

## Portland Planning and Sustainability Commission

August 9, 2016

4:00 p.m.

### Meeting Minutes

**Commissioners Present:** Jeff Bachrach, Andre' Baugh, Mike Houck, Gary Oxman, Michelle Rudd, Katherine Schultz (by phone; left at 5:45 p.m.), Chris Smith, Eli Spevak, Teresa St Martin

**Commissioners Absent:** Katie Larsell, Maggie Tallmadge

**City Staff Presenting:** Eric Engstrom, Barry Manning, Susan Anderson, Joe Zehnder, Sallie Edmunds

*Vice Chair Smith* called the meeting to order at 4:00 p.m. and gave an overview of the agenda.

City Commissioner Nick Fish is here today and will share some comments.

*Commissioner Fish:* Thank you all for your service, particularly on the Comprehensive Plan. I want to call out and recognize the staff who guided us through the intricacies. Tomorrow at Council we are looking at a resolution that will determine the fate of Terminal 1 North. It's 14 acres of prime industrial land. When we worked on the Comp Plan, we included strong language of the importance of the industrial districts and preserving them, along with values around middle-income jobs in our community. The initial request at T1 is for a warehouse to be temporarily built as a shelter. Later on, the area could be developed for a larger campus that would be a combination of housing and services for homeless individuals. I feel very strongly this is a bad idea. As the Commissioner in charge of BES, I have been tasked with selling the property. As of August 15, we will evaluate the property's interest, and the creative proposals we're seeing. My charge was to sell the property for the benefit of our rate payers. On land like this we have the greatest opportunity to provide middle-income jobs, and I don't want this to be in conflict with our homeless situation. Also, I feel badly that we are already contemplating that goes against the Comp Plan's industrial land policies. It is possible under this resolution that we'd have to go through a Comp Plan Map amendment process, potentially with litigation, if it goes as far as that. I will vigorously oppose the resolution tomorrow. If the PSC does take this topic up in the future, Council will take the PSC's input. I wanted to give you an update, tell you my concerns, and respond to any questions you may have today.

*Vice Chair Smith* noted the PSC struggled between Goal 9 and protecting various types of land across the city. My understanding is that the resolution is in the context of the housing emergency and will be used for 6 months.

- *Commissioner Fish:* Yes, and that 6 months may be extended depending on the extent of the housing crisis.

*Commissioner Houck:* I appreciate that you brought this to us. We know there was an initiative petition and a lawsuit regarding use of rate-payer money. What are the implications for using the site that is owned by BES?

- *Commissioner Fish:* It is my view that where the property has been declared surplus and should be used for the best value, if it needs to be used for another purpose, BES needs to recover at least fair market value. But that dollar figure is in dispute. I will propose that we let an independent broker decide that answer. If we lease it to a purpose other than for utilities, I think we can fall back into the trouble we've had in this case that's in litigation. It's also my understanding that we'd have to find replacement waterfront industrial land to fulfill requirements, which is another difficult question.

*Commissioner Bachrach:* Is there a role tonight for the PSC to weigh in even though we don't have a formal role yet?

- *Commissioner Fish:* I welcome your engagement on all issues on land use and planning that come before Council. I won't presume to tell you if you should weigh in or not.

- *Vice Chair Smith*: The PSC has not yet been briefed on the details, though Commissioners are free to express their individual thoughts to Council. But we don't have the time on today's agenda to get a PSC discussion and recommendation.

*Commissioner Baugh*: The issue of trust and spending rate payers' money is an issue. Tomorrow seems to be challenging this fiduciary responsibility, and I think that is dangerous. The other side is the prime industrial land. We have scars from our WHI deliberations, and this would bring WHI back into play after we intentionally took it off the map for the Comp Plan.

## Documents and Presentations for today's meeting

### Items of Interest from Commissioners

- *Vice Chair Smith* noted that he joined a memorial ride for a woman who lost her life. This was the 28<sup>th</sup> traffic death in Portland this year; 29 may have happened today. This is a great concern.

### Director's Report

Susan Anderson

- If the Council resolution is delayed tomorrow, we will be sure to let PSC members know.

### Consent Agenda

Consideration of Minutes from the July 26, 2016 PSC meeting

*Commissioner Baugh* moved to approve the Consent Agenda. *Commissioner Houck* seconded.

The Consent Agenda was approved with an aye vote.

(Y9 – Bachrach, Baugh, Houck, Oxman, Rudd, Schultz, Smith, Spevak, St Martin)

### Task 5: Mixed Use Zones Project

Work Session: Eric Engstrom, Barry Manning

### Disclosures from PSC members

- *Commissioner Spevak*: I own one commercial property in Cully.
- *Commissioner St Martin*: I own a commercial property in Mississippi.

### Presentation

Eric provided an overview of today's session. Staff provided the PSC with a memo as well as a matrix and an atlas to work through today's discussion. The basic categories for discussion today are base zones; understanding on centers overlay boundaries; other overlays; and a minor errata you have in a separate memo.

