

**OPPOSE
PROPOSAL****PROPOSAL OF R CUSHMAN/WILLIAM ALLEN LLC****3322 SE CESAR E. CHAVEZ BLVD LU 13-173075 CP ZC**

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

✓ MEGAN LIGHT	2730 SE 33 rd Pl. Portland 97202	lightmey2008@gmail.com
✓ DEEDAE REUNION	3956 SE Franklin St Portland, 97202	hatbox@comcast.net
✓ Denise Hare	2536 SE 33 rd Place, Portland 97202	dhare@reed.edu
✓ NEIL CARPENTER	4025 SE FRANKLIN ST 97202	NACARP@HOTMAIL.COM
✓ GORDON BROWN	1000 SW Broadway #1100	browning@columbiabank.com

**SUPPORT
PROPOSAL****PROPOSAL OF R CUSHMAN/WILLIAM ALLEN LLC****3322 SE CESAR E. CHAVEZ BLVD LU 13-173075 CP ZC**IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

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Email

✓ Doug Klotz	1908 SE 35th Pl., Portland 97214	dougun6@gmail.com
✓ Mike Connors - Applicant	520 SW Yamhill St, Suite 235 Portland OR 97204	mikeconnors@hkcllp.com
✓ Ben Gates - Applicant	317 SW Alder St, Suite 450 Portland, OR 97214	ben@redsidecre.com

Moore-Love, Karla

From: Reyes, Cindy
Sent: Thursday, October 16, 2014 1:08 PM
To: Wiggins, Rachael; Moore-Love, Karla
Subject: FW: 3322 SE Chavez, LU 13-173075 CP ZC

fyi

Cindy Reyes

Constituent Services Specialist
Office of Mayor Charlie Hales | City of Portland
1221 SW 4th Ave., Suite 340 | Portland, OR 97204
E: cindy.reyes@portlandoregon.gov
P: 503-823-4120
www.portlandoregon.gov/mayor

From: Doug X [mailto:dougurb@gmail.com]
Sent: Tuesday, October 14, 2014 12:19 AM
To: Hales, Mayor; Commissioner Novick; Commissioner Fritz; Commissioner Fish; Commissioner Saltzman
Cc: Detweiler, Jillian; Poole, Colleen
Subject: 3322 SE Chavez, LU 13-173075 CP ZC

Mayor Hales and Council Members:

I am writing as a private citizen, although I am a board member of the Richmond Neighborhood Association.

The RNA on October 13 voted to support the zone change and Comprehensive Plan map change from R-2.5 to R-1, requested by the applicants for this site at 3322 SE Chavez Blvd., which you will hear on Wednesday, October 15, 2014. I agree, and support these changes. This is a good location for an increase in density in the Richmond neighborhood, near the intersection of Chavez and Powell, two streets well served by transit, and within walking distance of Safeway and other shopping on Powell Blvd.

The RNA, however, also voted to condition their support on requiring Design Review for any new building, on limiting the height to 35', on providing one to two units "affordable" to those with incomes of 60 to 80% of Median Family Income, and several more conditions. I disagree with the inclusion of these conditions.

While certainly many of these are worthy goals, I believe that Design Review, for instance, will add time and cost to the project, costs that will be reflected in higher rents for the finished apartments. I trust the track record of Ben Gates and Redside Commercial Real Estate, and believe they will design and build a respectful and innovative apartment building that will be an improvement to SE Cesar Chavez Blvd., and I think that the Design Review requirement is unnecessarily burdensome.

Limiting the height to 35' instead of the 45' allowed in the R-1 zone, while seemingly an obvious way to reduce impacts on neighbors, could have the reverse effect. With 45' height available, the designer could shift volumes on the site, and reduce heights to less than 35' near existing houses, while going higher at other spots. Limiting the height to 35' takes away this flexibility.

While the effort to implement "inclusionary zoning" on this site acknowledges an important need, it is probably not legally supportable.

