Main Street Overlay ("CMSO") at one of these locations, summarized below.

Exhibit Number	Store Location	Existing Base Zone	Existing Overlay Zone(s)	Existing Plan District	Proposed Base Zone	Proposed Overlay Zone
1.	6003 NE Martin Luther King Boulevard	EX	(d)(h)	N/A	CM3	(d)(h)
2.	2834 SE 82nd Avenue	CG	(b)	N/A	CM2	N/A
3.	3623 SE Powell	CG	N/A	N/A	CM2	CMSO
4.	12613 SE Division	CG	N/A	N/A	CM2	(d)

Of the proposed zones, only CE without the CMSO will allow drive-thrus. We believe applying this zone at these locations is appropriate because they are outside of the Central City and already committed to auto-accommodating development, consistent with the following statement in the Proposed Draft of the mixed-use zones: “[The CE zone] is generally not appropriate in designated centers, except on a site that is currently developed in an auto-oriented manner and urban scale development is not economically feasible.” In our experience, areas such as these are slow to redevelop and we do not anticipate them doing so in the foreseeable future.

While Starbucks shares the City’s goal of making existing neighborhoods more walkable, a prohibition on drive-thrus are not a means to this end. Most Starbucks drive-thru trips are convenience or pass-by visits and incur relatively low traffic impact. To the extent that curb cuts and vehicle queuing are a concern, we prefer to address these issues through site design and other compliance measures.

Starbucks is committed to operating responsibly in the communities we serve. The proposed zoning of the above stores will make this substantially more difficult to do business in Portland. We request that the locations noted above be zoned CE and without any Centers - Main Street Overlay Zone.

Thank you for your consideration.

Sincerely,

Jim Spillane  
 Vice President, Store Development  
 Starbucks Coffee Company

## Hartinger, Kathryn

---

**From:** Pdxmatza@aol.com  
**Sent:** Thursday, July 07, 2016 8:25 PM  
**To:** Planning and Sustainability Commission  
**Cc:** pdxrenee@aol.com; cslevy@comcast.net; Pdxmatza@aol.com  
**Subject:** Composite Zoning Testimony

Dear PSC,

RE: Commercial Building located at 6680 - 6688 SW Capitol Hwy, Portland, OR 97219  
Owner: Rachel Properties, LLC, (Richard Matza, Managing Member.) 503-318-3732. PO Box 4643, Portland, OR 97208

The proposed zoning for the property is CM1. I hereby request the zoning be designated as CM2. The availability of additional height will be beneficial to my property and the future development of the neighborhood. It may have direct benefit to the Jewish community located in the neighborhood.

My property is located on a thoroughfare street, Capitol Hwy. It is positioned on the western side of the Hillsdale town center area and is a short walk to Multnomah Village, giving good proximity to businesses, shopping and human services. Road conditions are good. Tri Met has 24 hour bus service on the street and the bus stop is immediately in front of the property. Accessibility for the disabled is excellent as it is a flat lot with a ground level building which houses five office suites.

The neighborhood has experienced a robust rejuvenation in the last decade. It is a highly desirable part of west side living for residents and businesses alike. It will continue to grow and develop and therefore, a CM2 zoning designation will be helpful to the neighborhood, allowing business of more variety to enhance the neighborhood and serve the public.

The neighborhood has become a hub for the Jewish community of Portland. My building presently serves four Jewish agencies, including the Jewish Federation of Portland which is the communal administration arm for the Jewish community. Other tenants include a synagogue -- Congregation Ahavath Achim, a retail store -- Everything Jewish, specializing in Jewish merchandise, and a Jewish Education Center -- Portland Kollel.

Future plans include expanding the synagogue and adding a dome to the roof, in accordance to the practices of Sephardic Jews from the Mediterranean region. This will require a height variation that is compatible within the CM2 zone, but not in the CM1 zone. Further, future plans call for two apartments to be constructed on a new second level that will be used to lodge orthodox Jews who visit Portland and need to stay in an orthodox neighborhood during the Sabbath so they can walk to synagogue and observe Kosher laws for travel, food, and lodging. Portland does not presently have any facilities that meet these religious requirements. Orthodox Jews who travel to Portland must now seek out families who are willing lodge and feed them for the Sabbath and holidays. There are no hotels in the neighborhood. The addition of two second story apartments may require a CM2 zoning.

We have widespread support from our neighbors for this zone change request. There is no opposition at all.

Finally, several of the surrounding buildings are three stories. The Middleman Jewish Community Center is diagonally across the street from my property, the HUD apartments directly behind my building are three stories, and the zoning for the vacant land across the street is for greater height. My request for CM2 zone will not interfere with the view or enjoyment of the neighborhood for any nearby property owner.

Therefore, I hereby submit this testimony for zone designation to CM2 for my property.

Respectfully,  
Richard Matza  
For Rachel Properties, LLC

July 7, 2016

**MEMORANDUM**

**TO:** Portland Planning and Sustainability Commission  
**FROM:** Peter Finley Fry  
**RE:** 820-830 NW 18<sup>th</sup> Avenue and 839 NW 17<sup>th</sup>  
1N1E33AC 5400 & 5500

**OBJECTION**

We object to the City's proposal to change our zoning from EXD to EG1. We support the earlier staff recommendation to change the zone to CM3.

**REASONS**

1) The location as EG1 is inconsistent to the newly adopted Portland Comprehensive Plan Goals and Objectives. The Comprehensive plan describes the zone as "typically in a low-rise, flex-space development pattern". "Residential uses are not allowed ... to limit the proximity of residents to truck traffic and other impacts." The development uses surrounding this proposed General Employment zone are high rise residential uses that will be adversely impacted by a low-rise and truck generating employment use.

The application of general employment at this location is completely inconsistent with the surrounding land use patterns and creates conflicts between the closely proximate zones.

Employment uses need to be in an industrial park, campus, or sanctuary to ensure proximity of compatible uses, synergy between businesses, and the public's ability to provide appropriate and cost effective infra-structure

The location as EG1 violates the Transportation Element as it is located on a secondary neighborhood collector, limited offsite parking, difficult for truck maneuvering, and remotely located from arterials and the interstate system.

3) The EXd and CM3 allow outright a wide range of residential and retail use. The EG1 zone prohibits residential and limits retail making existing and future similar uses of the property non-conforming or prohibited. The current zoning allows an entitlement of intensity for traffic, sewer, water, and other services. The General Employment changes that service entitlement without any analysis of impact on the subject property or surrounding uses. The property developed as residential has a much different service impact then a property limited to employment uses. For example, residential uses do not generate truck traffic.

The property owner could request a zone change back to the CM3 (similar to the EXd). The applicant would have to prove that services exist for the change in intensity; services that did exist in 2016 for the property designated EXd. A prudent property

**303 NW Uptown Terrace #1B  
Portland, Oregon USA 97210  
peter@finleyfry.com**

owner would immediately request the quasi-judicial zone change in conformance with the Comprehensive Plan before the surrounding growth in intensification consumed all the available services.

4) The site is and has been occupied by retail uses with longer term leases. The owner plans, at the appropriate time, to redevelop the site as mixed use retail/commercial and residential consistent with the surrounding uses and location.

5) There is not a stated reason for rezoning this area to employment except that the area has employment uses and the neighborhood wants employment zoning. Employment uses are significantly north of the site. This location leans toward the residential and retail character of the neighborhood. This area does not have significant employment uses.

6) The General Employment zone was processed in the Employment/Industrial project not the Commercial/Mixed Use project. The application of an employment zone in the Commercial/Mixed Use project entirely lacks the process of the Employment/Industrial project. The misapplication of the general employment zone is an extremely probable outcome.

This apparent last minute change was advocated by the Mayor's office and the neighborhood prior to a hearing before a public body and without any real public process. The change appears to be a political accommodation rather than a thoughtful placement of uses. The designation of GE zoning on a property is driven by the political persuasion of less than .05% of the businesses and residents in the area.

July 7<sup>th</sup>, 2016

RECEIVED  
PLANNING & SUSTAINABILITY  
2016 JUL 11 A 8:41

Petition for Zoning Change for 2 tax lots

- 1) 3430 NE 50<sup>th</sup> Ave., 97213
- 2) Vacant lot on 50<sup>th</sup> & NE Fremont St., 97213

Both parcels are designated as CM1 according to the 2035 Comprehensive Plan, and we are requesting that the zoning be changed on both parcels to CM1.

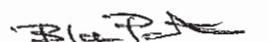
- 3) 5024 NE Fremont St., 97213

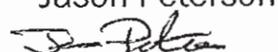
This parcel is currently zoned R-2 and we are requesting a zoning change to CM1, because we would like to develop all three properties as one project. If this parcel were to stay as currently R-2 zoned and developed into 2 units, it would require driveways on Fremont which already has a nearby bus stop, a crosswalk, and is a transit corridor. To access this property as currently zoned would be unsafe and not practical, due to the high volume of both vehicle and pedestrian traffic.

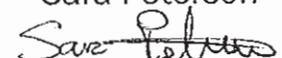
Thank you for your consideration of these matters.