There are a number of items on the matrix we've noted as consent items. As we go through the items, we will focus on the non-consent items but will ask if other items should be pulled from consent. Consent items are also things that the PSC had already discussed.

Group F are CM1 non-conforming use sites. They are zoned residential or neighborhood commercial and are properties where we are proposing the new CR Zone, the low-intensity zone instead of CM1. This zone has a FAR maximum of 1:1 and height of 30 feet, which is similar to the R5 zone that's nearby. We'll see the code language for the CR zone later this week and will vote on that at the August 23 meeting.

PSC members confirmed staff's recommendation.

The full list of CE properties that PSC members discussed at the last meeting are listed. Map 6.1.B.

PSC members confirmed staff's recommendation.

This next group we can't make the change as requested in testimony because that would put us out of alignment with the Comp Plan. These could be discussed later, but we want to be in alignment with the new Comp Plan.

PSC members confirmed staff's recommendation.

## 1. Base Zone Map Change Requests

### *Group A: CM1 Low-Rise area zoning requests*

In previous conversations, the PSC had commented on retaining CM1 and where they would revert back to CM2.

Areas of NE Alberta, Roseway, Parkrose, Kerns, Hawthorne, Foster, Woodstock, Montavilla were areas PSC suggested moving back to CM2.

Potential low-rise areas with CM1 were on SE Division, Sellwood, Moreland, Multnomah Village. A fifth one on Belmont will be reviewed.

Moreland: Testimony was in support of the CM1 application. But we hadn't discussed the location of this property, which is within a half-mile of the Orange Line. Staff has reconsidered its position and is now proposing CM2 here.

PSC members confirmed CM2.

Sellwood: Testimony was mostly about the node at Tacoma and 13<sup>th</sup>. If we zoned this CM2, a question would be about other properties in this block being zoned similarly. Further up the street is a 4-story building being developed. Staff is proposing that we take the full node from south of Tacoma up to Nehalem and make that CM2.

*Commissioner Spevak* suggested that the CM2 zone be brought down to the full block to end at Tenino.

PSC members confirmed *Commissioner Spevak's* amendment.

Belmont between 33<sup>rd</sup> and 35<sup>th</sup>: Staff originally proposed CM1 in this small area. PSC members recommended CM2. There was neighborhood concern about the CM2, particularly due to the potential for demolition and building larger. Sunnyside suggested CM1 here. CM1 is slightly smaller scale. Staff is recommending retaining CM1 instead of going to CM2.

*Commissioner Spevak* noted this is a fantastic location, and I'd like to see this CM2. To create an artificial dip where we have lots of amenities doesn't make sense to me. *Commissioner Bachrach* concurred.

*Commissioner Baugh* would like to see CM1. This is what we heard from the community when we gave them more time. *Vice Chair Smith* is inclined to go for CM1 here too.

*Commissioner Houck* noted you could go either way.

PSC members confirmed CM1.

The properties on Division St were suggested as CM1 by the PSC in their original discussion. At this point, staff's understanding is that PSC wants CM1 here, so we just wanted to confirm.

*Vice Chair Smith* noted we were most ambivalent here. Do we know anything about the state of the BRT project?

- It has moved to Division, with a stop at 34<sup>th</sup> and Chavez. This would be at the edge of the station area.

*Commissioner Baugh* is inclined to go with CM1. *Commissioner Spevak* noted the transit opportunities here and supports CM2. *Vice Chair Smith* leans towards CM2. *Commissioner Bachrach* also sided with the CM2 here.

PSC members confirmed CM2.

Multnomah Village: Staff recommends CM1, and the PSC noted this initially as well. This is the inner circle area of Multnomah Village; we'll discuss the larger area later.

PSC members confirmed CM1 with nods.

*Group B: CM2 zoning requests for groups or properties*

PSC members confirmed the Alberta and Williams areas by consent.

NE 30<sup>th</sup> and Killingsworth: Testimony supported lower CM1 at this neighborhood node. In looking at this further, staff feels that CM2 could be appropriate here.

PSC members confirmed CM2.

NE 33<sup>rd</sup> and Killingsworth: Currently zoned CN2. It's probably better to be CM2, similar to the node just down the street.

PSC members confirmed CM2.

NE Fremont and 47<sup>th</sup>: We had initial requests to change from CM2 to CM1 from property owners. Others wanted to see this stay CM1. Staff thinks CM1 is the right zone given concerns from the community and low level of transit service in the area.

*Commissioner Rudd*: Are the 3- and 4-story buildings here going to be non-conforming?

- Those taller buildings are to the west of this area. A 3-story would be conforming in CM1.

PSC members confirmed retaining CM1.

Items 5-7 are proposed to be CM1. Transitioning to R1 to a commercial zone. There was a community member who suggested CM2 on these locations. Staff suggests retaining CM1.

Items 8-9: Staff suggests retaining CE so we can do a more in-depth study to determine what the zoning pattern should be.

Items 10: Staff suggests CM1 since CM2 is not allowed here.

*Commissioner Spevak* asked about transit potential on Powell.

- If enhanced transit comes here, we could do a follow-up legislative project to circle back. Also, all properties here can apply for a zoning change through a quasi-judicial review.