I ask that you approve this Zone Change and Comprehensive Plan designation change without conditions, and allow the owner and developer to add needed housing options in this location, in support of the city's planning goals.

Sincerely,

Doug Klotz
1908 SE 35th Place
Portland, OR 97214
dougurb@gmail.com

Submitted by
Gordon Brown
10/15/2014

Thank you for your time today to discuss the proposed 19-unit apartment building on the lot located at 3322 Cesar Chavez Blvd.

As discussed, West Coast Trust is the trustee for the property located at 3922 SE Franklin which shares a lot line with the proposed project.

Proposed Building Project:

- A 19-unit multi-family project
- 18-parking spaces
- Site Size: 0.45-acres, or 19,575 SF.
- Lot Dimensions: 275 ft. by 75 ft. (approx.).
- **Proposed** Zoning: R1 –height restriction of 45-feet
- **Existing** Zoning: R2.5 – height restriction of 35 feet
- Tear down of vintage home built in 1907.

Issues/Concerns relating to Impact and Feasibility:

- (No EXA) → ✓
- Clark
10/15/14
- 1) The Proposed Zoning of R1, provides a building height up to 45-feet.
 - ✓ A 45-foot structure would create a permanent blockage sunlight for the structures to the north of the site.
 - ✓ **See Exhibit A** – North property line of project. Homes that would be permanent shaded by a 45-foot structure.
 - ✓ **Please see Exhibit B:** Photo of how an oversized multi-family structure can permanently block sunlight on a vintage Portland home (corner of SE 13th and SE Umatilla – former site of the Black Cat Tavern).
 - 2) A 19-unit apartment with a potential height of 45-feet would not preserve the livability of this neighborhood.
 - ✓ The immediate neighborhood is comprised of vintage (at least 75-years old) single-family and duplex homes.
 - ✓ **See Exhibit A** – a photo of existing vintage structure to be torn-down and a duplex to the north of the site. A 45 foot tall, 19-unit apartment building would compromise the integrity of the immediate neighborhood.
 - 3) The Proposed 19-unit apartment would contribute to the existing shortage of parking.
 - ✓ Since there is no parking on SE Cesar Chavez, street parking would spill over to SE Franklin.
 - ✓ Since the three structures to the north are duplexes/triplex, there is already a dearth of street parking.

Potential Alternatives/Modifications:

- 1) Maintain existing zoning to limit height to 35 feet in order to limit the blockage of direct natural light to existing properties to the north of the site.
- 2) Consider a smaller unit apartment, as the immediate neighborhood is comprised of vintage single-family home (with some older duplexes). In addition, a smaller unit apartment would partially mitigate the issue of no street parking on SE Cesar Chavez Blvd.

Exhibit B- Apartment located at SE 13th and Umatilla Street (former site of The Black Cat Tavern).



ABOVE: An example of how an unrestrained new apartment project can adversely affect an existing home.



ABOVE: An example of how an unrestrained new apartment project can adversely affect an existing home.

City Council
City of Portland

Neil Carpenter and Robin Paynter
4025 SE Franklin St
10/15/2014

Ref: Zoning at **3322 SE Cesar E Chavez Blvd.**

Dear City Council

My wife Robin Paynter and I have concerns about the proposed zoning change at **3322 SE Cesar E Chavez Blvd.**

The 19,000sqft lot allows for 7 family dwellings and additional Units that we feel is be the maximum amount of infill the site can be developed to without negative consequences. These would likely have gabled rooflines that are in keeping with the residential family homes already on Franklin St and have modest impact on surrounding neighbors.

A Zone change to R1 would allow a 4 storey building of 45ft height. A height of 45ft and a square sided building will cause significant loss of sunlight for my neighbors on the south side of Franklin St.

A key aspect of the 3322 Cesar E Chavez site is the 291ft depth. I'm sure you are all aware of the development at SE 37th and SE Division. That Monolith Apartment building is on a plot 200ft deep and digs deep into the neighborhood along SE 37th. It is very overpowering.

