

35417

**BELMONT/MORRISON  
LIVABILITY AND ZONING  
STUDY**

**APPENDIX A**

**Correspondence to the Planning  
Commission**

**Portland Bureau of Planning  
Portland, Oregon**

**June 1995**

35417  
35417

January 9, 1994

MEMORANDUM

To Bev Stein  
From Jo Ann Allen  
Re Rezoning of County property on 20th and Morrison Ave

The Issue

The City of Portland has requested your support to rezone above property from R-2 to R1

Background

Prior to 1980, Belmont St from 12th to 49th and Morrison from 12th to 26th was zoned commercial. The City's comprehensive plan (Central City Plan) changed the zoning to commercial nodes with residential in between. The expectation was any current commercial use could remain as long as they were in business, however, if property were vacated, it could convert to residential use. Legally established businesses that were operational when the change took effect are non-conforming uses.

The Players:

The Belmont Livability and Zoning committee has been meeting with Commissioner Charlie Hales and Bureau of Planning staff over the past six months. This committee consists of members from the Belmont Area Business Association, Sunnyside Neighborhood Association, the Buckman Neighborhood Association and REACH, Inc.

Barriers caused by Zoning restrictions

In the fifteen years since the zoning change took effect many barriers have been identified. They include (1) Businesses cannot expand at current location, (2) If property is destroyed (as in a fire), Businesses cannot rebuild on current site, (3) Businesses are unable to obtain renovation funding from lending institutions thereby increasing community blight, (4) Owners face difficulty in selling property due to property restrictions, (5) If property is vacant for two years it loses its non-conformist status.

Impact of changing status:

There will be no apparent change to our property unless we vacate. Once vacated it would convert to R1 designation. Our property's current R-2 designation allows two units per 2,000 sqft. The change to a R-1 designation would allow one unit per 1,000 sqft. Multi-Unit residential designation would apply for future uses.

**New Community Activity**

Currently REACH and Portland Development Commission are awaiting notification of funding to develop a mixed use commercial and affordable housing development on a large site at S E Belmont and 33rd. Partial private funding has already been committed to this project.

**Recommendation:**

There is a business and community support for these zone changes. The change would be consistent with County's policy of increasing residential density and meets the CHAS policy. Based on this I recommend we support the zoning change requested.

**Other Suggestions**

If you would like I will arrange a briefing from the City of Portland Bureau of Planning at your convenience.

35417

MOVIE MADNESS

4320 SE BELMONT  
PORTLAND OREGON 97215

RECEIVED  
MAY 10 1994

TO COLLEEN ACRES

LET ME BEGIN MY LETTER TO YOU BY FIRST INTRODUCING MYSELF  
MY NAME IS MICHAEL CLARK AND I'M THE OWNER OF MOVIE MADNESS VIDEO & MORE  
LOCATED AT 4320 SE BELMONT I'VE HAD MY BUSINESS SINCE APRIL OF 1991 WHICH  
I STARTED FROM THE GROUND UP AND I MAY AS WELL ADD THAT MY STORE HAS BEEN VOTED  
AS THE NUMBER ONE VIDEO STORE IN PORTLAND

THE REASON I'M WRITING THIS LETTER TO YOU COLLEEN IS THAT  
I HAVE A PROBLEM WHICH CONCERNS THE ZONING OF THIS PROPERTY I'M OPERATING  
A BUSINESS IN A COMMERCIAL BUILDING WHICH HAPPENS TO BE ZONED ONE THIS  
BUILDING HAS BEEN HERE ON BELMONT FOR MANY YEARS AND DURING ALL OF THIS TIME  
IT'S ALWAYS BEEN A BUSINESS THIS NEIGHBORHOOD IS ALSO VERY IMPORTANT TO  
ME I CHOICE THIS NEIGHBORHOOD AS I FELT IT WAS THE PERFECT PLACE TO PUT  
THIS TYPE OF A VIDEO STORE TOGETHER MY STORE SPECIALIZES IN FOREIGN ART FILMS  
CLASSICS NEW RELEASES AND PSYCHOTRONIC FILMS (CONSIDERED OFF BEAT FILMS) AND  
MUCH MORE I LOVE MY BUSINESS AND I'M VERY PLEASE TO CONTINUE TO MAKE MY  
CUSTOMERS HAPPY BY BEING HERE FOR THEM BUT I'M VERY WORRIED ABOUT THE  
FUTURE OF OUR NEIGHBORHOOD THE FUTURE MEANS EVERYTHING TO ALL OF US ON  
BELMONT THERE ARE ALOT OF OTHER ESTABLISHED BUSSINESS'S THAT ARE FACING  
THE SAME PROBLEM THAT I'AM THEY TOO NEED YOUR HELP'

COLLEEN I WOULD LIKE TO ASK FOR YOUR SUPPORT IN HELPING  
ME GET A VARIANCE FOR A ZONE CHANGE HERE AT MOVIE MADNESS I WOULD LIKE  
TO HAVE IT CHANGED TO EITHER A CO (STOPEFRONT COMMERCIAL ZONING) OR A  
CN (MIXED COMMERCIAL ZONE) THE FUTURE OF MY BUSINESS IS VERY IMPORTANT TO ME  
SO THEREFORE BY HAVING THE ZONE CHANGED WILL PROTECT THE FUTURE OF MOVIE  
MADNESS



YOU WILL LEND

THANK YOU

Michael R. Clark  
MICHAEL R CLARK

PS HOPING TO HEAR FROM YOU VERY SOON  
MOVIE MADNESS VIDEO  
PHONE 234-4363

① R 32170-0230 (4316-4320)

R. 32170-0240 (4320)

① Fused Interstate BR OR TR

TRUST Dept

PO Box 2971

5,375 #

# 34,500 # 41,200

same

826 #

same

Portland OR 97208-2971

516.5' of 77 76' of lot 1 B1

North 59' of Lot 1 B1 3 Glencoe Pk

land Only  
# 3700

2000 # 1965

lot 1 B1 3  
Concrete Block

RECEIVED  
APR 22 1995

Belmont Area Business Association  
% Southeast Uplift Neighborhood Programs  
3534 SE Main Street Portland, Oregon 97214  
(503) 244-7725

