

4/29/16

Dear Commissioners

As a commercial property owner in the Woodstock area I support the views of the Stakeholders Group.

A lot of effort has gone in to planning the area to make the best use of the area's unique character and it seems wrong to change what is working well.

Thank you

Peter K McGill 

For PKM Properties II

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2016 MAY -5 A 11:10

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Boring Oregon. 97009

ATTN: MICRO USE
PLANNING & SUSTAINABILITY
CITY OF PORTLAND
1900 SW 4th Ave
PORTLAND OR 97201

97201538075

4/29/16
April 20, 2016

Portland Planning and Sustainability Commission
Re: Mixed Use Zones Testimony

Dear Commissioners,

Woodstock Stakeholders Group, Inc. is a public benefit nonprofit corporation organized under the laws of Oregon. We have been organized for six years and are comprised of commercial property owners in the Woodstock Business District. We promote the beautification, enhancement and maintenance of the Woodstock Business District to create and promote a business community which is livable, attractive, safe, socially diverse, thriving, and vital to the community it serves.

The Woodstock Stakeholder Group strongly opposes the spot zoning recently proposed by the City for several properties in the Woodstock business district. These changes down-zone seven (7) individual properties from the originally proposed CM2 (CS) zone to CM1 in the attempt to "preserve main street historic character" in Woodstock's core.

A notice dated April 4, 2016 from the BPS received by each owner states that this "may affect the permissible uses of your property...change the shape and size of new buildings that could be built on your property..." and "These changes may affect the value of your property." We believe these proposals damage the property values by reducing and depriving existing property rights currently enjoyed by each of the property owners.

The notice continues to describe that the new mixed-use zone will "create more vibrant places, increase housing choices and enable businesses to thrive." Loosing density, height, and FAR does not necessarily create additional housing choices or enable businesses to thrive. Instead, opportunities for growth and creative vision will be stripped away with inappropriate zoning that is less dense and less developed in the very center of our business district. This moves Woodstock backward and further away from the progressive Portland vision demonstrated in the 2035 comp plan and impedes the attractive and thriving boulevard we want Woodstock to become.

To compound the burden on property owners due to this government down-zoning, we learned that if owners fail to have this City decision reversed through testimony or legal action, an option would be to take the matter to LUBA or apply for an up-zone change to reestablish zoning to CM2 that is the new equivalent to the property's current CS zone. This would take time, require thousands of dollars and is unfair. This not only is unfair, but punitive.

We believe that the proposed down-zoning does not accomplish or address the criteria of historic or main street preservation. Restricting building height, FAR and uses for a handful of properties by using zoning to achieve preservation fails on many levels. It is unreasonable and irresponsible to suggest that zoning can or will preserve historic character of buildings in any neighborhood.

Woodstock is different than other business districts. We do not have buildings of the same quality, character or historic context. We are a fraction of the size of other business districts. Our public right-of-way spans eighty (80) feet. We have a zero-vacancy factor in the affected core and there is a demand for additional retail and residential space. This proposal counteracts Woodstock's needs and thwarts economic growth.

We question the City's criteria and lack of thoughtful review of Woodstock's character, composition and goals before making these last minute changes to the zoning. The criteria of preserving 400 linear feet of "historic main street" just does not fit Woodstock. This is clearly evidenced by the City's attempt to rezone the south side of the 4600 block which includes a brand new (2015) New Season's store. This clearly does not fit 400 feet of "historic main street". Applying a one-size-fits-all down-zone infers that what might be "best" for other business districts is "best" for Woodstock. What is best for Woodstock is to allow our community to have our own vision, to speak for itself and not be prescribed what other districts think they may or may not want.

We charge that the properties selected for down-zoning are a mismatch to the overall vision of Woodstock and amounts to spot-zoning without consideration for thoughtful, consistent and sensible zoning design. Properties proposed to be down-zoned to CM1 while neighboring properties retain most of their existing zoning rights with a CM2 zone creates a disproportionate and unfair practice. City staff did not identify buildings for historic significance, character or by community request. In fact, the inclusion of the brand new New Seasons building shows that these decisions were made haphazardly. These important decisions can create positive impact or they can damage property values and take rights away from property owners.

In 2014, in response to the Portland Comp Plan, the Woodstock community united to create a vision for their business district. An intense neighborhood effort and charrette of professional planners, economists, architects and City staff met with commercial property owners, business owners, churches and residents. The community expressed desire for a more complete neighborhood with opportunities for local business owners to expand, to attract new business, and create a more vibrant commercial district. It was clear that Woodstock needs to grow if it wants to continue to thrive. The results of this charrette were given to the Planning Commission as testimony. It appears that City Planners have turned a deaf ear to Woodstock's work and vision with this most recent draft of proposed zoning changes as they appear to be in conflict with our community's vision and goals.

Woodstock is not just a line of buildings making up a business district. Woodstock is 57 commercial property owners of which 53 are local. We ask you to see that these proposals simply do not affect properties, they are affecting real people. These local property owners have invested and will continue to invest in Woodstock. These same individuals are proud of their community and want to advance the livability and economic vitality for the entire neighborhood.

We request that these seven properties affected by the recommended down-zone revert back to the originally proposed and entitled lateral rezoning from the current CS zoning to CM2

Block #1 - South Side (CS to CM2)
4404-4408 Don Hanna
4410-4416 Tim and Angie Even
4422-4430 Duane and Chad Cook

Block #2 - South Side (CS to CM2)
4500-4560 Bruce Ament (New Seasons)
4526-4528 Jay and Karen Eubanks

Block #3 - North Side (CS to CM2)
4607-4617 Laurie Flynn
4625-4639 Robert Kowalski and Jason Criswell

We anticipate that the Planning Commission will agree with our conclusions concerning the most recent recommendations for zone changes in our Woodstock business district. However, the City's most recent proposal also reflects several properties currently zoned CN2 to be rezoned CM1. While this is considered a lateral rezone, we feel that this would create additional "spot zoning" inconsistent with the vision of Woodstock. Therefore, to protect the cohesiveness and vision in our business district, we also recommend that the following four properties in the core of our business district remain up-zoned from CN2 to CM2 as proposed in the prior zoning map draft so that they are not left behind to be an island (spot zoning) in the midst of CM2 zoning surrounding them.

Block #1 - North Side (CN2 to CM2)
4411 Gene Dieringer
4415-4427 Don Hanna

Block #2 - South Side (CN1 to CM2)
4004 Mark and Jess Desbrow
4012-4016 Melva Ball

Respectfully,