Buildings along corridors usually go back 100ft. The Chavez site does not go back 100ft, or even 200ft, it goes back nearly 300ft. This is a huge increase and will dig deep into the neighborhood along Franklin Street, abutting 4 separate properties and being visible and affecting a significant length of that block of Franklin Street.

Therefore I oppose the Zoning Change Proposal to R1, or to any change that allows a height of 45ft. Thank you for your considerations,

A handwritten signature in black ink, appearing to read "Neil Carpenter", with a stylized flourish at the end.

Neil Carpenter and Robin Paynter

Moore-Love, Karla

From: Allen F <allen_field@yahoo.com>
Sent: Tuesday, October 14, 2014 6:08 PM
To: Moore-Love, Karla; Hales, Mayor; Commissioner Fritz; Commissioner Fish; Commissioner Saltzman; Commissioner Novick
Cc: DeeDee Remington; Megan Light; Doug X.
Subject: Richmond Neighborhood Association letter re LU 13-173075 CP ZC (3322 SE Cesar Chavez Blvd)
Attachments: 3322 SE 39th ltr to council.pdf

Dear Mayor Hales, Commissioners Fritz, Novick, Fish and Saltzman, and Ms. Moore: Please find enclosed a letter concerning land use case - LU 13-173075 CP ZC (3322 SE Cesar Chavez Blvd) which is on Council's agenda for October 15, 2014.

Allen Field
Chair
Richmond Neighborhood Association

Richmond Neighborhood Association

c/o Southeast Uplift
3534 SE Main
Portland, OR 97214
Phone: 503/232-0010



<http://richmondpx.org/>

RNAnewsletter@gmail.com

richmondna@yahoo.com

October 14, 2014

sent via email

Mayor Charlie Hales
Commissioner Amanda Fritz
Commissioner Dan Saltzman
Commissioner Steve Novick
Commissioner Nick Fish
via Karla Moore-Love, Council Clerk
1221 SW 4th Avenue
Portland, OR 97204

Re: Letter of Support re LU 13-173075 CP ZC -- Comp Plan Re-Designation
and Zone Change of 3322 SE Cesar Chavez Blvd from R2.5 to R1, with
Conditions

Dear Mayor Hales, Commissioners Fish, Fritz, Novick, and Saltzman:

At the Richmond Neighborhood Association's (RNA) October 13, 2014 regular monthly meeting, a letter was requested by neighbors opposing the Comprehensive Plan re-designation and zone change recommended by the Hearings Officer in LU 13-173075 CP ZC (3322 SE Cesar Chavez Blvd).

The RNA was not able to address this matter prior to the August 4, 2014 hearing on this land use case due to its regular meeting schedule. The RNA scheduled a special land use meeting to hear the matter but a quorum was not present. Therefore, it was only *after* the Hearings Officer issued his recommendation that the RNA voted on this case.

The RNA heard from the neighbors opposing the Comp. Plan and Zone changes, the developers requesting the changes, and community members present at the meeting.

The RNA voted to support the zone change and Comp. Plan re-designation for 3322 SE Cesar Chavez Blvd from R2.5 to R1, but, with the conditions recommended by the staff report by Kathleen Stokes, BDS. The Hearings Officer declined to adopt the conditions recommended in her staff report. The conditions requested by the RNA are:

- The building height be limited to 35';
- Design review be required, as described in the staff report; and
- Require deconstruction of the house (such as by DeConstruction Services), rather than the 120-day demolition delay recommended in the staff report.

Mayor Hales and Commissioners
October 14, 2014
Page 2

The neighbors, the developer, and the RNA all agreed that deconstructing the house, to salvage as much reusable material as possible, was preferred over a 120-day demolition delay.

The RNA also voted to request the city to require:

- That 1-2 units shall be affordable housing at levels in the range of 60% - 80% of median income, and
- A solar shading study to help preserve solar access for neighbors.

The RNA is mindful that inclusionary zoning is not permitted in the City of Portland. Nonetheless, the RNA feels that the need for affordable housing is important enough to recommend to the city that, somehow, affordable housing should be incorporated into new apartment development projects such as this one.

