

October 17, 2017

To whom it may concern,

The Boise Neighborhood Association Land Use and Transportation Committee is writing in response to an item brought up during our last public meeting on September 25, 2017. For your reference, a copy of the published notes is attached.

At the meeting a neighbor brought to our attention a notice they received regarding the intended up-zoning of the L. Roy Gardens property at 705 N Fremont Street from CM2 to CM3. This is a big change from the current zoning of R2 and will have a significant impact on the neighborhood and adjoining properties retaining the R2 zoning. Our concerns are twofold: the lack of neighborhood notification and involvement, and the proposed zoning itself.

The Boise neighborhood Association did not receive notification of this zone change, and only a few adjoining properties received notices in the mail the week of the meeting. Last year, the neighborhood was faced with a similar contentious and poorly publicized zone change, which resulted in a great deal of strife between neighbors, which was made well known to City Planner and District Liaison Nan Stark. To be here again with the same District Liaison, no notification, and only a month before a testimony meeting for the Map Refinement Project, displays a significant lack of desire for public comment on the part of the City.

The second issue is of the appropriateness of CM3 in this location. The proposed zone change is along Fremont, a narrow 2-lane road which dead ends in a residential neighborhood bound by I-5 to the west and the offramp to the Fremont bridge to the south, limiting access routes in and out of the neighborhood. Traffic studies completed for recent developments at Fremont and Mississippi has shown a limited capacity for commercial activity allowable by PDOT determination. These high-density developments when complete will add over a hundred new residential units and drivers to an already congested neighborhood suffering from a current lack of residential and commercial parking and loading. From a transportation perspective, the additional 3 floors of density proposed in the change of zoning is imprudent given the obvious physical constraints of the neighborhood, and the as yet unrealized density already established by current zoning.

From a massing standpoint, CM3 is not compatible with adjacent R2 zone. By definition CM3 is appropriately located in Central City areas, and while lower Albina is considered Central City, the freeway ramp access and railway land separates this adjacency. Other lower scale commercial zones are designed to fit neighborhood context and scale, and there is no objection to the earlier proposed and appropriate CM2 in the 2035 Plan. CM2 allows for significantly larger development than the existing neighborhood fabric, but would still allow for light to reach neighboring properties to the north, and is an appropriate buffer to busier streets.

I reviewed other 2 lane neighborhood collector streets and corridors to see which the City feels appropriate for 75'-78' development. I could find no examples along busier streets such as NE Alberta, NE Killingsworth, SE Belmont or SE Division. NE Fremont itself is devoid of CM3 except at NE Mississippi. Far busier 4 lane commercial thoroughfares such as SE Hawthorne and SE Powell are proposed to be at most

CM2 and CE (45' development) with one or two RH (65') close to Central City, as is SE Foster until 82nd Avenue. All of these are far busier commercial thoroughfares with better traffic circulation and access to public transportation, with zoning that reflects the neighborhood context and pattern.

In short, there is no precedent or good rationale for zoning this property CM3 and we support leaving it at the initially proposed CM2.

Respectfully,

Sarah Cantine, on behalf of the Boise Land Use and Transportation Committee

9/25/17 BNA Land Use & Transportation Meeting

Attendees:

- **Committee:** David de la Rocha, Katy Wolf, Kay Newell, Sarah Cantine, Chris Davies, Stacey Wion
- **Neighbors:** Marc Triller, Dave Cole, Casey Cole, Mayela Alvarado, David Nash, Aviva Nash, Michael Hoffman, Tammy Burnham, Kevin Freeny

Agenda:

1. Introductions and chair's comments - 10 min
2. Discussion on City proposal to change the approved up-zoning of the L. Roy Gardens property from CM2 to CM3 (Dave Cole, an adjoining neighbor, will make a brief statement) - 20 min
3. Chair will brief on updated plans for 177 N Failing St (design review comment deadline is 28 Sep - architect is unable to make the meeting, but will provide drawings) - 15 min
4. Discussion on possible LUTC response to proposed ODOT/PBOT I-5 Rose Quarter Improvement Project (<http://i5rosequarter.org>) - 45 min
5. MLK pedestrian safety improvements - 15 min
6. Open Comment & action items - 15 min

Minutes:

7:00 Introductions and Chair's comments

7:04 Discussion on City proposal for up-zoning L. Roy Gardens

- Background on this area's zoning: last year a landowner proposed to the City that they rezone a large portion of the lots along Fremont between Mississippi and Vancouver. The proposal was initially favored by the City, and when neighbors heard about it, it got a lot of controversy. The City also didn't inform BNA about it, and when PBOT's project manager was asked about that at a heated meeting, admitted they should have. The City pulled back the rezoning plans to just a couple places. The plans to rezone L. Roy Gardens was also scrapped. What was zoned commercial: 4 plex being built now at Fremont/Gantenbein, Boise-Eliot Community Garden.
- CM2 is max 45 ft. CM3 is like what you see on Vancouver/Williams - up to 65' with bonuses. You can earn a bonus story with affordable housing.
- What we're seeing now in the Map App, and we don't know from what source, but a process has begun for upzoning L. Roy Gardens and the house on Fremont and Albina at Borthwick from CM2 to CM3. Dave Cole brought this to the BNA's attention; the BNA had not been aware of this change because the City didn't inform us.
- BNA will hear neighbor input and decide if they want to take a position.
- Dave Cole: Got a notice in the mail Saturday. Only houses 2-3 lots from 705 N. Fremont got the notice. Knew CM2 was going into L Roy Gardens. Is a supporter of density, and thinks this makes sense along Fremont. Now they're talking about 6-7 stories next to

residential households. Two houses directly adjacent. In winter, they will get shaded out by this big wall. Neighbors' take is to fight it. City documentation says CM2 is intended to complement scale of surrounding scale. They talk about CM3 being downtown and on commercial areas. PBOT designates this as a "local street". It's not able to handle the density already going in. They think the zoning is going too far, and they want to keep the City to the zoning they proposed last year. Dave collected 26 neighbor signatures. There's a City meeting "Map Refinement Project Testimony" on Oct 24 at 5 pm at 1900 SW 4th Ave. It could be when they vote on it.

