

NORTHWEST DISTRICT PLAN REMANDIF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

✓ John Bradley	NWDA	on file
Walters ✓ Ron Walters	NWDA	on file
✓ CRAIG BORETZ	CON-WAY	✓
✓ Kevin Thomas	ESCO	Kevin.thomas@escocorp.com
✓ Carrie MacLaren	Black Heterline/ESCO	ckmac@bhlaw.com

June 10, 2010

The Honorable Sam Adams, Mayor  
Commissioner Saltzman  
Commissioner Leonard  
Commissioner Fritz  
Commissioner Fish

Re: Northwest District Plan Remand – City Council Hearing

Dear Mayor Adams and Commissioners:

Good afternoon. My name is Kevin Thomas, General Counsel for ESCO Corporation. I am here today to support the proposed Northwest District Plan Ordinance on behalf of ESCO. My testimony will briefly address the reasons for our support of this Ordinance and the reasons the Ordinance is appropriate to achieve the City's Comprehensive Plan objectives.

ESCO was founded in Portland in 1913 and today is a worldwide, leading manufacturer of innovative engineered products, primarily wear parts and solutions for mining, construction and demanding industrial applications, including investment castings for aerospace and industrial gas turbines. We have more than 3,500 employees total worldwide with more than 750 of them in Portland working both in our global headquarters and in manufacturing operations.

ESCO is proud of its historic connections with Portland. We are committed to this City and we have worked hard to minimize the impact of our industrial operations on neighboring areas. Nonetheless, challenges in the interface between heavy industry and residential neighborhood must be addressed.

ESCO supported the initial 2003 ordinance and we supports Ordinance before the Council today because they help to: (1) create a buffer to ensure the long-term health and vitality of both the Northwest District and the Guild's Lake Industrial District (the "GLIS"); and (2) provide for jobs retention and creation in the heart of the Portland metropolitan region. Further, these objectives are consistent with the City's Comprehensive Plan goals to "[e]ncourage Council-designated target industries to locate, stay, and expand within the City, particularly in target areas." (City of Portland Comprehensive Plan Objective 5.2.A). The metals industry is one of those target industries and the whole of the GLIS is such a target area.

Specifically, facilitating targeted re-development within Subdistrict B will help achieve these objectives because the building types that would be allowed can serve as a buffer between residents and industry, physically reflecting noise and enhancing and humanizing Vaughn. In addition, increased flexibility as to the type of offices and uses that may be located within

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Subdistrict B (e.g., beyond the headquarters building permitted today) could create locations for other businesses supporting or supported by ESCO and other manufacturers in the GLIS. Such co-location would create synergy between these groups that will help the GLIS remain competitive and provide jobs.

Even with its support for this Ordinance, ESCO recognizes that there are transportation concerns in the area. As such, we have supported and continue to support the Northwest Transportation Fund as one mechanism for funding improvements. We also support the recommendations in the Ordinance directing the Bureau of Transportation to add the striping project to the City's Capital Improvements Plan and to undertake more refined studies in 2015. ESCO is committed to working with the City and neighbors in future development processes. As long as the City addresses these issues proactively, we believe solutions can be found to ensure that these transportation needs are addressed in a manner that supports neighborhood livability, existing business, freight mobility, and future jobs growth.

Finally, it is worth remembering that the idea of a transition area to protect the GLIS from residential and commercial development is not new, but dates back to the City's adoption of the GLIS in the 1970s. At that time, the Council envisioned the two blocks between Thurman and Vaughn as a transitional area to buffer the GLIS from the residential and commercial uses to the south. Instead, over time, this area has been developed with more intensive residential and commercial uses to the extent that it can no longer be relied on to protect the industrial uses in the GLIS. The failure of this transition area is why we believe the Subdistrict B buffer is needed now.

In closing, ESCO appreciates the effort the City has made to review, analyze, and respond to the issues on remand. We believe that the proposed Northwest District Plan Ordinance is good policy for the City and we support its adoption.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kevin Thomas", written over a horizontal line.

