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Cc: [DLCD PR-UGB](#)
Subject: Appeal of decision regarding Comprehensive Plan amendment N-14 – 6141 SW Canyon Ct.
Date: Tuesday, May 16, 2017 8:59:47 PM

To Whom it May Concern:

Thank you for this final opportunity to object to changes that were made to the comprehensive plan through lobby of the city council by an absent landlord against the overwhelming well laid out objections from both the urban planners as well as local residents around the lot in question. This resulted adoption of Comprehensive Plan amendment N-14 – 6141 SW Canyon Ct. Frankly speaking, I thought that we had no further recourse. I suspect that most stake holders did not actually read the notice explaining the final appeal option.

As you will see upon review of the comments and from the community and the trained planners, changing the zoning from an R20,000 (the standard for the riparian street) to R5,000 for the purpose of developing greater density does not make sense, as it will add traffic to a challenging intersection, it reasonably close to effective mass transit, it is immediately adjacent to protected spaces, and it is out of character for the rest of the street to which it is the cornerstone property. It is also not a bypass of normal procedures for such changes, and, as such, is a bad precedent.

When the proposal came to a final vote in the city council the member (Steve Novick) who initially, at the request of the property owner, proposed the amendment actually voted against it (after doing formal due diligence). Other members of council clearly had been lobbied by the owner and his hired attorney, as they clearly ignored the predominance of the data in voting against the planners and the local community. The discussion at the time of the vote was superficial and did not reflect any critical assessment of the work that the community and planners added to the specific issue. (In fact, in a separate conversation, one member's staff cited as evidence of adequate transit services a 20 year plan of transit that may or may not ever come to fruition.)

The adoption of the amendment in a vote this well against the local community and urban planners with the result of benefit to the single absent land owner appears much more like corrupt money based politics over actual thoughtful planning for the future.

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:

1. Is close to a bus stop and the MAX.
2. It is easily accessible by bicycle
3. It is a relatively flat site
4. There should not be R20,000 within the city
5. It is near another high density housing development.
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 change would not only change the character of the street, but also 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 not a convenient 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. It is 200 feet down and then 100 feet climbing to get from the site to the station. During the winter the sidewalks and road is commonly icy. That is not an easy walk or bike ride for the typical cyclist.
3. The site is actually significantly sloped. As previously cited in testimony, 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. The site is close in to the city, but challenged geographically and with weather. The R 20,000 reflects the lack of adequate road structure to support more dense development as well as significant areas of environmental overlay zoning to support the sensitive forest environment of the area.
5. There is significant, higher density development to the West of the subject site, and the City of Portland has approved development of a 244 unit apartment complex less than 1/4 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 pinchpoint at East Sylvan School (1/4 mile to the East). 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.

6. The 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 again for considering our appeal.

Sincerely,
Daniel Root
1521 SW 61st Drive.