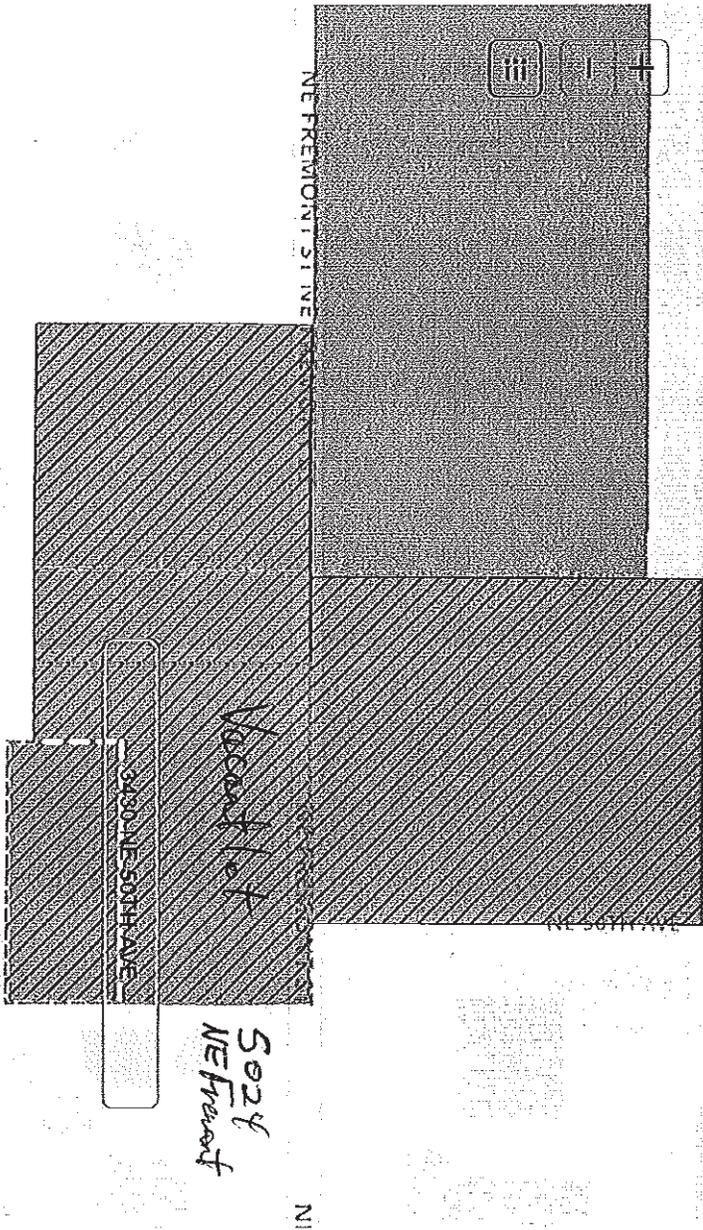
Sincerely,

Rick Peterson  


Blair Peterson  


Jason Peterson  


Sara Peterson  




3430 NE 50TH AVE

Map Proposal Comments

Proposed Change # 1470

Amendment # M39

Proposed Comprehensive Plan Designation  
Mixed Use - Neighborhood

Existing Comprehensive Plan Designation  
Low Density Multi-Dwelling

**Proposed Commercial/Mixed Use**  
 designation will eventually create a more continuous street frontage or full block of shops, restaurants, services, offices and/or residences to provide residents and others with a variety of desired goods and services within walking distance. Existing residential zoning may be retained in the near-term.

Mixed Use - Neighborhood

This designation promotes mixed-use development in neighborhood centers and

502

So2y  
NE Harvest

NI

**NNEBA**

N/NE Business Association



The Soul of Portland

**Headquarters Address:** 311 N Ivy Street  
Portland, Oregon 97227

**Phone:** 503-841-5032

**Website:** [www.NNEBAportland.org](http://www.NNEBAportland.org)

**Mailing Address:**

PO Box 11565  
Portland, Oregon 97211

July 5, 2016

Dear Planning and Sustainability Commission:

We are writing to you with regards to your upcoming meeting to review recommended changes for the citywide zoning map.

In particular we would like to advocate on behalf of supporting the changing of the zoning from R1 to CM2 for the property located at 311 North Ivy/Freemont (97212). This support would match the support of what City Council has already approved.

Alem Gebrehiwot, has been a long standing property owner and community developer/supporter in the North/Northeast Business Association district for several decades. He continues to work with the business and residential neighbors to bring progress and improvement with equity and diverse lenses.

We support this zone change with confidence that it will also work to meet one of the City's current strategies of assisting in the "creation of wealth for disadvantage and minority communities." Alem has demonstrated time and again his willingness to work with others in an inclusive matter, ie donating land to Parks and Rec for use as the Boisie Elliott community Garden along with many other contributions.

Thank you for considering our request of this support. We appreciate your commitment to our City's development and thank you for your service.

Sincerely,

*Kenneth Doswell*

Kenneth Doswell, NNEBA Chair

DATE: 2 July 2016

TO: The Planning and Sustainability Commission

FROM: Richard and Donna Buddemeier

48 SE 61<sup>st</sup> Avenue, Portland OR 97215 (State ID # 1N2E31DD 800)

We are an integral part of the Mt. Tabor community and our section should not be targeted or zoned differently (i.e., changed from R5 to R2.5). Re-zoning will make us not only look, feel and be different, but will diminish the Mt Tabor area as a whole.

Furthermore, a change in zoning in our area will degrade the actual basis of our community, a classic community, on which the larger community and image of Portland is built.

The existing housing, currently zoned as an R5 community, is in excellent condition and exceedingly well-maintained.

Despite their seniority in the community, older folks (veteran residents) in this area, of which there are many, will bear the pain of change and construction, which will inevitably include the demolition of existing housing and replacement of it.

An increase in both building density and height will mean demolition of green areas and visible sky. The eradication of mature gardens and trees in existing spaces will degrade the quality of the living environment – again a substantial blow to the ethos and image of “Portland.”

Other considerations should include:

- Curbsides already bear the residential parking that comes with adjacent areas currently zoned for apartments. Cars regularly block the fire hydrant by our house.
- Egress from SE 61<sup>st</sup> and SE 62<sup>nd</sup> onto E Burnside is already often impeded by cars parked up to the stop signs and corners, creating a safety hazard for travelers on E Burnside and those both entering and merging from SE 61<sup>st</sup> and SE 62<sup>nd</sup>.
- Drainage in the area has not been appropriately addressed by the City, and new construction will exacerbate that.
- Young children in the neighborhood will be restricted, perhaps endangered, by years of demolition and construction.

A walk around the blocks in this neighborhood (which the proposed zoning would affect) will lead any observer to conclude that this is clearly a majority (85%) one-family/one house per 5000 sq ft lot community . . . all the way to Burnside. Changing the zoning from R5 to R2.5 will violate the integrity of the existing

community and its neighboring contexts, reduce the quality of life, and downgrade Portland's image.

The proposal should be rejected.

Thank you for your work.

Respectfully,

Richard Buddemeier  
Donna Buddemeier

48 SE 61<sup>st</sup> Avenue  
Portland, OR 97215

215-206-7675  
rman11@gmail.com

6/23/2016

TO : Portland City Council  
ATTN:Comprehensive Plan Testimony  
1221 SW Fourth Aveue, Room130  
Portland OR, 97204

RE: Plan change effecting 2626 NE DEKUM

The original proposal for this property was Campus Institutional, I appealed with the assistance of Chris Koback, and now are proposing the CM 1 zoning. While it is better than the CI it still equates to a net loss of 25% of my current outright use. This is due to the removal of the floor area ratio (FAR) that is allowed currently for residential uses in these zones. The non inclusion of the FAR exception creates a massive economic hemorrhage in mine and many other small parcels purchased under the FAR exception in commercial zones. Multiple properties have been purchased near campuses and other institutions based off outright multi family use in the current zoning. Had this zoning been in place these property would have 25% less usable feet and the price would have been significantly less.

I have discussed at length with Eric Engstrom. Nan Stark and Barry Manning the situation. The recommendation to preserve my outright use is the "beat the goal post moving strategy". Essentially knock it over before this zoning goes into effect. If the best recommendation is to submit before the change it is recognition that a major oversight has occurred. Many properties have multi year leases that continue for 3-5 years and have renewals.

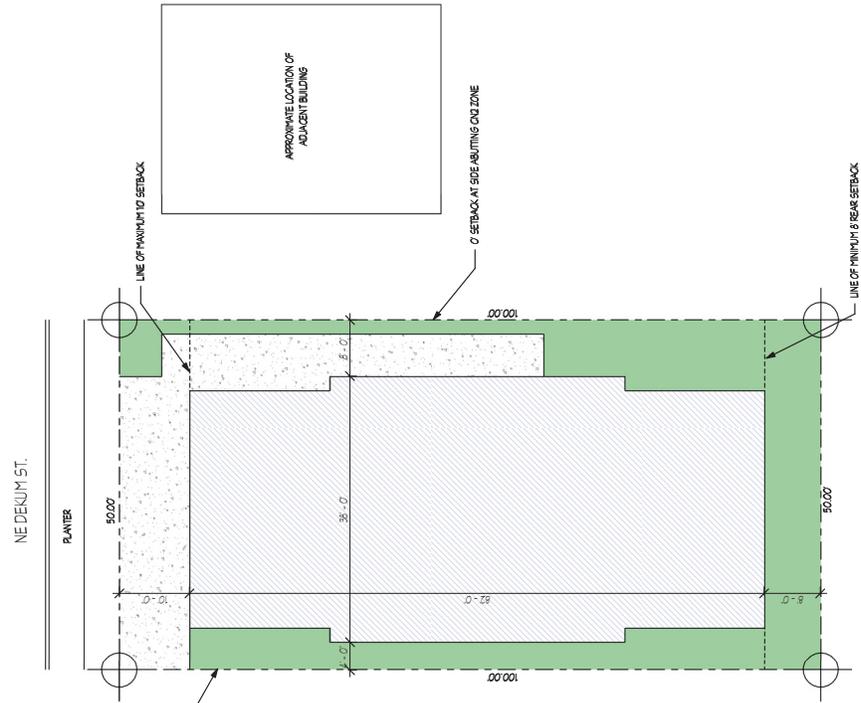
Staff also mentions that "bonuses" are going to be allowed for specific purposes. That is great however they need to make sense economically and in the meantime should not be the only way one can meet the current allowed uses. This is a taking of the outright allowed use of the property. If one enters the agreement knowing what the "bonuses" requirements will be and determine it is an economically feasible avenue to pursue that is great. However not the case for several people. On smaller sites purchased for top dollar this typically is not a economically feasible option.

In my case this is 9000 sqft of allowed floor area being reduced to 7500 sqft. It seem to me that council and staff need to re-consider FAR or preserve the current allowed uses in the new proposal. Understanding this is a formidable tasks it is necessary. Then again it could be as simple as: Landowners prior to 1/1/2018 retain exemption from FAR when applicable from current zoning. This would be simple and applicable to many small parcel owners.

Please see current allowed SITE PLAN PDF. You may also contact above mentioned personal as they are aware of the FAR ,.

