

Portland Planning and Sustainability Commission

October 22, 2019

5:00 p.m.

Meeting Minutes

Commissioners Present: Jeff Bachrach, Mike Houck, Katie Larsell, Oriana Magnera, Daisy Quiñonez, Steph Routh, Chris Smith, Eli Spevak

Design Commissioners Present: Julie Livingston, Brian McCarter (arrived p.m.), Jessica Molinar, Sam Rodriguez, Don Vallaster

Commissioners Absent: Ben Bortolazzo, Akasha Lawrence Spence, Katherine Schultz

City Staff Presenting: Lora Lillard

Vice Chair Spevak called the meeting to order at 5:00 p.m. and gave an overview of the agenda.

Documents and Presentations for today's meeting

Director's Report

Andrea Durbin

1. Council has adopted and approved our request to fund continuation of anti-displacement work, resources to engage community organizations (ADPDX). Community summit is October 30. We'll have more to share in early 2020.
2. November 6 is the next hearing for Better Housing by Design at Council. The Residential Infill Project work session is scheduled for December 11.
3. Remanded Fossil Fuels is going to City Council on November 20.
4. BPS is calling for 3 PSC members to join this year's Budget Advisory Committee. See the email from Julie last week, and please let her know if you have questions. We need 3 PSC volunteers to join 3 CIC members and BPS staff.

Consent Agenda

- Consideration of Minutes from the October 8, 2019 PSC meeting.

Commissioner Smith moved to approve consent agenda. *Commissioner Routh* seconded.

(Y8 – Bachrach, Houck, Larsell, Magnera, Quiñonez, Routh, Smith, Spevak)

Design Overlay Zone Amendments

Hearing: Lora Lillard

Presentation

Vice Chair Spevak: We're holding this as a joint hearing before the two recommending bodies – PSC and Design Commission. The Design Commission is the recommending body for the Design Guidelines. The PSC is the recommending body for all the zoning code amendments, including the Design Standards. We have three hours on this agenda item today. We'll start with a brief presentation by staff, followed by public testimony, and we'll finish with Commissioner observations and comments.

Disclosures

Vice Chair Spevak asked commissioners from both commissions for their potential conflicts of interest for the DOZA project. While it's not clear whether the proposed changes create a potential conflict of interest for Commissioners because the changes affect such a broad class of property owners, in the interest of transparency, we'd like for Commissioners to raise their hands if they own a property in the 'd' overlay or if they work for an architectural or development firm.

- Please raise your hand if you own a property that is currently in the design overlay zone.
Let the record show that 2 commissioners own property in the design overlay zone.
- Please raise your hand if you work for an architectural or development firms that builds projects in Portland.
Let the record show that 4 commissioners work for an architectural or development firm that builds projects in Portland.

Vice Chair Spevak: We will ask commissioners who are not here for their disclosures at the next meetings. Today I'm asking commissioners to refrain from asking questions of testifiers. We expect to hear from a lot of people today, so we want to give everyone the opportunity to testify. We will be holding written testimony open until November 15 at 5 p.m.

Lora provided an overview of the DOZA project and reminded commissioners of the process and the proposal we're hearing today. She gave an overview of the 5 components of the proposal. She clarified that the DOZA proposal does not touch the 'm' overlay that some testimony in the MapApp has referred to that you may see.

Commissioner Quiñonez thanked people who are here to testify today. We appreciate your coming here to share your thoughts.

Written Testimony

Testimony

1. Kristen Minor, Chair, Portland Historic Landmarks Commission (PHLC): We will have a letter to share our thoughts, but first we want to say the DOZA project represents so much work and commitment – thank you. We are impressed with the team using the 3 tenants of design as an organizational principle and reflection of the Comp Plan. This is promising for design review. Focused on Context.

