From:	Jon Walker
To:	Planning and Sustainability Commission
Subject:	CC2035 Plan Testimony
Date:	Thursday, August 11, 2016 2:21:49 PM

I believe almost of all central eastside should be rezoned EX central employment, much more than the current plan calls for. The city is growing and we should encourage most of the population and jobs growth in downtown public transit areas. General industrial is a very poor us of land near to downtown and mass transit lines. Having industry upwind of large population centers is just bad planning. The recent pollution problem with bullseye glass is a perfect example why.

Jonathan Walker 4411 SE Division ST Portland OR 97206 To: Portland Planning Commissioners

From: Mary Ann Schwab, Community Advocate

RE: Testimony on the Central City 2035 Plan Proposed Draft extended to Thursday, August 11 at 5 p.m. TODAY!

Yes, I attended the Tuesday, August 9th, PSC public hearing on the Central City Comp Plan 2035. And I was pleased Commissioner Chris Smith and PSC agreed to extend the public comment period two days for day-time workers.

Here are my pro and com concerns:

I support protection vistas shared by concerned Central City citizens.

1. Pay closer attention to Developers's "by-right" plans to construct towering buildings heights that blocking vistas:

from the Vista Bridge, Japanese Gardens, Springwater, Washington Rose Gardens. Tourists Vistas protected since 1999.

2. Central City Mapping failed to include the PDC CESI boundary includes the 6.81 acres East of SE 15ht Avenue on WA-MO Community Center.

Roughly 14 months ago — during pubic hearings — extending PDC TIP to include the Clinton Triangle, first PSC voted to not allow five (5) ten story condos near OMSI, thereby, creating a gated community without full-service grocery, library, medical facilities, located between the Marham Bridge and an inter-state railroad, with blasting train whistles 24/7.

Recently for reasons not clear to me, why PSC flip-flopped changing the CESI industrial sanctuary zone to permit condos. OMSI is a non-profit organization now in the business of Real Estate.

I just it is not tooooo late to speak in opposition to allowing Developers "by-right" to create a gated community without full-service grocery, library, medical facilities, located between the Marham Bridge and an inter-state railroad, with blasting train whistles 24/7.

3. No mention anywhere within the Central City Comp Plan 2035 is forecasting the need to construct a Public High School; e.g., in the Pearl, Hoyt properties or Downtown. Planners have acknowledge the fact that, METRO is predicting 260,000 newcomers to Portland by 2035. Currently, Portland for Every-Developer are networking to rezone Planner, Lloyd L. Keefe, one dwelling, one lot, and supporting the 0.25 overlays along inner-southeast transit corridors, e.g., Historic Buckman Community Association. My fear, the Sunnyside Neighborhood established in 1888 present. Proud Past — Bright Future is now doubtful. The Residential Infill Middle and quarter-mile (5-blocks North and South) of a transit corridor) public comments are fourth coming.

My fear, we Multnomah County property owners will be asked to take on more debt — over and above the existing \$540 Million maintenance Bond. Come May, 2017, PPS will be asking VOTERS s to take on second bond. But will it cover the purchase of open space in the Pearl, plus construction? Something to think about.

You will find hard copies in Leah's office.

WORTH REPEATING: We have four (4) hours to take action. And yes, feel free to simply cut and paste my comments, and be sure to sign off with your full name and postal address/zip to be included in the legal record.

Portlanders can submit written testimony on the new plan via the online Map App and email

http://www.portlandonline.com/?c=58897&a...

The clock is ticking fast to 5:00 p.m.

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from the Vista Bridge, Japanese Gardens, Springwater, Washington Rose Gardens. Tourists Vistas protected since 1999.

2. Central City Mapping failed to include the PDC CESI boundary includes the 6.81 acres East of SE 15ht Avenue on WA-MO Community Center.

Roughly 14 months ago — during pubic hearings — extending PDC TIP to include the Clinton Triangle, first PSC voted to not allow five (5) ten story condos next to OMSI creating a gated community without full-service grocery, library, medical facilities, located between the Marham Bridge and an inter-state railroad, with blasting train whistles 24/7.

Recently for reasons not clear to me, the flip-flopped changing the zone to permit condos. OMSI is a non-profit organization now in the business of Real Estate.

It is not too late to say NO.

3. No mention anywhere in Central City Comp Plan 2035 vision supporting construction of a Public High School in the Pearl, Hoyt properties or Downtown. Yet, MERO and Residential Infill middle are expecting 260,000 by 2035.

My fear, we Multnomah County property owners will be asked to take on more debt — over and above the existing \$540 Million maintenance Bond. Come May, 2017, PPS will be asking VOTERS s to take on second bond. But will it cover the purchase of open space in the Pearl, plus construction? Something to think about.

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Portlanders can submit written testimony on the new plan via the online Map App and email

http://www.portlandonline.com/?c=58897&a=586325

The clock is ticking fast to 5:00 p.m.

All the best, Mary Ann Schwab, Community Advocate 605 SE 38th Avenue Portland, OR 97214 Hello, PSC. I've owned my house in Sunnyside since 1989. I'm a Portlander, through and through. Lately I see so many aspects of what I love about my city being endangered through ill-advised zoning changes. I'm not liking what I'm seeing these days in terms of city development. Specifically, my issues with the CC2035 plan are:

1) As a retired PPS teacher, where is the planning for another high school to be built in NW Portland? Lincoln is great, but they can only do so much. A booming population calls for another downtown high school.

2) The views from Portland are a big part of what makes us sought after. Why are the views from Vista Bridge, the Japanese Garden, and Washington Park Rose Garden not being protected from tall high rises? Those views need to continue to be protected.

3) Why is OMSI being allowed to build a tall condo? This is a museum and should not be allowed to be in the real estate business. This area of Portland, should not be considered "living space." I say "NO" to this.

4) Just because there is a tremendous housing market in inner PDX right now, there is no need to respond quickly and greedily, without consideration of protecting the aspects of Portland that make people want to move here! Why are areas in Parkrose, Gresham, Milwaukie, with great public transport not being looked at more than inner PDX? There needs to be SMART supply, in response to the demand.

Sincerely,

Cheryl Olson 3122 SE Yamhill St. Portland, OR 97214





August 11, 2016

Planning and Sustainability Commission City of Portland 1900 SW Fourth Ave, Suite 7100 Portland, OR 97201

RE: CC2035 Plan Testimony

This letter focuses on key concerns regarding the protection of historic resources within the West End, preservation of view corridors, sunlight on public open space and opportunities for compact, mixed use density that address these concerns. Please note that the opinions expressed in this letter are specific to the AIA Historic Resource Committee and are not necessarily reflective of the broader AIA Portland membership or AIA Portland Board of Directors.

WEST END HEIGHT/FAR

AIA Historic Resource Committee (HRC) advocates a proposal that creates a *step down district* with a dense, compact urban form in the West End where so much of Portland's early history survives. A stepped-down area will create a better transition between the tall, dense corporate Downtown district and the lower adjacent districts of the University, Goose Hollow and the Pearl. The residential districts have FARs of 6:1 and 4:1 whereas the Downtown has 12:1 and 15:1.

Lowering the FAR to 7:1 and the maximum building height to 100' throughout the West End will allow for an increase in density but the density would be in compact form. Creating this transition will preserve the West End's *compact, dense mixed-use urban character of smaller businesses/offices and residential apartment/condo buildings many listed in the historic resources inventory.*

The proposed changes will:

- Help preserve the unique, irreplaceable historic buildings of the West End from demolition
- Help preserve these historic buildings, such as **Central Library**, from a high-rise being built next door
- Add needed density, meeting the West End density goals in a compact form
- Help preserve the dense, compact, mixed-use urban form typical in the West End rather than spreading the podium-towers form of the corporate downtown.
- Strengthen the distinction between the smaller business/office/residential/condo area and the taller corporate area.
- Help preserve the historic view corridors from Goose Hollow to Mt. Hood that are threatened by the proposed heights (See Photo A, below). The historic view includes trees below the tree line.
- Help preserve sunlight on the streets

SOUTH PARK BLOCKS

AIA HRC:

- 1. Endorses the goal of obtaining historic designation for the South Park Blocks. However, the timeline should be shortened to 2-5 years, not 6-20 years. There is some urgency, since the heights and uses being proposed along the park blocks could incentivize the demolition of historic churches, historic cultural facilities and early apartment buildings, all of which offer human scale, sunlight and historic character to the park blocks.
- 2. Recommends maximum building heights for both sides of the blocks be no more than 100' and remove the designation of "area eligible for height increase."
- 3. **Recommends shadow studies be required on both sides of the park**. In the current proposal, shadow studies are required on the west side of the park blocks, but not the east side. People use the park both mornings and evenings. Sun in Portland is always at a premium both for people and for trees.
- 4. **Recommends strengthening sunlight priority. Change word from** *Encourage* **to** *Require* in last sentence in Vol1 p66, Urban Design 5.3 Dynamic Skyline to read: "<u>*Require*</u> heights and building forms that preserve sunlight on public open spaces and parks." This will preserve sunlight on all our parks and open spaces, including the South Park Blocks.

The AIA Historic Resource Committee appreciates the opportunity to comment on the West End and also your consideration for implementing our recommendations.

Respectfully submitted,

Peter R. Meijer, AIA Chair AIA Portland Historic Resource Committee

LeRoy A. Landers, AIA President AIA Portland *Reviewed*

Date: August 11, 2016 To: Portland Planning and Sustainability Commission Subject: Comments on the Proposed Central City 2035 Plan From: Tom Liptan, FASLA Urban Infrastructure Consultant and Researcher LIVE Center 7707 SE Madison St. Portland, Oregon 97215

Dear Commissioners,

Subsequent to the August 9, 2016 PSC Hearing I want to provide you with additional information, some of it prompted by comments made at the hearing.

Definitions:

Greenroof is a term used to describe numerous types of vegetated roofs and roof gardens. There are several categories:

- Extensive, light weight, self-sustaining and low cost in Portland these are referred to as Ecoroofs;
- Intensive is what most Americans refer to as Roof Gardens, shrubs, trees and lots of lush plantings and accessible to people at high cost;
- Semi-Intensive is somewhere in-between. Within these three main categories are Habitat roofs; Agricultural roofs, Bio-solar roofs and an array of variations. Sometimes many of these variations are combined and are referred to as Comprehensive roofs.

White roof indicates that the roofing material is made with an albedo that reflects sunlight.

Blue-roof is an engineering term used to describe a roof (of any color) that have devices fitted around the drains to capture rain and slow the discharge of runoff from the roof. It retains water sometimes many inches in depth (blue) on the roof temporarily. It is used primarily for retrofitting existing buildings in dense urban areas.

Comment: The proposed BPS code only requires the least expensive option, Ecoroofs. And as I previously submitted, my revisions would provide developers flexibility. There are numerous manufacturers, with wide range of prices for their products, as with most industries.

Research

Since the first research project in the US was conducted here in Portland from 1996-1998 there have been hundreds of tests and experiments across the US to determine and document the benefits of greenroofs. However, even within the category of Ecoroofs there is a wide range of design choices and as researchers in Austin TX. so aptly put it, "All ecoroof are not equal."

Not only do ecoroofs vary, but also research varies and the quality of both is subject to many variables. There has been debate, but in general most knowledgeable professional agree that ecoroofs provide multiple benefits, which differ with climate and other influences. Most also agree that as a single technology no other approach has so many attributes, at such an affordable cost to mitigate urban problems.

Comment: However, local research is still needed to help improve design, construction and O&M and reduce costs. More research is needed that can help answer questions of ecoroof efficiencies associated with urban issues. PSU has been and hopefully will continue in this regard and others are partnering with PSU such as the GRIT organization.

Incentives

Although the BES incentives no longer exist, incentives are certainly helpful for the development community when they are being required to install relatively new technologies like the ecoroof. Many cities in Germany and Austria used temporary incentives when they began to require ecoroofs in the 1980s. These incentives were phased out over several years as the industry matured and costs came down. **Comment:** Property tax incentives are perhaps the most equitable approach.

I would like to use Mr. Ed McNamara's Ramona Apartments project as a case study. At the August 9th hearing, Ed responded to questions about the pro and cons of ecoroofs. The following five comments are not quotes, are from my notes.

1. I don't like spending money when I don't have to.

2. I'll use an ecoroof if that's the only choice I have for stormwater management.

3. Ecoroofs shouldn't be a mandate, let the developer decide.

4. From observations on my ecoroof, birds appear to like it, who else is planting all the blackberries.

5. Seems habitat benefits would be better if we had more ecoroofs.

He didn't mention his project costs, which according to his BES project report were: \$105,952 membrane (this is the cost for a conventional roof)

218,052 for ecoroof portion (this is added cost)

<u>60,126</u> for structural upgrades and design (This is added cost) \$384,130 total costs (\$12.16 psf)

As a recipient of the BES financial incentive the project received \$157,985 (\$5.00 psf) deducting that from the total is \$226,145 and subtracting the membrane cost which he would have to do anyway leaves \$118,202 additional cost, but he didn't

24570

have to do other stormwater approaches at an estimated savings of \$40,000 for a net total additional cost for the ecoroof of \$78,202 (\$2.48 psf). This is the amount the project paid extra for something it didn't have to do. Quite commendable!

Comment: Ed's comment #3 about letting the developer decide, if all developers were like Ed there would be many more ecoroofs, but they aren't all like Ed. Temporary incentives can be a valuable tool to help make the transition for developers.

Costs

This is an area of considerable difference across the US. For example one study comparing white with greenroofs concluded that the break-even point on an ecoroof would be in 20 years. Another study concluded that there would never be a break-even point for the ecoroof compared to a white roof.

Comment: There are numerous seemingly conflicting evaluations and one must be careful to assure that apples are being compared to apples.

Some studies do not always quantify the benefit leveraging opportunities associated with ecoroofs. If the ecoroof is used for stormwater management then the ecoroof maintenance costs are for stormwater, which would have to be done if the project used an alternative stormwater management approach.

Comment: The Ramona is an excellent example of what an ecoroof costs in Portland and the comparison with conventional roofing costs. It is my opinion that if this project were to be done today there are several areas to reduce ecoroof costs.

Purpose

A question asked of me at the hearing was what are the most important benefits of an ecoroof. They are; durability, extended life, urban heat island mitigation, stormwater management, building insulation, wildlife habitat, noise attenuation, solar panel efficiencies, evaporation, oxygen production and more. I suggest we need all of these benefits.

Thank you very much for your community service! Tom Liptan From: Susan Lindsay [mailto:lindsays@pdx.edu]
Sent: Thursday, August 11, 2016 4:19 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony: Buckman

Dear Chair Baugh and all Honorable Planning and Sustainability Commissioners,

I enjoyed my time as a member of the SE Quandrant Stakeholders Advisory Commitee and I wish to submit some comments regarding the plan.

1. Please lower the heights in E. Portland Grand Ave District.

2. I support the view corridor from Waterfront Park looking East..so keep the heights lower.

3. I like ecoroofs...they help cool the earth in an are bereft of trees.

4. I support the Green Loop on SE 6th or 7th...not SE 12th...please get more trees in the CEID.

5. I actually swim in the Willamette River..so let's get more access to it!

6. We should add <u>more affordable housing</u>, but eco roofs and other items are important too....but affordable housing should be built.

7. But....we need more *******Family Friendly******* units...not just a district of high priced or subsized tiny studios!! We need larger family units.

8. But most important.....the height on 11th and 12th should not change from the proposed and mutually agreed upon 45' limit and you should also seriously consider lowering some on the northern end of this stretch also to 45' to help protect some valuable historic homes.

We worked as a team with the other stakeholders on the SE Quadrant Plan and help support their interests. We also respected their understanding of keeping the height at 45' adjacent to our residential neighborhoods.

Thank you all very much for the work you do!

Susan Lindsay 625 SE 17th Avenue Portland, OR 97214 To: Planning & Sustainability Commission Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201

From: Elizabeth Hart, CDT, GRP Manager, Sustainability Programs, Tremco Roofing Executive Director of GRiT 4135 SE 67th Ave, Portland, OR 97206

Subject: Ecoroof Incentive - Summary of Green, White, and Blue Roofing Benefits

Dear Planning & Sustainability Commission,

As a sustainable roofing subject matter expert, employed for over 8 years with an international commercial roofing manufacturer, and as the Executive Director of the Green Roof info Think-tank, I'd like to provide clarity to the benefits of various sustainable roofing systems, in consideration of an Ecoroof Requirement. Please see the overview below, and feel free to contact me for more information, including cited research, building owner references, and tours of local commercial green, white, and dark roofs.

Green Roofing

Main Benefits: Reverses urban heat island effect, cleans air pollution, and manages storm water as one of the EPA's top methods for Low Impact Development. Provides often the only source for urban habitat, and reduces building energy use. Also called Ecoroofs, Vegetated Roofing, and Roof Gardens.

- Green roofs actively reverse the urban heat island effect and global warming. This is due to sequestration of carbon dioxide and air pollution, along with the cooling effects of evaporation from the plants and soil. Green roofs are cooler than the ambient temperature on hot days, where white reflective roofs are generally hotter than green roofs by 50 degrees or more.
- Ecoroof are in the EPA's top 5 recommendations for Low Impact Development. The plants and soil filter the water on green roofs, using it in their metabolic processes, and evaporate much or all of it back into the air, creating a cooling effect. Depending on the system design, the amount of runoff exiting the roof through the drains can be significantly reduced or eliminated with green roofs.
- **Building energy is conserved, also PV is enhanced with green roofing.** Our own Portland State University research shows that the soil and leaf cover of plants on green roofs provide additional R-value for energy conservation, and the use of green roofs significantly enhances the performance of photovoltaic panels through passive cooling.
- **Real Estate Value is enhanced on buildings with ecoroofs**. Studies show that Portland buildings with green roofs filled faster and sold or leased for at least a 5.5% increase in sale prices compared to similar non-ecoroofed buildings.
- Ecoroofs provide abundant habitat for beneficial insects, birds and native plants. While bioswales and ground-level green spaces can also offer habitat, they are less protected and often unavailable in denser areas. They also do not offer the multiple, compounding building benefits of ecoroofs.

• On-structure vegetation enhances human health, education, and productivity.

The benefits to human health of viewing the greenspaces from windows while recovering in a hospital, learning in a classroom, or working in an office building, are widely researched and shown to be immediate and highly effective. For this reason, healthcare and education facilities are two of the fastest growing sectors for green roofing.

White Roofing

Benefit: Reduces the temperature of the roof compared to darker roofs, by reflecting sunlight back into the atmosphere. Clean, qualified reflective roofs can be cooler by 50 degrees or more than dark roofs. However, they are still very hot and offer no other benefits to the surrounding environment. Also called Cool or Reflective Roofing.

- Even on new white roofs, the temperature can reach over 120 degrees on a 90 degree day, where a green roof will be closer to 77 degrees on a 90 degree day.
- Cool roofing requires expensive washing to maintain reflectivity impacting water use, and storm water runoff quality from use of the detergents.
- White roofs reflect sunlight back into the atmosphere where it is absorbed by pollution and particulate matter, which is then heated, thereby actually contributing to the global warming effects we are attempting to reduce with this same technology.
- A National Academy of Sciences study shows that reflective roofs also keep buildings cooler in the winter leading to more energy use, and energy impacts are mostly seen in southern climates with extremely hot summers and mild winters.

Blue Roofing

Benefit: Slow the flow of precipitation into storm water drains during peak rain events.

Blue roofs retain precipitation on the roof to slow the release of storm water. This adds enormous structural weight loads, so buildings that can support blue roofs have already cleared the biggest hurdle for green roofing, which is structural weight capacity. Additionally, it is against best practices in roofing to hold water in ponding conditions, as it greatly accelerates deterioration of the membrane and introduces mosquito habitat among other concerns. On blue roofs, all the water is eventually released into the drains except for what little can evaporate in the hours before it exits the roof.

Please see the enclosed local photos. Thank you for your consideration, and please feel free to contact me for more information.

Start

Elizabeth Hart, CDT, GRP elizabethkhart@comcast.net 404-725-1602



East Multnomah County Courthouse, compounding benefits of ecoroofs with PV. Photo courtesy of Alan Proffitt



Multnomah County Building Ecoroof and Hope Veggie Garden, 500 lbs of veggies per season for the foodbanks. Photo courtesy of Jason King



Portland Central Library. Photo courtesy of Macdonald Environmental Planning



RECEIVED PLANNING & SUSTAINABILITY 2016 AUG 11 P 3: 42

412 NW COUCH, SUITE 220, PORTLAND, OR 97209

August 11, 2016

Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner 1900 S W 4th Ave, Suite 7100 Portland, OR 97201

Re: Comments on Height Restrictions and FAR Transfer Treatment Proposed in 2035 Central City Plan for Six Blocks between NW 5th and NW Broadway and W Burnside and NW Everett

Dear Chair Schultz and Commissioners:

I have an ownership interest in multiple buildings in the Chinatown / Old Town area of Northwest Portland. Specifically, we own the Studio Arts Building and the Technology and Arts Block in the six block area that targeted for a 46% reduction in building height.

I would also like to advocate for inclusion of the area in the FAR Transfer Program that applies in the neighboring historic district. The six individual buildings the comprise Studio Arts Building and the Technology and Arts Block will eventually require seismic upgrades and additional fire/life/safety improvements, i.e. fire sprinklers. Funding those improvements for our buildings, and the other old buildings in the area, would be greatly facilitated by the FAR Transfer Program.

For the sake of brevity, I will only highlight my arguments. Please contact me if you would like to further discuss any specific points in detail.

The 46% Reduction of Building Height Limitations

 There is no explanation for the height reduction other than the area being adjacent to the historical district and that no buildings over 250 feet have been proposed.

Portland Planning Commission c/o Rachael Hoy, City Planner August 11, 2016 Page 2

- There are no advocacy groups for the lower height limitations in this specific six block area. However, most, if not all, property owners oppose the reduction.
- Staff has indicated that this is not a "view corridor" area.
- With the Post Office development plan in the works, this neighboring area should not be taken off the table in terms of building height coordination. It is ironic that staff argues that there hasn't been any tall building construction proposed at the very same time that discussions of such buildings in the area are being initiated.
- Northwest Broadway is one of the most appropriate locations for high rise buildings if they become economically feasible.
- Portland population growth, in conjunction with our land use policies, require higher density. This area should not be taken off the table as a location for such development.
- The proposed lower height limits reduce the property values and unfairly discriminate against property owners without justification.

FAR Transfer Program

- Multiple buildings in the six block area will require seismic upgrades and fire sprinklers in the future.
- There is no rational difference between historic buildings within the historic district and identical buildings across the street all these historic buildings should be preserved when appropriate.
- Preservation of these buildings is in the public interest and there is no cost to the taxpayers for the FAR Transfer Program.
- Seismic and fire/life/safety improvements are difficult to finance because

 they generally do not generate additional income, 2) if long term
 financing is in place, lenders will not agree to additional subordinated debt,
 and 3) even if there is substantial equity in the property and refinancing is
 an option, there may be substantial prepayment penalties to pay off
 existing debt.

While I am not sure I would support a 450 foot high building today, the option should be available when the Post Office development plan comes to fruition. Let's leave it to future decision makers and stakeholders to decide whether such buildings are appropriate. Our design review system also works well in these situations.

Portland Planning Commission c/o Rachael Hoy, City Planner August 11, 2016 Page 3

As to the FAR Transfer Program, it would be a terrible loss to not provide property owners the tools necessary to make improvements in the public interest.

Thank you for this opportunity to express my positions on these issues.

Sincerely,

hell

David Gold Managing Member Goldsmith Blocks, LLC Studio Arts Building, LLC Technology and Arts Block, LLC (503) 539-6910

From: Jeanne Galick [mailto:galick@europa.com]
Sent: Thursday, August 11, 2016 8:56 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Central City Plan 2035 comments

Thank you for extending the deadline for testimony.

33.475.201 E Encroachment into the greenway setback

Even increased to 50', the greenway setback provides the absolute minimum area for habitat let alone a major

transportation ped and bike trail. Even a 5' encroachment <u>(that's 10%)</u> is too much is an already too narrow setback.

The mitigating 5' elsewhere on the property will look like private property and not be inviting for public use. (see Fig. 475-2)

As tall buildings proliferate along the river's edge, the greenway is asked to provide the only open space for the increasing

population. Every foot of the setback becomes more precious. Our architects are talented. They can come up with creative

ideas for flexible design solutions without encroaching into the greenway.

Remove the encroachment provision.

Jeanne E. Galick, Graphic Design 7005 SW Virginia Portland, OR 97219 (503) 245-6293 jeanne.galick@gmail.com www.galickgraphicdesign.com August 11, 2016

Planning and Sustainability Commission c/o Bureau of Planning and Sustainability 1900 SW 4th Avenue Portland, Oregon 97201-5380

RE: Central City 2035 – Volume 2: Zoning Code & Map Amendments June 20, 2016 – Bureau of Planning and Sustainability Recommendation

Joseph Angel and his family have owned several blocks in the Goose Hollow area for many years. Angel owns an interest is several downtown hotels.

Goose Hollow is not a quiet cluster of historic houses in the shadow of downtown Portland as represented in Tuesday's night neighborhood testimony.

Goose Hollow is the primary and historic portal between Portland and the Tualatin Valley. The plank road built from our neighborhood over the west hills into the Tualatin Valley was a key connection that helped establish Portland on the west side Willamette river waterfront.

While we respect our neighbors with homes in our neighborhood; Goose Hollow is a very urban and diverse place. The neighborhood has three light rail stations; two more than any neighborhood outside of Portland's Central City.

The Major League Soccer stadium occupies the neighborhood's north side. Goose Hollow abuts the nationally recognized Washington Park with the Holocaust Memorial, Rose Garden, Japanese Garden, and Portland's zoo. The largest urban natural area in the United States is directly to the northwest.

The heights and floor to area ratios were carefully defined and discussed to take advantage of the amenities and public infra-structure of our neighborhood. We are a collection of very large and tall buildings such as the historic Envoy, Victorian houses, and large commercial complexes.

Joseph Angel and his family support the recommended Central City Plan.

Sincerely

Peter Finley Fry

Cc Joseph Angel Peter Angel

> 303 NW Uptown Terrace #1B Portland, Oregon USA 97210 peter@finleyfry.com

From:	Jeff Frost
To:	Planning and Sustainability Commission
Cc:	jwfrost07@gmail.com
Subject:	CC2035 Plan Testimony - Jeffery W Frost
Date:	Thursday, August 11, 2016 3:55:06 PM

I love the thought of Portland moving to a requirement register and demonstrate compliance with a green building program. My concern is that there are a number of misconceptions relative to the advantages/disadvantages of LEED and Green Globes.

I can't stress enough the value of maintain a relationship with LEED Gold and not providing an option for Green Globes.

Green Globes likes to think they are better, faster, cheaper. This has been dispelled by an in-depth study done by BuildingGreen.

Their research has demonstrated that when you look at just certification and registration costs, Green Globes is higher by far regardless of the size and scope. On projects >50,000 sf and <500,000 sf the fees are double. This is largely due to the on-site assessor that has to come out to walk-thru the Green Globes projects.

- SERA has certified over 37 LEED projects since LEED's inception. To date, we have not certified any project using Green Globes. We have had clients explore this standard because they could not specific prerequisites of LEED in the past, but that is few and far between. Requiring the industry to operate within a different rating system would be costly, wasteful and counter-productive.
- 2. The prerequisites, credits and discipline of LEED consistently produce better results, especially in the critical area of energy performance.
- 3. If you look at 'soft-costs' they estimate about 300 hours for LEED and up to 95 hours for Green Globes. Green Globes process is considered easier. It is a checklist and online process that requires little documentation... while this is easier, it lacks rigor that is often needed to make sure that people meet the goals they have set out to implement.
- 4. Green Globes doesn't include requirements for Commissioning. This is one factor that helps make sure the building is function properly.
- 5. LEED buildings have a long track-record of performance tracking and while not all LEED buildings meet the expectations they set out for, Green Globes has not data on how their projects perform.
- 6. LEED requires metering and Green Globes does not. Metering is critical to understanding energy use and being able to understand a buildings performance.
- 7. There are only 575 Green Globes projects in the US.

24581

- 8. There are over 21,000 LEED projects in the US.
- 9. Most people consider LEED to be the 'gold standard'.
- 10. LEED has a regional component that allows for extra credits for important regional attributes. Green Globes does not.
- 11. Green Globes does not reward innovation whereas LEED is completely flexible in how innovations can earn you credit.
- 12. Green Globes does not require a meeting with the owner.
- 13. LEED has far more rigorous credit requirements... can't just have old rusty bike rack. They have quality requirements and documentation requirements.
- 14. LEED has minimum Energy requirements and Green Globes does not.
- 15. Green Globes has been de-emphasizing water. There no prerequisite to reduce water use in Green Globes.
- 16. Green Globes does not have any credits relative to materials and toxic chemical avoidance. This is key issue today and they are silent on this issue.
- 17. Green Globes was started largely by big industry and still to this day has a board that is represented heavily by big industry. Over 30% of their members are trade groups. Membership in GBCI is highly costly and very few companies can afford to buy a membership. Weyerhauser is a board member.
- 18. A government program or policy should not support an institute who's board members come from organizations that actively engage in lobbying against best practices and standards.
- 19. As far as I can tell, the argument for Green Globes is political and nearly always talks about the need for "flexibility". This is at the sacrifice of "leadership". In my opinion, one of the roles of government is to help lead. Flexibility and leadership are not the same.
- 20. Green Globes breaks standards like ASHRAE 62.1 into many micro credits. This means people could comply with one option but not another.
- 21. Green Globes still refers to the 2004 CDPH emissions test for wet-applied products. The 2010 version, which is required by LEED v4, is far more rigorous and requires decreased emissions levels from chemicals.
- 22. Green Globes credentials are open book and require no ongoing education. They don't set

24582

people up to understand or gain the knowledge.

- 23. Green Globes 2013 was created by staff and not by the ANSI process. US GSA says that both standards are consensus based.
- 24. There are only 29 Green Globes professionals in the entire state of Portland (<u>https://www.thegbi.org/professional-certification/professional-directory/?state=Oregon</u>) ... while there are over 1290 LEED accredited professionals in PDX. (source: <u>http://www.usgbc.org/people</u>).

Please don't let the politics get in the way of this measure. Green Globes is nowhere near an 'equal' standard with LEED. I would not put good faith in the counter arguments as they tend to not fully understand the differences but merely see them from one single myopic viewpoint; not as a total overall approach.

My Mailing address is: 3585 NW Blackcomb Drive Portland OR 97229

Please note my new email address: jefff@seradesign.com.

Jeff Frost, LFA, CSBA, LEED AP BD+C, LEED AP Homes, Assoc. AIA

d: 503.847.2175 **m:** 602.793.9610 **o:** 503.445.7372

SERA Portland + San Mateo seradesign.com

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From: Kristin Calhoun [mailto:kcalhoun@racc.org]
Sent: Thursday, August 11, 2016 4:58 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

The Regional Arts & Culture Council believes that the Floor Area Ratio Bonus should not be eliminated from the Central City Plan. There are situations, like office towers, in which housing may not be appropriate but public art could be. Please reconsider this proposed change. Thank you-Kristin Calhoun

Kristin Calhoun Public Art Manager, Regional Arts & Culture Council 411 NW Park Avenue, Suite 101, Portland, OR 97209 503.823.5401 racc.org Facebook Twitter YouTube

August 11, 2016

Katherine Anderson 808 SE 28th Avenue Portland OR 97214 ka48@msn.com

I am particularly concerned about the following issues regarding overly favourable "rights" permitted to developer which shift any semblance of balancing development and resident input, neighborhood ilivability, streetscape and scale of development.

1.Developers's "by-right" plans to construct towering buildings heights that blocking vistas: from the Vista Bridge, Japanese Gardens, Springwater, Washington Rose Gardens. Tourists Vistas protected since 1999.

2. Central City Mapping failed to include the PDC CESI boundary includes the 6.81 acres East of SE 15ht Avenue on WA-MO Community Center.

Roughly 14 months ago — during pubic hearings — extending PDC TIP to include the Clinton Triangle, first PSC voted to not allow five (5) ten story condos next to OMSI creating a gated community without full-service grocery, library, medical facilities, located between the Marham Bridge and an inter-state railroad, with blasting train whistles 24/7.

Recently, the flip-flopped changing the zone to permit condos. OMSI is a non-profit organization now in the business of Real Estate.

It is not too late to say NO.

3. No mention anywhere in Central City Comp Plan 2035 vision supporting construction of a Public High School in the Pearl, Hoyt properties or Downtown. Yet, MERO and Residential Infill middle are expecting 260,000 by 2035.

My fear is that the Multnomah County property owners (of which I am one) will be asked to take on more debt — over and above the existing \$540 Million maintenance Bond. Come May, 2017, PPS will be asking VOTERS s to take on second bond. But will it cover the purchase of open space in the Pearl, plus construction? Something to think about.

Thank you for considering my input.

Sincerely , Katherine Anderson 808 SE 28th Avenue Portland OR 97214 ka48@msn.com Central City 2035 Draft Plan Comments from Mary Vogel Aug. 10, 2016



SW Columbia looking east from SW 13th. There are no street trees on Columbia for most blocks until SW 10th. Most of the trees visible in the photo are on side streets. Lane width is extremely generous.

I really like many concepts in the plan that I've worked on over the last 4 years-including:

- One of it's "Big Ideas": Design Streets to Be Great Places
- Oregon's first designation as a Multimodal Mixed-Use Area (MMA)

As an adult cyclist for over 40 years and also a resident of the West End for over 7 years, I want to address—for the West End—how to strengthen these great concepts in the plan.

Build only bikeways that also improve the streetscape for pedestrians too

Measure 20131 in the TSP: Jefferson Columbia Bikeway needs to be expanded to make Jefferson and Columbia safe and pleasant for pedestrians—with wider sidewalks, large canopy street trees and narrower traffic lanes. Wider sidewalks will allow canopy-size street trees to thrive and those large canopy street trees will also make Columbia and Jefferson safer and more pleasant for cyclists too.



SW Jefferson, part of the "bikeway" couplet, looking east from SW 13th and the I-405 Freeway. Widening the sidewalks to accommodate large canopy street trees would make the street into a "Great Place" safer for pedestrians, cyclists and motorists too.

Additional Policies and Implementation Actions Needed

I have suggestions for revisions to the policies in **Vol.1_02 Goals and Policies** and the Action *Table for Lead Implementers* in **Vol. 5 Implementation**.

Vol.1_02 Goals and Policies

These policies could go in under Transportation, Urban Design or Health and Environment—so the numbering may need to change, depending upon where you decide to put them.

Policy 1.WE-_SW Jefferson-SW Columbia Develop and implement a strategy to make SW Jefferson and SW Columbia into multi-modal boulevards with wider sidewalks, large canopy street trees and narrower traffic lanes.

Policy 3.WE-3 Columbia/Jefferson Cap. Develop and implement a strategy to cap I-405 from Columbia to Jefferson to make the pollution hot spot now found at the freeway juncture (I-405 & Hwy 26) more tolerable to residents [who are largely low-income and have little other choice]--and also expand area for further building in the central city.

Policy 3.WE 4 Salmon Green Street. Support development of the SW Salmon Green Street as a key east-west green connection from Washington Park and Goose

Hollow to the Willamette River.

Also consider this change in wording:

Policy 5.WE-2 Street hierarchy and development character. Support the retail/commercial character of SW 10th Avenue, Jefferson and Yamhill streets and develop a [the] boulevard character on [of] Morrison, Columbia, Clay and Market streets and 12th Avenue.

With the possible exception of Morrison, these streets do NOT feel at all like boulevards now; they feel like raceways. If the language is meant to be aspirational, that should be pointed out.

Policy 6.WE-2 Water management and reuse. Take advantage of the West End's topography, identify opportunities for stormwater management, as well as rainwater harvesting and reuse within the district.

Because I-405 acts as a valley between Goose Hollow and the West End, the West End is the "headwaters" for stormwater flowing off its streets and buildings through Downtown to the Willamette River.

Policy 7.WE-_ Address climate adaptation and reduce the impacts to neighbors from I-405 noise and air pollution by working with ODOT to **replant I-405 with dense NATIVE trees and shrubs** and **improve/replant its vine coverage of canyon walls.** ODOT, BES, PBOT

Policy 8.WE- _ Institute a land tax on the development potential of **surface parking lots**. Incentivize "Parking Forests" (org) that **achieve stormwater management and reduce the urban heat island effect** while awaiting redevelopment by reducing such tax if street trees and the Parking Forest or other biological control of stormwater are installed. BES, Private

Policy 9.WE- _ Explore opportunities for one or more **community gardens in the WE or DT**. Consider such opportunities at all publicly-owned spaces including the roofs and wall of structured parking lots. PPR

Policy 10.WE- _ Require that all new and redeveloped buildings **provide opportunity for food gardening**. **BPS, Private**

Policy 11.WE- Require that all new and redeveloped buildings **capture and reuse water. BPS, BES, Private**

Policy 12.WE- _ Require that **all invasive plant species be removed** from West End properties, both public and private. PPR, private

Vol. 5 Implementation

Action items need to be developed for all of the above policies—or vice versa—as most are really action items. And I hope you will do that. I've been far more generous with pro bono work than I can afford to be.

West End UD77 Improve Salmon Street as a unique east-west connection linking Washington Park to the Willamette River with active transportation, landscaping and green infrastructure facilities. Encourage additional, activating retail.

West End UD 79 Reduce the impacts to neighbors from I-405 noise and air pollution by installing green walls on new/redeveloped buildings and street trees **wherever possible**—with a special focus along SW 13th and SW 12th Aves as well as SW Jefferson and SW Columbia. [Instead of where appropriate.]

West End UD83 Develop and implement a strategy to encourage main-street friendly streetscape and green infrastructure improvements on SW Jefferson S

friendly streetscape and green infrastructure improvements on SW Jefferson Street. Green infrastructure includes planting additional trees—especially between SW 13th & 12th Avenues to buffer residents from air and noise pollution.

West End UD84 Develop and implement a strategy to create truly multi-modal streets on SW Columbia and SW Jefferson with widened sidewalks and large canopy street trees and a bikeway, while maintaining parking lanes on both sides of the street.

West End UD 85 Develop and implement a strategy to create truly multi-modal streets on SW Market and SW Clay with widened sidewalks, maintaining large canopy street trees and parking lanes on both sides of the street.

West End UD 86 Develop and implement a strategy to cap I-405 from Columbia to Jefferson.

West End UD 87 Align the funding requests in the Transportation System Plan (TSP) to reflect the above action items and begin to pay for them.

Downtown Portland streets need to become true multi-modal streets of the 21st Century and our buildings need to adapt to the likelihood of a vastly different future. My suggested policies above are short-term strategies for making the downtown's West End living safer, more pleasant and more adaptive to climate change. They could also make our neighborhood more sociable and more fun.

The above policies will help to make CC 2035 worthy of the scrutiny of people from around the world who look to us for answers. Let us be proud to say **WE BUILD GREEN CITIES**—and mean it!

CC 2035 Comments Vogel – Addendum 8-10-16

New Chapter 33.475 River Overlay Zones

There is a great deal of detail in this overlay zone that I heartily applaud—far more than I have time to mention here. I do want to say that someone put in a great deal of thought, research and attention to science throughout this chapter.

However, I don't see why all three landscape subareas shown on p. 26 should get different treatment in regard to "All plants must be native" for Subarea 1 on p. 28. Riparian areas are critical wildlife corridors and our native wildlife need NATIVE PLANTS to survive. That's because insects are the base of the food chain and the larvae of most native insects are adapted only to the chemistry of the native plants that they depend upon to grow to maturity. Without insects, the whole food chain collapses. Help continue that food chain well into the future by requiring native plants in all three subareas along western Oregon's major wildlife corridor!

Again, I encourage you to apply **"All plants must be native"** to all three subareas. According to the Oregon Flora Project, there are 4,620 species, subspecies and varieties of native vascular plants in Oregon. While not all are appropriate to the banks of the Willamette, there are enough that are on that list. We do not need to use alien ornamentals in order to achieve pleasing and diverse designs.

Endorsing some of the fine points made by my downtown neighbor and former fellow committee member on the Downtown Land Use and Transportation Committee, Wendy Rahm.

- **Reconcile the West End policy for a potential/park/open space throughout the draft:** Reconcile the supporting policies and maps (expressed in Vol 1 p42 Policy 2.1; p44 Policy 2.WE-1; Vol1 p93 map; and Vol5 p231 map) with several maps not reflecting this open space need: show a *p_o_t_e_n_t_i_a_l__*West End park/open space on maps in Vol 1 p11, p40-41, p64-5 and p78-79.
- Add the word "*community center*"_(per Vol 1 p42 Policy 2.1) to **Vol1 p44 Policy 2.WE-1.** ... Endorse also the inclusion of HN35 for a West End community center in Vol5 p177 though the timeline should be changed **to 2-5 years**...

CALC A community center and (nearby at least) elementary and middle schools are needed . .

Link the *finding of an open/space/community center* to the *planning for the city-owned block* on SW Yamhill and 10th ...

Future Canopy Needs

D A future West End park relates to **future canopy needs**. The West End canopy **goal estimates are low**, perhaps because there is no identified open space where additional trees can be planted. Yet additional trees are needed in this dense, urban district to **mitigate heat island effect and air quality** and to **soften the urban landscape**. Because no other sites are identified for additional tree canopy, a new central open space in the West End needs to be found to improve the canopy goal estimates. (Vol5 p66-69)

In my opinion, there are many other reasons why the **West End canopy goals are low and need to be increased**. I was part of the PP&R volunteer team that surveyed the neighborhood. But because the entire downtown was to be surveyed, our human resources were thin and we did not get through the survey for the West End. In my recollection, the survey only dealt with street tree wells that currently exist–**not where they should exist**.

Some places seem to be exempted from street trees because they have other vegetation planted—e.g., the Century Tower at 1201 SW 12th Ave. has four planters with small ornamental trees that provide almost no shade to the sidewalk. One of those trees is dead and another two are in poor health. All of the trees planted on the alley between the Century Tower and John Niemeyer's other building seem to be struggling as well. None of these trees are an adequate substitute for the large canopy street trees that we need on SW 12th Ave. **Require large canopy street trees as part of the treatment of SW 12th Ave.!**

Some downtown property owners, like Steven Blindheim, owner of the Carmelita at 1232 SW Jefferson, seem to be exempted because there is no cut in the sidewalk for the street trees that should have been planted when his building was built. Cutting space for street trees in downtown sidewalks is both feasible and economical. Those owners, like Mr. Blindheim, who refused to act on the generous offer of the Bureau of Environmental Services to cut the sidewalk, plant a street tree and maintain it for three years should be publically exposed as they deserve our just anger.



These vaults along SW Columbia should be replaced by large canopy street trees even though there are landscape trees for the parking lot to their north. Those trees do NOT replace street trees as they provide no shade to the sidewalk or the street!

Another reason the City failed to find adequate space for the needed tree canopy is that there are vaults in the sidewalk that make it difficult to find space. Adapting to climate change in the coming 20 years should pre-empt whatever convenience these vaults supplied to merchants in the past--and **many of them should be replaced**

by trees.

I agree with the testimony of Meryl Redish, Chair of the Urban Forestry Commisssion about the need for reforms to the Tree Code and better funding as well.

I just received the entire comments of the UFC and agree with it wholeheartedly. I fear that the lack of required setback for Sky3 will make adding large canopy street trees to SW Jefferson between SW 11th & 12 very difficult. The building being built does not appear to be the building in their images, BTW. I love the idea of a bit more setback—and for an incentive for trees on green roofs!

I agree with my nearby neighbor, Suzanne Lennard on her suggested treatment of the South Park Blocks as she says it in a more abbreviated way than Wendy Rahm:

Protection of sunlight on the South Park Blocks should be REQUIRED, rather than

"encouraged"6 in order to enhance the signature open space of the South Park7.

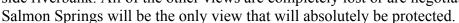
Maximum building heights should be LOWERED to 100' along both sides of the park blocks; Step backs at the third story of buildings over 3 stories should be REQUIRED facing the park. The designation of "area eligible for height increase" should be REMOVED8.

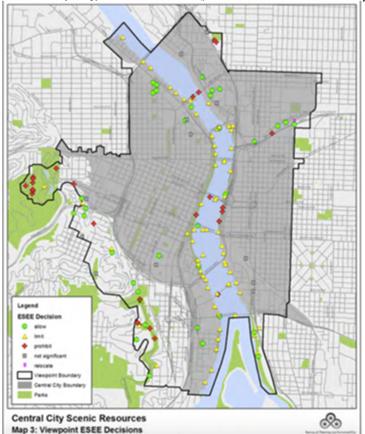
The numbers refer to footnotes relating to policies or maps, but I won't repeat them here.

Thanks so much for your attention and consideration! Mary Vogel 1220 SW 12th Ave. #709 Portland, OR 97205 503-245-7858 <u>mary@plangreen.net</u> From: Tracy J. Prince, Ph.D. [mailto:tprince@pdx.edu]
Sent: Wednesday, August 10, 2016 9:49 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 testimony--Save Mt. Hood views from Salmon Springs and Vista Bridge; return Vista Bridge to a view corridor; reduce heights in historic districts

Commissioners,

Keep the last fully protected riverbank view of Mt. Hood from Salmon Springs Fountain This is an important moment for you. Do you make sure that a few property owners and PDC's ODOT blocks on the east side have maximum development potential? Or do you save the only FULLY protected view of Mt. Hood along the riverbank -- Salmon Springs Fountain? As you can see in the map shown in the views section—there is only one red x along the west side riverbank. All of the other views are completely lost or are negotiable—which means that





Sometimes the needs of the many outweigh the needs of the few. This is one of those times — when the needs of the entire population of Portland outweigh the needs of a few property owners. I watched all of the testimony and saw how property owners and the PDC tried to spin this as a jobs issue. However, you as our planning commissioners must weigh the vastly greater tourists jobs and economic benefit of tourism that come with this **last fully protected view of Mt. Hood from the riverbank**. Property owners and PDC claim that 2,000 jobs will be lost if you lower heights on the east side. However, many thousands of jobs rely on a robust tourist

sector and a thriving tourist economy. Far more than 2,000 jobs are dependent upon Portland's strong sense of place and robust beauty. I was shocked when one property owner flippantly proclaimed that people could go to Washington Park or Council Crest to see a view of Mt. Hood—that they don't need this view. This is the voice of an extremely privileged person who has no sense of the need for egalitarian and equitable access to natural views. This view is easy for him to dismiss because it will affect him personally. But since most Portlanders and most tourists find their way to Waterfront Park and to this view point, this is a crucial view to preserve—for a robust tourist economy and tourist jobs and for Portland's equitable sense of place. I hope you will protect the needs of the many over the needs of the few.

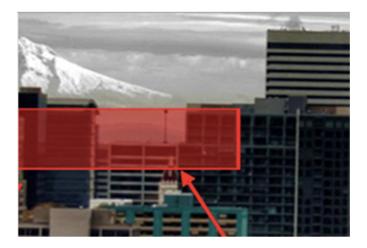
Lower heights in Vista Bridge View Corridor

For the same reason, I hope you **protect the 1000' of timberline in the view corridor from the Vista Bridge to Mt. Hood**. When City Council protected this view in 1991, they made a big deal out of protecting 1000' of timberline because of the importance of showing the contrast between the snowcap and the timberline—they understood that this is what makes the view striking. The many residents who testified on this are only asking for a slight modification in heights. Here are the proposed heights:



Figure 16: View of Central City and Mt Hood from SW15 – Proposed Bonus Heights

Here's where the heights will need to be slightly modified to protect the current view of 1000' of timberline:



Please preserve this incredible view that is a treasure to Portlanders and heavily used by tourists.

Return to Vista Bridge to a protected view corridor

The currently protected view corridor of the Vista Bridge is being stripped away in this plan. Staff claim that making SW Jefferson a view street will protect views of the bridge, but this is false. This plan allows 50' buildings right next to the bridge and 140' 2 blocks from the bridge. The Vista Bridge can be seen from many places throughout the Central City, but it will be walled off in a canyon with these proposed heights. To see the full sweep of the arches, you'll have to stand in the middle of Jefferson. Since this grand bridge and Vista was proposed by Olmsted, this has been a beloved architectural treasure for Portland.

City Council has already committed to preserving the view corridor to the Vista Bridge when they adopted the West Quadrant Plan-- one of its five urban design policies committed to "elevate the presence, character and role of significant public <u>view corridors(e.g.</u> Vista Bridge, West Hills) which define the district."

Please join the Architectural Heritage Center, Restore Oregon, Chet Orloff, Bill Failing, Stuart Emmons, and many others in advocating for this to return to a view corridor. Heights must be low for at least 4 blocks east of the bridge in order to allow views of the arches of the bridge to be seen from many vantage points in the city. The Goose Hollow Foothills League proposes maintaining the current heights (30', 35', 40', and 45'--from the bridge to SW 17th), but recommends that the lowered heights be expanded to include the entirety of the block fronting SW Jefferson (Jefferson to SW Howards Way to the south and Jefferson to SW Madison to the north). This will prevent any building from ever blocking views of the arches of the bridge.

Heights should not be increased in historic districts.

It has been confusing to see strong language in the recently adopted Comp Plan to protect our historic buildings—yet the CC2035 plan has numerous instances of heights being raised in historic districts. Heights should never be increased in historic districts since this incentivizes the destruction of historic buildings.

Sincerely,

Tracy J. Prince, Ph.D. Scholar in Residence Portland Center for Public Humanities Portland State University Box 751 Portland, OR 97207 http://www.pdx.edu/history/profile/tracy-j-prince -----Original Message-----From: Amy Marks [mailto:marksbirds@gmail.com] Sent: Wednesday, August 10, 2016 3:59 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: "CC2035 Plan Testimony"

Dear Sirs and Madams,

I disagree with the zoning on the Lincoln High School Property for a high rise building. Which do they want? A new high school or an office building? Are you thinking one day by 2035 the football field will be over the freeway? Then that space will be a super high rise?

Then you need to allow the King's hill neighborhood to be able to build high too. The current zoning is too low. You are going to make a dreary little shady pocket if Lincoln High School property gets to go 250', and the section that is low lying between 18th and 19th on Main Street is only allowed to go 100'. Legends already exceeds that. I see there is some kind of bonus height available, but is still makes this area a low pocket. All Portlanders need light and air and blue sky.

Amy Marks Owner 1105 SW 18th Ave, Portland OR 97205 August 10, 2016

Planning and Sustainability Commission 1900 SW Fourth Ave., Suite 7100, Portland OR, 97201 Attn: CC2035 testimony

Dear Planning and Sustainability Commission:

I am writing to wholeheartedly support an ecoroof requirement in the Central City 2035 Plan. Ecoroofs provide a wide range of benefits. They:

- Reduce and manage stormwater runoff from rooftops
- Improve air quality by capturing and removing particulates
- Reduce urban heat island because they are significantly cooler than conventional roofs
- Provide open space for people and habitat for wildlife
- Improve aesthetics and views from adjacent buildings
- Reduce energy usage in buildings
- Last much longer than conventional roofs, saving replacement costs and materials

Many studies have been conducted that provide the empirical evidence that forms the scientific foundation of these benefits. I will cite studies that address just four of the benefits listed above.

Ecoroofs Manage Stormwater Sustainably

Based on City of Portland monitoring data since 2002, ecoroofs typically capture and evaporate an average of 60 percent of the rain that falls on them. This reduces stormwater runoff volume and speed, helps prevent combined sewer overflows, and protects rivers and streams. (*Ecoroof Handbook*, by City of Portland Environmental Services. 2009)

Ecoroofs Reduce Urban Heat Island Impacts

A study conducted by researchers at Columbia University compared roof membrane temperatures of a green, white, and black roof located in Queens NYC. The results showed that the green roof was 60°F cooler than the black roof and 30°F cooler than the white roof. (*A Temperature and Seasonal Energy Analysis of Green, White, and Black Roofs*, by S.R. Gaffin, C. Rosenzweig, J. Eichenbaum-Pikser, R. Khanbilvardi, and T. Susca. 2010)

Just as ecoroofs need maintenance, white roofs also require maintenance. White roofs require frequent washing or they lose their reflectance rapidly. Ecoroof maintenance can be fairly simple or complex depending on the design and needs of the building owner.

Ecoroofs Save Energy

Portland State University professor and researcher, Graig Spolek, conducted a study that compared heat flow through the vegetated roof to a conventional, ballasted roof on the Broadway Building. The results showed that a vegetated roof reduced heat flow through the roof by 72 percent in summer and 13 percent in winter. (*Performance Monitoring of Three Ecoroofs in Portland, Oregon*, by Graig Spolek. 2008). Reducing energy demand in buildings also reduces greenhouse gas emissions.

Ecoroofs Improve Air Quality

One study, cited by the US Environmental Protection Agency, estimates that a 1,000 square foot green roof can remove about 40 pounds of particulate matter from the air in a year, while also producing oxygen and removing carbon dioxide. (*Reducing Urban Heat Islands: Compendium of Strategies*, draft, by U.S EPA. No date)

Ecoroofs Provide Open Space and Improve Aesthetics

Views from a friend's apartment would be much improved if the surrounding buildings had ecoroofs. Those ecoroofs would provide habitat for birds and insects, and some could be used as rooftop green spaces for people.





Ecoroofs began appearing in portland in the mid-1990s. From 2008 to 2012, the City of Portland provided a cash incentive which was very popular and Portland was recognized <u>globally</u> as a leader in the industry. As ecoroof business shifted to other cities, our lead has fallen away. However, ecoroofs are not new to Portland, and because of their longevity here, we have a strong ecoroof industry which can provide design, engineering, and roofing expertise for developers and builders. We can regain our worldwide stature as an ecoroof leader, and the requirement is the way to do that.

I hope that you will join many of us and support the ecoroof requirement in the Central City 2035 Plan.

Sincerely,

Amy Chomowicz 2350 SE 57th Ave Portland, OR 97215 From: Alan Armstrong - Strongwork Architecture [mailto:alan@strongworkarchitecture.com]
Sent: Wednesday, August 10, 2016 10:05 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: [User Approved] CC 2035 Testimony

Hello,

I fully support the bird friendly building guidelines included in the draft CC 2035 plan.

Please include in the final.

Thanks, Alan

--Alan Armstrong, AIA, CSBA **STRONGWORK** ARCHITECTURE, LLC t 503 442 6786 www.strongworkarchitecture.com

Susan Younie 2024 SW Howards Way, #103 Portland, Oregon 97201

My name is Susan Younie, I have lived in Goose Hollow for nearly 30 years, and owned my home in Goose Hollow for 18 years. I am a member of the Goose Hollow Foothills League and currently sit on the board. I am writing to support the GHFL's position regarding the CC2035 plan. (letter dated 7/24/2016)

I want to specifically address view corridors and height limits in the Goose Hollow portions of Central City Plan of and the consequences of the plan on Goose Hollow and livability.

I support the current DRAFT CC2035 height limits proposed to protect views of downtown and Mt. Hood from the Vista Bridge. Keep SW Jefferson as a designated "view corridor" rather than a "view street" while lowering building height limits along SW Jefferson which will preserve views of the Vista Bridge while traveling east bound on SW Jefferson Street.

I am also in support of restoring the residential overlay to the areas zoned cx to the east and west of Providence Park. The city should encourage opportunities for additional housing (including hotels, retirement centers, assisted living facilities, condos, or apartments) with commercial uses (offices, retail, restaurants, etc). Encouraging residential development will maintain Goose Hollow's vibrant neighborhood feel, while meeting future residential demand in one of the densest neighborhoods in Portland. It will also enhance safety by maintaining a human presence 24/7.

Testimony for Planning and Sustainability

Good evening, I am Dan Yates, President of Portland Spirit cruises. We operate 5 vessels, perform about 2,000 cruises annually and employe over 200 people. I have built three docks in the Central City.

I am concerned that the 2035 draft in its current form will mean Portland will miss a generational opportunity to allow the Willamette River to realize its true potential. The current draft has failed on several key areas and those areas are expended on in my written testimony.

I want to highlight one key area of concern. Water based transportation has been included in the current draft planning documents. Our location at 110 SE Caruthers is adjacent to a major intersection of light rail, bus lines, bike trails and streetcar and is an ideal location for a river terminal. It is the last location in the Central City that can base, service and load a large fleet.

The 2035 draft allows only a terminal that is fatally flawed. We need to think of the terminal from the perspective of its customers. We know that they do not want to wait in the rain or heat, they expect assistance for the infirm, restrooms, a place to sit, be able to get a drink, get information, bike storage, luggage storage, buy a ticket/check-in and be safe. As the operator I need space for management, security, machine shops, food storage, food production, sales, trash, storage, and customer service.

Our current location has a 5,000 square foot waterfront facility and a 4,800 square foot machine shop with over 400 feet of dock and these building facilities are inadequate for our current demands. Our dock has capacity for about 12 more vessels. The current draft proposes limiting our location to a 5,000 square foot floor plan for a terminal and is based on our use at Salmon Street and its 60 feet of dock and our loading of a single vessel. I have provided in June 2016 to the city what I believe should comprise a full service terminal and that is much larger space (about 50,000 square feet). Many cities have wonderful waterfront terminals that are a source of pride to their city and Portland deserves nothing less.

The Willamette is the last great free right-a-way in Portland and like the streetcar, water transit is going to return to Portland. The 2035 plan acknowledges water transit is possible, now we need to mesh the planning with the zoning code and plan for success. We need a terminal that will service riders for the next 20 years, not one that is undersized out the gate.



August 9, 2016

TY K. WYMAN Admitted in Oregon and Washington

> DIRECT DIAL 503-417-5478

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INTERNET www.dunncarney.com Re: Central City 2035 Plan - Scenic Resources Protection Plan Our File No.: GRA101-1

Dear Planning and Sustainability Commission:

Portland Planning and Sustainability Commission

1900 SW Fourth Avenue, Suite #7100

Via Hand-Delivery

Portland, OR 97201

This firm represents a coalition of Central Eastside property owners (copied hereon) whose allowed building heights would plummet under the referenced proposal. The negative economic impact of this proposal is pretty clear, and I understand these owners will attest directly to it. They asked me to put their concerns into the context of the applicable law and add my own observations.

Goal 5 sets forth a regulatory process that, even by Oregon standards, is detailed and rigorous. That process culminates with your decision to allow, prohibit, or limit land use that conflict with preservation of the resource.

In the case of the scenic view from Salmon Springs, staff recommends that you prohibit conflicting uses, *i.e.*, reduce by as much as 80% building heights presently feasible on approximately 80 parcels covering 25 City blocks. However, as described below, nothing in this record indicates that sufficient evidence exists to proceed with that recommendation.

The choice to "allow, prohibit, or limit" conflicting uses starts with an inventory of all "lands that are valued for their aesthetic appearance." OAR 660-023-0230(1). Staff finds exactly 152 such locations within the Central City. This inventory cannot be well taken. There are probably ten times as many locations just within public access. Furthermore, nothing in the rule says that private property cannot be valued for its aesthetic appearance.



The City must evaluate the quantity, quality, and location of inventoried resources to determine which to deem "significant." For each significant resource, the City must then identify its "impact area," *i.e.*, "the geographic area within which conflicting uses could adversely affect [it]." OAR 660-023-0010(3). Those uses are then evaluated for their so-called "ESEE" consequences. OAR 660-023-0050.

Significance of the Salmon Street Springs

We understand the value that the community places on views of Mt. Hood. Not all such views are equal, however, and the view from the Springs simply fails the Goal 5 "significance" test.

The views from Council Crest, the Washington Park Rose Garden, and Pittock Mansion are iconic; the view from Waterfront Park is not. On this point, note that the first three images on a Google search of "Portland views" is of Mt Hood taken from the West Hills. Not a single image on the entire page, however, is of the mountain from Waterfront Park.

On this point, the photos provided in the staff report are materially inaccurate. Most notably, they airbrush out lighting poles on I-5. Indeed, one of these poles viewed from the Springs blocks view of the mountain's peak. We all wish the Eastbank Freeway would disappear, but can't just pretend it's not there.

Impact Area

I see no delineation in the staff report of the area within which conflicting uses could adversely affect the view from the Springs. This failure is critical. As views from the West Hills show, the mountain is much wider than what can be seen through the cone drawn by staff.

ESEE Analysis

As noted, Goal 5 requires analysis of the economic, social, environmental, and energy consequences of the "allow, prohibit, or limit" decisions. Even if we assume, for purposes of argument, that the view is significant, rigorous analysis of these consequences would show the value of that view is substantially less than the value of the building heights in question.

Staff speaks in its June 20, 2016 report to the economic value of the subject building heights and, as noted above, plenty of landowners will also. To be clear, I fully believe that the economic impact the view corridor would wreak on these properties is overwhelming and requires an "allow" decision. There are, however, consequences beyond those on the private-sector economy.

<u>Energy Consequences</u>. This City styles itself on the forefront of weaning our economy off of fossil fuels. To wit, Alternativpdx notes the following imperative: "The City should promote forms of transportation (public and private) that do not use fossil fuels." Do any of us disagree?

On this issue, a "prohibit" decision by this commission would have only one consequence, and it is decidedly negative. *I.e.*, nothing about preserving the view corridor will tend to reduce fossil fuel use or promote use of alternative fuels. A decision to "allow" conflicting uses of the view corridor, on the other hand, will directly facilitate development around the Eastside streetcar, thus reducing fossil fuel consumption.

<u>Environmental Consequences</u>. The same analysis applies for the environmental consequences of a "prohibit" decision. BikePortland reported in 2012 that "per person carbon emissions have dropped 26 percent in Multnomah County since 1990. . . . [O]ne of the reasons for those declines are 'increasingly complete and connected neighborhoods.'" Again, a decision to "prohibit" allowed building heights within the view corridor would do nothing to complete or connect neighborhoods. To the contrary, it would leave this neighborhood incomplete and disconnected.

<u>Economic Consequences</u>. Then, there the previously-mentioned economic analysis. I first note that, in its February 2016 Discussion Draft, staff concluded as follows:

Although Salmon Springs is the most used viewpoint in the Governor Tom McCall Waterfront Park and offers a view of Mt Hood today, the economic impacts outweigh protecting the view long term. The recommendation is to maintain the Salmon Springs viewpoint as a view of the Willamette River, Hawthorne Bridge, and the Central Eastside skyline; and not to protect the view of Mt Hood.

It is not that staff lacks the ability to change its mind, we just wonder why it did so. What new information was adduced over the four months leading to the June staff report? Or, if the "prohibit" recommendation was on new analysis of the ESEE facts, what was that analysis?

Regardless, staff's analysis of the ESEE consequences of a "prohibit" decision is not nearly sufficient for the Goal 5 process. Staff acknowledges that the decision would have negative economic impact on creation of jobs and housing in the Central City. The impact would be much broader.

Economic consequences extend far beyond highest and best use of the directly impacted properties. Consider the attached excerpts from the 2003 Eastside Streetcar Alignment Committee report. It's easy to forget that the City seriously considered a Sixth Ave./Seventh Ave. alignment instead of the MLK/Grand eventually constructed.¹

The highlighted portions make clear that the allowed zoning densities was a material basis of the chosen streetcar alignment. Accordingly, removing redevelopment opportunity along eight block-faces along the streetcar undermines the public investment in streetcar.

The investment in streetcar extended to the private sector. As shown on the attached map, the City assessed those properties to help pay for the streetcar. Those assessments were based on the development potential. Would a "prohibit" decision necessitate reassessment of the affected properties?

Furthermore, streetcar was merely one element in a billion dollar public investment in the Central Eastside. This included Eastbank Esplanade, Tilikum Crossing, and reconstruction of the MLK/Grand Viaduct. A decision to prohibit full building heights on 25 blocks in the middle of this new infrastructure will undermine this investment.

Lastly, staff fails to evaluate the negative economic impact of a decision to "allow" full building heights. *I.e.*, how much tourism would the City lose if the existing view from Salmon Springs to Mt. Hood was lost? Would any?

In conclusion and with reference to the testimony from coalition members, the consequences of a "prohibit" decision are dramatic. Indeed, they raise the admonition inherent in the Takings Clause of the Fifth Amendment, *i.e.*, that government not "forc[e] some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole." *United States v. Armstrong*, 364 U.S. 40 (1960). More specific to the matter at hand, the Supreme Court later stated that "[t]he economic impact of the regulation . . . and [in particular], the extent to which the regulation has interfered with distinct investment-backed expectations" "have particular significance" in the takings determination. *Penn Central v. City of New York*, 438 U.S 104, 124 (1978).

The Commission has heard and will hear that prohibiting allowed building heights in the manner mapped by staff would significantly decrease property values

¹ In fact, the City previously considered 11th and 12th Avenues as a possible streetcar alignment.

in a way that interferes with expectations on which owners have relied for many decades. I urge you not to recommend that prohibition. Thank you for your consideration.

Very truly yours, 1, 20 Ty K. Wyman

TKW:car
Attachments:
Excerpts from 2003 Eastside Streetcar Alignment Committee Report Streetcar Assessment Map
cc: Grand & Salmon, LLC (Julie Bennett) Gulsons, LLC (Jaidev Watumull)
PJM Bldg. I LLC (Priscilla J. Morehouse)
Honeycutt Properties, LLC (Edwin E. Honeycutt)
Kar Parts Service, Inc. (Frank Kidd)
Edy, Morton & Edy, LLC (James W. Edy and James C. Morton)
Club Wong, LLC (So Hin Wong)
Coho Crossing, LLC (Emma Pelett)

DCAPDX_2115171_v3

INTRODUCTION

Background

The Region's 2040 Growth Concept, adopted by Metro in 1995, is a plan for the future. It includes land-use and transportation policies that will allow the Portland metropolitan area cities and counties to manage growth, protect natural resources and make improvements to facilities and infrastructure while maintaining the region's quality of life. It is designed to accommodate approximately 720,000 additional residents and 350,000 additional jobs in the region. The Growth Concept calls for the central city to have the region's highest density housing and to be the employment and cultural hub.

The Portland Streetcar is a part of the City's growth management strategy. We believe that providing high density housing in close proximity to jobs and all the other amenities available in the central city is both a good idea and a good deal. City goals call for 15,000 new housing units and 75,000 new jobs in the central city alone.

The Westside Streetcar has been in operation for almost two years. Ridership has grown to 4,668 daily riders during the week, 4,545 on Saturdays and 2,562 on Sundays. As important as the ridership is and the level of support it shows, it is the development along the line that is most notable. A recent survey of new development within 2-3 blocks of the Streetcar shows a significant number projects were (or will be) completed since 1997, which is when the City committed to building the Streetcar project.

Total Investment:	\$1,046,300,000	
Residential Units*:	3,628	
Sq. Ft. of Commercial Space	e** 2,242,500	

* Includes 800 units of affordable housing

** Includes office, commercial, ground floor retail, hotel and institutional space

Eastside Streetcar Alignment Study

The desire to investigate and evaluate an extension of Streetcar service comes out of the Lloyd District Development Strategy completed in July 2001. Its purpose is to refresh the vision and guide new public and private development in the Lloyd District for the next 10 to 20 years. One of the subareas in the District is the Central Core, the area between N.E. Halsey and Holladay Street and N.E. 6th and 9th Avenues. As the heart of the District, it has the potential for high-density, high-rise development, as well as opportunities to create a green attractor and a signature development project. The strategy envisions a mix of residential, retail and employment uses. It is here that the Streetcar could play a role as part of a transit hub with light rail and buses and as an important new means of connecting to other parts of the District and to the Westside Streetcar alignment and all it serves.

Implementation

The Steering Committee recommends that the alignment study continue to the next step by implementing the following actions:

- 1. Steering Committee: Retain Eastside Streetcar Steering Committee with broad-based membership representing business, institutional and residential interests in the area of the Lloyd District, Central Eastside and adjoining areas. This group would develop recommendations for consideration for the appropriate decision-making body.
- 2. Citizen Process: Support Streetcar Citizen Advisory Committee process already established by adding new members to participate in the recommendations for the streetcar.
- 3. Environmental Assessment: Commence the environmental assessment process in consultation with the Federal Transit Administration (FTA) for Phase 1 of the streetcar from NW Lovejoy to the Lloyd District. The environmental assessment process is a required step in the federal funding process.
- 4. Alternatives Analysis: The Eastside Streetcar is an extension of an existing system in Portland. It is recommended that the FTA be petitioned to concur with assessment and make a determination that an Alternatives Analysis will not be required.
- 5. **Conceptual Engineering:** Commence conceptual engineering of Phase 1 of eastside streetcar preparing street alignment, proposed stop locations and assessment of the Broadway Bridge requirements for rail installation.
- 6. Finance Plan: Phase 1 of streetcar is estimated to cost \$39.6 million (in 2003 dollars). It is recommended that federal funding in the amount of \$19.8 million be sought to support the construction of Phase 1. Local funding is needed in the amount of \$19.8 million which is proposed to be secured through a combination of local improvement district (LID) and other local funds. The Broadway Bridge costs may substantially change the estimate.
- 7. Engineering Funds: The continued work on the streetcar is anticipated to require \$1.25 million over the next 18 months. It is recommended that a \$1,000,000 appropriation from federal HUD funds be sought through the congressional delegation. Local funding in the amount of \$250,000 is being pursued from PDC and the Lloyd Business Improvement District. A proposed work scope is being developed.
- 8. Amend Regional Transportation Plan: It is recommended that the City's Transportation System Plan (TSP) and Metro's Regional Transportation Plan (RTP) be amended to include the proposed streetcar extension project. The City should forward a request to Metro and amend the RTP for the Eastside Streetcar Project during the next update.
- 9. **Development Proposal:** It is recommended that the phases of streetcar extension be accompanied with development commitments for property adjacent to the streetcar!

Recommendation for Eastside Streetear Alignment Steering Committee Adopted June 25, 2003 page 6

Central Eastside

Consideration was given to options for operation on MLK, Grand, 6th and 7th Avenues. The recommended option is MLK and Grand due primarily to the zoning and development potential in the corridor and the East Portland Grand Avenue Historic District. The MLK/Grand corridor offers both a rich existing fabric of historic multiple use buildings and a substantial number of redevelopment sites to strengthen the urban intensity of the corridor. Strong consideration was given to the option of operating on Grand and 6th Avenue as a couplet. This option would provide for superior transfer service from the SE bus service connecting to the Lloyd District. The zoning east of 6th Avenue is industrial sanctuary which limits the redevelopment potential of the area. The greater redevelopment opportunities, zoning, and existing fabric were influential in recommending the MLK/Grand corridor. The 7th Avenue operation was not supported because the zoning is primarily industrial sanctuary.

The Steering Committee had considerable discussion with regard to the option of operating southbound on 7th or 6th and not operating on MLK. The zoning and redevelopment potential on MLK is more suited to the streetcar. The physical area for MLK has proven to be a significant challenge with a difficult pedestrian environment requiring many improvements to create the dynamic pedestrian and transit environment desired. After weighing the options, a preference was expressed for MLK. It is recognized that 6th Avenue does border the EX zone and would not require a zone change to meet the streetcar interests on half of the street. It is recommended that the community be encouraged to closely evaluate the options for the streetcar in the next phase of study. The community has strongly supported finding a way to improve MLK/Grand so they can serve pedestrians and transit better than the current configuration.

Southeast Waterfront

The area south of the Hawthorne Bridge in the Central Eastside was recognized as a special development area with existing attractions, emerging employment and development plans. The area is physically difficult to serve with transit and would be greatly enhanced by the construction of the proposed Caruthers Bridge. Access could be provided from streetcar along Water Avenue connecting PCC and OMSI. It is recognized that a grade crossing of the Union Pacific Railroad would be necessary to provide access to streetcar. Sound Transit has successfully negotiated access across a railroad line for a streetcar in Tacoma, Washington. Obtaining approval for this crossing feasibility needs to be assessed as an alternative to the atgrade railroad crossing. Other options for accessing the south are encouraged, including a connection as far south as Division and Lincoln with a bridge over the railroad lines.

River Crossing

Two options have been identified for completing the transit loop: a new bridge at Caruthers and crossing the Hawthorne Bridge. The Caruthers Bridge crossing is recommended to be the preferred option. The Hawthorne Bridge crossing is retained as a backup option pending the outcome of the South Corridor Study for light rail. There also remains an issue of the feasibility of assuring mixed operation of streetcar and light rail. Light rail and streetcar can share stations,

Recommendation for Eastside Streetcar Alignment Steering Committee Adopted June 25, 2003

Operation

Figure 4 depicts the proposed alignment with the transit system. The operation of the streetcar to the eastside is proposed to combine with the Northwest to SW Gibbs line providing high frequency on 10th and 11th Avenues. The Lloyd streetcar is proposed to terminate at PSU. The following lines are recommended:

- **Rose:** The rose line is proposed to operate from NW 23rd and Marshall to SE Gibbs connecting to the tram to OHSU. The extensions from PSU are in two phases with Riverplace in 2004 and Gibbs in 2006.
- Aqua: The aqua line is proposed to operate from PSU Urban Center to NE 7th in Phase 1 (aqua1), SE Clay to OMSI in Phase 2 (aqua2), and in a loop around the Central City in phase 3 (aqua3).

With 15-minute frequency on the rose and aqua lines, the service level for the shared alignment on 10^{th} and 11^{th} Avenues would be 7.5-minute frequency. With the two lines and the improved frequency on $10^{\text{th}}/11^{\text{th}}$, it is recommended that 15-minute frequency be established as the baseline service.

	Round Trip	Number of	Engenerati	Operating Costs
	Times	Trains	Frequency	
Rose (NW / Gibbs)	90	6	15	\$4.2
Aqual (PSU / Lloyd)	60	4	15	\$2.8
Aqua2 (PSU / OMSI)	90	6	15	\$4.2
Aqua3 (Loop)	118	8	15	\$5.6

Development Potential

The Technical Committee and Steering Committee reviewed extensively the development potential of various options. Figure 5 provides the historic districts and the urban renewal districts that are served by the proposed lines. The Oregon Convention Center and Central Eastside urban renewal districts include the eastside line within the district.

Figure 6 depicts properties that have buildings that are on the property tax rolls for less value than the land. These are estimated to be properties with significant redevelopment potential.

Figure 7 is the zoning and comprehensive plan map for the districts. The IG1 zoning in the Central Eastside is industrial sanctuary and would limit redevelopment. There is a considerable commitment to this zoning as part of the Central City Plan. The MLK/Grand corridor has EX zoning to encourage higher intensity development in that corridor.

Figure 8 contains Lloyd District landmarks with the recommended alignment. Figure 9 depicts the development strategy which includes the central core designated as Lloyd Crossing. This area is well served by the proposed Grand and 7th alignment.

Figure 10 provides the floor area ratio (FAR) which is the ratio of building floor area to land area on a site. The larger the FAR the larger the building. For example, on a 40,000 s.f. parcel, a site with FAR 4:1 may build a 160,000 s.f. building. A site with FAR 12:1 may build a 480,000 s.f. building. The MLK/Grand corridor contains the highest FAR's in the Central Eastside, meaning it has the highest potential for redevelopment without zoning changes.

Revenue

Capital Costs

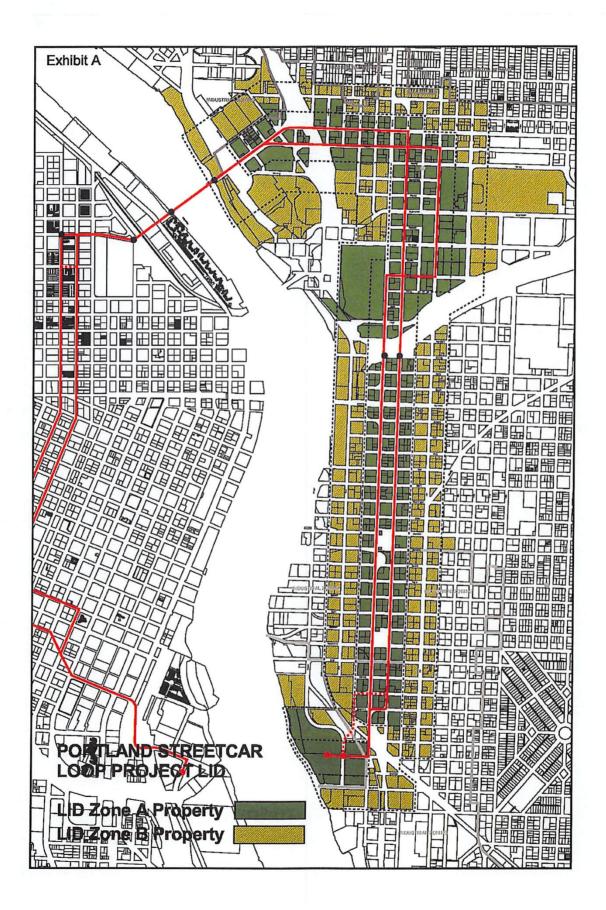
It is recommended that federal funds be sought for construction of the eastside streetcar. Federal legislation is being considered for a special category of streetcar for federal funds with 50% match requirement. Local improvement districts (previous districts have covered 17% of cost) and tax increment funds are have also been used to support the construction of streetcar. The streetcar is contained in two urban renewal districts and would be eligible for tax increment funding. The following are preliminary sources:

Phase 1 – Total Cost	
Federal Transit Administration	\$19,800,000
Local Funding	13,200,000
Local Improvement District	6,600,000
	\$39,600,000
Phase 2 – Total Cost Federal Transit Administration	\$22,000,000
Local Funding	14,520,000
Local Improvement District	7,480,000
	\$44,000,000

Operating Costs

Operating costs for streetcar are the responsibility of the City of Portland through a service agreement with TriMet. Currently TriMet provides \$1.6 million for a period of five years ending June 30, 2006. Until 2006, TriMet operating funding is being provided on a basis of 2/3 of the operating cost with the remainder derived from other fund commitments, farebox and sponsorships. Parking revenues from meters along with parking fine revenues have been used to support the streetcar operation. The projected full operation of streetcar lines: Rose from Northwest Gibbs, and the Aqua Central City Loop is \$9.8 million. A 14-train operation is projected requiring a minimum of 17 trains in the fleet. A long-term plan for operating funding for streetcar is needed to assure the continued operation and expansion of service.

Recommendation for Eastside Streetcar Alignment Steering Committee Adopted June 25, 2003







NOTICE OF PROPOSED FINAL ASSESSMENT FOR THE PORTLAND STREETCAR EASTSIDE LOOP EXTENSION PROJECT LOCAL IMPROVEMENT DISTRICT

Date: February 6, 2014

Leah	Treat
Direct	or

Commissioner

Steve Novick

Tax Account No:R366700100Property ID:R176807LID Project No.:C-10025City Lien No.:143100Legal Description:HAWTHORNE PK, BLOCK 129, LOT 1&2 EXC PT IN ST

Owner: Address: City/State/Zip Site Address: GRAND & SALMON LLC ATTN: BENNETT JULIE 1959 SW EDGEWOOD RD PORTLAND OR 97201-2237 512 SE SALMON ST

On September 6, 2007, the Portland City Council passed Ordinance No. 181265 forming the Portland Streetcar Loop Extension Local Improvement District (Loop LID) to assess properties in proximity to the Streetcar Eastside Loop Extension alignment a fixed total of \$15,000,000 to assist with financing the \$150 million project capital cost. The adopted Loop LID assessment methodology provides that the total assessment will be distributed among properties in relation to their respective Real Market Values (RMVs) as determined by the Multnomah County Assessor's office; proximity to Streetcar alignment (Zones A and B); and use (Commercial, Industrial and Residential); but not less than an alternative minimum land area assessment of \$0.60/SF.

Before the Loop LID was formed in 2007, you received an estimate of the assessment on your property. In computing the final assessments, it was found that the RMVs from current Multnomah County property data vary (some widely) from those used in estimating the assessments in 2007. Some values have decreases and many have increased. Accordingly, it is proposed that the current RMVs be adjusted to more equitably distribute the assessment burden in accordance with the special project benefits contemplated when the Loop LID was formed in 2007. The current RMV of each property used to compute its assessment will be adjusted as the average of its 2007 and its current RMV with increases and reductions to its current RMV limited to 30% of its 2007 RMV. Some properties, such as those subject to the minimum land area assessment are not materially affected by this adjustment.

Following are the 2007 Estimated, Calculated and Proposed Final Assessments on the subject property. The City intends to assess the Proposed Final Assessment with RMV adjustments.

2007 Estimated Assessment: \$ 6046 Calculated Assessment without RMV adjustment: \$ 24650 Proposed Final Assessment with RMV adjustment: \$ 22222

Any objection to the apportionment must be made in writing to the City Council. The written statement must state the specific reasons for the objection and must be received in person or via first-class U.S. mail by the City Auditor, Assessments, Finance and Foreclosure Division, 1221 SW 4th Avenue, Room 130, Portland, Oregon 97204, by 5:00 PM (Pacific Standard Time) on March 5, 2014. The objections will be heard and determined by the City Council at a public hearing to be held beginning no earlier than 2:00 PM on March 12, 2014 in the City Council Chambers, 1221 S.W. Fourth Ave., Portland, Oregon. During the hearing, the City Council may adopt, correct or modify the proposed assessments in response to property owners' objections or other factors resulting in a redistribution of the total fixed assessment amount.

If you have any questions about the project or the LID assessment, please contact Kathryn Levine at 503/823-7085 or via e-mail at kathryn.levine@portlandoregon.gov.

1120 SW Fifth Avenue, Suite 800 • Portland, OR 97204 • 503-823-5185 FAX 503-823-7576 • TTY 503-823-6868 • www.portlandoregon.gov/transportation

An Equal Opportunity Employer To ensure equal access, the Portland Bureau of Transportation will make accummodations in full compliance with Title VI of the Civil Rights Act of 1964, the ADA Title II, and related statutes and regulations in all programs and activities. For accommodations and additional information, and complaints, contact the Title II and Title VI Coordinator at Room 1204, 1120 SW Fifth Ave., Portland, OR 97204, or by telephone 503-823-5185, City TIY 503-823-6868, or use Oregon Relay Service: 711.

PORTLAND STREETCAR LOOP EXTENSION LOCAL IMPROVEMENT DISTRICT PROPOSED 2013 REAL MARKET VALUE ADJUSTMENT

On September 6, 2007, the Portland City Council passed Ordinance No. 181265 forming the Portland Streetcar Loop Extension Local Improvement District (Loop LID) to assess properties in proximity to the Streetcar Eastside Loop Extension alignment a fixed total of \$15,000,000 to assist with financing the \$150 million project capital cost. The adopted Loop LID assessment methodology provides that the total assessment will be distributed among properties in relation to their respective Real Market Values (RMVs) as determined by the Multnomah County Assessor's office; proximity to Streetcar alignment (Zones A and B); and use (Commercial, Industrial and Residential); but not less than an alternative minimum land area assessment of \$0.60/SF.

Before the Loop LID was formed in 2007, property owners received an estimate of the assessment on their property. In computing the final assessments, it was found that the RMVs from current Multnomah County property data vary (some widely) from those used in estimating the assessments in 2007. Some values have decreases and many have increased. Accordingly, it is proposed that the current RMVs be adjusted to more equitably distribute the assessment burden in accordance with the special project benefits contemplated when the Loop LID was formed in 2007. The current 2013 RMV of each property used to compute its assessment will be adjusted as the average of its 2007 and its 2013 RMV with increases and reductions to its current RMV limited to 30% of its 2007 RMV. Some properties, such as those subject to the minimum land area assessment are not materially affected by this adjustment.

The following are examples showing the assessments on a property with a 2007 RMV of \$1,000,000 with varying 2013 RMVs (higher and lower) and the resulting proposed adjusted RMV, assuming the property is in Zone A and Commercial use and not subject to the minimum land area assessment, using the actual value assessment rates (*) that vary for each condition as noted below.

2007 RMV	2013 RMV	Adjusted RMV	2007 Estimated Assessment	Assessment (RMV not adjusted)	Proposed Final Assessment (RMV adjusted)
• .			\$7.70/\$1000*	\$8.02/\$1000*	\$7.83/\$1000*
\$1,000,000	\$1,200,000	\$1,100,000	\$7,700	\$9,621	\$8,610
\$1,000,000	\$1,700,000	\$1,400,000	\$7,700	\$13,629	\$10,958
\$1,000,000	\$800,000	\$900,000	\$7,700	\$6,414	\$7,045
\$1,000,000	\$300,000	\$600,000	\$7,700	\$2,405	\$4,696

1/28/2014

Electric Vehicle Parking in the Central City of Portland, Oregon

PROBLEM: The Portland Bureau of Planning and Sustainability June 20, 2016 proposed draft Central City 2035 (CC2035) Plan does not address the urban benefits and future need for minimum parking for electric vehicles in new multi-dwelling residential buildings and overall is inconsistent with established city goals for the use of electric vehicles to help lessen pollution and mitigate climate change.

BACKGROUND: Since the arrival of affordable automobiles in great quantity, starting with the Model A Ford in 1903, American cities and urban planners have had to cope with traffic congestion, air pollution and where to park privately-owned vehicles. Over the decades, planning for and regulation of on-street curb parking, off-street parking and on-site parking for business and residential buildings have had serious, unintended consequences. Urban core business, vitality, livability and air quality often suffered, but city planners and regulators learned valuable lessons along the way. This critical aspect of city planning has been studied in great depth by many learned people since the Model A.

University urban planning curricula and the American Planning Association have focused on the problem of parking and the real cost to cities and their residents. A very comprehensive 763-page treatise was published in 2005 by the American Planning Association: Donald Shoup, *The High Cost of Free Parking*. The esteemed author holds a PhD in Economics from Yale and is a distinguished research professor in the Department of Urban Planning at UCLA. Professor Shoup supports and recommends that central cities have no minimum parking requirements. Among the bases for this position are: "Increased housing prices, unjust subsidies for cars, distorted transportation choices, sprawl, social inequity, and economic and environmental degradation," the latter encompassing the hazardous and climate-changing side effects of gasoline and diesel engine-powered vehicles: Carbon Monoxide, Carbon Dioxide, other gaseous compounds and particulates.

Parking in Portland is managed by the Bureau of Transportation. Current policies and code are in agreement with those recommended in *The High Cost of Free Parking*, specifically, no minimum parking requirements for new development. The draft CC2035 Plan addresses parking in great detail within sub-categories of parking (Growth, Preservation and Visitor). However, *The High Cost of Free Parking* and the CC2035 Plan do not address the positive impact and need for eco-friendly electric vehicles, and minimum parking for electric vehicles to encourage diverse urban neighborhoods.

Electric vehicles have not been brought into the mainstream of transportation until recently for a number of reasons including cost, time-to-recharge, where to recharge and maximum range. That is changing rapidly. Essentially, all the major automobile manufacturers offer plug-in

rechargeable electric vehicle models: Basic Electric Vehicle (BEV – battery only) and Plug-in Hybrid Electric Vehicle (PHEV – battery powered electric motors with gasoline engine backup). In addition to being absolutely clean, emitting nothing, BEVs, and PHEVs when operating in electric drive mode, are much more efficient and much less polluting than conventional vehicles driven by the gasoline/diesel internal combustion engine.

The source of electric power is also undergoing a revolution. Sustainable, renewable energy, primarily from wind and sunlight, is becoming an ever-increasing proportion of the electric power produced in America and in the Pacific Northwest.

The City of Portland has adopted an Electric Vehicle Strategy (*Electric Vehicles: The Portland Way*) that calls for examination of the costs and benefits of requiring new apartments and mixeduse construction to be electric-vehicle ready with the capacity to support Level II (240V) charging stations. The Bureau of Planning and Sustainability updated Portland's *Climate Action Plan* in 2015. It suggests working with developers, building owners and managers and parking managers to add charging stations and consider electric-vehicle-ready guidelines and codes.

DISCUSSION:

1. Currently, electric vehicle ownership is encouraged through Federal and State of Oregon tax credits. A Bloomberg New Energy Finance study estimates that within 5 years electric vehicles will become more economic than gasoline or diesel automobiles without government purchase incentives, due to the falling cost of batteries and production economies of scale. Improved batteries will enable faster recharging and longer vehicle range. The Bloomberg study projects that 25 percent of cars on the road will be electric vehicles by the end of the CC2035 planning period. This is consistent with other studies and reports, and may be even higher in the Portland Metro area fostered by Portland's policies and goals. Basically, the electric vehicle revolution is here to stay with accelerated growth.

2. The power to recharge electric vehicles comes from a variety of sources: coal-fired power plants, hydro-electric and other renewable energy systems (wind, solar, geothermal, etc.). While electric vehicles operating in the Central City (in lieu of gas/diesel vehicles) will substantially contribute to a cleaner and healthier urban environment, some electric power will come from fossil-fuel power plants, contributing to climate change through the so-called "long tailpipe" of electric vehicles (emissions produced at the source of electric power generation). However, traditional gasoline/diesel vehicles also have "long tailpipes" when considering the greenhouse gas emissions associated with the extraction, production and distribution of petroleum fuels. When a so-called "Well-to-Wheels" comparison analysis is done, electric vehicles produce significantly less Carbon Dioxide per mile driven than cars with internal combustion engines. This has been well-documented in a US Department of Energy May 10, 2013 report, "Well-to-Wheels Greenhouse Gas Emissions and Petroleum Use for Mid-Size Light Duty Vehicles."

3. Renewable energy is projected and planned to increase significantly over the next decades and the electric vehicle "long tailpipe" will become thinner. Oregon's largest electricity generation is currently from renewable hydropower, and the share of other renewable energy resources (wind, solar, geothermal, etc.) is growing. In 2016, the Oregon Department of Energy Renewable Portfolio Standard was approved and established an expanded state standard that the largest utilities will provide 50 percent of their electricity through renewable resources by 2040. With this, there is an evolving beneficial synergy between the increased ownership of electric vehicles and the growth of renewable energy. The use of electric vehicles through planning, policies and code for their parking and supporting charging stations should support and take advantage of this synergy.

4. Portland building codes do not require multi-dwelling buildings to have charging stations for electric vehicles in their on-site garages, nor the electric transformer capacity to support the later installation of charging stations. Retrofitting existing multi-dwelling buildings to charge electric vehicles has proven to be complex, onerous and expensive. The CC2035 Plan should specify building codes that require sufficient extra electric power capacity to support a minimum number of on-site charging stations. Such planning would be consistent with Portland's Electric Vehicle Strategy, "Adopt and update policies to facilitate the transition to the use of electric vehicles (EV) in Portland" with an important sub-objective, "Continue to research best practices regarding EV-friendly development regulations and policies." A roadmap is readily available in a neighboring state. In 2013, California enacted legislation (Assembly Bill No. 1092) to establish "...mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings and non-residential development."

5. On-site parking for multi-dwelling buildings in the Central City is currently market driven. In line with overall parking policies, minimum parking is not required with the objectives of keeping residential units affordable and reducing traffic and pollution. However, families with children, the disabled and the elderly will desire, or in some circumstances require, personal vehicle transportation in lieu of light rail, streetcar, bus, bicycle or walking. Some, even those living and working in the Central City, will desire to store a car for occasional, extended travel outside of the city. The CC2035 Plan now correctly encourages child-friendly play areas, neighborhood parks, and schools in the primarily residential areas of the Central City. If some minimum level of on-site parking is not required, the residential parts of the Central City will filter newcomers and skew the diversification as the city grows in population.

6. In the last decade, the minimum requirement for multi-dwelling building bicycle parking has increased 6-fold: one per four residential units to 1.5 for each residential unit. This mandate correctly encourages the use of this eco-friendly mode of transportation. Likewise, setting modest, minimum parking requirements in multi-dwelling buildings for electric vehicles encourages ownership and use of that eco-friendly mode of personal transportation.

7. Parallel to providing sufficient parking for electric vehicles is TriMet's electric bus conversion program to help reduce carbon emissions in the Central City and meet climate change goals. Portland also has a first-in-the-nation policy for streamlining the process for the deployment of publically available charging stations. As this policy is enacted, more and more curbside and public garage parking spaces will include charging stations for the exclusive use by electric vehicle owners. This infrastructure change will be done incrementally over the period of the CC2035 Plan as Bureau of Transportation budgets allow. The net effect will be the discouragement of gasoline/diesel cars and the encouragement of electric vehicles, one mode displacing the other. Minimum electric vehicle parking in new multi-dwelling buildings will have the same important effect.

CONCLUSION: The proposed draft CC2035 Plan is inconsistent with and does not consider the actual and forecast expansion of the use of electric vehicles and their benefit to the environment, the renewable energy sources to support them, and Portland's existing policies and plans for electric vehicles.

RECOMMENDATION: The CC2035 Plan must include parking and recharging provisions for electric vehicles and call for minimum parking exclusively for electric vehicles in new multidwelling buildings in the proposed Goose Hollow, Pearl and West End subdistricts of the Central City Plan District (proposed Map 510-1). New multi-dwelling buildings in these subdistricts should be required to have minimum parking exclusively for electric vehicles as a percentage of the number of residential units in the building. New multi-dwelling buildings that independently plan on-site parking in response to market conditions should be required to have a minimum number parking spaces planned exclusively for electric vehicles as a percentage of the number of residential units in the building. New multi-dwelling buildings that independently plan on-site parking in response to market conditions should be required to have a minimum number parking spaces planned exclusively for electric vehicles as a percentage of the number of residential units in the electric power capacity to support that number.

The CC2035 Zoning Code & Map Amendments should include appropriate language and be supported by the CC2035 Transportation System Plan policies. Suggested changes are attached.

Robert Wright (503.222.6874 / wright-stuff@comcast.net) Walter Weyler (503.490.3907 / walter_weyler@sequenceusa.com) 1221 SW 10th Avenue Portland, Oregon 97201

Suggested changes to the Proposed Draft Central City 2035 Plan, June 20, 2016 Volume 2A Zoning Code & Map Amendments Part 1: Central City Plan District

Page 222, 2nd paragraph, line 10. After "... in transportation infrastructure (e.g., transit/rail and bike systems)." add, "Pollution-free electric vehicles have become an ever-increasing alternative mode of personal transportation. Use of electric vehicles, in lieu of gasoline/diesel cars, will be promoted through the installation of charging stations in all parking categories, and minimum electric vehicle parking requirements for new multi-dwelling buildings in subdistricts."

Page 223, Paragraph A. Purpose. 3rd Line, After, "...promote the use of alternative modes," add, "including privately-owned electric vehicles".

Page 224, Paragraph F, 1st Bullet, change to, "Except for electric vehicles, no minimum parking requirements in the Central City …" Add 2nd Bullet, "Minimum parking requirements for electric vehicles will be as a percentage of total parking spaces, or as a percentage of the total number of multi-dwelling residential units for those spaces, whichever is less."

Page 225, Paragraph F.2., change to, "Minimum required parking. Except for electric vehicles, there are no minimum requirements for Growth Parking. Minimum Growth Parking requirements for electric vehicles will be 20 percent of the total parking spaces, or 20 percent of the total number of multi-dwelling residential units for those spaces, whichever is less."

Page 229, Paragraph G.3., change to, "Minimum required parking. Except for electric vehicles, there are no minimum requirements for Growth Parking. Minimum Growth Parking requirements for electric vehicles will be 20 percent of the total parking spaces, or 20 percent of the total number of multi-dwelling residential units for those spaces, whichever is less."

Page 232, Add 5th Bullet, after "...to guarantee that commuter uses are not being served and that spaces with electric vehicle charging are used only for that purpose.

Page 233, Paragraph H.2., change to, "Minimum required parking. Except for electric vehicles, there are no minimum requirements for Visitor Parking. Minimum Visitor Parking requirements for electric vehicles will be 20 percent of the total parking spaces."

Page 233, Paragraph I., add Paragraph I.3., "Signs must be posted indicating the spaces reserved only for electric vehicles."

Page 234, 1st Paragraph, add, "To discourage commutes with gasoline/diesel cars and encourage commutes with electric vehicles, 20 percent of the total number of parking spaces is proposed as an appropriate balance between gasoline/diesel cars and electric vehicles.

Page 239, add paragraph 5.b.(5)., "Number of spaces for electric vehicles and the percentage of those spaces used for electric vehicles, and the percentage used for gasoline/diesel cars."

Page 250, 3rd Paragraph, 1st Sentence, add, "... and increase development-related electric vehicle trips and parking."

Page 250, 3rd Paragraph, 2nd Sentence, change to, "These could include Transportation Demand Management, the demand for electric vehicle parking with charging stations, parking management or other strategies.

Suggested changes to the Proposed Draft Central City 2035 Plan, June 20, 2016 Volume 2B Transportation System Plan Amendments

Section 2, Policy Amendments, Page 3. After Policy 9.49, insert POLICY 9.XX, **Electric Vehicles.** Encourage and promote the use of electric vehicles and the electrical infrastructure to support electric vehicle recharging at on-street, off-street and residential on-site parking spaces.

Section 2, Policy Amendments, Page 3. After Policy 9.51, after "...walking, cycling," insert, "electric vehicles."

Section 2, Policy Amendments, Page 4. After Policy 9.53, insert POLICY 9.XX,

Electric Vehicle Parking. Encourage the provision of electric vehicle parking to serve the expected increase in electric vehicle trips in the Central City, and electric vehicle parking in Central City residential buildings.

From: Ruth Williams [mailto:ruthhwilliams@gmail.com]
Sent: Tuesday, August 09, 2016 4:15 PM
To: Planning and Sustainability Commission psc@portlandoregon.gov
Subject: CC2035 plan testimony - enhance the Wilamette for People and Wildlife

I am a member of the River Huggers Swim team and I love the Willamette River. Let's make sure the comp plan celebrates this wonderful city asset. I would like to see more accessibility to the river by swimmers and non-motorized water craft. Public outreach is needed to help people understand the river is safe, rather than dirty and polluted as it's reputation has been for years.

The Willamette River is owned by the citizens of Oregon and is Portland's largest public open space. By Portland Parks and Recreation estimates only 5% of our Central City has access to the Willamette River. Collectively our community paid \$1.44 billion to largely remove sewage overflows from the Willamette River, that is why we have among the highest sewer bills in the country. There is no disagreement, scientifically speaking, that the Willamette River is now safe for swimming. Much work lies ahead to improve the full ecological health of our river, but today we can celebrate that we can swim in the river that flows through the center of our town.

As Portland's relationship with our river improves, the DNA of our city and our most vital of values, livability, will change with it for the good. Naturally, the facilitation of getting people to the river's edge and into the river will foster a stronger relationship with the Willamette River and stewardship. There will also be economic returns with increased visits by residents and tourists to our river. People are drawn to rivers with healthy ecosystems. Human Access and habitat restoration must go hand in hand.

Feedback on 2030 Plan. Specific comments.

- <u>Establish Guidelines for Swimming in the Willamette River.</u> We want the Willamette River to be safe and welcoming for people of all ages and disabilities. The 2035 plan calls for swimming throughout the document but provides no direction about how to do it safely. Portland Parks and Recreation needs to have an increased role and leadership in developing policy as it relates to recreation in the river. This needs to happen as soon as possible to reduce the clear exposure to the city there is currently no policies in place that direct people how and where to swim.
- <u>No net loss of river edge access in the central city</u> By PPR estimates only 5% of the central city as access to the river's edge. It's difficult to build new docks, the existing facilities we have in the central reach need to be protected and preserved.
- <u>Structures in Parks</u> We do not like the idea of permanent structures in any parks. We like the idea of temporary structures such as food carts. It provides more flexibility, specifically at the waterfront there is an extreme deficit of green space we don't want any more space eaten up permanently. That said it would be nice to be able to have economic activity in parks to serve people, it would be a nice amenity.
- <u>Rethink turf management in Tom McCall Bowl</u> current policy needs to be reexamined. This needs to happen in the short term and can happen independently of any master planning at Tom McCall Park. When there is not an event at this space PPR is constantly watering and seeding. When this area is saturated with water it cannot be used, and the seed and grass is just food for the geese.

- <u>50 foot set back</u> 50' is the minimum acceptable setback, this setback needs to be 75' to provide a proper buffer for wildlife and recreation. Portland needs to make a decision about what defines our city what are the values of our city. As Portland grows we will need greater relief from our growing built environment.
- <u>Riverfront Open Space Bonus</u> Either adding a second approach which would add robust access to the river with support facilities, laidback banks and other tests as determined by the Portland Parks and Recreation -- once Swimming Guidelines are established (HAP point #1). Alternatively, creating access to the waters edge could be integrated into the existing density bonus which a less robust test.

Thank you for your consideration.

Ruth Williams ISA Certified Arborist #WE-7317-AM

Certified Tree Risk Assessor #908 Phone <u>503.880.3818</u>

5325 SE Schiller St. Portland OR 97206 August 9, 2016



To: Portland Planning and Sustainability Commission

Re: Green Loop

I am writing to urge the Commission and Portland City Council to consider the Green Loop project a priority in the Central City 2035 Plan. The Green Loop exemplifies effective integration of the natural and built environments to achieve multiple outcomes important to Portland residents. Once complete, the Green Loop would become a central hub in our region's interconnected network of parks, trails and natural areas, which distinguishes Portland nationally as a place to live and do business.

The Green Loop would achieve transportation, environmental, economic development, social, recreation, climate and health benefits that will increase in value over time. This kind of integrative thinking is what we have come to appreciate and expect of Portland leadership. Because it achieves multiple outcomes, the Green Loop is a sound and cost effective use of public funds.

The Intertwine Alliance is a coalition of more than 150 of the most prominent public, private and nonprofit organizations working to engage residents of the Portland-Vancouver region with nature. The Intertwine is our region's network of parks, trails and natural areas. The Green Loop has been declared part of The Intertwine Alliance Project Network. This is a group of, at this point, about 15 significant projects that are aligned with the vision for The Intertwine.

Again, I urge your support for the Green Loop.

Sincerely,

Shih ben

Mike Wetter, Executive Director The Intertwine Alliance



From: Friends of RiverPlace Susan West 1730 SW Harbor Way #308 Portland, OR 97201

To:

Planning and Sustainability Commission City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100, Portland, OR 97201 Attn: CC2035 Testimony

We are asking for the one block RiverPlace Esplanade to be designated *Pedestrian Only* for your future plans.

I would be happy to send photos of the congestion and of vulnerable toddlers, dogs, kids, tourists, blind paddlers etc. Also I can send you some of the complaints concerning bikes that were sent into Parks and PBOT in the last two years, if you need further information. I can send you information about Amsterdam, San Antonio and other successful Pedestrian walkways protected from cyclists.

Friends of RIverPlace loves Portland and we fully support all the money and attention being spent on cyclists and hope that the city planners will enlarge their scope to protect the vulnerable pedestrians from cyclists.

You know the facts about bicycle speed, about the importance of community, about our desire to have a livable waterfront where some of the area is safe for pedestrians to lollygag and enjoy our city. You may know that the Downtown Neighborhood Association supports this designation. I can get more letters of support if it helps your decision making.

I will keep this short but am available to send more information if you are open.

Thank you for your consideration.

Susan West





August 9, 2016

Portland Planning and Sustainability Commission 1900 SW 4th Ave, Suite 7100 Portland, OR 97201

RE: Central City 2035 Plan Testimony

The Portland Freight Committee (PFC) appreciates the opportunity to provide our comments on the Proposed Draft of the Portland Central City 2035 Plan. We provided comments on the Discussion Draft by letter dated April 9, 2016, and are pleased to see that the current draft responds to many of our earlier comments.

In particular, we are pleased to see the removal of NE/SE 9th Ave as a City Bikeway and the addition of SW Harbor Drive from I-5 to Naito Parkway and the westerly (north) ramp connecting the Morrison Bridge to Naito Parkway added as Major Truck Streets to the Freight Classification Map. We are also pleased to see the SE Quadrant Plan actions being proposed as TSP projects such as new signals on MLK/Grand and Stark and Washington (TSP ID 20073), improving traffic flow on MLK/Grand by adding protected left turns (TSP ID 20182), and improving access by installing a traffic signal at NE Irving and 16th (TSP ID 20178) which is currently being submitted as a 2018-21 Regional Flexible Funding freight project application.

The comments below pertain to elements of the CC 2035 Plan where the Proposed Draft does not address our earlier comments or where new proposals have been added.

Central Eastside Access to southbound I-5

While certain segments of the Central Eastside access route to southbound I-5 have been added to the Freight Classification Map as Major Truck Streets as noted above, there is still a significant classification gap along Naito Parkway from the Morrison Bridge ramp to SW Harbor Drive. The Central Eastside Industrial District (CEID) is dependent on access to I-5 southbound by crossing the Morrison Bridge to Naito Parkway and then to Harbor Drive. Leaving a gap in this route compromises the ability of Naito Parkway to serve freight access needs to southbound I-5. We strongly recommend that language be added to TSP ID 20127 that states "Design and implement a separated two-way walkway and bikeway on the east side of Naito Parkway" while ensuring freight movement from the Morrison Bridge to Harbor Drive.

Proposed changes to the Public Review Draft

The following comments are specific to the bulleted TSP projects and the <u>underlined</u> recent changes from the previous Discussion Draft:

- TSP ID 20176: Enhance pedestrian and bicycle safety and access by installing improved crossings at Ankeny, Salmon, Madison, Clay, and Harrison. <u>Design and implement</u> <u>bicycle facilities on 11th and 12th by removing on-street parking or travel lanes as</u> <u>needed.</u>
- TSP ID 20194: Design and implement a bikeway from I-84 to Division, with separated bikeway segments, neighborhood greenway segments, and crossing improvements as needed. Includes enhancement of existing bicycle facilities on 7th Ave from Sandy to Division by removing parking and/or center turn lane as needed.

The segment of NE/SE 12th Ave from Lloyd Blvd to SE Powell and the segment of SE 11th Ave from Sandy to SE 12th Ave are classified as Major Truck Streets in the TSP and Freight Master Plan. This classification is designed to serve as principal routes for trucks and provide truck mobility and access to commercial and employment uses along the 11th/12th Ave corridor. The segment of SE 7th Ave from Sandy to Division is classified as a Freight District Street which is intended to provide safe and convenient truck mobility and access in industrial and employment areas serving high levels of truck traffic. The adopted *Designing for Truck Movements in Portland* guidelines call for 12-foot travel lanes as preferred with 11-foot travel lanes being acceptable if approved by the city traffic engineer for both of these street classifications. While the PFC is not opposed to the benefit these bike/pedestrian projects may yield, we are concerned the proposed language for the removal of on-street parking and/or travel lanes is both premature and inconsistent with adopted city policy and that a more thorough traffic impact analysis is needed to evaluate the potential negative impacts from a further reduction in roadway capacity.

We recommend that the City adopt the following hierarchy in facilitating bicycle movement on Major Truck Streets located within the CEID:

- a) Restripe to accommodate bike lanes without removing travel lanes or reducing existing lanes to a width of less than 12 feet.
- b) Remove on-street parking to accommodate a bicycle lane only if additional on or offstreet parking is added within the district to offset the loss.
- c) As a last resort, remove travel lanes if it can be demonstrated that freight travel time in the corridor will not be degraded rather than reducing travel lane width below 12 feet. Narrower lanes provide the illusion of capacity on the route but are not safe for freight vehicles and create conflicts between freight and other users when the freight vehicles can't effectively fit in the lanes.

Portland Freight Committee ■ 1120 SW Fifth Avenue, Room 800 ■ Portland OR 2 97204

When travel lanes are to be removed from streets that have lanes less than 12 feet wide, expand the remaining travel lanes up to 12 feet as well as expand the bicycle lanes. A more comfortable lane width eases tension and creates a safer corridor. This is true for both bicycle lanes and motor vehicle lanes.

• TSP ID 20195: <u>Design and implement multimodal transportation improvements to</u> <u>enhance safety and accessibility along 3rd Ave through the Central Eastside, including</u> <u>truck access improvements, pedestrian crossings, and shared roadway bicycle facilities.</u>

In 2010, City Council adopted the *Central Eastside Street Plan* which identified specific street function and design for streets within the Employment Opportunity Subarea (EOS) zoning district. This process was guided by a Technical Advisory Committee (TAC) and a Community Working Group (CWG) which involved various local businesses and stakeholders from the bicycle, pedestrian and freight advisory committees. Through this process, SE 2nd and 3rd Avenues were identified as a Truck Loading Streets due to the high concentration of loading activities that occur within the public right-of-way. Many members of the TAC and CWG have expressed their concern about mixing bicycle traffic with active loading activities in respect to both safety and the potential to hinder the loading functions of existing businesses. The PFC is concerned that purposely routing bicycles on SE 3rd Avenue will create potential conflicts with the existing loading activities that take place along this street and recommend that alternative routes be evaluated more thoroughly for accommodating bicycle traffic through this area. We also suggest that specific plans, such as the adopted *Central Eastside Street Plan*, that have had broad-based community input and support be given preference to more general city-wide plans.

We look forward to working together to address the above-referenced concerns for a healthy, prosperous and vibrant central city over the next 20 years. Thank you for your consideration of these comments.

Sincerely,

Lia Welch of aihana Ansa

Pia Welch Chair

Raihana Ansary Vice Chair

Cc: Mauricio Leclerc Grant Morehead Troy Doss

Portland Freight Committee ■ 1120 SW Fifth Avenue, Room 800 ■ Portland OR 3 97204

August 9, 2016

Portland Planning and Sustainability Commission Re: Central City 2035 Plan 33.510.244 Low-Carbon Buildings

Green Building Initiative Shaina Weinstein Sr. Director of Engagement <u>shaina@thegbi.org</u>

Portland Planning and Sustainability Commission,

Thank you for the opportunity to provide this testimony to the Portland Planning and Sustainability Commission. This packet is intended to address the specifics of 33.510.244 Low-Carbon Buildings. The Green Building Initiative[®] (GBI) is a national nonprofit headquartered in Portland since 2004. We are dedicated to accelerating the adoption of building practices that result in energy-efficient, healthier and environmentally sustainable buildings.

We are here to support and advocate for the building marketplace – which in our opinion, is in need of multiple, credible tools to support incorporation of best practices into every building. In regard the Low-Carbon Buildings section of the Central City Plan, we have concerns about the potential problems that specifying one building rating system can bring over the next 20 years. The section reads that all buildings should register for LEED in an attempt to encourage a building to go through full certification. We think this is an incomplete way to reach this goal.

We are advocating that the Central City Plan be updated to be neutral to building rating systems or that it recognizes Green Globes[®] alongside of LEED[®]. With great respect for the USGBC LEED rating system, we recognize – as the 2012 government funded Pacific Northwest National Laboratory (PNNL) report did – that the marketplace has become increasingly diverse in terms of its offerings for green building certification. And that for the purposes set out in this plan, Green Globes helps building owners reach the same goal as LEED and may, in some instances, offer a less expensive and more comprehensive environmental evaluation for the building in order to ultimately achieve the city's goals of reducing our carbon footprint.

We hope that the Commission will support putting the issue of sole-sourcing of the LEED rating system to rest by ensuring that final Central City Plan is neutral to rating systems or that they recognize Green Globes certification alongside of LEED. We believe strongly that everyone benefits from open and competitive markets, particularly building owners.

In the following pages you will find a variety of third party comparisons of the two systems to help support your decision making process.

Thank you for the opportunity to participate in the discussion, *Shaina Weinstein and the GBI Team*

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Comparison Data on Green Globes for New Construction

Cites comparisons conducted using Green Globes NC versus LEED and includes

an update on Green Building Initiative

August 9, 2016



The GBI is a nonprofit organization and American National Standards Institute (ANSI) Standards Developer dedicated to accelerating the adoption of green building best practices. Founded in 2004, the organization is the sole U.S. provider of the Green Globes[®] and Guiding Principles Compliance building certification programs.





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Introduction

The Green Building Initiative's (GBI) mission is to accelerate adoption of green building best practice. Our tools are practical, credible and comprehensive and designed to encourage incorporation of sustainable thinking into every building project. That means that GBI is an advocate for open and competitive markets that are accepting of multiple, credible green building certification programs. GBI's tool, Green Globes[®], was the first green building rating system introduced in the U.S. market (in 2004) following the U.S. Green Building Council's (USGBC) introduction of the LEED[®] rating system (in 2000). As the newcomer in the market, GBI took on the role of educating proponents of green building about the need for public- and private-sector policies that are neutral to rating systems. The marketplace has become increasingly diverse in terms of its offerings for green building certification and allowing for a level playing field is key to promoting the improvement and advancement of green building standards and technologies. From the beginning, GBI has known since 2004 that Green Globes was the first alternative to LEED in the market and that it would not be the last. While neutrality toward rating systems is preferable to reach this goal, in cases where proponents specifically mention rating systems by brand name, Green Globes[®] is and should continue to be recognized alongside LEED[®].

As the second entrant into the market, GBI has understandably had to compare Green Globes to the market leader. There have been many comparisons of Green Globes for New Construction (Green Globes NC) and LEED conducted by users of both systems. The two systems have the same goal of helping project teams design and build a greener building, but the methodology to get there is significantly different. This makes it challenging to compare the two rating systems. However, this paper provides an overview of a number of comparisons studies that have been completed and a listing of dual certified buildings that may be beneficial to proponents of green building and to those developing government or private sector policies. GBI acknowledges that this is a summary and not all inclusive.

In addition to promoting Green Globes, GBI is also an innovator in the market and has introduced a new tool for federal agencies to support their assessment of building projects against the federal Guiding Principles. As a testament to there being a myriad of options now in addition to the market

leader's program, this paper discusses GBI's role in creating the market's first Guiding Principles Compliance (GPC) program. GBI's GPC program provides a unique and customizable tool for use by federal agencies for assessing compliance with the Guiding Principles either as a stand-alone assessment or side-by-side with Green Globes certification.

Additionally, this paper provides an update on GBI's progress in growing the adoption of green building best practices in the U.S. market and some of GBI's upcoming offerings.

Green Globes Programs

Green Globes is a web-based rating system for green building guidance and certification. The assessment process includes an on-site assessment by a third party. Backed by a full GBI customer support staff, Green Globes offers a streamlined and affordable way to advance the overall environmental performance and sustainability of commercial buildings. The program is suitable for a wide range of building types, including large and small offices, multi-family structures, hospitals, and institutions such as courthouses, schools, laboratories, grocery stores, and universities. Further, the program is flexible, transparent, and user-friendly.

The Green Globes program is designed to guide and assess building sustainability through design, construction, occupancy, and continuous improvement. It has the following modules:

- Green Globes for <u>New Construction (NC)</u>, which guides the integrated design process through each phase of a new building project and measures intended performance for projects occupied less than 18 months.
- Green Globes for <u>Sustainable Interiors (SI)</u>, which guides the integrated design process for tenant improvement projects, fit-outs, and remodels that have less than 18 months of occupancy.

- Green Globes for <u>Existing Buildings (EB)</u>, which measures actual performance and establishes a performance baseline for buildings that have at least 12 continuous months of normalized performance data.
- Green Globes for <u>EB Healthcare</u>, which is optimized for in-patient care facilities that have at least 12 continuous months of normalized performance data.

GBI's Guiding Principles Compliance Program

Comparison Studies

Federal Study

Pacific Northwest National Laboratory

A March 2012 study conducted by the Department of Energy's Pacific Northwest National Laboratories (PNNL) titled, *Green Building Certification Review*, in March 2012, was commissioned by the General Services Administration (GSA) and intended as an objective independent review of green building certification systems. The report concluded that both GBI's Green Globes 2010 and USGBC's LEED 2009 rating system were appropriate for use by federal agencies.

This report has informed subsequent policy decisions that have helped the federal government develop more <u>open and competitive</u> avenues for the pursuit of green building certification.

GSA 2013 Letter to Secretary of Energy

Referencing the thorough evaluation included in the PNNL report, the GSA noted in a letter to the Secretary of Energy on October 25, 2013, that, "If pursuing a green building certification, GSA recommends that agencies achieve at least LEED Silver or Two Green Globes for new construction and major renovation and achieve as many points in the energy and water categories as possible....If agencies decide to pursue green building certification for existing buildings through Green Globes or LEED, GSA recommends that agencies set a minimum goal of achieving LEED Certified or One Green Globe, provided all the points associates with statutory and regulatory requirements are achieved."

Neutrality in Department of Defense's Sustainability Policy

Some agencies are using both Green Globes and LEED, while at the same time others are using one or the other. Additionally, agencies like the Department of Defense (DOD) are also using GBI's unique federal GPC certification program on its own and in conjunction with third-party certification using Green Globes.



GBI's Guiding Principles Compliance (GPC) Assessment & Certification Program

Statistics on Use as of August 8, 2016

- GBI has certified 266 federal buildings using its unique GPC program
 - 7 New Construction and 259 Existing Buildings
 - 254 are for the Dept. of Veterans
 Administration (181 are also
 certified under Green Globes)
 - 1 USDA Farm Service Agency
- 11 with DOE's Bonneville Power Administration (7 also certified under Green Globes)
- In mid-2016, GBI released a new customized tool for DOD branches to assess compliance with the Guiding Principles for new buildings. The tool is being used already by the Navy and Marine Reserves.

The DOD's Sustainability Policy provides an example of how polices can be written to be neutral to rating systems by not mentioning a specific brand name. This neutral policy also fosters the opportunity for creativity and innovation within the market to help create tools that might better meet the government's needs, such as GBI's creation of the GPC program.

In a November 10, 2013, Memorandum from the Office of the Undersecretary of Defense addressed to the various branches of the military and other divisions of the DOD, the Acting Deputy Undersecretary of Defense John Conger directed the DOD branches to use an, "…auditable process [that] shall include green-building certification of those facilities through any of the systems approved for use pursuant to section 436(h) of EISA, and appropriate documentation...."

Cost Comparison Studies

Process and Points

University of Minnesota

The University of Minnesota completed a study in September of 2006 titled, *Green Building Rating Systems: A Comparison of the LEED and Green Globes Systems in the US*. Some conclusions cited in the study include:

"From a process perspective, Green Globes' simpler methodology, employing a user-friendly interactive guide for assessing and integrating green design principles for buildings, continues to be a point of differentiation to LEED's more complex, and largely paper-based system." (p.3) "In total, the two systems are quite comparable in that both include a common set of potentially impactful design elements that contribute to the improvement of a building's green performance. Providing for the relatively small number of notable differences between systems (to be discussed subsequently), in total the systems are quite similar. It is estimated that nearly 80% of available points in the Green Globes system are addressed in LEED 2.2 and that over 85% of the points specified in LEED 2.2 are addressed in the Green Globes system. The comparison becomes more interesting, however, by examining the point allocations of each system based on a user's strategy of acquiring a certain level of certification within one system or another. Therefore, much of the discussion that follows refers to comparisons at various levels of certification – i.e. one, two, three, or four globes in the Green Globes system, and certified, silver, gold, or platinum in the LEED system." (p.3)

This study was helpful to a number of early adopter states and municipalities that incorporated reference to Green Globes in their legislative or regulatory policies alongside of LEED.

Dual Certified Buildings

GBI is aware of 20 buildings that have pursued Green Globes for New Construction certification and dual certification using one of the LEED rating systems. The research for Attachment A titled, *Dual Certified Buildings for Green Globes NC as of 7-13-16*, was conducted by Dianne Elliott, GBI's Customer Service & Training Manager, through use of GBI data and comparisons to publicly documented information on LEED certifications.

The large majority of the dual certified building data demonstrates that the four levels of Green Globes are comparable to the four LEED levels. However, GBI acknowledges it is difficult to compare apples to apples as these are in fact different systems. To that point, three buildings certified in 2014 using Green Globes NC, which was updated in 2013, achieved only 3 Green Globes versus LEED Platinum (where LEED 2009 and LEED Schools 2007 were the USGBC rating systems used).

*See Attachment A - Dual Certified Buildings for Green Globes NC as of 7-13-16.

Testimonials & Growing Market Share

GBI and Green Globes: Moving Forward

Green Globes – with its flexible, practical, credible approach - shows great promise for contributing to increased growth and adoption of green building best practices throughout the United States. Here are a few important takeaways related to GBI and Green Globes:

 GBI will play a bigger role moving forward. GBI is predicting up to 40% growth in 2016. Green Globes 2013 is seeing increased use by corporate portfolio managers that cite its flexibility, certainty, and value-add due to GBI's unique two-stage assessment process that includes two reports citing opportunities for improvement prior project completion and a concluding site visit by a Green Globes Assessor that ensures all planned features and materials are actually in the building. Third-party programs and municipalities are increasingly citing Green Globes; for example, both Fannie Mae and Freddie Mac recognize and encourage Green Globes certification to qualify for discounts on lending products for multi-family buildings. GBI will be adding additional staff to ensure sufficient support for those using Green Globes and other assessment tools during this period of rapid growth.

2. GBI supports multiple approaches to achieving incorporation of green building best practices.

There are many benefits that come from competition between solution providers in terms of innovation and lessons learned. There's also no "same old" when it comes to buildings and there's no shortage of options in the market for setting goals, earning recognition, measuring performance and assessing best practices. GBI supports adoption and use of multiple tools. In addition to Green Globes and LEED, the National Green Building Standard (ICC 700), ICC's International Green Construction Code, ASHRAE 189.1, CalGreen, and other codes, standards and emerging rating systems, including those for assessing the resilience of buildings and communities, are tools for design teams to add to their toolkits. GBI recognizes and applauds these market options and cross-walks are available for many of these codes and standards. GBI welcomes opportunities to collaborate on education and support for building teams.

3. GBI invests heavily in R&D. GBI has certified more than 1800 Green Globes Professionals (GGPs) and a new AIA CEU approved training will be launched in September of 2016. AIA-approved training, case studies, and videos are available to support its adoption and use. It has the potential for applicability far and wide in large and small cities across the U.S. Additionally, GBI is in the midst of revising ANSI/GBI 01-2010, which will be used as the next version of Green Globes for New Construction. A formal pilot of the revised ANSI Standard will be launched prior to the completion of the public comment periods associated with the revision process. Green Globes for Existing Buildings is seeing increased use in the private sector and will soon be undergoing a revision with projected launch of a new assessment tool in 2017. To

promote transparency, technical manuals and other GBI documents are available for free on GBI's website.

4. GBI is contributing to increasing adoption of green building best practices. Despite numerous market barriers, GBI is making solid progress. GBI's tools are designed to be scalable and applicable to the largest and smallest of buildings and all building types, including multi-use, multi-family, warehouses, courthouses, data centers, medical offices, hospitals, dormitories, laboratories, hotels, etc. GBI also held its first GBI users conference in Atlanta in May of 2016. In June, GBI also formed a Performance & Tool Development Committee to work on assessing performance issues and feeding valuable information on outcomes back to GBI's ANSI Consensus Body and in to the rating system development process.



5. GBI is not alone in advocating for open markets. GBI's has benefitted from support on this topic from many other organizations in the building community, including BOMA International, International Code Council, ASHRAE, Alliance to Save Energy, and the U.S. Chamber of Commerce.

GBI encourages writing policies and procedures that recognize multiple rating systems, like the nationally recognized Green Globes and LEED rating systems, and/or that are neutral to rating systems. Creating a level playing field in Portland for use of multiple green building rating systems is important to fostering innovation, competition, and continuous improvement.

See Attachment A - Dual Certified Buildings for Green Globes NC as of 7-13-16.

	Dual Certified Buildings for Green Globes NC as of 7-13-16	reen Glob(es NC a	IS OF 7-13-16			•								
	Assessment: Building Name	Building City	y Building State	Building Owner	Project Type	Dual Certification	Certification Date	Certification Rating	Certification Score	LEED Rating	LEED Program	LEED Certification	Assessor	Project Manager	Project Mgmt. Company
	USFS Northern Great Lakes Visitor Center (renovation)	Ashland	M	US Forest Service	NCI & II	LEED F	Pending NC of renovation		E.	Pending EBOM	LEED O+M: Existing Buildings v3 - LEED 2008	2			
	INASA Marshall space Flight Center - Building 4220	Huntsville	AL	NASA	NC I & II	LEED	2/12/2016	2/12/2016 Green Globes: 2 GG	68% S	Silver	LEED BD+C: New Construction v3 - LEED 2009	2014 BI	Buddy Humphries Richard McNeil	Richard McNeil	TMPartners, PLLC
	Walgreens - Evanston (#15364)	Evanston	=	Walgreens	NCI & II	LEED; Living Building Challenge	9/11/2014	9/11/2014 Green Globes: 3 GG	72% P	Platinum	LEED BD+C: New Construction v3 - LEED 2009	2014 N	Mark Russell	Charlie Saville	WMA Consulting Engineers
	Vernonia K-12 School	Vernonia	OR	Vernonia School District NCI & II	NCI & II	LEED	8/7/2014	8/7/2014 Green Globes: 3 GG	71% F	Platinum	LEED BD+C: Schools v2 - Schools 2007	2014 D	Donald Martin	Aaron Miller	Vernonia School District
	Internap Secaucus	Secaucus	ſ	Internap	NCI & II	LEED	1/24/2014	1/24/2014 Green Globes: 3 GG	76% F	Platinum	LEED ID+C: Commercial Interiors v3 - LEED 2009	2015 R4	Ron Lincoln	Donald Martin	Morrison Hershfield
	Belk Hall (GG) Miltimore Hall (LEED)	Charlotte	NC	UNC Charlotte	NC I & II	LEED	1/8/2014 6	1/8/2014 Green Globes: 2 GG	55% S	Silver	Unable to locate on USGBC website. Information from other sources on the web for Militmore (LEED) vs. Belk Hall (Green Globes).	2011 D	Donald Martin	Sara Abrams	Clark Nexsen
	UM Wye Oak Building	College Park	MC	University of Maryland	NCI & II	LEED	1/8/2014	1/8/2014 Green Globes: 3 GG	70% S	Silver	LEED-NC v2009	2015 B;	Barbara Clarke	Diana Gutierrez	Straughan Environmental
	Greenwood Village Tenant Improvement	Village	0	Merrick	NC I & II	LEED	11/4/2013	11/4/2013 Green Globes: 2 GG	68% 0	Gold	LEED ID+C: Commercial Interiors v3 - LEED 2009	2014 Ei	Eric Truelove	Danielle Swarts	Merrick & Company
246	Hands On Children's Museum	Olympia	WA	Hands On Children's Museum	NCI & II	LEED	3/8/2013	3/8/2013 Green Globes: 3 GG	84% 0	Gold		2014 EI	Eric Truelove	Drew Phillips	Forma Construction (formerly Berschauer Phillips)
42			, F	Perot Museum of Nature					, in the second s		te on LEED Site - Client confirmed. peal per Eric's conversation with client	2013 or			Good Fulton & Farrell
)	Perot Museum of Nature & Science Internap Redondo Beach (Los Angeles)	Redondo	≚ §		NCI&II	LEED	10/24/2012			Gold	Lury 2016 Can't locate on LEED Site - Cl per Don Martin		eric Iruelove Mark Russell	Donald Martin	Arcnitects Morrison Hershfield
	SJS Prairie Med / Abbott	Grayslake	2	SJS Realty	NC I & II	LEED	7/10/2012			Silver	_		Gary Keclik	Werner Brisske	PID Architects
	brever oniversity - rapadatis integrated Sciences Building	Philadelphia	PA	Drexel University	NCI & II	LEED	12/28/2011	12/28/2011 Green Globes: 3 GG	84% 0	Gold	LEED BD+C: New Construction v2 - LEED 2.2	2012 N	Michael O'Brien	Jim Rose	Drexel University
	Internap Dallas	Dallas	ТХ	Morrison Hershfield	NCI & II	LEED	12/28/2011	12/28/2011 Green Globes: 2 GG	66% 0	Gold	LEED ID+C: Commercial Interiors v3 - LEED 2009	2012 G	Glenn Haydu	Dan Prows	Morrison Hershfield
	stanley J. Roszkowski U.S. Courthouse (Rockford Federal Courthouse)	Rockford	Ч	GSA	NCI & II	LEED	12/5/2011	12/5/2011 Green Globes: 3 GG	81% 0	Gold	LEED-NC 2.1	2012 G	Gary Keclik	Michelle Wehrle	US General Services Administration (GSA)
	Internap Santa Clara ASU Walter Cronkite School of Journalism	Santa Clara Phoenix	CA AZ	Morrison Hershfield ASU / COP / KAET	NCI & II NCI & II	LEED	4/19/2011 8/3/2009	4/19/2011 Green Globes: 2 GG 8/3/2009 Green Globes: 2 GG	56% S 69% S	Silver Silver	LEED ID+C: Commercial Interiors v3 - LEED 2009 LEED BD+C: New Construction v2 - LEED 2.2	2012 G 2009 H	Glenn Haydu Harvey Bryan	Dan Prows Justin Gillies	Morrison Hershfield Sundt Construction
	Alberici Headquarters	St. Louis	οw	pment	NCI & II	LEED	12/31/2006	12/31/2006 Green Globes: 4 GG	93% P	Platinum	LEED BD+C: New Construction v2 - LEED 2.1	2005			Alberici Redevelopment Corporation
	William J. Clinton Presidential Center	Little Rock	AR	Foundation	NCI & II	LEED	12/31/2006	12/31/2006 Green Globes: 2 GG	68% F	Platinum	LEED O+M: Existing Buildings v2 - LEED 2.0	2007			Foundation
	WEEBF Office Building	Madison	M	Wisconsin Electrical Employees Benefit Fund NC I & II	NCI & II	LEED	10/3/2006	10/3/2006 Green Globes: 2 GG	55% 0	Certified	LEED BD+C: New Construction v2 - LEED 2.1	2007			wisconsin electrical Employees Benefit Fund
	Certified Building List w/Industry Copyright (c) 2016 Green Building Initiative. All rights reserved. Generated By: Diame Elliott 7-13-16	All rights reser	ved.												

Dual Certified Buildings for Green Globes NC as of 7-13-16

From: Jerry Ward [mailto:wardarch@gmail.com]
Sent: Tuesday, August 09, 2016 4:22 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Central City 2035 Plan and the COP Comprehensive Plan

Please submit the following to any/all planning documents/endeavors of all agencies within the City of Portland.

Reviewing history of our regional and city planning is important in formulating our present 2035 Comprehensive Plan update. From what can be interpreted from the 2035 documents leaves much to be desired of what our State and City planning documents intended and required from the early 1970's. Governor McCall would be very disheartened of how the new generation of Planners have changed many intentions of our planning endeavors.

I was an original member of Columbia River Association of Governments (CRAG) that became METRO back in the mid 70's .I have served decades in our neighborhood association, several planning committees, President of Citizens to Save the Willamette Riverfront and the PDC South Waterfront Urban Renewal Advisory Committee.

From this planning background, for brevity, I want to focus on two major issues in the 2035, even though there are several more issues.

Our GREENWAY: 2035 in many cases is disregarding the Height and Setback requirements of the State and City Greenway regulations. Height is required to be "stepped down" to the river even beyond the Greenway zoned area. Buildings are required to be "similar in scale to nearby buildings". The Planners of the 70's recognized that Portland was unique with river and mountain views in all directions and that we topographically we lived in a theater.

Citizens to Save The Willamette Riverfront was successful in challenging proposed buildings in the Johns Landing area along the Willamette that did not heed those requirements. We challenged proposals like the 12 story Forum Building in the north end of Johns Landing that was reduced to 5 stories, and enlarged the 25 ft. setback to between 75 ft. to 100 ft. for acceptance of the 5 stories when nearby buildings were 2 to 3 stories. We prevailed on the then named Avalon Hotel building reducing the height and enlarging the setback to over 100 ft. on average and saving a natural river cove area. And we prevailed on three other buildings near Willamette Park. Maybe it is time for our citizens to do so again.

The 2035 Plan doesn't respect the regulations and intent of prior planning. For example, the Bridgehead heights of 325 ft. within/near the Greenway zoned areas is absurd, especially when height zoning farther away from the river is less. In the South Portland area the 2035 has 25 ft. setback distance from top of bank while other areas have 50 ft. A prime example of setback and height malfeasance is the almost complete Macadam Apartment building on the old Tequila Willy restaurant site in Johns Landing (LU14184450 GW). It is 6 stories high built less than 25 ft. from top of bank as measured from cantilever decks, all all of it built on illegal land fill into the Willamette River. (see photo attachments)

Our NEIGHBORHOODS: 2035 is harming our neighborhoods on density, height, and traffic issues. Our R5 and R10 zoned neighborhoods have been and will be besieged by insidious zoning tricks that is harming livability. In the past two decades we have so-called minor tweaks that have been really zone changes but not called so.

For example in R5 we've had the hidden allowance of corner lots of blocks to allow for two homes versus one. For a typical 200 ft. x 200 ft. block that means the eight homes once allowed doubles to 16, a 100% density increase. Then more recently we've had Accessory Dwelling Units allowed in side or backyards increasing density. We've had lot front, side and backyard setback reductions increasing density. With these reductions we've lost landscaping and solar access. We've had height increases and a new interpretation of how to measure height that use to be based on existing grade to be able to be manipulated by having retaining walls, berms, etc. around a building to be the point to measure height.

There are at least five other devices like this that our Planning agencies have crept in zoning tricks without having to go through public notice processes required in a zone change. 2035 is perpetuating this methodology of Planning. For us in Southwest Portland like South Portland, Multnomah, Burlingame we have the devices of using future proposed mass transit, Neighborhood Centers, Corridors, etc. as a means to increase density and heights without respect for the R5 and R10 adjacent neighbors; and in most cases without parking requirements to meet the user demands.

In many cases these tricks and upzonings are not needed to meet future growth. First, PSU was predicting for Metro in the 90's- 2000's that our population growth would be in the 5-7% range per year, it actuality it was less than 2%. Based on this planning growth hypothesis Planners in late 90's came to our CTLH Neighborhood Association (now South Portland) wanting to upzone our neighborhood, especially around the Johns Landing area. We were predominately a R5 neighborhood with low-rise commercial zoning a few few block depth from SW Macadam. Planning wanted to increase height/density on average double. Carl Simons, our CTLH President and myself, Land Use Chairman and the rest of our Board questioned the need for this rezoning. We based this on how our then present zoning allowed for much more build-out. We did a study of our present build-out and hired transportation planners from Seattle to review our traffic potential, or lack of. The result was that less than 50% of our area had been built out both for residential and commercial zoning. We also discovered that over three of our major intersections along SW Macadam had "F" (failure) level of service and several streets were nearing there capacity. If up-zoning preceded the results would further harm our neighborhood and others that use our neighborhood to access Central Portland.

2035 hasn't studied our present zoning and all the tricks employed now in our zoning/building regulations to assess whether we need 2035 as proposed if enacted to meet a assumed growth rate that is suspect.

Another example of misguided premises is in South Waterfront. Planning in the area was based on PDOT's premise through Matt Brown, Planner that 40% of all trips in the area would be by multi-modal use. Two years ago a study showed that less than 8% of trips were multi-modal. Vehicles were the predominate means of transportation. Metro's recent audit by Susan Flynn confirmed this for the Metro area. And Robert Geller, Planner also recently confirmed similar numbers. In fact Geller from statistics has found that in 1997 regionally that only 12% of trips were multi-modal, and that that number is the same today.

These Transportation Fallacies are important to understand in the context that much of the 2035 planning proposals are made under false assumptions like creating Neighborhood Centers and Corridors that are over 4 times the density of present zoning.

Much of Metro's down to our City's Planning is based on surveys, not votes, from the 70's and 80's. Our 2035 Comprehensive an needs a reality check, a real audit. Planners for decades have been planning our region to accommodate growth, but has it? It seems we have many negative results for all the Planning we have. If you don't believe me or many other citizens, then let's have a vote of some of these false premises.

The 2034 Comp Plan is a continuation of creating a "fantasy land".

Jerry L. Ward, Architect/Planner 7409 SW Fulton Park Blvd. Portland, OR 97219 503-407 6064

Background:

I am a resident in Portland since 2011, although originally from Catalonia (Barcelona is the main city in our region). I believe my input can provide a fresher approach to the enormous effort you are taking on planning for a vision for the city. Where I come from cities are places where people live, work, play, go to school, etc. without the need of owning a car. This makes citizens very happy. I am now very proud to be living in Portland where there is an effort to move towards a "Happy City".

Notes:

Policy 5.5 Housing in centers. Apply zoning in and around centers that allows for and supports a diversity of housing that can accommodate a broad range of households, including multi-dwelling and family-friendly housing options.

Revise zoning codes to allow for developing buildings that do not only provide homes for a range of households (studios, 1, 2, 3 and even 4 bedrooms), but that they have mixed uses (coffee shops, restaurants, shops).

Goal 8.H: Parks, natural areas, and recreation

Revise zoning codes to allow for development of squares and parks that have mixed uses, especially in the city core (Jamison Square). Areas with active impermeable membranes around the edge (shops, bars, bistros), activating the center of the place and making it a place where people want to hang out.

Policy 9.20 Bicycle transportation. Create conditions that make bicycling more attractive than driving for most trips of approximately three miles or less. Policy 9.21 Accessible bicycle system. Create a bicycle transportation system that is safe, comfortable, and accessible to people of all ages and abilities.

 \rightarrow Current advances in bike technology (e-bikes) allow for riding a bike in commutes longer than three miles, while carrying considerable cargo, including 2 children (cargo e-bikes designed with a very strong torch power). There is a strong potential for Portland citizens, especially parents carrying children, to benefit from these advances while reducing car traffic. However, incremental steps should be made to tweak bike lanes in heavy traffic areas to make them safer for these bikes because they can't take sharp turns quickly.

Based on my experience riding an electric cargo bike with children for 5.3 miles each way (NE 38 Ave to 1515 NW Thurman St), one of these areas are the lanes leading towards the Broadway Bridge for downtown commute. Footnotes 1), 2)

Footnotes:

1) E-mail sent to PBOT

 America Grau <americagrau@yahoo.com></americagrau@yahoo.com>
• 10/27/15 at 10:28 PM To
dylan.rivera@portlandoregon.gov
Shamir Karkal
Message body Dear Mr. Rivera:
I have been crossing the Broadway bridge with my electric cargo bike and two children while it's been closed for cars.
Starting from tomorrow we will be sitting on a gas guzzling SUV again because I believe that putting the kids on the cargo bike to cross the Broadway Bridge is going to heavily jeopardize their safety. There are sections leading towards the bridge that force riders to cross car lanes just as those are trying to turn -if making dedicated lines for bikes is too complicated, would a synchronized signaling system on the East side for bikes solve the puzzle?
I wonder if the City of Portland is already looking at measures to make it safer for people like me that would love to carry children on the bike while traffic for cars is open in the Broadway Bridge. The bike versus car commute makes a lot of sense in terms of time. Also, the cargo bike technology is taking a turn with e-bikes that have a center engine that delivers a lot of power to carry cargo -Yuba and Xtracycle just launched their models during the summer. Thus, longer commutes with children on a bike are now feasible and more people like me are becoming aware of it.
Regards,
America Grau/

2) Cargo e-bikes with the potential to transform urban transport http://electricbikereport.com/electric-cargo-bike-guide/

Background:

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Based on my experience riding an electric cargo bike with children for 5.3 miles each way (NE 38 Ave to 1515 NW Thurman St), one of these areas are the lanes leading towards the Broadway Bridge for downtown commute. Footnotes 1), 2)

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Regards,
America Grau/

2) Cargo e-bikes with the potential to transform urban transport http://electricbikereport.com/electric-cargo-bike-guide/ From: Mark Velky [mailto:dmc.lotus@yahoo.com]
Sent: Tuesday, August 09, 2016 4:20 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

PSC Commissioners

I support:

First) keeping the views of Mt. Hood from the Vista Bridge by lowering heights Second) keeping the view corridor to the Vista Bridge by lowering heights along SW Jefferson And Third) keeping the view of Mt. Hood from Salmon Springs.

Also you should carefully think about your ethical obligations as you vote. Are you aware that during the West Quadrant process, many Stakeholder Advisory Committee members advocated for their own financial benefit without disclosing which properties they own? The ombudsman required SAC members to disclose financial conflicts before the PSC votes on the policies that the SAC gave advice on. But, many SAC members did not disclose--including one who owns many properties in the West Ouadrant and frequently tried to get increased heights on these properties. Two SAC members simply sent angry emails saying that they own many properties in the West Quadrant. On page 31 planning staff said: "Twenty six members completed the form, two did not complete the form but sent an email that included similar information, one email bounced, and four members did not complete the form." This implies that the emails disclosed conflicts as required by the ombudsman. They did not. The emails just made general statements that they own lots of properties. The page 32-34 tables seem to indicate that those who emailed complied as required. They did not. Even today, most people in this room have no way of knowing which SAC members were advocating for increased heights or relaxed zoning that would make their properties or their employer's properties more valuable. This means that the policies advocated by the West Quadrant SAC are an ethical and legal problem. You are voting on policies on heights and zoning that were decided under terrible financial conflicts. We citizens deserve an above board process. Please give us an ethical process by rejecting the increased heights and relaxed zoning that will put money in the pockets of several members of the West Quadrant SAC.

Thank You

Mark Velky 1000 S.W. Vista Ave. Apt. #712 Portland, Or. 97205-1137 **To:** Planning and Sustainability Commission **From:** Kal Toth, Ph.D., P.Eng. **Date:** August 9th, 2016

Subject: Fix the Compromised CC2035 Draft

My name is Kal Toth, resident of Goose Hollow. Today I am expressing my personal opinions concerning the draft CC2035 plan.

As others have already confirmed, several members of the WestQuad Stakeholder's Advisory Committee did not declare their conflicts of interest and should have recused themselves from participation rather than promote their financial self-interests. These members thereby disproportionately biased recommendations delivered to the BDS and hence to City Council last year.

Despite numerous objections and requests expressed by central city residents, the current CC2035 draft continues to contain biased recommendations compromising Central City's unique character and iconic views. For example:

- Removing the residential overlay abutting Providence Park erodes street activation.
- Increasing certain height limits:
 - o compromises historically protected views of Mt. Hood and Vista Bridge, and
 - o incentivizes demolition of historic buildings in central city.
- Allowing bonus transfers from external neighborhoods exacerbates these problems.

Thankfully, thoughtful city administrations of the past established sound landuse policies and plans that protected and preserved the unique character of Portland. Their foresight should not now be corrupted by the financial selfinterests of the top few percent. Our existing iconic views and historic character generate the highest possible benefit for Portland citizens. They attract skilled and knowledgeable people while boosting tourism thereby driving our economy and jobs. We must not underestimate these public benefits.

I hope that this commission will soon acknowledge the conflict of interest violations reported by the City Ombudsman and recognize their negative effects. This commission should review and adopt changes that will meaningfully fix the latent problems remaining in the current CC2035 draft.

Thank you for your time.

K.C. 71.

In 1990, journalist Neil Pierce wrote a prescient piece on Portland's pioneering work in linking the nascent bike trail movement with the protection and restoration of urban natural areas. A generation later, the Comprehensive 2035 Plan is set to advance Portland's long-standing legacy of securing a sustainable balance of the urban and natural environment. This letter is to support the **Greenway Overlay Zones** as follows:

1. 33.440.210.C.2

Establishing a 50-foot bare minimum setback. Ideally there should be an option to secure a 66-foot setback to provide 50 feet for re-vegetation and habitation restoration given that recreational trails measure a minimum of 16 feet.

2. 3.475.220 Landscaping

It is essential to support a landscaping standard is intended to increase vegetation along the Willamette River. Adding a diversity of vegetation within the river setback will improve multiple ecosystem functions and increase fish and wildlife habitat.

3. 33.475.440.J Standards for tree removal

These standards allow the removal of non-native trees, including those that are listed as nuisance or prohibited on the Portland Plant List. These trees must be replaced with native trees. This is a change from existing allowances for the rest of the city found in 33.430, Environmental Overlay Zones. Currently, nuisance and prohibited trees may be removed and replacement is not required.

4. Subareas shown on Figure 475-3 and described below.

There are three planting densities allowed within each subarea, and I strongly support the intent to create a mix of three types, densities, and Heights The within each subarea, and it is essential to more than one planting density may occur on a site. Although the city should insert language that mandates re-vegetation even in situations where there is no development but vegetation has been removed, even if the vegetation is non-native, invasive species. Removal of "nuisance species" like Himalayan blackberry on the riverbank without immediate re-vegetation with native species is highly problematic. Even non-native species provide habitat. Allowing property owners to remove non-native species without requiring immediate re-vegetation will not meet the goals of this plan. There should be no outright exemption for removal of non-native species without a strong, immediate requirement for re-vegetation with native species.

Yours in Sustainability,

Bruce Stephenson Member, Pearl District Planning & Transportation Committee 922 NW 11th Avenue #507

ALBERT W. SOLHEIM

August 9, 2016

Planning and Sustainability Commission 1900 SW 4th Avenue, #7100 Portland, OR 97201

Re: Proposed Zoning Code Changes in the 13th Avenue Historic District

Dear Planning and Sustainability Commissioners,

I was the primary advocate to create the 13th Avenue Historic District in 1995 (the "District"). My partners and I own 4 important buildings in the District. Our desire to protect the buildings and their economic viability remains unchanged. The proposed Zoning Code amendments and the proposed "Seismic Design Requirements for Existing Buildings", a soon to be adopted and un-funded mandate, have the potential to significantly alter the economic viability of these buildings and the sustainability of the District. It is imperative that any proposed Code changes recognize these cumulative threats and be crafted to support, rather than diminish the District.

Height

Today the base height in the District is 100 feet from NW Davis Street to NW Hoyt Street and 75 feet between NW Hoyt and NW Johnson. We also have the opportunity to add 45 feet in height through the FAR-related height bonus or 75 feet in height through the discretionary housing height bonus. These bonuses are not additive and in no case can the bonus height exceed 75 feet.

The proposed code revisions reduce the allowed base height from NW Davis Street to NW Hoyt Street from 100 feet to 75 feet and remove the District from any opportunity for even a limited height bonus, above this new lower base height. These changes are shown on Map 510-3, attached as Exhibit A and on the cross-section shown on the attached Exhibit B. Importantly, there are three contributing buildings in the District that already exceed 75 feet in height as shown on Exhibit C.

While our District suffers reduced base heights and no height bonus allowance, other properties still enjoy some level of height bonus. Under the proposed code, if a property outside of the District earns at least 1:1 FAR through the affordable housing bonuses or the historic FAR transfer provisions, the property can earn at least 75 feet in bonus height up to the new maximums on Map 510-4, attached as Exhibit D. For the 13th Avenue District, this means that properties in the District no longer have the opportunity to even put one or two floors on a 75 foot building through any review or height bonus but properties immediately adjacent to the District can reach heights of 250 feet.

The District must maintain at least some opportunity for limited and appropriate height bonuses. The District is currently subject to the regulatory oversight of the Landmarks Commission under PCC 33.445.300. Any exterior alteration or new development in the District undergoes a rigorous discretionary review by the Landmarks Commission which reviews applications under the NW 13th Avenue Historic District Guidelines and the Central City Fundamental Guidelines. In that required

(00573495;1) I I 36 NW HOYT ST., SUITE 200, PORTLAND, OR 97209 PH: (503) 294-038 | • Fax: (503) 294-030 |

review, the Commission determines whether the alteration or development meets both sets of Guidelines and the 10 Landmarks approval criteria including historic character, record of its time, historic materials, and architectural compatibility, among others. These protections have been sufficient to ensure preservation of the District for over the last 20 years.

While the new height bonus provisions may exceed what is appropriate for the District, it is equally true that reducing the base height in the District from 100 feet to 75 feet between Hoyt and Davis, and taking away any reasonable option for a more appropriate and tailored height bonus, threatens the continued vitality of the District. For example, retaining the existing base heights and capping the FAR-related height bonus in the District at 45 feet through Landmarks Commission review will provide an avenue to add a few floors to an existing building and offer the necessary incentives to preserve and retain properties within the District. Retaining the FAR-related bonus will also support the City's affordable housing goals because, as discussed below, the first 2:1 FAR bonus earned in the District must now come from affordable housing or payment into the affordable housing fund. This FAR bonus will then be converted into a limited and reasonable height bonus, supporting both preservation of historic resources and affordable housing objectives.

We understand that the counter concern is that a height bonus could also incentivize a developer to build anew. However, that has not been the experience in this District. Further, that threat is highly speculative because the Landmarks Commission has the ability in response to any new proposal to determine if the proposal meets the District's guidelines.

With these protections in place, there is assurance that the integrity and scale of the District will be continually maintained and only appropriate exterior alterations or developments will be permitted.

Floor Area Ratio (FAR) Bonus and Transfer Changes

The City is proposing to eliminate most existing FAR bonuses except for the affordable housing bonus (affordable housing must be constructed on-site and at least 25% of units must be affordable at 80% MFI) and the affordable housing fund bonus (pay per square foot at a rate determined by Portland Housing Bureau every three years).

The City's proposed changes also eliminate most current FAR transfer options except transfers from qualifying historic resources. The types of historic resources that can transfer floor area are being expanded beyond Landmarks to also include contributing resources in a historic or conservation district that meet City seismic requirements.

This change on its face helps preserve historic resources by allowing more historic resources the opportunity to monetize air rights. But some components of the new priority rules also undermine this value.

Under the new rules, all of the first 2:1 FAR over the base FAR on a receiving site must be either earned from the affordable housing/fund bonuses or transferred from a qualifying historic resource within either the Skidmore/Old Town or New Chinatown/Japantown historic districts. This provision is unacceptable for a number of reasons:

1. This provision values two historic districts and their resources over every other district or resource in the City (see Exhibit E). The only explanation for this priority is that the

two districts were identified as "key preservation priority areas" in the West Quadrant process. Were other districts studied using the same form of analysis or level of advocacy and found to be so much less important that they are secondary priority in the codified FAR transfer structure? There does not appear to be a sound basis or adequate record for creating such a priority amongst historic resources in the City; and

2. This priority significantly devalues the 13th Avenue historic FAR because it cannot be used until someone proves that there is no available FAR in the two identified districts to transfer. The system puts a premium on the FAR rights from Old Town and Japantown and devalues the "secondary" or "inferior" FAR from 13th Avenue. The 13th Avenue District is not inferior or secondary and the code should not aim to make it so.

The value of this new transfer allowance is also not a given and is instead dependent on whether there is any market for the historic FAR after the primary market from Old Town and Japantown is absorbed. Thus, the increased transfer potential should not be viewed as a mitigating factor for reducing the base height and taking away any height bonus in the District. Instead the base and appropriate bonus height should be preserved and the transfer provisions should be adopted with equal priority for all Historic Districts.

The most recent code package seems to recognize that the sale of unused FAR, and up to 3:1 additional FAR from an historic resource, is needed to help partially fund the now-required seismic upgrades. The amendments therefore incorporate phased seismic agreements so that a property owner can sell its FAR before completing the upgrades. The timing of the phases and the enforcement mechanisms will be critical in assessing the practicality of this approach. However, phased implementation is a critical component of the proposal and must be retained if seismic upgrades will be required.

Cumulatively, under the code amendments, the 13th Avenue Historic District suffers a base height reduction, loses all of its bonus height options and has its unused FAR reduced to a secondary market behind Japantown and Old Town. With the added requirements for mandatory seismic upgrades, the code amendments will not likely have the intended incentivizing impact and instead may undermine the sustainability of the District.

In sum, we are requesting that the Planning Commission consider the following:

- 1. We support eliminating the potential 75-foot height bonus in current code for the District;
- 2. We support the allowed density transfers from contributing properties to pre-fund mandatory seismic upgrades through phased seismic upgrade requirements;
- 3. Retain an FAR or transfer related 45-foot height bonus for the 13th Avenue District;
- 4. Eliminate prioritization of density transfer from Skidmore/Old Town and new Chinatown/Japantown historic districts; and
- 5. Retain the 100-foot height base height limit from NW Davis Street to NW Hoyt Street as there are two contributing buildings in this portion of the district at approximately 80 feet and 88 feet in height respectively.

Please consider these comments as you make recommendations to the City Council on these important provisions.