Thank you for your consideration in this matter. Please confirm receipt of this message to sender

Bob Fogilo  
503-522-4184  
13705 SE Thurmont  
Clackamas, Or 97086



**SITE PLAN**  
 11.6.2015

**General Information**  
 Property ID: R20087  
 Client: BOB FOGGIO  
 Survey ID: NERESC 1440  
 AP Account #: RA3328660  
 Plot Number: 2333  
 Site Info:  
 Site Address: 2626 NE DEKUM ST  
 City/Zip: PORTLAND OR 97211  
 Owner Name: BOB FOGGIO  
 Owner Address: PO BOX 100  
 City/Zip: GASTON OR 97021-0100

**ZONING REQUIREMENTS FOR CURRENT ZONING**  
 MAX. HEIGHT: 32'  
 0' TO NORTH, 0' TO ALLEY (WEST), 0' TO EAST, & TO SOUTH (OR 5' W/ L3 LANDSCAPE)  
 MIN. BUILDING SETBACKS: 10'  
 GARAGE ENTRANCE SETBACK: 5' 1/8"  
 BUILDING COVERAGE: 10%  
 LANDSCAPE AREA: 5,000 S.F.  
 MIN. OF SITE AREA: 25,318 S.F.  
 PEDESTRIAN REQUIREMENTS: YES  
 COVERAGE AREAS: 5,000 S.F.  
 LOT AREA: 1,287 S.F.  
 LANDSCAPE AREA: 25.3%  
 BUILDING COVER AREA: 2,896 S.F.  
 BUILDING COVERAGE: 59.1%

**From:** Malika Coppedge [mailto:malikacoppedge@gmail.com]  
**Sent:** Thursday, June 23, 2016 4:35 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Official zoning testimony

My name is Malika Coppedge. My family has owned the residence located at 69 NE Hancock st. Portland, Oregon for more than 40 years. I am writing to ask to reconsider the current proposition to rezone our home. We are currently zoned EX which gives us the flexibility to do many things. We have previously operated a coffee shop/bookstore at this location and are thing of reopening one it. We are asking that our current zoning be grandfathered in. If you have any l suggestion to help with the process we would really appreciate it. Sincerely, Malika Coppedge  
503-975-9656

**From:** Linda Brown [<mailto:brlinda100@yahoo.com>]

**Sent:** Wednesday, June 22, 2016 10:00 AM

**To:** Hales, Mayor <[mayorcharliehales@portlandoregon.gov](mailto:mayorcharliehales@portlandoregon.gov)>; Commissioner Novick <[novick@portlandoregon.gov](mailto:novick@portlandoregon.gov)>; Commissioner Fritz <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>; Commissioner Saltzman <[dan@portlandoregon.gov](mailto:dan@portlandoregon.gov)>; Commissioner Fish <[nick@portlandoregon.gov](mailto:nick@portlandoregon.gov)>; BPS Comprehensive Plan Testimony <[cputestimony@portlandoregon.gov](mailto:cputestimony@portlandoregon.gov)>; [robert@mresearch.com](mailto:robert@mresearch.com)

**Subject:** zoning for eastmoreland streets above 36th

To whom it may concern,

Please add my sincere request to keep the neighborhood quality intact by including the streets above 36th ave - 39th in the same zoning. This is a NEIGHBORHOOD and much of it's appeal and value lies in this aspect.

I understand the desire to increase density and in general support that. I would add that many of the builders do not build houses that "fit in" or "belong" - this creates what you desire: higher density, but at the expense of the aesthetics of the environment. This, we - the neighbors end up paying for. It decreases the value of our homes, the livability of our environment and ultimately it changes the neighborhood. I, for one, paid a premium to live in this environment - I ask that you please protect it.

Until you can ensure that the houses the builders are creating, are ones that "fit" with the environment, not become the huge "other", then it is the builders who are profiting at the expense of the neighbors. That is not right.

Thank you for listening,  
Linda Brown  
3818 SE Tolman St



760 SW Ninth Ave., Suite 3000  
Portland, OR 97205-2584  
T. 503.224.3380  
F. 503.220.2480  
www.stoel.com

June 21, 2016

STEVEN W. ABEL  
*Direct (503) 294-9599*  
*Facsimile (503) 220-2480*  
steve.abel@stoel.com

**VIA EMAIL AND REGULAR MAIL**

[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)

Planning and Sustainability Commission  
Attn: Composite Zoning Map Testimony  
City of Portland Bureau of Planning and Sustainability  
1900 SW 4th Avenue, Suite 7100  
Portland, OR 97201

**Re: Composite Zoning Map Request -- McMenamins' Masonic Temple, 5308 N. Commercial ("Masonic Temple")**

Dear Members of the Commission:

This office represents McMenamins, the owner of the Masonic Temple located adjacent to McMenamins Chapel Pub at N. Killingsworth and N. Commercial.

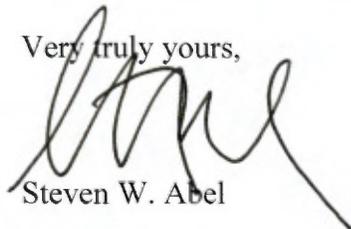
On November 11, 2015, in the City's Comprehensive Plan Update process, McMenamins requested that the City amend the comprehensive plan map existing R-1 designation of the property to Mixed Use-Urban Center. The City Council agreed and adopted an amendment package, designating the amendment as M26, amending the comprehensive plan map to Mixed Use-Urban Center.

This request is made to conform the zoning at the site to Commercial Mixed Use 2 ("CM2"). Given the historic nature of the Masonic Temple and its configuration, the site will never be built to R-1 standards unless the building is torn down. Obviously, since the Temple is an historic resource, demolition would be difficult, if not impossible, and would not be in the best interest of the neighborhood. Therefore, this request is made to conform the zoning to the new comprehensive plan designation and zone the property CM2 leaving the Chapel Pub and the Masonic Temple with a common zoning designation. This change will facilitate the rehabilitation of the Masonic Temple.

Attn: Composite Zoning Map Testimony  
Planning and Sustainability Commission  
June 21, 2016  
Page 2

I have included a copy of the November 11, 2015 letter for your reference.

Very truly yours,

A handwritten signature in black ink, appearing to read 'S. Abel', written over the typed name 'Steven W. Abel'.

Enclosure

cc: Eric Engstrom, BPS  
Deborah Stein, BPS  
Chris Longinetti, McMenamins



900 S.W. Fifth Avenue, Suite 2600  
Portland, Oregon 97204  
main 503.224.3380  
fax 503.220.2480  
www.stoel.com

November 11, 2015

STEVEN W. ABEL  
Direct (503) 294-9599  
steve.abel@stoel.com

**VIA EMAIL AND REGULAR MAIL**  
**[cputestimony@portlandoregon.gov](mailto:cputestimony@portlandoregon.gov)**

Portland City Council  
1221 SW Fourth Avenue  
Portland, OR 97204

**Re: Comprehensive Plan Map Revisions -- McMenamins' Masonic Temple, 5308 N. Commercial ("Masonic Temple")**

Dear Mayor Hales and Members of the City Council:

This letter is written as a request to amend the proposed comprehensive plan map designation and applicable zone at the Masonic Temple from a Residential designation to Mixed Use-Urban Center with a corresponding zone of Commercial Mixed Use 2 (CM2).

Background

McMenamins owns the Chapel Pub which serves as a restaurant and McMenamins' corporate headquarters. It is located at the corner of N. Killingsworth and N. Commercial with a property address of 430 N. Killingsworth Street ("Chapel Pub"). The Chapel Pub is zoned Storefront Commercial with an underlying comprehensive plan map designation of Urban Commercial. The City has recommended a new comprehensive plan designation for the Chapel Pub of Mixed Use-Urban Center and CM2 as the implementing zoning. Within the proposed CM2 zone, the present uses, (retail sales and service), are allowed outright.

McMenamins acquired and rehabilitated Chapel Pub in 2006, but did not acquire the adjacent Masonic Temple until 2007.

The Masonic Temple property is presently zoned residential (R1), a zone that predates McMenamins' acquisition. No changes are proposed as part of the City's Comprehensive Plan Update for the Masonic Temple. It is a historical landmark listed on the register for historic places and is a contributing resource within the Piedmont Conservation District. Its structure and configuration is such that it will never be developed as residential.



Portland City Council  
November 11, 2015  
Page 2

### Opportunity

Given that McMenamins now owns both the Chapel Pub and the Masonic Temple and desires to integrate the Masonic Temple into the existing retail sales and service use at the Chapel Pub, a different comprehensive plan designation and zone would be appropriate for the Masonic Temple. The current residential comprehensive plan designation and zoning is not appropriate because the Masonic Temple is a protected historic resource that is not designed for residential use. The residential comprehensive plan designation and zoning was in place prior to McMenamins' acquisition. However, McMenamins' acquisition of the Masonic Temple opens the door to an opportunity to rehabilitate the historic landmark. A Mixed Use-Urban Center designation would be consistent with the past and likely future of the Masonic Temple and would give McMenamins more flexibility to develop the property in a manner that activity incorporates the existing historic landmark. A Mixed Use-Urban Center comprehensive plan designation is consistent with the City's goal of focusing commercial uses in centers and corridors. The Masonic Temple, as indicated, is adjacent to the Chapel Pub. Both the Masonic Temple and Chapel Pub are located across Commercial Street from the large institutional use (Jefferson High School), and are in reasonable proximity to Portland Community College.

Even with the Mixed Use-Urban Center comprehensive plan designation, McMenamins would be required to undertake historic resource review for any alterations to the Masonic Temple. This would ensure the conservation and enhancement of the designated historic resource.

### Conclusion

In sum, a Mixed Use-Urban Center comprehensive plan designation would provide the necessary flexibility to develop the property while maintaining the protections for the historic resource. It will provide a vital investment in a neighborhood where investment is encouraged.

Very truly yours,

A handwritten signature in black ink, appearing to read "Steve Abel".

Steven W. Abel

cc: Mike McMenamin  
Chris Longinetti  
Nan Stark

**From:** [Vladimir Ozeruga](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Zoning Testimony  
**Date:** Saturday, June 18, 2016 9:04:23 PM

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To: Planing and Sustainability Commission.

From: Portland Redevelopment LLC

Vladimir Ozeruga

Properties: 7036 WI/ NE MLK BLVD (R155334, Map Number 2331 OLD)

7050 S/ NE MLK BLVD (R155333, Map Number 2331 OLD)

TESTIMONY FOR CHANGING ZONE FROM R2 TO CM2, MIXED  
COMMERCIAL

Please, include my properties (now it is vacant lots) into your plan to change zone from R2 to CM2 - Mixed Commercial).

If you change this zone, it will give me opportunity to develop mixed use project instead of residential only. I will be able develop more housing units: First floor - commercial or retail and three or four stories more residential or offices. From my perspective, it will bring more attractive curb appeal than residential only. Plus, I think, not many people will be willing to buy a house or condo on MLK BLVD. But again, I think, some people without kids will be able to rent apartments there. Also it will give the opportunity to develop more working spaces to the local population.

