

So many projects, too little time

By: Kent Hohlfeld in [Architecture and Engineering, News](#) April 17, 2017 9:16 am



David Wark, right, chair of the Portland Design Commission, addresses SERA Architects' Kurt Schultz, foreground, during a design review last week. Also pictured are design commission members Julie Livingston, left, and Andrew Clarke, second from left. (Sam Tenney/DJC)

Explosive growth in Portland has brought with it numerous challenges. One is management of the pace of projects' movement through the city's often glacial design review process. A team working on a project planned within a design overlay zone that requires a Type III review can find itself in a laborious process before any shovel gets into the ground.

"If I have a client that has gone through the process, they know what to expect," said Leslie Cliffe, an associate principal at **Bora Architects**. "If I have an out-of-state developer, in those cases, they are super surprised at the level of input the city gets."

Even in normal times, the process can be slow. These are not normal times for development in Portland.

"Prior to the 2008 recession was the first wave of hyper-development," **Portland Design Commission** Chairman David Wark said. "The last three years, it's just gotten busier and busier."

The Design Commission's job is to make sure that proposals for new construction and modifications to existing structures meet the city's design guidelines. They apply to approximately 5 percent of the city, but some of its most prime real estate.

In hopes of accelerating the process, the commission, consisting of seven volunteers, has increased its workload from meetings twice a month to at least three times a month. Each meeting consists of four or more hearings, which last between one and three hours, depending on the size of the project. The meetings start at 1:30 p.m. and can last well into the night.

"It's a minor celebration if we are done by 7:30," Wark said. "We try to get them done (by then), but often we go past that."

It's a far cry from five years ago.

"During that recession, sometimes we didn't have a commission meeting because there weren't any projects," Wark said. "We came out of that around 2012 and 2013."

That recovery has resulted in a building boom, and the city has strained to keep pace.

"We have hired seven new employees since August 2015," said Kara Fioravanti, supervising planner with **Bureau of Development Services**. "It is a significantly bigger boom than any I have experienced in my 20 years here."

According to state law, a project has to navigate the review process within 120 days of submittal. A project's first hearing has to take place within 51 days of submittal. But architects can sign waivers releasing the city from the state obligation.

"Every project gets a 120-day waiver," Cliffe said. "We always sign the waiver." By signing the waiver, architects can return before the Design Commission if it denies a project proposal at its first appearance. The waiver also protects appeal rights.

If architects don't sign the waiver, they can't provide new or changed information later in the process. Also, if the project were denied, the team would have to start the process over.

Fees for the review process are dependent on a project's size and range from a minimum of \$5,250 to a maximum of \$27,000.

"We hit that 51-day mark pretty regularly," Fioravanti said. "The waiver just allows them to come back. It's when the applicant chooses to come back for another hearing. That is when the timeline gets extended. They aren't signing the waivers because the commission is too busy."

The problem is that few projects receive approval on the first try. Of the seven projects scheduled for a full review by the end of May, four were on at least their second trip before the Design Commission.

None of that includes the time and money spent on a design advice request (DAR). The Design Commission advises architects and developers to seek a DAR, which costs an additional \$2,520, before the review hearing. During the DAR hearing, the commission informs a project team of aspects that could pose problems meeting the guidelines. This hearing takes place early enough in the process so that changes can be made without incurring large costs for developers.

While most architects seek a DAR hearing, scheduling can cause problems. Developers usually have a strict timeline. A long wait for a hearing can force contractors to delay when they seek bids for construction services.



The Portland Design Commission hears testimony during a design session for an expansion at the Lloyd Center. The commission's backlog of projects to be seen has increased in the wake of the building boom that followed the great recession. (Sam Tenney/DJC)

Commissioner Tad Savinar said that applicants can look to their colleagues for tips on navigating the process quickly.

"We have a lot of firms that get through on one DAR and one hearing," he said. "Why are those groups getting through? There is a host of things that the applicant can do to improve their performance within this hearing."

The city is trying to address developers' issues. The number of staffers devoted to producing reports and making recommendations to both the Design Commission and the **Historic Landmarks Commission** has increased by seven since August 2015.

Also, in 2016 the Design Commission published "A Guide to the City of Portland Design Review Process" to serve as a best practices document for area developers and architects.

Project teams also can help accelerate the process, Wark said.

"The biggest thing that helps is if applicants are more responsive to the guidelines," he said. "That way we don't have the same project coming in time after time and taking up the spot of another project."

Some architects are taking the advice to heart. More projects are gaining approval on their first hearing. Hacker's recent Ladd's Addition project received approval at its first hearing and won commissioners' praise for meeting guidelines.

On the other end of the spectrum is developer Landon Crowell's **Ankeny Apartments**. The project appeared before the Design Commission five times before denial was granted and an appeal was made to the City Council. The delay, now several months, has cost Crowell and his investors nearly \$120,000, he said. Crowell and Yost Grube Hall Architecture, for their initial proposal, decided to rely on information from a pre-application meeting instead of a full DAR.

"Our idea was to have the superstructure in place by March (2017)," Crowell said. "You are always trying to get six or seven people to agree. Then they switch in the middle of the discussion or discuss things that aren't in the guidelines."

Keeping meetings on point and strictly focused on the guidelines is a major suggestion of the Design Overlay Zone Assessment (**DOZA**), which is intended to streamline the development review process.

Suggestions in the final DOZA report included imposing new thresholds of when projects would have to go through the full review process. Smaller projects would go through Type II reviews requiring only staff approval.

The report also suggested revising community design guidelines and narrowing the focus. That suggestion met with Wark's approval.

"We need to simplify the design guidelines with the same level of flexibility," he said. "The biggest things to aid the process are the design guidelines need to be updated and the community standards need to be updated."

The report also suggested looking at adding a commission for areas outside of the Central City. That proposal got a mixed reaction.

"It sounds like a good idea, but then you get into all kinds of specifics," Wark said. "How do you find seven qualified people consistently? How is it set up? We're open to something refined."

It could also affect the way that city staff does its job. Currently, the BDS staff manages cases seen by both the design and landmarks commissions.

"It's a lot of work," Fioravanti said. "It would be managing with seven more people and would be very important to coordinate among the two commissions."

Stephanie Fitzhugh, a project manager at **DiLoreto Architecture**, said that long waits to appear before the city's commissions are adding to delays and increased project costs.

"Everybody is feeling it; everyone is frustrated," she said. "Basically, it comes down to: Does the city really want to prevent people from building their projects?"