

# Montgomery Park to Hollywood

## Transit and Land Use Development Strategy

### Northwest Plan

#### **Public Comments** on the December 2021 Discussion Draft

May 2022



THE BUREAU OF  
**PLANNING &  
SUSTAINABILITY**

# CONTACT

**Barry Manning, Portland Bureau of Planning and Sustainability**

Project Manager

[barry.manning@portlandoregon.gov](mailto:barry.manning@portlandoregon.gov)

**Julia Reed, Portland Bureau of Transportation**

Project Manager

[julia.reed@portlandoregon.gov](mailto:julia.reed@portlandoregon.gov)

**Nicholas Starin, Portland Bureau of Planning and Sustainability**

City Planner

[nicholas.starin@portlandoregon.gov](mailto:nicholas.starin@portlandoregon.gov)

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# Introduction

The Montgomery Park to Hollywood Transit and Land Use Development Strategy (MP2H) studied opportunities to create an equitable development plan for transit-oriented districts in NW Portland and NE Portland. Funded by a Federal Transit Administration (FTA) grant, the effort is a partnership between the Portland Bureau of Planning and Sustainability (BPS) and the Portland Bureau of Transportation (PBOT).

This document contains the public comments received on the MP2H NW Plan Discussion Draft, a preliminary proposal for a new transit-oriented mixed use district in NW Portland, between NW Vaughn and NW Nicolai streets. The Discussion Draft proposes land use changes in this area to complement a potential extension of the Portland Streetcar to Montgomery Park. The draft also proposes a framework to promote development that creates more equitable outcomes and benefit to the community. The MP2H NW Plan Discussion Draft was published in late December 2021 and was available for public comments through April 22, 2022.

The MP2H NW Plan Discussion Draft included three major components:

- [Volume 1: Summary and Report](#). This volume describes the recommendations and explains why they are being made.
- [Volume 2: Zoning Code Amendments](#). This volume includes the zoning code amendment language with commentary to describe the recommended changes.
- Appendices: Companion Documents and Supporting Reports. This includes companion and supporting documents that complement or help to inform the Discussion Draft. [Appendix A. Montgomery Park Area Transportation Plan](#) is the companion transportation plan document for the MP2H Discussion Draft.

The MP2H NW Plan Discussion Draft public comments in this document are divided into two sections:

- 1) Section 1: Comments Received through the BPS Map App. This was the primary method of collecting comments on the draft. Over 40 public comments were submitted via the map app.
- 2) Section 2: Comments Submitted by Email. In addition to the Map App, comments on the MP2H NW Plan Discussion Draft were also received by email. This section includes those comments.

## Next Steps

City project staff are reviewing public comments to understand the issues and perspectives they address and will evaluate how best to respond. Staff expects to prepare a Proposed Draft report later in 2022 that will incorporate changes to the proposal that are the result of consideration of these public comments, technical and agency issues that arise, and other sources. The Proposed Draft will include a summary of themes presented in the comments received on the Discussion Draft.

The Proposed Draft will be published for public review and consideration by the Portland Planning and Sustainability Commission (PSC). The PSC will hold public hearings and take public testimony on the proposal, prior to deliberations. The PSC will deliberate, potentially amend the proposal, and make a recommendation to Portland City Council on the MP2H NW Plan.



## Section 1: Comments Received through the BPS Map App ([www.portlandmaps.com/bps/mp2h/](http://www.portlandmaps.com/bps/mp2h/))





**Commentor: Stefan Andren**

**Area/Properties Referenced:** Area west of Highway 30, and south of NW Nicolai; 1N1E28CB 1600; 1N1E28CB 1500; 1N1E28CB 1400

This letter is submitted in strong opposition to the current zoning proposal on this project, specifically to the small isolated island of Industrial land area west of Highway 30, and south of NW Nicolai Street slated to remain Prime Industrial while ALL immediately adjacent properties are rezoned for higher density.

I am a small industrial business owner operator, and for better part of a decade, a property owner in this area. The only reason I bought property was to benefit my manufacturing business. The only way I was able to afford to buy property was because of an SBA loan tied to my business.

Change is clearly coming to this legacy industrial district of Portland. That was inevitable since the day ESCO shut down, if not sooner than that. This change is driven by large business entities and interests such as Montgomery Park/ Unico, the new ESCO site ownership, Portland Street Car, and others.

The change is not specifically tied to a street car or its routing, but generally associated with the increased neighborhood density that comes with higher use zoning.

Change like this cannot be isolated to one side of a narrow street, while allowing the other side to continue without change. Change is therefore coming to the ENTIRE area west of Highway 30 and south of NW Nicolai Street, regardless of zoning.

As an industrial tenant, I'm concerned that I won't be able to operate as an industrial tenant for that much longer. Moving my business is very costly and a huge business interruption. I might also lose key employees if the new location is further away.

As a property owner, I'm outright scared for my financial future under the current plan. I don't have confidence that I will be able to find another industrial tenant. I will be stuck with a mortgage and no rental income. Without a tenant in place my property will decline in value, if I'm able to sell it at all. Finding a new industrial owner operator buyer will obviously be near impossible.

Today, this pocket is your typical industrial neighborhood. 53 ft trucks both pass through and jack-knife street access. Forklifts are driven around to load and unload everything from pallets of raw material, finished goods, and equipment weighing up to 10000 lbs. Mixing that with the inevitable increase of through traffic, parking vehicles, cyclists, and strolling pedestrians is a really bad idea. All it takes is for one illegally parked vehicle to prevent a truck to be able to access a loading dock. The business repercussions of that are huge on both sides.

Streets with loading docks as side walks - like NW 13th Ave and here - are very functional for shipping and receiving, and great for strolling pedestrians, but NEVER for both at the same time. The current proposal is not taking this into consideration. Correct me if I'm wrong, but I don't believe that a few interspersed blocks in the Pearl still have restrictive industrial zoning, and pedestrians and personal vehicles know to avoid those particular areas. Mixing the two WILL end with dismemberment and death. It's just a matter of time.

I am aware that there is a need to preserve industrial land within the City of Portland. But if that land is not suitable for industrial use in reality, it's only accomplished on paper. In reality there are no winners, only losers.

As a very small fish in a pond with a few very large Apex predators, it's easy to get the impression that the type of businesses that are getting the short end of the stick under the current zoning proposal are the exact ones that the City is proclaiming it wants to protect and help strengthen against larger market forces. The optics of the current proposal is from a public relations perspective therefore pretty poor.

What the Planning Commission has to give appropriate weight to is that this change is NOT driven by me. I have not pursued it in any way. On the contrary, this change is being inflicted upon me and my neighbors.

As this change is inevitable, the logical zoning proposal is to rezone ALL properties west of Highway 30 and south of NW Nicolai. I understand that this would come with a proposed financial penalty as well as an affordable housing mitigation strategy. I believe I can support that under the right terms. This solution would allow me to find tenants for my property when change has driven my business out of the neighborhood.

Thank you for the opportunity to comment.

**Richard Ballou**

**Area/Properties Referenced:** 1N1E29DA 1300; 1N1E28C 100; 1N1E29DA 1700; 1N1E29DA 1800

It would be great to consider a Community Garden somewhere in the proposed redevelopment area. It could serve new and existing residents. Currently the closest Community Garden is at 4300 NW Cornell Blvd. Adams Community Garden is not readily accessible except by car or long hike. Thank you for your consideration.

**Cassie Cohen**

**Area/Properties Referenced:** NA

I am not submitting my comments on behalf of my organization, Portland Harbor Community Coalition. We have not had the time to discuss it as a coalition of organizational and individual members. I was the one who helped Mr. OB Hill submit his comments. I also was connected by a friend and colleague to a woman by the name of Ronni Teicher who has lived in the NW neighborhood for 38 years. She currently lives at the Elysian Gardens Apartments that was built in the 1930s. The street addresses are 2630 and 2651 NW Upshire Street and 2630 and 2650 NW Vaughn Street. They are half a block away from Montgomery Park. She said is the longest resident of this housing - 30 years. She indicated that the Sylo Company who also built the New York building in the area took over the apartments on March 25, 2022. Residents were informed that the building will be demolished but have been given no timeline, so they have no idea when they will need to vacate. Many of the residents have lived there for decades, are very worried, and would like to be able to remain in the area. This apartment complex is likely naturally occurring affordable housing stock that the City has talked at great length about needing to preserve. Residents will be unable to

find replacement housing that they can afford. As you know, this will mean one of two things: 1. Folks will either become homeless or 2. have to move out of the Portland Metro area to somewhere they can afford to live.

Many false promises have been made for community benefits such as affordable housing to co-occur with development and zoning changes in the city of Portland that have moved forward without those community benefits. What safeguards, if any, will planners put in place to memorialize community benefits such as the ones the Mr. OB Hill is demanding? Our coalition, PHCC, the Metropolitan Alliance for Workforce Equity and others, are committed to supporting the trusted tool called community benefits agreements (CBAs)-- multi-party agreements set by impacted communities, labor, owners, City of Portland, developers, and contractors. CBAs are binding agreements that memorialize plans beyond political and staff changes to City government, so that diverse workforce and contracting goals, affordable housing goals, reparation goals for longtime displaced residents to return and to be able to own property for living and business use. CBAs are in alignment with Metro's Workforce Equity Agreement under discussion at City Council currently and up for vote soon. This would be the only way I would feel comfortable with a lightrail transportation plan moving forward. I would want to see sequencing of the project so that the community benefits come early in the development process.

I also share concerns similar to the League of Women Voters of Portland who submitted comments. They are involved in our coalition as well. Conservation groups have battled industry along the river in the industrial area for several decades who have always claimed there is a shortage of industrial land and therefore, the entire area has been left out of/made exceptions for tree canopy, and other habitat restoration that has occurred around the rest of the city. This has been used as an excuse to maintain the status quo, while industry, including the Port, has found ways to perform upzoning of heavy industrial lands to commercial uses for profit. This means even pressure to not have alternative uses, such as habitat restoration or public recreational access to the river. Safe access to the river for fishing and other recreation has been almost non-existent in the Portland Harbor zone for decades. So, I have all sorts of concerns about how mitigation would have negative implications for the environment and people if the industrial zoning is changed for this transportation plan and future development. I also share concerns about preserving livable wage jobs. I don't know exactly what jobs occur in this area that would be lost due to the zoning changes.

If anything is to move forward with this, I insist that there be an inclusive procurement process that involves community members in all steps to hire contractors of any kind on this project. I am happy to share with you at a later time an inclusive procurement plan that we have used with Bureau of Environmental Services, the State of Oregon, the Port of Portland, and Metro.

**DeShaw Holdings LLC**

**Area/Properties Referenced:** area of NW York and NW Roosevelt; area from NW Vaughn to NW Nicolai and from NW 23rd to NW Wardway

My company, DeShaw Holdings LLC, owns four properties in the proposed area. All are in the area of NW York and NW Roosevelt that are intended to be rezoned to EX. I do not have any objection to rezoning (with reservations stated below), in part because it restores correct zoning to this area given its present and prior historical use as a partial residential and commercial business neighborhood. As the city is aware, NW Roosevelt between NW 23rd and NW 24th (presently

projected to host the streetcar) is entirely residential on one side and a parking lot on the other. One hundred years ago, it was a combination of residential, park and commercial business. Its use as industrial land has been limited in time.

That said, I do not agree with any LID, industrial land purchase fund, or city kickback for rezoning. I had not ever anticipated such a rezoning when I purchased this land (at significant expense and financial jeopardy to myself) and ultimately this rezoning provides the City of Portland and Multnomah County with a massive tax benefit if done correctly. This will provide massive financial benefit into the future without financially encumbering land of property holders that are already supporting the local economy through employment and massive county and property taxes. What I did not expect when purchasing private land is a governmental entity attempting to take any profitability after I had financially taken the risk to purchase it. I also believe that a "profit sharing" plan for the city with landowners who have paid all mortgage payments and massive property tax bills is legally impermissible and absolutely improper. To the extent any LID, industrial land purchase fund assessment, or increased land value kickback would be required of me for the City's unilateral decision to rezone correctly, I oppose the plan.

Since the lots owned by my company are already included in the area to be correct rezoned as EX, I provide the following opinion free of any personal or financial benefit to myself. I think that the City of Portland's present plan to rezone only up to the South side of NW York Street fails to recognize the huge public and governmental benefit of rezoning the entire area from NW Vaughn to NW Nicolai and from NW 23rd to NW Wardway Street (West of Montgomery Park.) Doing so merely restores this area to its prior use. It is an unparalleled opportunity for the City to revitalize a previously vibrant part of Portland in a way that will provide excellent opportunities for jobs, housing and tax revenues. Given the additional area included from NW York to NW Nicolai (presently excluded), Portland could attract major employers that offer significant wages, and major building projects. Rezoning this entire area would encourage employers to provide opportunities for high quality and high paying jobs and concurrently support a more diverse citizenship in Portland, which is much needed. In turn this will support for Portland area schools, the arts, sports teams, quality housing, better support for merchants, restaurants and much more. At a time when quality of life in Portland has fallen dramatically and businesses and the city's tax base have been rocked by COVID-19, riot damage, and the very serious homeless problems, rezoning this entire area provides the City of Portland an unparalleled opportunity.

Most of the businesses in this area of town are not being used for industrial purposes at this point and instead are operating in light manufacturing or eCommerce. While my business in book and media warehousing and shipping may not be impacted like many by the development in this proposed limited area, the reality is that once you rezone up to NW York the increased vehicle and foot traffic in this area of town will make operating a manufacturing or industrial business in this area nearly impossible. To make this area of town everything it could be, rezoning needs to make moving these businesses possible through increased land prices. This will encourage present land owners to move their businesses to another part of Portland and allow developers to maximize the public benefit in a large space. The jobs will substantially increase Portland's tax base and improve quality of life for Portland residents.

It is not realistic to expect those on NW York and the streets north to Nicolai to continue having semis and forklifts used on the roads when streetcars and increased traffic density will create a nightmare both for business owners and citizens. Even in the areas with public transit it is clear that

many Oregonians still use their cars, and we can expect the same in this newly redeveloped area of town. The maximum value to both the City and its citizens is in providing a high quality, high density area that is safe for travel. I do not believe anyone benefits from this by creating an artificial rezoning line at NW York instead of NW Nicolai where the width and traffic creates a natural border for the rezoned area.

Rezoning this area extends the success of NW 23rd to a new and potentially beautiful part of the city that was once host to the Lewis and Clark Centennial Exhibition - the most beautiful and desirable area in Portland 100 years ago. It was not industrial land then, and it does not need to be industrial land now. The graphics of this proposal by the city provide a vision for what this part of Portland could become if this is done the right way from the beginning. It makes sense to recognize that Portland needs less industrial space at this point and that we need to provide space for the diverse workers that are pushing the US Economy forward today. We either address that issue (and others) immediately in Portland, or Oregon will continue to lose business opportunities to other states who are willing to develop land to improve quality of life for all citizens.

### **Development Company of the West**

**Area/Properties Referenced:** NW 23rd and Nicolai and 23rd and Vaughn

RE: Montgomery Park to Hollywood Transit and Land Use Strategy

While I embrace the vision for the ESCO/Montgomery portion of the study area presented in the draft MP2H plan, the zoning and transportation plan do not support the vision and negatively impact the properties fronting NW 23rd between Vaughn and Nicolai.

