



To: Mayor Charlie Hales and City Council
CC: Portland Bureau of Planning and Sustainability
Re: Boise Neighborhood Association stands opposed to proposed Comprehensive Plan Amendment M42

The Boise Neighborhood Association board was contacted in late March by a resident who had received a mailed public notice of a proposed zoning change to certain parcels of land on N. Fremont Ave between N. Mississippi Ave and N. Vancouver Ave from R1 to CM2. The Association then learned from City staff that the rezoning proposal had been put forward by a property owner named Alem Gebrehiwot. The proposed rezoning area is currently R1, and includes many single use properties as well as an income-qualified housing complex called L. Roy Gardens owned by PCRI, Inc. At the Association's April 11 general meeting, Mr. Gebrehiwot stated his reasons for wanting to rezone his property and why he felt that rezoning was in the best interests of the community. The Association heard many community member's points of view in an especially heated discussion. The Association vote at the end of that meeting was: 4 supported a motion to oppose Comprehensive Plan Amendment M42, and 2 were against (1 abstained, 1 recused). **The outcome of that vote was that the Boise Neighborhood Association's position is opposed to Comprehensive Plan Amendment M42.**

The BNA board recognized that the public comment period at the April 11 meeting included significant differences of opinion, was lengthy and at times disruptive. The board vote process at the end of the meeting was interrupted several times, became rushed and the outcome ultimately unclear. At the time, the vote to oppose the proposal was thought to have failed to pass. Following conversation after the meeting (Board Chair Garner Moody) called for an emergency meeting as allowed by the BNA Bylaws, to allow the board to discuss and possibly vote again on this important neighborhood matter, and during that week we received further clarification from the Office of Neighborhood Involvement on voting protocols.

At the emergency board meeting, the board discussed the issues, and heard again from Mr. Gebrehiwot and several other residents. At this meeting, a motion was made to re-vote on the proposal and vote in favor of it. With a vote of 5 to 4, this motion failed to pass, and our original motion to oppose the proposal was left standing. Our meeting minutes from both the April general meeting and emergency board meeting are posted on our website, www.bnapdx.com, and we encourage you to read them.

In summary, those board members in favor of Mr. Gebrehiwot's proposal offered the following points:

- Mr. Gebrehiwot is a long-standing member of the community who has generously offered his land on Fremont to be used as a community garden for many years, as well as owning a local Ethiopian restaurant, and offering his Liberty Hall space as a

community space, demonstrating that he is sincere in his claim that he has the best interests of the community at heart.

- NNEBA supports the proposal, as they claim it will offer opportunity for minority small business owners and affordable housing in the neighborhood, which is sorely needed.
- The BNA should give Mr. Gebrehiwot the same fair treatment as other developers who have come to the board for support.

Those board members opposed to Mr. Gebrehiwot's proposal offered these points:

- The zoning change proposal is the first time this board has heard a proposal to change current zoning. The last **major zoning change** change in our neighborhood occurred in the 90s and affected the Williams/Vancouver corridor. We have not had a proposal like this before, so there is nothing similar to compare it to. Previous developer proposals at the BNA have been regarding buildings **working within** in current zoning, where the board attempted to have influence on aspects of the building, but never the zoning itself.
- Recently the Marathon development on Mississippi Ave. was limited by the City, due to trip count (traffic burden), to having office space on the ground floor rather than residential. **It was actually office space rather than retail, and the City proposed residential which our design guidelines discourages at sidewalk level.** The BNA has consistently opposed residential on the ground floor of mixed use buildings, as per our Design Guidelines. If the M42 proposal went forward and a building was developed on Mr. Gebrehiwot's land on Fremont, the ground floor would likely be **similarly** office space, **or residential to the sidewalk**, which is not suitable for the character of that street.
- Mr. Gebrehiwot's proposal affects many other properties than the one he owns, and many of those property owners have voiced their concerns over the impacts of it on their property and their immediate neighborhood. **It would disrupt existing setback and massing requirements that are consistent with the surrounding residential fabric, providing solar access and privacy between properties.**
- Mr. Gebrehiwot is not asking to build up to the maximum capacity of his current R1 zoning on his property. If he was, the board would very likely support it, as they have with other areas in Boise, where developers have built appropriately for the current zoning.
- The areas of Mississippi and the Williams/Vancouver corridor are already experiencing explosive growth and density, with a significant pipeline of residential units anticipated to come online in the next year. The traffic congestion and parking impacts of this density is enormous. There are also several large lots in EX zoning along both commercial districts that have yet to be developed, including a parcel owned by Mr. Gebrehiwot, but very likely will be. We have not yet seen the full effects of the developments that are in construction or in planning phase. Green lighting a significant zoning change before understanding and working through the impacts of the current phase of development would be reckless.
- Fremont Avenue is a residential street, currently crossed daily by K-8 students going to and from Boise/Eliot-Humboldt School. The section of Boise between Fremont and the

Fremont Bridge entrance is already heavily impacted by the traffic and parking issues stemming from Mississippi, the Williams/Vancouver corridor, and the Fremont Bridge entrance. Adding more commercial zoning to the neighborhood would further exacerbate these conditions, which directly affect safety for pedestrians, especially children.

- **The safeguards to ensure future development with adequate outdoor space for children, pets and nature, will be removed with the zone change. This is inconsistent with long held board and neighborhood values and stated positions.**
- One of the three parcels of land proposed for rezoning is owned by PCRI, which operates the L. Roy Gardens low-income housing. A representative of PCRI stated that they are in favor the proposal, as are their tenants. While PCRI may come up with a plan to re-house the tenants of their current properties while the land is sold and redeveloped, and potentially allow them to return, several tenants have expressed to a board member that they are worried about their future, and don't know where they would go. This displacement, without assurance or a plan stated by PCRI, is a concern.
- When asked, Mr. Gebrehiwot replied that he did hire someone to gather signatures. Several neighbors have noted that their address is listed but they did not sign the petition. Another stated that he was told the petition was to oppose re-zoning to commercial, and was angry at being misled. Upon inspection, several board members and neighbors feel that many entries and signatures appear to have been written by the same hand. As stated by Nan Stark of BPS, the signatures on the petition submitted by the applicant were not vetted by the City. Several members of the board feel that this petition should not carry any weight, given these misgivings of legitimacy.
- Mr. Gebrehiwot is being treated as fairly as any developer that has come to the BNA. In fact, Mr. Gebrehiwot did not come to the BNA. We found out from a neighbor about the proposal and reached out to the City, who also failed to notify the BNA. Only through this process was the BNA connected to the applicant. **Most neighbors in attendance expressed great frustration at the hearsay manner they were made aware of the proposal and the short time frame upon which to respond. The proposal was not listed on the City's Comprehensive Map App for verification until March 2016, nor was there proper public notification.**
- Mr. Gebrehiwot's attitude has been contentious and difficult during this entire process. NNEBA Chair, **also Mr. Gebrehiwot's tenant**, Ken Doswell's support of Mr. Gebrehiwot has likewise been contentious and divisive, including unfounded and inflammatory accusations of racism against board members. This antagonism has not helped build any trust between the applicant, many of his neighbors, or the board. In fact, two of our most long-standing, hard working and respected board members are resigning due to the fallout of this process, which is a most unfortunate and regrettable outcome.

While our board vote was certainly not unanimous, and this proposal process has resulted in significant emotional distress, nevertheless the outcome remains that the Boise Neighborhood Association's official position is opposed to Comprehensive Plan Amendment M42. We thank you for your consideration.

Sincerely,

Garner Moody
Board Chair