2. Andrew Smith, PHLC: We see lots of positive changes in the Proposed Draft including administrative improvements. Exemptions from design review and standards have been streamlined and cleaned up. Maintains the DAR process, which has been successful. Inclusion of sustainability in the guidelines is critical. We are seeking more incentives for adaptive reuse. Let's continue to push the construction industry to change.
3. Christie White: Transfer of FAR within transfer sector. You can't grant in the plan district by right. Please look at this and reconsider. When CC2035 went through, it took us from 18 FAR bonuses down to 3, and they are harder to achieve. If you take away transfer sector FAR, it will have a big impact on projects reaching intended density in the Central City. Focus on the primary objectives is great to discipline the process. Leadership on DC is great. DARs are so valuable, so don't limit them to just 1.
4. Dave Otte, Holst Architecture: Comment the DOZA process. I applaud the simplified guidelines. Support keeping DARs and want to increase to more than 1. Make sure standards are clear and objective. Oppose footnote 2 in Table 825-1 because of equity. By exempting affordable housing, you are reducing level of review, public input, and ultimately quality, which will create stigma for affordable housing. It won't yield results – more or faster units. Everyone deserves good design.
5. Tony Bernal, Transition Projects: Building design for low-income should be well-designed and promote dignity. All affordable housing deserves public comment and review, so a Type III is warranted. Don't exempt.
6. James Carpenter, Northwest Sign Council: Sign Code (Title 32) doesn't change requirement. The 32' threshold for design review for signs goes against the principles. Increased costs and requirements are often constructed without permits. Request that you consider our recommendations. *see written testimony*.
7. John Carter: Commercial ground floor space is encouraged. Opportunities for people to create connection to the space they live. I'd like to see elements of this incorporated. Retrofitting existing space is great. New spaces should have more green space as gathering spaces.
8. Jim Gorter: Places in Portland are all beginning to look the same. The DOZA draft recognizes this, but I don't think it's specific enough. Expand area, kind of structures covered. Establish community goals and standards before the project arrives on-site.
9. Brandon Narramore: Supports the Proposed Draft. It should clarify that in addition to FAR, design review can't reduce size. Consider design review hearings closer to the community being discussed. Include promote abundance and affordable housing. Disagree that neighborhood specific design is required for each area. They may block needed housing in different areas.
10. Bob Boileau, Urban Design Panel: Working with staff when the 'a' stood for assessment in the project. Support DOZA. It's been a long process over the past 6 years. The time is now to move the process and adopt it. We know there's uncertainty until it's in the hands of users. Our group has started discussions with staff to talk about catching the remaining issues after DOZA has been intact. We will submit a white paper before the November 15 deadline.

11. Mary Vogel, PlanGreen: Focus on climate justice principles and excellent urban design to bring climate resiliency to communities. Support the DOZA process, particularly testimony submitted by Ted Labbe (Urban Greenspaces) and Micah Meskel (Audubon). Emphasis for more green infrastructure in the proposal. Proactive engagement stance. *see written testimony.*
12. Linda Nettekoven: Comment staff for the work that's gone into the DOZA proposal. It's still not complete, so I want to continue this. Compatibility, context, and characters need to be operationalized. DOZA tools need to answer how or whether the new development affects gentrification and/or displacement. What else can design tools help us to see?
13. Roger Jones, Hawthorne BBA: Involved in design "forever". It is the quintessential main street district in Portland. *see written testimony.*
14. Bill Levesque, President, Hawthorne Blvd Bus Assn: Support high-density development. Division Main Street Guidelines. Goal was/is to keep the character, or at least manage the development of the character, of Division. Character of our main streets is something everyone cherishes. Want to ensure that within DOZA we have a methodology to manage how the character of neighborhoods takes place. Encourage 2018 guidelines for DOZA as a SE Main St design guideline or eastside more broadly. Would like Hawthorne Plan District to build on the work DOZA is doing for each of the communities we have to make sure we don't lose the character.
15. Ann Griffin, ED Alberta Main St: The proposed 65-foot threshold to trigger design review is too high for neighborhood business districts. We have a max of 45 feet now. The broader point is that our neighborhood districts fuel our economy, and we need to have something in design guidelines to address the specific districts. Support an eastside or neighborhood main street district guideline. Compatibility must be there.
16. David Schoellhammer, SMILE: Seek to preserve characteristic of the neighborhood while accommodating growth. Most lots are 5000 square feet, but no testing was done below 10,000 square feet. Lack of testing can result in loopholes. Standards should benefit the public realm. *see written testimony.*
17. Laurence Qamar: Rapid transformation of main streets are difficult. We have heard public outcry that new buildings are often disconnected. DOZA says new buildings should reflect context, but context is a slippery slope. Historic buildings should be foundational, but images are missing. We propose a "timeless mixed-use building type. Form-based standards. *see presentation testimony.*
18. Vikki DeGaa, SMILE: Comments from over 100 neighborhoods about how they felt about growth and feel of the neighborhood. Accept the density, but we need to grow with sensitivity. Buildings need to sit comfortably with each other. Need rules and guidelines to expand within the context of what already exists. Believe that Main Street Design Standards should be applied in overlap areas.
19. Karen Kelly, SMBA: Small, locally-owned businesses with local focus. Sellwood-Mooreland is a draw. Supports PDX Mainstreet Design Initiative to continue vibrancy of business district.