Thank you in advance.

Vladimir.

June 14, 2016

Katherine Schultz  
Planning and Sustainability Commission, Chair  
City of Portland  
1900 SW 4th Avenue, Suite 7100  
Portland, Oregon 97201

Dear Chair Schultz,

The Portland Business Alliance (“Alliance”) represents nearly 1,900 small, medium, and large businesses in the Portland-metro area. The Alliance is committed to a strong multi-modal transportation network that promotes job growth, prosperity, and a good quality of life for our region’s residents. We understand that we face significant population growth over the next 20 years and that increased pressures on our transportation system will result in significant gridlock and compromise these objectives if we do not seek ways to address congestion. We are interested in the concept of transportation demand management (TDM) as a way to help mitigate congestion but are concerned that the proposal has not been properly vetted by potentially affected parties and is poorly designed as a result.

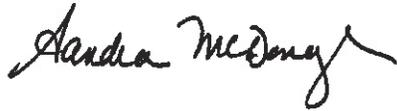
Unfortunately, the process to develop a transportation demand management (TDM) program has been negligible at best. In fact, specific information about the design and cost associated with this program was not made public until June 16. That is not the right approach to developing a successful policy that will achieve meaningful results.

The costs associated with the proposed TDM Step 1 fees are significant and come at a time when there are multiple proposals that will increase development costs including the construction excise tax (CET), linkage fees, increases in system development charges (SDCs) and inclusionary zoning. It is critical to look at these increased costs cumulatively and understand the impact they will have on development feasibility, housing affordability and job creation.

We urge that you not move forward with a TDM program until a more comprehensive and inclusive conversation takes place and we look forward to participating in that. Only then may we realize a proposal that achieves mode split goals and addresses traffic challenges without negatively impacting development.

Thank you for your consideration.

Sincerely,

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

Sandra McDonough  
President and CEO

cc: Commissioner Steve Novick  
Portland Bureau of Transportation Director, Leah Treat  
Portland Bureau of Transportation Planning Manager, Judith Gray  
Bureau of Planning & Sustainability Director, Susan Anderson

**From:** LLC [mailto:Nguyen-Bui.LLC@comcast.net]  
**Sent:** Tuesday, June 14, 2016 2:43 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** Comprehensive Plan/Zone change testimony

From: Lily Nguyen, Nam Bui & Lien Chung  
1775 Sunburst Terrace NW  
Salem, OR. 97304

To: City of Portland, Oregon  
Planning and Sustainability commission  
1900 SW 4th Avenue, Suite 7100  
Portland, OR 97201-5380

RE: PSC Comprehensive Plan Testimony  
6735 SE 82nd Avenue, Portland, OR 97266  
Request to be include in Comprehensive Zone Change designation from R1a to  
Commercial/Mixed Use Zone

Dear Planning and Sustainability Commission:

Thank you for the opportunity to present written testimony regarding the 2035 City's Comprehensive Plan Update.

We write to express our strong support of the proposed comprehensive plan designation change along 82nd Avenue and request to be included in this change for our property located at 6735 82nd Avenue, Portland 97266. We would like to change it from **"R1a - Medium Density Multi-Dwelling"** to **"Commercial / Mixed Use"**. We are the owners of 6735 82nd Avenue, Portland 97266. We have been renting this property out as an office space for over a decade. It was formerly a law office, chiropractic clinic and now an auto sales office.

The proposed change would be good for our property because then the use will finally be in conformity with what the property has already been used as for a decade or more. The R1a designation is outdated. The better zone is for Commercial/Mixed Use. We would like to have our property finally zoned correctly and not continue to seek a variance on its commercial/office use because it has been grandfathered in.

We believe this change would amount to a simple ratification of how the area is currently and successfully being used. I say successfully because I believe the mixed use designation is beneficial to all who live and work in the proposed area. Tenants in the office space provide a range of services to the residents of the neighborhood including psychiatry, psychology, general counseling, massage therapy, accounting, financial planning, event planning, legal and real estate work (and much more). This changing will not bring additional traffic to the neighborhood and the impact is minimal or close to none because the area is already being currently used for commercial purposes for over 10 years.

Additionally, the office tenants provide a certain level of security to the neighborhood by occupying buildings in the neighborhood during hours that residents are away at work. Similarly, the residents provide the same oversight to the office spaces in the evening hours. We think the combination of

services and security illustrates a symbiotic relationship between the occupants of the proposed mixed use space that is exactly what building a community is about.

For these reasons and more we request the proposed change.

Thank you for the opportunity to submit this written testimony on this important issue. We hope you will seriously consider our request to be included in this change and change 6735 SE 82nd avenue site from Medium Density Multi-Dwelling with an Alternative Design Density Overlay (R1a) to Mixed Use/Commercial as part of the 2035 Comprehensive Plan updates.

Again, Thank you for taking the time to consider this request, and please do not hesitate to reach out if you have any questions.

Sincerely,

Lily Nguyen, Nam Bui & Lien Chung  
Address: 1775 Sunburst Terrace NW  
Salem, OR. 97304  
Phone: (503) 302-2486  
Email: [lilyn1964@comcast.net](mailto:lilyn1964@comcast.net)



June 14, 2016

Planning & Sustainability Commission  
1900 SW 4<sup>th</sup> Avenue, Suite 700  
Portland, OR 97201

Re: Transportation Demand Management

To: Chair Schultz and Commissioners

BOMA Oregon represents almost 50 million square feet of commercial real estate throughout Oregon and Southwest Washington. We recently found out that the Planning & Sustainability Commission is not taking public testimony at today's meeting. BOMA has some serious concerns about the TDM plans as they have been released to us thus far. The process is moving so quickly; we want to be on record with some of our bigger concerns:

- Traffic congestion is a region-wide issue. The Central City has the toughest parking and circulation standards, and a higher mode split than most or all of the Portland region. Also, the Central City has cooperated to fund the streetcar and MAX improvements thru LID's and EID's. In order to have modal shift change, a broader representation of those using the system, and inclusive of the entire region need to be part of the solution.
- The current TDM proposal states that for every 1,000 square feet of new development, the building owner is required to provide six months of transit passes for four employees, at a cost of \$2,400. This impacts a 250,000 square foot project with an additional \$600,000. The fees being proposed are an additional cost for just new development.
- We have serious concerns regarding the unintended consequences of the cumulative impact of TDM and other fees. In addition to TDM, a possible Construction Excise Tax, Inclusionary Zoning, Increased SDC's and a possible bond measure on the November ballot for Affordable Housing will all have a significant impact on the marketplace. We encourage the City to look at these solutions comprehensively.

The current proposal is flawed because of virtually no public process. TDM should be vetted with all parties before being taken to council.

The Portland Central City development community has been positively building toward a less SOV and auto-dominated culture for quite some time. We agree that some type of transportation demand management is necessary, but we believe this proposal is flawed. BOMA Oregon and our members want to be a part of the process and potential solution.

Regards,



Susan Steward  
Executive Director  
BOMA Oregon  
503/228-9214

[susan@bomaoregon.org](mailto:susan@bomaoregon.org)

cc: BOMA Oregon Board of Directors

CITY VIEW PARK, LLC  
TOM BROWN, MANAGER  
E-mail: sellwoodbrown@gmail.com

June 9, 2016

**VIA E-MAIL ONLY TO: [PSC@PORTLANDOREGON.GOV](mailto:PSC@PORTLANDOREGON.GOV)**

Composite Zoning Testimony  
1900 SW Fourth Ave., Ste. 7100  
Portland, OR 97201

Reference: Zoning Map Proposal: CS to CM1

Dear Portland Sustainability Commission:

I am the manager of City View Park LLC, the owner of the property located on 16<sup>th</sup> Avenue between Bybee and Rural in Westmoreland (the "Property"). The Property is proposed for significant and economically damaging downzoning from CS to CM1 (the "Proposal"). This letter requests that the City of Portland abandon the Proposal and treat the Property the same as all other properties currently in the CS zone on Milwaukie in Westmoreland and apply the proposed CM2 zone.

The Property is in the heart of the Westmoreland commercial district and is surrounded by other commercial development. The Proposal to downzone the core of the commercial district, but to leave the rest of the corridor that abuts directly against existing single family neighborhoods at a higher density, runs counter to the City's traditional zoning policy of stepping zoning down in order to buffer residential neighborhoods. The current Proposal inverts the City's normal zoning approach by allowing dense redevelopment adjacent to single family neighborhoods and reducing development potential in the commercial core, where accessibility is highest.

The Property is located on Bybee Boulevard within one-half mile of the Bybee Light Rail Station. The Bybee Station Area is unique for light rail station areas because it is surrounded by a golf course, rail lines, and a park. Single family residential zoning surrounds the park and the golf course. Thus, the only area available for additional development within proximity to the light rail station area are those areas currently zoned CS, the very properties proposed for downzoning to CM1. The proposal to downzone the only property available for additional development and density in the light rail station area is not accompanied by a proposal

for corresponding upzoning anywhere else in the light rail station area. The downzoning proposal runs counter to the planning completed for the Milwaukie light rail line and station area and does not provide the same level of incentive for housing as the CM2 zone.

The proposed downzoning is drastic. Today, under the CS zone, the FAR is 3 to 1 and the base maximum height is 45 feet. The proposed CM1 zoning, with the Main Street Overlay, proposes a maximum 2 to 1 FAR and a 35 foot maximum height. The difference in development capacity and land value from the proposed zone change for the Property is stark. The reduction of 1 FAR amounts to a 20,070 square foot reduction in development capacity, which translates into a loss of property value of approximately \$1,093,000.<sup>1</sup>

The Proposal is inconsistent with Comprehensive Plan Policies. For example, *Policy 3.13* describes the role of centers as follows: “Enhance center as anchors of complete neighborhoods that include **concentrations of commercial** and public services, housing, employment, gathering places, and green spaces.” The proposed downzoning would deconcentrate development. *Policy 3.36* states “In Neighborhood Centers, provide for **higher concentrations of development**, employment, commercial and community services . . . .” Here the City is proposing to lower concentrations of development in a neighborhood center. The Proposal is similarly inconsistent with the *Sellwood-Moreland Neighborhood Action Charts*, adopted by City Resolution No. 35663. Action BG 11 sets forth as an ongoing action to “Strengthen **urban design** and **economic function** of core intersections,” including the intersection of Milwaukie and Bybee. *Comprehensive Plan Policy 3.42* provides direction on how to maintain and enhance district identities: “Use historic preservation and design review tools to **accommodate growth** in ways that preserve historic resources and enhance the distinctive characteristics of Inner Ring Districts, especially in areas experiencing significant development.” Here, rather than implementing the City’s policy with carefully considered design standards to accommodate growth, the Proposal seeks to simply limit growth. The Proposal, therefore, is flatly inconsistent with the City’s land use planning principles, plans and policies.

