



# Northwest District Association

July 13, 2017

## **Portland Design Commission**

1900 SW 4<sup>th</sup> Avenue  
Portland, Oregon 97201

## **RE: LU 16-100496 DZM M – Block 290 - Slabtown Square**

Dear Commissioners:

The NWDA is forwarding the following testimony in response to the revised BDS Staff Report issued Friday, June 30, 2017 and the associated Portland Design Commission hearing on July 6, 2017. It offers an overview of the Con-way Master Plan's objectives and a list of issues that underscore our opposition to the proposal and the process by which this proposal has been reviewed.

The Staff Report goes to considerable effort to make ambitious and complicated findings in support of the Applicant's requests for numerous Modifications and an Amendment to the Con-way Master Plan. The NWDA wishes to reestablish, in this testimony, an overview perspective on the essential goals of the master plan, and how it was structured to achieve them. The NWDA believes that the assessment of the compliance of this proposal with the requirements of the master plan needs to return to this basic perspective in order to be consistent with the master plan's objectives, and to be respectful of the careful process and enormous dedication of time, intention and effort that went into creating them.

The fundamental goal of the master plan was to create a system of public open spaces that would not only provide for badly needed open space in a part of the NW neighborhood that was long deficient, but also to create a series of iconic parks, forecourts, public squares and passages that would be a legacy asset to the city as a whole.

The mechanism for achieving that goal was an agreement between Con-way, the city and the neighborhood that allowed for the open spaces to be created. The agreement allowed Con-way to capture the developable density of the entire masterplan area, including *in addition* that of the street right-of-ways and of the areas to be dedicated to open space, and allow that aggregate density to be then distributed to the defined development sites; essentially taking the allowed density off of open spaces and in turn allowing it to be transferred onto the building parcels, achieving in many instances greater density than would otherwise have been possible. The limit to the amount of density that could be transferred to any given parcel was not determined by a specific maximum FAR, but rather by the maximum building envelope as defined by height limits and setbacks that were determined by urban form considerations, and by other restrictions, particularly with respect to buildings adjacent to the open spaces.

These building envelopes, or density restrictions were set out as Development and Design Standards. They were codified as such, and not as design guidelines, because they were

essential to achieving the overall urban design concept of the Con-way Master Plan area, and needed to be clearly objective and enforceable, and not subjectively interpretable.

At the same time, the master plan recognized the need for a level of flexibility to accommodate unforeseen opportunities and conditions, and to that end provided for the modification of the standards, and the master plan itself, providing the modification proposed improved on the outcome of the master plan and better met the standards. These conditions were set out as the Approval Criteria for amendments and modifications, with a view to them creating better buildings and a better public realm.

By way of example, a single building mass that requires innumerable modifications that negatively affect the public realm and also subtracts 3,000 sf of land from the public realm, would not be, on balance a better outcome unless the size of the square were increased by 3,000 sf.

The current proposal fails to meet the requirements of the Standards and of the Conway Master Plan. The Applicant proposal is requesting numerous modifications to the Standards and an Amendment to the Master Plan. The requested modifications and amendment *do not create better buildings or a better public realm*. They are being requested solely as relief from the requirements on this development parcel. Taken individually and as a whole, they have no basis for approval in that they do not meet the criteria for approval as clearly defined in the master plan.

From a perspective of size, character and uses, the Block 290 proposal is a failure. A smaller than required square, a smaller park, a smaller than required connection between the park and the square, no connection to Quimby Street, bigger buildings without required stepbacks; these are the ways this proposal fails to bring forward, on balance, an iconic public square for the Northwest neighborhood and for Portland.

The NWDA adamantly opposes the current proposal on Block 290, and it adamantly objects to the process by which this proposal has been reviewed.

The NWDA opposes this development proposal for the following reasons:

1. It proposes private development in designated public park;
2. It proposes to expand the development site when there is no justification for doing so;
3. It proposes to expand the development site for solely private benefit;
4. It fails to meet numerous Standards simply because the development team is unwilling to do so;
5. It proposes significantly more density on the development parcel than is allowed by the maximum building envelope defined by the master plan;
6. It disregards the 200' by 200' block pattern that is consistent throughout the master plan area;
7. It proposes a series of awkward relationships between the proposed retail spaces and the adjacent public sidewalks;
8. It fails to achieve the necessary, and required, connectivity between adjacent public spaces;

9. It proposes a pedestrian accessway where there is to be a public park, and fails to coordinate with the future park;
10. It completely discards the idea of the Quimby Festival Street in order to provide vehicular access to private below grade parking;
11. It fails to meet the Standards, much less recognize the attributes, for a successful public square, which is the sole requirement for Block 290W.

The NWDA objects to the process by which this proposal has been reviewed for the following reasons:

1. The current proposal is an entirely new submittal, but was considered a continuance to a prior withdrawn submittal from 14 months earlier;
2. The Commission failed to follow the explicit requirements for assessing whether a requested Modification or Amendment meets the Approval Criteria set out in the master plan;
3. The revised Staff Report repeatedly seeks to find findings that support the proposal by interpreting the Standards to fit the design, rather than assessing whether the design meets the Standards.

Block 290 is the centerpiece of the Slabtown area and of the NW neighborhood. The public park and square that are to reside there are in many ways the reason for the entire Con-way Master Plan effort. The NWDA believes that the master plan and its system of public spaces are being compromised beyond recognition. The NWDA views this as a once-in-a-generation opportunity to create priceless public assets. This opportunity is being discarded by short-sightedness and an unwillingness to follow through on the vision of the master plan that was so carefully negotiated, and was enthusiastically and unanimously approved by City Council a few short years ago.

Best Regards,  
Northwest District Association Planning Committee



Greg Theisen  
Co-chair, NWDA Planning Committee



Karen Karlsson  
President, NWDA; Member, NWDA Planning Committee