PSC members confirmed consent Group B items 5-10.

*Group C: Other CM2 zoning requests on specific properties*  
PSC members confirmed the noted consent items in group C.

Item 2 is a request for CM2 zone. Staff initially suggested CM1, but we found it was close to the intersection of two transit lines. Campus Institution zoning is applied to the Concordia Campus, with height up to 75 feet. So staff now suggests CM2.

*Commissioner St Martin* asked about the areas not highlighted in the Campus Institution zoning.

- Those are presumably residential properties.

PSC members confirmed CM2 with nods.

Item 10: N Lombard St. Staff proposes going to CM2 here because a lower-intensity zone would not be appropriate based on the surrounding zoning. This is commercial in the Comp Plan.

*Vice Chair Smith* asked why we wouldn't extend CM2 to the corner.

- Our view was if there were viable residential properties in the area, which there are here, we decided to leave them.

PSC members confirmed CM2 with nods.

Item 11: We are reviewing CM3 that's in the historic Alphabet District. In this case, we are agreeing that CM2 is a reasonable compromise here. We'd leave CM3 outside the historic district. This would give a step-down to transition down to the historic district.

PSC members confirmed CM3 with nods.

Item 12 is suggested to be CM1. Staff suggests retaining CM1 here. It's currently a vacant site. Traffic volume and capacity is an issue if we were to up the zoning allowance. This is a policy "chicken and egg" question in terms of potential transit improvements here. If you make the change now, you're putting the burden on the City to do this here.

*Commissioner Spevak* wants CM2 here. *Commissioner Bachrach* noted you'd want the higher level of development here, and I'd err on the side of zoning it as such to CM2.

*Commissioner Baugh* noted in the TSP we have a project to fix this, but transportation hasn't been good about getting developers to fix all the potential problems they bring. I would rather let the transportation go first in this case then circle back; I'm more inclined for CM1 here for now.

PSC members confirmed CM2.

Item 13: Staff believes CE is the right zone here. A CM2 spot zone would seem out of place, but we could revisit this in the future.

PSC members confirmed CE.

Item 14: SW Capitol request to CM2. Staff suggests CM1 as it is on the periphery of Multnomah Village. This is a mid-century commercial building currently.

PSC members confirmed CM1.

Item 15: SE 13<sup>th</sup> Ave. The Comp Plan has a split designation here, and we can't rezone it at this time. We can put it on the list for subsequent action, but we don't want to reopen the Comp Plan now.

PSC members confirmed keeping the split designation to comply with the new Comp Plan.

Item 16: Request to go from R1 to CM2. Staff suggested CM1. It is surrounded by residential but near CM2 on Lombard.

PSC members confirmed CM1.

*Group D: CM3 zoning requests*

CM3 is the most intense mixed-use zone.

PSC members confirmed staff's recommendations for items 3, 4 and 6 to conform to the new Comp Plan.

Item 1: CM3 is supportable in this area, and staff supports it. Staff suggested you could go broader but keep the CM2 on the west edge.

*Commissioner Spevak* noted that with larger chunks of land you can push density to the middle and have step-backs to the edges.

PSC members confirmed the broader area of CM3 in this location.

Item 2, MLK from Wygant to Ainsworth: Staff looked closely here and recommends CM3 at the larger node but CM2 to the north and south. The intersection has good potential and is a good candidate for CM3.

PSC members confirmed CM3 at the large node.

Items 8-9: *Commissioner Spevak* asked why this isn't suggested to be CM3.

- Staff noted the uncertainty of the BRT and that they will review this later once the alignment of the BRT is more solidified.

PSC members confirmed staff's recommendation for the remaining items in Group D.

*Group E: CM1 zoning requests*

These are CM1 requests that were zoned something else that have been requested to go to CM1.

Item 1 is for a large request on NW Thurman with a request to go to CM1. Originally CS and CN as part of the Northwest Plan. The district plan called for a variegated plan along Thurman.

PSC members confirmed CM1.

Item 2 is the "wider" circle in Multnomah Village. Staff applied CM1 to the most historically-sensitive locations here. But this area has larger lots and more opportunity sites with a Neighborhood Center designation.

PSC members confirmed staff's recommendations for the remaining items in Group E (no changes).

*Group F: CM1 nonconforming use sites and other special situations*

Items 27 (15<sup>th</sup> and Clinton) and 28 staff does not suggest a change to CR.

## 2. Centers Main Street Overlay Zone Changes

*Cully Neighborhood Center*

PSC members confirmed staff's recommendation.

### *Roseway Neighborhood Center*

PSC members confirmed staff's recommendation to exempt the fuel stations and drive-throughs here.

### *Midway Town Center*

This is a Town Center. *Vice Chair Smith* suggested we could push redevelopment more quickly here.

Staff wasn't sure about that opportunity.

PSC members confirmed staff's recommendation.

### *West Portland Town Center*

Staff is proposing to exempt the residential area.

PSC members confirmed staff's recommendation.

Proposal to add the area around Lombard and Interstate to the Main Street Overlay to conform to the North Interstate Plan Area.