20. P Elise Scolnick, Alberta Main St: Agree with PDX Main Street Guidelines. There is a need for specific guidelines for each main street. Compatibility is not an evil word. Distinctive characters of different main streets are important. Historic places and buildings are important. Public input has been lacking for DOZA. Incorporate the work done by business districts already. Reach out to all who have a stake in the future of our neighborhoods.
21. Paul Leistner: Referred to Comp Plan public involvement principles. Support the work of PDX Main Streets who have been diverse and worked in proactive ways. We need to plan with the community, not just for the community. *see written testimony.*
22. Doug Klotz, Portland: Neighbors Welcome: Change design review to not reduce height or FAR. City could allow use of standards for height in CM3 and CM2. Context should be the Comp Plan directive and centers and corridors design. All buildings should be designed to work with the largest height allowed in the neighboring site. *see written testimony.*
23. Henry Kraemer, Portland: Neighbors Welcome: Neighborhood character should factor into the decisions we make. Looking at Maslow's hierarchy, and what a human needs to survive and thrive, food and shelter are the first priority. What a building looks like should be very low on the list. Getting people into home, and getting affordable homes built, is the most important issue. Safe standards across the board.
24. Christopher Brown, Ramsey Signs: Title 32 and the impact to local end user. Lots of the time clients need signage, but when they have to go through Design Review, that's another 2 months and costs. I'm looking to underline the idea to increase the threshold for signs to larger than 32 square feet. The first couple months are crucial for business growth.
25. Matchu Williams: More meetings in East Portland are necessary. I've witnessed lots of change in East Portland. To stop the cycle, consider triggers that mandate design review. Time is money. Height and FAR should not be allowed to be taken away during design review. Don't displace current residents while building for new people to move here.
26. Micah Meskel, Portland Audubon: We have long advocated for built and natural environment integration. DOZA is an opportunity to bring past processes and different environmental protections to overlay on DOZA. Prioritize green infrastructure. QR13 – urge you to make this a requirement (glazing). QR22 – return the score to 3 points as was in previous drafts. Require buildings larger than 20' sq ft are required to have an ecoroof. QR23 – add design standard to implement 22 with 23 for co-benefits. Support effort to consider who is able to serve on the DC. *see written testimony.*
27. Ahna Eaton, Hawthorne: Concerns for new construction on eastside. Hawthorne District is 160 years old, and I'm concerned about what is being allowed to be demolished. We don't like what has been built on Division. Page 50 – enforce paragraphs 2 and 3. Incorporate PDX Main Street work to keep individual characteristics of individual main streets. Encourage contractors to build better east of 82nd Ave. Create more community member input meetings. People should be allowed to live and be able to afford where they live. *see written testimony.*