The proposed change in zoning is flatly inconsistent with current zoning and literally decades of Portland planning and development policy. It is unfair and punitive because it arbitrarily severs significant value from the City View Park property without any guarantee that such a change will preserve the character of Westmoreland. The downzone does not prevent demolition, redevelopment, change and growth, it simply takes away long-vested property rights. Growth management planning requires Portland to accommodate planned growth. Planning policy and practice, and Portland’s own planning calls for growth in centers, near services and

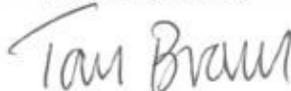
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<sup>1</sup> Loss of land value is:  $\$165/\text{SF} * 20,070 = \$3,311,550$ , Loss of 33% of FAR due to proposed rezone =  $\$3,311,550 * .33 = \$1,092,811$ ; Loss is **\$1,092,811**.

transportation. The Property is located in a neighborhood commercial center within one-half mile of a regional light rail station and along three high-frequency bus lines. By all measures, it is an ideal location for additional commercial and housing development. Downzoning from CS to CM1 will simply limit growth and frustrate the broader purposes behind regional and state growth management policies.

For the reasons set forth above, we request that the City discontinue further consideration of the Proposal to downzone as a means of preserving neighborhood center character because it is punitive and inconsistent with the City's transportation and land use policies. Rather than downzoning, the City should take the time to work with the entire community (residents and businesses) to develop design standards that help to preserve neighborhood character, while accommodating planned growth.

Very truly yours,



City View Park LLC  
By Tom Brown, Manager

CAMERON BROWN  
Harry H. H. Brown & Co  
E-mail: cambrown21@gmail.com

June 9, 2016

**VIA E-MAIL ONLY TO: [PSC@PORTLANDOREGON.GOV](mailto:PSC@PORTLANDOREGON.GOV)**

Composite Zoning Testimony  
1900 SW Fourth Ave., Ste. 7100  
Portland, OR 97201

Reference: Zoning Map Proposal: CS to CMI

Dear Portland Sustainability Commission:

I am an officer of Harry H.H. Brown & Co., the general partner of Brown Properties Limited Partnership, the owner of three properties located at 1616-1622 SE Bybee Blvd. and 7001 to 7019 and 7027 SE Milwaukie (the "Brown Partnership Properties" or the "Property"). The Brown Partnership Properties are proposed for significant and economically damaging downzoning from CS to CMI (the "Proposal"). I understand that the policy objective behind the downzoning proposal is to preserve neighborhood character. This letter requests that the City of Portland abandon its current Proposal and treat the Brown Partnership Properties the same as all other properties currently in the CS zone in the vicinity of Milwaukie in Westmoreland and apply the proposed CM2 zone.

The properties proposed for downzoning are in the heart of the Westmoreland commercial district and are surrounded primarily by other commercial development. The Proposal to downzone the core of the commercial district, but to leave the rest of the corridor that abuts directly against existing single family neighborhoods at a higher density runs counter to the City's traditional zoning policy of stepping zoning down in order to buffer residential neighborhoods. The current Proposal inverts the City's normal zoning approach by allowing dense redevelopment adjacent to single family neighborhoods and reducing development potential in the commercial core. Downzoning is the wrong tool to preserve neighborhood character.

The proposed downzoning is drastic. Today, under the CS zone, the FAR is 3 to 1 and the base maximum height is 45 feet. The proposed CMI zoning, with the Main Street Overlay, proposes a maximum 2 to 1 FAR and a 35 foot maximum height. The decrease in

development capacity and land value from the proposed zone change for the Property is economically damaging. The reduction of 1 FAR amounts to a 21,000 square foot reduction in development capacity. At \$165/square foot, the City is proposing to sever nearly \$1,176,000.00 of potential value from the Property, wiping out years of hard-earned value.<sup>1</sup> My family invested in and have maintained and managed the Property for nearly 40 years, making a significant investment in and contribution to the growth and development of Westmoreland.

The proposed downzoning is inconsistent with Portland's land use and transportation planning. The Property is within one-half mile of the Bybee Light Rail Station, and on three high-frequency bus lines. The Bybee Station Area is unique for light rail station areas because it is surrounded by a golf course, rail lines, and a park. Single family residential zoning surrounds the park and the golf course. Thus, the only area available for additional development within proximity to the light rail station area are those areas currently zoned CS, the very properties proposed for downzoning to CM1. The proposal to downzone the only property available for additional development and density in the light rail station area is not accompanied by a proposal for corresponding upzoning anywhere else in the light rail station area. The downzoning proposal runs counter to the planning completed for the Milwaukie light rail line and station area and does not provide the same level of incentive for housing as the CM2 zone.

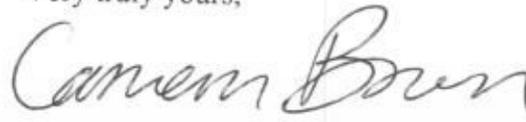
The Proposal is inconsistent with existing Comprehensive Plan Policies. For example, *Policy 3.13* describes the role of centers as follows: "Enhance center as anchors of complete neighborhoods that include concentrations of commercial and public services, housing, employment, gathering places, and green spaces." The proposed downzoning would deconcentrate development. *Policy 3.36* states "In Neighborhood Centers, provide for higher concentrations of development, employment, commercial and community services . . ." Here the City is proposing to lower concentrations of development in a neighborhood center. The Proposal is similarly inconsistent with the *Sellwood-Moreland Neighborhood Action Charts*, adopted by City Resolution No. 35663. Action BG 11 sets forth as an ongoing action to "Strengthen urban design and economic function of core intersections," including the intersection of Milwaukie and Bybee. *Comprehensive Plan Policy 3.42* provides direction on how to maintain and enhance district identities: "Use historic preservation and design review tools to accommodate growth in ways that preserve historic resources and enhance the distinctive characteristics of Inner Ring Districts, especially in areas experiencing significant development." Here, rather than implementing the City's policy with carefully considered design standards to accommodate growth, the Proposal seeks to simply limit growth. The Proposal, therefore, is flatly inconsistent with the City's land use planning principles, plans and policies.

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<sup>1</sup> Loss of land value is: \$165/SF \* 21,600 = \$3,564,000, Loss of 33% of FAR due to proposed rezone = \$3,564,000 \* .33 = \$1,176,120; Loss is \$1,176,120.

For the reasons set forth above, we request that the City discontinue further consideration of the Proposal to downzone as a means of maintaining neighborhood center character because it is punitive and inconsistent with the City's transportation and land use policies. Rather than downzoning, the City should take the time to work with the entire community (residents and businesses) to develop design standards that help to preserve neighborhood character, while accommodating planned growth. Even if the City chooses to move ahead with downzoning some properties, properties that are within one-half mile of a light rail station and adjacent to multiple high-frequency bus lines should not be downzoned.

Very truly yours,



Harry H.H. Brown & Co.  
By Cameron Brown, Officer

1165396

TOM BROWN, TRUSTEE  
Harry H. H. Brown & Co, Inc. Profit Sharing Plan  
E-mail: sellwoodbrown@gmail.com

June 9, 2016

**VIA E-MAIL ONLY TO: [PSC@PORTLANDOREGON.GOV](mailto:PSC@PORTLANDOREGON.GOV)**

Composite Zoning Testimony  
1900 SW Fourth Ave., Ste. 7100  
Portland, OR 97201

Reference: Zoning Map Proposal: CS to CMI

Dear Portland Sustainability Commission:

I am the Trustee of the Harry H.H. Brown & Co. Profit Sharing Plan, the owner of the property located at 1625 SE Rural Street Milwaukie and 16<sup>th</sup> Avenue in Westmoreland (the "Property"). The Rural Street Property is proposed for downzoning from CS to CMI (the "Proposal"). This letter requests that the City of Portland abandon its current Proposal and, rather than apply a punitive downzone, treat the Rural Street Property the same as all other properties currently in the CS zone in the vicinity of Milwaukie in Westmoreland and apply the proposed CM2 zone.

The property proposed for downzoning is in the heart of the Westmoreland commercial district and is surrounded primarily by other commercial development. The Property currently has a \_\_\_ unit apartment complex, providing housing in the heart of the commercial district adjacent to three high-frequency bus lines and within one-half mile of the Bybee light rail station. This area is very well suited for additional commercial and residential growth and Portland's zoning code had provided for that outcome since at least the early 1980s.

The proposal to downzone the core of the commercial district and leave the rest of the corridor that abuts directly against existing single family neighborhoods at a higher density runs counter to the City's traditional zoning policy of stepping zoning down in order to buffer residential neighborhoods. The current Proposal inverts the City's normal zoning approach by allowing dense redevelopment adjacent to single family neighborhoods and less density in the commercial core, the area with the greatest access to transportation and services. Downzoning is the wrong tool to preserve neighborhood character in the Portland planning context.

The proposed downzoning is drastic. Today, under the CS zone, the FAR is 3 to 1 and the base maximum height is 45 feet. The proposed CM1 zoning, with the Main Street Overlay, proposes a maximum 2 to 1 FAR and a 35 foot maximum height. The decrease in development capacity and land value from the proposed zone change is economically damaging. The reduction of 1 FAR amounts to a 7,275 square foot reduction in development capacity, which translates into a loss of property value of approximately \$396,124.00.<sup>1</sup>

The Proposal is also inconsistent with Comprehensive Plan Policies. For example, *Policy 3.13* describes the role of centers as follows: “Enhance center as anchors of complete neighborhoods that include **concentrations of commercial and public services, housing, employment, gathering places, and green spaces.**” The proposed downzoning would deconcentrate development. *Policy 3.36* states “In Neighborhood Centers, provide for **higher concentrations of development,** employment, commercial and community services . . . .” Here the City is proposing to lower concentrations of development in a neighborhood center. The Proposal is similarly inconsistent with the *Sellwood-Moreland Neighborhood Action Charts*, adopted by City Resolution No. 35663. Action BG 11 sets forth as an ongoing action to “Strengthen urban design and economic function of core intersections,” including the intersection of Milwaukie and Bybee. *Comprehensive Plan Policy 3.42* provides direction on how to maintain and enhance district identities: “Use historic preservation and design review tools to **accommodate growth** in ways that preserve historic resources and enhance the distinctive characteristics of Inner Ring Districts, especially in areas experiencing significant development.” Here, rather than implementing the City’s policy with carefully considered design standards to accommodate growth, the Proposal seeks to simply limit growth in Westmoreland within walking distance of the Bybee light rail station. The Proposal, therefore, is flatly inconsistent with the City’s land use planning principles, plans and policies.