The vision of the MP2H plan for the area west of Highway 30 is to “transition” into an intense mix of land uses including housing, employment office/light industrial, institutional uses, and supportive commercial uses. Given the surrounding land uses and future employment patterns, this is exactly what should happen.

However, by constraining the access and parking and keeping the existing industrial plan designation, as the plan advocates, the buildings on NW 23rd will be functionally obsolete for a considerable period of time before being ready for redevelopment. The city and this plan should promote these properties (which totals under 500,000 square feet of improvements) for light industrial, maker spaces, creative offices and supportive/bulk retail, to maintain a front door of existing historic space, while the area further west is developed with more intensive new improvements.

For context, I am the managing partner of Development Company of the West, LLC., which owns the properties located at the corner of 23rd and Nicolai and 23rd and Vaughn with the former a 42,000 square foot, historic industrial building and the latter a 2,950 square foot restaurant building.

The draft plan, also misses the opportunity created by NW 23rd as it extends north from Vaughn. NW 23rd is Portland’s original walking street and has a vibrancy and cache that is unmatched throughout the city. To create a future mixed-use area, served by a streetcar, while ignoring the importance of NW 23rd, is to miss a very important opportunity. Further, to eliminate access and on street parking while mandating continued industrial uses, is create a real estate wasteland.

By using NW 23rd as the transition from the industrial uses of yesterday along with the freeway, to the mixed use of tomorrow to the west, and by promoting the area along NW 23rd to transition to creative offices, maker spaces, artists' lofts and large format retail, the existing buildings have a future that will create the transitions into the area to the west, as envisioned by the plan. Without creating this connection, and with the proposed loss of parking, this area will become underutilized in the transition, and become an eyesore.

The current industrial designation of this area works and has for many years. However, to limit its future use by keeping some of it designated IS and redesignating other parts ME, constrains its ability to be part of this exciting new community that relies on the streetcar for access and is a welcome neighbor to new offices and apartments to the west. The entire area south of Nicolai and west of the freeway should be redesignated EX in the comprehensive plan.

This is a concept that has worked in Portland countless times; witness The Pearl District and SE Portland, where the historic buildings are embraced and encouraged to transition over time, while new buildings are integrated into the neighborhood.

In addition, the grid system should be extended to NW 23rd and transit stops should occur on NW 23rd as should connections between the area North and South of Vaughn on 23rd, to preserve the continuity of NW 23rd on both sides of Vaughn and move that continuity from Slabtown to NW 23rd and to Montgomery Park through the ESCO site.

Rather than creating a no-man's land on NW 23rd that will be underdeveloped, the City is better served to address the entire area with a comprehensive plan designation that enables each property to address the existing market and provide flexibility for future uses, access to modern transit and available on street/free parking for employees.

Why invest in an area and constrain its most visible and accessible pieces with planning that constrains its use? Expand the EX-designation to incorporate the area to the corner of NW 23rd and Nicolai and up to 23rd and Vaughn. All parties involved should embrace this to enable the front door of this area, to the freeway and the interchange, to thrive. By incentivizing owners to remodel historic buildings and retenant with contemporary uses, rather than being constrained with yesterday's zoning, is to create Pearl District II to compliment the new and densely developed ESCO and Montgomery Park properties, with tenants that are clean creative office uses, maker spaces and bulk retail. This makes for a better transition from the boutiques and restaurants of NW 23rd to the dense residential and office of ESCO and Montgomery Park.

Sincerely,

Mark New, Managing Partner, Development Company of the West, Property Services LLC

**Jim Fletcher**

**Area/Properties Referenced:** NW York

We have been in this neighborhood for 25 years. we have our 3 family businesses in the two buildings we own in NW Portland on York st. and have put our entire lives into these business and the two buildings we own. With all the proposed zoning changes and our corner left as light industrial we see very troubling things coming. the thought of construction all around our properties

and extra traffic/construction traffic could cause huge bottle necks in the streets and parking will be off the charts bad... we, our companies, have semi trucks offloading and loading constantly and blocking the roads on a regular basis. this will surely cause issues and we are only getting busier. the obvious huge issues will be our buildings aren't worth anything if they're zoned light industrial while surrounded by EX zoning. an industrial business, like ours, won't be able to function smoothly without constant interruptions which could force us out of the area and we'll not be able to sell or rent the building for what we need to move or to buy something somewhere else. This is a serious Problem and we need our zoning to be changed along with the rest of the area zoning to EX. Jim Fletcher

**Elliott Gansner****Area/Properties Referenced: NA**

I am member of the board of the NWDA and a business owner in the NW District. I support the general idea of this new development but have several concerns. First and foremost, this plan seeks to add ~3,000 housing units to the NW without providing any additional infrastructure to support a livable neighborhood. I would expect that a new elementary school may be necessary and that at a minimum this would involve creating a significant public park. The renderings I have seen so far do not include anything of the kind. Moreover, I would note that the NW does not have a community center or public pool. Adding more density without commensurate infrastructure to maintain livability seems like poor planning.

Secondly, there seems to be some sort of default assumption that a streetcar is the best transportation solution to serve this new development. I like streetcars as a concept but the Portland street car seems a poor commuting tool. I can literally jog faster than the street car. It is slow and inconvenient for any use except tourism. If there were a way to allow the streetcar to move more rapidly I would be more supportive.

Finally, though I support development this streetcar seems like an amenity, paid for by public dollars, to support private development. There should be some sort of clear mechanism for those public dollars to benefit the public. Does the city expect this investment to be recovered via property taxes?

**Green Roof Information Thank-tank (GRiT)****Area/Properties Referenced: NA**

February 28, 2022

Barry Manning  
Bureau of Planning and Sustainability  
[barry.manning@portlandoregon.gov](mailto:barry.manning@portlandoregon.gov)  
503-823-7965

Subject: Comments on the MP2H Discussion Draft

Dear Mr. Manning,

On behalf of the Green Roof Information Thank-tank (GRiT), I am writing in support of extending the ecoroof requirement, as contained in the Central City 2035 Plan, to the MP2H project. The city's determination to adopt an ecoroof requirement was based on compelling evidence that these systems are inherently beneficial, and the requirement should be extended to other areas of the city, including the MP2H.

Rooftops are an overlooked and under-utilized resource. As the city becomes more densely developed, we need to use all available space, and ecoroofs offer many economic, environmental, and human health benefits, while saving building owners money by significantly extending the service life of the roof. Ecoroofs are far more than stormwater treatment facilities, and areas with extensive ecoroof area can help the City reach its climate change goals. The value of ecoroofs in helping maintain health and livability in denser urban neighborhoods cannot be overstated.

Given the role ecoroofs can play in addressing climate resilience and mitigation, it's puzzling why the MP2H doesn't already include an ecoroof requirement. The *2015 Climate Action Plan* recognizes the role ecoroofs play in both mitigating and preparing for climate change. The Plan calls on ecoroofs to "protect and enhance local natural resources that provide multiple benefits including: carbon capture; reduce flood, landslide, stormwater and heat island impacts; cool and purify water and air; and improve public health and biodiversity." (Action 13D) The Plan also recommends using ecoroofs as a way to design with nature and to incorporate natural systems and green infrastructure in new and existing development. (Action 13F) Additionally, the Plan recommends considering "adopting ecoroof targets in land use plans," and the MP2H provides an excellent opportunity to do just that.

The Climate Action Plan recommends using green infrastructure, including ecoroofs, to protect human populations that are especially vulnerable to impacts from climate change. (Action 14A) The Plan also recommends using ecoroofs to increase the resilience of natural systems as air temperatures rise and drought conditions and changes in precipitation patterns shift. (Action 14I)





This unattractive, conventional roof provides no human health or environmental benefits and creates an ugly view from adjacent buildings.



The Ramona Apartments' roof elegantly and efficiently combines solar panels and an ecoroof creating an attractive view for neighboring apartments and offices.

Portland has a rich history of supporting ecoroofs, and that support lead to Portland's international reputation as a leader in the ecoroof industry. In 1999 the City of Portland was the first in the nation to recognize ecoroofs as a sustainable stormwater approach with the adoption of the City's first Stormwater management manual. In 2001 Portland included ecoroofs as an FAR Bonus option as a new urban design sustainability approach. Portland again was the first city in the USA to include ecoroof incentives in its planning regulations. Portland again set the pace beyond any other US city in 2008 with the adoption of a five-year direct ecoroof incentive program. The program also helped build the local green roof industry and simultaneously helped lower the cost of design and installation.

On behalf of GRiT, I want to thank you for the opportunity to provide comments on the MP2H Draft. Members of GRiT would be happy to provide additional information and data that support an ecoroof requirement.

Doug Erhuin, president  
Green Roof information Thank-tank

CC: Mayor Ted Wheeler  
Commissioner Jo Ann Hardesty  
Commissioner Mingus Mapps  
Commissioner Carmen Rubio  
Commissioner Dan Ryan  
BPS Director Andrea Durbin

**Green Transfer & Storage Company****Area/Properties Referenced:** 2425 NW 23rd Place; SWC/ NW 23rd PL and NW Reed St.; 1N1E28CB 300

Green Transfer & Storage Company owns two parcels of land covered in the MP2H proposal: 2425 NW 23rd Place and the SWC/ NW 23rd PL and NW Reed St.

We are supportive of comprehensive plan and zoning changes as outlined in the Draft Report; however, the report does not make any comprehensive or zoning change to our parcels other than remove us from the Guilds Lake Industrial Sanctuary and reclass into the proposed Vaughn-Nicolai Plan District.

Green Transfer recommends that our parcels be redesignated as ME in the comprehensive plan. The draft report notes industrial differences in areas east and west of Highway 30 and specifically notes areas west of Highway 30 as transitional into more mixed uses: light industrial, housing, employment, and supportive retail. The current Draft shows ME designation to the South of Nicolai, East of NW 28th Ave, and ending at NW 24th Ave. The comprehensive plan should include parcels South of Nicolai, East of NW 24th to Highway 30 in this rezoning. This inclusion is consistent with the city vision of greater mixed uses noted above.

While we are in favor of redesignation to ME as expressed above, should this comment not be incorporated and 2425 NW 23rd Pl and the SWC/ NW 23rd PL and NW Reed St remain IS in the comprehensive plan, then we should not be removed from the Guilds Lake Industrial Sanctuary and added to the Vaughn-Nicolai Plan District. As we would remain designated for industrial use, we should still benefit from the protections for industrial uses in the Guilds Lake Industrial Sanctuary.

**Craig Hamilton****Area/Properties Referenced:** NA

My comments come to you as a business operator within the Guilds Lake Industrial Sanctuary and current President of the Northwest Industrial Business Association. However, my comments have not been reviewed or approved of by the NIBA Board.

It is repeatedly noted that industrial land is important and in short supply here in Portland. There are many reasons that the GLIS has been and continues to be prime industrial land. This has been noted in the 2016 EOH and the most recent EOH (April 2022). The loss of 30-37 acres of prime industrial land is not to be taken lightly by those of us who operate businesses within the GLIS. As noted in the EOH(s), Industrial jobs are largely occupied by the BIPOC community. These jobs provide living wage jobs for many of those who were not able to obtain a college education. Mitigation and/or relocation by identifying outlying industrial sites does not help those of us who have done business in the GLIS for decades! Commentary documentation states that ""reductions to the amount of required industrial land would need to be offset through replacement or mitigation prior to implementing a zoning change."" It feels like zoning changes are already well on their way without following this guideline. As the neighboring streets are converted to mixed use and residential it puts greater pressure on the GLIS to be converted to something other than industrial land. Property values skyrocket, jobs are threatened and or lost due to businesses being forced out of the area. We have already seen numerous businesses leave the area due to the city's

lack of support for industry. I am personally not in favor of any of the scenarios that would be a threat to the continued livelihood of the GLIS!

**Hammer & Stitch Brewing Company****Area/Properties Referenced:** 1N1E28CB 3800

Good day,

I'm writing you in opposition of this project. I own a small brewery/brewpub on the proposed route. This will have a massive negative impact to my business and my customers. All parking will be eliminated, shipping and receiving will be disrupted and overall it will decrease my business. The construction alone will render my business dead, as people won't be able to access our space. I've looked into all similar businesses outside of the immediate downtown and not one has seen a benefit from this form of transportation. I would also argue downtown businesses feel the same. Covid has decimated offices at Montgomery Park and there is no sign of them returning. We have no idea how the proposed mixed use of the ESCO property will turn out. Frankly the street car is an insanely inefficient form of public transportation. This is a waste of money and resources. I believe in forward progress for our city. However, a slow moving, multi-stop street car is not the answer.

Thank you,

Benjamin Dobler, Owner

Hammer & Stitch Brewing Company

**Alison Hardin****Area/Properties Referenced:** 1N1E28C 202

This development should not be allowed without at least one more park with a recreational field and a community center with pool, workout room, and gym. There are not enough field spaces for the people who live here as it is. And the northwest part of Portland does not have a pool. We do not need more cars on the road having to drive out of the city to play their sports and get exercise. Please do not contribute to making this city unlivable by allowing this development with no public parks and recreational facilities!

Alison Hardin

**OB Hill****Area/Properties Referenced:** NA

I'm for the extension of the streetcar. The president was here yesterday and he's talking about infrastructure development. That would go hand in glove with the resources provided by the federal government, so I think that it would be an excellent opportunity for racial minorities and women owned businesses to be a part of the building process of extending that. I have an experience in that area because when the lightrail was first built, I owned a company that hired people to do the traffic control. It gave some excellent opportunities to create jobs for the African Americans, Hispanic, and women.

I'm a former resident of that area in NW; around the 1950s we lived in some of the "projects" built for the shipbuilding. Our parents shopped at Montgomery Wards, which was one of the 2 largest retailers in Portland at the time, along with Meier & Frank Co. There's a lot of historical relevance in that area, and maintaining some of the old historical architectural structure south of Vaughn street is very important.

For a very long time I have been interested in developing a museum on York Street dedicated to York, the slave who went to the Pacific NW & Portland area with Lewis and Clark. It's my understanding that the City has recognized York Street. Although the streetcar would terminate a block away, I'm part of a development team that would be interested in developing the concept of the York cultural heritage center.

I am unsure of who is on the development team for the Montgomery Park to Hollywood plan. Decisions should be made by a broad variety of interests. Current, longtime residents of the area should be included and also people who were displaced decades ago, and not allowed the opportunity to own property in the area.

In addition to the museum concept, I would like to see low-income people afforded the opportunity to buy property for residential and business use, and to receive loans from the various banks and financial institutions in Portland.

After the Kaiser shipyards closed down, a good number of the workers were African Americans, many of whom were residents of Guilds Lake managed by the Portland Housing Authority, which is now Home Forward. I think ESCO was a contractor involved in the ship building industry. The ESCO property lends itself to a park and space for the museum.

**Rob I.**

**Area/Properties Referenced:** NA

Our family that lives in this neighborhood thinks this is a great idea. I hope the city and the people in charge of this development continue this through. We will love watching this area grow with new jobs, new businesses, and new homes. The advent of the street car to Montgomery building is a great idea, and will help people get to and from their homes/work.

Thank you for listening to the people that live here.

**Mark Janes**

**Area/Properties Referenced:** NA

I have lived in Northwest Portland since 2008, and facilitated recreational soccer for Chapman Elementary school for the past 6 years. During that time, many development projects have increased the number of families and children in the neighborhood. At no point has Portland improved or expanded sports facilities for the young people in Northwest Portland. Children today grow up in a neighborhood where they cannot learn to swim. Volunteers like the 60 parent-coaches that I organize cannot find a flat piece of grass to teach kids how to run and play soccer. High School kids, private coaches, and adults playing pickup swamp the small fields at the elementary schools.