Kevin Thomas  
Vice President and General Counsel  
ESCO Corporation

## Proposed Mitigation Improvements

### I-405 Interchange at NW Vaughn Street and NW 23<sup>rd</sup> Avenue

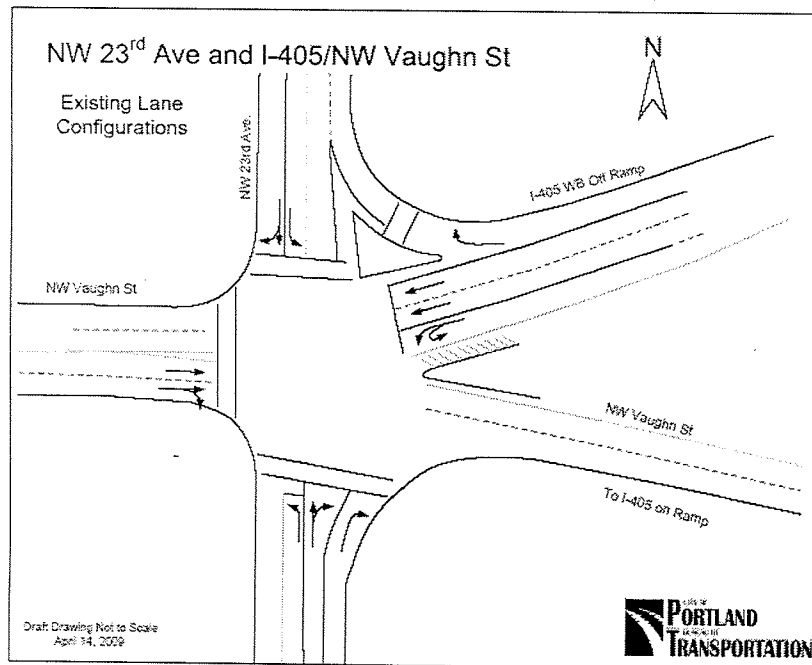
The Northwest Remand transportation analysis has identified that future traffic operation conditions at the interchange of I-405 ramps/ NW Vaughn St and NW 23<sup>rd</sup> Ave will deteriorate below the city's acceptable mobility standard for this facility. This intersection's operational condition could be improved with a modest re-configuration of the I-405 off ramp and re-striping on NW Vaughn St.

Current: The I-405 off ramp consists of: 1) one left-turn lane/u-turn lane; 2) two through-lanes; 3) one channelized right-turn lane.

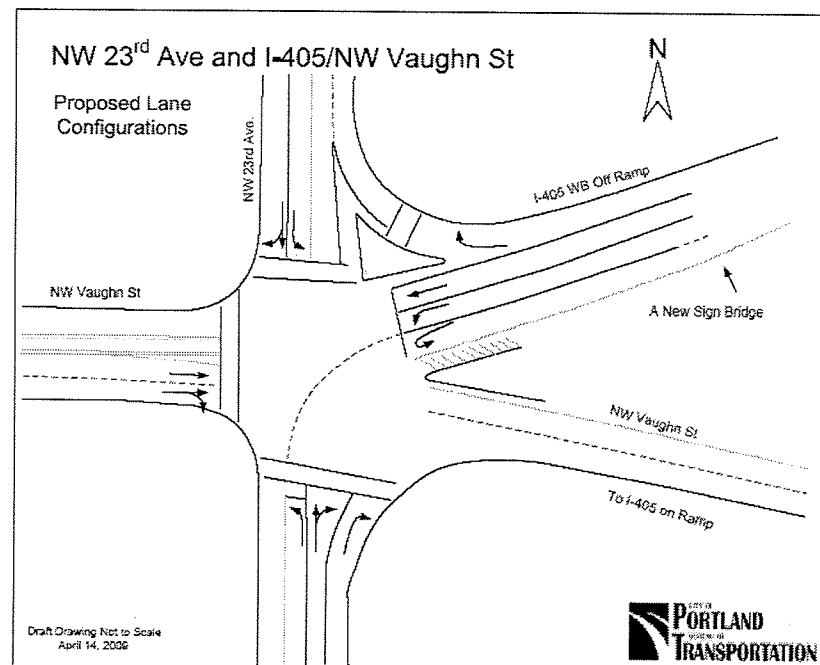
Proposed: Ramps re-configured to include: 1) one u-turn only lane; 2) one left-turn lane; 3) one through-lane; 4) one channelized right-turn lane.

This reconfiguration would allow the intersection to operate at LOS E or better, meeting the City's mobility standards for the facility.