Best regarde, Albert W. Solheim

Proposed Base Heights

Map 510-3

Map 1 of 3

ADDREVENDED VALUE VALUE

comments Proposed right-of-way

ocooooooo Proposed accessways

Legend



1111

Base building height

Central City Plan District boundary

Areas where height is determined by base zone

Arca eligible for height Increase

Base height limit of 75' for first 125 feet from top of bank

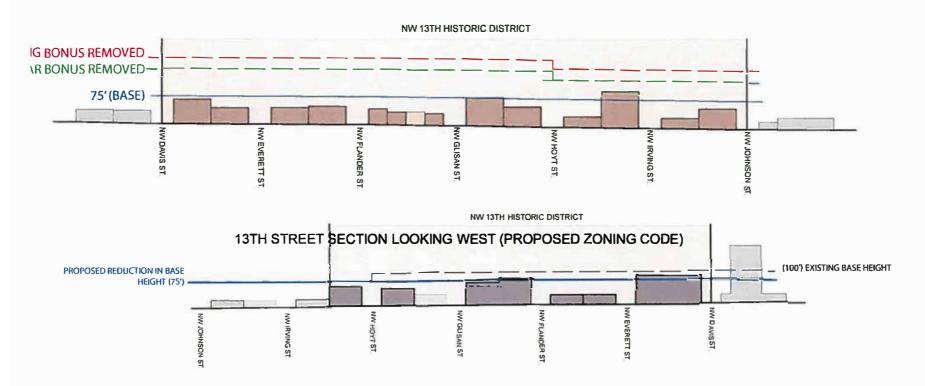
6/20/2016

Proposed Draft Central City 2035 Plan Chapter 33.510, Central City Plan District 0 1,400 2,800 Scale in Feet

Bureau of Planning and Sustainability Portland, Oregon

CC2035 PROPOSED DRAFT | 327

13TH STREET SECTION LOOKING WEST (PRESENT ZONING CODE) EXHIBIT B



SECTION A-A: NW 13TH AVENUE LOOKING EAST



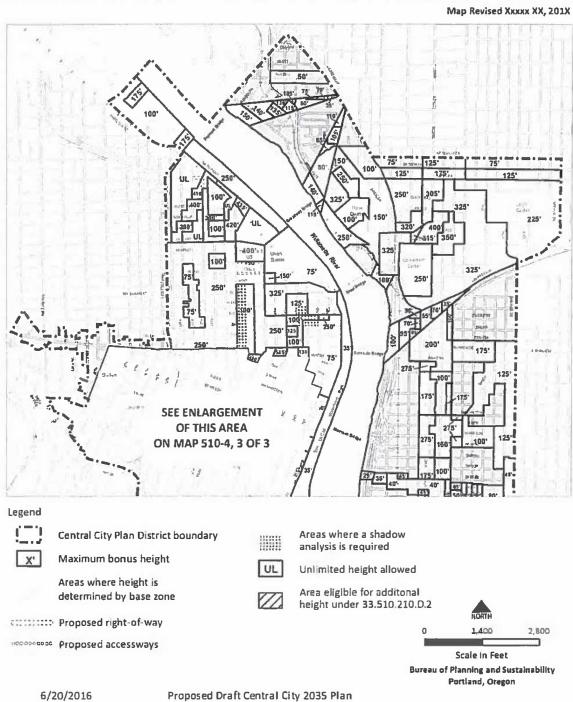


NW 13th HISTORIC DISTRICT - EXISTING BUILDING HEIGHTS (Approximate)

Proposed Bonus Heights

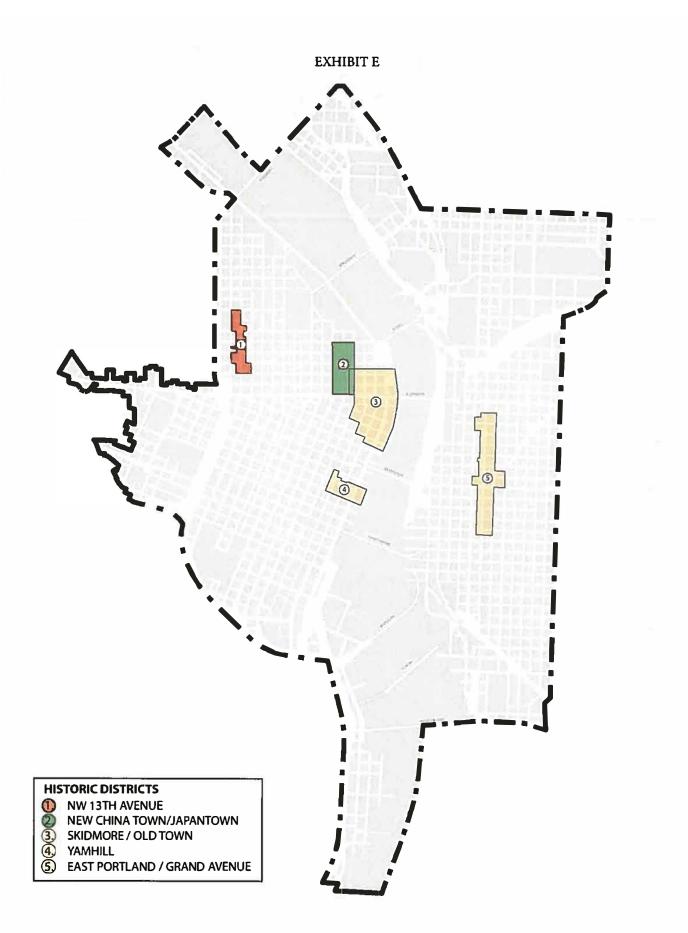
Map 510-4

Map 1 of 3



Chapter 33.510, Central City Pian District

CC2035 PROPOSED DRAFT | 333





Planning and Sustainability Commission 1900 SW Fourth Ave., Suite 7100 Portland OR, 97201 Attn: CC2035 testimony

August 9, 2016

Dear Members of the Planning and Sustainability Commission,

Please accept the following comments from Audubon Society of Portland regarding the Central City 2035 Plan. Audubon was represented on the NE Quad and West Quad Advisory Committees by Bob Sallinger and also participated in the development of the SE Quad Plan from which the Central City Plan was constructed. We appreciate the opportunity to participate in this process and the tremendous amount of work that has gone into this effort.

Our specific comments are as follows:

Greenway Setback: Audubon strongly supports the expansion of the Greenway Setback from 25 to 50 feet. In fact we believe that the city should go further and try to achieve 100 feet. The greenway setback along the Willamette River serves multiple purposes including protecting water quality, providing fish and wildlife habitat, resiliency against flood events, access to the river, recreational opportunities, trail corridors and ensuring adequate capacity for river dependent economic uses. The current 25 foot setback is far too narrow to achieve these multiple goals and in particular is far below the width necessary to achieve healthy ecological function. Today, the Lower Willamette as it passes through Portland, is the most degraded stretch of the entire 187-mile Willamette River system. The degraded habitat conditions significantly impede efforts to recover federally listed salmonids and undermine the efficacy of efforts to protect and restore salmonid habitat upriver of Portland since every salmonid in the Willamette River system must still pass through Portland as it swims to the sea. The proposed 50 foot setback represents a significant step forward. However, we would make the following three recommendations:

 It is absolutely critical that the City include mechanisms to move existing development out of the 50 foot setback over time. As currently proposed, existing development in the 50 foot setback could be rebuild on the same footprint and would be allowed to expand upward. Retaining this allowance would render the greenway expansion functionally meaningless on the ground since much of the expansion area is covered with existing development. In fact, given

that property owners would be allow to build taller without any reduction in footprint size from existing development, it is likely that the greenway will actually become more developed over time. We strongly recommend that the PSC give real meaning to the 50-foot setback by prohibiting new construction and making existing development nonconforming uses, where minor renovations would be allowed but major renovations or rebuilding would be required to be transferred outside the 50-foot setback. We would encourage the City to couple this with incentives such as increased FAR or height allowances in order to encourage owners of existing development to move out of the greenway sooner.

- 2) We encourage the City to look at whether there are locations within the Central City where larger set-backs should be promoted such as was accomplished at South Waterfront. On larger redevelopment areas such as in the area surrounding the Moda Center, we would encourage the City to consider a 100 foot setback.
- 3) While a 50-foot setback in the heavily developed Central City may be the best that can be accomplished, this should not serve as precedent for the North and South Reaches where a much larger setback should be attainable.

Ecoroof Requirement: Audubon strongly supports the proposed ecoroof requirement (33.510.243) on buildings over 20,000 square feet. However, this proposal does not go anywhere near far enough. As currently proposed, the standard would only apply to buildings over 20,000 square feet, and would be required on only 60% of the rooftop excluding areas that are covered by solar panels, skylights or mechanical equipment or fire evacuation routes. The result of these provisions is that ecoroofs would only be required on very small portions of the roofs of very large buildings. We believe that the City can and must do better. Portland was once a leader in ecoroof technology development and implementation, but it has clearly lost that leadership role in recent years.¹ Portland now ranks 4th on the list of US Cities with the worst urban heat island effects in the United States.² Portland has already eliminated one of its ecoroof incentive program administered through BES and the proposed Central City Plan proposes to eliminated the other be terminating the FAR bonuses that have been available to developers who install ecoroofs. Audubon supports the shift from incentives to mandatory ecoroofs, the requirement must be robust. Out recommendations are as follows:

- 1) The requirement should apply to all buildings over 10,000 square feet
- 2) The City should require at least 75% coverage on these roofs
- 3) Restore the BES ecoroof incentives for buildings below the mandatory threshold

Greenway Replanting: Audubon strongly supports the goal of increasing vegetation along the Willamette River Greenway. However, the proposed regulations appear to have significant loopholes or omissions when it comes to vegetation replanting which could significant undermine this objective. Specifically we are concerned about provisions in which if vegetation is removed in either non-development situations or is non-native vegetation, the requirement to replant does not apply. We urge the City to require replanting as per Table 475-1 in all situations including situations where vegetation is removed. We further

¹ <u>http://www.bizjournals.com/portland/blog/sbo/2015/04/portland-executives-worry-the-city-is-losing-its.html</u> <u>http://www.oregonbusiness.com/article/item/12212-portland-executives-express-concerns-about-sustainability</u>

² http://www.usatoday.com/story/weather/2014/08/21/urban-heat-islands-study/14389371/

recommend that in situations where non-native vegetation that is found on the City's nuisance plant list is found within the Greenway, that property owners be required to remove and replant so as to not perpetuate invasive species infestations.

Development in Openspace: The proposed Central City Plan would allow commercial development in McCall Waterfront Park as well as in inner eastside parks. From Audubon's perspective, this represents a significant step in the wrong direction. As the city becomes more crowded, the need for real openspace is going to intensify. Out parks and natural areas are not appropriate locations to allow permanent commercial developments. There are many ways to activate parks without filling them up with retail outlets. We urge the city to develop incentives and zoning in the areas surrounding parks that actively promotes the type of commercial activity the city would like to see in close proximity to parks, rather than turning our parks in de facto commercial zones. We also question why this specific issues has not been brought before the Portland Parks Board. When Audubon served on the Parks Board between 2001 and 2014, the Board strongly opposed commercial development in Openspace; however it is our understanding that the Board has not been approached about the current proposal---we would encourage BPS to engage the Parks Board ASAP.

FAR Bonuses (33.510.200): While Audubon supports prioritizing FAR bonuses to support affordable housing (assuming that the plan also adopts a provision to require ecoroofs in lieu of eliminating the existing FAR bonus for ecoroofs). However, we urge the city to retain other limits opportunities use FAR bonuses as incentives. Specifically we support the following:

- 1) Retain the openspace bonus, openspace fund bonus and South Waterfron Greenway bonus as proposed in the draft plan
- 2) Add a river restoration bonus in which developers in the Central City can contribute to a Willamette River Restoration Fund in exchange for increased FAR

Major Public Trails: Audubon does not support the change in terminology from "public recreational trails" to "major public trails" (33.510.253.E.d.(2); 33.475.440.E and elsewhere). We believe that this terminology overemphasizes the use of the Willamette River Greenway as a transportation corridor relative to its other equally important functions (openspace, accesss, restoration, habitat, recreation, etc.) This is much more than a semantic issue---the plan perpetuates a move toward converting the greenway into something that looks increasingly like to two land road to the detriment of its other functions. At the central district of South Waterfront for example, the 100 foot greenway is dominated by two wide paved paths with a median strip and an additional universal access road, despite the fact that there is space allocated for on road biking just a block away. We believe this is very poor use of very limited openspace. We urge the PSC to do the following:

- 1) Eliminate the term "Major public trails"
- 2) Eliminate the requirement to have two trails (one for peds and one for bikes) plus a median within the greenway. There are examples throughout the country of bikers and pedestrians sharing a single divided trail. Our greenway should not be used as a speedway.
- 3) Tier the size of the trails in the greenway to the width of the greenway such that trails may consume no more than 25% of the width of the greenway (a 25 foot wide greenway would allow for a 6.25 foot wide trail; a 50 foot wide greenway would allow for 12.5 feet of trails, etc.)
- 4) Require all trails to be set as far as possible landward of the first 25 feet above top of bank and retain the prohibition on trails within 10 feet of top of bank

Floodplains: Appendix B in Volume 3b which described FEMA Floodplain Requirements (to maintain eligibility for the Federal Flood Insurance Program (page 5) needs to be updated. It indicates that FEMA is currently in consultation with National Marine Fisheries Service for a Biological Opinion regarding the National Flood Insurance Program's impacts on listed salmonids in Oregon. The BiOp is now complete and includes specific "reasonable and prudent alternatives" (RPAs) that the city should delineate in this section and also ensure compliance throughout the rest of the Central City Plan.

Trees: The Plan sets some ambitious tree targets for portions of the Central City. However the tree components of the Central City Plan have been a continuous state of flux throughout the Central City Process and this aspect of the work still feels unsettled and incomplete. Trees are unevenly distributed across districts and there are some districts that could actually lose tree canopy under the provisions of this plan. Nowhere in the Central City do the tree targets come close to achieving the overall tree canopy targets for the City.

We are not confident at this point that the City has really figured out this element of the Central City Plan. We urge the City to be very aggressive in terms of protecting and planting trees in the Central City. As the city becomes denser, trees will only become more essential in terms of addressing livability, urban heat island effect, sustainable storm water strategies and other environmental and social benefits that are well documented through the work of BES as well as in volume 5 of the CC Plan. We feel that overall, when it comes to trees, the Central City Plan seems to suffer from a sense of limitation based on existing development patterns, as opposed to trying to shape future development patterns to better accommodate a healthier more robust canopy. This plan should represent a pathway towards desired future conditions, not perpetuate the status quo. The following are our concerns/ recommendations regarding trees in the Central City Plan:

- 1) The Plan does a very good job of articulating how more ambitious targets could be achieved (see Alternative Options, volume 5, pages 79-81). The plan notes that the biggest gains could be accomplished by incorporating Title 11 regulations to areas that they do not currently apply such as commercial and industrial lands and by ensuring an adequate funding base for tree goals, but that additional gains could be made by requiring building setbacks, expanding parkland and expanding the right of way. We would urge the City to look at all of these options and make adjustments in each to allow for more aggressive tree targets across the entire Central City. In particular we would strongly urge the City to look at applying Title 11 regulations across the entire Central City—industrial and commercial lands were excluded from Title 11 dues to Statewide Land use Planning Goal 9 issues. However, with the adoption of the Comp Plan, those issue should now be resolved. We would also strongly urge the City to look at the ROW and reduce physical barriers (such as vaults under the ROW, that impede the planting of larger trees.
- 2) The Plan should include a goal of developing a strong methodology to test the impact of existing and potential future policies, regulations and investments, and to ensure that the targets are aspirational, practical, and achievable. This approach will help inform an update to the tree canopy targets when the Urban Forest Management Plan is next updated.
- 3) Explicitly state that Central City Master Plans should be used as a mechanism to incorporate more aggressive tree planting objectives into larger sites within the Central City. These sites have some of the most significant capacity to support large trees and it is important that the opportunity not be missed or marginalized. Two specific recommendations would be to increase

open area requirement from 20% to 30%, and establishing a graduated tree density requirement depending on tree size. For example, change the 1 tree per 1000 s.f. to 1 tree per 500 s.f. when smaller trees are planted. Also required a mix of tree sizes to ensure that at least some medium and large form trees are planted on these large sites.

- 4) Required Building Lines and Setbacks Currently, the Proposed Draft allows, in some instances, but does not require or encourage buildings to be setback from the front property line. It is understood that the plan is designed to encourage an active streetscape and transit supportive development. However the lack of required setbacks or open area on development sites creates a significant constraint not only on tree preservation and planting on sites, but also prevents the planting or growth of significant street tree canopy. The required Building Lines section and/or other sections of the plan be revised to require building setbacks that are landscaped or that include trees at least along designated flexible streets and streets within the Green Loop Alignment.
- 5) Strengthen the new code section for requiring adequate sub-surface soil volumes for trees. Policy 6.10 calls for adequate sub-surface soil volume for trees in conjunction with development and infrastructure projects. However, the plan provides no implementing mechanism. Establish a new code section requiring incorporation of adequate subsurface soil volumes for trees that are required to be planted on sites or in the right-of-way as part of a development or infrastructure project. Review regulations from other cities such as Tigard in developing the regulations.
- 6) Explicitly identify and recognize funding sources to achieve tree goals in the fiscal impact assessments for the Central City Plan and ensure the City Council acknowledges these investments in the adopting ordinance or resolution for the plan.
- 7) Add language in appropriate sections of the plan to ensure that trees are incorporated into the capital funding, design and construction of future streetscape improvements in the Central City.
- 8) Add a policy and/or action recognizing potential new City parks as a source of future tree canopy.
- 9) Include an action calling for development of public/private partnerships to sponsor maintenance of street trees in the Central. This will help maintain the health of Central City tree assets and help address property owner resistance to street tree planting.
- 10) Reconsider and eliminate urban forestry program prohibitions on planting new trees in narrower planting strips, particularly those that would require a 4-foot cut outs which are pervasive in the Central City and other areas of the City.
- 11) Standards for view corridors (33.475.440. E-F): If trees are removed in order to preserve view corridors, mitigation should include not only planting ground cover and low shrubs, but also mitigating for any tree loss in an area in close proximity to the view corridor where the trees were removed.

Bridgeheads: Audubon opposes increased height allowances at bridgeheads. We view this as a clear and unnecessary give-away to developers at the expense of the community. The City has long maintained a "step down" approach to height as development approaches the river. This maintains an open, bright welcoming atmosphere among the city's most active areas and maintains important view corridors. At the behest of developers who unfortunately dominated the West Quadrant Process, the City now proposes to allow much taller buildings at the bridgeheads. We urge the City to reject this change and maintain the step down approach that has served the city well for years. We believe that the

construction that recently occurred at the Burnside Bridge Head has replaced one of the most significant view sheds of the river and the City from East Portland with a dark and uninviting curtain of construction and should go down as a "one off" mistake rather than as a precedent for future poor urban design.

Marine Passenger Docks and Terminals (33..475.215) Audubon opposes the expansion of the expansion of 'river related" uses of the greenway to include Marine Passenger Docks and Terminals. The proposed expansion which would allow previously prohibited encroachment into the greenway could have significant impacts on the greenway over time and includes several uses that simply do not need to be located in the greenway. These include passenger waiting and queuing areas, security checkpoints, cold food storage, machine shops and terminals. There is no reason that these uses could not be housed landward of the greenway rather than in the greenway itself. We believe that this proposal violates the intent of Goal 15 and seems designed to appease the demands of a single property owner, but could open the floodgates to additional development in the greenway throughout the Central Reach.

Thank you for your consideration of these comments.

Respectfully,

Box Sully

Bob Sallinger Conservation Director Audubon Society of Portland



August 9, 2016

Portland Planning and Sustainability Commission 1900 SW 4th Ave, Suite, 700 Portland, OR 97201

Re: Central City Zoning Code Update (CC2035 Proposed Draft)

Dear Chair Schultz and Commissioners:

NAIOP, the Commercial Real Estate Development Association, is one of the leading organizations for developers, investors, owners & operators, brokers, and related professionals in office, industrial and mixed-use real estate throughout the United States, Canada, and Mexico. The Oregon Chapter's members represent a broad and diverse range of companies involved with commercial real estate activities in the Portland metropolitan area, including developers, owners, brokers, and managers, along with other professionals providing legal, finance, title, engineering, architectural, construction, and other services.

First, I would like to extend our deep appreciation to Planning & Sustainability Bureau staff Rachael Hoy and Troy Doss for giving of their time to have two briefing sessions with our members last month on the Central City Zoning Code Update Project. This was very effective in identifying issues of concern and answering questions.

After reviewing the Proposed Draft before you, we have a number of concerns and recommendations. We urge you to give serious consideration to these points and to take more time for additional analysis and work to address them.

I. Need to consider overall context of proposed changes, additional costs that will be imposed, and significant development fee increases that recently went into effect.

We urge the Commission to be extremely sensitive to any changes being proposed that would impose additional costs on new commercial development, and to be aware of recent significant increases of total

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impact fees currently being paid by all commercial construction projects that are having a major impact on market dynamics.

A major increase in the park SDC increase went into effect on July 1st, with the fee more than doubling in the Central City and nearly tripling elsewhere for commercial construction. Also, the new 1% of value Construction Excise Tax became effective on August 1st. The combination of these two, along with a likely increase to the transportation SDC and a new 1.5% of assessed value fee for traffic signal modifications being considered by PBOT, will move Portland near the top ranking of total development fees charged by jurisdictions across the region.

Taken all together, the changes described above will have significant impacts on new commercial development and, indeed, the entire Portland commercial real estate market. There will be tremendous upward pressure on rents for new construction, which will in turn put upward pressure on all commercial rental rates. Such increases may also have the effect of driving new development to less costly suburban locations.

The City Council has been pledging for the last three years (the last time in May of 2015 when the Parks SDC increase was approved) that a comprehensive study of the full range of development fees was very much needed and would be initiated soon. To date, no such study has begun.

We urge the Commission to be mindful of this overall picture when considering regulatory changes in the draft before you, and encourage you to recommend to the City Council that a fee study be initiated before additional costly regulations are placed on development.

II. Eco-Roof Requirement

One provision of the Proposed Draft that will have serious cost impacts—during both the construction phase and ongoing maintenance—is the requirement that all new construction of more than 20,000 square feet have an eco-roof that covers at least 60% of the net roof area (exclusive of solar panels, skylights or mechanical equipment, or areas used for fire evacuation routes).

We urge the Commission to consider the alternative of white roofs to the strict eco-roof requirement, and would refer you to an extensive 2014 study conducted by researchers at the Lawrence Berkeley National Laboratory (Berkeley Lab) that was published in the March/2014 edition of *Energy & Buildings*.¹

¹ Julian Sproul, Man Pun Wan, Benjamin H. Mandel, Arthur H. Rosenfeld, "Economic comparison of white, green, and black flat roofs in the United States," *Energy & Buildings*, Volume 71, March 2014, Pages 20–27.

One of the study's major findings was that, per unit area, white roofs cool temperatures three times more effectively than green roofs, directly reducing global warming impacts. Other highlights of the study's findings were:

- The life-cycle costs of white roofs are less than those of black roofs.
- Green roofs are more expensive over their life-cycle than white or black roofs.
- Green roofs' high installation/replacement costs outweigh their long service lives.

Also relevant for your consideration is a 2013 study by scientists at the Universities of Manchester and Leicester that found polluting particles absorbed from the air by eco-roofs and retained in the soil layer and the vegetation, could leak out into rainwater as it runs off the roof.²

"The rainwater runoff from the green roof was green and yellow in colour, so we sent samples for analysis of the heavy metal and nutrient concentrations," said Andrew Speak, a PhD student at the University of Manchester and lead author of the study. "Some heavy metals were found to be quite high. Copper, lead and zinc all exceeded environmental quality standards."

"The biggest discovery in this paper is that while green roofs do reduce air pollution, the pollution may accumulate and cause a problem in the future with reduced water quality of runoff," concluded Speak. "We shouldn't put green roofs next to busy motorways, or inner city motorways, basically anywhere where vehicle derived pollution could affect runoff in the future."

If the primary goal of the eco-roof requirement is stormwater management, there are much more effective ways to do so and we would strongly encourage you to allow alternate methods that are less costly and require less maintenance.

III. FAR Changes

We recommend an amendment allowing FAR that has been legally memorialized on a property (through a covenant or declaration approved by the City) to be able to be transferred under the current FAR transfer rules for up to two years after the rules change. We also recommend that FAR to be able to be used on any receiving site it is transferred to during the two-year period before the public benefit 3:1 FAR must be used.

This piggy-backs on the regulation that is already proposed which will allow FAR that was already transferred to be used for two years after the regulations change. We think allowing the transfers to continue is important because many projects plan to use transferred FAR, but close the FAR transaction long after the City review process begins. Thus, a developer could know that it plans to transfer FAR, have a transfer site identified, and not be able to close the transaction and move the FAR until a much later time (often at the building permit stage). An additional issue is that most developers do not know exactly how much FAR will need to be transferred until the Design Review process is complete, as even small design changes can alter the amount of FAR. The ability to transfer FAR under the current rules for up to two years after

² A.F. Speak, J.J. Rothwell, S.J. Lindley, C.L. Smith (2014) "Metal and nutrient dynamics on an aged intensive green roof," *Environmental Pollution*, Volume 184, Pages 33-43

the rules change allows projects that will be proceeding under the old rules to complete transfers needed for those projects.

Second, we think it is important that the current FAR rules remain in place until the full Comprehensive Plan package is implemented (Jan 1, 2018) and that these not be eliminated when the inclusionary zoning rules go into effect. From discussions of the Inclusionary Housing Experts Panel, we understand that the City's proposed approach will be to provide 3:1 FAR to a development that meets the inclusionary housing mandates under the new regulation by implementing a new affordable housing FAR bonus. We agree that it is important to provide the affordable housing bonus FAR at the time that the inclusionary housing mandates become effective. A new affordable housing bonus for meeting the mandate would not conflict with current bonus options (and would not "double-bonus" applicable sites since most are limited to a total of 3:1 additional FAR from any source). However, Staff has also stated that the City may push forward its changes to the other FAR bonus and transfer rules at the time of the inclusionary housing changes (eliminating most current bonus and transfer options). We do not support that change. The changes to FAR bonuses and transfers are part of CC 2035 which includes a host of additional code changes. The development community is aware of the pending inclusionary housing changes, but those developing non-housing projects are expecting all other changes to become effective almost a year after the inclusionary housing regulations. The current bonuses should be left in place until the full package of code changes is adopted.

IV. Elimination of Density Bonuses

We share the concerns of the eleven developers who signed the July 26th letter presented to you by Noel Johnson of Killian Pacific at your last public hearing. We agree that there should be a postponement of eliminating the nineteen existing Central City Density Bonus Options from current zoning code until the work of the Inclusionary Housing Program Panel of Experts (the Panel) is complete and all the impacts of affordable policy changes are evaluated to ensure robust multifamily development at all levels of affordability.

As the developers' letter noted, "density bonuses are a proven zoning tool to make significantly more housing units pencil out; now is not the time to restrict housing creation by limiting the residential 3:1 density bonus only to Inclusionary Housing program development. Additionally, the existing density bonuses in current zoning code create incentives for the creation of multiple public benefits, including but not limited to daycare centers, retail establishments, green spaces, and mixed-use neighborhoods. These elements are important to our urban fabric and should not be jettisoned without careful consideration of their utilization, public value or the alternative ways to incentivize their development. As was discussed at the Panel's Tuesday, July 19 meeting, the Bureau of Planning and Sustainability has not provided any data related to the utilization or effectiveness of the nineteen existing Central City Density Bonus Options being proposed for elimination."

V. Reduced Parking Ratios

We are still analyzing the likely impacts of the reduction in allowed parking ratios, but do raise this as a possible serious concern and urge you to resist requests from some interests for further reductions.

VI. LEED Gold Requirement

We have concerns that the requirements for low-carbon buildings (33.510.244) are limited to one certification program, LEED, and would strongly urge that additional certification programs of a similar nature be also integrated into this section.

VII. Transit Demand Management Requirements

We strongly support the elimination of TDM requirements from the Proposed Draft and urge the City to work with stakeholders before implementing any TDM requirements for the Central City.

Thank you for your consideration of these comments. Because of the timing of the hearing schedule during the summer and a relatively short time between release of the current draft and the hearings, it has been difficult to get input from industry members. For this reason, and in anticipation that Commission members are likely to have numerous questions and editing suggestions, we would recommend that the public record be left open and an additional public hearing be scheduled so follow-up input can be provided on these very significant changes to the development code.

Please let us know if we can provide any additional information.

Sincerely,

Kelly Ross Executive Director

-----Original Message-----From: Jeremy Rogers [mailto:jrogers@oregonbusinessplan.org] Sent: Tuesday, August 09, 2016 8:38 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: CC2035 Plan Testimony

Central City 2035 Plan Testimony

Thank you for the opportunity to submit testimony.

For the past several years the Oregon Business Council has worked with architects and developers, wood products businesses, institutions of higher education including Oregon State University and University of Oregon, the State of Oregon, and other partners to advance the use of wood in multi-story buildings. This has become an initiative of the Oregon Business Plan, and we believe that it is a major opportunity to create jobs in rural Oregon, bridge the urban rural divide, reduce carbon emissions, improve the health of forests and people, and provide spaces that connect people with their natural surroundings.

We are concerned that the draft Central City 2035 Plan could inadvertently harm the deployment of these innovative, wood-based building technologies and the benefits that come with them by locking in the LEED standard. While LEED has a number of worthy attributes, its focus as it relates to carbon is primarily on energy efficiency measures and it does not recognize the carbon benefits of building material choices.

Energy efficiency in buildings is very important but it has little to do with the buildings' structure and mostly to do with added features such as adequate insulation, triple glazed windows, and rooftop wind or solar arrays—features that can be added to virtually any building type.

But building material choices also play a big role in carbon reduction and should be acknowledged. For example, because 50% of the dry weight of wood is carbon, buildings constructed of wood actually serve as massive carbon storage units. And when trees are replanted, the carbon sequestration process occurs over and over again.

If wood buildings are to take off and bring about all of the environmental and urban/rural economic benefits that will come as a result, it is likely that the City of Portland will be the epicenter of this movement. Therefore we think it would be unwise for the city to lock in a standard that does not recognize the benefits of this technology.

Thank you for considering these comments.

Sincerely,

Jeremy Rogers

Jeremy Rogers, Vice President Oregon Business Council 1100 SW 6th Avenue Suite 1608 Portland, OR 97204



PORTLAND OFFICE elerenth floor 121 sw morrison street portland, oregon 97204-3141 TEL 503 228 3939 FAX 503 226 0259

anchorage, alaska heijing, china new york, new york seattle, washington washington, d.c. GSBLAW.COM

Please reply to CARRIE A_RICHTER crichter@gsblaw.com TEL 503 553-3118

August 9, 2016

Via E-Mail: Rachael.Hoy@portlandoregon.gov and CC2035@portlandoregon.gov

Portland Planning and Sustainability Commission c/o Rachael Hoy and Derek Dauphin 1900 SW 4th Avenue, Suite 7100 Portland, Oregon 97201

Re: The Impact of Height Restrictions Imposed on MadAve LLC / AltSource, 1120 SE Madison Ave.

Dear Chair Schultz and Commissioners:

On behalf of MadAve, LLC, the owner of property located at 1120 SE Madison Ave., we submit the following for your consideration and placement into the record of these proceedings. Attached are a number of re-development scenarios for the MadAve, LLC property that illustrate the flaws in the staff proposal restricting building height on this site to 45 feet. Taken together, these concept studies show that:

- Salmon Springs view corridor and neighborhood transition height, including the provision of open space, can be provided while still allowing unlimited building height.
- Without the unlimited height, providing open space and a transition height as well as maximizing the 3:1 Industrial Office authorization identified in the SE Quadrant Plan will be impossible.
- Therefore, if the Commission finds that a 45 foot height is necessary, it should be coupled with a comprehensive plan amendment and zone change re-designating this property for Employment Uses (EXd), like the other similarly situated properties, allowing for broad fulfillment of the property's identified employment potential.

Thank you for your serious consideration of this request.

Sincerely,

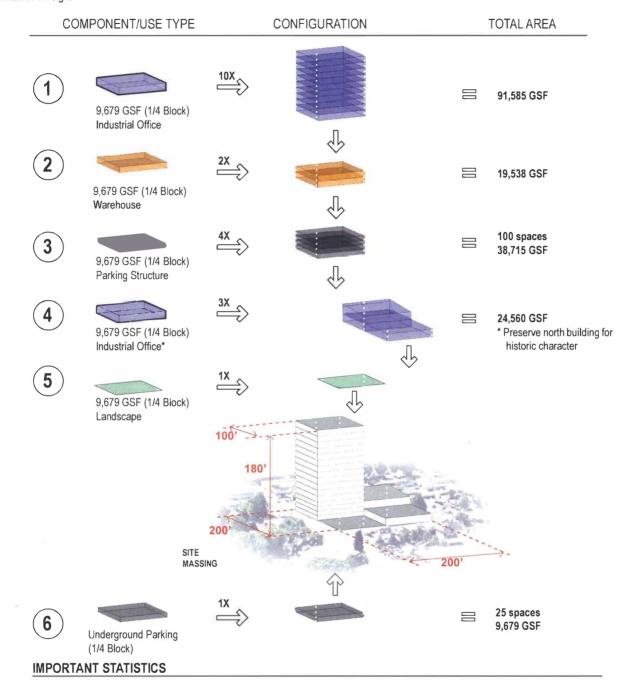
GARVEY SCHUBERT BARER

By Carrie A. Richter

Enclosures cc: Client

GSB:7981062.1 [39808.00100]

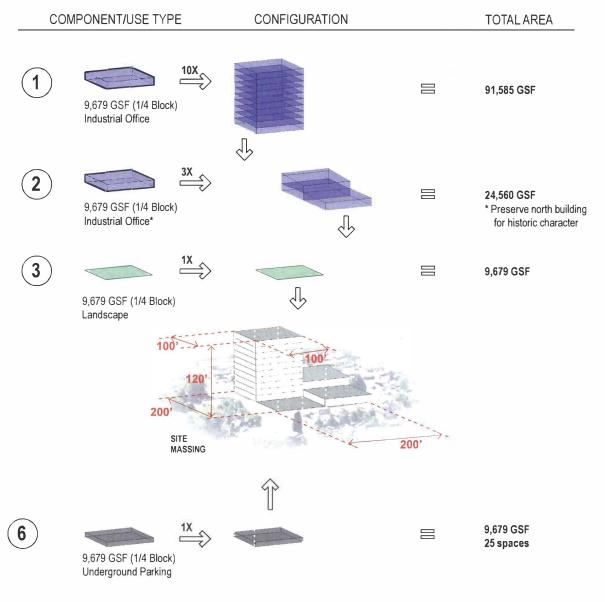
SCENARIO 1_ Unlimited IG1 Height



- · Maximizes authorized 3:1 industrial office uses totals 116,145 GSF
- This was our original, long-term plan for development of this site
- Enables us to keep the historic north part of the building that we have invested in redeveloping
- · Preserves landscaping/buffer
- Still provides views and neighborhood transition tower located to the south to maximize Salmon Springs view Central Eastside
- Includes 19,538 GSF of warehouse/storage space to be used or leased, maximizing value to help support development costs
- · Approximately 125 parking spaces when 390 would be allowed
- Gross Cost of Construction: \$28,816,000
- Gross Annual Revenue: \$3,712,000

SE MADISON BLOCK STUDY 08_09_2016





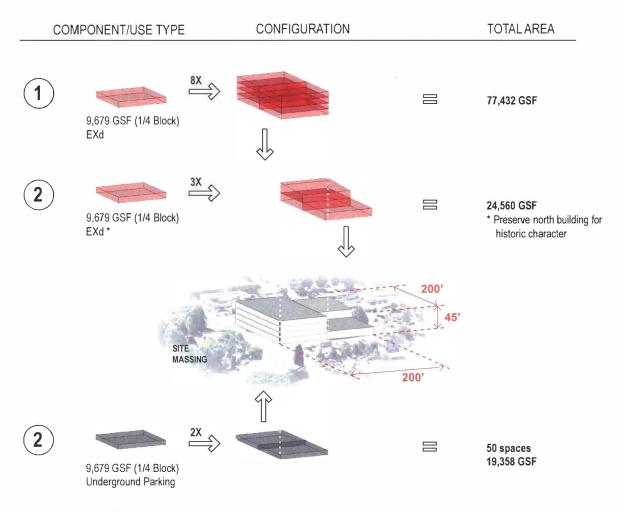
IMPORTANT STATISTICS

- Maximizes authorized 3:1 industrial office uses totals 116,145 GSF
- This scenario also keeps the historic part of the building, landscaping/buffer, and provides views and neighborhood transition, but the lack of parking severely restricts leasing opportunities and employment opportunities/retention.
- · Lack of leasable warehouse/storage space that could have been leased to help support development costs.
- Approximately 25 parking spaces when 390 would be allowed
- Gross Construction Cost: \$21,535,000
- Gross Annual Revenue: \$3,297,000

SE MADISON BLOCK STUDY 08_09_2016



SCENARIO 3_ EXd at 45'-0" Height Restriction w/ Preserved North Structure



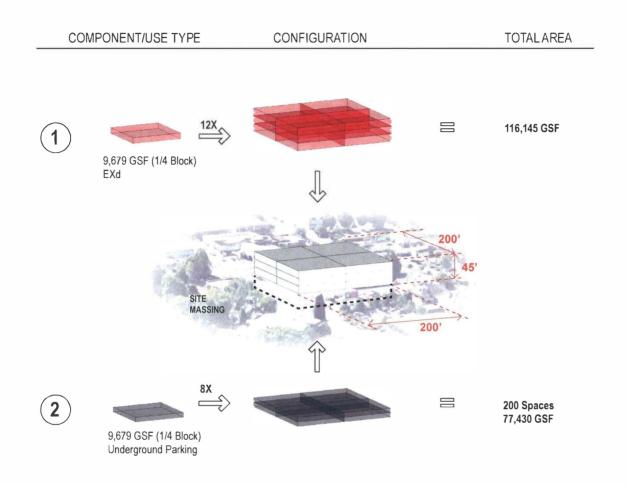
IMPORTANT STATISTICS

- EXd zoning achieves consistency with EXd zoned blocks adjacent to SE 12th and allows a greater variety of uses necessary to serve the adjacent industrial and residential areas
- Preserves historic north half of structure
- EXd zoning provides the best opportunity to lease at rents that will support development costs, although the leasing opportunities in this amount of GSF don't support the development costs
- · The GSF in this diagram doesn't support long-term company growth to continue to add jobs in the Central Eastside.
- · This scenario does not provide enough parking to support maximized growth or leasing opportunities (approximately 50 spaces).
- · Loss of green space and money put into 2016 landscape improvements
- Gross Construction Cost: \$22,818,000
- Gross Annual Revenue: \$3,761,000

SE MADISON BLOCK STUDY 08_09_2016

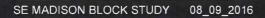


SCENARIO 4_ EXd at 45'-0" Height Restriction



IMPORTANT STATISTICS

- EXd zoning achieves consistency with EXd zoned blocks adjacent to SE 12th and allows a greater variety of uses necessary to serve the adjacent industrial and residential areas
- · Exd zoning provides the most development opportunities and supports long-term growth at this site (approximately 580 employees)
- · EXd zoning provides the best opportunity to lease at rents that will support development costs
- · IG1 zoning would not allow us to support development costs
- · Loss of green space and historic portion of building would require demolition of all 2016 improvements
- Gross Construction Cost: \$32,907,000
- Gross Annual Revenue: \$4,541,000





Perkinscole

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Allison J. Reynolds AReynolds@perkinscoie.com D. +1.503.727.2168

August 9, 2016

VIA EMAIL (PSC@PORTLANDOREGON.GOV)

Ms. Katherine Schultz, Chair Planning and Sustainability Commission City of Portland 1900 SW Fourth Avenue, Suite 7100 Portland, OR 97201-5380

Re: Menashe Property's Testimony Regarding Viewpoint CC-SW17 (Central City 2035 Proposed Draft)

Dear Chair Schultz and Members of the Planning and Sustainability Commission:

This office represents Menashe Property, Inc. ("Menashe"), owner and developer of many properties in the City of Portland. The CC 2035 Proposed Draft places a severe height limit across the majority of Menashe's Central Eastside properties, 606 and 632 SE Madison Street, 615 and 635 SE Hawthorne Street and the corner of SE Madison and 7th Avenue (the "Property"). Menashe objects to this new height limit which will constrain development of the Property and prevent the Property from being developed to its potential for employment use. Please include this testimony in the record of proceedings for the CC 2035 Proposed Draft and provide us with a copy of the final decision.

We object to the proposed CC-SW17 scenic view limit on three main grounds, as discussed further below:

1. The Employment Opportunity Subarea overlay will be extended to all IG1-zoned sites in the Central Eastside, allowing a greater range of uses which will drive development of taller structures. The viewpoint eliminates development potential for these important employment uses and frustrates and conflicts with the City's efforts to meet its supply for employment land under Statewide Planning Goal 9.

2. The ESEE Analysis for viewpoints does not appear to adequately account for the EOS changes in the Central Eastside and therefore underestimates the job and economic losses associated with this height limit.

3. The CC 2035 Discussion Draft determined that the economic impact of protecting view CC-SW17 was too large to justify height limitations across Central Eastside properties. The Proposed Draft reverses course and imposes height limits for this view based on "requests from neighborhood association and other stakeholders and additional analysis" without further explanation or evidentiary basis. We question whether additional data is available that justifies this policy revision and urge the City to remove the CC-SW17 height restrictions due to its economic impacts.

CC-SW17 Removes Employment Potential in the New EOS.

The height limit imposed to protect Scenic View CC-SW17 limits heights across a large area in the Central Eastside. Under CC 2035 and Employment Zoning Project changes, all IG1-zoned land in the Central Eastside will be added to the EOS overlay, which will allow considerably more floor area on these properties for industrial office, traditional office and retail uses. The EOS is being extended to these areas to help the City meet its need for employment land supply under Statewide Planning Goal 9. Goal 9 requires Oregon cities to provide enough employment sites of suitable sizes, types and locations to accommodate forecast job growth for the next 20 years. Policy 6.34 (Central City industrial districts) requires the City to "protect and facilitate the long-term success of Central City industrial sanctuary districts, while supporting their evolution," which is implemented in part by applying the EOS to the full Central Eastside.

Unlike traditional industrial uses, these employment uses allowed by the EOS often occupy taller buildings since the uses are not as constrained by industrial limitations (machinery, loading, etc.). The height limits imposed by CC-SW17 will directly counteract the increases in employment land capacity gained through the EOS. Menashe and other property owners impacted by the height limits will lose the opportunity to develop their land to a height that maximizes this employment potential.

The ESEE Analysis Does Not Appear to Accurately Account for the Lost Jobs and Economic Impacts in EOS Areas.

The ESEE analysis for CC-SW17 estimates that protecting a view of Mt Hood from this location will cause approximately 15.9 million dollars in lost development potential and 2,200 lost jobs. As discussed below, these economic losses led the City to conclude that protecting a view of Mt Hood from this location was not warranted. We question whether the ESEE analysis used by the City to estimate these losses correctly accounts for the increased redevelopment and increased heights that will result from the new EOS rules in portions of the Central Eastside that are currently limited to industrial uses.

The City's ESEE analysis for scenic viewpoints relies on the Buildable Lands Inventory ("BLI," Adopted by City Council in 2012), which identifies undeveloped and underdeveloped sites in various land use categories. The BLI considered land based on the City Code and Zoning Map at

132312755.1 Perkins Coie LLP the time it was adopted (the current City Code), and specifically did not account for changes to the zoning code and map that might be proposed in the CC2035 plan. Indeed, in 2012 when the BLI was complete, the SE Quadrant Plan (which first proposed the EOS for the full Central Eastside) had not been completed. Thus, the BLI appears to have measured underbuilt land in most of the Central Eastside based on primary industrial uses allowed in the IG1 zone, rather than the potential to build larger industrial office and retail uses which is proposed for the Central Eastside by adding the EOS to this area. Primary industrial uses are generally warehouse buildings with few stories and surface parking, loading, or storage space. Therefore, it appears very likely that the BLI underestimates the employment use potential of the Central Eastside because it does not account for the now-proposed EOS and the types of uses that can be built on Central Eastside properties under these new rules. Fully developed sites for industrial uses are likely underbuilt sites for industrial office uses.

The ESEE analysis relies on the BLI data to estimate the potential lost jobs and economic revenue from sites where viewpoints limit height. Therefore, if the BLI either did not consider a Central Eastside property as "buildable" because it was developed with an industrial warehouse (and would be unlikely to be redeveloped with a different warehouse), or did not correctly calculate the buildable capacity of the Central Eastside property because it did not allow for office and retail uses, the ESEE analysis would underestimate the lost employment and revenue from height restrictions in the Central Eastside. We ask that the Planning Commission require a detailed, accurate analysis of the economic and job losses associated with protecting this viewpoint before proposing draconian height limits.

The City Gives No Explanation for Protecting Views from CC-SW17 in the Proposed Draft, But Not the Discussion Draft.

Menashe first learned of the proposed height limit on its Property when it received notice of the CC 2035 Proposed Draft. Viewpoint CC-SW17 was analyzed in the Discussion Draft, but was not proposed for protection, because "the economic impacts outweigh protecting the view long term." (See Scenic Resources Protection Plan, Discussion Draft p. 59). The City's analysis in the Discussion Draft found that the economic impact of protecting this viewpoint was \$15.9 million dollars in lost revenue and approximately 2,200 potential jobs. Curiously, the Proposed Draft reverses course to limit height in order to protect views from CC-SW17 *even though the predictions for lost revenue and jobs have not changed*. The Proposed Draft does not provide additional analysis regarding why the economic impacts are no longer detrimental. The only explanation given for the change is in the City's high-level summary of the revisions from the Discussion Draft, which states that "staff have amended the maximum height map to project public views of Vista Bridge, Mt Hood and Mt St Helens based on requests from neighborhood associations and other stakeholders and additional analysis."

In deciding to protect scenic views, the City should not simply pick and choose based on which viewpoints are popular at a given time. An accurate ESEE analysis is required, and the City

132312755.1 Perkins Coie LLP must weigh the factors in favor of protecting certain views against the economic and other impacts of protection. Here, the economic impacts were determined to be detrimental enough that protection is not warranted. The loss of considerable jobs and economic productivity (which we think may be underestimated as discussed above) should not be dismissed. We ask the Planning Commission to remove the height limits proposed for CC-SW17 based on these economic impacts.

For the reasons discussed above, we request that the Planning Commission remove the height limits associated with CC-SW17.

Thank you for your consideration of this request.

Very truly yours,

Allison J. Reynolds

AJR:rsr

cc: Mr. Jordan Menashe (via email) Mr. Barry Menashe (via email) Mr. Michael Robinson (via email)

Board of Directors RiverPlace Planned Community Association

Planning and Sustainability Commission City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100, Portland, OR 97201 Attn: CC2035 Testimony

August 9, 2016

Dear Planning and Sustainability Commissioners -

The RiverPlace Planned Community (RPPC) is a neighborhood association representing the residents and businesses of the RiverPlace community, located downtown on the west shore of the Willamette River, between the Hawthorne and Marquam bridges. The Directors of the RPPC respectfully request that the CC2035 Plan designate 850 feet of the RiverPlace Esplanade – between the RiverPlace Hotel and the McCormick & Schmick's Harborside Restaurant – as a **Pedestrian-Oriented Waterfront Commercial District**.

Our vision: The RiverPlace Esplanade is less than 850 feet long (see map on p.3) and is Downtown Portland's only waterfront commercial district. It hosts a beautiful marina, has spectacular views of the Willamette River, Mt Hood, and Portland's iconic bridges, and is the only place along Portland's waterfront with shops and restaurants right on the Willamette.

The residents and businesses of RiverPlace believe the best use of this particular stretch of Portland's downtown shoreline is as a pedestrian-oriented waterfront commercial district, where people are encouraged to slow down, relax with a glass of wine, dine under the shade of the trees, and take in the beautiful views of the marina, river and bridges. The doors of the businesses open right onto the Esplanade, and yet it is managed as a transit thoroughfare, with an emphasis on making sure people can travel unimpeded and as quickly as possible from A to B. This is exactly the wrong approach.

Almost every other major city located on a river, lake or ocean understands the economic and livability benefits of having a pedestrian-oriented waterfront commercial district, where residents and visitors can bring their families, young and old, to stroll, shop, dine, and enjoy time by the water, without having to worry about being hit by automobiles or bicycles. On the West Coast one thinks of the vibrant, scenic waterfronts of Vancouver, BC, San Francisco, and San Diego, as described in this USA Today article: Great waterfronts to visit across North America.

Safety issues caused by bicycles speeding on the RiverPlace Esplanade: Unfortunately, the presence of cyclists riding their bikes (often very fast) through the pedestrians totally changes the atmosphere, from a dining and shopping district to a transit thoroughfare. There is no speed limit, only signs saying "Yield to slower traffic" which most cyclists think means shouting "on your left" and/or ringing their bells as they weave through the pedestrians.

To those on foot, the bells and shouts mean "Move over, I'm coming through", so they scramble to get out of the way. This is hardly conducive to an enjoyable shopping or dining experience. We believe it is reasonable to ask bicyclists to walk their bikes on these two blocks, especially given that there is an

alternative for those who prefer to stay in their saddles. Every year pedestrians are hit by bicyclists on the RiverPlace Esplanade. Our neighborhood has a large population of retired and elderly people, many of whom are afraid to walk on the Esplanade because of the risk of being hit by a bike. For them, even getting bumped by a bike could result in a life-altering injury.

When safety concerns were brought to the attention of Portland Parks (which owns and manages the Esplanade as part of Governor Tom McCall Waterfront Park), instead of asking cyclists to walk their bikes or even to slow down, their solution was to require the businesses on the Esplanade to reduce the number of outdoor restaurant tables so that bikes could travel through less impeded. Because of the Esplanade's current designation as a 'Multi-Use Path', Parks is compelled to enforce a 15-foot-wide no-obstruction clear zone so cyclists can ride through the commercial district unhindered.

The CC2035 Plan as it now is proposed: The CC2035 Plan designates the RiverPlace Esplanade as a City Bikeway on the Bicycle Classifications map, indicating the city's apparent desire to continue using this unique section of shoreline as a bike corridor for another 20 years. New kiosks are proposed in Waterfront Park to attract visitors and give them something to do. Meanwhile, our RiverPlace businesses struggle to make it through the winter and then are throttled back during the busy summer season to make sure they don't block the way for bicyclists wanting to circle the waterfront without getting off their bikes.

Decades of planners for Portland and the Willamette River – from the Willamette Greenway Plan to the River Renaissance and CC2035 – have talked about making Portland's waterfront more lively and inviting, generating jobs and economic activity for the City, providing a greater variety of uses and thereby attracting a more diverse range of residents and visitors. What could fulfill that vision better than a truly pedestrian-oriented waterfront commercial district?

Alternate bike paths: There are 5 miles of wonderful shoreline multi-use bike trails between Tillicum Crossing and the Steele Bridge, and another 4.5 miles south of Tillicum Crossing, comprising the central city portion of the Willamette Greenway Trail, all of which is available for bike riding. We question whether bicyclists really need to be able to ride on 100% of Portland's waterfront, or would 97% be enough, particularly if they have an alternate route around RiverPlace (Montgomery St and SW Harbor Way) for this unique 3%?

We hope that the CC2035 planners can share our enthusiasm for creating a vibrant waterfront commercial district at RiverPlace, and can recognize the value it would bring to the people of Portland and the visitors who, frankly, have come to expect a modern, hip city with a waterfront to do something more than make it a bike path. We want people with bikes to come to the waterfront and enjoy it with everyone else, but we feel strongly that the public would be better served if people were asked to walk their bikes for this particular 850 feet of shoreline.

In addition, could CC2035 support the development of a separate, designated bike path on the water side of the RiverPlace Esplanade? There is room for such a path, and we would encourage that it also be considered in the CC2035 plan.

Our request: If Portland is serious about encouraging commerce on and along the river (CC2035 goal), and wants to increase the diversity of river-oriented activities for ALL of its residents as well as the hundreds of thousands of visitors that come to Portland each year, an effective and inexpensive way of

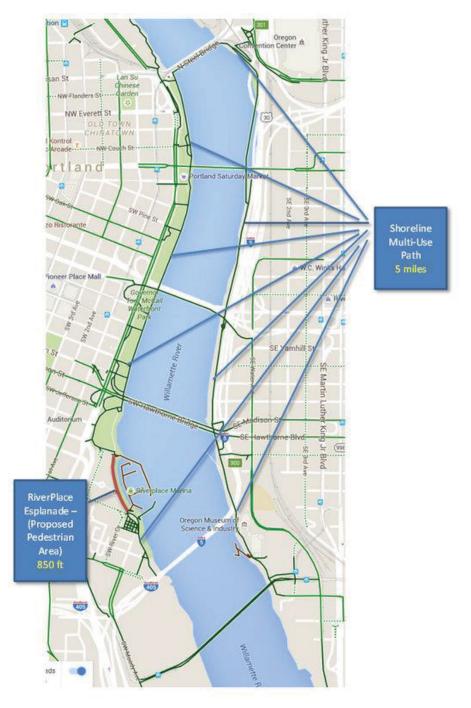
doing that would be to designate the already existing (but currently struggling) waterfront commercial district at RiverPlace a pedestrian-oriented destination instead of a thoroughfare.

Please include a **Pedestrian-Oriented Waterfront Commercial District** designation for the 850 feet of waterfront along the RiverPlace Esplanade in CC2035, so Portland can provide its residents and visitors a pedestrian-friendly, diverse and thriving river-front destination worthy of our great city.

Thank you for your consideration.

John Roaf

John Raaf, Chair Board of Directors, RiverPlace Planned Community Association





August 9, 2016 PSC hearing verbal testimony:

Commissioners;

I am Steve Pinger, I reside at 2669 NW Savier St. I am representing the Northwest District Association, and I was a member of the Stakeholder Advisory Committee for the West Quadrant Plan.

We have submitted written testimony on the Proposed Draft, which we ask you to consider. The comments and recommendations in our testimony are quite broad in their scope, as they reflect what we believe to be the fundamental questions that the CC2035 Plan process has raised that still may need to be answered more fully before the Commission might make any recommendation to the Council for adoption of the Plan.

I will only emphasize one aspect of our comments at this time, and that is concerning the proposal to provide allowable height bonuses as an inducement to create affordable housing in central Portland. The "affordability" issue in Portland is not limited to housing, but is at play in commercial and retail sectors as well. The issue is central to the livability of our city, as it is intertwined with questions of equity and inequality, and is, through the manner in which it is addressed in the current proposals in the draft plan, highly influential in the growth model that we are being asked to accept for the next generation.

To that end, we would ask BPS staff to identify clear evidence of the effectiveness of this proposal, and to identify current relevant precedents where this approach has been successful, all in order to facilitate the Commission in assessing the feasibility of, and risk associated with, this enormous shift in public policy.

Thank you.



August 9, 2016

Portland Planning and Sustainability Commission 1900 SW 4th Avenue Portland, Oregon 97201

RE: CC2035 Plan Proposed Draft – comments and recommendations

Commissioners:

The Northwest District Association Planning Committee has reviewed the *CC2035 Plan Proposed Draft*, and offers the following comments and recommendations. These comments and recommendations are based on our earlier April 8, 2016 comments on the *CC2035 Discussion Draft*, and are intended to be taken with them as a whole.

As with our earlier testimony, these comments are not being made as Northwest District residents identifying simply policies of concern affecting our neighborhood, but rather as Portland citizens reviewing central city-wide issues and planning principles profoundly influencing the character of our city for the next generation.

The River, the Freeways and the Green Loop

Before taking on a new initiative, such as the "Green Loop", follow through on the needed completion of Waterfront Park and on the repair to the city and river around the freeways.

- Mitigate the impact of the Eastbank Freeway on the river and the urban fabric of the city.
- Prioritize a demonstration project for capping portions the I-405 Freeway trench.
- Complete Waterfront Park.
- Allow smaller buildings to be developed directly adjacent to the river at the bridgeheads to activate Waterfront Park, rather than tall new buildings across Naito Parkway.

Urban Form

Complete the implementation of the urban form concept for the central city from *The Downtown Plan* before considering changes to it.

- Concentrate tall buildings along the north-south transit corridor, between Broadway and Fourth.
- Step building heights down to the river.
- Step building heights down to the western neighborhoods.
- Protect the Park Blocks corridor.

Building Heights and Density

Do not increase allowable building heights *unless necessary to achieve density goals*, and coupled with increases in FAR.

- Review *existing* allowable building heights for their appropriateness, and for potential conflicts with stated *CC2035 Concept Plan* equity and existing character goals.
- Provide evidence of the effectiveness of allowing "Height Bonuses" to create affordable housing, and identify precedents where this approach has been successful.
- Delete the "Shade Analysis Areas" entirely.



Bureau of Planning and Sustainability April 4, 2016 p. 2

- Reduce the overabundance of excess "headroom" in allowable building heights.

Conservation of Portland's Existing Character

Conserve the real reason that people want to live and work in Portland: its comfortable scale, the character of its streets and neighborhoods, and its unpretentious buildings and way of life.

- Revise the portions of *The CC2035 Plan's* proposed allowable building heights bonuses and other incentives where they threaten the City's imagable and iconic buildings and places.
- Revise the portions of *The CC2035 Plan's* proposed allowable building heights bonuses and other incentives where they induce an additional speculative layer to an already distorted market.
- Revise the portions of *The CC2035 Plan's* proposed allowable building heights bonuses and other incentives where they are in contradiction to the adopted *CC2035 Concept Plan*, Urban Design Goals L and M.4
- Stop being concerned about Portland having an *exciting skyline*.

Ethics

Review input from the West Quadrant Plan process to *The CC2035 Plan* to assess the presence of actual and potential conflicts of interest on the SAC, *as well as unrepresentative bias*.

- Require disclosure of the financial interests from *all* SAC members, per the Auditor's Report, *before* making any recommendation on the CC2035 to City Council.

Best Regards, Northwest District Association Planning Committee

Steve Pinger Member, for the Committee Member, CC2035 West Quadrant Plan SAC



April 8, 2016

Bureau of Planning and Sustainability 1900 SW 4th Avenue Portland, Oregon 97201

RE: CC2035 Plan Discussion Draft – draft comments

CC 2035 Plan staff:

The Northwest District Association Planning Committee has reviewed the *CC2035 Plan Discussion Draft*, and offers the following comments. These comments are intended to be quite broad in their outlook, as there are practical challenges for a lay organization to provide meaningful detailed comments on the proposed code language given the limited time frame provided for our review. The comments do, however, follow on concerns that the District raised during the West Quadrant Plan process, and that we plan to offer more specific assessments of during the Commission and Council hearings and amendment processes.

These comments are not being made as Northwest District residents identifying simply policies of concern affecting our neighborhood, but rather as Portland citizens reviewing central city-wide issues and planning principles profoundly influencing the character of our city for the next generation.

The River, the Freeways and the Green Loop

- The *Big Idea No. 2* to "Focus on the Willamette River" is destined to be not-so-big an idea if it doesn't recognize the reality of the Eastbank Freeway dominating half of the river's frontage, as well as reverberating across the river to exert a significant presence on the west bank and Waterfront Park. The Plan must begin to look at ways of mitigating this major rend in the urban fabric of the city. Here is where *The CC2035 Plan* needs to be truly aspirational, and to be as bold as *The Downtown Plan* once was, for the opportunity to do so will not come around again for several decades.
- The I-405 Freeway trench is a rend at least as disruptive in the city's urban fabric as the Eastbank Freeway, but presents a more achievable potential solution. Several previous studies have identified the relative feasibility of capping portions of the freeway trench, but such an action does not appear to be prioritized in the Plan.
- The Waterfront Park has been in a placeholder use for 40 years. It was never intended to be an intermittently used "fairgrounds" space, and an overused walking, jogging and bicycling through-route next to the river. If we are to focus on the river, let's be sure there's something there to focus on. Rather than building tall buildings across Naito Parkway from the park as proposed, consider allowing smaller buildings to be developed directly adjacent to the river at the bridgeheads that could provide the missing private commercial frontages that are necessary to activate the park year-round, and to create more enclosed and defined park spaces than the current continuous broad swath of grass with no-man-lands in the areas under the bridges.
- Finish what we've started: follow through on the needed completion of Waterfront Park and the repair to the city and river around the freeways before taking on a new initiative, such as the "Green Loop".



Urban Form

- *The Downtown Plan* provided a clear concept for the urban form of the central city: tall buildings concentrated along the north-south transit corridor, between Broadway and Fourth, with building heights stepping down toward the river and toward the western neighborhoods. Unfortunately, this fundamental concept was never fully translated into ordinance relative to building heights west of Broadway. It needs to be now. And moreover, even where ordinance did provide for buildings stepping down to the river, the current Plan proposes changes to allow much taller buildings along Naito Parkway, adjacent to Waterfront Park.
- Stepping building heights down to the river means stepping building heights down to the river. Allowing tall buildings at the bridgeheads is not the way to activate Waterfront Park, and is potentially legally challengeable by owners of, and tenants in, buildings who had assumed that their valuable views were protected.
- Stepping building heights down to the western neighborhoods means stepping building heights down to the western neighborhoods. The recently finished Park Avenue West tower, two blocks west of Broadway, is a well designed and constructed building, but is completely out of scale to the existing character of the built-on portion of the Park Blocks corridor, and overwhelms this imagable and soulful district of the downtown. This building, however, would have fit right in a couple of blocks to the east where *The Downtown Plan* indicated buildings of this height should be concentrated.
- Reduce the overabundance of excess "headroom" in allowable building heights that has resulted in an emerging pattern of scattered towers in a predominately low and mid-rise city, which is an outcome that is in conflict with the CPP's own *Urban Design Assessment*.

Building Heights and Density

- The Plan proposes to increase allowable building heights in many areas of the central city, *but without any increase in densities*. This does not achieve any of Metro's density goals, but rather simply provides an avenue to create more expensive, taller, real estate. This is in conflict with goals of *The CC2035 Concept Plan*.
- The West Quadrant Plan process assumed that the *existing* allowable building heights were to be the point of departure for considering mostly additional height allowances. While there were a few reductions in height in the process, the entire West Quadrant's existing allowable building heights needed to be critically reviewed for their appropriateness, and for potential conflicts with stated *CC2035 Concept Plan* equity and existing character goals, which imply the need for the lowering of allowable heights in many areas of the central city.
- Using "Height Bonuses" to create affordable housing is a tail-chasing exercise at best, creating only ever more expensive real estate, in turn making everything nearby ever more unaffordable, especially with the bonus thresholds as low as currently proposed.
- Delete the "Shade Analysis Areas" entirely. The assumption that the shadows cast by tall buildings are their only effect on the areas adjacent to them is ludicrous. The primary effect of tall buildings on their surroundings is to significantly distort the urban ecosystems by inducing drastic shifts in land values, and to experientially overwhelm the scale and character of their adjacent street environments. Portland's streets are its primary system of public space, and its most enviable public asset.

Conservation of Portland's Existing Character

- The CC2035 Plan's proposed allowable building heights and other incentives threaten, through excessive economic pressure for development, many of the imagable and iconic buildings and places that make Portland Portland, and are in contradiction to the adopted CC2035 Concept Plan, Urban Design Goals L and M.4
- At heart, *The CC2035 Plan* is about what kind of city we want Portland to become over the next generation. How we manage the height that buildings are allowed to be built to, and where they can be built, is a fundamental part of this question, and no other factor has the ability to influence the

Bureau of Planning and Sustainability April 4, 2016 p. 3

livability of the central city to the extent that this does, *and Portland's livability is truly its greatest asset*. Everybody wants to come to work and live in Portland, and it's not because of Portland's *exciting skyline*, but because of its comfortable scale, the character of its streets and neighborhoods and its unpretentious buildings and way of life. These qualities are the soul of Portland that we need to be careful to conserve, and that the potential effects of the increases in building heights proposed in *The CC2035 Plan*, as currently written, put into jeopardy.

Ethics

The BPS's response to the citizen's complaint, as upheld by the City Ombudsman, is completely inadequate. The comprehensive planning process during the West Quadrant Plan process has been tainted by the unrepresentative bias of the Stakeholder Advisory Committee, as it was constituted, relative to Statewide Planning Goal 1. Merely disclosing the financial interests that may have been served by input from SAC members does not remediate the problem, nor does it comport with local and state ethics rules. Any input from the tainted West Quadrant Plan process to *The CC2035 Plan* must be reviewed by an independent body to assess the presence of actual and potential conflicts of interest, as well as unrepresentative bias. Appropriate action must be taken to correct such conflicts and bias before *The CC2035 Plan* can be considered for adoption.

Best Regards, Northwest District Association Planning Committee

Steve Pinger member CC2035 West Quadrant Plan SAC member

Testimony of Elizabeth L. Perris 1132 SW 19th Ave. #811 Portland, OR

I am a resident of Goose Hollow and very concerned that the drive for density contained in the CC2035 plan will significantly change the personality and character of my neighborhood. I chose this neighborhood over the Pearl, downtown, and South Waterfront, because it was more residential in character.

The CC2035 plan will reduce the livibility of Goose Hollow by:

1. Increasing the amount of property on which very tall buildings can be built. SW Jerfferson is being changed from a view corridor to a view street. My understanding is that this change will allow 50' heights next to the bridge, 140' heights 2 blocks from the bridge, and 180' 6 blocks from the bridge. As other testimony explains, this change will significantly reduce views of the bridge and views from the bridge.

2. Failing to assure local residents of a park if Lincoln High is reconfigured in a way that eliminates the field on SW 18th or leaves the neighborhood. There are currently two "de facto parks" (places where local residents recreate) - the field at Lincoln High School and a vacant block bounded by SW Main, SW Madison, SW 19th, and SW 20th. The vacant block is privately owned and is likely to be developed. If the field at the school is removed, and the CC2035 plan implemented, Goose Hollow will be dense but without the public parks present in all other dense parts of town.

3. Failing to preserve historic and older smaller property. The denser and higher you permit the neighborhood to be, the more incentive there is for owners to allow replacement of older properties with large structures. We are already seeing older structures demolished in order to create larger structures. Historic properties have little chance unless they are protected.

In addition, the CC2035 plan should restrict FAR transfers to properties within Goose Hollow. We have already experienced efforts to transfer FAR from outside the confines of Goose Hollow to Goose Hollow. Such transfers, if permitted, will increase the density and reduce the livability of this neighborhood.

While I understand your concern about providing housing for future residents, the CC2035 plan will lead to more density in Goose Hollow. I urge you to temper the development by preserving the existing Jefferson view corridor, preserving historic structures, assuring that any development on the Lincoln High site will come with a requirement of a park, and that FAR transfers be limited to transfers from within the neighborhood.

From: Susan Pearce [mailto:sue@suepearce.biz]
Sent: Tuesday, August 09, 2016 4:51 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Cc: 'Susan Pearce' <sue@suepearce.biz>
Subject: Personal Comments: CC2035 Plan Draft

To Planning and Sustainability Commission:

I have previously sent from my email address letters with comments from the Hosford-Abernethy Neighborhood District (HAND) board regarding the current draft of the CC2035 Plan. The following are my personal comments:

Re: Development, housing affordability and livability:

Scattered within the segment of HAND that overlaps the Central Eastside Industrial District there are homes that have existed since long before the CEID was created. They are among the few relatively affordable homes in the neighborhood. These homes have a conditional or non-conforming use designation in the IG1-zoned district which creates an awkward situation for owners wishing to update or sell their homes because lending institutions are averse to providing loans for them. I would ask that, as a means of protecting that housing some means of addressing the "conditional/non-conforming use curse" be created.

Along with HAND Board members and residents, I support plans for mixed use development in the Clinton Triangle, just south of the Orange-Line MAX Clinton Station, and believe it should be mixed-income within the same buildings rather than segregating "affordable" housing in separate buildings.

Housing within the standard one-quarter mile circle around the Clinton Station, but separated from the Clinton Station by heavy and light-rail tracks should not be subjected to limitations on parking. Proximity does not guarantee accessibility. Lengthy freight trains combined with MAX trains can block crossings for forty-five minutes or longer several times a day. There is no easy detour around the blocked crossings at this time. (see further comments below)

The CC2035 Plan draft includes reference to view sight lines from several places on the west side, looking eastward toward Mt Hood. There is little or no reference to sight-lines from the east side looking westward. As building combined building height and FAR are considered, I ask for consideration of sight lines from the eastside neighborhoods. I fear that one morning I will wake up to the sight of a 200-foot wall blocking the views of the lights of the City of Portland and the West Hills. At very least I ask for requirement of building design that allows for sightlines between buildings, as was planned for South Waterfront.

Regarding Transportation:

Residents and even commercial owners along SE 11th and 12th Avenues have expressed concerns about traffic speed along those streets, which, while a part of the CEID are in fact more mixed-use than industrial in character. The unimpeded stretch between SE Division Street and Hawthorne Boulevard is too inviting for people in a hurry. Traffic-calming along those streets is critical. Traffic signals at SE Harrison Street as it crosses 11th and 12th Avenues, and perhaps at Clay Street, as well as reduction of the designated speed limit to 25MPH would work to provide some calming.

SE 11th and 12th Avenues are, as noted, primarily mixed-use in character and are lined with old established trees. They meet the description of the Green Loop. I support the addition of bike lanes on

those streets. How that would be implemented should be discussed and negotiated with a committee/task force of members of the CEIC, and Buckman and Kerns neighborhoods to the north as well as Brooklyn neighborhood south of Powell Boulevard.

Access into the Clinton Triangle and the CEID from eastbound SE Powell Boulevard should be improved with a left-turn signal somewhere between the Ross Island Bridge and Milwaukie Avenue, and with it improved bike and pedestrian access across Powell Boulevard between the HAND and Brooklyn neighborhoods. However, traffic calming on se 11th and 12th Avenues would then be absolutely essential.

The replacement of the ped/bike bridge, once located at SE 16th Avenue but removed during the construction of the Orange MAX line, is needed as a means of safe crossing over the combined MAX and heavy-rail tracks, which are frequently blocked by freight and light rail trains, as well as a lost icon for the HAND neighborhood. Multiple incidents of unsafe crossings in front of approaching trains as well as through the couplings of slow-moving of idling trains have been documented. This project should be completed in the very near future, rather than the 11-20-year timeline noted in the CC2035 Plan draft.

Although not included in the CC2035 Plan draft, the creation of a grade-separated crossing over the rails for all modes other than rail traffic is the only affective solution to traffic that backs-up for blocks in all directions at SE 8th, 11th, 12th and Milwaukie Avenues for as long as forty-five minutes several times a day...and likely to increase in length and frequency according to a representative from the Union Pacific Railroad. There is no easy detour out of the blocked traffic and around those intersections.

And finally, in support of the CEID/CEIC: I have observed encroachment of freight movement in and out of the district over the years, beginning as I watched the hopes for a Water Avenue on-ramp to Southbound I-5. The plans that recognize freight priorities at the west end of the Morrison Bridge clover-leaf to south-bound Naito Parkway and the segment of Harbor Drive that leads to I-5 South are an improvement over previous versions of the CC2035 Plan, but removing freight priorities in the intervening segment of Naito Parkway makes no sense, and adds one more stumbling block. The CEID is an and all-important place for family-wage jobs in the Central City; we do not want to see that district choked out of existence.

Thank you for consideration of these points as you move forward.

Kindest regards, Susan E Pearce 3142 SE 25th Ave Portland, OR 97202



August 9, 2016

To: cc2035@portlandoregon.gov

RE: ISSUES RELATED TO VIEW SHEDS, DEVELOPMENT

Dear Planning and Sustainability Commissioners and Staff,

The Hosford-Abernethy Neighborhood District (HAND) Board would like to submit the following additional testimony regarding the Central City 2035 Plan. This testimony focuses on concerns not related to the traffic and transportation items submitted by HAND to the PSC on August 5th.

The HAND board was represented during the development of the SE Quadrant Plan by a delegate from the board at the table with the Stake-holders' Advisory Committee. The board is on record as supporting the SE Quadrant Plan, with some comments to emphasize points or request changes reflecting the effects of that plan on the residential area of HAND as well as those homes scattered within the SE Quadrant/CEID where it overlaps HAND.

Our testimony includes reiteration of previous testimony as well as noting matters that have come to our attention or have evolved, as well as potential solutions to long term problems that have occurred to us since the completion of the SE Quadrant

HEIGHTS AND VIEWS

As Portland, and especially the Central City, continue to redevelop, we have become concerned about the potential loss of public view-sheds for people looking both east and west from the inner Eastside. Map 510-20 Draft View Corridors in the CC 2035 Plan shows proposed view-sheds for the Eastside of the Central City. We are concerned that an important part of our valued "commons" will be lost with only those who can afford high cost housing and office space able to see what was once available to all via our public right of ways. A recent article, author and publication forgotten, makes note of people who having spent their entire lives in inner cities where their views were limited to the canyons of streets between high-rise buildings, have not developed concept of a skyline or horizon. We would not want that to happen in Portland. We also question the wisdom of encouraging large structures on the very edge of all our bridgeheads. Such buildings narrow and restrict another set of sight lines and views of the Willamette River.

Next Steps: We would note that the identification of key view-sheds in the Central City is a good start, but we would like to see further public engagement in the identification and protection of additional view-shed corridors on the Eastside. None have been identified east of SE 12th Ave and density is increasing quickly in some corridors and centers with no thought for access to future views of nature, history and heritage. At a minimum we would advocate for a similar strategy to that used in South Waterfront where buildings were designed with spaces between them to preserve public sightlines

ZONING RELATED ISSUES

Impact on Housing Affordability

Scattered within the portion of HAND that overlaps the SE Quadrant/CEID, are old single-family and multifamily dwellings, in existence from the time that it was settled as a residential district. These homes have remained in place as the district changed around them, and predate the industrial sanctuary and zoning by decades. They are among the most affordable homes in HAND. However, the home owners find it difficult to





obtain financing for major repairs and remodels; and should they want to sell their homes prospective buyers have similar difficulties finding financing as a result of their non-conforming/conditional-use status. Just since the completion of the SE Quadrant Plan, some of these homes have been lost to redevelopment.

While HAND does not support the development of new housing in IG-1 areas of the Central Eastside, we do support the maintenance of the existing housing located there, and would like to see protection for those homes. As we have testified in the past, it is our hope that a solution to the "non-conforming/conditional use curse" can be created before more affordable home stocks are lost.

HAND has previously testified in support of the plans for mixed use: housing and commercial in the Clinton Triangle. We continue our strong support for the provision of affordable housing along with market rate housing in this area. However, we would like to see development designed to include a mix of affordable and market rate housing in each building rather than segregating the two types. When a building includes a mix of incomes we believe it can lead to a better integration of affordable housing with more access to job leads and other benefits for tenants. We would like to see such a recommendation included in the Plan.

Application of Missing Design Overlay

As per our request last March we note that the Design (D) overlay is now proposed to be applied to the few residentially zoned properties along SE12th Avenue, between SE Hawthorne Boulevard and SE Division Street where it was missing. This change will make this area consistent with the rest of the Central City zoning which requires the D overlay for all residentially zoned properties.

FUTURE DEVELOPMENT ALONG POWELL BOULEVARD

If building heights from 65 to 95 feet are to be permitted in the Clinton Triangle, we advocate for additional planning for the surrounding area on both sides of Powell Boulevard in order that optimal livability and connectedness along the Powell corridor will be assured. We have been assured by BPS senior staff that nearby sections of Powell Boulevard will receive additional planning to assure seamless development that maximizes opportunities for development given nearby transit availability. However, we would like to ensure that these promises remain a part of the record.

Preservation Concerns

We cherish historic buildings, such as the Ford Building and related structures, and long-term businesses such as Mason Supply, rather awkwardly situated straddling the intersection of SE 12th Avenue and Clinton Street. We advocate for further identification of key sites in the Central Eastside along with appropriate incentives for seismic upgrades to allow their continued use or adaptive reuse where needed.

We thank you for consideration of the HAND Board testimony, and for the work you are doing.

Kindest regards,

The HAND Board

Susan E Pearce, Chair



From: Susan Pearce [mailto:sue@suepearce.biz]
Sent: Tuesday, August 09, 2016 4:51 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
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Thank you for consideration of these points as you move forward.

Kindest regards, Susan E Pearce 3142 SE 25th Ave Portland, OR 97202

CENTRAL CITY 2035 COMMENTS

TO: Portland Planning and Sustainability Commission

FROM: Portland Bicycle Advisory Committee

RE: Central City 2035 Plan

DATE: August 9th, 2016

We would like to begin by offering our sincere thanks to the staff from the Portland Bureau of Planning and Sustainability, as well as all those involved from the Portland Bureau of Transportation, for their hard work to bring about the Central City 2035 Plan. The Portland Bicycle Advisory Committee is supportive of a large majority of the content of the plan as it stands today. However, we have several recommendations for improvement we would like to share, as well as several key elements we would like to highlight as worthy of our support.

At the top of our list, we would like to express our support for the over-arching objectives, policies, and performance targets within the plan. The ambitions nature of this plan carries great importance for meeting our city's objectives for a more sustainable, more equitable, and more livable central city (and beyond).

Specific Areas of Support

- We strongly support the concept of the Green Loop project and the corresponding street classifications that will allow the project to be realized as a low-stress, shared bicycle and pedestrian facility serving the central city.
- We strongly support the designation of the following streets as Major City Bikeways:
 - o SE 11th Ave and SE 12th Ave in the Central Eastside
 - o SE Morrison St and SE Belmont St
 - o NE and SE 7th Ave, including the Sullivan's Gulch Crossing
 - o NE Broadway and NE Weidler
 - NW and SW Broadway
 - SW Jefferson and SW Columbia
 - o SW Harrison St and the connection to SW Waterfront district
 - NW and SW Naito Parkway
- We support the direction to set parking maximums for development within the central city that properly and accurately align with the SOV mode share targets within the plan
- We are supportive of the Multimodal Mixed Use Area Agreement between City of Portland and ODOT

Specific Recommendations

- Greater definition of the need and rationale for Bicycle Parking, as referenced in Policy 9.53
 - While we understand that a specific amendment regarding bicycle parking is being drafted at this time, however we think this section could offer more detail regarding the importance of bicycle parking in relationship to the bicycle districts and the overall goals for encouraging bicycling.
- Greater Definition of the "Bicycle District" designation and how it should be used to prioritize both land use decisions and transportation investments
- Create Parity between "Bicycle District" and "Freight District" designations within the Street Classification Maps.
 - Where the Bicycle District is indicated by a simple color overlay of these areas, while the Freight District of the Central East Side is denoted by street classifications on every single street. We recommend that Planning staff pick one form of designation and apply it in the same way for both classification maps, with a preference for the overlay, as it simplifies the meaning while maintain the same intent.
- Re-classify SW 4th Ave as a Major City Bikeway from SW Madison to NW Flanders.
 - SW 4th Ave has a greater potential to a serve bicycle trips within the Central City, particularly by creating a continuous connection from SW Portland and I-405 to Old Town/Chinatown.
- Classify SE Sandy Blvd as a Major City Bikeway from SE 7th Ave to SE 12th Ave
 - As Sandy is classified as a "Civic Corridor", we feel it is important that it retain its designation as Major City Bikeway throughout the Central City.
- Re-classify SW 18th as a City Bikeway from SW Jefferson to SW to SW Alder
 - While SW 20th is intended to meet the needs for a City Bikeway in this area, the dramatic elevation changes along SW 20th will deter many current and future riders.

Thank you for the opportunity to provide comment on this important update to the city's Transportation System Plan. We look forward to working with the Bureau of Planning and Sustainability, the Bureau of Transportation, and City Council to see that the objectives of the Central City 2035 plan are fully realized.

Sincerely, Portland Bicycle Advisory Committee

DAVID C. NOREN

Attorney at Law P.O. Box 586, Hillsboro, Oregon 97123-0586 330 NE Lincoln Street, Suite 200, Hillsboro, Oregon 97124 Telephone: (503) 640-2661 Fax: (503) 648-0760 e-mail: david@norenlaw.com

August 9, 2016

Planning and Sustainability Commission 1900 SW Fourth Ave., Suite 7100 Portland OR, 97201

Attn: CC2035 testimony

RE: Analysis of FAR Transfers and Affordable Housing Opportunities

Dear Commissioners:

Service Employees International Union Local 49 has proposed amendments to the Central City Plan code to require a public or community benefit when transfers of floor area ratios (FAR) increase the development allowed for a project. Specifically, in my letter and testimony on July 26, SEIU proposed that workers who provide ongoing service to such a development, including janitors, maintenance and security workers, be paid the equivalent of 50% of the median family income for the area, to mitigate the impact of the development on the city's limited stock of affordable housing. Such compensation, about \$36,000-38,000/year, is at the upper end of compensation packages for full-time janitorial workers in Portland; at the lower end their full-time compensation is about \$22,000 or 30% of area median income (AMI or MFI). Our research shows that there is a substantial inventory of housing affordable to a worker making 50% of AMI, but that almost no non-subsidized housing is affordable to a worker making only 30% of AMI.

A memorandum dated August 8, 2016, from consulting firm Economic and Planning Systems (EPS) is being submitted with this letter. EPS has extensive national experience with linkage fees and other tools to address housing affordability, including preparation (with OTAK) of a study for the city last year that underlies the proposals in the Central City Plan for bonus FAR based on affordable housing. The attached EPS memorandum provides data on the supply and affordability of housing at incomes of 50% and 30% of AMI, and analyzes the feasibility of our proposed compensation requirement in terms of residual value of the transferred FAR after discounting the increased development and operating costs such transfers would entail. There are minor discrepancies between the terms and numbers proposed in our July 26 letter and in the attached memorandum; for example, use of the terms "AMI" and "MFI" and assumptions that housing is affordable at 1/3 rather than 30% of income. However, the attached memorandum supports our proposal as being consistent with linkage study analysis of the impact of low-wage

Portland Planning and Sustainability Commission August 9, 2016 Page 2

workers on affordable housing, and concludes that our proposal is feasible in the realworld market based on the residual value of transferred FAR.

As I noted in response to a question at the last hearing, our proposal to require the specified compensation as a public benefit for transferred FAR is directed to FAR that is transferred within a sub district; the Proposed Draft allows unlimited transfers of such FAR without requiring additional public benefit for the transfer. To be clear, we are not requesting that the compensation requirement be imposed on transfers from historic properties. Instead, we are seeking to recapture some of the value created by FAR transfers within a sub district, and to apply that value to mitigate the impact of the development on affordable housing supplies.

We look forward to working with your staff to develop specific code language for Section 510 to implement our proposal. One detail to be addressed is a threshold for imposing such a requirement; reasonable thresholds may be either an additional 1:1 of FAR (i.e. at least one additional floor) or 35,000 square feet (i.e. the floor area that would typically require one additional worker for janitorial service). Another detail is specifying that the requirement would apply to the development itself, and thus to the owner, operator, tenant, or whoever else, by lease or contract, provides or contracts for the ongoing service of the building. A related detail is establishing a mechanism for enforcement, including use of recorded restrictive covenants that may be enforced by parties to the land use proceeding that imposes the requirement.

We ask that you direct your staff to provide further analysis and work with us to supply specific code language for consideration during your upcoming work sessions and for inclusion in the Central City Plan code that you recommend to the City Council

Thank you for your consideration and please ask you staff to seek any further information from us that would assist you.

Very truly yours,

David C. Noren

To: David C Noren Attorney at Law:

Background

MEMORANDUM

10.	Maggie Long, Executive Director, SEIU Local 49
From:	Economic & Planning Systems
Subject:	Economic Considerations of SEIU Local 49 Policy Proposal
Date:	August 8, 2016

This memorandum was prepared to provide supporting information regarding a policy proposal from the Service Employees International Union (SEIU) Local 49 to the Portland Planning and Sustainability Commission on July 26, 2016. It supplies analysis regarding proposed Central City Plan code amendments to require that FAR transfers provide a public benefit in the form of adequate wage and benefit packages for

service workers of non-residential development.

The Economics of Land Use



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SEIU Local 49 is proposing a policy to the City of Portland that would address housing affordability and income inequity by requiring that workers who service certain non-residential developments are paid adequately. Taking its cues from the recently adopted 2035 Comprehensive Plan, such a proposal is aligned with the City's goal of "incorporating requirements into the Zoning Code to provide public and community benefits as a condition for non-residential development projects to receive increased development allowances."

Local 49 envisions this policy to be integrated into a regulatory mechanism such as the transfer of additional floor area (FAR) or the provision of additional "bonus" density beyond base entitlement, similar to the proposed affordable housing density bonus incentive. The economic value of additional density to the receiving site is leveraged to offset the "cost" associated with the development (the impact on affordable housing supply of low-wage workers who service the development) by requiring a community benefit (wages adequate for such workers to afford housing). SEIU Local 49's proposal is that such workers be paid the equivalent of 50 percent of area median income, which is near the upper end of compensation for such workers currently, because compensation at the lower end (about 30 percent of area median income) strains the City's stock of affordable housing.

What is the problem?

The City of Portland has recently taken great strides to research and propose policy and funding tools to address its growing housing affordability problems. The problem is two-fold – **lagging household incomes** on the demand side and **escalating housing costs** on the supply side. The problem is frequently characterized as a widening gap between housing (rental and ownership) costs and incomes (i.e. what households can afford).

What is the supply of multifamily rentals?

There are 73,231 apartments tracked in the City by Costar/Apartments.com, which monitors rental rates, occupancies, and vacancies for multifamily rentals in buildings larger than 30,000 square feet, as illustrated in **Figure 1**.

The average rent throughout the City is \$1,162 per month, which requires a household income of \$46,472, assuming no more than 30 percent of pre-tax household income is spent on housing. In the Central City alone, there are 17,537 units with an average rent of \$1,396 per month, which would require a household income of \$55,839, also assuming 30 percent of income is spent on housing costs.

What is "affordable"?

Affordability is a relative term. In the Portland Central City context, affordable housing policy has generally focused on incomes less than 60 percent of the area median income (AMI). As shown in **Table 1**, compensation for full-time janitors and cleaners in the Portland Metro Area ranges from about \$22,000 for workers in approximately the 25th percentile of earners on the low end to slightly more than \$38,000 on the upper end (slightly below the 90th percentile). Therefore, our analysis of affordable housing needs focuses on lower income households earning less than 30 percent and less than 50 percent of the area median income (AMI). Using 2015 Department of Housing and Urban Development (HUD) income limits, which defines the area median income for a 4-person household at \$73,900, a household earning 30 percent AMI would have an income of \$22,160, and a household at 50 percent AMI would have an income of \$36,950.

Table 1 2016 Wage Levels for Janitors and Cleaners (BLS 37-2011)

	2016 Annual Wages for Janitors (BLS 37-2011)						
	10th percentile	25th percentile	50th percentile	75th percentile	90th percentile	Average	
Portland-Metro	\$20,030	\$21,299	\$26,021	\$31,158	\$38,792	\$27,685	

Source: State of Oregon Employment Department; Economic & Planning Systems

H\163057-Portland Service Workers Union Policy Study\Data\[163057-Employment Dept Data.xlsx]Table 1 - Summary

Table 2 illustrates that less than 2 percent of Portland's overall inventory is affordable to a household at 30 percent AMI or lower where rents are affordable to 30 percent AMI at \$554 per month or lower. This estimate includes rent-subsidized units, such as low income housing tax credit (LIHTC) projects and other federally, state, or locally subsidized rental units. At 50 percent AMI, where the affordable rent is \$924 per month, approximately 35 percent (i.e. 1.8 percent + 33.7 percent) of total citywide inventory is affordable.

Figure 1 Multifamily Apartment Inventory, 2016

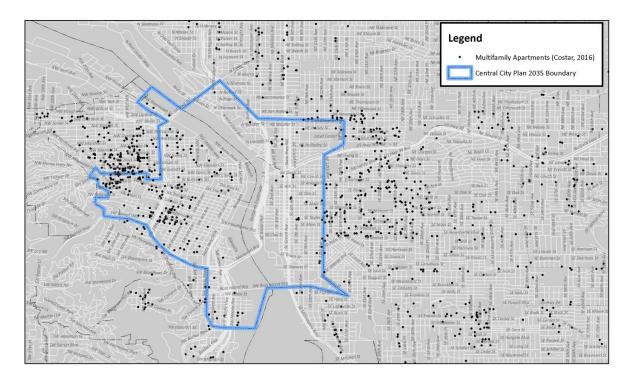


Table 2City of Portland Multifamily Inventory, 2016

	Income			Units [1]		Units as %		
Rental Rate Category	Low	(AMI)	High	(AMI)	Citywide	Central City	Citywide	Central City
Less than \$554		< 30%	\$22,160	30%	1,352	645	1.8%	3.7%
Between \$554 and \$924	\$22,160	30%	\$36,960	50%	24,667	4,684	33.7%	26.7%
Greater than \$924	\$36,960	50%		> 50%	<u>47,212</u>	<u>12,208</u>	<u>64.5%</u>	<u>69.6%</u>
Total					73,231	17,537	100.0%	100.0%

[Note 1]: Inventory of multifamily units is limited to buildings with more than 30,000 square feet and excludes single-family rentals.

Source: CoStar/Apartments.com; Economic & Planning Systems

H\163057-Portland Service Workers Union Policy Study\Data\[163057-Apartments.xlsx]Table 1

What is the demand for affordable housing?

Is housing in Portland affordable for janitors earning 30 percent AMI?

Workers who provide cleaning, maintenance and security to commercial developments are apt to be paid at a level that makes housing unaffordable. According to State of Oregon Employment Department data presented previously, for janitors earning 25th percentile wages (approximately \$22,000 per year), which equates to 30 percent AMI, only 645 multifamily units in the Central City are affordable to them, as illustrated in **Figure 2**.

Figure 2 Multifamily Apartments Affordable to 30 Percent AMI or Lower, 2016

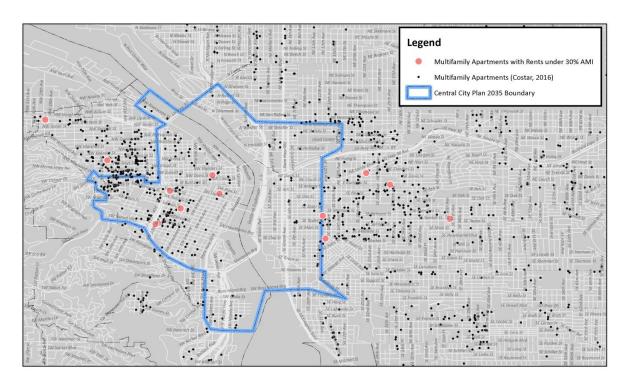


Table 3 further illustrates that rent-subsidized apartments account for approximately 23 percent of the City's inventory, of which less than two percent (1,235 units) is affordable to households earning less than 30 percent AMI, and as illustrated previously, less than one percent of the inventory is located in the Central City. It should also be noted that a service worker at the low end of the wage scale would not be able to find a non rent-subsidized apartment in the Central City. That is, all of the units available below 30 percent AMI in the Central City are rent-subsidized.

Table 3 City of Portland Rent Subsidized Multifamily Inventory, 2016

	Total Units [1]		Rent St	ubsidized	Rent Subsidized as % of Total		
Rental Rate Category	Citywide	Central City	Citywide	Central City	Citywide	Central City	
Less than \$554	1,352	645	1,235	645	1.7%	0.9%	
Between \$554 and \$924	24,667	4,684	10,740	3,081	14.7%	4.2%	
Greater than \$924	47,212	<u>12,208</u>	4,730	<u>1,557</u>	<u>6.5%</u>	<u>2.1%</u>	
Total	73,231	17,537	16,705	5,283	22.8%	7.2%	

[Note 1]: Inventory of multifamily units is limited to buildings with more than 30,000 square feet and excludes single-family rentals.

Source: CoStar/Apartments.com; Economic & Planning Systems

 $\label{eq:H163057-Portland} H\label{eq:H163057-Portland} Service Workers Union Policy Study\Data\[163057-Apartments.xlsx]\Table 2$

What are the solutions?

The advancement of mandatory inclusionary zoning and the recent passage of the construction excise tax (CET) on June 29, 2016, and which went into effect on August 1, 2016, are geared toward remedying the problem through a supply-side approach, i.e. to utilize development as a mechanism for requiring either the construction of, or payment of a fee in-lieu of providing, affordable housing units at target income levels through subsidized rents. While these policies are consistent with U.S. housing industry practice, they fall short of addressing the magnitude of need that exists and they do not seek to remedy the problem from the demand side (i.e. the household income side).

How much is the Construction Excise Tax?

According to publicly available documentation from the Portland Housing Bureau's (PHB) website, the CET is equal to one percent of building permit valuation and is applied to both residential and non-residential construction. According to PHB documentation, the proposed fee for an office development of 42,610 square feet would be \$60,000 or \$1.41 per square foot. As is common for fee-based affordable housing policies, the CET is justified through the analysis of maximum justifiable commercial and residential linkage fees, i.e. through a nexus study.

Nexus studies are commonly used in part to provide support if constitutional challenges to such fees require demonstration that the fee is roughly proportional to the impact of development for which the fee is exacted. The premise is that the occupants of new development will have employees with a wide range of incomes, and some employees will be paid at levels that will burden the community's supply of affordable housing. Linking the fees charged to the impact of that burden on affordable housing provides evidence that the exaction of the fee is roughly proportional to the impact of the development. Typically such studies establish a maximum justifiable fee based on the cost to mitigate the impact of the development on affordable housing, then propose a lower fee based on other economic and policy considerations.

Whether such nexus and rough proportionality may be required for increased development rights above the base zone is beyond this scope of this analysis.

How much of the affordable housing demand does this cover?

While a draft report of the Portland nexus study is not yet publicly available, limited presentation materials and recently-completed nexus studies from PHB's consultant have been used to document underlying assumptions. Accordingly, nexus studies for Seattle (2015) and Denver (2016) from PHB's consultant have been reviewed.¹ They indicate that the maximum justifiable fee for office development is \$80 per square foot in Seattle and \$57 per square-foot in Denver. But the adopted fees in Seattle range from \$8 to \$17.50 per square-foot depending on location, just 10 percent to 22 percent of the total mitigation justified. In Denver, the City Council has proposed to adopt fees in the range of \$1.50 per square-foot (modeling only up to \$7 per square-foot), which translates to just 3 percent to 12 percent of the total justified mitigation.

What is an Alternative to Fees That Increase Supply of Affordable Housing?

SEIU Local 49's proposal would require projects that increase development above the base zone through the use of FAR transfers to provide a community benefit, in the form of compensation to the workers who service the development at the equivalent of 50 percent AMI. As described above, such compensation would make about 35 percent of the apartment supply affordable to these workers. If such workers are paid only at the low end (30 percent AMI) there is very little housing that is affordable, placing greater strain on supplies at the lowest end of the housing market.

The remainder of this memorandum is primarily addressed to the potential costs and related effects of implementing such a proposal.

How many service worker jobs support office development?

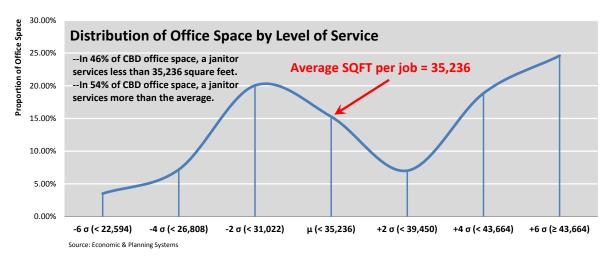
One janitorial worker is required for every 25,000 to 35,000 square feet of office space. Approximately 15 million square feet of office space utilize SEIU Local 49 service workers, according to SEIU documentation of commercial real estate over 75,000 square feet in Portland's CBD. Servicing these office buildings are 425 full-time service workers, reflecting an average level of service (LOS) of slightly more than 35,000 square feet per worker per shift. According to a 2014 report by the Building Owners and Managers Association (BOMA), the U.S. average LOS is actually lower at 24,441 square feet per job per shift, implying a higher LOS for office space than the CBD's tenants utilize.

¹ Denver study available at:

https://www.denvergov.org/sirepub/cache/2/c51qkyywa0mcxt3rhd1y1bix/94197408082016042243294.PDF Seattle study available within link at:

https://www.theurbanist.org/2015/11/10/toward-affordable-housing-seattle-adopts-a-commercial-linkage-fee/

Figure 3 Distribution of Office Inventory by Janitorial Level of Service, 2016



What cost factor would be associated with increasing wages from 30 to 50 percent AMI?

SEIU Local 49's proposal is to secure "good jobs", meaning that the low-end janitorial worker's compensation is increased from \$22,000 (approximately 30 percent AMI) to the upper-end compensation of \$38,000 (approximately 50 percent AMI). This is an annual ongoing cost, not just a one-time development cost, and would affect overall operations and maintenance (O&M) expenses for a development.

In a building with 193,800 square feet of rental office area, (as portrayed in Scenario A of **Table** 4 below), approximately 5.5 janitorial workers would be needed to meet the LOS of 35,000 square-feet per worker. The associated increase in annual O&M by increasing pay from the lower end to the upper end would be approximately \$88,600 per year or \$0.46 per square foot of rentable office space.

Leveraging the Transfer of FAR

Historic data from the City was reviewed to understand the frequency of FAR transfers in residential and non-residential development.² The major challenge in this context, however, is that FAR transfers are not systematically tracked as a matter of the development review process. As a result, no firm data or information are readily available to reliably estimate the frequency with which this mechanism might be used under such a structure. However, the Proposed Draft of the Central City Plan code allows unlimited transfers of FAR within subdistricts because such transfers (under the rubric of master plans) have been a useful tool under the existing code.

² This information was also used by EPS during the process of completing the "City of Portland Central City Bonus and Entitlement Transfer Mechanism Update" (June 22, 2015), in which Bureau of Planning and Sustainability (BPS) made best available information available. It is possible that BPS has since refined or updated some of the underlying information.

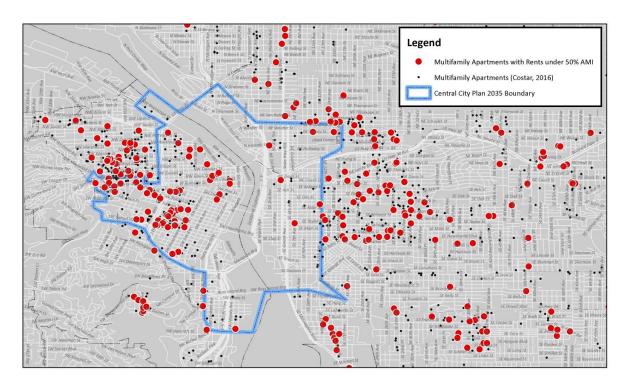
What are the potential impacts?

What is the impact on the availability of affordable inventory?

Increasing the incomes of service workers to 50 percent AMI would increase the inventory of available apartments from less than 2 percent (1,352 units) of citywide inventory to more than 35 percent (26,019 units), a nearly 20-fold increase, as illustrated in **Figure 4**. In the Central City alone, this would open up an inventory of 5,329 units to these workers, an eight-fold increase in available housing options.

Figure 4

Multifamily Apartments Affordable to 50 Percent AMI or Lower, 2016



What is the impact on development/operational feasibility?

Table 4 has been prepared to estimate the potential impact of the proposed service worker wage benefit policy concept. It utilizes the modeling mechanism built for the "City of Portland Central City Bonus and Entitlement Transfer Mechanism Update" (June 22, 2015) as well as updated land, construction cost and project revenue factors. Land costs and total development costs (including hard and soft costs³) have been escalated 15 percent from 2015, and project revenues, such as the full service lease rates (which include O&M expenses) for office have been based on most recent Costar trend data for Class A office space.

³ Soft costs include fees for: Architectural & Engineering; Development Fees & Admin.; Permits, Fees, & Entitlement; Construction Loan Interest (Cost of Carry); General Liability Insurance; Legal; Marketing; Cost of Sale; and a Contingency.

The scenarios evaluated are all based on a development program of a 20,000 square-foot site with 12:1 base FAR. The rental building area is 100 percent office. Common areas are factored in at 15 percent of the gross building area, and parking is calibrated to one space per 1,000 square-feet of rentable office space. Total development costs, excluding land, are estimated at a total of \$243.80 per square-foot, and revenues are factored at the full-service office lease rate of \$35.50, which includes \$8.15 are O&M expenses.

In the following scenarios, the variable factors include the cost of additional FAR (which according to most developers ranges from \$5 to \$10 per square-foot, assumed here at \$10) and the additional per square-foot O&M cost for the service worker wage benefit, estimated earlier in this memo at \$0.46 per square-foot. It should be noted that the additional \$0.46 per square-foot increases O&M expenses by 5.6 percent but increases the full-service lease rate by just 1.3 percent. It may also bear repeating that this increased cost assumes an increase from the low-end compensation package to the upper-end for full time janitorial workers; actual cost increases are necessarily speculative since the operator of the building may otherwise pay anywhere between the lower to the upper end for such services.

In this static analysis, the measurement of residual value or developer profit is stated simply as residual value over cost. These estimates are not intended to be accurate measures of project feasibility, rather provide an economic perspective to the <u>relative</u> impact that various policy assumptions could have on feasibility.

- <u>Scenario A (Entitlement As-is)</u>: In this scenario, the estimated residual value is 8.0 percent.
- <u>Scenario B (Additional Density with FAR Transfer)</u>: In this scenario, the estimated residual value is 15.4 percent. The development program here assumes that a developer is seeking to acquire and transfer an additional 2.25 FAR at a cost of \$10 per square foot. It is assumed that the market can support this additional development and achieve Class A office rents.
- Scenario C (Additional Density with FAR Transfer and Service Worker Wage Benefit Applied to All Office Area): In this scenario, the estimated residual value is 13.4 percent. This development program also assumes that an additional 2.25 FAR is acquired at \$10 per square foot, but that it requires an additional O&M cost of \$0.46 per square-foot per year to increase service worker wages to 50 percent AMI for all janitors servicing the office floor area. It is still assumed that the market can support this additional development and achieve Class A office rents.
- <u>Scenario D (Additional Density with FAR Transfer and Service Worker Wage Benefit Applied to Additional Office Only</u>): In this scenario, the estimated residual value is 15.1 percent. This development program also assumes that an additional 2.25 FAR is acquired at \$10 per square foot, but only requires the additional O&M cost of \$0.46 per square-foot per year to for all janitors servicing the additional office floor area. It is still assumed that the market can support this additional development and achieve Class A office rents.

Could different assumptions compensate for these additional costs?

The additional O&M costs mean that a developer will seek to offset them by some means. A few of the standard offsetting measures have been addressed in the static analysis, including: a reduction of land acquisition cost; an increase in the office lease rate; and an increase in the request for additional FAR.

It should be noted, independent of this analysis, that with any additional entitlements come additional total development costs and the need to raise additional equity for a project and acquire additional debt. With additional entitlements also come questions of whether the market demand is sufficient to support additional rentable or saleable floor area.

- <u>Reduced Land Cost</u>: Under Scenario C, the land cost would have to be negotiated down to less than \$135 per square foot to offset the additional O&M costs which are capitalized into the project's value. This would represent a 40 percent reduction in land value. Under Scenario D, however, the land cost would have to be negotiated down to \$213 per square foot to offset the additional O&M costs. This would represent only an 8 percent reduction in land value.
- <u>Increased Office Lease Rate</u>: Under Scenario C, the office lease rate would have to increase to \$35.96, a 1.3 percent increase in the full-service lease rate. It is unclear without a complete market study to understand to what extent this minor increase in lease rate might affect office tenants' willingness to lease space. Under Scenario D, the office lease rate would have to increase to \$35.58, a 0.2 percent increase in the full-service lease rate. It is similarly unclear how this increase might affect office tenants' willingness to lease space.
- <u>Increased FAR Request</u>: In both Scenario C and Scenario D, the objective is to understand what magnitude of additional FAR would need to be purchased to offset the cost of the service worker wage benefit. The general assumption is that the additional FAR comes with both additional total development costs (i.e. at \$243.80 per square foot) plus additional O&M costs at \$0.46 per square-foot, but that it also comes with the ability to achieve additional full-service lease rates at \$35.50 per square-foot. The objective was to identify the magnitude of FAR necessary to bring the residual value to a point equal to or greater than the residual value of Scenario B where just additional FAR is acquired. **Table 4** shows that approximately 15,000 square feet of additional FAR would be needed to offset the requirement of Scenario C.

Table 4 Development Feasibility Impact of Service Worker Wage Benefit

					FAR with
				Service Worke	r Wage Benefit
			Additional FAR with	Applied to All	Applied to Additiona
	Factors	As-is	No Additional Cost	Rentable Office Area	Office Only
		Scenario A	Scenario B	Scenario C	Scenario D
evelopment Assumptions					
Site		20,000	20,000	20,000	20,000
Rental Building Area		,			
Office		204,000	204,000	204,000	204,000
Office (with Additional FAR)		0	45.000	45.000	45.000
Subtotal		204,000	249,000	249,000	249,000
Common Areas		36,000	36,000	36,000	36,000
Parking		71,400	71,400	71,400	71,400
Total Building Area		311,400	356,400	356,400	356,400
Development Costs	¢000.00	¢4.000.000	£4 coo ooo	¢4.000.000	¢4,000,000
Land	\$230.00	\$4,600,000	\$4,600,000	\$4,600,000	\$4,600,000
Vertical Development Costs Hard Costs	\$172.50	¢50 740 500	¢c1 170 000	¢c4 470 000	¢c4 470 000
		\$53,716,500	\$61,479,000	\$61,479,000	\$61,479,000
Soft Costs	<u>\$71.30</u>	\$22,202,820	<u>\$25,411,320</u>	<u>\$25,411,320</u>	<u>\$25,411,320</u>
Subtotal Vertical Development Costs	\$243.80	\$75,919,320	\$86,890,320	\$86,890,320	\$86,890,320
Cost for Additional FAR	\$10.00	<u>\$0</u>	<u>\$450,000</u>	<u>\$450,000</u>	<u>\$450,000</u>
Total Development Costs (TDC)		\$80,519,320	\$91,940,320	\$91,940,320	\$91,940,320
evelopment Revenues					
Occupancy Level		95%	95%	95%	95%
Office Lease Rate (Full Service)	\$35.50	\$6,879,900	\$8,397,525	\$8,397,525	\$8,397,525
Office Operating Expenses (per sqft)	-\$8.15	-\$1,662,600	-\$2,029,350	-\$2,029,350	-\$2,029,350
Less: O&M Expense for Service Worker Wages	-\$0.46	<u>\$0</u>	<u>\$0</u>	<u>-\$113,829</u>	-\$20,571
Net Operating Income		\$5,217,300	\$6,368,175	\$6,254,346	\$6,347,604
Capitalized Value	6.00%	\$86,955,000	\$106,136,250	\$104,239,107	\$105,793,393
Residual Value (Developer Profit)		\$6,435,680	\$14,195,930	\$12,298,787	\$13,853,073
as % of TDC		8.0%	15.4%	13.4%	15.1%
Difference Between Scenario B				-\$1,897,143	-\$342,857
Compensating Measures [1] A) Reduction in Negotiated Land Cost				\$2,702,857	\$4,257,143
per sqft				\$135.14	\$212.86
por oqu				ψ100. τ	ψ212.00
B) Increased Office Lease Rate				\$35.96	\$35.58
per sqft difference from Market Rate				\$0.46	\$0.08
C) Increased FAR				15,000	2,500
yields Residual Value of				\$14,771,251	\$14,265,150
as % of TDC				15.4%	15.4%

[Note 1]: Adjustments to other variables to compensate for "lost" revenue from additional FAR and maintain level of developer profit in Scenario B. Source: Economic & Planning Systems

H\163057-Portland Service Workers Union Policy Study\Data\[163057-Data Support-062116.xlsx]Table 1- Development Impact

Contextual Considerations

As of the beginning of August 2016, the CET was approved and has gone into effect. The mandatory inclusionary zoning policy, on the other hand, according to publicly available information on the Bureau of Planning and Sustainability's website (presentation from July 19, 2016), might not take full effect until 2018, although plans could involve the adoption of an interim code sometime in 2017.

Are there conflicts with the CET?

One of the primary concerns is whether a conflict could exist between the CET and this proposed policy, as they relate to mitigating the affordable housing needs of lower-income households. When it becomes available, the nexus study supporting the city's CET will document the impacts on housing generated by various categories of expected employees for the tenants or other (owner) occupants of an office development (as well as other types of development). In standard nexus studies, maximum justifiable fees are based on Bureau of Labor Statistics (BLS) Occupational Employment Statistics data assumptions and income distributions within each occupational category for each development prototype.

Using the nexus studies prepared for Seattle and Denver (as referenced earlier), however, each reports' tables documenting the categories of new office employee households ("Estimated Occupational Distribution of New Employee Households in Non-Residential Development") exclude "Building and Grounds Cleaning and Maintenance" jobs (BLS 37-0000) in all AMI categories⁴. (This specific BLS occupational category, BLS 37-2011, accounts for "Janitors and Cleaners, Except Maids and Housekeeping Cleaners".) The absence of janitorial workers in both nexus studies for office development means that the maximum justifiable fees do not incorporate their affordable housing needs or affordability gaps. In this context, it is unlikely that Local 49's proposal would be double-dipping into the mitigation of affordable housing needs for janitorial workers.

Furthermore, because most cities' recommended and adopted linkage fees are a small percentage of the maximum justifiable fees, the fees collected can only mitigate against that portion of affordable housing demand created. For example, if the adopted fee is 10 percent of the maximum justifiable fee, only 10 percent of the affordable housing needs are mitigated.

Finally, and most important, SEIU Local 49's proposal addresses a more direct impact of the development on affordable housing: the impact on the incomes of workers who will service the development itself. The development will have an ongoing need for service workers, in the same way it will have an ongoing need for sewer and water service and for access to transportation facilities. Because it is the physical development itself that generates the need for service workers, mitigation of the impact should be more direct than the CET or similar program would allow.

⁴ See DRA "Seattle Non-Residential Affordable Housing Impact and Mitigation Study: Final Report" (September 15, 2015), Tables 10-12 documenting 0 percent through 80 percent AMI, indicate 0 jobs and 0 households for Building and Grounds Cleaning and Maintenance jobs. In DRA "Denver Affordable Housing Nexus Study: Public Review Draft Report" (July 8, 2016), Tables 25-28 documenting 0 percent through 120 percent AMI, indicate 0 jobs and 0 households for Building and Grounds Cleaning and Maintenance jobs.

Does this policy concept conflict with the mandatory inclusionary zoning ordinance?

Inclusionary zoning ordinances are enacted under a different governing authority. Because linkage fees are often considered to be similar to exactions, they may be required to meet the Supreme Court case law tests of "rational nexus" and "rough proportionality". There is no such quantitative justification for the affordable housing requirement (i.e. a set-aside or affordability level) and thus there is little or no evidence or comparative framework to document whether this policy is duplicative.

It is understood that the mandatory inclusionary zoning policy might leverage the mechanism of bonus density as a compensating measure (i.e. an incentive) to offset the cost of the affordability requirement. It is, however, unclear to what degree of density will be granted as an incentive. According to publicly available documents, one possibility is that only a portion of the 3:1 density bonus could be utilized and that the remainder could still be available for other density bonus options.

Conclusion

SEIU Local 49's proposal is consistent with the intent of linkage studies that analyze the impact on affordable housing of lower-wage workers who will occupy new development. Requiring development that uses transferred FAR to pay service workers at the upper end of 50 percent AMI will open up a much larger pool of possible housing than would be available to workers paid the low-end compensation of 30 percent of AMI. The estimated residual value of additional FAR is sufficiently high that there will be an incentive to use transfers, even after discounting the development and operational costs of obtaining the transferred FAR and paying increased compensation based on the maximum increase from the low-end compensation to the upper end at 50 percent of AMI. From: Brad Nase [mailto:brad@nasecowest.com]
Sent: Tuesday, August 09, 2016 10:30 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Testimony on Height changing today Height Zoning 1031 SE Madison and SWC corner 11th and SE Main 1S1EO2BD, 1S1EO2BD 7201

Hello,

We also intend to testify about keeping or increasing the heights adding more up to date zoning for current and future buildings today as well for our property at 1031 SE Madison and SWC corner 11th and SE Main 1S1EO2BD, 1S1EO2BD 7201.

As you will hear we are interested in keeping our long term investment capabilities intact. We have spent many years in the area. We deserve to develop our properties as others have on SE Belmont, SE Division, SE Morrison, SE Burnside.

Thank you for considering our proposal.

Bradford Nase Madison 11 LLC Nase Main LLC brad@nasecowest.com 503.977.1855

Central City 2035 Plan Testimony 8/9/2016 Hearing

We live in the West End, having moved here for its unique livability: mixed use, historic character, variety of people-friendly-sized buildings. And we thank staff that the "West End" is now a recognized planning area.

- 1. We support parts of the proposed CC Plan changes that support this livability, e.g.:
 - i. Various policies that encourage **historic preservation** (e.g. including it as a FAR bonus option although we support a FAR of 7:1 for the West End).
- ii. The Plan's expressed need for a park, schools and a community center in the West End (please consider the city-owned block on Morrison and 10th for this purpose).
- 2. We oppose parts of the proposed Plan that undermine existing livability, and urge:
 - i. Building heights in the West End should be capped at 100'.
 - a. "Dense" development does not require 250-400'-tall buildings. 100'-tall buildings *do support density*. European cities harbor high population density and do it with 6-8-story buildings (under 100' tall). And remain on a human-friendly, compact scale.
 - b. A 100' cap would protect "view corridors" now threatened by higher allowed building heights.
 - c. A 100' cap in the West End would support the CCP's Neighborhood Transitions policy, creating a "step-down" between, e.g., lower-zoned Goose Hollow and the corporate downtown district.
- ii. Building heights on the east side of the South Park Blocks need to be lowered to a maximum of 100'. Nothing could detract more from the "urban refuge" character of this wonderful area than a line of very tall buildings (up to 370') along the park's edge, blocking sunlight (mornings) and creating blinding reflections for park users (afternoons). This supports Goal 5.C's call for "humanscaled... streets, ...parks, [and] open space..."
- iii. Related to the above buildings should be <u>required</u> to preserve sunlight on all public open spaces.
- iv. Again related zoning of the east side of the Park Blocks should NOT be changed from RX to CX. The uses here are more residential than commercial, and should remain so.

We remain disturbed by the undisclosed potential conflicts of interest in the West Quadrant Stakeholder Advisory Committee that recommended increasing heights in the CCP- and persisted in falsely equating "density" (which we support) with "very high buildings" – which we feel will do nothing but raise costs of housing and seriously damage the livability of our neighborhood. Many SAC members *did* have potential conflicts of interest (including advocating for changing City policy to increase

1

bridgehead heights, e.g. at the Morrison Bridge for a development planned by the employer of two members). And yet they did not submit a disclosure to the Ombudsman's after-the-fact "remedy" for failure to declare these conflicts during the SAC meetings. (It is also notable that West End residents did not have a single representative on the SAC.) For many residents, this situation calls into question the validity of the SAC's recommendations, most of which are included in the proposed CCP.

Thank you for the opportunity to testify.

Deanna and Wilfried Mueller-Crispin 1221 SW 10th Ave., Unit 1013 Portland, OR 97205 deanna@involved.com

24719



PORTLAND BUREAU OF EMERGENCY MANAGEMENT

Steve Novick, Commissioner-in-Charge • Carmen Merlo, Director 9911 SE Bush Street, Portland, OR, 97266-2562 (503) 823-4375 • Fax (503) 823-3903 • TDD (503) 823-3947

August 9, 2016

Planning and Sustainability Commission 1900 SW 4th Avenue, Suite 7100 Portland, OR 97201-5380

Dear Chair Schultz and Commission Members:

The Portland Bureau of Emergency Management (PBEM) appreciates the opportunity to comment on the proposed Central City 2035 Plan. Specifically, PBEM urges the Planning and Sustainability Commission to include seismic retrofitting along with affordable housing in the proposed floor area ratio (FAR) transfer provisions.

It is critical to ensure that housing and social service centers are preserved in an earthquake, for the same reasons that affordable housing concerns are at the forefront now. After a damaging earthquake, housing costs will rise, and the demand for social services will grow. The problem of homeless and displaced residents, already grim, will become worse. To prevent this, we must promote seismic retrofits of apartments, community centers, and churches ahead of an earthquake. FAR transfer is one way to make this financially feasible.

Portland's Earthquake Risk

Portland has significant earthquake risk from the Cascadia Subduction Zone (CSZ), which lies just off the Oregon coast. A <u>recent study</u> concludes that the probability of a CSZ earthquake in the next 50 years is 15-20%. A full rupture along this fault could result in a magnitude 9.1 earthquake with up to five minutes of shaking. And although the effects of the earthquake would be attenuated somewhat from the coast to the city, the strength and duration of shaking felt in Portland is expected to be massive. Portland is also at risk from local, shallow earthquakes including the Portland Hills Fault that runs along the Portland Hills near downtown. Earthquakes along this fault are much harder to predict, but the impact of movement along this fault could be even more destructive, since it would be centered directly under the city.

The Problem of Unreinforced Masonry

Any earthquake would be harmful primarily because of the effects on the built environment. Unreinforced masonry (URM) structures are among the most vulnerable buildings, susceptible to major damage even in a moderate earthquake. Because of the significant risk that URM buildings pose to both occupants and bystanders, they have been the focus of significant effort

The City of Portland will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the event by phone at 503-823-4375, by the City's TTY at 503-823-6868, or by the Oregon Relay Service at 1-800-735-2900.

on the part of the Bureau of Emergency Management (PBEM) and others.

Since 2014, PBEM has been working in concert with the Portland Development Commission and the Bureau of Development Services to address the problem of unreinforced masonry by requiring the retrofit of all Portland URM buildings. We have engaged experts in the areas of geology, engineering and architecture, as well as building owners, managers and non-profit, historic preservation, and affordable housing advocates. They have contributed to a program that will set standards and a timeline for mandatory retrofits, and provide a suite of assistance to make this work financially feasible for property owners.

Equity Impacts

The Policy Committee was especially concerned about potential impacts of this new URM policy on affordable housing providers. Our Policy Committee included representatives from Central City Concern and the Portland Housing Bureau. We also heard from REACH Community Development. The proposed policy was vetted by these groups and provides for special timelines if needed, to ensure that no permanently affordable housing is lost because of the requirement to retrofit the buildings. Nearly 1,000 affordable residential units in the Central City are in URM buildings. Citywide, URM buildings represent at least 7,000 residential units.

Retrofitting the permanently affordable housing is not enough to protect low-income residents following a disaster. All disasters disproportionately impact people with less income and fewer resources. An earthquake would be particularly harmful in Portland because of the existing housing shortage; an event that damaged a large portion of the housing stock would cause rents to skyrocket. The demand for emergency shelter and services in community centers, churches, and schools would also be overwhelming. Many downtown churches in particular provide social services (food banks, overnight shelters, clinics), and there are a number of low-market rent URM buildings in the Central City. We can only hope to address Portlanders' emergency needs adequately if we work now to retrofit these existing buildings.

Retrofit Financing and the Transfer of Development Rights

Creating mechanisms for owners to finance building retrofits is key in a mandatory retrofit program. As you might expect, direct financial assistance for improvements is challenging. Transferrable development rights, in the form of floor-area-ratio (FAR) credits that can be sold, are one way to make seismic retrofits financially feasible. The Policy Committee has recommended that the City create opportunities for URM owners to sell unused FAR. Unlike tax credits and other mechanisms that require state approval, FAR transfer is within the City's control.

For these reasons, PBEM strongly supports creation of FAR transfer in exchange for seismic retrofitting. In many ways this credit provides benefits vulnerable populations most of all—the same group served by the affordable housing credit.

Towards a resilient Portland,

Cemer 10-

Carmen Merlo, Director

MENASHE PROPERTIES

Ms. Katherine Schultz, Chair Planning and Sustainability Commission City of Portland 1900 SW Fourth Avenue, Suite 7100 Portland, OR 97201-5380

Re: Central City 2035 Proposed Draft Height Limits

Members of the Planning Commission:

Menashe Properties, Inc. ("Menashe") owns five properties located at 606 and 632 SE Madison Street, 615 and 635 SE Hawthorne Street and the corner of SE Madison and 7th Avenue in Portland's Central Eastside (collectively, the "Property"). The Property spans the full block between SE Madison, Hawthorne, 6th and 7th Avenues and a quarter block at the corner of SE Madison and 7th. They are currently developed with four attached single story buildings and a surface parking lot. Menashe plans to redevelop the Property for industrial office use, which will be allowed under the proposed Employment Opportunity Subarea being added to the full Central Eastside. However, due to the proposed Salmon Springs view corridor the development height for some of the Property will be restricted to 50 feet, from the current unlimited height level. We request that you remove this height limit from our Property.

The Property is five separate lots of record that Menashe plans to improve with five industrial office developments over time. Under the new EOS rules, each site will qualify for up to 60,000 square feet of industrial office, 5,000 square feet of traditional office, and 5,000 square feet of retail uses. The current limit under the Property's IG1 zoning is 3,000 square feet of any of these uses, so the EOS will allow considerable redevelopment on the properties that can utilize much taller structures. Additionally, under the proposed industrial ground floor bonus, properties in the EOS will qualify to add another 1:1 FAR (here, 10,000 square feet per site) of industrial office if 5,000 square feet of ground floor uses are dedicated for industrial. Menashe supports traditional industrial use in the Central Eastside and plans to use this bonus option when redeveloping. In all, this would allow up to 80,000 square feet of limited uses and unlimited industrial uses on each of the five sites. Menashe anticipates that these buildings will be approximately 90 feet tall (with a required 20-foot ground floor for the industrial bonus).

The Salmon Springs view corridor does not impact the two properties along Hawthorne Street, which are allowed to build to unlimited height under the base zone. However, the other three properties are impacted by the height limit and are restricted to 50 feet, which will eliminate 40 feet and five stories from the allowed buildings on these properties. In the EOS and IG1 zone, floor area for limited uses is calculated "per site" and is not transferable to other sites, so this floor area could not be transferred to the Hawthorne Street properties to allow larger buildings and this value will be lost. The view corridor applies to Menashe's Property, but not the sites next door, which will be vastly more valuable for development since they are not burdened by a height limit.



The lost density on these sites means lost potential jobs and economic growth in the Central Eastside. The EOS is being applied to the Central Eastside to encourage development of mixed employment buildings, like industrial office, industrial, and retail projects. Menashe plans to develop the Property with just these types of uses, which will bring jobs to this area of the Central Eastside. However, with the view corridor in place, the potential to develop some of the Property is cut in half, lowering the value of potential redevelopment.

In sum, we plan to redevelop our Property to its full employment potential under the new EOS rules and the proposed height limits will make this impossible. We request that you remove the height limit from the Property to preserve our redevelopment options.

Sincerely,

Jordan Menashe

Menashe Properties, Inc.

132315726.1

- 2 -

SOS JU 4040 | 621 SW ALDER, SUITE 800 | PORTLAND, OR 97205 | MENASHEPROPERTIES.COM



August 9, 2016

Kathryn Schultz Chair City of Portland Planning & Sustainability Commission 1900 SW 4th Avenue, Suite 7100 Portland, OR 97201

RE: Central City 2035 Proposed Draft

Dear Chair Schultz:

On behalf of the membership of the Pacific Northwest Waterways Association (PNWA), thank you for the opportunity to comment on the Central City 2035 Proposed Draft plan. PNWA is a non-profit trade association based in Portland that advocates for federal policies and funding in support of regional economic development. We represent over 135 public and private sector member organizations in Oregon, Washington, and Idaho. Members include public ports, navigation, transportation, trade, tourism, agriculture, forest products, energy and local government interests. A full list of our membership is attached to this letter.

PNWA has specific concerns about the Central City 2035 Proposed Draft Plan base zone designation for the Willamette River as Open Space (OS). The Willamette River includes a federally authorized navigation channel which is maintained by the U.S. Army Corps of Engineers and protected by the U.S. Coast Guard. It is a critical transportation gateway for many industries located on Portland's working waterfront. The base zone overlay, in addition to the River General and River Environmental overlay zones placed on the river, has the potential to impact critical navigation related activities like dredging and the installation of passive in-water structures like pile dikes.

Several industrial facilities on the Willamette River depend on the federal navigation channel and the ability to add/remove pile dikes near associated berths. The *Standards for Pile Replacement* in code section 33.475.440.D puts unnecessary restrictions on the process for modifying the number of pilings and/or dolphins located near a facility. The regulations in the proposed draft will add time and cost for these businesses and add an unnecessary layer of complexity to this routine infrastructure maintenance.

Pacific Northwest Waterways Association 516 SE Morrison Street, Suite 1000 Portland, OR 97214 telephone: 503-234-8551 fax: 503-234-8555 Additionally, we are concerned about the adjustments to the dredging activities outlined in code section 33.475.040.E. We do appreciate that exemptions remain in place for dredging in the federal navigation channel and existing berths. That said, the proposed expansion of the zoning code to regulate dredging outside of the federal channel in water between 20 and 35 feet would add another layer of complexity to managing the river and is outside of the city's stated interest in regulating shallow water habitat up to -20'. PNWA supports the alternative suggestions laid out in the Port of Portland's comments which have been submitted on this matter. These include modifying the code to identify areas where additional uses are allowed in the OS Zone and selecting a more flexible base zone.

Thank you again for the opportunity to comment. Please do not hesitate to contact my office if we can provide further information or answer questions on this important issue.

Sincerely,

Kristin Meira

Kristin Meira Executive Director Pacific Northwest Waterways Association

PNWA MEMBERSHIP ROSTER

Advanced American Construction Almota Elevator Company American Waterways Operators Apollo Mechanical Contractors Barney & Worth Bell Buoy Crab Co. Bellingham Cold Storage BergerABAM Engineers, Inc. Bergerson Construction, Inc. **BNSF Railway Company BST** Associates **Business Oregon Infrastructure** Finance Authority Central Oregon Basalt Products **Central Washington Grain Growers Clark Public Utilities Clearwater Paper Corporation** Collins Engineers Inc. Columbia Basin Development League Columbia Grain Columbia River Bar Pilots Columbia River Crab Fisherman's Association Columbia River Pilots Columbia River Port Engineers Columbia River Steamship Operators Association Columbia River Towboat Association **Cooperative Agricultural Producers** Dawson & Associates David Evans and Associates Dunlap Towing East Columbia Basin Irrigation District Ecological Land Services EGT, LLC Foss Maritime Company Foster Pepper Franklin PUD Gibbs & Olson, Inc. Global Partners LP Gordon Thomas Honeywell Great Lakes Dredge & Dock Hart Crowser, Inc. Idaho Wheat Commission ILWU Oregon Area District Council ILWU Puget Sound District Council Jessie's Ilwaco Fish Co. J-U-B Engineers, Inc. Kalama Export Company Kiewit Infrastructure West Co.

KPFF Consulting Engineers Lampson International, LLC Landau Associates Lewis-Clark Terminal Association Louis Dreyfus Commodities Marine Industrial Construction McGregor Company Millennium Bulk Terminals Moffatt & Nichol Morrow County Grain Growers Morrow Pacific Project Normandeau Associates, Inc. Northwest Grain Growers, Inc. Northwest Public Power Assoc. **OBEC Consulting Engineers OR Public Ports Association OR Wheat Growers League** Pacific Northwest Farmers Co-op Pacific Northwest International Trade Association Parsons Brinckerhoff **PBS Engineering & Environmental** Plas Newydd PND Engineers, Inc. PNGC Power Pomerov Grain Growers Port of Anacortes Port of Astoria Port of Bandon Port of Bellingham Port of Benton Port of Camas-Washougal Port of Cascade Locks Port of Chelan County Port of Chinook Port of Clarkston Port of Columbia County Port of Coos Bay Port of Everett Port of Garibaldi Port of Gold Beach Port of Grays Harbor Port of Hood River Port of Ilwaco Port of Kalama Port of Klickitat Port of Lewiston Port of Longview Port of Morrow



Port of Newport



Planning and Sustainability Commission City of Portland 1128 SW 2nd Avenue Portland, OR 97204

Dear Members of the Commission,

I am the executive director of Sustasis Foundation, a Portland-based research and advocacy nonprofit that is internationally active in sustainable urban development issues. Full disclosure, I am also a practicing urban designer and development consultant. I've consulted for the Portland Sustainability Institute when it was a part of the City, for Metro, and for a number of area jurisdictions as well as private development firms, and for many years I've worked on public involvement aspects of planning processes.

I think we all recognize that like many cities, Portland is going through some unprecedented challenges right now, largely related to our rapid growth – including gentrification and displacement, housing unaffordability and homelessness, among others.

In this difficult environment, there is a growing sense that the City is not making good enough, and transparent enough, decisions about how to manage these challenges. As you have heard, there are in fact some serious issues that have been raised about the continued failure to disclose apparent conflicts of interest by some of the advisors within the Central City 2035 planning process, notably concerning issues of increased building height within the plan. Whatever your view on the substance of these issues, this very troubling lack of ethical transparency and even legality undermines critical public confidence in the soundness of our planning for the future.

A Supervising Planner for the Bureau of Planning and Sustainability has stated that their bureau has asked the advisors to complete the disclosure forms after the fact, but that they cannot compel the members to do so. (In fact several have now refused.) She stated that the process is now in your commission's hands.

Therefore I must reluctantly conclude that in order to comply with the law, and to begin to restore the critical public confidence in the process, it is now imperative to pull the specific aspects of building height that are affected by this issue, and to re-visit those aspects by a new, fully impartial body of stakeholders, beyond any question of conformance with state laws.

I attach, for the record, articles in the Northwest Examiner documenting the ethics issues that have been raised within the West Quadrant Plan process.

Sincerely,

Michael Mehaffy, PhD Executive Director Sustasis Foundation 742 SW Vista Ave., #42 Portland, OR 97205 (503) 250-4449



CODE OF THE WEST



Ethics complaint says stakeholders who approved West Quadrant Plan had conflicts of interest

BY ALLAN CLASSEN

onflicts of interest permeated the citizen body that advised the city on land-use policy in the inner Westside. This charge was levied in a 60-page complaint filed with the Portland Auditor last month.

Property owners, builders, developers, architects and others with a financial stake in development filled 24 of the 33 seats on the West Quadrant Stakeholders Advisory Committee, and they voted their interests.

All but one of the 17 mem-

bers who voted to approve a plan increasing height limits and relaxing development restrictions had real or potential conflicts of interest, the complaint asserted. The authors say enactment of the West Quadrant Plan "will dramatically increase property values and create significantly more work for the related professions associated with real estate development."

Where committee members stood on the proposed plan had a lot to do with their affiliations. Only one of the eight committee Continued on page 24



BY ALLAN CLASSEN | EDITOR & PUBLISHER

Tortured Process

T've read that torture of prisoners of war is almost inevitable if lines of authority become blurred. Soldiers holding absolute power over enemy combatants must thoroughly understand the rules governing their conduct and the certainty of serious sanctions should they cross the line.

I apply this logic to a matter of far less magnitude because I think it helps explain how city of Portland's stakeholder advisory committees can morph into special interest pipelines.

This month's story about the stakeholder advisory committee to the West Quadrant Plan tracks the natural descent from disinterested civic engagement to the feeding trough.

Portland's code of ethics, adopted by ordinance in 1970, applies to elected officials as well as volunteers serving on advisory committees. It sets out reasonable and clear guidelines for individuals having real or potential conflicts of interest and what to do in such cases. The minimum expectation is always disclosure of the conflict, and when it's direct, speaking or voting on the topic is not acceptable.

This principle was never presented in print or verbally at the 16 meetings

of the WQP SAC. When participants raised points that would seem to have touched their private interests, they were not required to explain how their business or financial interests might intersect with their views.

Early on, Greg Goodman sent staff an email filled with detailed requests about certain properties and blocks, parcels owned by his family business that would rise in value should the requested height limits be granted. That even such a memo raised no flags

apparently

set a

tone

of

"We need more height!" Drop some ballast." casual acceptance of conflicts as the process moved on.

Melvin Mark companies had two of their people on the SAC, Dan Petrusich and John Peterson, and they advocated for greater height limits on properties they or their company own.

Anne Naito-Campbell, whose family has substantial holdings in Old Town/ Chinatown, attended only two SAC meetings, but got right to the point: She advocated for city-owned parking

structures on either side of West Burnside to aid private redevelopment in the area.

> In recent years, the city has taken to calling citizen advisors stakeholders. It's accurate in the sense that participants may be affected by a public action, but it also seems to open the door to those

> > **filics**

with a financial stake. In the worst corruption scandals in our history, after all, the money bags were carried off by those with a stake in the affair.

Certainly, business people bring valuable expertise, but their role should be in offering general guidance and not stumping for personal gain. Because that can be a fuzzy line, full disclosure at the outset of proceedings and regular reminders of the importance of that line makes a difference. In that context, an untoward plea might lead to embarrassment and loss of public esteem.

Social disapproval can be a powerful tool. I know. It's the reason so few of the people who spoke freely at Stakeholder Advisory Committee meetings wanted to talk to me about this story.

If Portland's 1970 ethics ordinance is truly outdated, impractical or a hindrance to good governance, it should be amended or repealed. Claiming to operate by a code when you don't—a dirty little secret known only to insiders—breeds cynicism and undermines trust in government. And then, how will the City that Works work? ■

Examiner

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Saltzman saw no conflict regarding his West Quadrant properties

By Allan Classen

City Commissioner Dan Saltzman voted for the West Quadrant Plan in March even though he owns or has a stake in many affected properties, which may increase in value due to more generous height allowances in the proposed plan.

That contrasts with the stance he took in 2012 regarding the proposed Education Urban Renewal Area.

"Because my family owns property in the potential district," he said in 2012, "I will not be participating in this Wednesday's council session and must abstain from the vote."

When asked for the difference in the two situations, Saltzman's Chief of Staff, Brendan Finn, said Saltzman acted in both cases on the advice of City Attorney Kathryn Beaumont.

Why would the two cases be handled differently?

Finn gave the NW Examiner this explanation:

"There was only a potential conflict of interest with the urban renewal district because there was the possibility of direct investment in one of the properties, whereas that was not the case with the West Quadrant Plan."

Asked for further clarification, Finn referred this reporter to Beaumont, who said only, "I am confirming that I spoke to Brendan Finn as he indicated."

Saltzman declared 18 real estate holdings on his 2015 Statement of Economic Interests filed with the state of Oregon, including "Goosehollow Townhomes LLC," "12th & Pearl LLC," "First Harrison Company," "VLF LLC" (referring to VIIlage at Lovejoy Fountain), "Parkside Plaza" (301 SW Lincoln St.) and "OP Pearl LLC."



Dan Saltzman said his multiple central city properties created a potential conflict of interest regarding urban renewal but not with the West Quadrant Plan.

"Code of the West" cont'd from page 1

members without known conflicts voted for the plan. Five condemned the adoption of proheight policies without consideration of countervailing evidence in a minority report to the SAC's conclusions.

"The ethics violations were so egregious," stated the complaint, "that several property owners or professionals with known West Quadrant property interests advocated openly for increased height limits or more favorable zoning for their properties or developments without disclosing their conflicts or recusing themselves." The complaint was filed anonymously. The city ombudsman, a division of the auditor's office, is obligated to honor the confidentiality of complainants and witnesses. Persons bringing complaints are protected from retaliation related to their employment or civil rights under city ordinance.

Portland Ombudsman Margie Sollinger has opened an investigation of the complaint.

The code of ethics, adopted as a city ordinance in 1970, declares that "the city's powers and resources are used for the benefit of the public rather than any official's personal benefit."

The code applies to elected officials, city employees, appointees to boards and commissions, and city volunteers.

"To function effectively," the code continues, "the city needs the public's respect and confidence that its power will be used on behalf of the community as a whole. In this context, improper acts are doubly wrong; a selfish decision is not only wrong in itself, but also wrong because it violates the public's trust in government."

Steve Pinger, a Northwest District resident who served on the Stakeholders Advisory Committee and drafted the minority report, said no instructions on conflict of interest or guidelines for recusal were given to the committee. Consequently, no committee members recused themselves when topics touched on their property interests.

John Bradley, chair of the Northwest District Association Planning Committee, found that omission "shocking."

How do 25 people talk all around the subject of their property interests without even occasionally mentioning them? Were all so focused on the general good that they somehow forgot they had a dog in the fight?

Hardly.

As the complaint states, "SAC member [Greg] Goodman advocated for and voted in favor of increased allowed height and zoning changes on his own West Quadrant properties; co-chair [Karen] Williams advocated for and voted in favor of increased height limits on a parking structure on Southwest 10th that her employer [had planned] to redevelop; members [John] Peterson and [Dan] Petrusich advocated for and voted in favor of zoning changes and increased height limits on many West Quadrant properties owned by them or by their employer (Melvin Mark), including their proposed Public Market at the Morrison Bridgehead; and member [Anne] Naito-Campbell advocated for properties her company owns.

Goodman wrote a detailed memo about sites needing greater height limits. "At the base of the Hawthorne Bridge, the suggested 325 feet only goes to Columbia Street. I believe it should go to Clay to pick up the second of two development sites in the area, located between First and Second, Columbia and Clay... Ideally, I would suggest 375 feet be allowed, which would be respectful of the all the surrounding properties," he wrote.

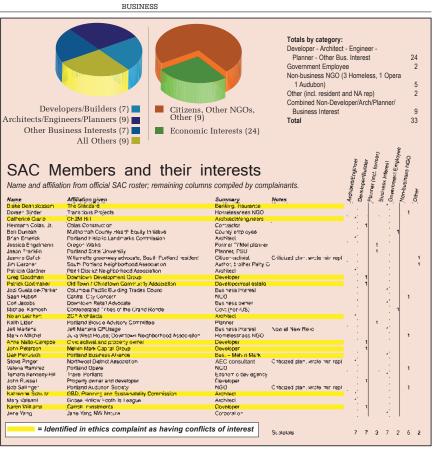
Goodman went into similar detail about three other sites, offering suggestions for specific heights, even suggesting 15-foot setbacks in one case to mute the impact of greater height—the kind of detail typically given when a developer seeks approval for a particular building. In a way, he was. He owns the properties identified in his memo or parcels adjacent to them, said Pinger, who connected the locations mentioned in Goodman's memo to a map on the website of Downtown Development Group, of which Goodman is co-president.

Goodman, who is also president of City Center Parking, the largest owner of downtown parking lots, was not shy about advising the committee on how this type of property should be treated: "I actually do think we should take a position against the taxing or closing [of] parking lots," said at SAC meeting No. 12.

Goodman did not respond to queries sent by phone and email. Mayor Charlie Hales, Portland Director of Planning and Sustainability Susan Anderson and BPS Chief Planner Joe Zehnder also did not respond to invitations to comment.

Williams, who identified her affiliation as Carroll Investments for the SAC

Continued on page 26



"Code of the West" cont'd from page 25

roster, was the only one of the 10 individuals singled out in the complaint who explained her situation to the NW Examiner. The others did not respond to phone messages or emails or, in one case, referred the query to the mayor's office.

"Stakeholders are invited to participate in this kind of process because working on a specific activity or having strong experience with the technical issues gives them an informed opinion and the ability to meaningfully contribute," said Williams. "I had no financial interest in any of the issues, though I do have a long commitment to Portland's community development."

When asked why her email address remains @carrollin-vestments.com, she replied: "I continued to use Carroll email for convenience because I had used it for several years, and I'm concerned about losing touch with people that I have only occasional contact with.

"We [she and Carroll Investments LLC principal John Carroll] were business partners in a different LLC when the SAC started that did continue for part of the SAC time frame.'

She now works for Infra-Structure Oregon.

When asked to identify



John Peterson

errors in the ethics com-

plaint, she said, "I think the

most important error is what

appears to be a firmly held

belief that people who sim-

ply disagree ... must have some hidden agenda driven

"People on the SAC gave a lot of time and effort to try to make downtown better," she

continued, listing the affili-

ations of several members of the committee. "This is

the appropriate makeup of a

and affiliations give them

acute insight necessary for an informed outcome. This

isn't misbehavior, either in

"The members' experience

by a bad motive.

body like this.

Karen Williams

lesser city."

there.'

[the Bureau of] Planning's

choices of the roster or in the

work they did . . . Portland

doesn't punish community

service in this way, and if

we start, we'll end up with a

Williams then defended

her motives in a manner that

supported the central theme

of the complaint: "I'm one

of the few that didn't have

a professional responsibil-

ity or financial reason to be

The complaint contends that the SAC "was heavily

skewed to a particular sector

and economic interest, specif-

ically that of real estate devel-

opment and the professions



Katherine Schultz

that directly benefit financial-

For this reason alone it

"failed to meet Oregon's Statewide Planning Goal 1,

which mandates that land-

use actions must occur

through a citizen involve-

ment program that 'shall

involve a cross-section of

affected citizens in all phas-

es of the planning process... [which] shall include an offi-

cially recognized Commit-

tee for Citizen Involvement

broadly representative of geographic areas and inter-

ests related to land use and

The complaint reflects a

grassroots perspective of

land-use decisions.'

ly from its activities.



Nolan Lienhart

Patrick Gortmake

Greg Goodman

citizens believing special interest dollars dominate the process

At least one voice in City Hall agrees the problem is real.

At the City Council's public hearing on the West Quadrant Plan in March, Commissioner Amanda Fritz excoriated her colleagues regarding increased height limits along the Willamette River.

"I'm disgusted with this entire hearing," said Fritz. "What we are doing is spot zoning to benefit particular developers ... many allied with members of the council."

COMMENT ON NWEXAMINER COM

"In Portland, we hold ourselves up as a model of participatory planning, and the world sees us that way. The burden is on us to prove that we really mean it, and that this is not a charade.

"The idea that tall buildings are necessary to promote sustainable density is a fallacy that has been disproved by abundant research evidence. I'm sorry to say that my Portland colleagues are late to wake up to this marketing areenwash.

Michael Mehaffy, executive director Sustasis Foundation, Portland

"Trying to discredit volunteers who spent hours and hours and brought this expertise, as a tactic against the outcome, is not appropriate in my opinion. Portland doesn't punish community service in this way, and if we start, we'll end up with a lesser city."

Karen Williams InfraStructure Oregon

"The area to the south of the Skidmore boundary line between Naito and First would be included in the 325 feet shown as part of the Morrison Bridgehead height. The site I am referencing is the half block on the north side of Stark between Naito and First abutting the George Lawrence Building. The north half of the same block, which is in the historic district, would remain at 75 feet."

> Greg Goodman, President City Center Parking

"If an individual official's financial or personal interests will be specifically affected by a decision, the official is to withdraw from participating in the decision.

CITY OF PORTLAND CODE OF ETHICS





"Digging deep, Shining a light"







p. 25 Another firehouse history

nwexaminer

MAY 2016 / VOLUME 29, NO. 9 FREE ***** SERVING PORTLAND'S NORTHWEST NEIGHBORHOODS SINCE 1986

> Stakeholder gets juicy height bonus

View-blocking potential given to Dan Petrusich, who still resists required disclosure

BY ALLAN CLASSEN

oose Hollow neighborhood activists presented a slideshow in March featuring a hypothetical high-rise dramatically blocking the view of the Vista Bridge.

The image was persuasive in causing city Bureau of Planning and Sustainability staff to reconsider draft plans to relax View Corridor protections along Southwest Jefferson Street. It also drew broad derision from NW Examiner readers, who saw the picture on Page 1 of the April edition.

What has not been reported is that the property on which the fictitious tower was sited belongs to a man with a checkered history in the Goose Hollow area.

Dan Petrusich is the president and owner of . Melvin Mark Development Co., the development arm of Melvin Mark Cos. He was also president of the

Goose Hollow Foothills League in 2012 and was instrumental in bringing pro-develop. ment slant to the associationa slant repudiated in 2014 as residen-tial candidates swept the

and professional interests related to the area covered by the plan, which includes much of Goose Petrusich has also been singled out for his role on

Hollow. the West Quadrant Plan Had Petrusich revealed Stakeholders Advisory Committee in an ethics his holdings, they would have included 1853 SW complaint ruled valid by Jefferson St., a 100x100-foot parcel with a car City Ombudsman Margie Sollinger last fall. Based on her recommendations, BPS required Petrusich and the 32 other mem-bers of the committee to disclose their financial repair garage that has been vacant since 2012 and the parking lot next to it. Portlandmaps.com lists these properties to Jefferson

Holdings LLC, which Oregon Secretary of State records show is registered to Petrusich and five others. It uses his home address.

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Allowable building height on this land and a few contiguous properties would rise from 45 to 130 feet if draft plan revisions are adopted by City Council.

Is Petrusich the innocent beneficiary of a wind-

Continued on page 6

board election.

"Stakeholder" cont'd from page 1

fall, or did he use his connections and role to seek custom-made zoning provisions?

Mindy Brooks, project manager of the Scenic Resources Protection Plan for BPS, confirmed that Petrusich contacted her about the plan.

"I spoke with Dan Petrusich about the property located at Salmon and 16th and more generally about Jefferson Street," Brooks wrote in a March email. "When we spoke, I was still doing the scenic analysis. I gave him an update on the project and time-line and told him that the proposal for height changes would be available with the CC2035 draft.

"Ultimately ... there are propos-als for height changes on Jefferson Street - some heights are increased and others are decreased.

Petrusich did not accept an invitation to comment on this story.

Petrusich's credibility on matters of ethics and conflict of interest, however, is clouded by his behavior on the Stakeholders Advisory Com-mittee and his attitude toward public accountability.

Although BPS directed all 33 SAC members to complete disclosure forms as a matter of law, Petrusich sent an argumentative email message instead.

"This reply will serve as my disclosure," he wrote. "Over the years, I have had an ownership interest in a variety of properties located in the central city, including office buildings, warehouses, apartments and parking."

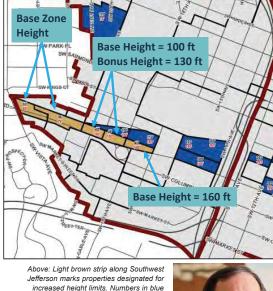
The revelations are useless in determining if particular recommendations Petrusich made as a stakeholder impacted properties he owned or controlled. No one reading his general list of holdings would learn whether his property was affected in a particular way not applying to all properties in the central city.

"At the beginning of the WQ SAC process, the city staff made it clear that our role was strictly advisory and that we had no decision-making authority. The name of the committee, West Quadrant Stakeholders 'Advisory' Committee, clearly represents our advisory role," his email continued.

The distinction between decisionmaking and advising is addressed by city and state ethics law. Ombuds-man Sollinger said members of advisory bodies are not subject to charges of "actual" conflict of inter-est because they do not make binding decisions. Public officials having actual conflicts may be prohibited from participation in deliberation or voting. Those with potential conflicts need only declare their connections before participating.

"The anonymous complaint [to the City Ombudsman] included many false claims," Petrusich continued. "The Ombudsman did not follow a judicial or administrative process recognized under law. I received no opportunity to participate or provide input on the claims." 🔳

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denote former height limit: red numbers denote proposed heights.

Right: Dan Petrusich and partners own the parcel between Southwest 18th and 19th on the north side of Jefferson Street, where maximum height limits are proposed to rise from 45 feet to 130 feet.



Citizen advisers resist disclosure

City warns it won't shield them from possible penalties for ethics violations

BY ALLAN CLASSEN

everal citizen advisers to the city's proposed comprehen-sive plan are dragging their feet on disclosing their private financial interests.

They may have good reason to be wary of what lies ahead. A four-page letter from Sallie Edmunds, Portland Bureau of Planning and Sustainability Central City planning manager, advised that they may be personally liable for potential actions before the Oregon Government Ethics Commission, in which case the city will not defend them.

Furthermore, all disclosures become public documents open to the media and public.

The disclosures were ordered by the BPS as a result of a City Ombudsman's conclusion last October that members of city-sanctioned advisory committees are considered public officials under city and state ethics rules.

As such, they must disclose pri-

be confidential? If not, who will have access to them and for what purpose?

The conflict of interest disclosure forms will be a public record. ... Anyone, including the media, can ask to review them. BPS plans to summarize the disclosure informa-tion for the Planning and Sustainability Commission and City Council.

What if someone does not comply with this request?

Any noncompliance with the request will be noted to the Planning and Sustainability Commission and City Council.

How could the retroactive remedy recommended by the Ombudsman have any impact on the project?

Because neither the Planning and Sustainability Commission nor City Council has made a final decision on the CC2035 Plan, either body may take the completed forms into consideration as part of their final decision-making on the plan. Either body

as follows:

In brief, a public official or the rel-ative of the public official is associated with a business in the following circumstances

When, during the preceding cal-

endar year, a public official or rela-tive has held a position as director, officer, owner, employee or agent of a private business or a closely held corporation in which the public official or relative held or cur-

Continued on page 8

Goodman asks for favors, won't cooperate with ethics requirement Greg Goodman, president of City Cen-

ter Parking, is conspicuous among those not responding to the Bureau of Planning and Sustainability's request for financial disclosure.

He has a lot to disclose

While a member of the Stakeholders Advisory Committee to the West Quadrant Plan, he privately asked city staff for greater height limits on parcels owned by his Downtown Development Group LLC

"At the base of the Hawthorne Bridge, the suggested 325 feet only goes to

Columbia Street. I believe it should go to Clay to pick up the second of two development sites in the area, located between First and Second, Columbia and Clay. ... Ideally, I would suggest 375 feet be allowed, which would be respectful of all the surrounding properties," he wrote in a 2013 email.

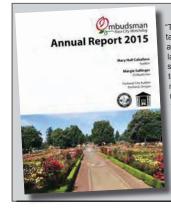
What the memo failed to say is that the entire block he wanted included belongs to him. Increasing the current 75-foot height limit to 325 feet could multiply its value for redevelopment.

Goodman went into similar detail about zoning and policy changes having a bearing on three of his other properties

Lest there be any doubt about whose stakes he had in mind, at a 2014 SAC meeting, he said, "I actually do think we should take a position against the taxing or closing [of] parking lots."







"The Bureau of Planning and Sustainability did not ensure compliance with state conflict of interest law when it convened a series of stakeholder advisory committees to make land use and urban planning recommendations. State law required that committee members timely and publicly disclose if they could financially benefit from their recommendations.

> Margie Sollinger Portland Ombudsman

vate and professional interests having potential bearing on their recommendations. Because the Stakeholders Advisory Committee to the West Quadrant Plan completed its report last summer before the Ombudsman's findings were released, bureau chief Susan Anderson directed committee members to make disclosures after the fact.

They were told to do so by the end of 2015. The deadline was later extended to March 31 and then April 14. By April 26, seven of 33 members of the West Quadrant Plan Stakeholders Advisory Committee still had not submitted disclosure forms. Two others, Melvin Mark Cos. executives Dan Petrusich and John Petersen, sent emails outlining their discontent with the requirement.

Instead of listing their financial ties, several stakeholders have apparently been consulting their lawyers or otherwise searching for reasons to not comply.

A March 30 letter sent to SAC members includes no names, but is nevertheless revealing. The following questions and answers were taken directly from the letter:

Will the disclosure form responses

could choose to amend or delete policies and items in the previously accepted West Quadrant Plan.

Why does this apply to the SAC when their role was not about decision-making? The SAC's role was to provide input to staff.

State ethics law applies to volunteer members of advisory committees.

Can I appeal the ombudsman's decision?

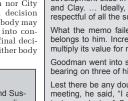
No. The ombudsman provided an opinion and recommendation. BPS accepted the recommendation and chose to implement it. BPS's decision is not subject to appeal.

What is the scope of the disclosure? "Property owned by ... any business with which I was associated" could include anything that I worked on for any of my clients over that period or any other property owned by any of my clients or prospects.

ORS 244.020(3)4 provides the definition of a "business with which the person is associated," paraphrased

Continued on page 8

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"Disclosure" cont'd from page 7

rently holds stock, stock options, equity interest or debt instrument over \$1,000.

When, during the preceding calendar year, the public official or relative has owned or currently owns stock, equity interest, stock options or debt instruments of \$100,000 or more in a publicly held corporation.

When the public official or relative is a director or officer of a publicly held corporation.

When a public official is required by ORS 244.050(5) to file an Annual Verified Statement of Economic Interest form and the business is listed as a source of household income.

My spouse works for a large corporation. I don't know how to even begin to find out if that company contracted with the city in 2012. Any advice?

Please provide your spouse's title and employer and a general description his/her work on the disclosure form so that others can understand the relationship to the Central City and the work of the SAC.

How will the information be used? Has there been any resolution with

the complainants? Are they free to use whatever comes from this disclosure to try to obstruct the process at the next level or make claims against anyone?

The City Ombudsman will consider the specific complaint resolved once the disclosures are presented to the PSC and council. However, there is nothing prohibiting the complainants from submitting subsequent complaints to the City Ombudsman or the state.

Will SAC members be provided a release for participating in this process?

A public official is personally liable for individual violations of Oregon ethics law. The city may neither indemnify nor represent the official before the Oregon Government Ethics Commission.

Will staff re-evaluate the input in light of the disclosures?

BPS has already developed a CC2035 Discussion Draft and will consider public feedback on that draft as they prepare the Proposed Draft. On May 10, BPS will release a Proposed Draft that will be the subject of a June 14 hearing before the Planning and Sustainability Commission.

COMMENT ON NWEXAMINER.COM or email: allan@nwexaminer.com

City soft-pedals ethics standards for citizen advisers

Commissioner Fish says individuals who don't disclose financial interests shouldn't serve

BY ALLAN CLASSEN

s dodging ethics rules by city officials a serious matter, or a mere footnote to be recorded before proceeding as before?

The question may be answered as Portland City Council considers the Central City 2035 Plan, an update of the city's comprehensive land-use policy plan. If council members take guidance from the Bureau of Planning and Sustainability, they won't lose any sleep over the failure of seven members of the West Quadrant Stakeholders Advisory Committee to disclose their personal financial interests related to policies they acted on.

