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**Cc:** [DLCD PR-UGB](#)  
**Subject:** appeal of Portland Comprehensive Plan amendment #N-14 (6141 SW Canyon Court, Portland, OR 97221)  
**Date:** Friday, May 19, 2017 9:35:31 AM

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To whom it may concern:

I object to zoning change of the lot located at 6141 SW Canyon Court in Portland. Despite objections to the zoning change by City of Portland urban planners and local residents, the Portland City Council approved the zoning change and avoided the normal zoning change process while limiting and ignoring the public process. The property owner sought to change R20 zoning (residential 20,000) to R5 (residential 5,000) to develop the property with greater density.

A review of the comments from the community and the City planners shows that changing the zoning from R20 to R5 to increase density and is ill conceived as it will create traffic problems at a challenging intersection, is immediately adjacent to environmentally protected spaces, and is out of character for the rest of the street to which it is the cornerstone property.

When the proposal came to a final vote in the City Council, Commissioner Steve Novick who initially (at the property owner's request) proposed the amendment voted against it (after doing his due diligence). Other commissioners clearly were lobbied by the property owner and his hired attorney, as the commissioners conveniently disregarded the predominance of the data recommending disapproval of the zoning change and voted against the City planners and local community to approve the zoning change. The discussion at the time of the vote was superficial and did not reflect any critical assessment of the work that the community and City planners added to the specific issue. One commissioner's staff person cited as evidence of adequate transit services a 20-year transit plan that (may or) may never come to be.

It's really offensive that this zoning change bypassed normal zoning change procedures and the public process and thereby sets a bad precedent. It stinks like a preplanned back room deal. This zoning change benefits a single property owner, harms the local community and fosters bad urban planning.

Below you will find a summary that was sent to the commissioners by my neighbor John Rush after their vote on the issue. It summarizes the situation clearly:

The statements and "facts" cited by Mayor Hales and Commissioner Saltzman during the discussion included beliefs that the property is:

1. close to a bus stop and the MAX;
2. easily accessible by bicycle;
3. a relatively flat site;
4. near another high density housing development;
5. there should not be R20 zoning within the city; and
6. the community opposition is because neighbors don't want more cars in their neighborhood.

As detailed in previous testimony, the R20 zoning is characteristic of the bulk of SW 61st Drive, the only reasonable accessible point for this single property. Much of this area has environmental protection zones, and the lower density zoning helps to protect those zones. This zoning change will change the character of the street and threaten the environmental buffer for those zones. In that regard, such a change should be taken in the context of looking at the entire neighborhood.

To address the other points directly:

1. The site is 1/3 of a mile from a bus stop that, while present, is an inconvenient access point to the greater transportation system such that the typical commute into downtown (4 miles) is about 1 hour. More peripheral access is an even greater challenge. As previously cited, the property has a walk score of 20 - "car dependent - almost all errands require a car" and the neighborhood has a walk score of 17 due to lack of sidewalks and narrow roadways.

2. The site is 1.5 miles from the MAX station at the zoo with substantial elevation changes between the property site and MAX station (200' down and then 100' up). During winter the road and few sidewalks are easily impaired by snow and ice, and the city never plows the route from the property to the MAX station. In poor weather conditions it's difficult to walk, bike or drive in the neighborhood.
3. The site is actually significantly sloped. As previously cited in testimony, [www.Portlandmaps.com](http://www.Portlandmaps.com) indicates the property is both in a Steep Slope Area (25%) and in a Landslide Hazard Area – both characteristics of a highly sloped lot.
4. There is significant, higher density development west of the property and the City approved development of a 244-unit apartment complex less than ¼ mile to the west. As outlined in previous testimony - development of these 244 apartment units will overwhelm the existing transportation and parking infrastructure (adding 45% more residents to the overall Sylvan-Highlands neighborhood as a whole). ALL traffic from this approved apartment development and any additional traffic from further changes to zoning will need to funnel through the same dangerous pinch point at East Sylvan School (¼ east of the property). This is the single entry and exit point for the entire neighborhood and is extremely busy and dangerous during peak times, especially during school start and end and during even the slightest bit of winter weather. It appears the Commissioners and the Mayor look at higher density within the neighborhood as a “fact” supporting rezoning for further neighborhood density. Due to the lack of transportation (roads and public transportation), neighbors and the Bureau of Planning see that any further changes (beyond a 45% increase in neighborhood population already approved) must consider the entire neighborhood infrastructure before making further zoning changes.
5. The site is close in to the city, but challenged geographically and with weather. The R 20 zoning reflects the lack of adequate infrastructure to support more dense development as well as significant areas of environmental overlay zoning to support the sensitive forest environment of the area.
6. Neighborhood opposition to this amendment is not simply the community wanting to avoid more cars in the neighborhood. The neighborhood has supported the efforts of the Bureau of Planning in execution of a rigorous and thoughtful Comprehensive Planning process, and the neighborhood is prepared to absorb the development of 244 apartment units, however, any further changes to zoning will be pushing a bad and unsafe situation past a breaking point, unless changes are considered in the overall context of neighborhood infrastructure. Further, neighbors have significant objections to way in which this amendment has circumvented the regular Type III zoning change process. As stated in previous testimony,  
  
“This amendment directly contradicts the analysis of the planning experts, the concerns of neighbors directly impacted and totally circumvents an established process for requesting a zoning change. This is the only requested change for a residential property within the entire SHNA boundary considered during the Comprehensive Planning process. The proposed change was driven only by the wishes of the property owner and not as a result of neighborhood requests or the result of planning analysis. There is nothing comprehensive about this proposed change or about Commissioner Novick’s proposed amendment to the Comprehensive plan for this single property. Further, the method by which the amendment has been included in the final step of the Comprehensive Plan process reeks of developer favoritism and back-office politics over open and transparent process and neighborhood involvement. In addition, circumvention of the regular Type III review robs the City of Portland of more than \$15,000 in fees that would be required through the standard procedures; funds the City explains it dearly needs.”

Thank you for considering this appeal.

Sincerely,

Dave Malcolm  
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