#### EXISTING Lane Configurations on I-405 off Ramp



#### PROPOSED Lane Configurations on I-405 off Ramp



**City Council  
NDP Remand Testimony  
June 10, 2010**

Good afternoon. My name is Ron Walters. I live at 2057 NW Overton Street. I am a member of the NWDA Board of Directors and Co-chair of the NWDA Slabtown Committee. I am testifying today on behalf of the NWDA Planning Committee. My testimony will focus on the progress of the community-driven Slabtown planning project and green streets, both of which are referenced in the October 2009 Remand Resolution (36744).

First, I would like to thank the Mayor, City Council, staff, members of city agencies, and Con-way for working together with NWDA in an open and collaborative way to re-adopt the Northwest District Plan. We are pleased that a compromise was reached on a Masterplan provision, which will hopefully incorporate the community's ideas and preferences, which are emerging from the Slabtown project.

As part of my testimony, I am submitting several slides that summarize the results of the Slabtown survey conducted earlier this year. Very briefly, you will see that the top five considerations for development of the Slabtown area are:

- 1. Parks, Squares & Public Spaces**
- 2. Pedestrian and Bike Friendliness**
- 3. Building Height and Neighborhood Density**
- 4. Mass Transit**
- 5. Environmental Sustainability**

Note that three of these priorities relate directly to transportation. We are learning that the Community is interested in and concerned about a broad range of issues in NW Portland, including transportation issues such as automobile congestion -- not just at 23<sup>rd</sup> and Vaughn -- automobile and other air pollution, mass transit needs, parking, walkability, bike paths, biker and pedestrian safety, and green streets, to name a few.

These survey results, combined with detailed input from four well-attended Community planning workshops, provide the basis for NWDA's ongoing efforts to develop a broadly supported vision and master plan concept for the Slabtown area. Two additional public workshops are planned for this summer. By October, we expect the initial Slabtown Plan to be complete and available for broader consideration by the City and other stakeholders.

Finally, regarding the green streets portion of the Remand resolution, unfortunately, despite the best efforts of NWDA, the Bureau of Transportation, and BES, no meaningful progress has been made to establish green street guidelines for NW Pettygrove and other green streets in the neighborhood. Frankly, we're spinning our wheels a bit and likely need a new approach. The NWDA Planning Committee feels that the project should be treated as a planning issue -- rather than transportation and environmental -- and would benefit from a single lead agency, specifically BPS. We would appreciate Council's assistance to gain traction on this important initiative.

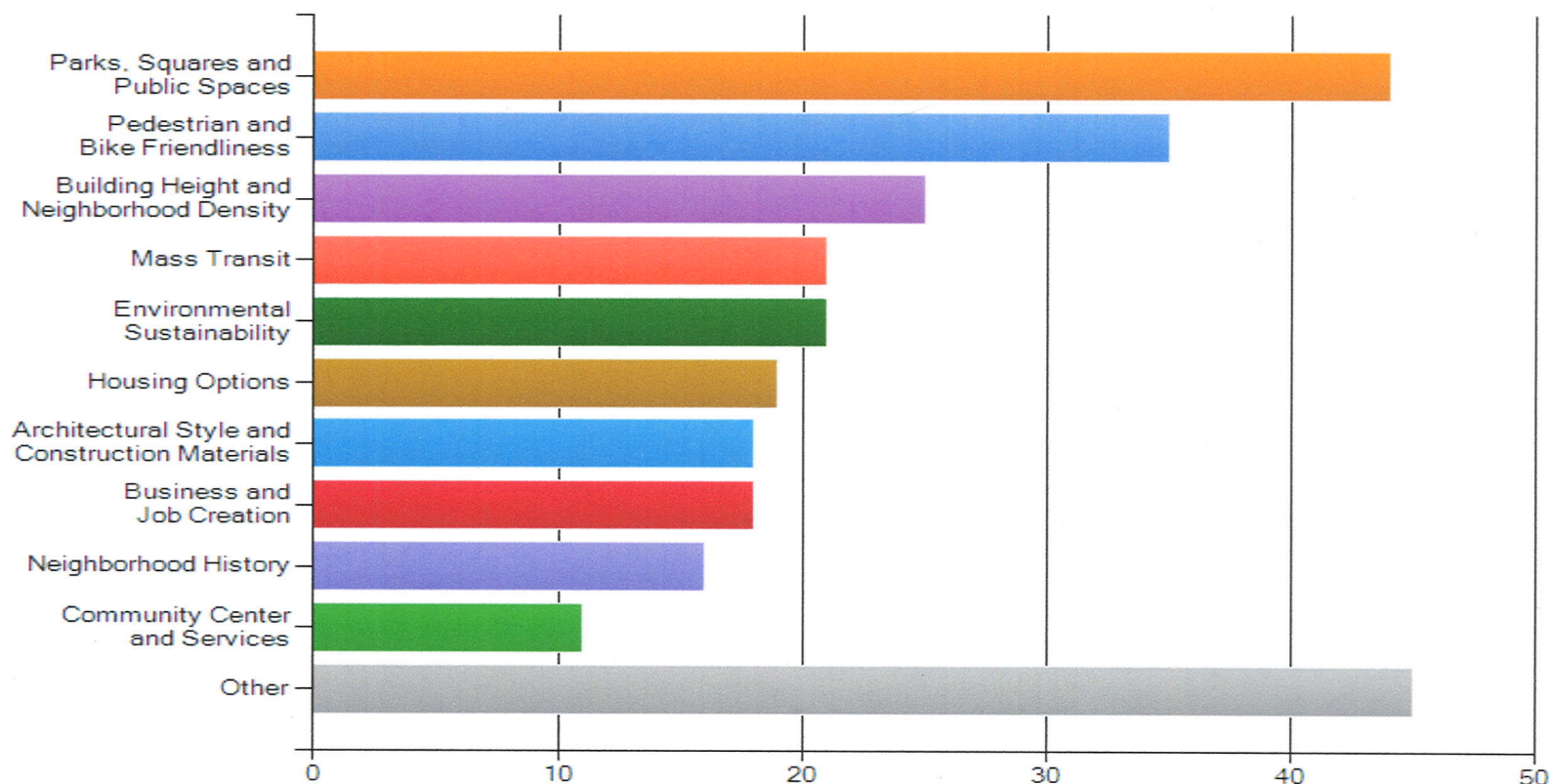
Thank you.