The bureau failed to comply with state and city ethics standards in developing the West Quadrant Plan, a part of CC2035. That was the conclusion of an investigation by the city auditor's office last fall. In response, BPS Director Susan Anderson changed bureau policy to require members of all citizen advisory committees to declare conflicts of interest before participating.

The complaint was filed by an anonymous group calling themselves Concerned Portland Citizens.

In that the complaint was filed after the SAC completed its recommendations, City Ombudsman Margie Sollinger, who works for the auditor, concluded that disclosure after the fact—but before the City Council adopts the final plan—would be sufficient.



The Portland Bureau of Planning and Sustainability formed a Stakeholders Advisory Committee that met 16 times over a two-year period, but participants were not asked to list their potential conflicts of interests until the process had been completed. Central City 2035 Proposed Draft 6-20-16, Public Involvement

Sollinger also ruled that citizens serving on government advisory bodies are public officials in regard to Oregon Government Ethics law.

A draft of the plan released in June includes an attachment that states:

"Twenty six members completed the form, two did not complete the form but sent an email that included similar information, one email bounced and four members did not complete the form."

A chart identified the seven individuals not completing questionnaires as Greg Goodman, Dan Petrusich, John Petersen, Nolan Lienhart, Doreen Binder, Marvin Mitchell and Jodi Guetzloe-Parker.

Goodman, head of City Center Parking, left an email trail that included requests for favored treatment of property he owns.

"At the base of the Hawthorne Bridge, the suggested 325 feet only goes to Columbia Street. I believe it should go to Clay to pick up the second of two development sites in the area, located between First and Second, Columbia and Clay. ... Ideally, I would suggest 375 feet be allowed, which would be respectful of the all the surrounding properties," he wrote.

The complaint charged: "SAC member [Greg] Goodman advocated for and voted in favor of increased allowed height and zoning changes on his own West Quadrant properties."

The complaint also stated that SAC "members [John] Peterson and [Dan] Petrusich advocated for and voted in favor of zoning changes and increased height limits on many West Quadrant properties owned by them or by their employer (Melvin Mark), including their proposed Public Market at the Morrison Bridgehead."

Private holdings and financial connections were not broken down for each SAC member in the attachment to the draft plan. The disclosure form they were directed to fill out did not ask about conflicts beyond property ownership, such as employment or professional commissions that could be affected by increased zoning entitlements.

The Examiner asked for comment

from city commissioners Nick Fish, who is recommending ethics reform on a separate issue, and Amanda Fritz, who spoke forcefully about her council colleagues' conflicts regarding CC2035 last spring.

Fish issued the following statement:

"The actions taken in the context of the West Quadrant Stakeholder Advisory Committee seem to be closing the barn door after the cows are in the pasture. Given the lack of clarity at the time about how a 'public official' is on-boarded to a committee, I believe the City Ombudsman's response to the complaint was on target and the actions taken by BPS were appropriate.

"However, I think this situation has revealed a more fundamental problem. The city appoints citizens to a wide variety of advisory and oversight bodies. They in turn agree to give up valuable time to do vital public service. Quite simply, we couldn't function as a city without citizens willing to make that sacrifice for the public good.

"While the City Attorney is working to standardize the training for new volunteers, I think we need to go further.

"Every volunteer who chooses to become a 'public official' should be required to submit a reasonable public disclosure statement as part of the on-boarding process. If he or she objects to doing so, then they would be ineligible to serve. This approach would balance respect for personal choices while increasing transparency in all of our public advisory bodies.

I plan to discuss this idea with my colleagues in the near future, and to seek their support."

Fritz did not respond. 🔳

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TESTIMONY TO THE PLANNING AND SUSTAINABILITY COMMISSION CENTRAL CITY PLAN Ed McNamara August 9, 2016

I'm here to speak regarding FAMILY HOUSING and COMPLETE NEIGHBORHOODS. Both of these are listed in the goals and policies of the comp plan, but I see few if any specific strategies in the Central City Plan to implement those goals.

When I started planning for the Ramona Apartments in 2007, many people in city government – including elected officials – didn't believe that families with children would live in the central city in Portland. We now have more than 130 children living in the Ramona and we have a waiting list of more than 400 households wanting to move in. 40% of our initial residents moved from the suburbs or from other cities.

The Abigail Apartments just opened next to the Ramona and another affordable building will open next to us in 2018. In two years, there will probably be 350 children living on those 3 city blocks.

There are a large number of births in other housing in the Pearl District – way more than in most neighborhoods of the city. Some of those families stay, but it seems that some of them leave because they outgrow their apartment or condo and there aren't larger units available or they leave because the closest public school is more than a mile away.

We should be serious about making complete neighborhoods in the central city. Here are just a few reasons:

- 1. <u>Equity</u> We invest a large amount of resources into these neighborhoods and we should make sure that all Portlanders have the option to live there. We've done a good job of that with affordable housing, but not with housing for families.
- 2. <u>Economic Development</u> If we want to attract and retain bright young creative workers (and the companies that employ them), we have to make sure they can stay in the city when they start to have children.
- 3. <u>Sustainability</u> If we want Portland to become a city that isn't reliant on cars in the future, shipping our young kids to the suburbs probably isn't the best way to prepare them to be urban dwellers when they grow up.

So what can we do?

Incentives for Family Housing –

- I suggest retaining the FAR bonus for family housing and the exemption of the square footage of ground floor community facilities from the calculation of FAR. These two provisions became part of the North Pearl Plan in 2008. I recommend that these be retained and that they become applicable to the entire central city area.
- In addition, I recommend that community spaces inside the building should be excluded from the FAR calculation for buildings using the family housing bonus.

• Schools and Public Spaces-

- I recommended strengthening the action items regarding schools in the central city and getting creative about solving that problem. The kids at the Ramona take a 40 minute bus ride to Chapman. PPS needs a lot of kids to justify building a new school, but without a school the kids being born in the city might not stay there.
- I recommend helping PPS by letting them close off all or part of lightly used streets so they have a place for kids to play. The Central City Implementation Plan recommends using public rights of way for public open space and recreation.

I have attached some additional information.

- <u>Children in the Pearl</u> This is a memo I did for PPS last year describing the current number of children in the neighborhood, the number of births, and the new development.
 It is mostly focused on the area with a 10 block radius of the Ramona.
- <u>Chapman Attendance Area</u> This is a map of the Chapman attendance area in 2013-14. The shaded semi-circle is the area within a 10-block radius of the Ramona. For reference, that shaded area is about the same size as the entire attendance area for Irvington School in NE Portland.
- <u># of Births 2008-13</u> This is a chart based on data from BPS staff. As you'll see, the number of births in the River District was greater than many eastside area combined.

CHILDREN IN THE PEARL DISTRICT – August 2015 notes

The following data focuses only on the children in one small part of the very large Chapman attendance area - the area near the PPS Early Learners Academy at the Ramona at 1550 NW 14^{th} – with an emphasis on children under 7 years.

- <u>Children In Low-Income Households</u> We estimate that there will be 392 children in Pearl District affordable housing by fall of 2017 or 2018.
- Births in the Pearl District 378 children were born in the Pearl District in the 6 year period from 2008-13.
- <u>New Development –</u> Current new development will bring more children and 35 or more births per year.
 By 2017, there could be more than 4,000 housing units added in a 10-block radius around the Ramona.

Children in Affordable Housing - By 2017 or 2018, PPS could probably fill a K-5 facility with these children alone.

- Current Affordable Housing Approximately 258 children in households qualified for reduced lunches
 - The Ramona and the Sitka (3 blocks away) have 147 children. Based on the best data we have, there are about 91 children in other nearby affordable buildings.
 - Of those children, about 119 are under the age of 7 (75 in the Sitka and Ramona and an estimated 44 children in the other affordable buildings).
 - o 10 of the 11 buildings are at least 1 mi. from Chapman and require up to a 42-minute bus ride each way.
- <u>New Affordable Housing 154</u> more children expected by 2017-18
 - The Abigail, under construction next to the Ramona, will have a large number of 2 BR and 3BR units. It will be open in May 2016. Based on the lease-up of the Ramona, we project that the Abigail will have 104 children (71 children under the age of 7) when school starts in September 2016.
 - The city of Portland is developing family housing for very low-income households (0-30% MFI) on a ¼ block directly north of the Ramona. This could be open by the start of school in 2017. We project that this building could have 50 or more children (34 under the age of 7) by September 2017.
- <u>Stability in Affordable Housing</u> Tenants stay a long time in the Sitka and the Ramona. Between the two, about 11% of tenants move each year. This means the average tenure is about 9 years.

<u>Births in the Pearl District</u> – Based on the number of births in existing housing around the Ramona, PPS could have about two more classrooms of children coming every year. This assumes those children stay and it assumes no other children move in. Even if only ½ stay and no new children move into existing buildings, there are nearly enough kids coming for another classroom every year.

- Census Tracts The data uses census tracts 50 and 51, all of which is closer to the Ramona than to Chapman.
- <u>6 year totals</u> From 2008 through 2013, there were 387 children born in these two tracts.

<u>New Development in the Pearl District</u> – Within a ten block radius of the Ramona, there could another 35-42 births per year by 2017 in 4,200 new housing units. This assumes the same birth rate as in the existing housing in census tracts 50 and 51. It does not count any children that might move into the new units, only those that might be born there later.

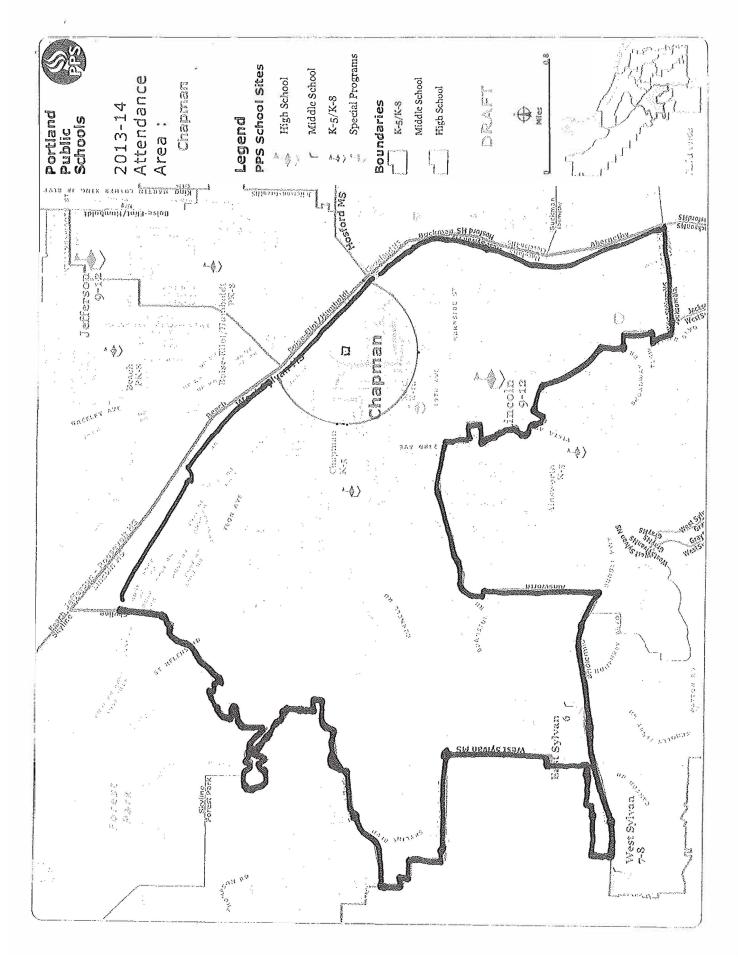
- <u>Completed Units</u> 798 units have been completed since mid-2011, more than 450 in the last 12 months.
- <u>Under construction</u> 2.046 units are currently under construction within 10 blocks of the Ramona. Of the buildings for which we have details, 1/3 of those units are 2BR or 3BR.
- <u>In Predevelopment</u> An estimated 1,511 units are proposed within 10 blocks of the Ramona, most of which are in some stage of public approval.
- Vacant/Undeveloped Sites There are another 25-30 acres slated for development in future years.

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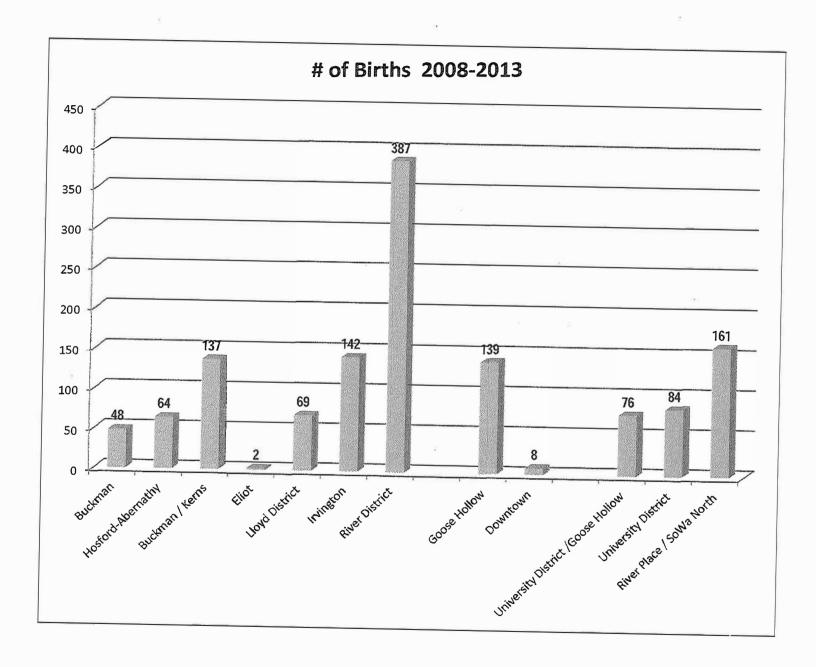


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August 9, 2016

Katherine Schultz, Chair Planning and Sustainability Commission 1900 SW Fourth Avenue, Suite 7100 Portland, Oregon 97201

Dear Chair Schultz and Commission Members:

The Portland Business Alliance appreciates the opportunity to comment on the proposed Central City 2035 Plan. With more than 1,850 member companies, the Alliance's mission is to promote and foster an environment in the Portland region that attracts, supports and retains private-sector jobs and spurs economic vitality. The health of Portland's central city is critical to achieving our mission and as a result, over the last several years we have participated in the quadrant planning process that has culminated into the proposed Central City 2035 Plan.

We recently provided feedback on the proposed Central City 2035 Plan in a letter dated July 12, 2016 that focused on a broad range of issues, including but not limited to, low-carbon buildings, river overlays and transportation demand management (TDM). While the issues outlined in that letter are equally important, the purpose of this letter is to focus solely on transportation elements of the proposed plan. Since the central city serves as our region's economic engine with a dense concentration of jobs and housing, and is a gateway to other parts of the Portland-metro region and state, it is critical that it have a strong multi-modal transportation system that moves people and goods efficiently. With that in mind, we offer the following comments:

Mode Split Targets:

We understand that we face significant population growth over the next 20 years and that increased pressures on our transportation system will result in significant gridlock if we do not seek ways to address congestion. There will be more people and increased demand on all modes. That said, we are concerned that the aspirational mode split goals were not developed based on analysis of what is possible. While these may be aspirational goals, we are concerned that such performance targets are driving decisions about transportation investments and policies. Instead, we need to be extremely thoughtful about the prioritization of modes and use of streets, and evaluate transportation policies and projects as part of the larger network and capacity needs for a variety of modes.

Greater Portland's Chamber of Commerce

200 SW Market Street, Ste. 150 | Portland, OR 97201 | 503-224-8684 | FAX 503-323-9186 | www.portlandalliance.com

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Transportation Demand Management (TDM):

We understand that TDM is being considered as a way to help alleviate future demands on our city's transportation network by encouraging alternative modes of transportation through education and or subsidies to tenants. The TDM proposal, however, is too conceptual at this point. The details need to be fine-tuned so that the program does not hinder development, unfairly burden the development community, and further hamper the city's ability to accommodate housing and job growth in the central city.

We are, therefore, pleased that PBOT has agreed to spend additional time working with property owners and developers on a TDM proposal for the central city. As such, Policy 9.51 on TDM should be eliminated or amended until the city has spent additional time working on a proposal with property owners and developers as agreed to. The central city is unique because it has higher land values, density, maximum parking ratios, paid on-street parking and a strong multi-modal network in comparison to outer parts of the city. If a TDM proposal is developed, it should take into account these unique characteristics.

Portal Capacity:

The Alliance has long advocated for maintaining and enhancing portal capacity at bridgeheads and freeway on- and off-ramps. We appreciate Policy 9.41 on portals but ask that the language be strengthened. The policy currently reads, "Manage entry points into the central city to provide balanced multimodal access to efficiently accommodate the increase in person trips and goods delivery as a result of growth and development." Instead, the policy should read as, "Protect and enhance portal capacity at bridgeheads and freeway off-ramps and on-ramps into the central city to efficiently accommodate the increase in person trips and goods delivery as a result of growth and freeway off-ramps and on-ramps into the central city to efficiently accommodate the increase in person trips and goods delivery as a result of growth and development."

Public Right-of-Way (ROW):

Policy 9.46 states, in part, "expand open space and recreation functions in the right-of-way where possible." With increasing housing and employment forecast in the central city, and the increased demand that it will put on the transportation system regardless of mode, encouraging use of the right-of-way for non-transportation related functions makes little sense. Elsewhere, the Transportation System Plan (TSP) acknowledges that managing growing congestion will be a challenge, and offers mitigating strategies to ensure people and goods can continue to move throughout the central city. All existing capacity should be reserved to support transportation related purposes.

Similarly, commercial arterials and freight corridors should not be considered for other community uses and on-street parking should not be comprised under Policy 9.47, which encourages "community uses of the right-of-way." PBOT should not further limit already limited road capacity including the public right-of-way.

Parking:

Parking is and will remain an important part of maintaining a vital central city, serving businesses, shoppers, visitors, employees and residents. Both on-street and garage parking is needed to serve the needs of the central city and should not be compromised. We want to actively participate in PBOT's discussions about

managing parking in a more efficient and dynamic manner including with performance-based parking and the joint use of existing stalls.

Naito Parkway:

We are concerned with the TSP's direction for Naito Parkway. First, the TSP includes a study intended to assess "ways to lessen the impact of freight and general traffic on Naito Parkway." Naito is a primary north/south street for both freight and general traffic, allowing an alternative to traveling on streets through the heart of downtown. In addition, Naito is mapped as a major city bikeway and civic corridor, but has no freight classification despite the fact that it is one of the most significant roadways for freight traveling from the Central Eastside industrial district to I-5 South. In fact, the Morrison Bridge, the ramp onto Naito and the access to I-5 are labeled as major truck streets. The current classification of Naito would then undermine its significance to the Central Eastside and hinder freight mobility from the district. Naito's role in moving goods and people should be acknowledged, both in its street classification and in the studies, which should be revised to ensure that freight and general traffic are not limited. Specifically, we have the following recommendations about the below proposed studies:

<u>Morrison Bridge Westside Ramps Reconfiguration Study</u> – This study must be coordinated with ODOT and must include traffic analysis to ensure modifications do not negatively impact the safety and operations of I-5, and do not negatively impact freight access from the Central Eastside to I-5 southbound. Change the sentence "Consider the impacts to providing southbound freeway access from the Central Eastside" to "Maintain southbound freeway access from the Morrison Bridge for freight trips originating from the Central Eastside," consistent with the Staff Proposed Amendments to the Recommended Draft Southeast Quadrant Plan, dated July 6, 2015.

<u>Morrison Bridge Eastside Ramps Reconfiguration Study</u> – This study must be coordinated with ODOT and must include traffic analysis to ensure the reconfiguration does not negatively impact the safety and operations of I-5.

<u>Naito Parkway Traffic Study</u> – This study must be coordinated with ODOT and address impacts to safety and operations of other freeway ramps in the vicinity.

Additionally, we are concerned that the proposed street classifications inadequately take into account freight and auto access, and circulation patterns. Freight and auto access will continue to be important to the wellbeing of businesses located in the central city. Particular attention must be paid to the ability to access parking garages and businesses by auto and loading zones for freight deliveries.

New Projects:

There are multiple new projects in the proposed TSP that have not been adequately vetted with stakeholders. PBOT will shortly undertake the *Central City Multimodal Study* using grant funds to analyze opportunities and locations for multi-modal improvements in the central city, particularly in the downtown core. We understand PBOT intends to initiate a stakeholder process for this significant undertaking. Despite

the fact that work and outreach has not yet begun, TSP ID 20126, 20127, 20128, 20130, 20131, 20132, 20133, among many, many others, state that the project will "design and implement" or "construct" significant new facilities. It is inappropriate to include these projects at this time given that the study to seek public input, and analyze alternatives and impacts has yet to be undertaken.

Central Eastside Industrial District (CEID):

The CEID is a significant employment district and has an important function in serving businesses in the central city. As a major employment center in the central city and as an industrial sanctuary, it has specialized needs for freight mobility, and loading and unloading capabilities, as well as efficient parking and access to businesses.

We, therefore, urge that the language be added to TSP projects 20063, 20151, 20173, 20174, 20175, 20176, 20181, 20182, 20194 and 20195 that states, "review the impact to freight, loading, unloading and the ability of the CEID to continue to be a vibrant employment district prior to implementation of this project." These plans should be reviewed in a broader context that would take into account the unique environment of a district still focused on industrial and employment growth. Further, we urge that the *Central Eastside Truck Access Study* be added back to the proposed list of studies in order to evaluate circulation to improve connections in the Central Eastside and reduce conflicts with non-industrial land uses before specific projects are implemented.

We look forward to working together to address the above referenced concerns for a healthy, prosperous and vibrant central city over the next 20 years. Thank you for your consideration of these comments.

Sincerely,

Sandra McDong

Sandra McDonough President & CEO

cc: Portland City Council Susan Anderson, Bureau of Planning and Sustainability Leah Treat, Portland Bureau of Transportation Art Pearce, Portland Bureau of Transportation From: Melinda Matson [mailto:melindamatson@gmail.com]
Sent: Tuesday, August 09, 2016 6:57 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony

Attn: Planning and Sustainability Commission City of Portland Bureau of Planning and Sustainability

Re: CC2035 Testimony

August 9, 2016

Portland Planning and Sustainability Commission,

Please accept this letter of testimony and support on CC2035. I'm the community organizer of a livable street project encouraging city policy to facilitate community-focused and pedestrian-friendly rights-of-way.

I'd like to express my support for specific elements of CC2035, especially those that partner placemaking with connectivity and environmental stewardship. I'd also like to strongly suggest that these attributes of CC2035 be broadened to the Transportation System Plan and the Comprehensive Plan, with specific regard to alleys and other unimproved pedestrian-shared roadways.

I ask you to please take a look at my and other community advocates' recent letters to the Bureau of Transportation Director Leah Treat, related to this specific issue:

"Letters to PBOT Director" in Dropbox:

https://www.dropbox.com/sh/45vgm9gr4z8omf0/AAC5P-IRIP-UGs_dJjrvttF5a?dl=0

And, I ask you to please take note of the examples from CC2035 listed below that share similar aims for facilitating livable infrastructure - aims which I hope can be broadened to the Transportation System Plan and the Comprehensive Plan.

Policy 3.6 Street diversity.

Policy 3.7 Streetscape

POLICY 3.CE-3 Green Streets

Policy 4.1 Portland's commons

Policy 5.1 Experimentation and innovation

Policy 5.8 Public realm

Policy 5.9 Wayfinding

Policy 5.12 "Green Loop" concept

Policy 6.9 Strategic tree canopy enhancement

Policy 6.CE-1 Freight-compatible green infrastructure

Thank you so much for your hard work and your consideration.

Sincerely, Melinda Matson Beech-Failing Alley Project Organizer 3818 N Vancouver Ave Portland OR 97227

593.490.1649

BEAM

75 SE YAMHILL STREET STE. 201 PORTLAND, OREGON 97214 503.595.0140 WWW.BEAMDEVELOPMENT.COM

August 9, 2016

Planning and Sustainability Commission c/o Bureau of Planning and Sustainability 1900 SW 4th Avenue Portland, Oregon 97201-5380

via email: <u>psc@portlandoregon.gov</u>

Re: Central City 2035 Plan June 20, 2016 – Bureau of Planning and Sustainability (BPS) Recommendation Beam Development Public Testimony

As an active member of Portland's real estate development community and long-term building owner in the Central City, Beam Development offers the following testimony in response to the June 20, 2016 BPS recommendation for the Central City 2025 Plan (CC2035).

- 1) Grand Ave Historic District Height: Maps 510-3 and 510-4.
 - a) **Request**: Base heights and height bonuses to remain as per current code allowances along the Grand Ave. historic corridor.
 - b) Reasons:
 - i) The Central Eastside was planned as a dense inner neighborhood with a combination of low-rise, multi-story and high-rise buildings. The Central Eastside Design Guidelines and Grand Ave Historic District Guidelines encourage preservation and restoration of the existing building stock. The guidelines recognize that there are several lots available for redevelopment and do not discourage taller building heights, rather that new developments should be considerate of the historic buildings in the district.
 - ii) Current base heights and bonuses work within the context of the existing building stock. Most of the contributing historic resources are clustered together on a few blocks. The 13-story Weatherly Building currently anchors the Morrison bridgehead. Current allowed heights on adjacent empty lots at the bridgehead will allow for buildings of compatible heights. The current proposal limits density at this critical intersection by limiting heights to under the Weatherly in direct contrast to the buildings planned for the neighborhood at the time of the Weatherly construction.
 - iii) New development can be compatible with historic building stock at the current heights. Building massing and exterior material detailing can result in buildings that are symbiotic in their context and highlight the various construction methods

and design trends from different eras. Limiting building height alone does not make a building compatible to its neighbors.

- iv) Density along this corridor is critical to the achieving the goals of the Central Eastside and the Central City plan, as this transportation spine is an important catalyst for the continued growth of the CES District, jobs and housing.
- v) Major investments by the City of Portland in transportation infrastructure along the Grand Ave corridor support dense development and alleviate parking demands throughout the District.
- vi) Density (height) is critical to the viability of development along the corridor, especially as construction, entitlement and overall development costs continue to escalate.
- vii) High water-table in Central Eastside makes below grade parking a challenge and therefore conscientiously designed above grade parking and infrastructure more feasible, which requires reasonable height allowances.
- viii)The CES is one of the fastest growing employment centers in the region limiting height, limits developable building area which limits job potential in the City's center.

2) Scenic View Corridors: Maps 510-3 and 510-4.

- a) **Request:** Remove proposed Salmon Springs, I-84 and Tillicum Bridge view corridors from proposal for further assessment.
- b) Reasons:
 - Views of the region's scenic resources are a valuable asset to the community, but the proposed view corridors were never discussed in the almost 2 year SE Quadrant Planning Process. BPS has proposed a policy in the draft without the Stakeholder Advisory Committee's participation/input. At a minimum the view corridor concept needs to go through a supplemental planning process and should not be included in the initial implementation of the 2035 Plan.
 - ii) Since the proposal was not part of the SE Quadrant Planning Process, impact of the view corridors has not been properly assessed. In consultation with other Central Eastside stakeholders, we estimate the view corridors to have a negative impact on property values of over \$200 million dollars and the loss of jobs due to decreased development potential is likely over 6,000 (assuming the loss of over 1,000,000 building SF). We suggest at minimum an Economic, Social, Environmental and Energy (ESEE) study be conducted and made for public review, before the view corridors are proposed again.
 - iii) The CES is one of the fastest growing employment centers in the region limiting height limits developable building area which limits job potential in the City's center.
 - iv) The Salmon Springs view corridor limits development potential of the ODOT Blocks. ODOT Blocks are an example of blight in our Central City. The lots are already compromised by the I-5 viaduct. The 25ft-35ft height limits will further limit the development potential of a Central City site that could provide vitality to another natural resource for our City – the Willamette River.
 - v) The proposed View corridors place the viewpoints at the lowest elevation of the West Side. This not only severely restricts height limits of close-in lots, it places greater value on the public amenities of the West Side over the East Side. There

are several points in the City which allow for public views of Mt Hood and other scenic resources that are not at the lowest elevations of the West Side. These points need to be assessed along with the economic impacts to determine their value and contribution to the public benefit.

3) Ecoroof Proscriptive Mandate: 33.510.243 Ecoroofs.

 a) Request: The ecoroof requirement for buildings over 20,000 square feet should be eliminated as an un-incentivized, proscriptive mandate, or should remain a voluntary measure resulting in additional FAR per the existing FAR bonus structure in section 33.510.200.

b) Reasons:

- i) Ecoroofs are expensive to install and maintain, and may not be the most efficient method to alleviate urban heat gain and reduce stormwater outflow.
- ii) Stormwater can be addressed in a variety of ways including horizontal or vertical swales, water reuse, and rainwater capture.
- iii) At a time when the City is singularly focused on the provision of affordable housing, the layering of additional expenses in development makes it more difficult to deliver affordable units. If the affordable housing is to remain an achievable goal, the City should be looking to reduce baseline building costs, while encouraging density through the provision of voluntary FAR bonuses for sustainable features such as ecoroofs in addition to the proposed affordable housing FAR bonus.

4) Low-Carbon Buildings: 33.510.244 A and B.

- a) **Request:** The LEED Gold standard requirement for buildings over 50,000 square feet should be eliminated as an un-incentivized, proscriptive mandate, or should be included as a voluntary measure resulting in additional FAR per section 33.510.200.
- b) Reasons:
 - While LEED is an excellent standard for project teams to aspire to, and is already being included on a voluntary basis by many developers and owners in Portland, LEED Gold certification is not the only method to achieve sustainable results.
 - ii) LEED certification includes additional costs for registration, certification, coordination and commissioning, in addition to the costs to implement the sustainable features.
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5) Bonuses: 33.510.200 Floor Area Ratios; E. Exemptions.

- a) **Request:** Include a new bonus that removes above-grade structured parking from the calculation of FAR.
- b) Reasons:

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- c) **Request:** Include new bonuses for ecoroofs and LEED certification, as described in above sections 3 and 4.

We appreciate your time and efforts reviewing this testimony, and all the work completed so far by the Bureau of Planning and Sustainability in the development of the Central City 2035 Plan. We are very supportive of the plan in general, other than the few topics addressed in this letter.

Sincerely,

Jonathan Malsin Principal Beam Development Jonathan@beamdevelopment.com



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Planning and Sustainability Commission c/o Bureau of Planning and Sustainability 1900 SW 4th Ave Portland, Oregon 97201-5380

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Sincerely,

Brad Malsin Principal Beam Development brad@beamdevelopment.com

Regarding the Floor to Area Ratio (FAR) proposal for the area bounded by SW Sheridan Street, SW Harrison Street, SW Naito Parkway, and SW 1st Avenue:

The South Auditorium District is really a residential neighborhood adjacent to PSU and the City Center. The fact that it is a residential area brings with it its own considerations and as stated in 2035 Comprehensive Plan: "One size does not fit all: Plan and design to fit local conditions. Each area of Portland has distinctive and valued characteristics — natural features, community histories, patterns of development and types of buildings. Instead of following a one-size-fits-all approach, harness growth and change to enhance positive and valued community characteristics"

Just because the South Auditorium District neighborhood is vertical as opposed to horizontal, with apartments and condominiums, this does not negate the requirements of a neighborhood — this *is* still a residential neighborhood. 250-foot commercial buildings would not be considered in a typical horizontal neighborhood.

The proposed changes, if approved, would add a significant amount of traffic to SW 1st Avenue, Naito Parkway / Barbur Boulevard, and SW Harrison Street. These roads are already very congested and parking is limited. Given that the entrance/exit to the Ross Island Bridge, I-5, and downtown converge in this one small area, traffic is often backed up. In addition, with PSU growth, MAX and streetcar crossing these roads, and an already insufficient road infrastructure for heavy traffic, the system cannot handle a significant increase in demand.

Building in this area would require the removal of many large trees that are part of an urban habitat that supports many types of animals, including, but not limited to, bald eagles, red tail hawks, foxes, raccoons, squirrels, and many other species of bird. Allowing 250-foot buildings in this area would not improve livability of our neighborhood for either humans or animals.

Our home was purchased for the views of Mt Hood and the river, sunshine, open space, the neighborhood, *and* its proximity to downtown. While maintaining the existing 2:1 FAR does not, in any way, change the *existing* value of the properties within this boundary, the proposed FAR change of 4:1 (12:1 with Bonus) will have a <u>negative</u> impact on the property value and resaleability of our home and that of hundreds of other Portland homes in our neighborhood; the City should *not* implement such a policy.

Thank you for consideration,

Joy Mahoney and John McManimie 2221 SW 1st Avenue, # 723 Portland, Oregon 97201

From: Keith Liden [mailto:keith.liden@gmail.com] Sent: Tuesday, August 09, 2016 3:24 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: Central City 2035 Testimony for PSC and City Council

My comments for consideration by the PSC and City Council, pertaining to *Central City 2035, Volume 2B, Transportation System Plan Amendments*:

Figure 2. Central City 2035 Proposed Draft – TSP Major Projects List Amendments

p. 25 TSP ID: 20167 – SW 6th & Jackson crossing improvements

Amend to include extending the bike lane north through this intersection to allow cyclists to stop safely for pedestrians in the crosswalk when cars are behind.

p. 26 TSP ID: 20168 – SW 6th & I-405 Multimodal Improvements

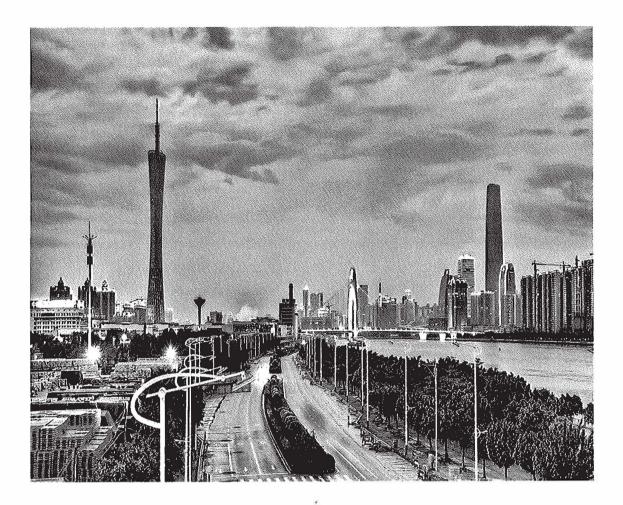
I believe the reference to "westbound buses on Jackson to access 6th Ave northbound" is incorrect. Do you mean eastbound buses?

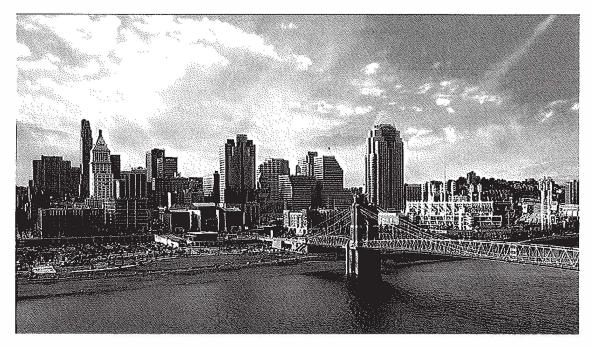
At least the pedestrian and bicycle facilities of this improvement package have been shamefully overlooked for way too many years, especially with two MAX projects and station one block away. *This needs to happen NOW* – not 2 decades from now.

Change timeframe to 1-10 years.

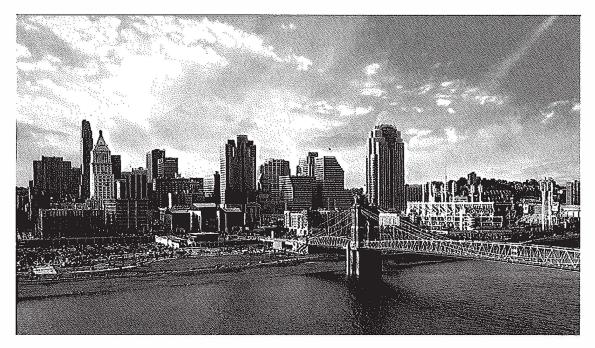
Keith Liden 4021 SW 36th Place Portland, OR 97221 503.757.5501



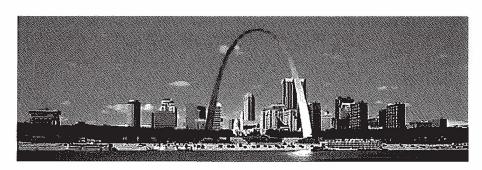




Cincinatti



Cincinatti



St. Louis



St. Louis



Jeffrey Lang Board President jeffreylang@tryonfriends.org

11321 SW Terwilliger Blvd • Portland OR • 97219 www.tryonfrlends.org



River Cities, like Cincinnati, New Orleans, Portland or St. Louis then and now tended toward provinciality. Farmers, woodsman and manufacturers looking to harness river power hoping to find a stable environment with cheap land. These cities attracted men and woman willing to put their bodies to work rather then their capital. They focused their labor on work(earning a living) that over a long period of time would prove fruitful, build community and allow them to live off the land. These citizens did not want to return home with riches but build new lives in these river valleys and watersheds.

Historically, Politics and City Planning in River Cities radically differ from Seaboard Cities in many areas that are relevant today for us to understand as we formulate public policy. Portland, Oregon fits this model and through these antecedents below provide a clear path in the future planning of the City.

- No one European culture or nation dominated early colonization of Portland. No Dutch, like in New York or Brits in Charleston. Native American culture dominated the terrain and early settlers learned from their fishing, forest and agricultural & of course cultural traditions/ practices.
- From the start, Portland developed a very democratic street plan for urban development. No town squares or common grazing land in the CBD but a grid pattern that assessors could codify and land sales that were easier to transact.
- Portland's climate allowed early settlers and developers to enjoy a comfortable-agreeable environment. Moderate Average temperatures with little need to drain mosquito swamps or build infrastructure to withstand harsh winters.

Native American influences, democratic planning and comfortable environment are all evident in Portland's building development, design overlays and public policy decisions from Mr. Pettygrove's coin toss with Mr. Lovejoy in 1843. From that very provincial process to the deep new urbanism surrounding all of us today we see

how Portland, our River City, differs from most modern American cities. No Land Wars, Political Bosses controlling wards, or R. Moses type top-down planning in this river cities history.

"Citizens are the Riches of the City" or as Carl Abbott put it when discussing Jane Jacobs influence on Portland,

"We live in a Jacobean City, not a mosaic metropolis."(3)

The Planning & Sustainability Commission is tasked with making far-reaching decisions with the 2035 Plan. Decisions that we will not be able to make again for many years. My suggestion to you in your deliberations is to stick to Portland rivers flow and influences that have shaped the man-made environment of Portland for two centuries. We have not been a Seattle, S.F. or New York and have no reason to change our historic path.

I will confine my suggestions and recommendations to two areas. Willamette River Greenway & Building Heights in the CBD.

Greenway:

*Expand the Greenway setback from 25 feet to 75 feet at all points in the City of Portland. Where possible expand further to 100-150 feet to allow for a greater green zone along the River. Pedestrians, cyclists and everyone in between are using our Willamette River greenway system. A wider greenway allows for a division of traffic modes

to achieve greater safety and comfort for all users. A wider greenway, on both sides of the river, allows for more plantings to create a Green belt system thru the heart of Portland. Please see photo of GUANGDONG greenway network in Guangdong Province in South Korea to appreciate the value of this expanded greenway approach. Pay special attention to the river bank treatments in the heart of the CBD.

*Vegetation and plantings along the Willamette River Greenway must have stricter regulation to ensure the use of Non-Evasive species and native plantings along the greenway. In the 35 years I have been involved in the greenway planning process, many trees or plants have naturally run their course. We need rules to require that when City Parks, OPRD or Private landowners replace vegetations they are native species. This is needed to rejuvenate and cool the Willamette Rivers edges to enhance water quality in addition to provide comfort to habitat.

Building Heights in the CBD:

*Continue Portland's tradition of tapering down height of structures along both sides of the Willamette River.

It seems most larger buildings in downtown Portland are between 3rd and 6th ave. Continue to restrict higher heights as you move East towards the river. A quick look at St. Louis and Cincinnati's skylines; similar to our skyline; show the value of a stepped down hight restriction. Breathing room for tourists and workers strolling during their lunch hour plus a general comfortable feeling consistent with our climate and atmosphere.

I am empathetic to the communities efforts to find reasonable solutions to both the Morrison and Hawthorne Bridgeheads. I am appreciative of the collaborative efforts between Private landowners and various political subdivisions to create unusual innovative developments on these properties. That said, I still support holding the current height limitation on these properties. The arguments City Planners have suggested to raise the height limitations to allow for higher structures at these two locations might have been wise if they were proposed 35 years ago when Meier & Frank was still our flag-ship retail business anchor in the CBD.

FOOTNOTES FROM 8-8-2016:

1) CHARLES DEEMER- RIVERCITY PORTLAND- A Play performed at Interstate Cultural Center, 1985

2) Constance M. Green, American Cities, in the Growth of the Nation 1965

8 ° 61 °

3) Carl Abbott, Private Blogg-The Urban West 7-7-2010

4) Charles E. Little, Greenways for America, John Hopkins University Press 1990

5) THE EFFECTS OF URBAN GREENWAYS ON THE GEOGRAPHY OF OFFICE SECTORS, Urban Studies Journal, Manchester Metropolitan University-UK 2-10-2015

PHOTOS:

47

A) GREENWAY NETWORK CONNECTING ALL MAJOR GREENSPACES, GUANGDONG, S. Korea

B) CINCINATTI/ST. LOUIS SKYLINE, WCPO. Insider.com

C) NORTH RHINE, WESTPHALIA, GERMANY 7th European Greenway Awards, 10-16, 2015

1

Jeffrey M. Lang. (503) 703-3035 (Mobile) (503) 246-0544



Jeffrey Lang Board President jeffreylang@tryonfriends.org

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*Expand the Greenway setback from 25 feet to 75 feet at all points in the City of Portland. Where possible expand further to 100-150 feet to allow for a greater green zone along the River. Pedestrians, cyclists and everyone in between are using our Willamette River greenway system. A wider greenway allows for a division of traffic modes

to achieve greater safety and comfort for all users. A wider greenway, on both sides of the river, allows for more plantings to create a Green belt system thru the heart of Portland. Please see photo of GUANGDONG greenway network in Guangdong Province in South Korea to appreciate the value of this expanded greenway approach. Pay special attention to the river bank treatments in the heart of the CBD.

*Vegetation and plantings along the Willamette River Greenway must have stricter regulation to ensure the use of Non-Evasive species and native plantings along the greenway. In the 35 years I have been involved in the greenway planning process, many trees or plants have naturally run their course. We need rules to require that when City Parks, OPRD or Private landowners replace vegetations they are native species. This is needed to rejuvenate and cool the Willamette Rivers edges to enhance water quality in addition to provide comfort to habitat.

Building Heights in the CBD:

*Continue Portland's tradition of tapering down height of structures along both sides of the Willamette River.

It seems most larger buildings in downtown Portland are between 3rd and 6th ave. Continue to restrict higher heights as you move East towards the river. A quick look at St. Louis and Cincinnati's skylines; similar to our skyline; show the value of a stepped down hight restriction. Breathing room for tourists and workers strolling during their lunch hour plus a general comfortable feeling consistent with our climate and atmosphere.

I am empathetic to the communities efforts to find reasonable solutions to both the Morrison and Hawthorne Bridgeheads. I am appreciative of the collaborative efforts between Private landowners and various political subdivisions to create unusual innovative developments on these properties. That said, I still support holding the current height limitation on these properties. The arguments City Planners have suggested to raise the height limitations to allow for higher structures at these two locations might have been wise if they were proposed 35 years ago when Meier & Frank was still our flag-ship retail business anchor in the CBD. Todays land-development pressures in Portland are making old "difficult to develop" land much more amenable for development. The historical problems of access to these two sites near the river are melting due to new building materials and innovative design. Then we also have heard arguments that suggest taller structures on these sites will encourage aspirational projects plus direct more attention to our Willamette River. The Willamette

is the jewel of the Valley-Let it be, allow citizens to see it, smell it and get close to it. There is no longer a need to draw attention to it with man-made development or embellishments.

Thanks for listening and were all appreciative of the process.

With Best Regards, Jeff

Jeffrey M. Lang. (503) 703-3035 (Mobile) (5•3) 246-0544

Vice President GALES CREEK INSURANCE SERVICES A DIVISION OF JD FULFILLER COMPANY 5727 SW MACADAM PORTLAND, OREGON 97239

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President of the Advisory Board - FRIENDS OF TRYON CREEK "Connecting People With the Living Earth" jeffreylang@tryonfriends.org http://www.tryonfriends.org

FOOTNOTES FROM 8-8-2016:

1) CHARLES DEEMER- RIVERCITY PORTLAND- A Play performed at Interstate Cultural Center, 1985

2) Constance M. Green, American Cities, in the Growth of the Nation 1965

3) Carl Abbott, Private Blogg-The Urban West 7-7-2010

4) Charles E. Little, Greenways for America, John Hopkins University Press 1990

5) THE EFFECTS OF URBAN GREENWAYS ON THE GEOGRAPHY OF OFFICE SECTORS, Urban Studies Journal, Manchester Metropolitan University-UK 2-10-2015

10-

PHOTOS:

A) GREENWAY NETWORK CONNECTING ALL MAJOR GREENSPACES, GUANGDONG, S. Korea

B) CINCINATTI/ST. LOUIS SKYLINE, WCPO. Insider.com

C) NORTH RHINE, WESTPHALIA, GERMANY 7th European Greenway Awards, 10-16, 2015

1

Jeffrey M. Lang. (503) 703-3035 (Mobile) (503) 246-0544

Possibility. In every direction.

August 9, 2016

Kathryn Schultz, Chair City of Portland Planning & Sustainability Commission 1900 SW 4th Avenue, Suite 7100 Portland, Oregon 97201

Re: Central City 2035 Proposed Draft

Dear Chair Schultz:

Thank you for the opportunity to comment on the Central City 2035 Proposed Draft June 20, 2016. The Port of Portland offered comments to staff in a memo dated March 29, 2016 on the initial draft, focused on direct impacts to the working harbor and Willamette River as a whole. Many of those concerns remain and are reflected in this transmittal. As a result of the complexity of these new proposed regulations (Volume 2 A Part 2: River, Scenic and Trails), as well as the uncertainty caused by the requirements outlined in the recent Biological Opinion on the National Flood Insurance Program in Oregon (the FEMA BiOp), we suggest deferring approval of this section of the zoning code and map amendments until the city has established a direction on the FEMA BiOp and has conducted outreach to the stakeholders who will be affected directly or indirectly by the new proposed regulations.

Our specific concerns on the Central City 2035 Proposed Draft are focused on three areas:

- 1) Impact of the proposed overlay zoning of the river;
- 2) The application of new overlay zone regulations and impact to North Reach properties; and
- 3) Impact of the new regulations to an expeditious Superfund cleanup.

1. Zoning of the River

The Port of Portland is the designated local sponsor to the Army Corps of Engineers (Corps) for dredging and maintenance of the Willamette and Columbia River navigation channels.1 (ORS 778.115, ORS 777.262.1) As the local sponsor, the Port must provide the land for dredge material placement, and other support as negotiated with the Corps for

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¹ The Port of Portland shares this function of local sponsorship for the Columbia River with other Washington and Oregon Ports. The Port of Portland is the only designated local sponsor for Willamette River dredging.

Kathryn Schultz August 9, 2016 Page 2

specific projects.2 (33 USC § 2211). In addition, the Port protects the navigability of the Willamette and Columbia Rivers, through ordinances that establish harbor lines between which no construction of permanent structures may exist if it would impede navigation. The Port coordinates this harbor line with the Corps, who also has the authority to regulate obstructions and ensure navigability.3

Most of the Central Reach of the Willamette River is proposed to have a base zone of Open Space (OS) plus new River General (*g) and River Environmental (e) overlay zones and appears to extend landward to include adjacent developed sites, such as the Riverplace development and the Portland Fire Bureau dock/station north of the Hawthorne Bridge. We are concerned that the combination of these base and overlay zones do not explicitly allow for usual and customary river navigation-related activities such as dredging, capping, and installing or maintaining in-water structures For example the following sections of the code highlight concerns.

- Standards for Pile Replacement. Currently, placement of small numbers of piling and dolphins may be placed in the river without City review. The proposal under code section 33.475.440.D would continue to allow the placement of a small number of piling and dolphins, but only if the applicant removes an equal number of existing piling, plus one. Many if not most applicants will no longer be able to take advantage of this existing approach and will be forced into a more time consuming and complex process, further complicated by State and Federal requirements including in-water work windows.
- Regulation of Dredging. We appreciate retaining the exemption for dredging in the federal navigation channel as well as maintenance dredging at existing berths. At the same time, code section 33.475.040.e proposes to regulate other forms of dredging shallower than thirty five feet, even though the City's expressed interest is in regulating shallow water habitat (twenty feet or less in depth), this proposal to regulate well beyond the resource of concern is not consistent with the way resources are regulated in the environmental overlay zone and as a result should be limited only to actual impacts of shallow water habitat in the river.

To address this, the code could be modified to identify those areas of the river where additional uses are allowed in the OS Zone. This approach has been taken on Map 510-10 and Map 510-11 (p. 365-366) of Volume 2A for certain OS-zoned portions of the Central City. Another approach would be to select a more flexible base zone.

² For example, in the *Resolution of Formal Assurances for Local Cooperation* for the Lower Willamette and Columbia River 40-foot project, the Port is required to loan a pipeline dredge with full crew to the Corps without charge other than reimbursement for the operating cost. (November 18, 1963).

³ Note that the harbor line (or wharf line) is different and distinct from the navigation channel. The navigation channel is the area authorized by Congress to be maintained by the Army Corps of Engineers to a specific depth for the navigability of a river. Harbor line (or wharf line) regulates construction in the river, and may be more extensive than the navigation channel because it also ensures safe movement to and from berths and docks.

Kathryn Schultz August 9, 2016 Page 3

It is also unclear how road and bridges are treated and the extent of review and mitigation the City will impose within existing rights of way. As a result, we recommend that these uses and activities be affirmatively allowed either by eliminating the overlay and retaining a base zone that supports this work or by adding allowed uses to the applicable overlay zones.

2. New Requirements Applicable to the North Reach

Section 33.440 Greenway overlay zones proposes to apply the regulations of this chapter to land, fills and structures in water within the North and South Reach of the Willamette River. We oppose the application of 33.440 to the North Reach section of the Willamette River. The implications of these legislative land use actions have not been discussed with the community of property owners that will be affected by the proposed action, the effect of which seems to alter the setback and review requirements for projects within the q-overlay zone. In addition, new code section 33.272 (Major Public Trails) would apply to the North Reach as well as other portions of the City. Finally, the definition of "river-related" (code section 33.900) is proposed to be amended and would apply to the entire Willamette River, including the North Reach.

As a result, we recommend eliminating these changes in regulation for the North Reach, until such time as those properties owners and affected parties can be contacted and consider the implication of the proposed changes.

3. Impact of the new Regulations on an Expeditious Superfund Clean-Up

Portions of the Superfund site (Steel Bridge- North) are included within the Central Reach of the CCP. The Adopted Comprehensive Plan policy (6.41) promotes "quick resolution" and "as quick as possible" clean-up of the Portland Harbor Superfund Site. It is not clear how the regulations proposed for the Central reach in the draft CCP will facilitate an expedient cleanup of the harbor. Rather, the regulations add new substantive requirements and process to an already comprehensive, complex, and expensive Superfund cleanup.

The Port is committed to a cleanup of the Lower Willamette River that protects the health of Portlanders and the environment, and to finding the most cost-effective way to achieve it. At their core, these proposed regulations fail to acknowledge the benefit to river health from federal and state cleanup and restoration requirements and instead burden cleanup design and implementation with additional City processes and requirements. Some examples include:

Restoration of the River Bottom. Code section 33.475.500.G.3 proposes that any
removal of hazardous materials in the river requires that the "river bottom be
restored to support use by fish and people". Given the variety of conditions on the
river bottom.including sands, silts, rock and gravel; the dynamic and ever shifting
nature of the river bottom; uncertainty as to how "restoration" is defined; as well as
potential for conflict with State and Federal regulatory agencies, this requirement
will likely complicate and delay cleanup, without any clear incremental benefit
beyond the cleanup and restoration required by federal law.

Kathryn Schultz August 9, 2016 Page 4

> Effective Prohibition of Proven Remediation Techniques. Code section 33.475.500.G.2.a prohibits hard surface armoring techniques below the top of bank except for outfalls. The same section subsequently states "This is not intended to preclude ...hard surface stabilization methods below the surface if necessary to contain hazardous substances..." However, if the objective is to prevent flow of upland contaminants into the river, it is unclear that an entirely underground structure would be sufficient. Even if it were successful, this requirement could add unnecessary expense and delay, contrary to the City's adopted policy in support of an expedient cleanup.

We are concerned both about the application of these regulations in the portions of the Superfund site within the Central Reach and the precedent that these regulations set for Superfund cleanup activities in the North Reach of the Willamette River.

We urge the Commission to defer consideration of new "exempt review" policies in 33.475.500 until the City has engaged with parties in the Central Reach *and* the North Reach that are deeply involved in finding a path forward to successful Superfund cleanup. A collaborative approach that includes the City's Superfund team can produce revisions that enable the City's zoning regulations to support, rather than detract from, the City's overall goals for an efficient Superfund cleanup.

We are happy to answer questions and look forward to further discussion on the issues raised.

Sincerely,

lisa 2

Susie Lahsene, Director Policy and Planning

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August 9, 2016

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VIA EMAIL (PSC@PORTLANDOREGON.GOV)

Ms. Katherine Schultz, Chair Planning and Sustainability Commission City of Portland 1900 SW Fourth Avenue, Suite 7100 Portland, OR 97201-5380

Re: The Working Waterfront Coalition's Testimony Regarding Central Reach River Overlay Regulations (CC 2035 Proposed Draft, June 2016)

The Working Waterfront Coalition ("WWC") represents owners and operators of Portland's waterfront industrial businesses. The WWC has reviewed the Central City 2035 Proposed Draft ("CC 2035") and urges the Commission to recommend that the proposed changes related to the Willamette River (detailed below) be removed from the CC 2035 and considered separately at a time when

- (1) there is more guidance on how the City can comply with NMFS' recent BiOp to FEMA related to floodplain development ordinances and ESA compliance; and
- (2) <u>so that new regulations of all reaches of the river can be considered holistically with input</u> <u>from a broad array of stakeholders, rather than piecemeal.</u>

If the River Regulations¹ continue to be considered as part of CC 2035, WWC has the following concerns:

• The Adopted Comprehensive Plan (June 2016) Policy 6.40 requires that the City facilitate a cleanup of the Portland Harbor Superfund Site that moves forward as quickly as possible. Policy 7.37 (Contaminated Sites) requires the City to "facilitate the cleanup, reuse, and restoration of the Portland Harbor Superfund site." The proposed regulations

¹ Our concerns relate to new and amended code provisions that regulate in-water activity and activities adjacent to the Willamette River, including PCC 33.430 (Environmental Overlay Zones), PCC 33.440 (Greenway Overlay Zones), PCC 33.475 (River Overlay Zones), PCC 33.840 (Greenway Goal Exception) and PCC 33.865 (River Review), referred to collectively in this testimony as the "River Regulations."

of cleanup activities in Section 33.475.500 add additional, unnecessary hurdles to the cleanup process contrary to these Comprehensive Plan policies.

- City policies must allow for a safe working harbor. The WWC objects to the new regulation of dredging in water between 20 and 35 feet in depth, which have the potential to impact industrial activities in the River and create unnecessary additional hurdles for waterfront operators.
- The proposed River Regulations allow for exemptions, but the standards to obtain an exemption are not clear. The Proposed Draft should set clear standards for exemptions from mitigating within the River Environmental overlay. Clear standards to determine impracticability for compliance with contaminated site regulations are needed.

I. The River Regulations Should Be a Separate Zoning Project that is Considered When Additional BiOp Guidance is Available and All Stakeholders are Engaged

As the volumes and hours of public testimony attest, the CC 2035 project is a significant undertaking that involves issues ranging from inclusionary housing, FAR transfers and bonuses, building height, parking standards and building requirements, to name a few. The River Regulations add complexity that is unnecessarily premature and piecemeal. The City's ability to comply with NMFS' recent BiOp, the public's ability to participate in how the entire river will be regulated, and avoiding having the PSC consider code that will likely need to be amended again within the next two years are all better served if the River Regulations are removed from CC 2035 and considered as a separate project, as detailed in this letter.

A. The City should suspend the consideration of new River Regulations until the model ordinance and other guidance from DLCD and FEMA are available regarding floodplain development.

On April 14, 2016 the National Marine Fisheries Service (NMFS) delivered a Biological Opinion (BiOp) to the Federal Emergency Management Agency (FEMA). Based on the BiOp, FEMA will set new minimum requirements for local floodplain development ordinances based on federal requirements to protect endangered species. These changes will be incorporated into the National Flood Insurance Program (NFIP). The NFIP is administered by FEMA, which sets standards for local governments that participate in the NFIP, including requirements for local floodplain development regulations. DLCD assists local governments with implementation of those regulations.

The BiOp includes recommendations, known as "reasonable and prudent alternatives" ("RPAs"), for reducing the impact of NFIP related development on Endangered Species Act (ESA")-protected salmon. The RPA describes an interim phase that calls for FEMA to direct NFIP participating communities to implement new floodplain development permitting standards based

132298905.2 Perkins Coie LLP on existing guidance and administrative tools with substantially enhanced technical support from both FEMA and NMFS. DLCD will actively work with local governments and FEMA as FEMA implements NFIP revisions in Oregon, and will provide model codes and technical assistance. Work at DLCD is underway, but the timeline for a model ordinance is not currently published.

The City should suspend the consideration of new River Regulations until the model ordinance and other guidance from DLCD and FEMA are available regarding floodplain development. Otherwise, the City runs the risk of conducting a lengthy public process that results in regulations that are not compliant with the BiOp, and need to be amended. Not only is this a waste of the PSC's and public's time, but will lead to confusing and evolving standards for property owners.

B. Piecemeal regulation of the river is not appropriate.

In many places, the Proposed Draft emphasizes that the River Regulations are proposed to apply only to the Central Reach. However, in some maps and staff commentary the limited applicability of the River Regulations is less clear.² The WWC is concerned that even if the River Regulations are limited now to the Central Reach, many of the currently-proposed regulations (such as the cleanup rules) will be applied to the North Reach or industrial areas within the Central Reach without further meaningful input from affected parties. For example:

- The River Regulations are not currently proposed for any industrial zoned areas, they contain extensive new regulations for contaminated sites (in addition to federal and state rules that already apply). WWC is concerned that these regulations will be applied to the North Reach in the future, and it is unclear if different standards or exceptions will be available in the North Reach.
- The River Environmental overlay ("e") is applied based on the presence of natural resources that are ranked in the adopted Natural Resources Inventory (NRI). The new "e" overlay provisions are not currently proposed to apply to the North Reach, but the North Reach has NRI ranked resources. It is unclear if the proposed "e" regulations will apply in the North Reach, or if the River Industrial ("i") areas will alter the "e" regulations so that the cargo capacity of harbor access land industrial areas is not reduced.

It is crucial that the City engage with all waterfront stakeholders and develop consistent proposals for the waterfront in all areas that do not negatively impact trade on the river.

² For example, although the regulations in 33.475 are not currently proposed for industrial-zoned areas in the Central Reach or the North Reach, Staff comments in the Proposed Draft indicate *that all riverfront areas* will be brought under Chapter 33.475 under future rulemaking.

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It is inappropriate and unfair to river stakeholders to propose a piecemeal regulation of the River that does not appropriately notify owners of regulations under consideration that will likely be applied to their land. General policies that may make sense for an open-space zoned site in the Central Reach should not be adopted without assessing their impact on an industrial-zoned site in the North Reach. We strongly urge the Commission to remove the River Regulations from the CC 2035 Proposed Draft and direct Staff to propose these regulations in a complete package with North Reach and industrial area River Regulations.

II. Concerns with River Regulations

A. Adding Red Tape to Contaminated Site Cleanup Efforts Conflicts with the Comprehensive Plan Policies

Adopted Comprehensive Plan Policy 6.40, Portland Harbor Superfund Site requires the City to :

"Take a leadership role to facilitate a cleanup of the Portland Harbor that moves forward as quickly as possible and that allocates cleanup costs fairly and equitably. Encourage a science-based and cost-effective cleanup solution that facilitates re-use of land for river- or rail-dependent or related industrial uses."

Proposed Section 33.475.500 applies to contaminated sites and adds additional regulatory hurdles to the already complex cleanup process. This additional regulatory 'red tape' is inconsistent with the Comprehensive Plan's direction for the Harbor cleanup. To our knowledge, the City has not communicated with Harbor landowners participating in the cleanup regarding the feasibility of these additional regulations. It is crucial for the cleanup effort that the City engage with Harbor stakeholders before enacting regulations that may frustrate the cleanup process. WWC urges the Commission to remove this section from the Proposed Draft.

B. Dredging Should Not Be Regulated by the City

Proposed Section 33.475.040.B.2.e subjects dredging activities in areas between 20 feet (shallow water) and 35 feet to the regulations of the River Environmental ("e") zone. WWC acknowledges that this regulation is not currently proposed for industrial users or the North Reach, but as discussed above, it seems very likely that this general regulation will apply to those areas when they are brought under Chapter 33.475 in the future.

Although maintenance dredging and USACE-permitted dredging is exempt from this regulation, additional water activities are sometimes necessary for waterfront industrial users. Subjecting these activities to River Review (many of which do not have the option to meet objective standards under the River Environmental overlay) will increase costs and process for waterfront operators conducting trade on the River.

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C. Clearer Standards Are Needed for Exemptions

Section 33.475.440.K (River Environmental Overlay, Mitigation) requires that mitigation must occur within or adjacent to the River Environmental overlay zone. However, according to the Staff commentary preceding this section, mitigation outside of the overlay zone will only be allowed off-site if vegetation density on-site is at a high level. The proposal should clarify if applicants must show that the River Environmental overlay is fully vegetated in order to mitigate in an adjacent area. Objective and fair standards are needed for the mitigation scheme to avoid a costly and drawn-out process.

Section 33.475.500 proposes regulations for cleanup activities on contaminated properties (which we generally object to, as noted above). Subsection 500.H allows a property to avoid complying with the river restoration requirements if doing so would be "impracticable" which "demonstrates that compliance with the requirements not capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project remedial purposes." It is not clear how the City will determine if the requirements are "capable" of being accomplished by a project. We request that clearer standards be provided for this section.

Thank you for your consideration of these requests.

Very truly yours,

Dana L. Krawczuk

cc: Working Waterfront Coalition Board

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August 9, 2016

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VIA EMAIL (PSC@PORTLANDOREGON.GOV)

Ms. Katherine Schultz, Chair Planning and Sustainability Commission City of Portland 1900 SW Fourth Avenue, Suite 7100 Portland, OR 97201-5380

Re: The Pearl Building's Testimony Regarding CC 2035 Amendments that Impact the 13th Avenue Historic District (CC 2035 Proposed Draft, June 2016)

Dear Chair Schultz and Members of the Commission:

The Pearl Building LLC owns property located at NW 13th and Glisan Streets (best known as the current headquarters of Keen) in the center of the 13th Avenue Historic District. The building is a contributing resource to the Historic District. Al Solheim was the primary advocate to create this Historic District and has worked tirelessly to protect its significant value to the City and continued economic viability. Pearl Building LLC has reviewed Al's letter to the Commission and echo his comments. It is crucial for the continued success of the District that base heights remain (100 feet the Pearl Building) and that bonus height up to 45 feet can be earned through the FAR-related height bonus or 75 feet upon the Landmarks Commission's historic review. These height limit options will retain the necessary incentives to preserve and retain properties within the District.

Specifically, we ask the Commission to:

1. Retain the 100-foot base height limit between NW Davis and NW Hoyt Street where contributing buildings already exceed the proposed 75-foot height limit. Maintaining reasonable base heights for the District will keep these contributing buildings from becoming non-conforming developments and will allow reasonable additions to existing buildings as an alternative to redevelopment.

2. Retain the 45-foot bonus earned through floor area ratio ("FAR") transfers or bonuses. To ensure continued vitality of the District and encourage preservation of important historic buildings, some limited additional height options are needed. Historic Review by the Landmarks Commission will ensure that buildings of any height meet the District's guidelines.

3. Eliminate the prioritization of New Chinatown/Japantown and Old Town/Skidmore Historic Districts for FAR transfers. CC 2035 proposes that historic transfers to a building for its Ms. Katherine Schultz, Chair Planning and Sustainability Commission City of Portland August 9, 2016 Page 2

first 3:1 of additional FAR can only come from buildings in these specific Historic Districts, effectively prioritizing preservation of these Districts over others in the City, including 13th Avenue. This devalues the value of the NW 13th Avenue Historic District, and the City has not shown any reason that this and other Historic Districts do not deserve the same level of protection.

4. Allow the proposed phasing of seismic upgrades required for FAR transfers from historic buildings. The ability to transfer unused FAR before seismic upgrades are required and use funds gained through the transfer is crucial to help owners of historic buildings afford these seismic upgrades. We support this proposal and urge the Commission to adopt it.

5. Retain the current code's allowance to transfer floor area within a project, including across the right-of-way, in the River District (PCC 33.210.200.D of the current code), and allow such averaging of FAR prior to the requirement to earn bonus or transfer excess floor area.

Thank you for your consideration of these requests.

Very truly yours,

Jan Ikp

Dana L. Krawczuk

DLK:crl

August 9, 2016

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T503 226 0676 F503

226 0498

NORTHWEST
GLISAN
SUITE 401Portland Planning and Sustainability CommissionPORTLAND
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Dear Chair Baugh and Members of the Commission,

For the record my name is Gerik Kransky, Advocacy Director with the Bicycle Transportation Alliance (BTA). We are a nonprofit organization that creates healthy, sustainable communities by making bicycling safe, convenient and accessible in our work over the last 26 years.

Thank you for leading the effort to update the City of Portland's Central City Plan and Transportation System Plan. We are grateful for your work and the Bureau of Planning and Sustainability (BPS) and Bureau of Transportation (PBOT) staff responses to our dozens of pages of previous comments and requests. We look forward to continuing to work with you on these comments and proposals. As we near the end of this of this plan update BTA will keep our comments brief and to the point. We are in support of the majority of the updated functional classifications, policies, and projects. Please consider these points before you adopt a final plan:

- Please designate all of SW/NW 4th Avenue as a Major City Bikeway. The lack of a true north/south couplet of Major City Bikeways in the central downtown area, streets that connect the Broadway Bridge to Portland State University, is a glaring omission. Do not adopt the plan without this critical designation.
- Please designate SE Sandy Blvd. as a Major City Bikeway. Given the orientation of Sandy through inner SE and its direct connections to Major City Bikeways to the north (Ankeny) and south (7th Ave) it makes sense to upgrade it to provide safe and ideally protected bike lane for people on bikes.
- Please upgrade language supporting a new Major City Bikeway on SE/NE 7th. We would like to see project #20194 upgraded to include protected bike lanes. Given the volume of automobile traffic on 7th it is clear that Neighborhood Greenway-style treatments will be inadequate to create a safe and comfortable facility and protected bike lanes should be included.

Thank you, again, for your work and your consideration of these comments.

Sincerely,

Levik Kransky

Gerik Kransky Advocacy Director



From: Bhajan Kester [mailto:yogacircus@gmail.com]
Sent: Tuesday, August 09, 2016 3:54 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

Dear commission members,

I am writing to you today as a homeowner within the Central City Plan boundaries. In 2008, with little difficulty, my partner and I purchased the Historic Rachel Louise Hawthorne House at 1007 SE 12th Avenue. We refinanced shortly thereafter to take advantage of declining interest rates. During the appraisal process we learned of a rebuild clause that comes into effect when a property's use is non-conforming with the current zoning (our home is a grandfathered residential property within an industrial zone- IG1).

This clause states that, "When a structure containing a nonconforming use is damaged by fire or other causes beyond the control of the owner, the re-establishment of the nonconforming use is prohibited if the repair cost of the structure is more than 75 percent of its assessed value." 75 percent of our assessed value is currently \$283,000. With such a budget, it would be very difficult to rebuild this grand Victorian as it stands today replete with peaks, spires and a tower; redwood trim and white oak banisters; stained glass; a balcony and wrap around porch; and original and period hardware and lighting throughout.

While our mortgage broker was successful at that time, additional attempts to refinance have been unfruitful- increased scrutiny by financial institutions have made it impossible to secure financing in light of the rebuild clause.

This has real world implications-

First, we clearly have been unable to take advantage of the savings that would have resulted from lowered interest rates.

Second, we are not able to access significant equity that might assist us in large repairs and maintenance of our beloved historic home.

Third, we are concerned about the saleability of the property. While we have no short term plans to do so, will we be able to find a buyer able to secure financing?

So, our pleas today are twofold:

1) On behalf of other property owners in the Central City District, please consider the long term implications of changing their zoning- of forcing them into a non-conforming status. And,

2) More specifically, we request that you consider changing our zoning from IG1 to EX, which would bring the residential use of our property into a conforming status. The eleven blocks directly north of our property are zoned EX, so this change would retain the general zoning characteristic of the neighborhood and street. As a bonus, if the entire stretch from Yamhill to Taylor were rezoned, two other residential buildings would be brought into conforming status.

I am deeply concerned that such non-conforming properties are at risk for neglect and abandonment in the long term. Please help to head off this potential problem for property owners in our district.

Thank you very much for hearing my input today and for your careful consideration of public testimony.

Most Sincerely, Bhajan Kester Homeowner 1007 SE 12th Avenue Portland, Oregon 97214



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 Nick Fish, Commissioner Director

August 9, 2016

Planning and Sustainability Commission 1900 SW Fourth Avenue, Suite 7100 Portland, Oregon 97201

Dear Planning and Sustainability Commissioners:

Thank you for your thoughtful consideration of Central City 2035 and please extend our appreciation to Director Susan Anderson and her staff for their work on the plan. They have done an excellent job of developing a sophisticated set of policies, codes and investments to support the continued evolution of the Central City as the region's center for commerce, learning, urban living and recreation. Throughout the process, Planning and Sustainability staff have been open, responsive and collaborative in identifying and resolving issues. As a result, this letter expresses our overall support for the Central City 2035 Proposed Draft, with only a few items that need further consideration.

As a plan that shapes the future for Portland's regional hub, Central City 2035 needs to optimize a variety of different outcomes. For many years, an invisible line stood between the "urban" and "nature" parts of the city. The Central City 2035 Proposed Draft is a significant step forward. It celebrates the city's connections to the Willamette River, our urban forest and the unique landscapes found along city streets, in private developments and in community parks and gathering places. Through its policies, code provisions and actions, it outlines an approach for making Portland a better place with natural elements that are woven into the densest, most vibrant parts of the city. The following elements of the plan merit special attention:

Ecoroofs – Central City 2035 acknowledges that ecoroofs provide important community benefits by managing stormwater, mitigating the heat island affect, providing habitat and enhancing urban livability. Since 2001, when the City of Portland established its first ecoroof incentives, 600 ecoroofs have been constructed citywide, 35 of which are in the Central City. Locally, nationally and internationally, ecoroofs are commonly used to offset the impacts of urban development and today Portland has a robust community of practitioners with experience designing and building ecoroofs.

With concerns about climate change and the need to make more efficient use of the public's stormwater system, the timing is right to establish minimum standards for ecoroofs within Portland's urban core. The plan provisions strike a good balance between achieving public goals while providing flexibility in building design for solar panels and other mechanical systems, architectural variation and outdoor areas for building users.

The Green Loop – Imagined as a distinctive active transportation route or linear park that will link the east and west sides of the Central City, this is a promising concept. It is apt that Portland, known for the quality of its bike routes and urban landscapes, would make a green corridor an organizing element of the Central City Urban Design Concept. Practically, it provides the vision and policy basis

Ph: 503-823-7740 Fax: 503-823-6995 a www.portlandoregon.gov/bes a Using recycled paper a An Equal Opportunity Employer

The City of Portland complies with all non-discrimination laws including Title VI (Civil Rights) and Title II (ADA). To request a translation, accommodation or additional information, please call 503-823-7740, or use City TTY 503-823-6866, or Oregon Relay Service: 711. for integrated planning and implementing of infrastructure projects that improve pedestrian and bike safety, air quality, water quality and Portlanders' enjoyment of downtown.

Greenway – The new greenway provisions represent a marked improvement over the greenway zoning code provisions currently in place. They increase the distance between the Willamette River and development, require additional landscaping and clarify where the zoning provisions apply. Environmental Services appreciates the ongoing partnership with Planning and Sustainability, as well as Transportation, to survey areas of the top of the riverbank and add that information to the greenway zoning code in order to remove ambiguity (and inconsistency) about where greenway requirements apply.

Overall, Central City 2035 is a strong proposal, however there remain a few areas where improvement is needed:

Greenway setback: While we appreciate the significant challenges of protecting and enhancing ecological function within a highly developed urban riverfront, the proposed riverfront setback of 50' is not adequate to meet ecological needs. The ability to protect and enhance ecological functions is further limited by the number of other public objectives that the greenway code attempts to provide, including a 16' greenway trail, numerous view corridors and river-dependent uses. Cumulatively these exemptions and standards undercut many of the habitat goals within the plan. Indeed, we note that the highest priority habitat areas for protection and enhancement are the same locations with the most exemptions and vegetation abeyances that would hinder the benefits of those areas. With the few remaining areas where greenway improvements could be made as part of development, it is critical that the code be consistent with current scientific understanding, which calls for a minimum of 100' buffer between rivers and development.

River-related greenway uses – The proposal calls for defining small structures that support riverdependent uses as river-related. This would apply to ticket booths, logistics and storage, and passenger waiting areas for boating-related uses. While we understand the intention behind this proposed change, it isn't consistent with the definitions in FEMA's ESA Biological Opinion, referenced in Volume 5 pg. 179. The planning process for Central City 2035 calls for follow up work to evaluate and potentially amend its provisions based on the Biological Opinion, however, there is a risk that the new definition could raise unrealistic expectations among river-dependent businesses and potential spark investments that would be disallowed during the subsequent review and revision process.

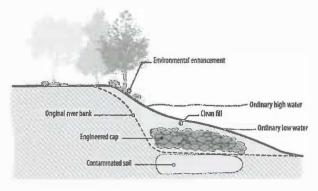
River-dependent greenway uses – The current definition of river-dependent uses does not specifically mention natural resource restoration projects. This has the potential to cause confusion or complications in the permitting process, unnecessarily increasing the time and expense of restoring critical riverfront ecosystems. We ask that natural resource restoration projects be specifically called out as river-dependent uses in the zoning code.

Tree removal and mitigation – In Bureau of Development Services' testimony, they highlighted an inconsistency in the proposed zoning code's treatment of tree removal and mitigation. Two provisions are of specific concern to Environmental Services:

 Development in a city park requires mitigation, however development of public viewing areas does not.

• Resource enhancement projects have no limits on tree removal for a number of other uses. We agree with Development Services that these sections of the proposed code should be consistent with other code provisions. **Exempt Review** – During the Discussion Draft process, Environmental Services submitted comments related to <u>33.475.500 E. Determination Letter</u> in which we recommend that parties conducting cleanups that are exempt from the river overlay review provide a letter to BDS with sufficient information to show that they are conducting an approved cleanup. State and federal agencies require this notification and we request that it be reflected in the code.

In-water Contamination Clean Up – Figure 475-6 would be more instructive if it demonstrated an approximate balanced cut and fill solution.



New Action – Ross Island Complex and Holgate Channel (WR6) – Environmental Services supports most of the new actions included in Volume 5 although completing the totality of all of the actions will be ambitious. Environmental Services is not able to be a lead implementer for WR6, which calls for the development of a strategy to address impacts on habitat and fish and wildlife within the Ross Island complex and Holgate Channel as part of the River Plan/South Reach. Environmental Services will share our fish and wildlife expertise to assist our sister bureaus on any assessment and strategy, Portland Parks and Oregon Department of State Lands are the only public owners of these areas and are the only entities capable of any enforcement and remediation. We recommend listing BES as a partner implementer for this effort, rather than a lead agency.

Thank you for your consideration of our comments. We look forward to the outcome of your deliberations and taking another step toward implementing a more sustainable and livability-based plan for the Central City. Please feel free to contact me if Environmental Services can be of assistance in any way.

Best regards,

Michael Jordan, Director

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Date: August 9, 2016

To: Planning and Sustainability Commission

From: Michael Harrison, Government and Neighborhood Relations

Re: 2035 Central City Plan

Dear Commissioners,

OHSU is excited to see such careful attention being paid to Portland's Central City, home to so much of our future education, research and clinical growth. There is much to be optimistic about in this plan, including the Green Loop concept, which could greatly improve the health, safety, and mobility of our current and future employees and students.

In addition to the Collaborative Life Sciences Building and our Center for Health and Healing, we are currently constructing three new buildings in South Waterfront, the Knight Cancer Research Institute, the Center for Health and Healing Two and the Gary and Christine Rood Family Pavilion. And within the next 20 to 40 years, we will likely build up to ten additional buildings to care for our patients, cure disease and educate our future workforce.

Given our size, the 2035 Central City Plan will have extensive impacts on our future growth and operations and we will have extensive impacts on the success of South Waterfront. To ensure mutual success, we are in the process of developing master plans for both our Schnitzer Campus (north of SW Porter Street) and our Commons campus (south of the Aerial Tram), based on the goals and code direction included in the proposed 2035 Central City Plan.

I wanted to come today and to let you know that we will be meeting with staff from the Bureau of Planning and Sustainability in the coming months, sharing our master plan concepts. While there will be much to discuss, we are especially interested in discussing the proposed view corridors, retail requirements and "special connection" designations that are proposed in parts of South Waterfront. We are optimistic that these discussions will result in better master plans for our campuses, as well as modest amendments to the 2035 Central City Plan for your consideration during future work sessions.

Thank you for the opportunity to testify,

Michael Harrison

Department of Government Relations

Michael Harrison t 503-494-8681

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Page 1 of 1



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August 9, 2016

Damien R. Hall Also Admitted in California and Washington dhall@balljanik.com

Portland Planning and Sustainability Commission City of Portland 1900 SW 4th Ave, Suite 1700 Portland, OR 97201

Re: Property at 430 NE Lloyd Boulevard

Dear Commissioners:

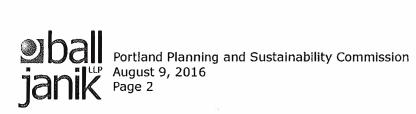
This firm represents Joe Angel, owner of the property located at 430 NE Lloyd Boulevard ("Property") which currently contains a Dutch Bros. Coffee and undeveloped land to the south extending into Sullivan's Gulch.

The CC2035 Proposed Draft recommended decreasing the maximum height on the majority of the Property from 250 feet to 70 feet. This is a result of the Scenic Resources Protection Plan, specifically viewpoint CCNE01 looking west from the 12th Street overpass crossing I-84. This letter identifies the practical and legal shortcomings of the City's analysis and scenic protections for this viewpoint and recommends an alternative approach.

PRACTICAL ISSUES:

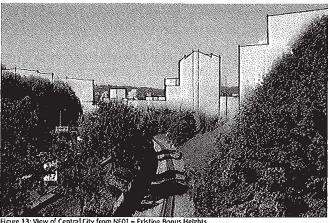
1. The proposed height reduction does not result in preservation of the view in question.

The reduction in maximum height does not preserve the view that the City is attempting to protect. The illustrations of estimated build-out under existing heights and proposed heights are practically identical. The visibility of both the primary (Portland State office building dome and West Hills) and the secondary (downtown skyline and natural vegetation) focal features are not impacted by the proposed height limitations. This is exemplified by the following figures from the ESEE analysis.





Current view







Portland Planning and Sustainability Commission August 9, 2016 Page 3

2. The proposed height reduction has a significant economic cost.

As you can see from the above illustrations, the current proposal nets the City a barely noticeable level of visual preservation in exchange for a loss of \$16.25M in development value and 2,261 lost jobs. This does not seem like a beneficial exchange.

This bad tradeoff is not required by state law, as local scenic protections are discretionary to the City. OAR 660-023-0230. And as a practical matter, the resource in question is protected by the break in vertical development created by I-84 and Sullivan's Gulch, and no additional regulation is needed to retain views to the West Side. The City should decline to trade over \$16.25M and 2,261 jobs for negligible benefit.

LEGAL ISSUES:

- Implementation measures proposed by staff are inconsistent with the review criteria established in the City's ESEE analysis. The CCNE01 viewpoint is categorized as Upland Type 1, which the ESEE analysis indicates should result in a limitation of conflicting uses, or a prohibition only if the focal features include the Mt. Hood, Mt. St. Helens, or the Willamette. Thus, for CCNE01, the ESEE review criteria indicate that conflicting uses should be "limited" not "prohibited."
- Without identifying any additional criteria or contradictory information, the City to deviate from the ESEE analysis, the City proposed to prohibit (no limit) conflicting uses. This recommendation is inconsistent with the standards of the ESEE and OAR 660-023-0030(4). Further, no economic analysis is provided that supports prohibition of conflicting uses for CCNE01 as compared to limitation, as is required by OAR 660-023-0040(4).
- The currently proposed height restriction is based on a viewpoint for which the City has inadequate information to perform an ESEE assessment, and therefore is inconsistent with OAR 660-023-0030(3). The protected resource is apparently a view from a non-existent pedestrian bridge. Further, the ESEE does not contain any identification of ODOT, City, or other funds to construct the pedestrian bridge, or any proposed timeline for construction of such a bridge.
- The ESEE analysis fails to address the abundance of view resources, including the CCNE01 resource, which the City admits provides similar views to 4 other viewpoints. This oversight is inconsistent with the OAR



Portland Planning and Sustainability Commission August 9, 2016 Page 4

660-023-0023 requirement that information on the quality of view resources "shall include an estimate of the relative abundance or scarcity of the resource." Additionally, no economic data supporting the City's decision to choose heightened protections for CCNE01 over the other, similar views, as is required by OAR 660-023-0040(4).

Based on the above-listed practical and legal flaws with the current proposal, we request that the PSC recommend the City:

- (i) Not implement the proposed height limitations associated with viewpoint CCNE01;
- (ii) Wait until the proposed pedestrian bridge is constructed;
- (iii) Revisit this issue based on analysis of the actual viewpoint, and
- (iv) Determine at that time if there is any benefit to further amending the code.

We appreciate your time and attention to this matter.

Sincerely,

Damien R. Hall

DRH cc: Client

Memorandum

To: Planning and Sustainability Commission

From: Irvington Land Use Committee (Committee)

Date: August 9, 2016

Re: Testimony on Central City Plan (CCP)

The Committee asks the Commission and staff to make the following amendment to the CCP.

Irvington is involved in the CCP solely because of what the Committee refers to as the "Broadway Strip", the 9 block strip of the Irvington Historic District from NE 7th to 16th, between Broadway and Schuyler, which is part of the northern boundary of the CCP. The following amendment relates only to the Broadway Strip.

Proposed Amendment:

Please change the current zoning (a combination of CX and RH) to CM2.

Rationale for Amendment:

1. The proposed zoning for the area from NE 16 to NE 27, between Broadway and Schuyler is proposed to be CM2. Adoption of this amendment will mean that the same zoning applies from NE 7th to NE 27th as it relates to the Irvington side of Broadway.

2. I am also providing a six page statistical analysis by Jim Heuer, an Irvington resident and member of the Committee, in support of the proposed amendment. Jim ends his analysis with the following summary:

"Applying a CM2 zone with a maximum height of 45 feet, a FAR of 2.5 and no bonus, would align the allowable size and massing to a reasonable degree with the existing historic fabric as displayed in the graphs presented above. It would provide clarity and predictability to the development community and allow them to make sound determinations of project profitability without the uncertainties of regulations that simply restrict "massing" and "size"."

3. Although the changes already proposed make the CCP more compatible with the guidelines and criteria that comprise the historic district, such changes do not go far enough. The proposed amendment to CM2 will make the FAR and height limitations in the Broadway Strip compatible with the Irvington Historic District and the criteria which govern new construction and major changes to existing structures.

4. The current zoning is not compatible with the Historic District.

5. As noted in a prior staff memo, there is more than enough development capacity in the current zoning to handle the growth anticipated between 2015 and 2035, even before the changes contemplated by the Comp Plan take effect.

6. Since all of the historic districts in the City comprise only 3 percent of the property in the Comp Plan area, the above amendment is de minimis.

Thank you for your consideration, and for your efforts to support historic preservation.

Dean Gisvold ICA Land Use Committee Chair

dpg\ica\centralcityplan2035\memorandum to PSC 8 9 16.doc

Statistical Arguments in Support of the Irvington Community Association's Request for More Appropriate Zoning of the Broadway Corridor Strip in the Central City 2035 Plan August 8, 2016

Background and Legal Framework

The ICA has proposed that the commercial strip bounded by NE 7th Avenue, NE Broadway, NE Schuyler, and NE 15th Avenue be zoned CM2, with a height of 45 feet to be more compatible with the existing historic fabric.

This request implements the following Comprehensive Plan Policy Policies:

"4.48 - Continuity with established patterns.

Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources."

"4.49 - Resolution of conflicts in historic districts.

Adopt and periodically update design guidelines for unique historic districts. <u>Refine base zoning</u> in historic districts to take into account the character of the historic resources in the district. [our emphasis]"

It also recognizes the requirements in 33.846.060G which provides the over-arching design guideline for all Historic Districts, but specifically applies to Historic Districts, like Irvington, which do not have specific Design Guidelines tailored to their needs. Two of 060G's 10 paragraphs are germane to implementing 4.48 and especially 4.49:

"8. Architectural compatibility.

New additions, exterior alterations, or related <u>new construction will be compatible with the</u> <u>resource's massing, size, scale,</u> and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource; [our emphasis]"

And

"10. Hierarchy of compatibility.

Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels."

Finally, City Code provisions establishing a hierarchy of regulations require that when Historic Resource Overlay regulations are more restrictive than the Base Zoning, Historic Resource Overlays apply. Clearly the applicable Design Guideline criteria require that new development

be compatible in terms of "size and massing" with their historic context AND that require supersedes any height, FAR, or other metrics of size and massing that many be found in the Base Zone. To reduce confusion, Policy 4.49 requires base zones to be refined to reduce disparities between Base Zone limits and the controlling Historic Resource Overlay regulations -- the intention, we believe, to be to minimize uncertainty and confusion on the part of both neighborhood residents and potential developers.

Accordingly, we are submitting quantitative evidence to show that proposed zoning allowing heights of 75' and FAR values of up to 4.0, while a reduction in the allowed envelop defined by the previous zoning, is still inconsistent with the historic fabric.

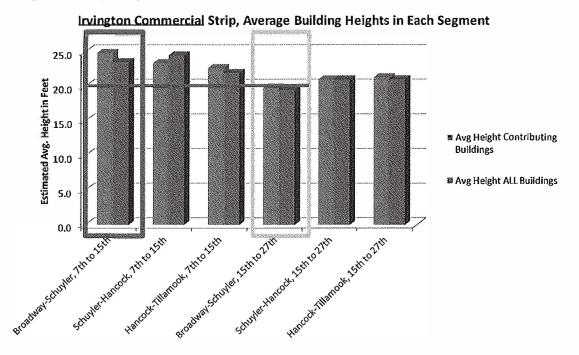
Statistical Analysis Methodology

The ICA has compiled a database of building characteristics for all 2807 properties in the Irvington Historic District – the contents of which has been drawn from PortlandMaps.com GIS data sets and other public data sources. From this database, we identified 6 segments of the neighborhood for which we prepared statistics for FAR and height, both for aggregations of Contributing (historically important) structures in the District and for all structures.

The area where the zoning is in question between 7th Avenue, Broadway, Schuyler, and 15th Avenue is compared with 5 adjacent and similarly situated segments of the Historic District as shown in the map below:

The green dashed line highlights the part of the District included in the Central City. The red outlined area to the east is that portion of the Broadway commercial strip which developed concurrently with the CC portion and is historically indistinguishable from it, both being classic Streetcar development strips. The segments outlined in blue are currently zoned mostly for

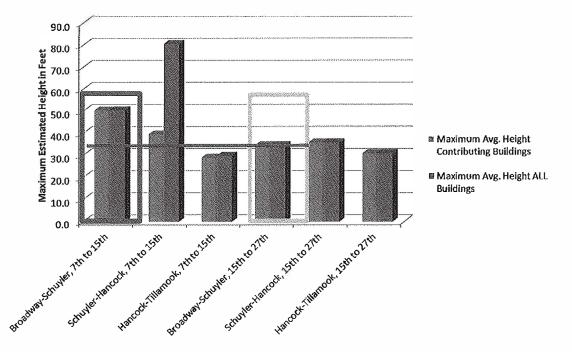
medium or high density residential purposes (except for a couple of blocks adjacent to 7th Avenue zoned Ex).



Comparisons by Height

In the graph above, the red boxed bars indicate the current average of building "average heights" as determined by PortlandMaps in the CC segment. The yellow boxed bars show the average heights in the corresponding blocks directly to the east outside of the CC. It is clear from the chart that the heights of buildings are somewhat greater in the CC segment, the difference is on the order of 20% higher. Moreover, neither Broadway segment comes close even to the proposed maximum height limit in the eastern segment of 45 feet, which we generally support. Thus we would argue that a 45 foot height limit, as found in CM2 zoning is equally applicable to both east (non-CC) and west (CC) segments along Broadway and provides for ample opportunity for larger buildings to be created beyond the current average heights.

We also compared the maximum "average heights" of buildings as reported by PortlandMaps.com to see if any "outlier" examples were distorting the averages above or if any such outliers established a pattern of height which might suggest a historic development pattern leading ultimately to taller buildings. A chart similar to the one above is provided on the following page:



Irvington Commercial Strip, Maximum Building Heights in Each Segment

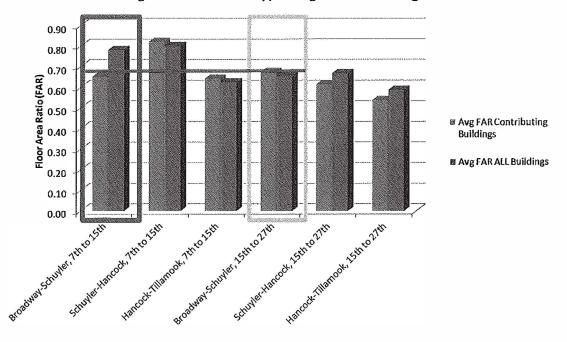
In this chart, the red and yellow boxes highlight the same CC and non-CC segments along Broadway. Notably, the tallest building across the entire study area doesn't appear along Broadway, but instead is in the blocks between Schuyler and Hancock. This is actually a Portland Housing Authority structure built in the 1970s, and is unlike anything from the Historic Period of Significance anywhere in the District.

The maximum height of a contributing building in the CC segment along Broadway is actually a 3-story brick apartment building facing Schuyler, which may reach 50 feet height above the sidewalk, but appears to be closer to 45 feet above the primary grade of the lot. It should be noted that the complex of mixed-use building and town-houses at 1102 NE Schuyler, which fronts on Broadway and was built in the early 2000s has an "average" height of approximately 50 feet as indicated, but the PortlandMaps.com metrics averaged a 65 foot tall structure along Broadway with the much lower town homes facing Schuyler. In any event, this structure is, of course, non-contributing, and cannot be used as an example for determining the historic context for new construction.

Comparisons by FAR

Floor area ratio is a key indicator of "massing" of a building, the compatibility of which must be achieved by new construction in a Historic District in respect to its context. The proposed zoning for the CC segment along Broadway would allow a FAR of 4.0, dramatically greater than

that of any building in the study are erected during the Historic Period of Significance, as shown in the chart below:

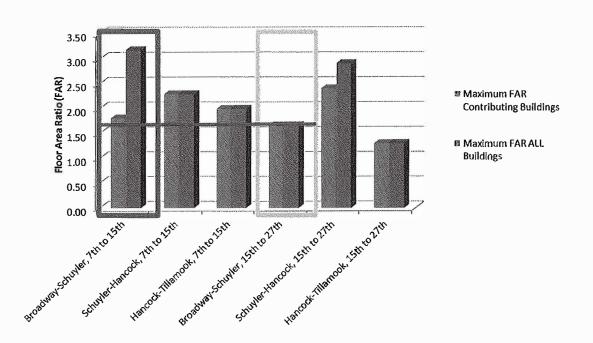


Irvington Commercial Strip, Average FAR in Each Segment

In comparing the FAR averages of Contributing structures in the west (CC) segment and east (non-CC) segment along Broadway, it is remarkable how similar they are. And throughout the study area the FAR values are remarkably low at <u>under 1.0 throughout</u>. The ICA argues that a FAR of 2.5, which provides plenty of room for some larger-than-average construction is vastly more appropriate to achieve compatible massing than a FAR of 4.0.

Comparing the maximum FAR values across the segments in the study area is equally revealing of historic patterns and how a maximum FAR of 2.5 reflects historic development contexts. The average FAR along Broadway in the west (CC) is barely 10% higher than the FAR to the west (non-CC). If anything, in the historic period, larger apartment buildings were built between Schuyler and Hancock compared to the retail structures along Broadway – none, however, exceeding a FAR of 2.4

This historic preference for less massive structures (often achieved with courtyards or corner garden spaces) is indicated in the maximum FAR bars of contributing buildings in the graphic on the following page.



Irvington Commercial Strip, Maximum FAR by Building in Each Segment

Conclusion

We believe that the statistical evidence strongly supports our position that 75' height and FAR of 4.0 along the western end of the Broadway commercial strip inside the Irvington Historic District is incompatible with the historic context. Given that, were the zoning to remain as proposed at those levels, there will be endless conflict between developers seeking to maximize their height and FAR to the Zoning limits while, in fact, being constrained to something much less than that by the Historic Resource Review guidelines. This situation would be in direct contravention of Comprehensive Plan Policy 4.49.

Applying a CM2 zone with a maximum height of 45 feet, a FAR of 2.5 and no bonus, would align the allowable size and massing to a reasonable degree with the existing historic fabric as displayed in the graphs presented above. It would provide clarity and predictability to the development community and allow them to make sound determinations of project profitability without the uncertainties of regulations that simply restrict "massing" and "size".

From: Susan Gilbert [mailto:susanlgilbert68@gmail.com]
Sent: Tuesday, August 09, 2016 5:46 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Central City 2035 Plan

My husband and I live in the American Plaza Towers Condominiums at 1st Ave and Lincoln. It is a beautifully planned area, part of the 1970s urban renewal project that includes the historic Halprin Sequence. There is quite a lot of density already, but it is a nice mix of complementary residential and commercial buildings, mostly low rise with the exception of the exclamation marks that are the American Plaza Towers. Much of this area is currently covered by a design overlay zone designation which "promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value". It meets these goals well.

In the Central City 2035 plan the city runs the risk of disrupting this equipoise by allowing for construction of high rise buildings on 1st Ave south of Lincoln, an area currently low rise buildings. We understand the current zoning isn't proposed to be changed but that bonus heights will be allowed up to 250 feet, which would permit 25-story buildings to replace 4-story buildings. As they probably will once the process starts. The area density would increase dramatically, becoming perhaps intolerable—as could well happen soon in the Pearl District. It also flies in the face of the "stepping down height to the Willamette River" concept in your draft plan.

We know the city wants increased density OVERALL and that there is a need for affordable housing, but both the density and affordable housing should be spread across the city and downtown area. We stopped by the meeting room today at 4:00 but couldn't stay long enough, as it turns out, to testify in person. But we did look at the model of the central city and there is a lot of room for higher buildings and increased density in other parts of the city, that could use the economic stimulus. All the development does not have to be along the river, potentially choking and the area along the city's primary asset.

We used to live in Evanston, Illinois, a inner ring suburb of Chicago that tried for years to stimulate development. Finally older suburbs with real downtowns caught on and the development started, much to everyone's joy. Then it continued and expanded and got out of control, literally, with overdevelopment and huge, high rise apartment buildings that were changing the nature of the city. Only the great recession and citizen lawsuits slowed it down. Evanston provides a cautionary example.

One lesson we keep learning is that developers get their way everywhere and cities keep getting steamrollered by them. This is one thing that worries us about these bonus heights for buildings. I wouldn't be surprised if a developer already has a plan for the 1st Ave. area. Growth is difficult to manage well and the city absolutely has to do a good job of it. Portland does not have to make itself into a huge city and is under no obligation to accommodate developers. Growth involves more than buildings—things such as roads. Portland has some strangely designed roads and highways that were designed for another era.

So while we love living in downtown and applaud the concept of planning ahead, please do not overdevelop and destroy what makes the city livable, attractive and welcoming.

Susan & Geoff Gilbert

2221 SW 1st Ave #2623 Portland OR 97201 2257 NW RALEIGH ST. PORTLAND, OR 97210



EST. 1991

503.823.4288 www.PEARLDISTRICT.org

August 9, 2016 Re: 2035 Central City Plan

Dear Planning and Sustainability Commission:

I had the honor of representing the Pearl District Neighborhood Association on the West Quadrant Portion of the 2035 Plan. In that role, I was a chief advocate of changes to protect historic buildings and districts through the zoning code. The Pearl District Neighborhood Association has long been concerned about market pressures on our historic resources. We created a bonus to transfer FAR as part of the North Pearl Plan in 2008 that is the genesis for the ideas for the proposal for the FAR transfer bonus in the 2035 Central City Plan. We have long been advocates for a bonus to create a market for air rights to save our historic resources.

I am unfortunately quite dismayed to read the proposed FAR Transfer bonus as it is not what is envisoned in the West Quadrant Plan. Even worse, it is our opinion that it will effectively imperil all of the Pearl District's Historic Buildings and the 13th Avenue Historic District.

The decision to prioritize FAR transfers from the Skidmore/Old Town and Chinatown/Japantown over all the other Central City Historic Districts and Buildings has no basis in any discussion during the West Quadrant Process. It was unanimous at the CAC that all of the historic districts and as many historic buildings as possible need to preserved - not just the ones in Old Town. Prioritizing Skidmore/Old Town & Chinatown/Japantown Historic Districts over all the other central city historic districts and structures in the bonus effectively kills any market for saving any historic structure in any other part of the Central City. I am certain that this prioritization would have had no support at the West Quadrant CAC had it been discussed (which it was not). There should be no prioritization of any district above any others in this bonus. We advocated for boundaries to be drawn around neighborhoods for use of the transfer bonus to ensure that historic buildings and districts could be saved throughout the Central City. The current North Pearl bonus draws a boundary around the Pearl District – only transfers from the Pearl District can be used in the North Pearl Plan. We still believe this to be a good idea as it creates air rights markets that work in every district and neighborhood. It means that development in a neighborhood can save a building in the same neighborhood. It is both fair and equitable. This bonus needs to be revised.

The decision to have the FAR transfer only from seismically upgraded buildings is a failure and misses the point of the bonus entirely. Seismically upgrading a structure is expensive and historic buildings need all the help they can get. By only allowing the transfer from already upgraded buildings, only buildings that are already rehabilitated will be saved. Because these types of structures have already been rehabilitated, there is a high probability that they were already going to be around for a long time. The goal is to save the historic structures that are on the bubble. The goal of FAR transfers should be to create a market for air rights which in turns creates money for historic structures to be able to seismically upgrade their buildings. This part of the proposed code needs to be revised.

We advocated for the elimination of the height and FAR bonuses from the 13th Avenue Historic District back to the base FAR and height (100' and 75' according to the current zoning maps). We continue to support the elimination of the bonuses on this district and going back to the base FAR.

Regards,

Patricia Gardner Co-Planning Chair, PDNA Testimony to the Bureau of Planning and Sustainability - 080916

Good evening:

My name is Burton Francis and I am an attorney representing an unincorporated association of concerned citizens, *Oregonians for Ethics in Government*. All of us are deeply concerned by the failure of the City to follow the ethics recommendations of the Ombudsman regarding disclosure of conflicts of interest among the West Quadrant SAC members, an essential element of the Central City 2035 Plan.

The Ombudsman's report was clear that the SAC members are to be considered 'Public Officials' for the purposes of land use and public policy recommendations.

'Public Officials' are under a duty to act responsibility and ethically under Oregon State Law 'before-the-fact'. ORS 244.120(2), specifically dealing with Government Ethics, requires public disclosure for even *potential* conflicts of interest prior to taking any action.

The West Quadrant SAC members, however, did **not** disclose their conflicts prior to discussing, voting upon, and submitting their recommendations. The recent Staff Memo Dated August 4th, 2016, lists those on the SAC who, incredibly enough, have yet to even return the disclosure form, but still fails to note which disclosures were so vague that they effectively disclosed nothing. After-the-fact ratification by you or the City Council cannot require merely 'substantial compliance' disclosure by the SAC members because no *meaningful* after-the-fact ratification can take place without an informed review of these many conflicts by the acting body.

Because the Ombudsman's report made it clear that the SAC members are Public Officials, the report itself is a form of notice that changes the dynamic of the situation for all involved.

ORS 162.415 in part defines 'Official misconduct in the first degree' as when:

(1) ... with intent to obtain a benefit ... :

(a) The public servant knowingly fails to perform a duty imposed upon the public servant by law or one clearly inherent in the nature of [the] office

Thus, these ethical failures --- if done with the intent to benefit from the SAC recommendations --- would, at the least, constitute the appearance of Official Misconduct by those now failing to fully disclose and those enabling that unethical conduct.

We urge this Commission and the City Council of Portland to seriously address these ethical shortcomings.

Thank you

2



August 9, 2016

Testimony for Central City 2035 Plan Planning and Sustainability Commission (PSC) Friends of Trees

Dear PSC -

We would like to see tree canopy targets for the plan that are aspirational but also accomplishable. These targets should project an increase in canopy cover that are aggressive to help combat heat island effect which is a direct cause of human health concerns. Tree canopy targets should be robust and based on the Central City Master plan to increase open area from 20%-30% and establish gradual tree density requirements depending on tree size. Areas such as Industrial zones should require a greater tree canopy percentage as they have more impervious surface and less greenspace capacity.

We support the expanded river setbacks from 25' to 50' or greater (75'). These setbacks ensure greater habitat along trails and natural areas including the Willamette River. Setback distances should be extended in the South Reach up to 100' or more as it has more environmentally significant resources that should remain intact.

We support increased Greenway Replanting efforts for ALL vegetation removal including non-native plant removal. There should be no exemptions for non-native removal without strong and immediate requirement for revegetation on those sites.

We support building setbacks from property lines to allow for potentially more trees in the Central City. These setbacks are especially important to include trees along designated flexible streets and streets within the Green Loop.

We fully support the "Green Loop" concept and City investments to incorporate this plan in all future Central City Plans. This plan will help improve access, livability and community health in the central city as well as for all residents in the area.

Thank you for consideration of these items.

Scott Fogarty Executive Director

Gerald Fittipaldi

8/9/2016

Testimony to the Planning and Sustainability Commission

Members of the Planning and Sustainability Commission, I thank you for your dedicated work on the Central City 2035 Plan. Regarding the Transportation System Plan portion, I am happy to see some of the updates that have been made, particularly regarding making SE 11th and 12th Avenues as Major City Bikeways. I do have one concern.

For the past year I have commuted by bicycle to and from Portland State University from the Alberta Arts Distric. After experimenting with various bike routes, I settled on taking the Steel Bridge and biking along Waterfront Park. The only reason I choose to bike along the waterfront is because there are no direct north-south routes through downtown that I find pleasant to bike on, particularly during rush hour. As you know, Waterfront Park is bursting at the seams with an abundance of both bicyclists and pedestrians. This makes for an awkward situation for all people as they try to negotiate passing one another. Having direct north-south Major City Bikeways through downtown would encourage people to bike on the streets instead of on our beloved pedestrian areas.

In the near future we could see the Park Blocks become akin to Waterfront Park. As part of the Green Loop, it is expected that many more people on foot and on bike will use the Park Blocks. Moreover, large-scale events similar to those found on Waterfront Park could become a common occurrence on the Park Blocks. While I applaud the upcoming improvements, I am concerned that the mix of fast cyclists, slow cyclists, joggers and walkers could turn the Park Blocks into another Waterfront Park.

I feel that NW and SW Broadway and 6th Avenues would make a great couplet as Major City Bikeways. 6th Ave has signals well-timed for bicyclist speed. It also has numerous destinations within Portland State University and the Pioneer Courthouse Square area. Additionally, 6th Ave provides a great connection to the Broadway Bridge for bicyclists heading to Northeast and North Portland. If 6th Ave became a pleasant place to bike on during rush hour, I would use it instead of taking Waterfront Park or the Park Blocks. I would like consideration to be given to making 6th Ave a Major City Bikeway from SW Jackson all the way to Union Station. Thank you for your time. August 9, 2016

Planning and Sustainability Commission c/o Bureau of Planning and Sustainability 1900 SW 4th Avenue Portland, Oregon 97201-5380

RE: Central City 2035 -- Volume 2: Zoning Code & Map Amendments June 20, 2016 -- Bureau of Planning and Sustainability Recommendation

Scenic Resources violation of Oregon Administrative Rule (OAR) 660-023:

660-023-0040 (4): The two (Tilikum Crossings and Salmon Springs) viewpoints of Mount Hood across the central eastside are not similar to the ones on the west side.

The rule allows for collecting resources and their conflicting use into a single Economic Social, Environmental and Energy (ESEE) analysis when they are similar such as a watershed. However, uses that are not similar must be analyzed separately as Portland did with an ESEE examination of the each water shed.

These viewpoints are not similar as:

- they are in separate sub-districts of the Central City Plan District.;
- they affect different Comprehensive Plan Designations; particularly the Industrial Sanctuary;
- they have an impact on conflicting uses; particularly economic.

The actual impact on conflicting uses for these scenic corridors are disguised and diluted when they are group with dissimilar resources. In addition, the City has not addressed the Social, Environmental, and Energy impacts of prohibiting conflicting uses.

660-023-0040 (5) (b): provides for a program to mitigate. The City has provided no program to mitigate.

660-023-0050 (2) (c): calls for a performance standard. The City provides no performance standard that reflects the resource's value throughout a year.

660--023-0060: This mandates contact at "the earliest possible opportunity". The City did not notify property owners until the end of the Bureau of Planning and Sustainability's assessment.

660-023-0070: Buildableable lands. According to the City's most recent Economic Opportunity Analysis (EOS), Central Eastside is 60 acres short of the industrial land required to meet a twenty year land supply. The City's solution was to support vertical industry. The city makes no findings as to the scenic corridor's impact on buildable lands and vertical industry.

Sincerely Peter Finley Fry

303 NW Uptown Terrace #1B Portland, Oregon USA 97210 peter@finleyfry.com

24811

From: Reza Michael Farhoodi [mailto:rmichael87@gmail.com]
Sent: Tuesday, August 09, 2016 8:25 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Cc: Treat, Leah <Leah.Treat@portlandoregon.gov>; Commissioner Novick
<novick@portlandoregon.gov>
Subject: Central City 2035 Plan Testimony re: Overton Street

August 9, 2016

Members of the Portland Planning and Sustainability Commission,

My name is Reza Farhoodi and I'm on the Pearl District Neighborhood Association board, as well as a co-chair of our Planning and Transportation committee (however, this testimony is on behalf of myself). Over the past several months, our committee has been involved in the Central City Transportation System Plan process with staff at the Bureau of Transportation. After the Discussion Draft of the TSP was released earlier this year, Mauricio LeClerc and Zef Wagner from PBOT attended one of our meetings to present on the draft, and our committee voted to send a letter in response with some suggestions to improve the plan (attached in this email). When the Proposed Draft was released in June, we were delighted to see that many of our suggestions were incorporated in the new version of the plan. While our neighborhood has been very happy with the process overall, there is one item that remains unresolved that I would like to bring to your attention.

The following is an excerpt from our March 2016 letter to PBOT:

In the past several years, the North Pearl has seen rapid growth as several new multifamily apartment and condominium buildings have been built, are under construction, or are in the planning stages. As more units come on line, the neighborhood has seen traffic grow on NW Overton Street and with it, an increase in speeding and other risky driving behavior. This is especially at issue because Overton Street is a primary bicycle thoroughfare and the area around Fields Park sees frequent pedestrian crossings. One of the problems with NW Overton is that there has been no traffic calming installed (besides a temporary *[and since removed]* four-way stop sign and diagonal crosswalk at NW 11th Avenue installed due to construction), which may stem from its traffic classifications as an Emergency Response Route and Traffic Access Street. Overton has held these designations since well before the Lovejoy-Northrup coupled was completed in 2011.

...

The neighborhood recognizes the access challenges for fire trucks traveling between Station #3 and Naito Parkway, but the lack of permanent stop control, speed bumps, or any other traffic calming along the five-block stretch of Overton between NW 9th and NW 14th creates an untenable situation that will only get worse. The 2012 Pearl District Access and Circulation Plan stated that "**Traffic control for Overton will be evaluated as the area redevelops and traffic conditions change**". With the North Pearl area continuing to grow and fill in, it is our expectation that the city and neighborhood will work together to develop a permanent traffic control solution that improves safety and livability while retaining emergency vehicle access.

Since our letter was written, PBOT has painted two marked crosswalks along Overton at 10th and 11th Avenues, which are a welcome improvement but do not help reduce instances of speeding or other risky driver maneuvers such as unsafe passing of bicyclists along the street. To this point, PBOT has not promised any additional intervention measures to improve the existing condition, citing the street's Emergency Response classification. This is not an acceptable outcome for the neighborhood, or for anyone who has spent enough time walking across or bicycling along Overton Street, especially during commute hours.

I urge the city to fulfill its obligations from the 2012 Access and Circulation Plan by conducting a speed survey and PM peak traffic counts on Overton, and working with the neighborhood to develop sensible solutions (such as installing speed humps, or perhaps an additional, permanent four-way stop sign) to make this street safer and less stressful to everyone before more buildings in the area are completed and the problem worsens.

Thank you very much for your consideration.

Sincerely, Reza Farhoodi 1230 NW 12th Avenue Apt 228 Portland, OR 97209

--Reza Michael Farhoodi Planning and Transportation Committee Co-Chair Pearl District Neighborhood Association <u>rmichael87@gmail.com</u> 301-452-4924



503.823.4288 www.PEARLDISTRICT.org

March 31, 2016 Re: Central City 2035 Transportation System Plan Discussion Draft

Dear Portland Bureau of Transportation staff,

Thank you for your work on the Central City 2035 discussion draft of Transportation System Plan. This plan is important to chart the course towards a more sustainable, livable, and vibrant central city that provides greater emphasis on multimodal travel and safe streets. The Pearl District Neighborhood Association has worked with the city on the West Quadrant Plan to help develop transportation and land use goals, policies and implementation actions that reflect the Pearl District's high density, mixed use, urban character and represents our status not only as a residential neighborhood, pedestrian district and bicycle district, but as a major commercial and employment hub.

Upon review of the draft, our neighborhood has several comments to offer regarding proposed plans, projects and facility designations in the Pearl District. These comments are based in part on recent plans and discussions between local residents and city staff:

Reaffirm the City's Commitment to Projects in the 2012 Access and Circulation Plan

The neighborhood worked with the city to develop several projects to improve mobility and access in the neighborhood. While several of these have been completed or are in the planning stages, there are outstanding elements that remain priorities for the neighborhood, including:

- Bikeway connection along the North Park Blocks with crossing improvements at W Burnside Street
- Improvements along NW 14th Avenue, including enhanced crossings
- Lane reconfiguration on NW Naito Parkway
- Lane reconfiguration on NW Hoyt Street
- Redesign NW 15th Avenue to improve pedestrian access
- New signals along NW Northrup Street, Glisan Street and Everett Street

Deliver the Flanders Neighborhood Greenway and Naito Crossing

First proposed in the 1972 Downtown Plan, the Flanders Greenway is critical for improving east-west bicycle and pedestrian connectivity in the heart of the Central City. The Flanders link would include a new bike/ped bridge across I-405 to allow users to bypass the Glisan/Everett interchange area which is very hostile to pedestrians. The bridge would be built to withstand emergency vehicles in the event of an earthquake. In addition, the greenway would include several crossing improvements at NW 16th, NW 14th and NW Broadway and create a safe, legal crossing at Naito Parkway near the Steel Bridge and the Union Pacific Railroad Crossing. This greenway would not only serve the 7,000 residents in the Pearl District, but it would also serve the 12,000 employees that commute to the Pearl District from across the



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region. The corridor would also improve access to and from Northwest District, where there are an additional 10,000 residents and 12,000 employees.

Devise Comprehensive Construction Detour Policy

The citywide construction boom have not been limited to only the Pearl District, but the scale and pace of development has made the impacts to pedestrians more acute. Frequent sidewalk closures often force pedestrians to walk multiple times in the same block, as construction companies are allowed to keep multiple travel lanes open while the parking lane is also kept open or is used for materials storage. The most dangerous condition in our neighborhood is currently located at NW 11th and Hoyt, where a construction project at the southwest corner forces pedestrians to walk along streetcar tracks. These conditions are unsafe and truly unrepresentative for a city as pedestrian-oriented as Portland, and it's time for the City to develop a rational construction detour policy that follows the modal hierarchy based on Policy 9.6 (Transportation Strategy for People Movement) of the Comprehensive Plan Update. Therefore, maintaining pedestrian routes and bikeways in a construction zone should take priority over maintaining duplicate travel lanes and parking lanes, or using those spaces as construction storage.

Invest in the NW 14th/NW 16th Corridor to Improve Connectivity and Safety

This couplet is bisected by I-405 and split between the Pearl District and Northwest District, but it serves as a vital travel corridor for both local and regional traffic and deserves additional enhancements. The area around the Everett/Glisan/I-405 interchange is of particular concern because motorists are often in a "freeway mindset" when either exiting the freeway or approaching the on-ramps on NW 14th and 16th, traveling at speeds that are inappropriate in a downtown urban context and endangering vulnerable road users.

- Eliminate existing bicycle lane gaps on NW 16th Avenue, and extend the bikeway south from NW Couch Street along NW/SW 15th Avenue to SW Salmon Street, and perhaps beyond as the Lincoln HS campus is redeveloped. This would create a southbound complement to the existing northbound bike lane on NW/SW 14th Avenue, in a neighborhood that lacks north-south bicycle facilities.
- Redesign the NW Glisan/I-405 interchange area to prohibit drivers exiting the freeway onto NW 16th Avenue from turning west onto NW Flanders Street. Currently, right turns directly from the southbound off-ramp onto NW Glisan Street are banned. Instead of heeding the "three left turns"suggestion that is advised on roadway signage, many motorists heading to Northwest from the freeway instead make dangerous weaving movements that threaten the safety of other drivers, pedestrians and bicyclists. This design flaw must be fixed whether or not the Flanders greenway connection is built.
- Improve conditions on NW 14th Avenue to reduce instances of speeding and improve bicycle conditions. Currently, traffic exiting onto northbound NW 14th Avenue from the freeway often continue to travel at high speeds even after entering the urban street grid. This compromises safety at busy pedestrian crossings, such as at NW Flanders and Johnson Streets. In addition, the



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existing bicycle lane on NW 14th is often not respected by northbound drivers turning east onto side streets, which can potentially lead to right hook collisions between motorists and bicycle riders. A redesign might include a buffered or separated bike lane treatment to increase the lateral width of the bicycle lane and create a more comfortable facility. This enhancement would also reduce the width of the travel lane north of NW Glisan which can help calm traffic speeds.

Regrade the Railroad Crossing at NW 9th Avenue

To our knowledge, this location is the last remaining grade crossing along the UPRR Main Line that has not been improved in the Central City and it creates uncomfortable conditions for both bicycle riders and motorists. NW 9th Avenue is a popular bicycle route as it connects riders between several east-west bicycle facilities, and is the main access point between Naito Parkway and Northwest Portland.

Install Traffic Signals at NW 10th/Hoyt Street and NW 11th/Hoyt Street

NW Hoyt Street is a popular route for trucks within the district. Replacing the four-way stop signs with traffic signals at both intersections would improve east-west mobility and reduce delay for streetcar trains traveling on NW 10th and 11th Avenues.

Implement Traffic Calming on NW Overton Street

In the past several years, the North Pearl has seen rapid growth as several new multifamily apartment and condominium buildings have been built, are under construction, or are in the planning stages. As more units come on line, the neighborhood has seen traffic grow on NW Overton Street and with it, an increase in speeding and other risky driving behavior. This is especially an issue because Overton Street is a primary bicycle thoroughfare and the area around Fields Park sees frequent pedestrian crossings. One of the problems with NW Overton is that there has been no traffic calming installed (besides a temporary four-way stop sign and diagonal crosswalk at NW 11th Avenue installed due to construction), which may stem from its traffic classifications as an Emergency Response Route and Traffic Access Street. Overton has held these designations since well before the Lovejoy-Northrup couplet was completed in 2011, yet the TSP does not propose establishing NW Northrup Street as a response route to complement the existing designation on NW Lovejoy Street. The neighborhood recognizes the access challenges for fire trucks traveling between Station 03 and Naito Parkway, but the lack of permanent stop control, speed bumps, or any other traffic calming along the five-block stretch of Overton from NW 9th to NW 14th creates an untenable situation that will only get worse. The 2012 Access and Circulation Plan stated that "Traffic control for Overton will be evaluated as the area redevelops and traffic conditions change". With the North Pearl area continuing to grow and fill in, it is our expectation that the city and neighborhood will work together to develop a permanent traffic control solution that improves safety and livability while retaining emergency vehicle access.

Acknowledge the Neighborhood Greenway Assessment Report and Develop Northwest in Motion Implementation Strategy

The 2015 Neighborhood Greenway Assessment Report adopted by City Council revealed that the neighborhood greenway network as a whole in Northwest Portland does not function well because there is a



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lack of connectivity between these facilities and the rest of the citywide bicycle network. In addition, many of these greenways (including NW Johnson Street, NW Flanders Street and NW Overton Street) perform below citywide standards because traffic volumes are too high. The lack of comfortable and convenient bicycle connections could partly explain why bicycle commute mode share for residents and employees is below 10 percent, which is very low for a neighborhood as dense and centrally located as the Pearl District. To help meet citywide goals for 25% bicycle mode share, efforts must be undertaken to develop a plan that takes a holistic approach to traffic circulation in the northwest neighborhoods and prioritizes greenways for through bicycle/pedestrian travel, as approved by the Northwest District and Pearl District neighborhood associations. The city has previously discussed the following potential implementation actions:

- Develop NW Pettygrove Street as an east-west greenway with pathway connection to NW Naito Parkway via NW Overton and NW 9th (Project 20163).
- Develop a north-south bikeway on NW 9th Avenue to connect between bikeways on NW Naito Parkway, NW Overton Street, NW Marshall Street, NW Lovejoy Street, NW Johnson Street, and NW Hoyt Street. (Project 20154)
- Realign the existing greenway on NW Raleigh Street to NW Savier Street.
- Develop a pilot project on NW Johnson Street to reduce automobile volumes below the citywide standard of 1000 vehicles per day. Please note that we are concerned that the proposed emergency response route designation on NW Johnson Street between NW 19th and 14th Avenues is in direct conflict with the traffic calming goals of a neighborhood greenway, and hope that it will not preclude future enhancements.

Improve Conditions where NW Couch Street Crosses the I-405 Northbound On-Ramp

The intersection where NW Couch Street crosses with the I-405 northbound on-ramp has long been a concern for residents. The crossing is uncontrolled, so that northbound traffic headed to the freeway is free-flow while pedestrians, bicyclists and motorists have to wait for a gap in traffic to cross. This area is similar to the Everett/Glisan interchange where motorists on NW 14th headed towards the on-ramp will typically begin accelerating at a high rate of speed once they cross Burnside Street to merge onto the mainline interstate. However, this creates a safety hazard for vulnerable users on Couch Street, particularly pedestrians. The upcoming Downtown I-405 Pedestrian Safety and Operational Improvements Project will help somewhat by adding curb extensions and a marked crosswalk on the north side of the intersection, but more work can be done here.

Allocate Funding from Central City Multimodal Safety Project to Serve Pearl District Residents and Employees

This upcoming project promises to improve conditions for pedestrians and bicyclists in the Central City. While protected bikeways and bridge landing improvements are very much needed in the central core, it is our hope that some resources are used towards one or multiple TSP projects to improve access to jobs and services in the heart of the Pearl District (beyond bikeway improvements on NW Broadway, which is at the periphery of the neighborhood).



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Thank you again for your efforts on the Central City Transportation System Plan update and we look forward to working with PBOT on improving the draft to reflect the needs of current and future residents, visitors and employees of the neighborhood.

Regards,

Reza Farhoodi

Pearl District Neighborhood Association Planning and Transportation Committee Co-Chair



BIKE LOUD PDX

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Date: 8/9/2016 To: Planning and Sustainability Commission Re: Central City 2035 Plan Testimony -- Proposed Draft From: BikeLoudPDX cc: tsp@portlandoregon.gov

To the Planning and Sustainability Commission,

We want to thank BPS staff members for reviewing our Discussion Draft testimony, and for the subsequent changes made to the Draft. In particular, we want to thank staff for reconsidering the (perhaps unintentional) policy of only designating existing, and not planned, on-street bicycle facilities as major city bikeways. We hope that a similar forward-looking approach will make for a stronger Stage III TSP as well. We also want to specifically voice our appreciation for the changed bicycle and traffic designations on SE 11th and 12th, and for related project #20176. Many bicycle riders have echoed the Hosford-Abernethy Neighborhood District's strong support for traffic-calming and the introduction of major city bikeway-quality bike facilities on SE 11th and 12th. We also want to specifically applaud the major city bikeway designation change from NE 9th to NE 7th; BikeLoudPDX's officially-preferred bikeway route through the Lloyd District to NE Sumner is NE 7th the entire stretch. Bolstered by project #20186, #20194, and #20077, SE/NE 7th will be a strong addition to the eastside cycling network and will greatly improve connectivity between SE and NE. There were other street classification requests of ours that were incorporated into the Proposed Draft too that for brevity purposes we will not outline individually here, but we thank staff for those as well.

Transportation Performance Targets

Portions of our testimony were not, however, incorporated into the Proposed Draft. Regarding "Transportation Performance Targets," we were encouraged that these were improved from 40% in Lower Albina to 55%, and from 60% to 65% in the Central Eastside. However, we must again reiterate that the City has a stated goal of reducing SOV trips to 25% city-wide. On account of their density and proximity to job, commercial, and other important destinations, all neighborhoods in the Central City should lead the way on this endeavor and far surpass the 75% non-SOV mode share goal. To reiterate from our previous testimony, "if the reasoning behind the low performance target is to include freight trips (many of which are technically "SOVs"), then that needs to be specified in the target, and a performance goal that excludes freight trips should be established for these districts."

Bicycle Classification Map

We note a lack of direct bicycle connectivity on the west end of the Morrison Bridge and would recommend extending the major city bikeway classification on SW Alder and SW Washington in the gap between SW Broadway and SW 2nd. Similarly, without a major city bikeway designation on either NE Davis or Couch streets, the Burnside Bridge will continue to have poor westbound bicycle accessibility. Regarding connectivity to the Hawthorne Bridge, the major city bikeways on SW Main and Madison should extend all the way from the bridgehead west to the Park Blocks. Another connectivity problem is that NE 3rd Ave needs a direct connection to NE Lloyd Blvd and the western portion of the Lloyd District, as well as connection to the eventual Sullivan's Gulch Trail.

Regarding bicycle connectivity between the Park Blocks (soon-to-be Green Loop) and Naito Parkway (soon-to-be "Better Naito" replacement, "Best Naito"), there may need to be some readjustment regarding which north-south streets are chosen as major city bikeways, and therefore, which streets will presumably receive the best bicycle treatments and be able to handle the largest number of cyclists. There are arguments for and against nearly every street from 1st to Broadway, however we would like for the following to be considered:

- Remember that while the Park Blocks/Green Loop is designated as a major city bikeway, it will not serve the needs of faster cyclists, who will want their own parallel facilities to reduce conflict between them and the slower/less seasoned/out-of-town/recreational cyclists the Green Loop will surely attract (as it should)
- Designate SW/NW 4th a major city bikeway from SW Barbur to Union Station
- Designate SW/NW 6th as a major city bikeway from SW Lincoln to Union Station to form a bicycle couplet with SW/NW Broadway

In the case of SW 6th Ave, it connects numerous destinations, particularly within Portland State University and the Pioneer Courthouse Square area. It also provides a direct connection to the Broadway Bridge for any cyclists heading to destinations in Northeast and North Portland. There are few conflicting parking garages and on-street parking spaces on 6th. The issue of streetcar/MAX track crossings could be remedied with the addition of rubber-filled flangeways, designed to be pressed down by streetcars but not by people biking.

On the eastside, we strongly request changing the bicycle designation of SE/NE Sandy to major city bikeway. (We are also advocating major city bikeway status for Sandy northeast of 12th in the TSP.) Sandy's diagonal layout provides a uniquely efficient and convenient route for bike traffic along a long stretch of Southeast, Northeast, and East Portland. Designating Sandy as a major city bikeway is essential to creating an accessible bicycle network, and amending the street's high-crash corridor status.

In our Discussion Draft testimony, we made the following classification designation requests that were not incorporated into the Proposed Draft that we would like to again recommend:

- Make SE Water a major city bikeway rather than the Eastbank Esplanade (this was changed south of Clay, however we would recommend extending the major city bikeway designation on Water to the Morrison Bridge, and changing the Esplanade to city bikeway south of SE Salmon)
- Reinstate the major city bikeway designation on SE 2nd Pl from Water to Tilikum Way

Notably lacking from the Proposed Draft are further details and clear directives on what makes a "bicycle district." Our understanding is that a bicycle district is a designated area where people should feel comfortable riding their bicycles on any street in the district, and "where the City intends to make bicycle travel more attractive than driving." Without specific policies describing design and infrastructure requirements for a "comfortable" or "more attractive" street, the designation of "bicycle district" alone will not create the intended multi-modal environment. We request that this term be clearly defined in the

next version of the Central City 2035 Plan. Some recommendations on types of specifics to add to the definition:

- Use of "Bikes May Use Full Lane" and other signage to remind other road users of cyclists' legal rights
- Re-timing signals to better match bicycle speeds, particularly on uphill roadways
- Specific on-street bicycle parking minimums for staples and corrals
- Specific off-street bicycle parking minimums for new development (including a variety of parking types to accommodate different bicycle types and user needs, such as horizontal parking for cargo bikes and people physically unable to use vertical racks)
- Improved bicycle wayfinding
- NACTO-compliance requirement when building new facilities or upgrading existing bicycle facilities
- A clear roadway-allocation hierarchy that prioritizes bicycle facilities over a second lane of motor vehicle traffic and/or on-street motor vehicle parking
- Guidelines for improved visibility at intersections and driveways (especially regarding ORS 811.550)
- Guidelines regarding acceptable pavement quality, including exposed streetcar/MAX line tracks

Central City 2035 Candidate Projects

Most of the Central City 2035 Candidate Projects that we listed as being of utmost importance for cycling safety and connectivity (which we continue to endorse as such) have been classified as "Year 1-10" projects, which we applaud. However, project #20185 (Gideon Street Pedestrian / Bicycle Bridge), which would alleviate a major accessibility issue for pedestrians and bicycles, would put a halt to dangerous bike/ped behaviors that have been witnessed at this crossing, and would presumably be the southwestern corner stone of the Green Loop by providing a guaranteed freight track crossing, has been listed as "Year 11-20." This crucial project should have been built as part of the Orange Line construction, and needs to be completed as soon as possible. We want to echo the Proposed Draft testimony of HAND, who thoroughly outlined the safety and accessibility problems this bridge would alleviate.

Project #20065 has been split into two projects, one in the 1-10 year timeframe and the other in the 11-20 year timeframe. We want to reiterate that existing facilities here are incredibly dangerous and not compliant to any safety standards, and unfortunately the route is difficult to avoid as it serves an important purpose in providing north-south cycling connectivity. We want to make sure that safety concerns about this overpass are addressed readily and do not become victim to an ever-lengthening construction timeline.

Thank you very much for consideration of this testimony. If BPS staff have questions about our testimony please contact us at: <u>bikeloudpdx@gmail.com</u>.

Sincerely,

Jessica Engelman and Emily Guise BikeLoudPDX Co-Chairs From: David Dysert [mailto:david.dysert@gmail.com]
Sent: Tuesday, August 09, 2016 3:21 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Written Testimony for Planning Commission

I'll start with the basic premise our code should reflect our core values. I believe fostering greater diversity and local sourcing are two dominant Portland values.

We need our code to help maintain a balance in our built environment when market forces are unbalanced. This is more important than ever given we are now seeing new levels of institutional investment in our city—investment that is agnostic of place or people, only profit. This investment is not evil or bad, it is simply doing what the market and code is telling it to do. But it does need to be tempered and balanced with our values. Yes we want investment and greater density to achieve our long term planning goals. But these goals need not require the heavy loss of building stock diversity and local ownership.

I do not believe the proposed changes in the Central City 2035 Plan adequately achieve that needed balance. I believe we need a more nuanced and targeted urban design framework. One that recognizes distinct districts and sub-districts should be treated differently by the code. There is a place for tall buildings and there is a place for maintaining scale. We need both.

Diversity of building stock in both size and age is critical to a vibrant place. Maintaining the balance of smaller, older structures is not about preventing change. It's not about preservation. It is about diversity because the type and age of the building directly impacts what and who can exist there. We are seeing locally owned buildings being replaced with institutional owners who want top market rents. This will reduce diversity of uses. I've watched this happen to my neighborhood -the Pearl—and now I'm afraid it will begin to happen on the Central Eastside given the out of scale developments in progress and planned.

I would ask the Commission carefully examine the following to better achieve this balance:

1) Reduced base height and FAR in areas where there is a context of small grain parcels. (for instance the original South Pearl and the Central Eastside). If we are to increase heights we must create a meaningful market for the transfer of FAR and height and help the local owners of

smaller older buildings have an economic chance of keeping their building in active use. That market won't happen unless our code requires the use of it to build bigger and taller elsewhere.

2 Require the transfer of those rights to be within the same area/neighborhood. We can't allow arbitrage to dilute the market.

3) In those areas with small granular parcels I strongly suggest the Commission examine the idea of limiting lot size and the aggregation of several lots to change the scale of the existing context. This could be a more successful tool than FAR or height limits in areas where maintaining scale and context is desired.

Parking is the primary barrier to keeping new development viable on smaller parcels. Let's walk the walk and not let the storage of cars determine the scale and character of our central city. The very document we are discussing has a key goal by 2035 where at least 80% of commute trips to and from the district are by non-single occupancy vehicle. Higher goals are set for downtown and the Pearl. Limiting lot size could help us get there! This strategy would work well with the development of CLT framed buildings to create a more sustainable and local economic benefit.

Respectfully,

David Dysert

323 NW 13^{th} Ave #408

Portland, Or 97209

August 9, 2016

Planning and Sustainability Commission Portland Bureau of Planning and Sustainability By Email: <u>psc@portlandoregon.gov</u>

RE: Prioritizing Families in the Central City 2035 Plan

Dear Portland Planning and Sustainability Commission Members:

Thank you for the opportunity to provide testimony on the importance of prioritizing families in the Central City 2035 Plan.

While the City of Vancouver currently debates whether or not to increase its required set-aside for family-sized units from 25% to 35% of all units in new projects, I am disappointed and saddened that Portland's Central City 2035 Plan (CC2035) neglects - and arguably heads backwards - in terms of making our Central City a viable option for our families.

Families are important to the health, vibrancy, stability, and equity of our Central City. Kids are an indicator species – their presence signals that our public spaces, crosswalks, and parks are healthy, safe, and accessible to all. The social benefits of diverse, multi-generational communities have been well-documented, and the positive environmental and climate dimensions of having families live in our walkable, transit-rich Central City are real. Finally, half of all Portland school-age children are not white, and we will fail to be an integrated, diverse city open to all if we don't consider – and prioritize – strategies to accommodate families in the CC2035.

At a minimum, please revisit the proposed decision to remove density bonuses for daycare and affordable family-sized units. The current lack of affordable familysized units is a significant barrier that forces young families out. In addition, please prioritize zoning bonuses for family amenities such as safe courtyards, recreation centers, and public schools.

My personal experience reflects both the greatness of our Central City for families and the challenges. For 16 years I lived in the Central City and met my wife there. We married (in the Central City right next to the Max), had children, and started raising our family there until this April when the lack of affordable family-oriented housing options led us to leave. Hopefully your work shaping the CC2035 can lay groundwork to break this common pattern.

Thank you again for this opportunity. I had hoped to testify in person, but the three hour wait to testify – combined with family needs back home – led me to submitting this written testimony instead.

Sincerely,

Mike Dennis 424 NE Hazelfern, Portland, OR 97232 URBAN DEVELOPMENT PARTNERS

August 9, 2016

Planning and Sustainability Commission c/o Bureau of Planning and Sustainability 1900 SW 4th Ave Portland, Oregon 97201-5380

RE: Central City 2035 Plan

Urban Development + Partners and staff are inner-east Portland residents, commercial property owners, and commercial developers. Our principals and staff serve on the Central Eastside Industrial Council, the Inclusionary Housing Panel of Experts, the Mixed Use Zoning Policy Advisory Committee, and the New Chinatown / Japantown Historic Stakeholder Advisory Committee. We offer the following testimony to the June 20, 2016 BPS recommendation for the Central City 2035 Plan.

- 1. Height Limits in East Portland Grand Avenue National Historic District and I-84, Tilikum Crossing, and Salmon Springs Viewpoints
 - A. Request: Base heights and height bonuses to remain as per current code allowances along the Grand Avenue Historic Corridor.
 - B. Reasons: The East Portland Grand Avenue National Historic District certainly contains many of the city's valued historical properties. Preserving these properties through a historic designation is valuable to current and future citizens. However, limiting the height of surrounding properties is costly, and is not necessary. Our significant historic properties stand on their own and are not detracted from by nearby development. In fact, addition of transit and infrastructure, funded by newly constructed, more dense development, will improve access to these historic resources.
- 2. I-84, Tilikum Crossing and Salmon Springs Scenic View Corridors
 - A. Request: Remove proposed I-84, Tilikum Crossing, and Salmon Springs view corridors from proposal.
 - B. Reasons: Portland's citizens have invested significant public funds in the development of transportation and other smart-growth infrastructure in anticipation of additional housing and jobs located in the Central Eastside. Our community is currently struggling to produce adequate affordable housing for our current and future residents. The reduction of future development capacity in the Central Eastside is not only counter to affordable housing and smart-growth initiatives, but comes at a substantial cost in the form of foregone property taxes, lost transit ridership, and foregone system development charges. Because, with the proposed

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view corridors, properties will likely be developed at lower density and not replaced for centuries, these foregone revenues are long standing. This total cost should be taken into consideration when analyzing the value of a view of Mt Hood, that is obscured by cloud cover for much of the year.

- 3. Low Carbon Buildings
 - A. Request: Remove the proscriptive mandate that buildings over 50,000 square feet require a LEED Gold Standard. Replace it with a voluntary measure with incentives.
 - B. Reasons: The LEED Gold Standard is one among many possible sustainability standards. Rather than require developers of market-rate and affordable housing incur the additional cast of LEED certification, which will increase the cost of housing, they should be incentivized to voluntarily seek certification through FAR bonuses or other incentives. If a mandatory sustainability standard is put in place, allow for competing certifications, to help control cost, or incorporate desired energy standards into the building code.

We support the vast majority of initiatives and policies provided in the 2035 plan and have only responded to the specific polices outlined above. We appreciate your consideration of this testimony.

Regards,

Eric Cress Principal Urban Development + Partners eric@udplp.com

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Audubon Society of Portland 5151 NW Cornell Road Portland OR 97210

Planning and Sustainability Commission 1900 SW Fourth Ave., Suite 7100, Portland OR, 97201 Attn: CC2035 testimony

August 9, 2016

Dear Planning and Sustainability Commission,

Please accept these comments in support of bird-safe building design, and exterior lighting standards in the draft Central City 2035 Plan. These comments supplement additional comments submitted by Bob Sallinger on behalf of Audubon. We appreciate the opportunity to participate in this process.

Exterior Lighting Standards (33.510.253.E.5.h):

We support the proposed new lighting standards in both intent and content, and we applaud the city's leadership in taking this step forward "to minimize the adverse health, safety, and livability impacts of exterior lighting on humans, fish and wildlife, including glare, light spill, and encroachment into habitat areas." However, we recommend that the general principles in this lighting standard be applied beyond the Greenway Overlay Zone and the River General overlay zone.

Best practices should be applied more broadly, both throughout the Central City and city-wide to improve lighting and energy efficiency, reduce light pollution, and minimize unintended impacts on human health as well as fish, wildlife and plants. These best practices that should apply city-wide—which are partially addressed in Section 2: General standards, and Section 3: Additional Standards for areas near the Willamette River—include the following:

(2) General standards:

- Exterior lights must not project light upward or to the side of the fixture; and
- The top and sides of all exterior light fixtures must be shielded with 100 percent opaque materials; and
- (3) Additional standards for areas near the Willamette River:
 - Lamps must fall below 3,000K or within an S/P ratio range of I 1.2

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Additional best practices in Lighting Design which should be included in Exterior Lighting Standards citywide include:

- All lighting is aimed down: no light should be cast above 90°; and
- Unnecessary architectural lighting is minimized; and
- Blue-rich White Light should be prohibited in exterior applications; and
- Lighting S/P ratio should fall between 1.0 (near sensitive habitat) and 1.2 (in urban areas); and
- A lighting ordinance should be developed in Portland to limit total lumen output; may align with the International Dark-sky Association/Illuminating Engineering Society Model Light Ordinance of 2010 or the most recent available volume of the MLO

We recommend establishing lighting standards citywide that meet Portland's new Comprehensive Plan policies calling for efficient lighting that reduces light pollution and impacts on wildlife. We also support standards that apply in the river setback including prohibitions on shining light into the river and setting limits on both brightness and spectrum. We also recommend that the City add a policy and/or action to work with partners (e.g., Audubon, local building owners and managers) to support a Lights Out program in the Central City.

These recommendations are based on a large body of research demonstrating that the propagation of artificial light at night has negative impacts on humans, fish, wildlife and plants. Biological systems evolved in cycle of dark night and bright daylight. Unshielded light at night generates light pollution which alters this night/day cycle, obscures stars, disorients night-migrating birds, wastes energy, diminishes our cultural and historical heritage, and has deleterious impacts on humans, fish and wildlife. Today, the rapid development of high-efficiency LEDs has led to conversion projects around the globe aimed at reducing carbon emissions, reducing long-term lighting maintenance costs, and saving energy. However, a growing body of research is revealing the unintended and deleterious impacts of blue-rich white light-emitted by some LEDs. On June 14th, the American Medical Association (AMA) released a unanimously approved statement about LED lighting, recommending the selection of fully-shielded, dimmable lamps that minimize blue-light emission. The AMA statement cites concerns including visual discomfort and retinal damage, melatonin suppression, sleep disruption, disruption of circadian rhythms, impaired daytime functioning, and obesity. Given the widespread conversion of lighting systems to LED, best practices in lighting design and lamp selection need to be adopted city-wide, and should apply to all exterior lighting, including city streetlights.

Bird-safe Exterior Glazing (33.510.223)

We support establishment of the new Bird-safe Exterior Glazing standards, which follow City Council's direction set forth in Resolution #37034 (adopted 2013), and will help meet new Comprehensive Plan Policies calling for bird and wildlife-friendly building design and reduced hazards to wildlife. The Bird-Safe Glazing standards are also generally consistent with the City's recently updated Green Building Policy (April 2015).

Such standards are necessary in the Central City given its proximity to the river and the extensive glazing of its buildings. They are also needed in light of proposed requirements to increase exterior glazing in order to support active ground floor uses. As written, the bird-safe standards provide an allowance for 10% of the glazed area to remain untreated, and offer a menu of glazing treatment options to facilitate compatibility between goals for active ground floor uses and reducing risk of bird collisions. There are a number of treatment options that create as little as 6.25% pattern density, which allows for a considerable preservation of transparency while also reducing the risk of window collisions.

It is estimated that up to I billion birds die annually in the US as a result of a window collision, making window collisions among the top three sources of mortality for birds. Over thirty years of research indicates that birds do not recognize glass as a barrier, and are therefore vulnerable to collisions with the transparent and reflective glass that is ubiquitous in the built environment. Highest risk areas are within the first 40-60 feet above ground and adjacent to ecoroof areas. From 2009-2011, Audubon Society of Portland conducted surveys of bird mortality due to collisions with buildings, many of which are in the Central City planning area. We recorded collision-caused deaths for numerous bird species, especially neotropical migratory songbirds.

We recommend that the proposed standards be applied more broadly than areas shown on map 510-22. Much of the Central City outside the mapped area has sufficient street tree canopy to create risk, due to reflections in the windows of ground and lower floors. In addition, the intent to increase tree canopy goals in Portland warrants establishing additional precautions for bird safety. We support birdsafe glazing standards not applying to industrial zoning where there is reduced collision risk due to relatively limited glazing and limited tree canopy and vegetation. However, the standard should be expanded to apply to areas that carry Employment Opportunity Subarea Zoning, including the Central Eastside where we expect new development, infrastructure improvement, and development of the Green Loop to result in an overall increase in tree canopy density and in an increase in glazing, the combination of which will amplify window collision risk.

In the interest of clear and objective standards, we recommend the following edits to Bird-safe exterior glazing standards proposed on page 143:

- Options a. and d. should be clearly identified as applying specifically to markers on glass and window film glazing applications (Visible marking pattern may be created by fritting, etching, permanent stencil/ frosting, or window film);
- Option d. should indicate that circular or squared marking elements should be spaced every 2 inches for horizontally lined-up elements and every 4 inches for vertically lined-up elements;
- Option b. should be deleted in the interest of simplicity and clarity of meeting contrast sensitivity requirements to reduce collision risk for birds;
- Option c. should be clearly identified as applying specifically to exterior screens and/or netting;
- Addition of an option specifying that for louvers and grilles, horizontal or vertical slats shall have a 1/8" minimum face thickness. Slat depth and spacing ratio shall obscure 85% of glass when analyzed from all possible viewing angles

- Addition of an option specifying UV-patterned glazing with pattern on #2 surface;
- Addition of an option allowing for any glazing product or treatment that carries a Material Threat Factor Score below 30 from American Bird Conservancy, and is therefore suitable for meeting the USGBC LEED Pilot Credit 55: *Bird Collision Deterrence* as well as meeting requirements of local ordinances established in San Francisco, Toronto, Highland Park, Oakland, and the State of Minnesota's B3 Guidelines.

Revised standards would read like this:

C. Bird-safe exterior glazing standards.

1. At least 90 percent of windows on the ground floor and the next 3 floors, windows on floors located directly adjacent to an ecoroof, roof garden, or other vegetated or landscaped roof, the glazed portions of balcony railings, sky bridges, atria, and glass walls must have a visible pattern on the outermost surface of the glazing such that:

a. For markers on glass and window film glazing applications:

--Visible markers at least 1/8-inch-wide, with a maximum spacing of 4 inches for vertical elements, or a maximum spacing of 2 inches for horizontal element (pattern may be created by fritting, etching, permanent stencil/ frosting, or window film);

--Circular or square markers at least 1/4 inch in diameter, spaced every 2 inches for horizontally lined-up elements and every 4 inches for vertically lined-up elements.

b. For exterior screens and/or netting:

--Spacing no more than 1/4 inch in any direction where visible markers are less than 1/8 inch wide; c. For louvers, grilles, and mullions on the exterior of the façade:

--Horizontal or vertical slats with 1/8" minimum face thickness. Slat depth and spacing ratio shall obscure 85% of glass when analyzed from all possible viewing angles

d. for UV-pattern in glazing;

--1/16" UV reflective lines arranged in an irregular "webbed" pattern with 2" maximum spacing on interior (#2) surface

e. Any other glazing product or treatment that carries a Material Threat Factor Score below 30 from American Bird Conservancy, and is therefore suitable for meeting the USGBC LEED Pilot Credit 55: *Bird Collision Deterrence* as well as meeting requirements of local ordinances established in San Francisco, Toronto, Highland Park, Oakland, and the State of Minnesota's B3 Guidelines.

The proposed bird-safe glazing treatment specifications for glass and window film markers can be provided by vendors to project designers/applicants upon request, to facilitate efficient implementation by BDS staff. The louver, grille and/or mullion modeling can be provided by the architect and/or product vendor. A specification sheet should be required as part of the applicant's permit requirement.

Additionally, we recommend the inclusion of a general prohibition on mirrored and highly reflective glass in the Central City 2035 plan in order to reduce the high risk of bird collisions associated with this glazing material, and additionally to reduce unnecessary glare and excessive heat reflection.

Thank you for your consideration of these comments.

ACa

Mary Coolidge BirdSafe Portland Campaign Coordinator Audubon Society of Portland I am a resident of Goose Hollow and very concerned about proposed height limits that will affect century-old views—views that give Portland its sense of place and contribute millions of dollars a year to the tourist industry, impacting thousands of jobs.

First, SW Jefferson is being changed from a view corridor to a view street. While the staff summary says that views of the Vista Bridge will be protected, this is completely untrue. With its current view corridor protection, the bridge can be seen from many places throughout Portland. This will be lost if Jefferson is turned into a view street. With 50' heights allowed right next to the bridge and 140' heights allowed 2 blocks from the bridge, SW Jefferson will become a canyon. The arches of the bridge will only be viewable while standing in the middle of the street. This is such a travesty—architecturally and historically—that the Architectural Heritage Center, Restore Oregon, historian Chet Orloff, and many others have stated that the Vista Bridge must keep its protected view corridor. We encourage you to reject the change to a view street and require no higher than 40' for 4 blocks on each side of the bridge.

<u>Second</u>, views of Mt. Hood from the Vista Bridge are being dramatically changed by the proposed heights. Today we can see 1000' of timberline. This will be lost. In 1991 when this view corridor was protected, staff and city council emphasized the contrast between the timberline and the snow cap as the important feature to protect. When today's planning staff believe that private developer profits are more important than the greater good for all citizens, that makes me wonder who our planning bureau is working for. This view literally defines Portland. It is the title shot for *Portlandia*, and a heavily trafficked tourist destination. To protect the current views of 1000' of timberline, you will only need to lower heights slightly. Please take this small step to preserve an iconic part of Portland's sense of place.

<u>Third</u>, please protect the LAST fully protected views of Mt. Hood along the Willamette River at Salmon Springs Fountain and Tillicum Bridge. Thousands of tourism jobs will be affected if we lose the views.

Elizabeth Cooksey 1132 SW 19th Ave., Unit 607 Portland, OR 97205 From: Cocks, Michael D (BPA) - PTM-5 [mailto:mdcocks@bpa.gov]
Sent: Tuesday, August 09, 2016 10:25 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Written testimony on Central City Plan

My feedback is fairly general, but after reading the recap of the July 26th hearing and some of the other materials I have been following, I wanted to provide some brief comments.

- One of the main points from the July 26th recap was the "need for new structures in historic districts to be compatible with the historic character around them." Generally, I think this is a good principle, but too often people use it too restrictively (i.e. this building is too big for the neighborhood, it doesn't fit in, etc.). As I walk through the Irvington neighborhood for example, I love the variety of the houses that were built. And at the time, I bet there were some owners complaining that the new house looks too different, doesn't fit in, or whatever. We have to be careful about letting people dictate what fits in and what doesn't. Another example is the latest addition of towers to the Pearl District. I totally support it! Too many buildings were popping up that were on the shorter side and too homogenous. I believe the taller buildings give the Pearl more character and are visually appealing. I hope future towers in the Pearl can even soar higher.
- Another main point from the July 26th recap was the "importance of protecting public views of • surrounding mountains and natural features." I am completely against this principle. In looking this far into the future for development, I think Portland is making a mistake with its height restrictions, whether it be in the Central City or along the urban corridors. And I don't think we should try to maintain views from the West Hills looking east. I read that the newest draft specifically changed earlier drafts to "reduce building heights in parts of Goose Hollow and the Central Eastside to protect view corridors." Why are view corridors important in the first place? I think Portland got it completely wrong in not allowing South Waterfront to build taller and fully utilize this "blank canvas" so close to downtown. I can't believe that we gave any weight to the complaints of the neighborhoods to the west (Corbett for example), arguing that the buildings would block their views of the Cascades and the Willamette River. They do not and never had an irrefutable right to a view. And that should go for all of Portland. We are creating a plan to guide development for decades to come, and I believe Portland should pay particular attention to density. I think buildings on both sides of the river (I live and work in the Lloyd Center/Sullivan's Gulch area) should not have any restrictions on height. Why does Portland have only two buildings that exceed 500 feet? We should be allowing buildings to exceed 800 feet even. It is our skyline, and especially our tallest buildings, that catch the eye and are aesthetically pleasing. And we need to be planning for the future and not just now. By going more vertical, we are allowing more growth in this wonderful city of ours.
- Related to the previous point, I am disappointed in the evolving height restrictions along certain urban corridors. I live between NE Broadway and NE Weidler, and along main thoroughfares such as this we should be encouraging *even taller* buildings with more density. I believe we have allowed a very vocal minority to influence our perception of needing more restrictive height allowances and step-back requirements. Unfortunately, people who are not against taller buildings or who are for allowing buildings that "don't fit in" the existing neighborhood (I am obviously saying it sarcastically since this is often the argument used when some existing homeowners don't want change in the neighborhood) are often silent or don't see the need to speak up. Realizing we are planning for decades into the future and not just for how we want our neighborhoods right now, I think we should be opening our minds up to new ideas. And I

firmly believe those new ideas should include taller buildings and higher density than what is shaping up in the latest draft plan.

Thank you for taking the time to read my feedback and considering my points. You are doing great work!

Sincerely, Michael Cocks 1620 NE Broadway St Unit 326 Portland, OR 97232 971-533-0544



To: Portland Planning & Sustainability Commission

- CC: Portland Bureau of Transportation
- From: Kathryn Doherty-Chapman, Go Lloyd Owen Ronchelli, Go Lloyd
- Date: August 9th, 2016

Re: Central City 2035 Plan Comments

Go Lloyd is a 501(c)(6) nonprofit business and transportation management association that has been active in the Lloyd neighborhood for more than 20 years. Go Lloyd creates a thriving environment for business and community by building partnerships, delivering targeted transportation programs, and fostering economic vitality. We are pleased to have the opportunity to provide our comments on the Central City 2035 Plan Proposed Draft.

Plan Goals

We support the overall policy goals of the CC2025 Proposed Draft plan, especially goals:

- 1. A,-1.C. 2.LD-1 Complete Neighborhoods,
- 3. A., & 3.LD-1 Optimized Street Network,
- 3.LD-2, Rose Quarter and Regional Attractions,
- 4.LD-1—4, especially improving public trail connections
- 5.10 Street Hierarchy
- 5.11-5.15 especially the Green Loop concept and Regional corridors and connections,
- 5. LD-1—5 especially *Connectivity through large blocks* and pedestrian-oriented development.

We also strongly support the policy amendments:

- Policy 9.41 Portals
- Policies 9.45-9.51

Multi-Modal Mixed Used Area (MMA) Designation

As we previously commented on the Discussion Draft, Go Lloyd supports designating the Central City as an MMA. This designation supports a network of streets that make it attractive and highly convenient for people to walking in and around the Central City and encourages high-quality

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connectivity and pedestrian-oriented development. This further supports Lloyd's designation as a bicycle and pedestrian district.

This MMA Designation further supports the policy goals in Chapter 1 as a regional center and Lloyd District policies 1 LD.2 as a sustainability innovation center as well as all of the goals in chapter 2 and 3, especially Policy 3 LD.1 regarding optimizing the street network and increasing the connections across barriers such as large blocks, freeways, rail lines and natural features.

Following Policy 9.6 from the Portland Comprehensive Plan, which prioritizes walking as the first mode to consider when making transportation systems decisions, we recommend prioritizing projects that relate to the pedestrian improvements in the Central City TSP. Moreover, we recommend that the Commission develop an ordered list of key priorities in the Central City that can guide the next five years of investment.

Active Transportation

To achieve mode split goals for 2030, Go Lloyd believes it will take continued investment in biking and walking infrastructure, as well as outreach and education programs designed to encourage people to choose these options. It is also important to calm traffic and fix networks gaps to get the "interested but concerned" members of our community riding bicycles.