April 22, 1995

To The Portland Planning Commission

From The Belmont Area Business Association/John Fencsak, President

Re Proposed changes to the CM Zone

The BABA Board of Directors strongly urges support of the revisions and modifications to Title 33 as proposed for the mixed commercial/residential zone

In addition, the board wishes to express its deep concern about and opposition to the suggestion that the CM zone be changed to an RM zone. It is our opinion that such a change could jeopardize the financial underpinnings of the largely commercial businesses located in current or proposed CM zones

As well, the change would be outside both the interests and the scope of the Belmont Livability and Zoning study. The revisions and modifications currently proposed are a simple process, a change from CM to RM means a comprehensive plan change which is complicated and counter-productive. Perhaps, in the future, during one of the district planning processes, an additional designation of RM would be appropriate to add to the mix of zones, but not as a replacement to CM



**TICE**  
**ELECTRIC** ELECTRICAL  
CONTRACTORS

RECEIVED  
PLANNING BUREAU

1995 APR 27 P 2 119

Portland, April 26, 1995

City of Portland  
Bureau of Planning  
Room 1002  
1120 S W 5th  
Portland, Oregon, 97204-1966

Attention Colleen Greer Acres, PhD

Subject BELMONT/MORRISON ZONING STUDY

The Tice Electric Co. has been located on a substantial amount of property in the S E 2100 block between Belmont and Morrison since 1948 (Forty seven years).

We sympathize with the Belmont Area Business Association, some of whose members currently have businesses in homes currently zoned Residential. It will be to their advantage to have their zoning changed from Residential to the proposed Mixed Commercial / Residential (CM), and we support their effort.

We at Tice would like to make improvements to our facility, but only if the investments are in compliance

Tice is currently zoned as a non-conforming Commercial Storefront (CS), and it would be a step backward for us to submit to being changed to CM. Prior to 1980 we were zoned for General Commercial (CG), and were changed against our will to non-conforming CS. With the apparent continuing effort to put more and more restrictions on businesses in Portland, we are opposed to allowing Tice's zoning to be changed in any way detrimental to our business.

If you have any questions, please do not hesitate to give me a call.

Sincerely,

John J Maloney  
President

35417

RECEIVED  
APR 29 1995

**Alliance of Portland Neighborhood Business Associations**


**P O. Box 5123**

**Portland, Oregon 97208-5123**

**(503) 774-2832**

April 28, 1995

To Richard Michaelson, President  
Portland Planning Commission  
% Linda Birth  
Portland Bureau of Planning  
1120 SW 5th Avenue Rm 1002  
Portland, OR 97204

From **The Alliance of Portland Neighborhood Business Associations**  
Chuck Martin, President 

Re Proposed changes to the CM Zone

The APNBA Executive Committee strongly supports the revisions and modifications to Title 33 as proposed for the mixed commercial/residential zone

It is our opinion that they do not go far enough in loosening restrictions on building owners and developers, however, they are an improvement that will significantly increase the likelihood of appropriate development in the CM Zone

cc Colleen Acres, Portland BOP  
John Fenscak, President of BABA



Robertson  
Merryman  
Barnes  
**Architects**  
1251 NW Hoyt #403  
Portland OR 97209

(503) 222 3753

May 12, 1995

Rick Michelson  
City of Portland Planning Commission  
1120 SW 5th  
Portland, Oregon 97204

RE CM Code Amendments and Belmont Zoning

**CM Code Amendments**

We support the changes to the CM zone that would allow remodeling to increase the square footage by 250 sf without also increasing the residential area. This change acknowledges the real life requirements of owners to keep up with code changes without reconfiguring the entire building. This is a positive improvement.

**Belmont Zoning**

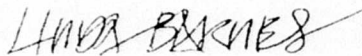
The current proposal for zoning of Belmont street would keep an existing area with many commercial businesses in a residential zoning. Although some residential zoning would allow neighborhood commercial under conditional use processes, the residential zoning would leave many businesses and building owners stranded with buildings unsuited to the new requirements, or with an expensive time consuming process that adds to the cost of development in that area.

Keeping these properties in an R zone will not bring back residential uses, instead it will contribute to the decay of an area which could have acted as a positive lively street life center for the neighborhood. The narrow street on Belmont is an asset to "neighborhood scale" commercial and has traffic calming aspects that can make small businesses and upstairs residential feasible.

CM zoning will allow the flexibility for building owners to still have commercial uses in the areas that are not suitable for residential. The CM zone also allows for more than 1 to 1 residential to commercial mix - so if a site is suitable for residential it would be allowed.

We highly recommend keeping strip CM zoning along Belmont to cement the start-up commercial that has begun to grow in this area.

Sincerely yours,



Linda Barnes, AIA



Nancy Merryman, AIA

Partners  
Robertson, Merryman, Barnes, ARCHITECTS

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PLANNING COMMISSION  
MAY 13 1995

1735 North Last Wasco Street

Portland, Oregon 97232

May 13, 1995

David Knowles

Planning Commission

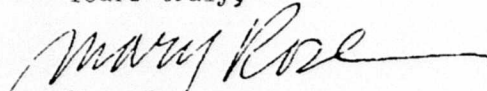
1120 South West Fifth Avenue, Room 1102

Portland, Oregon 97204

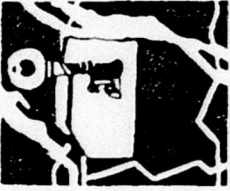
Dear Mr. Knowles,

The building at 3125 S.E. Belmont has been a good meeting place for many people. I participated in rehearsals, music programs ("Bifana" party for children, free and encouraging to newcomers to the neighborhood), discussion groups and other gatherings. Per Faereng always welcomed guests and often provided refreshments to both formal and informal get-togethers. Neighborhood people could meet there casually and it was always an attractive place for citizens from around the city of Portland. The building should be available for meetings again.