# Survey Overall Priorities

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Overall, what are the most important considerations regarding development of the Slabtown Area? (choose 3)



\* Other includes crime prevention (12.1%), schools & education (9.9%) energy conservation & renewable energy (9.9%), traffic & parking (8.8%), green construction (5.5%), and other (3.3%).



Northwest District Association

The Slabtown Plan

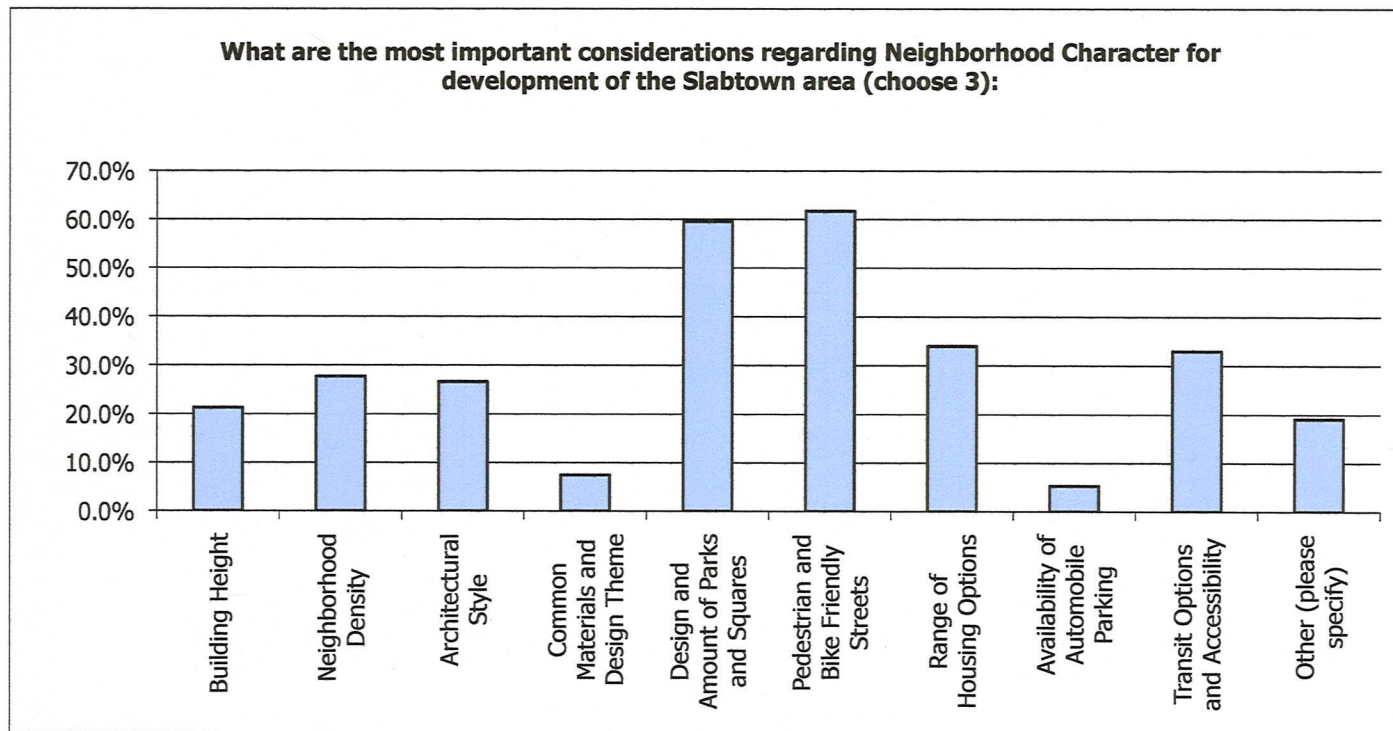
Program of Requirements & Online Survey Results