I look at this plan, and am unsurprised to see that there is zero effort to provide sports fields or pools for the 3000 additional families that it brings to the neighborhood. You cannot call yourself urban planners if the only infrastructure you are adding is a streetcar. Please, build a neighborhood that kids can live in.

**Bruce Johnson**

**Area/Properties Referenced:** NA

I agree with the extension of streetcar service to the proposed new district via 23rd Ave. Totally makes the best connection, and in the long-term strongly expands the NW Neighborhood as such to Nicolai.

Unfortunately, the plan seems to have overlooked a parking component for vehicles--commercial service and drop-off needs, future residents and visitors, business notably retail employees, restaurant workers, diners, office workers, and the variety of customers who will be attracted to the new district. Does the district need parking structures, will there be brownfield and clean-up issues? More importantly, what will the future demand for parking be considering no one knows what the "new normal" might look like. And what if an active nightlife scene develops over time. What provisions can be made to handle suburbanites driving to the district from areas not served by public transit? What kind of parking ratios might be assigned to various land use, especially residential considering there will be both apartment and condo residents?

There's no discussion in the visionary plan for parking at this point? Is this an oversight, or is the district being planned as a car-free environment? If the intent of the plan is to restrict parking for private automobiles, this will result in people living in the new mini-district or arriving by auto for whatever reason to adversely impact the single-family residential area immediately south of Vaughn Street. Adequate on-street parking is already a problem for local residents. Spillover for parking demand will occur as has been evidenced by two decades of redevelopment in the NW Neighborhood.

Having lived just off 23rd Ave since the early 1970s I've witnessed the evolution and gentrification of this urban neighborhood. And the more recent Conway development in Slab Town also attests to the densification of housing and related parking issues.

I have also recently become aware of the LCDC and state legislature's new rulemaking efforts. Having reviewed some of the proposed draft rules and regulations I and others would be interested in how these new rules, which will be mandated for compliance in the Portland Metro Area, may affect and impact on going planning for Montgomery Park and the Esco site? And as mentioned above, parking (off-street and on-street) will be an important component.

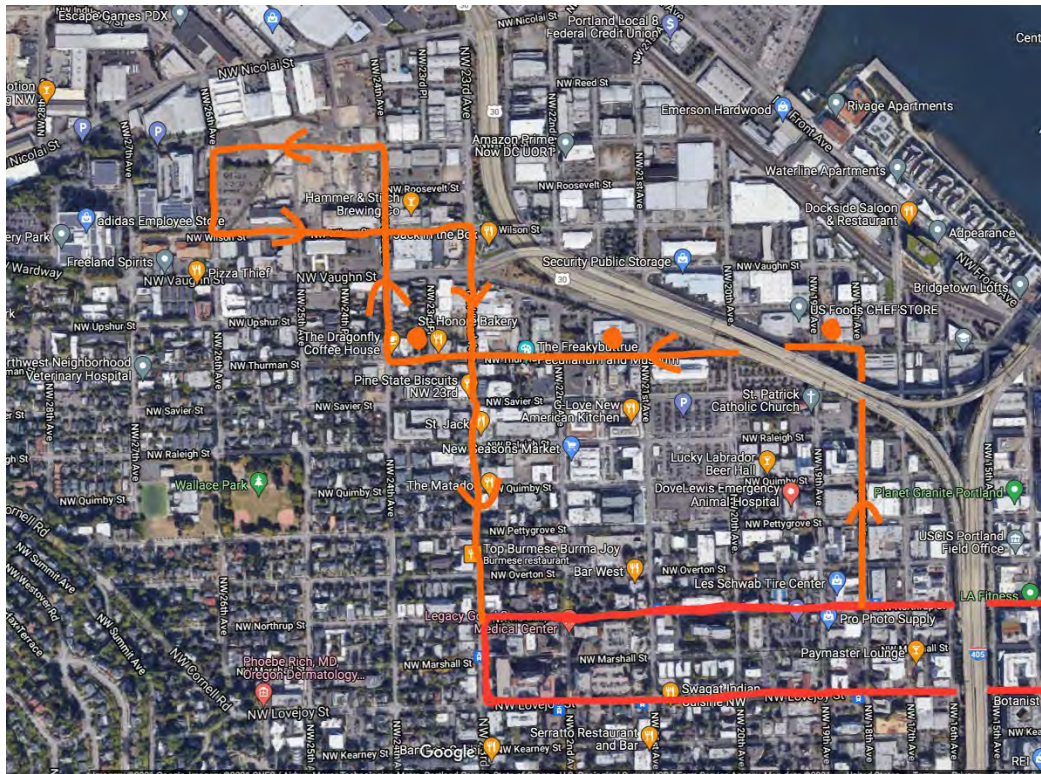
**Jeff Kovel**

**Area/Properties Referenced:** NW 23<sup>rd</sup> and Vaughn; the "Squish" and NW Thurman

My comments are focused on the northwest area. I am concerned that the streetcar planning is too narrowly focused on the Montgomery Park / Esco properties. While these properties certainly



should be the main focus, there are other areas ripe for improved access that would spur investment and future development / job growth. The planned streetcar extension will likely create too much pressure on the NW Vaughn and NW 23rd intersection. It is an issue now and will only get worse with the future growth. Additionally, much of the line will serve NW 23rd which arguably already is developed and has reasonable access to the streetcar. There are alternate approaches which would diffuse this pressure and create better access for these other neighborhoods. Specifically the "Squish" and NW Thurman Street would benefit from being tied into this network in a more overt fashion. I would suggest that the streetcar line is not in the ideal routing at this time. I put together a sketch that I will upload on an alternate concept to illustrate the benefits of rethinking this approach.



**League of Women Voters of Portland**  
**Area/Properties Referenced: NA**



**League of Women Voters of Portland**

PO Box 3491, Portland, Oregon 97208-3491

503-228-1675 • info@lwvpdx.org • www.lwvpdx.org

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Date: March 11, 2022

To: Barry Manning, Bureau of Planning and Sustainability  
 Julia Reed, Portland Bureau of Transportation

From: League of Women Voters of Portland  
 Debbie Kaye, president  
 Debbie Aiona, Action Committee chair

RE: Montgomery Park to Hollywood Strategy – NW Plan

The League of Women Voters of Portland has been tracking the Economic Opportunity Analysis (EOA) process for over a year and has come to appreciate the importance of having sufficient industrial lands in the city from both an equity and environmental perspective. The EOA analysis provided by the Bureau of Planning and Sustainability staff makes a clear case that jobs located in Portland's industrial areas are disproportionately filled by people of color. Those jobs offer the opportunity for workers without college educations to hold middle-wage jobs and achieve economic self-sufficiency.

Furthermore, a tight industrial land supply is a barrier to adding critical fish and wildlife habitat in areas such as the Willamette River's North Reach and to implementing other environmental protections essential to combating the effects of a warming planet.

We have seen the city time and again squander precious industrial land when more enticing redevelopment projects are proposed. The city should prioritize preservation of the industrial land we have and the restoration of brownfields located in industrial zones.

The League has very serious reservations regarding the Montgomery Park to Hollywood Project. The city cannot afford to lose the 30 acres of prime industrial land that will be converted to mixed use if this plan is adopted and implemented.

Thank you for considering our concerns.

Sincerely,

*Debbie Kaye*      *Debbie Aiona*

Debbie Kaye, president

Debbie Aiona, Action Committee chair

League of Women Voters of Portland:

*To promote political responsibility through informed and active participation in government.*

**Kate Levine****Area/Properties Referenced:** NW Yeon Avenue/Highway 30

After reading through the materials available online, I am largely satisfied with the development proposal as it stands. My only major concern is the apparent proximity of some of the apartment complexes/housing units to a major thoroughfare, namely NW Yeon Avenue/Highway 30. Locating affordable housing adjacent to a heavily traveled highway would only perpetuate the problems generated by red-lining communities of color. You might therefore wish to revisit the arrangement of structures on the available land so that residential buildings are well-buffered from traffic and the pollution it produces.

Sincerely,  
Kate Levine

**Benjamin Lewis****Area/Properties Referenced:** NW Roosevelt; 1N1E28CB 3500

Hi, with the proposed changes to the zoning and potentially the streetcar alignment, I have a few questions/concerns:

- 1) It seems like some street parking will go away to make room for the street car - will residents on the street have separate permits to enable street parking? Will it be metered otherwise?
- 2) In general, will more parking be available (potentially off-street parking) as more residential and commercial buildings are built in the area?
- 3) I see notes about "paid for by residents" -- would that exclude residential homes and only apply to commercial?
- 4) I'm concerned about noise from the streetcar, as the houses on Roosevelt are all on street-level.

**Rob and Sylvia Lindemann****Area/Properties Referenced:** NW Roosevelt; 1N1E28CB 3400

We felt our homes shaking for months during the demolition of the ESCO site. We are concerned about our 1900's homes on Roosevelt Street and home foundations being able to withstand the seismic activity during the new construction of the area and longevity of continuous vibrations from the future street car.

**Diane Macunovich****Area/Properties Referenced:** NW Vaughn; 1N1E29D 200

I am very concerned about your designation of NW Vaughn St as a major truck route leading from Nicolai to the 405.



Large trucks currently traverse that route creating a great deal of noise and vibration (my house actually shakes when large ones go by). Those trucks could easily reach the 405 by continuing along Nicolai.

It would be much more appropriate to direct trucks along Nicolai, since in your plan you propose even more residential along the Vaughn route.

PLEASE do not encourage even more heavy trucks along Vaughn!

**KT Metzger**

**Area/Properties Referenced:** NW Upshur; 1N1E29D 200

We live 1 block from Montgomery Park on Upshur St. and ask that you try to make this development appropriate for this area with lots of trees and good walking areas. These have been enjoyed by everyone from Montgomery Park workers to people visiting the area. Please preserve and extend this as part of any and all plans and Just Say No to any Pearl District concrete jungle plans (this parcel's ability to dodge the DOZA should help with that). If residential building is going to take place as part of this plan, please also address the air quality from the nearby energy storage and exporting activities. Several nights a month there is a very strong petroleum smell hanging in the air -- it can't be safe for more people to live even closer to the source of that than already do. Finding and fixing air pollution and any other toxicity in the environment should be prioritized ahead of further development in the area. Thank you.

**KT Metzger**

**Area/Properties Referenced:** NW 20<sup>th</sup>, NW 21st and NW 23<sup>rd</sup>; 1N1E28CC 6700

Please continue the very good bus service rather than implement a slow, expensive, and disruptive streetcar or other rail. If you are determined to do streetcar at any cost the please run it on NW 20th and NW 21st instead of NW 23rd. It would be far better for businesses and the community than further stress on 23rd -- especially if the line extended to Burnside to get closer to the stadium and max line.

We have very much appreciated the service of the 15 and 77 bus lines. They both run more often, later into the evening, and get where they are going faster than the lumbering streetcar that spends more time paused than moving forward. There never seems to be adequate seating on the streetcar, it appears that many riders do not pay, it doesn't feel secure and managed with the driver partitioned from the passengers. The bus and bus drivers are better. Instead of the light rail, consider spending money on energy efficient low emission buses for the future. Thank you.

**KT Metzger**

**Area/Properties Referenced:** 1N1E29DD 200

Portland needs this area to be developed with a focus on 21st century job creation that includes making the things we use as close to home as possible. It is far better for the environment than the path we have been on, and good jobs can improve the well-being of the people of Portland more

than fancy condos could ever hope to do. Please prioritize business development first, then add housing development in support of that. Please remember that both need adequate parking in the plan -- with more being better for business and most people. Bikes are nice for those who have the ability and time to ride them. However, not everyone can bike, not every day is safe for bike riding, and not every task or trip can be accomplished on a bike. Please design in parking for each building in the plan as well as extra parking for visitors/customers from out of town.

**Nick Meusch**

**Area/Properties Referenced: NA**

I speak as a neighbor of the Northwest District and a planner. This project seems to have been proposed backwards. First, the idea of a streetcar extension was introduced and then acknowledgement that industrial employees wouldn't take the streetcar came about. Let's not kid ourselves by saying a streetcar emphasizes equitable development. The money spent on this system could and should be used to support affordable housing, assistance for those experiencing houselessness, and better buses. The agenda of real estate development companies for this area is pretty clear. Once the tracks are laid and the OCS hung, there is money to exploit. Proposing a streetcar in an area that has been a tactically neglected industrial sanctuary for decades is simply an obscured objectification of planning and a misuse of development (attached photo shows proposed streetcar rendering in a currently vacant, likely ridiculously priced commercial space). We live in a time when the problem of houselessness and the number of traffic related deaths is being ignored for quite an unnecessary rail transit expansion.



**Travis Nanchy****Area/Properties Referenced:** NW Roosevelt; 1N1E28CB 3600

I'm the homeowner of 2366 NW Roosevelt St. and would like to share some questions/concerns.  
PARKING- In general I have concerns that the new development will make parking more challenging for residents of Roosevelt St. Will considerations like parking permits for residences and requiring developers to include on-site parking for their residents/customers/employees be made?

BUILDING HEIGHTS- Will considerations be made to limit the heights of mix-use buildings near our homes to prevent dwarfing our long-existing structures?

FUNDING- I'm concerned that homeowners in the area will be required to contribute financially to the project. Can you make explicit whether residents will be required to fund and if so, provide an estimate of the contribution and date due?

**NW Active Streets****Area/Properties Referenced:** NA

Please note the attached letter of support and constructive comments and suggestions for the MP2H Strategy and Transportation Plan. Thank you for the opportunity to comment and for your hard work on this. [Note: the letter attached to this comment is included in Section 2.]

**Jonah Ollman****Area/Properties Referenced:** 1N1E28C 100

This is such an excellent idea! The city needs more affordable housing, and creating a new district centered around that housing, while adding to the public transit infrastructure, seems like the exact right thing to do.

**Nick Olson****Area/Properties Referenced:** NW York; 1N1E28CB 2200

We have been in this neighborhood for 25 years. we have our 3 family businesses in the two buildings we own in NW Portland on York st. and have put our entire lives into these business and the two buildings we own. With all the proposed zoning changes and our corner left as light industrial we see very troubling things coming. the thought of construction all around our properties and extra traffic/construction traffic could cause huge bottle necks in the streets and parking will be off the charts bad... we, our companies, have semi trucks offloading and loading constantly and blocking the roads on a regular basis. this will surely cause issues and we are only getting busier. the obvious huge issues will be our buildings aren't worth anything if they're zoned light industrial while surrounded by EX zoning. If we are forced to move because of lack of simi truck parking and or parking in general it will be very difficult to find a tennant to rent industrail as they will have the same issues as we will. an industrial business, like ours, won't be able to function smoothly without constant interruptions which could force us out of the area and we'll not be able to sell or rent the

building for what we need to move or to buy something somewhere else. This is a serious Problem and we need our zoning to be changed along with the rest or the area zoning to EX. Nick Olson

**Greg Passmore**

**Area/Properties Referenced:** NA

I am a long time resident, business owner, property owner, and parent in this neighborhood -- I am very concerned about the lack of planning for schools and park capacity included in this plan, as well as any other community features. That being said, I am excited about extending the streetcar and developing this underutilized property, and extending housing stock - especially if it is actually affordable.