Bicycle Classifications

Go Lloyd supports the Bicycle District designation and generally the street classifications as they are consistent with the following notes:

- 1. **NE 7th Avenue.** Go Lloyd supports changing NE 7th to a Major City Bikeway classification between NE Schuyler Street and the proposed bike/pedestrian crossing of I-84. This is consistent with past support for 7th as the major north/south bikeway by Lloyd and by northeast neighborhoods including Eliot, King, and Irvington. This street is a more direct and conflict-free route for bicyclists in and through our neighborhood.
- 2. **NE Clackamas Street.** We support the new connection over I-5 on NE Clackamas Street and the addition of this section of NE Clackamas as a City Bikeway. Closing gaps in the network such as this is vital to attracting new riders.
- 3. 7th Ave Bike/Pedestrian Bridge. We strongly support this new connection over I-84 (politically and financially). Currently there are limited options for people riding bicycles southbound out of the neighborhood. Both NE Grand Avenue and NE 12th Avenue require significant additional travel and are uncomfortable and unsafe. A new bike/pedestrian crossing will significantly increase the safety and comfort of people accessing our neighborhood, and will strengthen eastside connectivity and economic development. The NE 7th Avenue Bridge is the neighborhood's highest priority infrastructure project.
- 4. **NE Broadway and Weidler Streets.** These streets are designated as Major City Traffic Streets, Major City Bikeways, *and* Major Transit Priority Streets. We are concerned about the City's ability to implement the treatments necessary to make them safe Bikeways and Transit Priority Streets if they are classified as all three.

Pedestrian Classifications

Go Lloyd supports the Pedestrian District designation, as a quality pedestrian environment is fundamental to high transit use and a thriving shopping and dining environment. We generally support the street classifications and strongly support the addition of these important pedestrian connections.

- 1. **NE Clackamas Street.** See above for our support for this added connection.
- 2. **7th Ave Bike/Pedestrian Bridge**. See above in Bicycle designations for our support for this added connection. Again, this is Lloyd's highest priority infrastructure project.
- 3. **Open Space Network.** Go Lloyd also supports Policy 5.LD-5, Lloyd is experiencing a surge in new residents and continues to be a destination for visitors as well as employees. However, the neighborhood lacks the open spaces that other parts of the Central City enjoy. The development of a sequence of open spaces and a wayfinding system is critical to improve the pedestrian experience in Lloyd.

TDM Code (Section 33.510.161)

We support the deletion of the proposed TDM code as it had been written in the Discussion Draft and support further discussion and development of the TDM requirements. We would expect that groups like Go Lloyd as well as developers would be involved in further development of any TDM requirements. Effective and robust transportation demand management is critical in helping Portland reach the other livability, sustainability, and economic goals.

Parking Code (Sections 33.510.261 & 33.510.262)

As we previously commented, Go Lloyd strongly supports the proposed parking code changes in Title 33, especially the new parking maximums in residential zones and increased flexibility in sharing of parking facilities between users and properties. Parking management is one of the most important and effective transportation demand tools for affecting travel choices. Parking spaces are often over-supplied, and we believe these changes will allow for greater flexibility of their use, encourage them to be utilized as a shared asset, and ultimately reduce the overall amount of space dedicated to private vehicle storage.

We believe these important changes to the parking code, in combination with the bicycle and pedestrian classifications and projects, are crucial in reaching the policy goals in chapter 2, 2.2 *Promote Healthy Active Living* and 2.9 *Housing Affordability*, as well as Chapter 3 3.4 *Transportation system management* and policies 3.7-3.10.

Central City 2035 Studies List

Studies are critical to good planning and also funding for implementation. Go Lloyd supports the following studies:

- Green Loop Concept Plan
- Broadway- Weidler Corridor Plan Update
- Lloyd District Standard Plans and Details

TSP Project List

There are many worthy projects in the TSP capital projects list, and we have identified our top ten priority projects for the Lloyd neighborhood.

Top 10 Lloyd TSP Capital Projects

Go Lloyd and the Lloyd Neighborhood is <u>adamantly opposed</u> to a protected bikeway along NE 9th Avenue, TSP ID #20122. We have discussed at length with PBOT the numerous safety issues related to bicycles along NE 9th given all the driveways and significant freight and bus movements that occur daily. We have not changed our position on this matter and would oppose any action going forward on a protected bikeway along NE 9th through Lloyd.

With that said, Go Lloyd offers our top nine favored TSP capital projects:

- 1. # 20077 Sullivan's Crossing Pedestrian/Bicycle Bridge/ Inner Eastside Pedestrian/Bicycle Bridge NE 7th to 8th Ave, (over I-84); NE/SE 8th Ave, (Glisan-Ankeny)
 - a. This is the top infrastructure project for Go Lloyd and we strongly encourage funding and implementation. This closes a large gap in the bike/pedestrian network and will help attract new riders by providing a pleasant and safe route between North and Northeast Portland to Southeast. This project will also demonstrate that the city and the Lloyd neighborhood prioritize people walking and bicycling and are committed to providing high-quality infrastructure.
 - b. This project will be a key piece in reaching our Central City goals in Chapter 3, especially goal Policy 3.LD-1 *Optimized Street Network* as referenced above, and Policy 6.LD-1 *Sustainable District* and 6.LD-2 *Sullivan's Gulch*.

2. # 20112 Portland NE Multnomah Protected Bikeway Improvements Multnomah St, NE (Interstate-16th)

a. Multnomah Street was one of the City's first protected intersections, and through the pilot phase of the treatment we learned about implementing protected bicycle treatments. It is now time to design and implement a more permanent protected bikeway that is attractive and sustainable in terms of maintenance. Getting Multnomah to a permanent design is a top priority for us, and we have committed funds to jumpstart the design process.

3. # 20079 Portland Lloyd Blvd Ped/Bike Improvements Lloyd Blvd, NE (Grand-12th)

a. NE Lloyd Boulevard connects people to the river, the Eastbank Esplanade, and the rest of the city. It is currently not a comfortable route for the interested but concerned demographic, and improving this street will go a long way towards closing network gaps, creating safe and comfortable biking and walking routes, and meeting the Central City 2035 Plan goals of improving engagement and connections to the river. There is also the potential to use excess capacity on this wide street to add car parking, allowing parking to be removed on other streets to create safety improvements.

4. # 20078 Portland Lloyd District Streetscape Improvements 7th/9th Ave, NE (Lloyd-Broadway)

Both 7th and 9th are important north-south connections for people walking in Lloyd, and this project will greatly enhance the pedestrian environment for businesses and for current and future residents.

5. # 20186 NE 7th Ave Bikeway Improvements 7th Ave, NE (Lloyd-Tillamook)

As 7th Avenue is the main north-south bike route through our neighborhood and will hopefully connect to a new I-84 crossing, this is also an important project to make our transportation system function more efficiently.

6. # 20113 NE Broadway Corridor Improvements, Phase 1 Broadway/Weidler, N/NE (Broadway Bridge-24th)

The Broadway-Weidler Alliance already stated their case for improving the NE Broadway corridor in a TSP comment letter from last March. We reiterate their urging to dedicate the necessary resources to improve the street. Because of high traffic speeds, limited signal crossings, and insufficiently marked crosswalks, Broadway and Weidler have been identified as barriers to connectivity and to travel by walking and biking. The resulting poor access and street-level environment have hurt businesses and made for a much less livable community.

7. # 20178 Irving and NE 16th/ I-84 Traffic improvements

Improving this intersection will drastically improve the experience of all road users on the 12th Ave Bridge. The current and future traffic congestion make it seem dangerous and unpleasant to bicycle into Lloyd and fixing this intersection is key to making the 12th Ave bridge work better for all.

8. # 20068 NE 12th Ave Bridge Replacement

This is one of the most heavily used and important gateways into Lloyd from SE Portland. It currently is unpleasant to walk or cycle over due to the increased car traffic congestion and improving it for all modes will make moving in and around the Lloyd neighborhood safer and more convenient.

9. # 20188 Lloyd District Grand / MLK Traffic Signals Grand / MLK, NE (Lloyd-Broadway)

Updating signals is fundamental to improving transit and traffic flow with appropriate signal timing. With so many people using different travel modes at these intersections, including freight, streetcar, and bicyclists, this is a vital project for us.

Thank you for reading our comments. We look forward to reviewing the Recommended Draft later this year.

Sincerely,

Kathryn Doherty-Chapman Go Lloyd Bicycle Program Manager

Awar Ronchell:

Owen Ronchelli Executive Director

PDC PORTLAND DEVELOPMENT COMMISSION

Tom Kelly Chair

Gustavo J. Cruz, Jr. Commissioner

Mark Edlen Commissioner

Alisha Moreland-Capula Commissioner

William Myers Commissioner

Charlie Hales Mayor

Faye Brown Interim Executive Director August 9, 2016

City of Portland Planning and Sustainability Commission 1900 SW 4th Avenue Portland, OR 97201-5380

To the Planning and Sustainability Commissioners,

First, I would like to thank you for this opportunity to provide input to your hearings on the Central City 2035 Plan (Plan) on behalf of the Portland Development Commission (PDC). As with the 1988 Central Portland Plan, this effort will provide important clarity to the community regarding the City's plan for growth over the next 20 years. The proposed Plan is a tribute to the Bureau of Planning and Sustainability's many years of hard work, data synthesis, and public involvement, and the Plan positions our city well as we prepare for the next generation of growth. I would like to also take this opportunity to thank you for engaging PDC staff throughout the process and for their contributions as well.

Unlike some urban areas nationwide, Portland's Central City has remained resilient, and PDC has played a significant role in introducing new mixed-income housing; growing and retaining high wage jobs; integrating new open space and public plazas into our expanding urban fabric; supporting the region's higher educational institutions and anchor amenities; and, maintaining a vibrant retail core. However, as stated in PDC's recent 5 Year Strategic Plan, PDC's ability to help the City implement the Plan requires a clear-eyed understanding of Portland and PDC's assets and challenges today and into the future. Public-private partnerships, with strong coordination across Bureaus, has been key to Portland's success over the past twenty years. Looking forward, we need a similarly coordinated examination of the aggregate benefits and impacts of various currently proposed regulatory and financial policies; their combined implications for private development; and, any cross implications for shared public goals. In other words, we need to jointly prioritize policy and ensure feasibility of implementation.

222 NW Fifth Avenue Portland, OR 97209-3859

503-823-3200 Main 503-823-3368 Fax As many of you are aware, the City and PDC are facing a dramatic decline in tax increment resources as a financing mechanism for implementing Plan goals. As a result, PDC can only retain its leadership role in helping Portland grow and in promoting widely-shared prosperity by thinking in new ways about how we do business and how we fund our work. It is with the premise that we have recommended to BPS staff to retain PDC as implementing partner on those activities that align with our current tax increment resources and our current Strategic Plan – and particularly those investments that have a direct correlation to redevelopment and economic development outcomes.

Planning and Sustainability Commission August 9, 2016 Page 2 of 3

In reviewing the Plan, PDC has identified several specific Sections and project impacts where we recommend PDC staff continue to support BPS staff to refine Plan language through future work sessions leading up to Portland City Council consideration in early 2017.

- **Proposed Code Language.** The Plan includes two significant new code sections that are critical to the future economic as well as physical growth of the city. In general, we are supportive of these new sections but are concerned with some of their specific provisions.
 - <u>Central City Master Plan</u> (Section 33.510.255). Whereas previous Master Plan code language was voluntary, the new proposed Master Plan is required for certain Central City sites, including the US Post Office site and Clinton Station, amongst others. While PDC is supportive of much of the proposed language, we are concerned with the prescriptive nature of some of the language – in particular, provisions regarding Approval Criteria; Amendment triggers and processes; and specific Open Area development standard provisions.
 - <u>River General Overlay and Setback</u> (Sections 33.475.200 through 33.475.220). It is our understanding, the River Overlay, Setback, and Review related sections are applicable to all areas of the Central City in lieu of the current Greenway code, but for in South Waterfront where the Greenway Review process will remain similar to current code. Maintaining unchanged greenway related goals and processes is critical as we further public infrastructure related efforts to support future build out of the OHSU Schnitzer campus and to implement the Development Agreement regarding Zidell Yards.

The proposed new River Overlay and related Setback language – including the new 50' requirements and Top of Bank definition– have the potential to impact a number of river adjacent developable sites. In particular, PDC has significant concerns with the new language as it would make any future of redevelopment and/or retenanting of existing buildings at Centennial Mills infeasible.

- Strategic Development Sites and Projects. In Volume 5 of the Plan, PDC is tasked with implementing development and economic development activities within specific districts and projects from Broadway Corridor and Union Station to the Central Eastside industrial and job center. We are concerned that language elsewhere in the Plan does not align or significantly impacts these efforts, including:
 - o <u>Proposed Maximum Floor Area Ratios and Base Heights</u> (Maps 510-2 and 510-3).
 - Broadway Corridor/US Post Office Site Redevelopment. PDC is pursuing redevelopment of the US Post Office site and the broader Broadway Corridor area in partnership with the Portland Housing Bureau and pursuant to the Broadway Corridor Framework Plan (Framework Plan) as shared with the Planning and Sustainability Commission and adopted by the City Council. While certain elements of the Plan Proposed Maps align with the Framework Plan – such as an increase to 7:1 FAR – some elements do not. We recommend all Plan

Planning and Sustainability Commission August 9, 2016 Page 3 of 3

Map entitlement and right-of-way (FAR, height, and a street plan showing NW Park and Johnson as public rights-of-way) be included to align with Framework Plan as adopted by City Council.

 <u>ODOT Blocks/Central Eastside</u>. In the Central Eastside, PDC is pursuing acquisition of 2.1 acres (three separate parcels) located at the western edge of the Central Eastside and currently owned by the Oregon Department of Transportation (ODOT). Upon acquisition, it is PDC's intention to redevelop the property with a mixed-use, public/private development partnership and to realize various public goals including increasing job density, adding to the City's supply of industrial and commercial space, and providing an opportunity for affordable industrial space.

The Salmon Springs view corridor, as currently proposed, is of significant concern to PDC as it would prevent redevelopment that could realize these goals. As proposed, the view corridor caps about half of both the north and middle parcels (along SE Salmon) to 35' limiting that portion of the development to approximately two stories assuming industrial height requirements. PDC strongly recommends revisiting the public benefits of this proposed view corridor relative to its impact on the future growth of industry and jobs within the Central Eastside – the Central City's only employment center to grow jobs during the economic downturn.

<u>Parking Structures and Access</u> (Sections 33.510.261 through 33.510.263). While we appreciate the underlying goals of the standards listed under these Sections, certain standards create significant challenges for public and private development and related parking uses – standards such as the historic district building coverage minimum, streetfacing façade requirements, and restricting parking and loading access to or from any Major City bikeway, Traffic Street, Truck Street, and Transit Priority Street. Staff has identified a number of developable sites that under this language would have no remaining parking or loading access point options based on these standards.

We look forward to working further with you, BPS staff, and other Bureau partners and leadership as you move towards City Council consideration and action on the Plan in early 2017.

Sincerely,

Faye Brown Interim Executive Director

-----Original Message-----From: Bob [mailto:bob.bowden@comcast.net] Sent: Tuesday, August 09, 2016 12:36 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: "PSC Central City 2035 Plan Testimony"

My name is Bob Bowden my mailing address is 6200 SW Virginia Ave Portland Oregon 97239.

I am writing to give input on the proposed Salmon Creek corridor and the Changes proposed as they effect our properties at 1125 SE Madison and 1031 SE Madision.

My family has owned and developed properties in Portland for 50 plus years. The properties that we own in the proposed view corridor our substantial investments for our family. We have spent 20 years and millions of dollars to prepare them for development. The current proposed view corridor proposed would greatly reduce our options and -----Original Message-----From: Bob [mailto:bob.bowden@comcast.net] Sent: Tuesday, August 09, 2016 3:26 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: "PSC Central City 2035 Plan Testimony"

Bob Bowden 6200 SW Virginia Street Portland OR 97239

I am writing to give input on the proposed Salmon Creek View Corridor. Our family owns property at 1031 SE Madison,1125 SE Madison St and 1120 Main Street. We have spent 20 years and invested millions of dollars on our investments in this area. The view corridor proposed would take away some of our options and reduce the value of our investments.

Our property presents a unique opportunity to create jobs and housing in a key growth area in the central city area. We have the last undeveloped block in the area which could be developed with out throwing anybody out. We also have the entire next block

that together presents the opportunity to create affordable housing, and create a lot of jobs close in. All of this can be done if the block at 1031 SE Madison would be changed to Ex with a 65 foot height and the block at 1125 SE Madison would have the entire block changed to 65 ft. The block closest to the river is proposed for 80 feet and so it will work with the corridor and we will be able to meet our goals and the city's goals.

We look forward to working with you to accomplish our mutual goals.

Thank you Bob Bowden

ORIGINAL



August 9, 2016

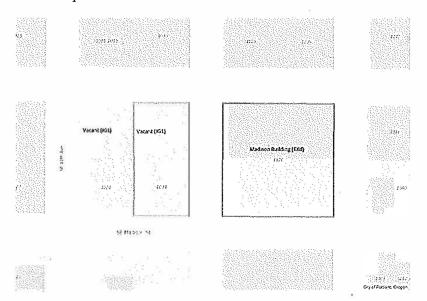
HAND DELIVERED

Planning and Sustainability Commission City of Portland 1120 SW 5th Avenue Portland, OR 97204

> Re: Central City 2035 Update Southeast industrial district / Mount Hood view corridors Our clients: George and Beverly Nase and affiliates Our file no. 5608.040

Ladies and Gentlemen:

I am submitting this letter on behalf of George and Beverly Nase and their affiliates Madison Eleven, L.L.C., Nase Main Street, L.L.C., and Macadam Nase, L.L.C., through which they and their family own the block between SE 11th and 12th Avenues and Madison and Main Streets and the half-block to the west that fronts on SE 11th Avenue. I've outlined their parcels on the map below.



The Madison Building parcel is Block 250 of Hawthorne Park and the vacant block is Block 213 of Hawthorne Park.

Folawn Alterman & Richardson LLP

805 SW Broadway, Suite 470 • Portland, Oregon 97205 • phone 503-517-8200 • fax 503-517-8204 • www.FARlawfirm.com

24845

Planning and Sustainability Commission City of Portland August 9, 2016 Page 2

In addition to the information about the view corridor that Ty Wyman and Dunn Carney Allen Higgins & Tongue are submitting on behalf of a group of affected property owners that includes the Nases, the Nases and I ask you to recommend that Council set the height limit on Block 250 to be 65 feet or more, and that Council rezone Block 213 from IG1 to EXd.

1. George Nase and his family have a long-term investment in the success of the central eastside.

The Nase family has made a sustained, long-term commitment to the economic health of Portland that is unusual by any standard. George Nase is a lifelong Portland resident. He has been developing and rehabilitating houses, apartments, and commercial property in the Portland area for sixty years. He and his family have been developing and restoring property in Southeast Portland for forty years. Projects they have built, improved, and repurposed provide hundreds of jobs, and more than 200 families live in houses and apartments they have built. They have never sought or received a City subsidy or contribution to any of their projects.

They bought the Madison Building¹ twenty-one years ago. Since then they have renovated the building inside and out, made seismic upgrades, and expanded the building upward by adding a third floor of apartments above the retail and office space on the original floors. They have been working on plans to add eight more units to the building. They bought half of the vacant block to the west in 2007. The building and its parking lot are zoned EXd and the vacant block is zoned IG1.

Current zoning imposes no height limit on the vacant half-block. The Madison Building parking lot and the east half of the building are currently subject to a 45-foot height limit. The west half of the building is subject to a 65-foot height limit. The west half of the building is more than 45 feet in height.

The current draft proposal would impose a view corridor over their properties and impose a height limit of 80 feet over the vacant block and of 45 feet over the portion of the Madison Building that is taller than 45 feet. For the reasons I outline in this letter, the Nase family and I ask you to make two modifications to the current proposal. Both modifications are consistent with good planning principles, benefit the neighborhood, and recognize the Nases' investmentbacked expectations.

2. The appropriate height limit for the Madison Building block is 65 feet.

If you do recommend that the City Council protect the Mount Hood view from Salmon Springs and impose a height limit, then please set the height limit for the Madison block at 65 feet instead of 45 feet, for these reasons.

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The building was called the Grange Building when they bought it. It's known now as the home of Mad Son's Bar & Grill (formerly Madison's Bar and Grill), and I'll call it the Madison Building for convenience.

Planning and Sustainability Commission City of Portland August 9, 2016 Page 3

First, the existing building is higher than 45 feet. You should not recommend a map change that would make the existing mixed-use building a nonconforming structure, unless you wish to discourage this sort of mixed-use development in the central eastside district.

Second, reducing the height limit on the Madison Building block doesn't do anything to protect the view of Mount Hood, because staff is proposing a height limit of 80 feet on property to the west. If the property to the west is developed to full height, then any addition or replacement to the Madison Building that is shorter than 80 feet wouldn't be visible from Salmon Springs. Lowering the height limit on the Madison Building block from the current 65 feet (northwest quarter) won't do anything to protect the Mount Hood view.

Third, more than half of the EX zoning between SE 11th and SE 12th Avenues in the district fronts on residential zoning to the east. The Madison Block is one of the few EX blocks that fronts on CG and CS and not residential.² A low height limit on the Madison Block is not needed to buffer height from residential-zoned districts because the property doesn't border any residential-zoned districts.

3. The City should offset the lost potential jobs in the view corridor by rezoning the vacant block at 11th and SE Madison from IG1 to EXd.

The block to the west of the Madison Building is unusual for the district. It is the only vacant full block in the proposed view corridor and one of the very few vacant full blocks in the inner southeast area.³ The only improvements are two parking lots, a billboard, and some lighting and fencing. The Nase family owns the east half and Custom Stamping owns the west half.

If you do recommend that the City Council impose height limits on the corridor, then please also recommend that Council rezone the vacant block between 10th and 11th Avenues and Madison and Main Streets from IG1 to EXd, for the following reasons.

First, the property fronts on SE Madison Street, the main approach to the Hawthorne Bridge, and on SE 11th Avenue, a busy one-way street. Neither street frontage is suitable for truck access and a loading dock, two important considerations for an industrial block.

Second, the city noted in its letter to property owners that the proposed reductions in height would "have impacts on development potential and job capacity." Changing the zoning of this block from IG1 to EXd would replace some of the lost development potential and job

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² Between SE Stark and SE Division Streets, only five full blocks and two half-blocks zoned EX front on commercial zoning to the east; the other nine full and three half-blocks zoned EX all front on residential zoning to the east.

³ I located only two other vacant blocks between Water Avenue, 12th Avenue, East Burnside Street, and Division Street. These were the full block at SE 7th Avenue and Ash Street that Wentworth Subaru uses for car storage and the full block north of vacated SE Stephens Street that serves as the parking lot for Goodwill Industries.

Planning and Sustainability Commission City of Portland August 9, 2016 Page 4

capacity in a location that already has good vehicle and transit access and is adjacent to existing EXd property.

Third, as one of the very few vacant blocks in the subdistrict, and the only vacant block that is not attached to or used as an essential part of an adjacent employer, it can be redeveloped without evicting any residents or businesses. The city can encourage this block to be redeveloped without costing even one existing job and without dislocating even one resident.

4. Conclusion

If you recommend that Council impose height limits in the path of the Salmon Springs view of Mount Hood, then please recommend also that the Council set the height limit on Block 250 at 65 feet or more, and that Council rezone Block 213 from IG1 to EXd. Thank you for considering our requests.

Very truly yours,

FOLAWN ALTERMAN & RICHARDSON LLP

e_ N. Alter

Dean N. Alterman dean@farlawfirm.com

Copy: George and Beverly Nase

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24848



MARTEN LAW

August 9, 2016

Via Hand Delivery

Portland Planning and Sustainability Commission 1900 SW 4th Ave, Suite 7100 Portland, OR 97201

Re: Comments of American Waterways, Inc on CC2035 Proposed Draft

Dear Members of the Planning and Sustainability Commission:

This firm represents American Waterways, Inc., which for over twenty years has operated a successful cruise vessel business in Portland under the "Portland Spirit" banner. American Waterways supports and has actively participated in the City's effort to develop new zoning and standards for the Central Eastside through the Central City 2035 (CC2035) process. Based on substantial experience with the implementation of the City's Willamette Greenway requirements, we understand the importance of proceeding with correct, current information.

We previously submitted written comments, dated March 31, 2016, on the CC2035 Discussion Draft. In that letter, we explained that American Waterways supports the rezoning of the Property to EX (Central Employment) with the "d" Design Overlay. American Waterways also supports the prohibition on residential use within the Ex zone on its Property as reflected in proposed Section 33.510.118.B.1 and Map 510-6.

As discussed below, however, American Waterways is concerned about serious shortcomings in the natural resources inventory information on which the mapping of the "e" River Environmental Overlay Zone is based. American Waterways also cannot support a uniform 50-foot river setback, code changes that complicate our ability to load and unload passengers from our vessels, and other changes outlined below that unreasonably limit the ability to use on of the few truly private riverfront parcels in the Central Eastside.

Background

American Waterways owns two adjacent parcels, with street addresses of 110 S.E. Caruthers and 250 S.E. Caruthers (the "Property"). The current base zone is

IH – Heavy Industrial. The only overlay zone currently on the Property is the River General ("g") overlay for the Willamette Greenway.

The Property includes the dock facility for American Waterways vessels. That dock, together with the existing building on the 110 S.E. Caruthers property, has been classified as an "Industrial Service" use, the purpose of which is to moor, maintain and service tour boats. That Industrial Service use is permitted outright in the IH zone, as has been determined in two Greenway Review proceedings (LUR 99-00073 GW; LU 11-141034 GW). The Property also includes a 4,800 square foot building on the 250 S.E. Caruthers parcel; the building is a shop/support facility associated with vessel operations, including machine shop, woodshop and storage.

The Property has a long history of marine uses. The waterfront of the Property is supported by a wall of pilings running the length of the Property. The pilings, installed decades ago, are integral to dual needs of supporting the upland and maintaining an adequate berth for vessels.

When Tri-Met was in the planning stages for the Tillicum Crossing Bridge and realized that the bridge might impact operations of the American Waterways docks and tour vessels, Tri-Met considered whether relocation was possible. The conclusion of Tri-Met's consultant, taking into account operational needs, MTSA issues (discussed below), existing greenway restrictions and the limited supply of private riverfront land in the Central City, was that the Property is the only feasible site in the City for the American Waterways operations. In other words, workable zoning standards are essential not only to the operations at this location but to the survival of the business.

Passenger Loading

A key issue for American Waterways is to ensure that passenger loading will be allowed under the new zoning and that CC2035 adequately provides for passenger loading on riverfront properties elsewhere along the Willamette. That is important not only for river tours but for the possibility of future "water taxis." CC2035 needs to make it clear that such uses are permitted.

Currently, passenger loading for Willamette River tour boats is an accessory use under PCC 33.920.510.D.2, which explains why docks for such vessels are not within the use category for "aviation and surface passenger terminals":

"Marine passenger docks for subregional marine travel such as Columbia River cruise ships, water taxis, or recreational boating; and other marine tie ups (such as the seawall between the

> Broadway bridge and the Hawthorne bridge) are not included in this category and are classified as accessory to their adjacent facilities."

As we noted in our March 31 comment letter, however, this language is not as clear as it should be, because it leaves unanswered the question: to what "adjacent use" would a "marine passenger dock for subregional marine travel" be "accessory"? For the different land use categories listed in PCC 33.920, the Code lists accessory uses. "Marine passenger docks for subregional marine travel," however, are not specifically listed as accessory to any defined use category in the code.

The CC2035 Proposed Draft takes a different approach. First, subregional cruise ships will no longer be considered accessory uses. Rather, an amendment to Section 33.920.200 would add "subregional cruise ships such as Willamette and Columbia River cruises" to the "Commercial Outdoor Recreation" use category. That change from accessory use to primary use is acceptable to American Waterways as long as the change is concurrent with the rezoning of the American Waterways property to EXd; "Commercial Outdoor Recreation" is an outright permitted use in the EX zone, per Table 140-1 in Chapter 33.140. The concurrent change in zoning and the "Commercial Outdoor Recreation" use category will ensure that American Waterways can continue using its dock for passenger loading and unloading.¹

Second, the Proposed Draft revises the exception to the description of the "Aviation and Surface Passenger Terminal" use category in Section 33.920.510.D.2 to clarify that "water taxis, water buses and ferries" are "accessory to their adjacent uses." With the understanding that such loading and unloading of water taxis, water buses and ferries can occur as an accessory use in any zone, this change is acceptable.

Finally, the Proposed Draft adds a new Section 33.475.215, which limits "passenger waiting and queuing areas, security checkpoints, cold food storage and machine shops associated with marine passenger docks" to a total of "5,000 square feet within or riverward of the river setback." The associated commentary indicates that this is a limit on "net building area" – under Section 33.910.030, the total area of all floors (structured parking excluded).

¹ We note that CC2035 Volume 4 ("Background Materials") does not show on Map 11 of the <u>Existing Policies an Conditions Report</u> (April 2011) that the American Waterways dock provides a point of access to the river. Although the dock is privately owned and not available for general public use, American Waterways has used the dock for thousands of cruises – carrying approximately 1 million passengers – over the past 16 years.

The commentary for Proposed Draft Section 33.475.215 indicates that staff arrived at the 5,000 foot limitation by looking at "the queuing area at the Salmon Springs dock and the square footage for other related uses provided by an interested property owner ..." The commentary goes on to state that "limiting the footprint of this type of development within the river setback will allow the area to achieve other Willamette River goals and objectives"

Salmon Springs dock, however, handles only one cruise vessel at a 60-foot dock. The American Waterways dock, by contrast, has 400 feet of dock, and berths up to five vessels (with room for more). American Waterways currently can have up to 800 people boarding at the Caruthers Street site in an hour.

In the last 20 years, American Waterway has grown from one vessel to five, 500 cruises a year to 2,000 cruises a year, and from a handful of employees to over 200. American Waterways needs to have the capacity to grow its fleet to meet future demands and provide alternative product support like overnight cruise ships and ferries. That requires a terminal that allows for future growth and meets the high service standards customers justifiably expect.

Dan Yates of American Waterways has previously provided to Bureau of Planning and Sustainability staff a description of the elements of a terminal facility that will provide the support needed for the vessels and the services needed for customers. A copy of that description is attached to this letter.

Goal 15 provides: "The setback line shall not apply to water-related or waterdependent uses." It is inconsistent with Goal 15 to place a predetermined limit on the area that may be occupied by such uses. To do so is, in effect, to subject them to setback regulations from which they are exempt as a matter of law.

Moreover, if the purpose of the 5,000 square foot restriction is to limit the development "footprint" within the river setback, that purpose would be served by limiting the actual *footprint* of the building, not the total square footage – a multi-story structure can meet the goal of limiting the development footprint.

We ask that the 5,000 square foot limitation be removed as inconsistent with Goal 15. At a minimum, the 5,000 square foot limitation should be for "building coverage" as defined in Section 33.910.030, not net building area.

Mapping Issues

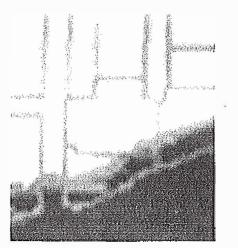
In our March 31 letter, we challenged the basis for the mapping of the "e" River Environmental Overlay Zone on the subject Property. Simply put, the "e" zone is supposed to be applied to high or medium rank riparian corridors and wildlife

habitat identified in the Central Reach Natural Resources Inventory, as discussed in proposed Section 33.475.020.A.2:

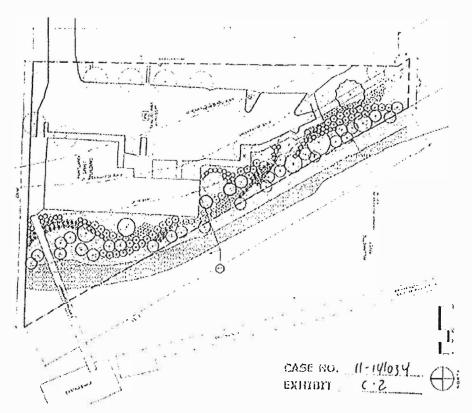
The River Environmental overlay zone applies to specific natural resource areas identified in a detailed study titled Central Reach Natural Resources Protection Plan (2015). This overlay zone always applies in combination with one of the other River Overlay zones.

The current draft of the "Willamette River Central Reach Natural Resources Protection Plan," dated July 2016, includes A map (WR17 – Central Eastside, Map 4, "Riparian Corridors Resources") showing the Property as having riparian resources of "High Relative Rank" and "Medium Relative Rank":

Portion of Map 4 (Riparian Corridor Resources), WR17 (Central Eastside)



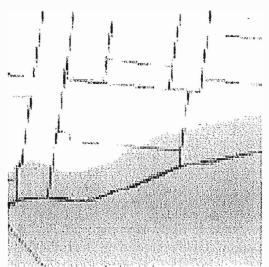
As we pointed out in our March 31 comments, the on-the-ground basis for that mapping of riparian is a mystery. In particular, the area identified as "Medium Rank" appears to include an existing building and at least part of a paved parking lot as evidenced by the following site plan:



Site Plan of 110 SE Caruthers

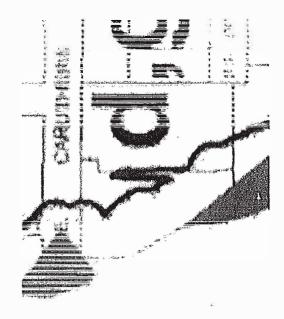
That building and parking have existed on the site for decades, and both are six feet above the 100-year floodplain. The "medium rank" area also appears to include the parking lot landscaping, which the City apparently considers "riparian" even though it is also above the 100-year floodplain and is separated from the Willamette River by the aforementioned development. If a building and parking lot – and upland landscaping -- count as "Medium Rank" resources, one can only wonder what would qualify as a "low ranking resource" that would be excluded from the River Environmental Overlay Zone.

Although we pointed out this obvious error in our March 31 comments on the CC2035 Discussion Draft, neither the Central Reach inventory nor the mapping of the "e" zone was altered to correct it. In fact, the "e" zone on the American Waterways Property was **expanded** to include in the River Environmental Overlay the landscaping on the east side of the parking lot. The resulting expansion can be seen by comparing the "e" zone in the February Discussion Draft with the corresponding map from the current Proposed Draft:



"e" Environmental Overlay CC2035 Discussion Draft, February 2016, p. 499:

"e" Environmental Overlay CC2035 Proposed Draft, June 2016, p. 362:



This mapping is inconsistent with the natural resources evaluation in the Proposed Draft Willamette River Central Reach Natural Resources Inventory (June 2016) at p. 106:

High relative functional ranks are assigned to the Willamette River itself. High and medium relative functional ranks are assigned to vegetated, non-hardened river banks or flood areas. Low relative ranks are generally assigned to non-vegetated flood area and hardened, non-vegetated river banks.

The Inventory's discussion of the methodology (p. 21) clarifies this further:

Typically, the riparian corridor model assigns aggregated relative ranks to natural resource features as follows:

• High – Rivers, streams, drainageways and wetlands; forest or woodland vegetation within a flood area or in close proximity to a water body; and woody vegetation on steep slopes

• Medium – Shrubland and herbaceous vegetation within a flood area or in close proximity to a water body

• Low – Vegetation outside the flood area and further from a water body; developed flood areas; and hardened, non-vegetated banks of the Willamette River North Reach and South Reach and Columbia River surrounding Hayden Island

By those descriptions, an area above the floodplain, long developed with a building and parking lot, would receive a "low" relative rank and be excluded from the River Environmental overlay. Similarly, an area of parking lot landscaping, separated from the river and above the floodplain, would also receive a "low" relative rank. We request that the mapping of the River Environmental overlay be revised by applying the methodology to the actual site conditions, which would exclude a substantial portion of the mapped area from the "e" overlay due to "low relative rank."

The final problem with the "e" River Environmental Overlay is that is does not reflect the Statewide Planning Goal 5 ESEE analysis set forth in the Proposed Draft Willamette River Central Reach Natural Resources Protection Plan. That Plan includes a "Natural Resource Protection Recommendation" for each inventory site, pursuant to which conflicting uses "within areas of high ranked natural resources" would be strictly limited, whereas medium ranked riparian areas would receive a "moderate level of protection" from conflicting uses. The River Environmental Overlay, however, does not distinguish between "high ranked resources" and "medium ranked resources": both are mapped with the

identical restrictive overlay. The proposed River Environmental Overlay therefore fails to implement the outcome of the required ESEE analysis. The River Environmental Overlay must be revised to reflect the different levels of protection afforded "high" versus "medium" ranked resources.

River Setback

The "River Setback," measured as 50-feet landward of the top of bank, is twice as wide as the setback currently applicable under the City's Greenway standards. It appears that the City has based the setback on a minimum riparian corridor width from Metro's Title 13. As noted above with respect to the River Environmental Overlay Zone, however, the methodology used in the City's own Central City Natural Resources Inventory refines Metro's approach by evaluating site-specific conditions. If the River Setback is based on riparian function, there is no reason it needs to be more extensive than the area actually inventoried by the City as High or Medium relative rank riparian corridor in the Inventory. Indeed, the claim that the River Setback serves any environmental purpose is belied by the City's insistence that a paved public trail be placed through the setback.

We understand that a setback restricted to "river-dependent" and "river-related uses" is part of Goal 15. By widening the setback from 25 feet (under the current Greenway overlay) to 50 feet, however, the City would make it substantially more difficult to redevelop the Property in a manner that facilitates moving equipment and materials between docked vessels and supporting facilities (machine shop and storage, for example). The proposal to limit river-related development for a passenger terminal to 5,000 square feet of net building area only compounds the problem.

Public Recreational Trail

The City Zoning Map continues to show what under the Proposed Draft would be termed a "Major Public Trail" across the American Waterways Property. Our concerns with the Proposed Draft fall into three categories: (1) the lack of demonstrated need for a public trail across the Property; (2) the failure of the Proposed Draft to recognize the serious issues a public trail creates for compliance with federal Maritime Transportation Security Act; and (3) flaws in the City's approach to complying with the requirements for real property exactions under the United States Constitution.

Goal 15 and the Public Trail

As has long been the case with the City's planning efforts, the Proposed Draft treats a public trail along the river as if it is an indispensable component of Goal 15 compliance. It is not. Goal 15 (OAR 660-015-0005) does not require public access to or across every property within the Willamette Greenway, nor even across every property on the riverfront. Section C.3.c of Goal 15 requires with respect to plans and implementing measures: "Adequate public access to the river shall be provided for, with emphasis on urban and urbanizable areas." Section C.3.b(3) requires with regard to recreational uses: "The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent practicable." "Practicable" means "capable of being put into practice or of being done or accomplished." "To the greatest extent practicable," therefore, is a high bar.

Section F.3.b(2) of Goal 15 requires that local reviews of intensifications and changes of use within the Greenway must be provide findings that "necessary public access will be provided to and along the river by appropriate legal means." Again, that does not require universal access to and across every property within the Greenway or adjoining the river.

The City's 1987 Willamette Greenway Plan "identifies a continuous recreational trail extending the full length on both sides of the Willamette River, but not necessarily adjacent to the river for the entire length." Willamette Greenway Plan, November 1987 at p. 1. Indeed, substantial portions of the trail are located on and adjacent to public streets or along railroad right-of-way (the Springwater Willamette trail), and do not necessarily follow the river bank.

There can be no serious contention, moreover, that the public is being denied adequate access to the Willamette River along the east bank in the Central Reach. The Greenway Trail already provides continuous public access along the river – and even over the river – from the Steel Bridge to S.E. Caruthers. In that area, the trail does not conflict with the use of the adjoining property (e.g., I-5, OMSI and the Portland Opera building). As noted above, however, Goal 15 does not allow the City to ignore conflicts between the recreational trail and use of adjacent property.

Impact on Maritime Transportation Security Act Compliance

As American Waterways has noted throughout the CC2035 planning process, its operations on the Property are subject to requirements under the Maritime Transportation Security Act (MTSA). American Waterways has requested on

numerous occasions that the "Public Trail" symbol on the Zoning Map be removed from its Property as part of this process because guaranteeing public access to the Property may conflict with obligations under the MTSA. Unfortunately, we have found nothing in the CC2035 Proposed Draft to indicate that the trail symbol will be removed from the Property.

The MTSA, 46 U.S.C. § 701, regulates the nation's vessels and port facilities in order to guard against security incidents that might result in significant loss of life, environmental damage, or transportation or economic disruption, see 46 U.S.C. § 70101(6), 46 U.S.C. § 70103. Among other things, MTSA requires covered vessels and facilities to submit security plans designed to "deter[] a transportation security incident to the maximum extent practicable." 16 U.S.C. § 70103(c)(1). These vessels and facilities may not operate unless in compliance with a security plan that has been approved by the Secretary of Homeland Security. 16 U.S.C. § 70103(c)(5). Noncompliance may be severely punished: persons found to have violated the MTSA or a regulation promulgated thereunder are subject to a civil penalty of not more than \$25,000 per day, not to exceed \$50,000. 46 U.S.C. § 70119.

Coast Guard regulations require only certain facilities to submit facility security plans ("FSPs"). However, any "[f]acility that receives vessels certificated to carry more than 150 passengers, except those vessels not carrying and not embarking or disembarking passengers at the facility" must submit a FSP. 33 CFR 105.105(2). The American Waterways facility on SE Caruthers Street is such a facility: it receives, among other vessels, the Portland Spirit and the sternwheeler Columbia Gorge, both of which are certificated to carry 499 passengers. Consequently, American Waterways is required to – and does – operate under a FSP for the Caruthers Street facility.

FSPs are comprehensive plans describing the full suite of security measures a facility has in place to prevent and respond to transportation security incidents. In the wrong hands, this information might allow a party to compromise a facility's security measures. To prevent the obviously harmful results that could follow from such a breach, federal law designates FSPs "sensitive security information," 33 CFR 105.400(c), thereby subjecting them to a host of restrictions, see 49 CFR 1520. Under these regulations, American Waterways is permitted to disclose the contents of its FSP only under very limited circumstances. 49 CFR 1520.9. In particular, American Waterways may disclose the contents only to "covered persons who have a need to know, unless otherwise authorized in writing by TSA, the Coast Guard, or the Secretary of DOT." 49 CFR 1520.9(a)(2). It goes without saying, then, that it is not possible to discuss

publicly the contents of American Waterways' FSP, as a matter of both law and public safety. American Waterways could be barred by federal law from submitting in a local land use proceeding the evidence it needs in order to prove that a public recreational trail is inconsistent with use of the Property for passenger vessels.

Requirements under the MTSA, moreover, are not static. The Department of Homeland Security can, at any time, change the security requirements as threats change; in order to remain in business, American Waterways needs to be able to comply.

The CC2035 Discussion Draft (February 2016) included commentary in Chapter 33.272 addressing the Maritime Transportation Security Act:

Commentary

33,272,040 Construction of Trails

This zoning code section states the requirements for trail construction. Note: staff acknowledges that other federal and state legislation might determine trail location on particular lands. An example is where a development is subject to the Maritime Transportation Security Act and must develop and adhere to a Maritime Security Plan that limits public access across the site to protect homeland security. In this case, there is/will be flexibility in where the trail is located, and it may be located somewhere else on the site. Each site has unique conditions and characteristics that will affect how this section is implemented.

That Commentary does not go far enough; it simply indicates that if there are MTSA concerns, the trail "may be located somewhere else on the site." Unfortunately, even that watered down discussion of MTSA concerns was deleted from the Proposed Draft now before this Commission.

Proposed Draft Section 33.272.070 (formerly PCC 33.272.050) still requires that the trail be "open to the public between the hours of 5 a.m. and 10 p.m., except as otherwise specified by the terms of an easement between the applicant and the City."

Public access across the American Waterways Property would not merely create the potential for "disturbance" of the owner's use of the Property, as recognized by Goal 15, it would conflict with the owner's obligations to be able ensure security under the MTSA. A public trail would not simply "take" a portion of the

American Waterways Property; it could "take" the owner's ability to conduct its primary business on the Property.

To the extent the City still seeks a public recreational trail across the Property, American Waterways objects. The trail is not required by Statewide Planning Goal 15 and conflicts with the MTSA.

Constitutional Standards for Exactions

Proposed Draft Sections 33.272.030 and 33.272.020.B make important changes with respect to public trails. Section 33.272.030 would depart from the mandate that a trail be dedicated in connection with all applications for land use reviews and building permits, and would provide instead that such dedication "may be required."²

Proposed Draft Section 33.272.020.B would allow the City to compel dedication and construction of the trail only "when a development will increase the use of the trail system or will contribute to the need for additional trail facilities and application of the regulations is determined to be logically related and roughly proportional to the impacts of the proposed development." While we are pleased to see that the City is at long last giving applicants notice of their rights under the two key U.S. Supreme Court decisions on exactions – *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard* – there are numerous problems with the City's approach.

First, from a technical standpoint, the Supreme Court made it clear that it is the local government's burden to demonstrate that the threshold for an exaction has been met. Thus, we request that the language above be revised to allow the City to compel dedication and construction of the trail "when a development will increase the use of the trail system or will contribute to the need for additional trail facilities and it is determined that <u>the City has demonstrated</u> the exaction required by the regulations to be logically related and roughly proportional to the impacts of the proposed development."

Second, to the extent the trail is located in the River Environmental Overlay Zone, proposed PCC 33.475.440.D.4 would require mitigation under proposed PCC 33.475.440.K. That mitigation generally must be 1.5 times the area of the disturbance. In other words, the property owner not only has to dedicate an easement and build the trail, it also would have to mitigate for the impact of the trail it is being required to build. The City would bear the burden of

² Unfortunately, the Proposed Draft includes Commentary for Section 33.272.030 stating that all applicants "are required to grant an easement." Apparently, old habits die hard.

demonstrating that the additional exaction of "mitigation" area for a trail in the River Environmental Overlay Zone meets the standards of *Nollan* and *Dolan*.

Third, the City's proposed "rough proportionality" test (set forth in a proposed Administrative Rule in Proposed Draft, Volume 5, p. 201-208) presupposes both that the "nexus" test of *Nollan v. California Coastal Commission* has been met and that the constitutional concerns of *Dolan v. City of Tigard* can be addressed by a one-size-fits-all formula. American Waterways reserves the right to object to any specific application of the formula. Without waiving that right, we note that the formula does not account for any impacts of the public trail other than the dedication of land for the trail. As noted above, construction of the trail within the River Environmental Overlay will require that additional land be set aside for mitigation. More importantly for American Waterways, a public trail could effectively end the company's operations in the City if MTSA compliance cannot be assured. The City's formula accounts for neither impact, nor does it account more generally for the cost of dedicating and building a public trail.

Finally, the *Nollan* and *Dolan* decisions set forth minimum constitutional requirements for requiring the dedication of private property to public use. It should not be too much to expect the City of Portland to address the broader question of *fairness*: is it fair to impose on a small set of property owners the full burden of providing a facility that serves many commuters, tourists, and businesses? Changes in the Proposed Draft (beginning with removal of the "recreational" description of the public trail) confirm that the trail is as much a transportation facility as it is a recreational facility. All property owners share the burden of providing public streets. But with many thousands of downtown and Central Eastside workers choosing to commute by bicycle daily, only a very small subset of property owners bears the burden of providing the public trail.

American Waterways would welcome the opportunity for continued discussion of these comments with BPS staff.

Sincerely,

Kubard AA

Richard H. Allan

River Terminal related and dependent items:

The location at 110 SE Caruthers Street is directly adjacent to OMSI station with light rail, streetcar and several bus lines. The future could include light rail connecting the Orange Line to the Moda Center station running up Water Avenue and light rail running out to I-205 via Powell Avenue. The location at 110 SE Caruthers is a perfect location to connect river transit to currently available transit systems and future additions.

Currently 110 Se Caruthers Street, headquarters of the Portland Spirit fleet of five vessels, has about 500 feet of full service docks. The docks have full black water, potable water, 800 Amps of electrical power, LED lighted, complete security suite with full MTSA compliance, and support buildings. The current location layout works for Portland Spirit, but is not ideal for the current operation and is inadequate for future growth. The 400 feet of dock is capable of supporting five dinner boats, one overnight vessel daily (7 in a week) and up to berthing for sixteen 100 passenger, single deck ferries. Currently, our fleet has two 600 passenger and two 150 passenger vessels and one 35 passenger vessel. The Terminal must be designed to accommodate several vessel departures an hour.

The current draft version of the COP 2035 Comprehensive plan has the zoning on the land changing from heavy industrial to EXD. This will allow the property to take complete advantage of its property for developing the buildings to support a concentration of marine users in one location.

Currently there is a 5,000 square foot support building built on the river's edge that houses the Portland Spirit management, accounting, HR, sales team, security team, MIS, and all shipboard functions (galley staff, marine staff, and service staff), limited storage of linen, disposables, supplies, and food product. There is currently parking for 28 cars on an improved lot, a 4,800 square machine shop, wine storage, and general storage of things like legal records and Christmas Decorations, and also a wood shop. The shop parking are can park another 100 vehicles and has multiple trash containers.

The Vision:

Build a multi-purpose marine terminal focusing several marine users into one location to reduce impact on the river system and that will supply the ability to efficiently service marine needs for the next 20 years. This will require a substantial building to be built as close to the river as possible. Why so close? There are several reasons. First, customers do not want to walk any farther than they need to board a boat, so the terminal holding area needs to be next to the dock. No different than airports that have moved boarding of planes from the tarmac to enclosed boarding ramps. Keeping passengers out of the elements will encourage more use of transit. Second and equally important, steps equate to labor costs. The less employees need to travel to perform their job the more time they have to be contributing. It is vital to have the following key operations as near as possible to the vessels:

Terminal Building:

Interior seating/holding area for 1,000 people w/ furniture (12,000 square feet)Terminal amenities like coffee kiosk, visitor information(2,000 square feet)Cold storage for food (both refrigeration and freezer)(1,000 square feet)-currently the Spirit operation gets in three tractor trailers a week of food. This usage will grow with
more vessels and uses.(1,500 square feet)Restrooms(1,500 square feet)Enclosed trash area(1,000 square feet)Luggage check area(500 square feet)

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The property will require an area with fire protection for a fuel truck to hook up to gravity feed fuel to the dock. Refueling will happen nightly after the last vessel is moored for the day. Restocking of vessels of food and consumables will happen at all hours. Vessel maintenance will happen at all hours as it is not uncommon to have several serving vendors on site in a single day. These include, diesel engineers, air conditioning and refrigeration mechanics, beverage equipment servicing, regulators (USCG, FCC, OHSA, FDA, Health Inspectors, Department of Agriculture, Fire Bureau, and DHS)

The property will require a bus turning area for tour groups.

The terminal is a service station for guests of the overnight, ferry and dinner boat companies. These facilities are all related to providing a positive river experience. Portland deserves to have a respectable marine terminal that is more than holding cell. The marine terminal needs to be comparable to the airport or train station.

We need to be able to service the vessels and provide a safe place for passengers to board the vessel.

Karina Adams Design Serving Portland and Surrounding Areas kareliada75@gmail.com 503-753-2916

Planning and Sustainability Commission 1900 SW Fourth Ave., Suite 7100, Portland, OR 97201

RE: Bird-Safe Exterior Glazing and Lighting Standards

August 9, 2016

Attn: CC2035 testimony Dear Planning and Sustainability Commission,

I hereby submit my support to the proposed Central City 2035 Plan draft sections on the Bird-Safe Exterior Glazing (33.510.223) and Exterior Lighting (33.510.253.E.5.h). I concur with the Audubon of Portland's additional recommendations for further revising and clarifying the standards for Bird-Safe Exterior Glazing related to requirements, technical notes, and the submittal process. I also concur with their recommendations for additional exterior lighting design standards, particularly related to LED's and Night Sky Lighting. These Audubon recommendations were sent to you on August 9, 2016.

A little background on my work: I have practiced in the design community for almost 20 years and recently went back to college to get my Master of Architecture at Portland State University. While I was there, I also attained a Certificate in Public Interest Design where I did an in-depth study of the issues revolving around the built environment and its deleterious affects on the safety of birds, particularly related to window strikes. I was quite shocked to learn about how around 1 billion birds die running into building windows each year in the United State alone. As a person who has been designing for the built environment for so long, I also was so surprised that I had not heard about the issue.

After talking with Roberta Jortner of Portland's Planning and Sustainability Commission, and asking about what she perceived was lacking in order to educate her colleagues and the architectural community on the issue, we decided that a video on the issue related to the city of Portland could have the biggest impact. With the help of documentary student, Liz Cosko, we created the video you can find on these websites: https://www.youtube.com/watch?v=Pk7XBRFUB3c or https://vimeo.com/89755352. After making the video, I have continued to stay involved with continuing the outreach on the bird-strike issue. I helped edit the wording for the latest *Green Building Policy* Resolution 37122 adopted by the Portland City Council in 2015 and showed the video at the *Portland is Growing: A Festival of Local Films* put on by the Planning and Sustainability Bureau. Now, as a private design practitioner, I volunteer to help the Audubon of Portland in their grant from the National Fish and Wildlife Association to continue their community outreach to architects, building professionals, and students.

I feel that one of the most effective ways for humans to help reverse the impact on birds in our built environment, is for jurisdictions to be proactive in their building and zoning regulations. I think the 2035 Plan is a great way to continue to grow Portland's awareness on the issues and take us forward to a better co-existence with our fellow creatures. As mentioned, I wholeheartedly support sections 33.510.223 and 33.510.253.E.h.

Sincerely,

Manus

Karina Adams



August 9, 2016

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STEVEN W. ABEL Direct 503.294.9599 steve.abel@stoel.com

VIA EMAIL (PSC@PORTLANDOREGON.GOV) AND U.S. FIRST-CLASS MAIL

Planning and Sustainability Commission Attn: CC2035 Testimony 1900 SW Fourth Avenue, Suite 7100 Portland, Oregon 97201

Re: Comments on Central City 2035 Proposed Draft

Dear Commissioners:

We appreciate the opportunity to comment on the proposed zoning map and text change for the Albers Mill property ("Albers Mill Property"), which is owned by the Bill Naito Company and located at 1200 NW Naito Parkway. In the Central City 2035 Proposed Draft, the City is proposing to remove the River General (g) overlay from the Albers Mill Property and add the Scenic (s) overlay, River Environmental (e) overlay, and River General (g*) overlay, which is the re-tooled general overlay applicable within the Central Reach of the Willamette River. Although the existing office use at the Albers Mill Property will remain an allowed use within the proposed base and overlay zones, the proposed overlay standards appear designed to make it far more difficult for the Bill Naito Company to continue to maintain and repair, much less redevelop, the Albers Mill Property. Suffice it to say and as outlined below, the Bill Naito Company is concerned about the proposed changes and the impact the changes will no doubt have on future operations at the Albers Mill Property.

A. Background

The Naito family has been a pillar of the Portland community for nearly 100 years. Today, the family business, the Bill Naito Company, operates as a real estate investment and property management company with over one million square feet of commercial office and retail space in the City. The Bill Naito Company participates actively in the civic life of the City, seeking to be a profitable and successful company while acting in an ethical and environmentally-responsible manner.

The Albers Mill Building is a six story office building consisting of 116,601 square feet located on the Willamette River north of downtown. The building was originally constructed between 1909 and 1911 and served as a flour mill. The building is home to the Wheat Marketing Center as well as many tenants in the agricultural industry. Its massive brick walls, heavy timber

construction and original large windows have been carefully preserved. When the building was renovated in 1988-1989, a concrete and wooden section was added to the east. Within the shell of the building is a modern mid-rise office building. The building has been Energy Star certified since 2008. It is listed as an historic resource.

B. Discussion of Proposed Changes

The Bill Naito Company's key concern with the proposed overlay changes relates to the expansion of the river setback from 25 ft to 50 ft from the top of the bank. The Proposed Draft notes that this revised setback provision is aimed at moving non-river-dependent development further away from the river and providing more space for the Greenway trail and natural resource enhancement. While these natural resource goals are laudable, the setback provision, as drafted, threatens to significantly restrict Bill Naito Company's ability to repair and maintain existing facilities and thoughtfully redevelop waterfront properties to respond to market opportunities.

As proposed, the river setback extends from the top of the bank to a point 50 feet landward of the top of the bank. Within (or riverward) of the setback, development (and exterior alterations, excavations, and fills) must be river-dependent or river-related. Within the setback, development that is not river-dependent or river-related is only allowed if it meets a specific narrow exception¹ or is approved through River Review and a Greenway Goal Exception, both of which are involved public processes with exacting standards.

The Bill Naito Company is concerned that this proposed change will substantially restrict the use of the Albers Mill Property and the Albers Mill Building. The Albers Mill Property is a very narrow site such that the Albers Mill Building already extends into the river setback. Moving the setback further landward will only make it more difficult for the Bill Naito Company to repair, maintain, and redevelop the Albers Mill Building and its associated development. Although the Bill Naito Company supports the restoration and enhancement of lands along the Central Reach of the Willamette River, a 50-foot "no touch" zone that does not take into account the existing nature of uses and development is simply not workable. We believe the 25-foot setback should be maintained adjacent to the Albers Mill Property.

Not only is the City proposing to expand the river setback from 25 feet to 50 feet but the exemptions embodied in the current zoning code are notably absent in the Proposed Draft.

¹ This narrow exception allows development that is not river-dependent or river-related to encroach up to 5 feet into the river setback as long as an area equivalent in size to the encroachment area is provided adjacent and contiguous to the setback area.

Under the current zoning code, Greenway Review is not required for a suite of non-river related or river-dependent uses within the river setback, including:

"C. Changes to the interior of a building where there are no exterior alterations;

* * *

"G. The normal maintenance and repair necessary for an existing development;

* * *

"I. Emergency procedures necessary for the safety or protection of property."

PCC 33.440.320.

At a minimum, the Bill Naito Company urges the City to incorporate similar exceptions into the zoning code text for the g* overlay to make it clear that property owners may repair and maintain existing development within the river setback, and respond to emergencies for the safety or protection of property.

In sum, the Bill Naito Company is concerned about the effect the revised setback provision on the viability of the Albers Mill Property. Although the City is not proposing to preclude the existing use at the Albers Mill Property, the proposed setback will make it increasingly difficult for the Bill Naito Company to maintain the existing structure and related improvements.

We look forward to the opportunity to work with the Commission and City staff to discuss amendments to the proposed zoning code text that would ensure the continued viability of the Albers Mill Building and its associated development parcel.

truly yours. en W Abel

cc: Marc Fazio, The Bill Naito Company



PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland

Date:	August 9, 2016
То:	Planning & Sustainability Commission
From:	Mike Abbaté, Director
сс:	Commissioner Amanda Fritz, Pooja Bhatt, Tim Crail, Brett Horner, Kia Selley
RE:	Comments and Recommended Changes to the Central City Plan

Dear Planning and Sustainability Commissioners:

Portland Parks & Recreation (PP&R) appreciates the opportunity to address the Commission, express our support for this important long-term vision for the central city, as well as provide some recommended changes to the June 20, 2016 draft plan. We thank you for listening to our concerns and we also wish to thank the staff at the Bureau of Planning & Sustainability (BPS) for making significant improvements based on our input over the last two years.

We are pleased to see the extensive work done on scenic views and in particular, the addition of the downtown view from the Japanese Garden in Washington Park, the added flexibility being proposed for small retail areas in central city parks, the Green Loop vision, and the attention paid in the plan to the urban forest and its importance in addressing climate change and a more livable central city.

Our remaining concerns and recommended revisions are as follows:

Administration 1120 S.W. 5th Ave., Suite 1302 Portland, OR 97204 Tel: (503) 823-7529 Fax: (503) 823-6007

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www.PortlandParks.org Amanda Fritz, Commissioner Mike Abbaté, Director



Sustaining a healthy park and recreation system to make Portland a great place to live, work and play.

24869

VOLUME 2A – Parts 1 and 2

Page	Policy # or Code	Issue	Suggested Changes and Rationale
#	Section		
15 (Part 1)	33.510.115.B1.a/b	Limits retail sales in Open Space (OS) zones to 1,000 sq. ft.	Revise to retain the previously proposed 2,500 sq. ft. maximum of retail space in OS zones, with options for adding more retail if desired by future park plans. Retail is an important component of activating and improving safety and oversight in parks. The trend nationally and internationally is to strategically use retail uses, particularly in the urban core, to provide additional eyes on the park, and provide needed park visitor services and support facilities. The City Council-accepted master plan for Waterfront Park envisioned three such buildings in the park to improve the visitor experience with small cafes, rental of recreation equipment, and ticket offices for potential water-dependent boat operations. Some retail spaces may be located underneath bridges to limit park space concerns.
61 (Part 1)	33.510.210.C.2.f	A static \$22.10 dollar amount is set for those wishing to obtain a bonus by contributing to the open space bonus fund.	We recommend this dollar figure adjust annually (like development processing fees) as property values and inflation rates change. Can the code refer to a fee schedule for annual amount instead?
139 (Part 1)	33.510.220.B.2 Also relates to: 33.140.230.B.1.a	This section requires ground floor windows for development along public streets.	Update 33.510.220.B.2 and Map 510-8 to include parks, open spaces, and trails so that windows are required on buildings that front parks and open spaces. PP&R can provide geographic layer.
30 (Part 2)	33.475.220 C	Where public beaches are proposed, clarify that these areas do not require landscaping	Aside from those beaches that might be proposed for human use, non-landscaped areas also provide valuable habitat as beach. It is also difficult to establish and maintain grasses and forbs, as proposed.
28 (Part 2)	33.475.220 C. Table 475-1	Subarea planting requirements.	These areas (subarea 1) are highly disturbed and often contain fill. Planting on the slope is very difficult. The proposal is very prescriptive and most likely will not survive. We recommend allowing willow planting and other native and Northwest hardy plantings that will survive the river fluctuations and the bank armoring in these areas.
40 and 42 (Part 2)	33.475.440.E and I	The proposed 30' setback for park amenities, trails and viewing areas required	Remove the 30' setback as that is unreasonable and costly for bridging a waterway or wetland. Change setbacks for trails and park amenities to 5 feet for rivers,

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		from top of bank of a stream, wetland, and drainage are too restrictive.	streams, wetlands, water bodies, etc. Allow viewing areas to extend riverward of top of bank (because the purpose of a viewing area is to get near and even over the water), if the viewing area is on public land and/or open to the public. We have many excellent examples of viewing areas and trails that are close to or that enter into wetlands, including Westmoreland Park, Oaks Bottom, East Lents Floodplain, Tideman Johnson Natural Area, and Smith and Bybee where this is acceptable.
42 (Part 2) AND 91 (Part 2)	33.475.440.E AND 33.430.190	Proposes that a viewing area be no larger than 500 square feet (SF) and at least 30' from any waterbody. This is unacceptable.	Not all, but some viewing areas may need to larger than 500 square feet because viewing areas may contain items such as interpretive displays, public art, seating, and even large marine historical items like masts or hulls. Revise to allow viewing areas no larger than 1800 SF and remove the 30' setback from top of bank (to allow the viewing deck to cantilever over the river, wetland, or water body bank).
91	33.430.190 A-C	Current code limits	The 30 foot setback defeats the entire purpose of a viewing area and enjoyment of the river. We request that there not be an upper limit on
(Part 2)		trails to no longer than 5,000 feet long.	trail length. The 5,000 feet in the current code is an arbitrary length. If all other exemption criteria are met, trail length should not matter. We realize this is a citywide code issue and one we want changed with the citywide zoning code, but the Central City plan should not perpetuate an arbitrary limit.
105 (Part 2)	33.440.240.C	Notes that trails in River Natural and River Water Quality Zones must be designed to minimize natural environment impacts.	Add "while also ensuring trails comply with State Planning Goal 15 (Greenway) and meet PP&R Trail design standards and user needs.

VOLUME 2B

U CONTE	20		
Page # of	Policy # or Code	Issue	Suggested Changes and Rationale
Discussion	Section		
Draft			
17	Transportation	North Portland	Add NPGT Segment 5.
	System Plan (TSP)	Greenway Trail (NPGT)	
	Major Projects list	Segment 5 in Lower	
		Albina does not	
		appear to be on this	
		list.	

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Page #	Policy # or Code Section	Issue	Suggested Changes and Rationale
38	Central City Tree Canopy Scenarios and Targets	The methodology that is used is based on opportunity (what we can get given current conditions and estimates of the available space for trees) rather than optimum desired level of canopy to meet ecosystem and other objectives.	Suggest adding this sentence to the end of paragraph 2 on page 38: "The City should continue to explore creative ways to add canopy so that optimal canopy levels can be met, and exceed what is targeted in this plan and feasible under today's current conditions. The existing Urban Forestry Management Plan will be updated by PP&R in the next several years and will explore ways in which to achieve appropriate canopy in the central city, and citywide. It is likely that additional canopy will be needed to address pressing issues like climate change, heat island effect, and air pollution."
49	Action EN36	This action calls for Parks to enhance planting along the Willamette on the west side between the Steel and Broadway Bridge.	Remove this action as the City and PP&R have no ownership or control of this land area. Alternatively, assign BES to lead Implementer with "Private" property owner.
150	Action EN38	Calls for native plantings only in PP&R open spaces and parks.	Revise to "native and Northwest hardy plantings." Non-natives can contribute to the ecological health of open spaces and in some cases, can outperform natives (drought tolerant).
150	Action EN41	Calls for PP&R to enhance the riverbank and shallow water area around RiverPlace Marina.	Move from 2-5 year timeline to 6-20 year timeline, and suggest assigning BES as Lead Implementer, with PP&R as partner. This action has not been identified as a priority for limited PP&R resources.

Thank you for your consideration of these very important issues to Portland Parks & Recreation. Further questions can be directed to Parks & Trails Planning Manager, Brett Horner.

Date:	8/9/16	71.			
Name:	Rob Fa	llow		(Please print l	egibly)
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Portland Planning and Sustainability Commission Public Hearing

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Date: <u>AVG 9,16</u> Name: <u>MICHAEL MEHAFFY PHD</u> (Please print legibly) Authorized Spokesperson representing: <u>SUSTASIS FOUNDARC</u> (if applicable) Address: <u>NAZ SUVISTA AVE HAZ</u>
City: PORTLAND Zip: 97205 Phone: 503-250-4449
Email Address and/or Fax No.: MICHAEL, MEHAFEN @ GMAIL COM
What agenda item do you wish to comment on? $CC 2035$
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Portland Planning and Sustainability Commission Public Hearing
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Portland Planning and Sustainability Commission Public Hearing

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Authorized Spokesperson representing: Human Access Projectif applicable)
Address: $230 NE 32^{np}$
City: <u>PDX</u> Zip: <u>97232</u> Phone:
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Electric Vehicle Parking in the Central City of Portland, Oregon

PROBLEM: The Portland Bureau of Planning and Sustainability June 20, 2016 proposed draft Central City 2035 (CC2035) Plan does not address the urban benefits and future need for minimum parking for electric vehicles in new multi-dwelling residential buildings and overall is inconsistent with established city goals for the use of electric vehicles to help lessen pollution and mitigate climate change.

BACKGROUND: Since the arrival of affordable automobiles in great quantity, starting with the Model A Ford in 1903, American cities and urban planners have had to cope with traffic congestion, air pollution and where to park privately-owned vehicles. Over the decades, planning for and regulation of on-street curb parking, off-street parking and on-site parking for business and residential buildings have had serious, unintended consequences. Urban core business, vitality, livability and air quality often suffered, but city planners and regulators learned valuable lessons along the way. This critical aspect of city planning has been studied in great depth by many learned people since the Model A.

University urban planning curricula and the American Planning Association have focused on the problem of parking and the real cost to cities and their residents. A very comprehensive 763-page treatise was published in 2005 by the American Planning Association: Donald Shoup, *The High Cost of Free Parking*. The esteemed author holds a PhD in Economics from Yale and is a distinguished research professor in the Department of Urban Planning at UCLA. Professor Shoup supports and recommends that central cities have no minimum parking requirements. Among the bases for this position are: "Increased housing prices, unjust subsidies for cars, distorted transportation choices, sprawl, social inequity, and economic and environmental degradation," the latter encompassing the hazardous and climate-changing side effects of gasoline and diesel engine-powered vehicles: Carbon Monoxide, Carbon Dioxide, other gaseous compounds and particulates.

Parking in Portland is managed by the Bureau of Transportation. Current policies and code are in agreement with those recommended in *The High Cost of Free Parking*, specifically, no minimum parking requirements for new development. The draft CC2035 Plan addresses parking in great detail within sub-categories of parking (Growth, Preservation and Visitor). However, *The High Cost of Free Parking* and the CC2035 Plan do not address the positive impact and need for eco-friendly electric vehicles, and minimum parking for electric vehicles to encourage diverse urban neighborhoods.

Electric vehicles have not been brought into the mainstream of transportation until recently for a number of reasons including cost, time-to-recharge, where to recharge and maximum range. That is changing rapidly. Essentially, all the major automobile manufacturers offer plug-in

rechargeable electric vehicle models: Basic Electric Vehicle (BEV – battery only) and Plug-in Hybrid Electric Vehicle (PHEV – battery powered electric motors with gasoline engine backup). In addition to being absolutely clean, emitting nothing, BEVs, and PHEVs when operating in electric drive mode, are much more efficient and much less polluting than conventional vehicles driven by the gasoline/diesel internal combustion engine.

The source of electric power is also undergoing a revolution. Sustainable, renewable energy, primarily from wind and sunlight, is becoming an ever-increasing proportion of the electric power produced in America and in the Pacific Northwest.

The City of Portland has adopted an Electric Vehicle Strategy (*Electric Vehicles: The Portland Way*) that calls for examination of the costs and benefits of requiring new apartments and mixeduse construction to be electric-vehicle ready with the capacity to support Level II (240V) charging stations. The Bureau of Planning and Sustainability updated Portland's *Climate Action Plan* in 2015. It suggests working with developers, building owners and managers and parking managers to add charging stations and consider electric-vehicle-ready guidelines and codes.

DISCUSSION:

1. Currently, electric vehicle ownership is encouraged through Federal and State of Oregon tax credits. A Bloomberg New Energy Finance study estimates that within 5 years electric vehicles will become more economic than gasoline or diesel automobiles without government purchase incentives, due to the falling cost of batteries and production economies of scale. Improved batteries will enable faster recharging and longer vehicle range. The Bloomberg study projects that 25 percent of cars on the road will be electric vehicles by the end of the CC2035 planning period. This is consistent with other studies and reports, and may be even higher in the Portland Metro area fostered by Portland's policies and goals. Basically, the electric vehicle revolution is here to stay with accelerated growth.

2. The power to recharge electric vehicles comes from a variety of sources: coal-fired power plants, hydro-electric and other renewable energy systems (wind, solar, geothermal, etc.). While electric vehicles operating in the Central City (in lieu of gas/diesel vehicles) will substantially contribute to a cleaner and healthier urban environment, some electric power will come from fossil-fuel power plants, contributing to climate change through the so-called "long tailpipe" of electric vehicles (emissions produced at the source of electric power generation). However, traditional gasoline/diesel vehicles also have "long tailpipes" when considering the greenhouse gas emissions associated with the extraction, production and distribution of petroleum fuels. When a so-called "Well-to-Wheels" comparison analysis is done, electric vehicles produce significantly less Carbon Dioxide per mile driven than cars with internal combustion engines. This has been well-documented in a US Department of Energy May 10, 2013 report, "Well-to-Wheels Greenhouse Gas Emissions and Petroleum Use for Mid-Size Light Duty Vehicles."

3. Renewable energy is projected and planned to increase significantly over the next decades and the electric vehicle "long tailpipe" will become thinner. Oregon's largest electricity generation is currently from renewable hydropower, and the share of other renewable energy resources (wind, solar, geothermal, etc.) is growing. In 2016, the Oregon Department of Energy Renewable Portfolio Standard was approved and established an expanded state standard that the largest utilities will provide 50 percent of their electricity through renewable resources by 2040. With this, there is an evolving beneficial synergy between the increased ownership of electric vehicles and the growth of renewable energy. The use of electric vehicles through planning, policies and code for their parking and supporting charging stations should support and take advantage of this synergy.

4. Portland building codes do not require multi-dwelling buildings to have charging stations for electric vehicles in their on-site garages, nor the electric transformer capacity to support the later installation of charging stations. Retrofitting existing multi-dwelling buildings to charge electric vehicles has proven to be complex, onerous and expensive. The CC2035 Plan should specify building codes that require sufficient extra electric power capacity to support a minimum number of on-site charging stations. Such planning would be consistent with Portland's Electric Vehicle Strategy, "Adopt and update policies to facilitate the transition to the use of electric vehicles (EV) in Portland" with an important sub-objective, "Continue to research best practices regarding EV-friendly development regulations and policies." A roadmap is readily available in a neighboring state. In 2013, California enacted legislation (Assembly Bill No. 1092) to establish "...mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings and non-residential development."

5. On-site parking for multi-dwelling buildings in the Central City is currently market driven. In line with overall parking policies, minimum parking is not required with the objectives of keeping residential units affordable and reducing traffic and pollution. However, families with children, the disabled and the elderly will desire, or in some circumstances require, personal vehicle transportation in lieu of light rail, streetcar, bus, bicycle or walking. Some, even those living and working in the Central City, will desire to store a car for occasional, extended travel outside of the city. The CC2035 Plan now correctly encourages child-friendly play areas, neighborhood parks, and schools in the primarily residential areas of the Central City. If some minimum level of on-site parking is not required, the residential parts of the Central City will filter newcomers and skew the diversification as the city grows in population.

6. In the last decade, the minimum requirement for multi-dwelling building bicycle parking has increased 6-fold: one per four residential units to 1.5 for each residential unit. This mandate correctly encourages the use of this eco-friendly mode of transportation. Likewise, setting modest, minimum parking requirements in multi-dwelling buildings for electric vehicles encourages ownership and use of that eco-friendly mode of personal transportation.

7. Parallel to providing sufficient parking for electric vehicles is TriMet's electric bus conversion program to help reduce carbon emissions in the Central City and meet climate change goals. Portland also has a first-in-the-nation policy for streamlining the process for the deployment of publically available charging stations. As this policy is enacted, more and more curbside and public garage parking spaces will include charging stations for the exclusive use by electric vehicle owners. This infrastructure change will be done incrementally over the period of the CC2035 Plan as Bureau of Transportation budgets allow. The net effect will be the discouragement of gasoline/diesel cars and the encouragement of electric vehicles, one mode displacing the other. Minimum electric vehicle parking in new multi-dwelling buildings will have the same important effect.

CONCLUSION: The proposed draft CC2035 Plan is inconsistent with and does not consider the actual and forecast expansion of the use of electric vehicles and their benefit to the environment, the renewable energy sources to support them, and Portland's existing policies and plans for electric vehicles.

RECOMMENDATION: The CC2035 Plan must include parking and recharging provisions for electric vehicles and call for minimum parking exclusively for electric vehicles in new multidwelling buildings in the proposed Goose Hollow, Pearl and West End subdistricts of the Central City Plan District (proposed Map 510-1). New multi-dwelling buildings in these subdistricts should be required to have minimum parking exclusively for electric vehicles as a percentage of the number of residential units in the building. New multi-dwelling buildings that independently plan on-site parking in response to market conditions should be required to have a minimum number parking spaces planned exclusively for electric vehicles as a percentage of the number of residential units in the building. New multi-dwelling buildings that independently plan on-site parking in response to market conditions should be required to have a minimum number parking spaces planned exclusively for electric vehicles as a percentage of the number of residential units in the electric power capacity to support that number.

The CC2035 Zoning Code & Map Amendments should include appropriate language and be supported by the CC2035 Transportation System Plan policies. Suggested changes are attached.

Robert Wright (503.222.6874 / wright-stuff@comcast.net) Walter Weyler (503.490.3907 / walter_weyler@sequenceusa.com) 1221 SW 10th Avenue Portland, Oregon 97201

Suggested changes to the Proposed Draft Central City 2035 Plan, June 20, 2016 Volume 2A Zoning Code & Map Amendments Part 1: Central City Plan District

Page 222, 2nd paragraph, line 10. After "... in transportation infrastructure (e.g., transit/rail and bike systems)." add, "Pollution-free electric vehicles have become an ever-increasing alternative mode of personal transportation. Use of electric vehicles, in lieu of gasoline/diesel cars, will be promoted through the installation of charging stations in all parking categories, and minimum electric vehicle parking requirements for new multi-dwelling buildings in subdistricts."

Page 223, Paragraph A. Purpose. 3rd Line, After, "...promote the use of alternative modes," add, "including privately-owned electric vehicles".

Page 224, Paragraph F, 1st Bullet, change to, "Except for electric vehicles, no minimum parking requirements in the Central City …" Add 2nd Bullet, "Minimum parking requirements for electric vehicles will be as a percentage of total parking spaces, or as a percentage of the total number of multi-dwelling residential units for those spaces, whichever is less."

Page 225, Paragraph F.2., change to, "Minimum required parking. Except for electric vehicles, there are no minimum requirements for Growth Parking. Minimum Growth Parking requirements for electric vehicles will be 20 percent of the total parking spaces, or 20 percent of the total number of multi-dwelling residential units for those spaces, whichever is less."

Page 229, Paragraph G.3., change to, "Minimum required parking. Except for electric vehicles, there are no minimum requirements for Growth Parking. Minimum Growth Parking requirements for electric vehicles will be 20 percent of the total parking spaces, or 20 percent of the total number of multi-dwelling residential units for those spaces, whichever is less."

Page 232, Add 5th Bullet, after "...to guarantee that commuter uses are not being served and that spaces with electric vehicle charging are used only for that purpose.

Page 233, Paragraph H.2., change to, "Minimum required parking. Except for electric vehicles, there are no minimum requirements for Visitor Parking. Minimum Visitor Parking requirements for electric vehicles will be 20 percent of the total parking spaces."

Page 233, Paragraph I., add Paragraph I.3., "Signs must be posted indicating the spaces reserved only for electric vehicles."

Page 234, 1st Paragraph, add, "To discourage commutes with gasoline/diesel cars and encourage commutes with electric vehicles, 20 percent of the total number of parking spaces is proposed as an appropriate balance between gasoline/diesel cars and electric vehicles.

Page 239, add paragraph 5.b.(5)., "Number of spaces for electric vehicles and the percentage of those spaces used for electric vehicles, and the percentage used for gasoline/diesel cars."

Page 250, 3rd Paragraph, 1st Sentence, add, "... and increase development-related electric vehicle trips and parking."

Page 250, 3rd Paragraph, 2nd Sentence, change to, "These could include Transportation Demand Management, the demand for electric vehicle parking with charging stations, parking management or other strategies.

Suggested changes to the Proposed Draft Central City 2035 Plan, June 20, 2016 Volume 2B Transportation System Plan Amendments

Section 2, Policy Amendments, Page 3. After Policy 9.49, insert POLICY 9.XX, **Electric Vehicles.** Encourage and promote the use of electric vehicles and the electrical infrastructure to support electric vehicle recharging at on-street, off-street and residential on-site parking spaces.

Section 2, Policy Amendments, Page 3. After Policy 9.51, after "...walking, cycling," insert, "electric vehicles."

Section 2, Policy Amendments, Page 4. After Policy 9.53, insert POLICY 9.XX,

Electric Vehicle Parking. Encourage the provision of electric vehicle parking to serve the expected increase in electric vehicle trips in the Central City, and electric vehicle parking in Central City residential buildings.

August 8th, 2016

Dear Planning and Sustainability Commission,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

My relationship with the Garden is one that has evolved over many years – initially, I started as a volunteer but within two years was working full time under the Garden Curator as the Project Manager/Assistant to the Garden Curator. Through this position, I am able to support my passion for the Garden as a way to connect people to nature through gardens. The underlying rich aesthetics and varied philosophical values which combine to inform Japanese gardens are wonderful guidelines for the modern challenge of respecting and connecting to nature. Regardless of the chaos in the world the Portland Japanese Garden is a healing place where one is able to find a moment of calm, appreciate the beauty of nature, and engage in a dynamic cultural community. The view at discussion here (SW06), is a view like no other that exists in Portland, or in any major public garden on the West coast where the visitor is immersed in a tranquil and healing environment and then reconnected to the urban, local, and regional expanse of nature in a single view. This connection to downtown Portland, to the foothills, and to Mt. Hood and Mt. St. Helens is an invaluable asset that requires protection for future generations to experience.

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. **Please protect the view that is so essential to its beauty and tranquility.**

Sincerely, Desirae D. Wood

Desirae D. Wood 1048 SW Gaines Street Portland, OR 97239

1971 View from Portland Japanese Garden: 30,000 visitors



2016 view from Portland Japanese Garden: 400,000 visitors





August 8, 16

To: Planning and Sustainability Commission City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100, Portland, OR 97201

Subject: CC2035 Plan Testimony

Dear Planning and Sustainability Commission,

On July 12, 2016, the Sullivan's Gulch Neighborhood Association (SGNA) discussed the Central City 2035 proposal for maximum building heights of 150' for the area of the Lloyd District bordering Sullivan's Gulch (NE 15th/16th Avenue from Holladay to Weidler Streets), as shown in Maps 510-3 and 510-4. SGNA Board of Directors voted 8 to 3 (with 3 abstentions) to recommend a maximum building height of 75', inclusive of any bonus provisions, consistent with the adopted version of the N/NE Quadrant plan that includes a step-down in building heights for the Lloyd District as it borders the Eliot and Irvington neighborhoods.

To avoid any confusion, we feel it is important to mention an earlier letter submitted to Karl Lisle, BPS, on July 9, 2012 from a previous chair of our Land Use and Transportation Committee requesting that the Sullivan's Gulch area noted above be excluded from the step-down protections originally included in the draft of the N/NE Quadrant Plan. Unfortunately, this letter had neither SGNA Board approval nor even Board discussion. Whether or not that letter influenced the final plan, step-down protections provided for adjacent neighborhoods were removed for Sullivan's Gulch.

Consistent with the N/NE Quadrant Plan, the Central City 2035 proposal retains the 50' maximum building height between NE Broadway and Weidler Streets from 7th to 16th Avenue (the Lloyd District), and 75' for the same area between NE Broadway and Schuyler. However, NE 15th/16th Avenue from Holladay to Weidler Streets received no such protection. We note that the proposed transition along the northern edge of the Lloyd District spans a commercial corridor, whereas no such corridor separates the Lloyd District from Sullivan's Gulch. Also, with two high-rise buildings (Holladay Park Plaza and The Fontaine) already in this area, facing them with 150' to 225' buildings would create a deep corridor, a necessary feature in areas centrally located, but overwhelming for neighbors bordering the edge of the central city.

We respectfully request a maximum building height of 75' for the area along the eastern edge of the Lloyd District (NE 15th/16th Avenue from Holladay to Weidler Streets) to provide a step-down in building heights facing Sullivan's Gulch. This would create a sensitive neighborhood transition and is consistent with both the proposal for 50' and 75' heights along the northern edge of the Lloyd District facing the Eliot and Irvington neighborhoods *and* the Comprehensive Plan policy to provide transitions from more intense development in centers and corridors to adjacent neighborhoods. We very much appreciate the Commission's consideration of this request in making its final determination.

Sincerely,

Chrostine Barner

Christine A. Tanner Chair, Sullivan's Gulch Neighborhood Association

Sullivan's Gulch Neighborhood Association c/o Holladay Park Plaza, 1300 N.E. 16th Avenue, Portland, OR 97232 www.sullivansgulch.org



SGNA Board Action

Meeting

July 12, 2016

Motion

The Board of Directors for the Sullivan's Gulch Neighborhood Association shall send a letter on Central City 2035 to the Portland Sustainability Commission requesting a step-down of allowable building heights in the plan for the Lloyd District along its eastern border with Sullivan's Gulch (NE 15th/16th Avenue from Holladay to Weidler Streets). We request a maximum building height of 75' that is consistent with the proposed step-down in heights along the northern edge of the Lloyd District bordering the Eliot and Irvington neighborhoods.

Vote Count

8 in favor; 3 opposed; 3 abstained.

Minority position

We are concerned that opposing greater allowable building heights in this area does not consider all the other important factors related to planning new development. Thoughtfully and sensitively designed tall buildings have the potential to be architecturally significant, and they may contribute to increased social and cultural activity in the area as well as to the image of Portland as a dynamic and architecturally interesting American city.

From: Bill Stites [mailto:bill@stitesdesign.com]
Sent: Monday, August 08, 2016 2:01 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

Hello,

I am writing as a 20 year resident and business owner in the City of Portland. I am writing specifically to SUPPORT THE GREEN LOOP.

As a business owner in CEID, I would also express my support for <u>using 6th</u> <u>ave. as the primary N/S route on the East side</u>. Please render the the Green Loop car-free throughout. Business deliveries can be accommodated in offpeak hours.

There are so many streets for cars and trucks, we need space for parks, people, bikes, trees.

Thank you,

Bill

Bill Stites D.C. <u>www.TruckTrike.com</u> 738 SE Washington Street Portland, OR. 97214 [503] 989-0059 <u>Bill@StitesDesign.com</u> <u>www.StitesDesign.com</u>



-----Original Message-----From: Sylvia Skarstad [mailto:smskarstad@gmail.com] Sent: Monday, August 08, 2016 9:43 AM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: CC2035 Testimony

Since first visiting the Japanese Garden in 1971, I have introduced it to scores of friends and family; and since becoming a tour guide in 2000 I have shared this unique world with thousands more. All who visit, stand awed by the dramatic view that includes "our Mt. Fuji." Most important to me personally, however, is the Garden as respite, a place to think and regain equilibrium during family illness and loss. With the panoramic view as backdrop, my husband and I sat for a portrait with our daughter after her graduation in 1987 from Cleveland High School (visible between downtown and Mt. Tabor). I urge the City to protect this shrinking view that becomes etched in the memories of all who visit the Japanese Garden.

Sincerely, Sylvia M. Skarstad 6910 NW Anderson Avenue Vancouver, WA 98665 -----Original Message-----From: william savery [mailto:william@savery.us] Sent: Monday, August 08, 2016 12:22 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: CC2035

I am a property owner in and resident of the South Waterfront for six years. I regularly walk the trail between the new South Waterfront Greenway Park and Willamette Park along the westside of the River. My kayak is stored near Willamette Park, so I frequently launch there and paddle the stretch of the Willamette River between the Sellwood and Tilikum Crossing Bridges. Less frequently I bike the loop trails between these bridges. Thus, I have become well aware the issues of river setback and vegetation removal in the overlay zone.

The westside river trail between Tilikum Crossing and Sellwood Bridge is unique in comparison to Tom McCall Park and the Springwater on the Willamette Trail because of its low elevation river bank, views of Ross Island and residential environment. It does, however, have good accessibility, nearby small scale businesses and a central location. It is urgent to maintain its character by extending the river setback to 75 ft. without exceptions, closing the grandfather clause for historic building footprints and curtailing the tree/vegetation removal in the overlay zone. Please find Jeanne Galick's excellent written comments attached below which speak to these issues in detail.

William Savery 0841 SW Gaines St, #1606 Portland, OR 097239 August 5, 2016

Central City 2035

From: Jeanne E Galick, West Quad SAC member, 7005 SW Virginia Avenue, Portland 97219

There are some wonderfully innovative concepts in this document. The Green Loop , the increased greenway setback and robust tree canopy targets are particularly noteworthy. These are ideas that will improve livability and human and environmental health. They deserve to be fully supported and funded.

However, major gaps and issues remain.

Willamette Greenway Setback 33/475.220

The increased 50 foot greenway setback is a step in the right direction but it needs to be wider still. Science indicates that at least 100 feet is necessary to provide healthy riparian functions. For a city that strives to lead on sustainability and environmental issues, the proposed increase literally falls short – settling for the absolute lowest standard to maintain some semblance of riparian health.

Recommend increasing greenway setback to at least 75 feet with 50 feet for revegetation and habitat enhancement/protection and 25 feet for the recreational trail which will measure 16 feet minimum.



Current construction and greenway with 25' setback. Note how close trail is to building.

inset shows how close the trail is to top of bank

Greenway Setback examples

A wide greenway that includes ample room for people, large trees and landscaping has huge benefits for human health, the urban economy, recreation, tourism, wildlife and the environment.



Portland at South Waterfront with 100' setback





Vancouver, BC





Boise river is to the far right

South Reach Greenway

Current greenway regulations are flabby, weak and outdated. The south reach still has environmentally significant resources but these will disappear if the city continues to drag its feet on updating the north and south reach greenway regulations.

A much larger setback (consistent with South Waterfront's 100-150' setback), landscaping and environmental protections are desperately needed as development is occurring at a fast pace.

Recommend the city makes a <u>formal commitment</u> to establish new greenway regulations in the South Reach immediately.



6-story building will loom over the trail which clings to the top of the bank. Old building footprint visible

33.475.404 33.430.080 Alterations to buildings that do not change the building footprint... aka "grandfathering." There are few opportunties to complete the greenway– buy the land (when available) or wait for existing properities to rebuild or remodel. This exemption is a major loophole that allows a new building to build *inside* the greenway setback if using the same footprint or if a remnant of the old structure remains. The greenway will never be complete if these grandfathering exemptions remain.

Recommend removing exemption. The example below was allowed to rebuild within the setback, on a hazardous corner of the trail because a corner of the old foundation was kept.



Recent building *within* the 25-setback because it uses the same footprint 33.430.080 33.475.040 33.475.220 Tree/vegetation removal in river overlay zone These exemptions have the unintended consequence of actually encouraging invasives. Property owners allow blackberries and other invasives to cover the bank and then annually mow them down because they present a) nuisance or b) fire hazard. It's a popular tactic for keeping views unobstructed in the South Reach. Cottonwood saplings fall into this category too. Immediate replanting requirements would end this cycle.

Remove exemptions or <u>require immediate replanting</u> that brings property into landscaping compliance *even when there is no change to building footprint*.



Examples of annual removal of invasives in the South Reach.

Exemptions aren't the only problem for achieving a healthy landscape along the river. There needs to be a mechanism that requires *existing* properties to come into compliance within a certain time period.

Recommend a new mechanism to require existing properties to come into compliance within 5 years, starting from 2016. This could remedy large barren sections of the greenway.

Inconsistent /negligible enforcement of greenway landscaping requirements is an on-going problem.

33.430.080 33.475.040 33.475.440J 33.475.220 Tree/vegetation removal New policies and targets for increasing tree canopy should be wholeheartedly supported. However, even non-native trees are a welcome amenity to barren areas, supplying needed shade and habitat.

A consistent issue with property owners along the river is view obstruction by vegetation. When trees are young, they block views. An unintended consequence of allowing native trees up to 6" to be removed and replaced with whippet-thin saplings counld mean constant tree removal without ever growing mature trees. Any tree removals that are exempt should be subject to Title 11 tree permit requirments.

Rethink native and non-native tree removal and replanting requirements.



6" diameter tree (person is 5'2")

33.430.140 revegetation fee

J-#4 -Revegetation fee, paid in lieu of replanting, should be used solely for revegetating the same or nearby site -- not somewhere in the Willlamette River watershed. This exemption defeats the goal of restoring or preserving a healthy riverine environment at a particular location.

Require revegetation fees be dedicated to replanting the same or nearby site where removals have occurred.

33.475.230 33.510.253 Exterior Lighting Standards

33.510.223 Bird-safe exterior glazing These new standarrds help the city to achieve a sustainability goal by improving efficiency and reducing light pollution – a health hazard for both humans and birds. It should not only be strongly supported but extended throughout the Central City.

Extend lighting standards to the rest of Central City

I worked on Audubon's Bird-friendly Design Guildelines that were adopted by the City. The number of bird strikes caused by reflective glass is staggering. Following City Council's direction in Resolution 37034 (2013, **establish of the new standards calling for bird and wildlife friendly building design.** These standards are also generally consistent with the City's recently updated Green Building Policy (2015). Standards are also needed given proposed requirements to increase exterior glazing to support active ground floor uses.

Recommend a general prohibition on mirrored and highly reflective glass, not only to reduce risk of bird collisions but also to reduce glare and heat.

Waterfront Park

When does a park stop being a park and becomes a commercial opportunity? Waterfront Park was a major concern for the West Quad SAC. Consensus was for the park to be more usable throughout the year and less of a fairgrounds.

The committee was assured by staff that new commercial activity would be extremely small and limited in number (think coffee cart). It is outrageous that up to 10 permanent, 2000 square foot each, commercial buildings might be allowed within the park. It is co-opting the park.

Severely limit both number (2) and size (less than 1,00') of any commercial enterprise within the park. See current master plan with smaller, more intimate subareas for plantings, picnicking and recreation. Rethink this! Encourage more activity on adjacent Naito (west side).

From: meredith savery [mailto:meredith@savery.us]
Sent: Monday, August 08, 2016 11:53 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

I wish to add my voice to those expressing concern about the Plan's treatment of the Greenway along the Willamette. I live in a building overlooking the Greenway and use the South Waterfront section of it almost every day for walking.

<u>Setback. 33/475.220</u>. The setback needs to be at least 75 feet and ideally 100-150 feet. The current narrowing of the path in front of Block 37 to 25 feet is ugly and dysfunctional. At this moment, because the path ends right beyond Block 37, bicyclists go slowly in preparation for turning around. But as soon as the Greenway is extended, the path will not be useable safely by bicyclists, walkers, dog people, children.

<u>Grandfathering. 33.475.404 and 33.430.080</u>. A group of South Waterfront residents protested the design of Block 37 which crowds the Greenway; was it grandfathering that allowed the Design Review Committee to approve the design? Further south there are other buildings that are far too close to the Greenway. This exemption should be removed.

<u>Vegetation Removal. 33.430.080 and 33.475.040 and 33.475.220</u>. There should be a ban on residents doing landscaping (i.e., pruning or pulling) on riverside plantings. There should also be an appeal process in which residents can go to the city to ask that the city remove view blocking vegetation or that residents be allowed to alter the landscaping but in a way that preserves native vegetation. In the South Reach there appears to be a whole section that has been clearcut and treated with Roundup. Not acceptable. Since so much damage has already been done by self-appointed landscapers, the plan should require all properties abutting the Greenway to come into compliance with vegetation requirements.

Please protect the Greenway from further depredations. This will come back to haunt is in future years.

Meredith Savery 0841 SW Gaines St., Unit 1606 Portland 97239 503-295-5868 August 8, 2016 Vista St. Clair Apartments #807 1000 SW Vista Avenue Goose Hollow Portland, OR 97205-1138

Dear Commissioners:

RE: The importance of preserving the view of Mt. Hood from Salmon Springs Fountain.

There are two major reasons for preserving the view from Salmon Springs Fountain to Mt. Hood. The first is sentimental. When I was a physics graduate student in 1965, over 50 years ago, I saw Mt. Fuji in Japan while investigating the emerging electronics industry. My Japanese colleagues and friends always pointed the beauty and social impact that Mt. Fuji has on the Japanese culture. In the same way, Mt. Hood always reminds me of my wonderful experiences in Japan after more than 50 years.

In the same way, by preserving the view of Mt. Hood, many tourists and professional people will have a similar experience enjoying the beauty and positive social impact that Mt. Hood has on the people and society of Portland that will last decades. Such preservation will reinforce what Portland has done to encourage and modernize the Japanese Garden and continue the development of the Sister Cities program with Sapporo, the mountainous capital on the northern island of Hokkaido.

The second reason for preserving the view of Mt. Hood from Salmon Springs Fountain is for its economic boost to tourism jobs. All other currently protected views of Mt. Hood are lost in this draft of the Central City 2035 plan. Salmon Springs Fountain will be the last place that tourists and residents will be able to see Mt. Hood from the banks of the Willamette River. Salomon Springs Fountain is an incredibly important tourist location and brings many thousands of tourist jobs to the region. Not only do tourists view Mt. Hood from the Salmon Springs, they view Mt. Hood from the Vista Bridge and Rose Garden. Taking away these iconic views is a heavy financial blow to tourism and a blow to the jobs produced by tourists. Tourists come to such iconic places because of the amazing views of Mt. Hood. Not protecting the views that define Portland will have a heavy economic impact on Portland.

Sincerely, Stephen Neal Salomon > -----Original Message-----

> From: Cathy Rudd [mailto:ruddcg@comcast.net]

> Sent: Monday, August 08, 2016 3:06 PM

> To: Planning and Sustainability Commission psc@portlandoregon.gov>

> Subject: CC2035 Testimony

>

> Planning and Sustainability Commission,

>

> As President of the Portland Japanese Garden, I am requesting that the panoramic view of the garden be added to the Central City Scenic Resources inventory.

> Upon entering through the gate, you experience tranquility through the natural beauty surrounding you with the trees, the panoramic view of the downtown skyline, the Rose Garden and Mt. Hood in all its glory. In the 1960's you could enjoy views of Mt. St. Helens and sections of the Columbia River.

>

> For me, it's as simple as seeing the many colors of the green moss, our rock garden, and the view of Portland, while walking out to look at Mt. Hood while a rabbit sits quietly watching. Walking across the ZigZag bridge to see the koi swimming with their brilliant colors or strolling quietly to a tea ceremony takes the daily pressures of life down to a peaceful satisfaction.

> How lucky are we to have Portland's jewel, the Portland Japanese Garden in our own backyard.

>

> Over 350,000 visitors visit annually to enjoy the Portland Japanese Garden, the most beautiful garden in the world, outside of Japan.

>

>

> Let's not lose our beautiful backdrop, looking out to Portland, the City of Roses, our equally gorgeous Rose Garden or the majestic Mt. Hood.

> Once it's gone...we will forever wish it back.

> Thank you,

> Cathy Rudd
1719 Lakefront Road
Lake Oswego, OR. 97034
> President - Board Chair
> Portland Japanese Garden

From: Mary Reece [mailto:rosymary7@gmail.com]
Sent: Monday, August 08, 2016 4:32 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony

Planning and Sustainability Commission,

I am writing to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden was designed specifically around an expansive panoramic view called borrowed scenery. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

I have been a tour guide at the Garden for 12 years and I know how excited and in awe our visitors can be when they view Portland from the veranda of the Pavilion. We talk to them about how Professor Tono, the original garden designer, called our Mt. Hood Portland's Mt. Fuji, illustrating another cultural connection between our two communities. The concept of "borrowed scenery" is very important. The distant view isn't actually borrowed or bought, but rather is captured alive. And so it must remain alive as an important scenic resource for our Garden, our city and our many visitors from all over the world.

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. Please protect the view that is so essential to its beauty and tranquility.

Mary Reece P. O. Box 19332 Portland, OR 97280 CITY OF PORTLAND



URBAN FORESTRY COMMISSION

I I 20 SW Fifth Avenue, Portland, Oregon 97204 Phone 503-823-5396 Eax 503-823-5570



MIKE ABBATÉ, DIRECTOR

Amanda Fritz, Commissioner

August 8, 2016

Katherine Schultz, Chair Planning & Sustainability Commission 1900 SW 4th Ave Portland, Oregon RE: Central City 2035

Dear Chair Schultz and Members of the Commission,

Thank you for giving the Urban Forestry Commission an opportunity to comment on Volume 5 of the Proposed Draft Implementation Plan. The UFC had two presentations from Bureau staff over the last few months. We are pleased to see that higher canopy targets for practically all of the sub districts are reflected in this draft as a result of new LiDar data and from stakeholder comments, including from the Forestry Commission.

As you note in this draft, the Portland Plan and City's Climate Strategy calls for tree canopy to cover at least one-third of the city, on average by 2035. The proposed draft includes alternative options that are worth highlighting as a preface to our general recommendations.

- The City must commit financial resources to revise Title 11 in the next budget cycle with Parks and the Planning and Sustainability Bureaus leading this effort in conjunction with community stakeholders. Currently, Title 11 Tree Preservation and Tree Density Standards do not apply to industrial, commercial and employment zones. These zones comprise a majority of the Central City area. Other revisions to the Tree Code are necessary if we are serious about preserving what remains of Portland's large, healthy tree population.
- Another option referenced in the draft includes a greater investment in street tree planting. The UFC firmly believes that the ecosystem and social benefits derived from a healthy and diverse canopy should be a right that everyone is entitled to. Environmental justice concerns compels us to consider the positive impacts that trees have in reducing air pollution and heat stress on vulnerable populations. Intentional planning, planting, and stewardship of street trees will require increased public investment, but it can also generate new jobs and encourage greater community engagement. The City can explore ways to boost public/private partnerships to sponsor maintenance of street trees across the districts. This will help maintain the health of Central City tree infrastructure and help address property owner resistance



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Mike Abbaté, Director

Amanda Fritz, Commissioner

to street tree planting.

• Portland's urban forest canopy is more than just an amenity. It provides critical infrastructure services such as stormwater management, reduction of heat island effects, and air pollution. In the Central City, these services are considerably important than in other areas due to increased impervious surfaces, built infrastructure and traffic.

After reviewing Executive Summary for Tree Canopy and Tree Targets, the UFC offers the following specific recommendations:

Tree Canopy Targets

- Introduction (p 6) States that the plan has developed tree canopy scenarios but not targets. This section is inaccurate and needs to be corrected.
- We support BPS and bureaus in developing tree canopy targets for the plan, and want to see strong methodology to test the impact of existing and potential future policies, regulations and investments, and to ensure that the targets are aspirational, practical, and attainable. These approaches will serve to inform the next iteration of the Urban Forest Management Plan.
- We recognize and support the policies listed in the Tree Canopy Target section of Volume 5, as the policies acknowledge the many benefits provided by trees in an urban environment, and call for integration of trees, vegetation, and other natural resources Central City-wide.
- We recognize that the targets project a significant increase in tree canopy, based on assumed regulatory changes and significant investment. However, the estimates are based on assumptions that young trees will reach maturity and that existing trees will be replanted with ones of similar form are not well founded. In fact, we have learned that large form trees on private and rights of ways are often replaced with small or medium form trees, resulting in diminished ecosystem and social benefits. To reach the "lift" described in the plan, assumed regulatory changes and investment must occur through Title 11.

PORTLAND PARKS & RECREATION Healthy Parks, Healthy Portland

CITY OF PORTLAND URBAN FORESTRY COMMISSION

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Amanda Fritz, Commissioner

Mike Abbaté, Director

Regulations

- We support the river environmental overlay zone that will improve protection and mitigation for potential loss of existing natural resources, generally along the Willamette.
- We support the expanded river setback. Note that 50' from top-of-bank, while an improvement, is not sufficient from a riparian-function perspective. We strongly recommend an increased setback or at a minimum, 50' net the width of the greenway trail. We want to see a clear statement in Central City that states this rule will not set precedent for setbacks in future North and South Reach Plans. We also want to see a requirement for mixed tree sizes with a focus on large form trees.

Master Plan Areas

• We support the new Central City Master Plan as a tool to incorporate tree canopy into development of large sites in the Central City. We want to see detailed tree preservation and planting plan as part of the submittal process and that a mix of large and medium size trees are included. Our recommendations include an increase in open area requirement from 20% to 30%, and establish a graduated tree density requirement depending on tree size. Table 50-2 in Title 11 provides regulatory precedent for this. Large form trees are required at a density of 1 per 1000 sq. ft., medium form trees at 1 per 500 sq. t and small form trees at 1 per 300 sq. ft. This is especially important in the Lloyd District that will be subjected to multi-block development

Building Lines and Setbacks

• Currently, the Proposed Draft allows, in some instances, but does not require or encourage buildings to be setback from the front property line. It is understood that the plan is designed to encourage an active streetscape and transit supportive development. However the lack of required setbacks or open area on development sites creates a significant constraint not only on tree preservation and planting on sites, but also prevents the planting or growth of significant street tree canopy. We recommend that the Required Building Lines section and/or other sections of the plan be revised to require building stbacks that are landscaped or that include trees at least along designated flexible streets and streets within the Green Loop Alignment.



CITY OF PORTLAND URBAN FORESTRY COMMISSION

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Amanda Fritz, Commissioner

Mike Abbaté, Director

- We support assumed inclusion of trees into new building design, but not at the expense of landscape level trees. Consider creating regulatory incentives to encourage this. We also recommend establishing an FAR bonus for outdoor open space with trees on development sites. Outdoor and open space is needed in the Central City, along with affordable housing and we strongly encourage providing regulatory incentives for trees to be planted in ecoroofs or on building roof areas.
- Policy 6.10 calls for adequate sub-surface soil volume for trees in conjunction with development and infrastructure projects. However, the plan provides no implementing mechanism. We want to see a new code section requiring incorporation of adequate subsurface soil volumes for trees that are required to be planted on sites or in the right-of-way as part of a development or infrastructure project. The City doesn't need to reinvent the wheel and should review regulations from other cities such as Tigard in developing the regulations.

Investments

- Green Loop and Flexible Streets appear to be a very effective route for adding significant canopy by planting large form trees to create a connected canopy. Flexible streets present an excellent way to intentionally design streets with trees in mind. Our recommendation is for every sub district to have an adequate density of flexible streets and sufficient space for large form trees.
- Achieve the Riverbank Enhancement Targets (presented in Volume 5)
- Develop new City parks where large form trees are features and thrive and increase tree canopy on a number of existing City parks.
- We recommend that these investments and potential funding sources be recognized explicitly in fiscal impact assessments for the plan, and these investments also be acknowledged in City Council adopting ordinances or resolutions for the plan.
- We believe its important that language is added in appropriate sections of the plan to ensure that trees are recognized as green infrastructure and incorporated into the capital funding, design and construction of future streetscape improvements in the Central City.

PORTLAND PARKS & RECREATION Healthy Parks, Healthy Portland

CITY OF PORTLAND URBAN FORESTRY COMMISSION

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Amanda Fritz, Commissioner

Mike Abbaté, Director

- We would like to see policies and/or actions recognizing potential new City parks as a source of future large and medium form tree canopy.
- It is clear that existing and future land uses and development pose many constraints to trees and tree planting in the Central City. The Tree Canopy Targets document points out that the installation of subsurface vaults and voids that intersect with the sidewalk corridor create a significant constraint to tree planting. We recommend that the City limit the installation of such vaults and voids in the future. Supporting this recommendation is a mandate for adequate subsurface soil for trees so that grey infrastructure does not compete with space for trees.
- The Tree Canopy Target document assumes that sidewalk corridors wide enough to accommodate new trees will be required in conjunction with new development. This needs to be implemented and not just on the Flexible Streets but throughout the district.

Scenic Views

• The Commission supports retaining historic scenic view sheds such as the ones from the Japanese Garden showcasing iconic Mt. Hood. We do not support expanding views to accommodate the full city skyline or additional mountain views.

Thank you for considering these comments. We look forward to working together to implement this plan and other efforts to advance Portland's urban canopy goals.

Sincerely,

Meryl A. Redisch, Policy Chair, Urban Forestry Commission Damon Schrosk, Urban Forestry Commission Mark R. Bello, Ph.D., Chair of the Urban Forestry Commission

Cc. Susan Anderson, Director of Planning & Sustainability Mike Abbate, Director of Parks



City of Portland Historic Landmarks Commission 1900 SW Fourth Ave., Suite 5000/16 Portland OR 97201

August 8, 2016

Planning & Sustainability Commission Portland Bureau of Planning & Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201

Re: Central City 2035 Plan

Dear PSC Commissioners,

The Portland Historic Landmarks Commission (PHLC) has reviewed staff's proposed changes to the Discussion Draft of the Central City 2035 Plan with respect to height in historic districts. In April 2016, we asked staff to lower the maximum heights to 75' in most districts due to ongoing concerns over the very out-of-scale heights that are currently reflected in the Zoning Code. After many of our historic districts were designated in the late 80s and early 90s, the Zoning Code was not updated to bring heights into an approvable scale range—an unfortunate oversight that sets up a frustrating and contentious land use process for applicants. The PHLC has been speaking out about these inconsistencies for years and both the National Park Service and the Oregon State Historic Preservation Office have alerted the City to the threat of incompatible height on the integrity of our existing historic districts.

As some helpful context, you should know that the PHLC reviews Type 3 land use applications related to designated historic resources and the majority of our cases are new construction in National Register Historic Districts. We differ from the Design Commission in that we apply approval criteria to ensure that historic districts as a whole retain their character and integrity. That is, to maintain the National Register status, the physical characteristics that convey what is significant and special about the historic district must be protected. In order to achieve these goals, the primary lens we are working with is "compatibility."

Old and new buildings are compatible when they share similar underlying principles of scale, proportion, composition, level of detail, materials, and craftsmanship that are typical of the district context. Scale is the most important factor and the first thing we discuss when a new project comes to us, as there is no hiding incompatible scale even when materials are chosen that blend in with the historic district. The greatest guide to appropriate scale for new construction in historic districts is the existing context of historic contributing buildings.

A major challenge we face is that applicants initiate their project planning often under the impression that the height/FAR listed in the Code is an entitlement when it is, in fact, a maximum allowance. For historic districts, if the approval criteria cannot be met when an incompatibly-scaled building is proposed, the project cannot be approved.

You may hear arguments that significantly taller new buildings in historic districts create design interest through juxtaposition and differentiation. The problem with this approach is that overt juxtaposition—particularly at a large scale—ruptures the historic sense of place, which is the fundamental aspect that we are trying to protect in historic districts. If the setting, context, and the relationships between buildings were not important, there would be no reason for the collection of historic building to exist as a district, and individually significant buildings would be designated on their own.

To be clear, the PHLC is not trying to create historic districts that are frozen in time or a kind of curated Disneyland experience—quite the opposite. We actively wish to see vacant parcels and surface parking lots infilled with new development, as economically healthy and robust historic districts benefit all properties and the city as a whole. However, when you walk into a historic district, <u>you</u> <u>should know that you're in a historic district</u>—a unique place in Portland that has special meaning and deserves protection. This is the entire point of a district and a local land use process that regulates how districts are managed over time.

We recognize that there is a great desire for economic infusion and increase housing density throughout the Central City. The PHLC believe that these goals are not mutually exclusive with protecting the character of our historic districts. In recent years, we have approved major new developments in the 13th Avenue Historic District, Alphabet Historic District, and Skidmore Old/Town that have or will soon begin contributing to Portland's urban vibrancy and livability. Our historic districts are of limited area in the Central City and once they are irreparably altered, that historic character cannot be recreated. We believe that lowering the heights in these finite areas is in the public interest and worthy of advocacy, much in the way the City has established view corridors of Mt. Hood to protect these vistas that are character-defining for Portland in the long-term.

We asked for 75' height maximums in our April letter to Director Anderson. This is the established height in Skidmore Old Town and the Yamhill Historic District and it is a height that is typically compatible for our urban historic districts. While any determination of appropriate height is context-specific and there are some exceptions where buildings greater than 75' may be compatible, it is typically much harder for the PHLC to approve proposals with heights in excess of 75'. As an example, consider the fact that the average height of historic buildings in the Grand Avenue Historic District is 47' feet or less. The attached sketches prepared by one of our commissioners illustrates an example of the potential negative effects of the current maximum allowable height on the historic scale of this district.

We recognize that the heights proposed by staff are certainly an improvement and will help bring the expectations of applicants closer to the reality of the land use process. Applicants deserve a clear understanding of what their development rights area. However, it is still our position that 75' is the most appropriate number to reflect in the Zoning Code. If 75' cannot be approved in the Central City 2035 Plan, we ask for the following:

- 1. A new map in the Code that shows all of our Central City historic districts and very clearly notes that heights are maximum allowances and actual compatible and approvable heights will be determined during the land use process on a case-by-case basis
- 2. A separate study undertaken by BPS in the near future to refine heights in historic districts

We also ask that you maintain the proposed FAR transfer program for historic resources, which we highly support. This is a much-needed incentive for historic preservation and seismic improvements.

We sincerely thank you for your time and consideration of this request.

Respectfully,

ich Karye Tan

Kirk Ranzetta Chair Paul Solimano Vice Chair

cc: Brandon Spencer-Hartle, BPS Hillary Adam, BDS

Encl.:

Examples of compatible infill Examples of incompatible infill Grand Avenue height sketches The Impact of New Construction Height on Historic Resources and District Integrity—Examples of Compatibility



New Blanchet House, Chinatown Historic District, Portland.



Skidmore Old Town Historic District. Infill on SW Pine & SW 1st.







Above: Infill buildings in the SoHo Cast **Iron District**



building relate to the scale and materials of the surrounding warehouse District. Developer responded to neighborhood requests to make this Block 136 in the Pearl District just outside the 13th Avenue Historic buildings.



consistent with the historic period and new infill supports the district's Above: SoHo Cast Iron Historic District, NYC. District maintains a scale setting, resulting in a high level of district integrity.

Left: Infill construction in the Euclid Avenue Historic District, Cleveland.

The Impact of New Construction Height on Historic Resources and District Integrity—Examples of Incompatibility



Proposed 12-story infill in the Pioneer Square Skid Road Historic District, Seattle. Rejected by their Commission due to its incompatible scale with surrounding buildings. Height limits are 120 ft. Prior to this upzoning in 2011, the district had variable zoning requiring new buildings be no higher than 15 feet above their neighbors. Appealed several times, the City's deputy hearings officer upheld the Commission's decision saying the scale of the building must be considered along with its height and this proposal was too big.



Proposed design for 218 Arch St., Philadelphia. Glass tower above main street-scaled podium. At 275 feet, it greatly exceeds the 65foot height limit in the Old City Historic District, but zoning variances are common.



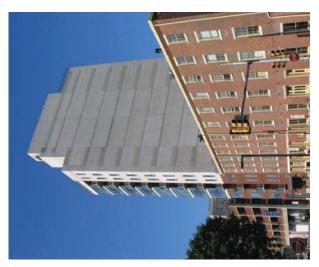


The incompatible scale of 108 Arch Street resulted in the creation of 65-foot height limits in Philadelphia Old City Historic District. Their historical commission has no purview over new construction, to the great detriment of the City's historic districts.

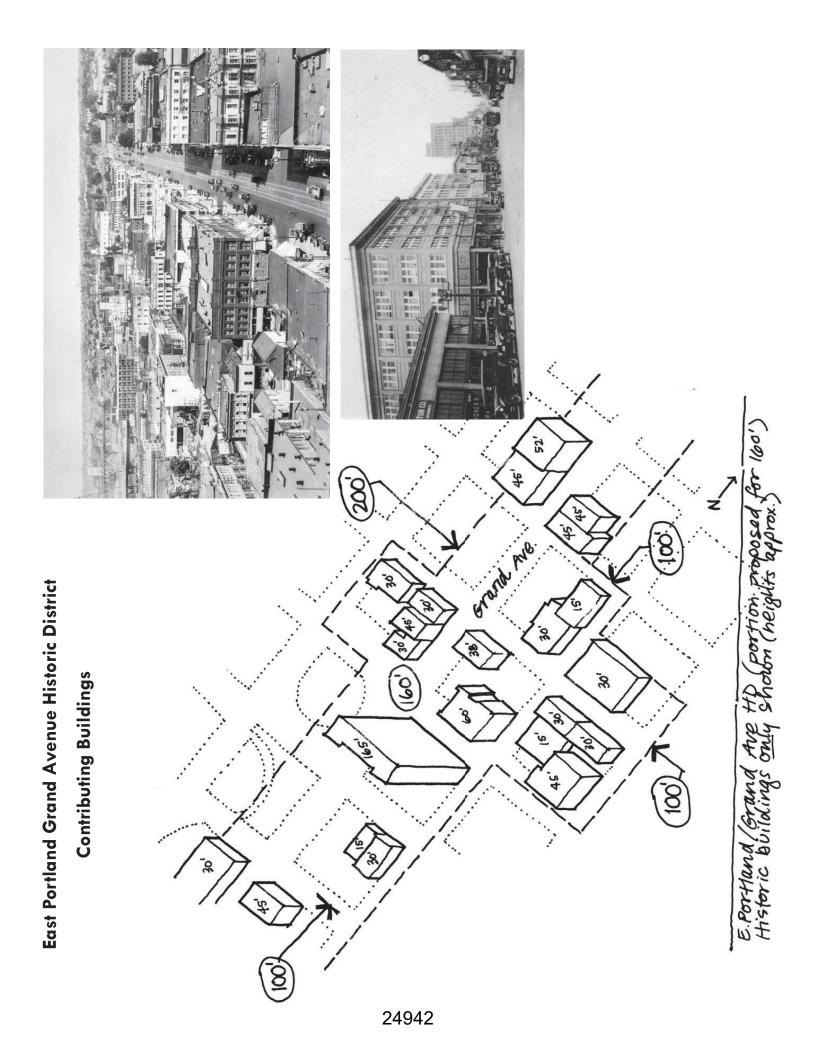


Above Left: Residential infill tower in Washington DC.

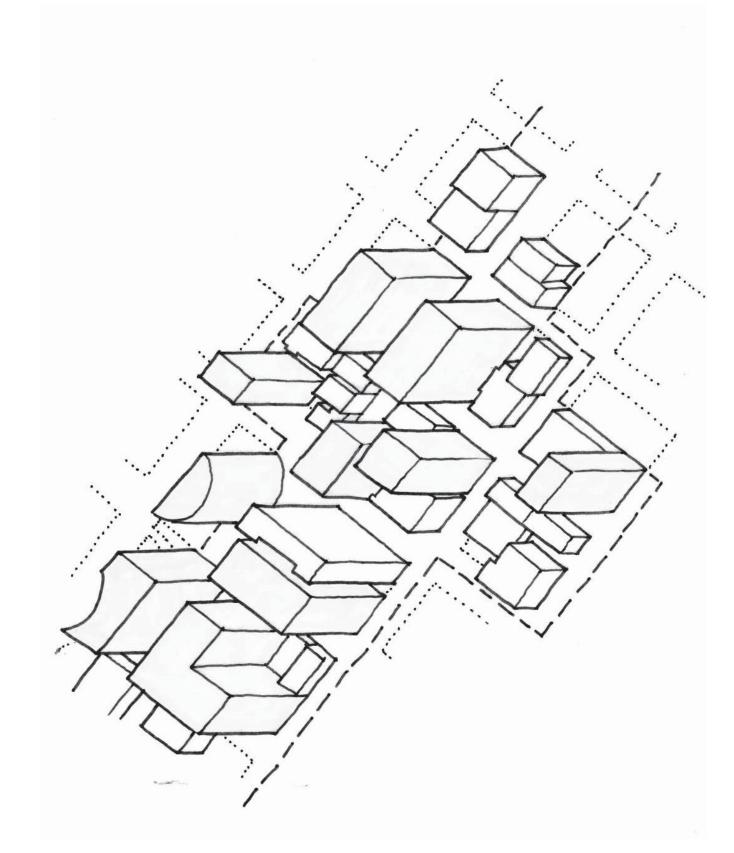
Upper Right: Mid-block infill twice the height of its historic neighbors in Washington DC.



"The Beaumont," 14 stories in the Old City Historic District, Philadelphia. Cited as incompatible in the 2007 "Sense of Place: Design Guidelines for New Construction."







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: August 8, 2016

To: Planning and Sustainability Commission Portland, Oregon

Central City 2035 – PROPOSED DRAFT

The Urban Design Panel is sponsored jointly by the Oregon and 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.

The Panel has been closely following the development of the Central City Plan, has received several briefings by staff, and UDP members have participated in many CC2035 events over the last few years. We have also testified and made written comments concerning various aspects of the Plan as they have surfaced in that time period directly to the City Council and to Stakeholder Advisory Committee members. Specifically, we have commented on building heights in the West End and other areas, and on the Green Loop initiative, generally supporting the work of staff as they have tried to navigate the difficult issues involved.

The UDP is strongly committed to the adoption of the Central City Plan. It is of critical importance to the city and its citizens to have clear guidance for the continuing re-development of our regional center, and the goals and policies articulated in this draft address the right priorities. We do have some specific comments and suggestions, listed below:

The only major gap we see in the Plan is that it does not address the biggest long term infrastructure issues facing the central city, specifically the rail and freeway conflicts with increasingly dense living and working environments. The future of the Eastbank freeway has long been a flashpoint issue, but of equal importance is the increasing congestion caused by at-grade rail crossings from SE 11th/12th to SE Stark. This section of track is part of the primary rail route on the west coast and as more freight and more passenger rail (including high speed trains) use this corridor the situation has the potential to become untenable in the not too distant future. It's already causing major traffic headaches at the SE 11th/12 crossings, and these were just improved as the result of the MAX Orange Line project. And there are other major problems that will also need to be addressed. Our suggestion is that these and other similar issues be acknowledged in this plan and that the City commit to helping initiate a regional study led by Metro to analyze long range strategic infrastructure challenges city- and region-wide and make recommendations on ways to address them.

As we have testified previously, we strongly support the new proposals for height limits throughout the central city. They make good sense and deserve full support from the Commission. We also fully support the Green Loop concept proposal.

We are very supportive of the proposal to focus virtually all bonuses on addressing the city's affordability crisis. It is too early to determine how the yet-to-be-developed inclusionary zoning proposal will affect the need for density bonuses, but it is possible that the two features could be designed to work together to greatly enhance the affordable housing supply in the city. It may also be necessary to complement the density bonuses with targeted incentives, for instance to encourage family scale apartments.

Density transfers are a great tool for ensuring that most of the central city's potential capacity can be developed appropriately, and we generally agree on the transfer parameters in the document. However, we believe there may be certain cases where cross-district transfers should be allowed, such as among the 5 designated master plan sites. We could envision, for instance, the need to transfer much of the allowed density at Lincoln H.S. to the Blanchard site, which could benefit both areas.

The eco-roof requirement for all buildings with over 20,000 sq. ft. of roof space seems timely.

In order to effectively meet policies 5.18-5.20 the City needs to update its historic resource inventory for the built environment (that includes buildings, structures, landscapes, objects, etc.) so that it is accurate (includes mid-century modern) and defensible (everyone knows what the playing field is).

The South Park Blocks are noted for preservation (Policy5.DT-4), but not the North Park Blocks (they should be listed in The Pearl section). They are part of the same design and open space system even if they are separated by blocks that were built upon.

The empty blocks surrounding the Halprin Open Space Sequence should be prioritized for development since that was district's original intention. The open space system, which is intact, was designed to be surrounded by buildings, but not all of the blocks have been developed.

Finally, there are several instances where the policies become too specific (a dog park in a specific district?). Policies should set general direction, not call out individual projects.

Sincerely,

Executive Committee of the Urban Design Panel

Dave Otte, AIA	Brian Campbell, FAICP	Mauricio Villarreal, ASLA
Robert Boileau, AIA, AICP	John Spencer, AICP	Laurie Mathews, ASLA

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

OREGON PACIFIC INVESTMENTAND DEVELOPMENT COMPANY I800 SW First Avenue, Suite 600 Portland, Oregon 97201

Planning and Sustainability Commission 1900 SW 4th Avenue, Suite 7100 Portland, OR 97201

Members of the Planning and Sustainability Commission:

ATTN: CC2035 Testimony

We thank you for the opportunity to comment on the CC2035 Review Draft. Oregon Pacific Investment and Development Company is a local real estate investment, development and management firm with several holdings in the Central City, including two significant redevelopment opportunities in the University Subdistrict that are critical to revitalizing the neighborhood.

We have reviewed the Review Draft from both the perspective of the properties we own and from the broader perspective of the Central City as a whole. Attached to this cover letter we provide our comments the proposed Central City Plan District regulations (33.510). We recommend amendments to the following portions of the Review Draft:

- Map 510-2 Maximum FAR
- Map 510-3 Maximum Height
- 33.510.205 Floor Area Bonus and Transfer Options
- 33.510.210 Height

While we are providing specific comments on the Review Draft of the Code, we do that without knowing how the future inclusionary zoning requirements interact with the proposed zoning code. We believe this should be clarified before advancing the preparation of the new zoning code any further.

Thank you for your attention to our issues.

Sincerely,

Randy W. Lowre, Co-President Oregon Pacific Investment and Development Co

Julie 🗴 Leuvrey, Co-President

Oregon Pacific Investment and Development Co

Attached: Comments and Proposed Amendments to the Review Draft

Attachment

1 | P a g e

Comments en CC2035 Review Draft Oregon Pacific investment and Development

Comments and Proposed Amendments to the Review Draft

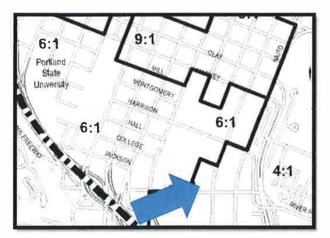
1. Amend Maps 510-2 and 510-3 to Increase Base FAR to 6:1 and Base Height to 100 feet for the entire site at 2075 SW 1st Avenue

The subject site is a 1.77 acre site located at the northwest corner of SW 1st and Lincoln ("1st/Lincoln"). 1st/Lincoln is at the southeast corner of an almost 8 acre superblock bounded by SW Lincoln, SW Harrison, SW 4th and SW 1st.



Corner of SW 1st and SW Lincoln Street

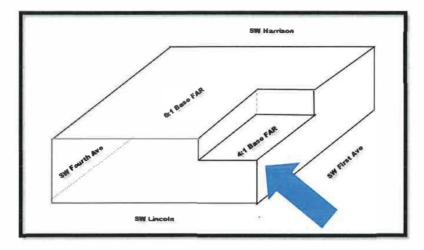
Base FAR Map Showing Site and Surrounding Area



In the Review Draft of the Central City Plan District, the entire superblock is provided a base FAR of 6:1 with the <u>sole exception</u> of our site on the northwest corner of SW 1st and Lincoln which is given only a 4:1 FAR. All sites located west of SW 1st and north of SW Lincoln in the University District have a 6:1 FAR <u>except</u> for our site at 1st/Lincoln.

Comments on CC2035 Review Draft Oregon Pacific Investment and Development

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Base FAR on Superblock bounded by SW Lincoln, SW Harrison, SW 4th and SW 1st Illustrating Anomalous FAR Proposed for Site

The base height limits (Map 510-3) for 1st/Lincoln are also uniquely low, the southern half of the block has a base height (without bonus) of 75' and the northern half has a base height of 100'. Areas on the superblock abutting 1st/Lincoln have maximum heights of 150' to 225'. <u>All</u> sites west of SW 1st and north of SW Lincoln in the University District have a higher height limit than the southern portion of 1st/Lincoln, even including the park blocks on the PSU campus.



Map 510-3

There is no apparent policy justification for the exceptionally low base FAR or base height on this site, if anything Central City and University District policies support higher densities on the site.

Comments on CC2035 Review Draft Oregon Pacific Investment and Development

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2. Amend Map 510-2 to Increase Maximum FAR for the subarea in the University District bounded by SW Mill, SW Jackson, SW 4th, and SW Broadway from 6:1 to 9:1

The subject subarea encompasses about 14 blocks surrounding the southern end of the light rail alignment near PSU. It is bounded by SW Mill, SW Jackson, SW 4th, and SW Broadway. For these comments, it is referred to as the "South Mall Subarea" or "Subarea". The Subarea currently has a 6:1 FAR, which the Review Draft retains as 6:1 (Map 510-2). The Maximum Height (Map 510-3) for the Subarea is 125'. However, the maximum height including bonus height is 460', the maximum height limit in the Central City except for US Bank Tower.

By giving the South Mall Subarea the maximum bonus height limit, the Review Draft responds to Policy RC2 in the Adopted West Quadrant Plan. Noting that the Transit Mall was operationally extended to the Subarea when the MAX Green Line was added, Policy RC2 explained: *"The density of transit infrastructure along the Transit Mall makes it the ideal location for the densest and tallest development in the City of Portland."*

To further implement this updated vision for the South Mall Subarea, the Review Draft proposes to rezone the current RX portion of the Subarea to CX. All of the other subareas in the Central City zoned CX and having a 460' height limit (Map 510-4), including sites more distant from the transit mall than the South Mall Subarea, have a 9:1, 12:1, or 15:1 FAR (Map 510-2). Consequently, while the vision for the Subarea parallels these other high density locations, the Review Draft proposes FARs for these other locations that are 50% to 150% higher than the Subarea.

We think that to be consistent with the updated vision, zoning, and height limit for the South Mall Subarea, the Subarea should have at least a 9:1 FAR.

3. Amend **33.510.205.C.2** to better detail the eligibility requirements for the affordable housing bonus and the calculation of the fee for the affordable housing fund bonus

33.510.205.C.2 describes in relevant part the affordable housing bonus as follows:

4 | Page

a. Affordable housing bonus option. Proposals in the CX, EX, and RX zones that include affordable housing will receive bonus floor area. Up to 3 to 1 FAR can be earned if at least 25 percent of the increased floor area is dedicated to housing affordable to those earning no more than 80 percent of the area median family income. To qualify for this bonus option, the following requirements must be met:

(1) The applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the standards of this Paragraph and any administrative requirements...

Given the central importance placed on affordable housing in the proposed code, the proposed code must be clear about its requirements and not vulnerable to changing interpretations. We think Paragraph 205.C.2, above, is insufficient in both regards. We are lead to assume that "affordable" will be defined and measured, at least for rentals, as it is for the multiple unit tax exemption (MULTE). However, the proposed code makes no such mention. Moreover, the zoning code must provide clear and objective standards that are only amendable in accordance with land use laws; administrative rules

Comments on CC2035 Review Draft Oregon Pacific Investment and Development do not have the same requirements. To fix this, we believe 33.510.205.C.2 should be amended to more completely describe:

- How affordability is measured under the code. While "80% MFI" is a key parameter in defining
 affordability, it is not sufficient. Code should describe how the 80% MFI tables are applied to
 rental and for-sale units (i.e.; when and how is household size and apartment size are taken into
 consideration).
- The building area comprising affordable housing square footage. The proposed code requires at least 25% of increased floor area to be dedicated to affordable housing, but does not describe the area included in the 25% calculation (i.e.; does it include a proportionate amount of circulation/common area or just the internal dwelling unit space).

33.510.205.C.2 describes in relevant part the Affordable Housing Fund bonus as follows:

b. Affordable Housing Fund bonus option. Contributors to the Affordable Housing Fund (AHF) receive bonus floor area. Up to 3 to 1 FAR can be earned by paying into the fund. For each square foot purchased a fee must be paid to the Portland Housing Bureau (PHB). The Portland Housing Bureau collects and administers the Affordable Housing Fund, and PHB determines the fee per square foot and updates the fee at least every three years....

We think this Paragraph should further describe how the affordable housing fund fee will be calculated. This can but does not necessarily require a precise formula, but could also include a description of the basic principles or factors. For example, the currently existing Affordable Housing Replacement Fund bonus option (Existing Code 33.510.210.C.15) has a stated cost per square foot that appears to escalate with inflation. Is that what is proposed here? If so, what is the initial fee? If not, how will the fee be calculated? Is it some calculated benefit to the developer of the FAR increase, an estimate of the subsidy requirement needed for building affordable units, or something else? What are the basic parameters in the calculation? We believe the proposed 33.510.205 C.2 should be amended to provide these details.

From: JEFFREY M LANG [mailto:jeffreymlang@msn.com]
Sent: Monday, August 08, 2016 7:10 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: RE: 2035 Central City Plan Comments

Dear Planning and Sustainability Commissioners,

Portland, Oregon is a River City(1); not a Seaboard or Bay Front City; and it's citizenry, neighborhoods, history and method of development reflect the flow and currents present in a river.

Seaboard Cities like Philadelphia, New York, Charleston, San Francisco, Seattle and Boston then and now are cosmopolitan. These cities are capital centers controlling and spreading their financial power to vast hinterlands surrounding their CBD's. (Central Business District) We could say that a "wall Street" existed in each of these Bay front cities representing Capital accumulation and banking houses. (2) Pioneers and newcomers were predominantly drawn to these cities for the rapid accumulation of wealth and most held the dream of retuning home, once they made good on their dreams.

River Cities, like Cincinnati, New Orleans, Portland or St. Louis then and now tended toward provinciality. Farmers, woodsman and manufacturers looking to harness river power hoping to find a stable environment with cheap land. These cities attracted men and woman willing to put their bodies to work rather then their capital. They focused their labor on work(earning a living) that over a long period of time would prove fruitful, build community and allow them to live off the land. These citizens did not want to return home with riches but build new lives in these river valleys and watersheds.

Historically, Politics and City Planning in River Cities radically differ from Seaboard Cities in many areas that are relevant today for us to understand as we formulate public policy. Portland, Oregon fits this model and through these antecedents below provide a clear path in the future planning of the City.

- No one European culture or nation dominated early colonization of Portland. No Dutch, like in New York or Brits in Charleston. Native American culture dominated the terrain and early settlers learned from their fishing, forest and agricultural & of course cultural traditions/ practices.
- From the start, Portland developed a very democratic street plan for urban development. No town squares or common grazing land in the CBD but a grid pattern that assessors could codify and land sales that were easier to transact.
- Portland's climate allowed early settlers and developers to enjoy a comfortable-agreeable environment. Moderate Average temperatures with little need to drain mosquito swamps or build infrastructure to withstand harsh winters.

Native American influences, democratic planning and comfortable environment are all evident in Portland's building development, design overlays and public policy decisions from Mr. Pettygrove's coin toss with Mr. Lovejoy in 1843. From that very provincial process to the deep new urbanism surrounding all of us today we see

how Portland, our River City, differs from most modern American cities. No Land Wars, Political Bosses controlling wards, or R. Moses type top-down planning in this river cities history.

"Citizens are the Riches of the City" or as Carl Abbott put it when discussing Jane Jacobs influence on Portland, "We live in a Jacobean City, not a mosaic metropolis."(3)

The Planning & Sustainability Commission is tasked with making far-reaching decisions with the 2035 Plan. Decisions that we will not be able to make again for many years. My suggestion to you in your deliberations is to stick to Portland rivers flow and influences that have shaped the man-made environment of Portland for two centuries. We have not been a Seattle, S.F. or New York and have no reason to change our historic path.

I will confine my suggestions and recommendations to two areas. Willamette River Greenway & Building Heights in the CBD.

Greenway:

*Expand the Greenway setback from 25 feet to 75 feet at all points in the City of Portland. Where possible expand further to 100-150 feet to allow for a greater green zone along the River. Pedestrians, cyclists and everyone in between are using our Willamette River greenway system. A wider greenway allows for a division of traffic modes to achieve greater safety and comfort for all users. A wider greenway, on both sides of the river, allows for more plantings to create a Green belt system thru the heart of Portland. Please see photo of GUANGDONG greenway network in Guangdong Province in South Korea to appreciate the value of this expanded greenway approach. Pay special attention to the river bank treatments in the heart of the CBD.

*Vegetation and plantings along the Willamette River Greenway must have stricter regulation to ensure the use of Non-Evasive species and native plantings along the greenway. In the 35 years I have been involved in the greenway planning process, many trees or plants have naturally run their course. We need rules to require that when City Parks, OPRD or Private landowners replace vegetations they are native species. This is needed to rejuvenate and cool the Willamette Rivers edges to enhance water quality in addition to provide comfort to habitat.

Building Heights in the CBD:

*Continue Portland's tradition of tapering down height of structures along both sides of the Willamette River. It seems most larger buildings in downtown Portland are between 3rd and 6th ave. Continue to restrict higher heights as you move East towards the river. A quick look at St. Louis and Cincinnati's skylines; similar to our skyline; show the value of a stepped down hight restriction. Breathing room for tourists and workers strolling during their lunch hour plus a general comfortable feeling consistent with our climate and atmosphere.

I am empathetic to the communities efforts to find reasonable solutions to both the Morrison and Hawthorne Bridgeheads. I am appreciative of the collaborative efforts between Private landowners and various political subdivisions to create unusual innovative developments on these properties. That said, I still support holding the current height limitation on these properties. The arguments City Planners have suggested to raise the height limitations to allow for higher structures at these two locations might have been wise if they were proposed 35 years ago when Meier & Frank was still our flag-ship retail business anchor in the CBD.

Todays land-development pressures in Portland are making old "difficult to develop" land much more amenable for development. The historical problems of access to these two sites near the river are melting due to new building materials and innovative design. Then we also have heard arguments that suggest taller structures on these sites will encourage aspirational projects plus direct more attention to our Willamette River. The Willamette

is the jewel of the Valley-Let it be, allow citizens to see it, smell it and get close to it. There is no longer a need to draw attention to it with man-made development or embellishments.

Thanks for listening and were all appreciative of the process.

With Best Regards, Jeff

Jeffrey M. Lang. (503) 703-3035 (Mobile) (503) 246-0544

Vice President GALES CREEK INSURANCE SERVICES A DIVISION OF JD FULFILLER COMPANY 5727 SW MACADAM PORTLAND, OREGON 97239

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President of the Advisory Board - FRIENDS OF TRYON CREEK "Connecting People With the Living Earth" jeffreylang@tryonfriends.org http://www.tryonfriends.org From: Kay Tsurumi [mailto:kaytsurumi@gmail.com]
Sent: Monday, August 08, 2016 2:10 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

To the Planning and Sustainability Commission --

Can you even imagine Center City Portland without the South Park Blocks? Can you imagine how much any other city would desire to own such a treasure? These blocks need to be protected by <u>historic designation</u>. And they need to be protected by historic designation within the next 5 years, before any historic building is demolished.

Some of the proposals in the draft of CC2035 threaten the South Park Blocks. Maximum building heights must be kept under 100 feet on both the west side and the east side of the South Park Blocks. The history of our city is contained in the churches, early apartment buildings, and cultural institutions that line this corridor. The Central City Plan must be written to require preservation of this history and to require preservation of sunlight and human scale development in this public space.

Please stabilize maximum building height at 100 feet or 75 feet on both sides of the South Park Blocks. This will insure a step down transition from the tall corporate and business Downtown district to the cultural center with our great institutions, diverse architecture, irreplaceable open space, irreplaceable magnificent trees, and irreplaceable public art.

Please <u>remove</u> from your proposed plan the designation "area eligible for height increases." Sunlight for trees and people must be preserved. Please <u>require</u> that building heights and building forms preserve sunlight on the South Park Blocks and on <u>all</u> parks and open spaces in the city.

If Portland is to retain its unique character and remain a livable city, CC2035 must preserve the human scale, natural beauty, sunlight, and historic buildings of the South Park Blocks at its core.

Kathleen Tsurumi 12221 SW 10th Avenue Unit 1406 Portland OR 97205-2480

Submitted as CC2035 Testimony by Tony Jordan 4540 SE Yamhill St. Portland, OR 97215 - twjordan@gmail.com -

A STEP BACKWARDS: PORTLAND MAY INVITE MORE CARS INTO THE CENTRAL CITY

🛗 August 3, 2016 🛔 TonyJ 🛛 Q 2 Comments 📰 CC2035, Parking Maximums

Downtown needs fewer cars per worker. But the proposed Central City 2035 Plan would make room for the ratio to increase.

Portland has ambitious goals for its future, but do we have the will today to set the proper course for tomorrow? Today, 40% of trips to downtown Portland are made by people driving alone. The city has, since at least 2009, had "drive alone" mode share target for the entire central city of only 25%. The proposed draft of the Central City 2035 plan (page 5) sets a goal for only 15% of trips to downtown Portland to be via single-occupancy-vehicles (SOV). But do the policies in the proposed draft support these goals? If ample cheap car parking is a "fertility drug for cars," then the policies probably are not sufficient to meet our goals.

Curbing Parking

Since 1975 the city of Portland has limited the amount of parking that can be built downtown. In order to improve air quality, the city placed a "parking lid" on downtown, allowing a maximum of 39,680 non-



residential (or hotel) parking spaces. In 1996, the Central City Transportation Management Plan (CCTMP) removed the lid on parking. In place of the parking lid, maximum parking allotments were created for the central city. The ratios allowed a certain number of commercial spaces per 1000 square feet of office space and varied geographically based on the sector's access to transit and other modes of transportation. The most dense parts of downtown, for example, allowed .7 stalls per 1000 square feet of office space. This ratio reflected the major investments in light rail infrastructure in downtown. A Step Backwards: Portland May Invite More Cars Into The Central City - Portland Shoupistas

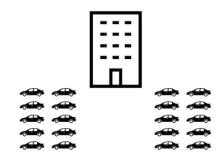
The parking regulations in the CCTMP were fairly complicated and contained provisions for monitoring and reporting which were rarely enforced. There were more than 25 different "parking sectors" each with a different set of maximum parking entitlements. In January 2015, the city began a Central City Parking Policy Update project to review, revise, and simplify these regulations.

Shared Parking: A Double Edged Sword

The Central City Parking Policy Stakeholder Advisory Committee (SAC) met nine times in 2015 and unanimously approved a proposal that greatly reduces the number of parking sectors, imposes maximum parking entitlements for all land uses in all parts of the central city, and relaxes restrictions on how parking can be used in the central city.

Under current regulations parking which is built to serve residential or hotel uses cannot also be used for commercial uses. The same is true for parking built for commuters, it cannot be leased to residents. To understand the impact of this policy on parking supply and the double edged sword of relaxing this policy, imagine the following example.

A developer is constructing a mixed-use building which needs 10 parking stalls for residents and 10 stalls for commuters to the office space. The developer builds a parking lot with 20 parking stalls.



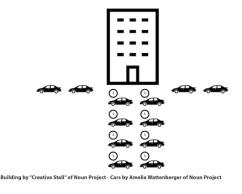
Building by "Creative Stall" of Noun Project - Cars by Amelia Wattenberger of Noun Project

A developer today must build separate supply for residential and commercial uses.

This policy can lead to an overbuilding of parking. Many of the stalls allotted for residential use will be empty during the day, as tenants will drive to their jobs elsewhere in the city. Conversely, many of the stalls reserved for commuter uses will be vacant during the evening hours when office workers are not at work.

A Step Backwards: Portland May Invite More Cars Into The Central City - Portland Shoupistas

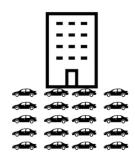
The proposed draft of the CC2035 Plan aims to deal with this inefficiency by allowing buildings to use their parking entitlements for any use. Under the new plan, the developer of our hypothetical mixed-used building can take the habits of her future tenants into consideration. Suppose 80% of the residential tenants move their cars during the workday, and 80% of office workers are not at work during the evening hours. The developer can choose to "share" eight stalls between residents and commuters and might choose to build only 12 stalls (which might well save \$1M dollars in subterranean construction costs).



Under new rules, a developer can build less parking, at a significant savings.

So far so good! The proposal encourages the building of less expensive parking by allowing more efficient use. This could help lower the cost of housing, lead to more development, and leave our children with fewer levels of underground parking to fill up with consumer goods when robots are driving us around.

But there's a downside to this efficiency. In the short term the plan could lead to a substantial increase in the supply of parking for commuters to downtown, which could lead to more traffic, air pollution, and greenhouse gas emissions. When the plan goes into effect, the developer who built 20 parking stalls, 10 for their residents and 10 for their commuters, can rent additional spaces for residents and commuters.

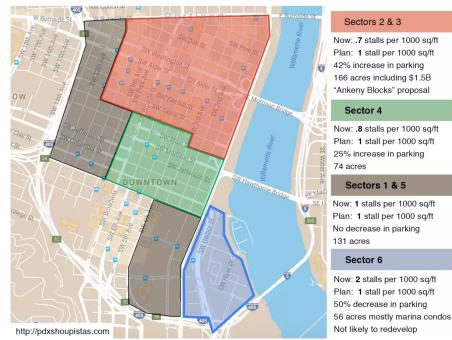


Building by "Creative Stall" of Noun Project - Cars by Amelia Wattenberger of Noun Project

While this might be cause for some concern, the effect of this policy could be mitigated by a parking congestion fee, parking cash-outs, TDM, and the reality that not all restricted parking spaces will be opened up for other uses. Unfortunately, that's not the only part of the proposed plan that will lead to more parking and traffic.

Going Backwards

Downtown parking regulations are complicated. The city core is split up into 6 parking sectors with three sets of parking ratios for commercial uses.



Existing Downtown Parking Sectors With Current Commercial Ratios

More parking will be allowed in a vast swath of the city core.

Current parking supply, which was restricted for use, can now be sold to tenants which could induce traffic.

In Sectors 2 & 3, salmon colored on the map, the maximum parking entitlements are currently .7 stalls per 1000 sq/ft of commercial space. These 166 acres make up the bulk of the downtown core and include the east/west MAX couplet, much of the 5th and 6th Ave transit mall, and Pioneer Courthouse Square. But it is not what *currently* exists in this area that we must consider, but what will be built under the new parking maximums.



All 11 of these proposed towers would be entitled to 42% more parking under the proposal.

Recently the Goodman family published a long-term proposal for their considerable holdings in downtown Portland. The Ankeny Project is a plan for up to 11 new developments, many of them considerable high-rise towers with the potential for over 4 million square feet of residential, office, and commercial space. All of these buildings would be built in what are currently Sectors 2 and 3. All of these buildings, under the proposed draft of the Central City 2035 plan would be allowed 42% more commercial parking spaces than are currently allowed. If these built today, and were entirely office space, 2,800 parking spaces would be allowed. If the proposed draft is passed unaltered, 4,000 spaces could be built.

Meeting our mode share goals for the Central City will be difficult enough if we allow 2,800 parking stalls in these towers. Allowing **1,200 MORE** spaces than we could build today is a **major step backwards**.

An Imbalanced Proposal

The Central City 2035 Proposed Draft points out that the average maximum commercial

A Step Backwards: Portland May Invite More Cars Into The Central City - Portland Shoupistas

parking entitlement remains at an average of 1 stall per 1,000 square feet of office space. This average is maintained by reducing the entitlement in the 56 acre Sector 6 from 2 stalls per 1,000 square feet to 1 stall per 1,000 square feet. A closer look at Sector 6, however, reveals that this reduction is unlikely to have any impact on the number of cars parked in the future downtown.



Sector 6 is nearly completely residential. The two vacant parcels pictured will be developed with residential or hotel uses before the Central City 2035 plan goes into effect.

Sector 6, is almost entirely condos or hotels. The two parcels in the photo which are undeveloped are a residential complex and a 6-story Hyatt hotel. The condos near the marina are relatively new and very unlikely to redevelop in the life of the comprehensive plan. Little-to-no office space will be built in this sector. The maximum entitlement could have been reduced to literally nothing and it would not have reduced the number of drive-alone trips we can expect in 2035 to the central city.

How To Move Forward

On July 26th, Portlanders for Parking Reform asked the Planning and Sustainability commission to amend the proposed draft and recommend a maximum parking entitlement for the downtown core of no more than .6 stalls per 1000 square feet. This ratio will not be a step backwards from where we are now. To meet our mode share and climate action goals in 20 years we must ensure that downtown parking is not so abundant as to make driving alone the cheapest and most convenient option.

Even a ratio of .6 stalls may not be enough. New parking for residential uses will be allowed at a ratio of 1.2 stalls per housing unit (currently 1.35 stalls per unit are allowed in sectors 1-5 and 1.7 stalls in sector 6) and the shared parking allowance will enable these stalls to be used by commuters to downtown. If the city is serious about meeting it's stated goals, these

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ratios should be much, much lower, ratios of .25 stalls per housing unit or 1,000 square feet of office space are more appropriate for our 15% drive-alone mode share goal.

The policy suggestions are generally good. Simplifying the code and allowing shared parking are smart decisions, but a holistic examination is needed to ensure that shared parking and too-high ratios won't lead to an increase in supply that could lead to more driving.

The Planning Commission and City Council must ask to see the math that supports the proposed parking maximums. Realistic projections of new development and the likely increases in car traffic and drive-alone commutes that will come along with this proposal must be justified and mitigated. These ratios are too high to meet our goals.

The Planning and Sustainability Commission will hold its final hearing on the CC2035 Plan on August 9th at 4PM. Testimony can be sent to psc@portlandoregon.gov asking the commission to reduce the maximum parking ratios to at most .6 stalls, across the board and the commission should direct PBOT staff to show how any proposed ratios support the mode share goals. Be sure to include "CC2035 Plan Testimony" in the subject line and your full name and mailing address.

[Note: Previously this article stated that Central City Parking Review (and likely Transportation Demand Management) would be required for developments with new parking. This was incorrect. Grant Morehead from PBOT says: "Under the existing zoning CCPR (and therefore a TDM Plan) is almost never required if the parking is accompanied by new development. Office uses (see 33.510.263.A.1 and Table 510-5) and residential uses (see 33.510.263.E.4 and Table 510-9) are allowed to build up to the maximum, if the parking is in a structure, without going through CCPR. CCPR in conjunction with new development is intended to address situations where there is no maximum (applies mainly to non-office uses outside of downtown/Core Area)."]

Related

Central City 2035: Comments Perverse In

Perverse Incentives: Transit

Portland City Council to

-----Original Message-----From: Janelle Jimerson [mailto:janellejimerson@me.com] Sent: Monday, August 08, 2016 11:19 AM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: CC2035 Testimony

Dear Planning and Sustainability Commission,

I am writing to day to request that the Portland Japanese Garden's original 1963 panoramic view please be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden would like to be allowed to carefully restore and then protect its original panoramic view that included the rose gardens, the city skyline and the Cascades. This view is an integral part of the garden experience and design that is enjoyed by thousands of visitors yearly. I have every confidence that any view restoration would be done mindfully and carefully.

The Portland Japanese Garden has been voted one of the 10 best gardens in the world and with the addition of the cultural center designed by Kengo Kuma it will be a top priority tourist destination. Please consider restoring and protecting the view for all to enjoy in the years to come.

Thank you for your consideration,

Janelle Jimerson Trustee Portland Japanese Garden

5548 SW 18th Drive Portland OR 97239 From: william hughes [mailto:wahughes47@gmail.com]
Sent: Monday, August 08, 2016 3:13 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony

Planning and Sustainability Commission,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views.

The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This view is an essential part of the original design envisioned by Professor Tono more than 50 years ago and an essential part of the design principal of "borrowed scenery" present in many Japanese Gardens

As a member of the Garden for almost 40 years, and a current Board member, I a devoted advocate for the value of the Garden to our community. Its beauty and serenity are a very special asset and a major draw for visitors to our City. The photos included below show the affect of the encroaching vegetation.

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. **Please protect the view that is so essential to its beauty and tranquility.**

Bill Hughes

10805 NW Skyline Blvd. Portland, OR 97231





1971 View from Portland Japanese Garden: 30,000 visitors



From: Hiroki Tsurumi [mailto:tsurumi@rci.rutgers.edu]
Sent: Monday, August 08, 2016 2:08 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

To the Planning and Sustainability Commission --

One of the great pleasures of living in Portland is the sight of the Landmark and Heritage Trees. When we have visitors from out-of-state or from oversee, we point out the Heritage Trees with pride in the fact that our city government has the wisdom to celebrate and protect these trees. It has recently come to our attention, however, that the legal protection of these trees is pitifully weak. Please increase the penalty for harming or removing the Heritage Trees at least to \$5 million when you establish code for the Central City 2035 Plan.

The penalty <u>must be sufficient to insure</u> that a developer will abide by the laws regarding these trees and honor their special importance to the city.

Hiroki Tsurumi 1221 SW 10th Avenue Unit 1406 Portland OR 97205-2480 From: Roland Hoyle [mailto:rohoyle@icloud.com] Sent: Monday, August 08, 2016 3:32 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: [User Approved] CC2035 plan testimony

Greetings Central City Planning / Zoning Officials,

I am pleased to offer my support for the proposed Hotel, Coffee Shop & Rooftop View Lounge to be rezoned from IG to CX status @ 2410 N. Mississippi owned by Stan Herman who is a responsible member of the Portland Community and owner of another exciting property development along the Riverfront. Mr. Herman also is the founding member of the "History Collection" and has worked in a dedicated, diligent and intelligent fashion to make the City a better place.

Regarding this specific proposal CC2035 Plan Testimony for the Light Rail Transit Station Zone CH. 33.450 I have been made aware of the nature of the proposed Hotel group and find their principles, integrity and dedication to provide attractive ecologically smart Hotel rooms that encourage full use of the Metro Transportation which has a station literally located just opposite the proposed development's front door! As a small business owner located primarily on the beautiful Oregon Coast i travel into Portland several times a year and having such an environmentally and transportationally advanced & forward looking approach to be a potential boon for my business. I understand they will be providing small and affordable units which would be perfect for eco-conscious businesses like mine to be able to be in PDX to attend business meetings more often.

As a draftsman i appreciate the aesthetic ideals of the designer and his group, and would look forward to holding meetings with my clients in their proposed meeting space. The ability to use metro as a primary means of transportation is of great value both to me as well as the good of the future of Portland and it's beautiful environs.

Sincerely accept my enthusiastic vote of confidence in this exciting proposal!

Yours respectfully,

Roland C. Hoyle Draftsman Owner





COASTAL RESIDENCE 4416 SE Hwy 101 Lincoln City, OR 97367 From: Roland Hoyle [mailto:rohoyle@icloud.com]
Sent: Monday, August 08, 2016 4:39 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: [Approved Sender] zoning change testimony IG to EX 1300 N. River Street

Greetings Central City Planning /Zoning Officials,

I am pleased to offer my support for the proposed "History Collection501 C3 Museum", Kayak for Kids & Water access project which is undergoing zoning change from IG to CX status @ 1300 N. River St. This structure is a 77,000 SQ. FT former historically significant "Dock Building" owned by Stan Herman who is a responsible member of the Portland Community and owner of another exciting property development which i have testified about on the East side (a potential Hotel Project). Mr. Herman who is the founding member of the "History Collection", has worked in a dedicated, diligent and intelligent fashion to make the City a better place. His designer Will Badrick has a long history of visionary designs exploring the betterment of Portland going all the way back to the Vaparetto project in the 1990's and continuing with some brilliant "green bridge proposals". I encourage the city to allow the development of the wonderful waterfront by granting this change in zoning.

