

Date: March 2, 2021

TO: Mayor Wheeler, Commissioner Hardesty, Commissioner Mapps, Commissioner Rubio, Commissioner Ryan,

CC: councilclerk@portlandoregon.gov, cctestimony@portlandoregon.gov,

SUBJECT: Endorsement: March 3, 2pm Agenda item 137 ordinance

The Downtown Neighborhood Association (DNA) endorses the ordinance (Agenda item 137), specifically the parts that address zoning codes for security gates in the downtown area.

We particularly endorse retention of the minimum 70% transparency on roller security gates. This transparency serves to both improve security and retain an enhanced pedestrian-street environment.

This transparency is known to discourage break-ins by allowing both customers and the police to see inside – essentially “eyes *from* the street.” It also allows interior lighting to shine on the sidewalks at night, which is both safer for pedestrians and more appealing, thus ensuring a better pedestrian environment. Finally, it also allows for after-hours window shopping, which once the city recovers and reopens can be a draw.

In addition, we understand that the solid wall gates attract graffiti and make an area appear darker and less safe for pedestrians.

You may be aware that in 2011 New York City banned installation of solid-panel security gates and required non-open grill gates be replaced. They also required a minimum of 70% transparency. For us, this vetted “best practice” from another city is a good sign that the ordinance is on the right track.

For these reasons, we encourage the City Council to approve this ordinance’s continuing the requirement of 70% transparency on all downtown gates.

Thank you very much for your consideration.

Sincerely,



Walter Weyler
Chair, DNA Board



Wendy Rahm
Chair, DNA Land Use Transportation Committee

From: [Walter Weyler](#)
To: [Hardesty, Jo Ann](#); [Mapps Mingus](#); [Commissioner Rubio](#); [Commissioner Ryan Office](#); [Wheeler, Mayor](#)
Cc: [Clerk General](#); [Council Clerk – Testimony](#); [Rahm Wendy](#); [Weyler Nancy & Walter](#)
Subject: Agenda item #137 City council March 3, 2020, 2:00 PM
Date: Tuesday, March 2, 2021 2:40:38 PM
Attachments: [2021.3.2.Security Gates.transparency.pdf](#)
[ATT00001.htm](#)

Ladies and Gentlemen, this is a letter from the Downtown Neighborhood Association (DNA).....Walter Weyler DNA chair



COMMERCIAL REAL ESTATE
DEVELOPMENT ASSOCIATION

OREGON CHAPTER

March 3, 2021

The Hon. Ted Wheeler
Portland City Council
1221 SW 4th Avenue, Room 340
Portland, OR 97204

RE: Ordinance to Waive Portland Zoning Code requirements for the ground floor/first floor of buildings located in the Design Overlay Zone for the installation of lighting and security gates on exterior facades during COVID-19 emergency

Dear Mayor Wheeler and Commissioners:

NAIOP, the Commercial Real Estate Development Association, is one of the leading organizations for developers, investors, owners & operators, brokers, and related professionals in office, industrial and mixed-use real estate throughout the United States, Canada, and Mexico. The Oregon Chapter's members represent a broad and diverse range of companies involved with commercial real estate activities in the Portland metropolitan area, including developers, owners, brokers, and managers, along with other professionals providing legal, finance, title, engineering, architectural, construction, and other services.

We write today to express our strong support for the above referenced ordinance before you today and we very much appreciate the efforts of Mayor Wheeler, Commissioner Ryan, and BDS staff in taking the initiative to bring it forward.

As is stated very clearly and accurately in the findings of the ordinance, the pandemic and protests have had a devastating impact on businesses within the City, especially those within the downtown area. New approaches to security and lighting for commercial buildings are desperately needed—this ordinance will make it significantly easier and quicker to implement these new measures so that businesses can proceed with their recovery.