Yours truly,

  
Mary Rose

Site # 37



# NORTH-NORTHEAST BUSINESS ASSOCIATION

Unlocking North-Northeast  
Portland's Well-Kept Secrets

P O Box 11565  
Portland, Oregon 97211  
(503)284-3093

May 19, 1995

## Board of Directors

*Rich Brown*  
Bank of America

*Elenora Christina-Fielder*  
OSRE

*Rodney Cook*  
Yaun Youth Care Center

*Tom Hampson*  
T Hampson Associates

*LaVerne Hampton*  
First Interstate Bank

*Sandra Johnson*  
Ja 'Bell's Beauty Supply

*Gary Madson*  
Lone Star Northwest

*James May*  
Emanuel Hospital

*Tore Steen*  
West State, Inc

*Michael Streimer*  
Streimer Sheet Metal

*Cindy Summers*  
U S Bank

*John Thoma*  
Price Waterhouse

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*Alan Orr*  
Portland Police Bureau

*Greg Newton*  
Dunn Carney Allen  
Higgins & Tongue

*Ramsay Weit*  
Office of the Mayor

Rick Michaelson, President  
Portland Planning Commission  
1120 SW Fifth Avenue  
Portland, Oregon 97204

**RE: CM ZONE REVISIONS**

Dear President Michaelson

We commend the Bureau of Planning for its efforts to improve the fairness and workability of the CM zone regulations. We support the proposed changes. It is important that these changes be adopted as soon as possible, because they will have immediate positive impacts on businesses and neighborhoods.

However, the proposed changes do not solve all the problems with the CM regulations. Within the proposed revisions, we would prefer that exemptions for commercial additions be raised to the area of a reasonably-sized apartment 450 - 500 square feet. We would also hope that in the future, the Bureau will revisit the zone's minimum lot coverage standard.

We understand the Planning Bureau's reasons for including the CM zone in the commercial chapter and will not argue the point further. However, we remain convinced that it is actually a residential zone.

We continue to be concerned about the City processing city-wide zone changes through area specific projects. It is imperative that the City develop a consistent on-going city-wide process to address the continued refinement of the Zoning Code similar to what other jurisdictions have done.

Sincerely,

Mike Dowd, Chair  
NNEBA Urban Planning & Development Committee





35417

Since  
Portland  
Area  
Community  
Employees  
Since  
1946

May 23, 1995

The City of Portland Planning Commission  
Rick Michaelson, Chair  
1120 SW 5th, Room 1002  
Portland, Oregon 97204

***RE: Supporting the BLAZ Study Zoning Recommendations and Code Amendments***

Dear Mr Michaelson

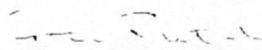
This purpose of this letter is to convey our support for the zoning and code recommendations comprised in the Belmont Livability and Zoning Study

Bringing commercial properties that are currently located on residentially zoned land into zoning designations that will allow them to be improved and maintained effectively will contribute to the revitalization of Belmont Street The code amendments proposed for the CM zone will allow reasonable expansion, as might be needed for an ADA bathroom renovation or an enclosed trash area without requiring the addition of residential space This will make the zone much more workable Better zoning is critical to Belmont's future

PACE Credit Union is a non-profit financial services cooperative, formerly identified as City of Portland Employees' Credit Union The majority of our 10,000 members are city employees and family members of city employees PACE's building represents the most recent and significant major investment in development between 21st and 39th on Belmont, currently worth over \$1 million

PACE was a major contributor to the Belmont Business Association funding that was used to support to the BLAZ study We are committed to the development of a healthy and vibrant Belmont corridor Your support for the BLAZ study recommendations will assist the Belmont community in reaching these goals

Sincerely,

  
Katie Bretsch  
Board Member

kb/bs

11



Good Evening I work with REACH Community Development as the Program Coordinator for the Belmont Action Plan and tonight I represent REACH with comments on our involvement with the Belmont-area community and our view of the area's potential

REACH has developed affordable housing in inner Southeast Portland since 1982 In the past several years, we have broadened our community development activities to include community-based action plans We currently work with members of the Sunnyside Neighborhood on the Belmont Action Plan

REACH's role in the Belmont area has been to facilitate the development and implementation of the Belmont Action Plan, an improvement plan designed by community members and built on their concerns and ideals

One goal of the Action Plan is the improvement of the neighborhood business district along Belmont Street between S E 28th and 39th Avenues That goal calls for several activities, among them

- resolution of the zoning issues, and
- developing a business district plan for improvements in the appearance, physical health and operation of the district

REACH is not taking a position on the rezoning for any specific property in the BLAZ study Rather, my comments tonight focus on

- 1) The process by which the zoning study has been carried out,
- 2) the use of the CM zone, where appropriate, and the potential benefits of mixed-use development in the Belmont area,
- 3) and the improved health of an area that has struggled with the existing zoning pattern for several years

1) As to the study process

While REACH did not take an active role in conducting the BLAZ study, the Belmont Action Plan provided an early forum for neighborhood discussion and organization around the zoning issue. REACH has continued to encourage the voices and involvement of residents, businesses and property owners throughout the study.

The diversity of participants involved in the BLAZ study is impressive and in our view has given balance and credibility to the study's outcome.

The capable leadership of the business and neighborhood associations, and the technical guidance provided by the city have given the process additional important grounding.

2) Regarding mixed-use development

A change to CM zoning is proposed for a number of the properties considered in the BLAZ study. While REACH is not advocating that change for any particular property, we generally support the use of the modified CM zone where it is appropriate.

Housing our city's residents is fundamental to REACH's mission. We continue to strive for additional affordable housing opportunities in the Belmont area and throughout inner S E Portland. The area has several characteristics that make development of affordable housing increasingly difficult.

- it is densely developed and vacant land is scarce,
- it enjoys close proximity to downtown,
- and it has a well-developed infrastructure.

These factors have encouraged the pressure of gentrification, putting housing in the area beyond the grasp of an ever-growing number of renters and buyers.