January 21, 2010

# Survey Neighborhood Character

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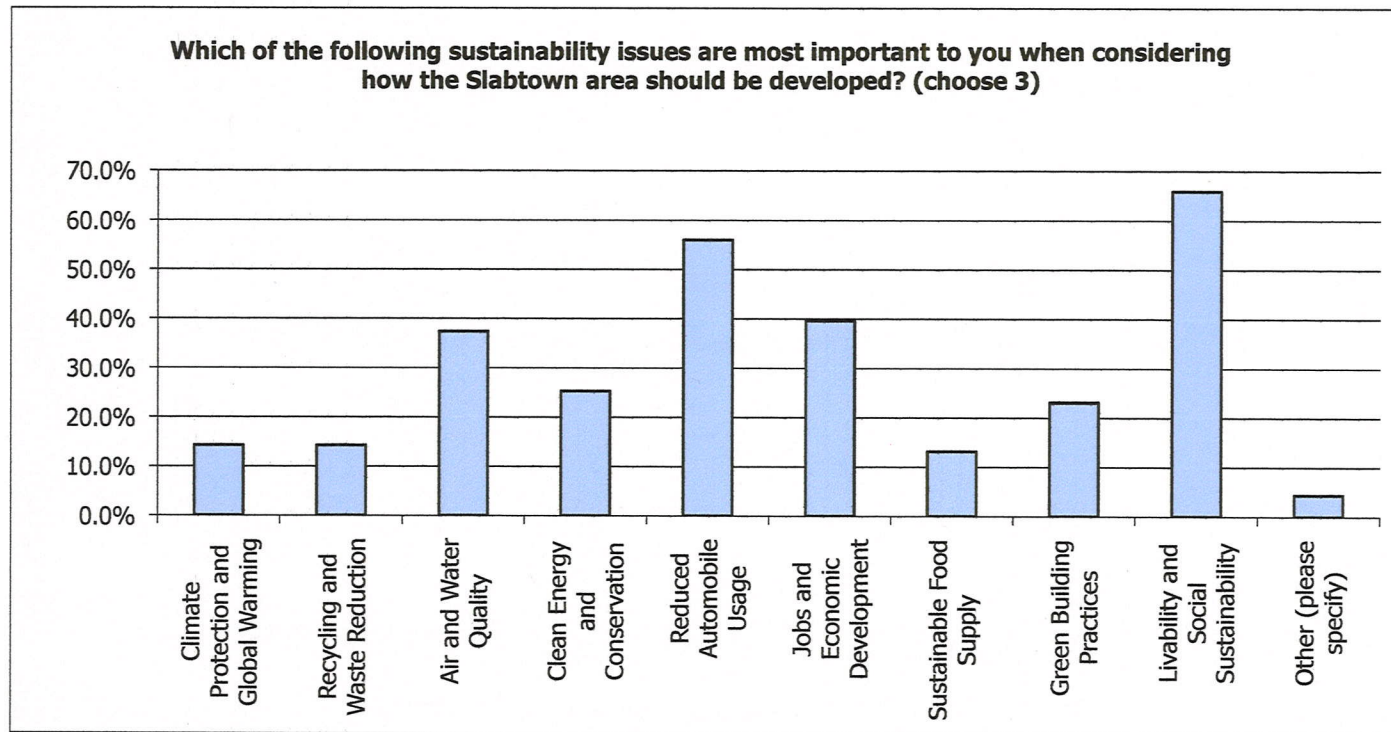
**Pedestrian- & bike-friendly streets and the design & amount of parks and squares were identified as the most important considerations regarding neighborhood character.**