**Jennifer Peterson**

**Area/Properties Referenced:** NW 21<sup>st</sup> and NW 23<sup>rd</sup>

This project has potential to adversely affect Northwest 23rd and Northwest 21st area and for this reason needs more time and scrutiny. The streetcar proposal is especially concerning because the transport gains do not match the costs to the neighborhood that the street car will go through. This neighborhood has been adversely affected by Covid and is not in good shape to tolerate these losses at this time. The timing of the proposal is thus problematic. Concerning also are the failure of the proposal to be advertised properly relevant to procuring public input. I live in the neighborhood and only found out about the proposal after the February forums had been held because I happen to talk to a neighbor who had received me a mail about it. Though I live next-door to her I received no such mail. I am concerned for the other neighbors who did not receive proper notice about this project. Though I believe the Montgomery Park area holds promise for Portland the development of this area must be done well. We have seen enough development projects destroy the downtown area . The claims of the destruction of downtown area are laid at the foot of protests Covid and homelessness, the truth is they were started by improper development that gutted the downtown oof the grasslands of small business creating non affordable rents that then cleared viable small businesses from the area Look at downtown. Please do not perpetuate that disaster in relationship to the tender northwest neighborhood that this project affects. I know of no more bad timing for this project than this Covid and post Covid environment that this neighborhood is traveling through. Please be thoughtful and how you deal with us. Thank you

2/12/22: Address to proposal for mixed neighborhood and streetcar in "Montgomery Park" area.

**Overall statement:** I live in the Montgomery Park area: While I believe Portland has much to gain from a closer look at the Montgomery Park edifice and area, I am deeply concerned about this project and request more time for Portland residents, businesses and agencies to gather data and public response to the project.

Though cloaked in environmentally friendly and equity friendly language, the project appears at first glance to be using mechanisms that reek of developer's favorite tactics to blindside communities and access prime real estate and use it for their ends.

**The most concerning piece is the streetcar expansion which would disrupt an area that has been adversely affected by COVID and is precarious.** This risk would be -for dubious gains – as transport needs can be addressed through other means that will not tip a struggling neighborhood area into more struggle. The timing of this risk is awful and needs scrutiny.

Please be suspicious about this project and give it the time and scrutiny it deserves. We have enough development that promised big things and instead has gutted downtown Portland and other vital areas. Please. Please. Please be super cautious on this one.

1. **This proposal has not been advertised enough.** The neighborhood impacted needs to become aware of it and be allowed to have more input. I am a resident of the area and have just discovered the plan. Attempts to contact by mail came very late and many (myself included) did not receive the notification. Many did not receive notice in time to participate in Feb input meetings. No effective signage has been posted.
2. **This proposal affects sewer, crucial woodlands and river areas that affect other neighborhoods.** It needs more time to gather public responses and analysis relevant to these key areas.
3. This proposal affects a neighborhood that has been severely impacted by COVID and continues to struggle with development projects that upscale rents. This impacts so many things but in making small business survival difficult, the vibrance of the neighborhood has been severely impacted. The vibrance of the neighborhood has always been dependent on NW 23<sup>rd</sup> - as an attraction, and then also NW 21st. Most alarming element: The streetcar proposal whilst sounding nice, carbon emission wise – will knock a good portion of this area, out of commission during its construction phase, having unknown effects on a portion of this neighborhood while under development. **This proposal affects a struggling neighborhood - it is a huge risk!**
4. **The gains in transport in trade for the investment in construction and neighborhood disruption of expanding the streetcar are dubious.** As a resident of the neighborhood, I do ride the streetcar regularly but please know that the streetcar is a challenged form of transport. I have ridden street cars in SF, Toronto and other places. Whilst romantic and ecological perhaps - the streetcar as run in Portland is a slow animal. It works for tourists and those whose errands are direct to the route and not time sensitive. But our streetcar is a slow snake, with many public safety issues – including those that affect the drivers. (I have heard the stories the driver's share; they are not good). The area can be served instead by buses that are picked for their carbon footprint – including electric buses. These can be put in place without construction destruction of a neighborhood that is struggling.
5. **Creating affordable housing is much more than just building it. It includes the viable neighborhood that it is located in.** I just managed to get a raise that finally put me 2 dollars over 18.75 which is PDX cost of living wage. I am a member of the higher low class having achieved this. I work hard to stay afloat have already lost the gains of that wage increase through increases in gas prices, groceries and rental increases. It took me five years

to get that raise. It took just one year for all these cost increases to propagate. Creating affordable housing is much more than just building it. It includes the viable neighborhood that it is located in. It is more than just putting a streetcar in that area. Please think this through in relationship to these complex issues.

6. **These development projects make decision makers feel like they have done something to help; they look modern but often operate as expensive sardine cans for those who can barely afford them.** Having shopped around for rentals that I can afford as a single person without family supports, I am aware of what has been marketed as shiny new affordable housing in Portland. I suggest you do some undercover visiting of these "equitable housing units" yourself. Imagine that you are a single human trying to live on 15.00 an hour – trying to afford them. Imagine that you are the father or mother earning between 15.00 hour jointly trying to afford them. Imagine making it through the required application process (one of the biggest barriers to affordable housing but rarely monitored), when you have been living on this wage. Streetcar access does not make up for these kinds of challenges.

These development projects make decision makers feel like they have done something to help; they look modern but operate as expensive sardine cans for those who can barely afford them.

They spout ecology and equity verbiage but are simply unable to hold a candle to the early 20<sup>th</sup> century version of single housing in its generous concept of space and air and trees that shade: the northwest neighborhood is popular because it offers humanized housing amenable to what humans need to live and feel that they are more than a cog in a complex world. Do not destroy the vibrant NW neighborhood in order to create a shiny inhuman new one.

7. **The timing is bad:** The decline of NW 23<sup>rd</sup> and NW 21<sup>st</sup> began before COVID but COVID has put it over the edge. While the proposal appears to give birth to a new neighborhood -it may spell the death of one that has been part of Portland's attractiveness and identity for some time.

8. **My gut fear is that in creating this Montgomery Park area without careful thought – Portland will knock out a generous and human NW neighborhood and create a new industrial/habitat that will have inhuman housing.** I am really worried about this because I feel blindsided by the news of this campaign – and that does not bode well. The streetcar piece is deeply concerning for NW 23<sup>rd</sup>/NW 21<sup>st</sup> area. The proposal looks shiny. It needs more thought to be viable.

9. Please proceed with caution.  
Please protect what we have.

Please create human friendly -tree friendly community in what you create.

Please do not listen to developer's siren song – instead listen to the reality and complexity of true problem solving. That will pay off in the long run!

10. Thank you for protecting Portland in how you proceed.

Jennifer Peterson  
Resident of NW Portland near Vaughn



**John Plummer****Area/Properties Referenced:** NW Roosevelt; 1N1E28CB 3100

Hello, I own a home on NW Roosevelt Street. My concern, and that of my neighbors, is that the height of new construction allowed in the proposed area of our 115 year old homes is 2-3 times the height of our structures. We could have new buildings behind, beside and in front of our residences that would dwarf and cast us into shadow. Is there a way to possibly minimize and mitigate some of the huge disparity with setbacks or other measures that would recognize and perhaps enhance the character these historic homes would add to the new mixed use zone?





**Portland Streetcar Inc.****Area/Properties Referenced: NA**

Date: April 6, 2022  
 To: Barry Manning, Bureau of Planning and Sustainability.  
 From: Portland Streetcar, Inc. Board of Directors  
 RE: Montgomery Park Land Use Discussion Draft.

Portland Streetcar, Inc. (PSI) is a 501c3 non-profit with a mission to “actively participate in development of high-density, mixed use neighborhoods by supporting streetcar development that is safe, reliable and cost effective.”

We appreciate the opportunity to provide comments on the City of Portland’s Montgomery Park to Hollywood Discussion Draft. The proposed expansion of Portland Streetcar to Montgomery Park directly aligns with the values of our Board and represents a generational opportunity to build an equitable and climate friendly community in Northwest Portland.

The proposed plan will allow for thousands of new housing units including hundreds of subsidized affordable units with direct access to high quality, zero-emission transit. We recognize there is a policy tradeoff between maintaining industrial land supply and providing land for affordable housing – our opinion is this project in particular can contribute to our region’s significant need for more housing in a cost effective manner with proven tools. A successful public-private partnership can bring much-needed investment to the region and help revitalize Portland’s central city with new jobs, new housing and new climate friendly transit. This formula has been extremely successful in past streetcar projects, which have catalyzed 40% of the city’s affordable housing units built since 2001 and created more than \$13.7 billion in real market value.

We ask that the City consider an alternative approach from a zoning and bonus structure for realizing affordable housing and instead seek a negotiated partnership with the private sector in order to maximize returns and ensure the timely delivery of housing and jobs to match the construction of the new streetcar alignment. We are hopeful this project will realize significantly more affordable housing than the City’s Inclusionary Housing policy alone would produce.

930 NW 14<sup>th</sup> Ave • Suite 280 • Portland, OR 97209 • 503-222-4200

**PSI Board Values:**

**Partnerships** to advance projects and policies to support a healthy, prosperous region

**Equitable access** to housing, jobs and opportunity for all people

**Efficiency** in delivering safe and reliable public transportation for all users

**Innovation** in supporting equitable growth and development through investments in permanent, high quality transit

**Climate Action** by providing frequent, reliable transit powered by 100% renewable energy.



Similarly, we ask the City to consider partnering with the private sector to solve the industrial land supply issue through seeking federal and state brownfield cleanup grants or other opportunities to reduce the financial tension between industrial land mitigation and construction of affordable housing in this neighborhood.

These steps, taken in coordination with transportation investments, will demonstrably advance the City's climate, housing, equity and economic goals. Portland's reputation as one of the most livable cities in America requires the courage and dedication to continuing to intentionally create great places, and this project will be a tremendous step forward for our community. We look forward to PSI's continued partnership with the City of Portland and stand ready to support the work ahead to make this project a reality.

**Jay Price****Area/Properties Referenced: NA**

Hello City Staff

Thank you for the opportunity to comment. I am not in favor of extending the trolley to the industrial district. The trolleys solution is too expensive and for very little benefit. Bus service by Tri-Met is a much more cost effective and flexible answer to any mass transit solution.

As development in the area will no doubt occur, the parking situation will continue to worsen in Northwest. The number of units that are being added without parking or only token parking are creating a mess. We need to have requirements that at least 1.25 off street parking spots are added for every living apartment, house, condo or townhouse. People are going to continue to drive and as electric vehicles become much cheaper we will see an explosion in added vehicle units. Alternatively, either private or affordable public parking structures/storage should be in the development plans.

Best Regards

Jay Price

**Lewellyn Robison****Area/Properties Referenced: NA**

Where are the parks? Private open space doesn't count. I've been harassed by residents when using such space. Nor does Forest Park. You can hike there but no one can play or picnic there. Where is the parking for the 3000 new apartments? Public transportation is not good to anywhere but the inner city. Uber, etc. are not feasible to visit friends and services in the suburbs or WA state. Why is nw 23rd av being destroyed with the street car? Have you considered that TriMet will probably eliminate bus service to the area if the street car line is extended? Industrial jobs pay more than service jobs. So, how can service workers afford these new apartments? What consideration is being given to the increase in delivery and service trucks? I have heard presentations given to the NWDA and there have been no real answers. Perhaps these questions are beyond your purview. As you might have surmised, I do not think the plans for this area will benefit me. My home and the five adjacent row houses will probably be torn down to make room for another 6 story building. In the interim, I anticipate much inconvenience. The plans suggest that the city has no interest in residents like me, despite the high property taxes I pay. Thank you for the opportunity to comment.

**Diane Schultz****Area/Properties Referenced: 1N1E28C 100**

The MP2H-NW Plan must address and incorporate the lacking public field space in the NW district. The demand of Steve Brand Field at Chapman Elementary does not suffice for the current number of residents, besides the potential 3000+ units of new housing projected.

By the current MP2H plan delegating public space decisions solely up to private developers and Planned Development Bonuses, the community loses its voice as to how the rezoned land is used. Now is the time for the design to incorporate and resolve the lacking community field space.

**Lisa Selman**

**Area/Properties Referenced: NA**

1) Public Participation. Given the timing of the study during Covid, many neighbors living in NW Portland, blocks away from the study area are not aware of the study or the potential impacts to their neighborhood. Outreach needs to be more targeted as the numbers for comments received and events attended is low per the report. As an example: Kick off Open House - 25 people attended; 69 surveys completed for the NW study area.

2) Alternative Transit Options. In addition to streetcar, why is the City not considering electric buses (buses already serve this area) which can be more flexible and less costly without a fixed line (think The Big One) and then weighing the costs/benefits of both to determine best option moving forward?

3) Racial Justice and Equity. If the City really wants to pursue more equitable planning, why is the planned transit money and service not being directed toward more historically underserved areas in Portland? Has the City surveyed the BIPOC communities to see if the planned streetcar investments in Northwest Portland is in their best interest? The outreach to Northwest Industrial Business Association and Friendly House while a start, seems extremely limited in scope. It should be a City-wide effort to address longstanding disinvestment and exclusion. With the City only targeting existing groups in Northwest Portland and the Industrial Area for input, it further perpetuates the problem. The current plan is extremely vague when it comes to how these communities will benefit with statements such as "A variety of tools would be used to ensure there is a significant number of affordable housing units and opportunity for living wage jobs" (Page 7). This plan checks a box in regards to racial justice and equity. The City needs to be more innovative and far reaching to make significant change.

4) Existing Traffic. While traffic has been lighter due to changes in work behavior during Covid, the Streetcar expansion to Montgomery Park does nothing to alleviate existing traffic patterns and the new development will only add to the demand on streets in the surrounding neighborhoods and onto I-405 during peak travel times. Any plan adopted needs to address existing traffic as well.

5) Parks & Open Spaces/Schools. The plan does not provide any requirements for additional public parks, diverting activity to Wallace Park and Forest Park. With the amount of housing proposed, it would seem that there needs to be some public amenities/public benefit (a community center in NW Portland?) in addition to addressing the potential impact on local schools.

6) Affordable housing. While the draft does not provide a total cost for the expansion, it indicates that 1,130 affordable housing units could be developed (as compared to the 12,840 market rate housing units). Could the City spend less on transportation costs and more on a greater mix of housing options for low and middle income earners to address the housing supply shortage?

7) Scenario 4 (of all the scenarios presented) moves the plan in the right direction but don't see anything new or different in how the area will be developed (for example will this area be any different from the Pearl or Slabtown?) or how we are addressing racial equity and justice; affordable housing - can we move the needle further to make a significant difference, and how can we best address existing traffic as the streetcar will not solve. Be creative.

Thank you for the opportunity to comment.