Sincerely,



Allen Field
Chair Richmond Neighborhood Association

cc: Dee Dee Remington
Ben Gates

Parsons, Susan

From: Megan Light <lightmeg2008@gmail.com>
Sent: Tuesday, October 14, 2014 4:10 PM
To: Parsons, Susan
Subject: Testimony for 3322 Se Cesar Chavez/LU 13-173075 CP ZC 10/15/2014
Attachments: 3322 .rtf; BDS letter.rtf

Hello Susan,

Attached please find the letter of testimony for tomorrow, and I am also attaching a previous letter which I have address in the testimony. Please let me know if for any reason you don't get them.
So....should I make copies for all tomorrow too? If so, how many copies?

thanks.
Megan Light
503-704-3751

October 15, 2014
LU 13-173075 CP ZC
HO 4140016

Mayor Hales, and Members of the Council,

My name is Megan Light, and I live in the Richmond neighborhood. I am a Richmond Neighborhood Association Board member, but I am speaking on my own behalf and not as a board representative. I ask you today to REJECT outright the zone change at 3322 SE Cesar Chavez Blvd . I live approximately 10 blocks away, so this is not a matter of it being in my back yard, but it is a matter of keeping the neighborhood developing within the guidelines of the

Comprehensive Plan Goals and Policies.

In many parts of Portland, residents are not happy with the rapid and dense growth. But it is a fact that the zoning allows it, and the economy has fostered it. I myself own modest rental properties, and have profited due to the rush of folks coming to Portland. So I do understand that property owners want to maximize their investments. But from what I understand, there is already enough land in Portland that is appropriately zoned to accommodate the anticipated growth over the next 30 years. This particular lot was already changed from R5 to R2.5 a few years ago, and it is not marked for any additional up-zoning with the new Comp Plan draft.

Following, are specific examples from the Hearings Officer's Report (HOR) where I feel that the Hearings Officer focuses on language in the Zoning Code Approval

Criteria that gives preference to increasing density and ignores the language pertaining to preserving neighborhood character and livability.

Goal 2: Urban Development, Policy 2.9, Residential Neighborhoods. (HOR page 13) This section is about allowing for a range of housing types to accommodate increased population growth while improving and protecting the city's residential neighborhoods. Findings read: " with the conditions that were previously mentioned, approval of this proposal could allow more density, while remaining consistent with the immediately surrounding R 2.5 and R5 neighborhood. " I'm not sure if this was a mistake, but it is in direct conflict with his final opinion to not have any conditions. I would argue, that if there are no conditions, such as height restriction, than it does not remain consistent with the immediate neighborhood, and therefore

should not be allowed.

Goal 3: Neighborhoods. (HOR page 13)
"Preserve and reinforce the stability and diversity of the City's neighborhoods while allowing for increased density in order to attract and retain long-term residents" etc. His findings that "the record does not contain evidence that buildings in the 45' range will necessarily adversely affect the stability and diversity of the nearby residential areas" to me, is a large stretch and grasping at straws. A lack of evidence that it may do no harm, is not a guarantee that it won't. I would argue that if you have a 45 ' building looming in on your residence, it might not be a comfortable place to stay for the long haul. Currently, there are about 20-25 households surrounding this property that would be overshadowed by a 45' building.

Goal 3: Neighborhoods, 3.6 Neighborhood

Plan. This Goal is what formed the basis of my previous letter to Kathleen Stokes, BDS and I have attached a copy. To summarize, the neighborhood plan encourages restoration, rehabilitation, and maintenance of existing owner occupied and rental housing stock. It describes investigating development options along 39th Ave that *enhance* the residential character of the area. And it seeks to minimize the negative impacts of motorized vehicle traffic. Changing the zoning on this particular property from R2.5 to R1 and develop apartments would do none of these.