# Survey Sustainability

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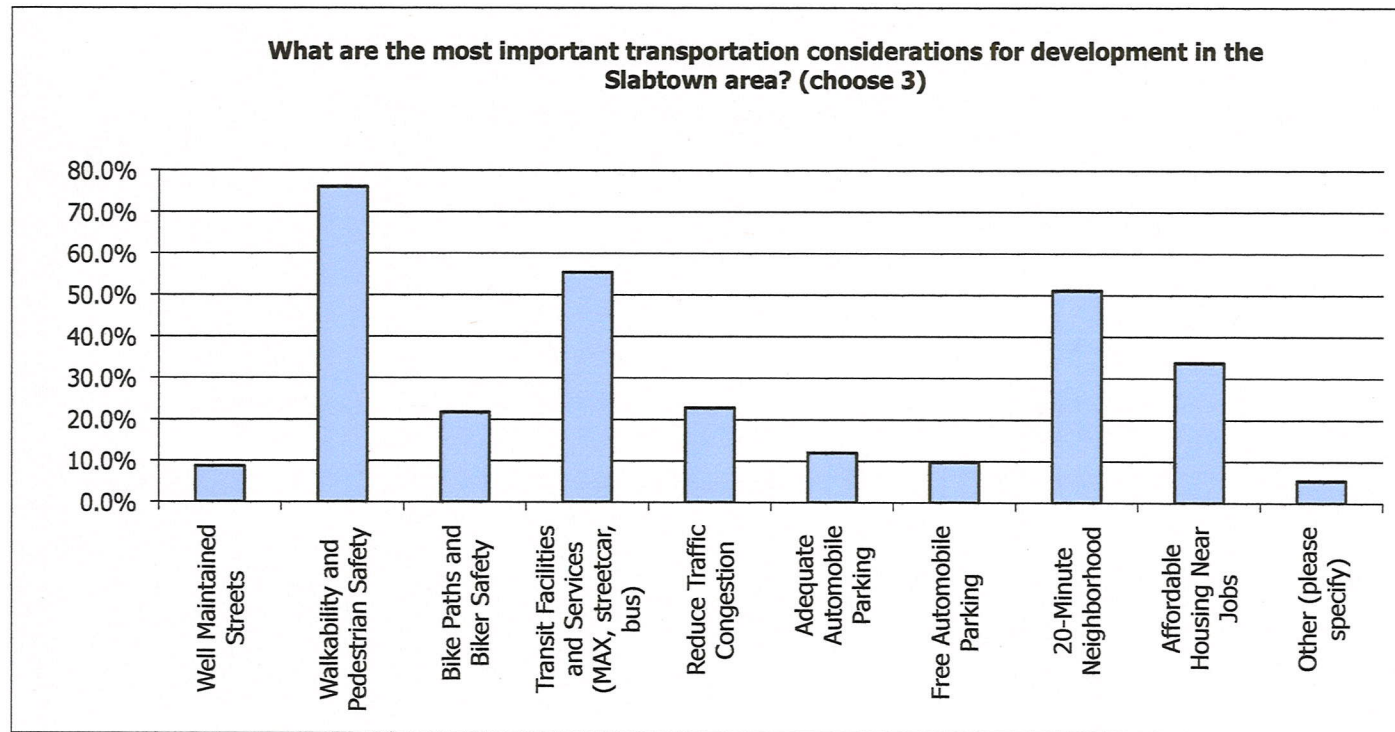
**The most important sustainability issues are livability & social sustainability, reduced automobile usage, jobs & economic development, and air & water quality.**





# Survey **Transportation Issues**

**The most important transportation considerations for Slabtown are walkability & pedestrian safety, transit facilities & services, and the 20-minute neighborhood concept.**



JILL R. LONG  
503.778.2147  
longj@lanepowell.com

June 10, 2010

Portland City Council  
1221 SW Fourth Avenue, Room 240  
Portland, OR 97204-1900

RE: Resolution of Northwest District Plan Remand and  
Adoption of Master Plan Requirement

Dear Honorable Mayor Adams and City Commissioners:

This firm represents Con-way in regard to the above-referenced matters before City Council today. These matters are presented to Council in two separate ordinances that provide: (1) for the adoption of a master plan requirement for certain property in the Northwest District owned by Con-way, and (2) for the resolution of the remand of the Northwest District Plan from the Oregon Land Use Board of Appeals. We are writing to you today to provide testimony on behalf of Con-way in support of these two ordinances.