As a deeply dedicated waterman i strongly support the idea of the City providing as many opportunities to engage with the soul of PDX... the willamette riverfront! I have seen many of the design possibilities as envisioned by the hugely talented Mr. Will Badrick and will happily look forward to the designs that he and Stan Herman are going to put forth.

As a draftsman i appreciate the aesthetic ideals of the designer and his group, and would look forward to potentially holding meetings with my clients in their proposed meeting space. The notion of holding a meeting then going for a paddle is brilliant!

Sincerely accept my enthusiastic vote of confidence in this exciting proposal!

Yours respectfully,



Office Hoyle 541-264-0185

COASTAL RESIDENCE 4416 SE Hwy 101 Lincoln City, OR 97367

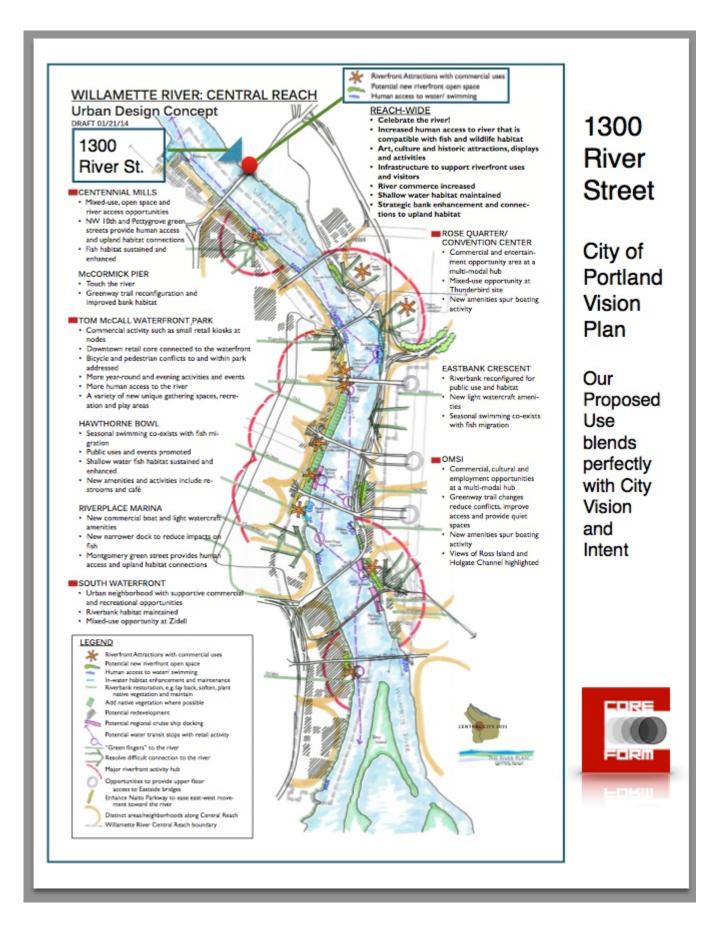
PORTLAND RESIDENCE 10806 Southwest 4th Ave. Portland, OR 97219

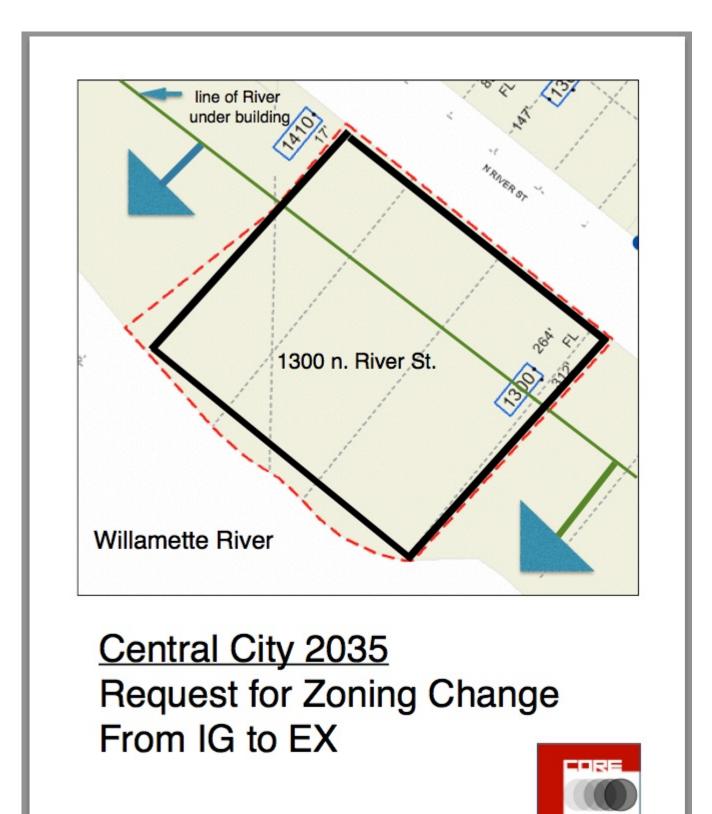
Central City 2035 Request for Zoning Change From IG to EX

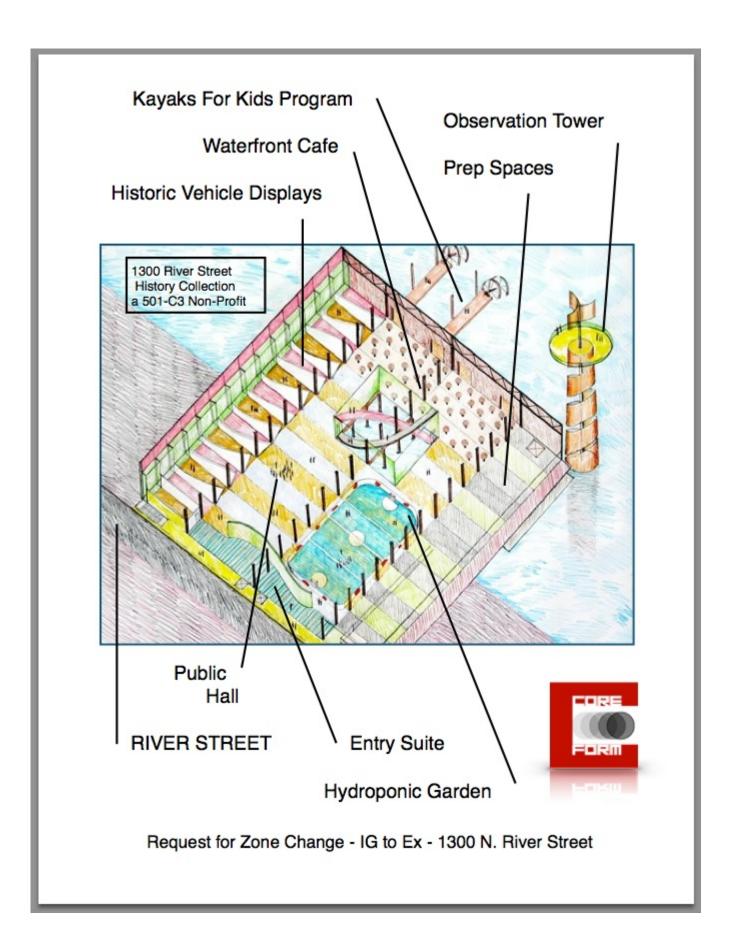
1300 n. River St. 77,000 Sq. Ft. will house History Collection a 501 C3 Non Profit Museum, Kayaks for Kids, a free access to get families on the water, and a rooftop park. We will host a floating family-friendly cafe barge, and a public swim float in the Willamette River. We will create 56 jobs in the CC. Per CC2035 [below]

 From General Employment (EG1 or EG2), General Industrial (IG1) or Heavy Industrial (IH) to Central Employment (EX): These changes are being made in the Central Eastside around the new light rail stations and a few other locations so that more flexible employment uses can be accommodated.









Central City 2035 Request for Zoning Change From IG to EX

The Interior will be restored and host many public functions and a collection of vintage vehicles



The Public Dock will feature a 2-mast sailing ship and the LCI-713 WW2 Ship, as well as having a public landing dock below the Cafe



CoreForm 1722 NW Raleigh St. Portland, OR. 97209 503 224 5117

Statistical Arguments in Support of the Irvington Community Association's Request for More Appropriate Zoning of the Broadway Corridor Strip in the Central City 2035 Plan

August 8, 2016, by Jim Heuer, ICA Land Use Committee Member

Background and Legal Framework

The ICA has proposed that the commercial strip bounded by NE 7th Avenue, NE Broadway, NE Schuyler, and NE 15th Avenue be zoned CM2, with a height of 45 feet to be more compatible with the existing historic fabric.

This request implements the following Comprehensive Plan Policy Policies:

"4.48 - Continuity with established patterns.

Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources."

"4.49 - Resolution of conflicts in historic districts.

Adopt and periodically update design guidelines for unique historic districts. <u>Refine base zoning</u> in historic districts to take into account the character of the historic resources in the district. [our emphasis]"

It also recognizes the requirements in 33.846.060G which provides the over-arching design guideline for all Historic Districts, but specifically applies to Historic Districts, like Irvington, which do not have specific Design Guidelines tailored to their needs. Two of 060G's 10 paragraphs are germane to implementing 4.48 and especially 4.49:

"8. Architectural compatibility.

New additions, exterior alterations, or related <u>new construction will be compatible with the</u> <u>resource's massing, size, scale</u>, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource; [our emphasis]"

And

"10. Hierarchy of compatibility.

Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels."

Finally, City Code provisions establishing a hierarchy of regulations require that when Historic Resource Overlay regulations are more restrictive than the Base Zoning, Historic Resource Overlays apply. Clearly the applicable Design Guideline criteria require that new development

be compatible in terms of "size and massing" with their historic context AND that requirement supersedes any height, FAR, or other metrics of size and massing that may be found in the Base Zone. To reduce confusion, Policy 4.49 requires base zones to be refined to reduce disparities between Base Zone limits and the controlling Historic Resource Overlay regulations -- the intention, we believe, to be to minimize uncertainty and confusion on the part of both neighborhood residents and potential developers.

Accordingly, we are submitting quantitative evidence to show that proposed zoning allowing heights of 75' and FAR values of up to 4.0, while a reduction in the allowed envelop defined by the previous zoning, is still inconsistent with the historic fabric.

Statistical Analysis Methodology

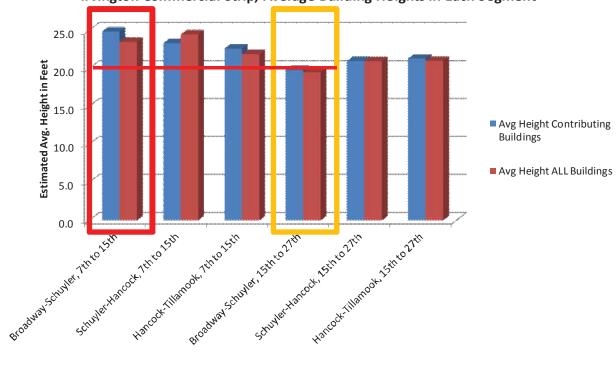
The ICA has compiled a database of building characteristics for all 2807 properties in the Irvington Historic District – the contents of which has been drawn from PortlandMaps.com GIS data sets and other public data sources. From this database, we identified 6 segments of the neighborhood for which we prepared statistics for FAR and height, both for aggregations of Contributing (historically important) structures in the District and for all structures.

The area where the zoning is in question between 7th Avenue, Broadway, Schuyler, and 15th Avenue is compared with 5 adjacent and similarly situated segments of the Historic District as shown in the map below:



The green dashed line highlights the part of the District included in the Central City. The red outlined area to the east is that portion of the Broadway commercial strip which developed concurrently with the CC portion and is historically indistinguishable from it, both being classic Streetcar development strips. The segments outlined in blue are currently zoned mostly for

medium or high density residential purposes (except for a couple of blocks adjacent to 7th Avenue zoned Ex).

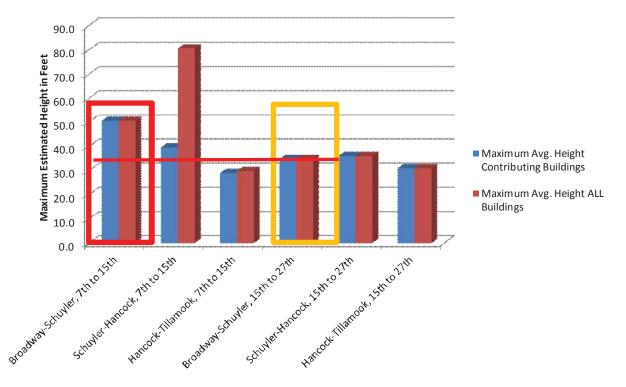


Comparisons by Height

Irvington Commercial Strip, Average Building Heights in Each Segment

In the graph above, the red boxed bars indicate the current average of building "average heights" as determined by PortlandMaps in the CC segment. The yellow boxed bars show the average heights in the corresponding blocks directly to the east outside of the CC. It is clear from the chart that although the heights of buildings are somewhat greater in the CC segment, the difference is only on the order of 20% higher. Moreover, neither Broadway segment comes close even to the proposed maximum height limit in the eastern segment of 45 feet, which we generally support. Thus we would argue that a 45 foot height limit, as found in CM2 zoning is equally applicable to both east (non-CC) and west (CC) segments along Broadway and provides for ample opportunity for larger buildings to be created beyond the current average heights.

We also compared the maximum "average heights" of buildings as reported by PortlandMaps.com to see if any "outlier" examples were distorting the averages above or if any such outliers established a pattern of height which might suggest a historic development pattern leading ultimately to taller buildings. A chart similar to the one above is provided on the following page:



Irvington Commercial Strip, Maximum Building Heights in Each Segment

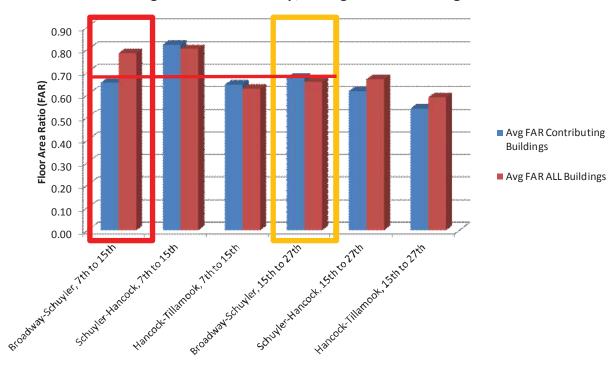
In this chart, the red and yellow boxes highlight the same CC and non-CC segments along Broadway. Notably, the tallest building across the entire study area doesn't appear along Broadway, but instead is in the blocks between Schuyler and Hancock, and between 7th and 15th Avenues. This is actually a Portland Housing Authority structure built in the 1970s, and is unlike anything from the Historic Period of Significance anywhere in the District.

The maximum height of a contributing building in the CC segment along Broadway is actually a 3-story brick apartment building facing Schuyler, which may reach 50 feet height above the sidewalk, but appears to be closer to 45 feet above the primary grade of the lot. It should also be noted that the complex of mixed-use building and town-houses at 1102 NE Schuyler, which fronts on Broadway and was built in the early 2000s has an "average" height of approximately 50 feet as indicated, but the PortlandMaps.com metrics averaged a 65 foot tall structure along Broadway with the much lower town homes facing Schuyler. In any event, this structure is, of course, non-contributing, and cannot be used as an example for determining the historic context for new construction.

Comparisons by FAR

Floor area ratio is a key indicator of "massing" of a building, the compatibility of which must be achieved by new construction in a Historic District in respect to its context. The proposed zoning for the CC segment along Broadway would allow a FAR of 4.0, dramatically greater than

that of any building in the study are erected during the Historic Period of Significance, as shown in the chart below:

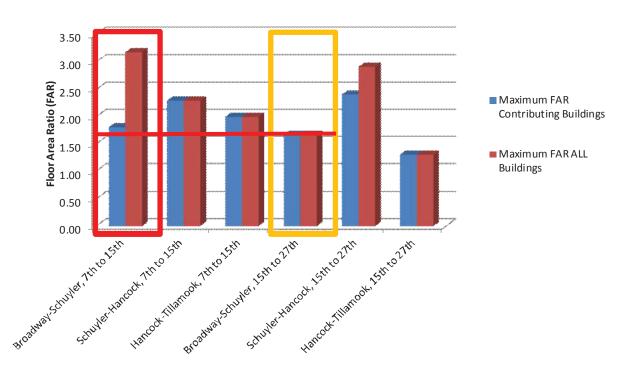


Irvington Commercial Strip, Average FAR in Each Segment

In comparing the FAR averages of Contributing structures in the west (CC) segment and east (non-CC) segment along Broadway, it is remarkable how similar they are. And throughout the study area the FAR values are remarkably low at <u>under 1.0 throughout</u>. The ICA argues that a FAR of 2.5, which provides plenty of room for some larger-than-average construction is vastly more appropriate to achieve compatible massing than a FAR of 4.0.

Comparing the maximum FAR values across the segments in the study area is equally revealing of historic patterns and how a maximum FAR of 2.5 reflects historic development contexts. The maximum FAR along Broadway in the west (CC) is barely 10% higher than the maximum FAR to the west (non-CC). If anything, in the historic period, larger apartment buildings were built between Schuyler and Hancock compared to the retail structures along Broadway – none, however, exceeding a FAR of 2.4

This historic preference for less massive structures (often achieved with courtyards or corner garden spaces) is indicated in the maximum FAR bars of contributing buildings in the graphic on the following page.



Irvington Commercial Strip, Maximum FAR by Building in Each Segment

Conclusion

We believe that the statistical evidence strongly supports our position that 75' height and FAR of 4.0 along the western end of the Broadway commercial strip inside the Irvington Historic District is incompatible with the historic context. Given that, were the zoning to remain as proposed at those levels, there will be endless conflict between developers seeking to maximize their height and FAR to the Zoning limits while, in fact, being constrained to something much less than that by the Historic Resource Review guidelines. This situation would be in direct contravention of Comprehensive Plan Policy 4.49.

Applying a CM2 zone with a maximum height of 45 feet, a FAR of 2.5 and no bonus, would align the allowable size and massing to a reasonable degree with the existing historic fabric as displayed in the graphs presented above. It would provide clarity and predictability to the development community and allow them to make sound determinations of project profitability without the uncertainties of regulations that simply restrict "massing" and "size".

From: Evan Heidtmann [mailto:evan.heidtmann@gmail.com]
Sent: Monday, August 08, 2016 10:10 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony: reduce parking maximums to 0.6/1000 sqft

The latest draft of CC2035 would result in an estimated 1200 more parking stalls than allowed under current rules. This would be a big step in the wrong direction for our city.

Please support reducing parking maximums across the entire central city, to at most 0.6 stalls per 1000 square feet. And please justify parking minimums & maximums by showing how they will help achieve our mode share goals! Our central city cannot function well with more cars than it has today. Our focus needs to be on reducing car usage, not encouraging it.

In case you need a reminder of why parking is bad for the city, here are a few reasons that I can think of:

Parking encourages driving. Most cars burn fossil fuels and emit pollutants. We have enough trouble with our air quality today. Why would anyone want it to be worse?

Parking encourages driving. When we devote space to parking & driving, everything else has to be farther apart. When destinations are farther apart, it takes longer to get there by foot, by bike, or on a train or bus. And who likes walking through a parking lot? Nobody.

Parking encourages driving. If you drive in downtown or on Portland's highways, you might notice that sometimes they're full of other people in cars. If you find yourself inching along behind hundreds of other peoples' cars, this is inconvenient. Adding more parking to downtown will encourage more people to drive, making traffic worse. Why would anyone want this?

Parking encourages driving. Driving doesn't work for a growing city: cars take up too much space and are expensive to own. Everyone, even those who need to drive, is better off when more people take transit, ride a bike, or walk.

Parking takes up valuable space. We have a shortage of housing in this city. We need to make room for people, their pets, and their gardens. Parking spaces take up space we might have used for bedrooms, porches, picnic tables, or other cool things.

Parking is expensive, and lasts a long time. Most structured parking (i.e. garages) can't be cheaply re-purposed into more useful space. Anything we build today will be with us for a long time. And its costs will be with us for a long time, paid by tenants, permit holders, grocery shoppers, and sometimes even taxpayers.

Driverless cars, etc. If you believe the hype, maybe we won't need any parking in 10 years.

Thanks for reading.

Evan Heidtmann evan.heidtmann@gmail.com 503-504-2818 4906 NE Grand Ave, 97211 August 8, 2016

To: Planning & Sustainability Commission Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201

From: Green Roof Information Think-tank (GRiT) 4135 SE 67th Ave. Portland, OR 97206

Subject: Ecoroof Requirement

Dear Planning & Sustainability Commission,

On behalf of the Green Roof Information Think-tank (GRiT), we write to reiterate our strong support for the ecoroof requirement in the Central City 2035 plan (33.510.243) and express concerns with the recent changes introduced which will reduce its efficacy.

Rooftops are an overlooked and under-utilized resource that greatly impact the public realm. As the city becomes more densely developed, we need to use all available space, and rooftops represent many opportunities. Traditional approaches to rooftop design are not only antiquated but also toxic. Ecoroofs are far more than stormwater treatment facilities. Ecoroofs provide many economic, environmental, and human health benefits, while saving building owners money by significantly extending the service life of roof. *All these goals should be represented in the purpose of the ecoroof requirement*.

We are particularly concerned with the staff decision to *reduce* the maximum required ecoroof coverage from 70% to 60% of roof area. This change takes the proposal in the wrong direction and diminishes the short and long-term benefits of the requirement for the public and likely for the building owner as well. Many of the functions of ecoroofs, particularly in combating urban heat island, increase linearly to exponentially with ecoroof size. In addition, the 20,000 sf net floor threshold for the requirement will significantly limit the number of ecoroofs in the Central City, further limiting the cumulative landscape-scale benefits of installing ecoroofs on numerous downtown buildings. *We advocate increasing the required ecoroof percentage and establishing a lower building size threshold- based on roof area- for the requirement. We recommend the ecoroof requirement of 90% roof coverage apply to new buildings in CX, EX, RX, and IG1 zones with a roof area of at least 5,000 square feet.*

There does not appear to be anything in the proposed code that would prevent installation of a standard roof on the portion of the roof not required to be ecoroof. This would most likely eliminate the benefits of reducing long-term roof replacement costs because a properly designed and installed ecoroof will outlast standard roofing. <u>There needs to be some demonstrated need</u> for a roof to not be an ecoroof, for example to install a patio or other human access. Rooftop space is too valuable to the public realm to be left underutilized.

Ecoroofs and solar should be combined. There is no need for a solar exemption. Ecoroofs and solar energy systems are mutually beneficial, and when they are constructed together the ecoroofs are more effective and the solar systems are more efficient. Combining solar and ecoroofs is not new in Portland. There are several large projects such as the Ramona Apartments with 32,000 sf of ecoroof and solar panels. A number of buildings in Portland combine ecoroofs and solar including Portland's historic EcoTrust Building, the International Harvester Building, the East Multnomah County Courthouse and the Vestas headquarters building. In other countries ecoroofs and solar panels are often built in tandem, and in cities such as Stuttgart and Freiburg, Germany and Linz, Austria there are many examples of combined ecoroofs and PV installations.

In weighing these policy decisions, we urge the Planning and Sustainability Commission to consider the following:

1. <u>Comprehensive Plan Language:</u>

The Commission needs to fully appreciate the aspirations of the new comprehensive plan in this decision. The value of ecoroofs in helping maintain health and livability in denser urban neighborhoods cannot be overstated. The new, proposed Comprehensive Plan recognizes this fact by envisioning a new relationship between the built and natural environment in Portland. Throughout its proposed goals and policies, the new Comp Plan calls for a rich, intimate, and daily human connection to nature in order to foster improved public health and sense of place for all Portlanders while improving air and water quality, and native biodiversity. Ecoroofs are essential to achieving the Comp Plan's goals in our most dense and densifying neighborhoods.



This conventional roof provides no human health or environmental benefits, while it creates a heat island and an ugly view for adjacent building dwellers.



The Ramona Apartments' roof elegantly and efficiently combines solar panels and an ecoroof creating an attractive view, energy savings, habitat, and cooler, cleaner air quality.

2. <u>Relationship between incentives and requirements & Portland's policy history:</u>

Portland has a history of supporting ecoroofs. Until recently, that support lead to Portland's international reputation as a leader in the ecoroof industry. In 1999 the City of Portland was the first in the nation to recognize ecoroofs as a sustainable stormwater approach with the adoption of the City's first Stormwater Management Manual. In 2001 Portland included ecoroofs as an FAR Bonus option for a new urban design sustainability approach. Portland again was the first city in the USA to include ecoroof incentives in its planning regulations. Portland again set the pace beyond any other US city in 2008 with the adoption of a five-year direct ecoroof incentive program. The program also helped build the local green roof industry.

Portland is no longer a leader. Washington DC, Chicago, Seattle, San Francisco, Philadelphia, and New York City are touted as models of green roof incentives and regulations. And now, even smaller cities such as Milwaukie WS, Nashville TN, Devens MA, and Syracuse NY have ecoroof incentives and/or requirements. Portland has fallen off the list of cities with the fastest growth in ecoroofs.

The most successful efforts to expand ecoroofs in Europe and North America have first established incentives and then transitioned to ecoroof requirements as the local ecoroof industry expands and installation costs come down. Portland is ready for strong and robust ecoroof requirements that eventually should be city-wide.

Thank you for the opportunity to provide comments on the draft Central City 2035 Plan. We would be happy to provide additional technical information and data that support an ecoroof requirement. Please feel free to contact Elizabeth Hart with any questions or for more information.

On behalf of our 400+ member group,

Haut

Elizabeth Hart Executive Director and Co-Founder, GRiT elizabethkhart@comcast.net 404-725-1602

CC Mayor Charlie Hales Commissioner Nick Fish Commissioner Amanda Fritz Commissioner Steve Novick Commissioner Dan Saltzman BES Director Michael Jordan August 8, 2016

Planning and Sustainability Commission

Dear Commissioners:

The Northwest District Association strongly supports the improvement of the bicycling network in the district in conjunction with the Central City 2035 Plan, especially the designation of NW Flanders and NW Pettygrove Steet as a greenways, the improvements to NW 18th and 19th, and the establishment of a greenway along NW 22nd. We have some concerns, however, with the designation of NW Savier Street as a greenway.

Our primary concern is that it may be difficult for users of a NW Savier greenway to comfortably cross NW 23rd Avenue. There is no traffic control to stop cars racing from the light at Raleigh Street to the light at Thurman Street. And it is not clear that the lights are timed so as to allow a break in the traffic from both directions long enough for greenway users on bicycles to safely cross NW 23rd.

In addition, west of NW 23rd Avenue, Savier intersections have stop signs on Savier, but not on the crossing avenues. This is not conducive to the sort of low-stress route a greenway is supposed to provide since greenway users must stop and wait for cross traffic to clear at each intersection.

East of NW 23rd Avenue, Savier faces additional challenges as a greenway. Savier does not currently connect between NW 22nd and NW 21st Avenues. Development of the Con-way properties along NW Savier will need to be examined closely to ensure that the resulting path along NW Savier is conducive for use as a greenway.

Finally, Savier does not have the abundance of desirable destinations long its length that NW Raleigh Street enjoys, such as Chapman Elementary School, Wallace Park, New Seasons Market, and (at its eastern extreme) the Ramona building where Chapman Elementary kindergarten will be housed for the foreseeable future.

For these reasons, we ask that a comprehensive analysis be undertaken to examine bike designations and facilities in our neighborhood as soon as possible as part of a Northwest District Access and Circulation Plan, as contemplated by the Stage 2 Recommended Draft of the TSP. With the opening of BIKETOWN, even more people unfamiliar with our neighborhood are riding bicycles in it, and the need for efficient and safe bicycle facilities in Northwest is only increasing.

Sincerely, Jeanne Harrison

Chair, NWDA Transportation Committee

cc: Mauricio Leclerc Roger Geller Gabe Graff Zef Wagner

From: Bruce Guenther [mailto:bruceguentherpdx@gmail.com]
Sent: Monday, August 08, 2016 4:11 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Cc: Bloom Stephen D. <sbloom@japanesegarden.com>
Subject: CC2035 Testimony - Portland Japanese Garden view corridor

Planning and Sustainability Commission, City of Portland

Commission Members,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of Protected

Views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden was designed specifically around an expansive panoramic view encompassing the International Rose Test Gardens in the foreground, the downtown skyline in the middle-ground, and the Cascades in the far-ground. This view is central to the Garden's original design for the pavilion and terrace orientation, as well as a <u>critical component</u> of the psychological distancing from the world that creates the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

As a native Oregonian, the Portland Japanese Garden has been an important part of my life since childhood when my parents first introduced my to its pleasures. The Garden was a <u>must see</u> part of every visit to Portland for them from our home in the Rogue Valley. The family photo albums are peppered with photographs of those many visits - the view from the terrace of the city and Mt. Hood, my brother and me next to a favorite Maple tree as <u>we all grew</u> into maturity, and my late parents walking the garden's paths hand-in-hand.

When I returned to Portland in 2000 to take up my position as Chief Curator at the Portland Art Museum, the first thing I did was join the Garden membership to support its continuance. It has been a source of solace and renewal every week since for me. I made the Garden a must visit site for every professional visitor/guest to the Museum from major contemporary artists to the Directors of FRAME, the French American Museum Exchange organization. Its unique qualities and authenticity made it a memorable part of their Portland experience. At retirement from the Museum, I was invited to join the Garden Board of Trustees and I have been happily involved in the first expansion of the Garden since its founding over 50 years ago. It is in that capacity and with my commitment to the cultural institutions of our city that I write in support of the Gardens inclusion in the protected views inventory.

The Portland Japanese Garden has become known internationally as the best Japanese garden outside of Japan. It is a world-class treasure for our community and the nation. Our community and an international group of donors are currently making a \$33,500,000 investment in the Garden and its facilities to make certain it continues to serve future generations as a world-class garden and cultural education center. It is our generation's responsibility to assure that the vision of the founders of the Garden and the vitality of it's place in our community's heart is preserved and prospers.

Please protect the view around which the Garden was designed and which is so essential to its beauty and tranquility.

Sincerely. BRUCE GUENTHER

Independent Curator and Fine Arts Consultant 3333 SE Colt Drive Portland, Oregon, 97202-4337

Subject: Central City 2035 Plan – Willamette Greenway

Planning and Sustainability Commission Chair and members:

I have over 30 years of experiences with Portland's Willamette Greenway zoning code and regulations. From 2000 through the spring of 2014 I worked for Portland Parks & Recreation (PP&R) as the Bureau's Willamette watershed ecologist and landscape designer serving as the field operations manager of all natural area parks on the River and the adjacent Willamette Greenway Trail. During my tenure I represented PP&R on many City of Portland plans and projects within the Willamette Greenway: Oaks Bottom Wildlife Refuge Fish Enhancement, South Waterfront Greenway and Trail, Willamette Park + Cathedral Park Master Plans, Stephens Creek Restoration, Springwater Corridor Trail and North Portland Greenway Plans and the Sellwood Bridge mitigation projects. Also, both before my public service and since, I have provided consulting services to many private landowners and HOA's affected by Greenway regulations.

I have reviewed the Willamette Greenway sections of the proposed Central City 2035 Plan and offer the following suggestions and comments for your review:

Applicability (33.475.040)

- Native riparian shrubs remain unprotected in the proposed zoning code. Consider adding protection requirements.
- Identify tree removals that are exempt (e.g., dead, dying, dangerous trees) are still subject to Title 11 tree permit requirements.
- Removal of CoP nuisance vegetation (e.g. Himalayan blackberry, etc.) is problematic so consider establishing standards and recommended timelines for the removal of any vegetation within the river setback. These standards should include submittal of suggested BMP's such as a riparian vegetation management plan that includes a site maintenance work schedule and weed control plan for the duration of the native plant establishment period.
- The control of nuisance species on the Willamette riverbank requires a Greenway permit for the application of approved herbicides.

River setback (33.475.210)

- A 50-foot setback is an absolute minimum and current scientific literature suggests that 100 or more feet of vegetated buffer is needed to provide ecologically sound riparian functions. Furthermore, the Willamette River Greenway in the Central City also contains the greenway trail, further reducing space for riparian vegetation. Suggest a larger setback or at least a 50-foot of vegetated setback not including the width of the trail.
- Suggest a City Council ordinance noting that a 50-foot setback in the Central City shall not create a precedent for setback widths in future south or north reach planning.
- Plant larger trees in the setback and that require a mix of tree and shrub species and sizes to be planted.

Finally, it should be noted that currently there is currently little or no enforcement of existing Greenway native vegetation protection regulations after a Greenway landscape restoration design is approved and permitted. I recommend that the CoP increase Willamette Greenway enforcement staffing.

Mark Griswold Wilson / 1123 SE Harney Street / Portland Oregon 97202 / markgriswoldwilson@gmail.com





321 SW Fourth Ave., Suite 800 Portland, Oregon 97204-2330

P: 503.227.8600 F: 503.222.3555

August 9, 2016

To: Planning and Sustainability Commissioners

From: Kalberer Company

CC: Susan Anderson, Joe Zehnder, Eric Engstrom, Bill Cunningham, BPS

Subject: CC2035 - Scenic Resources Protection Plan

Kalberer Company opposes the planned change in zoning for our properties located at 100 SE Salmon, 119 SE Main and 135 SE Main in the Central Eastside Industrial Area. The current staff recommendation would change the allowable height limit today from no height limit to a maximum of only 40 feet in efforts to protect the views of Mt. Hood from the west side through the Salmon Springs Corridor. Our property contains a full block parcel and is currently home to Stumptown Coffee Roasters and other building tenants.

Understanding that the protection of the City's scenic corridors and views are essential for a vibrant and healthy city, staff's recommendation of the prohibition of heights along this section of the Central Eastside to protect the view of Mt. Hood from the lowest west side viewpoint in Tom McCall Waterfront Park is essentially a taking and in our opinion is in conflict with the envisioned future growth and density under the Comprehensive Plan update for the 2035 planning process. In fact, this recommendation is in conflict with the Bureau of Planning and Sustainability's own Central City Scenic Resources Protection Plan recommendation was that although Salmon Springs is the most used viewpoint in the Governor Tom McCall Waterfront Park and offers a view of Mt Hood today, the economic and jobs impact of limiting the height in this area outweigh protecting the view long term of Mt. Hood. The recommendation was to focus attention on the viewpoint priorities of the Willamette River, Hawthorne Bridge, and the Central Eastside skyline; **and not to protect the view of Mt Hood**. We support this original recommendation.

The impact of the decision to protect the view of Mt. Hood along this scenic corridor by prohibiting height in the Central Eastside was to be weighed as an Economic, Social, Environmental and Energy (ESEE) study under State Goal 5 with a thorough impact analysis on each and every property. This ESEE study and impact analysis was never conducted. Also because this is a legislative process, under State Goal One, jurisdictions

must involve citizens in the legislative processes. No one from the Central Eastside has been involved in this process. We need to be involved and given more time to conduct and understand the ESEE impacts to meet this goal.

Under these new height restrictions, the specific economic impact and property value reduction for our property has not been determined at this point, but it is significant along with the loss of jobs. This alone is another reason to slow down this process and not make decisions hastily. We only received notice of these staff recommendations in late July, AFTER the Portland City Council adopted the final Central City 2035 SE Quadrant recommendations and these height changes were not included in this final draft. We agree with the Central Eastside Industrial Council's recommendations that since these code change recommendations of green/eco roofs, reduction of height limits have not had a fair and complete review and hearing, that the public record on these issues remain open after August 9th and until after the BPS Commission workshops this fall.

Future infill development in this district is critical for the City for meet its goals for 2035. Rather than dramatic change in zoning, we recommend and support no changes to the current height limits but work to develop specific design guidelines that address the real concerns of scenic corridor and compatible future infill development. These design guidelines can address setbacks, building materials, compatibility and other design issues that ensure that concerns and impacts to the view corridor can be addressed and mitigated to meet the Central Eastside and City goals into the future.

Thank you for your consideration in this important matter.

Patrick Gottmaker

Patrick Gortmaker President Kalberer Company



August 8, 2016

Planning and Sustainability Commission 1900 SW 4th Avenue, Suite 7100 Portland, OR 97201

Members of the Planning and Sustainability Commission:

ATTN: CC2035 Testimony

We appreciate the opportunity to comment on the CC2035 Proposed Draft of zoning regulations for the Central City Plan District. BPS undertook an extraordinarily difficult task of overhauling the Comprehensive Plan and Zoning Code, and has done an amazing job of preparing a reasoned CC2035 Proposed Draft for review. While there are many proposed amendments to the zoning code that we fully support, we think important issues remain that need further consideration. Attached to this cover letter we offer a series of detailed amendments to the CC2035 Proposed Draft. Specifically we propose amendments as follows:

- Exhibit 1: Amend 33.510.200.E Floor Area Ratios
- Exhibit 2. Amend Map 510-2 Proposed Maximum Floor Areas
- Exhibit 3: Amend 33.510.263.B.1 Parking and Loading Access
- Exhibit 4: Amend 33.510.205.D.3 Intra-Subdistrict FAR Transfer
- Exhibit 5: Amend 33.510.205.C.2 Affordable Housing Bonus FAR •
- Exhibit 6: Amend 33.510.244 Low-Carbon Buildings •
- Exhibit 7: Amend Map 510-2 Base Heights •
- Exhibit 8: Amend 33.510.263.A Purpose of Parking and Loading on Access Regulations •
- Exhibit 9: Amend 33.510.205.C.2 Affordable Housing Bonus and Affordable Housing Fund
- Exhibit 10: Amend 33.510.243.B.1 Ecoroof
- Exhibit 11: Amend Map 510-4 Bonus Height

We look forward to working with you on these matters.

Sincerel

Goodman, Co-President

an, Vice President Good

Mark Goodman, President

Chris Kopca, Asset Manager

920 SW SIXTH AVE. • SUITE 223 • PORTLAND, OR 97204 PHONE: 503-489-2323 • FAX: 503-225-1168 www.downtowndevgrp.com

24995



Attached: Exhibits 1-11

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24996

Spur Central City Residential Development by Adding to 33.510.200.E an FAR Exemption for Residential Floor Area in Excess of the Initial 3:1 FAR Increase

A central goal of CC2035 is to spur residential development in the Central City. The proposed *CC2035 Goals and Policies*, which underlie the zoning code regulations, contain numerous policies and related actions to drive central city residential development. Policy 2.8 typifies this emphasis:

Create attractive, dense, high-quality affordable housing throughout the Central City that accommodates a broad range of needs, preferences, and financial capability in terms of different types, tenures, sizes, costs and locations. Support new housing opportunities for students, families and older adults.

Central City residential development is also at the core of other regional and city objectives related to active transportation, transit ridership, carbon reduction, and others. It is incumbent on the zoning code to provide policies to truly foster residential development. While residential development goals and objectives must sometimes be weighed against other goals and objectives, where residential development can be fostered without conflicting with other priorities -- it should be.

Consistent with the policy emphasis on affordable housing and historic preservation, the first 3:1 FAR increase for residential development must come from the three priority FAR methods. But after the first 3:1 FAR increase, floor area can be obtained through FAR transfers. Unless the developer has other properties to transfer FAR from, the developer must purchase this FAR from other property owners. While these FAR transfers may financially benefit those property owners, it serves no policy purpose. In fact, it runs contrary to CC2035 policies by adding cost to residential development -- thereby impeding residential development and/or making housing less affordable.

A better way to foster residential development is to allow residential floor area beyond the initial 3:1 FAR increase to be exempt from the FAR transfer requirement. This would allow residential development after the initial 3:1 FAR increase to be free of the added cost of purchasing FAR from other property owners.

The rationale for requiring FAR transfers appears to be a concern that the overall density of the Central City districts will grow too large. In previous years this was a problem because it could violate aspects of the state Transportation Planning Rule (TPR). However, the TPR is no longer an impediment to allowing overall higher densities in the Central City due to the Central City's recent designation as Multimodal Mixed-Use Area (MMA). As an MMA, automobile congestion standards no longer apply to Central City land use changes. Furthermore, the CC2035 Proposed Draft does not actually control building bulk through FAR – it controls bulk by height limits since there is no limit on the amount of increased FAR that can be earned/transferred at a site.

Given the policy emphasis on Central City development and the weak policy justification for requiring increased FAR after the initial 3:1 increase to be purchased from other property owners via FAR transfers, we propose the following amendments in bold and underlined text to subsection 33.510.200.E of CC2035:

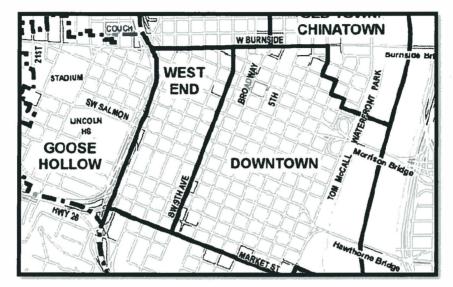
33.510.200 Floor Area Ratios E. Exemptions. The following are exempt from the regulations in Subsections C...

- 3 -

3. In the CX, RX, and EX zones, floor area in excess of the base floor area plus the initial 3:1 increase in floor area at a site that is used for residential purposes does not count toward the maximum FAR for the site.

Amend Map 510-2 to provide a base FAR of 9:1 in the CX Zone in the West End Subdistrict

The West End Subdistrict is flanked by SW 9th and SW 14th between W. Burnside and Market Street.



Today the portion of the West End between SW 9th and SW 11th is zoned CX, while the area west of SW 11th is RX. However, when the City adopted the West End Plan in 2002, it created an overlay for the area north of SW Salmon and west of SW 11th that generally permitted mixed-use development similar to the CX zone. The CC2035 Proposed Draft reinforces the mixed-use vision of the West End by rezoning much of the area north of SW Salmon and west of SW 11th as CX.

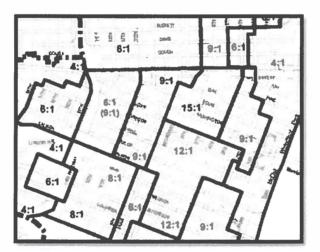


Proposed Zoning of West End (Blue is RX and Pink is CX)

Consistent with the different zoning, the *Central City 2035 Goals and Policies (Proposed Draft)* for the West End are different for the northern portion of the West End and the southern portion. For example:

- Policy 1.WE-1 "North of Taylor: Encourage a broad mix of land uses in the West End, particularly north of SW Taylor Street, including office and retail opportunities in addition to residential."
- Policy 2.WE-5 "South of Salmon Street, encourage residential development as the predominant use; to the north encourage it as a major component of new development. In particular, encourage multifamily housing supportive of families."

With regard to the base FAR, the existing zoning code acknowledges the policy difference between the northern and southern portion of the West End. The figure below is from Map 510-2 in the existing code. As shown, the area north of Salmon has a base FAR of 8:1, while the mixed use area between SW Salmon/W. Burnside and SW 11th/SW 14th Avenues has 6:1 FAR if less than one-third of a development is residential and 9:1 if more than one-third of the development is residential. The 9:1 FAR expressly mirrored the 9:1 FAR in the CX portion of the West End west of SW 9th,



Map 510-2 in Currently Effective Zoning Code

However, in setting the base FAR for the entire West End west of SW 11th at 8:1 (Map 510-2 in CC2035 Proposed Draft), the CC2035 Proposed Draft did not take into account the policy difference between the northern and southern portions of the West End. Staff explains its reason for the proposed downsized base FAR north of Taylor on page 48 of the CC2035 Proposed Draft as follows *"Staff proposes instead to set the base entitlement to 8:1* [north of Taylor], *similar to the surrounding areas to the south."* Given the policy vision for the CX portion of the West End, it would be more appropriate to set the base FAR and the FAR for the portion of the West End CX zone between SW 11th at 9:1; consistent with its existing FAR and the FAR for the portion of the West End CX zone between SW 9th and SW 11th.

Accordingly, we recommend:

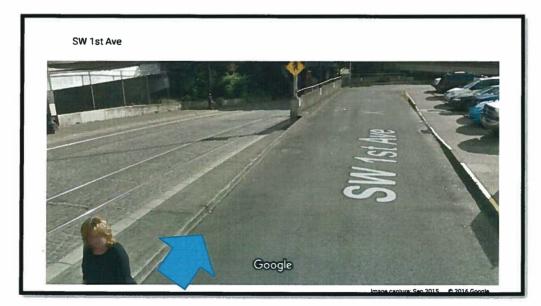
<u>Amending Map 510-2 to provide a base FAR in the CX zone of the West End west of SW 11th Avenue as 9:1.</u>

Amend 33.510.263.B.1 to not prohibit parking and loading access on SW 1st Avenue between SW Stark and Washington where a lane of SW 1st Avenue is physically separated from the LRT alignment

The Review Daft added PCC 33.510.263.B.1.f, which <u>prohibits</u> motor vehicle access to parking and loading along SW First Avenue between NW Davis Street and SW Morrison, the segment where light rail operates on SW First Avenue. However, a unique situation exists at SW 1st Avenue between SW Stark and SW Washington, which is not properly accounted for in the code language.



As shown below, the auto circulation lane on SW 1st Avenue at this location is physically segregated from the light rail alignment due to the grade change as the light rail alignment dips below the Morrison Bridge ramps adjacent to SW Washington.



Because it is physically separated, allowing parking and loading access on SW 1st Avenue between SW Stark and Washington would not impair light rail operations. Moreover, parking and loading access on SW 1st Avenue in this location may be preferable than using SW 2nd or SW Stark, which are Major City Bikeways. The physical alignment of SW Washington in this location may not be ideal for parking and loading access, and can only be accessed by SW 1st Avenue anyway. So overall, prohibiting parking and loading access on SW 1st Avenue between SW Stark and Washington does not facilitate light rail operations in any way, and may lead to using alternative access ways that are less desirable based on City objectives.

Thus, we recommend that PCC 33.510.263.B.1.f be amended as follows:

B. Parking and loading access standards.

o

- 1. Motor vehicle access to or from any parking or loading area, or parking structure is prohibited on or along the following streets unless it is the site's only frontage, in which case it requires an adjustment
 - f. On 1st Ave between NW Davis Street and SW Morrison <u>Street</u>, except between SW Stark and SW Washington.

Amend 33.510.205.D.3 to facilitate the acquisition of additional floor area in the West End Subdistrict after the initial 3:1 floor area increase

We are concerned that the proposed regulations will not provide a sufficient amount of reasonably priced FAR for West End Subdistrict development to accomplish the City's objectives for the subdistrict.

The Historic Resource transfer option (33.510.205.D.1) is the only Central City-wide floor area source. But given the seismic upgrade pre-requisite and the low FAR on many historic sites, we believe this is a very limited supply of floor area given the needs of the Central City. This means the primary way to acquire additional floor area above 3:1 in the West End Subdistrict will be the "transfer of floor area within a subdistrict (33.510.205.D.2)" option.

Unfortunately intra-subdistrict FAR transfers may not work as intended in the West End Subdistrict. The West End is the smallest, by area, of the core Central City subdistricts. Some West End FAR has already been transferred, making unavailable for future development. A large share of the subdistrict is currently used by surface parking lots or underdeveloped properties, further reducing the FAR available for intra-subdistrict transfers. Given the limited supply of transferrable FAR, the price for FAR could be unduly high. As a result, the City's vision for the subdistrict may not be achieved.

Accordingly, we suggest amending the proposed 33.510.205.D.3 as shown in bold underlined text below:

3. Transfer of floor area between subdistricts. Floor area, including bonus floor area and bonus floor area earned through a bonus that no longer exists in the zoning code, may be transferred between sites in the University District/South Downtown and the Downtown subdistricts <u>and</u> <u>between the West End and the Downtown subdistricts</u>. Floor area transfers are subject to the following restrictions...

Amend 33.510.205.C.2 to leverage the benefit of the affordable housing bonus for developments that are fully or primarily affordable housing projects

The ability of the affordable housing FAR bonus in the Review Draft to leverage affordable housing can be greatly enhanced by adding flexibility for projects that are fully or primarily affordable housing projects. We define here a project to be primarily an affordable housing project ("Affordable Housing Project") if at least 50% of its entire floor area in the development is dedicated to 80% MFI affordable housing.

A primary goal of the bonus FAR regulations is to spur the development of housing affordable to those earning less than 80% MFI. The current proposal requires that 25% of the bonus FAR must be used for affordable housing; this is generally a small percentage of the total floor area in the development. For the most part it is impractical to do a residential development that has a small percentage of affordable housing due to the administrative requirements and costs associated with certifying it complies with code requirements. Thus the affordable housing FAR bonus will for the most part only be useful to developments that are Affordable Housing Projects; however in the Central City these projects will still generally require additional financial subsidies. Thus the affordable housing bonus FAR provision in the Review Draft helps an Affordable Housing Project in acquiring additional FAR for itself, if it is needed, but little else.

With some tweaking, the efficacy of the affordable housing bonus FAR provision can be greatly enhanced. Specifically, we suggest the affordable housing FAR bonus should allow more bonus FAR to be earned by an Affordable Housing Project and allow the affordable housing bonus FAR not used by the Affordable Housing Project to be transferred to any other developments in the Central City to meet in whole or part their initial 3:1 FAR increase.

We see this potentially helping in several ways:

- For a large Affordable Housing Project that needs more FAR than the base FAR plus the affordable housing bonus FAR in the Review Draft, the proposal below eliminates the need to purchase FAR and add cost (and the need for additional subsidy) for the Affordable Housing Project.
- For Affordable Housing Projects that do not need the full amount of affordable housing bonus FAR, the proposal below generates funding that can be used to develop the Affordable Housing Project and, thereby, reduce or eliminate the need for the limited amount of available public subsidy.
- For developers of multiple Central City properties, the proposal below allows for the consolidation of affordable housing floor area into one Affordable Housing Project, rather than having small amounts of affordable housing in several buildings, making the administration of the affordable housing requirement more practical, while still meeting requirements for the initial 3:1 FAR increase.

Accordingly, we recommend amending 33.510.205.C.2 as follows:

a. Affordable housing bonus option. Proposals in the CX, EX, and RX zones that include affordable housing will receive bonus floor area. <u>Except for as provided in subsubparagraph (3) below</u>, up to 3 to 1 FAR can be earned if at least 25 percent of the increased floor area is dedicated to housing affordable to those earning no more than 80 percent of the area median family income. To qualify for this bonus option, the following requirements must be met:

(1) The applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the standards of this Paragraph and any administrative requirements. The letter is required to be submitted before a building permit can be issued for the development, but is not required in order to apply for a land use review.

(2) The property owner must execute a covenant with the City that complies with the requirements of Section 33.700.060. The covenant must ensure that affordable dwelling units created using this bonus will remain affordable to households meeting the income restrictions and meet the administrative requirements of the Portland Housing Bureau or qualified administrator for 60 years.

(3) If a proposal is in the CX, EX, or RX zone and at least 50% of the floor area is dedicated to housing affordable to those earning no more than 80 percent of the area median family income, the affordable housing bonus shall be equal to 75% of the floor area dedicated to housing affordable to those earning no more than 80 percent of the area median family income. There is no maximum to the amount of bonus floor area that may be earned. To gualify for this bonus option, the requirements in subsubparagraph (2) and (3), above, must be met. Unused bonus floor area can be transferred to sites within the Central City and can be used by the receiving site to satisfy the requirements for any floor area increase including the first 2:1 floor area increase described in 33.510.205.B.1.a and the next 1:1 floor area increase described in 33.510.205.B.1.b.

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Amend 33.510.244 (Low-Carbon Buildings) to allow for low-carbon certification by LEED and equivalent standards

Several respected organizations are now operating that perform green/low-carbon building certifications that are equivalent to US Green Building Council's Leadership in Energy and Environmental Design (LEED) standards. It does not seem appropriate to have the zoning code require Central City developers to financially engage only one enterprise by name. The zoning code should allow for equivalent certifications. To the extent it is necessary, BPS can issue administrative rules describing what constitutes equivalency, or can enumerate specific equivalent certifications.

Thus, we recommend in bold and underlined text the following amendments to 33.510.244:

33.510.244 Low-Carbon Buildings

A. Purpose. The low-carbon buildings standard ensures that new buildings and additions to existing buildings are designed and constructed to meet the US Green Building Council's Leadership in Energy and Environmental Design (LEED) standards at the gold level <u>or meet an equivalent standard by another certifying organization</u>. The benefits of meeting LEED or equivalent standards include improving energy efficiency, preserving natural resources, and protecting the health of the occupants.

B. Low-carbon building standard. New buildings with a net building area of at least 50,000 square feet, and alterations to existing buildings that increase net building area by at least 50,000 square feet must provide a letter from the Bureau of Planning and Sustainability that verifies that the project has registered to earn LEED gold level certification <u>or an equivalent</u> <u>standard by another certifying organization</u> and prepared a preliminary LEED <u>or equivalent</u> project checklist showing which LEED <u>or equivalent</u> credits will be pursued for the building.

Amend Map 510-2 to provide a base FAR for site at 87 SW Stark commensurate with increase height limit

The half block site at 87 SW Stark is located just <u>outside</u> of the Skidmore/Old Town historic district. The CC2035 Proposed Draft provides a maximum height with bonus of 250 feet, but continues to propose a base FAR of 4:1, similar to sites that are in the historic district. Abutting properties outside of the historic district are proposed to have a 9:1 FAR.

We think that to be consistent with the updated height limit for the site, the site should have a 9:1 FAR. Accordingly we recommended the following amendment to the proposed code:

• Amend Map 510-2 to increase the proposed Maximum FAR for the site at 87 SW Stark from 4:1 to 9:1.

Amend 33.510.263.A to Clarify Purpose of Parking and Loading on Access Regulations

CC2035 Proposed Draft 33.510.263 determines which Central City streets are "prohibited" from having access to a building (parking or loading) and where such access is "not allowed." CC2035 Proposed Draft 33.510.263.A states the purpose of these regulations:

a. Purpose. The purpose of restricting the location of parking access is to ensure safety and the efficient function of the transportation system, including the need for reasonable parking access. Parking access shall be designed so that motor vehicles can enter and exit the parking facility without being required to cross the tracks of a light rail or streetcar alignment, and to avoid any other significant adverse impact on transit operations. Parking access shall be designed to avoid adverse impacts on operation and safety of pedestrian, bicycle, or motor vehicle circulation, <u>and shall not preclude the future construction of facilities such as</u> <u>protected bikeways</u>. A driveway is not automatically considered such an impact. On blocks where transit stations are located, the pedestrian environment on both sides of the streets will be considered and protected.

Many Central City sites that have multiple street frontages where access is prohibited or not allowed, several sites have all frontages in one or more of these categories. Development on block faces where access is 'not allowed' need discretionary approval of the access location. Under 33.805.040.A, the standard for such approval includes whether the proposed access location meets the "purpose" of the regulation. The concern with the purpose language in 33.510.263.A focuses on the phrase "and shall not preclude the future construction of facilities such as protected bikeways." This phrase becomes part of the standard for permitting access onto the street.

The proposed language provides no specific plan or definition of "facilities such as protected bikeways." Does that mean unprotected bikeways are part of the standard or not? Future bus stops? Sidewalk expansion? Where will these facilities will be? What is their design? When will they be built? Since there are no specifications in the code, these judgments are left to the reviewer. And those judgements will change over time, as reviewers change. The developer will be stuck in the middle having to prove that whatever and wherever these facilities are, the proposed access is not precluding it. Will access be permitted on any of these street frontages, or will they fail the standard? By using such wide-open language, the purpose statement becomes unworkable. The purpose statement needs to be clearer about the need for reasonable parking access.

Thus, we recommend the following amendment to CC2035 Proposed Draft 33.510.263.A:

a. Purpose. The purpose of restricting the location of parking access is to ensure safety and the efficient function of the transportation system, including the need for reasonable parking access...<u>No development shall be precluded from</u> having reasonable parking access capable of handling its full entitlement of parking spaces under the zoning code without adding excessively to the cost of the development.

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Amend 33.510.205.C.2 to provide a more complete description of the eligibility requirements for the affordable housing bonus and the calculation of the fee for the affordable housing fund bonus

Given the central importance placed on the affordable housing bonus and the affordable housing fund bonus in the proposed code, the proposed code must be clear about its requirements and not vulnerable to changing interpretations. Moreover, the zoning code must provide clear and objective standards that are only amendable in accordance with land use laws. <u>The proposed code leaves essential policy choices to administrative rules; and by doing so do not provide clear and objective standards for either the affordable housing bonus of the affordable housing fund bonus.</u>

To fix this, we believe 33.510.205.C.2.a should be amended to more completely describe:

- How affordability is measured under the code. While "80% MFI" is a key parameter in defining
 affordability, it is not sufficient. Code should describe how the 80% MFI tables are applied to
 rental and for-sale units (i.e.; when and how household size and apartment size are taken into
 consideration).
- The building area comprising affordable housing square footage. The proposed code requires at least 25% of increased floor area to be dedicated to affordable housing, but does not describe the area included in the 25% calculation (i.e.; does it include a proportionate amount of circulation/common area or just the internal dwelling unit space).

We also believe the CC2035 Proposed Draft 33.510.205.C.2.b should further describe how the affordable housing fund fee will be calculated. This can but does not necessarily require a precise formula, but could also include a description of the basic principles or factors. For example, the currently existing Affordable Housing Replacement Fund bonus option (33.510.210.C.15) has a stated cost per square foot that appears to escalate with inflation. Is that what is proposed here? If so, what is the initial fee? If not, how will the fee be calculated? Is it some calculated benefit to the developer of the FAR increase, an estimate of the subsidy requirement needed for building affordable units, or something else? What are the basic parameters in the calculation? 33.510.205.C.2.b should be amended to provide these details.

Amend 33.510.243.B.1 (Ecoroofs) to better accommodate roof-level active use decks

To better allow for roof-deck active areas, BPS slightly reduced the required percentage of ecoroof coverage in the current draft code. However, the regulation is still based on assumptions of future roof design/layouts that may not apply in specific circumstances. Roof-top decks are a much desired amenity by potential tenants. Because the proposed code uses the term "must," the ecoroof coverage requirements in the code are set in stone and cannot be adjusted. This presumes too much certainty about how roofs may be used or designed. The proposed code needs to provide more flexibility for the design and size of roof-top amenities.

Thus, we recommend that 33.510.243.B.1 be amended as follows:

B. Ecoroof standard. In the CX, EX, RX, and IG1 zones, new buildings with a net building area of at least 20,000 square feet must, <u>unless otherwise approved through an adjustment</u>, have an ecoroof that meets the following standards:

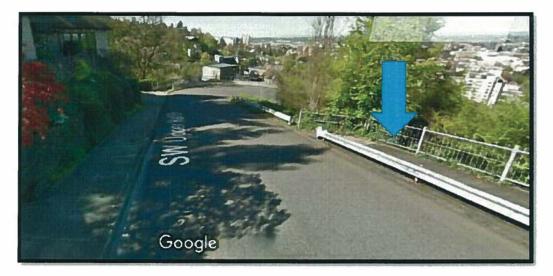
1. The ecoroof must cover at least 60 percent of the roof area. Roof area does not include areas covered by solar panels, skylights or mechanical equipment, or areas used for fire evacuation routes

Maximum heights on several downtown sites were unduly lowered to allow views from Upper Hall Street (CC SW24); a viewpoint that is not used and cannot be safely used by pedestrians, bicyclists, or motorists

While the Upper Hall Street viewpoint is highly ranked for its scenic quality, it fails to meet other criteria to justify protecting it as a viewpoint. Interestingly when it was first identified as a viewpoint, the protected view as if Mt. Hood. However, as part of the proposed CC2035 Scenic Resource Plan, this view is proposed to be removed from the protected list due, in part, to its lack of use by the general public.

Rather than declassify the viewpoint entirely, the CC2035 proposes to protect a different view from this viewpoint. But the basic problems with is viewpoint remain the same, as the City's evaluation in the *Scenic Resource Plan* notes: "Viewpoint access is limited due to its remote location, lack of parking, bike lanes, or transit access, and incomplete sidewalk." (Volume 3A SCENIC RESOURCES PROTECTION PLAN Part 2: Scenic Resources Inventory; Proposed Draft; June 20, 2016)

As you can see below, the viewpoint sits at the end of a sidewalk that does not provide continuous pedestrian access that sits at the beginning of a hairpin curve. There is no viewpoint, as shown by the arrow it is simply the stub-end of an incomplete sidewalk where vegetation blocks views.



The hairpin turn is, for the most part, a blind turn for motorists. Extreme care is required in both directions to avoid cars coming from the other direction, as one makes the hairpin turn. Parking in this vicinity should be disallowed, for it makes the hairpin turn even more difficult and unsafe. The sidewalks on neither side of Upper Hall are used by pedestrians very often; and the continuous sidewalk on the west side of Upper Hall is the sidewalk does is used, to the limited extent either sidewalk is used.

As a result of its location, the City evaluation gave it gets a <u>zero</u> rating for developed as a viewpoint, access to viewpoint, and use as a viewpoint.

The two illustrations below further highlight how unsafe and unusable this viewpoint is.

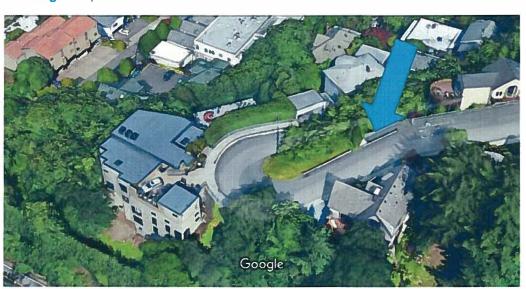
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This view of Upper Hall shows the view point from the bottom of the hairpin turn looking up. The viewpoints is where the arrow points behind the vegetation.



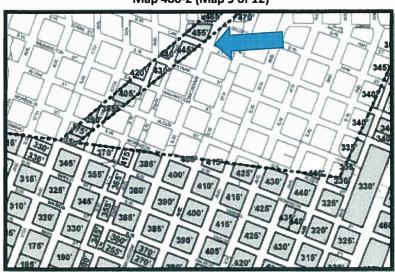
The aerial view below further shows the isolated nature of the site, and its inaccessibility for general public use.



Google Maps SW Upper Hall St

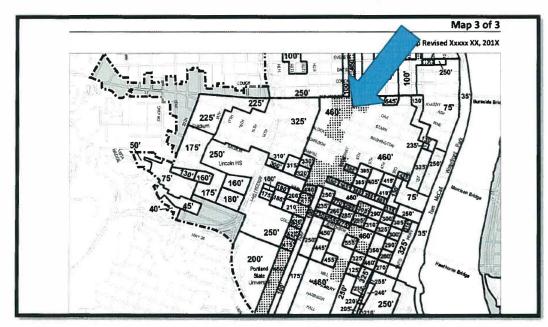
The City's evaluation regarding the economics of protecting this viewpoint is also incorrect. The evaluation in the Scenic Resource Protection Plan concludes "Due to the elevation of the viewpoint, there is minimal economic impact from protecting the views of Mt Adams and Mt St Helens." (Central City Scenic Resources Protection Plan: Proposed Draft, Summary, Results and Implementation; June 20,

2016, page 91). As shown in the "480 Maps" prepared by the City, protection of this viewpoint results in a swath of reduced development capacity through the West End and Downtown subdistricts.



As a result, of its lack of access, unsafe location, lack of use, and economic impacts, we suggest that the Upper Hall Street viewpoint no longer be a protected viewpoint and as a result that the Map 510-4 be amended to include Bonus Heights that do no reflect the viewpoint, as originally proposed in the Discussion Draft, and shown below.





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Written Testimony by Portland Forward

Portland Forward was founded by an old friend and colleague, Bing Sheldon. We have been focusing on housing in Portland, and have spent a lot of time discussing the future of Portland's housing stock. A portion of that has to do with greater density zoning throughout our city, which we all know needs to be addressed. Through our discovery process, it has come to our attention that a major concern that we have is a lack of family incentives currently addressed in the Central City 2035 plan.

There is strong language in support of families and family friendly development in the current draft of the Central City 2035 Plan. The goals and policies outlined in the Plan include suggestions for the development of "housing diversity" and "complete neighborhoods," with specifics noted for each of the Central City's sub-districts. Just a few examples of this language include:

- for the West End sub-district: "Encourage the development of child-friendly play areas, schools, [and] a neighborhood park."
- for the The Pearl sub-district: "Encourage multifamily housing supportive of families and students."
- for the the Lloyd sub-district: "Encourage development of grocery stores, neighborhood businesses, daycares and schools."

However, what we actually see when looking at the code, is that there are actually LESS incentives to encourage developers to build for families. Of the current 19 incentives that are currently in the existing code, 5 of which support family living, only the neighborhood facilities remain. The others that have been deleted are as follows:

- daycare bonus option
- large dwelling unit bonus option (for the West End area only)
- large household dwelling unit bonus option (for the South Waterfront area only)
- efficient family size unit housing bonus option (for the North Pearl area only)

If the language of the current draft is ratified we will be left with a zoning code that is missing any support for families and family friendly development in the Central City. And though the rationale for these changes is understandable - to focus on affordable housing development - this incentive structure does not reflect the full spectrum of goals for growth outlined in the 2035 Central City Plan.

OUR ASKS

- 1. We would like to propose that we revise the incentives in the Central City Plan to keep affordable housing as the minimum standard for incentives, however that we can include additional bonuses to be more inclusive of family sized units.
 - a. For instance, the base bonus FAR for affordable housing could be 2:1, however there would be the option to increase this to a 3:1 for building's with 2 or more bedrooms.
- 2. We would also ask that there is incentives for the amenities that support family needs. Such as schools, daycares, libraries, and community centers.
 - a. This bonus could build on the family size units, increasing the building to a 4:1 FAR, however with a minimum 30-year leasing contract could also be retroactively transferred (either sold or transferred to another building).
- 3. Staff come up with updated data to look at the numbers of families currently in the Central City birth rates, number of children PRE, K-5, 6-9, 10-12.
- 4. We would like to volunteer as a task force/focus group to work with staff as they draft this policy.

We are open to how this can be more impactful, and are open to the specifics on how this could work.

We have been researching what other cities have done to encourage families to move into the city's urban core.

We're going to share some of the successes from Vancouver, as they have almost 8 times the amount of children living in the urban core than Portland, and almost 5 times that of Seattle. while our populations are somewhat comparable

2010/2011 - neighborhoods housing children under the age of 15.

5100 - Vancouver (total population 603,500 - 2001)

1100 - Seattle (total population 652,405 - 2013)

650 - Portland (total population 609,456)

20 years ago, Vancouver's planners and politicians made a choice not to have it's core full of empty nesters, young singles, and the childless and started on a mission to ensure families were included in their downtown growth.

"Without strong policies to at least create conditions where families can find a place in a city's densest neighborhoods, it won't just happen organically", **Larry Beasley**, "This doesn't happen unless a city takes real leadership to at least set it off to happen. The private market does not experiment that much. You may find the odd creative developer here and there, but in general they are building a standard product that they have a history of selling, whether that's homes for empty nesters or studio apartments for singles. But after building those for years on end, the market goes flat because they've saturated the market for your typical high-density consumer.

If the local government establishes a policy and makes it clear that taking families' needs into account is going to be required, developers may feel oppressed in the early years. But pretty soon they start discovering that market and seeing the broadening of the consumer base they're appealing to. Then they come around, and innovative things start happening in the market."

They required 25% of development be suitable for families (2 bedrooms or more - with certain space requirements).

They encouraged townhomes/rowhouses be incorporated into the podiums, understanding that families still wanted that street connection.

They also understood that a "living strategy" was critical in the "housing strategy" and made developers either build or make cash donations to Community Amenity Contributions.

As a result, a larger percentage of families lived in duplexes/rowhouses than lived in single family homes.

Between 2001 and 2011, the number of kids living in downtown grew substantially (68.6%), while the overall city wide population decreased (-1.4%) – as did British Columbia's numbers (-4.1%). If you build it, they will indeed come.

We have the opportunity to ensure that families are represented in our core, making our city truly "sustainable".

On a personal note, we sold our house the Goose Hollow district and moved to Alameda last year when we got pregnant with our baby, because the neighborhood is not currently conducive to family living. I don't want to see others have to follow in our footsteps.

Supporting Information:

Summary: Family Housing - PDX Zoning Code - Central City 2035 Plan

Incentives in the existing zoning code.

There are currently 19 bonus options in the zoning code to incentivize development to grow in ways supporting Portland's planning agenda. A few of these existing incentives are for family friendly development, promoting a diversity in housing stock (including units that families can live in) and family friendly neighborhood amenities (like schools, libraries, daycare and community centers). These incentives include:

- neighborhood facilities exempltion (for the North Pearl area only)
- daycare bonus option
- large dwelling unit bonus option (for the West End area only)
- large household dwelling unit bonus option (for the South Waterfront area only)
- efficient family size unit housing bonus option (for the North Pearl area only)

Goals of the Central City 2035 Plan.

There is strong language in support of families and family friendly development in the current draft of the Central City 2035 Plan. The goals and policies outlined in the Plan include suggestions for the development of "housing diversity" and "complete neighborhoods," with specifics noted for each of the Central City's sub-districts. Just a few examples of this language include:

- for the West End sub-district: "Encourage the development of child-friendly play areas, schools, [and] a neighborhood park."

- for the The Pearl sub-district: "[E]ncourage multifamily housing supportive of families and students."

- for the the Lloyd sub-district: [E]encourage development of grocery stores, neighborhood businesses, daycares and schools."

Changes to the zoning code with the implementation of the Central City 2035 Plan.

In the current draft of the zoning code to be implemented when the Central City 2035 Plan is ratified, most all of the development bonus options have been deleted in order to focus incentives towards one goal: increasing affordable housing in the Central City. All of the family friendly incentives have been deleted except one: the neighborhood facilities exemption. This exemption has been expanded to cover the entire Central City area (it was previously only covering the North Pearl sub-district), but as it is replacing stronger bonus options for neighborhood amenities it will actually result in a net reduction in bonuses in support of neighborhood amenity development.

If the language of the current draft is ratified we will be left with a zoning code that is missing any support for families and family friendly development in the Central City. And though the rationale for these changes is understandable - to focus on affordable housing development - this incentive structure does not reflect the full spectrum of goals for growth outlined in the 2035 Central City Plan.

Research Notes: Portland Zoning Code - Now and 2035

Current Zoning Code - Family Friendly Incentives

- Central City sub-districts:

- West End

- Pearl
- Goose Hollow
- Lloyd
- Central Eastside
- Lower Albina
- South Waterfront
- Old Town / Chinatown
- Downtown
- University District / South Downtown
- Zoning code incentives for family friendly development:
- CC District Increased FAR limits: (33.510.200)
- FAR not counted for *neighborhood facilities* in North Pearl Subarea (schools, daycare facilities, libraries, and community centers) (33.510.210.I)
- CC District FAR bonuses: (33.510.210)
 - daycare bonus option, 3sf per 1sf or daycare use in CX, EX, and RX zones (33.510.210.C.2)

- *large dwelling unit bonus option* (West End), large units bonus at 1sf per every 1sf >750sf (33.510.210.C.11)

- *large household dwelling unit bonus option* (South Waterfront), 150sf bonus for each bedroom in excess of 2 (33.510.210.C.12)

- efficient family size unit housing bonus option (North Pearl sub-area): (33.510.210.C.19)

- 3sf bonus per every 1sf of 3-bedroom units that are </=1,200sf
 - 2sf bonus per every 1sf of 3-bedroom units that are </=1,200sf
 - outdoor play areas and common room requirements also apply

2035 Comprehensive and Central City Plans Zoning Code Amendments

- restructured FAR bonus incentives:
- meant to focus development to adhere to 2035 Comprehensive and Central City Plan goals
- elimination of many current FAR bonuses (there are currently 19 FAR bonus options)
- 4 new bonuses are created and 3 remain from the current code (related to South Waterfront), totaling 7 bonus options
- new bonus options:
 - affordable housing bonus option
 - affordable housing fund bonus option
 - riverfront open space bonus option
 - Central Eastside subdistrict industrial space bonus option
- New family friendly incentives:
 - neighborhood facilities exemption: (33.510.200.E.1)
 - sf of neighborhood facility uses not counted towards maximum FAR
 - neighborhood facilities are: public schools, community centers, daycare facilities and libraries
 - expansion of same regulation previously applied only to North Pearl sub-area
- Deleted family friendly incentives:
 - daycare bonus option to be deleted:
 - bonus only used twice since 1988
 - staff proposes to expand the "Neighborhood Facilities within the North Pearl Subarea" incentive
 - for Neighborhood Facilities incentive, see 2035 amended section (33.510.200.E.1)
 - effectively lowers bonus from 3/1 to 1/1
 - larger dwelling unit bonus option to be deleted:
 - only used once since its creation in 2003
 - intended to foster 2-bedroom housing units
 - no replacement or alternative proposed

- large household dwelling unit bonus option to be deleted:
- this bonus has never been used
- meant to foster housing type diversity
- a continuing need for housing diversity is noted
- no replacement or alternative proposed
- eliminated to focus development towards current priority of affordable housing
- efficient family size unit housing bonus option to be deleted:
- this has been used 2 times in recent years
- a continuing need for a diversity of housing types is noted
- eliminated to focus development towards current priority of affordable housing

2035 Plans - Goals and Policy

2035 Comprehensive Plan

- guiding principals:
 - economic prosperity
 - human health
 - environmental health
 - equity
 - resilience

2035 Central City Plan

- current strengths to build on:

- "A great place to live within a community that cares."

- "Grow and enhance the Central City's neighborhoods and make sure they are vibrant, livable,

accessible, affordable, inclusive, and cohesive." (CC2035_PD_Vol 01_Intro, p. 12)

- the 6 big ideas:

- #6, Increase the Resilience of the Central City:

- "[The Central City] strives for greater social resilience by preserving and increasing affordable housing in the Central City, allowing particularly vulnerable households access to the infrastructure, services and opportunities there." (CC2035_PD_Vol 01_Intro, p. 23)

- Central City Goals

- Goal 2.A:

- "The Central City is a successful dense mixed-use center composed of livable neighborhoods with housing, services and *amenities that support the needs of people of all ages*, incomes and abilities." (CC2035_PD_Vol 02_GP, p. 40)

- Central City Policies:

- Policy 2.1, Complete Neighborhoods:

- "Ensure Central City neighborhoods have access to essential public services, *including public schools, parks, open space* and recreation opportunities, community centers, urban canopy and amenities such as neighborhood-serving retail and commercial services that support sustainable and diverse community structure." (CC2035_PD_Vol 02_GP, p. 42)

- Policy 2.8, Housing Diversity:

- "Create attractive, dense, high-quality affordable housing throughout the Central City that accommodates a broad range of needs, preferences, and financial capability in terms of different types, tenures, sizes, costs and locations. *Support new housing opportunities for students, families* and older adults." (CC2035 PD Vol 02 GP, p. 43)

- District Policies - Housing and Neighborhoods:

- West End, Policy 2.WE-1, Complete Neighborhoods:

- "Encourage the development of *child-friendly play areas, schools, a neighborhood park*, dog park and contemplative spaces." (CC2035_PD_Vol 02_GP, p. 44)

- West End, Policy 2.WE-5, Housing Diversity:

- "South of Salmon Street, encourage residential development as the predominant use; to the north encourage it as a major component of new development. In particular, encourage multi-family housing *supportive of families*." (CC2035_PD_Vol 02_GP, p. 44)

- Goose Hollow, Policy 2.GH-4, Housing Diversity:

- "Support development that complements the distinctive residential feel of the district, especially within the predominantly residential areas south of SW Columbia Street. In particular, encourage multi-family housing *supportive of families*." (CC2035_PD_Vol 02_GP, p. 45)

- The Pearl, Policy 2.PL-1, Complete Neighborhoods:

- "Enhance bicycle and pedestrian connections between existing parks, as well as future parks. *Encourage the development of new public schools* to serve the district. " (CC2035_PD_Vol 02_GP, p. 46)

- The Pearl, Policy 2.PL-3, Housing Diversity:

- "Encourage new development, including housing, along Naito Parkway in order to bring more people and activities to the riverfront. Throughout the district, *encourage multifamily housing supportive of families* and students." (CC2035_PD_Vol 02_GP, p. 46)

- Lloyd, Policy 2.LD-1, Complete Neighborhoods:

- "Improve access to parks and open space, and encourage development of grocery stores, neighborhood businesses, *daycares and schools*." (CC2035_PD_Vol 02_GP, p. 46) - Central Eastside, Policy 2.CE-1, Complete Neighborhoods:

- "Ensure access to essential public services such as *parks and open spaces, schools, and community centers*." (CC2035_PD_Vol 02_GP, p. 47)

- South Waterfront, Policy 2.SW-1, Complete Neighborhoods:

- "Encourage development of a K-8 public school facility to serve the district, parks and greenway, a full-service grocery store, community space, senior center and *daycare facilities*." (CC2035_PD_Vol 02_GP, p. 47)

- South Waterfront, Policy 2.SW-3, Housing Diversity:

- "Encourage *multi-family housing supportive of families* and students." (CC2035_PD_Vol 02_GP, p. 47)

- University District/South Downtown, Policy 2.UD-1, Complete Neighborhoods:

- "Encourage the development of a grocery store, new and improved open spaces, *playground, daycare facilities*, a small hotel, and a community or senior center." (CC2035_PD_Vol 02_GP, p. 47) - University District/South Downtown, Policy 2.UD-4, Housing Diversity:

- "Encourage *multi-family housing supportive of families* and students." (CC2035_PD_Vol 02_GP, p. 47)

RESEARCH / LESSONS LEARNED FROM OTHER CITIES



Organizations: City of Vancouver

> "Without strong policies to at least create conditions where families can find a place in a city's densest neighborhoods, it won't just happen organically", Larry Beasley, "This doesn't happen unless a city takes real leadership to at least set it off to happen. The private market does not experiment that much. You may find the odd creative developer here and there, but in general they are building a standard product that they have a history of selling, whether that's homes for empty nesters or studio apartments for singles. But after building those for years on end, the market goes flat because they've saturated the market for your typical high-density consumer.

If the local government establishes a policy and makes it clear that taking families' needs into account is going to be required, developers may feel oppressed in the early years. But pretty soon they start discovering that market and seeing the broadening of the consumer base they're appealing to. Then they come around, and innovative things start happening in the market."

Policy:

1) Vancouver and families

"20 years ago, Vancouver's planners and politicians made a conscious choice: Not to relinquish the city's urban core to empty nesters, low-income singles, and the childless."

Required that 25% of new housing be suitable for families (minimum of 2 bedrooms) - with specific details in the "High-Density Housing for Families with Children Guidelines"

http://former.vancouver.ca/commsvcs/guidelines/H004.pdf

To meet that requirement, units must have at least two bedrooms, large enough to fit a bed, dresser, desk or table, and some floor space for playing. That's a huge step, because a downtown can have all the parks and museums and whimsical public art in the world, but without housing that's large enough to meet their needs, families aren't going to move there.

Vancouver realized that families often don't want to live high up on the high-rise, but would rather live on the ground levels, so the city encouraged townhomes/rowhouses to be incorporated into the podium at street level for these family units.

Created a 13-page manual with rules of thumb for developers to use to make units more family friendly. Examples:

- Bathrooms that are big enough to fit a parent and child.
- A non-carpeted entry area where parents can pull off wet jackets and muddy boots.
- No more than 12 units grouped together on the same hall or entry, to foster a sense of community.
- A minimum of 130 square meters of outdoor play space somewhere in the complex, ideally that parents can see from the unit, with separate areas for preschoolers and older children.
- Landscaping with non-toxic plants that can withstand the "rough and tumble of children's play."
- Soundproofing between units and sleeping areas that won't be disturbed by proximity to living areas.
- In addition to clothes and linen closets, a minimum of 5.7 cubic meters of bulk storage space, within the unit or near the entry, that can hold strollers, wheeled toys, suitcases, sports equipment and holiday decorations
- Lockable bicycle storage adjacent to a building entrance.

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They also required private landowners developing sites to incorporate parks, open space, daycares, libraries, communities centers, elementary school sites, and other public amenities that families needs.

Vancouver planners also recognized early on that they couldn't just rely on a "housing strategy" in dense urban areas. They also needed a "**living strategy**," since what happened outside the walls of a home would be equally important to families.

Community Amenity Contributions - in-kind amenities or cash contributions provided by property developers when City Council grants development rights.

- Park space
- Libraries
- Childcare facilities
- Community centres
- Transportation services
- Cultural facilities
- Neighbourhood houses

RESULTS:

2006-2011 - homes with families

10% of duplexes/rowhouses

9% of single family homes

8% buildings with 5 or more stories.

2010/2011 - neighborhoods housing children under the age of 15.

- 5100 Vancouver
- 1100 Seattle
- 650 Portland

Between 2001 and 2011, the number of kids +68% downtown (-1.4%) overall city wide Vancouver

(-4.1%) British Columbia's numbers.

More remarkably, the share of Vancouver's City Centre population *that is made up of kids has actually increased*. That's unusual because aging baby boomers, longer life spans, and record low birth rates mean that the entire population is skewing older. Proportionally, there are simply fewer kids.

Data sighted here was found: http://www.sightline.org/2014/07/08/are-you-planning-to-have-kids-part-1/

2) The Affordable Home Ownership:

A unit would be priced below market value, sold to an eligible household with restrictions on ownership and resale, and then resold to the next buyer. The units are typically created by non-profits, social housing organizations, or the government.

People who qualify for the program should be earning between \$50,000 and \$99,000 per year, according to the report, and the city would aim to create 300 units over a period of three years. Statistics Canada says more than 30,000 households would qualify for the program.

In order to qualify for the AHO program, Vancouverites:

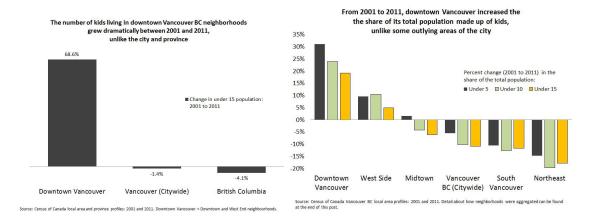
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- Must be a resident of the city for a minimum of five years
- Must be a permanent resident or citizen
- Must be employed in Vancouver
- Must never have owned property before
- Cannot earn more than \$67,540 per year for one-bedroom units
- Cannot earn more than \$96,170 per year for two and three bedroom units for people with children
- Must complete a home buyer education course

In addition, half of the units would required to be two or three bedrooms for families. The city stresses that this program wouldn't replace any low-income housing projects currently in place.

3) Control on the ability to own land or properties by foreign entities.

The ability of external capital to flow into local real estate markets is essentially unguestioned in recent media reports. Yet it is not obvious why non-resident ownership of local real estate is inevitable or desirable, in particular amid increased global capital flows. Since the development, real estate and construction sectors all have an interest in the status quo, and governments receive additional revenue under this system, they tend to look the other way when foreign investment is raised as an issue. Instead, consider an alternative starting point: real estate markets should be local, or limited to those who live and work in the city year-round. Domestic and international immigrants are most welcome to join the party, but only if they come to contribute to society and the economy. More fundamentally, local residents or non-profit entities, not corporations, should own residential real estate. Interestingly, there is already a basis for restricting foreign ownership in Canadian law. Section 35 of the federal Citizenship Act (C-29, 1985) enables provincial governments to "prohibit, annul or in any manner restrict the taking or acquisition directly or indirectly of, or the succession to, any interest in real property located in the province by persons who are not citizens or by corporations or associations that are effectively controlled by persons who are not citizens."84 Prince Edward Island exercises this provision with regard to agricultural land. Cooling, if not directly restricting, external capital is needed to prevent local real estate markets from overheating further, and these controls are necessary to ensure a rational market for housing that works in the interests of the local economy. Even if treating residential real estate primarily as an investment is concentrated in certain areas, the ripple effects are felt on all housing prices and in other parts of the region. It also reinforces the bubble psychology that real estate will forever go up in value, creates conditions for speculation and affects the types of new housing being constructed.



Whistler

Organizations:

WHISTLER HOUSING AUTHORITY (WHA) -

The Whistler Housing Authority believes it is essential that the majority of Whistler employees live in the community in which they work. To achieve this objective, we partner with the community to provide and sustain a range of housing options both rental and home ownership for those who live and work in Whistler. Creating an inventory of price controlled units that are only available to resident employees has proven to be best means of reducing the impact of market forces, which for the last 20 years has driven the price of market housing out of reach for locals.

1) A local model of interest is the Whistler Housing Authority (WHA),

a corporation that is tasked with planning, building and managing new housing stock for the municipality's workers. It was created in the 1990s as a response to rising real estate prices and concerns about the ability of workers to afford to live in the resort municipality. Whistler introduced a bylaw that requires companies to build housing for their workers or contribute to a fund to that end. The WHA started with rental accommodation, but since **2000 it has promoted affordable ownership options protected by covenants that limit price increases on homes and restrict occupancy to local workers.** Both of these strategies remove the speculative element that drives housing prices higher. As a result, about half of WHA's 6,000 units are now affordable to own, and Whistler provides accommodation for 82% of its workers.

Community land trusts (CLTs) are a prominent example of an innovative tenure arrangement that improves access to and ownership of property. Technically, CLTs are a form of shared equity, or common land ownership, in which land is held by a non-profit entity (or a municipality) and then leased to owners of individual homes. Legal protections in CLTs restrict resale prices or require units to be resold to the CLT based on a predetermined formula.

Taking the price of the land out of the equation, and keeping it separate from ownership of individual units, makes home ownership affordable. Owners get the benefits of having secure tenure and control over their dwelling. The sale of units on CLTs can be structured to achieve a balance between providing some equity return and keeping the units affordable in perpetuity. A case study of the emerging Vancouver Community Land Trust Foundation (VCLTF) shows some of the key features and benefits that can be gained through partnerships between government and non-profit entities.

The foundation grew from the Mayor's Task Force on Housing Affordability, a City of Vancouver initiative that identified CLTs as one of 15 specific actions needed to improve housing affordability in the city. Today it is responsible for four sites made available by the city on 99-year leases on which it will develop affordable housing units with equity from two non-profit housing societies and contributions from BC Housing and the Vancity credit union. The target dates for completion of construction and occupancy are in 2017–18.

WHA Whistler House Authority http://thetyee.ca/News/2012/03/20/Lessons From Housing Innovators/

Zucht credits that to the municipality, and more specifically the passing of a new bylaw that required commercial developers to provide on- or off-site employee housing in new developments, or pay cash-in-lieu into a municipal housing fund.

In short, the authority has created a separate housing market: it restricts prices of the employee units by tying their appreciation to the consumer price index (currently some 2.5 percent per year). It also controls resales, all of which must be individually approved by the municipality, a strategy Zucht says keeps out flippers and speculators.

Toronto

Organizations:

Toronto's Options for Homes

 Since launching in 1997, the company has built some 2,500 units of housing across 10 developments in Toronto and another 1,500 units through affiliated development consulting groups in Ontario and Quebec. The contingency fund Options built from scratch to fund its activities in perpetuity has turned into a multimillion dollar war chest, which pays for some 1,000 new units per year. Labbe is surprised to learn the model has not spread to Vancouver, given his repeated visits to the city and meetings with city officials and developers.

It works like this: Options goes after less expensive sites close to rapid transit. It promises to pay the landowner in full, but not for some 18 months (if you can handle this opportunity cost, we're in business). In the interim, Options chases after cash from the Canada Mortgage and Housing Corporation's pre-development housing program (CMHC usually kicks in some \$100,000 per development) and strikes deals with architects and builders to defer their fees until after Options secures construction financing.

25023

Researching more info:

What square footages can we have developers look at to keep units affordable enough to have this incentive make an impact?

NPDP: 2BDRM @ 1,000 SF; 3BDRM @ 1,200 SF PROPOSED?: 2BDRM @ 800 SF; 3BDRM @ 1,000SF From: gertr@comcast.net [mailto:gertr@comcast.net]
Sent: Monday, August 08, 2016 12:13 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Testimony for the 9August meeting

Please support the Outdoor Maritime Display project proposed for the next Willamette River , named the North Greenway. PP&R now has the federal funding to start the Design/Planning of this greenway this fall.

Dr Roger L Gertenrich 3570 SW River Parkway # 501 97239



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Legal Advisor Bob Barsocchini August 8, 2016

Planning and Sustainability Commission c/o Bureau of Planning and Sustainability 1900 SW 4th Avenue Portland, Oregon 97201-5380

RE: Central City 2035 – Volume 2: Zoning Code & Map Amendments June 20, 2016 – Bureau of Planning and Sustainability Recommendation

The CEIC Board and Land Use and Urban Development Committee (LUDC) remain seriously concerned about the Bureau of Planning and Sustainability's recommendations. The issues we raise were not brought into the process until the very end of this particular phase without adequate research, explanation, or public discourse.

1. Bonuses: 33.510.200 Floor Area ratios; E. Exemptions.

Response:

The elimination of nearly all the bonuses for one - affordable housing - is a dramatic change from the philosophy of the adopted Central City Plan. Staff argues that bonuses are not relevant as they have been incorporated into the zoning code. This elimination defeats the bonus system's philosophy. The purpose of the bonus system is to explicitly provide incentives to encourage developers to strive for a higher public good.

Bonus for Art remains important. A new bonus that eliminates structured parking in a building from the calculation of FAR would be extremely valuable. This bonus would serve two purposes: 1) spread interior parking out into multi-use buildings throughout the district and 2) encourage active uses on the ground floor.

Recommendation: The bonuses and their public purposes should be explicitly identified.

2. Eco-roof Proscriptive Mandate: 33.510.243 Ecoroofs.

Response: Portland needs to support the creative use of rooftop space for tenants and the public. Active roof tops are common in all

CENTRAL EASTSIDE INDUSTRIAL COUNCIL

PO Box 14251, Portland, OR 97293-0251 (503) 768-4299, Fax (888) 550-3703 - <u>ceic@ceic.cc</u> - www.ceic.cc cosmopolitan urban cities. Rooftops can be used as amenities such as trees, garden areas, patio space, and recreation space.

Stormwater can be addressed in a variety of ways including vertical swales (living walls and connected landscape features) and reuse of the water. There are a variety of ways to deal with reflective heat as well. Oregon State University recently invented a new color blue that has properties that cools surfaces. Eco-roofs can serve an aesthetic function. Birds actually prefer vertical swales for roosting as oppose to flat areas that are vulnerable to predators (sitting ducks). The functionality and loss of diversity in demanding only one roof option harms the City's urban character.

Recommendation: The requirement should be eliminated or 33.510.243.B.1 should include an exemption for active uses of the roof.

The purpose statement should be amended to say: "Ecoroofs is a method to provide a combination of complementary benefits in urban areas, including stormwater management, reduction of air temperatures, and habitat for birds and pollinators. Eco-roofs should not preclude active use of the roof when these benefits can be alternatively addressed."

4. Height Limits in East Portland Grand Avenue National Historic District: Maps 510-3 and 510 – 4.

Response: The East Portland/Grand Avenue National Historic District was created to prevention the ongoing destruction of historic buildings in the Grand Avenue corridor by downtown developers. Portland City Council made a policy decision to allow floor to area ratios and heights in the proposed historic district due to the strong transit including the expected street car and the district's urban design which was built around a strong Grand/MLK spine consistent with the area's history.

The district's purpose is to focus of the area's history, not architecture. History is the basis for historic districts, not architecture.

The City Council in adopting the Central City Plan had no intention to "dummy down" the Grand/King core to create a false perception of the area's historic era that includes both the street car and emerging automobile age. New tall buildings would stand in contrast to the streetcar buildings defining a clear comparison of development eras.

Compatibility between new and old buildings can be achieved without forcing the modern buildings to under develop.

25027

Page 3 of 4

Recommendation: Keep the current floor to area ratios and heights.

5. I-84, Tillicum Crossing, and Salmon Springs Viewpoints: Maps 510-3 and 510 – 4.

Response: 133 view corridors were identified in the Central City. State Goal Five requires identification of the value of the scenic resources, the value of conflicting use and a determination as to allow the conflicting resources, limit (such as the environmental review process), or prohibit. Six resources resulted in a limited determination and 29 resulted in prohibited.

Only three of the prohibited determinations actually resulted in precluding conflicting resources; Tilikum Crossing (Mt. Hood), Salmon Springs (Mt. Hood), and Interstate 84 (downtown).

Goal Five requires that each individual resource be analyzed; particularly when resources are in very different circumstances such as the Central City scenic resources where the only three protected, in their specific circumstance, have a dramatic economic impact.

Salmon Springs is a case in point. The resource is Mount Hood viewed from Portland's Central City lowest elevation; a view visible from downtown less than 8% of the year. A conservative estimate of the economic value of the conflicting uses concluded that the view corridor results in a reduction of 432,915 square feet, \$15,584,940 in value, and job capacity of 2,166.

The impact of the Salmon Spring's decision to protect, limit or allow conflicting resources was never weighed as an Economic, Social, Environmental and Energy (ESEE) was never conducted. In fact, the Bureau of Planning and Sustainability's February 2016 draft recommended that this view corridor should not be protected.

The combined impact of the three view corridors impacting Central Eastside is 1,102,538 square feet; \$39,691,368 lost value, and 5,520 lost job capacity. The staff asserts on page 42 of the ESEE analysis that the Central Eastside's surplus job capacity is roughly 3,000. The protection of these three resources results in a significant loss in job capacity.

The Environment, Social, and Energy aspects of the ESEE analysis were never analyzed. These attributes are negatively impacted as potential jobs and activities are displaced from the City's center increasing

Page 4 of 4

environmental and energy costs and reducing proximity benefits of socialization.

Recommendation: Apply the ESEE analysis to each resource proposed for protection.

6. 50 foot Greenway Setback

Response: The 25 foot setback from the original Greenway plan has been proposed to be increased to 50 feet. Waterfront development was difficult at 25 feet. At a 50 foot setback, it only becomes more expensive and difficult. The City's acknowledgement that river-related and riverdependent property owners can use their property in the setback to support their operations (terminal) is positive; however the City routinely disputes whether a use is river related or dependent. It is unclear if the setback area can be used for anything other than ramps and docks.

River-related and river-dependent operations need to be able to use the setback area to support their operations with buildings that house the operations that support their river business. The setback is unrealistic and does not comply with Statewide Planning Goal 15, Willamette River.

Recommendation: The City needs to continue to make more progress recognizing the Marine Transportation Security Act of 2002 (MTSA).

Sincerely

Peter Finley Fry, view-Chair CEIC Land Use and Urban Development Committee



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Legal Advisor Bob Barsocchini August 8, 2016

Planning and Sustainability Commission c/o Bureau of Planning and Sustainability 1900 SW 4th Avenue Portland, Oregon 97201-5380

RE: Central City Zoning - 2035

Bureau of Planning and Sustainability staff has informed us that they intend to close the "record" at the end of the Portland Planning and Sustainability public hearing on August 9th.

Oregon State Goal One asserts that jurisdictions must involve citizens in legislative processes.

We object to the closure of the record for three reasons:

1) This is a legislative process.

2) Critical background information has not yet been released by the Bureau of Planning and Sustainability.

3) The Bureau has raised new and major issues at the very end of this phase of the process.

The Salmon Springs view corridor was not revealed until the June 20, 2016 Bureau draft of recommendations. In fact, the February draft rejected the prohibit option. The "green roof", reduction of height limits, and view corridors were not discussed throughout the Southeast Quadrant as policy issues.

According to Bureau staff, the Commission will not be holding their workshops until this fall.

We recommend that staff review, for you, the testimony presented and develop their response. At that time, we recommend that you hold a second public hearing on the staff's document. This is the procedure that Portland's City Council follows.

As an alternative, we demand that the written record be kept open for seven days as provided for by State law in quasi-judicial requests.

Sineerek Poter Finley Fry, vice-Chair

CEIC Land Use and Urban Development Committee

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25030



August 8, 2016

Planning and Sustainability Commission 1900 SW Fourth Ave., Ste. 7100 Portland OR 97201

Attn: CC2035 Testimony

Dear Commissioners,

We are writing on behalf of the Old Town Chinatown Community Association's Land Use and Design Review Committee to support proposed height reductions in the New Chinatown Japantown Historic District. Historic districts typically have lower height restrictions to help preserve the historic aesthetic of the area. For example, the 75' height restriction in the Old Town Skidmore Historic District is important to maintaining the character of that district.

New Chinatown Japantown does not currently have a 75' restriction. Rather, this district currently allows heights ranging from 100' to 325'. We support reducing these heights to 100' and 125' as proposed by BPS staff. These heights strike a balance between historic preservation and pragmatism, as our neighborhood embraces both preservation of our historic assets and redevelopment goals.

There is one other proposed change that has raised questions of equity within our association's members. There is a swath between 5th Avenue and Broadway, north of Burnside, where BPS is recommending reducing maximum height from 460' to 250'. This change makes sense to us, as 460' would be out of scale with the immediately adjacent historic district and it seems unlikely that any development in that area would need 460' to be successful. But we have had members question why a six-block portion of that swath (between Burnside and Everett) is not allowed to bonus up to 325' when adjacent blocks to the north are allowed to achieve bonus heights up to 325'. We do not have consensus around whether we support this change, but we also do not fully understand why the six blocks closest to Burnside should be treated differently than neighboring blocks to the north.

Thank you for your time and consideration of our comments.

Sincerely,

Zahy Fruchtgarth

Zach Fruchtengarten, Co-Chair Land Use and Design Review Committee

Sarah Stevenson, Co-Chair Land Use and Design Review Committee

25031

Jefferson Holdings, LLC

1705 SW Taylor St., Suite 200 Portland, OR 97205

August 8th, 2016

Planning & Sustainability Commission City of Portland 1900 SW 4th Ave, Suite 7100 Portland, OR 97201

Dear Commissioners,

Our written testimony is in response to the Proposed Draft Central City 2035 Plan recommendation as well as the minutes and testimony provided from the hearing held on July 26th, 2016.

Our property is located at 1853 SW Jefferson Street (see attached). The current building on our property is a 100-year old single story warehouse that is clearly outdated and not part of the long term vision for the revitalized Goose Hollow Area. Our intention is to work with the city to continue the redevelopment of Jefferson Street. The property is on the traffic circle at 18th & Jefferson and also across the street from the Goose Hollow / SW Jefferson Street MAX station, which gives it great visibility and public access.

The current Proposed Draft includes building height restrictions of 55 feet on the SW corner of the property and 60 feet on the SE side of the property, and 100 feet on the North side of the property. The reason given for the lower heights on the South side of the property is to protect the Street View of the Vista Bridge from the vantage point of the intersection of SW 14th & Jefferson Street.

We are asking the commission to consider a compromise that would still protect the view of the Vista Bridge and would also enable a viable and practical development on Jefferson Street.

A **75-foot** maximum building height on the South side of the property along Jefferson Street would allow a mid-sized building such as a 5-over-1 residential structure with potential retail on the ground floor. This building type and scale are very common in the Central City and are also common to the Goose Hollow Neighborhood. For example, the Modera Goose Hollow was recently completed across the street from our property on Jefferson Street. There are several reasons that we believe contribute to the 75-foot height along Jefferson Street.

- Jefferson Street has always been intended to be a high density mixed use zone If the height limits are lowered on Jefferson Street, higher density developments and taller buildings will be pushed farther away from intended Central City areas.
- Light Rail Vicinity One of the key reasons for locating MAX stops has been to help drive residential densities to specific and targeted locations in the city. The Goose Hollow / SW Jefferson Street MAX Station is directly across the street from our property making it an ideal location for a dense residential development.
- 3. Existing residential core on SW Jefferson There are 3 mid-rise residential buildings directly across and adjacent from our property. This cluster of residential buildings has started to create a residential core in the area surrounding the MAX station. An additional 5-over-1 residential building would add to this existing residential core development and would continue to update the high density mixed use zone on Jefferson Street.
- 4. Location of viewpoint and area of view street The current proposed location of the viewpoint to the Vista Bridge is the intersection of SW 14th & Jefferson St. While the bridge is visible from this location, it is an obstructed view and changes dramatically depending on the specific vantage point.

The bridge is not visible from either sidewalk at this location. It is visible only from the two traffic lanes heading West. In the traffic lanes at the intersection, the south abutment and arch is completely obstructed by existing buildings and mature trees. The north abutment is completely obstructed by existing buildings and the north arch structure is partially visible. As you travel down Jefferson, the bridge disappears completely after approximately 150 feet as it is obstructed by existing buildings. If the proposed height limits on Jefferson Street were limited to 75 feet, the bridge deck and center span of the arch would remain visible (see attached).

Again, we are asking the commission to consider a compromise of a 75-foot limit along Jefferson Street that would still protect the view of the Vista Bridge and would also enable a viable and practical development on Jefferson Street. Thank you for your consideration.

Sincerely,

Jefferson Holdings, LLC

Rob Fallow

MM AA

Google Maps



25034

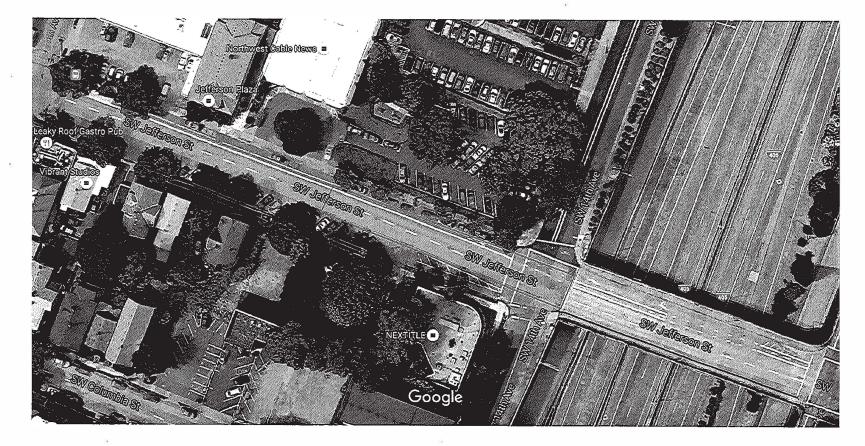
Imagery ©2016 Google, Map data ©2016 Google 50 ft

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View from SW 14th & Jefferson Street

Proposed 75-foot tall building is shown at 1853 SW Jefferson Street in the center of the picture

Google Maps



25036

Imagery ©2016 Google, Map data ©2016 Google 50 ft

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GBD

August 8th, 2016

Planning and Sustainability 1900 SW 4th Avenue, Suite 7100 Portland, Oregon 97201

RE: RiverPlace Redevelopment

Dear Planning and Sustainability Commission:

In 2013, NBP Capital acquired the RiverPlace Redevelopment site. The location of the site is between the South Waterfront District and the southern edge of downtown Portland. It is a premier site in Portland centrally located a block from the Willamette River, served very well by transit (MAX, the streetcar, and bus), a bike boulevard and easy access to I5 and I405. The existing buildings developed in the late 80s / early 90s were built far below the site's development capacity with buildings ranging from 2 – 5 stories and do not support an active pedestrian, urban environment. The site is well suited for high density development but the current zoning of 4:1 FAR and height limits across the site of 125' and 150' prohibit redevelopment. The site proposed for redevelopment is 6.2 acres.

A REDEVELOPMENT OPPORTUNITY WITH AN INCREASED HEIGHT LIMIT

It is our objective to redevelop the site to create a new, vibrant neighborhood district with pedestrian qualities of the Pearl and South Waterfront. However, with an existing FAR capacity of 4:1 and height limited to 125⁷/150[°], redevelopment is financially impractical for all but the western most parcel where the River Place Athletic Club operated. At 125' in building height, a building must meet the building code requirements of high-rise construction like sprinkler systems, elevators, smoke evacuation, fire water storage, etc. Buildings less than 75' do not. The additional housing units gained going from 75' (midrise construction) to 125' (high-rise) is often not enough units to spread the incremental financial burden of high-rise construction across and lowers an investor's return on investment. Taller high-rise buildings provide enough housing units to spread the added costs amongst and are thus more financially viable. These market realities are why a majority of the new mixed-use, multi-family development in the City of Portland are less costly 4-6 story wood framed buildings. The RiverPlace Redevelopment site, has existing apartments already on the site, therefore the financial incentive to redevelop is further constrained leaving a prime site for high density development underdeveloped. Raising the height limit to 250' provides the necessary additional height to redevelop the area into a high density, mixed-use urban environment. Without an increase in height to 250', achieving the available development capacity of 4:1 is impractical and will not occur.

The proposed CC 2035 draft Map 510-2 titled "Proposed Maximum Floor Area Ratios" dated 6/20/2016 indicates the site has a maximum FAR area of 4:1. Based on that map, it is unclear if the CC 2035 intends for the site to be capped at a 4:1 FAR max or if the site will have a base of 4:1 and the ability to offset the proposed Inclusionary Zoning requirement and utilize the affordable housing bonus FAR on site. Given the uncertainty of the intent, we also request an FAR adjustment of 4:1 base with the potential of earning 3:1 bonus FAR to be used on the site.

It should also be noted the City of Portland has produced a draft map for view corridors. The draft map is intended to preserve view corridors from publicly accessible access points around the City of Portland.

At present, Map 480-2, Map 10 of 12 has a maximum view corridor height restriction of 325' through the center of the site. The proposed new zoning code height limit of 250' would be under that height.

ADVANTAGES WITH A REDEVELOPED RIVERPLACE

A redeveloped RiverPlace could result in an exciting new development along the Willamette River with 1,500+ new residential units for 2,000 residents, viable retail space, and a 30,000 square foot publicly accessible open space. A redeveloped RiverPlace with a maximum height limit of 250' and bonus FAR could offer:

Increased use of mass transit and bike connections. The public investment already made nearby with MAX, streetcar, and bike paths would be more fully utilized with a significant increase in the resident population of the neighborhood.

A variety of building heights. Raising the height limit would allow some sites to be built to 250' and would promote slender buildings versus stockier / more massive buildings. It provides the opportunity for a publicly accessible open space by freeing up land that would otherwise have a large building footprint. The additional height will allow the redevelopment to repair the street grid activating the pedestrian realm and provide greater connectivity to and thru the neighborhood.

More viable commercial activity and ground floor active uses. The area to the north of the site has historically suffered from inconsistent and dormant retail activity along the edge of the Willamette River. In part this is due to a lack of visibility, but also a relatively low level of residential population. The redevelopment would add a significant residential population allowing the retail spaces that have had a difficult time surviving in the off season months, a broader population base for their businesses.

SUMMARY

In conclusion, the new property owner for the RiverPlace Redevelopment site is requesting an increase in height from 125' and 150' across the site to a single maximum height limit for the property to 250' and for bonus FAR to be available for us on the site.

Sincerely,

Agustin Enriquez V Principal GBD Architects

Attachments: Existing Site Condition.pdf Demonstration Plan.pdf RIVER PLACE DEVELOPMENT



EXISTING - SITE DIAGRAM

598,473 gsf

555 Units

425 Stalls



TOTAL Housing Units: Parking Stalls:

SITE C

TOTAL AREA:160,184 gsfHOUSING UNITS:161 UnitsPARKING STALLS:100 Stalls

TOTALS

PARKING:	1,030 Stalls
HOUSING:	1,480 Units
SITE AREA:	271,517 gsf
ABOVE GRADE AREA:	1,105,124 gsf
FAR:	4.0

SITE A

TOTAL AREA: Housing Units: Parking Stalls: 576,990 gsf 583 Units 435 Stalls

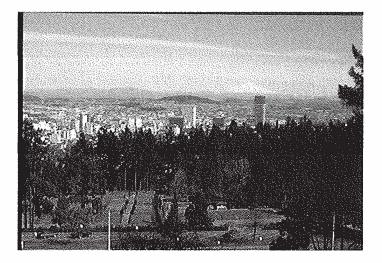
SITE B

TOTAL AREA: Housing Units: Parking Stalls: 156,820 gsf 181 Units 110 Stalls

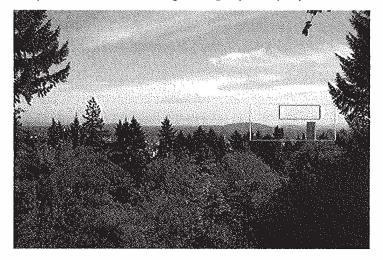
DEMONSTRATION PLAN - SITE DIAGRAM

TO:	Planning and Sustainability Commission
FROM:	Michael Ellena Chair, Portland Japanese Garden Resources Committee P.O. Box 3847, Portland, OR 97208 ellenagardens@frontier.com
DATE:	August 8, 2016
RE:	Request for expanded view protection in CCSRI for Portland Japanese Garden Central City Plan 2035/Central City Scenic Resources Inventory

Original panoramic view from Portland Japanese Garden: key feature of the Garden's design & purpose



CCSRI proposed protected view #SW06 : Japanese Garden's design integrity and purpose is lost



The Portland Japanese Garden requests that the view (ID# SW06) listed in the Central City Scenic Resources Inventory (CCSRI) be expanded to encompass the original panoramic view around which the entire garden was designed. The Garden also respectfully requests a variance to allow it to begin vegetation trimming and/or removal to protect this view earlier than the proposed 2018 enactment date of the CCSRPP.

Currently, the Central City Scenic Resources Protection Plan (CCSRPP) June 20, 2016 Proposed Draft lists a view of Mt. Hood (2nd photo - red box) and a small amount of downtown skyline (2nd photo - yellow box). This proposal has missed the entire point of the Japanese Garden's view which was never intended as a view of just Mt. Hood but rather was intended to be an expansive panoramic view. The Garden was sited very specifically to overlook the Rose Garden and downtown Portland and encompass a panoramic view of the Cascade foothills, Mt. St. Helens and Mt. Hood. This expansive view is a critical component of the entire design of the garden, employing one of the most important design principles of Japanese gardens - *shakkei* (borrowed scenery). The 'borrowed' view from the Garden's central point – the Pavilion building and Overlook plaza – is what makes sense of the entire orientation of the Garden and its buildings. Japanese garden experts recognize the Portland garden's view as one of the best representations of shakkei in the world.

Japanese garden design has evolved over more than 1,000 years to intentionally transport people from their worries and preoccupations to ineffable experiences of peace, balance, harmony and tranquility. This is achieved through a precise layering of experience that has three basic levels:

- First, the garden must create a sense of safety and protection through virtual or physical enclosure. The surrounding hillside and native forest around Portland's garden provides this function.
- Then, the garden must create an intimate experience with nature. This is done through the design which places humans in immediate proximity with trees, plants, stone and water and daily pruning and endless attention to detail that keeps every tree and plant at a human scale and proportional to the whole. Portland's garden is world-renowned both for the excellence of its design and the highest standard of maintenance of a Japanese garden outside of Japan.
- Finally, a Japanese garden restores perspective through views that connect the individual to the infinite beauty and possibilities of the world beyond the garden. The original panoramic view of the Rose Garden in the foreground, downtown Portland in the middle-ground, and the Cascades in the far-ground served this purpose.

The famous gardens of Japan each have this tripartite identity – enclosure, intimacy, and view. Sadly, with modern development, some of Japan's greatest gardens have lost their views, losing a key component of their capacity to heal and refresh the human mind, body and spirit. **Portland's garden is in danger of losing this key component unless its original views are protected**. As you can see in the second photo above, vegetation growth on the Garden's hillside and in Washington Park has obscured the once expansive view that was the critical third step in the transformative experience intended for each person who visits Portland's Japanese garden. **We seek protection of this original view.** Conflicting land use for the Japanese Garden's view is not about buildings but rather about encroaching vegetation on the Garden's hillside and in Washington Park. The view should be framed by trees and vegetation but vegetation should be prohibited from encroaching upon the panoramic view.

Applying the EESE criteria, protecting this view has major social and economic benefits to our community. The mission of the Portland Japanese Garden is to connect people with the power and beauty of nature and the culture, art and people of Japan, through a world-class Japanese garden and cultural center. This translates into recreation for the mind, body and spirit of each of the millions of people the Garden has served over its 53-year history. In 2016, the Garden expects to serve 400,000 people with 40% coming from the local community. For those 160,000 community members, the Garden is a place where nature, beauty, tranquility and culture are seamlessly woven together. 8,300 households are members because they value these experiences in the Garden throughout the year. In addition, the community comes to the Garden for seasonal Japanese cultural festivals such as the family activities on *Kodomo-no-Hi* (Children's Day) or the mystical lantern-lit evenings as the harvest moon rises, *O-Tsukimi* (Moonviewing). Over the years, thousands of community members have treasured the view of the September moon rising dramatically over downtown – this is only possible because of the Garden's panoramic view.

Many community members participate in the varied educational programs the Garden offers – from our lecture series (600 people recently attended a free lecture on Zen Buddhism) or classes to learn Japanese pruning and stonework practices for their own gardens. Elementary school teachers use the free K-8 *Living in Harmony with Nature* curriculum which can be combined with a field trip to the Garden or adapted to any nature experience. The curriculum is designed to meet Oregon Common Curriculum Goals. Free training seminars help teachers adapt the curriculum to their specific needs. An intensive outreach program for Title I schools, *Haiku Alive*, sends a teacher into the classroom, underwrites the field trip to the Garden, provides cameras and art materials for the children to capture their experiences, publishes a book of their haiku and art, and then provides free admission for the students to return to the Garden with their families. Periodic free days and *Arts for All* discounted tickets seek to ensure that the Garden is accessible to the entire community.

Portland's Japanese Garden is internationally recognized as the finest Japanese garden outside of Japan. This is extraordinary in light of the fact that there are over 300 public Japanese gardens in North America, thousands of private Japanese gardens, and many more throughout the world. It is also known as one of the great gardens of any kind in the world, in the company of internationally renowned gardens such as Giverny and Singapore Botanic Garden. (http://www.telegraph.co.uk/travel/tours/10-great-gardens-of-the-world-/) Portlanders rate it #2 as best local attraction, taking second place behind Multnomah Falls.

(http://www.oregonlive.com/best/2016/04/multnomah_falls_is_the_peoples.html) Attracting over 240,000 tourists this year, the Garden will generate over \$93,000,000 in economic benefits for our local community. Currently, the Garden has 43 full-time staff with full health insurance benefits and a vibrant volunteer corps of 300. Once the currently-under-construction new facilities open in 2017, it will have a staff of 60 full-time benefited positions with a minimum wage of \$15/hour. The volunteer corps is also expected to grow by 50%.

About the Portland Japanese Garden

In 1963, citizens and civic leaders formed the non-profit Portland Japanese Garden to create a world-class Japanese garden for the citizens of Portland. Long a dream of the Japanese-American community and Japan's many friends in Oregon, this garden was intended to bridge the divides that WW II had created between our two countries and within our local community due to the internment of Japanese-Americans. The newly formed organization sought a Japanese garden designer with impeccable credentials from Japan but one who also could adapt the principles of Japanese garden aesthetics to serve the needs of an American public garden and incorporate the flora of the northwest ecosystem. They found what the needed in P. Takuma Tono, Japan's leading scholar of landscape architecture and designer of Japanese gardens. Tono was a native of Portland's sister city of Sapporo, a graduate and professor at Japan's premiere landscape and agricultural university, Tokyo Nodai, and held a masters in landscape architecture from Cornell University. Tono had already fulfilled several prominent commissions in the U.S. for public Japanese gardens but the Portland Japanese Garden was to be his final and largest project, to which he devoted the last 20 years of his life.

Unlike any other Japanese garden in the world, Tono designed the Portland Japanese Garden to teach about Japan's rich culture and history through the presentation of five distinct gardens, providing an overview of 1,300 years of evolution of Japanese aesthetics, philosophy, arts, and cultural practices. Within 5.5 acres, the Portland Japanese Garden contains five gardens: *Karesansui* (Sand & Stone Garden), *Chisen kaiyu shiki teien* (Strolling Pond Garden), *Chashitsu & Roji* (Tea House and Garden), *Shizen shiki teien* (Natural Garden), and *Hira niwa* (Flat Garden). PJG uses these gardens as the beginning point of engaging diverse audiences to expand their understanding and knowledge of Japan's arts and culture. Formal and informal education programs continue the engagement process, with avenues for audiences of all ages to learn more. Emphasis has always been equally placed on the garden experience and activities which illuminate the layers of meaning inherent to the gardens and audiences' personal experiences.

In 2017, the Portland Japanese Garden will open its 21st century addition to Tono's gardens, completing a never-finished connection to Washington Park and creating new visitor and educational facilities needed since audience has grown from 30,000/year in 1967 to 400,000/year in 2016. The addition includes 4 new LEED-certified buildings designed by Japan's most famous architect today, Kengo Kuma, who chose this project as his very first public commission in North America. Kuma has been entrusted with culturally sensitive projects around the world from museums in Asia and Europe to the new Olympic stadium for Tokyo in 2020. The new buildings will be surrounded by 7 new garden areas opening up the entire 12.5 acre site to views of the surrounding forest, city below, and mountain range in the distance.



PROTECTING YOUR RIGHT TO ROAM

Portland Planning and Sustainability Commission 1900 SW 4th Avenue, Suite 7100 Portland, OR 97201

Attn: Central City 2035 Plan Testimony

Oregon Walks appreciates the opportunity to provide comments on the Discussion Draft of Portland's Central City 2035 Plan. We are the state's pedestrian advocacy organization and we work to ensure that walking is convenient, safe and accessible for everyone.

Oregon Walks wholeheartedly supports the designation of the Central City as a Multimodal Mixed-Used Area (MMA). The MMA supports a network of streets and transit services that make it attractive and highly convenient for people to walk in the Central City. The designation encourages further high-quality connectivity and pedestrian-oriented mixed use development. We are excited about the City's analysis of barriers for people to walk into and around the Central City as part of the MMA, and encourage the City to address those barriers soon, as part of the Central City Multimodal Safety Project.

Oregon Walks endorses the new Central City Pedestrian Classifications, particularly the addition of several new Transit/Pedestrian streets. The new classifications, including NE Broadway Street, NE Weidler Street, SE MLK Boulevard, W Burnside Street, and the new Tilikum Bridge connection, emphasize the importance of the pedestrian network in the Central City and its connection to transit routes. However, the list and descriptions of Central City projects included in the TSP should reflect those classifications. For example, many projects on the lists that are designed to serve bicycles, should be revisited to look for opportunities to improve the pedestrian environment at the same time. People walking and riding bikes both benefit from being separated from fast moving vehicle traffic, but in no instance should bicycle improvements in limited right-of-way situations be done at the expense of an adequate pedestrian environment.

Consistent with Policy 9.48 of the Portland Comprehensive Plan, which prioritizes walking as the highest priority to consider when making transportation systems decisions, we recommend prioritizing investments in pedestrian improvement projects, and revisiting previously identified projects for other modes to ensure they also benefit people walking. We



PROTECTING YOUR RIGHT TO ROAM

also recommend that the City develop an ordered list of key priorities in the Central City to guide investments in the next five years.

Oregon Walks also supports the various proposed Code provisions that contribute to a more walkable public realm, including the changes to the parking ratios as well as those which promote a pedestrian-friendly atmosphere. Additionally, we appreciate and are very excited about the new Work Zone requirements for maintaining pedestrian passage during construction. Sidewalk closures have been an especially acute problem in the Central City which has seen a lot of development activity.

We applaud the incorporation of 2035 Performance Targets for non-single occupancy vehicle mode share. However, we would prefer to see the performance targets be applied to all trips, not just commute trips, in order to fully capture the travel behavior of all citizens for all their daily needs, including those too young, too old, or unable to work. We also recommend more detailed data collection and monitoring of walking activity.

Again, Oregon Walks appreciates this opportunity to comment on Central City 2035 Plan.

Oregon Walks Plans and Projects Committee

Cc: Drew DeVitis, Oregon Walks P.O. Box 2252 Portland, Oregon 97208



August 8, 2016

Portland Planning Commission 1900 SW 4th Ave., Suite 7100 Portland, OR 97201

Portland Planning Commissioners:

Two decades ago, our region adopted a vision for how we would develop over the ensuing 50 years: the 2040 Growth Concept. This regional agreement to grow in city centers, transit corridors, employment areas and downtowns throughout the greater Portland area is intended to both limit sprawl out onto foundation farmland and also make the most of our collective investments in public facilities like roads, transit, parks, and water and sewer pipes. Metro and the City of Portland have been close partners in managing strong historic rates of growth while maintaining a high quality of life in the region.

I am writing today to raise a flag of concern that a series of decisions under development or pending before the City have the potential, when viewed collectively, to reduce the amount of housing that we can expect to be produced in Portland. The affordable housing crisis we currently face requires that an increasing supply of housing be developed in order to keep pace with demand. Our region is depending on the City of Portland to accommodate a significant proportion of the region's growth in population and employment.

While we understand that the City is striving to balance accommodating growth with impacts on neighborhoods and existing residents, our staff have identified some specific regulatory actions which we believe will have a chilling effect on housing supply and development. The proposals which are causing concern include:

- 1) The City's Mixed Use Zones proposal (funded by Metro through a Community Planning and Development Grant, the intent of which was to reduce development barriers) which reduces base zone FAR in certain locations, reducing the development capacity of these districts.
- 2) The downzoning of Main Street Areas to CM 1 (such as Belmont) that restricts heights to 35 feet, effectively limiting all new infill development. These districts have excellent transit service and high amenity value and therefore have strong demand for additional residential development. Corridors such as these should be appropriately designated to accept more growth due to these characteristics, not have that growth restricted. Alternatively, please consider the City of Seattle's program which helps to preserve historic buildings by allowing developers to build on top of existing single story buildings with an added height bonus when the character building is preserved.

- 3) Proposed view corridor height limitations in the Central Eastside Industrial District such as the Hawthorne Bridgehead and ODOT blocks – again this proposal reduces building heights in some cases from 275 to 40 feet in addition to FAR reductions, having a drastic impact on development capacity in a district with significant development potential and in an area that has been planned to accept more growth.
- Proposed height limits and FAR reductions in historic districts such as the Alphabet District or Irvington will additionally impact development potential in the Central City.
- 5) Lastly, the City is currently developing an inclusionary zoning (IZ) program which currently anticipates FAR bonuses. We are already hearing from the development community about how the uncertainty of the IZ program is negatively impacting land transactions and development proposals. We urge the City, as the program is developed, to ensure that the financial incentives that are offered are robust enough to offset the entire amount of added costs for the affordable units in order to not have a chilling effect on development which would reduce potential supply and further the affordability challenges that we all face.

We understand how challenging it is to balance the need for growth with the legitimate concerns of existing residents. Every time Metro considers expansions to the urban growth boundary we face many of the same pressures. Our region has now designated urban reserves to accommodate some future growth – an amount of land which, if fully built out, would represent only an 11 percent increase in the region's footprint. This is an incredibly aggressive goal that requires that the region's cities do all they can to welcome growth in downtowns, transit corridors and employment areas.

In the spirit of partnership, we urge you to reexamine the regulatory policies outlined above with an eye to removing barriers to development, rather than creating new barriers.

My the Mernetto

Martha Bennett Chief Operating Officer Metro Regional Government

Cc: Portland City Council Metro Council Susan Anderson Elissa Gertler



August 8, 2016

Robert S. Banks, Jr. bbanks@SamuelsLaw.com

HAND DELIVERED

Portland Planning and Sustainability Commission Central City 2035 Plan Testimony 1900 SW Fourth Avenue, Suite 7100 Portland, Oregon 97201

RE: CC 2035 Plan Testimony of Michael Menashe

Dear Commissioners:

Please accept this letter as the written testimony of my clients Michael Menashe and MM-TP Fish Block, LLC on the proposed Central City 2035 Plan. We write to object to those recent proposed changes to the discussion draft of CC 2035 which would drastically reduce building height allowances in portions of the Old Town/China Town District from 350 feet to 125 feet.

Michael Menashe and his family are proud, lifelong residents of Portland with a keen interest in the health and vitality of our city. Michael and a family member own seveneighths of Block 26 through their company, MM-TP Fish Block, LLC. Block 26 is bordered by NW Third and Fourth Avenues, and NW Everett and Flanders Streets. Since 2000, my clients have owned all of that block except for the Royal Palms Hotel on the northeast corner. Mr. Menashe purchased that property as an investment. In making the decision to invest in what was a dilapidated, crime-ridden area, Mr. Menashe relied on the existing 350 foot height limit, which had been in place for decades. He also relied on the city's stated interest in seeing a major high-density development on the property. His plan has always been to improve the property into a Class A mixed-use development that would help turn the District into a vital and vibrant area of the Central City. The late changes to the draft Plan, if approved, would make it impossible for my clients to proceed with their revitalization plans.

<u>The Existing Structures Do Not Contribute To The Cultural Or Historical</u> <u>Attributes of The District.</u>

There are five buildings on Block 26 that my clients own. They have done their part to maintain them in the interim, but none of them are architectural treasures, and according to our research, none of those buildings have any major historical or cultural significance. Block 26 is known as the Fish Block because it was a fish processing plant for many years.

111 S.W. 5th Ave., Suite 3800 | Portland, OR 97204-3642 | Phone: 503.226.2966 | Fax: 503.222.2937 | www.SamuelsLaw.com

Planning and Sustainability Commission - 2 -

The interiors of the buildings were demolished long ago when the buildings became a processing plant.

Each of the five contiguous Menashe buildings on Block 26 was included among the properties in Old Town/China Town that were added to the National Register of Historic Places (NRHP) in November, 1989. If you are not familiar with them, I would invite you to view them to see that none of them should be categorized as properties that are "contributing" to the cultural and historical identity of the area. The NRHP identifies the building at 317 NW Third Avenue as Non-Compatible and Non-Contributing. It was built in 1965, and according to NRHP "is void of any detail with the exception of a metal door with hood." The building at **301-313 NW Third** is also listed as Non-Contributing by NRHP. It was built in 1925 and has had major alterations, including new facades and a second story addition. The building at 300-312 NW Fourth is listed as "half modern" and a Secondary Contributing building by NRHP. It is hard to understand how this building would be classified even as Secondary Contributing. In addition to its non-descript appearance, the building has undergone significant alterations since it was built in 1925. As mentioned, all these buildings were gutted many years ago to accommodate the fish processing plant that once existed there. The exterior façade was remodeled in 1981, the original entrance doors are enclosed, and a metal garage door was installed. The building at 316-322 NW Fourth was built in 1922 as a garage according the NRHP. It has undergone major alterations. The storefront windows and transoms are covered with boarding. The building was designed by known architects Strong & McNaughton, but as the NRHP recognizes, it was one of their "less elaborate" endeavors." It is also classified by the NRHP as Secondary Contributing but again, it is hard to understand the justification for doing so. Finally, the building at 328-336 **NW Fourth** was built in 1922, and it also was built as a garage. It has also undergone major alterations. The bays on the west facade were covered with wood or metal siding, the glass windows and transom were covered with plywood, all before my clients purchased the property. It, too, is listed as Secondary Contributing, but the reasons for that are difficult to comprehend.

In short, the Menashe buildings on Block 26 do not make any significant contributions to the historical or cultural heritage of Old Town/China Town. They could, however, make a significant contribution to revitalizing the neighborhood so that its true cultural significance can be appreciated by all who come to the area.

<u>The Current Zoning For Block 26 Anticipates A High Density Development</u> With A 350 Foot Height Restriction.

Block 26 has been zoned for a large scale, high density, high-rise commercial building for decades. That was the basis for the valuation when my clients purchased it, and that is the basis for the assessed taxes that my clients have paid for 15 years. The current zoning allows for a building of approximately 400,000 square feet of gross area up to 350 feet in height. The zoning code permits and is designed to attract some of the highest density

Planning and Sustainability Commission - 3 -

in Portland, and for good reason. The property is strategically located in Old Town to serve as the hub of a revitalized, vibrant neighborhood.

<u>Mr. Menashe Has Plans For The Development and Revitalization of The Fish</u> <u>Block And The Old Town/China Town District</u>

My clients' long range plans have always been to develop Block 26 in conformity with the existing zoning regulations. They anticipate a quality infill development that respects the adjacent Lan Su Chinese Garden, and the truly historical landmark buildings in the District. The plan is to develop a mixed-use block that could include parking, ground floor retail, office, housing, including affordable housing, and higher education facilities. My clients would like the development to address any space demands of the University of Oregon, Oregon State, Portland State, and the Oregon College of Oriental Medicine. Among the ideas they are considering include the designation of certain floors for research and instruction. Mr. Menashe has met with architects and developers, including Brian McCarl, who has developed projects in the Skidmore and Old Town/China Town districts. Both Sara Harpole and Peter Englander at the Portland Development Commission approached Mr. Menashe to encourage him to develop the property and revitalize this important district. The City at its own expense hired an architecture firm to prepare preliminary elevations showing ideas for Block 26 and the neighborhood. Some of those are attached as Exhibit A.

Mr. Menashe recognizes that there may be legitimate concerns about shading over the adjacent Lan Su Chinese Garden, and is sensitive to those concerns. My clients intend to conduct a shading study prior to development to ensure that sufficient sunlight reaches the Garden upon completion of the high-rise mixed use project.

Clearly, the scale of the development will be substantially changed from the single level parking garage that exists there today. But the project will still be dwarfed by the nearby US Bank Tower, and its scale will complement the sixteen-story Pacific Tower across the street.

<u>Michael Menashe Is A Proven, Responsible Owner And Developer Whose</u> <u>Projects Have Enhanced The Neighborhood</u>.

Mr. Menashe has considerable experience developing projects in the Central City and elsewhere, and he has undeniably improved their neighborhoods. He was the first one to make substantial improvements in the area. He owns and developed the adjacent Pacific Tower, which is an affordable 16 story housing project. He developed the Fifth Avenue Place apartment building on Northwest Fifth and Everett. He also owns and is responsible for the development of the building that houses influential SERA Architects on NW Fifth between Everett and Flanders. Those developments have improved the safety and livability of the neighborhood. The Block 26 development would continue Mr. Menashe's steady, impressive record of improving the areas where his developments are sited. Planning and Sustainability Commission - 4 -

The Owner's Plans Will Promote The Guiding Principles of CC 2035.

The Block 26 development envisioned by the owner will promote the published Guiding Principles of CC 2035. Those principles include:

<u>Economic Prosperity.</u> The development plans will result in more jobs in property management, retail, parking attendants, and maintenance staff, to name a few. The development of Block 26 will also address the city's need for housing and office space. The annual tax revenues to the City would increase substantially when the property is changed from a single level parking structure to a 400,000 square foot, Class A development.

<u>Human and Environmental Health.</u> The CC 2035 Plan Goals seek to "Grow and enhance the Central City's neighborhoods and make sure they are vibrant, livable, accessible, affordable, inclusive and cohesive." They also seek to seek to "enhance the Central City's neighborhoods and make sure they are vibrant, livable, accessible, affordable, inclusive and cohesive." Without question, a Class A high-rise infill property with parking, retail and housing will enhance Block 26. The Chinese Garden is across the street. Union Station is a few blocks away. Mass transit is a block away. This is a neighborhood that sorely needs a major transformation to live up to its potential to become an anchor site for the Central City neighborhood that Portlanders and visitors alike will come to eat, dine, work, and live. That transformation can occur while complementing the historical gems of the area.

The City has recognized that it must plan for a 30% population growth on 3% of the land. An additional high-rise building will help to meet those needs. The new residents will likely live and work in the Central City. Those residents will not be adding to the daily traffic congestion problems that plague Portland. When new residents walk or bike to work in the Central City, it will not only promote healthy lifestyles, but will improve the air quality and general quality of life by getting more people out of cars and walking, biking, and taking public transportation.

<u>The Late Proposal To Add New Height Restrictions Will Destroy The Owner's</u> <u>Plans And Impair The City's Vision To Revitalize Old Town/China Town.</u>

It is not practical to complete the development of Block 26 with a ten or eleven story building. A 125 foot threshold is not a viable threshold for future Class A Development. Buildings above 75 feet high must be built to Class A high-rise building standards, and are generally built with concrete or fireproofed steel. The pure economics of a Class A building standard require that density be substantially increased to spread the higher building costs over a much greater area of gross building area and height. For example, the Pacific Tower building across the street from Block 26 was built to 16 stories because it was not economically viable to build it on a lesser scale. Mr. Menashe's plans for a multi-use development are simply not achievable with a 125 foot restriction. Obviously, any development proposed would have to meet with the City's approval. If the City found my clients' proposal to be incompatible with the District, it will deny permitting. The newly proposed height restrictions, if approved, would deny the city and its citizens the opportunity even to consider the development plans. I am confident that my client can propose a high-rise, mixed-use, Class A infill development that will meet with the city's approval under current zoning regulations. No one benefits by arbitrarily predetermining that no building on Block 26 can exceed 125 feet. The City should at least give Mr. Menashe the opportunity to propose a Class A high-rise building that will enhance Old Town and provide additional tax revenue.

<u>The Newly Proposed Height Restrictions Have A Disparate Impact On The</u> <u>Owners.</u>

The original CC 2035 Plan did not include the newly proposed height restrictions. Those were added at the last minute, apparently at the request of the Portland Historic Landmark Commission. With due respect to the PHLC and its objectives, its views are not in the best interests of the city or its citizens in this instance. Although my clients' own portions of a critical block in Old Town, and is the individual owner most affected by the proposed height restriction, Mr. Menashe was not contacted by the City about the revised draft until June 6 of this year.

If the new height restrictions were approved, it would constitute a taking under both the Fifth Amendment to the United States Constitution and possibly under Article 1, Section 18 of the Oregon Constitution. My client purchased this property for investment purposes with the expectation and plan to build a large, multi-use Class A development that would benefit both the owner and the city. The city encouraged the continued ownership of the property by meeting with Mr. Menashe in 2006, asking him to develop the property, and paying for the elevations that are attached as Exhibit A. As mentioned, the development plans would be unachievable and the value of the property would be drastically diminished by the proposed change. My client purchased and paid taxes on the property for 15 years based upon values established with a 350 foot height restriction. The damage resulting from a two-thirds reduction in the height limit to 125 feet would be irreversible. I recognize that the City must consider the interests of all of its citizens, but in fairness, especially where my client's interests align with those of the city, I respectfully request that the city consider the economic loss to the owner, and the costs to resolve any dispute over that loss, in reaching its decision.

The proposed height restrictions also discriminate against my client. They include height allowances of 250 feet on much of the property surrounding Block 26, but arbitrarily set a 125 foot allowance on this block. Additionally, the blocks bordered by West Burnside, NW Broadway, NW Hoyt and NW Fifth have a 250 foot height restriction. And, the property directly east of Block 26, from NW Third to NW Naito Parkway, has a 250 foot Planning and Sustainability Commission - 6 - August 8, 2016

height allowance. My client is by far the most affected owner by the proposed new height restrictions in Old Town/China Town.

Thank you for the opportunity to express our views and objections to the late changes to the draft proposal to change height restrictions from 350 feet to 125 feet in an area of the Central City that has so much promise. Please keep me informed of any and all future proposed changes to CC 2035, and let me know if you have any questions or need any additional information from me.

Very truly yours,

Robert S. Banks, Jr.

RSB:ac Enclosures cc: Brandon Spencer-Hartle, City Planner (brandon.spencer@portlandoregon.gov) North Old Town/Chinatown Redevelopment Strategy Stakeholders Advisory Committee Workshop



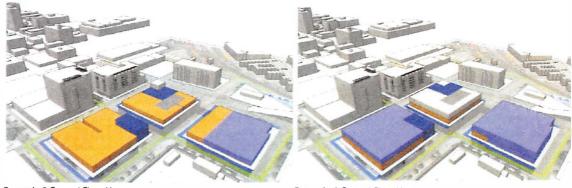
3rd & Flanders, Looking Northwest



3rd & Glisan, Looking South

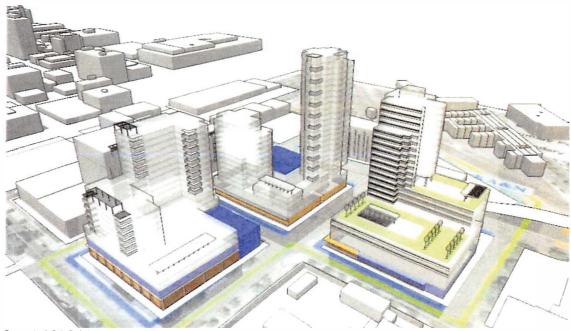
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EXHIBIT A Page 1 of 2 North Old Town/Chinatown Redevelopment Strategy Stakeholders Advisory Committee Workshop



Scenario 2 Ground Floor Uses

Scenario 2 Ground Floor Uses



Scenario 2 Full Buildout

DAD

EXHIBIT A Page 2 of 2 -----Original Message-----From: Sherry Salomon [mailto:sherrysalomon@comcast.net] Sent: Sunday, August 07, 2016 2:22 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Cc: Steve Salomon <salomonsteve@comcast.net>; danielsalomon@comcast.net; Tracy J. Prince Ph.D. <tprince@pdx.edu> Subject: CC2035 Plan Testimony

Dear planning officials,

My name is Sherry Salomon and I live at 1000 SW Vista Ave. Apt. 807. This is in the Goose Hollow Kings Hill neighborhood. From our corner apartment at the Vista St. Claire, we can see the Vista Bridge, Forest Park, historic mansions, Mt. Hood, Mt. St. Helens and views of iconic downtown Portland.

As a person who actually lives in this neighborhood, as opposed to people and businesses that hope to "harvest" historic Goose Hollow for their own profit, I am deeply disturbed by the proposals being made by this committee. After testifying with my husband and son on July 26th and hearing other testimonies, I am worried that business interests with deep pockets will determine the quality of my life in years to come. I am concerned that because I am one of "little people who pay taxes" that Leona Helmsley famously mocked, my needs and concerns will be glossed over.

There are numerous objections that I could make, but I will focus on nine historic buildings in Goose Hollow that are now at risk: The Tiffany Center, Bronaugh Apartments, Scottish Rite Building, Commodore Apartments, Hamilton Arms Apartments, Lafayette Apartments, Hotel deLuxe and the old Concordia Club which is of special interest to the Jewish community.

All these buildings are architectural gems that will be put at risk if this proposal goes through. As in other neighborhoods, there will eventually be pressure to demolish these grand structures for more generic tall, and frankly, ugly buildings.

If this trend of giving in to business interests at the expense of people who actually live in historic neighborhoods, there will be nothing unique to Portland. Views will vanish and historic icons will be bulldozed over.

I ask you to consider my remarks in this important decision.

Thank you, Sherry Salomon August 7, 2016 Daniel Salomon Collins Circle Apartments, APT 118 1701 SW Columbia Street Goose Hollow Portland, OR 97201

I am a published environmental author with a Master of Arts degree in theological research along with a graduate certificate in science and religion and a Bachelors of Science degree with concentrations in Biology, Environmental Studies and Conflict Analysis/Dispute Resolution and a Naturalist Certificate. I am also a neurodiverse human on the autism spectrum.

Now a resident of Goose Hollow in Portland, I relocated to Portland from the Washington, D.C., metropolitan area with my parents, Sherry and Steve Salomon, who are also submitting testimony. We wish to be part of an in-person green community which is also livable, has human scale and is accessibly connected to the Natural World.

I understand the population increase in Portland and want others who are moving to Portland for the same reasons to have the same opportunity which I have enjoyed. A balance between welcoming new Portlanders, while keeping all the things which make Portland worth moving to, is possible. This balance includes access to sustainable lifestyle opportunities, human livability and scalability, community, natural beauty and an accessible connection to the Natural World, when we maintain height limits for new buildings in the City of Portland.

Such a balance is possible when we support the Architectural Heritage Center's request that no heights be raised in historic districts; when we honor our West End neighbors and their requests for buildings which are no higher than 100 feet; when we make sure that no building should ever block the view of the arches of the Vista Bridge on SW Jefferson Street; when we honor the request that the public needs to be able to see Mount Hood from the Vista Bridge requiring that 1000 feet below the timberline remain visible, as it is today, for future generations.

An increasing chorus of interdisciplinary scholars and concerned citizens has concerns that building higher buildings are not carbon neutral. I support this critique that building higher is a flawed solution to mitigating climate change at best. Higher buildings also are scientifically proven to undermine community and increase consumerism. A higher building, because it is not human scale, discourages people from wanting to live in high-density neighborhoods in the city, especially families and instead to move-out to the suburbs, rural locales and small towns. People gravitating to low and middle rise apartments in high-density neighbors in the city is still more environmentally sustainable at the local and global levels than people living in single family dwellings in the suburbs, small towns and rural locales. There is a strong green infrastructure which already exists in Portland, comprised of preserved mature trees, an expansive urban forest and canopy, accessible public transportation, rain gardens, pocket

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parks, larger city parks and other open green spaces, farmers markets, community gardens, walkability, bikeability, public meeting places and historical landmarks which are fully utilized instead of being demolished. This especially supports low and middle rise apartments in the city.

A balance between mitigating climate change and protecting human dignity can be found in this way.

From: Travers Hill Polak [mailto:travgo@aol.com]
Sent: Sunday, August 07, 2016 2:37 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony

Dear members of the Planning and Sustainability Commission,

Three icons of the Northwest: Portland's stunning skyline, the Cascade Mountains, and the Portland Japanese Garden. Please help us recover the wonderful vistas once enjoyed by visitors to the Japanese Garden. The beauty and experience of the garden will be enhanced when these views are restored and protected for future generations. As a trustee and long-time donor both personally and through the Walter Clay Hill and Family Foundation, I respectfully propose that the open sight-lines of past years be designated as protected views in the Central City Scenic Resources Inventory of protected views.

The Portland Japanese Garden, described by Japanese dignitaries as the best Japanese garden outside of Japan and even occasionally referred to as the best Japanese garden in the world, draws international visitors. With the current expansion project designed by world renowned architect, Kengo Kuma, who's approach is to respect the surroundings rather than dominate them, all who visit will delight in one of the most beautiful settings in the world.

Very truly yours, Travers Hill Polak 3133 SW Fairmount Blvd. Portland, OR 97239

DAVID C. NOREN

Attorney at Law P.O. Box 586, Hillsboro, Oregon 97123-0586 330 NE Lincoln Street, Suite 200, Hillsboro, Oregon 97124 Telephone: (503) 640-2661 Fax: (503) 648-0760 e-mail: david@norenlaw.com

August 7, 2016

Planning and Sustainability Commission 1900 SW Fourth Ave., Suite 7100 Portland OR, 97201

Attn: CC2035 testimony

RE: Open Record Period for Written Testimony on Central City Plan

Dear Commissioners:

I represent Service Employees International Union Local 49 and presented written and oral testimony at your hearing on July 26. We will be presenting additional written testimony to include in your hearing record on August 9. We understand that there may be substantial additional testimony presented at that hearing, especially regarding impacts on the development industry of density bonuses tied to affordable housing contributions and of the interplay between such requirements and proposals for mandatory affordable housing (inclusionary zoning) and a construction excise tax.

These are complex issues that your Commission will take up in work sessions in late September and again in November, before settling on a final recommendation of the Central City Plan near the end of the year. We ask that you leave your record open for additional written testimony on the Proposed Draft Central City Plan for a least another 10 days, until August 19, 2016, to allow responses to the extensive testimony submitted during your two public hearings.

Thank you for your consideration.

Very truly yours,

David C. Noren

From: Allyson Medeles [mailto:hiallyson@gmail.com]
Sent: Sunday, August 07, 2016 3:49 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

We support the Human Access Projects ideas! Feedback on 2030 Plan. Specific comments.

- <u>Establish Guidelines for Swimming in the Willamette River.</u> We want the Willamette River to be safe and welcoming for people of all ages and disabilities. The 2035 plan calls for swimming throughout the document but provides no direction about how to do it safely. Portland Parks and Recreation needs to have an increased role and leadership in developing policy as it relates to recreation in the river. This needs to happen as soon as possible to reduce the clear exposure to the city there is currently no policies in place that direct people how and where to swim.
- <u>No net loss of river edge access in the central city</u> By PPR estimates only 5% of the central city as access to the river's edge. It's difficult to build new docks, the existing facilities we have in the central reach need to be protected and preserved.
- <u>Structures in Parks</u> We do not like the idea of permanent structures in any parks. We like the idea of temporary structures such as food carts. It provides more flexibility, specifically at the waterfront there is an extreme deficit of green space we don't want any more space eaten up permanently. That said it would be nice to be able to have economic activity in parks to serve people, it would be a nice amenity.
- <u>Rethink turf management in Tom McCall Bowl</u> current policy needs to be reexamined. This
 needs to happen in the short term and can happen independently of any master planning at Tom
 McCall Park. When there is not an event at this space PPR is constantly watering and
 seeding. When this area is saturated with water it cannot be used, and the seed and grass is just
 food for the geese.
- <u>50 foot set back</u> 50' is the minimum acceptable setback, this setback needs to be 75' to provide a proper buffer for wildlife and recreation. Portland needs to make a decision about what defines our city what are the values of our city. As Portland grows we will need greater relief from our growing built environment.
- <u>Riverfront Open Space Bonus</u> Either adding a second approach which would add robust access to the river with support facilities, laidback banks and other tests as determined by the Portland Parks and Recreation -- once Swimming Guidelines are established (HAP point #1). Alternatively, creating access to the waters edge could be integrated into the existing density bonus which a less robust test.

Thank you! Kindly, Allyson Medeles 3110 NE Jarrett St Portland OR 97211 -----Original Message-----From: Che Lowenstein [mailto:ctlowenstein@comcast.net] Sent: Sunday, August 07, 2016 6:29 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: CC2035 Plan Testimony

Che Lowenstein 2705 NE 132nd Ave, Portland 97230

Please spend resources to enhance river access and usability for all of us. It has the potential to be the best aspect of our city, but needs the attention of the government to meet that potential.

From: Colin Cortes [mailto:colin.m.cortes@gmail.com] Sent: Sunday, August 07, 2016 5:07 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: CC2035 Plan Testimony

Dear Planning and Sustainability Commission:

These comments relate to the June 2016 draft of the proposed 2035 comprehensive or "comp" plan and are for your consideration for the upcoming August 9, 2016 public hearing.

Floor Area Ratios (FARs) & Maximum Heights

While skyscrapers are not necessary to provide housing density and employment intensity necessary to support frequent transit, and continuous areas of buildings of 4-6 stories are sufficient for this planning objective, nonetheless I acknowledge the potential legal difficulties of downzoning much downtown and with existing towers. I suggest overall not increasing base height limits and not extending areas of height increase eligibility.

That said, and specific to certain areas:

Downtown, East of the South Park Blocks

I support in the blocks bound by Broadway, Market, Park Avenue, and a little beyond Jefferson lowering the base height from 300 to 250 feet (ft). I object to the remainder of the 300 ft base height area to the east getting height increase eligibility.

Downtown, North of the West End

In the area generally bound by W. Burnside, 11th, Yamhill, and I-405, have the height eligibility not allow towers as high as the existing Indigo @ Twelve West tower at 12th and Washington. The tower is way too tall compared to its context, and all future buildings being at that height would be too much. No building should be higher than

Historic Districts

I support:

- the proposed reduced building heights both in historic districts and on sites adjacent to parks and other open spaces (referring to Maps 510-3 and 510-4); and
- allowing owners of historic resources to transfer FAR if they sign an agreement to seismically upgrade their buildings.

Map 510-4 Maximum Heights Including Eligible Height Increases

 I support adding map that shows the ultimate heights possible with bonuses and height transfers included. As for the heights themselves, and exempting built structures as high or higher:

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- I object to the north portion of the US Post Office site able to have up to 400 ft. The next nearest height area is 325 ft in an area that at least has the MAX lines along NW 5th and 6th Avenues. There's no policy basis for these. Lower both areas from the max possible heights of 400 and 325 respectively to no more than 250 as is most of the Brewery Blocks and the Pearl.
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- Excepting existing structures as high or high, shrink the 460 area in the north part of downtown to extend only three blocks east-west centered along the SW 5th and 6th Avenue transit mall and only up to three blocks north-south centered along the Morrison and Yamhill MAX red lines. The 460 area in the south part of downtown already has this three-block relationship to the MAX lines. For the remaining area, lower the height to no more than 325 ft.

Morrison Bridgehead

Regarding Map 510-3, Map 3 of 3, I object to the extent of designation of "area eligible for height increase" at the Morrison west bridgehead because it is against the purpose statement in <u>33.510.200A</u>. of stepping down to the Willamette River. At the least split the difference on the site, with the blocks between SW Naito Parkway and 1st Avenue having no eligibility for height increase, while the blocks between SW 1st and 2nd may be eligible.

Old Town / Chinatown

In Old Town / Chinatown, I support the overall lower base height from 460 and 350 to 250 and lesser extent of height increase eligibility area.

Shadow Analysis

Regarding <u>510.210D</u>.2., the proposed revised "required shadow analysis" should include the winter solstice as well as the proposed spring equinox (April 21).

US Post Office Site

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25065

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West End

In the area of the West End bound by SW 10th Avenue, Market, I-405, and Salmon, and where the height limit is proposed to remain 250 ft, lower this limit to 200 ft on the blocks between the streetcar lines on SW 10th and SW 11th Avenues and between Jefferson and Market and the block bound by 10th, 11th, Salmon, and Main. For the remaining blocks to the west currently proposed at 250, lower to 150.

The existing Benson Tower at SW 11th and Clay is way too tall and out of context, and the effect of all 250-ft high blocks at full development would be far too much. Buildings as tall as the existing Eliot Tower at SW 10th and Jefferson are ok adjacent to transit (i.e. the streetcar) in the West End. Anywhere else in the West End proposed at 250 needs to be lower. I suggest a height roughly the same as the existing Museum Place at SW 11th and Jefferson. More height is not needed to provide housing density supporting even minimal transit, and buildings overall (even commercial or mixed use ones) provide no benefit to extreme height other than to the owners of land on which they would stand.

Lighting

I request that the proposed lighting standards for wildlife habitat in certain overlay zones in 33.510.253 of Volume 2A, Part 1 Central City Plan District be broadened. The zoning code currently doesn't regulate exterior lighting. I suggest basing a comp plan policy or zoning regulation on the models of the Dark-Sky Association at <<u>http://darksky.org/lighting/model-lighting-laws-policy/</u>>. A policy would state a lessening unnecessary and ill-directed lighting while, given it's the central city, make exemptions for public buildings and spaces and certain structures such as public art and theater marquees.

In short, require that altered or new private on-site exterior lighting fixtures be full cut-off to allow no or minimal light trespass into public spaces, including parks, plazas, biking and walking paths and trails, and streets. (In turn, have a requirement in the public works code or equivalent that public lighting fixtures allow no or minimal trespass beyond public property or right of way.)

Transportation

I support designating the Central City as a Multimodal Mixed-Use Area per state allowance and what that implies.

Downtown TR42

I support the policy to enhance W. Burnside to improve streetscape quality, multimodal access, and bicycle and pedestrian safety.

Jefferson Columbia Bikeway

Specifically, build only cycling improvements that also improve the streetscape for pedestrians. Building on Measure 20131 in the Transportation System Plan (TSP), a Jefferson Columbia Bikeway needs to be expanded to become safe and pleasant for pedestrians—with wider sidewalks and narrower traffic lanes on those streets. Wider sidewalks will also allow large canopy street trees, which are too few along much of these streets west of the South Park Blocks. Large canopy street trees will also make Columbia and Jefferson safer and more pleasant for cyclists too.

SmartPark

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I suggest pairing additional garage locations with reducing the overall private parking supply in the central city. A benefit is stronger public policy influence over the overall central city parking supply. Specifically, as further development occurs and off-street parking lessens, provide a few strategically located concentrations of public parking, ideally below buildings or public squares or behind buildings.

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this fee. Funds pooled would be the capital and perhaps some operating costs for the additional garages.

Align the funding requests in the TSP to reflect the above transportation-related urban design priorities and begin to fund them.

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I support developing and implementing a strategy to cap I-405 along both sides of Jefferson. I urge in addition to this, revising the policies to extend capping south to Columbia Street and to cap also at the MAX lines from the north side of Morrison to the south side of Yamhill (a block and two half-blocks).

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Align the funding requests in the TSP to reflect the above transportation priorities and begin to fund them.

Sincerely,

Colin Cortes

Colin Cortes, AICP, CNU-A

222 SW Harrison Street, Apt. 14E Portland, OR 97201-5370

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Sincerely,

Colin Cortes

Colin Cortes, AICP, CNU-A

222 SW Harrison Street, Apt. 14E Portland, OR 97201-5370

-----Original Message-----From: Dee Walsh [mailto:dwalshpdx@icloud.com] Sent: Saturday, August 06, 2016 3:11 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: Greenway

I support widening the greenway to a minimum of 50 feet; 100 feet would be preferable when bordered by tall buildings. Using old building foot prints should not be a rationale for letting new building setbacks be less than the minimum requirements.