Sincerely,

Kelly Ross
Executive Director

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Turner Construction

Pres.-Elect, Evan Bernstein
Pacific NW Properties

Treasurer, Lauren Jones
Capstone Partners

Secretary, Paul Delsman
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Evan Lenneger
Brix Law

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Dr. Gerard Mildner
Portland State University

Brad Miller
Brix Law

Allison Reynolds
Stoel Rives

Paddy Ryan
Gantry

Michelle Schulz
GBD Architects

Stuart Skaug
CBRE

Executive Director

Kelly Ross

From: kelly@westernadvocates.com
To: [Council Clerk – Testimony](#)
Subject: Testimony in Support of Agenda Item #137
Date: Wednesday, March 3, 2021 10:44:47 AM
Attachments: [3-3-21 NAIOP Letter to Portland City Council re Ordinance to Waive Design Review.pdf](#)

Please find attached our testimony in support of Agenda Item #137 (Ordinance to Waive Portland Zoning Code requirements for the ground floor/first floor of buildings located in the Design Overlay Zone for the installation of lighting and security gates on exterior facades during COVID-19 emergency) for this afternoon's City Council session.

Please enter our testimony into the record of the proceedings.

Kelly Ross



Kelly Ross, Executive Director
700 N. Hayden Island Drive, Suite 160
Portland OR 97217
(503) 223-1766
(503) 380-1316 Mobile

From: [Curtis, Jessica](#)
To: [Council Clerk – Testimony](#)
Subject: Pioneer Place // Testimony for Item #137
Date: Wednesday, March 3, 2021 1:46:06 PM
Attachments: [image011.png](#)
[image012.png](#)

Good afternoon Mayor Wheeler and members of the Council,

My name is Jessica Curtis, and I am the General Manager for Pioneer Place. I am here today both as a Portland native who is invested in the future of my hometown as well as on behalf of the shopping center and its owner, Brookfield Properties. I would like to express support for Item #137, the emergency ordinance which would waive zoning code requirements for buildings located in the Design Overlay Zone, and specifically for the installation of exterior security gates.

Pioneer Place proudly employs hundreds of Portland metro residents and is a longstanding member of the community. We are downtown Portland's premier shopping destination, featuring many first-to-market consumer brands as well as locally owned and operated businesses. Along with many downtown businesses, however, we have been slow to recover from the ongoing impacts of the pandemic, civil unrest, and overall perceptions of the city's downtown core. As we look to the future, we believe it is important to ensure the safety and security of our guests, employees, tenants, and community.

The current permitting and design review process for Pioneer Place to install security gates is over 100 business days. In our current situation, that timeframe presents considerable obstacles for landlords working to secure their buildings and safely and timely open back up for business. We are truly thankful for our longstanding relationship with, and support from, the Bureau of Development Services. By passing this ordinance, Pioneer Place could expedite the implementation of much-needed security measures in order to fully re-open during these extraordinary circumstances.

Thank you, Mayor Wheeler and Commissioner Dan Ryan, for working to develop creative solutions. And thank you to the Council for considering the emergency ordinance. With your support, we are eager to do our part in helping Portland continue to move forward safely and prosperously.

Thank you.

Jessica Curtis, CMD

General Manager | Pioneer Place
Retail

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Brookfield
Properties



March 3, 2021 2:00 PM Portland City Council Meeting

Testimony [hopefully presented via Zoom as well]: Becca Cavell, FAIA Bora Architects, 720 SW Washington Street, Suite 800, Portland, Oregon 97205 / cavell@bora.co / 503.593.2751

Re: **137**: *Waive Portland Zoning Code requirements for the ground floor/first floor of buildings located in the Design Overlay Zone for the installation of lighting and security gates on exterior facades during COVID-19 emergency (Ordinance introduced by Mayor Wheeler and Commissioner Ryan; waive Code Chapter 33.420) 30 minutes requested*

Mayor Wheeler, Commissioner Ryan and members of the Council:

This Ordinance is clearly borne out of a perceived crisis in Portland's commercial cores and its downtown area and I recognize that action is needed but I urge you to consider the language of this ordinance and to recognize the racial and social inequities that enacting this Ordinance will perpetuate or exacerbate in our community. Please consider these three key points:

