

Overlook Neighborhood Association

Christian Trejbal, Chair

chair@overlookneighborhood.org



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Benjamin Nielsen
Portland Bureau of Development Services
Land Use Services
1900 SW 4th Ave, Suite 7100
Portland, OR 97201
Benjamin.Nielsen@portlandoregon.gov

Dear Mr. Nielsen,

The Overlook Neighborhood Association requests that the Bureau of Development Services and the City of Portland **not grant the adjustment to required active use square footage on the ground floor for the proposed residential building at 5020 N Interstate Avenue (LU 18-277183 DZM AD)**. This project should meet the Centers Main Street Overlay Zone requirement of at least 25 percent of the ground floor area in active use (33.415.200 Required Ground Floor Active Use). The proposed 19.3 percent is insufficient.

The Main Street Overlay Zone, as stated in Code 33.415.010, “encourages a mix of commercial, residential and employment uses on the key main streets within town centers and neighborhood centers.” It also notes the goal of having a “continuous area of shops and services” as well as “hubs of community activity.” Granting a reduction in the required active use would detract from those goals.

This project would replace two retail businesses. The Centers Main Street Overlay active use requirement would help replace that lost active use on the site.

N Interstate Avenue is a transit street and the key main street of a neighborhood center in the Overlook Neighborhood. It also has been a focal point for high-density residential development in recent years, leading some residents to remark on an increasing “canyon effect.” Including active use on the ground floor is one way to offset that experience. The presence of retail, office, community services and other specific uses listed in 33.415.200 will create a walkable environment that encourages many people to visit and engage with amenities along the transit corridor. Those uses also will increase livability for all residents of the building.

The applicant suggests that aesthetic elements and private amenities such as entry porches and a bicycle repair area for residents are suitable offsets to justify reducing the active use requirement. Had the city intended that such elements count toward the minimum active use, it could have included them on the list of acceptable ground floor active uses in 33415.200. The city did not include them. They are not active uses that engage the community and create a vibrant publicly accessible space. Instead they would serve residents alone. While an aesthetically pleasing building is certainly welcome and important, the city in writing the code concluded that 25 percent was a reasonable minimum for ground floor active use that encourages people to visit the building and transit corridor, not just come home to it. Those elements should be in addition to the active use requirement, not in place of it.

Moreover, 33.415.200 is not discretionary. It states (emphasis added):

“Within 100 feet of a transit street, at least 25 percent of the ground level floor area **must be in one of the following active uses**. Only the uses allowed in the base zone may be chosen:

- A. Retail Sales and Service;
- B. Office;
- C. Industrial Service;
- D. Daycare;
- E. Religious Institutions;
- F. Schools;
- G. Colleges ...; or
- H. Medical Centers

Our preference would be for more than 25 percent active use as part of any building’s ground floor. The more opportunity for public activity along Interstate Avenue, the better it is for everyone. However, anything more than the 25 percent minimum would be voluntary on the part of the developer.

It is worth noting that the code bases its calculation on the ground floor area and not the actual ground coverage of the building. The second and higher floors of the proposed building will extend over some of the parking area and part of the entryway. Were the extra coverage area counted, an additional 922 square feet of active use would be required on the ground floor. $[0.25*(12,016-8,327)]$

Overall OKNA supports this project. Proud Ground has been an excellent community partner headquartered in the neighborhood. They have been transparent and worked to share their project with neighborhood residents. Housing and affordable housing particularly are critical needs in Portland. We look forward to families bringing fresh energy to the Interstate Avenue/Alberta Street intersection.

Yet those families and their neighbors deserve a project that meets the plain language of city code.

This is the first project in Overlook, to our knowledge, to fall under the Centers Main Street Overlay Zone. As such, it is imperative that the city set a strong example for its commitment to meeting the clear code requirement of 25 percent ground level active use. If the city grants an exception in this case, future development on Interstate could seek similar exceptions, thereby undermining the goals of the Centers Main Street Overlay zone and leaving all neighborhoods along transit corridors with high-density, profitable projects that no one wants to visit.

We therefore urge you to require that the project at 5020 N Interstate meet the code requirement of 25 percent ground floor active use per 33.415.200 – Required Ground Floor Active Use.

Sincerely,



Christian Trejbal
Chair

Overlook Neighborhood Association Board