- David (Chair) looked up the Transportation System Plan. Currently Fremont from east to MLK is now a collector street, like Vancouver and Williams. New TSP envisions Fremont being a collector street from MLK to Mississippi too. The City planned to do their upzoning and transportation planning in tandem.
- Dave: There's an argument to be made about the disconnect between new development, and the school on Fremont, and Vision Zero. Also, they checked with one resident at L. Roy Gardens, and she had not received a notice.
- David: I'm distressed by the lack of City process yet again. Upset same players probably recognized what happened last time, but didn't change this time. The BNA comments sent to the City last time were balanced and measured, recognizing the two opposing points of view. Note that It is also hard to find the Refinement Project Map App by going to Portlandmaps.com. It's easier to just Google "Portland Map App".
- Sarah: This is very inconsistent planning. Lack of transparency when they've known this is a known issue that's been extremely divisive issue with us. I am appalled and will be calling Nan Haemer tomorrow. People left our board because of this.
- Kay: We've been creeping into density. I've fought to keep 4 story buildings on arterials. These monster buildings impact the houses next to them, we're taking out their livability, ability to sell, their ability to do solar panels. Our parks and streets are not adequate. Parking is not adequate. As we remove homes, we're removing children from the neighborhood.
- Michael: It seems like this is happening because it's property owned by PCRI.
- David: We could invite the Map Refinement Project planner Marty Stockton to the BNA. We could send a letter to City Council and BPS, complaining about lack of process particularly on this very area, that we are opposed to this change because the scale is inappropriate for this area, and inviting them to speak to us before they make decisions.
David proposes we do this, and calls for a vote. Sarah seconds and will draft the letter. All in favor, motion passes. Committee also favors CCing Nan Haemer, and PBOT and BPS Bureau Directors on the letter. Committee also encourages all neighbors present to submit written comments on the Map App.

7:40 177 N. Failing Street development "Brio"

- Robin Murphy presented to us previously. We sent a letter to the planner expressing concern that all the units were group housing, and some live/work units on the first floor could be used as just housing, which would deaden the street. The planner was denied

the ability to create live/work on first floor, so they're going with 5 micro-restaurants. They will also add two 2BR and one 1BR apartments.

- David: Satisfied that planner listened to us and made changes that were more in keeping with our Design Guidelines. I don't think it warrants a letter of support.
- Michael: Pleased they're putting in underground parking instead of covered parking, and elimination of live/work units. Wrote a letter of support for them as an individual.
- Kay: Let's thank him for making the changes. Acknowledge and make suggestions. Consider designing units for multifamily, more flexibility to meet market conditioning. Multiple units could be reconfigured over time. Do not mention support.
- **David moves that Chair writes this letter. Kay seconds. All in favor, motion passes.**

8:00 Katy report

- Katy attended the ODOT/PBOT I-5 Rose Quarter project Open House, submitted detailed feedback, and was invited to join their Community Liaisons group. They are in initial stages, and will be providing opportunity for the community to learn more at events and online. The project is complex and multi-faceted, and difficult to explain to the public. Public messaging and involvement has been very lacking - more people know about it due to the opponents, No More Freeways PDX, than because of the project team's efforts.
- There is a PBOT pedestrian safety improvement project on MLK, which includes part of our neighborhood. They will be adding lighting, more places for people to pause as they cross, and removing some trees which are barriers to line of sight. The open house was 10/24, and was shared by Facebook event.

8:15 Open Comment

- David got an email from Jessica Rojas from NECN about the agreement between Emanuel Hospital and the neighborhood in 1970, about their expansion plans (which never took place). She got the 3 pg doc through a public records request. The mitigation might be beginning now with developments on the empty lots, we are an affected populace, and it's important to raise our voice on the kind of housing we want to see. We've seen affordable housing and right of return where no one has seemed to take up the offers, because the units were not family size units. We can take this unrealized commitment and have our say as a neighborhood that we want to see affordable, family units replaced there.
 - Sarah suggests we also reference the research that's been done on the displacement. What the demographics were, how many were renters and homeowners.
 - More info: <https://www.portlandoregon.gov/phb/article/652911>
 - This also relates to the draft framework for the Affordable Housing Bond, which is open for comment now: <https://www.portlandoregon.gov/phb/74262>
- Stacey, on behalf of WVBA, are concerned about the number of commercial leases. Peloton is requiring 10 year commercial leases. That strip is all vacant. They are also

concerned about owners operating in a bubble. There are too many nail salons, tattoo parlors, pizza joints - they're not asking what neighbors want. Reach out to who's already on the street, or who they kicked out, like Dalo's Ethiopian Restaurant.

- Kay says that on Mississippi, they had a realtor get all the listings, and looked for business that would round out the mix. Many voice that they would like a pharmacy in the neighborhood.
- David: We can ask developers pointed questions when they present to us. The 10 year lease seems odd. 3-5 years is typical.
- Kay: If you give us a wish list, we can present that to developers.
- David would like to attend an WVBA meeting to talk about this with them.
- David: I may have to leave BNA if I get a 2 year job posting; I am a finalist for a job overseas. Will know in a month if I get it.