Con-way supports the adoption of each ordinance for the following reasons:

**Master Plan Requirement**

Title 33 of the City of Portland Zoning Code will be amended to retain the master plan requirement originally included in the 2001 Northwest plan district. The master plan language proposed remains the same as in 2001 with minor changes and will apply to the site identified in Map 562-9, which is consistent with the original 2001 area. The master plan area covers the majority of property owned by Con-way in the Northwest District. Through recent discussions with the City and Northwest District Association (NWDA) it became evident that retaining the master plan requirement would benefit the NWDA, the City and Con-way. The master plan process guarantees a platform for the NWDA and Con-way to work in collaboration with the City to develop the best possible project for the master plan area. To that end, the master plan tool provides flexibility in creating a design for the area that will take into account factors such as transportation impacts, density upgrades and public amenities such as a community park. Allowing for flexibility and certainty through the master plan will benefit all stakeholders and is a much needed tool to support economic development and job growth in the area in a manner consistent with the vision for the Northwest District contained in the Northwest District Plan.

### **Resolution of the Northwest District Plan Remand**

The Oregon Land Use Board of Appeals (LUBA) remanded the Northwest District Plan (NWDP) to the City of Portland to resolve two issues related to traffic. The issues remanded by LUBA are: (1) to determine if the traffic caused by the NWDP will change the functional street classification of NW Vaughn Street; and (2) to determine if the traffic caused by the NWDP will cause the intersection of NW 23<sup>rd</sup> and I-405 to fall below acceptable levels of service. LUBA found that these questions were left unanswered in the original findings adopting the NWDP. To that end, LUBA stated that, "There may be evidence in the city's study or elsewhere in the record that would allow a reasonable person to conclude that [the criteria are met] but the city has not cited us to it." Through the ordinance before City Council today, the City clearly cites the data necessary to find that the traffic criteria are met. Three main components of the ordinance are discussed below in support of the remand resolution.

#### **(a) Traffic Study Findings and Assumptions.**

The City prepared the Northwest District Plan Remand Transportation Model Technical Report (Traffic Study) to answer the questions posed in the LUBA remand. The Traffic Study utilizes regional state-of-the-art data from Metro (Metro-model) that provides assumptions related to job and household growth in the NWDP area for the planning period ending in 2030. In connection with the Metro-model, the City also analyzed micro-level data gathered by City staff through local surveys of NWDP area businesses. The survey findings supported the Metro-model assumptions. Specifically, the micro data showed that the Metro-model assumptions were higher than those confirmed through the local survey. In other words, the Metro-model projected more growth than anticipated based on the local survey. Therefore, the Traffic Study provides a conservative approach to estimating the impacts of future traffic growth caused by the NWDP. The combination of these two methods provides a reasonable approach to projecting growth over the long-term planning horizon. Although predicting with total accuracy the patterns of human behavior over such a lengthy planning period is always difficult, the method employed in the Traffic Study is a conservative and best possible approach. While some assumptions are anticipated to be low (such as housing), other assumptions are anticipated to be high (such as job growth), and when taken as a whole, the Traffic Study provides a reasonably accurate prediction of future transportation growth caused by the NWDP.

(b) Mitigation and Level of Service at NW 23<sup>rd</sup> and NW Vaughn

With mitigation the intersection at NW 23<sup>rd</sup> and I-405 will stay within acceptable traffic levels. The mitigation identified in the Traffic Study will become a priority element in the existing Transportation System Plan (TSP) project #60027. The priority of the mitigation in the TSP is supported further by a directive in the ordinance for the project to be included in the Capital Improvement Plan. To determine the timing of the need for the mitigation, the ordinance provides that in 2015 the City will evaluate the interchange to determine if the level of service has fallen below acceptable levels. If so, the CIP will be amended to include funding for the mitigation. This assurance on timing provides a clear picture of how the City will monitor, address and fund traffic needs at NW 23<sup>rd</sup> and I-405 over the planning period. Taken as a whole, this package of City commitments and traffic analysis satisfies the criterion related to acceptable levels of service at NW 23<sup>rd</sup> and I-405.