PSC members confirmed staff's recommendation.

The Interstate and Killingsworth node is in response to testimony about Interstate needing more required commercial in this area. These are within neighborhood centers and are consistent with the intent of the Interstate Plan. This is applied to the park site, but we could exempt that.

PSC members confirmed staff's recommendation.

## 3. Other Overlay Zone Amendments

Design overlay: Because of underlying base zones, we've orphaned some design zones. Staff is asking for the PSC's approval to use their discretion in cleaning these up before bringing the map to the PSC at its next meeting.

PSC members gave staff discretion for these clean-ups.

The errata memo is about the Composite Map last week. Council changed the zoning back to R1 on this site.

PSC members gave staff discretion to change to conform to Council zoning.

Staff will produce the final map for PSC's review on August 23 for the votes. We will also be transmitting the next iteration of the MUZ code document in response to the previous work sessions.

## Central City 2035 Plan

Hearing

### Disclosures from PSC members

- *Vice Chair Smith* owns a property in the Pearl district. There is no proposed zoning change at this location.

### Testimony

Meryl Redisch, Urban Forestry Commission: The UFC appreciates the presentations from staff and their responsiveness to our comments. The City must commit to revise Title 11 with financial. Tree preservation and tree density standards are needed as are other revisions to the tree code. *see written testimony.*

1. Rob Fallow, Jefferson Holdings LLC: The proposed buildings heights are due to the view corridor from the Vista Bridge. We are asking for a compromise so we have one height of 75 feet here instead of three different maximum height allowances as currently proposed. *see written testimony.*

2. Peter Stark, CEID: Worked on the SE Quadrant Plan SAC. The CEID is asking that approximately 12 projects should also review the impact on the area due to the increased freight in the district. Particularly TSP items 20176, 7<sup>th</sup> to Division, and providing bike and pedestrian improvement facilities on SE 3<sup>rd</sup>. Segregate bike/pedestrian from freight use. *see written testimony.*
3. Peter Fry: I have submitted comments from the CEIC and another asking to keep the record open for an additional 7 days. We'd like to have another hearing after staff comes back with code updates. *see written testimony.*
4. Mike Bollinger, CEIC: I own a commercial property, a half block, which is currently a parking lot. We're planning to develop here. I'm against proposed restrictions on height in the historic district. Review the existing building codes, allow them to stay as they are, and don't reduce them.
5. Gerald Fittipaldi: Regarding the TSP, I'm happy to see some of the updates, particularly about SE 11<sup>th</sup> and 12<sup>th</sup>. For the past year, I have commuted from Alberta to PSU and currently take the Steel Bridge. I bike along the waterfront because there are no good north-south routes for bikes during rush hour, but it's crowded with bikes and pedestrians on the waterfront. The Park Blocks could become akin to Waterfront Park. I'd like to see a major city bikeway couplet on 6<sup>th</sup> and Broadway. *see written testimony.*
6. Mary Coolidge, Audubon: Incorporating bird-safe items are a good addition in the CC2035 Plan. We would like to see more bird-friendly items and would like to see the external lighting design be applied for a broader area. *see written testimony.*
7. Tom Liptan, Live Center: Thank you to the Commission and staff. I support the implementation of a new ecoroof code. *see written testimony.*

*Commissioner Bachrach* asked about benefits of ecoroofs.

They provide extended durability of the membrane under the roof itself. Stormwater management tool. Provides insulation of the building, habitat. Helps reduce costs.

8. Brent Linden, Portland Forward: Interested in increasing family buildings in the downtown corridor. There isn't much in the downtown core with enough bedrooms and affordable units. Portland Forward appreciates the balanced goals and policies of the CC2035 Plan with family-friendly housing goals. But with the zoning amendments, it seems implementation is not in support of affordable housing goals. Downtown should be diverse. Affordable family-sized units should be included.
9. Audrey Gnich, Portland Forward: Shared some statistics about other comparable cities and families with children living in the city core. Vancouver BC has lots of promising family-oriented strategies to promote family housing within the downtown core. Portland could look to integrate the same concepts.
10. Jason Bader, Bader Family LLC: Owns property in the middle of the proposed height restriction to protect the Salmon Street fountain view of Mt Hood. We must continue urban development in our urban core. We'd like some more time to study any financial impacts to property owners.