**Donovan Seymour**

**Area/Properties Referenced:** NW 23<sup>rd</sup>; NW 18<sup>th</sup> and 19<sup>th</sup>

It's rather frustrating to see the changes to the zones don't include much retail. To actually cultivate a new car-light community out of the current land uses, the best zone change would appear to be Central Commercial rather than Central Employment. I think the limiting factor is that there is no available zone that fits industry into the density desired which is the result of such restrictive zoning requirements. Central Commercial would also provide a major node on one end of the new Portland Streetcar alignment. It's possible that an overlay could achieve this outcome as well, but I could be missing something. On the topic of Portland Streetcar, the 23rd alignment is ultimately terrible. Even with signal priority, adding more heavy traffic onto 23rd Ave. and crossing a highway exit will lead to delays. The current NS line gets bogged down on 23rd even with minimal traffic. Furthermore, heavy traffic off of highway 30, emergency vehicles trying to access the hospital, and the multiple bus lines already haphazardly serving the area around Thurman means delays to every mode. Unless parking is to be eliminated between Northrup and Vaughn on 23rd ave. and transit is prioritized over all else, travel times will be abysmal. This seems rather indictive of lacking a proper modal prioritization and general circulation plan for the area. The Portland Streetcar alignment should be on 18th and 19th to expand the growth of this new district to the east and connect the current river front properties along Front st. to the NW district. The 18th and 19th alignment also allows for better downstream on time performance and reliability once the line is extended to Hollywood TC. Something even the current Portland Streetcar alignment struggles with. Please continue to ask, ""what is it we're trying to accomplish""? If it's a walkable, bikeable, 5-15min neighborhood with transit-oriented development, then transit needs to be extremely reliable to make the larger regional connections and reduce car trips. Also consider ideas that have existed in many European tram networks for decades. Transit priority is key to the success of the development in the area, ""access"" alone isn't enough. High frequency is not compatible with a congested street without dedicated space for transit vehicles. I strongly oppose the 23rd ave alignment unless other major changes are made to remove non-transit traffic on 23rd ave. Please reconsider this.

Disclaimer: I'm a Portland Streetcar operator and DO NOT represent the views of the City of Portland, TriMet, or any institutions in any official capacity. My opinions and observations are my own and only my own. I'm merely a local NW district resident that walks, bikes, drives, and takes transit in the area and would like to see more effort made to achieve the climate goals and mode shift goals that the city itself has set.

**SP Properties**

**Area/Properties Referenced:** NW 23<sup>rd</sup> and NW Reed; 1N1E28CB 1900

My partner at SP Properties, Lin Hokkanen and I own the mentioned property on the corner of NW 23rd and Reed. David Peterson, partner at Tonkon Tork LLP, represents the group of building owners in the area affected by the City of Portland's upcoming decisions regarding the Montgomery Park to Hollywood (MP2H) Transit and Land Use Development Study. Both Lin Hokkanen and myself have been in discussions with David Peterson as well as the rest of the affected building owners. We both support and endorse David's letters to the City regarding this issue and look forward to future collegial discussions with the City regarding this study. Thank you for your time. Charles Ryan and Lin Hokkanen.

**Amy Spreadborough**

**Area/Properties Referenced:** 1N1E33BB 900

My comments relate to the entirety of the draft plan area, not just this parcel. These are business concerns I'm hoping planners will consider:

1. While I understand that the stated intention of the plan is to \*not\* focus on automobiles, there need to be provisions in place to preserve current on-street parking wherever possible. And if on-street parking is removed, it needs to be replaced in some fashion. Further, a development that could bring upwards of 3,000 new residents, plus hundreds of jobs, to the area needs to have some provisions for additional off-street parking, such as requiring property developers to include off-street parking in their plans. The City has been doing an excellent job of encouraging use of public transit, walking, bike commuting, etc. However, we can't expect that the streetcar, in combination with these other alternative forms of transportation, will replace all of the additional auto visits to the district that would come from this plan. There will certainly be a crunch in terms of auto traffic and even scarcer parking in a district that already suffers from lack of on- and off-street parking supply.
2. I understand from the MP2H Open House Feb 8 that the plan does \*not\* call for eliminating a lane of auto traffic along NW 23rd, that the streetcar would run along both lanes of traffic. That's great. My concern is that eliminating an auto lane would create traffic bottlenecks.
3. My understanding is that if this project moves forward, there will be a further public input process that includes property owners and main street businesses along the affected area. That is great. I encourage you to involve the NW Parking SAC in this outreach, as it represents the interests of the neighborhood and business association in parking and transportation matters. Please consider creating a committee of interested business and neighborhood folks, as well.
4. An additional 3,000 residents will place pressures on local schools and other public services. Should this project move forward, we would hope to see considerations for anticipating and relieving those pressures.
5. It would be helpful for the business community to have an idea of what the timeframe might be for this project, if it proceeds, even if such timeframes are speculative. Specifically, businesses will be curious to have some (even rough) idea of when NW 23rd would be torn up and under construction, and for how long.

6. Resurfacing of NW 23rd and other existing streets in the district to accommodate the Streetcar extension will be a major undertaking and disruptive to businesses in the district. What accommodations can be made for property owners and businesses whose business will be negatively impacted during that time?

**Sarah Taylor**

**Area/Properties Referenced:** NA

We should not eliminate small industrial lands while stating there are not enough job lands. The Frog Ferry in North Portland needs support. Not another transit for Hollywood that already has max. We have so many empty housing units. This is not a good idea.

No Frog Ferry

No Montgomery Park

**Tonkon Torp**

**Area/Properties Referenced:** Four-block area bounded by NW Nicolai on the north, NW 23rd on the east, NW York on the south and NW 24th on the west.

Tonkon Torp LLP represents all of the owners (the “Owners”) of the four-block area in Northwest Portland that is bounded by NW Nicolai on the north, NW 23rd on the east, NW York on the south and NW 24th on the west (the “Reed/York Area”). On behalf of the Owners, we have the following comments on the MP2H Development Strategy -- Northwest Plan Discussion Draft (the “Draft Report”). Since the commenting website requires linking comments to a specific property, to avoid duplication we have linked these comments to only one of the properties in the Reed/York Area. Please understand, however, that these comments are submitted on behalf of all of the Owners, as regards all of their respective properties.

Overall, the Owners are supportive of the MP2H proposal and the Draft Report, which recommends comprehensive plan and zoning changes for land generally south of the Reed/York Area and the area around and including the former ESCO site to the west. The Draft Report, however does not recommend any comprehensive plan or zoning changes to the Reed/York Area except to remove it from the Guild’s Lake Industrial Sanctuary Plan District (“GLIS”) and add it the proposed new Vaughn-Nicolai Plan District (“VNPd”). The Owners recommend that the MP2H Proposal be revised to include the Reed/York Area in other changes as well.

At a minimum, the Owners recommend that the comprehensive plan designation for the Reed/York Area be changed from IS to ME. Several times, the Draft Report differentiates between the industrial areas east and west of Highway 30 by acknowledging that the City’s vision for the area west of Highway 30 (which includes the Reed/York Area) is to “transition ... into an intense mix of land uses including housing, employment/office/light industrial, institutional uses, and supportive commercial retail uses,” while the area east of Highway 30 will remain more industrial in nature. To illustrate this, the Draft Report often uses a diagram which can be found on page 11 of the report, among other places. The diagram shows the Reed/York Area as a future “employment/light industrial buffer,” which is the same designation given land further west along the south side of NW Nicolai. However, while the land further west already has a comprehensive plan designation of ME,

no change is proposed for the Reed/York Area from its current comprehensive plan designation of IS. We see no reason to not also designate the Reed/York Area as ME, given that the desired outcome is the same. And, not changing the Reed/York Area designation from IS contradicts the statements in the Draft Report seeking to transition the areas west of Highway 30 away from industrial use.

Ideally, the proposal would go further and change the comprehensive plan designation for the Reed/York Area to EX rather than ME. The four blocks of the Reed/York Area is a gateway to the future redeveloped areas to the west, both from the north via Highway 30 and NW Nicolai, and from the south along NW 23rd, Portland's pre-eminent walking street. An EX designation would maximize the Reed/York Area's redevelopment potential as a welcoming gateway and an extension/transition from Slabtown to the south. Also, specifically with respect to the southern two blocks of the Reed/York Area (i.e., the two blocks south of NW Reed), a comprehensive plan designation to EX would be consistent with the subdistrict map proposed as part of the VNPD, which includes those two blocks in subdistrict B along with land further to the south that is already proposed for an EX designation. The proposed buffer to industrial uses on the north side of NW Nicolai is only one block deep elsewhere in the study area, so these two blocks are not needed for that buffer as they do not directly abut NW Nicolai.

Additionally, the Owners recommend that the City reexamine the proposed street car stops at NW 25th and Wilson/Roosevelt, and consider relocating them further east so as to be more centrally located to the areas designated for redevelopment.

Lastly, while the Owners are in favor of redesignation of their properties to ME and/or EX as expressed in these comments, should those comments not be incorporated and any part of the Reed/York Area remains designated IS in the comprehensive plan, then that part should not be removed from the GLIS and added to the VNPD. Instead, since those properties would remain designated for industrial use, they should still benefit from the protections for industrial uses in the GLIS. The subdistricts map of the remaining VNPD should also then be modified so that a buffer is maintained between the industrial uses in the Reed/York Area and the future, non-industrial uses in the VNPD. Essentially, this would mean redrawing subdistrict A to extend at least one block along the west and south sides of any portion of the Reed/York Area that keeps an IS designation in the comprehensive plan.

**Robert Unverzagt**

**Area/Properties Referenced:** NW 25th Ave between Vaughn and Nicolai, Wilson between 26th and 27th, York between 24th and 26th.

To whom it may concern,

I am very happy with the existing planning for this project. Reading the Discussion Draft leaves me fairly convinced that the Bureau has thought through many options and come to a good compromise of many competing goals.

However, I have some comments regarding details in the Montgomery Park Area Transportation Plan.

My first comment is with regard to the ROW layout of the one-way portions of Roosevelt St and Wilson St. While I support the allocation, I think the order of lanes should be changed. My first attachment illustrates this. I think that the row of parked cars should be next to the bike lane, providing them with further buffering and protection from moving vehicles. My second attachment is a rendering from NACTO which demonstrates a similar layout.

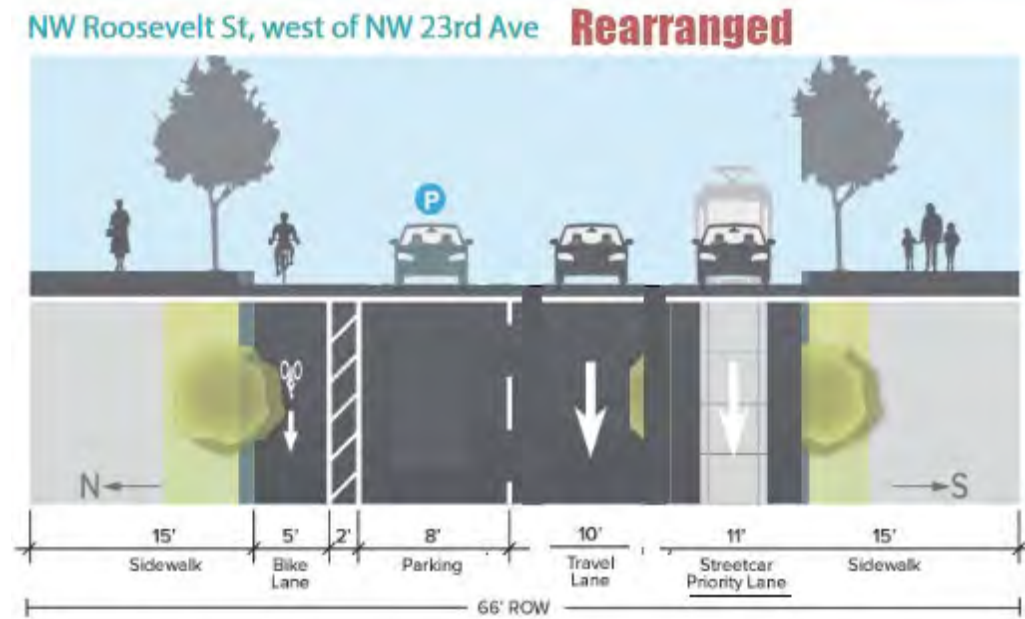
My second comment is with regard to car-free connections. On the map labeled "Within District Connections" on page 37, it appears that there are many streets which are planned have space with cars. Cars should be severely limited on a number of these streets, leaving all the space available for pedestrians, bicycles, and transit. This will make the space feel more communal, not to mention quieter and safer. Pedestrian commercial spaces could be allowed, similar to what already exists in the Conway Masterplan. Cars are already planned to be allowed on Wilson, Roosevelt, and 26th, an area which is within walking distance of everywhere within the district. The specific streets I am referring to are: NW 25th Ave between Vaughn and Nicolai, Wilson between 26th and 27th, York between 24th and 26th.

I would like to close by saying that our city has great policy and plans in place to change the built environment in a way that limits the usage of private automobiles and the negative externalities they bring. This plan is a major opportunity to translate those policies into reality. I trust you will have the courage to do so, and I stand behind you.

Robert







**Stephen Weber**

**Area/Properties Referenced:** 1N1E28C 202; 1N1E28C 100

While this would be an interesting re-use of an existing historical alignment, I do not think it would be the best way to redevelop the area. Yes, it could offer some opportunities for more unique building designs that would be a refreshing departure from the bland boxes the city seems to love to approve so much, but it should not come at the cost of a logical loop service.

I think it is a shame the city once again will be shrinking industrial area in the city, but given the proposed bans on type of industry - especially the ban on storage, which too often becomes the development of choice - affords few opportunities that would make sense as new development along a streetcar alignment. For that reason, I would agree with the proposal to rezone as mixed-used on the following conditions: 1) it does not become a repeat food desert like South Waterfront and 2) A minimum of 50% of all residential units constructed are subsidized, affordable housing that is desperately needed in more of the city WITHOUT a buyout option for developers to get around the requirement. This area has an opportunity to become an accessible cultural hub, rather than the exclusive one much of 23rd has become. For once, let's build an area that legitimately showcases the diversity this city is otherwise sorely missing and is a hub that welcomes everyone, especially of all incomes.



## Section 2: Comments Submitted by Email



1535 Llc



BY PDF: eric.engstrom@portlandoregon.gov  
Eric Engstrom  
Bureau of Planning and Sustainability

Re: Comments on Northwest Plan Discussion Draft

As the owners of the former ESCO property located between NW 24<sup>th</sup> and 26<sup>th</sup> and NW Vaughn and Nicolai (the “ESCO Site”), and the owners of the Montgomery Park land complex (the “MP Site”) (or together the “Sites”), we offer these collective concerns on the Northwest Plan Discussion Draft (“NPDD”).

In exchange for our support of a Local Improvement District (“LID”) to help fund the Montgomery Park to Hollywood Streetcar extension, the City has proposed new zoning regulations in the NPDD for our Sites. We have reviewed the City’s proposal with our financial, development and legal advisors.

As a result of this review, we object to the proposed regulations. For many reasons, the proposed regulations will effectively preclude the desired redevelopment. For brevity, we have only discussed the most concerning elements of the proposal. If these concerns are not resolved, then we cannot support the proposal.

Our collective Sites comprise at least 30 acres. Because each Site comes to the NPDD with different initial zoning designations, our comments are organized around the issues that arise under each Subdistrict. To that end, attached as Exhibit 1 is a zoning matrix we produced that distills the Discussion Draft into an easily accessible comparison. As a threshold matter, we would like the city staff to review this matrix and identify any errors where our read of the code is inconsistent with the text you propose. We prefer to commence our discussion with the same understanding of intent for each provision.

### **Subdistricts A, B and D (The ESCO Site and portions of the MP Site)**

The property in Subdistricts A and B currently has a Comprehensive Plan designation of Mixed Employment and a zoning designation of Heavy Industrial with a Prime Industrial Overlay. Under the existing IH zoning, large warehouse uses are permitted as well as limited office and retail use. We are also permitted under the existing regulations to request a zone change to EG by demonstrating that there is adequate infrastructure capacity to serve the proposed development. Under the EG zoning we would be permitted to develop more office use, industrial uses and limited retail uses. This property is not currently subject to any design review or master planning requirements.