*(CM cont on next page)*

The use of the modified CM zone will likely have some long-run positive impacts. As we see it:

- It may provide opportunities to develop housing, hopefully with a range of affordability levels,
- By encouraging housing development, it may bring additional resident support to neighborhood business districts for neighborhood-oriented retail and services
- The use of the CM zone is also consistent with the city's worthy goals of increasing the density of our urban neighborhoods, utilizing alternative transit options more fully, and making our city more livable

### 3) And finally, as to the Belmont area's health and revitalization potentials

Through its focus on zoning, the BLAZ study has also addressed important business district health issues. Where proposed zoning changes restore the viability of investment in, and maintenance of, existing structures, the primary goal of the BLAZ study--as we understand it--has been achieved.

Reduced vacancy, healthy structures, increased business vitality, and new neighborhood-serving businesses are potentially desirable by-products of the proposed changes.

Based on REACH's more recent work with the community on the Belmont Business District Plan and market study, we believe that the area has strong potential for becoming a truly neighborhood-serving and neighborhood-supported commercial center.

REACH's ongoing work with businesses to implement the business district plan, the Southeast Main Streets Study now underway, and the upcoming Inner Southeast Community Plan are some of the initiatives that will provide other opportunities to deal with planning mechanics or livability issues in the Belmont/Morrison area

The BLAZ study has been the very important first step



Portland Planning Commission  
Public Hearing

Name Julia S Bernard

Organization Represented (if any) KBOO Art Focus

Address 4705 SE 33d Ave

City Portland Ore Zip Code 97202 Phone 774-0802

Agenda item you wish to comment on \_\_\_\_\_

Do you wish to make a statement?  Yes  No

If testifying in person, a written copy of your testimony is encouraged

If you do not wish to testify but would like to make a comment on the agenda item you are interested in, use the space below and your comments will be made a part of the record

I would like to see the Phantom Gallery made  
active in the community once again. Thanks. JSB

Portland Planning Commission  
Public Hearing 5/22/95

35417

Name Ed. Brown - Attorney

Organization Represented (if any) B.P.P.A. - Neighborhood

Address 1500 B. Street

City Portland Zip Code 92715 Phone 230-9359

Agenda item you wish to comment on 1177 P.C.F.

Do you wish to make a statement?  Yes  No

If testifying in person, a written copy of your testimony is encouraged

If you do not wish to testify but would like to make a comment on the agenda item you are interested in, use the space below and your comments will be made a part of the record

This has been an enlightening & educational study  
that has brought many businesses & residents together  
for a better understanding & use of compromise

Portland Planning Commission  
Public Hearing

Name Sally J. Hay  
Organization Represented (if any) City of Portland  
Address 4017 SE Belmont  
City Portland Zip Code 97214 Phone 235-7533  
Agenda item you wish to comment on \_\_\_\_\_

Do you wish to make a statement?  Yes  No  
If testifying in person, a written copy of your testimony is encouraged

If you do not wish to testify but would like to make a comment on the agenda item you are interested in, use the space below and your comments will be made a part of the record

- Portland is growing at a rapid pace  
& I would not like to see Belmont St get  
left behind & I believe the proposed  
zone change will help this area

Portland Planning Commission  
Public Hearing

35417

Name SUZAN A. NASLUND (PROPERTY OWNER)

Organization Represented (if any) \_\_\_\_\_

Address 4011-4017 SE BELMONT

City PORTLAND OR Zip Code 97214 Phone 235-9533

Agenda item you wish to comment on \_\_\_\_\_

Do you wish to make a statement?  Yes  No

If testifying in person, a written copy of your testimony is encouraged

If you do not wish to testify but would like to make a comment on the agenda item you are interested in, use the space below and your comments will be made a part of the record

I agree with proposed zoning changes along Belmont  
Corridor we need economic vitality, AND AN decrease  
in vacancy rates I think rezoning will aid in upgrading  
the area.

I am unable to secure financing for upkeep and  
improvements

My Building is also a potential Historic site.



% Colleen Acres  
FAX 823-7800

BEND, Oregon  
5/23/95

Richard Michaelson, Pres.  
Portland City Planning Comm  
Portland, Oregon.

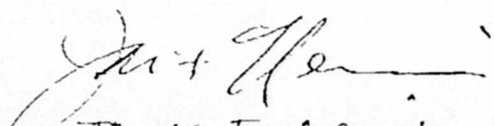
Re: BLAZ HEARING  
SITE 39-3150 S.E. BELMONT

Gentlemen:

IN 1977, A BUILDING CONTRACTOR BOUGHT AND EXTENSIVELY REMODELED THIS BUILDING & PROPERTY FOR OFFICE USE & HAD THE ZONE CHANGED TO C-2. OUR FAMILY PURCHASED IT IN 1975 & HAVE USED IT FOR VARIOUS COMMERCIAL OFFICE USES SINCE THAT TIME. THE BUILDING IS DESIGNED FOR OFFICE USE & CANNOT BE CONVERTED TO RESIDENTIAL USE WITHOUT CONSIDERABLE EXPENSE.

WE ARE IN SUPPORT OF THE RECOMMENDATION TO CHANGE THIS ZONING FROM R-1 TO CM.

Very Truly Yours,



PLANNING COMMISSION  
ZONE CHANGE HEARING  
MAY 23, 1995

We are a group of three artists currently living and working in the Portland area. Our intent is to purchase a commercial type building to establish live/work spaces. Not only do we want to provide a work space for our individual arts-related businesses, but we each have a commitment to the promotion of the arts in the Portland urban region and of serving a broader public need for arts in the community.

As potential buyers in the Belmont/Morrison area, the current residential zoning is not conducive to our needs. Banks are unwilling to make business loans on residential property; changing the zoning to CM would allow us to both get loans and conduct our business. Artist live/work spaces are a perfect blend of business and residential use that benefits this neighborhood. As investors, CM is essential to our plans.

Thank you.

Lonnie Feather  
Jane Keating  
Anne Mavor

Dear Colleen Acres,

We attended the public meeting of May 23<sup>RD</sup> on the proposed changes in zoning in the SE Belmont/Morrison Streets area. Please include this statement as part of the record.