The Bybee Station Area is unique for light rail station areas because it is surrounded by a golf course, rail lines, and a park. Single family residential zoning surrounds the park and the golf course. Thus, the only area available for additional development within proximity to the light rail station area are those areas currently zoned CS, the very properties proposed for downzoning to CM1. The proposal to downzone the only property available for additional development and density in the light rail station area is not accompanied by a proposal for corresponding upzoning anywhere else in the light rail station area. The downzoning proposal runs counter to the planning completed for the Milwaukie light rail line and station area and does not provide the same level of incentive for housing as the CM2 zone.

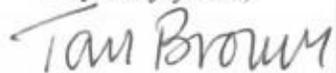
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<sup>1</sup> Loss of land value is: \$165/SF \* 7,275 = \$1,200,375, Loss of 33% of FAR due to proposed rezone = \$1,200,375 \* .33 = \$396,124; Loss is \$396,124.

Zoning Map Testimony  
June 9, 2016 – Page 3

I request that the City discontinue further consideration of the Proposal to downzone as a means of maintaining neighborhood center character because it is punitive and inconsistent with the City's transportation and land use policies. Rather than downzoning, the City should take the time to work with the entire community (residents and businesses) to develop design standards that help to preserve neighborhood character, while accommodating planned growth. Even if the City chooses to move ahead with downzoning from CS to CMI, properties within one-half mile of a light rail station should not be downzoned.

Very truly yours,

A handwritten signature in black ink that reads "Tom Brown". The signature is written in a cursive style with a prominent initial "T".

Harry H.H. Brown & Co. Profit Sharing Plan  
By Tom Brown, Trustee

1165225

**From:** [BPS Comprehensive Plan Testimony](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** FW: Comprehensive Plan Testimony  
**Date:** Monday, July 11, 2016 8:58:11 AM

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**From:** D. Ben Henzel [mailto:dbh@henzelpc.com]  
**Sent:** Saturday, July 09, 2016 11:56 AM  
**To:** BPS Comprehensive Plan Testimony <cputestimony@portlandoregon.gov>  
**Subject:** Comprehensive Plan Testimony

Dear Planning Commission members –

I was notified some time ago that the property I own at 4606 SW Corbett Avenue would be rezoned as part of the Comprehensive Plan Map change. I was delighted because this property is currently zoned R-2 and is an island of residential nestled along I-5, but adjacent to commercial uses. It is difficult to find good tenants because of the busy roads (Corbett and I-5), not to mention the road noise.

I checked the Plan Map again and see this property was removed from the zone change. I can't understand this decision. Long term planning would indicate that a residential island along I-5 is not a sound decision. This property should be included in the plan change so that in the future it can be redeveloped to its fullest potential. Please reconsider your decision to leave this property out of the plan.

Thank you.

D. Ben Henzel  
Henzel Law Offices  
0224 SW Hamilton Street, Ste 300  
Portland, OR 97239  
Telephone: (503) 546-1588  
Facsimile: (503) 546-1589  
Email: [DBH@Henzelpc.com](mailto:DBH@Henzelpc.com)  
[www.Henzelpc.com](http://www.Henzelpc.com)

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Piedmont Neighborhood Association  
 c/o North Portland Neighborhood Services  
 2209 N. Schofield  
 Portland OR 97217  
 (503) 823-4524

[www.PiedmontNeighborhood.com](http://www.PiedmontNeighborhood.com)

**Board of Directors**  
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**Friends of Lombard Liaison**  
 Linda Martinson

June 9, 2016

Planning and Sustainability Commission  
 1900 SW 4<sup>th</sup> Ave, Suite 7100  
 Portland, OR  
 97201

Hello,

On behalf of the Piedmont Neighborhood Association, we object to the Comp Plan rezoning proposal 1356.

The rezoning concept is expressed in a draft of the Comprehensive Plan 2035, in which property defined by streets N Borthwick/N Kerby, between N Dekum and N Rosa Parks, would be rezoned from R5 to R2.5.

Here is the link to original report:  
<http://www.portlandoregon.gov/bps/article/568819>  
 pg. B-24 for Piedmont specifically.

Rezoning this area would be inappropriate for numerous reasons, as enumerated below:

Effects of zoning change:

- On existing community
- On future growth
- Unintended consequences

On existing community:

An analysis of the history of this part of our neighborhood is important. The main feature of this area was a convent and a school for troubled girls, founded by the Sisters of the Good Shepard in 1902, and moved to new buildings in Piedmont in 1917. The main building, also known as Villa St. Rose, is now on the National Registry of Historic Places, and is used for affordable senior housing.

The Rosemont facility and property were purchased by the City of Portland in 1995, and plans for development went to bid under the parameters that there would be a mixture of housing options for a range of income levels. The city fast-tracked the planning and infrastructure before construction- streets, sewer, permitting. Walsh Constuction Co. won the bid, because their proposal addressed the desired and stated goals of providing different housing types for a diverse demographic- some rentals, some affordable homes built by Habitat for Humanity, some market-rate homes. Northwest Housing Alternatives now owns the Rosemont Commons, 100 apartments for

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*"The Emerald, Portland's Evergreen Suburb, Devoted Exclusively to Dwellings, A Place of Homes." -Edward Quackenbush (1889)*

affordable senior living in Rosemont Court, and 18 affordable-rent apartments in Rosemont Town Homes.

We feel that the city urgently needs to sponsor *more* bold development projects such as these, and not succumb to current trends for development projects within these target zones that are unresponsive to existing neighborhood needs and contexts.

Additionally, the cohesive neighborhood feeling is in evidence by a colorful street painting that was created by the local residents at the corner of N Dekum and North Borthwick, and the proposed Comp Plan changes do not support a unifying principle that would support further neighborhood assets such as these.



On future growth:

The current demographic of the proposed rezoning area is 16% African American, 9.9% Latino, 30% renters, and \$34,784 median income. The 35 units in the proposed rezoning area are affordable housing for residents/renters with relatively low median income, and the residents of this historically ethnically and economically diverse area would be at risk for displacement. The type of development made possible by the proposed rezoning would lead to further gentrification and to displacement of low-income residents.

We recognize the projected growth in our city in the future. However, re-zoning, and the development patterns within this area, will not properly address density goals, as current trends show that after the demolition of existing houses, investors and developers are building larger, expensive single family houses that do not provide housing opportunities for renters, lower income home buyers, and multiple families. Increase in building size does not translate to increase in density.

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*"The Emerald, Portland's Evergreen Suburb, Devoted Exclusively to Dwellings, A Place of Homes."* -Edward Quackenbush (1889)

Future affordability?

To date, the few infill and remodeling projects done by developers on the street have resulted in no affordable housing. In fact, these projects have resulted in less affordable housing as previous section 8 tenants who'd been long time residents on the street were forced to move as a result of such development. In our experience, developers have built environmentally unfriendly, expensive properties that result in less diversity in our neighborhood.

Unintended consequences:

This "piecemeal" approach to addressing density goals is inadequate to the greater task, and the effects in and near to these affected areas are too great to be of benefit to the larger surrounding community.

The Residential and Open Space Zoning Map (Proposed Dreaft, March 2016) does not give a convincing argument for the rezoning. The fact that Rosa Parks to the south is zoned R1 is irrelevant, and the fact that Rosemont Commons to the North is R2 is clearly a very special and unique case. Both east and west are R5, nothing is R2.5.

It is not clear why these blocks were singled out, and the general feeling in the neighborhood is that it certainly was not explained properly.

It is also not correct to describe the area as "very well served" – both the grocery store and the coffee shop on the corner of Albina and Rosa Parks are not really nice and inviting facilities, and the Max Yellow line and New Seasons Market on Interstate are not really close.

Zoning ordinances should be embraced to protect the integrity of neighborhoods and the quality of life of the people who live in these areas. They should not be adopted to allow developers to profit from indiscriminate land use.

Thank you for your consideration.

Sincerely,

Piedmont Neighborhood Association

Dean Pottle  
4714 NE Fremont  
503-319-2517  
6/8/12

Bureau of Planning and Sustainability

Hello! I have been living in my house since 2001 and specifically bought the house anticipating it would get zoned commercial to provide for my retirement. I have been an independent plumber for 30 years and I am now 65 years old.

I am also a homebrewer and have made my basement into a gathering place for friends and beer geeks 4 nights a week. My place, officially called "Dean's Scene," has become quite famous in the beer world. It has been featured on an international beer show, I have brewed with the commercial brewery across the street (Alameda Brewery) for a beer event and been written up in Willamette Week's Beer guide and bar guide all because of the unique nature of my gathering place.

I remodeled the back of my house and basement in 2007 to accommodate my friends and the project was totally permitted and approved by the city of Portland. Both the police and liquor commission have checked me out and approved what I'm doing. So the logical next step would be to go commercial and open a real pub. I have plans turning commercial or not to enlarge my basement to provide access with a ADA ramp and a street entrance to enlarge my gathering place. I intend to build this basement addition completely to commercial code.

My neighbors are fine with my situation as by 10 PM nobody goes outside to hang out and we close all windows. I have been to PSC meetings in the past year to plead my case and will be at Tuesday meeting. The building next to my house was grand fathered in as commercial and I know that my house and house on the corner we're originally planned to go commercial on your new plan.

Please, I need to retire and have no other options to make a living. I have done this now for 15 years and with such positive publicity and fame for running the coolest and most comfortable gathering place I beg you to give me commercial zoning.

