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March 11, 2015

Planning and Sustainability Commissioners  
City of Portland  
1900 SW Fourth Avenue, Suite 7100  
Portland, Oregon 97201

RE: Comments on Adoption of the 2035 Comprehensive Plan Map  
For Kathleen Walsh Penn

Dear Commissioners,

This office represents Kathleen Walsh Penn, the owner of properties located at 6829, 6819, 6805, and 6805B SE 82<sup>nd</sup> Avenue, and 8132 SE Cooper Street, Portland, Oregon. These properties are subject to Proposed Change Number 673 on the 2035 Comprehensive Plan Proposed Draft Map App. The current Comprehensive Plan designation is Urban Commercial, with Mixed Commercial/Residential zoning. The proposed Comprehensive Plan Designation is Mixed Use – Civic Corridor with proposed zones under the Mixed Commercial/Residential, including the new CM1, CM2, CM3, and CE zone designations.

Ms. Walsh Penn requests that the Planning and Sustainability Commission (PSC) approve a map designation that offers her property the most options for future redevelopment. To that end, Ms. Walsh Penn requests that the PSC consider extension of the Mixed Use Urban Center designation south of Woodstock. The City's plan to re-designate the property east of her location (subject to Proposed Change #339) from residential to mixed employment, coupled with her properties' proximity to major arterials along Foster Road and SE Division, as well as Highway 26, and Interstate 205, suggest that high density redevelopment is and should be planned for the area. High frequency bus service along SE 82<sup>nd</sup> Avenue connects users of Ms. Walsh Penn's properties to these major transit centers and extending the Mixed Use Urban Center designation would further establish the City's intention to foster high density urban development. Further, when the property to the east is rezoned to mixed employment and developed, the demand for high density redevelopment on Ms. Walsh Penn's property will increase.

While the Mixed Use Corridor and Mixed Use Urban Center designations are currently planned to contain mixes of all the newly created CM and CE zones, it is understood that Urban Centers will support higher densities. Ms. Walsh Penn believes that her properties will be able to serve Urban Center densities for the reasons stated above, and such densities should be encouraged in this area that has potential for growth.



In addition to the above request favoring a Mixed Use Urban Center designation, Ms. Walsh Penn comments at this early juncture to suggest that the City consider increased height in the CM2 and CM3 zones, zoning her property CM3, and allowing additional height under the CE zone designation.

According to the February 18, 2015 Mixed Use Zoning Project DRAFT Revised Zoning Concept, the CM2 and CM3 zones will contain a similar mix of uses, but the main difference will be height, bonus height and bonus FAR. Overall, the height maximums should increase for the CM2 and CM3 zones that will be developed in proximity to major transportation corridors and feeder areas to those major transportation corridors. This increased height will encourage mixed use redevelopment with greater residential options along this busy corridor. This increased height would further promote goals of high density infill development to assist in preservation of the current urban growth boundary.

In addition, it is unclear why the draft concept currently contemplates a low 45 foot building height maximum for the CE designation. The City should consider higher buildings in the CE designation to serve commercial employment and other contemplated uses.

Thus, if the City extends the Mixed Use Urban Corridor Comprehensive Plan designation and increases the height limits for the proposed CM and CE zones, then Ms. Walsh Penn believes her properties would benefit. Under this scenario, or if the maximum height remains unchanged from the draft concept, Ms. Walsh Penn requests CM3 zoning for her property. The employment zoning proposed to the east of her properties is proposed as General Employment 2 (EG2). The current Development Standards for EG2 shown on Table 140-3 show that there is no height limitation. Development of this employment use will drive new investment on neighboring properties, including Ms. Walsh Penn's properties. The City should not artificially limit the redevelopment opportunities by adopting a low height limit, with low height and density bonus options under a CM2 designation.

While Ms. Walsh Penn's current preference is for CM3 zoning, these comments should not be considered binding on her preference until the draft zoning code issues with development criteria. At that time, Ms. Walsh Penn will provide additional comments. Please consider extending the Mixed Use Urban Center designation to Ms. Walsh Penn's properties. Thank you for your consideration.

Sincerely,

GARVEY SCHUBERT BARER

By   
Jennifer Bragar

cc: Marty Stockton (by email)  
Sara Wright (by email)  
Barry Manning (by email)  
Bill Cunningham (by email)  
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