11. Deanna Mueller-Crispin: The West End supports livability including the FAR bonus for historic preservation. Parks and community centers are needed in the West End. Reduce height in the West End to 100 feet to protect view corridors and create a step down to downtown. *see written testimony.*
12. Michael Harrison, OHSU: The Green Loop concept could help improve health and safety for OHSU employees and visitors. We are building lots in SoWa. We'll be meeting with staff to share and refine our master plans in the coming months. We are interested in the proposed view corridors and connections proposed for SoWa. *see written testimony.*
13. Suzanne Lennard: Advocate to retain RX and lower FAR in the West End. We need to promote contextually-fitting infill on vacant lots. Preserve the West End's architectural history. Decrease FAR to 7:1 and height to 100 feet in the West End. *see written testimony.*
14. Mary Vogel: West End resident. Commented on Janet Sadik-Kahn's revolution of streets in NYC. Streets are the largest part of our public realm and should be designed for everyone, not just cars. The CC2035 Plan has nice goals. But for the West End, our streets will remain raceways unless we improve some of the policies and action items in the Plan. Make Jefferson and Columbia streets safe for pedestrians. *see written testimony.*
15. Augustin Enriquez V: Assisting properties at the Mint at Riverplace. We are interested in redeveloping here but need to ask to raise height limits to 250 feet for the full site; it's currently a split zone. Raising the height limit would promote slender buildings and open space. We could take advantage of the recently-improved transportation availability. *see written testimony.*
16. Mary Roberts: Commented on 12<sup>th</sup> Ave in the SE employment area and existing R1 to the east (Buckman). There are currently 18 historic properties here. All provide compact living arrangements and historical integrity. The proposed FAR and height would allow greater than 50-foot height, which would degrade the existing property values and would allow non-compatible construction.
17. Michael Beglan: Also spoke about the houses between Ankeny and Ash on 12<sup>th</sup> and confirmed and provided background about Mary Roberts' testimony. I'm concerned that the historical structures will disappear with more height allowances. We don't need to lose the past to enable the future.
18. Burton Francis, Oregonians for Ethical Government: Concerned about ethics regulations and disclosures of conflicts of interest from the West Quad SAC members. This is official misconduct. We urge the PSC to address these considerations. *see written testimony.*
19. Jeff Lang: Business owner. Havs relocated three times along the greenway trail. Worked on the Esplanade and expanding the greenway. Include vegetation restrictions. Continue a comfortable downtown and stair-step down from the river. *see written testimony.*
20. Scott Gilbert: Concerned about requests for higher buildings in the southwest.
21. Lisa Abuaf, PDC: Thank you to staff for their work and being part of the process. PDC's general recommendation is that we need to consider financial and regulatory policies as a City on development, affordability and density goals. Request to work more specifically on projects that have been tasked to PDC. Set-back language (e.g. with USPS site and Centennial Mills). FAR and height maps for ODOT and USPS sites including the view corridor from Salmon Springs. *see written testimony.*

*Commissioner Bachrach* asked about cumulative financial impacts.

It's important for us to work across bureaus. We're asking that we look in aggregate, not with specific locations.

*Commissioner Houck* asked about economic values of parks and open spaces to be included.

Yes it is, as is FAR transfer and parking.

22. Mary Kay Brennan: Opposed proposed height increases for buildings on SW 1<sup>st</sup> Ave. Increased density and traffic would be a burden and dangerous for our neighborhood.
23. Liz Cooksey: Concerned about increased height limits and impacts on view corridors in and from Goose Hollow. Reject the proposed changes on SW Jefferson. *see written testimony.*
24. Elizabeth Perris: Goose Hollow resident. Concerned about the drive for density and that it will change the personality and character over my residential neighborhood. We are a neighborhood without a park aside from Lincoln HS. Concerned that the plan doesn't preserve certain historic properties, and with increased heights, we'll see places redeveloped with taller buildings.
25. Peggy Moretti, Restore Oregon: Need to view this plan in the context that Portland's historic buildings are in danger more so today than before. We applaud the overall plan's emphasis of historic preservation and acknowledgments of historic buildings. You can't create compatible infill development when it's so much taller than the surrounding buildings. Retain the transfer of FAR from historic buildings as in the plan; make sure this is workable with market demand. *see written testimony.*
26. Barry Menashe: Impact of the Salmon Springs viewpoint on our Central Eastside property. The viewpoint height decrease will limit our development potential and decrease value. Building heights are unlimited in the CES, but our buildings will lose that potential due to the height cap. The original draft didn't have this height limit on our property, and I'm curious about why the updated draft includes this restriction. *see written testimony.*
27. Dean Alterman for George & Beverly Nase: The Nase family owns block 250. It currently has split height zoning of both 65 and 45 feet. The plan's proposal is to impose 45 for the full building, which would make part of the already-built building non-conforming. 65 feet would be appropriate for the full block because 85 feet is proposed for the block west. *see written testimony.*
28. George Nase: Request to have EXG for both the properties 11<sup>th</sup> and 12<sup>th</sup> and Main and Madison block as well as the half-block west.
29. Bob Bowden: SE 11<sup>th</sup> and 12<sup>th</sup>. Confirmed Dean Alterman's comments. *see written testimony.*
30. Jaqueline Peterson-Loomis, Architectural Heritage Center: I'm not hearing anything about equity or diversity. Members of the Chinese and Japanese communities have asked for equity in this historic district downtown. Keep the height reductions. But there is much more to do.
31. Kal Toth: Concerned about people who participated on the West Quad SAC without disclosing their financial benefits. The current CC2035 continues to contain biased recommendations.

32. Michael Mehaffy, Sustasis Foundation: Sustainable and equitable urban design issues. We all recognize the Portland is going through changes including gentrification and displacement, housing affordability. We are not making good enough and transparent enough decisions about how to work on these issues. To comply with the law and to restore public confidence, the building height issues should be pulled and reviewed.