1. The Ordinance incorrectly identifies the COVID-19 pandemic as the cause of the problems that this Ordinance seeks to remedy. While the pandemic has reduced foot traffic in urban spaces, two clear root causes of the current problems that Portland is experiencing are:
 - a. Civil unrest rooted in decades of inequity which culminated in the Black Lives Matter movement with subsequent on-going demonstrations in various parts of Portland
 - b. A chronic houselessness problem that has resulted in urban camping in many parts of our City
 COVID is not the issue here. Please acknowledge this truth.
2. Crime Prevention through Environmental Design [CPTED] is a key reference in the Ordinance. While I recognize the City has adopted CPTED, I urge you to consider modifying this approach. While CPTED has the broad support of law enforcement officials, there is evidence that suggests that it perpetuates social and racial inequities resulting in architecture that is hostile to underrepresented communities. I am submitting a diagram in my written testimony that I urge you to review: it shows how CPTEC can lead to a surveillance architecture that I hope is not your intent.

Origins



Biological Criminology

The theory that people who break laws are biologically inferior to those who do not.



Behavior Influence/Control

The desire to impose behavioral controls on a specific group of people.



Fear of Arrest/Incarceration

A person's fear of the trauma inflicted by arrest and separation from their support system.



Jane Jacobs Theories

Collection of theories encouraging an active streetscape and connections between neighbors.



Defensible Space

The idea that people will maintain safe neighborhoods if they feel responsible for them.

CPTED

Outcomes

Hostile Architecture

A collection of strategies to deter people from using a built object in a certain way.



Police Buy-In

The adoption of CPTED by police gives them more control over our built environment.



Surveillance Architecture

CPTED encourages the creation of an environment where people feel surveilled.



Broken Windows Theory

The idea that minor issues and infractions must be dealt with immediately, and harshly.



Territory Reinforcement

CPTED encourages the use of delineated public space, to enforce feelings of being unwelcome.



Further Reading

Criminological Theories, Ronald L. Akers, 1999
 Crime Prevention Through Environmental Design, C. Ray Jeffrey, 1971
 The Life and Death of Great American Cities, Jane Jacobs, 1961
 Design Guidelines for Creating Defensible Space, Oscar Newman, 1976
 21st Century Security and CPTED: Designing for Critical Infrastructure Protection and Crime Prevention, Randall I. Atkins, 2008
 "Designed features can make cities safer, but getting it wrong can be plain frightening", The Conversation, Paul Cozens, 2018
 "Exploring the Intersection of Designing for Crime and the Future", Kathryn M. Benedict, 2019

[Article on the Dark Side of CPTED](#)

Finally,

3. Portland's Design Review process is onerous and time consuming and needs to be fixed, but please don't throw out the entire review process. Instead, please retain City oversight, review and approval of proposed security gate and lighting installations via a staff review process in lieu of a full Type 3 Design Review until the ending of the current State of Emergency declaration

Thank you for this opportunity to speak.

Becca Cavell, FAIA Bora Architects, 720 SW Washington Street, Suite 800, Portland, Oregon 97205 / cavell@bora.co
/ 503.593.2751

From: [Becca Cavell](#)
To: [Council Clerk – Testimony](#)
Subject: March 3, 2021 2:00 PM Portland City Council Meeting testimony for item 137
Date: Wednesday, March 3, 2021 2:31:03 PM
Attachments: [image001.png](#)
[2021-03-03 Cavell Testimony - Item 137.docx](#)

Becca Cavell FAIA
Associate Principal

BORA

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City Council Meeting - Wednesday, March 3, 2021 2:00 p.m.

Agenda No.	First	Last	Zip
137-1	Amy	Rathfelder	97202
137-2	Jessica	Curtis	97204
137-3	Kristen	Minor	97204
137-4	Chandra	Robinson	97204
137-5	Michael	Tillett	97210