Yours truly,  
Dean Pottle



To: Bureau of Planning and Sustainability  
cc: Mary Stockton  
Re: Residential Up-zoning of the North Tabor (60th) Neighborhood Center

The Board of the North Tabor Neighborhood would first like to thank the bureau of Planning and sustainability for granting our neighborhood center request. Second, **North Tabor is officially requesting be up-zoned to comprehensive residential zoning density (map attached) with the next zoning map.**

The North Tabor side of the 60<sup>th</sup> street Neighborhood Center has three bus lines, the 60<sup>th</sup> MAX station and nearly a complete sidewalk network. Though we are park poor, we have developed a long range vision for expanding our parkway access throughout the sidewalk gaps and greenway system. The TSP (Transportation Systems Plan), will build out a world class bicycle transportation system over the next 20 years to complement our other transportation networks. This supports a North Tabor that is an affordable, active transportation focused, healthy community.

The two map system Portland uses is complex and confusing. The routine granting of developer requests for comprehensive density means that the development potential is only available to those with the resources for a permit review. The Board of North Tabor feels this places the individual land owner at a disadvantage, and encourages gentrification. This is DIRECTLY leading to gentrification and displacement.

As such, having **Truth in Zoning** that has been in long range plans since 1980 will be a benefit to the entire community, including current residents of North Tabor. Portland is currently experiencing a housing crises, which requires us as a community to increase the housing supply. However, we do not want to sacrifice the livability and affordability of North Tabor as we grow. To stem gentrification and displacement while enhancing our quality of life the North Tabor Broad proposes that as part of this up-zoning we:

**Establish design criteria in 2016:** It is not development itself, but the type of development that is occurring which is most controversial. As the comprehensive plan will not be adopted until 2017, North Tabor would like to establish local design criteria in the interim.

**Experiment with Collective Ownership as we grow:** North Tabor previously endorsed the cooperative ownership of properties whereby additions could be built on without sub-division (Jan 2015). As the citywide in-fill and demolition committee recommendations move forward, combined with the loosening of ADU requirements passed by city council (Dec 2015), North Tabor feels this is the opportunity to develop creative ways to keep people in their homes while retaining affordability.

**Maximize Greenspace:** Any new development should focus on retaining the existing tree canopy and expanding it as we grow. Much of the North Tabor Neighborhood Center is in the Bird and Pollinator

habitat corridor. As such, new developments should maximize trees and Green-space. To facilitate the habitat corridor, an environmental overlay should be studied. This could include invasive species removal, tree canopy expansion or substandard tree replacement.

This was unanimously endorsed by the Board of the North Tabor Neighborhood association. We sincerely hope that the up-zoning is included in the next available map so the general public is clear on what types of development will be allowed over the next 20 years.

Thank you for taking our views into consideration,

Unanimously adopted Dec 16, 2015.

The Board of the North Tabor Neighborhood Association

Terry Dublinski-Milton, Transportation and Land Use Chair (contact for more information)

Keith Mossman, Chair

Michael Anderson, Secretary

Max Goldenkranz, Art's Chair

Beth Sanders

Devlyn Keith

Valerie Walker

Joel Meulenanans



June 7, 2016

To: Portland Planning and Sustainability Commission

From: Sara King, AICP, Director Planning and Asset Management, Portland Public Schools

Re: Composite Zoning Proposal for Benson High School

Dear Commissioners:

As you know, PPS schools are resources that benefit all city residents. To best serve the many needs of the Portland community, these schools need to be adaptable for a variety of uses. Zoning is a critical component when planning for more flexible and equitable utilization of these resources.

The proposed zoning change for Portland Public Schools (PPS) Benson High School (Benson) at 546 NE 12th Ave from High Density Residential to Central Employment zoning will support its modernization, build robust industry partnerships, and allow PPS to better respond to the needs of our students, families, and communities-at-large.

PPS encourages the Portland Planning and Sustainability Commission to approve the proposed zone change and recommend adoption by City Council for the following reasons:

- Central Employment zoning for Benson is fully compatible with surrounding land use and development. Benson is directly adjacent to the Central Eastside Industrial Area and adjacent zoning is Central Commercial, Central Employment, and General Industrial.
- Central Employment zoning is consistent with Comp Plan policies for school facility adaptability (8.97) and income self-sufficiency (6.27). Benson is a polytechnic school where students enroll in Health Science and Industry/Engineering vocational pathways and become prepared to join the workforce.
- Central Employment zoning will allow Benson to undertake modernization that can support programmatic relationships with Central Eastside industry and workforce development.

I would like to thank the Bureau of Planning and Sustainability (BPS) staff for their continued engagement with PPS, in particular Eric Engstrom and Deborah Stein, during the Comprehensive Plan Update process. Dialogue at the staff level between PPS and BPS remains essential to our partnership with the City of Portland. PPS looks forward to further discussions about appropriate changes in zoning for all school sites to better support Comprehensive Plan Update goals and policies.

Sincerely,

Sara King, AICP

Director Planning and Asset Management, Portland Public Schools

**From:** BPS Comprehensive Plan Testimony  
**Sent:** Friday, June 03, 2016 4:05 PM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Subject:** FW: Comprehensive Plan Testimony

**From:** Diana Hwang [<mailto:hawkowl01@gmail.com>]  
**Sent:** Friday, June 03, 2016 3:56 PM  
**To:** BPS Comprehensive Plan Testimony <[cputestimony@portlandoregon.gov](mailto:cputestimony@portlandoregon.gov)>; BPS Residential Zoning <[ResidentialZoning@portlandoregon.gov](mailto:ResidentialZoning@portlandoregon.gov)>  
**Subject:** Re: Comprehensive Plan Testimony

To whoever it may concern:

My brother, Peter Hwang and I, Diana Hwang submitted testimony in writing by email on November 13, 2015 on for Proposed Zoning Map changes at:  
4109-4119 SE Morrison St (1S2E06BB 20500) and  
4110-4120 SE Morrison St (1S2E06BB 20600)

Copy of my submission is in email string below. This email concerns the proposed zone change for 4109-4119 SE Morrison from R2.5 to R2 as indicated on the March 7, 2016 Notice of Proposed Zoning Map Changes. Information was presented in our testimony that a zone change to R2 would still not bring the existing properties into compliance. Therefore, we recommended that you consider a zoning change to R1.

I would like to know why our recommendation was not taken. If the decision has not been made yet, and I am jumping the gun by writing this, please explain the process from this point on and identify the process and any opportunities for additional comment or appeal.

You may send the information to Diana Hwang at this email, or mail your response to

Diana Hwang  
Trustee for The Claremont LLC  
1133 NE 37th Avenue  
Portland, Oregon 97232

-----Original Message-----

From: Dick Takei [mailto:kanetutu@gmail.com]

Sent: Friday, May 27, 2016 3:08 PM

To: Planning and Sustainability Commission <psc@portlandoregon.gov>

Subject: mixed use zones testimony

Selwood would benefit from a design overlay so the character of this settlement is sustained.

Richard Takei—7105 SE 22nd Ave. Portland, Oregon,97202

**From:** Mana Takei [mailto:manatakei646@gmail.com]  
**Sent:** Friday, May 27, 2016 2:52 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** PSC Mixed Use Zones Testimony

Please take note that Sellwood would benefit from a design overlay so that the character of this settlement shall be sustained.

Thank you, Marje Takei 7105 Se 22nd Ave, Portland, Oregon 97202, 541 517 2967

**From:** mattandlissa@comcast.net [mailto:mattandlissa@comcast.net]  
**Sent:** Friday, May 27, 2016 3:05 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** PSC Mixed Zoning testimony

To whom it may concern:

Sellwood was founded in 1883 with SE 13th at its center. SE Milwaukie has served Portland since the 1840s when settlers made their homes after their long journey on the Oregon Trail. These two streets make up the town center which has been cherished as a pedestrian centered community for over a hundred years. It is a distinct walkable community and in the future should continue to be a distinct walkable community as our city grows. It deserves a design overlay. This is a unique and historic center of town, not one that investors with no stake in the community should be blot with cookie cutter development unsuited to the neighborhood without acknowledging the architectural and communal living history of Sellwood Moreland. Other neighborhoods such as St. Johns, Kenton, Mississippi have a design overlay and SE 13th and Se Milwaukie have earned the same respect. Please consider this to preserve the character and unique features of the neighborhood.

Sincerely,

Lissa Kaufman  
1345 SE Nehalem Street  
Portland, Oregon 97202

-----Original Message-----

From: Cloudy Girl [mailto:net\_cloud@comcast.net]

Sent: Friday, May 27, 2016 4:58 PM

To: Planning and Sustainability Commission <psc@portlandoregon.gov>

Subject: Sellwood Moreland design overlay

To whom it may concern:

Sellwood is a long-established neighborhood and “town center” with an accessible nature and a characteristic look, and people want to live here because of this. To grow the neighborhood without restriction on size or design oversight would be to risk losing this identity. The character of a neighborhood is fragile if it is allowed to be eroded.

I encourage you to adopt a design overlay for the Sellwood Moreland neighborhood.

Cherry Britton  
2005 SE Reedway St.  
Portland, OR 97202

***Chevalier Portland Laurelhurst, LLC***

3060 SE Stark Str.  
Portland, OR 95214  
(503) 535-4700

May 26, 2016

Via: Email and Regular Mail

Comprehensive Zoning Plan Update  
Planning and Sustainability Commission  
c/o Bureau of Planning and Sustainability  
1900 SW 4th Avenue, Suite 7100  
Portland OR 97201

**Re: Upzoning to R-2 of four contiguous residential lots on Alder Street, SE District. (Address numbers 3027, 3033, 3039 and 3051)**

Dear Honorable Councilmembers,

I write on behalf of owners of the Laurelhurst Village Senior property, located on SE Stark between 30<sup>th</sup> Ave., 33<sup>rd</sup> Ave., & Alder Street, in the Sunnyside neighborhood of the City. I write to request an upzoning of the four residential lots located on Alder Street, located at the rear of the property. The lots, 3031, 3033, 3039, and 3051 SE Alder Street, are currently designated on the comprehensive plan map and are zoned as Single-Dwelling R5. We request an up-designation and subsequent up-zone to Multi-Dwelling R2 as part of the Comprehensive Plan Update currently under consideration.

In discussions with the City, we understand that the property adjacent to the east (3059 SE Alder), which is improved with two (2) 8-unit apartment buildings constituting a nonconforming residential density, and the property across 30<sup>th</sup> Street (2944 SE Stark) are both being upzoned to Multi-Dwelling R2 as part of a larger area that is proposed for a map change. We wish to have our lots included in the upzoning area to allow for greater density and to be consistent with the neighborhood. We are currently in the process of seeking planning approvals for the redevelopment of a currently unoccupied portion of the existing senior living facilities at Laurelhurst Village which do not involve these lots, but hope to develop plans for a better utilization of this land in the near future.