*Vice Chair Smith* asked about the issue of disclosures. I am questioning the cure for this problem. I believe “sunshine is the best disinfectant” here.

Are there specific relationships about recommendations that involve potential conflicts of interests and what’s been translated into the plan? And there are other issues and still questions about how we conform as a City to state laws.

33. Julie Leuyrey, OPID: Owns two University sub-district properties. Would like to increase 6:1 FAR at SW 1<sup>st</sup> and Lincoln with a base height of 100 feet to be more consistent with the rest of the area. Half block on SW 4<sup>th</sup> Ave requesting increased FAR to 9:1. *see written testimony.*
34. Greg Goodman: Offered 11 proposed amendments to the plan. *see written testimony.*
35. Jon Bennett: Salmon Spring View Corridor through the CEID. Owns quarter-block property at Grand and Salmon. Property currently doesn’t have height or use restrictions. The effect of the view corridor will reduce height from 100 to 40 feet for us and our neighbors. A marginal view at best is gained. The full potential of our investment and value of improved transportation will be lost. Don’t prohibit building heights due to the potential view corridor.
36. Cliff Weber: Don’t build mediocre buildings that are high and block view corridors. Vista Bridge is under threat. Jefferson as a view corridor must be retained.
37. John Ostrander, Human Access Project: Promotes access to the river and boating. Applaud the plan and its recognition of swimming in the Willamette. We need specifics for making the Willamette more welcoming. Look north to Clark County where they have guidance for where and how people can swim in the river, and we’d like similar swim guidelines here. *see written testimony.*
38. James Ostrander, Human Access Project: Grew up swimming in the river and see it as a place for recreation. It’s important to have safety regulations and rules to support continued swimming use. *see written testimony.*
39. Leah Middlebrook, Human Access Project: Supports the Ostrand’s comments. I swim in the river more than three times a week. The issue of swim guidelines is of some urgency. In addition to Portlanders who are using the river, tourists do too. People don’t necessarily know about barges coming through. Another issue is swim buoys and float lines to cut down on wake and make the river safer.
40. Tom Vandel, Human Access Project: It’s not just access into the water; it’s access to be near and see the water. People love to walk along the river. We know the value of greenspace. No one really talks about the value of blue space. It is soothing and access to it is important.
41. Mike Lindberg, Human Access Project: Beaches and designated swimming areas; docks and new docks; habitat and preservation. I favor 75-foot set-backs. Parks and PBOT should take ownership of these issues.

*Commissioner Houck* acknowledged Mike Lindberg’s leadership in Portland. Back in 1984 at the Columbia will laminate futures forum Barbara Walker and I had Mike pinned against the wall asking him to become Commissioner of Parks which he eventually agreed to do. I want to thank

him particularly for being true to the 1903 Olmsted plan by recognizing the importance of natural areas as part of Portland's Park system.

42. Brad Malsin: Agrees with testimony about the Central Eastside. We need to have the space to build and grow, particularly in the CES. I want to be sure we pay attention to the window we have today in Portland. If we can't create places for people to live and work, we'll close the window very quickly. A lot of this is about jobs and our future.

43. Dan Yates, Portland Spirit: Concerned that the draft will mean Portland will miss an opportunity to have the Willamette River meet its full capacity. Water transit needs to be included with a terminal. *see written testimony.*

*Vice Chair Smith:* Can the Springwater Corridor be threaded through the terminal if we help you get there?

There are federal restrictions against this. Homeland Security can increase requirements at any time. So I don't know how we can do this. With the City removing it from the CC2035 Plan, they are obviously not willing to talk about it. Goal 15 says there will be no set-back on properties that are river-related or river-dependent.

44. Jeanne Galick: A 50-foot greenspace set-back is a start, but it needs to be 100 feet to maintain riparian health. *see written testimony.*

45. Roger Leachman: Preserve view corridors are features that icons of Portland. The lack of West Quad Plan disclosures is still of concern.

46. Emma Pelett: The Salmon Springs view corridor was not revealed to stakeholders until June of this year. The last-minute change deprives landowners of equity. The February draft suggested this view corridor would not be protected. A full analysis of the view corridor needs to be done, but until then, the view corridor should be removed from the plan. *see written testimony.*

47. Al Solheim: 13<sup>th</sup> Ave Historic District advocate. Protect these buildings. the proposed code amendments have the potential to alter the economic viability of the buildings and the district. We need to recognize cumulative impacts. 75 feet is too much. Support the density transfer. Retain the 45-foot height bonus. *see written testimony.*

48. Christe White: FAR transfer rules for historic districts. There is a positive development in this code to contributing resources. Under the expansion, you can transfer unused FAR, which is important to preserve and retain as well as raise revenue to help with the seismic upgrades. Our suggestion is that this is great, but it needs to be fine-tuned.

49. Tim Eddy: Support bonuses for historic districts. But height shouldn't be reduced from 100 to 75 feet in the northern section of the 13<sup>th</sup> Ave Historic District. This is a special case because a majority of the buildings are contributing resources that should all be preserved. Bonus provisions should be discussed. A framework for applicants to propose modest increases in height should be reviewed.