Thank you, Jane Keating

Don MacGillivray, 2339 SE Yamhill, Portland, OR 97214

June 1, 1995

Portland Planning Commission  
1120 SW 5th 10th Floor  
Portland, OR 97204

RECEIVED  
PLANNING BUREAU  
1995 JUN -2 P 3 07

Dear Commissioners,

After listening to the testimony on the evening of May 23rd, there are several things on which I wish to expand and clarify. In no way do these things compromise my general support for the proposed BLAZ rezoning effort. However, some of these may be of interest to you, since you clearly have more experience dealing with these issues.

One important fact that was not mentioned was that the Buckman Community Association, as part of their unanimous vote, voted to rezone the Tice Electrical Property (#13) from CS to CM. This was not mentioned in the staff report because the owners of this property vetoed this change. It is the neighborhood's position that this expands the CS node too far to the east. This has been the position of the B.C.A. for the last fifteen years, at least. We would like to see this developed as high density housing with, maybe, a little commercial. The current use is an ugly eyesore and should be changed, but since the owner has been there for 50 years and the property is paid for, they have no intention of moving.

It is my opinion that the BLAZ rezoning will inhibit the development within the current nodes of CS. The one at the center of residential Buckman (20th / Belmont / Morrison) has several vacant properties that haven't changed for many years. This study will make developing property easier between the nodes and retard development within them.

It was mentioned that the neighborhood was against up-zoning because of creating higher densities. This is not true. We support higher residential densities if the use of the automobile can be adequately dealt with. We also support increased business activity if it supports the residents of the neighborhood. Our concern for increased business activity is that there is already too much commercial space of low quality. It was not properly planned and the uses more often than not have little or no relationship to the residential areas near them. We are therefore very concerned about a new commercial development - it needs to be in the right place, it needs to look good, it needs to support the neighborhood, and it needs to improve the livability of the area.

This no-net housing loss seems to be a game that is being played that has little relation to reality. The Lone Fir Cemetery area that is going from R-2 to CM is, in fact, too large (#12). It is a mapping error, although one which has been carried over from previous years. To change this will change the number of housing units added by the project. The other similar circumstance is



the US West Telephone Equipment Building between 17th & 18th Half of this site is being rezoned from R-2 5 to R-1, which will also increase the number of housing units in the study area However, this will not realistically change within the life of the plan and therefore is just an artificial increase A similar exercise was done during the "Buckman Neighborhood Plan" The R-H zone at 14th and Morrison was used to make up for the other down-zoning that occurred in this planning process

Why is this rezoning plan really needed? If the problem was the non-conforming use issue, then why doesn't the City change the wording of the code to fix the issue At the time of the passage of the Comp Plan we thought some of these commercial buildings were ugly and in the wrong place, so that when they lost their grandfathered use the owner would have to tear down the old building and replace it with a building conforming to the zoning This has not happened Perhaps the City should have either forced the owner to do this or helped (financially?) the owner to do this? The sad aspect of the BLAZ study is that, from the neighborhood's perspective, we no longer have any realistic expectation that good planning will occur along Morrison and Belmont The business people will be able to do almost whatever they want within the constraints of the zoning code The Comp Plan as a planning tool has been seriously weakened over the last fifteen years! Even though Metro has designated Belmont a "Main Street", it will be a very long time before it will support significant increases in neighborhood supportive commercial development Increase in housing density along Belmont will need to precede the commercial development I am not sure that the BLAZ solutions really help implement this trend

The probability of addressing the issues of "livability" were the reason why the neighborhoods joined this project, along with the feeling that if we did not the business people would do things we would not agree with The "Buckman Neighborhood Plan" clearly states the issues and some solutions to our livability concerns However, due to the complexity of these issues and solutions and the relative simplicity of the desire to change the zone of various properties, the livability issues were not addressed The neighborhoods are left with a promise that these will be dealt with in the future

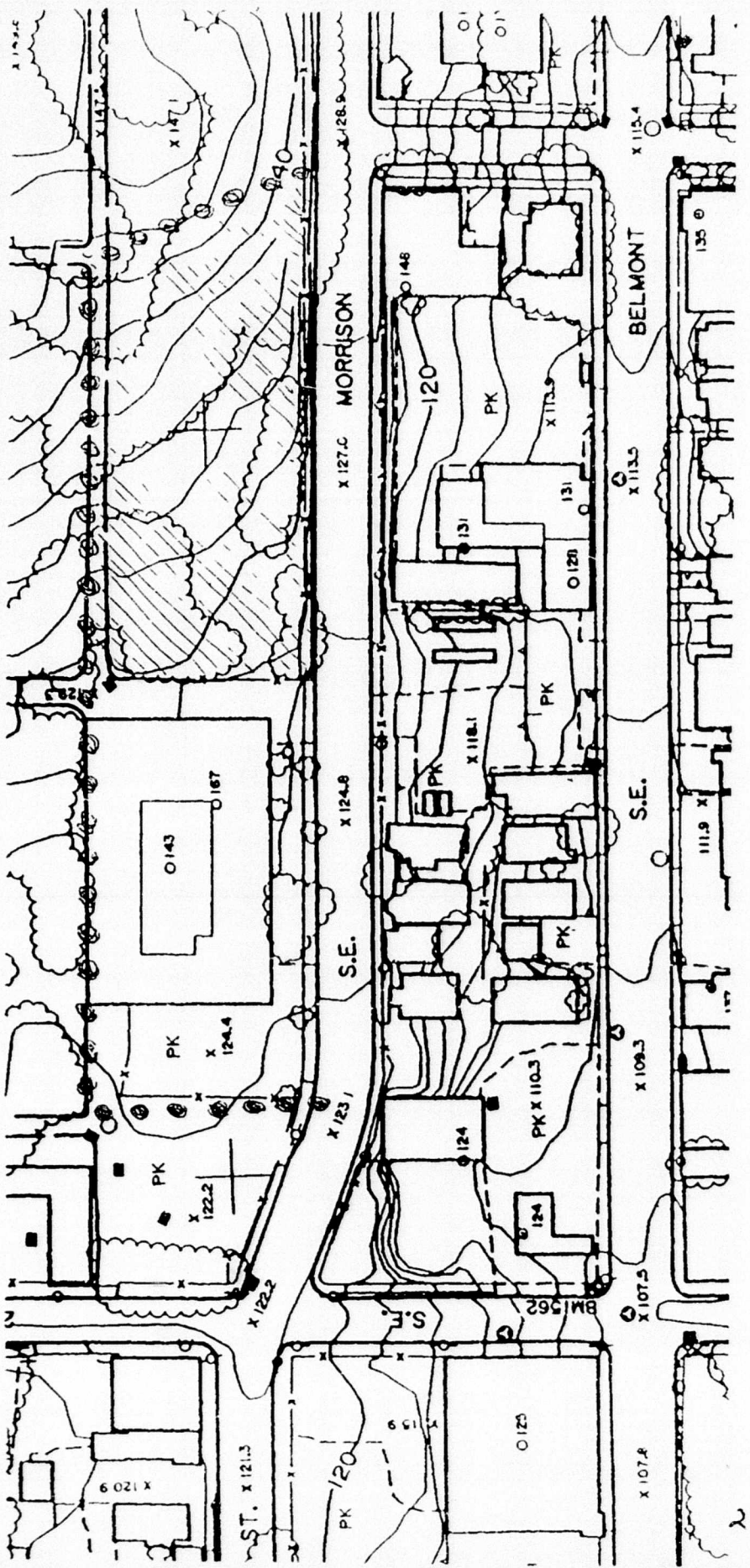
Even with these issues, I fully support the BLAZ study It is important to get more and better development along Belmont. Nothing is perfect I just hope the neighborhood does not regret its decision With this letter you will have a better background with which to review the proposal