1. **Industrial Land Supply.** Under current zoning, we are permitted to request a zone change in compliance with the Comprehensive Plan from IH to EG without any required findings related to industrial land supply. We understand the EG zone would not permit residential uses, but it would permit industrial uses, non-industrial office uses as well as some retail uses.

Under the NPDD, it seems this EG zoning and process option would be removed. Instead, the Comprehensive Plan designation would go from ME to Central Employment and the implementing zone would change from EG to EX. While EX would permit a broader range of uses, the required zone change process under the proposed regulations is too burdensome and therefore not likely achievable. To secure the broader EX zoning, we would have to demonstrate, among other factors:

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*No net loss of industrial zoned land as a result of the zoning map amendment or the loss of industrial zoned land is mitigated by providing evidence of no net loss of industrially zoned land area or contributions to the City of Portland Industrial Land Supply Mitigation Fund at \$X.00 per square foot in an amount corresponding to the land area proposed for zoning map amendment.*

These burdens on a zoning map amendment are dependent on variables outside of our control and are so restrictive and severe that the cost alone would prevent the application from proceeding. To rezone to EX, we would likely be required to find and purchase other land and rezone it to Industrial to offset any acreage losses in the Northwest Plan District. If we could not find land at the right price or secure rezoning of that land to Industrial, we would have to pay the City some amount to offset the loss. The NPDD suggests that the price per square foot of land for the mitigation fund would be based on the cost of remediation of brownfields. The City estimates a cost to remediate of \$800,000 per acre. (Volume 1, Zoning Code Amendments at page 38). Just 10 acres of new EX land would therefore cost \$8,000,000; this represents the fee one would have to pay to even submit a zone change application to EX for 10 acres of land along the Streetcar line. The NPDD anticipates 33.7 gross acres converting from ME to EX for a total fee of approximately \$27 million. And if we, or others, cannot carry these monetary burdens, what result?

Presumably, the property in Subdistricts A and B would remain zoned IH, with a Comprehensive Plan designation of Central Employment. We would no longer be able to rezone the property to EG, like we can today, and would instead be limited to Heavy Industrial uses along the Streetcar line. Heavy industrial uses are not consistent with Streetcar zoning and accordingly we would object to any LID that requires a significant contribution to the Streetcar construction without any corresponding ability to reasonably and feasibly increase the breadth of uses or density on the property. For this reason alone, we cannot support the NPDD or the LID. And for the same reasons, the City should not be recommending such a constrained path to redevelopment.

2. **Zoning Map Amendment Process.** The NPDD requires a subsequent quasi-judicial amendment process for any zone changes. *The zone changes are the critical path to achieving the densities that are required for the Streetcar extension.* If the zone changes are left in doubt, so too is the Streetcar. The reason the City is not adopting the zoning legislatively is stated on page 38 of Volume 1: the rezoning will be challenged by transportation and industrial land supply issues under Statewide Planning Goals 9 and 12. If the reason the City does not want to make these findings now is because they are difficult to make, delaying that burden and placing it on the property owners does not make it any easier or any more certain. If the City wants this plan to succeed it should tackle these issues now, with a comprehensive transportation study and reasonable approach to industrial land supply issues.
3. **FAR and FAR Bonus Provisions.** Under EX base zoning, the code currently allows a base FAR of 3:1 and the ability to bonus or transfer up to another 3:1 by either building Inclusionary Housing, payment into the Affordable Housing Fund or transfer of historic resource FAR. The maximum

FAR for sites governed by the EX base zone is 6:1, using any one or a combination of these three tools. Some of these EX-zones are also along Streetcar lines.

Not so under the NPDD. Under the NPDD in Subdistricts B and D, the maximum base FAR for the EX-zone drops from 3:1 down to only 1:1 for non-industrial uses and you must buy back every square foot of FAR up to the maximum of 6:1. And the only way to reach 6:1 is to secure approval of the Planned Development Bonus. Let us unpack how punitive and restrictive this new program would be.

Today in the EX base zone, one is permitted to build IH housing and earn 2:1. This is no longer allowed in Subdistricts B and D under the NPDD. The NPDD drops the IH bonus from 2:1 to only .5:1. That is “point 5 to 1.” This results in almost ridiculously low FAR of 1.5:1 along the Streetcar line. Alternatively, the Draft would permit payment into the Affordable Housing Fund to earn .5:1 to again reach only 1.5:1, a low suburban level of density. The City has also proposed the “Affordable Housing Benefit Bonus” which requires both a monetary contribution into the Affordable Housing Fund PLUS built IH units and even then, we can only reach 4.5:1 in Subdistricts B and D, a low-density development on the Streetcar line. We can assure you that requiring IH units under a restrictive covenant for 99 years, and a monetary contribution to the Affordable Housing Fund, while lowering allowed density will not be economically feasible and will therefore not be implemented.

The only way to reach 6:1 under the NPDD in Subdistricts B and D is to achieve the Planned Development bonus which requires 60% of the development in residential use, a dedication of 15% of the property as public parks, IH units, affordable housing contributions, and a “public benefits agreement” that aspires to “a significant amount of affordable housing in excess of the standard requirements”, and more public amenities, among other benefits. Such an agreement also introduces more uncertainty and more cost into the entitlement process precluding redevelopment, the stated purpose of increasing density to support funding of the Streetcar.

And in the case for example of the American Can Complex in Subdistrict D that is intended for office use and the next generation of Portland makers, there would be a 1:1 base FAR for office uses and only two bonus options: payment into the Affordable Housing Fund for a small .5:1 bonus or a giant leap into the Planned Development Bonus. As a comparison, under today’s zoning the American Can Complex is zoned EG1 and is in Subdistrict B of the GLISPD. It starts with a base FAR of 2:1 because it is an Historic Landmark and could earn at least .85:1 in FAR office bonus under the NW Transportation Fund for at least a total of 2.85:1 compared to the 1.5:1 proposed under the NPDD without a Planned Development. This represents a density downzone along the proposed Streetcar line.

The City should at least undergo an exercise of adding up the costs of each of these requirements in an effort to understand the weight of the regulations and the likely impacts on development. Start with (i) what is likely a multi-million-dollar Streetcar LID, (ii) at least \$8 million in industrial land purchase or mitigation fund, (iii) costs of reduced rents for 99 years in each IH unit, (iv) payment into the Affordable Housing Fund, (v) costs of IH units in excess of the standard requirements (vi) the cost of larger parks

dedicated to the public through the public benefits agreements, (vii) millions of dollars in system development charges, and all on the shoulders of relatively low density, wrapped up in increased uncertainty, and years of process, ultimately leading to underdeveloped and underutilized land.

It is also remarkable that these requirements seem to be imposed as some sort of payment for the value offered by the Streetcar; a Streetcar the property owners are helping fund in the first instance. If you want a Streetcar that can leverage and multiply public benefits, you will need a more balanced program that encourages responsible development, and in turn, provides the incentive and financial resources to actually achieve the City's desired results.

### **Subdistrict C (Most of the MP Site)**

In addition to the issues above, the Subdistrict C proposal also contains additional significant issues.

Today most of Subdistrict C is already zoned EX and allows a 3:1 base FAR and bonuses and transfers up to 6:1 with Inclusionary Housing, the Affordable Housing Fund or historic resource FAR transfers. Height is a maximum of 65 feet but adjustments to that height are permitted.

The NPDD effectively downzones these existing allowances, which is difficult to understand – why would landowners pay for a portion of the Streetcar and suffer a downzone? We may be much better off and more able to realize our vision for the MP Site with the existing zoning condition and no Streetcar.

In terms of FAR, the base FAR remains the same at 3:1 and the 2:1 maximum IH bonus is still permitted but to reach 6:1 without a historic resource FAR transfer, we would be required to secure approval of the Planned Development Bonus. This bonus, as we understand it, would require both Inclusionary Housing and a contribution into the Affordable Housing Fund, 60% of the development must be in residential use and 15% of the MP Site must be dedicated to open space. These additional requirements significantly narrow the options for reaching 6:1 and add significantly more expense for very little additional FAR. Further:

1. Because a development would have to be 60% residential to qualify for the Planned Development bonus, primary office developments would not be able to ever reach 6:1 along the Streetcar line like they can today under existing zoning. The historic resource FAR transfer under the base zone, if it survives this code amendment, is not in sufficient available supply to cover this FAR gap. The 60% residential restriction does not currently apply today to other sites in the City using the Planned Development Bonus;
2. Because the bonuses earned through the Planned Development process now require both IH units and contributions to the Affordable Housing Fund, again office developments would be more heavily restricted in the EX-zone than they are today, and residential projects would have to carry both the 99-year restrictive covenant on all IH units and carry the cost of contributions into the Affordable Housing Fund. Current IH zoning requirements have seemingly stunted production of housing crucial to the long-term success of the City. Adding more onerous requirements at a time when affordable IH supply is anemic will further reduce new units and exacerbate the housing crisis.

For these reasons, the Planned Development Bonus should be recalibrated to make it more likely that the intended residential or office densities are realized along the Streetcar line.



1535 Llc



It is also unclear what is intended or required by the option in Subdistrict C to contribute an undefined dollar amount to earn development potential above 65 feet. Is this an FAR and height bonus or just an FAR bonus up to a pre-determined height?

Under the existing zoning, we are permitted to reach 65 feet and seek height adjustments. We understand those adjustments or modifications are discretionary, but they are a current entitlement option to increase height. The NPDD prohibits this current adjustment option and relies only on bonuses to increase height. For an office development, this bonus height could only be achieved by a contribution into the affordable housing fund or securing approval of a Planned Development (or perhaps paying into a fund to increase height above 65 feet). Any of these bonus options are more difficult under the proposed zoning than under the current zoning. Given that the property owner will be asked to make a significant contribution to the Streetcar extension through an LID, this additional burden to achieve modest height increases must be recalibrated.

Commercial developments adding more than 10,000 square feet are now also required to dedicate at least 1,000 square feet of affordable commercial space. This requirement may be feasible to implement if not for all the other requirements that seem to relentlessly chip away at the economic feasibility of project development for sites in all Subdistricts of the NPDD.

Lastly, like in the other Subdistricts above, the NPDD makes a general statement that a Public Benefits Agreement is assumed for implementation of the development under the NPDD in Subdistrict C. Such an agreement would layer in more requirements such as "significantly more IH than required by the code" and "larger parks." All these elements, considered together, create what is in effect a downzoning of the property in Subdistrict C, while requesting a significant private contribution to public infrastructure through the Streetcar extension.

We could continue to address each element of the NPDD but with these concerns identified above, we cannot support the Discussion Draft or the Streetcar LID.

We do remain willing to inform the process and offer amendments that would better deliver the shared public and private objectives in the district. We will dedicate those resources and commence that effort only after a response from the City that indicates a willingness to have a comprehensive discussion about our concerns.

Best regards,

A handwritten signature in blue ink, appearing to read "Warren Rosenfeld", written over a horizontal line.

Warren Rosenfeld  
Manager  
1535 Llc  
PO Box 10067  
Portland Oregon 97296

A handwritten signature in blue ink, appearing to read "Quentin Kuhrau", written over a horizontal line.

Quentin Kuhrau  
President & CEO  
Unico Properties LLC  
1215 Fourth Avenue, Suite 600  
Seattle, WA 98161

Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Prohibited Uses in EX zone	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture
Limited	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.
Ground Floor Active Use	In EX, at least 25% of ground floor within 200 feet of streetcar must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.	In EX, at least 25% of ground floor within 200 feet of streetcar must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.	In EX, at least 25% of ground floor within 200 feet of streetcar must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.	In EX, at least 25% of ground floor within 200 feet of streetcar must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.
Base Maximum Floor Area Ratio	In EX or EG zones, 3:1 overall FAR max; 1:1 max for non-industrial uses. No adjustment.	In EX or EG zones, 3:1 overall FAR max; 1:1 max for non-industrial uses. No adjustment.	Max base FAR is 3:1, all uses. No adjustment.	In EX or EG zones, 3:1 overall FAR max; 1:1 max for non-industrial uses. No adjustment.
Minimum FAR	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.

Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Maximum Base Height	In EX and EG zones max height is 65 feet; No adjustments permitted but can earn bonus height.	In EX and EG zones max height is 65 feet; No adjustments permitted but can earn bonus height.	In EX and EG zones max height is 65 feet; No adjustments permitted but can earn bonus height.	Maximum height in all zones is 45 feet for area of site within 20 feet of NW Vaughn. Can be modified in Design Review.
Maximum FAR with Bonus	3:1	6:1	6:1	6:1
Bonus FAR	<p>IH <u>plus</u> payment into Affordable Housing fund up to <u>2:1</u> per site.</p> <p>No bonus floor area for industrial uses.</p> <p>No Planned Development Bonus available.</p>	<p>IH Bonus up to <u>.5:1</u> per site.</p> <p>Payment into Affordable Housing fund priced per square foot up to <u>.5:1</u> per site.</p> <p>IH <u>plus</u> payment into Affordable Housing fund up to <u>3.5:1</u> per site.</p> <p>No bonus floor area for industrial uses.</p> <p>Planned Development up to <u>5:1</u>.</p>	<p>IH Bonus up to <u>2:1</u> per site.</p> <p>Contribution of xx dollars into fund for each square foot of floor area above 65 feet.</p> <p>No bonus floor area for industrial uses.</p> <p>Planned Development up to <u>3:1</u>.</p>	<p>IH Bonus up to <u>.5:1</u> per site.</p> <p>Payment into Affordable Housing fund priced per square foot up to <u>.5:1</u> per site.</p> <p>IH <u>plus</u> payment into Affordable Housing fund up to <u>3.5:1</u> per site.</p> <p>No bonus floor area for industrial uses.</p> <p>Planned Development up to <u>5:1</u>.</p>
Bonus Height	Maximum height with bonus 65 feet.	Maximum height with bonus is 75 feet or 130 feet with Planned Development Bonus.	Maximum height with bonus is 75 feet or 130 feet with Planned Development Bonus.	Maximum height with bonus is 75 feet or 130 feet with Planned Development Bonus.

Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Minimum Residential Density	1 unit per 500 square feet of site area.	1 unit per 500 sq. feet of site area.	1 unit per 500 sq. feet of site area.	1 unit per 500 sq. feet of site area.
Required Affordable Space	N/A	In EX zones, when you add 10,000 square feet or more of commercial use, at least 1,000 square feet of affordable commercial space must be provided.	In EX zones, when you add 10,000 square feet or more of commercial use, at least 1,000 square feet of affordable commercial space must be provided.	In EX zones, when you add 10,000 square feet or more of commercial use, at least 1,000 square feet of affordable commercial space must be provided.
Ground Floor Windows	In EX zone, facing streetcar alignment, windows must cover 60% of ground wall area. Other walls, this is reduced to 40% if facing public area. Artwork is optional modification.	In EX zone, facing streetcar alignment, windows must cover 60% of ground wall area. Other walls, this is reduced to 40% if facing public area. Artwork is optional modification.	In EX zone, facing streetcar alignment, windows must cover 60% of ground wall area. Other walls, this is reduced to 40% if facing public area. Artwork is optional modification.	In EX zone, facing streetcar alignment, windows must cover 60% of ground wall area. Other walls, this is reduced to 40% if facing public area. Artwork is optional modification.
Streetcar Standards	Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment in active use, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.	Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment in active use, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.	Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment in active use, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.	Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment in active use, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.

Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Urban Green	<p>In EX zone, &gt;10,000 square feet of new development, 15% of site area must be landscaped.</p> <p>Space standards for large trees.</p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>	<p>In EX zone, &gt;10,000 square feet of new development, 15% of site area must be landscaped.</p> <p>Space standards for usage trees.</p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>	<p>In EX zone, &gt;10,000 square feet of new development, 15% of site area must be landscaped.</p> <p>Space standards for usage trees.</p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>	<p>In EX zone, &gt;10,000 square feet of new development, 15% of site area must be landscaped.</p> <p>Space standards for usage trees.</p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>
Required Outdoor Area	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>
Noise Insulation	In EX zone with lot line that abuts or across street from IH or IG, up to 45 dBA.	In EX zone with lot line that abuts or across street from IH or IG, up to 45 dBA.	In EX zone with lot line that abuts or across street from IH or IG, up to 45 dBA.	In EX zone with lot line that abuts or across street from IH or IG, up to 45 dBA.
TDMP	Required for 10 or more dwelling units or 20,000 of commercial use; objective standards of 17.107 or Transportation Impact Review process.	Required for 10 or more dwelling units or 20,000 of commercial use; objective standards of 17.107 or Transportation Impact Review process.	Required for 10 or more dwelling units or 20,000 of commercial use; objective standards of 17.107 or Transportation Impact Review process.	Required for 10 or more dwelling units or 20,000 of commercial use; objective standards of 17.107 or Transportation Impact Review process.

Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Parking	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.
Planned Development in EX	<p>60% of floor area is <u>R</u> use.</p> <p>On-site IH required <u>plus</u> required contributions to affordable housing fund.</p> <p>15% of area is publicly dedicated OS.</p> <p>All primary buildings must meet ENN-5.10.</p> <p>Type III Design Review.</p> <p>Phasing plan, TIS, urban design framework, etc.</p>	<p>60% of floor area is <u>R</u> use.</p> <p>On-site IH required <u>plus</u> required contributions to affordable housing fund.</p> <p>15% of area is publicly dedicated OS.</p> <p>All primary buildings must meet ENN-5.10.</p> <p>Type III Design Review</p> <p>Phasing plan, TIS, urban design framework, etc.</p>	<p>60% of floor area is <u>R</u> use.</p> <p>On-site IH required <u>plus</u> required contributions to affordable housing fund.</p> <p>15% of area is publicly dedicated OS.</p> <p>All primary buildings must meet ENN-5.10.</p> <p>Type III Design Review</p> <p>Phasing plan, TIS, urban design framework, etc.</p>	<p>60% of floor area is <u>R</u> use.</p> <p>On-site IH required <u>plus</u> required contributions to affordable housing fund.</p> <p>15% of area is publicly dedicated OS.</p> <p>All primary buildings must meet ENN-5.10.</p> <p>Type III Design Review</p> <p>Phasing plan, TIS, urban design framework, etc.</p>

Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Public Benefits Agreement [Not in code; but assumed part of implementation]	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.



**April 18, 2022**

Barry Manning  
Project Manager  
City of Portland Bureau of Planning and Sustainability (BPS)  
barry.manning@portlandoregon.gov

**Re: Montgomery Park to Hollywood Streetcar:  
Transit and Land Use Development Strategy, Northwest Plan (December, 2021)**

Barry,

The Portland chapter of the Congress for the New Urbanism (CNU PDX) would like to commend BPS on a strong plan, one that responsibly uses the tool of streetcar line expansion to redevelop an opportunity site, in this case the neighborhood formerly dominated by the ESCO complex between Montgomery Park and the Alphabet District.

Last year, a new vision for a walkable neighborhood centered on Montgomery Park won a CNU Charter Award for its excellent design sense and ability to transform the existing transitional area into a pedestrian-focused neighborhood.<sup>1</sup> We encourage this vision to be incorporated into the implementation of the plan.

**Overall Recommendation**

This area has strong potential to be Portland's next great micro-neighborhood, as it benefits from proximity to downtown, the Pearl District, the Alphabet District, Slabtown, Forest Park, and the eastside.

In particular, CNU PDX supports the selection of the Scenario 4: Hybrid: Industrial and Mixed Use (with 10% affordable housing) alternative, which envisions the creation of a new transit-oriented 15-minute neighborhood with 930 new industrial jobs, 1,510 new office jobs, 660 retail and restaurant jobs, 12,840 new market rate homes, and 1,130 new affordable homes.

**New Industrial Sector Bonus**

We understand that, despite all of the new industrial sector jobs envisioned by this scenario, some concerns remain over providing sufficient industrial sector jobs, or perhaps about existing landowners of land currently zoned for industrial uses receiving sufficient incentives to sell to others able to implement the vision for a new streetcar-oriented neighborhood.

To address these concerns, we would like to point out that the hybrid scenario adds industrial jobs over the baseline.

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<sup>1</sup> <https://www.cnu.org/publicsquare/2021/04/15/iconic-buildings-planned-gateway-urban-outdoor-living>  
<https://www.lakeflato.com/urban-planningdesign/montgomery-park>



This is clearly centering the needs to accommodate the industrial/employment sector and its ability to provide high-paying jobs.

Yet, to ensure that there are adequate incentives to implement the vision of the scenario, we would like to propose a modified bonus structure. This modified bonus would include an industrial sector use bonus for retaining or adding industrial sector uses within new or adaptive re-use, mixed-use buildings, with ground floor or basement industrial sector uses, and possibly creative office uses on the second floor and above, with residential on upper floors. For the amount of FAR that is provided in industrial sector uses, this would involve a 2:1 bonus, plus 16' height for each .5 FAR thus provided to accommodate the higher floor plates required by industrial sector users.

With this bonus structure in place, we see no need for the City to pay to assist existing property owners to find new land, unless it's by purchasing the land outright at existing market rates, pre-project.

### **Context: Importance of Streetcar as a Development Strategy**

As context, there are few clearer examples of the symbiotic relationship between infrastructure and development than the streetcar. The streetcar was innovated first and foremost as an instrument of real estate development. In many cities they were constructed with this express purpose giving us the streetcar neighborhood.

From the perspective of the public this should be no different at all. In fact it would be imprudent for the city in its various authorities not to directly capitalize on and invest in this venture.

Streets exist to create value in the surrounding land. A streetcar represents a major upgrade to that investment and demands an appropriate development ecosystem in order to thrive.

### **Context: Industrial Lands**

By some definitions this area is called prime industrial land. Yet, the very notion of prime industrial land is an outdated concept of land use that was undone first by globalization. and then once again by its collapse. The very irony of this concept is that the eponymous Montgomery Park was not only an industrial use but the equivalent in its day to an Amazon fulfillment center.

But there is a critical difference: The technology and traditions of the era that built Montgomery Park resulted in a structure that could evolve into other uses.

What makes land "prime" for "industry" is unfortunately noxious to human beings, fatal to pedestrians, and entirely dependent on fossil fuels. If we shift our concept away from 20th century concepts of industry and towards productivity in general we can imagine an outcome that not only accommodates mixed uses but actually outperforms the pollution-box model. With parking spaces precluded by transit, there will be space for a greater number of smaller productive spaces with a deeper connection to the community.

Redevelopment strategies that increase the mix of uses and incentivize light industrial and creative office uses could result in more employment jobs and even square footage than are available today, while also providing housing that is in desperate need, all in a format that promotes walking and transit ridership. This is a win-win for employment and sustainability, and especially for the lifestyle of workers and Portland residents.

### **Suggestion: Consider a Nightlife District**

We would also like to suggest that this new neighborhood provide an opportunity to allow for a new type of district: a nightlife district, one where late night music is specifically allowed without residential-district noise restrictions. This would be appropriate in the buffer zone, to encourage the ability of this district to become a nightlife hub. Portland in general fails to adequately plan for nightlife. The noise code does not offer a proactive pathway to encourage nightlife, including zoning for nightlife to occur in areas where elevated levels of noise and street activity during late night hours will not have a negative impact on adjacent land uses. This district is a prime opportunity site for nightlife with no potential to negatively impact adjacent land uses; this should be studied further using noise models to identify specific locations where late-night music inside buildings would bleed the least away from the immediate block and thus do the least harm to neighbors seeking a good night's rest.

### **Concerns: Multimodal Transportation and GHG Analysis**

We do have some concerns with the transportation analysis, and suggestions for improvements. PBOT's analysis of potential transportation impacts resulting from the scenario seems entirely automobile focused. Why does it only examine automobile congestion, seemingly as the only outcome worth reporting model results for?

The transportation analysis seems wholly deficient in addressing the concerns of the Comprehensive Plan:

- How will the proposed changes help the area do its part to meet the target mode split from the Comp Plan?
- How will the changes help to reduce GHG emissions per capita and per worker?
- How many more pedestrian, bicycle, or transit trips would be induced by the project?

The comp plan does not lay out specific congestion targets or goals for automobile throughput, so why are these the only factors analyzed? Why were mode split figures for bicycle, pedestrian, or transit not reported, or related GHG emissions, in the same place as automobile congestion projections? We find the quantitative analysis and reporting of transportation impacts to not be of the same high caliber as the land use and racial equity analysis performed for this project.

### **Transportation Suggestions**

We understand that the proposal to run the streetcar extension north up NW 23rd Ave from the current turn-around may meet with resistance, and concerns about parking and traffic congestion. Some context is necessary here, however: NW 23rd avenue already devotes entirely too much space to the automobile, at the expense of the pedestrian experience. Its sidewalks are frequently crowded, and inadequately sized for the volume of pedestrian traffic that they regularly experience.

While we are painfully aware of the failures of other experiments with creating car-free streets in the United States during the 1970s, we think that this project, at this time, in this location, is crying out for the conversion of NW 23rd Avenue into exactly that, from W Burnside to NW York Street. There are precedents from around the world of streetcars that mix safely with pedestrians and bicycles, including Istiklal Avenue in Istanbul, as well as through Portland's own PSU campus.

Parking demand could be managed off of NW 23rd avenue by adjusting meter rates for on-street parking until one to two spaces per block face are free even during peak periods.

NW 23rd Ave could also receive a festival street treatment, one that allowed vehicle traffic access during late night and morning hours, but not during midday, afternoon, evening, weekend, or holiday peak periods. If this approach were used, we would recommend the use of retractable bollards to open and close the street for all vehicles except the streetcar.



## Conclusion

The new Montgomery Park streetcar line extension provides the opportunity to create a new fifteen minute neighborhood, one that mixes new affordable and market rate homes with non-polluting industrial-sector, retail, restaurant, creative office, and related land uses in a prime location of our city. Close attention should be paid to ensuring the neighborhood is walkable, bikeable, transit-focused, and full of opportunities for people on every step of the economic ladder.

Coordinating the streetcar line with the Montgomery Park redevelopment project represents an opportunity to expand its mixed-use redevelopment goals throughout the district, which is so tightly bound by existing infrastructure that it is clearly more part of the Alphabet District than the nearby, low-intensity industrial and warehouse lands.

We are in unprecedented times. The City of Portland has declared a climate state of emergency, as well as a housing crisis. We should act like it. This plan is an opportunity to show an appropriate response to the level of urgency implied by the words "crisis" and "emergency," and ensure that as much housing and employment as

possible is built in a fashion that actively discourages the use of the automobile in favor of transit, walking, and bicycling.

Thank you for your serious consideration of these comments.

Sincerely yours,

PDX-CNU

**CNU - PDX Comment Letter on Montgomery Park Streetcar**

Notes:

CNU-PDX supports the current proposal, the hybrid scenario 4.

email:

*Given that you've been tracking this process more closely, can you help us better understand the answers to some questions?*

*1) What are the pressure points might be for the City in this process?*

Not totally sure what you mean here – but assuming it's asking about what potential issues might make/break this project? The biggest issue we have is the process for and cost of swapping industrial land to something more flexible. Basically the City is making the property owner pay to find new land...and that price tag is ~\$27m...an alternate policy approach could find a way through this problem and keep that money either in the transit project or for affordable housing.

Other issue is managing traffic and parking on NW 23rd ave...you can appreciate that is a sticky situation on the best days but something we need to resolve.

The actual funding and construction of the streetcar project is the easy part here – need to get the land use vision right and ensure their participation in the project moving forward.

*2) What are their actual goals that they're seeking to achieve?*

Clean transit, affordable housing (more than they would get under existing policy), support development at Montgomery Park, and of course maintaining industrial lands...

*3) How much change are they really willing to consider?*

Quite a bit, this proposal would be a big change to the neighborhood which historically had the largest source of air pollution in the state to something much more urban and green. In terms of how much the City is willing to change the plan..? I would say they have laid out a pretty good vision but exactly how we get there is the challenge...alternative approaches to both mitigating industrial land loss and getting more/better affordable housing are welcome inputs.

*4) Does the discussion draft have the full support of the Bureaus involved, or are they floating a test balloon that they're not fully committed to?*

Yes, this is supported by the bureaus and commissioners.

Proposed plan:

[https://www.portland.gov/sites/default/files/2021/formatted\\_mp2h-discussion-draft\\_vol-1\\_12\\_17\\_21.pdf](https://www.portland.gov/sites/default/files/2021/formatted_mp2h-discussion-draft_vol-1_12_17_21.pdf)

Project Website:

<https://www.portland.gov/bps/mp2h>

Public Comment:

<https://www.portlandmaps.com/bps/mp2h/#/map/>

p. 64

“ Enhancing Viability of Existing Industrial Land. Conversion of existing prime industrial areas may be achievable through actions that improve the viability of existing employment and industrial land that is constrained due to environmental contamination, lack of sufficient access, or other similar issues that render them nonproductive. The 2016 EOA included estimates of the cost of remediation for contaminated sites. The cost was estimated at up to approximately \$800,000 per acre. A mitigation fund could be established for an industrial brownfield clean-up program, or to make access improvements to constrained sites, as an offset to the loss of prime industrial areas.”

Maps changes proposed (p. 67, 68)

<b>Comprehensive Plan Map Change</b>	<b>Gross Acres</b>	<b>Net Acres</b>
<b>IS to EX</b>	7.9	4.4

<b>ME to EX</b>	33.7	25.9
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Scenario Comparison, p 48:

**Development Scenarios Summary Table**

	<b>Baseline</b>	<b>Scenario 1: Enhanced Industrial</b>	<b>Scenario 2: Employment</b>	<b>Scenario 3: Mixed Use (with 10% affordable housing)</b>	<b>Scenario 4: Hybrid: Industrial and Mixed Use (with 10% affordable housing)</b>
<b>Residual Land Value</b>	<b>\$607M</b>	<b>\$629M</b>	<b>\$667M</b>	<b>\$757M</b>	<b>\$710M</b>
<b>Industrial Jobs</b>	<b>370</b>	<b>1,300</b>	<b>1,300</b>	<b>630</b>	<b>930</b>
<b>Office Jobs</b>	<b>550</b>	<b>1,940</b>	<b>1,940</b>	<b>1,040</b>	<b>1,510</b>
<b>Retail/Restaurant Jobs</b>	<b>400</b>	<b>410</b>	<b>450</b>	<b>730</b>	<b>660</b>
<b>Market Rate Housing Units</b>	<b>10,810</b>	<b>10,990</b>	<b>11,630</b>	<b>13,920</b>	<b>12,840</b>
<b>Affordable Housing Units</b>	<b>940</b>	<b>960</b>	<b>990</b>	<b>1,250</b>	<b>1,130</b>

Transportation impacts: Why are they so automobile focused? The transportation analysis seems wholly deficient and unable to address the concerns of the Comprehensive Plan:

1. How will the proposed changes help the area do its part to meet the target mode split from the Comp Plan?
2. How will the changes help to reduce GHG emissions per capita and per worker?
3. The comp plan does not lay out specific congestion targets or goals for automobile throughput, so why are these the only factors analyzed?
4. How many more pedestrian, bicycle, or transit trips would be induced by the project? Why was this not reported?