Additionally, the Neighborhood Plan, Objective 4.5 (HOR page 15) states: protect residential areas from commercial encroachment: The Hearings Officer finds that R1 zoning and multi-family housing would provide visual and sound buffering for adjacent single family residences.

Common sense tells me that a commercial building 150' away (approximate current distance), with 2 or 3 story houses and apartments in between, is better than having a 45' residential building (usually with balconies, as we have seen) 10-15' from the back property line, where neighbors can look into the back yard, and all sense of privacy is lost.

And finally, Goal 12: Urban Design (HOR page 29-30). " Enhance Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations." More specifically, Policy 12.6 , Preserve Neighborhoods, states: Preserve and support the qualities of individual neighborhoods that help to make them attractive places. Encourage neighborhoods to express their design

values in neighborhood and community planning projects. Seek ways to respect and strengthen neighborhood values in new development projects that implement this Comprehensive Plan.

If I may be blunt here, the Findings on this Policy don't seem to have anything to do with the question at hand. I understand the Policy to be describing general design, building practices, and preservation of neighborhoods, but nothing about increasing density. The findings state that the site is "immediately adjacent" to a busy regional commercial node at SE Powell and Cesar Chavez. Then further state that it is "sandwiched" between commercial and single-dwelling residential area. Not only are these statements not accurate and misleading, they are irrelevant. This particular property has single-family and small plexes on one side, and 2 story apartments on the other. I find that the

requested zone change for the lot in question is not supported by Goal 12.

In summary, I think there are enough questionable findings that it would make sense leave the property as it is and welcome the 7 or 8 single family homes rather than make a mistake that impacts many neighbors in a much greater and negative way.

Thank you for your time.

Sincerely,

Megan M. Light
2730 SE 33rd Place
Portland, OR 97202
lightmeg2008@gmail.com
503-704-3751

Kathleen Stokes, Planner
July 10, 2014
Bureau of Development Services
Portland, OR

Dear Ms. Stokes,

This letter is in response to a Land Use Review in process for the property located at 3322 SE Cesar Chavez Blvd. As you know, the owner has made a request to change the zoning from it's current R2.5 to R1. I would like to express my opposition to this zone change for the reasons below, and will reference the Richmond Neighborhood Plan (RNP), adopted as part of Portland's Comprehensive Plan, where applicable.

1. Under Policy 4 of the RNP, Objective 4.1 is to Encourage the restoration, rehabilitation, and maintenance of existing owner occupied and rental housing stock. If the zoning is changed to R1, the owners are planning on demolishing the existing house to make room for the proposed 19 units. This is in direct conflict to the RNP. Currently, the zoning would allow 7.8 units, so additional units could still be built while retaining the existing house.

2. Under Policy 4, Housing Action Item H4 describes investigating development options along 39th Ave that *enhance* the residential character of the area. Although the proposal is to put residences on that site, we know that R1 allows a height of up to 45'. This would greatly impact the character of the block, and negatively impact the surrounding residences. A height of 45' may technically be residential, but it feels more like commercial when it abuts your backyard. Action Item H8 states: Advocate to retain the residential zoning along SE 39th. Although this could be interpreted various ways, perhaps the intent of "retain the residential zoning" was to also retain the residential feel and

character. And even though the developer is proposing only a 2 story building, it would not be unheard of for a developer would build out to the maximum allowed. I think it is also important to look at the "worse case scenario" density wise, since the current owner is not necessarily the one who will end up developing it.

3. Under Policy 6, Transportation, Objective 6.5 is to minimize the negative impacts of motorized vehicle traffic in the Richmond Neighborhood. I am all for biking and walking, but the fact is, that most people have cars in Portland. This particular area on 39th is very busy, and adding 19 units to this site would create additional traffic congestion. It would create additional hazards for all drivers if residents are waiting to turn left (if coming from the north) into their driveway or additional traffic flow on side streets if they need to go "around the block" to access the development.

Thank you for your time, and I look forward to hearing that this zone change is not approved.

Sincerely,

Megan Light
2730 SE 33rd Place
Portland OR 97202
503-704-3751