*Commissioner Bachrach* asked about if the priority issue and that 13<sup>th</sup> is not on the same with the other historic districts.

Correct. That is our only concern. We should equalize with Japantown/Chinatown.

*Commissioner Baugh* commented on eliminating the transfer after 3:1 FAR.

We're more concerned about the transfer rules in the first 2:1.

50. So Hin Wong: Owns half block at 1302 MLK adjacent to the Hawthorne bridgehead. Consider the height restriction from the west side of the river. I currently can build to 200 feet, but the proposal would reduce this to 40 feet. The CES is changing, freight is moving out for more, higher and denser uses.
51. David Dysert: NW 13<sup>th</sup> Historic District. Portland's lackluster economy and benevolent local developers have gotten us to where we are. Now we're getting generic market-based development. But I want you to aim higher and think creatively. The North Pearl is very different from the South. It has a diverse building stock, which impacts who and what use that. Limit parcel size to maintain some fine-grained granularity.
52. Bob Sallinger, Audubon: Expand the greenway set-back. We need to get rid of the grandfathering clause. We need incentives and regulations. Support the ecoroofs requirement. Oppose commercialization in open space such as Waterfront Park. I also echo Commissioner Fish' comments about Terminal 1. *see written testimony.*
53. Dean Gisvold, Irvington Community Association: 9 blocks in the Irvington Historical District are currently CX and RH, which isn't compatible with the historic district. Change this to CM2. *See written testimony.*
54. Jean Pierre Vellet: Oppose height restrictions for Salmon Springs View Corridor. Height alone does not solve the problem. If you lower the heights, you start to create canyons. *see written testimony.*
55. Stan Herman: Owns 1300 N River St property. Save and restore this building. Would like this to be CX. The project we have proposed meets and exceeds priorities for parks and recreation as well as job skill development. *see written testimony.*
56. Gary Rehnberg, East Side Plating: Disagrees with height restrictions on the Salmon Springs View Corridor. This would cause a huge reduction in our property value, and job creation will be inversely affected.
57. Michael Ellena, Portland Japanese Garden: Request the view to the Willamette, a key design component of the gardens, be protected and expanded in the scenic resources inventory. Portland is known for the best Japanese garden in the country. This is an island of refuge with power to inspire and heal. *see written testimony.*
58. Darin Houn, Mad Ave LLC: Our building at 1120 SE Madison is zoned IG1 with no maximum height right now. This would go down to a 45 feet maximum, which is in conflict of the overall goals of the plan. Limit would reduce potential for housing and increased commerce opportunities. *see written testimony.*
59. Patricia Gardner, Pearl District NA: West Quad SAC member. The historic bonus is terrific. The decision to prioritize Skidmore/OT and Chinatown/Japantown doesn't work. It was not part of the West Quad discussions. We want to save as many historic properties as possible. We pushed to eliminate bonuses on historic districts, which we're happy to see. I believe that after 3:1 you should still have to buy additional FAR. *see written testimony.*
60. Dave Moore, Alt Source: SE software company. The company is currently housed in 4 different buildings in the inner Division area. We purchased 1120 SE Madison with intention to make this our headquarters. That will allow us to be 38,000 square feet. We can't get to 120,000 with the

proposed 45-foot height restriction. We'd like to stay in the CES, but with can't with the height restriction. *see written testimony.*

61. Tim Karoli, Alt Source: Unique about our location is that I can both live and work in my community. I am close to my kids' school. This is important. I also see the growth of our organization, and it's exciting to be a part of it. We are trying to make sure we can continue to grow and stay in our community.
62. Adam Oakley, Alt Source: A key thing for us is being able to recruit into technology and software with our company is our location in the CES. It's become more and more difficult to find one space for our company's growing number of employees. As we plan for years out, this will become more of an issue if we can't grow up due to height restrictions.
63. Jerry Ward: Greenway set-backs are being disregarded. Doesn't respect regulations of prior planning, particularly with height increases. Some upzoning will harm our neighborhoods in and adjacent to the Central City. Many are not needed to meet projected growth.
64. Henry Mead Kaiser: Interested in the blue of the river and the green that surrounds it and how various interest groups will use these areas. Wouldn't it be easier if there were one overarching group that represents these groups? That brought me to the attention of the Portland Waterfront Alliance. So my comment is a placeholder for them.
65. Ed McNamara: Spoke to family housing and complete neighborhoods. I see this in the Comp Plan but the CC2035 Plan doesn't have enough strong policies included. We need incentives for family housing like what we have in the North Pearl Plan. And in those buildings that get this bonus, they should get to exempt community spaces within their buildings. The City needs to help schools find ways to locate in the Central City. We should take action to allow streets for various parts of the day for activities. *see written testimony.*

*Commissioner Bachrach* asked about Ed McNamara's thoughts on an ecoroofs requirement.

