

From: **Laura Wozniak** <lawoz@comcast.net>

Date: Sun, Feb 8, 2015 at 2:54 PM

Subject: testimony against zoning code 3310.24E corner lot designation as 2.5

To: psc@portlandoregon.gov

Cc: mayorcharliehales@portlandoregon.gov, Amanda@portlandoregon.gov, Nick Fish <nick@portlandoregon.gov>, Steve Novick <novick@portlandoregon.gov>, dan@portlandoregon.gov, LaVonne@portlandoregon.gov, Susan.Anderson@portlandoregon.gov, mnaLandUseCommittee@gmail.com

To: Planning and Sustainability Commission

psc@portlandoregon.gov

1900 SW Fourth Ave

Portland, Oregon 97201-5380

Re: Corner Lot Development

I am requesting that the specific language shown below be removed from the general description of land use designations on page GP10-8 the Proposed Draft 2035 Comprehensive Plan:

I am also requesting that Section 33.110.240.E of the zoning code, that allows corner lots that are zoned RS or R7 to be rezoned to R2.5 if they are larger than 50 feet by 110 feet, be removed from the zoning code associated with the Proposed Draft 2035 Comprehensive Plan.

The Multnomah Neighborhood Association and Southwest Neighborhoods Inc. have submitted similar requests. This is my rationale:

When we bought our house on SW 29th in 2008, I specifically asked our realtor to check the zoning because we enjoyed the walkable neighborhood with including small houses with sheltering Doug Firs. I was told that no duplexes or multiple family housing could be built except on Capitol Highway near us. A few months ago the neighborhood was shocked to discover that a little known "corner lot" provision allows any corner lot to be divided again to allow the construction of "attached" houses. We also discovered that, although it is difficult to remove a tree from your own property, any tree that would prevent development can be removed by developers. Current policy seems to exclude tree protection in R-5 and R-7 zones.

This came to light because a developer bought the historic Becker property of 10,000 sq feet. Al and Mary paid it off in the 1930s and intended it to go to family, but failed to specify their intent that it stay whole in the deed. Since Al is no longer competent, the property was sold to Dream Builder and the ramshackle old home was razed. At the time of the notice to divide it there were 14 trees on the lot, among them 5 large Doug Firs. A nice couple contracted with Dream Builder for a home on 5,000 sq ft which necessitated taking down the biggest tree, but they requested to save 2 large trees right on their property line, whose health is now endangered by phase 2. The demolition and felling of the huge center tree was no surprise. the shock came when a very FEW impenetrably worded notices were left at houses within 100 ft. Dream Builder intended to take down every remaining tree and fill the lot corner to corner with two attached houses. This was a shock to the people who had just spent money to build next door.

The corner lot provision makes this plan possible. It violates the character of the neighborhood and destroys the very qualities that made these lots desirable in the first place by eliminating every tree. Even today with half the lot developed, you can step under the old cedar by the road or into the center and notice the hush provided by the large evergreens, hear birdsong the rustle of foliage while breathing clean air filtered through thick towering greenery. It is cool in the summer, and sheltered from winds in the winter. Even during the worst wind storms this winter, no branches came down because the 100 year old trees protect and support each other. They serve as a repository for moisture and filter groundwater that feeds the headwaters of Stephens Creek 2 blocks away. Wildlife CANNOT survive only in isolated parks surrounded by acres of roof and cement or outside of the

urban growth boundary. Wildlife migrate seasonally to breed and feed. The remaining trees in our neighborhood provide the last remnants of a wildlife corridor used by animals moving between the Coast Range and the River. Medical studies show that PEOPLE also need nature for our mental health, to mitigate lung problems and to heal from illness and injury.

I oppose zoning code section 3310.24E which violates any reasonable understanding of Multnomah Village neighborhood character and previous expectations laid out in the Comprehensive Southwest Community Plan. The corner lot provision could increase density by 40- 60% based on 10 houses/block. Such an increase is a significant change of our village character. No one seems to know how this contradiction to the single-family zoning designations was added into the regulations, but it essentially rezones each corner lot to R2.5 (multi-family) but without the public awareness that rezoning usually brings. In that way it seems sneaky. Housing needs should not demand replacing small affordable houses with large homogeneous pricey houses with the corners sporting attached housing. Even the attached houses are not affordable since Dream Builder (Tim Walker) believes he can sell each one for \$500,000 with no yard at all. Density is best clustered along major arteries where the trees are already removed for endless acres of parking to support unneeded strip malls and yet another grocery, 7-11, or bank branch.

Please add this to the record.

Thank you,

Laura Wozniak

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