28. Dan Zalkow, PSU: Applaud BPS and BDS staff for outreach. They are genuinely interested in seeking balance of impacts and community-oriented design. Development review process and project design schedule is more aligned with DOZA.
29. Mark Wyman, Arbor Lodge Neighborhood: Our community is asking to extend the 'm' overlay to require 25 percent active use as opposed to just suggest this percentage. You can't be the means of course correction when the City is not hearing what communities are trying to communicate. We want development of communities, not just buildings. *see written testimony.*
30. Jonathan Konkol, Plan Design Xplore: Clear and objective standards is important in the midst of the housing crisis. So having quality standards is important. Most projects are not haute contour. That's why we need good base standards. DOZA was indented to eliminate "fast fashion". The public hasn't been educated much on the topic, but we can fix it by doing visual preference studies. Window placement. Symmetry. Aspect ratio. No undercuts. Minimize articulation. Stick with the basics. *see written testimony.*
31. Miles Sisk, Plan Design Xplore: Design isn't just about personal preference. The whole process should be much more simplified, so developers know what needs to be built by the time they buy the property. Housing just needs to get built.
32. Peter F Fry, CEIC: Concerned about process and design review advisory meetings that they would become a decision-making body without input. This is a legal issue – we should have just one meeting that is noticed, has a record, and a right to participate. Other jurisdictions go through site design review. Make design review a volunteer situation for those who want to go through it. *see written testimony.*
33. Heather Flint Chatto, PDX Main St: Division Main Street Design Guidelines. Inter-neighborhood coalition. Visioning, DOZA, conservation code. Guidelines for any neighborhood. 7 have adopted these guidelines. Community members want a voice in shaping their place. *see written testimony [guidelines booklet].*
34. Ted Labbe, Urban Greenspaces Institute: Thanks to staff for their great work. There is lots about building aesthetics. But I want to echo design review can be a barrier to getting affordable housing in the city. We need to get buildings out on the landscape to be resilient in the face of climate change. Green infrastructure threading across the city. Ecoroofs should be required – or at least be worth more than 2 points. Less emphasis on appearance and more on creating resilient buildings. Invisible barriers to getting affordable housing built... keep probing on this. *see written testimony.*
35. Tim Davis: Support almost all of DOZA proposal. Change code to say design review cannot reduce height of a proposed building. People are desperately trying to find housing they can afford. We need intense TOD in Portland. Conflicted about zoning and Portland's history of discrimination. We have to address the climate crisis. Have more hearings in East Portland. Design Commission should have a person representing renters or under-served communities.

Vice Chair Spevak closed oral testimony at 6:37 p.m. The written record will remain open until Friday, November 15, 2019, at 5 p.m.

Commissioners' Comments

Commissioners shared their initial comments about tonight's testimony and what parts of the proposal they will be most interested in.

Commissioner Smith: My main concern is about cost for all new construction... not just affordable housing. Hope design review can pro-actively address this. Green infrastructure needs to be part of the process. Representation on commissions. Where people can participate. Where and when we regulate height.

Commissioner Larsell: FAR and height restrictions – would like to have more information about this. Signs are something we should look at. Why are we not having design review for being able to live into future climate change? Smart green infrastructure deserves more attention.

Commissioner McCarter: Green infrastructure should be something we're looking at closely. Resilient buildings.

Commissioner Houck: Positive comments overall. Appreciate the presentation on DAR from BDS staff – this is becoming a better process. Green infrastructure including points and being required. I'm glad to see landscape architecture will be on the Design Commission. I feel that both the DC and PSC should have an ecological / natural resource advocate on both bodies. Conflicting comments on affordable housing – I feel strongly that however we proceed we should not dumb-down design for affordable housing. What about standards that relate specifically to the Willamette River? Those are lacking. I'm looking forward to staff response documents about some of the large comments we heard tonight.

Commissioner Quiñonez: Thank you again to those who came to testify tonight. So far what is the most urgent is maximizing opportunities for affordable housing. I need to delve more into that and the impending climate reality. Representation and community engagement – I want to have more conversations to do this better with staff. I need a bit more context about the Arbor Lodge comments ('m' overlay). Character and historic preservation are important – but so is our exclusionary history in terms of who had a say in creating the environment we have in Portland.

Vice Chair Spevak: Support level treatment for affordable housing. But it needs to be tested and balanced. Support green building and resilience ideas, but I think those are more base-zone relative. I want to see a proposal that lifts up some thresholds and lifts up design everywhere. Raise the height limit (for example) would address equitable development throughout the city. Variety and eclectic buildings are important.