Debra Walsh, 201 SW Bancroft Street, Portland, OR 97239

Email address: <u>PSC@portlandoregon.gov</u> Subject line: CC2035 Testimony August 6, 2016 RECEIVED PLANNING & SUSTAINABILITY

2016 AUG 10 A 10 50

Planning and Sustainability Commission,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

I have been a tour guide at the Garden for 12 years and I know how excited and in awe our visitors can be when they view Portland from the veranda of the Pavilion. We talk to them about how Professor Tono, the original garden designer, called our Mt. Hood Portland's Mt. Fuji, illustrating another cultural connection between our two communities. The concept of "borrowed scenery" is very important. The distant view isn't actually borrowed or bought, but rather captured alive. And so it must remain alive as an important scenic resource for our garden, our city and our many visitors from all over the world.

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. **Please protect the view that is so essential to its beauty and tranquility.**

Nary Leece Mary Reece

P. O. Box 19332 Portland, OR 97280 From: Carol Otis [mailto:dr.otis@sportsdoctor.com]
Sent: Saturday, August 06, 2016 5:18 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony

Dear Esteemed members of the Portland Planning and Sustainability Commission,

I am writing to request that <u>adequate view corridors</u> be added to the Central City Scenic Resources Inventory of protected views so that these view corridors restore the Portland Japanese Garden's 1963 panoramic view that is essential to its design, function, and use. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground and Mt Hood and also Mt St. Helens. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community. It is the basis for one of the major design principles of Japanese Gardens, that of Borrowed View or Shakkei

To add the panoramic view and also add a view corridor to Mt St. Helens might require that more than one view corridor be established. <u>The Portland Japanese</u> <u>Garden has only one view corridor on the inventory</u> and it is a very limited one, whereas the Rose Garden has 6. You, as the Commission, are urged to request more view corridors be established for the Japanese Garden, along the lines of the 6 view corridors proposed for the Rose Garden , and encompassing the entire panoramic view and the view to Mt. St. Helens

I have been a guide at the Portland Japanese Garden for 10 years, a guide for the Haiku Alive program for school children for 5 years and an exhibition and events docent. I can specifically attest to the importance of the <u>whole panoramic view</u> to the experience of visitors and the importance of the view not only to the Garden <u>but</u> <u>also to the entire City of Portland</u>. There are many view spots but none so integral to the meaning of the site (the Japanese nature of using a borrowed view) nor to the breadth of view of the most important landmarks to the City of Portland and a way to have visitors "see" the City. (see below for a photo replicating the original view that was a major part of the design and function of the Portland Japanese Garden and a great asset to the City of Portland).

1971 View from Portland Japanese Garden: 30,000 visitors



<section-header><section-header>

The Garden was sited very specifically to overlook the Rose Garden and downtown Portland and encompass a panoramic view of the Cascade foothills, Mt. St. Helens and Mt. Hood. This

expansive view is a critical component of the entire design of the garden, employing one of the most important design principles of Japanese gardens - *shakkei* (borrowed scenery). The 'borrowed' view from the Garden's central point – the Pavilion building and Overlook plaza – is what makes sense of the entire orientation of the Garden and its buildings. Japanese garden experts recognize the Portland garden's view as one of the best representations of shakkei in the world.

Japanese garden design has evolved over more than 1,000 years to intentionally transport people from their worries and preoccupations to ineffable experiences of peace, balance, harmony and tranquility. This is achieved through a precise layering of experience that has three basic levels:

- First, the garden must create a sense of safety and protection through virtual or physical enclosure. The surrounding hillside and native forest around Portland's garden provides this function.
- Then, the garden must create an intimate experience with nature. This is done through the design which places humans in immediate proximity with trees, plants, stone and water and daily pruning and endless attention to detail that keeps every tree and plant at a human scale and proportional to the whole. Portland's garden is world-renowned both for the excellence of its design and the highest standard of maintenance of a Japanese garden outside of Japan.
- Finally, a Japanese garden restores perspective through views that connect the individual to the infinite beauty and possibilities of the world beyond the garden. The original panoramic view of the Rose Garden in the foreground, downtown Portland in the middle-ground, and the Cascades in the far-ground served this purpose.

The famous gardens of Japan each have this tripartite identity – enclosure, intimacy, and view. Sadly, with modern development, some of Japan's greatest gardens have lost their views, losing a key component of their capacity to heal and refresh the human mind, body and spirit. **Portland's garden is in danger of losing this key component unless its original views are protected**. As you can see in the second photo above, vegetation growth on the Garden's hillside and in Washington Park has obscured the once expansive view that was the critical third step in the transformative experience intended for each person who visits Portland's Japanese garden. **We seek protection of this original view and the establishment of adequate view corridors to achieve this along with the view to Mt. St. Helenes.** The view should be framed by trees and vegetation but vegetation should be prohibited from encroaching upon the panoramic view.

Applying the EESE criteria, protecting this view has major social and economic benefits to our community. The mission of the Portland Japanese Garden is to connect people with the power and beauty of nature and the culture, art and people of Japan, through a world-class Japanese garden and cultural center. This translates into recreation for the mind, body and spirit of each of the millions of people the Garden has served over its 53-year history. In 2016, the Garden expects to serve 400,000 people with 40% coming from the local community. For those 160,000

community members, the Garden is a place where nature, beauty, tranquility and culture are seamlessly woven together. 8,300 households are members because they value these experiences in the Garden throughout the year. In addition, the community comes to the Garden for seasonal Japanese cultural festivals such as the family activities on *Kodomo-no-Hi* (Children's Day) or the mystical lantern-lit evenings as the harvest moon rises, *O-Tsukimi* (Moonviewing). Over the years, thousands of community members have treasured the view of the September moon rising dramatically over downtown – this is only possible because of the Garden's panoramic view.

Many community members participate in the varied educational programs the Garden offers – from our lecture series (600 people recently attended a free lecture on Zen Buddhism) or classes to learn Japanese pruning and stonework practices for their own gardens. Elementary school teachers use the free K-8 *Living in Harmony with Nature* curriculum which can be combined with a field trip to the Garden or adapted to any nature experience. The curriculum is designed to meet Oregon Common Curriculum Goals. Free training seminars help teachers adapt the curriculum to their specific needs. An intensive outreach program for Title I schools, *Haiku Alive*, sends a teacher into the classroom, underwrites the field trip to the Garden, provides cameras and art materials for the children to capture their experiences, publishes a book of their haiku and art, and then provides free admission for the students to return to the Garden with their families. Periodic free days and *Arts for All* discounted tickets seek to ensure that the Garden is accessible to the entire community.

Please protect the view that is so essential to its beauty and tranquility and meaning and also to the City of Portland

Sincerely,

Carol L. Otis MD 0836 SW Curry St. #1400 Portland Or 97239 310-704-9796 cell 503-946-8626 home From: Willie Levenson [mailto:willie@humanaccessproject.com]
Sent: Saturday, August 06, 2016 12:29 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Cc: 'Mike Houck' <mikehouck@urbangreenspaces.org>; 'Eli Spevak' <eli@aracnet.com>; Bischoff,
Debbie <Debbie.Bischoff@portlandoregon.gov>; Edmunds, Sallie
<Sallie.Edmunds@portlandoregon.gov>; 'Mike Lindberg' <lindbergmc@comcast.net>; 'Leah
Middlebrook' <lwmiddlebrook@gmail.com>; 'John Russell' <john@rusfel.com>; John Ostrander
<John@eoplaw.com>; 'Tommy Vandel ' <tom@lesoverhead.com>; 'Nathan Howard'
<nathan@tedwheeler.com>; Bhatt, Pooja <Pooja.Bhatt@portlandoregon.gov>; Finn, Brendan
<Brendan.Finn@portlandoregon.gov>; Ender, Timur <Timur.Ender@portlandoregon.gov>; Detweiler,
Jillian <Jillian.Detweiler@portlandoregon.gov>; bsallinger@audubonportland.org
Subject: CC2035 Plan Testimony
Importance: High

Six Big Ideas emerged from the most expensive, robust and earnest public outreach process our city will undergo every 20 years – our 2035 Plan. One of these six overarching themes is Enhance the Willamette for People and Wildlife.

The Willamette River is owned by the citizens of Oregon and is Portland's largest public open space. Portland Parks and Recreation estimates only 5% of our Central City has access to the Willamette River. Collectively our community paid \$1.44 billion to largely remove sewage overflows from the Willamette River. That is why we have among the highest sewer bills in the country. There is no disagreement, scientifically speaking, that the Willamette River is now safe for swimming. Much work lies ahead to improve the full ecological health of our river, but today we can celebrate that we can swim in the river that flows through the center of our town.

As Portland's relationship with our river improves, the DNA of our city and our most vital of values, livability, will change with it for the good. Naturally, the facilitation of getting people to the river's edge and into the river will foster a stronger relationship with the Willamette River and help enhance stewardship. People are drawn to rivers with healthy ecosystems. Human access and habitat restoration must go hand in hand.

Feedback on 2030 Plan. Specific comments.

 Establish Guidelines for Swimming in the Willamette River. We want the Willamette River to be safe and welcoming for people of all ages and disabilities. The 2035 plan calls for swimming throughout the document but provides no direction about how to do it safely. Portland Parks and Recreation should have an increased role and leadership in developing policy as it relates to recreation in the river. This needs to happen as soon as possible to reduce the clear exposure to the city. There are currently no policies in place that direct people how and where to swim.

Swimmers do not mix well with boat propellers or barges. Wake is bad for shallow water habitat. Designated swimming areas with floating buoys make swimmers feel safer and protect shallow water habitat from wake. Portland Parks and Recreation has no acknowledgement of swimming in the river presently. There is not one PPR designated place to swim in all of downtown and no basic information about safety in rivers on their website. The Willamette River is Portland's largest public open space. PPR is aware people are swimming and their present policy seems to be pretending it is not happening.

PPR needs at very minimum a link like this on their website that gives direction to the community where to swim and how to do it safely – this is currently in our opinion an area of exposure to the city: https://www.clark.wa.gov/public-works/swimming

PPR needs to direct people to the safest places to get into the river so people don't pioneer their own spots, which is what will continue to happen without direction from PPR.

2) No net loss of river edge access in the central city (Kevin Duckworth Dock). PPR estimates only 5% of the central city has access to the river's edge. Daimler has made a proposal to move the Duckworth Dock from the central city to behind their company headquarters on Swan Island. It's difficult to build new docks. The existing facilities we have in the central reach need to be protected and preserved.

Policy Recommendation: Any loss of documented access to the Willamette River in the Central City will need to be replaced if taken away with something equivalent within ¼ mile from any access spot removed.

This does speak specifically to the Kevin Duckworth Dock which is perhaps the most ADA accessible water edge access point in all of downtown and does not present a conflict with shallow water habitat.

- 3) <u>Structures in Parks</u> We do not like the idea of permanent structures in any parks. We like the idea of temporary structures such as food carts. It provides more flexibility. At the waterfront there is an extreme deficit of green space we don't want any more space eaten up permanently. It would be better to allow temporary economic activities for the summer when people will use them most (ie food carts). It is more flexible and not permanent. That said, it would be nice to have economic activity in parks to serve people.
- 4) <u>Rethink turf management in Tom McCall Bowl</u> Current policy needs to be reexamined. This needs to happen in the short term and can happen independently of any master planning at Tom McCall Park. When there is not an event at this space PPR is constantly watering and seeding. When this area is saturated with water it cannot be used, and the seed and grass is just food for the geese. Each goose poos 2-3 lbs a day! (not kidding). It would be great to develop an alternative strategy so that we can facilitate people using this park which has the best river's edge walking access in downtown (nothing is even close to 2nd place). The current turf management strategy principally considers its use for events, not for people when events are not being held. This can happen in advance from the Waterfront Master Plan and independent of the Waterfront Master Plan.
- 5) <u>50 foot set back</u> 50' is the minimum acceptable setback. We feel it needs to be 75' to provide a proper buffer for wildlife and recreation. Portland needs to make a decision about what defines our city and what our values are. As Portland grows we will need greater relief from our growing built environment. People who own land next to the river need to contribute 75' to the citizens of our city (both human and wildlife inhabitants). The idea of grandfathering a building if it is currently within the 50' setback is unacceptable. This significantly weakens the setback proposal and does not reflect the spirit of the

setback discussion. Setback area is critical to establish proper habitat for our city's critters and people. Wildlife in our rivers is what makes a river experience rich. A proper 75' setback will facilitate ecosystem health on the Willamette River.

6) <u>Riverfront open space bonus</u> – Provide either a second approach to open space bonus which would provide robust public access to the river with support facilities and laidback banks and other tests as determined by PPR once Swimming Guidelines are established (HAP point #1). Alternatively, creating access to the water's edge could be integrated into the existing density bonus with a less robust test.

Thank you in advance for your full consideration of our feedback to the plan. We have appreciated the excellent working relationship with planning bureau staff through this process. Specifically, Debbie and Sallie have demonstrated an earnestness about doing their best to collect feedback from the public for the issues we feel most strongly about. Planning is asked to cover a lot of ground with very little resources – we are lucky to have such great staff dedicated to this process.

Yours for the Willamette River,

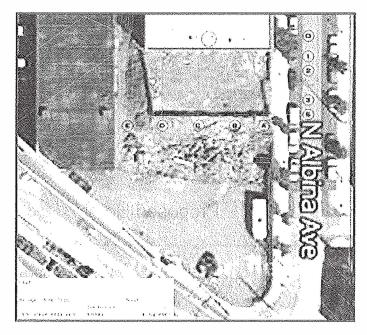
Willie Levenson Ringleader Human Access Project <u>humanaccessproject.com</u> PDX, ORE Cell: 503.936.6920

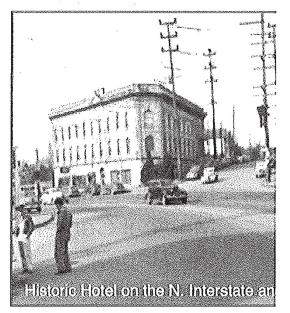


Follow us on Twitter <u>@TheBigFloat</u> Like <u>Human Access Project on Facebook</u> Check out our 1 min video on <u>Human Access Project and The Big Float</u>! From: B BAORICK <wbadrick@havanet.com> To: Oregonbike
Subject: 2 pages for your written Testimony Date: Sat, Aug 6, 2016 11:45 am
Email these pages to this web address and be sure to put 'CC2035 Plan Terstimony' in the Subject Line above.
psc@pontandorecom.psc

Request for Re-Zoning from IG to CX

With the construction of the I-5 Freeway through N. Portland, Hotel Business fell off along N. Interstate/Hwy. 99, and the Hotel was demolished.





The Property has been vacant s demolition. It has never had an l and will not have one going forw CX Zoning for 2410 N. Mississip R102631 / R102632 for Hotel, C and Reoftop Lounge.

A Brief Summary

Montgomery Dock #2

Built in 1890 by James Boyce Montgomery

Originally built as a 250,000 sq. ft. grain storage warehouse in Portland, Oregon on the Willamette River.

In 1974, 2/3 of the building was demolished to make room for the Fremont / 405 Bridge.

Leaving a structure of approximately 78,000 sq.ft.

100% of the building currently sits on 1100 wood pilings over the Willamette River just north of downtown Portland within the city limits.

Grain was brought in and out of the warehouse by railcar and ship to either be processed at one of Portland's many flour mills or redistributed throughout the world as raw grain to be processed elsewhere.

It was used for that purpose the mid to late 1930's.

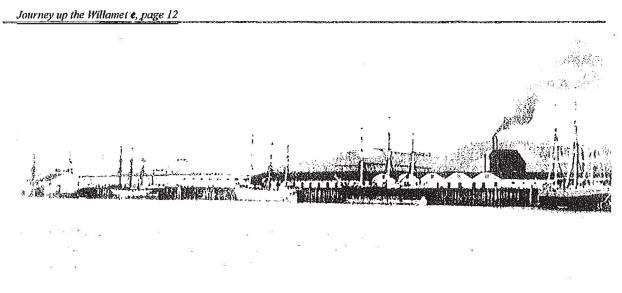
Sometime in the late 1930's is was operated by Luckenbach Steamship Co.

At some point around WW II, Luckenbach used it to distribute military supplies for the war and also for the operation of converting steamships to military vessels.

The building changed hands a few times after the war and was primarily used as storage for various materials.

HOME

Albina Docks (south)



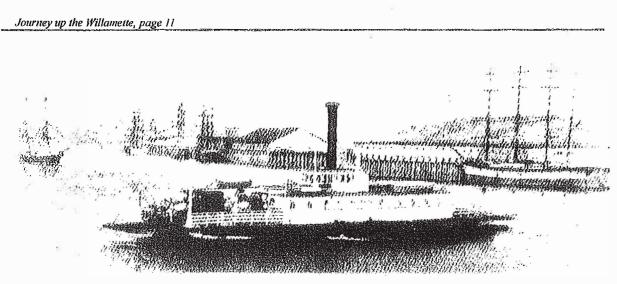
lower Albina

Abutting the ferry landing on the south was the Northwest Door Company's door and sash manufacturing plant. It was built on pilings level with the other wharves, and then another ballast wharf for unloading the sand and rock ballast from sailing vessels. Irving dock came next in line. This is the only dock from this period that exists today, in name and location, at least. Today it is a modern grain elevator, one of the three grain docks that remain in the city. Its closest neighbor, Victoria dock, was 15 yards away. Both of these warehouses were medium-sized, by Portland standards. South of Victoria dock the rails of the Oregon and Navigation Company ran along the embankment. There were no further docks as far as the east side of the Burnside Bridge.



HOME

Albina Ferry



Albina Ferry

Although most of the street names have been changed, River street, Russell street, as well as Albina avenue, remain today (although the streets are now called "avenues"), In 1900 Albina avenue jogged down the hill as it does today, but then took a hard turn down to the river to join up with the Albina Ferry landing.

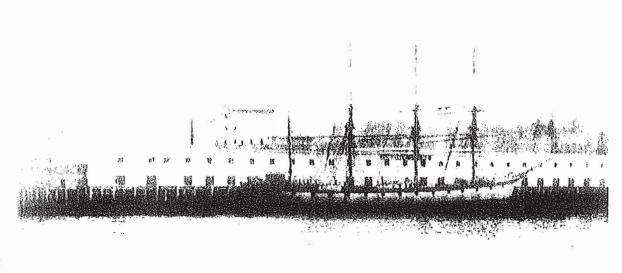
During this time period the Albina ferry was a free, passenger only ferry that travelled back and forth between the foot of Albina on the east and the foot of K street on the west. The first Albina ferry commenced business in 1875 and continued on into the 1920s.



HOME

Montgomery Docks

Journey up the Willamette, page 10



Montgomery Docks

Next in line was the Pacific Coast Grain Elevator Company warehouse. This was not a grain elevator, but a warehouse built on wharf pilings. The company owned numerous grain elevators in the Colombia river basin, hence the name. Next to this building, but separated by a small coal and ballast wharf, was the grain warehouse called the "Albina Dock," belonging to the Oregon Railroad and Navigation Company. The rail yard belonging to the O.R.&N. Co. was directly behind this warehouse, and serviced all the watchouses on this side of the river.

The next three buildings were the two Montgomery grain warehouses separated by the Albina Lumber Company's sawmill and lumber yard. Of the two warehouses, the northernmost, Montgomery No. 2, was the larger. It was 24 feet to the bottom of the eaves, and the capacity was 22,000 tons. To put this in perspective, this would be enough to load an average-sized modern grain ships, such as you might see loading at one of the Willamette river grain elevators today. These wharves and warehouses, starting with Montgomery No. 1 and Columbia Dock No. 2 faced the river on the west and River street, and a sidetrack of the O.R.&N. Co. on the east. Separating the two Montgomery docks was Randolph street. The foot of this street was inclined down to a place that would be used as the Albina ferry landing after 1904.

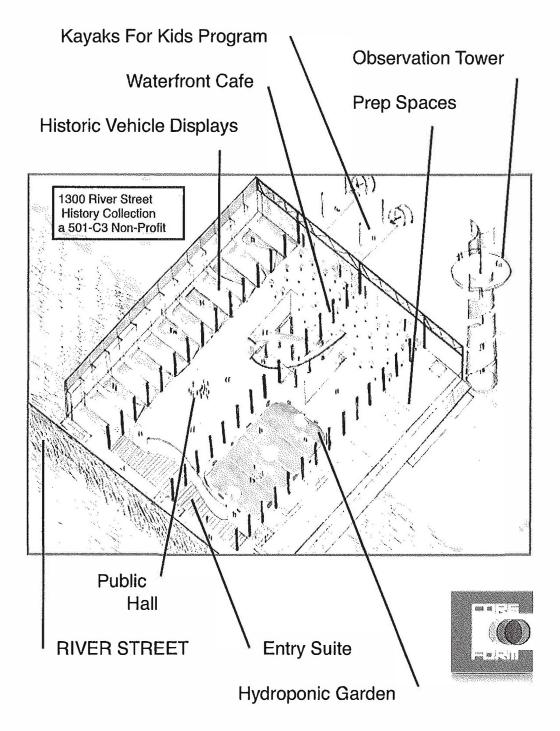


Biographical History

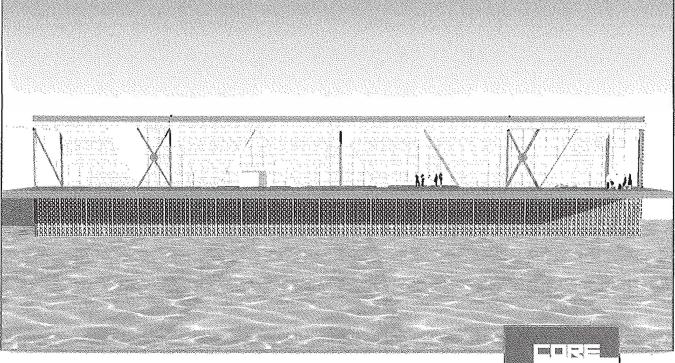
James Boyce Montgomery was a railroad contractor who grew wealthy through construction projects in the eastern and western U.S. Born near Harrisburg, Penn., in 1832, he worked first as a journalist, eventually becoming editor and publisher of the Pittsburgh Morning Post. He moved on to railroad construction in the late 1850s and built bridges and rail lines in Pennsylvania and vicinity in the following decade. He served on the boards of many railroad companies and purchased a portion of the Baltimore and Potomac Railroad. He moved to Portland, Oregon, in 1870 and constructed portions of the Northern Pacific Railroad, travelling to Europe to raise capital and obtain materials. In addition he organized other enterprises, such as the dredging of the Columbia River channel and construction of docks in the Portland area. He was also an influential figure in Republican party circles, although his only major public office was that of Multnomah County representative to the Oregon legislature, to which he was elected in 1890.

In 1861 Montgomery married Rachael Anthony and the couple had one son, Henry Moorhead Montgomery (1863-1932). After Rachael's death in 1863, James Montgomery married Mary S. Phelps in 1866. She came from a prominent Missouri family and was the daughter of John Smith Phelps, who served as the governor of the state from 1877 to 1886. Mary Phelps Montgomery (1846-1943) led a strenuous and long life filled with travels, social activities, and active club work. She served as hostess for her father during his gubernatorial term in Missouri; lived in Berlin in the late 1880s and at later periods; served on the Board of Lady Managers for the 1904 Louisiana Purchase Exposition in St. Louis; organized the Portland chapters of the Daughters of the American Revolution and Colonial Dames of America; travelled extensively; befriended famous people, such as President Ulysses S. Grant; and managee her husband's financial affairs after his death in 1900. Among her seven children were: Mary Montgomery Talbot, Antoinette Montgomery Frissel (b. 1871), Phelps Montgomery (b. 1872), Eliza Montgomery (b. 1874), Constance Montgomery Burrell (b. 1875), Russell Montgomery (1877-1900); and Margaret Montgemery Zogbaum (b. 1887).

Margaret Montgomery Zogbaum pursued a literary career and wrote essays, plays and novels. She lived much of her youth in Europe and had a brief love affair around 1912 with an Italian nobleman, Adolfo de Bosis. In 1914 she married a U.S. naval officer, Rufus Fairchild Zogbaum II, who was stationed in London and later became the commandant of the U.S. Naval Station in Pensacola, Florida. The two travelled throughout Europe and the Middle East and settled eventually near Tryon, North Carolina, In the late 1930s. Among their children were Wilfrid Zogbaum (1915-1965), an artist and musician, David Zogbaum, and Rufus Fairchild Zogbaum III (called "Fair").



Request for Zone Change - IG to CX 1300 N. River Street



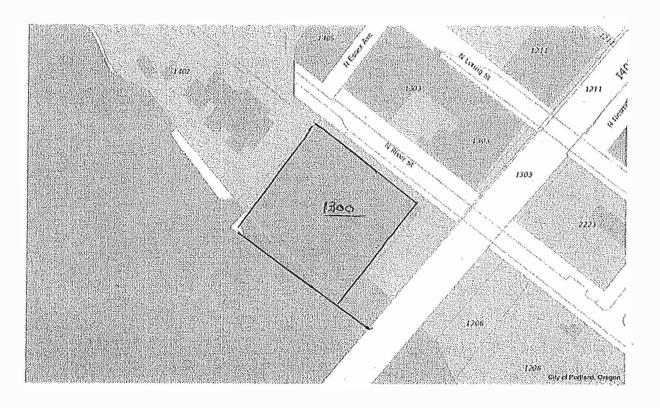
1300 River Street Water Facade





503 224 5117





RESTORING & 1890 HISTORIC

WATERFRONT WAREHOUSE IN DOWNTOWN PDX

THE OLDEST AND LAST WORKING WILLAMETTE RIVER WAREHOUSE LEFT IN PORTLAND

An opportunity to get back on the Willamette River

The History Collection a 501 (c) 3 Nonprofit Organization promoting <u>"Canoes and Kayaks for Kids"</u>

With a zone change to CX, The History Collection will convert a Historic Willamette river warehouse, into a multi-purpose use. This building located on the Willamette River at 1300 N. River Street, Portland Oregon 97227. I will house various historical and educational entities including Native American Indian events, to include POW WOW's, build canoe, kayak and sail boats for kids. When installing a small boat lunching area from within the warehouse, kids can boat up stream through the City of Portland to Oaks Park or downstream to Kelly Point Park and the Columbia River. WW II ships, built at the Albina ship yards was important to the city of Portland and this Portland history should not be forgotten, I will welcome Maritime & Floating Museums like the WW II, LCI 713 and the PT 658 boat along with other historic ships and boats as they may come along. Military History and other educational and water front activities for the Portland Metro community in this building on the Willamette River is a great idea. Also when installing a restaurant, lounge and event center we will provide food service. This project is creating jobs for our community and river activity on the Willamette River. I hope you agree this would be the highest and best use for this Building and the Portland Community.

The following goals are what the Portland Parks & recreation website says the PP&R would like to have.

 This direction meets or exceeds the goals of the Portland Parks & Recreation (PP&R) plans

These are the current high priority areas for the PP&R:

- 1. Concessions in recreation or park facilities that improve the visitor experience
- 2. Recreation programming promoting physical activity
- 3. Capital improvements in park facilities that enhance the visitor experience
- 4. Programming river use and boating, as well as dock use
- 5. Development and operation of indoor recreation facilities
- 6. This Warehouse is also on the proposed greenway trial

Please Visit Official Website of the New York City Department of Parks & Recreation <u>http://www.timeout.com/newyork/sport-fitness/the-</u> floating-pool

New York's Floating Pool In The Hudson River - The9Billion www.the9billion.com/__/27/new-yorks-floating-pool-in-the-hudson-river

www.historycollection.org, Or for more information please call Stan Herman 503 799 6666, Email Oregonbike@aol.com

From: Barbara Bell [mailto:barbarabell4@gmail.com]
Sent: Saturday, August 06, 2016 7:27 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>; Catherine Adinolfi
<cadinolfi@japanesegarden.com>
Subject: Testimony: Planning and Sustainability Commission

RE: CC2035 Testimony

For years guided tours of the Portland Japanese Garden have concluded on the terrace behind the Garden Pavillion. There guests are awed by the amazing panoramic view of Portland hedged in greenery with great clouds and the amazing Mount Hood rising majestically beyond. We guides remind them of the connection between our great volcanic mountain and the sacred Mount Fuji. It is a beautiful moment, one that for years created a mental photograph of Portland and its famous garden that people remember for years. But the green "hedge" of trees has now eclipsed Portland. The garden could be anywhere---rising from a green forest perhaps.

Is having Portland in the view worth reclaiming? Of course we know that trees grow, buildings are added and lost to the city scape, the weather changes.....but there is the possibility of preserving the aesthetic and city pride impact of this view. The gardeners of the Japanese Garden deal with nature's changes with skill and good taste...pruning, removing trees and yet preserving the design and the aesthetic of traditional garden. Preserving the view that so impressively connects the Japanese garden to its city and the city to Japan can be and should be a priority for the City of Portland.

Although I have recently relocated to Bend, OR I remain active as a guide and donor and serve whenever I am in Portland. Barbara Bell: 1805 NE Berg Way, Bend, OR 97701.

From: B BADRICK [mailto:wbadrick@hevanet.com]
Sent: Saturday, August 06, 2016 11:50 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

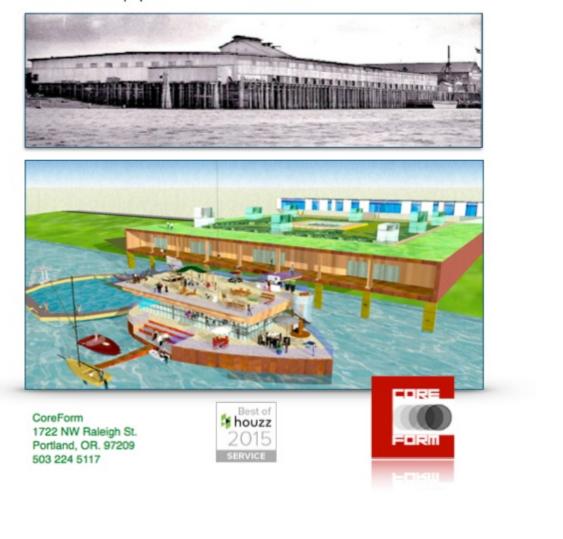
Hello, Here is my Testimony the for CC2035 Plan for re-zoning the historic dock building at 1300 N. River Street. In keeping with the City of Portland's Intent to create and support active River Uses, we propose to make a public facility with a rooftop park.

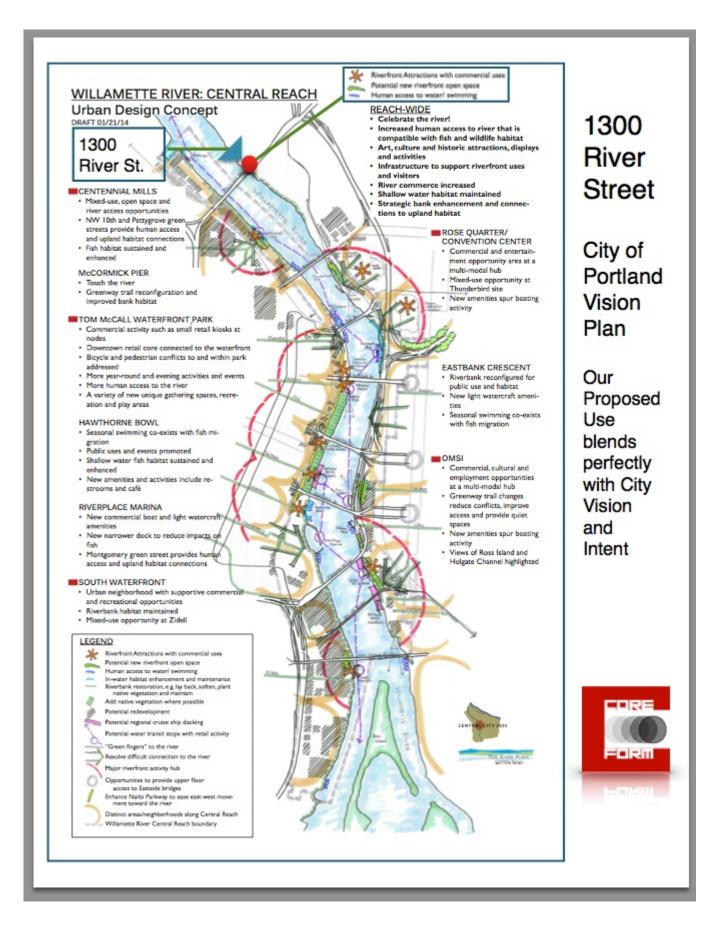
I am Bill Badrick at 1722 NW Raleigh St. PDX, OR.

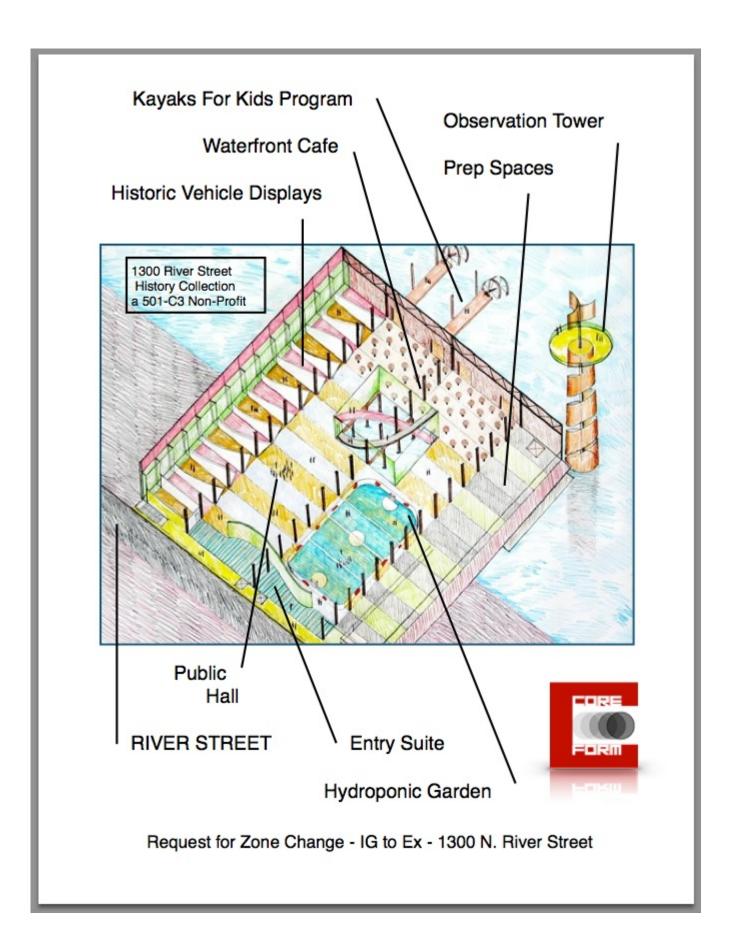
Central City 2035 Request for Zoning Change From IG to EX

1300 n. River St. 77,000 Sq. Ft. will house History Collection a 501 C3 Non Profit Museum, Kayaks for Kids, a free access to get families on the water, and a rooftop park. We will host a floating family-friendly cafe barge, and a public swim float in the Willamette River. We will create 56 jobs in the CC. Per CC2035 [below]

 From General Employment (EG1 or EG2), General Industrial (IG1) or Heavy Industrial (IH) to Central Employment (EX): These changes are being made in the Central Eastside around the new light rail stations and a few other locations so that more flexible employment uses can be accommodated.







Central City 2035 Request for Zoning Change From IG to EX

The Interior will be restored and host many public functions and a collection of vintage vehicles



The Public Dock will feature a 2-mast sailing ship and the LCI-713 WW2 Ship, as well as having a public landing dock below the Cafe



CoreForm 1722 NW Raleigh St. Portland, OR. 97209 503 224 5117 W BADRICK wbadrick@hevanet.com

Managing Partner CoreForm

Board of Directors History Collection -----Original Message-----From: Barton J Whalen [mailto:bartwhalen@comcast.net] Sent: Friday, August 05, 2016 3:44 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: CC2035 testimony

My message to you today is to request that the Portland Japanese Garden's 1963 panoramic view be added to the central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the farground.

I have been a member and a tour guide at the Garden for many years and hope you would allow this treasure of Portland to return to the gorgeous view that it had in 1963.

Thank you for your consideration.

Sincerely,

Barton Whalen 7528 SE 29th Avenue Portland, OR. 97202 -----Original Message-----From: Mayhocal [mailto:mayhocal@gmail.com] Sent: Friday, August 05, 2016 11:05 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: CC2035 Testamony

Planning and Sustainability Commission,

I respectfully request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the cascades in the far-ground. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

As a native Portlander, I am proud that the Portland Japanese Garden is considered one of the great gardens of the world and is the most visited tourist attraction in Portland. I am a board member of the Garden and support the Garden with my heart as well as my donations. The diversity of culture added to Portland by the Portland Japanese Garden only lends stature to Portland's international reputation.

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center.

Please protect the view that is an integral part of its beauty and reputation.

Best regards, Calvin T Tanabe 2195 SW Mayfield Avenue Portland, OR 97225



August 5, 2016

Dear Planning and Sustainability Commissioners and Staff,

The Hosford-Abernethy Neighborhood District (HAND) Board would like to submit the following testimony regarding the Central City 2035 Plan Proposed Draft.

SE 11th and 12th Avenues

We want to thank PSC staff for incorporating our recommendations for SE 11th and 12th Avenues into the Proposed Draft. We believe the traffic access street designation is much more appropriate for these roads, which are beautiful tree-lined streets that feature a growing number of residences and neighborhood gathering spots such as cafes and pubs. We want to see SE 11th and 12th become a transition between the Central Eastside Industrial District and the residential neighborhoods to the east; currently the streets are instead a divide between the two areas, due to the heavy traffic volumes, high vehicle speeds, poor crossing options, and extremely low driver compliance with Oregon crosswalk law. The introduction of bicycle facilities as per the new major city bikeway designation on SE 11th and 12th, in conjunction with the crossing improvements in project **20176 (11th/12th Ave Multimodal Safety Improvements)**, will help realize this vision for a more people-oriented SE 11th and 12th. As such, we in HAND strongly support the changes that were made to the Discussion Draft regarding SE 11th and 12th, and encourage a very-near-future implementation of better crossings, dedicated bicycle facilities, and a reduction of the posted speed limit. We look forward to conversations with the Central Eastside Industrial District personnel as well as adjoining neighborhoods about how the bike lanes can be created in a way that best works for all uses.

Access across the Orange Line MAX and Union Pacific Freight Tracks

We were disappointed to see that project **20185, the Gideon Street Pedestrian/Bicycle Bridge**, has been listed with an estimated timeframe of 11-20 years. This bridge is one of the most crucial transportation needs in our neighborhood today, for safety, access, and congestion reasons. To reiterate our testimony for the Discussion Draft:

The Union Pacific Railroad and MAX Orange Line tracks are a major obstacle to the flow of traffic both northand south-bound on SE Milwaukie/11th/12th Avenues and on SE 8th Avenue, as well as east- and west-bound traffic on SE Division Street. The UPRR trains are long, often slow-moving, and increasingly frequent. Add an additional MAX or Amtrak passage immediately before or after a UPRR train, and **the north/south flow of traffic can easily be stopped for 45 minutes or more.** The process of "building trains" in Brooklyn Yards sometimes involves the movement of a locomotive out of the rail yards to a point close enough to the crossings that the signals and crossing arms are activated, even with no visible train present. These false-alarm impediments to traffic are expected to increase in frequency, according to sources at UPRR, which will undoubtedly also increase risky road-user behaviors, such as driving/walking/cycling around the crossing



arms. Another issue is that SE 11th Avenue frequently fills with waiting traffic for many blocks north of Division Street, and as turn lanes from Division Street onto SE 11th Avenue fill up with this idling traffic, we also see east-west streets become congested for blocks. There is no effective way out of the traffic once one is entrapped. The movement of all traffic at a major intersection in the Central City comes to a halt, affecting access of emergency vehicles, public transit, personal and business travel, nearby businesses, and movement of freight. This is completely contrary to the streets' designations as a major truck street, major city bikeway, primary ER route, transit access street, city walkway, and traffic access street. Even usually patient Portland drivers experience frayed nerves and tempers; risky behaviors ensue (incidents of pedestrians and bicyclists climbing through the couplings of slow-moving or temporarily halted trains have been reported multiple times during a single delay; there are less-frequent but equally-appalling accounts of vehicles driving onto the sidewalk to make a U-turn, then driving the wrong way up SE 11th to attempt a detour around the crossing). It has become apparent that the only definitive solution is a grade-separated crossing.

While the ultimate solution is a grade-separated crossing that provides all modes of street traffic with a route above or below the rails, we recognize that such a project will have to wait for funding and design. A speedy implementation of **Project 20185**, the Gideon Street Bridge, would at least provide pedestrians and cyclists with a way to cross the tracks during a long freight-related delay, and would make the new Clinton Street MAX station and Tilikum Crossing more reliable additions to our transportation network for the residences and businesses north of the freight tracks (who are reporting using the MAX less than they would like to out of concern over getting "trapped" on the wrong side of the tracks). This bridge would also better connect the Brooklyn neighborhood and forthcoming Clinton Triangle development to the south of the tracks with the residents, businesses, and job centers to the north.

The Gideon Street Bridge was a promised part of the Orange Line construction project, during which an existing pedestrian bridge at SE 16th had been demolished. The Gideon Street Bridge was eliminated from the project list during recalibration after expected federal funding was decreased to fifty percent, but as the Orange Line project actually finished under budget. We implore you to advocate for use of those excess funds, toward the construction of the Gideon Street Bridge as promised, and or to find funds to ensure that the bridge is completed as quickly as possible. 11-20 years is an unacceptable timeline for a bridge of this level of importance that was supposed to have been in place and operational a year ago.

Other Projects

We also recognize the following projects as important to Hosford-Abernethy neighborhood residents' transportation needs, and we support them (pending approval from the Central Eastside Industrial Council, and the Buckman, Kerns, and Brooklyn neighborhoods). Projects are listed in project number order.

20050: Southern Triangle Access Improvements -- SE Powell Blvd

(HAND agrees with the needs outlined in 20050, however traffic calming must be provided on SE 11th and 12th Avenues before or in conjunction with improved access.)

20173: SE 9th Ave Crossing Improvements -- 9th Ave, SE (at Hawthorne, Madison, Belmont, Morrison, Stark, Sandy)

20177: SE Harrison Neighborhood Greenway -- SE Harrison St (7th - Ladd Circle)

20180: Hawthorne-Clay Ramp Signal -- Hawthorne Viaduct

20181: SE Hawthorne Bikeway & Transit Improvements -- Hawthorne Blvd, SE (Grand - 12th)



20182: SE Clay / Mill Circulation Improvements -- Clay/MLK and Mill/MLK 20183: SE Clay Corridor Improvements -- Clay St, SE (Water - Grand)

The Hosford-Abernethy Neighborhood District (HAND) Board thanks the Planning and Sustainability Commission for their consideration of these projects that would significantly enhance the safety, livability, and in many cases the increased use of transportation in all forms alternative to the automobile.

Very best regards,

Susan E. Pearce, HAND Chair

25108



August 5, 2016

Planning & Sustainability Commission 1900 SW Fourth Avenue, Suite 7100 Portland, OR 97201

RE: Testimony on CC2035 Plan

Not since the 1960s have Portland's historic commercial buildings and neighborhoods come under greater threat of the bulldozer and wrecking ball. Drives to increase density, ramped up market demand, requirements for seismic retrofitting, and the lack of meaningful incentives for preservation have resulted in the loss of hundreds of homes, wholesale change in neighborhood character, and the loss of landmark buildings such as the United Workmen Temple and Lotus Café.

The provisions of the Central City 2035 Plan – and the subsequent actions taken to implement it – will make or break whether future generations inherit the extraordinary, livable, and authentic sense of Place we enjoy today.

On behalf of the members of Restore Oregon, a non-profit organization whose mission is to preserve, reuse, and pass forward the historic places that make our communities livable and sustainable, I offer the following comments on the proposed 2035 plan.

Restore Oregon applauds and supports:

Overall:

- The greater consideration preservation of historic homes, buildings, and neighborhoods have received throughout the public process and in the draft document and specifically in Urban Design policies 5.18 – 5.20.
- Policies (5.3 5.7) goals for a Dynamic Skyline and Scenic Resources calling for compatible heights in historic districts and protection of the public's view of beloved landmarks.
- Its good policy to encourage a transition between areas of great height and density and surrounding neighborhoods.
- The application of thoughtful design standards to guide new development (5.8) will protect neighborhood character.
- Historic designation for the South Park Blocks.

Of particular importance, we support:

- The proposed height reductions in Historic Districts. We cannot stress enough how absolutely essential this is to the retention of historic character in the district. It is central to ensuring that infill development is compatible and for thwarting demolition-by-neglect. Ideally, Restore Oregon would like to see even further reduction in the Grand Avenue and Chinatown districts.
- The transfer of FAR from historic buildings. With so few economic incentives available to historic projects, this is highly important to help fund rehabilitation and phased seismic retrofitting. Every effort must be made to ensure FAR transfer is workable and to increase the market demand for the transfers.

- Allowing flexible, phased implementation of seismic upgrades. The magnitude of the investment required is more achievable when properties have an opportunity to execute the work in phases and generate income as they go.
- Lobby for a State Historic Rehabilitation Incentive. This is the single most important thing we can do to make more redevelopment of historic buildings financially viable, and to help pay for proposed mandated seismic upgrades. The city must make this a TOP LEGISLATIVE PRIORITY!

Restore Oregon encourages the following changes to areas that fall short:

- Revise heights that block key view corridors such as the Vista Bridge toward Mt Hood, and looking back towards the Vista Bridge.
- Prevent the Park Blocks from becoming a dark tunnel by lowering heights along the Park Blocks and ensuring sufficient sunlight can penetrate through nearby development.

With this said, the devil's in the details of implementation!

"Encouraging" the preservation and rehab of historic buildings as stated in the Plan is good, but the city will need to take meaningful steps to make this more than lip service. If zoning changes incentivize demolition (or demolition-by-neglect) and there is nothing to counter-balance market forces that make replacement far more lucrative than restoration, Portland will lose its character-defining historic buildings and neighborhoods.

Sincerely,

Zeggy Morethi

Peggy Moretti Executive Director

From: Garth Massey [mailto:GMMassey@uwyo.edu]
Sent: Friday, August 05, 2016 10:42 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony

Dear Planning and Sustainability Commission Members,

I have been a horticulture volunteer at the Portland Japanese Garden for six years. In that role, and as a patron of the PJG, I have seen hundreds if not thousands of people pass through the garden and conclude on the east side of the pavilion, to be taken aback by the wonderful view of Portland and Mt. Hood.

I am urging you to respect the request of the Portland Japanese Garden to restore and protect for generations the panoramic view afforded by the garden in its earliest years.

As a treasure for Portland and one of the most authentic Japanese gardens in North America, our Japanese garden is a tremendous opportunity for the city and state to show its beauty and care for a highly accessible aesthetic experience. Please support its request and keep the Portland Japanese Garden a magical place.

Sincerely,

Garth Massey 3035 NE 58th Avenue Portland, OR 97213 503-313-7968

CENTRAL CITY 2035 COMMENTS

- TO: Portland Planning and Sustainability Commission
- Portland City Council
- FROM: Keith Liden, 4021 SW 36th Place, Portland, OR 97221

RE: Central City 2035 Plan

DATE: August 5, 2016

I have been regularly involved in planning and implementation related to the Central City including: Portland Bicycle Advisory Committee (current), TSP Technical Expert Group, Comprehensive Plan/TSP -Policy Expert Group, West Quadrant Plan - Stakeholder Advisory Committee, and Portland Bicycle Plan for 2030 - Steering Committee. My comments below are my personal views and do not represent those of the committees upon which I am serving or have served.

General Comments

As a stakeholder committee member for the SW Quadrant Plan, I believe the planning process was well done and people and interest groups had multiple opportunities to be heard. Overall, I really like the plan. With the exception of my specific comments that follow, I feel the policy direction is comprehensive, well thought out, and clearly presented. An ambitious plan to be sure.

Specific Recommendations

I have several detailed comments pertaining to transportation, which are intended to provide a higher level of support for the plan's goals and policies. *A common thread for most of my recommendations pertain to providing increased emphasis to the importance of pedestrian and bicycle access between the Central City (CC) and SW Portland across the I-405 corridor.*

With the CC 2035 as the most recent example, the city has typically used I-405 as a study area boundary, giving insufficient consideration as to how the freeway acts as a barrier – especially for pedestrians and cyclists. For some curious reason, this serious problem has yet to be seriously acknowledged. Even with the MAX Green and Orange Line projects introducing transit immediately north of I-405, the city and TriMet inexplicably neglected to enhance pedestrian and bike facilities crossing the freeway to access the new stations. Pedestrians and cyclists on the south side of I-405 should not to have to run the gauntlet to get in/out of downtown and use transit.

My comments relate to two volumes of the Central City 2035 Plan:

- Central City 2035 Goals and Policies; and
- Central City 2035 Transportation System Plan Amendments Volume 2B.

Central City 2035 Goals and Policies			
Reference	Issues and Recommendations		
p. 48 Plan concept graphic	Issue: The connection between the Central City and SW Terwilliger Parkway are important for transportation and recreational reasons. However, no connection is shown on the graphic. Recommendation: Show an "improved active transportation" connection (dashed line and arrow) between SW 5 th /6 th Avenue and SW Terwilliger.		
p. 55 Policy 3.UD-2	 <u>Issue:</u> This policy is good except is neglects mentioning the importance of pedestrian and bike access to the southwest. <u>Recommendation:</u> Amend Policy 3.UD-2. Portland State University. Enhance multimodal access to Portland State University from South Waterfront, Goose Hollow, <u>Southwest Portland</u> and Downtown. Address parking and circulation issues around campus and address barriers for cyclists and pedestrians. 		
p. 76 Policy 5.UD-5	 Issue: The Terwilliger Parkway serves a dual purpose as an important multimodal transportation link between the CC and OHSU/SW Portland as well as being a significant green space within easy walking distance from the CC. Access to Washington Park from Goose Hollow is also not acknowledged. The value of these nearby recreational opportunities is not recognized in this plan policy. <u>Recommendation:</u> Amend Policy 5.UD-5 Open space network. Support existing open spaces, including the Halprin Open Space Sequence and the Willamette River to be more accessible, usable and engaging spaces for the community while also supporting the development of new open spaces where opportunities arise. Broaden the range and multimodal accessibility of available recreation experiences, including opportunities near the Central City such as Terwilliger Parkway and Washington Park. 		

Transportation System Plan Amendments – Volume 2B			
Reference			
p. 10 Map 5	Issue: SW 6 th /Terwilliger is a major pedestrian and bicycle route in and out of the CC. SW 5 th Avenue provides a critical southbound link to both SW Barbur and SW Terwilliger. They are of equal importance to the other "major city bikeway" streets in 		
p. 10 Map 5	Issue: There is a need for a better bicycling connection between NW 18 th /19 th and Goose Hollow. Connecting only with SW Alder is inadequate, and SW 18 th has little opportunity for bike facility improvements. There also is a clear need to optimize bike access near the stadium. Recommendation: Designate SW Morrison as a "city bikeway" between SW 18th and SW 20th.		

Transportation System Plan Amendments – Volume 2B				
Reference				
p. 10 Map 5	Issue: SW Main Street serves as an important bicycling street between SW 1 st and SW 13 th .			
	<u>Recommendation:</u> Designate Main as a "city bikeway" between the Park Blocks and SW 13 th .			
p. 10	Issue: SW Alder has significant bicycle usage along its entire length in the downtown			
Map 5	but the map has a bike designation gap between SW Broadway and 2 nd .			
	<u>Recommendation:</u> Designate all of SW Alder as a "major city bikeway".			
p. 10	Issue: SE Water is a heavily used bike route that provides an important north-south			
Map 5	connection along the east side of the river. However, it's only designated as a major			
	city bikeway for a portion of the route.			
	<u>Recommendation:</u> Designate all of SE Water as a "major city bikeway" south of SE Morrison.			
p. 11	Issue: As noted above, having a vastly improved pedestrian facilities and environment			
Мар б	across I-405 on 4 th , 5 th and 6 th is critical for providing transit access commensurate the significant investment made for two LRT lines.			
	Recommendation: 1) extend the "Central City Transit/Pedestrian Street"			
	designation on SW 5th and 6th to the south side of I-405 and Broadway; and			
	2) similarly designate SW 4th from SW Lincoln to the south side of I-405 and Broadway.			
p. 12	Issue: A good pedestrian and bicycling environment shouldn't disappear adjacent to			
Map 7	and over I-405. The barrier effect of the freeway should be mitigated.			
	<u>Recommendation:</u> Extend the "civic corridor" designation on SW Broadway, SW			
	<u>Recommendation:</u> Extend the "civic corridor" designation on SW Broadway, 6th, and SW 5th south across I-405.			

CENTRAL CITY 2035 COMMENTS

TO: Portland Planning and Sustainability Commission Portland City Council
FROM: Keith Liden, 4021 SW 36th Place, Portland, OR 97221
RE: Central City 2035 Plan – **Bikeway Designations**DATE: August 5, 2016

I have submitted comments previously. However, after reviewing Map 5 – Proposed Central City Bicycle Classifications (Vol. 2B TSP Amendments), I have some additional comments. I generally support the proposed bicycle classifications shown on Map 5 with several recommended amendments detailed in the following table.

Bicycle Classifications Recommendations				
Street	Recommendation	Rationale		
<i>SW 5th & 6th</i> SW Broadway/I- 405 to SW Harrison	Change to Major City Bikeway	SW 6 th /Terwilliger is a major pedestrian and bicycle route in and out of the CC. SW Terwilliger is currently designated as a "major city bikeway". <u>This designation should continue across I-405 to reach,</u> <u>rather than just come close to the CC</u> . The Green Loop is a nice addition, but it doesn't diminish the importance of SW 6 th and 5 th to get in/out of the CC. SW 5 th Avenue provides a critical southbound link to both SW Barbur and SW Terwilliger. They are of equal		
SW 5th & 6th SW Harrison to NW Flanders	Designate as City Bikeways	importance to the other "major city bikeway" streets in the CC. SW 5 th & 6 th Avenues serve as an important north-south couplet through the heart of downtown and should be recognized and maintained as such.		
<i>SW Morrison</i> SW 18 th to SW 20 th	Designate as City Bikeway	There is a need for a better bicycling connection between NW 18th/19th and Goose Hollow. Connecting only with SW Alder is inadequate, and SW 18th has little opportunity for bike facility improvements. There also is a clear need to optimize bike access near the stadium.		
<i>SW Jefferson</i> West of SW 18 th	Designate as a Major City Bikeway	This recommendation is based upon the long-term plans in the TSP for a multi-use pathway along US 26 from SW Jefferson to the zoo (TSP ID 90096). With most of the route over Sylvan between the CC and Beaverton being complete, designating SW Jefferson and this pathway as a "major city bikeway" makes a lot of sense by creating a high quality route connecting the CC with Beaverton. It has much greater potential to actually be implemented compared to NW Cornell Road – another major city bikeway.		
SW Main SW Park to SW 13 th	Extend City Bikeway designation west to SW 13 th	SW Main Street serves as an important bicycling street between SW 1 st and SW 13 th . Its importance doesn't stop at the Park Blocks.		
<i>SW Alder</i> SW Broadway to SW 2 nd	Designate as a City Bikeway or Major City Bikeway	SW Alder has significant bicycle usage along its entire length in the downtown, but the map has a bike designation gap between SW Broadway and 2 nd . Separate bike facilities may not be feasible, but this route should be eligible for better bike accommodation that we have today.		
SE Water Between Morrison and Hawthorne bridges	Designate as a Major City Bikeway	SE Water is a heavily used bike route that provides an important north-south connection along the east side of the river.		



407 SE IvonStreet Portland, OR 97202 503-954-2620 www.splendidcycles.com

August 5, 2016

RE: Comments Proposed Draft Central City Plan, Green Loop

The Green Loop concept has my support with its goals to:

- Improve Health
- Connect and Create Parks
- Support Businesses
- Increase Walking Paths
- Encourage Riding
- Grow and Build Green

However, I write today as I believe the current plan doesn't go far enough. My concerns are primarily twofold: connectivity to existing resources and funding.

Connectivity: To achieve the goals of connecting parks, increasing walking and riding the plan must explicitly address connectivity to existing trail networks, including but not limited to: the Greenway Trail and Springwater on the Willamette. The Green Loop, while focused on providing connectivity between business districts within the loop, can not exist in a vacuum. It must consider how active transportation users enter and exit the loop using other trail systems. While I trust that the planners involved in this process understand this, I don't think that's enough. Highlighting, within the plan, critical nodes where the Green Loop enhances connectivity to existing trails is imperative... Ideally, that includes, text and map depictions identifying those nodes, as well as code that directs planners to include those nodes in the development phase of this plan. I request that the importance of connectivity with existing trail resources be detailed explicitly in the plan, and, if possible, highlighting specific connections to the Greenway Trail and Springwater Trail.

Funding:

I know you know, both short term and long term funding strategies need to be identified and pursued. As one whose office overlooks the Springwater Corridor Trailhead, I see first hand how lack of sufficient support limits and eventually degrades the potential of a regional trail resource. Funding for proper way-finding signs, user facilities (water, toilets), and long term maintenance, will be critical to the success of the Green Loop. While I see daily in observing Springwater Trail that the if-you-build-it-they-will-come approach does work, I also see how it can create problems if sufficient long-term funding is lacking. I request that City Counsel and the implementing city bureaus commit sufficient funding to support the long-term success of this project.

Thank you for considering my comments. Sincerely, Barb Grover, owner Splendid Cycles August 5, 2016

Central City 2035

From: Jeanne E Galick, West Quad SAC member, 7005 SW Virginia Avenue, Portland 97219

There are some wonderfully innovative concepts in this document. The Green Loop , the increased greenway setback and robust tree canopy targets are particularly noteworthy. These are ideas that will improve livability and human and environmental health. They deserve to be fully supported and funded.

However, major gaps and issues remain.

Willamette Greenway Setback 33/475.220

The increased 50 foot greenway setback is a step in the right direction but it needs to be wider still. Science indicates that at least 100 feet is necessary to provide healthy riparian functions. For a city that strives to lead on sustainability and environmental issues, the proposed increase literally falls short – settling for the absolute lowest standard to maintain some semblance of riparian health.

Recommend increasing greenway setback to at least 75 feet with 50 feet for revegetation and habitat enhancement/protection and 25 feet for the recreational trail which will measure 16 feet minimum.



Current construction and greenway with 25' setback. Note how close trail is to building.

inset shows how close the trail is to top of bank

Greenway Setback examples

A wide greenway that includes ample room for people, large trees and landscaping has huge benefits for human health, the urban economy, recreation, tourism, wildlife and the environment.



Portland at South Waterfront with 100' setback





Vancouver, BC





Boise river is to the far right

25118

South Reach Greenway

Current greenway regulations are flabby, weak and outdated. The south reach still has environmentally significant resources but these will disappear if the city continues to drag its feet on updating the north and south reach greenway regulations.

A much larger setback (consistent with South Waterfront's 100-150' setback), landscaping and environmental protections are desperately needed as development is occurring at a fast pace.

Recommend the city makes a <u>formal commitment</u> to establish new greenway regulations in the South Reach immediately.



6-story building will loom over the trail which clings to the top of the bank. Old building footprint visible

33.475.404 33.430.080 Alterations to buildings that do not change the building footprint... aka "grandfathering." There are few opportunties to complete the greenway– buy the land (when available) or wait for existing properities to rebuild or remodel. This exemption is a major loophole that allows a new building to build *inside* the greenway setback if using the same footprint or if a remnant of the old structure remains. The greenway will never be complete if these grandfathering exemptions remain.

Recommend removing exemption. The example below was allowed to rebuild within the setback, on a hazardous corner of the trail because a corner of the old foundation was kept.



Recent building *within* the 25-setback because it uses the same footprint 33.430.080 33.475.040 33.475.220 Tree/vegetation removal in river overlay zone These exemptions have the unintended consequence of actually encouraging invasives. Property owners allow blackberries and other invasives to cover the bank and then annually mow them down because they present a) nuisance or b) fire hazard. It's a popular tactic for keeping views unobstructed in the South Reach. Cottonwood saplings fall into this category too. Immediate replanting requirements would end this cycle.

Remove exemptions or <u>require immediate replanting</u> that brings property into landscaping compliance *even when there is no change to building footprint*.



Examples of annual removal of invasives in the South Reach.

Exemptions aren't the only problem for achieving a healthy landscape along the river. There needs to be a mechanism that requires *existing* properties to come into compliance within a certain time period.

Recommend a new mechanism to require existing properties to come into compliance within 5 years, starting from 2016. This could remedy large barren sections of the greenway.

Inconsistent /negligible enforcement of greenway landscaping requirements is an on-going problem.

25120

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A consistent issue with property owners along the river is view obstruction by vegetation. When trees are young, they block views. An unintended consequence of allowing native trees up to 6" to be removed and replaced with whippet-thin saplings counld mean constant tree removal without ever growing mature trees. Any tree removals that are exempt should be subject to Title 11 tree permit requirments.

Rethink native and non-native tree removal and replanting requirements.



6" diameter tree (person is 5'2")

33.430.140 revegetation fee

J-#4 -Revegetation fee, paid in lieu of replanting, should be used solely for revegetating the same or nearby site -- not somewhere in the Willlamette River watershed. This exemption defeats the goal of restoring or preserving a healthy riverine environment at a particular location.

Require revegetation fees be dedicated to replanting the same or nearby site where removals have occurred.

33.475.230 33.510.253 Exterior Lighting Standards

33.510.223 Bird-safe exterior glazing These new standarrds help the city to achieve a sustainability goal by improving efficiency and reducing light pollution – a health hazard for both humans and birds. It should not only be strongly supported but extended throughout the Central City.

Extend lighting standards to the rest of Central City

I worked on Audubon's Bird-friendly Design Guildelines that were adopted by the City. The number of bird strikes caused by reflective glass is staggering. Following City Council's direction in Resolution 37034 (2013, **establish of the new standards calling for bird and wildlife friendly building design.** These standards are also generally consistent with the City's recently updated Green Building Policy (2015). Standards are also needed given proposed requirements to increase exterior glazing to support active ground floor uses.

Recommend a general prohibition on mirrored and highly reflective glass, not only to reduce risk of bird collisions but also to reduce glare and heat.

Waterfront Park

When does a park stop being a park and becomes a commercial opportunity? Waterfront Park was a major concern for the West Quad SAC. Consensus was for the park to be more usable throughout the year and less of a fairgrounds.

The committee was assured by staff that new commercial activity would be extremely small and limited in number (think coffee cart). It is outrageous that up to 10 permanent, 2000 square foot each, commercial buildings might be allowed within the park. It is co-opting the park.

Severely limit both number (2) and size (less than 1,00') of any commercial enterprise within the park. See current master plan with smaller, more intimate subareas for plantings, picnicking and recreation. Rethink this! Encourage more activity on adjacent Naito (west side).

August 5, 2016

Central City 2035

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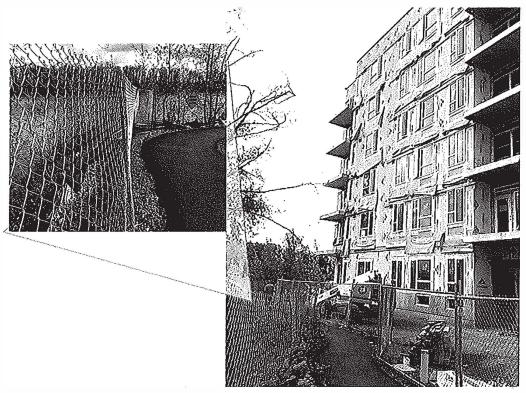
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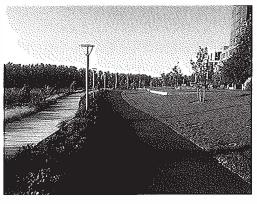


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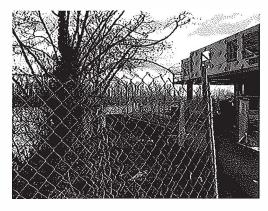
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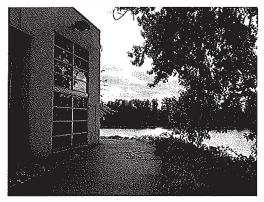
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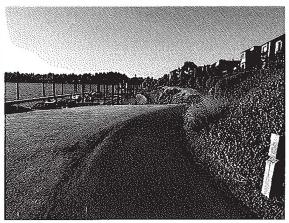
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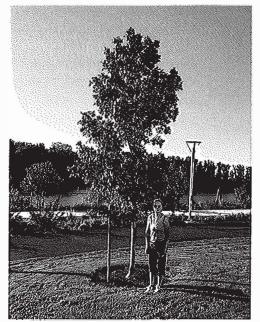
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CC2035 Testiimony

The Portland Japanese Garden's 1963 panoramic view should be added to the Central City Scenic Resources Inventory of protected views. That view inspired toits creator, Professor Tono, in the placement of the beautiful Pavillion. The "borrowed" scenery of the city and park below is what makes any garden become "great". This garden is known as one of the most authentic and beautiful Japanese gardens in the world. It is a huge star in our Tourism crown. The view is being lost and is crucial to the experience of the garden: a tranquil retreat so very necessary particularly in today's world.

I am deeply involved with the garden as a Trustee but beyond that level, personally it is a place of marvelous rejuvenation all year. It is the first place I take any visitor to Portland.

The garden is investing more than \$33,000,000 to ensure its future for generations to come. Please expand the present view and protect it for our children's children and on.



View in 1971

View today



Dede DeJager 0841 SW Gaines Street #419 Portland, OR 97239

CENTRAL EASTSIDE TRANSPORTATION AND PARKING ADVISORY COMMITTEE A COMMITTEE OF THE CENTRAL EASTSIDE INDUSTRIAL COUNCIL August 5, 2016

City of Portland Planning and Sustainability Commission

Re: Comment 2035 Comprehensive Plan

Dear Commissioners

We represent the Central Eastside Industrial Council's Transportation and Parking Advisory Committee. Our primary goal is to ensure the ability to provide safe and efficient parking and transportation systems for businesses, customers and residents in the Central Eastside Industrial District. We respectfully request the following three changes.

(1) ADD LANGUAGE to projects

TSP ID 20063, 20151, 20173, 20174, 20175, 20176, 20181, 20182, 20194 and 20195 (see addendum) "Review the impact to freight, loading, unloading and the ability of the CEID to continue to be a vibrant employment district prior to implementation of this project".

WHY THIS REQUEST

Many on our board participated on the Central Eastside Quadrant plan and have previously spent years participating in planning efforts for the district. To our dismay we find many recent changes to the TSP that were not mentioned during the process nor vetted after the committee was dismissed.

We are particularly concerned that these plans were not reviewed in a larger context that would take into account the unique environment of a district still focused on industrial and employment growth.

We support multi-modal, bicycle and pedestrian uses, since these benefit not only employees in the district, but increase available limited infrastructure for freight, loading, unloading and other business needs. Yet these plans do not take into account how their improvements might impact the industrial sanctuary. We only learned of these additions to the TSP last week.

We are concerned these changes will be added to the Transportation System Plan as "projects", not studies. This means, PBOT would be authorized to pursue funding and implement these projects as soon as funding becomes available. Not to say that some sort of analysis or public outreach would not be part of these projects, but the stated objective of the project would be implemented.

Again, we are not opposed to the benefit these projects may yield, but without the study to determine their impact, proceeding to a "projects" phase is premature. We would suggest PBOT consider a planning study to determine how these projects impact the district (as a whole) and provide an opportunity for public input.

(2) ADD BACK the following two studies

We find it ironic that staff decided to DELETE studies that would benefit the district and particularly freight. Including the <u>Central Eastside Truck Access Study</u> whose purpose was to evaluate circulation to improve connections in the Central Eastside to the regional traffic network and reduce conflicts with non-industrial land uses.

And the *Inner Powell/Ross Island Bridgehead Access and Circulation Study* to evaluate access and circulation alternatives to the east ramps of the Ross Island Bridge, including local circulation and pedestrian and bicycle access, and create a streetscape plan between the bridge and SE 50th Avenue.

WHY THIS REQUEST

Staff comments that this work was completed during the Southeast Quadrant plan are not true and certainly don't take into account the recent additions to the TSP.

Page 1 of 2

(3) TSP MAP CHANGE

Classification Map 4 (Central City Freight Classifications)

REQUEST - Add major truck street on Naito Parkway and modify TSP ID 20127

There is a gap on the map along Naito Parkway from the Morrison Bridge to I-5 South. Language should be added to TSP ID 20127 "Design and Implement a separated two-way walkway and bikeway on the east side of Naito Parkway" while ensuring Freight movement from the Morrison Bridge to Harbor Drive.

WHY THIS REQUEST

We appreciate staff have updated the map to include the Morrison southbound ramp to Naito Parkway and SW Harbor Drive. However, the map contains a gap between these two points.

The Central Eastside Industrial District is dependent on access to I-5 South by crossing the Morrison Bridge to Naito Parkway and then to Harbor Drive. Leaving a gap in this route erodes the importance Naito Parkway that serves the Freight industry.

We urge the Planning and Sustainability Commission to consider the impact if these projects and map changes proceed as written. Please include language to provide adequate planning prior to implementation.

Thank you.

Michael Bolliger, Committee Chair

Transportation and Parking Advisory Committee Central Eastside Industrial Council

ADDENDUM TSP PROJECT LIST

- **TSP ID 20063** (page 18 of Vol. 2B): Design and implement an east-west bikeway along the Belmont/Morrison corridor from Water to 12th.
- **TSP ID 20151** (page 24 of Vol. 2B): Reconfigure lanes from SW 3rd Ave to SE 12th Ave to reduce transit delay and improve pedestrian and bicycle safety. Enhance existing bike lanes across the bridge to provide climbing lanes and more physical separation from traffic. Extend bike lanes west to SW 3rd Ave and improve pedestrian crossing at SW 2nd Ave. Project may include signal modifications to improve transit operations and pedestrian safety
- **TSP ID 20173** (page 26 of Vol. 2B): Provide enhanced pedestrian crossings at major intersections to improve safety and reduce pedestrian delay.
- **TSP ID 20174** (page 26 of Vol. 2B): Reconfigure lanes from SW 3rd Ave to SE 12th Ave to reduce transit delay and improve pedestrian and bicycle safety. Enhance existing bike lanes across the bridge to provide climbing lanes and more physical separation from traffic. Extend bike lanes west to SW 3rd Ave and improve pedestrian
- **TSP ID 20175** (page 26 of Vol. 2B): Improve multimodal safety and accessibility by installing traffic signals at MLK & Ankeny and 11th & Ankeny. Extend the Ankeny neighborhood greenway to 3rd Ave, along 3rd north to Couch Ct, and connecting to the Burnside Bridge,
- **TSP ID 20176** (page 26 of Vol. 2B): Enhance pedestrian and bicycle safety and access by installing improved crossings at Ankeny, Salmon, Madison, Clay, and Harrison. Design and implement bicycle facilities on 11th and 12th by removing on-street parking or travel lanes as needed.
- **TSP ID 20181** (page 27 of Vol. 2B): Construct an eastbound protected bikeway with transit islands to improve pedestrian and bicycle safety and comfort as well as transit operational efficiency.
- **TSP ID 20182** (page 27 of Vol. 2B): Improve safety and traffic flow by restricting left turns from Clay to MLK, adding a protected left turn signal from Mill to MLK, and providing way-finding to direct traffic to use Mill to turn left onto MLK.
- **TSP ID 20194** (page 28 of Vol. 2B): Design and implement a bikeway from i-84 to Division, with separated bikeway segments, neighborhood greenway segments, and crossing improvements as needed. Includes enhancement of existing bicycle facilities on 7th Ave from Sandy to Division by removing parking and/or center turn lane as needed.
- **TSP ID 20195** (page 28 of Vol. 2B): Design and implement multimodal transportation improvements to enhance safety and accessibility along 3rd Ave through the Central Eastside, including truck access improvements, pedestrian crossings, and shared roadway bicycle facilities.

From: Jacquie Siewert-Schade [mailto:lillysgirl42@gmail.com]
Sent: Thursday, August 04, 2016 2:43 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: old/new view

Planning and Sustainability Commission,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

As a long time member of the garden, now a Golden Crane Society Member and a tour guide at the garden I believe that it would be simply lovely to recapture the views that the garden had in 1971. Being a tour guide has given me the opportunity to speak with people from all over the US and many foreign countries and most of these people have simply loved their experience in the Japanese Garden and in the city as well. Why not give them the beautiful panorama of the entire skyline?

Also a a tour guide I have seen the marvelous work that our gardeners and volunteers do to create, maintain and enhance what we have in the garden. This work now being extended to the Cultural Crossing project which will become a major draw for conferences and tourists alike. This skill and dedication to excellence would of course extend to the restoration and protection on the original panoramic view.

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. Please protect the view that is so essential to its beauty and tranquility.

Jacquie Siewert-Schade

17022 Crestview Dr

Lake Oswego, OR 97034

From: Sheila Seitz [mailto:sheila.seitz@gmail.com] Sent: Thursday, August 04, 2016 4:18 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: Central City 2035 Plan

To the Central City 2035 Plan Commission,

As we read your Central City draft plan with it's vision of dense, diverse and connected neighborhoods within easy access to work, school and recreation, we were impressed. Your vision is bold. But it's success is dependent on the careful management of the development process.

So we thought it helpful to point to our West End neighborhood as an example of the neighborhood system you have described in your goals. The West End is one of the most diverse neighborhoods in the city. It has a dense assortment of commercial, religious and educational buildings and people. The neighborhood's mostly low FAR buildings allow the sun to shine into windows, provide views of the sky, green hills, lovely old Vista Bridge and if one is really lucky, a far away snowy peak. Easy proximity to our historic park blocks provide access to sun, beauty, recreation, community and leisure.

We are a walkable community as well as having one of the best public transportation choices in the city. Residents include rich, poor, young, old and everything in between; owners, renters and homeless; healthy, physically and mentally challenged; working, unemployed, looking for work, and having given up; black, white, brown; american citizens and new arrivals from all over the world. We are owners, renters and homeless. The housing in our neighborhood ranges from several newer tall residential towers, to a beautiful assortment of older buildings mostly housing residents challenged by age, illness, disability and budget. Our historic churches play an important roll in providing comfort and prayer as well as food, medical, financial and job prep assistance. They also provide our community with access to music, dance, learning. and caring. Proximity to the University brings many young people from all over the world to our neighborhood mix.

So as residents of the newest "renewed" Central City neighborhood, we urge you to adopt the following in the Central City 20135 plan:

1) In order to create successful new neighborhoods, a first priority is to identify and set aside or purchase lots to be used for for community activities, e.g. schools, parks and community centers. With the current rush by developers to buy up properties NOT doing so will almost certainly limit choices that may be optimal for community use.

2) Reduce the maximum building height to 100" throughout the West End and save existing older buildings that provide a sense of history, style and diversity.

3) Our historic Park Blocks are used, enjoyed and admired by residents and visitors alike. They are a historical treasure, designed by a famous landscape historian and built by our community fathers as a bright green space to be enjoyed by the community. And it must be protected from

buildings that create shadows. We urge you to require building heights for both side of the park blocks be no more than 100 feet and remove the designation of "area eligible for height increase. Recommend shadow studies be required for both sides of the park. And made sunlight a priority by requiring heights and building forms that preserve sunlight on public open spaces and parks.

Thank you for the opportunity to present our concerns and thank you for all your hard work on our behalf.

Sincerely,

Sheila and Gary Seitz 1221 SW 10th #1412 Portland, Oregon 97205 From: Geff McCarthy [mailto:geffandjulie@comcast.net]
Sent: Thursday, August 04, 2016 8:35 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Requested rezoning of 2410 N Mississippi

I understand that a request has been made to alter the zoning to allow a small hotel on this site. I am familiar with this area, and I consider this use of the land to augment the local mix of housing, industry, and tourism. Further, there are frequent approvals of similar requests elsewhere. While not all such approved deviations are without controversy, all seem to make sense for Portland. I urge the Commission to approve this re-zoning request.

AvMedSafe Geoffrey W. McCarthy MD MBA DipAvMed 677 NW Melinda Ave Portland OR USA 97210 503-241-8468(h) 503-799-3809 (mobile > -----Original Message-----

> From: terrance@hevanet.com [mailto:terrance@hevanet.com]

> Sent: Thursday, August 04, 2016 8:27 AM

> To: Planning and Sustainability Commission psc@portlandoregon.gov

> Subject: Testimony on rezoning

>

> Hello, Request for Re-Zoning 2410 N. Mississippi and an adjacent empty lot as part of the Central City 2035.

>

> I testify that the City of Portland and its Citizens would benefit from improving this unused property into a vibrant and active Hotel directly in front of the Albina MAX Light Rail Station.

> The Hotel, Coffee Shop, and Rooftop View Lounge will create 57-62 new jobs in the Central City.

> Respectfully Yours, Terrance L. Maloney 8247 N. Foss ave.

Portland Or 97203

-----Original Message-----From: Macleod, Carol [mailto:cmacleod@ucsd.edu] Sent: Thursday, August 04, 2016 8:32 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Cc: cadinolfi@japanesegarden.com Subject: CC 2035 Testimony

Planning and Sustainability Commission,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

I am a volunteer docent at the Portland Japanese Garden and have guided many hundreds of guests through the Gardens over the past several years. The view enjoyed at the time the garden was designed, and in its early years, is vastly less panoramic today. The design of this world-class garden was focused on the view that is rapidly disappearing behind the trees. We once enjoyed not only Mt. Hood views, but also views of Mt. St. Helen, Mt. Adams and the dramatic Portland skyline.

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. Please protect the view that is so essential to its beauty and tranquility.

Carol L. MacLeod, Ph.D Professor Emerita, UCSD 12604 NE 40th Ave Vancouver, WA 98686 From: lee lustberg [mailto:lustberglee@gmail.com]
Sent: Thursday, August 04, 2016 1:39 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Central City Scenic Resources 2035 Testimony

Planning and Sustainability Commission,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

I have been a horticulural volunteer at the Garden since 2010 and interact with visitors[often. Among other things, they are always remarking on the view. I try to explain how the the Japanese Garden design concept of borrowed view and how it adds to our garden

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. Please protect the view that is so essential to its beauty and tranquility.

Lee Lustberg 2389 SW Cedar St Portland 97205 From: Jacquie Siewert-Schade [mailto:lillysgirl42@gmail.com]
Sent: Thursday, August 04, 2016 2:43 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: old/new view

Planning and Sustainability Commission,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

I am a volunteer and frequent visitor of the Japanese Garden for the past fifteen years. The Garden is my favorite spot in Portland and represents pride of place. The Garden is a healing sanctuary and place of solace in an increasingly chaotic, fast paced world. I appeal to you to preserve the large 1963 panoramic view corridor, which is a unique feature of the Garden, that can only be found at the Garden.

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. Please protect the view that is so essential to its beauty and tranquility.

Sharon Lumbatobing 77 Greenridge Ct, Lake Oswego, OR, 97035 To:Portland Planning and Sustainability CommissionSubject:Comments on the Proposed Central City 2035 PlanFrom:Tom Liptan, FASLAUrban Infrastructure Consultant and ResearcherLIVE CenterPortland, Oregon

I would like to commend the city on taking an important step toward a more sustainable future with implementation of a new Ecoroof Code. With my 20 years of ecoroof design, construction, economic analysis, maintenance and research experience, I can assure you that this is the right thing to do for the city and building owners. As a matter of fact an ecoroof requirement makes so much sense that it should be applied citywide and I urge you to do so.

With this letter I want to provide an <u>amendment to</u> the BPS Ecoroof code language <u>In the Central City 2035</u> <u>document</u> and additional information and recommendations to assist you in your decision-making.

Implementation Code; proposed amendments,

33.510.243 Ecoroofs

<u>A. Purpose. Ecoroofs provide a combination of complementary benefits in urban areas, including</u> stormwater management, reduction of air temperatures, extended durability, and habitat for birds and pollinators.

<u>B. Ecoroof standard. In the CX, EX, RX, and IG1 zones, new buildings with a net building roof area of at least 20,000 5,000 square feet must have an ecoroof that meets the following standards:</u>

1. The ecoroof must cover at least 60 90 percent of the all roof areas, excluding roof decks and gardens. Other areas exempt from ecoroof coverage are those listed in the Bureau of Environmental Services, Stormwater Management Manual's (SWMM) Ecoroof Facility Design Requirements and include skylights, utilities, and access-ways. does not include areas covered by solar panels, skylights or mechanical equipment, or areas used for fire evacuation routes.

2. The ecoroof must be approved by the Bureau of Environmental Services as meeting the Stormwater Management Manual's (SWMM) Ecoroof Facility Design and O&M Requirements <u>Griteria.</u>

Rationale for proposed amendments;

1. The existing BPS code language does not comport with the BES City Stormwater Management Manual (SWMM). This will cause confusion and inefficiencies for both the city and the developer.

2. This amendment comports with the SWMM and reduces confusion for Building owners, Designers, BES and BPS.

3. The ecoroof meeting all SWMM requirements will offset the need for alternative stormwater management techniques and the associated costs. Cost saving would be as much as 50% and using the BPS estimate for ecoroof construction of \$10.34 sf this would put the ecoroof at just over \$5 sf.

4. The SWMM allows a 10% ecoroof exemption for utilities and pathways. It encourages that solar panels are installed on top of the ecoroof. If areas of the roof are to be used as decks then BES will require stormwater management for those areas unless the deck is constructed over the ecoroof.

5. Although BPS is hoping for at least 60% ecoroof coverage as the code is currently written the actual result could be less than 26%. For example, a typical new building in the Pearl Dist. usually has 32,000 sf

roof area and 8,000 sf of lower level courtyard. Assuming solar hot water panels covered 6,000 sf and PV panels cover 9,000 sf these areas would be excluded from the ecoroof requirement. However the Ramona Apartment building in the Pearl has these panels installed on top of the ecoroof. Under the BPS code language, these areas of 15,000 sf would be exempted, exempting another 10% for paths and mechanical 3,000 sf for a total of 18,000 sf. with 14,000 sf remaining at 60% the ecoroof would cover 8,400 sf of the building. Expressed as a percentage the ecoroof would be 26% of the entire roof area.



Figure 1_ Ramona Apartments with solar hot water panels and PV panels installed 2011



Figure 2. PV panels on large ecoroof in Basel, Swiss. 2013



Figure 3. Ecoroof and PV panels research project at Portland State University

6. Maximum coverage with ecoroof will provide the most benefit for extending the roof life span. Areas not covered are subject to deterioration and consequent early repair and replacement.

7. Roof decks also cover the roof membrane and help protect the roof from solar and temperature related deterioration.

8. Solar panels have been found to perform as well or better when installed over ecoroofs. The shade provided by solar panels when installed over ecoroofs reduces the need for irrigation in these areas.

9. When the contractor mobilizes for building construction including the ecoroof, adding ecoroof square footage is less costly because of economies of scale.

Additional Information

The <u>Central City 2035</u> <u>Plan</u> discusses ecoroof benefits, such as stormwater management, urban heat island mitigation, increased building insulation and others. However, there are four benefits that deserve more attention.

1. Durability: The number one benefit of an ecoroof is its durability and extended life span. This will be especially important for building owners, such as affordable housing, schools, or anyone who has to come up with a large sum of money to replace the old conventional roof every 20 years or so. In Portland, an

example is the Market Street Building where the <u>roof garden</u> was installed in 1970. This roof has not been replaced in over 44 years. There are buildings in Europe that have ecoroofs over 100 years old.



Figure 4 200 SW Market St Building with roof gardens installed 1970. The roof membrane is still intact.



Figure 5 Ecoroof on water storage building Zurich constructed 1914 still intact.

2. Business: The <u>Central City 2035 Plan</u> mentions costs and associated business but neglects to mention some key points; the cost of ecoroofs will go down as the market matures. During the 5 years of the city's ecoroof financial incentive program construction experience and competition for jobs was developing. With passage of a code the market will <u>increase</u> and construction proficiency will improve.

3. Costs: Clarification of the BES information in the CC 20135 Plan. BES mentions that ecoroofs on average cost \$10.34 sf. Although not mentioned by BES, one would assume this is the extra cost associated with the ecoroof component. However, the BES analysis was based on projects that go beyond the proposed CC 2035 requirement. BES incentive Ecoroofs had a wide range of costs. The CC 2035 requirement is more comparative to the simplest ecoroof design, which is closer to \$8 sf including the extra cost for structural upgrades. With more volume of ecoroof projects and economies of scale, these costs would level off somewhere below \$8 sf. For example; a \$20 million building with 30,000 sf roof at 90% ecoroof coverage, 27,000 sf x \$8 sf extra cost would equal \$216,000 which would be a 1% addition to the

total project cost.

4. Habitat: Ecoroofs provide habitat for insects and birds. Research in Europe and North America on habitat values has shown that ecoroofs provide habitat for a wide range of species, especially pollinators. Ecoroofs also enhance human health by providing open space and simply more green for people.



Figure 6 Walmart ecoroof with nesting Killdeer, Portland 2016



Figure 7 Honeybee on the ecoroof tests at Portland State University research project.

5. Ecoroofs will assist building owners in meeting other city requirements such a 510.244 Low-Carbon



Figure 8 BES simple ecoroof at the Columbia Blvd. Wastewater Treatment Plant. It has no irrigation and the cost was \$6 sf in 2011 when it was installed.

Tom Liptan is a landscape infrastructure consultant specializing in ecoroofs and stormwater management. He designed and constructed the first ecoroof in Portland in 1996, which he maintained until 2015. From 1987 to 2012 he worked for the City of Portland, Bureau of Environmental Services where, in 1997, he started and managed the City's Ecoroof Program. After leaving the city's employment in 2012 he has continued work on Ecoroof design, construction and maintenance. He has experience in the greenroof industry in Europe and across the US. At the city of Portland he was the catalyst behind research and development of vegetative systems for sustainable building, site and street designs. He has been instrumental with integration of these approaches in design, construction and maintenance standards, and city code and program modifications. He has contributed to several books and is internationally recognized for his work using vegetated systems in urban design. Currently he is writing a book about landscape infrastructure tentatively titled, Sustainable Stormwater Management, publisher Timber Press. He is the founder and director of research on vegetated systems at the LIVE Center (Landscape Infrastructure and Vegetation Experiments) in Portland. In 2009, the American Society of Landscape Architects recognized Tom's pioneering role in bringing ecoroofs to the USA, and inducted him into the ASLA Council of Fellows. He has also received awards from ACWA and APWA. His first stormwater project using a landscape approach was in Orlando FI. 1978.

From: Ellen Levine [mailto:edlevine2@gmail.com]
Sent: Thursday, August 04, 2016 10:47 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Protection of Vista Bridge View Corridor

August 4, 2016

RE: Protection of view corridor

To Whom It May Concern:

I am writing this letter in support of keeping the current protection of the view corridor for the Vista Bridge and views of Mt. Hood. While it's understandable that the projected population of the city and the current housing shortage encourages the relaxation of some building restrictions, planners and decision-makers must balance that need with livability issues and maintenance of the very things that make our city attractive to tourists and citizens.

I am a long-time resident of Oregon who moved to Portland in 2014 to be closer to grandchildren, services and the attractions of the city. In Southern Oregon, where I lived previously, I was involved in land-use planning, including service on the Jackson County Planning Commission. I am well aware of the push-pull of land use ordinances versus development. In this case, I believe that there is a strong case to be made for maintaining the current protection of the Vista Bridge corridor and the views of Mt. Hood from the Rose Garden and other sites on the Westside because of their economic value in tourism dollars.

I advocate for balancing development with protection of the views. These views – which I love showing to the friends and relatives who visit us – are part of what makes Portland a treasure. Do we really want to become just another city of high-rises and concrete or do we want to be a place with trees and greenery and breath-taking views as well as tall buildings?

Ellen Davidson Levine 1234 SW Jefferson, #209 Portland, OR 97205



August 4, 2016

Testimony to CC2035 Plan Planning and Sustainability Commission, August 9, 2016

I'm Suzanne Lennard and I am a downtown resident. I am an architect and Founder of Making Cities Livable, LLC.

I'm here to advocate for RETAINING the RX zone¹, and LOWERING both the FAR and the maximum building heights in the West End and on all blocks facing the South Park. I recommend a FAR of 7:1 and a maximum building height of 100' for both areas.

By promoting "contextually-sensitive infill development on vacant and surface parking lots," these reductions would create a compact but dense building form as opposed to the more corporate, podium tower form typical in the downtown area². This will help preserve the West End's architectural history³, preserve the many affordable housing units⁴ and still be able to meet the density goals for housing diversity⁵ expressed in the plan. This will create a more livable urban form, allowing light on the street, sunlight for trees, and a healthier public realm.

Protection of sunlight on the South Park Blocks should be REQUIRED, rather than "encouraged"⁶ in order to enhance the signature open space of the South Park⁷. Maximum building heights should be LOWERED to 100' along both sides of the park blocks; step backs at the third story of buildings over 3 stories should be REQUIRED facing the park. The designation of "area eligible for height increase" should be REMOVED⁸.

Suzanne H. Crowhurst Lennard, Ph.D.(Arch.) Director, International Making Cities Livable 1209 SW 6th Ave, #404, Portland, OR 97204

"Historic resources and districts. Protect the personality and character of the West End by encouraging the use, preservation and rehabilitation of existing buildings and historic resources that represent a wide range of architectural styles, scales and eras." Vol. 1, p. 71, Policy 5.WE-3

- ⁴ Support the affordable housing policy of "no net loss." Housing & Neighborhoods, No Net Loss: Vol. 1 p. 43, Policy 2.10b)
- ⁵ Vol. 1, p. 44, Policy 2.WE-5.
- Housing & Neighborhoods, Housing Diversity: Vol. 1, p. 43 Policy 2.8
- ⁶ "Encourage heights and building forms that preserve sunlight on public open spaces and parks." Vol. 1, p. 66, Policy 5.3

DIRECTOR Suzanne H. Crowhurst Lennard (Portland)

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Suzanne H. Crowhurst Lennard Ph.D.(Arch.) Director IMCL Conferences 1209 SW 6th Avenue, #404 Portland, OR 97204 USA Tel: 503-208-2817 Suzanne.Lennard@ LivableCities.org

Dr. Sven von Ungern-Sternberg Regierungspräsident State of South-Baden Freiburg i.B. GERMANY

¹ Zoning Maps: Vol. 2, p. 467, 469.

² Neighborhood Transitions: Vol. 1, p. 66, Policy 5.7

³ Historic Preservation. Vol. 1, p. 69, Policies 5.18 & 5.19

[&]quot;Preserve the South Park Blocks as one of Portland's signature open spaces." Vol. 1 p. 70, Policy 5.DT-4b

⁷ Signature Open Spaces. Vol. 1, p. 69, Policy 5.16

⁸ Maps of Proposed Heights along South Park Blocks: Vol. 2, p. 331, p. 337; Vol. 1, p.64 Goal 5.C

From: Michiko Kornhauser [mailto:michkorn@gmail.com]
Sent: Thursday, August 04, 2016 8:44 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony

Dear Ladies and Gentlemen,

I am writing here today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the Rose Gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This borrowed scenery is considered as an integral part of the Japanese Garden to make the Garden a whole.

I was born in Japan but spent 25 years at the University of Hawaii where my husband taught. Soon after we moved to Portland in 1986, we found the Portland Japanese Garden to be a very valuable asset for the City of Portland. I immediately became a volunteer guide, a committee member and now a board member, to help in such a way that we would keep the Garden as authentic as possible.

In order to keep the Japanese Garden as authentic as possible, this "Borrowed Scenery" is a very important part of it. Please protect the view not only for us but also for the future generations to enjoy the authentic Japanese Garden. After all, this is an important asset for the City of Portland.

Sincerely yours,

Michiko

Michiko Kornhauser 8840 SW Bomar Court Portland, OR 97223-6821 From: Mickey Kimijima [mailto:mickeyk_1201@yahoo.co.jp]
Sent: Thursday, August 04, 2016 5:18 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: [User Approved] CC2035 Testimony

Planning and Sustainability Commission,

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I have been a member/volunteer of the Portland Japanese Garden since 2010 when I moved from the Chicago area. I felt the need to be part of keeping up the important connection the garden portrayed of the Japanese culture from the first time I visited the garden. It moved me to appreciate the Japanese culture more than I had ever felt when I was living in Japan. I was born in Tokyo, Japan and have been living in both countries, Japan and America, all my life. I believe I know first hand how valuable this Garden is to the community and to this country. Now, Portland is my home and I am proud to live in a place with such a treasure such as the Japanese Garden that exists in its midst. You may be surprised to hear that it is one of the first places I take when I have visitors from Japan!

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a worldclass treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. Please protect the view that is so essential to its beauty and tranquility.

Mickey Kimijima 15647 NW Clubhouse Drive Portland, Oregon 97229 503-781-9799 From: Margaret Keeler [mailto:mmargkeelr@gmail.com]
Sent: Thursday, August 04, 2016 5:15 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Cc: Catherine Adinolfi <cadinolfi@japanesegarden.com>
Subject: CC2035 Testimony

Dear Planning and Sustainability Commission:

As a volunteer Tour Guide, Event Docent, and Arts volunteer for the past six years, I have been fortunate to share the exquisite beauty of our Portland Japanese Garden with students of all ages, adult individuals and groups from around the world, and many special clubs and organizations. For many of these visitors, a visit to the Portland Japanese Garden is a "once in a lifetime" experience.

In Japan, some famous gardens are known for their spectacular "borrowed scenery" or "shakkei". This can also be translated as "scenery captured alive". The special scene that is viewed from within a Japanese garden is considered an important part of the garden design.

Long before the current pavilion was constructed in the Portland Garden our original garden designer, Professor Takuma Tono first laid eyes on Mount Hood from this East facing viewpoint where the future Pavilion would someday stand. We are told that he exclaimed with delight "Ah......Fuji Sama!". For him-- Mount Hood was a breathtaking reminder of his own Mount Fuji at home in Japan. For our visitors this view is a refreshing and dramatic reward at the end of every 45 minute tour through the Garden. For those visiting our city for the first time, it's a bird's eye panorama of the city below. For our regular local visitors it's a reminder of the great natural beauty that surrounds our city and how lucky we are to live here. For our thousands of Garden members, this is the view that we enjoy on crisp September evenings each year as we sit below the Pavilion veranda to view with our friends and families, the rising of the full moon over the city.

I am writing you today to request that the Portland Japanese Garden's historic panoramic view be added to the Central City Scenic Resources Inventory of protected views. As someone who meets our visitors personally each week, year after year, I can see no better way to enhance the experience of Portland than to restore and protect this most venerable viewpoint.

Kind Regards,

Margaret Keeler Volunteer Guide / Portland Japanese Garden 14152 SW Barclay Ct. Beaverton, OR 97005



United States Department of the Interior

FISH AND WILDLIFE SERVICE Oregon Fish and Wildlife Office 2600 SE 98th Avenue, Suite 100 Portland, Oregon 97266 Phone: (503) 231-6179 FAX: (503) 231-6195

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Reply To: 6500.3120 File Name: PDXCC2035_testimony.docx TS Number: 16-615 Doc Type: 1

Planning and Sustainability Commission City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100, Portland, OR 97201

Dear Commissioners:

The U.S. Fish and Wildlife Service (Service) is submitting this testimony on the City of Portland's June 2016 draft of the Central City 2035 Plan (Plan). The Plan will become part of Portland's Comprehensive Plan and will include goals, policies and zoning codes for land use decisions in the Central City area. We wanted to go on record with our support for the many elements included in the plan that will help to conserve fish and wildlife and their habitats, provide places for Portland's diverse urban communities to access and experience nature, and promote climate change resiliency. The following are a few examples of the policies leading to zoning codes in the draft Plan that address fish and wildlife conservation:

Policy 1.3 Center of urban innovation. Strengthen the role and stature of the Central City as a laboratory and showcase for innovative urban development and as a regional leader in the development of businesses related to clean technology, green practices and design, and resource conservation.

Policy 4.6 Watershed health and native species recovery. This policy addresses watershed health, threatened, endangered and at risk species and floodplains, and is followed by associated policies specific to Central City districts adjacent to the Willamette River.

Policy 6.4. Green infrastructure. Increase the use of trees, ecoroofs, vertical gardens, sustainable site development, landscaped setbacks and courtyards, living walls and other vegetated facilities to manage stormwater, improve the pedestrian environment, reduce heat island effects, improve air and water quality and create habitat for birds and pollinators.

Policy 6.8. Upland habitat connections. Create an upland wildlife habitat corridor using trees, native vegetation in landscaping, public open spaces, ecoroofs, and bird-safe building design and practices that provide a safe, functional connection for avian and pollinator species between the West Hills, Mt. Tabor, Powell Butte, Rocky Butte and the Willamette River.

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Policy 6.13. Bird and wildlife-safe development. Encourage bird-friendly building and lighting design and management practices to reduce hazards to resident and migrating birds, fish and other wildlife species.

We are especially pleased to note that the bird-safe building design elements in the Plan are examples of the City's on-going commitment to the conservation of migratory birds. This year marks the 13th year of the Urban Conservation Treaty for Migratory Birds (Treaty) partnership between the Service and the City of Portland. Nationally, and in the City of Portland's 2011 Bird Agenda, it is recognized that bird strikes with windows and night lighting are significant concerns for bird populations. As promised in Resolution No. 37034, the City is continuing to incorporate bird-friendly design and practices into its plans and policies. This is a meaningful example of important fish and wildlife conservation opportunities that exist in urban areas. The outcome will be showcased in the City's "Center of Urban Innovation" (see policy 1.3 above), serving as a model to help educate others and pave the way for similar efforts in cities across the nation. We encourage the City's application of the Bird-Safe Exterior Glazing (33.510.223) and Exterior Lighting (33.510.253.E.5.h.) standards wherever birds and other wildlife may benefit.

We are proud to have the City as one of our nation's Treaty partners, and appreciate your efforts to conserve fish and wildlife and their habitats. Feel free to contact Jennifer Thompson at (503) 231-6179 or Jennifer_Thompson@fws.gov if you have any questions or comments on our testimony.

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Sincerely,



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Paul Henson, Ph.**D**. State Supervisor Email address: PSC@portlandoregon.gov

Subject line: CC2035 Testimony

Planning and Sustainability Commission,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

I am a volunteer tour guide in the Japanese Garden. At the end of each tour I bring our guests to the panoramic view. I emphasize the importance of the view. This final stop is a wonderful finish of the tour. Without the view our garden will have lost a great deal.

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. Please protect the view that is so essential to its beauty and tranquility.

Carol Handy

22 Juarez St.

Lake Oswego

Oregon 97280

carolhandy@comcast.net

From: Kate Giavanti [mailto:knoxmedia@comcast.net]
Sent: Thursday, August 04, 2016 3:44 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony

Planning and Sustainability Commission,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

I am a member as well as a volunteer tour guide at the Portland Japanese Garden and can attest to the fact that most of the visitors that are on our tours are not from the Portland area, in fact most are not even from Oregon. We end our tours with the scenic overview of the city and Mt. Hood and visitors love it. We also guide numerous local school tours with kids of all ages from around the city. The kids love to see the view – many have never had seen our city and Mt. Hood from that perspective. There are frequently questions about how to get downtown, how far away is Mt. Hood etc... It is a very popular attraction in the Japanese Garden – and the Portland Japanese Garden is a very popular tourist attraction for the city.

The Portland Japanese Garden is considered the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. Please protect the view that is so essential to its beauty and tranquility.

Many thanks for your support, Kate Knox Giavanti 3947 SW Wapato Ave. Portland, OR, 97239 Email address: <u>PSC@portlandoregon.gov</u> Subject line: CC2035 Testimony

Planning and Sustainability Commission,

I am writing to you today to request that the Portland Japanese Garden's 1963 panoramic view be added to the Central City Scenic Resources Inventory of protected views. The Portland Japanese Garden should be allowed to restore and then protect its original panoramic view. The Garden is designed specifically around an expansive panoramic view encompassing the rose gardens in the foreground, the downtown skyline in the middle-ground and the Cascades in the far-ground. This view is critical to the healing experience of beauty and tranquility that is at the heart of the Garden's value to our community.

I am a horticulture volunteer the past 8 years and a garden member since 1971. Plants and tree grow and need to be maintained unless they are out in the forest. Maintenance on the trees in the foreground view from the garden have never been maintained and some removal is necessary.

The Portland Japanese Garden is the best Japanese garden outside of Japan! It is a world-class treasure for our community. Our community is currently making a \$33,500,000 investment to make sure it continues to serve future generations as a world-class garden and cultural center. Please protect the view that is so essential to its beauty and tranquility.

Terry Gerlach 2390 SW Crestdale Drive Portland, OR 97225

EDY, MORTON & EDY, LLC RECEIVED P.O. BOX 8 PLANNING & SUSTAINABILITY WEST LINN, OREGON 9706 BIL AUG - 9 A 9:31 phone: 503-723-3106 cell: 503-709-9063 e-mail: edymortonedy@comcast.net

August 4, 2016

Planning and Sustainability Commission City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100, Portland, OR 97201

RE: Central City 2035 Plan

To Whom It May Concern:

My name is Sara Edy, and I'm with Edy, Morton & Edy, LLC, which owns the Italian Gardener's & Rancher's Association building at 1305 SE MLK Blvd here in Portland.

We are opposed to the proposal to reduce the allowed building height in the Central Eastside to preserve a view of Mt. Hood from the Salmon Springs fountain area. I would like to address two reasons that we are opposed.

First, this proposal could result in a loss in development potential and our ability to realize the value of our property. There are no current maximum height limits for the property. The proposal would restrict the maximum building height on half of our property to 45 feet. The other half would be restricted to 200 feet. Properties to the North and South of us would not be similarly restricted, affecting how our property could be developed to work with the rest of the neighborhood. This proposal could drastically impact the value of our property.

This is a complex issue, with complex ramifications for property owners. This leads to a second reason we are opposed to the proposal, which is that we have not had an opportunity to assess the full impact of the proposed taking, or our options in response to it, because of the late nature of this change to the Central City 2035 Plan. The Bureau of Planning and Sustainability has been working on the Plan with input from various parties, including the Central Eastside Industrial Council, since 2010, and this proposal was not a part of it. In fact, we did not receive any notice of it until July 5, 2016. To introduce something this late in the game, that has such a major impact on property owners and businesses in the Central Eastside, is objectionable.

Sincerely,

Sara Edy

From: alexcousins@comcast.net [mailto:alexcousins@comcast.net]
Sent: Thursday, August 04, 2016 11:55 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

I am writing to say that I support increasing building height limits in the Central City. I think 460 feet is not high enough in some areas. As long as effort is made to keep a compact urban form and street level retail and mixed uses to keep the Central City vibrant, I see no reason that taller building heights would detract from our quality of life here. Downtown should have an exciting skyline and not just a hodge-podge of mid-rise buildings punctuated by 3-4 taller towers built decades earlier that are considered "non conforming" under the current scheme. As far as maintaining views, a dynamic skyline is a significant part of our views that frame Mt. Hood. Thank you for adopting policy that encourages greater building heights in the Central City 2035 Plan and not limiting them.

Alex Cousins 5220 SW Shattuck Road Portland, OR 97221 503-810-5656 From: Dana Coffee [mailto:dana@danaleecoffee.com]
Sent: Thursday, August 04, 2016 3:52 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Comments on Central City 2035

I use the Willamette Greenway nearly every week and consider it our commonwealth. We must be aggressive in protecting and managing it to provide the best benefit for all citizens and our environment.

These are my recommendations:

A persistent problem seems to be property owners removing saplings and blackberries and NOT replanting with native plants and trees. That is out of landscaping compliance now and what are the requirements to bring them into compliance? The greenway would be improved immensely with additional trees to provide shade in the summer for users and increase/improve wildlife habitat. We need an enforceable plan ensuring top notch quality in these aspects; everyone will benefit and ultimately profit by that.• **33.430.080 C4 & 7, p 430-7** (also found under **33.475.040.k**)

The south reach area has the best potential for fish and wildlife habitat in the urban area and is developing at a very fast pace.

It is easier to protect than repair. An increased setback, landscaping requirements and new trail standards are desperately needed. Please

• 33.475.040 allows rebuilding *within* the greenway setback if construction uses the same existing footprint (aka grandfathering). This also appears under 33.430.080

Exemptions should be removed and any new or substantial repair or remodeling require buildings to meet the greenway standards of setback and landscaping.

Thank you,

Dana

Dana Coffee 6745 SW 11th Drive Portland Or 97219 503-709-3443 Dana@DanaLeeCoffee.com From: Ray Atkinson [mailto:gismap1@gmail.com]
Sent: Thursday, August 04, 2016 1:55 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

Hello,

I would like to submit testimony about the central city bikeway map within the CC2035. My biggest PSU related concern within the central city bikeway map is 4th Ave not being included as a major city bikeway north of Madison. I often use 4th Ave and don't want to be forced to bike over to 2nd Ave, Naito Parkway, or Waterfront Park to bike north from PSU. According to BikePortland, "The city continues to pull back from the idea of Fourth Avenue, with its many garages, as a major northbound bike route through downtown. It's no longer marked as a major city bikeway north of Madison." Why is Portland giving preference to motorists when cyclists like myself don't feel safe using 4th Ave?

My favorite north route from PSU is 6th Ave but 6th Ave isn't even included as a major nor minor city bikeway! Does Portland not want cyclists to use the transit mall?

I hate using the park blocks because there are so many stop signs. Why are the park blocks shown as major city bikeways? Is it because the park blocks are included in the Green Loop?

Thank you for reading my testimony,

Ray Atkinson 1117 SE 27th Ave Portland, OR 97214 gismap1@gmail.com From: Angel York [mailto:aniola@gmail.com]
Sent: Wednesday, August 03, 2016 5:53 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Parking Testimony

Dear Commissioners,

After reading this excellent article <u>http://pdxshoupistas.com/a-step-backwards-portland-may-invite-more-cars-into-the-central-city/</u>, I request that you please:

- Reduce the maximum parking ratios to at most .5 stalls across the board, and
- Direct PBOT staff to show how any proposed ratios support the mode share goals.

Thanks, Angel York 7707 N Fiske portland or 97203 From: Garlynn Woodsong [mailto:garlynn@gmail.com]
Sent: Wednesday, August 03, 2016 2:50 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

Dear PSC,

In reviewing the Central City Plan's parking requirements, it appears that the parking ratios should be much, much lower than are currently proposed. In order to meet our mode share goals, maximum ratios of .25 stalls per housing unit or 1,000 square feet of office space are more appropriate for our 15% drive-alone mode share goal.

If the commission is not ready to adopt ratios this low, then it should direct PBOT staff to show how any proposed ratios support the mode share goals.

Sincerely yours, Garlynn Woodsong 5267 NE 29th Ave Portland, OR 97211 From: Garlynn Woodsong [mailto:garlynn@gmail.com]
Sent: Wednesday, August 03, 2016 2:48 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>; BPS Central City 2035
<CC2035@portlandoregon.gov>
Subject: CC2035 Plan Testimony

Dear TSP-

Please see below for some comments on the Central City Plan.

Build only bikeways that also improve the streetscape for pedestrians: Measure 20131 in the TSP: Jefferson Columbia Bikeway needs to be expanded to become safe and pleasant for pedestrians—with wider sidewalks and narrower traffic lanes on those streets. Wider sidewalks will also allow large canopy street trees. Large canopy street trees will also make Columbia and Jefferson safer and more pleasant for cyclists too.

Ensure that the Hawthorne Bridge connects directly to protected bikeways that safely and conveniently connect to the rest of the downtown protected bikeway network, ideally as far up as SW 13th & 14th, but at least as far as the Park Blocks if a route through the Art Museum & adjacent superblocks cannot be found.

Here are some suggestions—in red—for revisions to the Action Table for Lead Implementers in Vol. 5 Implementation and to the policies in Vol.1_02 Goals and Policies.

West End UD83

Develop and implement a strategy to encourage main-street friendly streetscape and green infrastructure improvements on SW Jefferson Street. Make sure that green infrastructure means planting additional trees—especially to buffer the residents between SW 13th & 12th Avenues.

Nothing is said in the Action Table about SW Columbia which is paired with SW Jefferson as a "bikeway" in the TSP. I propose:

West End UD84

Develop and implement a strategy to create truly multi-modal streets on SW Columbia and SW Jefferson with widened sidewalks and large canopy street trees and a bikeway, maintaining current parking lanes.

Nothing at all is said about SW Market and SW Clay which become speedways for Washington County commuters heading through the West End into and out of downtown. I propose:

West End UD 85

Develop and implement a strategy to create truly multi-modal streets on SW Market and SW Clay with widened sidewalks, maintaining large canopy street trees and maintaining current parking lanes.

West End UD 86

Develop and implement a strategy to cap I-405 from Columbia to Jefferson.

West End UD 87

Align the funding requests in the TSP to reflect the above priorities and begin to pay for them.

West End UD77

Improve Salmon Street as a unique east-west connection linking Washington Park to the Willamette River with active transportation, landscaping and green infrastructure facilities. Encourage additional, activating retail.

West End UD 79

Reduce the impacts to neighbors from I-405 noise and air pollution by installing green walls on new/redeveloped buildings and street trees wherever possible—with a special focus along SW 13th and SW 12th Aves.

[Instead of where appropriate.]

Suggestions for addition to the Goals & Policies (Vol.1_02)

Policy 3.WE-3 Columbia/Jefferson Cap. Develop and implement a strategy to cap I-405 from Columbia to Jefferson to make the pollution hot spot now found at the freeway juncture (I-405 & Hwy 26) more tolerable to residents [who are largely low-income and have little other choice].

Policy3.WE 4 Salmon Green Street. Support development of the SW Salmon Green Street as a key east-west green connection from Washington Park and Goose Hollow to the Willamette River.

POLICY 6.WE-2 Water management and reuse. Take advantage of the West End's topography, identify opportunities for stormwater management, as well as rainwater harvesting and reuse within the district.

Because I-405 acts as a valley between Goose Hollow and the West End, the West End is the "headwaters" for stormwater flowing off its streets and buildings through Downtown to the Willamette River.

Also consider this minor change in wording:

POLICY 5.WE-2 Street hierarchy and development character. Support the retail/commercial character of SW 10th Avenue, Jefferson and Yamhill streets and develop a [the] boulevard character on [of] Morrison, Columbia, Clay and Market streets and 12th Avenue.

With the possible exception of Morrison, these streets do NOT feel at all like boulevards now; they feel like raceways.

I wholeheartedly support:

POLICY 3.WE-1 Optimized street network. Improve pedestrian and bike facilities across I-405 to Goose Hollow and across West Burnside to the Pearl.

POLICY 3.WE-2 SW 12th Avenue opportunity. Support the reconfiguration of SW 12th Avenue right of way to encourage pedestrian and bicycle access.

MORRISON/YAMHILL I-405 CAP Conceptual drawing of a possible I-405 cap connecting the Goose Hollow and the West End neighborhoods together, creating new multimodal connections, developable land and open space. The Morrison and Yamhill streets already function together as active transit streets, and building this cap could provide a desirable location for a new MAX stop to help activate this area. (Otak 2013)

West End UD82

Explore opportunities for consolidating and/or redeveloping Burnside's "jug handles" into public spaces.

Downtown TR42*

Enhance West Burnside to improve streetscape quality, multimodal access, and bicycle and pedestrian safety. Make it a one-way couplet with NW Couch, so as to be able to re-purpose some of its width for public space, wider sidewalks, street trees and bicycles, and allow for streetcar on both streets.

Narrative: Columbia and Jefferson currently feel to downtown residents like raceways to/from the West Hills and Washington County. And putting a bike lane on Columbia will do little to improve that situation. (As you know, Jefferson already has one.)

Columbia and Jefferson need to become safe and pleasant for pedestrians—with wider sidewalks and narrower traffic lanes. Wider sidewalks will also allow large canopy street trees that should be required at regular spacing and take priority over both other street furniture and utilities. Large canopy street trees will also make Columbia and Jefferson safer and more pleasant for cyclists too. In essence, they need to become true multi-modal streets of the 21st Century. These are short-term stratagies for making West End living safer and more pleasant.

The ultimate strategy to do that will be capping the entire length of I-405.

Again, let's make this couplet a great example of your new designation of a Multi-modal Mixed-Use Area (MMA)--not just a bikeway. This is Portland's downtown after all!

Thanks, Garlynn Woodsong 5267 NE 29th Ave Portland, OR 97211 American cities fall into two distinct categories. Some are branded, but the majority are generic. For every New York, Boston, New Orleans, and San Francisco, there is also a Dallas, Detroit, Atlanta, and Kansas City. At present, Portland belongs to the branded category, thanks primarily to our well-known scenic landmarks and their visibility from within the city. If unimpeded views of Mt. Hood and of the Vista Bridge in particular are ever allowed to vanish behind a wall of high-rise buildings, Portland will forever cease to be a branded city and will rather become just another anonymous conglomeration of multistory buildings of mediocre design. The time for deciding is now, and the decision will be irrevocable.

Within living memory, the city once planned to install unsightly gooseneck lights on the Vista Brodge. Before this could happen, however, a group of civic-minded citizens persuaded the city to erect temporary toll barriers on either end of the bridge. The revenue collected was used to pay for the attractive lights that we see today. History has a way of repeating itself. The Vista Bridge is under threat once again. It is to be hoped that the city will prove as far-sighted in 2016 as it was when it preserved the aesthetic integrity of the bridge in the past. The current classification of Jefferson Street as a "view corridor" needs to remain in place, and the boundaries of this corridor need to be extended on either side of Jefferson Street, to Howards Way on the south and to Madison Street on the north.

There is nothing to prevent keeping Portland a branded city at the same time as large-scale commercial development is allowed. Cities far more congested than Portland have nevertheless had the foresight over the years to preserve their Greenwich Village, their Back Bay, and their French Quarter, even as canyons of high-rise buildings are allowed in other areas where they belong. In compariison to the likes of New York and Boston, there is still plenty of room left in Portland for accommodating high-rise buildings without compromising the scenic assets on which Portland's status as a branded city primarily depends.

Cliff Weber 1234 SW 18th Avenue, Apt. 503 Portland, OR 97205 August 3, 2016

To: The Planning Commission, Bureau of Planning and Sustainability, Portland, Oregon Re: Building Heights and View Corridor Protection/Preservation of Views. Submitted by: Richard A. Potestio

Dear Planning Commission Members,

I am writing to submit testimony pertaining to the proposed height allowances for buildings in our central city and inner east side with regard to the preservation of important views that are currently protected by view corridors.

I wish to emphatically state that the Planning Commission should not approve proposals to raise Building Height Limits, by right or through bonuses, such that new buildings would block views currently protected by view corridors.

Views of Mt. Hood, from significant vantage points such as the Salmon Street Springs, the Vista Bridge, and the Rose Garden and Japanese Garden in Washington Park would be negatively impacted if Height Limits were raised allowing taller buildings on certain blocks in the inner East Side, and the Central City.

Specific views of the Vista Viaduct would be negatively impacted if Height Limits allowing taller buildings were raised on certain blocks in Goose Hollow and along SW Jefferson.

By Mt. Hood, I mean the both the Snow Capped portion above the timberline AND that forested portion of the mountain visible above the foreground ridgeline created by Mt. Tabor, Mt. Scott and the other Buttes visible in the image below:



Page Two, Letter to the Planning Commission, By Richard A. Potestio

By the Vista Viaduct, I mean the entire structure, inclusive of the arch (which is the essential architectural and structural component of the bridge) as represented in the image below:



I wish to further stress that a view corridor is a wide zone defined by a pedestrian's vantage point, in a pedestrian realm, such as a sidewalk, park, bench or viewpoint. Further, the view corridor should protect views for all citizens, in compliance with the Americans with Disabilities Act.

A view or view corridor is not a narrow sightline predicated on the center of a ROW, or from an unachievable or singular vantage point.

Further, I urge that you not propose to raise heights such that lower, architecturally significant buildings are made economically obsolete by the relative inflation of land values due to the potential to replace it with a higher building. In the absence of real protections from demolition for significant historic buildings, the raising of height limits imperils many great works of architecture in our city.

Nor should you propose heights in a manner or area such that development would be allowed to occur disproportionately tall on a few blocks rather than appropriately tall on many. Portland thousands of underutilized blocks, therefor concentrating development on a few is counterproductive to creating a vibrant urban fabric.

Page Three, Letter to the Planning Commission, By Richard A. Potestio

I'd like to offer a personal perspective on the topic. I grew up in Portland. I have seen Portland's views change radically in the past 36 years. In 1980, when I watched Mt. St. Helens blow its top from Council Crest, the view from that promontory was virtually unobstructed for 270 degrees. On a clear day, one could see all the major Cascade Mountains, including Mt. Jefferson. The view to the east side of the city was one of rooftops--not the green canopy we have since nurtured. Looking west, the view of the Tualatin Valley was of thousands of acres of farmland, not suburban sprawl. When I moved into my condo on the fifth floor of a small building on King's Hill, my view of downtown was panoramic and crowned by Mt. Hood. Big Pink was prominent. Today a magnificent cedar tree hides Big Pink and the new Park West Tower has completely block my view of Mt. Hood.

Therefore in advocating for appropriate building heights that do not obstruct views from public spaces and places, I am not acting in my personal interest, or on the basis of ignorance with regard to the temporal and changing nature of our natural and built environment. Rather I am writing in the interest of the public to advocate for the preservation of those intangible aspects of our environment— in this case views— that are the basis of an urban society's meaning, memory, identity, uniqueness, and endearment. I am advocating protecting views that are a fundamental component of our city's design.

Portland's views are unique. From Portland, five the major mountains are visible: Mt. Rainer, Mt. Adams, Mt. St. Helens, Mt. Hood, and Mt. Jefferson. But Portland's views are not just a factor of geography. They are a legacy of the enlightened planning and urban design that is the foundation of our city's plan. Our earliest settlers and citizens realized that our city occupied a special position in a remarkable landscape and endeavored to protect and promote this. Thus they hired the Olmsted Brothers Landscape firm to set forth plans for a region-wide park system. Part of that plan, only a portion of which was realized, included today's Washington Park, Vista Avenue, and Terwilliger Parkway. These were designed to connect the city to the immediate and larger landscape, and included viewpoints from promontories and architecturally compatible structures such as the Vista Viaduct.

When Big Pink, The Wells Fargo and Koin towers were built, they obstructed views from homes across the west hills. But the Koin blocked a very significant view of Mt. Hood from the Vista Tunnel on Hwy 26. The negative response, this time came not just from hillside residents...but from a cross section of all Portlanders who actually valued that view... visible from their cars, for a few fleeting moments.

Citizen activists and planners of the day wisely realized that views of our natural environment were significant shared experiences central to our values and our collective identity. Thus they set forth to identify "view corridors" to protect views to and of such monuments as Mt. Hood, and the Vista Viaduct. Page Four, Letter to the Planning Commission, By Richard A. Potestio

Indeed iconic views are economically important drivers for tourism and for business in general. Imagine a tourist advertisement, brochure or business campaign for Rome without a view of the St. Peter's Dome; for Paris without a view of the Eiffel Tower; for New York City without a view of the Statue of Liberty; for San Francisco without a view of the Golden Gate; or for God's sake, Seattle without a view of the Space Needle.

Portlanders often wish for an icon on par with these...yet none of these can compare with Mt. Hood. And I contend that the Vista Viaduct, a legacy of the Olmsted's plan for our city, is as elegant a structure as any of those I just listed.

Today greed, ego, ignorance and a lack of shared values, in part the byproduct of a city growing faster than its new developer class and residents can establish a routine walk to the park, mean that these view corridors are threatened by interests that serve persons and businesses, rather than people and the economy of the city.

Portland's economy is booming. But compared to the rest of the West Coast's major cities, it is still small and slow to grow. That is a good thing, for we need to take time to appreciate what we have and to allow long-term values to balance short-term profits.

I'm not advocating for a low rise city— in fact, I believe that some proposed building height limits are being set too low, in particular along major "corridors", around parks, open space, and within neighborhoods. But we should not follow the lead of San Francisco, which has lost its sense of scale as its lofty new skyline has dwarfed its fabled hills.

In conclusion, I ask that you think about the broad range of issues involved in planning our city. But I also ask that realize that a great city is not just the byproduct of planning considerations, but also the result of design values based in an artistic and humanistic sensibilities.

Therefore, on behalf of future generations and with respect for the wisdom of past generations, I ask that you preserve our city's intangible aspects, its views, as you set parameters for its physical form.

Yours,

Richard A. Potestio 2211 SW Park Place, no. 502 Portland, Oregon, 97205 From: B BADRICK [mailto:wbadrick@hevanet.com]
Sent: Wednesday, August 03, 2016 10:44 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony - Central City 2035 Request for Re-Zoning 2410 N. Mississippi Street/Adjacent Lot

Hello, Please find my Request for Re-Zoning 2410 N. Mississippi and an adjacent empty lot as part of the Central City 2035.

I testify that the City of Portland and its Citizens would benefit from improving this unused property into a vibrant and active Hotel directly in front of the Albina MAX Light Rail Station. The Hotel, Coffee Shop, and Rooftop View Lounge will create 57-62 new jobs in the Central City.

Respectfully Yours, Bill Badrick

Central City 2035 Proposal Request Re-Zone from IG to CX

Request for Zone Change 2410 N. Mississippi and adjacent vacant lot owned by Mr. Stan Herman. R102631 / R102632

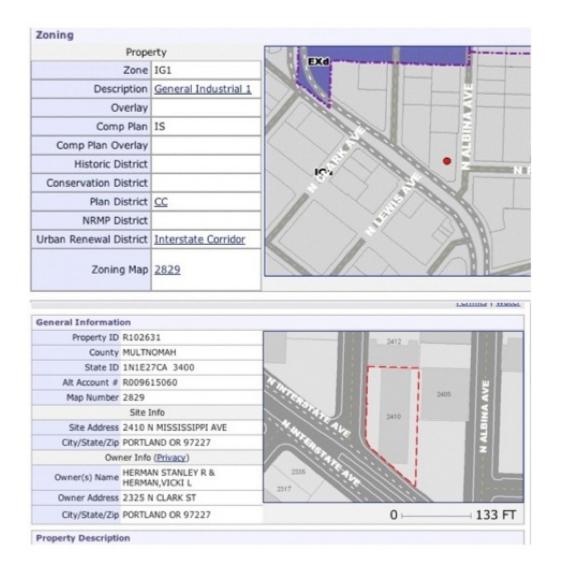
Mr. Herman would build a proposed hotel/coffee shop and roof top view lounge for an international hotel company. The properties are at the Albina MAX Station.





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Central City 2035 Proposal

Request for Zone Change 2410 N. Mississippi and adjacent vacant lot owned by Mr. Stan Herman. R102631 / R102632

Mr. Herman would build a proposed hotel/coffee shop and roof top view lounge for an international hotel company. The properties are at the Albina MAX Station. The Light Rail Transit Station Zone CH. 33.450 [below] suggests that The City would support the dense and active Hotel Use with its street level Coffee Shop, and busy Lounge at night.

CHAPTER 33.450 LIGHT RAIL TRANSIT STATION ZONE

(Amended by: Ord. No. 167464, effective 4/15/94; Ord. No. 169763, effective 3/25/96; Ord. No. 174263, effective 4/15/00; Ord. No. 178172, effective 3/5/04.)

Sections: General 33.450.010 Purpose 33.450.020 Short Name and Map Symbol 33.450.030 Where These Regulations Apply Use Regulations 33.450.300 Prohibited Uses Development Regulations 33.450.400 Prohibited Development 33.450.410 Minimum Floor Area Ratio 33.450.420 Minimum and Maximum Parking Requirements 33.450.430 Location of Vehicle Acceas 33.450.440 Improvements Between Buildings and the Street

33.450.450 Ground Floor Windows

General

33.450.010 Purpose

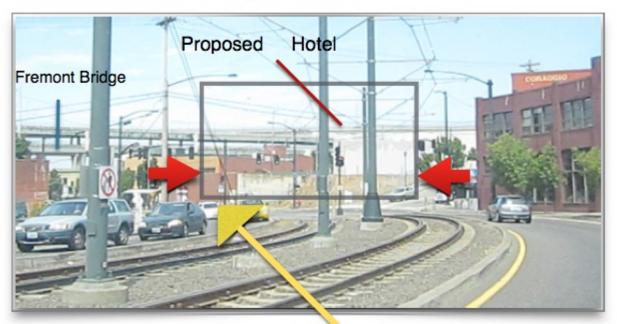
The Light Rail Transit Station overlay zone encourages a mixture of residential, commercial, and employment opportunities within identified light rail station areas. The zone allows for a more intense and efficient use of land at increased densities for the mutual re-enforcement of public investments and private development. Uses and development are regulated to create a more intense built-up environment, oriented to pedestrians, and ensuring a density and intensity that is transit supportive. The development standards of the zone also are designed to encourage a safe and pleasant pedestrian environment near transit stations by encouraging an intensive area of shops and activities, by encouraging amenities such as benches, kiosks, and outdoor cafes, and by limiting conflicts between vehicles and pedestrians.

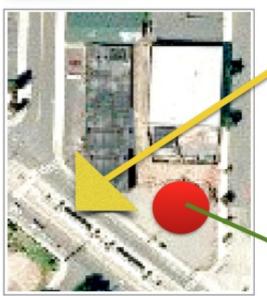
CoreForm 1722 NW Raleigh St. Portland, OR. 97209 503 224 5117





Central City 2035





Albina MAX Light Rail Station

Request for Zoning Change at the N. Interstate Ave. Albina MAX Station

> Proposed Hotel, Coffee Shop-Co-Work - Rooftop Lounge - 54 jobs

3.0

CoreForm 1722 NW Raleigh St. Portland, OR. 97209 503 224 5117



CC2035 Plan - Request for Zone Change

2410 N. Mississippi and Adjacent Lot - IG to CX



W BADRICK wbadrick@hevanet.com

Managing Partner CoreForm

Board of Directors History Collection

TO:	Commissioners of the Planning and Sustainability Commission,
FROM:	Wendy Rahm, 1221 SW 10 th Avenue, #1001, Portland, OR 97205
SUBJECT:	CENTRAL CITY 20135 PLAN TESTIMONY for June 20, 2016 draft
DATE:	August 2, 2016

As a follow-up to oral testimony on the West End at the Planning and Sustainability Commission hearing on July 26, 2016, I would like to provide a more detailed summary of points raised then by myself and others. In addition to endorsements for many policies in the draft, below are some remaining concerns and recommendations for the West End and the South Park Blocks. There are also additional points for which there was not time to include in oral testimony.

Thanks are due to BPS Staff for their hard work and for many improvements made to the West End portions of this draft. I would also like to thank the commissioners for their commitment and hard work. I would be happy to discuss any of your concerns should there be questions. Thank you for considering our recommendations as you move to a new draft.

1. WEST END: FAR/HEIGHTS/BONUS

ENDORSEMENT:

We endorse the inclusion of historic preservation as a FAR bonus option.

RECOMMENDATIONS:

Reduce the FAR to 7:1 and reduce the maximum building height to 100' throughout the West End. Reconsider the FAR/height boundary between the West End and Downtown: Park Avenue. With a base 7:1 FAR and a maximum building height of 100', create a stepped-down transition area to the *west* of Park Avenue or along both sides of 9th Avenue, reflecting existing form and massing. Create an additional transition area *east* of Park Avenue for one or two blocks with a base 9:1 FAR with a maximum building height of between 250' and 325'.

- A primary reason for lowering the West End FAR and heights is incorporated in Policy 5.7
 Neighborhood Transitions. Retention of a stepped-down dense but compact urban form
 throughout the West End's mixed-use (commercial/residential) district creates a distinct transition
 between the lower zoned neighboring districts with FARs of 4:1 and 6:1 (the Pearl, Goose Hollow,
 and the University District) and the denser, taller, corporate downtown district with FARs of 12:1
 and 15:1. Such a step-down transition would be gentler and protect distinctions between these
 neighborhoods. A FAR of 7:1 with a 100' maximum building height would still meet density goals,
 but encourage future West End development/rehabilitation/reuse to be in a more compact form
 rather than a podium-tower form of the corporate downtown. Keeping the neighborhoods distinct
 and preserving the authentic, unique feel of the West End would ensure its ongoing popularity with
 shoppers, diners and tourists alike. (Vol1 p66 Policy 5.7)
- Protecting the West End as a physically distinct transition area of dense, *compact, mixed-use* (commercial and residential) urban forms would preserve the vibrancy and variety of the humanscaled businesses/offices and apartment/condo buildings. Worth mentioning is that today many of the residential buildings provide **housing for low and middle income families**. The lower FAR and heights would encourage the continuing use/rehabilitation of these buildings as affordable residential units, thus support the **affordable housing policies of "housing diversity" and "no net loss.**" (Vol1 p43 Policies 2.8 and 2.10b)
- Another reason to support this proposal is that it would go far in protecting the unique and historic character of the West End. The dense, compact urban form would support two policies: "promote

contextually-sensitive infill development on vacant and surface parking lots" and "protect the personality and character of the West End." This area is rich with buildings telling the history of Portland from the 1880's to the late 1930's. Many architectural styles and noted architects are represented. This significance to Portland has been well documented in two Multiple Property Listings, in the 1984 Historic Resource Inventory, and with individual listings on the National Register. The inventory in Vol5 points out that 105 buildings predate 1930 and that 135 buildings are 1-6 stories. (Vol1 p69-70 Policy 5.19; Vol1 p71 Policy 5.WE-3; Vol5 p220-222 UD79)

- Lowering heights to no more than 100 feet would also support Urban Design Goal 5.C: "The Central City's public realm is characterized by human-scaled accessible streets, connections, parks, open space..." (Vol 1 p64 Goal 5.C)
- Finally, reducing the maximum building heights in the West End to 100' would also preserve **the historic view corridors** of our notable, dramatic volcanoes from Goose Hollow, including from Vista Bridge. The deterioration of these views is leading to our city's loss of a sense of place. The views should include at least 1000 feet below the tree line. With a height limit of 100', there would likely be no further deterioration of these view corridors by West End buildings. (Vol1 p.66 Policy 5.4)

2. WEST END: HISTORIC PRESERVATION

Preservation of the many historic resources in the West End is a priority. The map in Vol5 p222 and the tables on p221 confirm the historic significance of this area. So do the 1984 Historic Resources Inventory, 2 Multiple Property Listings, and the National Register. The West End is unlikely to ever become a historic district, which means other tools need to provide the ability to be proactive.

ENDORSEMENTS

We **endorse the many changes** incorporated in the new draft that encourage this goal. Among them are:

- A **new "Historic Preservation" section** in Central City Urban Design with policies to encourage reuse and incentives that will support the protection of historic and culturally sensitive resources (Vol1 p 69, policies 5.18, 5.19, 5.20);
- A policy to protect existing buildings and historic resources in the West End (Vol1 p71, policy 5.WE-3);
- Retention of a **bonus allowance** that recognizes **historic preservation** needs, including seismic upgrades (Vol2A1 p52,53,63,64,65), and revising regulations to allow **incremental seismic upgrades** (Vol5 p92 RC55).
- Advocacy for the state historic rehabilitation tax credit (Vol5 p99 UD2);
- Update of the **Historic Resources Inventory** for the Central City, prioritizing **West End and Goose Hollow** (Vol5 p99 UD4);
- Update/expansion of the 2 Downtown **Multiple Property Listings**, in which many **West End buildings** are already included but endorse the need to broaden the listing (Vol5 p111 UD78)
- Inclusion of the **mapping of West End historic resources and detailed information** about them in the West End subsection (Vol5 p220-222).

RECOMMENDATIONS

However, we recommend the following additions:

• Add a **new Policy to** Vol1 p.35 **1.WE-4**. Repeat (adapted) excerpt from Vol 1 p36 Policy 1.OT-4 as a policy under the West End sub section. Suggested language:

Encourage the reuse, rehabilitation and seismic upgrade of underutilized buildings and historic resources to increase and protect useable space to support economic activity in the district and to preserve and enhance the cultural and historical significance of the area.

• Add **new action items** on Vol5 p92 under both BDS and PBEM headings: West End RC55 Consider creating/revising seismic regulations to allow for more incremental upgrades. Timeline: 2-5 years.

3. WEST END: CHANGE IN ZONE FROM RX TO CX.

ENDORSEMENT (but see below for document consistency changes needed)

- We endorse the change of the RX/CX demarcation line in the West End from SW Salmon Street to SW Taylor Street, as outlined in Vol 1 p35 1.WE.1. These affected blocks house several National Register buildings more in keeping with residential zoning (churches, cultural building and apartment buildings).
 - However, note that other **language and maps** in the draft need to reflect this change:
 - Vol1 p93 paragraph 1, line 1(change "Salmon" to "Taylor");
 - maps in Vol 1 p11, p31, p91;
 - Vol 1 p93 WE "retail core" extension map into West End should stop at Taylor, not at Salmon as currently shown.
 - Vol1 p44 Policy 2.WE-5: Refine this policy to reflect South of Taylor and west of 11th, assuming agreement with the recommendation, below, against the northwest corner zoning change west of 11th from RX to CX.

RECOMMENDATION:

Preserve the RX zoning in the northwest corner of the West End. (Vol2A1 p473)

- We **do not endorse the change from RX to CX in the northwest corner of the West End** (north of SW Taylor and west of SW 11th Avenue).
 - The area holds many historic resource buildings (see map in Vol5 p222), many currently being used as affordable housing. The West End is one of the densest areas for affordable housing in the central city. RX validates ongoing residential uses of these historic resources and will likely help preserve them.
 - However, RX does not preclude some flexibility, i.e., allowing existing non-residential uses to continue and not forcing a change in use for a building under rehabilitation formerly used for non-residential purposes. Therefore, office buildings sprinkled throughout the area can be preserved as offices. In addition, ground floor retail is required for new development, preserving the mixed-use character of this area.
 - Retain CX zoning east of SW 11th Avenue, north of SW Taylor.
- An RX emphasis will help meet the goal of 6800 households by 2035 in the West End and reinforce the affordable housing "no net loss" goal. Retaining "housing diversity" and a strong residential element in this part of the district is key to keeping the West End, downtown and the cultural districts vibrant and active 24/7. (Vol1 p43 Policy 2.8 and 2.10b., Vol 1p44 Policy 2.WE-5 and Vol5 p3)

4. <u>WEST END: PARK/NEW OPEN SPACE/COMMUNITY CENTER + PLANNING FOR CITY-OWNED BLOCK</u> (Morrison/10th)

ENDORSEMENT

• We endorse the policy for a "complete neighborhood" that highlights needs for "public schools, parks, open space and recreation opportunities, community centers, urban canopy" in the West End as this district increases in density. (Vol1 p42 Policy 2.1, Vol1 p69 Policy 5.17, Vol1 p93 map)

- Reconcile the West End policy for a potential/park/open space throughout the draft: Reconcile the supporting policies and maps (expressed in Vol 1 p42 Policy 2.1; p44 Policy 2.WE-1; Vol1 p93 map; and Vol5 p231 map) with several maps not reflecting this open space need: show a *potential* West End park/open space on maps in Vol 1 p11, p40-41, p64-5 and p78-79.
- Add the word "community center" (per Vol 1 p42 Policy 2.1) to Vol1 p44 Policy 2.WE-1.
 Appreciate and endorse the other items listed in this policy. Endorse also the inclusion of HN35 for a West End community center in Vol5 p177 though the timeline should be changed to 2-5 years and it should be linked to other bureaus. (See recommendation, below.)
- We endorse the goal of encouraging and protecting "housing diversity" in the West End, including retention and growth of multi-family housing supportive of families. More families = population increase, which will require more open space be found in the West End. (Vol1 p44 Policy 2.WE-5)

RECOMMENDATIONS

- In addition to echoing the policy to identify a park in the West End throughout the draft (above), add new language for <u>a park/open space</u> both in a new policy 5.WE-4 (Vol1 p71) and in Vol5's implementation action list, possibly with linkage to RC80.
 - Add a *parks/open space policy need* to Vol1 p71 as **new Policy 5.WE-4** to reaffirm Vol1 p69 Policy 5.17, which calls out "WE" needing a park/open space. The West End certainly qualifies for inclusion given the stated criteria: "especially in areas zoned for high density, mixed use development."
 - Add "Identifying a new park/open space site" in Vol 5 as an action for the West End for "Parks and Recreation" or it is unlikely to be done (Vol5 p153). City data provides strong evidence to support this new action item in the 2-5 year timeline: i.e., there are no (0.00) open spaces currently in the West End (Vol5 p59). Yet by 2035, the plan is to have 9,900 jobs and 6,800 households (significantly to include families) in the West End. The district will be densely populated, both day and evening. Therefore, a higher priority and urgency ought to be given to a park/open space for this district. A neighborhood park (as opposed to a city park) is needed. Consider its inclusion on the Bureau of Parks and Recreation 2-5 year action list.
 - As the city targets state: "By 2035 people will spend 20% more time in the CC's public spaces." More time + more people = need for more open space! South Park blocks and Director Square (not in the West End) are already often over-crowded and are city parks, not neighborhood parks. (Vol5 p87 TARGET)
- A community center and (nearby at least) elementary and middle schools are needed to help build community connections and to avoid creating a cold, impersonal, disconnected urban neighborhood. Trouble can often brew in just such neighborhoods. Policy 6.6 (Vol1 p81) directs: "...Encourage social health by fostering community in a hospitable public realm." It is important to support the heath and livability for all West End inhabitants by fostering social connections in this increasingly dense neighborhood. (Vol5 p177 HN35.)
- Link the *finding of an open/space/community center* to the *planning for the city-owned block* on SW Yamhill and 10th where Mother Goose and a parking facility are today (Vol5 RC80 p110, p118, p140, p160, p177). Recommend a **timeline of 2-5 years** for both. Although the open space need is expressed as an action for "private" investment (Vol5 p177), city ownership of an entire block in the West End creates an obvious opportunity for negotiations, possibly for funds or a swap for a

potential park/open space within central West End. Linkage to ongoing planning by BPS, PDC, PBOT, OMF (and PPR) would avoid missing out on unexplored opportunities for this block. Ongoing planning for seismic upgrades and rehabilitation may be able to fold in new ideas for this urgent need for open space.

- Recommend Action Items (Vol 5 p177) HN33, HN35, and RC80 be linked in the 2-5 year period and BPS, PDC, PBOT, OMF, PPR be added as planning bureaus. Participants should also include residents from the West End. Link playgrounds, open spaces, and a community center (per HN35: "a publicly accessible neighborhood facility that fosters community interaction and exchange for WE residents") to the SW Yamhill/10th garage block planning. This need is supported by the expected increase in both households and jobs.
- A future West End park relates to future canopy needs. The West End canopy goal estimates are low, perhaps because there is no identified open space where additional trees can be planted. Yet additional trees are needed in this dense, urban district to mitigate heat island effect and air quality and to soften the urban landscape. Because no other sites are identified for additional tree canopy, a new central open space in the West End needs to be found to improve the canopy goal estimates. (Vol5 p66-69)
- Possible deletion: Vol 1 P92, WE 2035 Vision statement: Describes the West End as having "open space assets". If this is a "vision", okay. But if a reflection of today, this should be deleted. Vol5 p59 data shows there are 0.00 (zero!) existing parks/open spaces in the WE. At a minimum, clarification is needed, perhaps with verb tense.

5. SOUTH PARK BLOCKS

ENDORSEMENTS

W also endorse the following policy actions relating to the South Park Blocks:

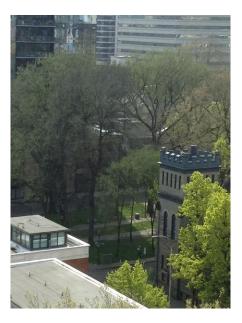
- Develop a set of special **design guidelines and streetscape improvements for the Cultural District**. (Vol5 p111 UD81)
- Develop a package of streetscape improvements for the cultural district to **enhance the pedestrian experience** between attractions including the OHS, the Art Museum and the Arlene Schnitzer Concert Hall. (Vol5 p139, p153, p177 RC81)
- Develop a strategy for inventorying, removing and replacing trees in South Park Blocks to eliminate safety hazards while maintaining or enhancing canopy coverage and habitat. (Vol5 p145 EN 20)

RECOMMENDATIONS:

- We strongly endorse the priority/goal of obtaining historic designation for the South Park Blocks. There is some urgency, however, since the heights and uses being proposed along the blocks could incentivize the demolition of historic churches, historic cultural facilities and early apartment buildings, all of which offer human scale, sunlight and historic character to the park blocks. Therefore, we recommend moving the time line for this <u>from 6-20 years to 2-5</u>. (See: Vol5 p147 UD23 Obtain historic designation for S. Park Blocks.)
- Zoning has been changed on the east side of the park from RX to CX. We recommend against this change, instead recommend retaining the RX zone on all frontages of the South Park blocks. When looking at the eastern frontage blocks, there are historic churches and apartment buildings, both of which are more closely associated with residential areas. The exception is the Goodman owned parking lot, the Broadway frontage of which is currently being developed into a tall hotel,

threatening to block sunlight. Keep RX zoning along South Park Blocks as expressed on p467 map. Eliminate zone change on p469 map. (Vol2 p467, 469. Zoning Maps)

The threat of loss of sunlight because of a loss of human scaled buildings or the addition of tall buildings is real. The picture (below) of the Ladd Tower's shadows on the South Park Blocks at 11
 AM in May 2016 is a good demonstration of what is lost by allowing towers along the blocks. The picture was taken looking east towards Ladd Tower and the human-scale First Christian Church across the park blocks. In the left foreground is the Portland Art Museum roof and on the right is the historic St. James Lutheran Church.



- Add sunlight protection for open spaces as a requirement. Change wording for Policy on Dynamic Skyline: Change last sentence to read, "<u>Require</u> heights and building forms that preserve sunlight on public open spaces and parks." (Vol1 p66 Urban Design 5.3)
- To avoid further degradation, add protection of sunlight as a requirement to policy language as a final line in the paragraph on the South Park Blocks: "Require protection of sunlight on the South Park Blocks." (Vol1 p70, Policy 5.DT-4b.)
- Earlier height maximums on and along the park blocks were thought to be 100' or less. There is some confusion about that, but we strongly recommend maximum building heights for frontage blocks adjacent to the park be no more than 100'. Consider even 75'. This height would support Goal 5.C that the "Central City's public realm be characterized by human-scaled...parks, open spaces..." In the current proposal, allowances vary from 185' to 250' to 320' to 370'. Lower maximum building heights to 100' or 75' along both sides of the park blocks, require step backs at third story of buildings over 3 stories, and remove the designation of "area eligible for height increase." (Vol2 p331, p337: Maps of Heights along South Park Blocks; Vol1 p64 Goal 5.C)
- In the current proposal, shadow studies are required on the west side of the park blocks, but not the east side. We **recommend shadow studies be required on both sides of the park**. People

Rahm6

25187

use the park both in the morning and the evenings. Reflect this **requirement in the shadow study map.** (Vol2A1 p337 Map 510-4)

6. HERITAGE TREES

We endorse the inclusion of language that encourages the **protection of our Landmark and Heritage trees**. We suggest a new **action item** in Vol 5 to **strengthen code language to include meaningful penalties in cases of accidental or unapproved removal of these Heritage trees**. Recognize that development and preservation guidelines for a more densely urban site need to be more precise and restrictive than in a less urban area. (Vol1 p82 Policy 6.9c; Vol5 p91 BDS; Vol5 p98 BPS; Vol5 p141 PPR)

7. WEST END: URBAN DESIGN GUIDELINES

We appreciate the language in the plan acknowledging that the West End does not have separate design guidelines and would recommend that the West End receive that kind of planning. **West End design guidelines** would ensure future planning could incorporate 2 other policies, 5.19 and 5.WE-3 respectively: "promote contextually-sensitive infill development on vacant and surface parking lots" and "protect the personality and character of the West End." (Vol5 p209 UD1, last line on page; Vol1 p69-70 Policy 5.19; Vol1 p71 Policy 5.WE-3)

8. HISTORIC VIEW CORRIDORS

Historic view corridors from Goose Hollow are under threat by being blocked out by tall buildings. The existing historic view of Mt. Hood includes a large portion of the tree line, to include at least 1000 feet below the tree line; the plan's proposed view (below) is grossly inadequate, **diminishing our sense of place** as a city. **Lowering the maximum building heights in the West End to 100'** would dramatically reduce the threat of loss of these views by West End buildings. (Vol1 p66 Policy 5.4)



Figure 16: View of Central City and Mt Hood from SW15 – Proposed Bonus Heights

9. URBAN DESIGN LANGUAGE SUGGESTION

In Goal 5B, recommend **substituting the word** "*dense*" for "*high-density*". A few districts in the Central City have *high-density*, but most are better described as *dense*. I suggest it is unlikely that the entire Central City will eventually be entirely "high density." (Vol1 p64 Goal 5B.)

From: Anne [mailto:swmjrm@comcast.net]
Sent: Tuesday, August 02, 2016 12:01 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC 2035 Plan testimony

I live at 2221 SW First Avenue, across the street from some of the area that may be affected by FAR (Floor Area to site Ratio) as well as the introduction of Bonus FAR.

My concern relates to congestion and traffic.

The American Plaza buildings are among the most congested in the city, with over 500 residents on the 2200 block of First Avenue alone.

The block houses over 320 personal cars with another 45 parking spaces for guests and service vehicles.

More important, First Avenue is a direct route exiting downtown when the Ross Island Bridge and I-5 back up, as well as a key access route to the Ross Island Bridge at all times. It is already severely congested several hours a day.

With increased congestion, emergency vehicles may not be able to access our buildings or other locations that First Avenue leads to.

I hope you will take traffic congestion and emergency access into account as you review the CC 2035 plan.

Thank you. Anne Woodbury 2221 SW First Ave, apt 924 Portland, OR 97201-5021 From: Peter Spencer [mailto:amamioshima2000@yahoo.com]
Sent: Tuesday, August 02, 2016 12:37 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Cc: Peter Spencer <supensa@earthlink.net>
Subject: CC2035 Plan Testimony

From Dr. Peter S. Spencer, 2309 SW First Avenue, #1942, Portland, OR 97201. Email supensa@earthlink.net 503-209-0986

1. When I first moved to American Plaza Towers, we were assured that building height restrictions were in place in Portland such that views of the Willamette River, Mount Hood and Mount St. Helens would remain intact in perpetuity. With the OHSU waterfront development and other encroachments, this has sadly not been our experience. The potential intrusion of high-density high rises proposed in the CC2035 draft report would, if realized, destroy the living experience promised to American Plaza Tower Residents.

2. The draft rules would also endanger American Plaza Tower Condo (APTC) residents because:

Additional housing/condo/apartment construction would add greatly to the present congestion associated with:

- 500 APTC residents on 2200 block of 1st Avenue plus 320 resident vehicles and 45 parking spaces for guests and workers;

- 1st Ave is a direct route exiting the city when Ross Island Bridge and I5 are backedup, now an everyday workday phenomenon between 3-7 p.m.. Residents are unable to return to the building because of back ups on 1st Ave;

- With congestion, emergency vehicles are impeded/unable to access the three high rises that constitute APTC.

I respectfully urge the city to consider these important issues and modify CC2035 to address the concerns.

Thank you.

Peter S. Spencer, PhD

From: Peter Kozdon [mailto:peter@kozdon.net]
Sent: Tuesday, August 02, 2016 12:03 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

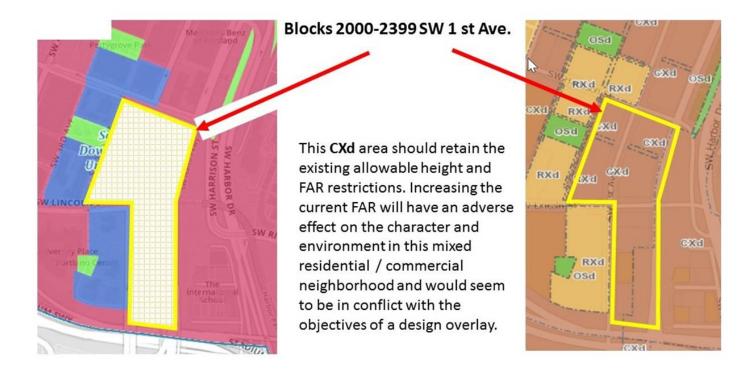
Submitted by: Peter Kozdon, 2211 SW 1st Ave Unit 402, Portland, OR 97201 - Aug 2, 2016

I would like to update my earlier submission (July 31, 2016) to include a drawing of the area covered by my comments (the drawing was accidently omitted earlier).

Revised submission:

I would like to offer the following feedback comments for consideration.

- 1. Composite Zoning Proposal maps show no changes to the base zoning in the South Downtown / University area. In reality significant increases to FAR (Floor Area to site Ratio) as well as the introduction of Bonus FAR will drastically alter what is allowed.
- Much of this downtown area is currently covered by a <u>design overlay zone</u> designation, which "promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value". The proposed increases in FAR plus BONUS allows for major increases in building height.
- 3. Specifically with regard to properties between SW 1st Ave and Naito (for example 2220 SW 1ST AVE) the proposed FAR (with bonuses) changes the current 2:1 to 12:1 and permitted height increases from current 75 feet to 250 feet. A six fold increase in density would not seem be well aligned with the objectives of the overlay which: *"promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value"*
- 4. Affordable Housing Replacement Fund (AHRF) FAR bonus cost is a fixed amount, this is likely to be drastically devalued by 2035 in relation to construction costs and property values. The AHRF (as well as other) FAR bonus costs should be tied some "property value" index.



From: Peter Kozdon [<u>mailto:peter@kozdon.net</u>] Sent: Sunday, July 31, 2016 6:14 PM To: 'psc@portlandoregon.gov' <<u>psc@portlandoregon.gov</u>> Subject: CC2035 Plan Testimony

Submitted by: Peter Kozdon, 2211 SW 1st Ave Unit 402, Portland, OR 97201 - July 31, 2016

I would like to offer the following feedback comments for consideration.

- 1. Composite Zoning Proposal maps show no changes to the base zoning in the South Downtown / University area. In reality significant increases to FAR (Floor Area to site Ratio) as well as the introduction of Bonus FAR will drastically alter what is allowed.
- Much of this downtown area is currently covered by a <u>design overlay zone</u> designation, which "promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value". The proposed increases in FAR plus BONUS allows for major increases in building height.
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- 4. Affordable Housing Replacement Fund (AHRF) FAR bonus cost is a fixed amount, this is likely to be drastically devalued by 2035 in relation to construction costs and property values. The AHRF (as well as other) FAR bonus costs should be tied some "property value" index.

From: Emily Hitchcock [mailto:<u>eehitchcock1@gmail.com</u>]
Sent: Tuesday, August 02, 2016 7:03 AM
To: Planning and Sustainability Commission <<u>psc@portlandoregon.gov</u>>
Subject: comments on Central City 2035

To Whom it may Concern at the Planning and Sustainability Commission,

I wanted to add my voice to the conversation about the greenway proposals.

I have used the greenway both as a jogger and a biker. As a city dweller, it is one of my options for seeing nature in action and get a broader horizon. I also enjoy seeing all the other folks who use the greenway.

I am concerned that the greenway is getting quite narrow for its multi-use purposes and the increased number of people who use it and who will be using it in the next 20 years. It is important to me that the greenway setback be increased from 25 to 75 feet. This would afford space for walkers, joggers, bikers and landscaping to support native species--flora and fauna.

I'd be interested in seeing more trees go in where saplings and blackberries get pulled out--I think the shade would improve users experience and with organizations such as Friends of Trees, this should be affordable and required.

I hope you will take my concerns into consideration as you make your plans.

Sincerely,

Emily Hitchcock 1914 NE 58th Ave Portland OR 97213

<u>503 975 6194</u>

> -----Original Message-----

> From: Robin [mailto:robin@robincody.net]

> Sent: Tuesday, August 02, 2016 4:24 PM

> To: Planning and Sustainability Commission psc@portlandoregon.gov

> Subject: About Central City 2035

>

> We've come a long way in the last couple of decades to make the inner city riversides more natural and accessible. There's more to be done to make the greenway even better. I swim downtown and bike to get there, so I'm particularly interested in making more of the shoreline swimmer-friendly. The bike paths could be lined more with native plants rather than with briars, too. I'd like to see a longer no-wake zone along east side of Ross Island. The city has already pivoted nicely to face the river, and everything more we can do will make Portland a more livable place.

>

> Thank you for your work on this.

