STATE OF CITY DESIGN REPORT

IF YOU WI SH TO **SPEAK** TO CITY COUNCIL, **PRINT** YOUR **NAME**, **ADDRESS**, AND **EMAIL**.

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Date 4-8-15   Page ___1___ of ___1___

Testimony of Susan Steward, Executive Director
Building Owners and Managers Association of Oregon

My name is Susan Steward and I'm the Executive Director of the Building Owners and Managers Association of Oregon. BOMA is the industry's leading commercial real estate organization, representing over 43 million square feet of commercial real estate in Oregon. Thank you for the opportunity to comment on the State of the City Design Report.

My Board asked me to speak to you this morning.   There is concern that if they speak, they could face retribution on their future projects. They asked that I share some of their comments:

- Design review should be a review of how the building design meets or does not meet the code. There are two clauses that allow the commission to use broad judgement in evaluating projects, and both should be removed from the code:
    - **C2 – Promote Quality and Permanence in Development**
    - **C5 - Design for Coherency**
- The Commission has often times pushed for higher design quality that is not practical or financially feasible. **Owners have budgets.**
- Commission members should be more specific in their feedback and not make statements such as "just make it someplace I would want to go…"
- Commissioners ask for **things not within their purview**: One of the Commissioners frequently asks for art in the projects, and compares the cost of the project to the percentage of art in public buildings.
- **Entitlements** are just that – Entitled. Zoning, height, FAR need to be non-negotiable items that the development community can rely on.
- Design Review Commission meetings have lasted eight hours or more. In other jurisdictions **hearings are limited in length**. Seattle limits their meeting to 1-2 hours per project. If staff had more control of the design review process, this would not be an issue.

Thank you for your time.

From:	Brian Campbell <briancampbellpdx@gmail.com>
Sent:	Tuesday, April 07, 2015 2:29 PM
To:	Moore-Love, Karla
Subject:	Letter from the Urban Design Panel
Attachments:	Council letter DR 4.7.15.pdf

Karla,

The attached letter is for tomorrow's Council session on State of the City Design Review. Please include it in the packet.

Thanks

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Brian Campbell, FAICP
Urban Planning and Design
Portland, Oregon

Board of Directors, American Planning Association
Board of Directors, Oregon Chapter of APA

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AIA/APA/ASLA Urban Design Panel

Portland and Oregon Chapters of the American Institute of Architects, American Planning Association and American Society of Landscape Architects

Date: 4.7.15

To: City Council, City of Portland

RE: **State of the City Design Report**

Background

The Urban Design Panel is sponsored jointly by the Oregon and/or Portland chapters of the American Institute of Architects, the American Planning Association and the American Society of Landscape Architects, and composed of urban design professionals from those 3 organizations. Over the last 2 years we have had a number of discussions about the City's design review process internally, met with members of the development community and sponsored several events focused on this process.

Last May members of the UDP Executive Committee met with the Design Commission and laid out our concerns about the overall process. Subsequently we co-sponsored a City Club Friday Forum on Design Review on May 30th. On July 9th we co-sponsored an Information Gathering Meeting on Design Quality at the Center for Architecture attended by more than 30 design professionals, Design Review staff and Design Commission members. In the following months we met with design review staff to discuss possible ways to address identified issues, and last fall we met with Commissioner Fritz to discuss our concerns.

Key Issues

Design review is a very important part of the City's development regulatory process, and the UDP appreciates all the hard work by staff and extensive time commitment and work put into design review by Design Commissioners. There are many perspectives on how design review functions, and we recognize that other interests have legitimate concerns that will need to be reconciled with those we have. That being said, collectively we have a very long and deep involvement in this process, which has led us to articulate the following major issues:

Lengthening timeframes for approval. It is our experience, and that of many in the development community with whom we work, that the time it takes to get through the design review process has gotten considerably longer in the past few years. This leads directly to increased cost of development, since the applicant's design process cannot stop while the review process runs its course. It also is very time consuming and frustrating for all parties, not least for commissioners and staff, but also including the applicants and the public. There are many reasons for this, some

outside the control of the City, but there are measures that can be taken to reduce this problem significantly.

Lack of clarity in the requirements. The code currently lacks a clear definition for what is to be addressed at each of the 3 stages of review - pre-application conference, design advice review (DAR), and design review(DR) - and what exactly is required from the applicant at each stage. This is critical because it causes confusion on the part of both the applicant and the commission about what exactly is being reviewed and what is being decided at which stage, which frequently leads to increased timelines. The requirements should clearly state what will be reviewed and decided when and by whom with an appropriate focus on key outcomes at certain times.

Inappropriate reliance on "safe harbor" community design standards. To avoid lengthy timeframes and increased costs developers have used the less rigorous community standards in places where full design review would be more beneficial to the public good.

Inconsistency of design quality as a result of all of the above.

Need for eventual expansion of design review to other parts of the City. There is a clearly identified need and desire by most parties for some type of design review process outside the central city. However, because of the above issues, and the sheer volume of new applications that would be inherent in such an expansion, using the existing process to handle this increase is not feasible. There is a lack of any consensus on how to proceed.

Need to modify the existing design guidelines. The existing standards are basically 20 years old. A lot has changed since then, to say nothing of the above problem areas, and they need to be updated, especially in light of the new Central City Plan and Comprehensive Plan.

Suggested Revisions

Re-write the purpose and requirements of design review. In order to ensure that everyone is on the same page, make it clear what is expected to be submitted, and what will be reviewed and decided at each of the 3 stages of the Design Review process. At the Pre-ap. this should mean that all non-design review-related development requirements will be determined, and that any disputes between city agencies will be decided so that it is clear to the applicant what exactly they are required to address and how. The DAR (which should probably be renamed Urban Design Review or something similar) should be to address only urban design issues surrounding a development. This means analyzing the context (3 surrounding blocks?), the scale and massing of the proposed building(s), access, relationship to the street and proposed open spaces, etc., _not_ detailed building design. The urban design issues should be largely resolved at this point. The DR process itself should be reserved for more detailed design discussions of the building(s), landscaping, etc.
Suggested Lead: A small task force including BDS and BPS staff, a design commissioner and a UDP member

<u>Hold bureaus, design commission, applicants and the public to specific time limits.</u> Not all meetings can be easily held to time limits, but where reasonable there needs to be a rational set of rules for discussion and decision-making. Establishing these time limits could be the responsibility of the above task force. Given how time restricted most people are, respecting these limits should be a common courtesy for these public meetings.
Suggested Lead: Design Commission chair, with staff assistance

<u>Update the design guidelines.</u> The current guidelines are out of date and deficient, and updating them would greatly increase the efficiency of the review process and achieve better on the ground results. It would also be a pre-requisite for expanding design review in other parts of the city.
Suggested Lead: Consultant under guidance of the small city task force above.

<u>Lay out the process for expanding design review.</u> As noted, it is becoming increasingly apparent that there is a need for some form of design review outside the central city. Appointing a small working group to help define how that would work and to recommend specific steps to get there may be the best way to initiate this process.
Suggested Lead: BPS

Thank you very much for the opportunity to be part of this discussion.

Best Regards,

Urban Design Panel Executive Committee

Stefanie Becker, AIA	Brian Campbell, FAICP	Mauricio Villarreal, ASLA
Robert Boileau, AIA, AICP	John Spencer, AICP	Melinda Graham, ASLA

cc: *American Institute of Architects/Portland Chapter*
American Planning Association/Oregon Chapter
American Society of Landscape Architects/Oregon Chapter