Chair Livingston: Thank you for everyone who provided testimony and to Eli for chairing tonight's meeting. I've been working on DOZA for my entire tenure on the Design Commission. Mark Hinshaw's initial report was in favor of the process and just tweaking it to improve public involvement, simplifying design guidelines, and clarifying DC processes. It's fantastic to be nearing the implementation of DOZA. Issues around sustainability should be in the base zones, not just the 'd' overlay. It needs to be well-aligned. In the point distribution system, we need to allocate big points to things we prioritize, including sustainability. There is an immense amount of future work (section 5), and character statements were referenced tonight. It would be helpful to see a timeline about how and when this will roll out. People love their neighborhoods and want to maintain the character – but that doesn't mean neighborhoods can't change. Maintaining character is so important. The 'd' overlay should be extended. Glad we are

maintaining the design advice request. Rethink the point distribution. Affordable housing should not be withdrawn from consideration of Type III review

Commissioner Routh: Lovable, delightful, and inclusive buildings. Having more people part of the process is so important. Meetings in other locations in the city is important. Conversations about what membership on commissions look like is interesting. Green infrastructure. Staff responses to our questions from the October 8 meeting are helpful and good for upcoming discussions. Eclectic complement and contrast are important. Thanks to those who testified tonight and to staff.

Commissioners Vallaster: Clarify and standardize rules. Support FAR to be allowed outright. Same with height. Comment on some hearings out in East Portland was important. We should have meetings where projects are being proposed. Green infrastructure is something we should be pushing. Affordable housing – a good design doesn't have to be expensive.

Commissioner Magnera: I echo Daisy's thanks for those who testified, particularly those who are testifying for the first time tonight. Thank you. And I honor those who can't be in this space for various limitations. We should take this to heart in our deliberations. Issues about affordable housing not being stigmatized is important. What about residents who are living in affordable housing having a voice? If you look at history of design and character-defining moves in Portland, it's been incredibly white. Character is important and meaningful, but it can be a bit of a watch-word. As we talk about design and standards, we need to be welcoming. Re-raising questions I had previously – are there unintended consequences in design review? Rent impacts in terms of who can qualify for buildings. Not just about cost, but the impact of our design choices – are there cultural limitations? Culturally-specific spaces that are welcoming across cultures is something we can build on.

Commissioner Molinar: Have been participating in DOZA for several years, and I'm excited to be close to wrapping up. From today, the two big things I'm concerned with are affordable housing being moved to Type II as well as the testing of standards and potential loopholes. I'd like more information about that.

Commissioner Bachrach: We started with a goal to streamline and make design review more efficient. I don't want to see mission creep. Design review is not going to be a panacea. If we're not careful, things such as green infrastructure can be mission creep – desirable amenities versus design review. I don't want to see more points for affordable commercial space (as proposed by Doug Klotz) – I don't see how that fits into design review. I don't quite understand some of the other points. There needs to be some self-editing on the relationship of points. People talked about height not being discretionary – I agree with that. Density transfer – I agree that design review can't limit FAR that the ZC assigns, but if you get FAR through a transfer, then the design process could throw out the FAR, and I disagree with that. Why are we limiting the number of DARs if staff and the applicant feel more than one is necessary? Increasing exemption for housing projects – I'm not sure how I feel about this or how it would work (or if there is appetite for this). One of the written comments noted improvements for smaller commercial build-outs, and they thought more exemptions for small commercial build-outs could be helpful to smaller businesses. I'm a little confused with the testimony from the Main Street people and references to main street design standards. I hope staff can help us understand that and how it fits with DOZA.

Commissioner Vallaster: Design for coherency has not been included, and that's important for Design Commission. The applicant should have a concept when they come in for the DAR.

Commissioner Bachrach: It's important to keep in mind the design review process in Central City versus in the neighborhoods (standards).

Vice Chair Spevak: Improving the public realm is absolutely critical. We have so many granular suggestions in testimony for design standards, so we might need more of a work group or process to further discuss these.

This agenda item is continued at the Design Commission meeting on November 7, 2019 and the PSC meeting on November 12, 2019.

Adjourn

Vice Chair Spevak adjourned the meeting at 7:22 p.m.

Submitted by Julie Ocken