>

> Robin Cody, author of Ricochet River and Voyage of a Summer Sun 5003 SE 34 Ave, Portland 97202 August 1, 2016

Planning and Sustainability Commission Attn: CC2035 Testimony 1900 SW Fourth Avenue, Suite 7100 Portland OR, 97201

RE: CC2035 Testimony

Emma Pelett Coho Crossing LLC. 109 SE Salmon Street Portland, Oregon 97214

133 SE Salmon Street Portland, Oregon 97214

The spot zoning of the proposed Salmon Springs scenic view corridor would drastically limit the otherwise allowed height of structures on specific properties in the Central Eastside. If this change is made, the full economic potential of the affected properties would never be realized and millions lost would be the opportunity cost of this view.

The decision to value a rivers edge view of Mt. Hood at Salmon Springs, which sits 36 feet above sea level, over the rights of property owners, job growth, the natural development and growth of the neighborhood is disappointing. What is more disappointing is the disingenuous nature of this last minute zoning change. The Salmon Springs view corridor was not revealed until the June 20, 2016 in the Bureau draft of recommendations. I attend the Planning and Sustainability meetings for the Southeast Quadrant 2035 comprehensive plan for over a year and this zoning change was never discussed. Had this major decision of changing the build-able height from buildings in this area from 175' to 45' been discussed, I likely would not have purchased this property, as the proposed zoning change drastically devalues the property.

The Bureau of Planning and Sustainability's February 2016 draft recommended that this view corridor should not be protected. Out of 133 view corridors in Portland only 3 are prohibited, Salmon Springs is one of those. The impact of the Salmon Spring's decision to protect, limit or allow conflicting resources was not appropriately weighed. A specific Economic, Social, Environmental (ESE) analysis for Salmon Springs was never conducted. The Salmon Springs view corridor should be removed from the planning process and a specific ESE analysis completed. This would allow for the creation of clear design guidelines that would not impede the view. The balancing of legitimate state interests against individual due process rights is extremely important. The last minute change creates genuine inequities and deprives isolated landowners of due process while forcing the brunt of this economic loss upon them.

This decision has real life financial consequences for individuals like myself. I personally saved for years to purchase property on Salmon Street. I selected this property for a number of reasons including location and zoning. My dad always told me, "To begin with the end in mind" and this decision was no different. I carefully selected this property with the intention of redeveloping it. The block to the East of my property is not included in the view corridor and has

a "no limit" height designation. I'm requesting that my property be reexamined for its relationships to the view corridor. If it is absolutely necessary to be included in the view corridor I request that the height limits follows the exact cuts of the view corridor. To some it may see inconsequential but to me this decision alters my financial future. With so much at stake I would like the Bureau of Planning and Sustainability to be certain about how much, if any of my property, will truly impede this view.

Below is the photo used on page 135 of the Amended Proposed Draft of the Central City Scenic Resources Protection Plan. It clearly show my property identified by a yellow arrow, the tan building with red strip, is outside of the red Mt. Hood view box.



It is costly to draw any line, physical or conceptual. In drawing this we must carefully consider all members of our community including property owners. If your mind is already made up and this, as it feels to most property owners in the proposed view corridor, is a done deal then I ask you to please move forward with integrity. If you are creating a financial hardship and diminishing economic development why not supplement it back to owners in the form of height or FAR transfers in the amount each property owner would have taken away from them? The "public good" prevails and the view is maintained while the cost of this public amenity is lessened for the few private property owners "paying" for it.

Requests:

1. The Salmon Springs view corridor removed from the planning process, and ESE analysis completed before a decision is made to prohibit building heights.

2. I'm requesting that my property be re-examined for its relationships to the view corridor. If it is absolutely necessary to be included in the view corridor, I request that the height limits follows the exact cuts of the view corridor.

3. Consider compensation for the regulatory taking of imposing a new height restriction by allowing affected property owners to sell or transfer the lost height.

Thank you for your time and consideration,

Emma Pelett



August 1, 2016

Planning and Sustainability Commission 1900 SW Fourth Ave., Suite 7100, Portland OR, 97201 Attn: CC2035 testimony – Proposed Building Height modifications

Attention Commission:

Great job on the update process for the Central City section of the City's Zoning Code. As architects working in the Portland for the past six years, we applaud the city's effort to take on the gigantic challenge of finding the right balance that leads to the most public benefit while ironing out several items that are either in conflict with other building codes, or are cost prohibitive for property owners.

One unresolved item that we still regularly run into is in regard to measuring building height for occupied roofs, a building element that didn't exist when the method for measuring a building's zoning height was first established. While the Base Height exceptions in **33.510.210.C** were updated to resolve some issues we constantly face, we didn't see any proposed revisions to **33.930.050 Measuring Height** to resolve the bigger picture.

On one hand, projects are often against the zoning code height limit for financial reasons. On the other hand, all of our projects provide occupied roof decks, green roofs, and solar panels in addition to all the typical mechanical equipment. As you can imagine, when you're squeezing in all these elements, these roofs have to utilize every inch of space as our buildings try to do their part to reduce our environmental impact and create a livable place to call home.

As part of the American Institute of Architect's 2030 Challenge, the building industry is working toward net zero energy buildings by 2030, increasing the need for solar panels on roofs. The city already realizes the importance of greenroofs for stormwater management. There are also many documented psychological benefits telling us we should be providing roofscapes for building occupant use in a city with a limited amount of park space and a fast-growing population craving more opportunities for outdoor reprieve from the densifying daily environment we're building. Given all the benefits to the world, the city, and the local community, we strongly urge you to consider two Zoning Code revisions to eliminate the last remaining roadblocks to achieving consistent zoning code interpretations making these public benefits possible.

Within section 33.930.050 Measuring Height, it's time to amend the building height measurement for occupied roofs to be measured to the top of occupied roof walking surface. In addition to eliminating any differences in interpretation among city staff and design professionals, this would provide the needed flexibility for various roof considerations noted below.

Also, regarding building height exceptions / allowable projections within the 33.510.210.C Central City zoning section and all other base codes and community design review standards, expand the list of exceptions / allowable projections of any length to include parapets, furniture and permanent fixtures, planters, and railings.



- This would align Zoning Code and Fire Code roof measurement locations, simplifying documentation and reducing staff review confusion.
- This would allow parapets next to rooftop benches to be taller than 42" above the roof to provide the required level of safety when children inevitably stand on the bench.
- This would allow roof maintenance workers to safely do their jobs without having to install safety railings after issues arise.
- This would allow fixed raised planter beds for community gardens longer than 5' in length.
- This would create a consistent interpretation of building height measurement and align the zoning code with the health, safety, and welfare interests of the general public.
- This would allow architects to reduce potential rooftop eyesores for neighbors and the general public, while creating safe and inviting spaces for building occupants.
- This would allow architects to make Portland an even more livable city than it already is, while reducing our environmental impact.

We look forward to hearing your feedback on the proposal, and watching the rest of the Central City 2035 update evolve as we all continue to make the city a better place for everyone. Please contact us with any questions or requests for clarification. We're happy to discuss any aspect of this proposed modification.

Sincerely, SOLTERRA ARCHITECTURE, INC.

Justin Cloyd Project Architect

From: Elaine Birkett [mailto:ebirkett@yahoo.com]
Sent: Friday, July 29, 2016 2:41 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Comments on Central City 2035

To whom it may concern:

I love walking the Willamette Greenway and do so often. It's a shame that property owners often are allowed to remove saplings and blackberry bushes and not replanting/replacing them with additional trees and some native plants. They are out of landscaping compliance now and there are no requirements to bring them into compliance. The Greenway would be improved greatly with native plants and additional trees to provide shade in the summer for walkers, runners, bicyclists, commuters, etc. and also habitat for birds. Also, the native plants and additional trees would create a positive ambiance on the Greenway.

• 33.430.080 C4 & 7, p 430-7 (also found under 33.475.040.k) Require immediate re-vegetation of native plants and trees when nuisance or dead/dangerous trees are removed even when there is no change to building footprint.

• **33.475.440 J 4** (tree removal and replacement): 1/2" caliper trees or 1 gallon size are too small. At least double these replacement sizes!This would require larger trees and plants to replace any that are removed.

Elaine Birkett 3728 SW Corbett Ave Portland, OR 97239 503.750.7141

25200

From: Jynx Houston [mailto:jynxcdo@gmail.com]
Sent: Thursday, July 28, 2016 7:46 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

I'm writing as a resident of Portland to implore you to preserve all historic buildings--especially the main public library--& to restrict ALL buildings to no higher than 100'.

Thank you for your attention, Jynx Houston

7605 SE Lincoln St. Portland 97215 503 477 9268 July 28, 2016

Portland Planning and Sustainability Commission Bureau of Planning and Sustainability 1900 SW 4th Avenue, Suite 7100 Portland, Oregon 97201

RE: CCNE01: NE 12th Avenue Interstate 84 Overpass – Central City and Westside North Viewpoint.

The focal feature of this view is the Central City skyline and West Hills. The view is challenged by vegetation and high rise structures on the eastside. We investigated the corridor between NE 12th and NE Martin Luther King along Lloyd Boulevard for the best focal point along Lloyd Boulevard.

An elevated view point at the southeast corner of NE Grand Avenue and Lloyd is the superior viewpoint. An ADA accessible elevated viewpoint would be constructed on City owned property looking west across the urban development and the West Hills. We have provided pictures of the view and the location.

The view would be framed on the south side by the newly built "Yard" (on the east end of the Burnside Bridge) and on the north side by our future building (NE Lloyd and Grand Avenue). The site angle provides the best view of the downtown skyline and West Hills without the interference of the I-5/I-84 interchange.

Joseph Angel owns the block between NE Grand Avenue, Lloyd, Martin Luther King, and the Sullivan's Gulch. The Portland Development Commission helped finance a Development Opportunity Strategy in 2006 to identify various appropriate high-rise buildings that could anchor the Oregon Convention Center/Lloyd District southwestern corner and be a gateway building for the district. The building would be consistent with the urban edge of the buildings along Lloyd Boulevard.

Our proposed view point would be iconic and special. The view point would be elevated and constructed artfully to maximize the view and attractiveness of the view.

The proposed location is well served by street car that runs adjacent. The location is closely proximate to the Oregon Convention Center. The Grand/King couplet is a major pedestrian corridor. The view point would be a major feature along the Planning and Sustainability's proposed "Green Loop."

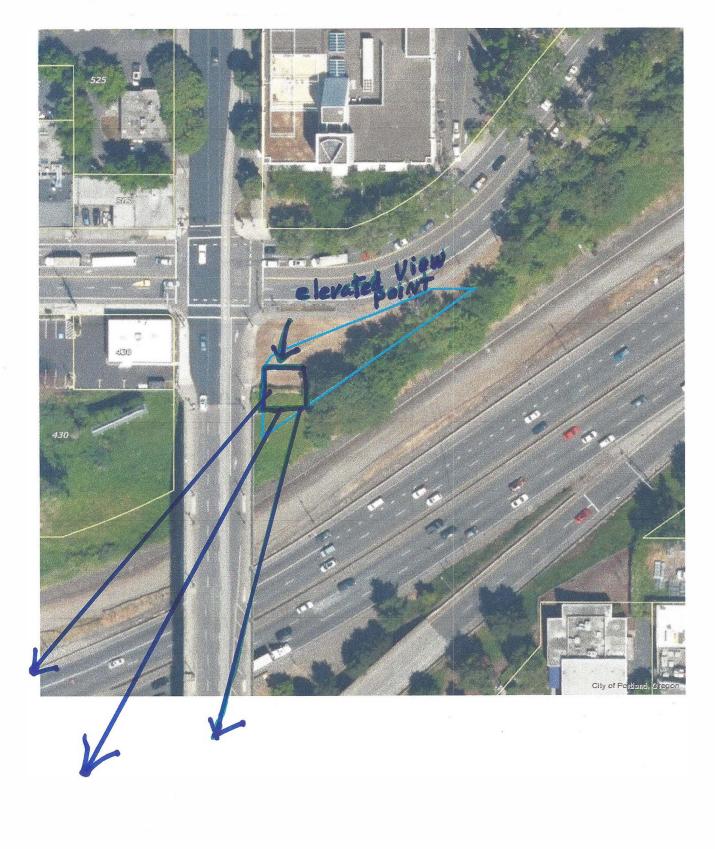
We respectively request that this view point/corridor be the preferred view.

Sinceren

Peter Finley Fry Joseph Angel

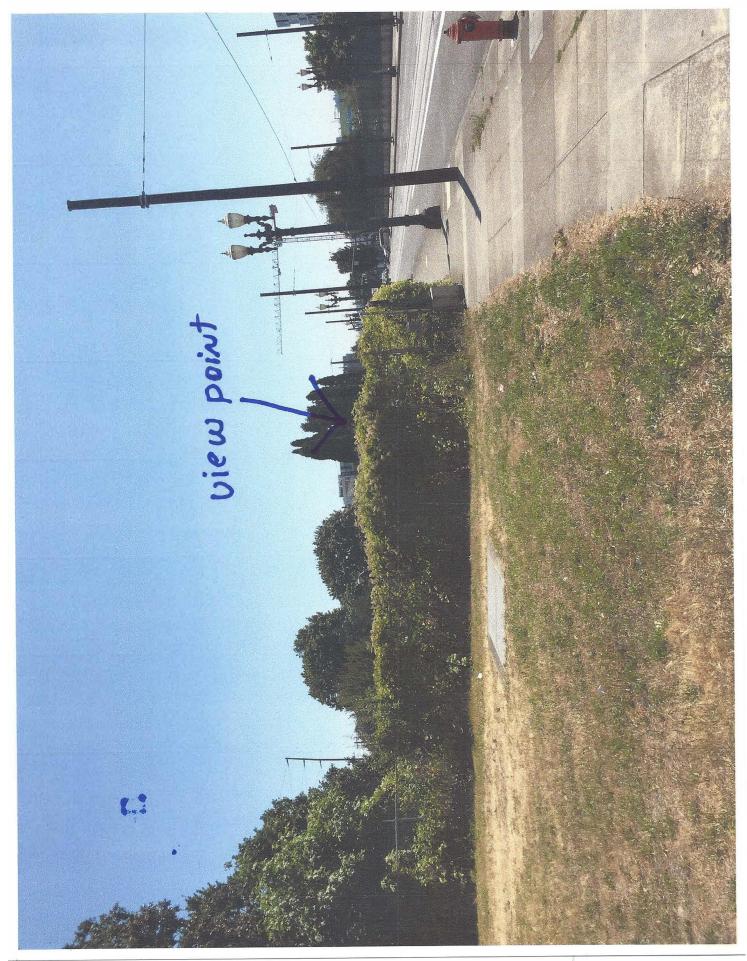
303 NW Uptown Terrace #1B Portland, Oregon USA 97210 peter@finleyfry.com

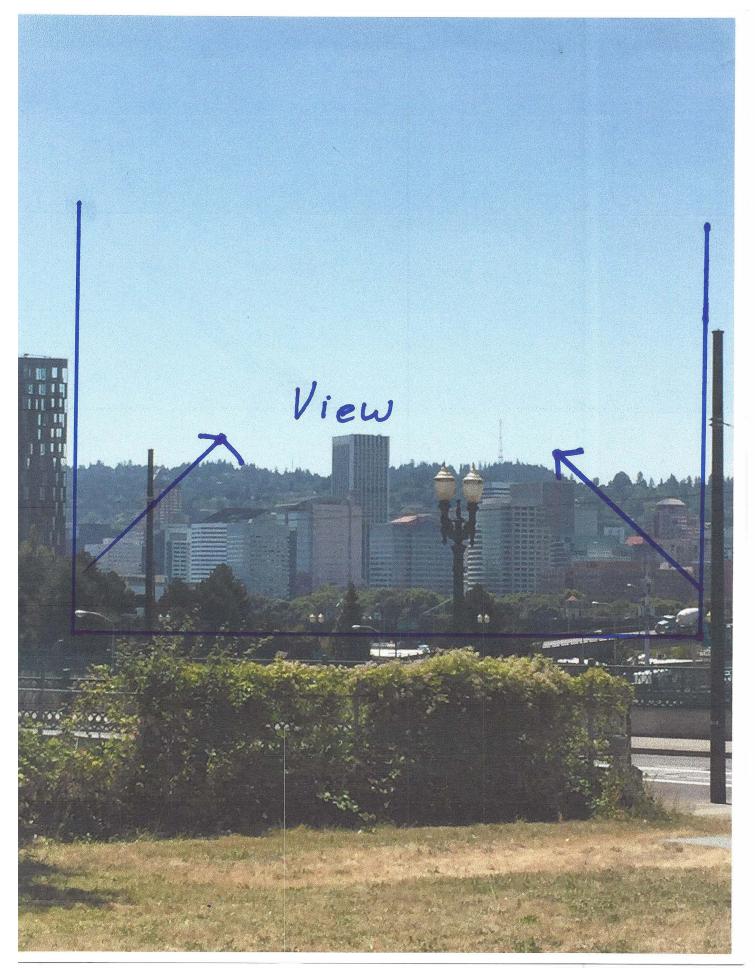
Snapshot

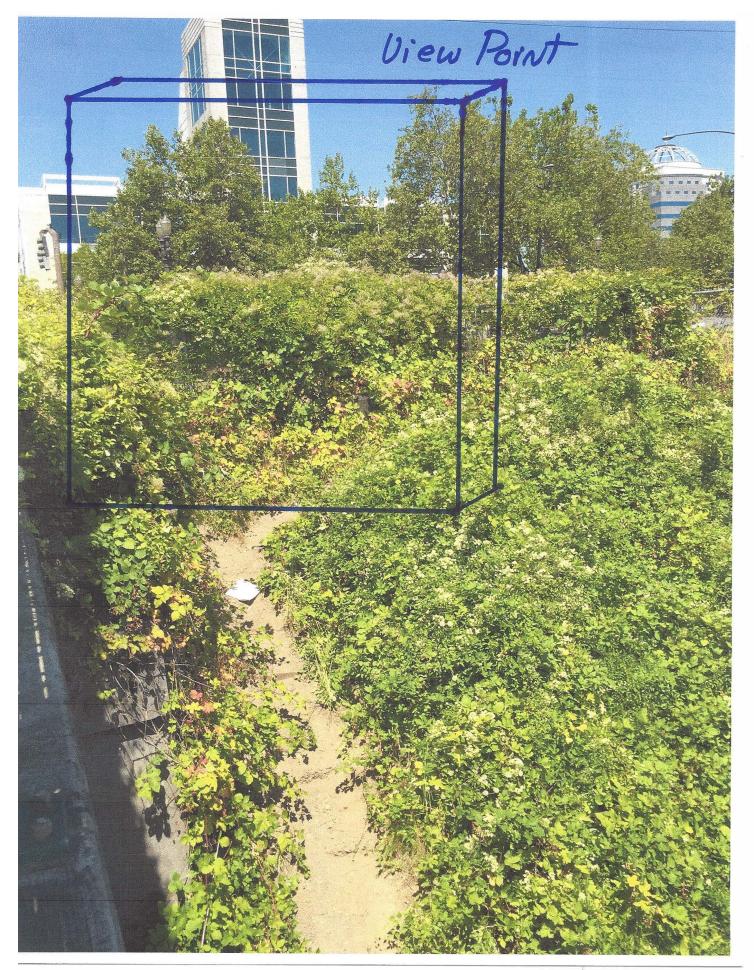


O Snapshot









From: Michael Crofut <<u>mcrofut@gmail.com</u>> Sent: Thursday, July 28, 2016 6:48:25 AM To: Dabbs, Eden Subject: Lloyd Center Theater and Parking Lot Proposal

Planning and Sustainability Commission

1900 SW 4th, Suite 7100

Portland, OR 97201

ATTN: CC 2035 Testimony

Commissioners:

I am a resident adjacent to the boundary of the Central City Plan. I am writing to request that you change the height limit along the eastern edge of the Central City Plan on what is NE 16th Drive (Holladay St extended) and the curved portion of NE 15th/NE 16th Avenues to NE Weidler by limiting height there to accommodate not more than a six story (five-over-one) building. I request that this height limit be extended south of Multnomah to the Interstate. This would limit development of the theater blocks to five- overone as well (which is what the developer is currently proposing). I propose that this limit run from the park east to the Sullivan's Gulch neighborhood.

This change would limit height of buildings on what is now the cinema theater and the Sears parking blocks. The portion of this area which is east of NE 15th/NE 16th is the AXcess apartments which is already at a height of less than 6 stories. The curved portion of NE 15th/NE 16th was originally a "ring boulevard" around Lloyd Center.

This change would support the proposal for a general downsizing of Lloyd Center buildings at its edge. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

The proposed FAR for this area is already at 4:1 which seems reasonable.

Thank you. Please feel free to ask clarifying questions and place me on your list of persons to be informed of progress on the Central City Plan.

Michael Crofut

1220 NE $17^{\rm th}$ Ave Apt 5A

Portland, OR 97232

From: Bob Wright [mailto:wright-stuff@comcast.net]
Sent: Wednesday, July 27, 2016 8:06 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

A large share of Portland's expected population growth will become urban dwellers in the West End. The Central City Plan for this area correctly encourages the development of child-friendly play areas, schools and parks to support a diverse neighborhood. Many families will be drawn to this area if future multi-dwelling buildings have on-site parking for some portion of their residents. Parents with small children will not wish to rely only on multi-mode transportation, especially for childhood emergencies and school functions. A significant percentage of parents with children at home will not move into the West End if long-term parking is not readily available, skewing the diversity of the neighborhood. The Central City Plan must require that all new apartments and condominiums in the West End have a minimum percentage of dedicated on-site parking.

This is consistent with the current Portland building code requirement for on-site bicycle parking: 1.5 per 1 residential unit for multi-dwelling buildings in the Central City plan district (Title 33, Planning and Zoning, Section 33.266.220). However, not all residents in the West End will wish, or are able to use a bicycle, or modes of public transportation due to infirmities, disabilities or age.

On-site parking for residents should also have charging stations for eco-friendly electric vehicles, or the capability of easily installing them. The performance and popularity of electric vehicles will continue to increase. Their use is consistent with the plan's clean air and climate action goals and should be encouraged through multi-dwelling building codes. This is also consistent with the Oregon State Legislature's successful 2013 House Bill 3301. It requires condominium associations to approve member requests to install electric vehicle charging stations in their parking spaces.

The plan for the West End must stipulate that all new multi-dwelling buildings be required by code to have a minimum number of charging stations, or at least the designed electric power capacity to support them. Retrofitting existing multi-dwelling buildings for charging stations has proven to be complex, onerous and expensive.

Minimum residential parking and on-site electric vehicle charging must be part of the Central City 2035 Plan for the West End.

Robert Wright 1221 SW 10th Avenue, #505 Portland, OR (503) 222-6874

Central City 2035 Plan Testimony July 26, 2016

My name is Robert Wright. I'm a proud Portland native and a 10-year resident of the West End.

A large share of Portland's expected population growth will become urban dwellers in the West End. The Central City Plan for this area correctly encourages the development of child-friendly play areas, schools and parks to support a diverse neighborhood. Many families will be drawn to this area if future multi-dwelling buildings have on-site parking for some portion of their residents. Parents with small children will not wish to rely only on multi-mode transportation, especially for childhood emergencies and school functions. A significant percentage will not move into the West End if long-term parking is not readily available. The Central City Plan must require that all new apartments and condominiums in the West End have a minimum percentage of dedicated on-site parking.

On-site parking for residents should also have charging stations for eco-friendly electric vehicles, or the capability of easily installing them. The performance and popularity of electric vehicles will continue to increase. Their use is consistent with the plan's clean air and climate action goals and should be encouraged through multi-dwelling building codes. This is also consistent with the Oregon State Legislature's successful 2013 House Bill 3301. It requires condpminium associations to approve member requests to install electric vehicle charging stations in their parking spaces.

The plan for the West End must stipulate that all new multi-dwelling buildings be required by code to have a minimum number of charging stations, or at least the designed electric power capacity to support them. Retrofitting existing multi-dwelling buildings for charging stations has proven to be complex, onerous and expensive.

Minimum residential parking and on-site electric vehicle charging must be part of the Central City 2035 Plan for the West End.

Office of the President

Post Office Box 751 Portland, Oregon 97207-0751 503-725-4499 fax

503-725-4419 tel www.pdx.edu



July 26th, 2017

City of Portland Planning & Sustainability Commission 1900 SW 4th Avenue Suite 7100 Portland, Oregon 97201

Dear Members of the Planning & Sustainability Commission:

Portland State University has reviewed the Central City 2035 Proposed Draft and we commend the Bureau of Planning & Sustainability on a plan that will preserve the livability and sustainability of central Portland. We applaud BPS staff on their hard work and we appreciate Director Anderson's willingness to continue to explore solutions with PSU.

Please accept this letter in lieu of my attendance at the first public hearing on CC 2035. I am sorry I could not speak to you in person today, but Director of Campus Planning Jason Franklin and Director of Transportation Ian Stude will be in attendance to speak on behalf of the university.

Portland State wishes to submit comments on two topics within the plan: floor area ratio along the southern transit mall, and the transportation system plan amendments.

Floor Area Ratio

The West Quadrant Plan describes an appropriate vision for the University District/South Downtown Transit Mall, however the CC2035 Proposed Draft does not provide the necessary FAR to adequately implement the West Quadrant Plan's vision. We strongly urge the commission to work with staff to increase the floor area ratio along the southern transit mall and along the Orange Line for the following reasons:

- The transit mall connects billions of dollars of transit investment and should be the location of • Portland's densest development.
- There is a significant amount of developable land along the southern portion of the transit mall and ٠ an increase in FAR will help develop this land to its highest potential.
- The central city is the appropriate place for tall, well designed buildings. •
- The currently proposed FAR of 6:1 along the southern transit mall between Mill and Lincoln does • not match the rest of the transit mall's FAR which is between 9:1 and 15:1.
- The currently proposed FAR is not internally consistent with the code, which states in section 33.510.200 (A) that the largest floor area ratios should be located along the Transit Mall and highcapacity transit lines.
- The University Place Hotel property represents one of the last large, redevelopable parcels in downtown and increased FAR on this, and the surrounding parcels, will result in development that is more appropriate and in character with the existing development.
- PSU has entered into a development agreement with the PDC to develop the University Place Hotel site and two blocks along SW 4th Avenue within the next ten years, in a mixed use and dense manner that will help meet both PSU and City of Portland goals.

We recommend that the FAR along the southern transit mall between SW Mill and SW Lincoln and between Broadway and 4th Avenues be increased to 9:1 and that the parcels around the Orange line that are now

25211

recommended for 4:1 be increased to 6:1 (*see attached appendix*). Providing this entitlement will provide opportunities for better urban form and take advantage of our excellent transit infrastructure.

Transportation System Plan

PSU is supportive of the majority of amendments in Section 2b of the plan, including the proposed performance targets for single-occupancy vehicle trips in the central city and the policies regarding walking, bicycling, transit, and transportation demand management. However, in order for PSU to achieve its potential for sustainable transportation and contribute effectively towards the 85% non-SOV target prescribed by the proposed draft, we strongly recommend the following changes:

- Regarding Map 5: Central City Bicycle Classifications
 - Re-establish SW 4th Avenue as a Major City Bikeway from SW Madison to NW Flanders. The provision of enhanced and protected bicycle facilities on SW 4th is critical to providing a northbound couplet to SW Broadway. SW 4th is also currently the second most highly used route by current bicycle commuters coming from PSU, despite its lack of any provisions for cycling today.
 - Classify SW Mill St between SW 4th and SW Park as a City Bikeway. This low-traffic street could provide a valuable connection eastbound to 4th Ave through the provision of a contraflow lane.
 - While PSU welcomes the addition of the Green Loop project to the SW Park Blocks, it should be noted that the vision for this project calls for a mixed-use, recreational environment that should not be conflated with the need for separated, bicycle commuterspecific facilities on SW Broadway and SW 4th.
- Regarding the Candidate Projects Map
 - The addition of pedestrian crossing improvements on SW Market at the South Park Blocks.

A few items from the Proposed Draft that PSU particularly supports are:

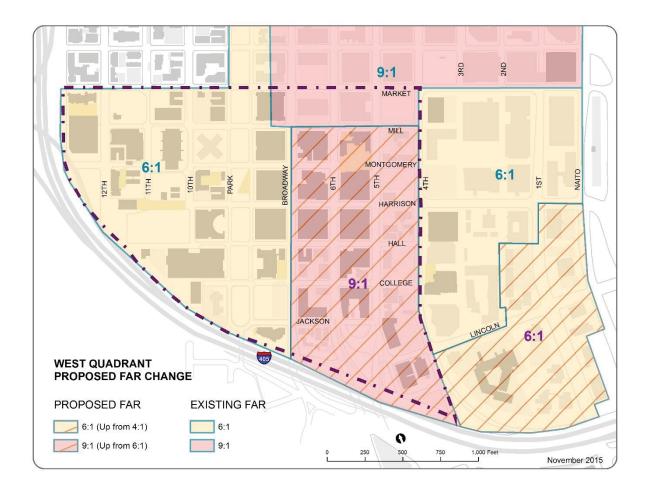
- The classification of SW Harrison, SW Jefferson, and SW Columbia as Major City Bikeways,
- The inclusion of signal improvements on SW Broadway in the candidate projects list, and
- The addition of pedestrian crossing improvements at SW 6th and SW Jackson, adjacent to the I-405 off ramp.

Your valuable time is appreciated, and please feel free to contact my office with any questions.

Sincerely,

Win Wiewel

Wim Wiewel





City of Portland

Design Commission

Date:	July 26, 2016
То:	Portland Planning and Sustainability Commission
From:	Portland Design Commission
Subject:	Central City 2035 Proposal Draft comments

The Portland Design Commission appreciates the opportunity to review and comment on the June 20, 2016 Proposed Draft of Central City 2035. This planning project will shape development that is supportive of the Comprehensive Plan goals and manage growth in a manner that maintains healthy and vibrant Central City Quadrants.

The Design Commission notes that there are many positive improvements proposed in the Central City 2035 document. This memo highlights several areas of concern with proposed recommendations.

- 1. <u>33.510.200 Floor Area Ratios & 33.510.210 Height</u>. The Design Commission recommends these sections mandate minimums in order to achieve the density goals and desired neighborhood characteristics envisioned in Central City 2035. As we are seeing with the development of low-rise buildings in South Waterfront, the goals and aspirations for higher density in some subdistricts of the Central City is not being realized. Given the pace of development and the historic underutilization of land within the Central City, the Commission is concerned that allowing buildings to be built below—sometimes far below—established FAR and height targets raises the question of how much land will actually be developed in a manner consistent with the goals of Central City 2035. If minimum FARs and minimum heights are established, a target of 70%-80% of the Central City 2035 goals should be considered.
- 2. <u>33.510.205 Floor Area Bonus and Transfer Options, D.1 Transfer of Floor Area from an Historic Resource</u>. Incentivizing the protection of historic resources is sound policy. However, the Design Commission advises that the structural improvements outlined in the Oregon Structural Specialty Code will be revised and expanded over time, and may render the goal of seismic improvements to historic resources irrelevant or unachievable. The Design Commission also advises that effective enforcement tools be in place to ensure phased seismic improvements are completed as scheduled. It may be appropriate to revise the standards or defer them to another venue—such as the Administration Rules—where they can be more readily adapted over time.
- 3. <u>33.510.205 Floor Area Bonus and Transfer Options, C.2.a Affordable Housing Bonus</u> <u>Option</u>. The Design Commission wholeheartedly supports the goal of broader and deeper affordability in our community's housing stock. We want to clearly understand the impact of new inclusionary zoning standards (SB 1533, effective June 2, 2016) in order to be effective advocates for affordable housing. The Commission would welcome regular briefings from BPS and Portland Housing Bureau (PHB) staff as they develop regulations, enforcement tools and assess the impact to existing and new financial programs.
- 4. <u>33.510.205 Floor Area Bonus and Transfer Options, C.2.g Central Eastside Subdistrict</u> <u>Industrial Space Bonus</u>. As stated in this section, an additional 1 to 1 FAR bonus for Industrial Office Use may be earned for proposals that provide at least 33%, or 5,000 square feet, of industrial uses at the ground floor. The majority of the Design Commission

Design Commission Memo to the Planning and Sustainability Commission on Central City 2035 Proposed Draft 2

would like to see a tiered bonus, with a higher percentage of industrial use at the ground floor meriting greater flexibility in both the FAR square footage and allowed uses within that square footage.

- 5. <u>33.510.223 Bird-Safe Exterior Glazing</u>. Our built environment can and should respond to species protection to the maximum extent possible. However, there is potential conflict between our community's desire for ground floor retail and commercial storefronts (window and active use standards) and fritted or patterned glazing. BPS's research into alternate methods for protecting birds shared at the July 21, 2016 Design Commission Briefing should continue. These alternate methods may include Ornalux glazing (a UV coated product that is fully transparent to humans but not to birds), and/or awnings that reduce reflection at the ground floor and minimize bird strikes.
- 6. <u>33.510.225 Ground Floor Active Uses</u>. The removal of residential uses as an approved active use greatly improves this standard's effectiveness, as does the addition of restrictions on storage and bicycle parking. Other non-active uses the Design Commission doesn't consider acceptable means of meeting ground floor standards are display cases, utility rooms, and other back-of-house support spaces.
- 7. <u>33.510.243 Eco Roofs, & 510.244 Low Carbon Buildings</u>. The Design Commission recommends these development standards be adjustable, and that additional funding sources be identified to support affordable housing development. The proposed standard requires developments register for the Leadership in Energy and Environmental Design (LEED) program but doesn't require certification. Any type of 3rd party program is likely to be revised and expanded over time and may render the Central City 2035 goal irrelevant or unachievable. Furthermore, if a 3rd party program is found to be necessary, other programs with aspirational environmental goals may be more appropriate for a given building program. If a 3rd party standard is necessary, the Commission would like to see more than one accepted standard.
- 8. <u>Map Amendments</u>. This is a housekeeping issue. The current maps are very low resolution. High resolution maps with legible street names will make reading electronic copy of Title 33 much easier. High resolution maps could be accessible through a separate link.

Thank you for your time and consideration of our comments. Please do not hesitate to contact us with any questions.

DIWK

David Wark, Chair of the Portland Design Commission

cc. Rachel Hoy, Senior Planner, Bureau of Planning and Sustainability Portland Design Commission

CC2035 PLAN TESTIMONY

July 26, 2016

Wendy Rahm 1121 SW 10th Avenue, #1001 Portland, OR 97205

I'm Wendy Rahm and I live in the West End. I am also speaking on behalf of the Architectural Heritage Center/Bosco Milligan Foundation board.

I recommend both a change in the West End's FAR to 7:1 and a lowering of the maximum building heights to 100'. This would still allow for the needed increase in density to meet the city's goals, but it would be in a compact urban form. These FAR and height changes would create a step down area from the podium tower form of the more corporate downtown area with its 12:1 and 15:1 FARs to the more modest West End neighbors of the Pearl, Goose Hollow and the University District with FAR's of 6:1 and 4:1. Not only would this create a stepdown transition area, it would also preserve the distinction between these areas, preserving the unique and distinct feel of the West End so popular with shoppers, diners, and tourists alike. It will preserve the West End's distinctive smaller businesses, offices, and residential buildings, many of which also house affordable housing units. As you know, the West End packs in one of the densest areas of affordable housing. Encouraging reuse and rehabilitation will help both with the affordable housing goal of "no net loss" and with historic resource preservation goals. The historic importance of the West End is well documented in the 1984 Historic Resource Inventory, in the 2 Multiple Property Listings, and with many buildings on the National Historic Registry. Most of these historic resources are not protected however, but this change would help. A last reason to lower the building form and heights is to preserve Mt. Hood's historic view corridor from Goose Hollow. The proposed building heights will completely block the trees below the tree line, which is part of the historic view corridor. Allowing this view corridor to deteriorate is destroying our sense of place. Please reduce the FAR to 7:1 and lower the maximum building heights to 100' throughout the West End.

CC2035 Draft Plan References:

- Neighborhood Transitions: Vol1 p66 Policy 5.7
- West End historic resources, including building heights, ages, and resources map: Vol5 UD79 p220-222.
- FAR: Vol 2A p48, p64, p323 replacing p257.
- Heights: Vol 2A p331,337 replacing p265. Bonus heights p337 replacing p265.
- Historic View Corridor: Vol3A p80, p101.
- Housing affordability: Vol1 p43 2.10b

CC 2035 Written Comments of Mary Vogel- July 26, 2016

As an adult cyclist for over 40 years and also a resident of the West End for over 7 yrs., I want to address—for the West End—how to strengthen these great concepts that are already part of the plan.

- Big Idea: Design Streets to Be Great Places
- TSP: Designation as a Multimodal Mixed-Use Area (MMA)

Build only bikeways that also improve the streetscape for pedestrians: Measure 20131 in the TSP: Jefferson Columbia Bikeway needs to be expanded to become safe and pleasant for pedestrians—with wider sidewalks and narrower traffic lanes on those streets. Wider sidewalks will also allow large canopy street trees. Large canopy street trees will also make Columbia and Jefferson safer and more pleasant for cyclists too.

Here are my suggestions—in red—for revisions to the **Action Table for Lead Implementers in Vol. 5 Implementation** and to the policies in **Vol.1_02 Goals and Policies.**

West End UD83

Develop and implement a strategy to encourage main-street friendly streetscape and green infrastructure improvements on SW Jefferson Street. Make sure that green infrastructure means planting additional trees—especially to buffer the residents between SW 13th & 12th Avenues.

Nothing is said in the Action Table about SW Columbia which is paired with SW Jefferson as a "bikeway" in the TSP. I propose:

West End UD84

Develop and implement a strategy to create truly multi-modal streets on SW Columbia and SW Jefferson with widened sidewalks and large canopy street trees and a bikeway, maintaining current parking lanes.

Nothing at all is said about SW Market and SW Clay which become speedways for Washington County commuters heading through the West End into and out of downtown. I propose:

West End UD 85

Develop and implement a strategy to create truly multi-modal streets on SW Market and SW Clay with widened sidewalks, maintaining large canopy street trees and maintaining current parking lanes.

West End UD 86

Develop and implement a strategy to cap I-405 from Columbia to Jefferson.

West End UD 87

Align the funding requests in the TSP to reflect the above priorities and begin to pay for them.

West End UD77

Improve Salmon Street as a unique east-west connection linking Washington Park to the Willamette River with active transportation, landscaping and green infrastructure facilities. Encourage additional, activating retail.

West End UD 79

Reduce the impacts to neighbors from I-405 noise and air pollution by installing green walls on new/redeveloped buildings and street trees wherever possible—with a special focus along SW 13th and SW 12th Aves. [Instead of where appropriate.]

Suggestions for addition to the Goals & Policies (Vol.1_02)

Policy 3.WE-3 Columbia/Jefferson Cap. Develop and implement a strategy to cap I-405 from Columbia to Jefferson to make the pollution hot spot now found at the freeway juncture (I-405 & Hwy 26) more tolerable to residents [who are largely low-income and have little other choice].

Policy3.WE 4 Salmon Green Street. Support development of the SW Salmon Green Street as a key east-west green connection from Washington Park and Goose Hollow to the Willamette River.

POLICY 6.WE-2 Water management and reuse. Take advantage of the West End's topography, identify opportunities for stormwater management, as well as rainwater harvesting and reuse within the district.

Because I-405 acts as a valley between Goose Hollow and the West End, the West End is the "headwaters" for stormwater flowing off its streets and buildings through Downtown to the Willamette River.

Also consider this minor change in wording:

POLICY 5.WE-2 Street hierarchy and development character. Support the retail/commercial character of SW 10th Avenue, Jefferson and Yamhill streets and **develop a** [the] boulevard character **on** [of] Morrison, Columbia, Clay and Market streets and 12th Avenue.

With the possible exception of Morrison, these streets do NOT feel at all like boulevards now; they feel like raceways.

I wholeheartedly support:

POLICY 3.WE-1 Optimized street network. Improve pedestrian and bike facilities across I-405 to Goose Hollow and across West Burnside to the Pearl.

POLICY 3.WE-2 SW 12th Avenue opportunity. Support the reconfiguration of SW 12th Avenue right of way to encourage pedestrian and bicycle access.

MORRISON/YAMHILL I-405 CAP Conceptual drawing of a possible I-405 cap connecting the Goose Hollow and the West End neighborhoods together, creating new multimodal connections, developable land and open space. The Morrison and Yamhill streets already function together as active transit streets, and building this cap could provide a desirable location for a new MAX stop to help activate this area. (Otak 2013)

I wholeheartedly support—continued

West End UD82

Explore opportunities for consolidating and/or redeveloping Burnside's "jug handles" into public spaces.

Downtown TR42*

Enhance West Burnside to improve streetscape quality, multimodal access, and bicycle and pedestrian safety.

The Ecoroof and other Green Building requirements

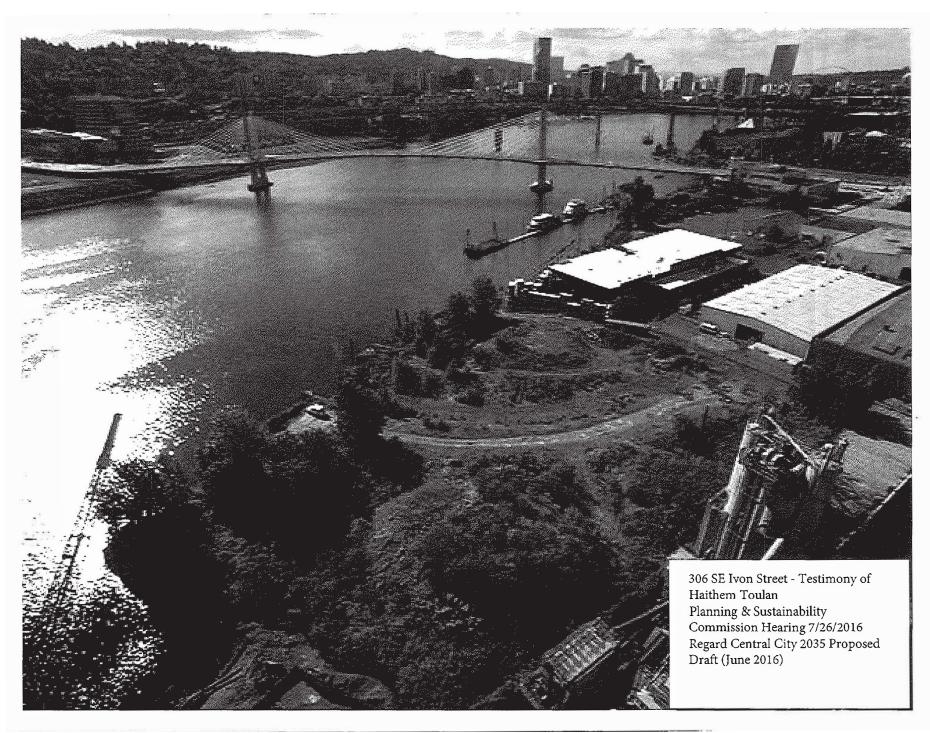
Narrative: Columbia and Jefferson currently feel to downtown residents like raceways to/from the West Hills and Washington County. And putting a bike lane on Columbia will do little to improve that situation. (As you know, Jefferson already has one.)

Bikeway and bike lane are not necessarily synonymous, so I looked up what PBOT has had to say about bikeways. Denver Igarta of PBOT put together a best practices study on bikeways with the help of city employees from other bureaus as well as PBOT: <u>https://www.portlandoregon.gov/transportation/article/334689</u>. From my cursory reading, nowhere in the document are trees or pedestrians mentioned.

As I said many times during the development of the West Quadrant Plan and the earliest meetings on the Central City Plan, Columbia and Jefferson need to become safe and pleasant for pedestrians—with wider sidewalks and narrower traffic lanes. Wider sidewalks will also allow large canopy street trees that should be required at regular spacing and take priority over both other street furniture and utilities. Large canopy street trees will also make Columbia and Jefferson safer and more pleasant for cyclists too. In essence, they need to become true multimodal streets of the 21st Century. I see these as short-term stratagies for making West End living safer and more pleasant. The ultimate strategy to do that will be capping I-405. Again, let's make this couplet a great example of your new designation of a Multi-modal Mixed-Use Area (MMA)--not just a bikeway. This is Portland's downtown after all!

The TSP, a major funding source for implementing the CC Plan, fails to reflect so many of the priorities we talked about –both in creating the CC Plan AND the WQP. Some of the above I suggested for the WQP—and they were adopted for other districts. But most of the discussion in the West End was taken over in discussion of building height and FAR. PLEASE remedy this!

Many thanks, Mary Vogel 1220 SW 12th Ave. #709 Portland, OR 97205 503-245-7858 mary@plangreen.net







Testimony to Portland Planning and Sustainability Commission pertaining to the Central City 2035 Plan July 26, 2016

My name is Tom Neilsen

I am a resident of the West End residing at 1221 SW 10th Ave. My comments refer to the West End FAR Heights and Bonuses.

The West End is an important transitional area between the tall dense corporate downtown district and the more modest neighbors of the Pearl, Goose Hollow and University District. Looking at the current plan a gentler stepped-down transition is needed between the very high allowances (15.1 and 12.1) in the downtown district and the lower FAR allowances of 4.1 and 6.1 in the adjoining Pearl, Goose Hollow and University districts.

I recommend establishing a FAR base of 7.1 west of Park Avenue and a maximum building height of 100' throughout the West End. This would still allow for an increase in the districts density but the density would be in a more compact form. Creating this transition would preserve the West End's, highly desirable mixed-use urban character of smaller businesses/offices and residential apartment/condo buildings many which are listed in the historic resources inventory.

Further Limiting potential FAR Bonus awards strickly to projects providing increased affordable housing and/or preserving historic buildings and assets in the West End as currently proposed in the plan is a positive change. The policy effect of a 7.1 FAR Base and up to 3 additional Bonus points that are tied to projects addressing affordable housing and historic preservation would help retain many of the West Ends wonderful historic buildings and provide additional mixed housing opportunities.

Testimony to Portland Planning & Sustainability Commission July 26, 2016

Hello my name is Bruce Stephenson. I serve on the Pearl District Planning Committee (PDPC) and I am speaking on behalf of Carolyn Ciolkoz, executive director of the Pearl District Business Association.

I would like to direct your attention to **Chapter 1 Comprehensive Plan, Policy 1.19**, which states:

Use area specific plans to provide additional detail or refinements applicable at a smaller geographic scale, such as for centers and corridors, within the policy framework provided by the overall Comprehensive Plan.

A policy or point of clarification should be added to delineate that the Comprehensive Plan will guide decisions of the Portland Development Commission

I say this because the PDC plan for Centennial Mills, and I quote the PDPC minutes from March 1, 2016: *removed the original requirements for open space and public activation*. Myself, and other members of the committee were flummoxed by this decision because it contradicts the *North Pearl District Plan*, which the Comprehensive Plans identifies on page 13 as an *Area Specific Plans Adopted by Ordinance*

North Pearl District Plan

Page 31, 50: The Centennial Mills redevelopment project (underway by PDC) will result in the creation of a vibrant mixed-use development that promises to be one of the great attractors in the Pearl District and the City as a whole.

Key to this endeavor is providing, as stated on page 31: *Physical and visual access to and along the waterfront should be accommodated via a network of access corridors, plazas, and urban open space features*

The provision of "additional waterfront parks and open space" is also called for on p. 2.

AGAIN, Given the discrepancy between stated policy and the PDC Plan for Centennial Mills there should be clarifying language to ensure that *Area Specific Plans Adopted by Ordinance* are followed.

Finally, it might be wise to recall at some point in the Comprehensive Plan to quote the *Olmsted Brothers 1903 Park Plan*.

All agree that parks not only add to the beauty of a city and to the pleasure of living in *it*," John Charles Olmsted wrote, but they are exceedingly important factors in developing the healthfulness, morality, intelligence, and business prosperity of all its residents.

A second letter follows to be placed in the record:

I'm writing to encourage you to continue to recognize the valuable role public space

25224

plays in the success of the city's central core, particularly along the remaining waterfront. Public space, both as parks and plazas, brings vitality to urban neighborhoods, boosting their economic success, and we risk missing out on key opportunities to create world class open spaces even as our central city is poised to grow exponentially.

Centennial Mills has long been envisioned as a community focal point for the Pearl District. "Centennial Mills," the Portland Development Commission (PDC) stated in 2006, "provides the prospect for building upon Portland's waterfront / greenway open space system and for complementing the strong series of signature parks and open spaces that define the Central City." Yet the PDC's current plan eviscerates this potential. A narrow path provides access to a mandated 50-foot greenway bounding the riverfront, but there is no attendant public space—a direct negation of the Pearl District Development Plan policy to develop the riverfront "as an engaging public space" with "open space and other public uses."

Currently, the lack of pedestrian traffic on NW 11th Avenue north of Overton has made developers resistant to building retail, which runs counter to the Pearl District Development Plan policy to "target retail uses along specific corridors, such as NW 11 Avenue." Extending the park experience that begins at Jamison Square to the Willamette River would mitigate this problem. Pedestrian access is the key. Plans already exist to bridge the railroad, and the structure, like Manhattan's High Line, could offer an iconic experience.

The High Line is a world famous case study the documents the civic and financial gains that accrue when an industrial landscape is transformed into a green connection. It attracts four million visitors a year, half of which are tourists. Each increment of 5,000 additional tourists equates to a demand for 400 square feet of retail space. Tourists spend \$48 on average when visiting a regimen of parks, such as Jamison Square, Tanner Springs Fields Park, and Centennial Mills would provide. The key, of course, is to create a connection and a definitive public space to activate a range of experiences along the Willamette River.

Portland's reputation as a premier green city is predicated on long-standing policy of integrating public and private investment for the community good. The 1903 Portland Parks Plan was designed to develop, John Charles Olmsted wrote, "healthfulness, morality, intelligence, and business prosperity."

I hope your office will choose to build on this legacy.

Sincerely,

Carolyn Ciolkosz 1355 NW Everett Ave. Portland, Oregon

On Tue, Jul 26, 2016 at 4:54 PM, Nancy Seton <<u>NancySeton@comcast.net</u>> wrote:

In your Central City 2035 Plan:

I urge you to preserve the view from Salmon Springs Fountain to Mt. Hood; the view of Mt. Hood's timberline from Vista Bridge; and the view of Vista Bridge from Central City. Not only do the scenic views of our iconic Mt. Hood and the Vista Bridge contribute to quality of life for Portland residents, they are also important tourist attractions. It's vital to preserve them. Portland has become a popular destination to visitors from all over the world – their tourist dollars support our local economy.

I fully concur with the testimony of Tracy Prince, President of Goose Hollow Foothills League, and of Bill Failing, SWHRL Neighborhood Association Board member:

- Please protect Salmon Springs Fountain as a View Corridor.
- Please protect the view from Vista Bridge as a View Corridor, so the Mt. Hood timberline, and not just its peak remain visible.
- Please keep the view to the Vista Bridge as a view corridor, not a view street.

Tracy points out:

"...There is a currently protected view corridor to the bridge. This is being removed and changed to a view street. With the proposed heights, the only way to see the arches of the bridge will be to stand in the middle of the street. Views of the bridge are a public amenity, protected under the adopted West Quadrant plan which has as one of its five urban design policies to 'elevate the presence, character and role of significant public view corridors (e.g. Vista Bridge, West Hills) which define the district." No building should ever block the view of the arches of the bridge, the architecturally significant feature'."

Thank you for your consideration,

25227

Nancy Seton

President, Southwest Hills Residential League (SWHRL) Neighborhood Association

Richard Rahm 1221 SW 10th Avenue, #1001 Portland, OR 97205 503/227-8527

I'm Richard Rahm, resident of the central city's West End. I'm here to advocate for a 7:1 FAR and maximum building height of 100 Feet. I've followed this planning process from the first stages of the West Quadrant Plan. Good progress was made in addressing some worries I had with earlier drafts. However, I'm still concerned with one major citywide problem, and aspects of that as it particularly affects our West End - building size, specifically height.

Most of the Plan's laudable, stated goals - be it historic preservation, human scale, light on the street, open space, liveability, affordable housing - are inevitably undermined by excessive building heights.

Our West End neighborhood contains many historic buildings. Some have a degree of preservation protection, most do not. We recently lost an historic building which served over the decades as home to Reed College's first classrooms, an apartment house, a hotel, and a famous basement nightclub home of Portland's vibrant African-American jazz scene in the 1930s and 40s. Gone. Many more are at risk. Excessive height allowances pose excessive profit temptations to tear down rather than preserve.

Our West End neighborhood also has a high percentage of affordable and subsidized housing. Many older buildings are entirely devoted to such units. These buildings are generally well maintained, well run, and vital to many of the central city's neediest citizens. Again, excessive height allowances puts these older buildings at risk. Twelve or fifteen affordable units may be required in tall new buildings, and the developer might even live up to the commitment, but they hardly replace the 30, 40, or 50 lost in a demolished building entirely given over to affordable and subsidized units.

I hope the new plan will support its stated goals of historic preservation and affordable housing by limiting heights in the West End to 100 feet.



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Please reply to CARRIE A. RICHTER crichter@gsblaw.com TEL (503) 553-3118

July 26, 2016

Via E-Mail: Rachael.Hoy@portlandoregon.gov

Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner 1900 SW 4th Ave, Suite 7100 Portland, OR 97201

Comments on Height Restrictions Proposed in 2035 Central City Plan Re: AltSource Headquarters – 1120 SE Madison Ave.

Dear Chair Schultz and Commissioners:

This firm represents MadAve, LLC, the owner of property located at 1120 SE Madison Ave., and soon to be the home of AltSource, a rapidly growing high-tech business. This letter is submitted in opposition to the proposed severe height restrictions that would reduce the existing unlimited building height to 45 feet. Slashing the allowed building height would significantly compromise the potential for long-term retention of AltSource on this site, a next generation, growth sector company that should be encouraged to remain at this prime Central Eastside location.

The Story of AltSource

AltSource is a locally owned and operated custom software development company that provides development, production and testing of computer software to other businesses. Most high-tech growth in the past decade has been in the software industry. High tech is an integral part of Oregon's economy, accounting for 5% of statewide employment but a much higher share of overall wages. (Oregon Office of Economic Analysis 4/21/16). Consistent with this trend, AltSource provides stable, high-paying jobs to over eighty full-time employees in Portland's Central Eastside. AltSource's operations produce little to none of the external impacts traditionally associated with industrial uses. As the work product is digital, it receives little in the way of truck delivery of materials, has no freight movement, and does not require visits from its customers or clients.

AltSource has continued to double its staff size every year for the past three years and is on track to double again this year. To maintain this growth trajectory and to provide increased employment opportunities, AltSource will require further property improvements including potentially adding warehouse, storage and parking areas within the next 5-10 years in order to



GARVEY SCHUBERT BARER

Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner July 26, 2016 Page 2

remain in the same location. This property was purchased by MadAve LLC with the sole purpose of consolidating AltSource employees from three separate office spaces into a single building and to provide room for future company growth in one permanent headquarters location. Achieving this goal required that AltSource invest the time and money necessary to obtain a conditional use and building permit approvals that is scheduled before the hearings officer for August 3. Although this pending site redevelopment proposal will meet the AltSource growth demand for the next 3 - 5 years, it will likely need additional expansion space in the future that will not be possible with the proposed 45 foot height limitation. MadAve, LLC purchased this property with the intent of providing AltSource a headquarters for the long-term and the proposed height restrictions not only interfere with these long-term plans, they may motivate AltSource to search for another location, possibly outside the City of Portland, rather than expend additional money on improvements that will serve only its short term goals. Further, it is estimated that the loss of development potential to MadAve LLC will exceed \$21.9 million and this amount does not take into account the loss of high-tech jobs and construction revenue that would inure to the City.

The Proposed Height Reduction Is Overly Restrictive if Necessary to Protect the View Corridor

The Measure 56 notice provided to MadAve, LLC incorrectly states that the proposal to reduce building height is necessary "to preserve a view of Mt. Hood from the Salmon Springs fountain area in Governor Tom McCall Waterfront Park." Although the MadAve, LLC property may be located within this corridor, a 45 foot height limit is not necessary to protect the view. The height restriction proposed for the property directly to the west is 80 feet and if preservation of the view corridor were the issue, the MadAve LLC property heights would be capped at 80 feet, if not higher as the corridor expands to the east. If the view corridor is the issue, the maximum height should be increased to whatever is necessary to protect the view, presumably 90 to 100 feet. Further, if such view corridor height restrictions are imposed, a system for transferring the lost development rights must be established to off-set the loss.

Goals and Policies Do Not Require any Reduction in Building Height

Rather than protecting view corridors, it appears that the need for a neighborhood transition was the basis for recommending a 45-foot height limitation. Central City 2035 Policy 5.7 provides:

Establish transitions between the Central City's denser, taller and more commercial and industrial land uses and <u>adjacent neighborhoods</u>, while <i>highlighting key gateway locations.

As illustrated on the enclosed map, the MadAve LLC property is "adjacent" to land zone Storefront Commercial (CS) and is not "adjacent" to any residential neighborhoods. This standard does not impose transition between industrial and commercial zoned lands, as is the



Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner July 26, 2016 Page 3

case for the MadAve, LLC property. The height limit for the CS zoned property is already set at 45 feet and as a result, provide an adequate transition for the neighborhood.

A Number of Policies Support Allowing Unlimited Height to Encourage Retention of AltSource

Not only do the Central City Plan policies not require reducing building height in this area, such an action would violate numerous plan policies that require encouraging more intense development of the MadAve, LLC property. The more relevant of these policies state:

Policy 1.6 Traded sector growth. Enhance business development efforts and assistance for targeted industry clusters and high growth sector companies.

Policy 1.7 Entrepreneurship and business innovation. Strengthen the <u>Central City as a location for job creation</u> by addressing development issues that affect businesses and supporting economic development strategies and programs that facilitate economic growth in the Central City.

Central Eastside Policy 1.CE-1b. Industrial diversification. Support growth of new industrial sectors, protect existing sectors, and protect the Central Eastside as <u>a place where startups and incubators can transition to mature</u> and established businesses and sectors.

As pointed out above, AltSource is exactly the type of targeted, startup, next generation industry that the City has identified for location within the Central Eastside district; its external impacts, in terms of noise, pollution and traffic, are non-existent when compared with more traditional industrial users. The ability to expand operations at the AltSource headquarters is vital to the continued growth of this company, as the inner SE location is a key factor in the recruitment and retention of a highly talented and highly compensated workforce.

Building Height Reductions Disproportionately Affects AltSource

SE 12th Ave. serves as the eastern boundary of both the Central City Plan District as well as the edge of the Central Eastside sub-area district. As the attached existing zoning map illustrates, a strip of land zoned Central Employment (EX) that is one-half to one full block deep runs very nearly the full length of this eastern boundary. In effect, it is this EX zoned land that serves as a buffer between the industrial area and the neighborhood. Although the base height for EX zoned properties is 65 feet, building heights for this strip of EX zoned properties is currently capped at 45 or 50 feet, presumably because the neighborhood transition area, with an FAR of 3:1.

There are four blocks or "fingers" extending between SE 11th and 12th that do not fit this pattern; they are zoned IG-1. The MadAve LLC property is one of these fingers of IG-1 zoned land that extends to SE 12th Ave. The maximum building height and FAR for these four IG-1 zoned properties is unlimited but use restrictions prohibit committing more than 80,000 square feet of



ARVEY SCHUBERT BARER

Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner July 26, 2016 Page 4

building area to high-tech related office uses. As a result, the proposed height restriction imposes a double-burden on these four properties. They currently cannot designate as much building area to non-industrial uses as their EX zoned neighbors and if the proposed height restrictions pass, the degree of development necessary to make up for that loss through the unlimited development of lower-market rate industrial uses will also be lost.

If a reduction in height is necessary to provide a buffer to the nearby residential neighborhoods, it must come in conjunction with a zone change to EX allowing for a diversification of uses that similarly situated properties currently enjoy. Plan Policy 1.10 encourages the diversification of uses in employment sanctuaries when necessary to encourage living-wage jobs. This is exactly the type of diversification that is needed in this area. Should rezoning this property not be possible as part of adopting this plan, equity dictates maximizing the amount of high-tech uses on this property of at least 120,000 square feet subject to an 3:1 FAR to make up for the loss.

Conclusion

In sum, imposing a building height reduction on a property owner that has already made substantial investments with the expectation that the site will serve as a long-term home for a fast growing high-tech company, AltSource, is not only unfair, it is inconsistent with a number of specific Central Eastside plan policies that require its protection. If such a height reduction is necessary, it must be coupled with a zone change to EX or an expansion of high-tech use limitation to off-set the loss.

Please place this letter in the record and provide me with written notice of your decision.

Sincerely,

GARVEY SCHUBERT BARER

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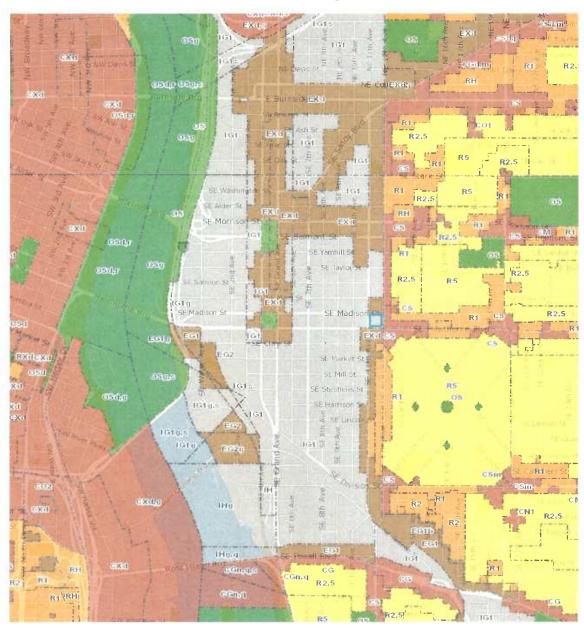
Carrie A. Richter

cc: Dave Moore

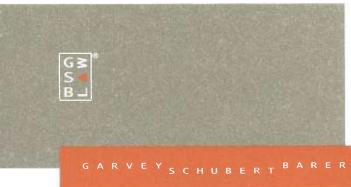
Enclosure

Bv

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Central Eastside - Existing Zoning Map



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July 26, 2016

Via E-Mail: Rachael.Hoy@portlandoregon.gov

Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner 1900 SW 4th Ave, Suite 7100 Portland, OR 97201

Re: Comments on Height Restrictions Proposed in 2035 Central City Plan Roseland Theater – 8-10 NW 6th Ave

Dear Chair Schultz and Commissioners:

This firm represents Con Da LLC and David T. Leiken, the owners of property located at 8-10 NW 6th Ave, also known as the Roseland Theater. This letter is submitted in opposition to the proposed severe height restrictions that would reduce the existing building heights from 460 feet to 250 feet within a six block area within the Old Town / Chinatown Neighborhood north of West Burnside Street. Slashing the allowed building height would significantly compromise the potential for long-term retention and redevelopment of this site, which may include retaining the long-standing, iconic entertainment venue that contributes to the community fabric of the City.

Background Facts

The original quarter-block theater brick structure was constructed in 1922 and operated as a church and meeting house for the Apostolic Faith Church. The Roseland Theater building is located outside of the New Chinatown/ Japantown Historic District and the building has not been listed either nationally or locally as a historic resource, although it would qualify. The back of house, the dressing rooms, and the supporting offices are contained in a two-story adjacent structure located on the quarter-block facing NW 6th Avenue and Couch. If considered for historic designation, this theater office building housing would not qualify. The NW 6th Avenue frontage is adjacent to the Tri-Met Max light rail line with the NW 6th and Davis station located one half a block away. Maintaining frontage along West Burnside, this building is highly transit serviceable and is directly adjacent to the tallest building in the City, the US Bank Building. In 1995, both buildings were purchased by Mr. Leiken and fully renovated to include a complete seismic retrofit.



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Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner July 26, 2016 Page 2

The theater started being used as a public entertainment venue in the early 1980s. Since its purchase by Mr. Leiken, the Roseland Theater has become a Portland staple in the live-music scene, hosting 150 to 175 multi-generational concerts annually presenting small local bands to huge national icons. Performers have included Ray Charles, Tina Turner, Bob Dylan, Prince, Eminem, Miles Davis, Bonnie Raitt, and the Red Hot Chili Peppers. The all-ages venue is known for its smaller size, accommodating up to 1,400 people in two separate theaters: a 1,000 standing-only main floor and a more intimate showcase venue that seats 400. The Roseland has been ranked among the top 15 venues for 1500 capacity and smaller venues in the world for almost all of the last 20 plus years, according to POLLSTAR, the pre-eminent trade publication for the concert industry.

The Proposed Reduction in Building Height is Not Justified

In the commentary portion of the draft plan, city staff explains the rationale for proposing reductions in building heights as: (1) necessary to preserve view corridors in some areas or (2) to retain the character and scale of historic districts in other areas. The Roseland Theater property along with the six blocks adjacent to it are not located within any scenic corridor and are located outside of any historic district and height reductions are proposed. The staff commentary fails to identify any explanation of why height reductions were proposed in this area when reductions do not confer any public benefit.

In discussions with staff, we have learned that the Central City NW Quadrant work group recommended height restrictions for these six blocks because this area has not be redeveloped with buildings taking advantage of the existing 460-foot allowed height. In their opinion, reducing the building height would more accurately reflect the existing building stock. Staff also suggested that reducing the building height is appropriate given the quarter-block ownerships that are typical of this area, making building to the existing 460-feet height challenging. Finally, the work group believed that reducing the building height to reflect current building heights makes it more likely that the existing historic structures would be preserved.

There are a number of errors in this explanation. First, simply because no building has been built maximizing the 460-foot height limit does not mean that the existing height limits need to be reduced. The lack of redevelopment, resulting in the construction of taller buildings, can be explained by the fact that property owners in this area have suffered a larger proportion of criminal, homelessness and drug-related activity than properties located in other parts of the City. As a result, it should be expected that redevelopment of these blocks would move at a slower pace. This condition was not helped by the Great Recession, leading to greater displacement, which has only recently begun to turn around.

Second, sound principles of land use planning require identification of some public benefit before imposing such a harsh interference with the investment backed expectations of the property owners in this area. However, no such public benefit has been identified to date. When



Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner July 26, 2016 Page 3

Mr. Leiken bought the property in 1995, he did so with the expectation that he would be able to redevelop the property subject to a 460-foot building height limitation.

To make matters worse, the draft plan contains no opportunities for these property owners to transfer air rights or otherwise compensate for the loss, either through bonus FAR or height. Such draconian regulations should be contrasted with the height restrictions applicable to historic districts. In historic districts, height restrictions necessary for the preservation of the character and scale of buildings provide a clear community benefit and in exchange for imposing such a burden, bonus, transferrable FAR is available. The same is true in areas of the Pearl District, located just to the west and north of the subject property. Yet, this proposal provides no opportunities for Mr. Leiken to recoup the loss in value by allowing him to transfer the building heights currently allowed, even though city staff is asking him to bear a comparable burden.

Third, although there may be some cases where the ownership interests are broken into less than one-quarter blocks, Mr. Leiken owns the entire half block. The other half of this block is largely held by Studio Arts, LLC, managed by Mr. David Gold. The Goodman family owns the halfblock between NW Couch and Davis and the full block between NW Davis and Everett contains a single structure owned Pendleton Woolen Mills. Therefore, it is incorrect to suggest that these property ownerships are predominately chopped up into small parcel ownerships. Moreover, the trend in downtown development, notwithstanding ownership, is for multiple owners to work together to redevelop a full block. Mr. Leiken and Mr. Gold have been in discussions about such full-block redevelopment options. The existing 460 foot height is going to be critical for joint redevelopment of the entire block that will include a hotel or office space that retains the existing entertainment venue.

Finally, reducing the building heights will not increase the likelihood that the existing buildings or uses will be saved. Rather, it will put additional pressure on these property owners to demolish historic resources in order to maximize their significantly diminished return. This is particularly true in cases where that return may be realized on other less valuable portions of the site. As it stands right now, Mr. Leiken could retain the existing Roseland Theater quarter block structure, remove the structure facing NW Couch St. and build on his remaining quarter block to a height of 460 feet at a 9:1 FAR plus additional bonus FAR if he designated the Roseland Theater as a historic structure. The proposed height reductions set an absolute cap on building height in this area at 250 feet and, even with the 9:1 FAR, this reduces Mr. Leiken's return to a point where he will be less likely to preserve the Roseland and instead will elect to demolish the entire half-block and build out to the full 250 feet in height. In addition to maximizing a return in terms of square footage, Mr. Leiken may be forced to identify a more lucrative end-user of the building – trading away the much revered music venue in place of office space that could bring higher rental returns.



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Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner July 26, 2016 Page 4

Reducing the Height is Not Consistent with Central City Plan Goals and Policies

A number of Central City Plan goals or policies are not satisfied by reducing the building height in this area which, as noted above, make it less likely that the music venue use will be able to continue. The Central City Plan includes the following policies that favor more intense development on the Roseland Theater property, including retaining the existing height, particularly as they relate to entertainment and tourism:

Policy 1.4 Tourism, retail and entertainment. Expand upon activities in the Central City that support tourism and complement economic success, vibrancy and livability, with a special focus on retail, cultural events and institutions, public spaces, arts and entertainment, urban design and transportation.

Policy 1.DT-4 Tourism, retail and entertainment.

Events. Encourage a wide range of entertainment opportunities and event b. venues including small-scale, more frequent events as well as large-scale episodic events.

Old Town / Chinatown Policy 1.OT-2 Tourism, retail and entertainment. Support unique attractions in the district, including: cultural institutions; Governor Tom McCall Waterfront Park; retail, dining, and performance venues; and nightlife attractions. Expand the festival and event programming of public spaces in the district: manage activities in a way that controls negative impacts.

The Plan contains policies encouraging the location of the most intensive development near the transit mall, where the Leiken property fronts on two sides. These policies include:

Downtown Policy 1.DT-1 - Office core. Maintain the Downtown office core as the region's preeminent office employment district. Encourage new office development, with the largest buildings near the Transit Mall.

Central City Policies: Urban Design Policy 5.3 Dynamic skyline. Encourage the tallest buildings to locate adjacent to transit hubs and corridors, generally stepping down in height to the Willamette River. Allow taller buildings at bridgeheads and encourage contextually sensitive heights within historic districts. Encourage heights and building forms that preserve sunlight on public open spaces and parks.

This proximity to transit, coupled with its adjacency to the US Bank building, make it an ideal site for a tall building. To reduce the height, again with no policy reason for doing so, makes no sense given it is hard to imagine a more transit serviceable location.



GARVEY SCHUBERT^{BARER} BJ

Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner July 26, 2016 Page 5

Additionally, the plan encourages redevelopment of properties into large sites with new compatible uses, while at the same time providing incentives to support historic preservation. These goals state:

Central City Policies: Urban Design Policy 5.5 Large site development. Encourage redevelopment of large sites that includes new compatible uses, green buildings and equity considerations....

Policy 5.18 Rehabilitation and reuse. Encourage the use, preservation, and rehabilitation of historic buildings.

Preservation incentives. Provide financial and regulatory Policy 5.20 incentives that support the economic feasibility of the preservation, rehabilitation and seismic upgrade of historic resources.

Old Town / Chinatown Policy 1.OT-4 Strategic redevelopment. Encourage the reuse, rehabilitation and seismic upgrade of underutilized buildings to increase useable space and economic activity in the district. Support location of retail uses on the ground floors of buildings, including retail businesses that complement and enhance the cultural and historical significance of the area.

Taken together, these plan policies require the retention of development regulations that encourage the retention and development of entertainment venues that promote tourism, preservation of the historic structure as well as maximizes development intensity near transit. This proposed height reduction fails to satisfy any of these policies.

Conclusion

In closing, without a single public benefit or plan policy that would be furthered by imposing this requirement, reducing the building height from 460 feet to 250 feet makes no sense. Such a reduction significantly reduces the redevelopment options for Mr. Leiken, both with regard to the preservation of the music venue as well as the theater structure. Again, this property is NOT located within the New Chinatown / Japantown Historic District and yet, it is not given the same treatment - with the bonus FAR or height opportunities that are available to nearly every other block north of West Burnside. The property's central location, with regard to transit as well as a critical element of the entertainment offerings within the Old Town / Chinatown neighborhood, make it an ideal location for housing a two to three-story music venue plus a hotel or other tourist-related or office amenity above, which will not be possible if these height limits are reduced.

For these reasons, we ask that you reject staff's recommended reduction in building height and retain the existing 460 foot height limit.



RVEY SCHUBURT BARER

Portland Planning and Sustainability Commission c/o Rachael Hoy, City Planner July 26, 2016 Page 6

Please place this letter in the record and provide me with written notice of your decision.

Sincerely,

GARVEY SCHUBERT BARER

an By

Carrie A. Richter

cc: David Leiken

GSB:7954624.1 [39803.00100]



EAST SIDE PLATING, INC.

8400 SE 26TH PLACE PORTLAND, OR 97202 PHONE 503-654-3774 FAX 503-654-6464

Mindy Brooks City of Portland Bureau of Planning and Sustainability 1900 SW 4th Avenue, Suite 7100 Portland, Oregon 97201

July 26, 2016

RE: REDUCTION IN BUILDING HEIGHT CC 2035 CONCERNS

Dear Mindy,

We understand you are considering a proposal to limit allowable building heights for selective properties in the central eastside in order to preserve a view of Mount Hood from the Salmon Street Springs. We are writing today to oppose that consideration and request our concerns be included in the testimony information being collected before the Bureau of Planning and Sustainability.

We own a 20,000 square foot property between 2nd and 3rd on Main Street. Its legal description is East Portland Block 53 lots 1,2,7,8. The property includes 15,000 ft2 of building and some employee parking spaces. We have occupied the facility since 1979 and purchased it in 1995. It is our understanding that the property could be developed under the existing zoning to include a building of up to 175 feet tall. The consideration before the commission would be to limit the building height to 40 feet according to the maps we have seen. We oppose this height reduction proposal due to reduction in property values, apparent lack of consideration of job growth and economic development, and the unfairness of a selected group of property owners bearing the harsh consequences of preserving a view.

First of all, a reduction in the allowable building height would reduce the value of our property by a third according to some appraisal feedback we have received. With regular inquiries being received by developers in the central eastside area, they indicate our property is worth \$100/ft. A 30% reduction in a \$2M property is a direct impact to us of \$600,000. This height limitation might be legally concluded to be a "taking" and require consideration paid to adversely impacted property owners. Our little slice

of the pie appears to be only 3 or 4 percent of the affected property area. Is the city prepared to pay impacted property owners the \$15 to \$20 million dollars of reduced property value this proposal results in?

Secondly, reducing the height of buildings in the central eastside area does not align with the increased population and job growth accommodation our city requires in its forecasts. The central eastside is a close in economic force for the city. Restricting building height also restricts the potential for employment to grow in this area. Do not eliminate the potential for companies to grow their work forces by restricting building height. We have five buildings in south east Portland and employ 130 people. We serve manufactures in the northwest that are highly regarded due to the high "jobs multiple" manufacturing jobs are responsible for generating. Please regard our potential to grow jobs instead of limiting our building height.

Thirdly, it does not seem fair for a select group of property owners to be discriminated against to realize a view to Mount Hood. Our firm has a part of the central eastside for the past 70 years. We can appreciate a desire to see Mount Hood. The view is stunning and dramatic. We just don't feel like it is fair to restrict long term property owners that are invested in the central eastside to suffer in order to provide the benefit of a view from the river front.

Thank you for including our concerns.

Garv nber President

Tim Lamb Vice-President

From: RJReid@aol.com [mailto:RJReid@aol.com]
Sent: Tuesday, July 26, 2016 12:15 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: "PSC Central City 2035 Plan Testimony"

Dear PSC Commissioners:

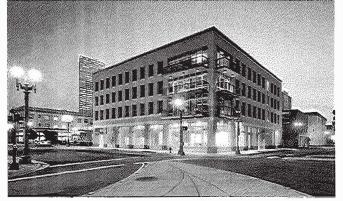
The King's Hill neighborhood offers views. Limiting tree height is important. Our view has been limited because of excessive tree height. Thanks for your consideration.

Rod & Susan Reid 2021 SW Main, #25 Portland, Ore. 97205

District	Existing	Discussion Draft	PHLC Rec.	Proposed Draft
Chinatown/ Japantown	South: 100' Block 33: 100' North: 425'	South: 100' Block 33: 150' North: 250'	75'	South: 100' Block 33: 125' North: 125'
NW 13 th Avenue	South: 175' North: 150'	South: 100' North: 75'	75'	South: 75' North: 75'
East Portland/ Grand Ave	South: 175' Mid: 275' North: 175' Far North: 275'	South: 100' Mid: 200' North: 100' Far North: 200'	75'*	South: 100' Mid: 160' North: 100' Far North: 200'
Irvington	125'	75'	50'	75'

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The Impact of New Construction Height on Historic Resources and District Integrity—Examples of Compatibility



New Blanchet House, Chinatown Historic District, Portland.



Skidmore Old Town Historic District. Infill on SW Pine & SW 1st.







Above: Infill buildings in the SoHo Cast Iron District

Left: Infill construction in the Euclid Avenue Historic District, Cleveland.



Block 136 in the Pearl District just outside the 13th Avenue Historic District. Developer responded to neighborhood requests to make this building relate to the scale and materials of the surrounding warehouse buildings.



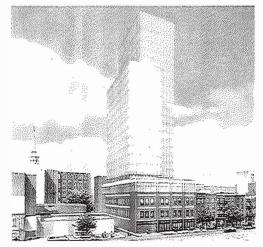
Above: SoHo Cast Iron Historic District, NYC. District maintains a scale consistent with the historic period and new infill supports the district's setting, resulting in a high level of district integrity.

25245

The Impact of New Construction Height on Historic Resources and District Integrity—Examples of Incompatibility



Proposed 12-story infill in the Pioneer Square Skid Road Historic District, Seattle. Rejected by their Commission due to its incompatible scale with surrounding buildings. Height limits are 120 ft. Prior to this upzoning in 2011, the district had variable zoning requiring new buildings be no higher than 15 feet above their neighbors. Appealed several times, the City's deputy hearings officer upheld the Commission's decision saying the scale of the building must be considered along with its height and this proposal was too big.



Proposed design for 218 Arch St., Philadelphia. Glass tower above main street-scaled podium. At 275 feet, it greatly exceeds the 65-foot height limit in the Old City Historic District, but zoning variances are common.



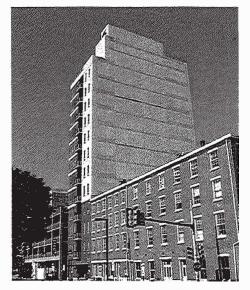


The incompatible scale of 108 Arch Street resulted in the creation of 65-foot height limits in Philadelphia Old City Historic District. Their historical commission has no purview over new construction, to the great detriment of the City's historic districts.



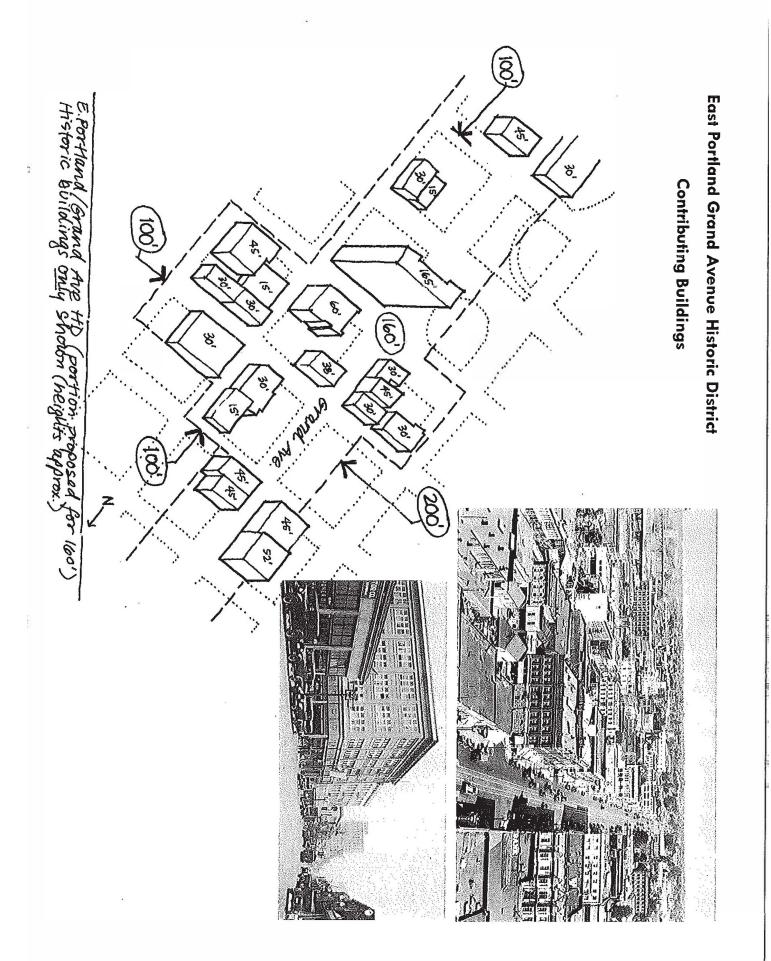
Above Left: Residential infill tower in Washington DC.

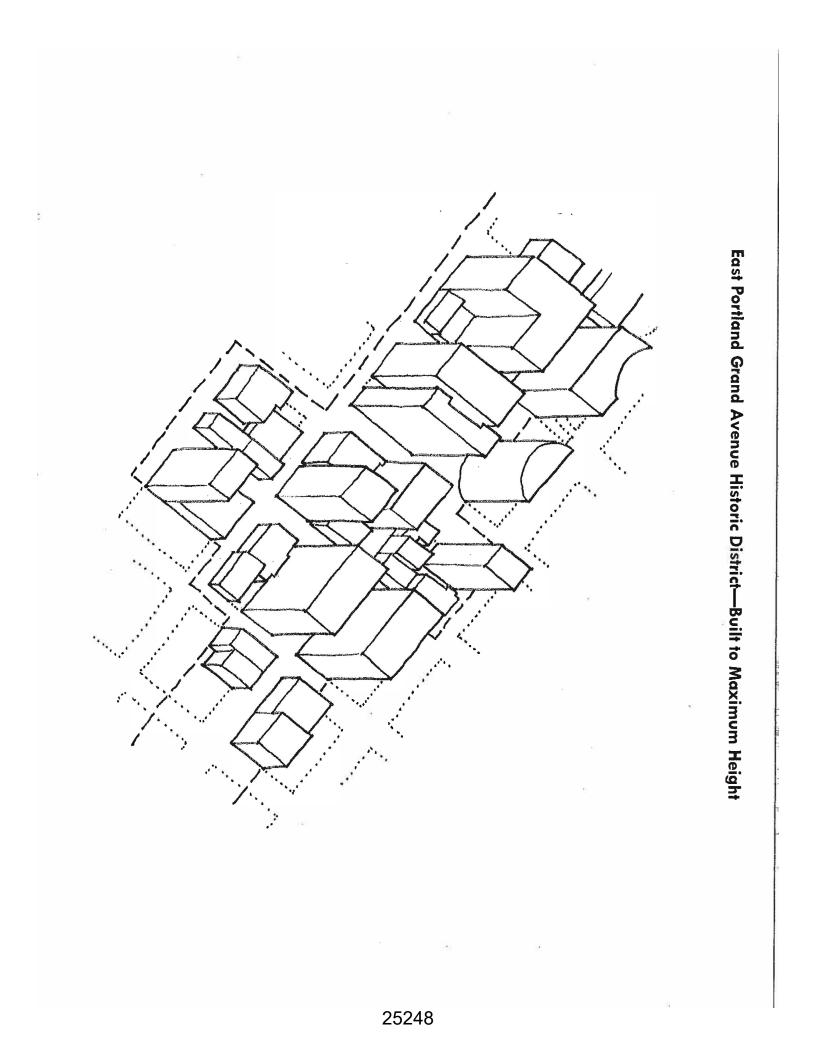
Upper Right: Mid-block infill twice the height of its historic neighbors in Washington DC.



"The Beaumont," 14 stories in the Old City Historic District, Philadelphia. Cited as incompatible in the 2007 "Sense of Place: Design Guidelines for New Construction."

25246





DAVID C. NOREN Attorney at Law

P.O. Box 586, Hillsboro, Oregon 97123-0586 330 NE Lincoln Street, Suite 200, Hillsboro, Oregon 97124 Telephone: (503) 640-2661 Fax: (503) 648-0760 e-mail: david@norenlaw.com

July 26, 2016

Planning and Sustainability Commission 1900 SW Fourth Ave., Suite 7100 Portland OR, 97201

Attn: CC2035 testimony

RE: Central City Plan: FAR Transfers, Affordable Housing and Income Disparity

Dear Commissioners:

I represent Service Employees International Union Local 49. SEIU Local 49 supported the Council amendments to Policy 3.3 and 3.3.d. of the Comprehensive Plan adopted in June 2016 to mitigate the impact of development on income disparity and housing affordability, and to include requirements in the zoning code "to provide public and community benefits as a condition for development projects to receive increased development allowances."

One important way to mitigate the impacts of development on income disparity and on affordable housing specifically contemplated in our requests to the Council is to require a public benefit for increased floor-area ratios (FAR) when the increase results from a transfer of FAR from one site to another. We believe that the Proposed Draft Central City Plan code provisions should be amended to include such a requirement as minimal compliance with Policy 3.3.d. of the Comprehensive Plan. This request was made by Nicole Knudsen of SEIU 49 in her March 30, 2016 letter to your staff concerning the Discussion Draft of the Central City Code. Your staff commentary to the Proposed Draft suggests at page 48 that providing an initial public benefit in the form of a contribution to affordable housing in exchange for a 3:1 bonus increase in FAR is sufficient to comply with the new Plan Policy 3.3.d. That approach would allow increased development allowances through unlimited transfer of FAR without requiring a public benefit for that transfer increase. We believe this is contrary both to the Council's intent regarding transfers of FAR and to the plain language of Policy 3.3.d.

Our comments to the Council and your staff concerning the Comprehensive Plan amendments contemplated that the public benefit to be provided in conjunction with transfers of FAR should be tied to what we call "good jobs" for the people who provide ongoing maintenance, cleaning and security for developments. See, for example, the attached testimony from SEIU Executive Director Maggie Long to the City Council dated Portland Planning and Sustainability Commission July 26, 2016 Page 2

January 7, 2016. Now, based on the policies of the recently adopted Comprehensive Plan, we are proposing a specific zoning code requirement for "good jobs" when FAR transfers result in increased development allowances.

Conceptually, our proposal draws on the ideas used to establish affordable housing "linkage fees" in cities such as Seattle, Boston and San Francisco. These fees start with the assumption that the tenants or occupants of new commercial development will create new jobs, and that the new employees will have to find housing in the city. Because some of those jobs will be relatively low-paying, the new development and new jobs will have a direct impact on the limited supply of affordable housing in the community. It is therefore appropriate for the developer to mitigate that impact by providing additional affordable housing, in the same way it is appropriate for a developer to provide additional transportation or other infrastructure to mitigate the impact of a new development on those limited community resources.

The impact of development on affordable housing is especially direct with respect to the workers who will provide ongoing maintenance, janitorial and other services to a commercial development. When the impact of development is so direct, the mitigation of the impact should be direct as well. Rather than paying into a fund for affordable housing projects in the future, the development should assure that its workers can afford housing. Where increased development is achieved through transfer of FAR, a condition of approval should require a public benefit in the form of "good jobs" for such workers.

For purposes of affordable housing, a "good job" pays enough that the worker can afford to rent non-subsidized housing in the Portland area. We propose a simple, workable definition of a "good jobs" requirement for FAR transfers to be included in Chapter 510 the code: a job that provides compensation, including wages and benefits, equivalent to 50% of the median family income for a family of four (50% MFI). Such a compensation package would be around \$36,000-38,000 per year. Standard recommendations are that only 1/3 of income should be spent on housing, so such workers would have approximately \$1,000/month available for rent.

Based on our research, without some impetus to pay more, the "market rate" compensation package for cleaning and security workers in Portland is about \$22,000/year, so income available for housing would be about \$610/month. Our research of rental rates in the Portland area indicates that the average apartment rents for more than \$1,150 per month. Apartments are scarce or unavailable without public subsidy at rents of \$610 per month; vacancy rates are below 3% for subsidized units, and only 3% of total apartment inventory is available at rents of \$610/month or lower. To mitigate the impact on the affordable housing stock created by new commercial development that will require the ongoing services of maintenance, cleaning and security workers, it is appropriate to require that such workers be paid at 50% of MFI if the development uses transferred FAR. Increasing compensation to 50% of MFI opens up more than 24% of the city's apartment inventory to these workers.

Portland Planning and Sustainability Commission July 26, 2016 Page 3

There is a strong nexus between the impact of the development and this regulation, and the mitigation proposed is roughly proportional to the impact. As an example of how this would affect development and occupancy, the ongoing cost to the operator of a hypothetical 350,000 square-foot building where 10 service workers would be employed would be an additional \$160,000 per year or roughly \$0.46 per square foot. Based on our review of current Class A office rents, which average nearly \$27 per square-foot, a per-square foot fee of this magnitude would increase overall rents by less than 2 percent.

We further propose that this mitigation be addressed through the development review process as a condition of approval, requiring the developer who uses a transfer of FAR to record a restrictive covenant that would obligate future owners and operators of the development to provide the required compensation level for their maintenance, cleaning and security workers. To lessen the burden on the city for enforcement, the covenant should specify that it may be enforced by any party to the land use action that approves the development. In this way, affordable housing advocates may participate in the review process to assure that the mitigation condition is imposed, and then may enforce the requirement in court if necessary.

Thank you for considering our proposal. If it would be helpful to staff or the Commission, we can provide specific code amendment language requiring "good jobs" as a public benefit for development that uses transfers of FAR. We look forward to responding your questions.

Verv truly yours. David C. Noren



Testimony to Portland City Council Provided by Maggie Long **Executive Director of SEIU Local 49** 3536 SE 26th Ave Portland, OR 97202

Re:

Promoting livability and affordability via the Comprehensive Plan's updates to Floor-Area-Ratio bonus and transfer options

January 7, 2016

Good evening Mayor Hales and Commissioners,

My name is Maggie Long and I am the Executive Director of the Service Employees International Union, Local 49. SEIU Local 49 is a 12,000 healthcare and property service member union. Combined with our brothers and sisters at SEIU Local 503, SEIU is the largest union in the state representing over 65,000 public and private sector workers throughout Oregon and Southwest Washington. Our mission as a union is to improve the quality of life for our members, their families, and dependents by achieving a higher standard of living, by elevating their social conditions, and by striving to create a more just society.

On behalf of our members, I am here today to voice Local 49's support for the Comprehensive Plan update's process to revise the existing Floor-Area-Ratio bonus system to incentivize affordable housing, and to further propose the Floor-Area-Ration portion of the Western Quadrant Plan be amended to promote livability and good jobs.

SEIU Local 49 has long been a champion of livability and affordability for working families in the Metro area. We participated in a coalition urging the legislature to end the ban on inclusionary zoning, we opposed the ban on the real estate transfer tax, and we have worked with coalition partners to advocate for more affordable housing in the South Waterfront and appreciate the City's recent commitment towards that effort.

SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 49

3536 SE 26th Avenue Portland, OR 97202-2901 503.236.4949 Fax 503.238.6692 Toll Free 800.955.3352 Toll Free Fax 888.595.7979 www.seiu49.org

In accordance with those principles, SEIU applauds the on-going effort via the Comprehensive Plan update to revise existing Floor-Area-Ratio (FAR) bonus and transfer provisions of the Portland Zoning Code to incentivize affordable housing. But we also feel strongly that these efforts are not enough to combat the growing challenges facing working families and see the Comprehensive Plan update as an opportunity to make more significant improvements for working families.

Portland is gaining national recognition as a world-class city with a desirable quality of life, but working families are being left behind.



We are seeing an ever-growing income disparity that is pushing working families farther and farther from the City core; for many of our members, affordable housing in proximity to where they work is simply unattainable. Our political program analyzes and maps voter registration data prior to every election and we have seen, year-after-year, striking evidence of our members being forced to move deeper into the City's outer zones and away from their jobs downtown. This reality, combined with stagnant wages and a steady erosion of important benefits such as affordable family healthcare and retirement security, give rise to a host of additional hardships disproportionately borne by working families.

This growing inequality is not who we want to be as a city and is inconsistent with the vision espoused by our Comprehensive Plan. The benefits of Portland's prosperity should be shared by *all* residents, and not just the wealthy few. Portland's development sector is booming again with dozens of new commercial and residential projects in the works, but the City could do more to ensure that working families get to share in this progress. Our built environment should reflect our City's commitment to livability, and we are presented with such an opportunity now via the update to the Comprehensive Plan and its proposed updates to the Floor Area Ratio bonus and transfer provisions.

The Western Quadrant component of the Comprehensive Plan contains important recommendations for substantially incentivizing the creation of additional affordable housing. Calibrating the density bonuses in favor of affordable housing could be a powerful way to reflect and achieve the City's affordable housing goals and values. Creating a mechanism for a cash contribution towards an affordable housing fund would likewise provide an important avenue for developers to reach their desired density while helping to ensure that Portland is a city that works for all of its residents.

There is, however, a crucial component missing from these current recommendations. Access to affordable housing is of critical importance to working families, but so is access to good jobs. Local 49 therefore proposes a Floor Area Ratio bonus and transfer option aimed at ensuring the jobs created by new developments are good, quality jobs. Developers enjoy numerous financial benefits resulting from increased building density; likewise, the people that work to build, clean, and secure our City's buildings deserve a fair shot at participating in Portland's growing prosperity. To that end, a Floor Area Ratio bonus and transfer provision should be created that incentivizes the creation of jobs in our community that provide a family wage, meaningful benefits, and important worker protections.

INTERNATIONAL UNION LOCAL 49

SERVICE EMPLOYEES

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With the City's rising development momentum coinciding with the Comprehensive Plan update, the time is now to consider new ways for the City's code to incentivize community benefits. I urge the Council to accept these recommendations as we move forward with the process of updating the Floor Area Ratio bonus and transfer provisions.

Thank you for the opportunity to testify. I would be happy to answer any questions.

SOUTH PARK BLOCKS

endorse the priority/goal of obtaining historic designation for the South Park Blocks. I recommend moving the time line for this from 6 - 20 years to 2 - 5 years.

There is some urgency since the heights and uses being proposed along the blocks could incentivize the demolition of many of the historic churches, historic cultural facilities and early apartment buildings, all of which offer human scale, sunlight and historic character to the park blocks. (Vol5 p147 UD23)

l recommend <u>against</u> the change to CX from RX zone on both sides/frontages of the South Park Blocks.

Zoning/use has been changed on the east side of the blocks from RX (mixed-use/residential) to CX (commercial). When looking at that eastern frontage blocks, there are historic churches and apartment buildings, both of which are more closely associated with residential areas. (Vol2 maps p467, 469)

David Newman 1221 SW 10th Portland, OR 97205

7-26-16

SOUTH PARK BLOCKS

I endorse the priority/goal of obtaining historic designation for the South Park Blocks. There is some urgency, however, since the heights and uses being proposed along the blocks could incentivize the demolition of many of the historic churches, historic cultural facilities and early apartment buildings, all of which offer human scale, sunlight and historic character to the park blocks. I recommend moving the time line for this from 6-20 years to 2-5, for that reason. (See: Vol5 p147 UD23 Obtain historic designation for South Park Blocks.)

Zoning/use has been changed on the east side of the blocks from RX (mixed-use/residential) to CX (commercial). I recommend against this change, instead recommend retention of the RX zone on both sides/frontages of the park blocks. When looking at that eastern frontage blocks, there are historic churches and apartment buildings, both of which are more closely associated with residential areas. The exception is the Goodman owned parking lot, the Broadway frontage of which is currently being developed into a tall hotel, threatening to block sunlight.

The threat of loss of sunlight through loss of human scaled buildings and the addition of tall buildings is real. The Ladd Tower's shadows on the South Park Blocks at 11 AM in May 2016 is a good demonstration of what is lost with towers along the blocks.

Earlier height maximums on and along the South Park Blocks were thought to be 100'. There is some confusion about that, but I strongly recommend maximum building heights for the blocks adjacent to the park be no more than 80'. In the current proposal, they vary from 185' to 250' to 320' to 370'.

In the current proposal, shadow studies are required on the west side of the park blocks, but not the east side. I **recommend shadow studies be required on both sides of the park**. People use the park both in the morning and the evenings.

Based on the above analysis, the following **are recommended changes** in the draft plan.

Vol5 p147 UD23. Obtain historic designation for the South Park Blocks: **Change the timeline from 6-20 years to 2-5 years.**

Vol1 p70, Policy 5.DT-4b. South Park Blocks: Add sunlight protection as a requirement. This requirement should also be reflected in the shadow study requirement map (Vol2A1 p337 Map 510-4.

Vol1 Urban Design 5.3 p66. Dynamic Skyline: Change last sentence to read, "<u>Require</u> heights and building forms that preserve sunlight on public open spaces and parks."

Vol2p331, 337: Maps of Heights along South Park Blocks: Lower to 80' maximum along the park blocks and remove the designation of "area eligible for height increase."

Vol2 p467, 469. Zoning Maps: Keep RX zoning along South Park Blocks as expressed on p467 map. Eliminate zone change on p469 map.

I also endorse the following policy actions relating to the South Park Blocks:

Vol5 p111 UD81: Develop a set of special design guidelines and streetscape improvements for the Cultural District.

Vol5 p139, p153, p177 RC81: Develop a package of streetscape improvements for the cultural district to enhance the pedestrian experience between attractions including the OHS, the Art Museum and the Arlene Schnitzer Concert Hall.

Vol5 p145 EN 20: Develop a strategy for inventorying, removing and replacing trees in South Park Blocks to eliminate safety hazards while maintaining or enhancing canopy coverage and habitat.

Central City 2035 Testimony

Regarding the need for parks, community centers and schools in the West End July 26, 2016

I am Christine Neilsen. I reside at 1221 SW 10th Avenue and have been a West End resident for 10 years. My professional work was in education and community engagement, having served recently as chair of the Portland Community College Foundation Board and member of the PCC President's Advisory Committee.

I endorse the policy changes noted in the draft 2035 Plan that now include the need in the West End for parks, schools and a community center. *(reference Vol 1, p. 93 (map), Vol 1, p. 69).*

I have testified twice on this need in the past, and I appreciate that this testimony was heard and acted upon.

The policy change I note will be nothing more than words and hopes, however, unless it is reflected throughout the planning document in the details.

Changes calling out parks should be reflected in the West End district policies as a new policy 5.WE-4 (Vol 1, p. 71) and in Vol 5's implementation action list with linkage to RC80.

Getting the park fully detailed is extremely important to the way the West End will develop.

Looking at Central City maps provided by Portland Parks - in addition to no park space in the West End - there is no community center, no community garden, no dog off-leash area, and no elementary school - in short, no places that build community and cohesiveness.

Making the West End a good place for people of all ages to live requires that the need for parks, schools and public gathering places be addressed. They all contribute to an engaged, resilient community.

I strongly request that whatever the ultimate solution, the plan reflect throughout it the need for neighborhood park space and community gathering space; and support the need for an additional school.

Add community center to vol 1, Policy 2.WE-1, pp44 to conform with vol 1, Policy 2.1, p 42.

To create linkage with Action RC80 and acknowledge the current need, further changes needed in the timeline are: change the timeline for the following action in Vol5, p 177 Action HN35 from 6-10 years to 2-5 years.

This timeline change will position the city to better partner with PPS as they develop the Lincoln HS site.



City of Portland, Oregon Bureau of Development Services Land Use Services

Dan Saltzman, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

MEMO

Date:	July 26, 2016
То:	Rachael Hoy, Bureau of Planning and Sustainability
From:	Staci Monroe, Bureau of Development Services
CC:	Paul Scarlett, Susan Anderson, Joe Zehnder, Eric Engstrom, Rebecca Esau, Stephanie Beckman, Douglas Hardy, Kimberly Tallant, Jill Grenda, Kara Fioravanti
Re:	BDS Comments on Central City 2035 Public Draft

Thank you for the opportunity to review and comment on the CC2035 Public Draft. This important project will shape the future of Portland's Central City and our ability to meet the goals of the Comprehensive Plan to manage growth and to maintain a healthy and vibrant urban core and its distinctive sub areas. We appreciate the chance to participate in informing this critical set of amendments to the Zoning Code.

The comments below highlight our significant areas of concern and provide detailed comments on the proposal. We look forward to working with BPS staff to address our concerns and providing additional feedback as the project develops.

Significant Areas of Concern

- 1. **Scenic Corridor.** The Scenic Corridor tree removal standards and exemptions in 33.430 need to be evaluated in more detail to ensure that the exemptions and standards are clear and do not conflict. To allow larger tree removal though the exemption than allowed by the standard seems contrary, and the commentary in both sections doesn't explain that intent.
- 2. **Environmental Regulations.** An overall comment about the standards of 33.475 is that they are inconsistent throughout in regards to treatment of temporary disturbance areas, tree removal and mitigation. For example:
 - a. Development in a city park (33.475.440.I) requires mitigation, however, public viewing areas (33.430.440.E) do not.
 - b. A utility line (33.475.440.B) requires disturbance areas to be landscaped, however, an outfall requires mitigation and no replanting of disturbance areas.
 - c. Resource enhancement (33.475.440.G) has no limitation on tree removal.

It is strongly recommended that these standards be aligned to require consistent treatment of temporary disturbance areas, tree removal, and mitigation.

3. **FAR Bonuses and Transfers.** The following concerns are related to the revisions to the FAR bonuses and transfers:

- a. The seismic upgrade FAR transfer option is complicated and presents enforcement concerns, such as; once the transfer is made what mechanism ensures the upgrades over time? Are they any penalties? What if the seismic code changes over time?
- b. Why limit FAR transfers out of only Skidmore/Old Town and New Chinatown/Japantown when there are three other historic districts within the plan district (Yamhill, Grand Avenue and NW 13th) that are experiencing growth and incompatible infill in terms of massing and height?
- c. FAR should be allowed to be transferred from parking lots within historic districts to alleviate development pressure in historic districts.
- 4. **Bird Friendly Regulations**. The new bird friendly regulations present a number of concerns:
 - a. They conflict with ground floor window standards, which are proposed to increase from 25% to 60% within the plan district. They should therefore not apply to the ground level.
 - b. Calculating the bird-safe protections against the ground floor requirements will be cumbersome and particularly difficult to verify.
 - c. It is not clear how the 90% is calculated (per floor, per façade, cumulative?)
 - d. The regulations would be more appropriate in an Administrative Rule rather than the zoning code. As a newer issue to address, technology and industry solutions continue to evolve as it becomes a more common element in building design. An Administrative Rule would be just as enforceable but could be amended or updated much easier and quicker than the zoning code.
 - e. More options than just patterned glass should be provided. Canopies and coated glazing that is fully transparent were discussed recently as potential options that staff would support.
- 5. **Ground Floor Windows.** The Ground Floor Window standard needs to be strengthened by including utility and mechanical areas as uses behind glazing that do not qualify. In addition, display windows should be removed in the plan district as an option to meet the standard. There are not many examples in the plan district where they are successful. They could be requested through a Modification if an appropriate response to address a site condition.
- 6. **Ground Floor Active Use.** The areas subject to the Ground Floor Active Use standard should be required to be built and occupied now, not delayed for potential conversion later. In addition, the language from the Ground floor window regulation that clarifies what uses are not allowed behind qualifying windows is needed in this section as well for consistency.
- 7. Low-carbon Buildings. The low-carbon building requirements are still of concern as they are very limited. LEED only application is too easy and stronger regulations are needed to enforce compliance over time. BDS recommends looking into other certification standards, such as Net Zero Building certificate & Living Building Challenge. Also, subjecting new developments in IG1 to the LEED and ecoroof requirements may result in a building that only pencils out with higher rents. This seems counter to the message of encouraging ground level industrial space in exchange for bonus FAR for industrial office uses.
- 8. **General Clean-up.** In general, BDS encourages more clean-up of sections that are not needed (required above ground floor windows in certain areas only, rebuilding floor area after demo) instead of just focusing on reworking sections with a lot of interest.

Detailed Comments

We offer the following additional detailed comments.

Page	Code Section	Comment	Reviewer -
P1/9	33.510.100	Please make sure Map 510-17 lines up with rights-of- way so some sites are not bisected and planners do not have to scale shaded areas on the map to give information about what is allowed.	cooper
		Confirm that vehicle sales, such as a car or boat show, are allowed as temporary activities in the convention center.	
P1/33	33.510.117.D.2.b(2)	Just to confirm, is the cited "non-residential use" intended to include Conditional Uses? Can 100% of a Conditional Use be converted to office or retail?	Hardy
P1/47	33.510.200.A.	The code changed to use the term "gross building area" when regulating the size of uses. The purpose statement for FAR talks about the potential amount of uses, but these standards should be regulating bulk and offering additional bulk when there is a public benefit.	cooper
P/147	33.510.200	Previously suggested a need for diagrams on how to calculate FAR for balconies, decks, more than 50% enclosed. Also include info about if/how to calculate FAR for balconies and catwalks that are inwardly facing in a donut-shaped building.	Hillary Tim
P1/49 &	33.510.200.D &	Transfer of FAR is prohibited along the South Park Block frontages – why can it not be prohibited within historic districts? The ability to transfer more FAR into historic	Hillary
P1/65	33.510.205.D.1.c	districts will result in oversized buildings being proposed and staff and the HLC will have to continue to argue with applicants for more compatibly-scaled development. Historic districts should not be eligible to receive FAR.	
P1/49	33.510.200.D.	Could there be a reference to the maximum height map with the sentence that states, "There is no limit on the amount of FAR that can be transferred to a site."?	cooper
P1/55	33.510.205.B.2	Why not include Grand Ave, Yamhill, NW 13 th Ave?	Hillary, Tim,

Page	Code Section	Comment	Reviewer -
		Should include all historic districts in the CCPD	Kara, Staci
P1/55	33.510.205.B.1.b	Typo: End of sentence (2) should read "C.2.b; or" and end of sentence (3) should read "D.1."	Hillary
P1/55	33.510.205.C.1.b	Space needed between IG1 and unless	Staci
P1/63	33.510.205.C.2.g	Industrial <u>use</u> bonus FAR may be more appropriate in the <u>use section</u> in the front of the chapter since there is no maximum FAR in the IG1 zone.	Staci
P1/63	33.510.205.D	Allow transfer of FAR from parking lots in historic districts to alleviate development pressure in HDs.	All
P1/63	33.510.205.D	URM seismic upgrades enforcement triggers/penalties. Once transfer is made what mechanism ensures upgrades over time? A covenant?	Tim
P1/63	33.510.205.D.	Does that last sentence mean that the whole site cannot be a sending site if it has surface parking or only sites that are fully developed with surface parking cannot be sending site? Is there a formula when part of the site is surface parking?	cooper
P1/63	33.510.205.D.1.	Label this as a Seismic Upgrade transfer.	Mark Walhood
P1/67	33.510.205.D.3	Uses terms "lot" and "site" in the language. Lot is defined and is only the result of the land division.	Staci
P1/69	33.510.210.C.2.a.	Satellite receiving dishes	cooper
P1/71	33.510.205.C.e.1.2	Clarify how to measure 10% coverage for rooftop mechanical with a screen. Is it the entire area within the screen or the total area of the individual mechanical units? Unclear in base zone language as well.	Staci
P1/71	33.510.205.C.e.1.2	Typo – "The 12 inches is measures <u>d</u> "	Tim
P1/77	33.510.210.D.4.	Do the prohibited "projections" include the items identified in the exceptions? Sounds very definitive and the exceptions are a bunch of projections.	cooper
P1/79	33.510.210.D.4.d	• Why ask for hourly shadow study in (1) if only need to demonstrate less than 50% and 75% at noon on certain days (2)?	Staci

Page	Code Section	Comment	Reviewer -
		 Typo – remove "-" between space and at in d.(2) paragraph Add - "Adjacent also includes <u>open space</u> sites across a right-of-way from the site subject to the shadow study requirement. Can "significant negative impact" on R-zoned lands be quantified like on open space? 	
P1/133	33.510.215.B.1.b.	Can short-term bicycle parking be placed in this area?	cooper
P1/135	33.510.215.B.4	Burnside required building line – is this a required 10' setback as well?	Hillary
P1/139	33.510.220.B.	The list-making is painful, but mechanical rooms and bicycle parking are often proposed along the street frontage.	cooper
P1/139	33.510.220.B	Remove display cases as acceptable elements to meet Ground Floor Windows (GFW). Can't think of any that are successful. Could be a solution considered through a Modification but should not be allowed outright.	Tim, Kara, Staci, Hilary
P1/141	33.510.221	Are these standards still needed? Are buildings allowed without design review? Why would we regulate above ground windows in these areas and not others?	cooper
P1/143	33.510.223.C	 Not clear how 90% is calculated – per floor, façade, total? "Glazed portions of balcony railings, sky bridges, atria and glass walls" located anywhere on the building? Not clear when the 90% patterned rule applies to these elements when they occur all over the building. Include non-patterned glazing and canopy options. 	Staci
P1/143	33.510.223.B & C	Calculating the bird-safe protections against the GFW requirements is cumbersome and particularly difficult to verify at time of permit. These regulations should only apply to the levels 2-4 above the ground floor. How many bird strikes occur at the ground floor level? Is there data that suggests floors 1-4 are the most often hit? Conflicts with Ground Floor Windows Standard and	Hillary Tim

Page	Code Section	Comment	Reviewer -
		Ground Floor Active Use Standard.	
P1/147	33.510.225	Ground Floor Active requirement <u>must</u> be built now, not designed for later. Strike "or may be designed for later conversation to active uses."	Tim
P1/147	33.510.225	Ground floor windows language clarifying what uses are NOT allowed is needed in this section as well [ie. storage, utility room, parking, etc.] No display windows.	Staci, Tim, Kara, Hillary
P1/153	33.510.230.C.	Is this the only place net site area is used? It seems odd that the FAR section would not say it is post- dedication, but the code would mention it here. It seems "land dedicated to public rights-of-way" should be deleted to avoid confusion. NOTE: Kathryn Hartinger at BPS is putting some language in RICAP 8 commentary about calculating Title 33 standards based on site area and lot line location <u>after</u> right-of-way (ROW) dedication. There is a push to have FAR calculated based on the site area <u>prior to</u> ROW dedication.)	cooper
P1/155	33.510.242.B.	Is this section really still needed? How would it be implemented anyway?	cooper
P1/157	33.510.244	Low-carbon building certification too easy. Stronger regulations needed to enforce compliance. Enforcement over time not clear to BDS. Recommend looking into other certification standards. See original Discussion Draft comments + DZC comment.	Tim
P1/157	33.510.244	Is this realistic for IG1 zones if they were really developed for traditional industrial uses?	cooper
P1/167	33.510.252.A.2	Clarify trigger for industrial impacts disclosure, since permit for "development" leaves questions. Is it only for "new development"? Does it apply when new floor area is added? Does it apply to existing uses which come in for additional permits in an already legally-occupied tenant space?	Walhood
P1/167	33.510.252.A.2	"record a copy" presumably means at Multnomah County on the deed record, right? Should we say	walhood

Page	Code Section	Comment	Reviewer -
		"record on the property deed with the County (Mult/Clack/Wash, depending)? Would a covenant be helpful?	
P1/207	33.510.255.B.1	Change "reviewed" to "required"	cooper
P1/209	33.510.255.C	Should clarify in the Code text that the 80,000 square foot threshold for voluntary CCMP is for site area.	Hillary
P1/209	33.510.255.C.	Is the 80,000 square feet site area or floor area?	cooper
P1/213	33.510.255.H.9	Again, suggesting that "historic resources" should be preserved in addition to "scenic resources". No explanation why this is not included. Historic preservation is one of the policies of the Central City Plan, and is considered at the same level as scenic resources in Statewide Planning Goals #5 so why would it not be included?	Hillary
P1/225	33.510.261.C. Third paragraph	Can this be rephrased to not say "we" in the Zoning Code?	cooper
P1/233	33.510.261.I	This "all parking" subsection is below the "new parking" section header, implying this entire section applies only to new parking being created only, and not existing parking. Please verify (ie. there is no "all parking" section for existing parking?)	walhood
P1/239	33.510.261.l.7	The term "Undedicated General Parking" is used in this sub-subsection, but this should be deleted if the entire I subsection above only refers to new parking, in which case Undedicated General Parking is not a category or option (Undedicated General Parking is only for existing grandfathered lots in that category, and should be only listed in the "existing" parking section, if I follow correctly).	walhood
P1/241	33.510.262.C.	Can this be rephrased to not say "you" in the Zoning Code?	cooper
P1/327	Map 510-3	Hatch is not always clear if it extends to 1/8, ¼, or ½ block, especially between SE Ankeny and Pine. Suggest the hatch be made tighter.	Hillary
P1/327	Map 510-3 (1 of 3)	Hatchmark lines need to be perfectly clear. I see three quarter block locations that appear to be excluded from	walhood

Page	Code Section	Comment	Reviewer -
		the "area eligible for height increase", for example, but I can't tell for sure: NE corner of 13 th & Hoyt, SE corner MLK & Ankeny, NE corner MLK Pine.	
P1/335	Map 510-4 (2 of 3)	Get rid of the Marquam Hill PD boundary – it looks like a maximum bonus height area map feature, but is outside Central City (confusing).	walhood
P1/397	Map 510-22	Areas shaded for the Bird Friendly requirement outside of the greenway zones appears random throughout the Central City. Please clarify.	Tim
		As noted above in Standard [pg 143, 33.510.223], the standard applied to the ground floor appears to conflict with ground floor windows and ground floor active use requirements.	
P1/460	33.920.240.A.1-2	Changing definitions put a lot of weight on customers or clients visiting the site, to the point of being a primary distinction between industrial and traditional office (versus the current definitions). If an architecture or software firm has frequent customers and clients visiting, and we get complaints or comments during a zoning process that this is the case, should we re- classify the architect or tech office as traditional office? If it's ok for design/software firms to have as many customer or client visitors as a regular office, it might be helpful to say that (to prevent problems with contesting office use sub-categories in the Central Eastside during permitting).	walhood
P2/42	33.475.440.G	The commentary says removal of native vegetation is limited but there are no standards related to that. There are no limitations on tree removal or removal of native plants.	kt
P2/91	33.430.190.E.1	Remove the requirement for removal only with equipment with wheel/surface to ground pressure of no more than 7.5 psi. This requirement is not in 33.475. These are public trails and could be paved and/or require other heavier construction equipment to be used, so restricting the tree removal equipment doesn't make sense when there aren't equipment restrictions	kt

Page	Code Section	Comment	Reviewer -
		for construction of the trail in the same area.	
		Also, it's unenforceable and overly detailed.	
P2/93	33.430.195	How does this work in relation to exemption 33.430.080.C.7.b(5) which allows removal of trees that exceed the height restriction of a view corridor? These would potentially be larger trees being removed than those that are up to 12 inches. Is the development standard more restrictive than the exemption?	kt
P2/105	33.440.270.D	New language is coming? Or is this the final language?	kt
P2/10	33.475.040.B.2.f	Clarify whether any structure removal is exempt or just structure removal as required by the landscaping standards.	kt
P2/10	33.475.040.B.2.j	What is being done with the structure? Need to identify if this exemption applies to altering existing structures or allowing new structures on an existing dock, wharf, etc.	kt
P2/12	33.475.040.B.2.k(3)	Remove from exemption the requirement to meet standards of 33.475.220. There is no way to check or know that those standards are met without a plan check. If you want those standards to be met, this item needs to be removed as an exemption.	kt
P2/12	33.475.040.B.2.o	 Typo – remove "not" from "no native trees are <u>not</u> removed" Why is this exemption allowing restoration of disturbed areas to pre-construction conditions, whereas "p" requires restoration to 220? These two exemptions are so similar in terms of impact area. 	kt
P2/14	33.475.040.B.2.p	Remove requirement of exemption to meet landscaping standards of 33.475.220. restore this to the previous language of restore to pre- conditions or just seed with native species.	Kt
P2/14	33.475.040.B.2.r(2)	Same comment as above	kt
P2/14	33.475.040.C	List that 33.475.220 applies to the site, but not the remedial action project area to provide better clarification related to the exemption in 220.	kt

Page	Code Section	Comment	Reviewer -
P2/16	33.475.050	 Clarify if this is a standard or regulation. Clarify if an adjustment is allowed. Move this to a different location in the code. It's odd placement between exemption and permit requirements. Why not place it in the development standards section, like how 33.430 has standards for PLAs? 	kt
P2/16	33.475.060.B.1.b	Add TOB	kt
P2/16	33.475.060.B.1.d	Change 3" tree to 6" tree. There are no standards or exemptions to apply to 3" trees. If keeping 3" trees in this section, please add commentary to explain.	kt
P2/26	33.475.220.C. And C.3	 This section refers to these as "standards". Should change to "regulations" to match other language in the section. If the site already has riprap it is not often possible to install planting wells after the fact. There are no adjustments allowed to this section. What do we do if it is not possible? For example, we had a site recently where the riprap was 12 feet thick. 	kt
P2/26	33.475.220.B.2.d	The exemptions need to be clarified.	kt
		 Is the intention that these requirements would apply to the rest of the site that is not the "resource enhancement area" or "mitigation area"? Other standards refer to 33.475.220 for replanting of temporary disturbance areas, but if that area is more than 50 ft landward of the TOB there is no planting requirement? 	
P2/36	33.475.440.B	This section is unclear. A semi-colon or other punctuation needed in the sentence to break up what new utility line includes. If it is all inclusive then the standards below should be simplified to just refer to new utility line.	
		 New utility line is listed in both standard 1 and 2 so it is unclear where the disturbance area is allowed. Why would a new public utility line be limited to 10 ft disturbance but an upgrade would be allowed to disturb 15 feet. The pipe width could be the same. 	

Page	Code Section	Comment	Reviewer -
		 Does standard 3 only apply to a new line but not an upgrade? Shouldn't all lines be limited? Standard 5 disturbance areas – if they extend beyond 50 feet from TOB how does 220 get applied? If the landscaping regulations of 220 apply anyway, why is this standard needed. Should standard 6 also include exempting B.5? 	
P2/40	33.475.440.E	Setback distance to a wetland is listed in both standard E.1 and E.2. Please clarify which setback disturbance should be used.	
P2/42	33.475.440.E	Typo. This is the second E. this should be F and the remaining standards re-lettered.	
P2/42	33.475.440.E, F, and G	All have a standard to plant temp disturbance areas to meet 33.475.220. Not clear what to apply if the temp disturbance area extends beyond 50 ft from TOB. If these sites are already subject to the landscaping standards, area these standards necessary?	
P2/44	33.475.440.H	What does "site investigative work mean? Test pits and access? Please clarify.	
P2/44	33.475.440.1	Typo in numbering	
P2/46	33.475.440.J.2.e	Typo – remove "a" or remove plural	
P2/48	33.475.440.J.4	There are two number 4s that are repeated.	
P2/48	33.475.440.k	Change "paragraphs" to "subsection"	
P2/60	33. 475. 500 D.	Change "any part of development" to "any part of the actions"	smc
P2/60	33. 475. 500. E.	Remove the reference to "determining substantial conformance with standards", as these are not standards, they are regulations.	smc
P2/89	33.430.080 C.8.(5)	(5) says trees [in the View Corridor/Scenic overlay] over the height limit may be removed [by this exemption];(6) says tree removal in the scenic overlay is not exempt. Which is it?	smc

Page	Code Section	Comment	Reviewer -
P2/89	33.430.080 C.8.(5)	(5) says trees within the View Corridor on Map 480-1 and over the height limit may be removed [by this exemption]; But Map 480-1 is the map "without special Height Restrictions", making exemption C.8.(5) of no use.	smc
P2/89 & 93	33.430.080 C.8.(5) & 33.430.195	.080 C.8(5) says trees [in the Scenic View Corridor] over the height limit may be removed [by exemption]; Standards in .195 only allow removal of trees in the View Corridor if they are <12", if special equip used, and if replaced. If it were me I'd just use the exemption and not bother with the standard.	smc
P2/105	33. 440. 270 D	Remove the references to the River Water Quality zone: delete "In the River Water Quality zone. In the River Water Quality zone,"— this exemption should apply consistently throughout the Greenway overlay zones.	smc
P2/277	33.865.040 A	(The fourth sentence of this paragraph) change "a remediation action site plan" to "a remediation site plan".	smc
P2/277	33.865.040 A.1.a.(1)	Insert "Depiction of the site in its entirety (including any off-site mitigation area), showing accurate property boundaries. Additional plans may be submitted that show a portion of the site.	smc
P2/277	33.865.040 A.1.a.(3)	(Last sentence of this subparagraph) insert "see map 477-2" just before "see section 33.910.030".	smc
P2/281	33.865.040 A. 4. c	Insert ", using standard landscape graphics for each plant."	smc
P2/279	33.865.040 A.1. b(2)	For land use reviews the planner would want the site plan to show existing trees within the entire site, not only in the River Environmental zone.	smc
P2/287	33.865.040 B. a	Delete the second sentence: it is too confusing to refer to a city certified mitigation bank when no such program exists.	smc
P2/289	33.865.100 A. 1.	Just an observation that, unlike chapter 33.430, "significant detrimental impact on resources and functional values" will now be allowed for resource	smc

Page	Code Section	Comment	Reviewer -
		enhancement projects.	
P2/291	33.865.100 A. 2. d.	The grammar in these approval criteria needs work: replace "the mitigation plan must demonstrate" with " the mitigation plan demonstrates" (this issue appears throughout these mitigation approval criteria)	smc
P2/291	33.865.100 A. 2. d. (2)	Replace "performing the same functional value as the lost resource" with "performing the same function as a lost resource".	smc
P2/293	33.865.100 A. 2. d. (5)	Replace "the applicant may perform mitigation off-site" with "off-site mitigation is proposed" (again, delete all the "musts" approval criteria don't use this sentence structure).	smc
P2/297	33.865.120	Typo – applicable approval criteria are those of 33.865.100.A. the code is referring to B which is the approval criteria for modifications to environmental zone boundaries.	kt
P2/310	33.910.030	Still waiting to see new code language to clarify that bathrooms and cafes/retail are not allowed in the passenger waiting and queuing areas and still be considered river related.	kt
P2/310	33.910.030 Definition of Top of Bank	No change was made to the February 2016 def: the "largest decrease in slope" will vary considerably along a long river frontage: change the definition to "the first 10% or greater decrease in slope." Also please include a graphic (cross-section) of this definition.	smc
	Title 11	Didn't see any proposed amendments that need to be made to Title 11 to include e and g* in the tables that outlined when permits can be issued from UF for removal or when they need to go to BDS for Title 33 review.	kt

From: wendy macdonald [mailto:wendysuemacdonald@gmail.com]
Sent: Tuesday, July 26, 2016 8:53 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Re: Autoreply from Planning and Sustainability Commission

I am in support of preserving the views from Vista Bridge & all over the city. Central City 2035. Infill has gotten out of hand. Be more thoughtful if how the city is expanding.

Thank you. Wendy

Wendy Macdonald Principal Broker OR Keller Williams Realty 919 NE 19th Suite 100 Portland, OR 97232 direct 503 706 6544

Nolan Lienhart 420 NW 11th Ave., #718 Portland, OR 97209

July 26, 2016

Joe Zehnder Chief Planner Bureau of Planning and Sustainability City of Portland 1900 SW 4th Avenue, St. 7100 Portland, OR 97201

Re: February 9, 2016 Letter Re Conflicts of Interest Disclosure Form

Dear Joe:

I am writing in response to your February 9, 2016 letter to me and the other 32 members of the West Quadrant ("Quadrant") Stakeholder Advisory Committee ("Advisory Committee"). The Advisory Committee participated in the City of Portland's ("City's") planning process to develop a West Quadrant Plan ("Quadrant Plan"). The Quadrant Plan was initially drafted by the Bureau of Planning and Sustainability ("BPS") and ultimately adopted by the Portland City Council ("City Council") on March 5, 2015, following a two-year planning process.

In your letter, you advised that on June 12, 2015 the City Ombudsman ("Ombudsman") received an anonymous complaint from a group of concerned citizens claiming that some members of the Advisory Committee had conflicts of interest that were required to be disclosed but had not been disclosed during the Advisory Committee's meetings. You further advised that

the Ombudsman reviewed the complaint and concluded that the Advisory Committee members were public officials under Oregon law, and may have had potential conflicts of interest that should have been disclosed at the beginning of the Advisory Committee's meetings. The Ombudsman recommended that BPS ask the members of the Advisory Committee to disclose any potential conflict of interest before the City Planning and Sustainability Commission ("Planning Commission") and the Portland City Council ("City Council") take action on the Central City Plan (the approved Quadrant Plan will be an element of the Central City Plan), and your February 9 letter requests such disclosures.

This letter responds to your request.

First, I would note that during the 17 months the Advisory Committee members served on the Advisory Committee (March 2013 through July 2014) we were never asked by BPS to provide a conflicts of interest disclosure. In fact, at the first meeting of the Advisory Committee a BPS staff member advised the Advisory Committee that "this is not a formal land use process" (Advisory Committee Meeting Minutes, page 5 (March 11, 2013)).

Second, Oregon law is clear that when persons who are required to file conflicts of interest disclosures are met with a potential conflict of interest, they must announce the nature of the potential conflict "**prior to** taking any action thereon in the capacity of a public official" (emphasis added). ORS 244.120(2)(a). Because the Advisory Committee concluded its service in July 2014, and the City Council adopted the Quadrant Plan in March 2015, I do not believe

submitting the "Conflicts of Interest Disclosure Form West Quadrant Stakeholder Advisory Committee" ("Disclosure Form") that you have provided would satisfy the requirements of the statute. The Disclosure Form is not a public announcement of a potential conflict of interest provided "prior to" any action by the Advisory Committee. Accordingly, I have not completed the Disclosure Form you requested.

However, I do hereby disclose that I am an Associate Partner at ZGF Architects ("ZGF"), that ZGF has many clients with business interests in the Quadrant, and that I have personal investments in various properties within the Quadrant. I also disclose that during my service on the Advisory Committee I made no effort in the Advisory Committee's proceedings to influence the content of the Quadrant Plan or the Central City Plan in order to advance the interests of ZGF, any ZGF client, or my own personal interests within the Quadrant, including with respect to what land use policies, designations, and regulations should be established within the Quadrant.

Finally, under ORS 244.040 a public official is prohibited from:

A. Using or attempting to use his or her official position or office to obtain financial gain or avoid financial detriment for the public official, the official's relative or a member or members of the official's household, or any business with which the official or a relative or a member of the official's household is associated, if the

financial gain or avoidance would not otherwise be available but for the official's position or office;

- B. Soliciting or receiving, either directly or indirectly, any pledge or promise of future employment based on any understanding that the vote, official action, or judgment of the public official would be influenced by such a pledge or promise;
- C. Attempting to further or furthering the personal gain of the public official through the use of confidential information gained in the course of or by reason of being a public official or based on the activities of the official;
- D. Attempting to further or furthering the personal gain of any person through the use of confidential information gained in the course or by reason of holding the official's position as a public official or due to the activities of the official; and
- E. Attempting to represent or representing a client for a fee before the governing body of a public body of which the person is a member (this prohibition does not apply to a person's employer, business partner, or other associate).

As I note above, I have not violated any of these prohibitions and will not violate them at any time in the future. <u>Please include this letter in the July 26, 2016 PSC hearing record on the</u> <u>Central City Plan</u>.

Very truly yours,

Nolan Lienhart



July 26, 2016

Dear Planning and Sustainability Commission,

Thank you for the opportunity to comment on the proposed draft of the Central City 2035 Plan. It is a formidable document with important, lofty goals, supported by powerful "big ideas." The big idea we would like to focus on is the most concrete of the six: The Green Loop.

The Green Loop is particularly inspiring not only because its physical manifestation is the easiest to envision, but because it would seem to have the genuine potential to advance the other five big ideas as well. A well-implemented Green Loop really could celebrate Portland's civic and cultural life; foster creativity, innovation and productivity; enhance the Willamette for people and wildlife; make streets Great Places; and increase the resilience of the Central City.

The Green Loop is a concept worthy of a city widely known for its great public spaces. These spaces are rightly celebrated for their vibrance, but we often forget how contentious and protracted the processes for creating them can be. Planning for what was to become Pioneer Courthouse Square, for example, started in 1961. It didn't open until 1984 after a generation of political conflict and indecision.

At the pace of growth that it is currently experiencing, Portland simply cannot afford to wait decades for the Green Loop to be built.

A project of this scale will require a high level of collaboration, coordination and community desire to be realized. A coalition of diverse stakeholders will have to be built around a common vision for the future of the central city. That vision must be infused with all the qualities that make Portland great: productive engagement, environmental ambition, and creative innovation.

Fortunately, Portland is also known for its culture of community involvement and grassroots placemaking. Organizations such as Better Block PDX and City Repair have shown how coalition building and a DIY spirit can quickly transform public right-of-way into vibrant, multi-use places.

Portland is full of creativity, energy and community spirit just waiting to be harnessed.

So given the scope and urgency of the Green Loop, the Central City 2035 Plan should specifically consider what implementation strategies will yield a successful, world-class design and a productive public engagement process. **The Portland of the Future needs a Process of the Future that will inspire stakeholders, reduce friction and improve communication.**

To that end, we suggest that alongside the technical feasibility study called for in the Plan, the City should commission a **GREEN LOOP DESIGN GUIDE** that presents a coherent design vision in a single, easy-to-understand reference. It should be printed in large quantities and available online. It should be richly illustrated, concise, and not wonky! **The intent of the Green Loop Design Guide is to articulate a vision that refines the "language" of urban design into a compelling "dialect" of**

locally-relevant placemaking. This document can be used to persuade and inspire stakeholders, to lend guidance to demonstration project organizers, and lend unity to incremental improvements along the alignment. It will further support the Comp Plan guiding principle of equity, by making the vision more accessible and concrete to the general public, and by making it clear how all Portlanders can participate in the realization of the vision.

The Green Loop Design Guide should include:

- design principles and standards
- physical requirements [sample street sections]
- physical elements [consistent furnishings, bike parking, kiosks, landscape elements, integrated wayfinding, etc.]
- experiential "patterns": public art [permanent, temporary, static, participatory, etc.]; performance spaces [programmed, impromptu]; seasonal markets; seasonal amenities [water features; shelter]; "easter eggs" [acoustic phenomena, curated views, photo ops, coded messages, etc.]
- resources and tips for how to hold demonstration projects [Better Block, City Repair, etc.]
- interactive features [comments, Q&A, project event calendar, etc.]

Finally, we would like to highlight a potential synergy between The Green Loop and another priority of the Central City 2035 Plan: District Energy.

Nearly all of the 2000+ buildings in Portland's central business district lie within a half-mile of the Green Loop alignment. Collectively these building owners spend roughly \$180M [based on City of Portland building data (via CivicApps) and US Dept of Energy Buildings Energy Data Book] on energy every year. A district energy system results in much lower energy costs over time. The prospect of these savings represents a tremendous opportunity to finance district energy investments, some of which would need to be spent on physical street work anyway (to install distribution pipes). Aligning these underground investments with streetscape and active transportation goals turns a District Energy plan into a potential engine to fund the Green Loop.

Two key challenges of establishing district energy are the significant financial and regulatory hurdles for implementing systems that include multiple property owners and infrastructure in the public right-of-way. The Green Loop concept could provide the framework and inspiration to drive the planning and policy changes urgently needed to implement District Energy.

Sincerely,

mup Ler

on behalf of Fat Pencil Studio

From: Claire Lematta [mailto:clairelematta@hotmail.com] Sent: Tuesday, July 26, 2016 8:11 AM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: CC2035 Plan Testimony

Esteemed committee:

We are at an inflection point in our city's history, where we have the opportunity to preserve, or ruin, part of what makes Portland such a unique and beautiful place. I am speaking of the views of Mt Hood from Vista Bridge and other locations in the city. I understand there is a debate regarding how high to allow buildings to go up. We MUST not relinquish our precious view of the mountain to satisfy the demands of developers! Already we have a monolith at the East end of the Burnside bridge, a dark brown wall that looms over the bridge and the river. We don't need more walls blocking our views to the East.

I don't abide by the jobs creation argument either--these are temporary jobs that will end once the building is complete. We have robust employment in the city so the jobs creation argument is specious.

Tourists come from all over the world to enjoy our special city. Major news outlets love to sign the praises of our glorious food, wine and vistas. Why on earth would we jeopardize this heritage for more high cost rental housing?

Please, take the long view (literally and figuratively). Be strategic in where and how high you allow buildings to go up.

And while you are at it, make it mandatory to put parking into these buildings! The streets are getting so clogged with parked cars I hesitate to go out to enjoy different neighborhoods because I can't find a place to park! Let alone the impact on the existing neighbors.

Your decisions effect everyone who lives in Portland and they will make permanent our glorious views of Mt Hood and the Cascades, or will permanently erase a big part of what makes our city so unique.

Please, take time, be thoughtful and make decisions on behalf of all.

Kind regards,

Claire C Lematta 4430 SW Carl Place Portland OR 97239 503 863 1411

Perkinscole

1120 NW Couch Street 10th Floor Portland, OR 97209-4128 +1.503.727.2000
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July 26, 2016

Dana L. Krawczuk DKrawczuk@perkinscoie.com D. +1.503.727.2036 F. +1.503.346.2036

VIA EMAIL (PSC@PORTLANDOREGON.GOV)

Ms. Katherine Schultz, Chair Planning and Sustainability Commission City of Portland 1900 SW Fourth Avenue, Suite 7100 Portland, OR 97201-5380

Re: Unico's Testimony Requesting Unlimited Height Limit for U.S. Bancorp Tower (to Resolve Non-Conforming Development Status) – CC 2035 (Proposed Draft, June 2016)

This office represents Unico Properties, LLC, the owner and/or operator of several buildings in Portland, including the U.S. Bancorp Tower, located at 111 SW Fifth Avenue. Unico requests that the Commission slightly modify the Central City 2035 Proposed Draft ("CC 2035") height maps to allow unlimited height for existing buildings that legally exceed the City's 460-foot maximum height standard. This is consistent with direction provided by the City Council in the adopted West Quadrant Plan (March 2015). Please include this testimony in the record of the Central City 2035 proceedings, and provide us with notice of the final decisions.

US Bancorp Tower is approximately 536 feet in height, and complied with the applicable height standards at the time it was approved and constructed. Since that time, the property's height standard was reduced to 460 feet, which means that the US Bancorp Tower is considered a non-conforming development. CC 2035 currently proposes to maintain the existing 460 foot height limit for the US Bancorp Tower, but allows unlimited heights in some areas of the North Pearl.

We raised this issue during the West Quadrant Plan deliberations, and the City Council adopted Implementing Action UD18 as a CC 2035 action item, which states "explore options for mending the zoning code to bring existing buildings that exceed current maximum height limits (e.g., US Bancorp Tower, Wells Fargo, KOIN Center) into conformance." We ask that the Commission allow unlimited height for the US Bancorp Tower and other existing buildings that exceed the maximum height limits to implement this West Quadrant Plan action item.

Status as a non-conforming development can complicate the financing and sale of a property, and can make rebuilding in the event of building damage or destruction more difficult. The CC 2035 zoning code updates present an opportunity to remove the non-conforming development cloud from US Bancorp Tower and similar "grandfathered" buildings, such as the Wells Fargo Center and KOIN Center. The Commission and City Council have been receptive to requests to

bring long-standing uses and development into conformance under the zoning update projects and we request that the same conformance changes be made for the City's tallest buildings. An increased height allowance would acknowledge the presence and longevity of these iconic City buildings.

Accordingly, Unico requests that CC 2035 Maps 510-3 (Base Height) and 510-4 (Bonus Height) be revised to show an unlimited height for existing non-conforming height buildings that exceed 460 feet, such as the US Bancorp Tower.

Thank you for your consideration of these requests.

Very truly yours,

Dana L. Krawczuk

DLK:crl cc: Ty Barker (via email) Brian Pearce (via email)

132063289.2 Perkins Coie LLP

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July 26, 2016

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VIA EMAIL (PSC@PORTLANDOREGON.GOV)

Ms. Katherine Schultz, Chair Planning and Sustainability Commission City of Portland 1900 SW Fourth Avenue, Suite 7100 Portland, OR 97201-5380

Re: Haithem Toulan's Testimony Regarding 306 SE Ivon Street: Scenic Viewpoint Height Limit, Major Public Trail, and Housing Uses in EX Zone CC 2035 (Proposed Draft, June 2016) Miscellaneous Zoning Amendments Project (Proposed Draft, June 2016)

Dear Chair Schultz and Members of the Planning and Sustainability Commission:

This office represents Haithem Toulan, owner of the three-acre property located at 306 SE Ivon Street (the "Property"). The Property is proposed to be rezoned EXd under the Central City 2035 Proposed Draft ("CC 2035") in alignment with the Comprehensive Plan designation approved by the City Council. The Property will have a 100-foot base and 250-foot bonus height limit. We strongly support this change and it is appropriate for the Property which is a five minute walk from a new light rail and streetcar station.

Unfortunately, the following changes are also proposed which will effectively eliminate the possibility to redevelop the Property, particularly when the Property's approximately five million dollars in environmental remediation costs are considered.

These proposed changes, shown on Figure 1, make redevelopment infeasible:

- 60-foot scenic view height limit through the center of the Property
- Major Public Trail alignment through the center of the Property
- Prohibition on housing
- 50-foot River setback
- New River Environmental overlay covering almost half of the Property

We urge the Commission to take the following steps to make redeveloping the Property possible:

1. Remove the draconian height limits associated with Scenic Viewpoint CC-SW46 (view of Mount Hood from Tilikum Crossing) or allow flexibility on the height limit in order to allow

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development while preserving views. This flexibility could allow elliptical shaped development or other property-by-property solutions.

2. Specify in the Code that the Major Public Trail Alignment can be placed anywhere within a site and is not required to follow the lines on the zoning map, consistent with the Bureau of Development Service's current practice.

3. Allow housing uses on the Property under the master planning requirements proposed for station areas, since the Property is within a five-minute walk from both a Streetcar and MAX station.

Please include this testimony in the record of the Central City 2035 <u>and</u> Miscellaneous Zoning Amendments Project proceedings, and provided us with notice of the final decisions.

Remove Scenic Viewpoint CC-SW46 Height Limits

CC 2035 proposes to update the existing Scenic Resources Protection Plan and add additional viewpoints with height limits that severely constrain development. Two of the most impactful view limits are proposed across the Central Eastside, where many sites are being up-zoned or allowed more floor area for employment uses to help satisfy the City's demand for projected employment uses. One of these, viewpoint CC-SW46 bisects the Property and limits height to 60 feet, which is *190 feet lower than the Property's maximum height*. We request that the City either eliminate the height limits for the Property imposed by viewpoint CC-SW46 to allow heights in accordance with the base zone, so long as development take steps to be compatible with preserving views, such as elliptical shaped buildings or building orientation changes.

CC-SW46 is one of two viewpoints that showcase a view of Mount Hood from Tilikum Crossing. The City's ESEE analysis states that the views from the bridge are particularly important due to the cultural significance of Tilikum Crossing and Mount Hood to native tribes. While we do not dispute that both landmarks may be significant, the viewpoints themselves were established in 2015 and should not necessarily be prioritized over other viewpoints without a stronger linkage.

According to the ESEE analysis, CC-SW46 was chosen for protection through height reduction over CC-SE21, the other view of Mt. Hood from Tilikum, because it impacts portions of larger properties. In theory, these larger sites could maximize development potential on their unrestricted portions leading to lower levels of economic impact. At least with regards to the Property, the view limit cuts the full-height portion of the property into two smaller pieces (see Figure 1), neither of which is well-suited to full height buildings.

As noted above, the Property requires environmental remediation that will cost approximately five million dollars for any structural development on site. Redevelopment will only be possible if this large cost can be absorbed. Therefore, by restricting the size of development, the view limits will

effectively *prohibit* development on the site because 60-foot limits do not allow for development that could carry the costs of remediation. The ESEE analysis does not account for the height limits fully eliminating development on sites like the Property and therefore appears to be deficient.

The Property and other sites north of it are close to the new MAX line and streetcar stations. Development in these station areas was expected to be full height and density in order to maximize the value of the new transit infrastructure. The proximity to these new transit lines was the reason for up-zoning the Property and others like it nearby. Location of the viewpoint over newly-up-zoned sites frustrates the steps toward redevelopment. We urge the Commission to consider the impacts of undeveloped and underdeveloped sites adjacent to costly infrastructure and to adjust or remove the view height limits to safeguard development potential on these sites.

Clarify Major Public Trail Alignment

The current "greenway trail" is being renamed a "major public trail" and map alignments for this trail are proposed to change. While the changes to the trail section of the Code appear to be proposed as part of the CC 2035 revisions (Chapter 33.270), the mapping of the trail itself appears to be part of the Miscellaneous Zoning Amendments Project. To ensure that our comments are included in the appropriate discussion, we request that this letter be added to the record for both zoning projects.

The Property is undeveloped and therefore the trail has not been dedicated or constructed. As shown on Figure 1, the trail is mapped <u>through the center of the Property</u>. If the trail were required to be located at the mapped position, it would further shrink and constrain the development potential of the Property and would make development infeasible even absent the Property's other constraints. Mr. Toulan has always envisioned that when redeveloped, the Property would have gracious public access and recreational opportunities, including a trail. Therefore, he does not object to the requirement that a trail be located on the Property. Rather, the proposed *location* of the trail is problematic.

City staff have assured us that their current practice is to require that the trail be located somewhere on an encumbered site, and not necessarily along the mapped line. We agree that this is the most reasonable approach to locating the trail. However, the Zoning Code does not specifically state this policy, so we are concerned that this interpretation may be lost in the future when different staff members interpret the Code. The proposed Code update frequently references "the trail" and "the location" in reference to the zoning maps, which might lead an unfamiliar applicant or staff member to assume that the line on the zoning maps requires the trail to be placed in that location.

To allow necessary flexibility in locating the trail and provide certainty regarding this flexibility to property owners, we ask that the Commission add specific language to Section 33.270 allowing the trail to be located on site in a position of the property owner's choosing.

Allow Housing to Maximize Use of Transit Infrastructure Near the Property

The Property is a three-acre site within a five-minute walk of the SE Water transit station, served by the MAX Orange Line, streetcar and bus lines. A City Bikeway is also proposed for 9th Avenue near the Property. We understand that through the SE Quadrant planning process, the City determined that the area owned by OMSI on the other side of this transit station would be appropriate for housing if approved through a Central City Master Plan ("CCMP"). This would require the applicant to provide sufficient evidence that the housing use "would not impact the local transportation system or conflict with the surrounding uses." This CCMP requirement is carried forward in the CC 2035 Proposed Draft and we request that this CCMP option for housing be extended to the Property. As noted above, the Property requires environmental remediation at a high cost which can only be offset by high value land uses. Housing is the highest value land use in the City and can uniquely carry the cost of remediation for a large site like the Property. Without the potential to build at least some housing on the site, it is unlikely that the Property can be redeveloped due to the cost of cleanup.

The Property has direct, easy access to downtown via Tilikum Crossing through all of Portland's public transportation options (MAX, streetcar and bus). These multi-million dollar infrastructure projects were constructed under the assumption that sites near station areas would redevelop with intense uses, and indeed, the Property and nearby sites are being up-zoned to stimulate just this type of mixed-use redevelopment. Development of large, vacant sites near the stations is crucial to maximizing the millions in public funds spent on transit infrastructure. It is important to allow a broad mix of uses (with appropriate checks, like the CCMP process) near stations to ensure that these sites do actually develop. Leaving the land near stations vacant is arguably the worst possible outcome. We urge the Commission to allow housing on the Property in order to make redevelopment possible.

River Overlay Considerations

The River setback is being increased to 50 feet within the Central City and a new River Environmental overlay is mapped on the Property. While the new setback will further limit the amount of buildable land on the Property, Mr. Toulan does not specifically object to this increase. The Riverward portion of the Property is well-suited for beach and other River-related uses which are allowed within the River setback.

The large amount of the Property within the River Environmental overlay is surprising, given the site's contamination, lack of upland vegetation and elevation difference from the River. The Property is essentially on a cliff, and does not slope toward the River like most of the Central Reach. We believe that a finer grain analysis of the actual resources located on the Property and their functions and values should occur; either as a part of the overlay mapping or at the time of development upon the request of the Property owner

In sum, the CC 2035 proposal stacks a number of unrelated regulations on the Property that will effectively prohibit redevelopment. Redevelopment will be possible, even with the required environmental remediation, if the scenic view height limits, property-bisecting trail location and housing ban are eliminated.

Thank you for your consideration of these requests.

Very truly yours,

Dana L. Krawczuk

DLK:crl Enclosure: Figure 1 cc: Haithem Toulan (via email) (with enc.)

Figure 1



(Approximation of Property Constraints - Combined)

132010030.3 Perkins Coie LLP July 26, 2016 Ms. Katherine Schultz, Chair Planning and Sustainability Commission 1900 SW 4th Avenue, Room 2500A Portland, OR 97201

RE: Proposed Amendments to Zoning Code

Chair Schultz and Members of the Planning and Sustainability Commission,

Portland's development community is united in our appeal to the Planning and Sustainability Commission (the Commission) to postpone considering elimination of the nineteen existing Central City Density Bonus Options from current zoning code until the work of the Inclusionary Housing Program Panel of Experts (the Panel) is complete and all the impacts of affordable policy changes are evaluated to ensure robust multifamily development at all levels of affordability. The Panel's work is scheduled to be completed, soon, in fall of 2016.

As you know, the Portland Housing Bureau, led by Commissioner Dan Saltzman, has been meeting regularly with the Panel to develop an inclusionary housing program for the City of Portland that meets the statutory requirements, including density incentives. The Panel has been carefully considering policy framework options, including modeling affordable housing prototypes with financial and incentive consideration so that the program will be effective. In addition to ensuring the Inclusionary Housing program itself will be effective, the Panel is very mindful that Inclusionary Housing policy not chill the overall supply of housing at all levels of affordability. Good work is being done and they are still a few months away from final program recommendations, given the complex nature of this task.

Our experience is that density bonuses are a proven zoning tool to make significantly more housing units pencil out; now is not the time to restrict housing creation by limiting the residential 3:1 density bonus only to Inclusionary Housing program development. Additionally, the existing density bonuses in current zoning code create incentives for the creation of multiple public benefits, including but not limited to daycare centers, retail establishments, green spaces, and mixed-use neighborhoods. These elements are important to our urban fabric and should not be jettisoned without careful consideration of their utilization, public value or the alternative ways to incentivize their development. As was discussed at the Panel's Tuesday, July 19 meeting, the Bureau of Planning and Sustainability has not provided any data related to the utilization or effectiveness of the nineteen existing Central City Density Bonus Options being proposed for elimination.

We have a housing crisis affecting Portlanders at various income levels, not just those whose incomes qualify them for affordable housing units. The development community supported the passage of SB 1533, which lifted the statewide ban on inclusionary zoning, because it required local jurisdictions to offer incentives to make affordable housing requirements viable and thus increase the overall housing supply. Yet if existing density bonuses are eliminated for all development except the Inclusionary Housing program, there will be less housing built and that will only make affordability worse. The biggest crunch will impact the middle-income households: nurses, teachers, and civil servants who earn between 80 and 120 percent of MFI.

Chair Schultz and Members of the Planning and Sustainability Commission July 26, 2016 Page 2

We urge the Commission to keep the existing density bonus structure in place until the Panel completes their analysis and recommendations. A future Affordable Housing Bonus that can be stacked upon existing bonuses will likely go further to address our housing crisis and be more equitable to all Portlanders.

We appreciate being part of this process. Thank you for the opportunity to comment.

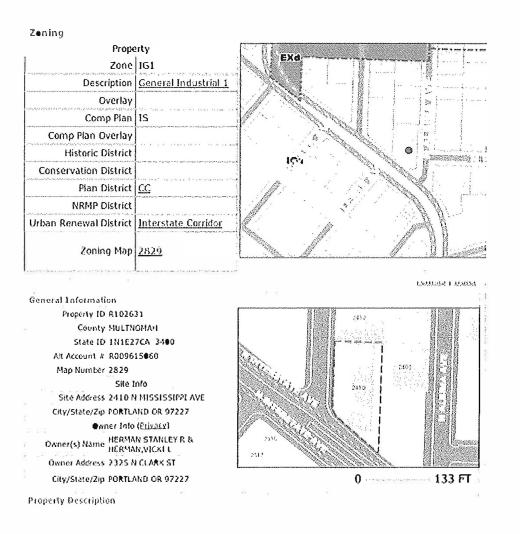
Sincerely,

Jeremiah Jolicoeur, Alliance Residential Wade Lange, American Assets Trust Chris Nelson, Capstone Partners Greg Goodman, Downtown Development Group LLC Tom Brenneke, Guardian Real Estate Services LLC Dennis Allen, Holland Partner Group Noel Johnson, Killian Pacific Gary Vance, Mill Creek Residential Greg Specht, Specht Development Tim O'Brien, Urban Asset Advisors Michael Nagy, Wood Partners

Central City 2035 Proposal

Request for Zone Change 2410 N. Mississippi and adjacent vacant lot owned by Mr. Stan Herman. R102631 / R102632

Mr. Herman would build a proposed hotel/coffee shop and roof top view lounge for an international hotel company. The properties are at the Albina MAX Station.



CoreForm 1722 NW Raleigh St. Portland, OR. 97209 503 224 5117





Central City 2035 Proposal

Request for Zone Change 2410 N. Mississippi and adjacent vacant lot owned by Mr. Stan Herman. R102631 / R102632

Mr. Herman would build a proposed hotel/coffee shop and roof top view lounge for an international hotel company. The properties are at the Albina MAX Station. The Light Rail Transit Station Zone CH. 33.450 [below] suggests that The City would support the dense and active Hotel Use with its street level Coffee Shop, and busy Lounge at night.

CHAPTER 33.450 LIGHT RAIL TRANSIT STATION ZONE

(Amended by: Ord. No. 167464, effective 4/15/94; Ord. No. 169763, effective 3/25/96; Ord. No. 174263, effective 4/15/00; Ord. No. 178172, effective 3/5/04.)

Sections: General 33.450.010 Purpose 33.450.030 Short Name and Map Symbol 33.450.030 Where These Regulations Apply Use Regulations 33,450,300 Prohibited Uses **Development Regulations** 33.450.400 Prohibited Development 33.450.410 Minimum Floor Area Ratio 33.450.420 Minimum and Maximum Parking Requirements 33.450.430 Location of Vehicle Access 33.450.440 Improvements Between Buildings and the Street

33,450,450 Ground Floor Windows

General

33.450.010 Purpose

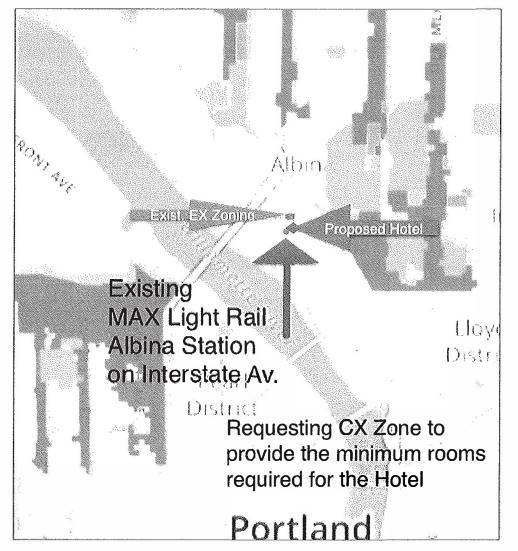
The Light Rail Transit Station overlay zone encourages a mixture of residential, commercial, and employment opportunities within identified light rail station areas. The zone allows for a more intense and efficient use of land at increased densities for the mutual re-enforcement of public investments and private development. Uses and development are regulated to create a more intense built-up environment, oriented to pedestrians, and ensuring a density and intensity that is transit supportive. The development standards of the zone also are designed to encourage a safe and pleasant pedestrian environment near transit stations by encouraging an intensive area of shops and activities, by encouraging amenities such as benches, kiosks, and outdoor cafes, and by limiting conflicts between vehicles and pedestrians.

> CoreForm 1722 NW Raleigh St. Portland, OR. 97209 503 224 5117





Central City 2035 Proposal

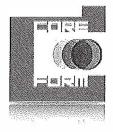


Request for Zone Change 2410 N. Mississippi and adjacent vacant lot owned by Mr. Stan Herman. R102631 / R102632

Mr. Herman would build a proposed hotel/coffee shop and roof top view lounge for an international hotel company. The properties are at the Albina MAX Station.

