

May 10, 2016

To: Portland Bureau of Planning and Sustainability

Re: Mixed Use Zones Proposed Draft

I work at an architecture firm in the Central Eastside primarily on privately developed commercial and residential mixed use projects located in Portland's close in neighborhoods. I am also a resident of the Beaumont-Wilshire neighborhood in NE Portland. I have been following the Comprehensive Plan proposals with particular interest in the Central Eastside, Central City and MUZ projects. Given my profession and ownership of a residential property in a neighborhood actively fighting development, I have a firsthand view of the intersection that occurs with private development along Portland's corridors.

I am very supportive of creating density in close in neighborhoods in order to meet the City's goals of housing, multi-modal transportation, and for the general sustainability of our City and long term health of our planet. I am also in general supportive of the MUZ's project objectives to respond to livability and affordability close to the centers and corridors. I do however have concerns about the recent draft of the MUZ proposal which seems to have compromised the overall sustainability and livability objectives with responses to concerns which seem expressed by a few residential neighborhoods, but have been applied across all the centers and corridors. Specifically, I think the following areas need to have clearer code language for effective implementation and more in depth assessment as to the impact that these changes will have on the number of *actual* housing units, development tax revenues, design caliber of our built environment and workload of City Planning and Building Officials.

1). The base FARs, height limits and lot coverage for the new CM zoning designations are greatly reduced from that allowed in the existing Commercial and Employment zones. The graphics shown in the MUZ draft greatly misrepresent the development potential allowed by the current Commercial and Employment zones by not showing how the buildings maximize the allowed height with residential use areas that are allowed beyond the base FAR. When these areas are applied to the massing diagram for the current zoning it shows that the proposed CM designations, even with available bonuses, the same development potential is unachievable. This is in effect a down zoning from the current allowed best use of the properties resulting in less density and likely less housing units and/or commercial workspace.

- Has there been a study published of how this downzoning impacts the number of housing units the proposed zoning can accommodate as compared with the new?
- Has there been a study published on how this reduction in developable envelope effects projected property and business tax revenues?
- How does downzoning of properties achieve the overall objectives for sustainable density and maintenance of the Urban Growth Boundary?

2) The proposal of the 'm' overlay and associated 35ft height limit in the 'centers of centers' results in even less developable envelope than the base MU designation. In some cases the designation is located in a center that would put over half the effected properties in non-conformance with the proposed zoning and the rest of them with only a third of the current development potential. It appears that this designation is being suggested by a few communities, but applied to several centers that meet the characteristics of pre-war / streetcar main street hubs. In many cases three stories will not fit in the 35ft height limit because of plan district regulations for ground floor active use heights and current construction methods further limiting the potential developable envelope.

- Has there been input from *all* the neighborhoods and business owners where this designation is proposed?
- Has there been a suggestion to neighborhoods concerned with development of their historic centers to create their own Plan Districts with Guidelines that address the specific concerns of the neighborhood instead of applying them throughout the City?

3) The current bonuses seem targeted towards the affordability objectives of the plan. While this is a worthy objective, the limited amount of added FAR or height is not enough to justify the tradeoff of reduced allowable residential floor area in the base zoning. Without comparable tradeoff, the bonuses would not be used and therefore the affordability goals would not be achieved. It does not seem like the State mandated Inclusionary Zoning has been thoroughly considered with the proposed base zone designation FARs or Bonuses. I encourage you to consider how the inclusionary zoning impacts the zoning and reconsider the bonuses. It is imperative that the zoning code language is clear so that the results are predictable enough to perform a due diligence process and the objectives for affordable housing can be achieved.

— How will the affordable residential unit ratios & commercial workspace rent rates be tracked and updated with market response or neighborhood to neighborhood? Database? Have resource allocations been considered?

4) The proposed development requirements for the MU zones have several setbacks, height restrictions and stepped setbacks in height and length that are complicated and will result in formulaic, homogenous development along the corridors – just look at the cover of the draft report – all the buildings look the same. While the objective of these development requirements is to respond to livability of adjacent residential neighborhoods and light and air in the corridors, the code language is more of a design guideline than development regulation. The development potential of the adjacent residential neighborhoods also does not seem considered – not all residential neighborhoods adjacent to corridors are single family zoning designations and not all should require the same setback requirements. Required outdoor space seems is a better way to incentivize the setbacks and allow designers to creatively integrate them into the massing of projects resulting in development that effectively meets the objectives without creating a homogenous landscape.

5) The overall expansion of the 'd' overlay seems to double down on the proposed development requirements for setbacks and height and furthermore can only be effective with appropriate resource allocation and revised guidelines/procedures to the process. The City Design Review staff and Commission are already extremely overwhelmed by their current workload resulting in unpredictable timelines and inconsistent implementation of the guidelines. The current guidelines will need to be more robust and clear to effectively implement the objectives across more development sites.

— If the overlay designation is to be expanded how will the City Design Review and BDS Planning staff be able to provide effective predictability, turnaround times and consistency without additional resources and more robust guidelines?

Thank you for hearing my concerns. By working with neighborhood representative *AND* the development community I am confident we can achieve the objectives of affordability, sustainability and livability for Portland without compromising density and projected tax revenues associated with current developable envelopes.

Sincerely,



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