Durability of the roofing is important, but it's an expensive up-front cost. There is definitely benefit, but that is a private benefit to the developer. In terms of stormwater development, that is a benefit, but there are other options as well that are much less costly.

66. Kristen Dozono, Portland Japanese Garden: Supports the requests to preserve the views from in front of the pavilion in the gardens. This is like the living room of Portland. It's one of the most photographed views in the city.
67. Ian Stude, PDX Bicycle Advisory Committee: Supports overall objectives, particularly the Green Loop and street classifications. Support inclusion of parking maximums that align with the SOV mode-splits in the plan. *see written testimony.*
68. Damien Hall on behalf of Joe Angel: Property at 430 NE Lloyd Blvd. Height reduction here does not result in preservation of the view here but it doesn't have a significant economic cost. *see written testimony.*
69. Mary Ann Schwab: Concerned about kids and schools. We need schools in the Central City. We need opportunities to get kids down to Oaks Park with better transportation.

#### **Written testimony received July 27 – August 9**

*Vice Chair Smith* closed oral testimony at 8:48 p.m.

## Discussion

Written testimony will remain open until 5 p.m. on Thursday, August 11.

*PSC members shared their overall thoughts about testimony received for the Central City 2035 Plan.*

*Commissioner Bachrach* is concerned about people asking for another round of public input and that we're not addressing that. What I saw in the MUZ process was that we got new information from staff after testimony, so they weren't given an opportunity to respond, which I think may happen even more so with this plan. I would like to give the public the opportunity about things we've changed only.

- *Susan*: We've discussed this option many times for different plans. The information the PSC uses to make its recommendations comes from all these sessions and hearings and staff input. For almost every project we could make a case that we should give people one more time to comment. Council's advice to the PSC is to not do this; they've asked for the PSC to give us the best guidance and advice and they'll take it from there. In the past, in your work sessions, you have invited people to provide more information... not as testimony but to provide more specifics and details.

*Commissioner Baugh* noted we can't limit what people's testimony is. So if we open testimony again, we have to allow anyone who wants to speak to testify. Groups who can provide information about specific questions the PSC has are helpful. They are not advocacy groups, but they are able to provide details to help us make more informed decisions. I would support this but not opening testimony again.

*Commissioner Rudd* noted that the PSC letter to Council is also a good way to flag points for Council to consider during their deliberations.

*Commissioner Smith* noted that PSC members can seek out other advice to help them inform their recommendations.

*Commissioner Baugh*: I would like a better understanding of the conflict of interest issue, only if there is a legal issue there. The FAR 3:1 bonus in connection to IZ is a question for me. The Chinatown view corridor issue as well.

*Commissioner Oxman*: Affordable housing for families in the Central City. West End building heights and access to nature. In terms of view corridors, I want to know specifically what we're protecting, what we have, and the public/private obligation to protect this resource.

*Commissioner St Martin*: How we selected the view corridors we are proposing to maintain. River terminal idea and activating the river this way.

*Commissioner Rudd*: When we assess properties to pay for the streetcar, what assumptions do we make about development? Is this consistent with height reductions? If PDC and BPS work for proposals that are different from what we have now, I'd like to see a framework for properties that PDC doesn't have an interest in to make sure we're being equitable. Regarding the scenic resource protection and height, is this consistent with employment projections in the Comp Plan? For the greenway development set-back, if we go to 50 or 75 now, does this change the baseline for our future work with FEMA and floodplain regulations? We're looking at providing the opportunity for childcare, but what about adult care as well?

*Commissioner Spevak*: River restoration and swimming access. Family housing issue, which might fit in the implementation work in Section 5. FAR interplay with the IZ process.

*Commissioner Houck*: If we need more information about the set-back for the greenway, we have that from staff. I read through most of the written testimony and there were lots of comments about the need to revegetate the bank after plans have been cut. Continuing loss of trees and the grandfathering issue were building can be rebuilt as long as it uses the existing footprint. Building heights and views

are obviously an issue. I really appreciate the testimony that included visuals. That is very helpful for understanding with the impacts are. I also don't think there is a substitute for looking at these issues on the ground, and I'm happy to take some subset of the commission that doesn't constitute a quorum on walking and boating tours. I would like the opportunity to bring in experts on some of these issues that we can ask questions of. Finally, this is complex stuff! I'm hoping we can work with staff to both present some specific amendments and also describe the problem we're trying to solve.

*Commissioner Bachrach:* Concerns we heard about FAR and height and transferring. Perhaps staff can walk us through some of this to help us get our heads around these issues. CES testimony about the proposal not being consistent with the quadrant plans, particularly the SE Quad Plan.

*Vice Chair Smith:* I will propose a number of amendments about transportation classifications. On the views, we'll be walking a very fine line. I would echo comments about the family-friendly bonuses. Safe swimming comments are intriguing. I am struck by the nexus of a first-class river terminal with the Springwater through it. There have been suggestions that parking maximum are not tight enough, so I want to make sure our math is precise. I was sympathetic for Goose Hollow's desire for parks and open space.

## **Adjourn**

*Vice Chair Smith* adjourned the meeting at 9:12 p.m.

Submitted by Julie Ocken