CoreForm 1722 NW Raleigh St. Portland, OR. 97209 503 224 5117





From: tammi harper [mailto:word.seeds@gmail.com]
Sent: Tuesday, July 26, 2016 3:09 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Willamette Greenway Plan/Central City 2035

Greetings,

I am unable to attend this evening's hearing on Central City 2035 but wanted to submit comments regarding the Willamette Greenway Plan for the Central Reach.

On 7/1/16, I observed indiscriminate vegetation cutting along the Willamette riverbank adjacent to the Bankside and RiverPoint Condos. I ride the Willamette Greenway Path to work every day and was quite surprised and disappointed to find the area being clear-cut during nesting season. The area covers a couple hundred yards of the riverbank, beginning just north of Willamette Sailing Club, along the Willamette Greenway path (between the path and the river). I realize this area is beyond the bounds of the Central City, but it warrants the same protection and vegetation management consideration. Many cottonwood saplings and natives along with fruiting blackberry were cut indiscriminately along this stretch of riverbank. After following up with the landscaping service, I learned that Johns Landing Owners Association contracted with them to cut the riverbank, and they do it every year. If the aim is to remove blackberry from the riverbank, digging up the root crowns and replanting native vegetation is necessary. Removing vegetation and leaving the bank bare contributes to erosion, poor soil health, and disrupts the phytoremediation services a healthy riparian area provides. Further, a 50 foot set back should be the bare minimum along the river.

We have a responsibility to be good stewards of the river that feeds our city.

thank you,

tammi harper 503.890.2827 2330 SE 22nd Ave Portland, OR 97214



July 26, 2016

Katherine Schultz, Chair Portland Planning & Sustainability Commission 1900 SW Fourth Avenue Portland, OR 97204

Re: Central City Plan – Low-Carbon Buildings/Standards

Chair Schultz and Commissioners:

The HBA of Metro Portland appreciates the opportunity to comment on the Central City Plan, in particular those items that address low-carbon buildings and standards. We recognize the importance of taking appropriate measures to lessen our carbon footprint, at the same time furthering policies that promote affordability for current and future residents of Portland.

The HBA actively encourages initiatives and building practices that promote sustainability and a healthy environment. The association works closely with Energy Trust of Oregon to promote better building practices in the city, to include energy efficient, high performance homes and buildings designed and constructed to contribute to the long-term viability of our community.

The items outlined are a commendable step toward improving energy efficiency and promoting a healthier environment for our residents. However, there are items that stand out as problematic from a policy perspective and toward achieving the shared goal of housing affordability for Portland.

Specifically, the policy proposal outlined before the Commission (35.510.244, et seq.) selects one green building certification system over other, federally-recognized systems. At a time when the city is in the midst of an affordability crisis, now is not the time to adopt a policy that picks winners/losers and drives up the cost of development, unintentionally impacting housing affordability.

Rather than outlining such a narrow policy for low-carbon buildings and standards, the Commission should look to the U.S. General Services Administration (GSA) for guidance on the matter. If the City wishes to adopt green building standards as part of its Central City Plan, it should acknowledge those firms that are recognized by the GSA in its review of green building certification systems.

By using an acknowledged, Federal standard, the City can ensure a greater degree of certainty in the process and provide the development community with comprehensive, environmentally sound, and potentially lower-cost options that can better achieve these shared environmental and affordability goals for our residents.

Home Builders Association of Metro Portland 15555 SW Bangy Rd., Ste. 301 Lake Oswego, OR97035 503-684-1880 • Fax 503-684-0588

25294

The HBA values our relationship with the City and looks forward to working together on these important issues for Portland. Thank you for your consideration of the proposed items.

Respectfully,

Paul Grove Associate Director of Gov't Affairs Home Builders Association of Metro Portland

From: Bill Failing [mailto:wlfailing@gmail.com]
Sent: Tuesday, July 26, 2016 1:03 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Cc: Tracy J. Prince, Ph.D. <tprince@pdx.edu>; nancy seton <NancySeton@comcast.net>
Subject: Protecting the Vista Bridge Iconic Status

Dear Planning Stewards of our Community,

Going back to the mid-1990's when a group of us-citizens worked with the City to insure that the City not replace its decaying iconic cast-stone light standards on the Vista Bridge with standard-issue aluminun goose neck light poles, we were able to work out a partnership with the City to replace them with authentic cast-stone.

How did we do it?

We cut a deal with City to come up with half the replacement costs by holding a series of bridge tolls on the Vista Bridge. It worked---everybody gave something. <u>What we learned is how</u> <u>important that Bridge is to the West Hills Neighborhood, and to the image of the City in General</u> (Think 'Portlandia's' opening introduction)......We were successful with this project.

Two important issues are at stake right now:

- The View Corridor to and from the Bridge is in danger of being further compromised with future high-rise structures.
- The grossly-unpopular "prison fence" ---deemed temporary, has no support from Commissioner Novick, who unilaterally ordered the fence installed without neighborhood input.

Regarding the fence: An ad-hoc committee, made up of architects, neighborhood leaders, and historians, was formed to recommend less-unsightly alternatives to replace the fence. The spectre of suicide has always been one with us, though distorted, to find a solution. The Bridge since its incept in 1925 has had an average of 2 suicides per year since then. (The recent publicity sparked the suicide frequency.) The "Save the Vista" Bridge Committee has come up with a solution to the problem: a net that neither blocks the view from the Bridge, nor compromises the arch from below it on Jefferson Street. We are waiting for approval.

So---keep in mind that the "views" to and from the Bridge matter tremendously to a broad number of Portlanders---who <u>value the City aesthetics</u> above the accomodated rush to achieve density.

From those of us who care: Let's keep Portland "Portland"---Protect its iconic landmarks for current and future generations to enjoy! It's in your hands Guys!

Bill Failing Former Chair Vista Bridge Light Brigade Current Board Member of SWHRL Past-Board President of Oregon Historical Society President of Vintage Trolley Inc. Past-Board Member Portland Streecar Past-Board Architectural Heritage Center Founding Member Multnomah County Library Foundation President-elect Lang Syne Society Chair, Columbia River Historic Highway Centennial Planning Committee Lifelong Portland Resident whose Family helped build Portland

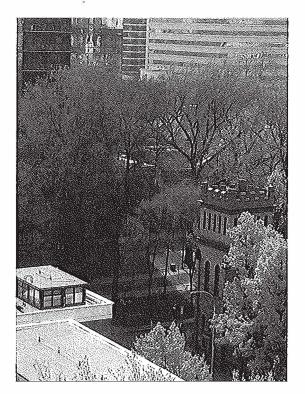
Bill Failing wlfailing@gmail.com 503 3092768 Terry Dalsemer 1221 SW 10th Ave. #606 Portland, OR 97205

I am writing this as a resident neighbor of the South Park Blocks.

I am a volunteer with the Friends of the South Park Blocks, as well as a horticultural volunteer at the Portland Japanese Garden. The natural green space of the South Park Blocks is very important to me as a downtown resident surrounded by concrete and buildings. If building height restrictions are not limited, the resulting shade would further compromise the plantings which we volunteers already struggle to maintain. We have seen additional shade resulting from the Ladd Tower building, east of the park. (See the photo.) More and taller buildings nearby would continue to negatively affect this. Sunlight, trees, and plants add an important element to the quality of life for all citizens and visitors who either reside or pass through the South Park Blocks.

It would be unfortunate if, in the name of "progress", a beautiful section of our city was degraded by the allowable building height allowances ranging from 180' to 370'. The trees and plants need a balance of sun, water and shade. Let's not compromise this any further. Lower the maximum building heights along both sides of the South Park Blocks to 100'.

Thank you. Terry Dalsemer



Shadows from Ladd Tower. Photo taken looking east from above the Portland Art Museum across the Park Blocks at 11 AM in May 2016. To the right of the Ladd Tower is a mid-rise church.

I'm Susan Bliss, and I live in the West End.

I came to Portland over 10 years ago, in part because I loved the interesting and varied architecture and human scale of the area now known as the West End. For me, it defined Portland, and that is why I'm here today to advocate for historic preservation in that area. I would like to see two important additions made to the Draft Plan.

First, I would like to see a fourth Policy added under the West End subsection of Regional Center. It would be Policy 1.WE-4 and read:

"Encourage the reuse, rehabilitation and seismic upgrade of underutilized buildings to increase the useable space and economic activity in the district so as to preserve and enhance the cultural and historical significance of the area." (Vol. 1, p. 35)

Second, I request a new action item in the Action List for both Bureau of Development Services and Portland Bureau of Emergency Management, to create an additional policy, RC55, for the West End, to read:

"Consider creating (and or) revising seismic regulations to allow for more incremental upgrades on a timeline of two to 15 years." (Vol. 5, p. 92)

Finally, I want to thank staff and endorse the many changes that incorporate Historic Preservation language into the Plan's Policies, including Historic Preservation subsections that encourage reuse and incentives that will support the protection of historic and culturally sensitive resources. To list a few: thanks for a policy to protect existing and historic resources in the West End; for retaining a bonus allowance for historic preservations needs; for prioritizing the West End for an update of the Historic Resources Inventory, and for updating the Downtown Multiple Property Listing, which includes many West End buildings. And finally, thanks for including an action recommendation to advocate for the state historic rehabilitation tax credit.

Thank you.

Susan Bliss 1221 SW 10th Avenue, #705 Portland, OR 97205 Tel: 503-841-6012 <testimonyBliss.7.26.16.docx> My name is Dr. Duane Bietz. I have lived in the West End for 10 years but have been a Portlandresident for 39____ years. For 29 years in a historic Landmark on Mt Tabor, The Jacobs Wilson House

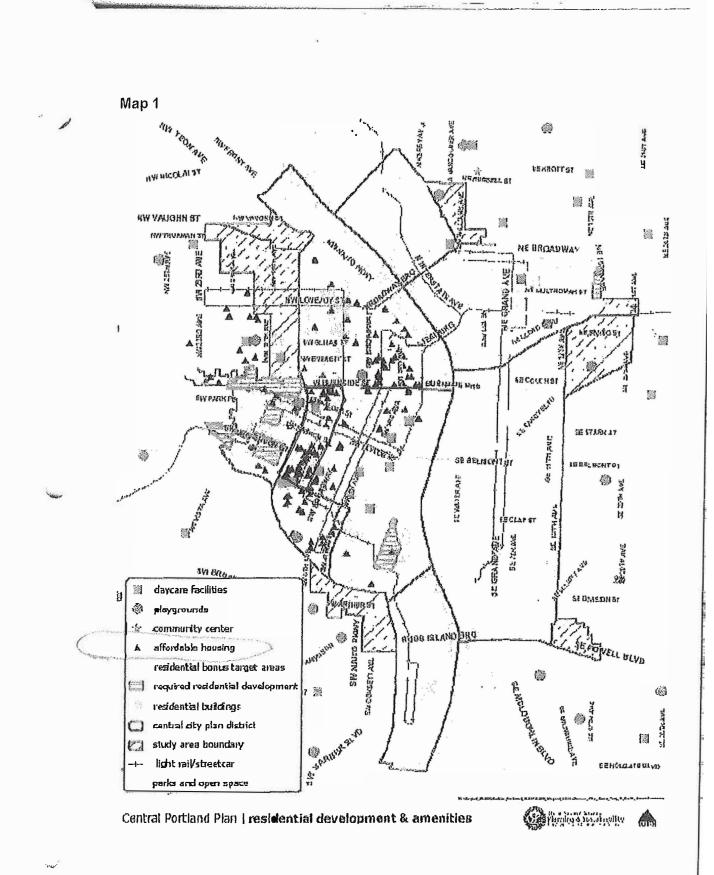
I want to thank Staff for incorporating a change in the north south division of the West End and the zoning that goes with that, moving the RX/CX line from Salmon to Taylor. That makes the decision consistent with the existing uses. North of Taylor is an area mostly of small businesses and public buildings such as our Central Library which is east of 11 th. (Vol1 p35 1.WE.1)

However, west of 11th and north of Taylor is mixed use, residential. Therefore, I do not endorse the change from RX to CX in the northwest corner of the West End, north of Taylor and west of 1th avenue The area holds many historic resource buildings as is clearly noted on the map in (Vol5 page 222). In addition, many of these buildings currently offer housing for moderate or low income people. I am attaching a map showing that the West End is one of the most dense neighborhoods for affordable housing in the Central City. Although I understand that the differences between RX and CX are being modified, maintaining the emphasis on residential in this area will be important in meeting the draft Plan's goal of 6800 households in the West End by 2035.

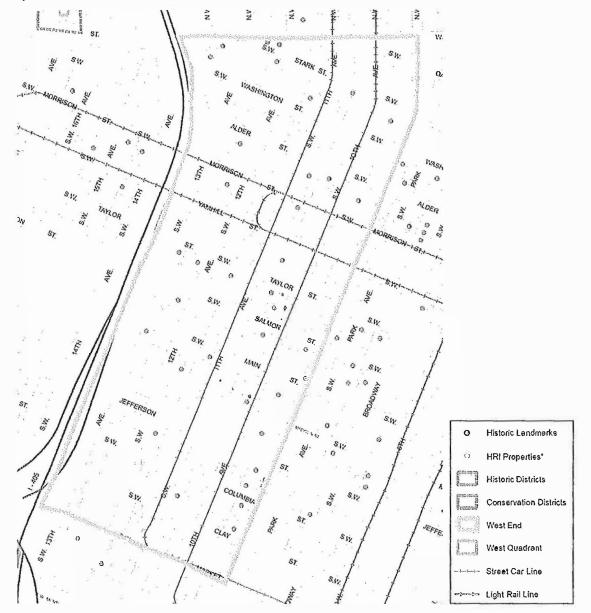
It will also reinforce this area as one that canhelp meet the affordable housing "no net loss" goal. (Vol1 p43 Policy 2.10b) RX validates current residential uses of these historic resources and will likely help preserve them.

It will not preclude some flexibility, however, allowing nonresidential uses including retail on ground floors nor will it force a change in use for a building currently being used for nonresidential purposes should rehabilitation be done. Retaining the CX zoning east of 11th reflects the office and small businesses that are thriving there now. Therefore, I do not believe it is logical to change RX to CX west of 11th and north of Taylor given the city's goals of increasing residential density. Maintaining the residential contribution of these historically designated properties is beneficial for all concerned.

Thank you. Dr. Duane Bietz 1221 SW 10 th Avenue, #901 Portland, OR 97205 503=5503379



Map 3-6: West End historic resources.



CC2035 PROPOSED DRAFT | 222

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Portland Planning and Sustainability Commission Public Hearing

Date: Name: (Please print legibly) brown tovestry MMA applicable) Self Authorized Spokesperson representing: AVEMIR Address: Zip: 9722 Phone: (50)City: Marty chardbello @ amail Email Address and/or Fax No.: What agenda item do you wish to comment on? Site Address, if different from above:

(check if written comments are included on back)

In interests of time, I provide written comments.

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or UFC: Thank you for considering our communis The UFC will provide official testimony prior to/at to the August hearing For Wak (personal): Consideration of urban canopy should be environmental-science based. What is needed to annalized. needed to ameliorate effects of dwelapment? Unyd Chris a particular concern. An "eco-district" shruld vigorously promote an enhanced canopy. Woyd District may be particularly succeptible to CO pollution. How was the canapy target built on existing conditions Section 33.110.255 should be strengthen to require Gim frees. Thank you, Ward Bello

My name is Judy Bell and I am a West End resident.

(Re: Vol. 5 p153; Vol. 5 p59; Vol 5 p87; vol 5 pp66-69)

I urge the identification of a site for new park/open space be added to the Parks and Recreation action list for the West End. City data provides evidence to support this new action in the 2-5 year timeline. Data shows no (zero) open spaces currently in the West End. The plan's projection is that by 2035 the West End will have over 9,000 jobs and 6,800 households (with families), so a higher priority must be given to a park/open space for this district. The district will be densely populated, both day and evening. As the Plan states "By 2035 people will spend 20% more time in the CC's public spaces." More time + more people= need for open space!

In addition, identifying a potential open space should be linked to ongoing planning for the city owned block on SW Yamhill and 10th Avenue. At this point PPR should be added to the other 6 Implementers for RC 80 (BPS, PBOT, PDC, OMF, DNA, and Private). Seismic upgrade and remodel of this parking structure is being discussed but this block creates an opportunity to negotiate a potential open space for the West End. Linkage and planning for both should be considered during the next 2-5 years for a potential land swap.

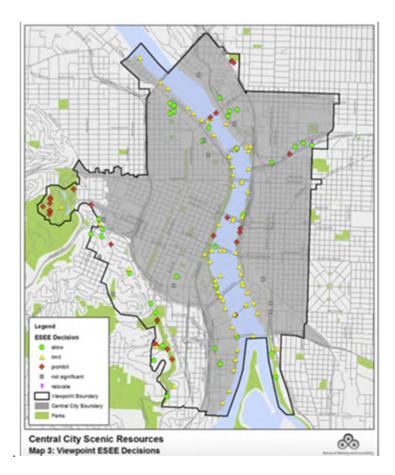
Future parks could also create more tree canopy. The West End canopy goals are low. Additional trees could be put in a new open space. More trees in a central location would mitigate heat island and air pollution. More trees and open space are vital for health and environmental benefits in the West End. From: Denise Archer [mailto:denise@netx.net]
Sent: Tuesday, July 26, 2016 3:26 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

To: Planning and Sustainability Commission,

As you vote on the Central City 2035 draft, please protect: 1) the LAST fully protected view of Mt. Hood from the riverbank at Salmon Springs Fountain, 2) views of Mt. Hood's timberline from the Vista Bridge, and 3) views of the Vista Bridge.

1) View #SW 17--Salmon Springs Fountain should remain a strongly <u>protected view</u> <u>corridor, as proposed in the "prohibit" designation in this draft. Heights should remain</u> <u>reduced to protect this iconic view of Portland</u>. Some may claim that the future development of jobs (related to east side heights that must be lowered for a few blocks) is economically more important than protecting this view. This rationale is flawed. This site is visited by many thousands of tourists and residents. The economic value of such an important and heavily used tourist site and the importance to Portland's sense of place should have the most weight when evaluating the protection of this view. The massive economic boost of tourist dollars and jobs in the tourist industry far outweigh any potential future jobs lost by protecting this view corridor.

Many currently protected views of Mt. Hood from the banks of the Willamette River have been lost in this draft. In this page 62 map, Salmon Springs is the only red x on the banks of the river.



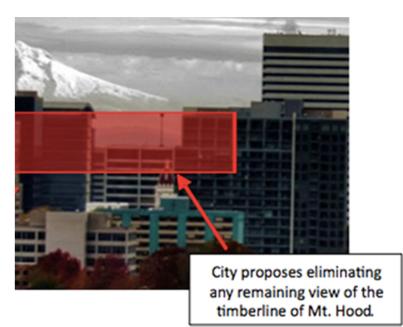
Salmon Springs Fountain will be the ONLY remaining fully protected view of Mt. Hood from the riverbank. This view is iconic to Portland's sense of place--which is what draws tourists here. It would be a tragedy for Portland's sense of place and robust tourist economy to lose this last fully protected view of Mt. Hood from the riverbank.

2) In the Upland Views section on the <u>Vista Bridge view corridor to Mt. Hood</u>—We request that 1000' below the timberline remain visible, as it is today.



Figure 16: View of Central City and Mt Hood from SW15 - Proposed Bonus Heights

The current views to Mt. Hood from the Vista Bridge are being threatened by the heights proposed in this draft (above). Page 79 states: "The bottom elevation of the view corridor is set based on the height of existing buildings, rather than 1,000 ft below the timberline...With the recommended building heights the view of Mt Hood will remain as it is today..." This statement is untrue as can be seen in the pictures above and below. The view of Mt. Hood will change dramatically so that only the snowcap will be seen--where 1000' below the timberline can be seen today. It is the contrast between timberline and snowcap that creates this dramatic view.



We ask for slightly lower heights in the center of the view corridor in order to preserve the existing views of 1000' below the timberline. It will only take a slight modification to heights to protect this iconic view.

Please should honor the goals of the 1991 protection of this view. Heights should be reduced so that 1000' below the timberline can be seen, as it is today.

3) Views toward the Vista Bridge—Keep this as a view corridor, instead of a view street which gives inadequate protection of views of the bridge. Reduce heights.

The currently protected view corridor to the Vista Bridge is being stripped away in this draft, and SW Jefferson is being turned into a view street. This will completely block views of the bridge which can be seen from many points throughout the city. A view corridor would continue to allow the bridge to be seen from many vantage points. The downzoning to a view street and the proposed heights in this draft will result in a canyon of buildings along SW Jefferson (reaching 180' 6 blocks from the bridge, 140' 2 blocks from the bridge, and 50' heights allowed right next to the bridge which will block views of the arches). When fully built to the proposed heights, Portlanders will have to stand underneath the bridge or in the middle of the street to have a view of the arches. Heights must be lowered so that views of the bridge will be permanently protected. No building should ever block the view of the arches.

City Council has already committed to preserving the view corridor to the Vista Bridge when they adopted the West Quadrant Plan-- one of its five urban design policies committed to "elevate the presence, character and role of significant public <u>view corridors</u> (e.g. Vista Bridge, West Hills) which define the district."

Views of the Vista Bridge should not be downgraded from a view corridor to a view street since this gives inadequate protection to the currently protected views of the Vista Bridge. Heights must be much lower for at least 4 blocks east of the bridge in order to allow views of the arches of the bridge to be seen from many vantage points in the city. The Goose Hollow Foothills League proposes maintaining the current heights (30', 35', 40', and 45'-- from the bridge to SW 17th), but recommend that the lowered heights be expanded to include the entirety of the block fronting SW Jefferson (Jefferson to SW Howards Way to the south and Jefferson to SW Madison to the north). This will prevent any building from ever blocking views of the arches of the bridge.

Sincerely,

Denise Archer 2960 SW Bennington Dr. Portland, OR 97205

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Date: $UUU_2 26, 2016$ Name: $SUSAN B(155)$ (Please print legibly) Authorized Spokesperson representing: (if applicable) Address: $(221 SW 10^{th} Ave$ City: $Dort(an)$ Zip: $\underline{37205}$ Phone: $\underline{503}$ $\underline{844}$ $\underline{6012}$ Email Address and/or Fax No.: $\underline{5DB}(1552@Me \cdot Com)$ What agenda item do you wish to comment on? $CC.3035$ $WUUFCould$ Site Address, if different from above: \Box (check if written comments are included on back)	
Portland Planning and Sustainability Commission Public Hearing Date: Juy 26, 20/6 Name: Wang Rahm (Please print legibly) Authorized Spokesperson representing: (if applicable) Address: 122) SW10H Ave	
City: Portand Zip: 97205 Phone: 503:227.8527	
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Portland Planning and Sustainability Commission Public Hearing
Date: 26 July 2016 Name: DLJANE S. BIETZ (Please print legibly) Authorized Spokesperson representing: (if applicable) Address: 122) SW 105LAVE F901 City: CORTLAND Zip: 97205 Phone: 503-238-6888 Email Address and/or Fax No.: HEART BIETZ @ G MATL, Com What agenda item do you wish to comment on? Contral Plan 263-5 Set END
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Portland Planning and Sustainability Commission Public Hearing $\frac{7/26/14}{Name: Tom Nerlsen} $ (Please print legibly) Authorized Spokesperson representing:(if applicable) Address: 1221 SW 10 th
City: Portland Zip: 97205 Phone: 507-528-4031
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Address: <u>1221 5W 10- ave # log</u> City: <u>Portail</u> Zip: <u>97205</u> Phone: <u>5</u>	33-206-4923
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Name: <u>Sara Edy</u>	(Please print legibly)
Authorized Spokesperson representing:	(if applicable)
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City: <u>Shernbod</u> Zip: <u>OR</u>	Phone: <u>97140</u>
Email Address and/or Fax No.: Sara .	K. edy (C, gmail, con
What agenda item do you wish to comment on?	Central City Plan 2035 View corridor
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Portland Planning and Sustair	ability Commission Public Hearing
Date: <u>26 July 2016</u> Name: <u>Gelval Witt</u> Authorized Spokesperson representing: <u>Jev</u> Address: <u>1221</u> SW Joth AVB: <u>H</u>	$\frac{(\text{Please print legibly})}{(\text{if applicable})}$
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Portland Planning and Sustainability Commission Public Hearing	
Date: JULY 26, 2016	
Name: MARIK VELIKY (Please	print legibly)
	ble)
Authorized Spokesperson representing:	
Address: 1000 SW VISTA AVE APT #712	
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Address: $1000 5WV15TA AVE: APT #712$ City: $PONTLAND$ Zip: $97205-1137$ Phone: $(503) 57$ Email Address and/or Fax No.: $DMC.LOTUS @ YAHOO.CON$ What agenda item do you wish to comment on?CENTRAL CITY 2035Site Address, if different from above: $OMC.LOTUS @ VIENAL CITY 2035$)
Address: 1000 SW VISTA AVE APT # 712 City: PONTLAND Zip: 97205-1137 Phone: (503) 55 Email Address and/or Fax No.: Omc. Lotus @ YAHOO. CON What agenda item do you wish to comment on? CENTRAL CITY 2035)

3) Portland Planning and Sustainability Commission Public Hearing 9-26-16 Date: rach rince Name: (Please print legibly) que OU. Tootl Authorized Spokesperson representing: applicáble) \leq U Address: City: Phone: Zip: Email Address and/or Fax No.: nce (a) F What agenda item do you wish to comment on? Site Address, if different from above: □ (check if written comments are included on back) 27 Portland Planning and Sustainability Commission Public Hearing Date: Name: (Please print legibly) 0 4 or war and Authorized Spokesperson representing: (if applicable) Address: d City: Phone: Zip: nai Email Address and/or Fax No.: What agenda item do you wish to comment on? Site Address, if different from above: \Box (check if written comments are included on back)

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Portland Planning and Sustainability Commission Public Hearing
7/7/6/1/2
Date: <u>7/16/16</u> Name: <u>Iqn Stude</u> (Please print legibly)
Authorized Spokesperson representing: <u>Portland State</u> (if applicable)
Address: 1817 SW 6th Ave.
City: Portland zip: 97201 Phone: 503-725-9015
Email Address and/or Fax No.: istude @ pdx.edy
What agenda item do you wish to comment on?
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Portland Planning and Sustainability Commission Public Hearing
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Name: <u>JUSON ITUNIN</u> (Please print legibly) Authorized Spokesperson representing: <u>Portland State</u> (if applicable)
Address: 1600 SW 4th Avenue
City: Portland zip: 97207 Phone: 503-725-2031
Email Address and/or Fax No.: jason. franklin@pdx.edy
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Portland Planning and Sustainability Commission I	Public Hearing
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Portland Planning and Sustainability Commission Public Hearing	
Date: $7 - 26 - 16$	
Name: <u>Huither Toulon</u> (Please print Authorized Spokesperson representing: (if applicable)	legibly)
Address: 306 SE Ivon Street	
City: <u>PDX</u> Zip: <u>91</u> Phone: <u>\$3534463</u>	<u>}</u>
Email Address and/or Fax No.: hartlettettette	
What agenda item do you wish to comment on? <u>Greenway Scenic view</u>	
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Date: 7-26-16 Name: Bruce Burns (Please print Authorized Spokesperson representing: (if applicable) Address: 4949 Meadows Rd.; svite 330 Lallo OSWEGS - 68 97219 phone: S03 S342	
Date: 7-26-16 Name: Bruce Burns (Please print Authorized Spokesperson representing: (if applicable) Address: 4949 Meadows Rd.; svite 330 City: Lake OSWEGO zip: OR 97219 Phone: S03 S342 Lake OSWEGO zip: OR 97219 Phone: S03 S342	
Date: 7-26-16 Name: Bruce Burns (Please print Authorized Spokesperson representing: (if applicable) Address: 4949 Meadows Rd.; Svite 330 City: Lake OSWEGO zip: OR 97219 Phone: S03S342 Email Address and/or Fax No.: bburns@burnsbros.com Rile How Int Line Stat Li	500
Date: 7-26-16 Name: Bruce Burns (Please print Authorized Spokesperson representing: (if applicable) Address: 4949 Meadows Rd.; Svite 330 City: Lake OSWego zip: OR 97219 Phone: S03 S342 Email Address and/or Fax No.: <u>bburns@burnsbyos.com</u> What agenda item do you wish to comment on? <u>Bldg Height Limitations in Hist</u>	500
Date: 7-26-16 Name: Bruce Burns (Please print Authorized Spokesperson representing: (if applicable) Address: 4949 Meadows Rd.; Svite 330 City: Lake OSWEGO zip: OR 97219 Phone: S03S342 Email Address and/or Fax No.: bburns@burnsbros.com Rile How Int Line Stat Li	500

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Portland Planning and Sustainability Commission P	Public Hearing
Date: July 24, 2016	
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Central City 2035 Plan Testimony

Walter Weyler 7/25/2016

Walter Weyler, resident of the West End and Past Chair of the Oregon Symphony.

My comments are directed at Central City 2035 Auto Parking policies 3.12 and 9.52 both of which declare the intent to "....limit the growth of the overall parking supply.....". Other policies have declared the intention to ".....pinch the supply of parking......".

A centerpiece of Portland's desirability is its arts community. Preserving the arts is an integral part of preserving Portland's quality of life. We must not stifle Portland's arts community by "pinching" the parking spaces that their audiences need to attend performances. To balance their budgets, our precious arts institutions require attendance growth.

Growth ?? For example, the Oregon Symphony requires a fixed number of staff and musicians to present its amazing performances. Fixed numbers of employees whose compensation and benefits increase over time, requiring increases in ticket sales......increases in ticket sales and attendance require increases in parking. Our precious arts institutions require increases in attendance and parking to balance their budgets.

I recommend that a review which includes resident and arts input of Central City Parking Proposals to determine the net gain or loss of parking which impacts arts and culture venues......all to provide increased parking for the arts. From: A. Rosenfeld [mailto:alisonrosenfeld@gmail.com]
Sent: Monday, July 25, 2016 10:49 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

To Whom it may Concern:

Please make sure that the View to Mt. Hood from the Vista Bridge stays a view!

Both tourists and residents alike take a pause each time we cross the bridge and see the beautiful vision of Mt. Hood.

—We are asking to lower the proposed heights so that 1000' below the timeline remains protected as it is today. The contrast of timberline to snow cap is what creates the view.

Thank you.

Alison Rosenfeld 2755 SW Upper Dr. Portland, OR 97210 From: Joanna Malaczynski [mailto:jmalaczynski@gmail.com]
Sent: Monday, July 25, 2016 2:35 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Plan Testimony

Dear Portland Planning Commission,

I am writing to testify regarding the proposed heights/zoning in Goose Hollow for the Central City 2035 Plan.

I am opposed to increasing the heights/zoning in the Goose Hollow area where I live (my address is listed below). There is no need to build buildings beyond approximately 4-6 stories – the maximum amount a human being can reasonably be expected to climb without an elevator. That is based on good design practices and long-standing building traditions in successful European cities. Anything taller than this dwarfs the human experience, making a place cold and uninviting. If you look at the writings of our greatest minds in urban design – Jane Jacobs and Christopher Alexander – you will not find building heights beyond 4-6 stories as part of the successful neighborhood urban design equation.

The proposed increased heights in Goose Hollow will be a significant loss of tourist/aesthetic views of Mt. Hood and the Vista Bridge. They will also disrupt solar access in our neighborhood, making the place less sunny in an already sun-deprived climate. Higher building heights will also create wind tunnels, making our commercial corridors even less desirable. The end result will be a much less attractive neighborhood.

Portland is full of empty parking lots and underutilized one-story low-value building built in the 50s-80's. If you focused on redeveloping those at reasonable, human-scale heights, you could meet all of your goals and needs as a city – in terms of housing demand, economic growth, etc.

Finally, I support the position put forth by the Goose Hollow Foothills League (GHFL) on the building heights issue; GHFL is my neighborhood association.

Many thanks,

Joanna Malaczynski 2036 SW Main Street Portland, OR 97205 503-914-9577 (cell/text) jmalaczynski@gmail.com



Department of Transportation Region 1 Headquarters 123 NW Flanders Street Portland, Oregon 97209 (503) 731.8200 FAX (503) 731.8531

July 25, 2016

Portland Planning and Sustainability Commission 1900 SW 4th Ave, Suite 7100, Portland, OR 97201

SUBJECT: Central City 2035 Testimony

The Oregon Department of Transportation is pleased to have the opportunity to offer our comments on the Proposed Draft of the Portland Central City 2035 Plan. We commented on the Discussion Draft by letter dated March 30, 2016, and are pleased to see that the current draft responds to many of those earlier comments. The comments below pertain to elements of CC 2035 where the Proposed Draft does not address our earlier comments.

VOLUME 2B, TRANSPORTATION-RELATED AMENDMENTS TO THE COMPREHENSIVE PLAN AND TRANSPORTATION SYSTEM PLAN

ODOT requests that Policy 9.44 be amended to add language after "minimize through traffic on Central City streets", as follows: "and discourage short local trips from using Regional Trafficways", to help advance the stated desire to "enhance regional access to the Central City".

BICYCLE CLASSIFICATIONS

It is not clear from Map # 5 whether the Ross Island Bridge and Powell Blvd (US26) are designated City bikeways. The Ross Island Bridge and the segment of Powell Blvd from the Bridge to SE 17th are not designated Regional Bikeways in the Regional Transportation Plan (RTP). ODOT requests that the Bridge and the segment of Powell Blvd from the Bridget to SE 17th not be designated as City bikeway because of inconsistency with the RTP, existing safety problems, physical constraints (i.e. the tunnel under the RR tracks on Powell), the fact that the Ross Island Bridge would need expensive new piers to accommodate bikeways, and the multiple competing demands on this section of Powell Blvd.

DRAFT CENTRAL CITY STUDIES LIST:

No changes were made to the Central City Studies list in response to our comments. They are repeated in an attachment to this letter for consideration when scoping the studies.

Attachment:

ODOT Comments on Central Cities Studies List:

• Green Loop Concept Plan – Study should recognize that ODOT needs to preserve I-405, I-5, and I-84 right-of-way for potential future safety, seismic, and operations improvements.

• Morrison Bridge Westside Ramps Reconfiguration Study –Study must be coordinated with ODOT and must include traffic analysis to ensure modifications do not negatively impact the safety and operations of I-5, and do not negatively impact freight access from the Central Eastside to I-5 southbound. Change the sentence "Consider the impacts to providing southbound freeway access from the Central Eastside" to "Maintain southbound freeway access from the Morrison Bridge for freight trips originating from the Central Eastside", consistent with the Staff Proposed Amendments to the Recommended Draft Southeast Quadrant Plan, dated 7/6/2015.

• Morrison Bridge Eastside Ramps Reconfiguration Study – Study must be coordinated with ODOT and must include traffic analysis to ensure the reconfiguration does not negatively impact the safety and operations of I-5.

• West Burnside / Couch Refinement Plan – Study must include coordination with ODOT and traffic analysis to ensure modifications do not impact the safety and operations of I-405.

• Naito Parkway Traffic Study – Study must be coordinated with ODOT and address impacts to safety and operations of other freeway ramps in the vicinity.

• US 26 Circulation Study: the title of this proposed study is not clear – it appears to be about local and regional connections between the Sunset Highway and the Ross Island Bridge, on I-405 as well as local streets that are designated as US 26. This study should replace TSP project # 20027, "South Portland Connectivity Improvements".

• I-405 Safety Study: consider adding an assessment of the feasibility of the I-405 trail (TSP project # 20172) to the scope of this study.

7/25/2016

Planning and Sustainability Commission 1900 SW Fourth Ave. Portland, OR 97201

Re: Proposed Draft CC2035 Plan

Chair Shultz and Commissioners,

Please accept the following testimony from Portlanders for Parking Reform for the Proposed Draft of the Central City 2035 Plan.

The Central City 2035 Plan contains updates to the motor vehicle parking code to reduce its current complexity, extend maximum parking entitlements to all areas of the central city for all land uses, and encourage more efficient use of existing, and future, parking supply by allowing shared use of parking for residential and commercial purposes.

Portlanders for Parking Reform ask that the Planning and Sustainability Commission (PSC) recommend more meaningful maximum parking entitlements. Furthermore, we ask that the PSC direct the introduction of language requiring the unbundling of parking from commercial and residential leases in new buildings and direct a study on the feasibility of requiring a parking cash-out option for employees in the central city. A citywide requirement to provide a tax-adjusted equivalent cash benefit for employees who turn down a parking subsidy could have a significant effect on transportation mode share. Finally, we ask that the PSC multiply the effects of these policies by requiring Transportation Demand Management (TDM) for all new construction in the Central City.

These policies do not significantly increase costs for developers, employers, or property owners but they can be very effective in encouraging active transportation. They should be pursued with haste and implemented broadly.

Maximum Parking Entitlements

Recommendation: Maximum parking entitlement ratios should be data-driven and based on the city's mode split goals. To meet our targets, parking maximums in the Central City should be close to .25 parking stalls per residential unit or 1000 sq/ft of commercial space

At the very least, current parking maximums should absolutely not be increased. The current parking maximum for office space in Sectors 2 and 3 are .7 stalls per 1000 sq/ft, these zones span 166 acres of the central city, including Pioneer Courthouse Square and many of the surface parking lots likely to redevelop in the life of the plan. In Sector 4, which spans 74 acres of the city core, the current maximum ratio is .8 stalls per 1000 sq/ft.

The proposed draft claims that the increase in parking capacity for the city core is offset by reductions in Downtown sectors 5 and 6. Sector 5 is 56 acres and has a current ratio of 1 stall per 1000 sq/ft. But Sector 6, which is also 56 acres is currently at a 2 stall per 1000 sq/ft ratio. Nominally, reducing the parking capacity in this area balances the increases in Sectors 2, 3, and 4, but the vast majority of Sector 6 is recent (20 years) residential development near the marina and is unlikely to see any intense development during the life of the plan. As a result, the proposed draft effectively increases parking capacity for the central city, a move contrary to the other goals of the comprehensive plan.

If data-driven ratios are not possible at this time, then the base ratio for the Core of the Central City should be no more than .7 stalls per residential unit or 1000 sq/ft of office space.

Reasoning: Parking requirements are a fertility drug for cars. The rationale for implementing parking maximums is to "limit the growth of the parking supply and encourage the use of alternative modes to support the mode split goals for the Central City." Many new downtown hotels have no on-site parking at all. Indeed, even the proposed 375 stalls to support the 600 room Convention Center Hotel only calculate to a .625 ratio.

These maximums, particularly in the Central Business District (CBD) are too high to meet mode split and climate change goals. Structured parking is a long term asset, lasting the life of a building which can be 50 years or more. If we hope to meet an 80% share for non-single-occupancy trips, we should be reducing parking maximums in the CBD by 50-75% for residential, commercial, and hotel uses.

Such a reduction is further justified by the relaxing of restrictions on parking use. The elimination of RX and Residential/Hotel types has the potential to immediately increase the current availability of parking to downtown commuters. Furthermore, the rationale for allowing shared use is that significantly fewer parking spaces will be needed in new construction as commuter and residential usage are complementary. Many stalls may be shared, and the true effect of the new maximums in mixed-use development may be to increase the availability of commuter parking by a significant amount.¹

It seems clear that we are depending on developers to determine that it is in their best interest to not build significant amounts parking, but the allotments still stand and the parking built will exist long past 2035, inducing single occupancy vehicle trips, congestion, and degrading environmental and air quality.

¹ Under current maximums, a hypothetical building in the CBD might be limited to 80 spaces for 100,000 square feet of office space and might build 120 stalls to support 100 residential units. The argument for shared parking suggests that a developer might be inclined to build 120 stalls total under the new policy, rather than 200 stalls (say ½ of the residents don't move their cars every day). Under the proposed policy, however, the developer would have a maximum parking entitlement of 220 stalls as the proposal increases the maximums in the CBD by 20-30% for many sites for office and commercial use.

Unbundling Parking

Recommendation: Portlanders for Parking Reform strongly support the addition of code provisions to require the unbundling of parking costs from the leased or purchase price of residential or office space. The actual cost of all parking in the central city should be visible to the end user. Tenants or condo-owners should lease/purchase their parking stall separate from their housing payment. Commuters should pay directly for monthly or daily parking directly and seek reimbursement from their employers, if offered. Visitors should pay for central city parking at performance based hourly rates.

The code requiring unbundling should be placed in Title 33 where will be most visible and enforceable.

Furthermore, we ask that the PSC direct staff to develop a proposal to require a "parking cash-out" from employers who provide free or subsidized parking for commuters. Under such a policy, an employee who forgoes a monthly parking benefit would be entitled to an equivalent subsidy or direct cash payout for their chosen mode of transportation. Parking cash-out should apply to the entire central city, not just new construction.

Reasoning: Parking is regularly perceived by end-users to be free or very cheap. The development, maintenance, and lost-opportunity costs of structured parking, however, are substantial. Furthermore, the subsidizing and obscuring of parking costs for end-users encourages additional driving and the social, environmental, and public health costs that are associated with car travel.

Unbundling the lease or purchase of parking from the associated commercial or residential space is an easy and fair way to allow end-users to escape the hidden cost of parking if they choose not to drive. Such a policy will allow commuters to weigh the benefits and disadvantages of their available transportation modes on a level playing field.

Unbundling may not be enough, however, to truly level the playing field. Many downtown employers pay for their employees to park downtown, but provide much less valuable incentives for employees to take public transportation, walk, or bike to work. It is not unheard of for employers to pay upwards of \$250/month per employee for parking, but to provide no benefit for an employee who walks or rides a bike to work. The federal tax code allows employers to subsidize parking and transit passes as combinable fringe benefits but does not allow for tax-free cashouts.

Transportation Demand Management (TDM)

Recommendation: New residential and commercial development should be required to submit a one-time, basic, and pre-approved TDM plan before receiving a building permit. PBOT staff has already done much work on what such a TDM plan should look like and what incentives it should provide. We recommend the Planning and Sustainability Commission to include PBOT's one-time, basic TDM plan requirement in the Central City 2035 Plan.

This one-time, basic TDM plan contains three elements:

- 1. Provide travel-options information to new residents and employees. The developer could use the SmartTrips program or provide equivalent information.
- Provide a "bundle" of multimodal financial incentives comprised of transit passes, bikeshare membership, and other walking, bicycling, and transit incentives for new residents and employees. These could be purchased by the developer, by a third party such as a Transportation Management Association (e.g., Go Lloyd), or PBOT could facilitate the transaction:
 - \$1,100/residential unit;
 - \$2,400/ksf of commercial development.

The developer would have flexibility regarding the ultimate make-up of the bundle of incentives they would provide.

3. Provide a commitment to participate (distribute, encourage, etc.) in regular surveys of residents and employees in order to gauge program performance. PBOT currently administers a survey every two years.

The financial incentive obligation was determined based on the \$1,100 cost of a one-year transit pass and the objective is to offer each resident or employee incentives for alternative modes of transportation for one year.

Reasoning: TDM is a proven tool to reduce traffic and parking impacts while providing low- and moderate-income residents and workers affordable transportation options, such as low-cost transit passes and discounted bikeshare membership. Empirical data show that TDM tools, such as multimodal travel information and financial incentives, are significantly more effective in reducing SOV trips when they are implemented in conjunction with unbundling parking and demand-based parking pricing.

The City's current TDM program, SmartTrips, has reduced drive-alone trips among new Portland residents by 7% in each of the last two years. While the program has been successful, the current program alone cannot help the city meet the mode-share goal. The new TDM requirements will make this program more sustainable and expand the benefits to more residents and employees. Partnering with developers and committing additional financial incentives for alternative modes will make meaningful progress towards attaining our mode share goal.

Several dozen Portland employment and residential sites are already voluntarily offering multimodal financial incentives, meaning such incentives are appealing to many employees and

residents. By requiring new development in the Central City to offer multimodal financial incentives, all future residents and workers can benefit.

According to PBOT, numerous organizations submitted letters supporting the ongoing TDM proposal, including the Northwest District Association, Portland Pedestrian Advisory Committee, Portland Bicycle Advisory Committee, Multnomah County Health Department, environmental organizations, environmental organizations, and TriMet. Having a TDM policy is a critical first step to reducing dependence on automobile and creating long-term transportation and environmental benefits for the Central City. We urge the PSC to adopt the one-time, pre-approved, basic TDM plan for Central City 2035 and direct PBOT to conduct further study for a refined and on-going TDM program.

Sincerely, Tony Jordan President, Portlanders for Parking Reform 4540 SE Yamhill St. Portland, OR 97215 twjordan@gmail.com 971.207.1348

Portlanders for Parking Reform -- Orgainizing for Progressive Parking Policy -- http://pdxshoupistas.com

-----Original Message-----From: William Galen [mailto:billgalen@comcast.net] Sent: Monday, July 25, 2016 4:51 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: CC2035 Plan Testimony

I am writing about certain aspects of the CC2035 draft plan to preserve the livability in our district.

1. The Height/Far, West End Park/Open Space and South Park Blocks should transition from the Downtown District with its high Business heights of Fars of 12:1 and 15:1 to a Far 7:1 west of Park Avenue

and a maximum building height of 100' throughout the West End. This will help preserve the unique, irreplaceable historic buildings of the West End from demolition and protect them from a high-rise being built next door.

This should preserve the historic view corridors to Mt Hood and preserve sunlight on the Park Blocks and the street.

2. With the expected plan to have 9900 new jobs and 6800 new households in the West End, plans should include space for a park, open space, and a community center. Elementary and middle schools should be planned

also as new households would be expected to have families

3. I recommend endorsing the goal of obtaining historic designation for the South Park Blocks in the next 2-5 years. This could protect the historic cultural facilities, churches, and early apartment buildings which offer human scale,

sunlight, and historic character to the Park Blocks. The maximum building heights on both sides of the Blocks should be no more than 100'. Shadow studies should be required on both sides of the blocks

William Galen, MD 1221 SW 10th Ave Portland, Or, 97205 From: Clifford Weber [mailto:webercliff@gmail.com]
Sent: Sunday, July 24, 2016 6:20 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Cc: Tracy J. Prince, Ph.D. <tprince@pdx.edu>
Subject: CC2035

Gentlemen/Mesdames:

I moved to Portland from a neighborhood in Boston that is known as Back Bay. Back Bay comprises eight by four blocks of uninterrupted Victorian brownstone residences. It is "considered one of the best preserved examples of 19-century urban design in the United States," to quote from Wikipedia.

In the '60s and '70s, Boston fell on hard times economically, and there was intense pressure from developers to replace with new construction the decrepit brownstones in Back Bay, because of the employment that would be created for the construction industry. In one case, the city succumbed to this pressure, resulting in a proverbial "sore thumb" that rises incongruously above the sea of low-rise brick buildings surrounding it. Otherwise, by some miracle, the City of Boston retained the limit on the height of buildings that had been in place ever since Back Bay was first developed. Today, Boston would be dramatically diminished if Back Bay had been compromised by demolition and new construction. It is one of Boston's main tourist attractions and a sought-after residential neighborhood. The maintenance of its old buildings keeps legions of Boston's tradesmen permanently employed.

Portland can learn from the past history of Back Bay. As everyone recognizes, it is largely Portland's natural landscape that brings people here as tourists or as new residents. Portland's perceived desirability as a place in which to live and work is directly connected with its suitability as a destination for investment dollars. Will the city fathers choose to preserve Portland's iconic views and natural splendor, or will they compromise into oblivion, one misguided construction permit at a time, the qualities that set Portland apart from the mass of bland American cities? The choice is really as simple as that, and the right choice is clear for all to see in the history of Boston's magnificent Back Bay. "Death by a thousand cuts" must not be allowed to describe the future development of Portland.

Yours sincerely,

Cliff Weber 1234 SW 18th Avenue, Apt. 503

GOOSE HOLLOW FOOTHILLS LEAGUE

2257 NW RALEIGH STREET PORTLAND, OR 97210 503-823-4288

Planning and Sustainability Commission

July 24, 2016

Dear Commissioners,

The Goose Hollow Foothills League (GHFL-the neighborhood association) unanimously requests the following changes to the draft CC2035 plan.

In the Goose Hollow section:

I. A. Add these words to POLICY 5.GH-5--"<u>Retain the personality and character of Goose</u> <u>Hollow by</u>". GHFL requested this language in the previous draft. This is likely a simple oversight. Insert as such: "Identify significant historic resources within the district. **Retain the personality and character of Goose Hollow by** encouraging the preservation and rehabilitation of existing buildings that represent a wide range of architectural styles, scales and eras."

B. Add GH historic preservation reference to Policy 5.17.

This is a simple oversight. Goose Hollow has a historic preservation policy, so GH should be added to the list.

C. Remove "the Hollow" from Code RC28—On page 114, the term "the Hollow" should not be used. GHFL alerted BPS staff that all mentions of "the Hollow" should be changed to "the area near I-405" since "the Hollow" refers to all lower elevations in the neighborhood. Staff corrected this in other sections of the draft CC2035 to "the area near the stadium." Though this is not exactly what GHFL asked for, it corrects the inaccurate use of the term "the Hollow." So the use of the term in Code RC28 is likely a simple oversight. All uses of "the Hollow" should be removed from all sections of the CC2035 plan.

- II. Add these words to POLICY 5.19 Historic resources and districts and POLICY 5.20 Preservation Incentives: Retain the personality and character of Historic Resources and Districts.
- III. <u>We support the West End</u>— West End advocates are requesting 100' heights and 7 to 1 FAR. GHFL supports the efforts of West End residents to advocate for better protection of the incredible historic architecture in the West End than the current draft provides and for lowered heights along the Park Blocks.

In the View Corridors section: A. On SW 10 and 12, focal points should be changed to include the downtown skyline. (This draft lists only Mt. Hood as the view, with the downtown skyline removed.) SW 10 International Rose Test Garden – near garden store, south point <u>and</u>

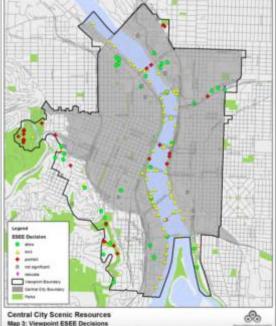
SW 12 Washington Park Zoo Train Station

These have been view corridors for Mt. Hood <u>and the downtown skyline</u> for over a century, yet downtown views will no longer be protected with this draft. Vegetation blocking downtown views can and should be managed, even though the slope is steep. These are historically and visually significant views of the downtown skyline and are primary places for tourists and Oregonians to visit. Historically, overgrown vegetation has never been a sufficient reason for removing views from protection. It is shocking that this is given as the reason for removing century-old views. <u>Managing vegetation is an easy step that should be taken to protect views of the downtown skyline</u>.

B. SW 14 SW Market at 20th should have a <u>limit</u> recommendation because it is at the top of a well-used public staircase. Other public staircases have the limit recommendation at the top. This heavily used public staircase provides Mt. St. Helens views which should be protected.

C. SW 17 Salmon Springs should be a strongly protected view corridor, as proposed in this draft. Heights should remain reduced to protect this iconic view of Portland. Some may claim that future development of jobs is economically more important than protecting this view. This rationale is flawed. This site is visited by thousands of tourists and residents. The economic value of such an important and heavily used tourist site should have the most weight when evaluating the protection of this view. The massive economic boost of tourist dollars and jobs in the tourist industry far outweigh any potential future jobs lost by protecting this view corridor.

Many currently protected views of Mt. Hood from the banks of the Willamette River have been lost in this CC2035 draft. In this page 62 map, you can see that Salmon Springs is the only red x



on the banks of the river.

Salmon Springs Fountain will be the ONLY remaining view of Mt. Hood from the banks of the river when these view policies are enacted. This view is iconic to Portland's sense of place--which is what draws tourists here. It would be a tragedy for Portland's sense of place and for Portland's robust tourist economy to lose this important last view of Mt. Hood from the banks of the Willamette.

D. SW 19 and SW 21 -SW Montgomery Drive--Both should be changed to prohibit.

Vegetation on a steep slope is not reason enough to lose iconic view corridors. These views can easily and should be preserved by <u>managing the vegetation</u>. Frank L. Knight "park" west of the extension of SW 19th is dedicated public parkland and can be appropriately managed to provide stunning near views of Portland's central city and Mt. St. Helens beyond.

V. Upland Views

A. The Vista Bridge view corridor to Mt. Hood— We request that 1000' below the timberline remain visible, as it is today.

The views to Mt. Hood from the Vista Bridge are being threatened by the heights proposed in this draft.



Figure 16: View of Central City and Mt Hood from SW15 – Proposed Bonus Heights

Page 79 states: "The bottom elevation of the view corridor is set based on the height of existing buildings, rather than 1,000 ft below the timberline...With the recommended building heights the view of Mt Hood will remain as it is today..." This statement is untrue as can be seen in the pictures above and below. The view of Mt. Hood will change dramatically so that only the snowcap will be seen, where 1000' below the timberline can be seen today. It is the contrast between timberline and snowcap that creates this dramatic view.



We ask for slightly lower heights in the center of the view corridor in order to preserve the existing views of 1000' below the timberline. It will only take a slight modification to heights to protect this iconic view.

Views from the Vista Bridge are historically important since the vistas from the Vista Bridge and SW Vista Ave were designed by the Olmsted brothers in the 1920s. Preservation of these important views has been embraced by a century of Portlanders. Also, SW Jefferson/Canyon Rd. (which the Vista Bridge spans) was "The Great Plank Road," first planked in the 1850s and an important entrance to Portland for 166 years.

Having only the very top of Mt. Hood's peak protected is an inadequate protection of this view corridor. The rationale to raise heights gives developers private profits while permanently stripping away the public amenity of this iconic Portland view. <u>Evaluations of this view corridor should include the enormous financial benefit (tourists) and cultural benefit (Portland's sense of place) of the public amenity of this iconic Portland view.</u> The view from the Vista Bridge is so iconic that it has come to stand for all of Portland. The most recent example is on the hit TV show *Portlandia*, where this view is the title shot.

Recommendation: View corridor should honor the goals of the 1991 protection of this view. Heights should be reduced so that 1000' below the timberline can be seen, as it is today.

B. Views toward the Vista Bridge—Keep this as a view corridor, instead of a view street which gives inadequate protection of views of the bridge. Reduce heights and require setbacks.

The currently protected view corridor to the Vista Bridge is being stripped away in this draft, and SW Jefferson is being turned into a view street. This will completely block views of the bridge, which can be seen from many points throughout the city. The proposed heights in this draft will result in a canyon of buildings along SW Jefferson (reaching 180' 6 blocks from the bridge, 140' 2 blocks from the bridge, and 50' heights allowed right next to the bridge which will block views of the arches). When fully built to the proposed heights, Portlanders will have to stand underneath the bridge or in the middle of the street to have a view of the arches. Heights must be lowered so that views of the bridge will be permanently protected. <u>No building should ever block the view of the arches</u>.

Views from downtown to the Vista Bridge have been a defining feature of Portland since it was built in 1925. Views from Washington Park to the Vista Bridge are also vital. John Charles Olmsted advocated protecting these views.

The 1991 Scenic Resources Protection Plan required very low heights near the Vista Bridgewith 15' beside the bridge, then 20', 30', 35', 40', then finally 45' at Jefferson and SW 17th.

City Council has already committed to preserving the view corridor to the Vista Bridge when they adopted the West Quadrant Plan-- one of its five urban design policies committed to "elevate the presence, character and role of significant public <u>view corridors</u> (e.g. Vista Bridge, West Hills) which define the district."

Recommendation: Views of the Vista Bridge should not be downgraded from a view corridor to a view street since this gives inadequate protection to the currently protected views of the Vista Bridge. Heights must be much lower for at least 4 blocks east of the bridge in order to allow views of the arches of the bridge to be seen from many vantage points in the city. GHFL proposes maintaining the current heights (30', 35', 40', and 45'--from the bridge to SW 17th), but recommend that the lowered heights be expanded to include the entirety of the block fronting SW Jefferson (Jefferson to SW Howards Way to the south and Jefferson to SW Madison to the north). This will prevent any building from ever blocking views of the arches of the bridge.

Setbacks: We propose that <u>no building be higher than one story at street level along SW</u> Jefferson/Canyon, with a 20' set back for the next story (as recommended in the 1991 Scenic Resources Protection Plan).

VI. <u>In the Zoning section</u>:

A. Recommendation: Add back the required residential overlay in the areas to the east and west of the stadium. This can include hotels, retirement centers, assisted living facilities, condos, or apartments with mixed use (offices, retail, restaurants, etc). The goal is to have 24 hour eyes on the ground, which adds a protective element in Goose Hollow since it is a dense urban neighborhood.

For many decades Goose Hollow has advocated for a <u>required residential overlay</u> in the areas to the west and east of the stadium. <u>No GHFL board has ever advocated for the required residential</u> <u>overlay to be removed</u>. During the West Quadrant SAC process, a developer who owns property in this area and will gain financially from removing this overlay and a former GHFL rep said that Goose Hollow wants this residential overlay removed. We do not. This does not represent any policy vote by any GHFL board. GHFL wants required 24 hour eyes on the ground east and west of the stadium, for which we believe a residential overlay is essential protection. We have been consistent with this goal for many decades.

GHFL has informed BPS staff that West Quadrant SAC members from Goose Hollow stated their own personal opinions which may have reflected conflicts of interest. <u>The GHFL board has voted to strongly oppose the removal of this requirement.</u>

VII. Ombudsman's Report

West Quadrant SAC members did not disclose their financial conflicts as required by the ombudsman—their "advice" to increase heights and relax zoning on their own properties is therefore ethically compromised and should be rejected by the PSC.

During the West Quadrant process, many members of the Stakeholder Advisory Committee advocated for their own financial interests without disclosing their financial interests. The ombudsman required SAC members to disclose financial conflicts before PSC votes on the policies that the SAC gave advice on. However, many SAC members did not disclose their financial conflicts, including one developer/property owner who owns many properties in the

West Quadrant and advocated repeatedly for increased heights on his own properties. And two other SAC members who have substantial financial interests in the West Quadrant simply sent combative emails saying that they own many properties. On page page 31 of the section that covers the ombudsman's requirements, planning staff said: "Twenty six members completed the form, two did not complete the form but sent an email that included similar information, one email bounced, and four members did not complete the form." This implies that the emails disclosed as required by the ombudsman. The emails simply made generalized statements that they own or have interests in lots of properties in the West Quadrant. Also the tables on pages 32-34 seem to indicate that those who emailed complied as requested. They did not. Other SAC members or SAC meeting attendees would have no way of knowing that numerous people advocated repeatedly for relaxed zoning or increased heights on properties they or their employer own. And the public still has no way of knowing, since these SAC members didn't disclose which properties they own as required by the ombudsman. This means that the Planning Commission is voting on policies on heights and zoning that were decided under financial and ethical conflicts.

Allowing SAC members to vote on issues that could enrich them personally is the very definition of graft.

VIII. Heights should be lowered and no bonuses should be allowed to protect historic buildings along/near SW Morrison

Nine historic buildings in Goose Hollow (along/near SW Morrison) remain threatened by 280'-325' heights (total with bonuses), which will incentivize the destruction of these buildings. Most buildings are listed on the National Register or HRI--The Tiffany Center (1410 SW Morrison), The Bronaugh Apartments (1434 SW Morrison), The Scottish Rite Building (709 SW 15th), the old Concordia Club--a Jewish social organization formed when Jews weren't allowed membership in the MAC, Arlington club, etc. (1532 SW Morrison), the Commodore Apartments (1621 SW Morrison), the Winston Apartments (1709 SW Morrison), the Historic Hamilton Arms Condos (709 SW 16th), the Lafayette Apartments (730 SW 16th), and the Hotel deLuxe (729 SW 15th). <u>Heights should be lowered significantly on these historic buildings in order to</u> disincentivize demolition and no bonuses should be allowed in this area.

IX. GHFL recommends that FAR transfers within Goose Hollow can only come from other properties within Goose Hollow.

We would be happy to meet with you on these issues. Sincerely,

Bracy D. Prince

Tracy J. Prince, Ph.D. President, Goose Hollow Foothills League

From: Michael Molinaro [mailto:molinaroarchitect@gmail.com]
Sent: Saturday, July 23, 2016 7:41 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony

July 23, 2016

Dear Portland PSC

Within days of moving to Portland in 2012, I found myself standing on the Vista Bridge marveling at the iconic views of Mt. Hood. Since that time, the temporary suicide barriers have obstructed that iconic view.

And now, this most recent proposal to remove that protected view corridor not only from the bridge but to the bridge is yet another degradation of our standing commitment to "elevate the presence, character and role of significant public view corridors (e.g. Vista Bridge, West Hills) which define the district." No building should ever block the view of the arched of the bridge, the architecturally significant feature.

Developers seeking to maximize their profits in the name of job creation is a marketing ploy which Portlanders are continually asked to accept. Where were these same developers during the great recession? Certainly not concerned about job creation. Square footage does not equal jobs. Just as density does not equate to affordability. Don't succumb to these pressures.

Proposed building heights must be much lower for at least 4 blocks east of the bridge in order to allow views of the arches of the bridge to be seen from many vantage points in the city. I advocate maintaining the current heights (30', 35', 40', and 45'--from the bridge to SW 17th), but request that the lowered heights be expanded to include the entirety of the block fronting Jefferson (Jefferson to SW Howards Way to the south and Jefferson to SW Madison to the north). This will prevent any building from ever blocking views of the arches of the bridge. Further I ask that you lower the proposed building heights so that 1000' below the timberline of Mt. Hood remain visible in contrast to the snowcap.

Michael J. Molinaro AIA Molinaro Architect 4007 SE Taylor St. Portland, OR 97214 <u>molinaroarchitect@gmail.com</u> 1-312-391-9098 1-503-206-5398 Fax Licensed in OR, IL, WA.



Architectural Heritage Center 701 SE Grand Avenue Portland, OR 97214 503 231-7264 503 231-7311 fax www.VisitAHC.org



July 22, 2016

Planning and Sustainability Commission City of Portland 1900 SW 4th Ave., Ste 7100 Portland, OR 97201 *Via email* – psc@portlandoregon.gov

Dear Planning and Sustainability Commission:

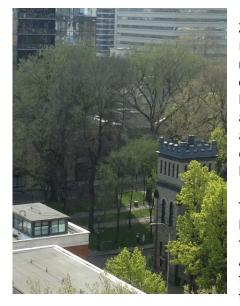
The Architectural Heritage Center/Bosco Milligan Foundation advocates for the following height and zoning issues in the Central City 2035 Proposed Draft.

HISTORIC DISTRICTS

Heights should not be increased in historic districts. Height must be in proportion and scale with the existing historic resources.

SOUTH PARK BLOCKS

The AHC/BMF strongly endorses the priority/goal of obtaining historic designation for the South Park Blocks. There is some urgency, however, since the heights and uses being proposed along the blocks could incentivize the demolition of many of the historic churches, historic cultural facilities and early apartment buildings, all of which offer human scale, sunlight and historic character to the park blocks. We recommend moving the time line for this from 6-20 years to 2-5, for that reason. (See: Vol5 p147 UD23 Obtain historic designation for S. Park Blocks.)



Zoning/use has been changed on the east side of the blocks from RX (mixed-use/residential) to CX (commercial). The AHC/BMF recommends against this change, instead recommend retention of the RX zone on both sides/frontages of the park blocks. When looking at that eastern frontage blocks, there are historic churches and apartment buildings, both of which are more closely associated with residential areas. The exception is the Goodman owned parking lot, the Broadway frontage of which is currently being developed into a tall hotel, threatening to block sunlight.

The threat of loss of sunlight through loss of human-scale buildings and the addition of tall buildings is real. The picture of the Ladd Tower's shadows at left on the South Park Blocks at 11 AM in May 2016 is a good demonstration of what is lost with towers along the blocks. Earlier height maximums on and along the park blocks were thought to be 100'. There is some confusion

about that, but we strongly **recommend maximum building heights for the blocks adjacent to the park be no more than 100'.** In the current proposal, they vary from 185' to 250' to 320' to 370'.

In the current proposal, shadow studies are required on the west side of the park blocks, but not the east side. The AHC/BMF **recommends shadow studies be required on both sides of the park**. People use the park both in the morning and the evenings.

Based on the above analysis, the following **are recommended changes** in the draft plan.

- Vol5 p147 UD23. Obtain historic designation for the South Park Blocks: **Change the timeline from 6-**20 years to 2-5 years.
- Vol1 p70, Policy 5.DT-4b. South Park Blocks: Add sunlight protection as a requirement. This requirement should also be reflected in the shadow study requirement map (Vol2A1 p337 Map 510-4.
- Vol1 Urban Design 5.3 p66. Dynamic Skyline: Change last sentence to read, "<u>Require</u> heights and building forms that preserve sunlight on public open spaces and parks."
- Vol2p331, 337: Maps of Heights along S. Park Blocks: Lower to 100' maximum along the park blocks and remove the designation of "area eligible for height increase."
- Vol2 p467, 469. Zoning Maps: Keep RX zoning along South Park Blocks as expressed on p467 map. Eliminate zone change on p469 map.

The AHC/BMF also **endorses the following** policy actions relating to the South Park Blocks:

- Vol5 p111 UD81: Develop a set of special design guidelines and streetscape improvements for the Cultural District.
- Vol5 p139, p153, p177 RC81: Develop a package of streetscape improvements for the cultural district to enhance the pedestrian experience between attractions including the OHS, the Art Museum and the Arlene Schnitzer Concert Hall.
- Vol5 p145 EN 20: Develop a strategy for inventorying, removing and replacing trees in South Park Blocks to eliminate safety hazards while maintaining or enhancing canopy coverage and habitat.

WEST END: HISTORIC PRESERVATION

Preservation of the many historic resources in the West End that merit preservation consideration is a priority. The map in Vol5 p222 and the tables on p221 confirm the historic importance of this area.

The AHC/BMF endorses the many changes made to the draft that encourage this goal. Among them are:

- A **new Historic Preservation section** in Central City Urban Design with policies to encourage reuse and incentives that will support the protection of historic and culturally sensitive resources (Vol1 p 69, policies 5.18, 5.19, 5.20);
- A policy for protection of existing buildings and historic resources in the West End (Vol1 p71, policy 5.WE-3);
- Retaining a bonus allowance that recognizes historic preservation needs, including seismic upgrades (Vol2A1 p52,53,63,64,65) and revising regulations allowing for incremental seismic upgrades (Vol5 p92 RC55).
- Advocating for the state historic rehabilitation tax credit (Vol5 p99 UD2);
- Updating of the **Historic Resources Inventory** for the Central City, prioritizing **West End and Goose Hollow**;
- Revision of the 2 Downtown **Multiple Property Listings**, in which many **West End buildings** are already included but identifying the need to broaden the listing (Vol5 p111 UD78) and for including a map of these buildings in the West End (Vol5 p222).

However, the AHC/BMF recommends the following changes or additions:

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• Add a **new Policy** 1.WE-4 Vol1 p.35. Repeat excerpted language in Vol 1 Policy 1.OT-4 p36 under the West End sub section to read:

Encourage the reuse, rehabilitation and seismic upgrade of underutilized buildings to increase useable space and economic activity in the district to preserve and enhance the cultural and historical significance of the area.

 Add new action items on Vol5 p92 under both BDS and PBEM headings: West End RC55 Consider creating/revising seismic regulations to allow for more incremental upgrades. Timeline: 2-5 years.

WEST END: FAR/HEIGHTS/BONUS

Because preservation and reuse of historic resources and reducing incentives for the demolition of them are so closely linked, the FAR and maximum building heights in the West End need to be revised. This area is rich with buildings telling the unique history of Portland from the 1880's to the late 1930's. This has been well documented in the Multiple Property Listing, in the 1984 Historic Resource Inventory, and with individual listings in the National Register.

An additional reason for lowering the FAR and heights is that the West End is a transition area between the lower zoned areas of the Pearl, Goose Hollow, and the University District. Those adjacent contexts have FARs of 4:1 and 6:1. A gentler, stepped-down transition is needed between them and the very high allowances (15:1 and 12:1) in the Downtown District.

Recommended is to explore a West End base FAR of 7:1 west of Park Avenue and a maximum building height of 100'. Recommended to the East of Park for one or two blocks is a base 9:1 FAR with a maximum building height of between 250' and 325' maximum building heights. This proposal would create a better step down between the tall, dense corporate district to the smaller businesses and dense residential, mixed-use urban character of the West End district. And this proposal would also go far in preserving the unique and historic character of the West End.

WEST END: CHANGE IN ZONE FROM RX TO CX

The AHC/BMF endorses the change of the RX/CX demarcation line in the northeast part of the West End to Taylor St from Salmon Street as outlined in Vol 1 p35 1.WE.1 and the map in Vol 1 p93. These affected blocks house several National Register buildings more in keeping with residential zoning (churches, cultural building and apartment buildings).

However, the northwest corner of the West End, where an RX to CZ zoning change is proposed, holds many historic resource buildings (see map in Vol5 p222), many being used as affordable housing. Therefore, we oppose the change from RX to CX in the northwest corner. (Vol2A1 p473). Both codes now have many similarities, but RX emphasizes the residential uses of these buildings as worthy of preservation. This emphasis will also help meet the goal of 6800 households by 2035 in the West End.

IN GOOSE HOLLOW

Nine historic buildings in Goose Hollow (along/near SW Morrison) remain threatened by 280'-325' heights (total with bonuses), which will incentivize the destruction of those buildings. Many of these buildings are listed on the National Register or HRI--The Tiffany Center (1410 SW Morrison), The Bronaugh Apartments (1434 SW Morrison), The Scottish Rite Building (709 SW 15th), the old Concordia Club--a Jewish social organization formed when Jews weren't allowed membership in the MAC, Arlington club, etc. (1532 SW Morrison), the Commodore Apartments (1621 SW Morrison), the Winston Apartments (1709 SW Morrison), the Historic Hamilton Arms Condos (709 SW 16th), the Lafayette

Apartments (730 SW 16th), and the Hotel deLuxe (729 SW 15th). <u>Heights should be lowered significantly</u> on these historic buildings in order to disincentivize demolition.

View protections: The **Vista Bridge view corridor to Mt. Hood**—This view corridor was protected in 1991 to prevent further destruction of the view of Mt. Hood from the Vista Bridge. Heights should be



Figure 16: View of Central City and Mt Hood from SW15 – Proposed Bonus Heights

Image from Central City 2035 Proposed Draft

reduced on the bottom elevation to keep the timberline viewable, as it can be seen today.

Views toward the Vista

Bridge—The view corridor to the Vista Bridge is currently protected and should remain protected. Downgrading this to a view street does not give sufficient protection to views of the arches of the bridge (the architecturally significant feature). The adopted West Quadrant Plan commits to preserving the view corridor to the Vista

Bridge--"elevate the presence, character and role of significant public view corridors (e.g. Vista Bridge, West Hills) which define the district."

Proposed heights in this draft will result in a canyon of buildings along SW Jefferson (reaching up to 180' near I-405). This should remain a view corridor. Heights should be lowered so that views of the bridge will be permanently protected. <u>No building should</u> <u>ever block the view of the</u> <u>arches</u>. Heights next to the bridge and on either side of the



Figure 18: View of Vista Bridge from SW Jefferson Street – Proposed Bonus Heights Image from Central City 2035 Proposed Draft

bridge should be much lower and should require significant set-backs to protect sightlines of the arches. The proposed heights will allow a 140' building 2 blocks from the bridge. When fully built to the proposed heights, one would have to stand in the middle of the street to have an unobstructed view of the arches. This should remain a protected view corridor. We appreciate your attention to our comments, and your thoughtful consideration of them. Thank you very much.

Sincerely,

Fred Leson

Fred Leeson, President

SUSSMAN SHANKLLP

-ATTORNEY ECEIVED PLANNING & SUSTAINABILITY

2016 JUL 26 A 10:23

DARIN D. HONN Attorney | Admitted in Oregon & Washington 503.243.1629 *direct* dhonn@sussmanshank.com 3 1000 SW Broadway, Suite 1400 Portland, Oregon 97205
 503.227.1111 or 800.352.7078 main 503.248.0130 fax sussmanshank.com

July 21, 2016

Attn: CC2035 Testimony Planning and Sustainability Commission 1900 SW Fourth Ave., Suite 7100 Portland OR, 97201

Re: CC2035 Testimony Regarding Scenic Resources Protection Plan Our File No. 22988-001

To Whom It May Concern:

I am writing on behalf of MadAve, LLC ("MadAve"). MadAve owns property located at 1120 SE Madison Street (the "Property"). The Property is currently being renovated to an office facility, and will be undergoing substantial renovation in the near future.

The Property is currently zoned General Industrial 1, or IG1. Under the current zoning regulations, IG1 zones have no maximum height or maximum floor area ratio. (See Portland City Code § 33.140, Table 140-3). However, as part of the June 20, 2016 proposed revisions to the Central City 2035 Plan, building height for the Property would be reduced to just 45 feet.

There appear to be two policies ("Goals") influencing the decision to reduce building height at the Property. First, the Bureau of Planning and Sustainability ("BPS") is proposing to preserve views of Mt. Hood from Salmon Springs in Waterfront Park by restricting building height, as explained in a June 24, 2016 letter from BPS. Second, the proposed building height is intended to provide a step-down in maximum building height to transition into residential neighborhoods to avoid casting shadows. *See, e.g.,* Portland City Code § 33.510.205 ("The maximum building heights are intended to accomplish several purposes of the Central City Plan" including "limiting shadows from new development on residential neighborhoods in and at the edges of the Central City").

The proposed reduction in maximum building height within the proposed view corridor <u>directly conflicts</u> with the purposes and policies of the Central City 2035 Plan. These policies include the following:

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Planning and Sustainability Commission July 21, 2016 Page 2

- "Protect the Central Eastside as a centralized hub of industrial business and services that support the regional economy by serving other industrial districts and business located throughout the metropolitan area";
- "Support growth of new industrial sectors, protect existing sectors, and protect the Central Eastside as place where startups and incubators can transition into mature and established businesses and sectors"; and
- "Enhance the vibrancy of major mixed-use corridors to optimize their potential to attract investment and the development of new retail, commercial office, and residential uses that complement and serve employees and businesses in the Central Eastside."

CC2035 Proposed Draft at pp. 37-38. In addition, the costs in the form of: (a) loss of density; (b) loss of ability to effect large scale vertical mixed use projects; (c) reduction of livability; and (d) substantial loss of value of "to be developed" projects is completely out of proportion to the potential Goals.

As the Central City 2035 Proposed Draft acknowledges, "Protecting this view <u>does have</u> <u>significant impacts</u> on development in the Central Eastside." CC2035 Proposed Draft at p. 53 (emphasis added). Indeed, the February 2016 Discussion Draft of the Central City Scenic Resources Protection Plan states:

Although Salmon Springs is the most used viewpoint in the Governor Tom McCall Waterfront Park and offers a view of Mt. Hood today, the economic impacts outweigh protecting the view long term. The recommendation is to maintain the Salmon Springs viewpoint as a view of the Willamette River, Hawthorne Bridge, and the Central Eastside skyline; and not to protect the view of Mt. Hood.

February 2016 Central City Scenic Resources Protection Plan at p. 59. In the June 2016 draft, BPS estimates that "The economic impact of protecting the view of Mt Hood from Salmon Springs is a reduction of approximately \$21.9M in potential development value and approximately 3,000 reduction in jobs capacity." *Id.* at p. 64.¹ The dramatic reduction in developable industrial, commercial, and residential floor space will undoubtedly increase the cost of that floor space in the Central Eastside. As the Central City 2035 Proposed Draft acknowledges, "Limiting the development capacity of

¹ Elsewhere in the central city plan, BPS estimates that the cost will only be \$15,001,740. See Central City Scenic Resources Protection Plan at p. 40, Table 2.

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these uses may reduce the social benefits ascribed to increased density in the Central City, potentially increasing home-to-work commutes, and reducing recreation and family time." Central City Scenic Resources Protection Plan at p. 49. In other words, the proposed reduction in density through building height restrictions would make Portland a less commercially viable and livable city. The limitation of "floor space" will affect substantially increased rents for both residential premises and commercial premises in the area, the antithesis of what is needed to confront Portland's high (and increasing) costs of housing and commercial space. The BPS proposal will exacerbate the high cost of housing in Portland.

With respect to BPS's estimate of \$21.9 million of reduced development value, we question the estimate. First, BPS is underestimating the total floor space impacted by the proposed regulation by only accounting for "vacant or underutilized sites that are likely to redevelop by 2035." Central City Scenic Resources Protection Plan at p. 4. Therefore, BPS's estimate of the "reduction in development value" does not account for the height restrictions impact on all impacted properties. Second, BPS has assigned a \$36 dollar per square foot value to development that will not occur as a result of the proposed regulation. The draft Central City Plan does not explain how this number is calculated. Thirty-six dollars per square foot is an unbelievably low estimate for the value per square foot.

If you take the reduced potential construction costs because of the restrictions on a single block, (for instance the Property owned by MadAve), the costs are substantially in excess of the \$21.9 million, for that block. For example, presently there is no height limitation on the Property, but assume that there was a practical 20 story limitation. At approximately 25,000 square feet per floor, the loss of square footage that could be constructed would be approximately 400,000 square feet (20 floors less 4 floors under the proposal equals 16 lost floors). With build out costs of approximately \$300 per square foot, the lost construction proceeds into the Metropolitan area alone could roughly be \$120,000,000 for one block. That does not take into account the continued salaries for the individuals working/living in such space for many years to come. That also does not address that there are approximately twenty blocks affected by the proposed view restriction. Even assuming that several of the blocks in the impacted area/ are not suitable for development because they contain elevated highway and ramps, it would appear that just the loss of construction revenue accompanied by their provision is in the billions of dollars. That is not a wise exchange for a partial view of Mount Hood from a specific area of Waterfront Park.

While the desire to preserve a view of Mt. Hood from Salmon Springs in Waterfront Park may be somewhat desirable, the cost of implementing the restrictions currently

SUSSMAN SHANK^{LLP}

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proposed is much too expensive compared to other alternatives. For example, tourists can view Mt. Hood from the nearby Tilikum Crossing. BPS currently estimates that preserving views from Tilikum Crossing will cost approximately half as much in terms of job loss and reduction of development value as the proposed Salmon Springs view corridor.

To the extent BPS believes that a view of Mt. Hood is important for Waterfront Park, BPS would be much better served by installing a raised viewing platform for views of Mt. Hood in Waterfront Park that would provide tourists with great views of Mt. Hood over the Central Eastside skyline, or creating a view area from a World Trade Center Building or a similarly situated building. This may provide an opportunity to improve the view for tourists, as the current view from Salmon Springs is "partially blocked by the Interstate 5 ramps and the timberline is not visible." Central City Scenic Resources Protection Plan at p. 2.

Regarding the step-down height restriction, the restriction is greater than what is necessary to avoid casting a shadow on residential zones. The lots immediately to the east of the Property are zoned Commercial Storefront, not residential. In addition, there are only three houses along Madison Street to the east of the Property before 13th Street. A height restriction of 45 feet is simply unnecessary to avoid limiting shadows on a residential neighborhood, and as explained above will substantially limit creation of housing and work space and dramatically increase such costs.

In sum, restricting the building height in the Salmon Springs view corridor will have significant impacts on density, economic development, housing costs, and private property values. For MadAve, the proposed 45 foot building height limit would result in a tremendous loss of the value of the Property without any compensation. I hope BPS will reconsider its proposal and explore alternatives that would not result in such a substantial loss of value of private property and potential economic activity. Please contact me or my colleague, Chris Burdett, at (503) 227-1111 if you have any questions.

Very truly yours,

SUSSMAN SHANK LLP

Deni Hom

Darin D. Honn

cc: client

John Southgate, LLC 1020 SW Taylor Street, Suite 440 Portland, Oregon 97205

July 20, 2016

Portland Planning & Sustainability Commission 1900 SW 4th Avenue, Suite 7100 Portland, Oregon 97201

Re: Properties on NW Front Avenue – Maximum Height & FAR

Dear Commissioners:

I am writing on behalf of the owners of properties located on the south/west side of Front Avenue between NW 17th & 19th Avenues. They want me to express their appreciation and continued support for the rezoning of their properties from the current IH to EXd, per the *Proposed Draft* of the City's Central City 2035 Plan, and in accordance with the Comprehensive Plan designation for these properties.

The owners of the properties are Ken Unkeles (TL 1N1E28DB 1500 & 1600) and Tom Goldsmith (TL 1N1E28DB 1400 & 400).

With Mr. Unkeles' and Mr. Goldsmith's consent, I am also seeking in this letter to set forth some arguments in favor of increasing the maximum height and FAR for the properties, beyond the 100 feet and 2:1 (respectively) as set forth in the Proposed Draft.

We propose an increase in the height of these properties to 250 feet, and the FAR to 4:1, chiefly based on the policies set forth in this letter. The heart of our arguments are as follows:

- First, the City seeks to promote higher density mixed use development in the Central City (i.e. both residential and job growth), so as to decrease the development pressure on other more sensitive areas, such as single family neighborhoods and industrial areas. This is a particularly suitable area for higher densities, insofar as the area is safely buffered (by train tracks, the Fremont Bridge, and nearby industrial uses) from neighborhoods that might resist higher density. There are no single family neighborhoods anywhere close to the properties.
- Second, there is a strong pattern throughout the Central City, at least on the west side, to "stair step" buildings the further one gets from the River. For instance, on the south side of the Fremont Bridge, the maximum FAR is *generally* 2:1 on the river side of Naito Parkway, and 4:1 on the upland side. Heights don't follow as clear of a pattern, although generally the maximum allowed heights further south (i.e. south of Burnside) follow the same general stair step pattern as the FAR caps. In addition, much of the Pearl District is eligible for bonus height provisions in accordance with the "North Pearl subarea bonus

target area". Since our properties are not within this target area, it will be more challenging to achieve the taller buildings that we believe the City wants to encourage.

• Third, we note that the *current* IH zoning on our properties, as well as the nearby IG-1 zoning immediately west of the site, does not have *any* maximum FAR or height. It is ironic that the "up"-zoning to EXd comes with restrictions on height and density that do not apply to the current zoning.

The balance of this letter sets forth the general policy documentation that favors increased height and density on the Front Avenue properties.

At the outset, we wish to reiterate the policy language from the West Quadrant Plan that we cited in our July, 2015 letter (attached hereto). While that letter was intended to defend the EXd zoning on the properties (and didn't specifically address any development standards), we believe that the West Quadrant Plan favors our proposed maximum height of 250 feet, and maximum FAR of 4:1. One specific policy citation that we would call to your particular attention is the "Land Use Emphasis" map (p. 26) which indicates the properties as "Mixed Use". Mixed use is defined as an "eclectic mix of uses that could include residential, retail and office. In less intensive areas, smaller scale development could be expected. In more intensive areas, larger development might occur. In these areas, there may be no single predominant use." The maximum height for this area is indicated as 175 feet (Building Height Map, p. 28).

To focus on provisions in the Discussion Draft of the Central City Plan 2035, please note that we believe the following policy language strongly supports our proposal for taller, denser development on our properties:

- (Introduction Section of Volume 1, Goals and Policies, Page 8): "In particular the plan focuses on:
 - Supporting a prosperous, healthy, equitable and resilient regional center.
 - o Fostering more connections with the Willamette River.
 - Recognizing and cultivating the unique characteristics of the Central City's 10 districts.
 - Creating a more fully connected public realm of streets, parks, plazas and trails"
- (Introduction to Volume 1, Goals and Policies, Page 12) "Portland's 1980 Comprehensive Plan directs growth to the city's interconnected system of centers and corridors. The strategy is to *increase density* to make great places where there is already access to public infrastructure. The result is diverse housing options and employment opportunities, robust multimodal transportation systems and access to local services and amenities. These, in turn, create complete, prosperous, healthy and equitable low--carbon communities. By 2035, 30 percent of Portland's population growth will occur in the Central City, on just 3 percent of the land within city limits. Another 50 percent of the growth will be in other centers and corridors, with the remaining 20 percent in residential infill. Between 2010 and 2035, Portland's Central City is projected to add approximately 38,000 new households (165 percent increase) and about 51,000 new jobs (40 percent increase)... focusing growth and investments in the Central City reduces pressure for growth and development in other, more sensitive parts of the City, including Portland's

distinct neighborhoods and industrial or employment centers... Of the nearly 3000 acres of land in the Central City, half is right-of-way or the Willamette River. Of the other 1500 acres, approximately 460 have been identified by the City as vacant or underutilized."

- (Introduction Section of Volume 1, Goals and Policies Page 13) This section identifies seven Significant Challenges which the CC2035 Plan is intended to address. Higher density on Front Ave Properties will be supportive of at least three of these, as follows:
 - "Livable High Density: Encourage dense, urban living while maintaining and enhancing neighborhood character and livability.
 - Employment Diversity: Grow the Central City's share of regional employment and providing diverse opportunities for Portlanders with different interests, skills and education.
 - Willamette River: Connect Portlanders to the Willamette River in a more meaningful way and integrating opportunities for recreation and environmental protection."
- (Introduction Section of Volume 1, Goals and Policies, Page 14) "Central City 2035 envisions a prosperous, health, equitable and resilient Central City, where people collaborate, innovate and create a more vibrant future together."
- (Introduction Section of Volume 1, Goals and Policies, Page 17) This area is identified as an area of modest change. We believe this is missing an opportunity – there is an opportunity for significant change on the Front Avenue properties, especially if higher height and FAR is allowed than what is proposed in the Discussion Craft. Again, we believe that the properties represent an opportunity to help the City achieve its goals for a dense CC to protect neighborhoods and employment centers elsewhere."

The following language is from the Goals & Policies of Volume 1:

- "Goal 1. REGIONAL CENTER (Page 32): Portland's Central City serves as the region's economic, cultural and civic center. To maintain and enhance this role, stakeholders identified the need to enhance the cultural and civic role of the Central City; support economic growth, particularly in traded sector industries; protect industrial and employment districts; capitalize on opportunities for partnering with higher education institutions; and address affordability barriers so that entrepreneurs and small businesses can thrive.
 - GOAL 1.A: Portland's Central City is the preeminent regional center for commerce and employment, arts and culture, entertainment, tourism, education and government.
 - GOAL 1.B: The Central City is economically competitive, especially relative to West Coast and regional markets, with robust and expanding business and development activity.
 - Economic Vitality: The Central City is home to professional service industries that support the entire region; a growing number of colleges and universities; and

a manufacturing base that hosts a number of emerging business sectors. Policies in this section support the continued economic vitality of the Central City, Portland and the region.

- (Pearl District Policy 1.PL-1): Mixed Use Office Center: Support the continued development of a vibrant, mixed-use area with new commercial, retail, office and creative office opportunities."
- "GOAL 2 Housing & Neighborhoods (Page 42): When the last Central City Plan was developed, nearly 30 years ago, there were relatively few people living in Portland's Central City. Today, this area has become the fastest growing area in the City. To enhance the livability of Central City neighborhoods, stakeholders felt affordability should be the top priority housing should be available for households at all income levels, near Central City jobs and within complete neighborhoods. Further, a desire for a broader range of housing types was expressed in particular, units that support students, families, and older adults.
 - GOAL 2.A: The Central City is a successful dense mixed-use center composed of livable neighborhoods with housing, services and amenities that support the needs of people of all ages, incomes and abilities.
 - (Pearl District Policy 2.PL-3): Housing Diversity: Encourage new development, including housing, along Naito Parkway in order to bring more people and activities to the riverfront. Throughout the district, encourage multifamily housing supportive of families and students."
- Goal 4 Willamette River (page 61): "More than any other feature in the regional landscape, the Willamette River has influenced human settlement since Native Americans arrived, through European settlement to the urban Central City of today. The extremely high usage of public riverfront spaces like Governor Tom McCall Waterfront Park and the Vera Katz Eastbank Esplanade speak to the public's desire to activate the riverfront as a vital Central City feature. As the City developed, docks, sea walls, buildings, roads and bridges were constructed in the riverfront area that greatly altered the natural function and habitat values. Members of the public expressed a strong desire to restore physical, social, environmental, economic and historical connections for a variety of reasons: a desire for more river-related commerce; increased opportunities for riverfront and river-based recreation and transit; and the need to identify how and where to best enhance critical habitat to restore river health. The Willamette River goals and policies are intended to address these priorities.
 - Policy 4.9 Commercial development. Encourage new clusters of commercial uses adjacent to the Willamette River, at appropriate setback distances, in order to bring more people, events and activities to the riverfront."
- Goal 5, Urban Design (Page 64): "The practice of urban design involved the physical features of both the built and natural environments that define the character of a place. It can be thought of as the art of making places for people. Urban design works at a variety of scales. It includes everything from urban form of the entire city down to the design of buildings, streets and the public realm, parks and open spaces, and historic districts.

- GOAL 5.B: The Central City is composed of diverse, high-density districts that feature high-quality spaces and a character that facilitates social interaction and expands activities unique to the Central City.
- Policy 5.3, Dynamic Skyline. Encourage the tallest buildings to locate adjacent to transit hubs and corridors, generally stepping down in height to the Willamette River. Allow taller buildings at bridgeheads and contextually sensitive heights within historic districts. Encourage heights that preserve sunlight on public open spaces and parks.
- Policy 5.PL-2 Under I-405 Repurposing. Support redevelopment of areas under I-405 to create safe, attractive, and engaging spaces."

Finally, the Targets section of the Proposed Draft calls for increasing the job density in the Pearl District from 10,600 in 2010 to 14,700 in 2035; and increasing number of households during the same time frame from 5,300 to 11,600.

Conclusion

We have attempted in this letter to identify policy language in the Proposed Draft of the Central City 2035 Plan which supports high density, mixed use development in the Central City, and particularly on the Front Avenue properties. Our proposal to establish higher, denser development on the properties is more consonant with the goals and policies set forth in the Proposed Draft, as well as in the West Quadrant Plan, than would be the case under the proposed caps of 100 feet and 2:1 FAR. We hope that you will concur with us, and would welcome the opportunity to discuss this matter further.

Respectfully Submitted John Southgate, Principal John Southgate LLC (\$03) 956-5853

cc: J. Clayton Hering, representing Tom Goldsmith Nicholas Starin Ken Unkeles

Attachments:

- Map of Affected Properties
- Letter dated July 10, 2015 regarding Rezoning of Affected Properties

Attachment A: Map of Affected Properties



- C. Owner: Tom Goldsmith Tax Lot: 1N1E28DB 1400

Attachment B: Letter dated July 10, 2015 regarding Rezoning of Affected Properties

John Southgate, LLC 1020 SW Taylor Street, Suite 440 Portland, Oregon 97205

July 10, 2015

Nicholas Starin Portland Bureau of Planning & Sustainability 1900 SW 4th Avenue, Suite 7100 Portland, Oregon 97201

Re: West Quadrant Plan – Zoning Amendments on NW Front Avenue

Dear Mr. Starin:

Thanks for our recent conversation about properties located on the west side of NW Front Avenue, north of the Fremont Bridge, which are currently zoned IH (Heavy Industrial) with a Comprehensive Plan designation of EXd (Central Employment, with the "d" Design Review overlay). The owners of these properties are supportive of a Zone Change to EXd as a part of the Implementation phase of the West Quadrant Plan, which I understand the City will be undertaking in the coming months.

The owners of the properties are:

Owner:	Emerson Hardwood (Chris Mongrain)
Address:	2279 NW Front Avenue
Tax Lot:	1N1E28DB 1700
Owner:	Ken Unkeles
Address:	2211 NW Front Avenue
Tax Lot:	1N1E28DB 1500 & 1600
Owner:	Tom Goldsmith
Address:	2121 NW Front Avenue
Tax Lot:	1N1E28DB 1400
Owner:	Terry Peterson
Address:	2047 NW Front Avenue
Tax Lot:	1N1E28DC 300

I represent Mr. Unkeles, identified above. Mr. Unkeles has contacted Messrs. Mongrain, Goldsmith and Peterson to confirm their support for the zoning action; they are copied on this letter. Their support – including that of Mr. Unkeles – is predicated on their being able to continue their current operations "as is". That is, any element of their operation currently in place would be "grandfathered" should that element become nonconforming once the properties are re-zoned EXd. This includes the outdoor storage component of their operations.

This proposed action – of establishing EXd zoning on the affected properties, in compliance with the Comprehensive Plan, is consistent with the West Quadrant Plan, adopted by Resolution by the City Council on March 5, 2015. While not intended to be a complete analysis, I note the following elements of the Plan with which the rezoning would be particularly consistent, particularly insofar as rezoning would allow a broader array of uses consistent with the desire for mixed use development in the area. Below is a preliminary list of plan elements with which the proposed rezoning is consistent:

"**The Riverfront**. No other topic generated more shared enthusiasm among participants than activating the Willamette River, in the water and along the edges. The plan envisions a true 21st century urban riverfront, with *additional development along an enhanced Naito Parkway* and a rejuvenated Waterfront Park with improved trail facilities. A healthy and vibrant river, featuring increased human and boat access along with enhanced and restored natural areas, including shallow water habitat is also envisioned. The plan calls for a redesign of Waterfront Park and restoration of several habitat areas to help realize this vision." (Executive Summary, p. vi, *my emphasis*).

"Mixed Use. Informed by the successes of the Pearl District, the plan calls for zoning tools that increase flexibility where possible, allowing more mixing of office, retail and residential within buildings and specific districts than previously possible...." (Executive Summary, p. vi)

The "Land Use Emphasis" map (p. 26) indicates this area as "Mixed Use", defined as "An eclectic mix of uses that could include residential, retail and office. Inless intensive areas, smaller scale development could be expected. In more intensive areas, larger development might occur. In these areas, there may be no single predominant use." The maximum height for this area is indicated as 175 feet (Building Height Map, p. 28).

Urban Design Key Element #4 "Create Unique Urban Riverfront": "Create unique, urban riverfront with centerpiece at Centennial Mills. Develop a uniquely urban riverfront that features an iconic segment of the Greenway Trail with a "jewel" civic space at Centennial Mills, framed by high density development along the riverfront." (p. 99)

Regional Center Economy & Innovation Policy 1 Employment: "**Employment.** Support the continued development of a vibrant, mixed-use area with new commercial, retail, office and creative office opportunities." (p. 99)

Regional Center Economy & Innovation Policy 4: "Naito Parkway Commercial Development. Encourage new development near the riverfront, including targeted clusters of commercial uses in order to bring more people, events and activities to the riverfront." (p. 100) Regional Center Housing & Neighborhoods Policy 4 Housing and Neighborhoods Policy 4, "**Naito Parkway Residential Development.** Encourage new development, including housing, along Naito Parkway in order to bring more people and activities to the riverfront." (p. 102)

I trust you will agree that these policies set forth in the West Quadrant Plan are all generally favorable of a rezoning of the properties in question to EXd, which is also consistent with the current Comprehensive Plan.

Nicholas I look forward to further discussion in the coming weeks and months. I will reach out to you in August, to see where you and your colleagues are as you develop specific zoning actions to implement the West Quadrant Plan.

Thanks again for your assistance, and please call me if you have any thoughts or questions.

Respectfully Submitted, John Southgate, Principal John Southgate LLC (503) 956-5853

cc: Tom Goldsmith Chris Mongrain Terry Peterson Ken Unkeles July 20,1016

City of Portland Bureau of Planning 1900 SW 4th AVE Portland OREGON 97201

RE : Central City/ Central EASTSIDE / Southeast 12th AVENUE BORDERLINE between ZONES / Buckman neighborhood

To Planning Commission From Mary E Roberts Michael J. Beglan 121 Southeast 12 AVE Portland OR 97214

The following letter pertains to our property as listed above AND the additional historic era residential properties facing SE 12 AVENUE in the Buckman neighborhood.

According to your Central EASTSIDE Plan proposal 12 AVENUE is the borderline between the SE Employment Zone -EX1 overlay and the existing R1/CG residential neighborhood that lies east of 12th AVE. There are currently 18 historic era properties (some are converted to multiple apartments, some remain single family structures) that grace 12th AVENUE. All of these structures provide not only compact and dense living accommodations, but also provide historical integrity to the street and neighborhood. The proposed zone allows mixed-use development as well as a plan for streetscapes that are pedestrian friendly and attractive.

The proposed height and FAR changes in the EX zone (shown purple in overlay) which would allow greater than 50 ' height construction and allow **building on the property lines** (neither of which are allowed in R1 zones). These proposed changes would DEGRADE the current existing historic properties by decreasing their RMV, negatively impact inhabitants' privacy, as well as allow construction that would not be aesthetically or architecturally compatible with the features of Buckman neighborhood. As a property owners on SE 12th AVENUE, we formally object proposed changes: building on property lines and greater than 50 ' height proposals.

On 12th AVENUE block between Ankeny and Ash Streets there are 8 residential properties all of which are historic era architecture residences. One larger building on corner of Ash and 12th has an official historic designation. The homogeneity of this façade must be preserved. Starkly different facades on different sides of the corridor will NOT enhance its appeal.

Furthermore, there is a discrepancy on this borderline/corridor. Land use for properties on 12th AVENUE south of Belmont street are NOT being changed to EX1 under the proposal and retain their R1 Zoning with 45' height restrictions. If it makes sense to have 45' height on the southern portion of 12th AVENUE, it certainly makes sense to have the same on the northern end. For the sake of compatibility and consistency, amend your proposal to enforce these lower height restrictions all along.

Accommodation MUST me made in your overlay plan to account for these properties/structures and to integrate and transition more effectively between the two zones.

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Wednesday, July 20, 2016 2:04 PM BPS Central City 2035 FW: CC2035 Testimony

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

To help ensure equal access to City programs, services and activities, the City of Portland will provide transportation, reasonably modify policies/procedures and provide auxiliary aids/services/alternative formats to persons with disabilities. For accommodations, translations, complaints and additional information, contact me, City TTY 503-823-6868, or use Oregon Relay Service: 711.

From: Chet Orloff [mailto:chetorloff@gmail.com]
Sent: Wednesday, July 20, 2016 1:54 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: CC2035 Testimony

Dear Colleagues:

I encourage adoption of the Central City 2035 Plan. Along with several other Portlanders, I do request that the plan . . .

- protects the city's historic resources (buildings, parks, artwork) to the extent possible

and

- lowers allowable heights of buildings at certain edges of the Central city so as to establish better designed and less jarring transitions between historic districts/buildings and their more modern neighbors. And, having been involved in the City's historic inventory 30 years ago, I want to recommend that we update our inventory of historic structures.

Thank you.

Chet Orloff

Chet Orloff, Historian

Manager, Pamplin International Collection of Art & History President & Director, <u>Museum of the City</u> Principal, Oregon History Works Director Emeritus, Oregon Historical Society Former Professor, Urban Studies & Planning, PSU Former Instructor, School of Architecture, UofO

Mail: P.O. Box 10829 Portland, Oregon 97296-0829

Location: 18200 N.W. Sauvie Island Road, Portland, Oregon 97231

Telephone: 503.805.5461

Email: <u>chetorloff@gmail.com</u>

Dauphin, Derek

From: Sent: To: Cc: Subject: Edmunds, Sallie Thursday, July 21, 2016 5:25 AM Planning and Sustainability Commission BPS Central City 2035 Fwd: CC 2035 Testimony

Sallie

Begin forwarded message:

From: Barbara Fagan <<u>bfagan@rockisland.com</u>> Date: July 20, 2016 at 9:14:25 PM PDT To: <<u>eden.dabbs@portlandoregon.gov</u>> Cc: <<u>sallie.edmunds@portlandoregon.gov</u>> Subject: CC 2035 Testimony

July 20, 2016 Planning & Sustainability Commission 1900 SW 4th, Suite 7100 Portland. OR 97201

Attention: CC 2035 Testimony

Commissioners:

I am a resident adjacent to the boundary of Central City Plan.

Do consider a change to the height limit along the eastern edge of Central City Plan on NE 16th Dr. (Holladay St. extended) & the curved portion

of NE 15th / NE 16th Avenues to NE Weidler by limiting height there to provide not more than a 6 story (5 over 1) building.

I request that this height limit be extended South of Multnomah to the Interstate. This would limit development of the theater blocks to 5 over 1 as well, currently the developer's plan. I propose that this limit run from Park east to the Sullivan's Gulch Neighborhood.

This change would limit the height of buildings on the cinema theater & Sears parking lot blocks. The portion of this area which is East of NE 15th/NE 16th is the AXcess apartments which are already at a height of less than 6 stories.

The curved portion of NE 15/ NE 16th was originally a "ring Boulevard" around Lloyd Center.

This change would support the proposal for a general downsizing of the Lloyd Center buildings at its edge.

A similar lower height limit is proposed along Broadway in the area facing Irvington Neighborhood.

The proposed FAR for this area is already at 4:1 which seems reasonable.

Thank You & please let the East side continue to be "A CITY OF BRIDGES" THAT A LEAST SOME PEOPLE WILL BE ABLE TO SEE.

Barbara Fagan

25377

1220 NE 17th, Unit 7A Portland, OR 97232 July 20, 2016

To: **Portland Planning and Sustainability Commission** From: **Bruce Burns** – Chairman and CEO of Burns Bros., Inc.

Re: Proposed New Building Heights in the Central Eastside Historic District

Dear Commissioners:

I was a member of the SE Advisory Committee, which worked on the CC2035 Plan.

My company has owned three and a half blocks in the Central Eastside Industrial District for many decades. We are opposed to the newly-proposed height limitations within the Central Eastside Historic District.

For context, we are ardent historic preservationists. We own two well-known historic buildings in the CEID, the beautiful Victorian-Italianate Barber Block at SE Grand and Washington, and the Nathaniel West-designed River City Bicycle building at SE MLK and Alder. I am a former Board member and capital campaign chairman of the Bosco Milligan Foundation (Architectural Heritage Center), which is a champion of historic preservation education.

Our 3 ½ blocks are right in the heart of the CEID, essentially on the "50-yard line" of the district, just a block or two from the Morrison bridgehead. The streetcar and bus lines run on MLK and Grand, directly in front of our properties. With their EX-zoning, these locations are perfect for high density office and residential development with structured parking.

I would like to give you one example of how one of our blocks is potentially affected by new height limitations. As we know from the latest proposal, new height limitations would be <u>below</u> the allowable heights proposed in the current version of the CC2035 Plan.

This particular example is a block bordered by MLK and Grand and Alder and Washington Streets. <u>A gas station occupies the entire block....as it has since we opened the original gas station in 1947.</u> The <u>eastern half</u> of this gas station block is in the historic district, and is non-contributing to the historic district. Utilizing

the EX zoning in the current CC2035 Plan, our plans call for a higher-rise office and/or residential building on this site of up to 200 feet on the eastern half of that block, and up to 275 feet on the western half.

Any new limitation on height on the eastern half of this block within in the historic district would dramatically reduce the density we have long been planning for, and for which we have worked so diligently during the last two Central City Plans. We have asked an appraiser to appraise the negative impact a reduction in height will have on our future property development. I will forward that to you when it is completed.

Adjacent taller buildings and historic properties co-exist every day around urban areas in America. Many examples of this are evident today, even in Portland. There is no reason why we cannot design beautifully-compatible buildings to compliment surrounding historic properties. After all, we are the owners of some of those historic buildings and would aspire, in our designs, for them to be complimented.

I would argue that the conspicuous contrast of a new, higher-rise building adjacent to an historic property actually enhances the historic property in a visual sense. It seems to me that prioritizing such differentiation might improve and strengthen pre-existing historic character, and this should be welcomed.

Lastly, a variety of constituents of the City and region have worked long and hard to develop the infrastructure and mass transportation systems in and around Portland. Doesn't it, therefore, make sense that owners, like us, of noncontributing EX-zoned properties within an historic district be allowed to maximize their developable FAR to help support the density the City has planned for, which in turn supports mass transit and fully utilizes that infrastructure?

Co-existence of divergent architectural streetscapes is, after all, a hallmark of a vibrant American city. Let's assist Portland's journey toward that hallmark.

Thank you to the Commission for your dedication and service to the community.

Bruce Burns 4949 Meadows Road; Suite 330; Lake Oswego, OR 97035

25380

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Wednesday, July 20, 2016 4:02 PM BPS Central City 2035 FW: CC 2035 Testimony

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

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-----Original Message-----From: Edmunds, Sallie Sent: Wednesday, July 20, 2016 3:58 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Cc: Dauphin, Derek <Derek.Dauphin@portlandoregon.gov>; Dabbs, Eden <Eden.Dabbs@portlandoregon.gov> Subject: FW: CC 2035 Testimony

-----Original Message-----From: Lynn Bonner [mailto:lynnbonner@gmail.com] Sent: Wednesday, July 20, 2016 3:40 PM To: Dabbs, Eden <Eden.Dabbs@portlandoregon.gov>; Edmunds, Sallie <Sallie.Edmunds@portlandoregon.gov> Subject: CC 2035 Testimony

July 20, 2016

Planning and Sustainability Commission 1900 SW 4th, Suite 7100 Portland, OR 97201

ATTN: CC 2035 Testimony

Commissioners:

I am a resident adjacent to the boundary of the Central City Plan. I am writing to request that you change the height limit along the eastern edge of the Central City Plan on what is NE 16th Drive (Holladay St extended) and the curved portion of NE 15th/NE 16th Avenues to NE Weidler by limiting height there to accommodate not more than a six story (five-over-one) building. I request that this height limit be extended south of Multnomah to the Interstate. This would limit development of the theater blocks to five- over-one as well (which is what the developer is currently proposing). I propose that this limit run from the park east to the Sullivan's Gulch neighborhood.

This change would limit height of buildings on what is now the cinema theater and the Sears parking blocks. The portion of this area which is east of NE 15th/NE 16th is the AXcess apartments which is already at a height of less than 6 stories. The curved portion of NE 15th/NE 16th was originally a "ring boulevard" around Lloyd Center.

This change would support the proposal for a general downsizing of Lloyd Center buildings at its edge. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

The proposed FAR for this area is already at 4:1 which seems reasonable.

Thank you. Please feel free to ask clarifying questions and place me on your list of persons to be informed of progress on the Central City Plan.

Lynn Bonner 1220 NE 17th Avenue, 5E Portland, OR 97232 (503) 284-2816

--

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Tuesday, July 19, 2016 11:14 AM BPS Central City 2035 FW: Lloyd District Building Height

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

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From: Edmunds, Sallie
Sent: Monday, July 18, 2016 7:48 PM
To: Ocken, Julie <Julie.Ocken@portlandoregon.gov>; Hoy, Rachael <Rachael.Hoy@portlandoregon.gov>
Subject: Fwd: Lloyd District Building Height

Sallie

Begin forwarded message:

From: Charlene & Jack Barrager <<u>barragers@gmail.com</u>> Date: July 18, 2016 at 6:49:15 PM PDT To: <<u>sallie.edmunds@portlandoregon.gov</u>> Subject: Lloyd District Building Height

Commissioner,

I am a resident adjacent to the boundary of the Central City Plan. I am writing to request that you change the height limit along the eastern edge of the Central City Plan on what is NE 16th Drive (Holladay St extended) and the curved portion of NE 15th/NE 16th Avenues to NE Weidler by limiting height there to accommodate not more than a six story (five-over-one) building. I request that this height limit be extended south of Multnomah to the Interstate. This would limit development of the theater blocks to five- over-one as well (which is what the developer is currently proposing). I propose that this limit run from the park east to the Sullivan's Gulch neighborhood.

This change would limit height of buildings on what is now the cinema theater and the Sears parking blocks. The portion of this area which is east of NE 15th/NE 16th is the AXcess apartments which is already at a height of less than 6 stories. The curved portion of NE 15th/NE 16th was originally a "ring boulevard" around Lloyd Center.

This change would support the proposal for a general downsizing of Lloyd Center buildings at its edge. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

The proposed FAR for this area is already at 4:1 which seems reasonable.

Thank you. Please feel free to ask clarifying questions and place me on your list of persons to be informed of progress on the Central City Plan.

Charlene and Jack Barrager

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Tuesday, July 19, 2016 11:12 AM BPS Central City 2035 FW: Commenting on the Proposed Central City Plan

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

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From: Edmunds, Sallie
Sent: Sunday, July 17, 2016 1:42 PM
To: Ocken, Julie <Julie.Ocken@portlandoregon.gov>; Hoy, Rachael <Rachael.Hoy@portlandoregon.gov>
Subject: Fwd: Commenting on the Proposed Central City Plan

Sallie

Begin forwarded message:

From: Lucie <<u>lucie_svrcinova@hotmail.com</u>> Date: July 17, 2016 at 1:11:18 PM PDT To: "<u>eden.dabbs@portlandoregon.gov</u>" <<u>eden.dabbs@portlandoregon.gov</u>>, "<u>sallie.edmunds@portlandoregon.gov</u>" <<u>sallie.edmunds@portlandoregon.gov</u>> Subject: Commenting on the Proposed Central City Plan

Planning and Sustainability Commission

1900 SW 4th, Suite 7100

Portland, OR 97201

ATTN: CC 2035 Testimony

Commissioners:

I am a resident adjacent to the boundary of the Central City Plan. I am writing to request that you change the height limit along the eastern edge of the Central City Plan on what is NE 16th Drive (Holladay St extended) and the curved portion of NE 15th/NE 16th Avenues to NE Weidler by limiting height there to accommodate not more than a six story (five-over-one) building. I request that this height limit be extended south of Multnomah to the Interstate. This would limit development of the theater blocks to five- over-one as well (which is what the developer is currently proposing). I propose that this limit run from the park east to the Sullivan's Gulch neighborhood.

This change would limit height of buildings on what is now the cinema theater and the Sears parking blocks. The portion of this area which is east of NE 15th/NE 16th is the AXcess apartments which is already at a height of less than 6 stories. The curved portion of NE 15th/NE 16th was originally a "ring boulevard" around Lloyd Center.

This change would support the proposal for a general downsizing of Lloyd Center buildings at its edge. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

The proposed FAR for this area is already at 4:1 which seems reasonable.

Thank you. Please feel free to ask clarifying questions and place me on your list of persons to be informed of progress on the Central City Plan.

Lucie Svrcinova

 $1220~\text{NE}~17^{\text{th}}$

Unit 3B

Portland, OR 97232

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Tuesday, July 19, 2016 11:13 AM BPS Central City 2035 FW: Comments on the central city plan

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

To help ensure equal access to City programs, services and activities, the City of Portland will provide transportation, reasonably modify policies/procedures and provide auxiliary aids/services/alternative formats to persons with disabilities. For accommodations, translations, complaints and additional information, contact me, City TTY 503-823-6868, or use Oregon Relay Service: 711.

From: Edmunds, Sallie
Sent: Monday, July 18, 2016 6:27 AM
To: Ocken, Julie <Julie.Ocken@portlandoregon.gov>; Hoy, Rachael <Rachael.Hoy@portlandoregon.gov>
Subject: Fwd: Comments on the central city plan

Sallie

Begin forwarded message:

From: claudia <<u>waltersmom17@yahoo.com</u>>
Date: July 17, 2016 at 6:28:20 PM PDT
To: "<u>sallie.edmunds@portlandoregon.gov</u>" <<u>sallie.edmunds@portlandoregon.gov</u>>,
"<u>eden.dabbs@portlandoregon.gov</u>" <<u>eden.dabbs@portlandoregon.gov</u>>
Subject: Comments on the central city plan
Reply-To: claudia <<u>waltersmom17@yahoo.com</u>>
To: Planning and Sustainability Commission
 1900 SW 4th, Suite 7100
 Portland, OR 97201
From: Claudia Ospovat
 1220 NE 17th Avenue
 Unit 17G
 Portland, OR 97232
ATTN: CC 2035 Testimony

Commissioners:

I own a condo at the corner of NE Multnomah and NE 17th Avenues, abutting the edge of the Central City Plan.

Please change the height limit along the eastern edge of the Central City Plan on Northeast 16th and on the curved part of Northeast 15th and NE 16th Avenues to NE Weidler to accommodate not more than what I have learned is called five-overones. And please extend this limited height all the way south of Multnomah to the Interstate. I have been to design review meetings and know that this is what the Lloyd Theater superblocks developer prefers--limiting height to 6 stories. To suit the look of the Sullivan's Gulch neighborhood, this limit should run from the park east to our area.

This change we are requesting would also limit the height of buildings on the Sears parking blocks, on the east side of the Lloyd Center. The portion of this area which is east of NE 15th/NE 16th is the AXcess apartments and is already at a height of less than 6 stories. The curved portion of NE 15th/NE 16th was originally a ring boulevard around Lloyd Center.

I understand that this change would support the proposal for a general downsizing of Lloyd Center buildings at its edges. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

We can sustain plenty of density around here without building many stories "UP" - - Thank you.

"Be kinder than necessary, for everyone you meet is fighting some kind of battle."

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Tuesday, July 19, 2016 11:13 AM BPS Central City 2035 FW: Planning and Sustainability Commission

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

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From: Edmunds, Sallie
Sent: Sunday, July 17, 2016 4:07 PM
To: Ocken, Julie <Julie.Ocken@portlandoregon.gov>; Hoy, Rachael <Rachael.Hoy@portlandoregon.gov>
Subject: Fwd: Planning and Sustainability Commission

Sallie

Begin forwarded message:

From: Joe G <josam3@gmail.com>
Date: July 17, 2016 at 3:57:49 PM PDT
To: <sallie.edmunds@portlandoregon.gov>
Subject: Planning and Sustainability Commission
July 18, 2016
Planning and Sustainability Commission
1900 SW 4th, Suite 7100
Portland, OR 97201

ATTN: CC 2035 Testimony

Commissioners:

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I am a resident adjacent to the boundary of the Central City Plan. I am writing to request that you change the height limit along the eastern edge of the Central City Plan on what is NE 16th Drive (Holladay St extended) and the curved portion of NE 15th/NE 16th Avenues to NE Weidler by limiting height there to accommodate not more than a six story (five-over-one) building. I request that this height limit be extended south of Multnomah to the Interstate. This would limit development of the theater blocks to five- over-one as well (which is what the developer is currently proposing). I propose that this limit run from the park east to the Sullivan's Gulch neighborhood.

This change would limit height of buildings on what is now the cinema theater and the Sears parking blocks. The portion of this area which is east of NE 15th/NE 16th is the AXcess apartments which is already at a height of less than 6 stories. The curved portion of NE 15th/NE 16th was originally a "ring boulevard" around Lloyd Center.

This change would support the proposal for a general downsizing of Lloyd Center buildings at its edge. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

The proposed FAR for this area is already at 4:1 which seems reasonable.

Thank you. Please feel free to ask clarifying questions and place me on your list of persons to be informed of progress on the Central City Plan.

Joseph Guerin

1220 NE 17^{th}

Unit 17J

Portland, OR 97232

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Tuesday, July 19, 2016 11:11 AM BPS Central City 2035 FW: Central City Plan

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

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From: Edmunds, Sallie
Sent: Sunday, July 17, 2016 12:12 PM
To: Ocken, Julie <Julie.Ocken@portlandoregon.gov>; Hoy, Rachael <Rachael.Hoy@portlandoregon.gov>
Subject: Fwd: Central City Plan

Sallie

Begin forwarded message:

From: Louis Gaty <<u>louisgaty@gmail.com</u>> Date: July 17, 2016 at 11:58:58 AM PDT To: <<u>sallie.edmunds@portlandoregon.gov</u>> Subject: Central City Plan

July 17th, 2016

Planning and Sustainability Commission

Commissioner,

My name is Louis Gaty and I have been a resident of Sullivans Gulch and the Lloyd Center area for the past decade. I am writing to you to request that the height limit along the Sullivans Gulch and Lloyd center border be changed. The current limit under the Central City plan allows for buildings of up to 150 feet to be constructed and beyond that in certain areas. I ask that the limit be changed to a 5 over 1 limit to reflect the lower high limit in place on Broadway street. This is in line with the proposed building that will be constructed on the Lloyd center theater parking lot and other projects currently under consideration.

Having read the portions of the Central City Plan that apply to Lloyd Center I am pleased with the proposed changes and direction of my neighborhood. High Density housing is essential to the growth of Portland but I believe that there are better options in the city for high rises to built on. This belief is reflected in the choices made the developers and residents of this district in the meetings I have attended about the proposed construction. I ask the Plan to be amended to reflect the consensus of the residents of my neighborhood.

Please feel free to contact me with questions or more information about the ongoing development of the lower NE side.

Louis Gaty

1220 NE 17th AV

#12F

Portland, OR 97232

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Tuesday, July 19, 2016 11:12 AM BPS Central City 2035 FW: Commenting on the Proposed Central City Plan

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

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From: Edmunds, Sallie
Sent: Sunday, July 17, 2016 10:46 AM
To: Ocken, Julie <Julie.Ocken@portlandoregon.gov>; Hoy, Rachael <Rachael.Hoy@portlandoregon.gov>
Subject: Fwd: Commenting on the Proposed Central City Plan

Sallie

Begin forwarded message:

From: Allen Andringa <<u>dringa63@gmail.com</u>>
Date: July 17, 2016 at 10:21:16 AM PDT
To: <<u>eden.dabbs@portlandoregon.gov</u>>, <<u>sallie.edmunds@portlandoregon.gov</u>>
Subject: Commenting on the Proposed Central City Plan

Planning and Sustainability Commission

1900 SW 4th, Suite 7100

Portland, OR 97201

ATTN: CC 2035 Testimony

Commissioners:

I am a resident adjacent to the boundary of the Central City Plan. I am writing to request that you change the height limit along the eastern edge of the Central City Plan on what is NE 16th Drive (Holladay St extended) and the

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curved portion of NE 15th/NE 16th Avenues to NE Weidler by limiting height there to accommodate not more than a six story (five-over-one) building. I request that this height limit be extended south of Multnomah to the Interstate. This would limit development of the theater blocks to fiveover-one as well (which is what the developer is currently proposing). I propose that this limit run from the park east to the Sullivan's Gulch neighborhood.

This change would limit height of buildings on what is now the cinema theater and the Sears parking blocks. The portion of this area which is east of NE 15th/NE 16th is the AXcess apartments which is already at a height of less than 6 stories. The curved portion of NE 15th/NE 16th was originally a "ring boulevard" around Lloyd Center.

This change would support the proposal for a general downsizing of Lloyd Center buildings at its edge. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

The proposed FAR for this area is already at 4:1 which seems reasonable.

Thank you. Please feel free to ask clarifying questions and place me on your list of persons to be informed of progress on the Central City Plan.

Allen Andringa Fontaine Condo Board Secretary 1220 NE 17th Ave Unit 6B Portland, OR 97232 July 16, 2016

Planning and Sustainability Commission

1900 SW 4th, Suite 7100

Portland, OR 97201

ATTN: CC 2035 Testimony

Commissioners:

I am a resident adjacent to the boundary of the Central City Plan. I am writing to request that you change the height limit along the eastern edge of the Central City Plan on what is NE 16th Drive (Holladay St extended) and the curved portion of NE 15th/NE 16th Avenues to NE Weidler by limiting height there to accommodate not more than a six story (five-overone) building. I request that this height limit be extended south of Multnomah to the Interstate. This would limit development of the theater blocks to five- over-one as well (which is what the developer is currently proposing). I propose that this limit run from the park east to the Sullivan's Gulch neighborhood.

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This change would support the proposal for a general downsizing of Lloyd Center buildings at its edge. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

The proposed FAR for this area is already at 4:1 which seems reasonable.

Respectfully,

Tritia Toph

1220 NE 17th 4C, Portland, OR 97232

RECEIVED PLANNING & SUSTAINABILITY 2016 JUL 21 A 9 32

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Tuesday, July 19, 2016 11:11 AM BPS Central City 2035 FW: comment on Central City plan

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

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From: Edmunds, Sallie
Sent: Saturday, July 16, 2016 2:27 PM
To: Ocken, Julie <Julie.Ocken@portlandoregon.gov>
Cc: Hoy, Rachael <Rachael.Hoy@portlandoregon.gov>
Subject: Fwd: comment on Central City plan

Sallie

Begin forwarded message:

From: Carl McNew <<u>mcnew@gorge.net</u>> Date: July 16, 2016 at 2:08:05 PM PDT To: <<u>sallie.edmunds@portlandoregon.gov</u>> Subject: comment on Central City plan

July 16, 2016

Planning and Sustainability Commission

1900 SW 4th, Suite 7100

Portland, OR 97201

ATTN: CC 2035 Testimony

Commissioners:

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25396

I am a resident adjacent to the boundary of the Central City Plan. I am writing to request that you change the height limit along the eastern edge of the Central City Plan on what is NE 16th Drive (Holladay St extended) and the curved portion of NE 15th/NE 16th Avenues to NE Weidler by limiting height there to accommodate not more than a six story (five-over-one) building. I request that this height limit be extended south of Multnomah to the Interstate. This would limit development of the theater blocks to five- over-one as well (which is what the developer is currently proposing). I propose that this limit run from the park east to the Sullivan's Gulch neighborhood.

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The proposed FAR for this area is already at 4:1 which seems reasonable.

Thank you. Please feel free to ask clarifying questions and place me on your list of persons to be informed of progress on the Central City Plan.

Kathleen and Carl McNew

1220 NE 17^{th}

Unit 7F

Portland, OR 97232

Carl E. McNew Managing Broker Windermere Glenn Taylor Real Estate PO Box 773/106 W Steuben Bingen, WA 98605 (509) 493-2607-direct (541) 490-2525-cell (800) 800-4918-toll free (509) 493-4953-fax <u>mcnew@gorge.net</u> www.columbiagorgeproperty.com



This email has been checked for viruses by Avast antivirus software. <u>www.avast.com</u>

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Tuesday, July 19, 2016 11:10 AM BPS Central City 2035 FW: Comments on the central city plan

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

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From: Edmunds, Sallie
Sent: Saturday, July 16, 2016 1:26 PM
To: Ocken, Julie <Julie.Ocken@portlandoregon.gov>
Cc: Dabbs, Eden <Eden.Dabbs@portlandoregon.gov>; Hoy, Rachael <Rachael.Hoy@portlandoregon.gov>
Subject: Fwd: Comments on the central city plan

Sallie Edmunds

Begin forwarded message:

From: prairiedog17 <<u>prairiedog17@gmail.com</u>> Date: July 16, 2016 at 9:28:53 AM PDT To: <<u>eden.dabbs@portlandoregon.gov</u>>, <<u>sallie.edmunds@portlandoregon.gov</u>> Subject: Comments on the central city plan

Planning and Sustainability Commission

1900 SW 4th, Suite 7100

Portland, OR 97201

ATTN: CC 2035 Testimony

Commissioners:

1 25399 I am a resident adjacent to the boundary of the Central City Plan. I am writing to request that you change the height limit along the eastern edge of the Central City Plan on what is NE 16th Drive (Holladay St extended) and the curved portion of NE 15th/NE 16th Avenues to NE Weidler by limiting height there to accommodate not more than a six story (five-over-one) building. Irequest that this height limit be extended south of Multnomah to the Interstate. This would limit development of the theater blocks to five- over-one as well (which is what the developer is currently proposing). I propose that this limit run from the park east to the Sullivan's Gulch neighborhood.

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This change would support the proposal for a general downsizing of Lloyd Center buildings at its edge. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

The proposed FAR for this area is already at 4:1 which seems reasonable.

Thank you. Please feel free to ask clarifying questions and place me on your list of persons to be informed of progress on the Central City Plan.

Robert Leopold

 $1220~\text{NE}~17^{\text{th}}$

Unit 17G

Portland, OR 97232

Dauphin, Derek

From: Sent: To: Subject: Planning and Sustainability Commission Tuesday, July 19, 2016 11:09 AM BPS Central City 2035 FW: Central City 2035 Plan Testimony

Julie Ocken City of Portland Bureau of Planning and Sustainability 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 503-823-6041 www.portlandoregon.gov/bps

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From: Ernest Tipton [mailto:tiptone@pdx.edu]
Sent: Friday, July 15, 2016 12:50 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Central City 2035 Plan Testimony

Please include the following written comment in testimony on the Central City 2035 Plan.

City staff have done a superb job working with the citizens, businesses and organizations to develop a 20-year road map for a vibrantly balanced urban environment. If anything, the Plan is a bit under-ambitious.

The City of Portland is the most populated urban center in Oregon, with the largest economic base within a 120 mile radius. As a primary regional hub, enhancing the Central City's density, infrastructure and livability are critical to maintaining regional competitiveness.

The City is unique and fortunate to have a major research university on the edge of it's downtown. Portland State University is an anchor institution, bringing over \$50M in research dollars into the downtown annually. The University serves over 35,000 downtown visitors weekly and is a major urban re-developer, . Over 60% of those visitors arrive by regional mass-transit, making the Urban Center at SW Montgomery and SW 6th the highest volume transit stop in the city.

The area between SW 4th and SW Broadway (east and west) and SW Market and the 405 Freeway (north and south) were zoned for maximum 6:1 FAR densities in 1995, when the University District was first conceived. The current plan proposes retaining this low downtown density cap until 2035. This would constrain downtown redevelopment and the Central City's competitiveness.

Since the University District was established with a 6:1 FAR, the Portland Streetcar system and the MAX lightrail system were installed, supporting greater trip volume. Since that time, land values in the district's urban core have increased on average over 300% and an Innovation Zone development assessment has been added. These factors support increasing the allowable FAR to both meet trip generation demand and the economic scale of development required in relation development costs.

> 1 25401

The area north of SW Market is currently zoned 9:1 FAR and the depressed 405 freeway on the south serves as a scale buffer. The areas east of SW 4th Avenue and west of Broadway are 6:1 FAR and of different urban character. Zoning the area between Market, the 405 freeway, 4th and Broadway **8:1** would focus future development density along the transit corridor, stepping it down from the central business district (9:1), and further down to the park blocks on the west and the Willamette River on the east.

This is an important development node in supporting the Central City over the next 20-years. As an architect and urban planner involved in the early conception and implementation of the University District,I would like to encourage the city to envision greater local vitality by increasing the allowable base density in this zone to 8:1 FAR.

--

Ernest Tipton, Architect Assist. Dir. Facilities Planning & Campus Design Campus Planning Office Portland State University 1600 SW 4th Avenue Portland, OR 97201 (503) 725-4318



July 13, 2016

Katherine Schultz, Chair Planning and Sustainability Commission 1900 SW Fourth Avenue, Suite 7100 Portland, Oregon 97201

Dear Chair Schultz and Commission Members:

The Portland Business Alliance (Alliance) appreciates the opportunity to comment on the proposed Central City 2035 Plan. With more than 1,850 member companies, the Alliance's mission is to promote and foster an environment in the Portland-metro region that attracts, supports and retains private-sector jobs, spurs economic vitality and enables quality educational opportunities for our region's residents. The health of Portland's central city is critical to achieving our mission and as a result over the last several years we have participated in the quadrant planning process that has culminated into the proposed Central City 2035 Plan. We applaud Bureau of Planning and Sustainability (BPS) staff for their hard work developing strategies to guide the future growth of our central city.

The proposed plan, in large part, seeks to promote a prosperous central city that continues to serve as the Portland-metro region's economic engine with a dense concentration of jobs and housing. As Portland anticipates 120,000 new households and 140,000 new jobs over the next 20 years, the central city will be even more important to absorbing much of that growth. New development to accommodate those new households and jobs will be necessary, yet the city is making it more and more difficult to accomplish that development because of rising costs due to new and growing fees, taxes and regulations. This includes not just the changes proposed in the Central City 2035 plan, but also existing and proposed fees and regulations, including increases in systems development charges, inclusionary zoning, construction excise taxes, potential changes to the FAR/bonus system, new subsurface fees, etc. We urge you to step back and take a holistic look at the layers of regulations and fees you are imposing to understand the total fiscal impact and the potential detrimental effect these costs could have on the successful development of both residential and commercial space necessary to accommodate our city's rapid growth.

Greater Portland's Chamber of Commerce

200 SW Market Street, Ste. 150 | Portiand, OR 97201 | 503-224-8684 | FAX 503-323-9186 | www.portlandalliance.com

Central City 2035 Plan Page 2

Our concerns about cumulative costs cannot be understated, and we hope to have an opportunity to discuss them with you. We have reviewed other aspects of the plan and, while there is a lot that we support, the following comments are primarily focused on areas where we do have concerns:

Transportation Demand Management:

We understand that transportation demand management (TDM) is being considered as a way to help alleviate future demands on our city's transportation network by encouraging alternative modes of transportation through education and or subsidies to tenants. The TDM proposal, however, is too conceptual at this point and the details need to be fine-tuned so that the program does not hinder development, unfairly burden the development community and further hamper the city's ability to accommodate housing and job growth in the central city.

We are, therefore, pleased that the Portland Bureau of Transportation (PBOT) has agreed to spend additional time working with property owners and developers on a transportation demand management (TDM) proposal for the central city. The central city, in particular, is unique because it has higher land values, density, maximum parking ratios, paid on-street parking and a strong multi-modal network in comparison to outer parts of the city. If a TDM proposal is developed, it should take into account these unique characteristics. Furthermore, it should take into account that developers already pay a significant amount in transportation system development charges (SDCs) for impacts of a project on the city's transportation system and evaluate SDC credits or offsets for participation in a TDM program, if adopted. We urge that details such as these be refined as part of the additional outreach planned and we look forward to engaging with PBOT in that effort.

Low-Carbon Buildings and Eco Roof Requirements:

We are concerned that the plan is requiring that all new construction be certified through Leadership in Energy and Environmental Design (LEED) at the gold level. LEED is not the only thirdparty certification that is available and may not be available for the duration of the Central City 2035 Plan. The requirement for LEED certification is limiting because it does not consider the possibility of innovation and emerging technologies that are sustainable such as cross-laminated timber products and materials. Many central city developers already build energy efficient buildings to be competitive in the marketplace. The documentation and reporting requirements associated with LEED, however, are inefficient and costly.

We are also concerned about the requirement for all new construction to have an eco roof. Requiring a specific stormwater management tool such as an eco roof does not take into account the likelihood of innovation and improved technologies over the lifespan of this 20-year plan. This regulation may compromise architectural creativity and negatively impact our city's skyline. Central City 2035 Plan Page 3

We understand that in the latest proposed plan, the eco roof requirement was reduced from 70 percent of total roof area to 60 percent of total roof area to allow more space for other desired rooftop uses such as outdoor seating. We appreciate this adjustment but are still concerned that this eco roof requirement limits the ability for other rooftop uses and may compromise architectural design and structural integrity.

An eco roof requirement is overly prescriptive and may not be the best method to accomplish stormwater management goals. Furthermore, this is just one more instance of the city imposing a costly requirement that will further negatively impact the already serious issues with affordability, which should be a top concern for the city as it looks to accommodate more housing and jobs in the central city.

River Overlays:

We have major concerns about the new proposed river overlay zones. First, large segments of the central reach of the Willamette River are proposed to be zoned open space (OS) and appear to extend landward to include adjacent developed sites, such as the Riverplace development and the Portland Fire Bureau dock/station north of the Hawthorne Bridge. It is unclear what the consequences of the new OS zone would be on these existing developed areas. The OS zone may also restrict usual and customary river navigation-related activities such as dredging, capping, and installing or maintaining in-water structures. We strongly recommend maintaining the existing base zone or the creation of a new "river" base zone instead of applying a new OS zone.

We also do not support increasing the current 25 foot setback requirement to 50 feet because it does not promote increased activation and access to the Willamette River, which stakeholders identified as key goals in the updated Central City 2035 Plan.

We appreciate that the city is allowing river-dependent and river-related property owners to use their property for business operations within the setback but it appears that the uses are limited to docks and marine terminals. There is no consideration for other uses such as storage facilities and machine shops. We urge that "river-dependent" and "river-related" uses be more clearly defined and broadened to allow for other uses that are ancillary to the river-dependent and river-related use on the property.

The plan does not fully address repeated US Supreme Court standards for takings as defined in Nolan and Dolan. The city has a passing reference to the "rough proportionality" test but is completely silent on the required "nexus" test.

Finally, we urge that local utility companies including NW Natural, Portland General Electric, and PacifiCorp be consulted about the proposed standards for existing and new utility lines, and

Central City 2035 Plan Page 4

upgrades of existing utility lines. We are gravely concerned that little, if any, outreach was conducted to utility companies and that, as a result, the proposed standards may severely compromise their ability to maintain existing lines and adequately serve their customers.

Historic Transfer:

The Alliance is pleased to see that a historic transfer is included in the proposed plan that makes available floor area ratio (FAR) in exchange for historic preservation. We greatly appreciate staff's revision to allow the transfer of FAR based on a phased seismic agreement or covenant in advance of seismic upgrades being made. We understand that the city has expressed an interest in exempting developers who purchase FAR from Skidmore-Old Town/Chinatown/Japantown from the requirement to invest in affordable housing but urge that this intent be codified and confirmed in the plan.

To be clear, our support of the proposed historic transfer does not indicate support of the unreinforced masonry requirements (URM) that are being developed. We understand that there is a separate city committee that is reviewing URM regulations, and we will engage in that process apart from this plan.

As you work to finalize the goals and policies in the plan, we urge that you keep in mind that markets are cyclical and capital is mobile. The city should understand the total cumulative impact of fees and regulations on business to help ensure that economic activity is not crippled as a result. Otherwise, we risk slowed development and the inability to accommodate additional jobs and housing while addressing significant affordability issues in the city.

We look forward to working together to address the above-referenced concerns for a healthy, prosperous and vibrant central city over the next 20 years. Thank you for your consideration of these comments.

Sincerely,

Sandra Midney

Sandra McDonough President & CEO

cc: Portland City Council Susan Anderson Bureau of Planning and Sustainability

RECEIVED PLANNING & SUSTAINABILITY 2016 JUL 11 A 8:45

1300 NE16th, Apt 1115 July 12, 2016

Bureau of Planning and Sustainability 1900 SW 4th Avenue, Suite 7100 Portland, OR 97201 - 5380

CENTRAL CITY PLAN -- COMMENT

Gentlemen,

We have seen in the proposed Central City Plan that the height limit on the street across from our home is proposed at 150 feet. We desire a 'transition' zone adjacent to the street (a combination of 16th Drive, 16th St and 15th St) to be set with a maximum height of 50 feet. A similar 'transition zone' is proposed along NE Broadway, the dividing street between Lloyd Center and the Irvington Neighborhood; our Sullivan's Gulch neighborhood should be treated equally.

The need for this transition zone stems from a general policy of 'stepping down' of Central City building height adjacent to residential neighborhoods. Our neighborhood is a close-in neighborhood and we need all the characteristics of such a neighborhood to maintain its livability.

We don't believe this would detract from future commercial development along the named streets but it would eliminate the feeling of 'towers' along the street.

Thank you,

Christine gensen

July 11, 2016

1300 NE16th,

Bureau of Planning and Sustainability 1900 SW 4th Avenue, Suite 7100 Portland, OR 97201 - 5380

CENTRAL CITY PLAN -- COMMENT

Gentlemen,

We have seen in the proposed Central City Plan that the height limit on the street across from our home is proposed at 150 feet. We desire a 'transition' zone adjacent to the street (a combination of 16th Drive, 16th St and 15th St) to be set with a maximum height of 50 feet. A similar 'transition zone' is proposed along NE Broadway, the dividing street between Lloyd Center and the Irvington Neighborhood; our Sullivan's Gulch neighborhood should be treated equally.

The need for this transition zone stems from a general policy of 'stepping down' of Central City building height adjacent to residential neighborhoods. Our neighborhood is a close-in neighborhood and we need all the characteristics of such a neighborhood to maintain its livability.

We don't believe this would detract from future commercial development along the named streets but it would eliminate the feeling of 'towers' along the street.

Thank you,

Brigite Patrick (Apt. 1225) 1300 NE 16th Ave, # 1225 Portland, OR 97232-4404

JUL 15 Þ ą 50

Dauphin, Derek

From:	Brad Nase <brad@nasecowest.com></brad@nasecowest.com>
Sent:	Wednesday, July 20, 2016 4:32 PM
To:	BPS Central City 2035
Subject:	RE: Zoning 1031 SE Madison and SWC corner 11th and SE Main 1S1EO2BD, 1S1EO2BD 7201

Hello Jessica,

Thanks for helping me present my testimony

Name and Address: Bradford Nase 6200 SW Virginia Avenue, 202, Portland, Oregon 97239 Or P.O. Box 3032 Sunriver, OR 97707 503.977.1855, 541.593.2659

From: BPS Central City 2035 [mailto:CC2035@portlandoregon.gov]
Sent: Wednesday, July 20, 2016 1:50 PM
To: Brad Nase
Subject: RE: Zoning 1031 SE Madison and SWC corner 11th and SE Main 1S1EO2BD, 1S1EO2BD 7201

Good Afternoon Mr. Nase,

Thank you for submitting testimony regarding the Central City 2035 Plan. In order for your testimony to be considered official and reviewed by the Planning and Sustainability Commission, your address is required. The guidelines for official testimony only include two rules and that is that a testifiers name and address are given. Once you send me this I can finish creating your testimony record. I apologize that my colleague did not point this out to you earlier.

Regards,

Jessica Conner Community Service Aide II Bureau of Planning and Sustainability

From: Brad Nase [mailto:brad@nasecowest.com]
Sent: Monday, July 11, 2016 10:06 AM
To: BPS Central City 2035 <<u>CC2035@portlandoregon.gov</u>>
Subject: Zoning 1031 SE Madison and SWC corner 11th and SE Main 1S1EO2BD, 1S1EO2BD 7201

Good Day!,

We would like to see a more flexible zoning overlay for these lot sites. The area is changing.

1 25409 Recent sales of nearby properties including the former Custom Stamping properties indicate that industrial is moving out to other areas. As mentioned in your brochure these properties could become better used as flexible work employment uses. Even though we support industrial uses, we would prefer to have a more flexible overlay use for this site.

It is on a main corridor (Hawthorne, Madison) and would support more Employments zone use.

A likely Higher and Better use for this site.

Bradford Nase Macadam Nase LLC Madison 11 LLC Nase Main LLC. brad@nasecowest.com 503.977.1855

WATUMULL Properties Corp.

PLANNING & SUSTAINABILITY

2016 JUL 19 P 4:07

July 7, 2016

Planning and Sustainability Commission City of Portland, Oregon 1900 SW 4th Avenue Suite 7100 Portland, OR 97201

RE: Central City 2035 Plan

Gentlemen:

I received a correspondence from your office that your Central City 2035 Plan will be putting new height limitations on any redevelopment of property. As the fee owners of the buildings located at 602 SE Salmon Street, 610 SE Salmon Street, and 615 SE Main Street, we would like to appeal to the commission to not enact this proposal as it would do irreparable harm to our property and that of our neighbors.

Restricting the height of buildings has been known to cause an increase in poverty as well as a lack of available space and jobs for those looking to move into these locations and increase the local economy. Additionally, by restricting the redevelopment height of property, the plan could damage its own goal to reinvigorate the Central City's eastside hub by causing people to look elsewhere for space.

We hope that you will vote to not restrict buildings heights in the close in Eastside.

I am available to discuss at any time. My direct line is (808) 971-8817.

Sincerely Yours,

Of Dwith

JD Watumull President

307 Lewers Street, 6th Floor, Honolulu, Hawaii 96815 (808) 971-8800

From:	BPS Central City 2035
To:	Planning and Sustainability Commission
Cc:	Brooks, Mindy; Meharg, Emily; Caudill, Jeff
Subject:	FW: request to add action re: White Stag sign
Date:	Thursday, June 30, 2016 10:11:45 AM

Derek Dauphin

City of Portland Bureau of Planning & Sustainability 1900 SW 4th Ave, Suite 7100 503-823-5869 | Derek.Dauphin@PortlandOregon.Gov To help ensure equal access to City programs, services and activities, the City of Portland will provide translation, reasonably modify policies/procedures and provide auxiliary aids/services/alternative formats to persons with disabilities. For accommodations, translations, complaints, and additional information, contact me, call 503-823-5869, City TTY 503-823-6868, or use Oregon Relay Service: 711.

From: Cairo, Jenn
Sent: Wednesday, June 29, 2016 4:45 PM
To: BPS Central City 2035 <CC2035@portlandoregon.gov>
Subject: request to add action re: White Stag sign

Hi —

Pursuant to my conversation with Mindy Burkes, I'm writing to propose that we add language to the Plan that considers in some way altering the height or location of the White Stag sign so as to make it visible from the plan-identified viewing locations and avoid conflicts with the tall trees across the street in Waterfront Park.

If there are any questions, please feel free to give me a call.

Thank you -

Jenn Cairo

City Forester Portland Parks & Recreation 1120 SW Fifth Ave., Suite 1302 Portland, OR 97204 503-823-4405 (office) 503-823-6248 (mobile) jenn.cairo@portlandoregon.gov portlandparks.org The City of Portland complies with all non-discrimination Civil Rights laws including Civil Rights Title VI and ADA Title II. To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-858-9744, TTY 503-823-6868 or Oregon Relay Service 711 with requests, or visit <u>http://bit.ly/13EWaCg</u>



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TENNANT INVESTORS

937 S.W. 14th Avenue, Suite 200 Portland, OR 97205 Phone (503)241-1255 Fax (503)299-6653

June 28, 2016

Portland Planning and Sustainability Commission, Central City 2035 Plan Testimony 1900 SW 4th Avenue, Suite 7100 Portland, OR 97201 psc@portlandoregon.gov

Re: PSC Central City 2035 Plan Testimony

We own the following property located at the corner of SW 14th & Salmon Streets:

937 SW 14th Ave. State ID # 1N1E33DC 4400 State ID # 1N1E33DC 4500

First of all, I would like to mention that we are in favor of the rezoning of the property form RX to CX. Secondly, in looking at the attached maps that include our property, that address both the proposed height and proposed floor area ratios, the proposed maximum floor area ratio for our property (which is located on the NW Corner of SW 14th and Salmon, across from Lincoln High School, and immediately west of 405), the ratio is indicated as 6:1. The map with the proposed base heights (250') for some reason does not show the "hash marks" on our property. I would ask that you consider making our property consistent with those properties adjacent to ours (by including the "hash marks") as I do not think the possibility of a higher building than the 250 level would impact any view corridors. Thanks for considering.

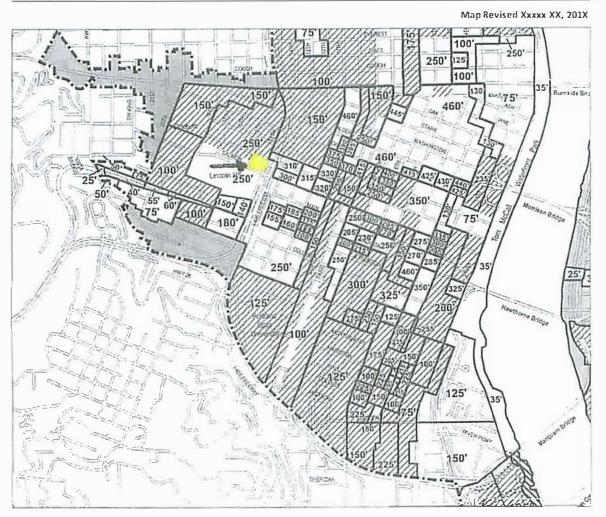
Sincerely,

Joseph P. Tennant

Proposed Base Heights

Map 510-3

Map 3 of 3



contractor Proposed right-of-way

concoso Proposed accessways

Legend



1///

Base building height

Central City Plan District boundary

Areas where height is determined by base zone

Area eligible for height

increase Base height limit of 75' for first 125 feet from top of bank

6/20/2016

Proposed Draft Central City 2035 Plan Chapter 33.510, Central City Plan District



Scale in Feet Bureau of Planning and Sustainability Portland, Oregon

Proposed Maximum Floor Area Ratios

Map 510-2

Map 1 of 2

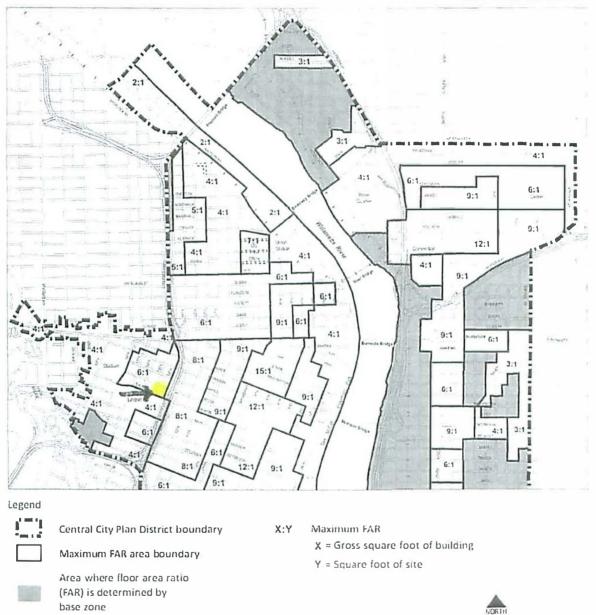
Map Revised Xxxx XX, 201X

1.400

Scale in Feet

Bureau of Planning and Sustainability Portland, Oregon

2,800



contraction Proposed right-of-way

Proposed accessway

6/20/2016

Proposed Draft Central City 2035 Plan Chapter 33.510, Central City Plan District

RECEIVED PLANNING & SUSTAINABELIAPAK H. Hilton, Jr. 1220 N.E. 17th Ave., Unit 12C 2016 JUN 35 A Polt and, Oregon 97232

fhilton41@gmail.com

503-312-5140

June 28, 2016

Planning and Sustainability Commission Attn: CC 2035 Testimony 1900 S.W. 4th, Suite 7100 Portland, OR 97201

Dear Commission:

At the request of the Board of Directors of the Fontaine Condominium Association I am submitting this letter stating our concern with the proposed height limits on what is NE 16^{th} Drive (Holladay Street extended) and the curved portion of NE 15^{th} /NE 16^{th} Avenues to NE Weidler.

The building heights in this area should be limited to 50 feet. This should include the height of buildings on what are now the cinema theatre and the Sears parking block. The portion of this area that is east of NE $15^{th}/16^{th}$ is the Axcess Apartments that are already at a height of less than 50 feet.

This change will follow the reasoning for a general downsizing of Lloyd Center buildings at its edge. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

As the representatives of 88 condominium owners in Sullivan's Gulch, we request this limitation to protect this historic neighborhood.

Sincerely,

Frank Hilton President Fontaine Condominium

Association

From:	Tasha Danner
To:	Planning and Sustainability Commission
Subject:	PSC Central City 2035 Plan Testimony
Date:	Monday, June 27, 2016 5:00:14 PM

Good evening. My name is Tasha Danner and I have lived in Portland for 14 years, and at my current address, 1118 SE Harrison St., for five years.

My husband (who owns the home) and I received your Proposed Land Use Regulation document this week. Both my husband and I work out of our residence, thus, any construction or demolition that surrounds our home will effect us, 24 hours a day. We, like most of Portland, have seen a lot of changes in our neighborhood recently. While we know change is inevitable in a growing city, we want to be sure the changes are sustainable to the current community, as well as to anyone new to our neighborhood, which is not only a place for work and entertainment, but also where many families and individuals have residences and are raising their children and enjoying their lives.

I want to request, with all the new construction surrounding us, that there are limits put in place to how much can happen at once. Our home (again, where we both work, live, sleep, and eat) is surrounded by at least four rental properties, and we have lived through an almost constant state of road works, construction, sewer repair, electrical disruptions, parking changes, and sidewalk repair for the last two years.

We are fearful that there will be large scale demolition and construction around us, causing noise, dust, chemicals, transportation and parking issues, and thus add stress and disruption to our daily lives.

Please take into consideration that we, like our neighbors in nearby Ladd's Addition, like to live and work in our homes with as much relative peace and quiet as living in a growing city allows. We ask that you keep this in mind and limit the amount and scope of construction that can happen at one time in the areas around our home.

Thank you for taking the time to read and consider this testimony.

Best, Tasha Danner Neal Hevel 1118 SE Harrison St. Portland, OR 97214

Tasha Danner

-----Original Message-----From: Mark Pennesi [mailto:pennesim@ohsu.edu] Sent: Friday, June 24, 2016 6:32 PM To: Planning and Sustainability Commission <psc@portlandoregon.gov> Subject: PSC Central City 2035 Plan Testimony

I disagree with the proposal to prohibit drive-through businesses. Parking is already becoming a huge issue in Portland. Drive-through businesses allow people to conduct business in an a quick and efficient manner which improves productivity and will require less parking. Some of us have disabilities that prevent us from riding bikes and we need to drive.

Sincerely,

Mark Pennesi 2351 NW Westover #310 Portland, OR 97210. 1300 NE 16th Ave, Apt 1104 Portland, OR 97232

June 24, 2016

Planning and Sustainability Commission 1900 SW 4th, Suite 7100 Portland, OR 97201 ATTN: CC 2035 Testimony

Gentlemen:

I am a resident adjacent to the boundary of the Central City Plan. Please change the height limit along the eastern edge of the Central City Plan on what is NE 16th Drive (Holladay St extended) and the curved portion of NE 15th/NE 16th Aves to NE Weidler by limiting height there to 50 feet. I would ask that this 50 foot limit run one block west to NE 15th (extended).

This change would limit height of buildings on what is now the cinema theater and the Sears parking block. The portion of this area which is east of NE 15th/NE 16th is the AXcess apartments which is already at a height of less than 50 feet. The curved portion of NE 15th/NE 16th was originally (and still is, sort of) a "ring boulevard" around Lloyd Center.

This change would follow the reasoning for a general downsizing of Lloyd Center buildings at its edge. A similar lower height limit is proposed along Broadway in the area facing the Irvington neighborhood.

The proposed FAR for this area is already at 4:1 which seems reasonable.

From a review of earlier input, it appears that one person asked that this area not be 'phased down' when the Irvington frontage was phased down. As one affected Sullivan's Gulch resident, this 'phase down' would give the neighborhood one more bit of protection from the harsh buildings of downtown -- we are an inner city neighborhood and would like to still resemble such.

Thank you. Please feel free to ask clarifying questions and place me on your list of persons to be informed of progress on the Central City Plan.

John Frewing

<u>Portland</u>

Your notice of adoption of a change to a comprehensive plan or land use regulation has been received by the Oregon Department of Land Conservation and Development. Local File #: Central City 2035 Plan DLCD File #: <u>008-16</u> Original Proposal Received: 6/20/2016 Adoption Notice Received: 6/6/2018 Submitted by: nstarin

If you have any questions about this notice, please reply or send an email to <u>plan.amendments@state.or.us</u>.

From:	plan.amendments@state.or.us
To:	Starin, Nicholas
Subject:	Confirmation of PAPA Online submittal to DLCD
Date:	Tuesday, March 13, 2018 10:19:14 AM

Portland

Your notice of a revised proposal for a change to a comprehensive plan or land use regulation has been received by the Oregon Department of Land Conservation and Development. Local File #: Central City 2035 Plan DLCD File #: <u>008-16</u> Original Proposal Received: 6/20/2016 Date of Revision: 3/13/2018 First Evidentiary Hearing: 7/26/2016 Final Hearing Date: 5/24/2018 Submitted by: nstarin

If you have any questions about this notice, please reply or send an email to <u>plan.amendments@state.or.us</u>.

DLCD FORM 1



NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing**. (*See OAR 660-018-0020* for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Local file no.: Central City 2035 Plan

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- **UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- **Periodic review task** Task no.:

Any other change to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Sallie Edmunds

Phone: 503-823-6950 E-mail: Sallie.Edmunds@portlandoregon.gov

Street address: 1900 SW 4^{th} Ave, Suite 7100 City: Portland Zip:

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

Update of the 1988 Central City Plan for Portland's Central City Plan District. Includes amendments to Comprehensive Plan policies for this area, Comp Plan map, the Zoning Code and map, Central City Scenic Resource Protection Plan, and the Willamette River Natural Resources Inventory.

Date of first evidentiary hearing: 07/26/2016 Date of final hearing: 08/09/2016

This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

Comprehensive Plan text amendment(s)

Comprehensive Plan map amendment(s) – Change from See table to Change from to

 \boxtimes New or amended land use regulation

 \boxtimes Zoning map amendment(s) – Change from See table to

Change from

An exception to a statewide planning goal is proposed – goal(s) subject to exception:

Acres affected by map amendment: 1590

Location of property, if applicable (site address and T, R, Sec., TL): Multiple

List affected state or federal agencies, local governments and special districts: Metro, ODOT

to

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist Dept. of Land Conservation and Development 635 Capitol Street NE, Suite 150 Salem, OR 97301-2540

This form is available here: http://www.oregon.gov/LCD/forms.shtml

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to <u>plan.amendments@</u> <u>state.or.us</u> with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at

http://www.oregon.gov/LCD/Pages/papa_submittal.asp <u>X</u>.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or <u>plan.amendments@state.or.us</u>.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

http://www.oregon.gov/LCD/Pages/forms.aspx

¹ 660-018-0022 provides:

⁽¹⁾ When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail <u>plan.amendments@state.or.us</u>.

Notice checklist. Include all that apply:

- Completed Form 1
- The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- \boxtimes A map of the affected area showing existing and proposed plan and zone designations
- A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- Any other information necessary to advise DLCD of the effect of the proposal