(c) Neighborhood Collector Classification of NW Vaughn Street.

The Transportation Element of the City's Comprehensive Plan describes that neighborhood collectors "are intended to serve as distributors of traffic from Major City Traffic Streets or District Collectors to Local Service Streets and to serve trips that both start and end within areas bounded by Major City Traffic Streets and District Collectors." In connection with this description of Neighborhood Collector, the LUBA remand directs the City to look at the "quality" of the traffic found on NW Vaughn Street to determine its functional street classification. In other words, the *types* of trips made, rather than the *number* of trips made, determines the functional street classification. The Traffic Study finds that the quality of traffic does not change because of the NWDP. Specifically, the Traffic Study states that trips beginning and ending within the bounded areas "remain the same" after adoption of the NWDP. The majority of trips on NW Vaughn will begin or end within the Neighborhood and will include the same number of trips as today that begin and end in the neighborhood. Therefore, the functional street classification of NW Vaughn Street will not change because of the NWDP.

Con-way finds that the issues remanded by LUBA related to the NWDP have been fully satisfied and the adoption of the NWDP meets all applicable criteria. Furthermore, Con-way supports the

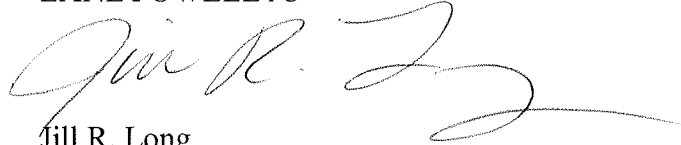


June 10, 2010  
Page 4

amendment of Title 33 of the City of Portland Code to include the Master Plan requirement.  
Thank you for your consideration.

Very truly yours,

LANE POWELL PC



Jill R. Long

JRL:vaf  
704662.0050/856502.1

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**Parsons, Susan**

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**From:** van Staveren, Susan  
**Sent:** Tuesday, June 08, 2010 10:44 AM  
**To:** Moore-Love, Karla  
**Cc:** Wood, Sandra  
**Subject:** FW: Letter in Support of EX Zoning for NW Plan District

Karla – Michael asked me to forward this to you for the NW Plan District Remand Hearing at 2:00 this Thursday. Thank you. Susan

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**From:** Michael Allport [mailto:mgallport@gmail.com]  
**Sent:** Tuesday, June 08, 2010 10:28 AM  
**To:** van Staveren, Susan  
**Subject:** Letter in Support of EX Zoning for NW Plan District

Dear Council Members:

I am writing this letter in support of a return to EX Zoning for the NW Plan District. As a small developer I and a partner purchased a 23,000 sq. ft. building located at 1420 NW 17th Ave with the idea of turning the then existing warehouse/office into a multi-use facility for activity or cultural based tenants. When we purchased the building in late 2005 we payed a premium for the EXd zoning and the taxes had been adjusted significantly higher based on that zoning change.

In 2006 we put in U.S. Wushu Center, a Chinese cultural academy teaching Tai Chi and Wushu (Chinese martial arts) and Chinese language and culture classes. We also put in Pearl Court Activity Center, a state of the art basketball (and volleyball) facility which is used for those purposes by numerous leagues and area schools, as well as for recreation for younger children by the River District Community group and Childpeace Montessori School.

In the intervening years of 2008-2009 the economy collapsed and we lost to bankruptcies several office tenants and our main anchor tenant, which had occupied the original warehouse at the time of purchase (and had pared back to allow development of the facilities described above) These losses have caused an extreme economic challenge to the viability of our project. I was not even aware of the loss of the EXd zoning due to the remand and continued during these difficult times to secure the rare tenant. Finally within the last 6 months I've connected with 2 potential tenants that are an excellent fit with the overall building development concept. One is an extensive children's climbing structure with additional activity/party rooms and healthy food offerings, the other is a athletic training facility for serious biking enthusiasts. When i began to explore permits for these potential tenants I learned for the first time that because of the remand my proposed uses are not allowed under the General Industrial zoning despite the fact that I bought the building because of the EXd zoning and developed nearly half of it under that zoning classification.

I find myself between the proverbial rock and hard place and my attempts to create something useful and positive for our community and greater City is on the verge of collapse. I urge you to reinstate the EXd zoning as expeditiously as possible.

Thank you for your consideration.

6/8/2010

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Michael Allport

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