Sincerely,

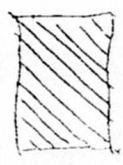


Don MacGillivray, Buckman resident





---o-o-o-o--- BOUNDARY OF PROP. #12



AREA WITHIN PROP. #12 THAT IS CELETERY  
AND SHOULD BE ZONED O-S INSTEAD  
OF C-M

1. URBAN DESIGN

- 12 Advocate for physical changes to strengthen neighborhood identity and livability
  - I Plant street trees including appropriate fruit and nut trees in residential and commercial areas
  - II Clearly indicate entry into the Buckman neighborhood by signs and landmarks (BCA, City) LT
- 14 Encourage restoring existing properties rather than razing and replacing them
  - C Remove billboards along neighborhood collector streets (Business)
- 15 Encourage new development and renovation of existing structures to meet Buckman commercial and residential architectural guidelines
- 16 Support planning and design of new developments that enhance neighborhood livability
  - A Work with developers early in the development process to comment on their plans and discuss environmental impacts of proposed development on the neighborhood e.g. noise, air, lead and particulate pollution, hazardous waste, vibration, and order (City) LT
- 17 Promote the development of a clear identity for commercial nodes on Burnside Belmont/ Morrison, Hawthorne, and the Central Eastside
  - A Work with businesses to encourage the use of signs that reinforce neighborhood identification
- 110 Ensure that the zoning, building, noise, and nuisance regulations are enforced
  - A Bring existing parking lots up to city standards for surfacing, striping and landscaping
- 112 Continue to work toward the expansion of design review in Buckman
- 113 Encourage business owners to provide privately-owned spaces that can be enjoyed by the neighborhood
- 114 Encourage business owners to provide public art and associated amenities such as benches, flower boxes and drinking fountains

2. HOUSING

- 22 Protect, renovate, & maintain single family homes & increase the percentage of single-family housing
- 24 Preserve residential areas that are predominantly in single-family use and of single-family building style to
  - 1) retain structures with historic character and
  - 2) maintain the limited single-family housing stock of the neighborhood
- 26 Discourage the demolition of residentially zoned housing for the purpose of providing surface parking
- 29 Encourage zoning that will improve housing opportunities in commercial districts
- 213 Stimulate development of high-density housing and/or a park on vacant land at the northwest corner of 14th Avenue and Morrison Street

3. HISTORIC PRESERVATION

- 32 Promote restoration and renovation of historic residential and commercial structures
- 35 Encourage compliance with Buckman's architectural guidelines for all property restoration and new development. (see appendix)

5. TRANSPORTATION

- 55 Consider traffic operation changes on E. Belmont to ensure that it functions as a pedestrian friendly, neighborhood-shopping street
  - A Consider changing the Morrison/Belmont couplet to two-way streets as far west as possible
- 510 Reclaim neighborhood streets through methods such as traffic control devices, pedestrian activated signals, & traffic circles & street signs where necessary and through education and enforcement

6. EDUCATION, RECREATION and CULTURAL RESOURCES

- 611 Promote Colonel Summers Park for recreational use by Buckman's diverse population
- 613 Encourage the development of Lone Fir Cemetery as a cultural, educational, & recreational resource

7. BUSINESS

- 71 Promote appropriate development of Buckman's commercial areas
  - A Study and promote business redevelopment along Morrison and Belmont Streets east of 12th
  - B Develop a "Main Street" program to improve the Belmont business area
  - F Consider locating supportive commercial/retail operations adjacent to existing recreational facilities & sites
- 72 Encourage pedestrian-oriented commercial development
- 74 Encourage the formation of small, locally-owned businesses in Buckman
- 76 Improve and maintain the physical appearance, including signage and other forms of visual communication, of commercial and industrial areas
  - A Provide more street trees in commercial areas
  - B Identify and report sites where required landscaping is not being maintained
- 77 Encourage development of the underutilized commercial property around E. 20th Morrison, & Belmont with businesses that enhance the pedestrian environment & provide local services and goods
- 78 Discourage zone changes from residential to commercial unless qualifying under Objective 79
- 79 On residentially zoned sites with nonconforming commercial uses that are not in neighborhood or storefront commercial type buildings consider mixed use residential/commercial development