Please consider our request. If you have any questions, please contact me directly at 916-837-1189.

Sincerely,



David Econome  
Chevalier Portland Laurelhurst, LLC

**From:** Dean Hanel [mailto:dean.hanel@gmail.com]  
**Sent:** Wednesday, May 25, 2016 5:23 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** PSC Mixed Use Zones Testimony

In Sellwood, SE Milwaukie and 13th make up the town center which is a valued pedestrian friendly community that still continues to draw people for its businesses and charm. It deserves a design overlay. This is a neighborhood which has maintained a great deal of character and charm over the last 100 years and it would be a shame to allow development to go unchecked. Neighborhoods such as St. Johns, Kenton, Mississippi have a design overlay and SE 13th and Se Milwaukie have earned the same respect.  
Thankyou

Dean Hanel  
8204 see 9th Ave  
Portland OR. 97202

**Ben Earle**

5524 NE 30<sup>th</sup> Ave.  
Portland, OR 97211

503-680-8322  
ben.earle@comcast.net

City of Portland Bureau of Planning and Sustainability  
Attn: Mixed Use Zones Project  
1900 SW 4th Ave., Suite 7100  
Portland, OR 97201  
[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)

**Mixed Use Zones Project - Proposed Draft Comments**

May 24th, 2016

Dear Planning & Sustainability Commission Members,

First, you should know that though I am submitting these comments as a private citizen, I have become active over the past year with a variety of both residential and mixed use land use related concerns at the neighborhood level and have been serving as Secretary of the Land Use & Transportation Committee (LUTC) for the Concordia Neighborhood Association (CNA) since February 2015. I was also asked by DRAC Chair Maryhelen Kincaid and ReStore Oregon's then Sr. Field Programs Manager Brandon Spencer-Hartle – he has recently become the City of Portland's Historic Resources Program Manager – to be CNA's LUTC representative on the "Demo Tool Kit" Advisory Committee that developed guidelines to assist citizens and neighborhood associations in filing residential demolition delay extension applications.

These comments are in response to those in favor of returning to the original MUZP Draft's CM2 zone assignment that were posted April 22 on the *MUZP MapApp* site by Michele Reeves on behalf of herself and an unidentified commercial property owner, whose remarks follow Ms. Reeves'.

I am writing today to reiterate the importance of retaining the current planned CM1 designation for the "mini" commercial node at the intersection of NE 30th and Killingsworth.

**Brief History**

This CM1 designation that BPS specifically decided to change from the initial CM2, which was automatically assigned to all existing CS zoned properties in the first MUZP Draft, after carefully considering with the reasons provided by the CNA LUTC at a meeting on August 18, 2015, is both appropriate and desirable for this corner.

**Why CM1**

The most important reason for keeping the CM1 designation for this quaint yet vibrant intersection is that its unique character of "vintage low-rise" mixed retail, business, and residential use adjacent to a long-established classic Portland residential neighborhood has grown organically and successfully and is **exactly** the type of location that the new CM1 definition was established to expressly protect and nurture. A few of the key applicable CM1 goals are highlighted below:

*Commercial Mixed-Use 1 (CM1):* This small-scale commercial mixed use zone is intended for sites in smaller mixed use nodes within lower density residential areas, as well as on neighborhood corridors, and at the edges of neighborhood centers, town centers and regional centers. The zone is also appropriate for key areas within neighborhood centers that have low-rise storefront character and where this scale is intended to be maintained. This zone allows a mix of commercial and residential uses. Buildings in this zone are generally expected to be up to three stories. Development is intended to be pedestrian-oriented and generally compatible with the scale of surrounding residentially zoned areas.

This "singling out" designation is critical precisely to protect the existing low profile aspects of this "in between" commercial node ensure an essential pedestrian friendly "way-station" on the busy NE Killingsworth east-west corridor. As significantly different from the surrounding major Killingsworth intersections with the heavily travelled north-south cross-town routes of 42nd Ave., 33rd St., and 15th Ave. CM2 zoning is much more appropriate for those major intersections, whereas the CM1 assignment for the "30th & K" node is essential to ensure preservation of this distinctive intersection's role as a healthy and vital mixed use – residential interface at the very heart of the Concordia neighborhood.

Side note: the CM1 coverage for the 35 ft. / 3 story height limit is 85%, not 50% as the online posted commenters erroneously base much of their argument on.

I strongly recommend that this CM1 designation be retained -- and let's see how the area develops in the next few years. While it can always be upzoned to CM2 in the future if need be, downzoning would likely prove virtually impossible

Thank you for your important work for the future of our city and for your serious consideration of these comments.

Sincerely,

Ben Earle

May 20, 2016

RECEIVED  
PLANNING & SUSTAINABILITY

2016 MAY 20 P 2:12

Planning and Sustainability Commission

1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, Oregon 97201

Re: Hosford-Abernethy, near SE 21<sup>st</sup> and Powell.

I am writing to request that my existing zoning of R2.5 not be changed to R1. My property, 3109 SE 20th Ave, is zoned R2.5. I feel this is the appropriate designation. The proposed zoning identified in the Residential and Open Space Zoning Map is R1.

The justification for this is proximity to amenities and services. Yes, this area is within ¼ mile of the SE17th/Rhine Station on the Max Orange Line, but, just barely and the effort required to cross Powell Boulevard makes it uncommon that the Rhine Station is the station used by those in this neighborhood. Further, there are a number of other properties within this ¼ mile proximity that would remain zoned R2.5.

\* The next justification given is infrastructure availability. Again, most of the other properties within the area have the same availability and retain their R2.5 zoning. Further, I believe that some of the properties on this block, those facing SE 20<sup>th</sup> Avenue, actually do not have sufficient infrastructure to support R1 zoning.

Again, stating that this area is adjacent to an employment area, is nothing different from the many properties around us zoned R2.5.

Under additional factors considered, is given the fact that to the north and the west there are apartments (R1). It should be noted, though, that this immediate area, as built up, is very stable. The mix of single dwelling units with multiple dwelling units is part of the reason for that.

Further, these smaller, single dwelling units are suitable for raising families within the city, unlike R1 zoning. There are few families whose ideal is to raise children without yards and have little if any place for grandparents to garden.

One of the goals of the Comprehensive Plan Update is to allow the continuation of the residential scale and characteristics of Portland's residential neighborhoods. Maintaining the R2.5 zoning of my property allows such a continuation and is in keeping with the goal of affordable middle housing.

The Hosford-Abernethy Neighborhood Action Plan desires to encourage the improvement and maintenance of residential properties, especially those that are non-owner occupied (Objective 2.1) and protect the fragile residential area within which my property lies. I feel that the R2.5 zone does

this better than an R1 zone would. This very specific area has a higher percentage of non-owner occupied homes than the citywide average.

I have spoken with my neighbors and there is agreement that R2.5 zoning suits this stable block much better than R1 zoning would.

Again, I request that on my zoning remain R2.5

Thank you for your consideration of this matter.

Truly,  
Elizabeth Skaggs  
3109 SE 20<sup>th</sup> Ave  
Portland OR 97202



\* PS From Tibbets to Powell along 20<sup>th</sup> there is no sewer line. My property is on a grandfathered party line with the property to the south and the property to the north. Changing the zoning would require a line to be to handle the increased use

Also there is not access to Powell east bound causing more congestion and liability issues. The nearest crossing for pedestrians is 21<sup>st</sup> which is very unsafe. A lot of traffic on Powell because it is a main street (Hy 26). I like the access to Powell for my own driving but more people would make it difficult.



Arbor Lodge Neighborhood Association  
2209 N Schofield St.  
Portland, OR 97217  
by email [info@arblorlodgeneighborhood.com](mailto:info@arblorlodgeneighborhood.com)



May 19, 2016

City of Portland  
Planning and Sustainability Commission  
1900 SW 4th Ave  
Suite 7100  
Portland, OR 97201  
by email [psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)

Dear Commissioners,

North Portland is a vibrant, diverse community of single and multi-family homes, commercial centers, and industrial preserves situated at the confluence of the Columbia and Willamette rivers. Our neighborhood faces increasing growth and density in the coming years. The City of Portland Comprehensive Plan identifies inner neighborhood areas such as North Portland as ideal for increased density.

In parallel with this growth trend has come a series of reports about unhealthy air quality throughout Portland, with North Portland being a particular hot spot with Swan Island, I-5 and other contributors playing a major role. With that in mind, the increased density carries with it the challenge of maintaining a healthy, connected city where residents have access to clean air, accessible green space, and vibrant employment centers.

In order to meet the coming growth in our community without compromising the health and well-being of our residents, we are strongly in favor of the creation of the health overlay zone put forward by the North Portland Land Use Group. This zone would apply specific land use, design, and monitoring requirements on new development in North Portland to mitigate negative health and safety impacts. The health overlay zone supports a vision along with goals and strategies outlined below that together preserve and enhance our way of life while accommodating new development in our community.

Especially if applied in conjunction with the new Mixed Use Zones project, the Health Overlay Zone could greatly mitigate the harms from poor air quality along with other potential dangers such as noise pollution and more general safety that often decreases with increased density. We strongly urge that all Mixed Use Zones be considered unhealthy and that the Health Overlay Zone be applied to these areas.

Our community draws inspiration for our recommendations from two key sources. Portland's Comprehensive Plan update, Policy 4.28.d, encourages design and land use patterns that mitigate negative impacts of air quality and noise in Portland neighborhoods, especially near high vehicle traffic areas, and other sources of air pollution. Similarly, Portland's Climate Action Plan (CAP) goals 1-4 aim to reduce the environmental impacts of new development through more sustainable land use and design principles.

Sincerely,

A handwritten signature in black ink, appearing to read "Nate Young".

Nate Young  
Land Use and Transportation Chair  
on behalf of the Arbor Lodge Neighborhood Association Board of Directors

Cc:

Mayor Charlie Hales  
Susan Anderson, Bureau of Planning and Sustainability  
Barry Manning, Bureau of Planning and Sustainability  
Leslie Lum, Bureau of Planning and Sustainability  
Mary Jaron Kelly, North Portland Neighborhood Services