Lavina Marx  
3153 SE Taylor  
Portland Or 97214  
230-2917  
June 1, 1995

Bureau of Planning  
c/o Linda Birth, Secretary to the Planning Commission

RE Proposed Revisions to Title 33, CM Zone Regulations and BLAZ Area Zoning

Comments regarding Belmont Livability, and Zoning Study

Since I was unable to attend the BLAZ presentation to the City Planning Commission, I would like to register my personal thoughts on the study and conclusions. I participated as one of the few residential representatives on the steering committee from the onset and also all the public forums. I have presided as chairperson over the Sunnyside Land-Use Committee for three years now, taking input from citizenry, publicizing viewpoints within the community, arriving at direction by consensus and implementing a course of action based on consistency. In committee, we have tried to look at trends of support and opposition to change that would be equitable to both residential and commercial interests. Current commercial entities adjacent to residential continually bring on a myriad of concerns regarding traffic congestion/ parking, nuisance complaints (noise/litter), increased numbers of liquor licenses with accompanying liquor related problems, security issues (non-occupied overnight) increased density and intensity of use.

The BLAZ Study has clearly been business driven from the onset and understandably since commercial interests have everything to gain and nothing to lose. Residential gain is much more nebulous and could actually have a much more negative impact if Belmont is developed to the capacity suggested by these changes. I think the commercial problems have been over inflated from the beginning. Claims were made that the City was unfair to business in the 1980 Comprehensive Plan by changing zoning without notification creating a 40% non-conforming use status of pre existing businesses. Of these 49 non-conforming use sites, fourteen are already functioning essentially as CM (storefront business with residential above) and seven are parking lots which I believe should be maintained. Realtors came to the BLAZ meetings and said it was impossible to sell/lease non conforming use property though I have seen businesses within this category succeed very well (Genoa, Pied Cow, Movie Madness) and also see many other already commercially zoned sites stay vacant.

I support the rationale for the 1980 changes, recognizing that Belmont is much smaller than Hawthorne and more residential in nature. I oppose strip zoning and spot zoning and would much prefer to stay with the nodal concept. I have maintained that focusing on just zoning to solve problems is quite myopic because it ignores the livability issues (traffic/parking, crime/safety, absentee landlords, appearances, social/diversity) and misses the bigger picture of the parallel interdependent streets (Stark, Hawthorne, Division) that should be addressed (i.e. Inner Southeast Plan). I feel that BLAZ conclusions do not reflect the mandates expressed by the public forums where a clear preference was shown for making conservative zone changes until the Inner Southeast Plan assessment and concentrating now on the livability aspects and design development along the boulevard. Unfortunately, I feel the Sunnyside Board (two of which are on the Belmont Business Board) were not involved enough in the process to fully appreciate the complexities and interrelated issues of an extensive zone along Belmont. Most stated concerns about livability and appearance but I feel were given the assurance by the business community that the zone change was necessary for everything else to fall into place. Maintenance of existing storefronts (Eg graffiti removal, litter pick up) or exterior improvements (planters, fresh paint, window replacement) as any home owner knows does not take a zone change.



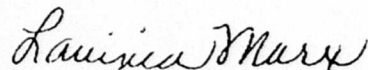
Another variable overlooked is the enormous change that will take place as the Foremost Dairy property is redeveloped and the positive and negative impact that will have to the street and adjacent neighbors REACH also is interacting with the Belmont area towards positive change and is actively seeking compatible businesses of appropriate scale Buckman already has analyzed the Belmont Morrison corridor in their Neighborhood Plan and arrived at conclusion calling for livability changes not zoning changes The Belmont corridor is also experiencing overflow business from Hawthorne which looks like it will continue to increase The CM zone with discussed changes looks very promising but it is untested and I would like to see positive results before changing much of Belmont to this designation I also support the concept of owner occupied businesses which are small service oriented or destination shop for the immediate southeast area

My position is one of following the forum mandate of conservative change rather than changing most of the sites listed within the BLAZ study The following are the Sunnyside changes I have difficulty with

- #55 Movie Madness = This is a wonderful business but has outgrown its site and offers no parking, encourages "cut through" traffic on 44th and Yamhill into residential
- #56 Corner House and Garage = Garage continues to be used illegally as commercial site in residential area, owner has not been able to prove legal non-conforming use status in the hearings process
- #53 House = used illegally as an office at one time but is still clearly a home
- #50 Cycle Printing = surrounded on 3 sides by residential (Peacock Lane) and would be a spot zone, future business at this site may be more aggressive use
- #47B Two Houses and lot = both of these homes are clearly residential (owners say they have unlicensed home businesses)
- #40 Pied Cow with East side garden along Belmont = Doing well under current zoning and don't want to see this open space taken for commercial development
- #39 House converted to office with parking = currently leased as business, not enough rationale for zone change, could revert to multi-dwelling easily
- #38 Storefront with residential above = currently used as business/residence mix without problem, not enough rationale to create spot zone
- #37 Phantom Gallery = surrounded by residential on 3 sides and across street, should not be in study because has not been able to prove legal non-conforming use, owner has chosen not to make changes in building to comply with residential occupancy standards, many complaints were associated with this site when it was used as a business
- #36 Lan Ahn Restaurant = currently vacant, has been an unstable business site, formerly very intrusive problem with the Dublin Pub located here, leaving as residential with non conforming use gives neighborhood more control in regulating the intensity of business and manner of operation, reduces cut through traffic on 31st into residential

Thank you for your consideration I would like to take this time to acknowledge the impressive involvement and objective guidance throughout the process by Colleen Acres

Sincerely,



Lavinia Marx



# **RESOLUTION NO. 35417**

Direct preparation of amendment to Title 33, Planning and Zoning, Chapter 33 130 (Commercial Zone) Mixed Commercial/Residential (CM) Zone use regulations (Resolution)

**WHEREAS**, Portland Comprehensive Plan was adopted on October 6, 1980, acknowledged for compliance with Statewide Planning Goals on May 3, 1981 and updated as a result of periodic review in June 1988, January 1991, March 1991, September 1992 and May 1995,

**WHEREAS**, the Portland Comprehensive Plan Policy 10 2 (Comprehensive Plan Map Review) implements a community and neighborhood planning process for the review and update of the Portland Comprehensive Plan,

**WHEREAS**, the Belmont/Morrison Livability and Zoning Study (BLAZ) is a neighborhood initiated planning process for the review and update of Comprehensive Map designations and zones for selected sites located in the Belmont Morrison Corridor,

**WHEREAS**, the Belmont Area Business Association, Buckman Community Association, Sunnyside Neighborhood Association and other members of the BLAZ Steering Committee formally support the amendment of Title 33, Planning and Zoning, Chapter 33 130 (Commercial Zones) Mixed Commercial/Residential (CM) Zone use regulations and standards to allow Retail Sales And Service, Office, Manufacturing And Production, or Wholesale Sales in the CM Zone,

**WHEREAS**, the Alliance for Portland Neighborhood Business Associations, North-Northeast Business Association, and members of the Northwest District Association Policy and Land Use Committee, Architects Inc , and REACH formally support the amendment of CM Zone use regulations and development standards to allow Retail Sales And Service, Office, Manufacturing And Production, or Wholesale Sales in the CM Zone,

**WHEREAS**, the Portland City Planning Commission held a public hearing on May 23, 1995 which considered the amendment and application of a revised Mixed Commercial/Residential Zone to Portland neighborhood mixed- use commercial and civic centers,

WHEREAS, on June 13, 1995 the Portland City Planning Commission recommended that Portland City Council adoption of amendment to Title 33, Planning and Zoning, Chapter 33 130 (Commercial Zones) Mixed Commercial/Residential (CM) Zone use regulations and standards as described in the BLAZ Planning Commission Report to the Portland City Council and incorporated by reference herein,

WHEREAS, amending Title 33, Planning and Zoning, Chapter 33 130 (Commercial Zones) Mixed Commercial/Residential (CM) Zone use regulations and development standards to recognize existing small scale retail sales and service, office, manufacturing and production, or wholesale sales uses is critical for the use of this zone in Portland's established neighborhood commercial and civic centers,

WHEREAS, amending CM Zone use regulations and Development standards can address the issues of the current and future status of existing small scale commercial and industrial activities and removal of barriers to community development while reinforcing community commitment to the provision of housing and transit supportive development patterns in Neighborhood commercial and civic centers,

WHEREAS, the Planning Commission finalized its recommendations for amendments to Title 33, Planning and Zoning, Chapter 33 130 (Commercial Center) Mixed Commercial/Residential (CM) Zone and amendments to Portland Comprehensive Plan Map designations and zones for 44 sites within the Belmont/Morrison Corridor on June 13, 1995,

WHEREAS, on May 15, 1995 notice of proposed action was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgment review process as required by OAR 660-18-020,

WHEREAS, public notice of the Portland City Council public hearing to consider amendments to Title 33, Planning and Zoning, Chapter 33 130 (Commercial Zones) Mixed Commercial/Residential (CM) Zone and amendments to Belmont/Morrison Corridor Comprehensive Plan Map designations and zones for 44 sites in the Belmont/Morrison Corridor has been mailed to BLAZ Study sponsors (Belmont Area Business Association, Buckman Community Association, and Sunnyside Neighborhood Association, participants in the Planning Commission public hearing, owners of property recommended for rezoning, and interested community organizations and members,

WHEREAS, the Portland City Council will consider an ordinance adopting Planning Commission recommended Portland Comprehensive Plan Map designations and zones for 44 sites within the Belmont/Morrison Corridor on June 28, 1995, and

WHEREAS, preparation of text language for recommended amendment to Title 33, Planning and Zoning, Chapter 33 130 (Commercial Zones) Mixed Commercial/Residential (CM) Zone is in progress,

NOW, THEREFORE BE IT RESOLVED BY THE Council of the City of Portland, a municipal corporation of the State of Oregon that the City Council directs the Portland Bureau of Planning to prepare specific text language amending Title 33, Planning and Zoning, Chapter 33 130 (Commercial Zone) Mixed Commercial/Residential (CM) Zone in accordance with the Planning Commission's June 13, 1995 recommendations and present recommended amendments to Council for its consideration on Wednesday, July 12, 1995 at the continuation of the June 28, 1995 BLAZ Study public hearing

**JUN 28 1995**

Adopted by the Council,

Mayor Vera Katz  
CGA  
Portland  
June 22, 1995

**BARBARA CLARK**  
Auditor of the City of

By *Britta Olson*  
Deputy



Agenda No

RESOLUTION NO. 35417

Title

Direct preparation of amendment to Title 33, Planning and Zoning, Chapter 33 130 (Commercial Zone) Mixed Commercial/Residential (CM) Zone use regulations (Resolution)

INTRODUCED BY Commissioner Charlie Hales	Filed <b>JUN 23 1995</b> Barbara Clark Auditor of the City of Portland
NOTED BY COMMISSIONER	By <u>Bette Olson</u> Deputy
Affairs	
Finance and Administration	
Safety <u>Ch Hales</u>	
Utilities	
Works	For Meeting of
BUREAU APPROVAL	Action Taken <input type="checkbox"/> Amended  <input type="checkbox"/> Continued to _____
Bureau	
Prepared by C G Acres, PhD, AICP <u>[Signature]</u> Date 6/22/95	
Budget Impact Review <input type="checkbox"/> Completed <input type="checkbox"/> Not Required	
Bureau Head <u>[Signature]</u> for DCK David C Knowles, Planning Director	

AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS	
		YEAS	NAYS
Consent <input type="checkbox"/> Regular X <input checked="" type="checkbox"/>	Blumenauer	Blumenauer	<input type="checkbox"/>
NOTED BY	Hales	Hales	<input checked="" type="checkbox"/>
City Attorney <u>[Signature]</u>	Kafoury	Kafoury	<input checked="" type="checkbox"/>
City Auditor	Lindberg	Lindberg	<input checked="" type="checkbox"/>
City Engineer	Katz	Katz	<input checked="" type="checkbox"/>