Commentary:

1. The hybrid scenario adds industrial jobs over the baseline. This is clearly centering the needs to accommodate the industrial/employment sector and its ability to provide high-paying jobs to low-educated individuals.
2. In the buffer zone, no attention is given to the ability of this district to become a nightlife hub. Indeed, Portland in general fails to adequately plan for nightlife. The noise code does not offer a pro-active pathway to encourage nightlife, including zoning for nightlife to occur in areas where elevated levels of noise and street activity during late night hours will not have a negative impact on adjacent land uses. This district is a prime opportunity site for nightlife with no potential to negatively impact adjacent land uses; this should be studied further.
3. Bonus structure:
  - a. Industrial sector use bonus:
    - i. Retaining or adding industrial sector use (assumed ground floor / basement, creative office could be second floor+)
    - ii. For amount of FAR that is retained/created/provided in industrial sector uses
    - iii. 2:1 bonus plus 16' height for each .5 FAR provided
    - iv.

Questions CNU-PDX might be able to answer:

- 1) How might the current proposal, which is what we would support and want to see as it does balance a mix of residential, office, retail, and industrial employment, be more resilient fiscally than the current baseline existing conditions, or a proposal that simply allowed business as usual industrial development on the lands in question?
- 2) Why providing a mix of uses, as envisioned in the current proposal, is synergistic with streetcar in about the best imaginable way possible.

I read the history portion of the plan. As far as I can tell it only ever became "prime industrial land" because it was wrenched away from the refugees of Vanport. Sounds like calling palm oil plantations "prime agricultural land" after you burned down the rainforest. Though before I fall off my high horse here I guess it wasn't "land" at all to begin with. Rotten landfill dirt right down to its core. I'm not sure If I understand what the fuss is



about. We all know there's a housing crisis right? Why aren't we building this thing and cramming a ton of housing around it already?

As for the fiscal argument there are few clearer examples of the symbiotic relationship between infrastructure and development than the streetcar. The streetcar was innovated first and foremost as an instrument of real estate development. In many cities they were constructed with this express purpose giving us the streetcar neighborhood. From the perspective of the public this should be no different at all. In fact it would be imprudent for the city in its various authorities and faces not to directly capitalize on and invest in this venture. Streets exist to create value in the surrounding land. A streetcar represents a major upgrade to that investment and demands an appropriate development ecosystem in order to thrive. By some definitions this area is called prime industrial land. I balk at the very notion of prime industrial land as a horrifically outdated concept of land use that was undone first by globalization and then once again by its collapse. The very irony of this concept is that the eponymous Montgomery Park was not only an industrial use but the equivalent in its day to an Amazon fulfillment center. Here is the critical difference though. The technology and traditions of the era resulted in a structure that could evolve into other uses. What makes land "prime" for "industry" is unfortunately noxious to human beings, fatal to pedestrians, and entirely dependent on fossil fuels. If we shift our concept away from 20th century concepts of industry and towards productivity in general we can imagine an outcome that not only accommodates mixed uses but actually outperforms the pollution-box model. With parking space precluded by transit there will be space for a greater number of smaller productive spaces with a deeper connection to the community.

CNU Charter Award for Montgomery Park:

<https://www.cnu.org/publicsquare/2021/04/15/iconic-buildings-planned-gateway-urban-outdoor-living>

<https://www.lakeflato.com/urban-planningdesign/montgomery-park>





April 21, 2022

**To:** Barry Manning, Planning and Sustainability Senior Planner

**cc:** Commissioner Carmen Rubio (Bureau of Planning and Sustainability)  
Commissioner JoAnn Hardesty (Portland Bureau of Transportation)  
Director Chris Warner, PBOT  
Interim Director Donnie Oliveira  
Mayor Ted Wheeler

**Subject:** Comments regarding equitable outcomes for the Montgomery Park to Hollywood Plan

Dear Mr. Manning and the MP2H Planning Team,

As the State Representative for Northwest Portland as well as someone who also has raised her family within blocks of Montgomery Park, I write to you with grave concerns about the current proposal for the Montgomery Park to Hollywood Project. I support your desire to “consider economic development opportunities as well as community benefits possible with a transit-oriented development scenario,” while also considering “how such opportunities could support the city’s racial equity, climate justice, employment and housing goals.” Unfortunately, I believe your plan fails to support our racial equity, climate justice and employment goals.

My concerns are three-fold:

1. Your plan does not elevate the very dire need we have in this urban core for a place for our children to participate in structured recreation and play.
2. These currently industrially-zoned areas will be lost without sufficiently considering the long-term impact on our ability to create a resilient local economy.

My constituents and neighbors have seen housing and business development all around our neighborhood for many years and generally we welcome the modest additions of affordable housing as well as the significant business development that has occurred. What is clear, however, is that there is not only a shortage of affordable housing, there is an extraordinary lack of recreational space for our children. Baseball, volleyball, swimming, basketball, lacrosse, softball and soccer teams who are not wealthy enough to enjoy the benefits of elite clubs in the city practice not in the urban core where we live, but in East Portland, Milwaukie, Beaverton, Tigard and Hillsboro. For working families who want to support their children’s athletic interests, it is nearly impossible for them to do so as our local middle and high schools have very limited field space and there is no public pool anywhere on the west side of the city within the city limits.

As a fiduciary for this district and state I am also deeply concerned about the loss of industrial land which could be used to support and develop a green economic future where working families have access to good wages and trades within a short public commute from their homes and schools. Industrial land accounts for approximately 60% of the middle-wage jobs in our community. As we grow in population, our industrial land is a fixed commodity. Rezoning to multi-use is a decision with clear economic benefit for the land owner but significant economic risk for the city and region.

If industrial land is to be rezoned in our city it must be done only if there is sufficient and compelling public benefit that will sustain for generations. That is clearly not the case with this project. As the state representative for this district I must protect the interests of my community and this project fails to prioritize people over financial gain. I ask you to reconsider your own stated goals and consider the addition of large turf field spaces, a public pool and a public recreational facility where childcare, after school programs, meeting space, job training and sports instruction may take place in a location accessible through a transit hub. This is of extraordinary value to the long-term quality of life in our community. Without such community benefit the loss of industrial land is too high a cost to be considered equitable.

Thank you for your partnership on this significant project.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Dexter', written in a cursive style.

Representative Maxine Dexter, M.D.

House District 33 (NW Portland and NE Washington County)

**From:** [BRUCE JOHNSON](#)  
**To:** [Manning, Barry](#)  
**Subject:** MP2H Review Comments  
**Date:** Monday, January 24, 2022 10:08:05 AM

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Barry,

I went to the review link to respond but found I needed to select a scheme. However, there were no choices listed to pick from. So...here's my initial take on the plan:

I agree with the extension of streetcar service to the proposed new district via 23rd Ave. Totally makes the best connection, and in the long-term strongly expands the NW Neighborhood as such to Nicolai.

Unfortunately, the plan seems to have overlooked a parking component for vehicles-- commercial service and drop-off needs, future residents and visitors, business notably retail employees, restaurant workers, diners, office workers, and the variety of customers who will be attracted to the new district. Does the district need parking structures, will there be brownfield and clean-up issues? More importantly, what will the future demand for parking be considering no one knows what the "new normal" might look like. And what if an active nightlife scene develops over time. What provisions can be made to handle suburbanites driving to the district from areas not served by public transit? What kind of parking ratios might be assigned to various land use, especially residential considering there will be both apartment and condo residents?

There's no discussion in the visionary plan for parking at this point? Is this an oversight, or is the district being planned as a car-free environment? If the intent of the plan is to restrict parking for private automobiles, this will result in people living in the new mini-district or arriving by auto for whatever reason to adversely impact the single-family residential area immediately south of Vaughn Street. Adequate on-street parking is already a problem for local residents. Spillover for parking demand will occur as has been evidenced by two decades of redevelopment in the NW Neighborhood.

Having lived just off 23rd Ave since the early 1970s I've witnessed the evolution and gentrification of this urban neighborhood. And the more recent Conway development in Slab Town also attests to the densification of housing and related parking issues.

Bruce Johnson

**From:** [Kate Levine](#)  
**To:** [PBOT Streetcar Study](#)  
**Cc:** [Manning, Barry](#); [Reed, Julia](#)  
**Subject:** Re: Montgomery Park to Hollywood (MP2H) project update  
**Date:** Friday, March 11, 2022 12:09:23 PM

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Dear MP2 Project managers,

While I appreciate the extended deadline for submitting comments about this project, I am befuddled by the lack of any indication of how or to whom to submit them. If this message fails to reach the correct recipients, therefore, I ask that you please forward it to the proper address.

After reading through the materials available online, I am largely satisfied with the development proposal as it stands. My only major concern is the apparent proximity of some of the apartment complexes/housing units to a major thoroughfare, namely NW Yeon Avenue/Highway 30. Locating affordable housing adjacent to a heavily traveled highway would only perpetuate the problems generated by red-lining communities of color. You might therefore wish to revisit the arrangement of structures on the available land so that residential buildings are well-buffered from traffic and the pollution it produces.

Sincerely,  
Kate Levine

2584 NW Savier St.  
Portland 97210



**Active Streets**  
for everyone

November 17, 2021

Eric Engstrom, Portland Bureau of Planning and Sustainability  
Barry Manning, Portland Bureau of Planning and Sustainability  
Nicholas Starin, Portland Bureau of Planning and Sustainability  
Mauricio Leclerc, Portland Bureau of Transportation  
Julia Reed, Portland Bureau of Transportation  
Zef Wagner, Portland Bureau of Transportation

Subject: Montgomery Park to Hollywood Transit and Land Use Development Strategy  
Northwest Plan Discussion Draft

Dear MP2H Lead Staff Persons:

Thank you for the opportunity to review the Montgomery Park to Hollywood Transit and Land Use Development Strategy Northwest Plan Discussion Draft (MP2H). Northwest Active Streets is a new organization dedicated to improving the street environment for all users in northwest Portland. Safe and convenient pedestrian and cycling facilities are a critical element of our mission. Two members are serving on the Project Working Group and, while Phil Selinger and Alex Zimmermann have other affiliations as part of the PWG, NW Active Streets would like to take this early opportunity to provide comment and general support for the draft plan.

In the broadest sense, we applaud the city for seizing the opportunity to optimize, through this planning process, a large portion of Northwest Portland that has seen recent changes in ownership and associated development aspirations. NW Active Streets believes it is appropriate for this plan to maximize a diversity of housing options including affordable, entry level housing and to serve this emerging community with a high level of transit service provided by an extension of the Portland Streetcar and, presently, three bus routes. NW Active Streets hopes the incentives for affordable housing are effective in increasing the supply of these sorely needed homes – complementing a diversity of nearby employment opportunities. At the same time, NW Active Streets appreciates the plan's commitment to replace and preserve prime industrial lands within the city that foster family wage jobs, economic diversity, and vitality of the city.

We hope that the study area will be able to truly serve the community versus destination shoppers. That suggests commercial uses that are directed to the practical needs of residents and workers. It also suggests the set aside and funding of a public park and adequate active open space. These local amenities need to be provided upfront to reinforce the walkable setting – either directly by development or through the dedication of Systems Development Charge (SDC) funds. They cannot be deferred.

NW Active Streets believes that potential concerns have been largely addressed in the draft plan report, however, we take this opportunity to underscore those concerns:

### Traffic / Streets:

1. While somewhat reassured by the modeling, the performance of the intersection of US 30 / NW 23<sup>rd</sup> / NW Vaughn is the most sensitive aspect of the Transportation Plan. Measures to divert new traffic to the NW Nicolai approach to I-405 will be essential. We are cautious that the modeling work accounted for the full development potential of this district. A 27% increase in traffic nonetheless will have a significant impact despite of a list of mitigation measures. It is not clear what optimistic assumptions were made in the analysis regarding internal trip making. NW Active Streets fears that the plan is simply deferring a needed fix of a critical intersection, leading to an imminent congestion nightmare – relieved only in part with the recent changes to that intersection.
2. NW Active Streets supports the infill of the street grid within the study area. New street connections, including NW Roosevelt, will make this a walkable community, consistent with the rest of NW Portland and much of the city.
3. The reconstruction of the north end of NW 23<sup>rd</sup> Avenue is a high priority for NW Active Streets. The details of the streetscape design for NW 23<sup>rd</sup> will come from a couple of forums, but we encourage the preparation of a street design that recognizes the active street environment with a pedestrian, transit, and alternative mode focus.
4. NW Active Streets appreciates the concern raised in the Transportation Plan for further increases in traffic, particularly cut-through traffic, on NW 25<sup>th</sup> as it is connected to NW Nicolai. A semi-diverter may be needed at NW 25<sup>th</sup> and Vaughn, as envisioned in an earlier transportation study, to reduce cut-through traffic.

### Transit:

1. NW Active Streets appreciates the high-quality service that a streetcar extension might provide for the study area and connections with the rest of Northwest and the Pearl Districts, however, the streetcar is not regional transit. It would be a long streetcar ride to the nearest MAX light rail connection. The Transportation Report does not provide, for our information, the assumed mode share to be carried by the streetcar or other active modes.
2. While Portland Streetcar will provide a high level of permanent transit service to the study area, NW Active Streets believes that the combination of other transit services is equally important in serving a multitude of trip origins and destinations to and from this district and that appropriate amenities be provided to optimize the visibility, convenience, and safety of all transit services in or near the study area.
3. TriMet has been de-emphasizing transit centers as a means for expediting service travel time, coverage, and rider convenience. The Transportation Plan calls for transit and other active travel services to be focused on a transportation center. While desirable from an urban design and informational standpoint, NW Active Streets wants to be comfortable that this is the best scenario for transit riders. A minority of riders would be transferring among transit routes serving this proposed center since transfers could generally be made to the east – for instance at NW 23<sup>rd</sup> / Thurman. Nonetheless, bikes and scooters could provide “last mile” connections for many travelers.

### Active Modes:

1. Much work has gone into the development of the Northwest in Motion Plan. NW Active Streets fully supports that plan and is pleased to see it integrated into the MP2H Draft Plan.
2. Careful attention needs to be given to the connections between the study area and the balance of the Northwest and Pearl neighborhoods. NW Vaughn and particularly the US 30 / NW 23<sup>rd</sup> / NW Vaughn intersection are perceived barriers for the vulnerable

modes of travel – helped somewhat with recent Local Improvement District (LID) improvements and planned Northwest in Motion measures. We appreciate the emphasis on the safe and attractive treatment of NW 24<sup>th</sup> for cyclists and pedestrians, however NW Active Streets is cautious about “giving up” on a safe crossing of the US 30 / NW 23<sup>rd</sup> / NW Vaughn intersection since NW 23<sup>rd</sup> and the Line 24 bus stop will be the destination for many pedestrians. Safe and convenient connections to the River District also need careful consideration. Efforts to date need to be sustained to achieve a fully integrated neighborhood.

3. The Transportation Plan describes a developed bike network within the study area but is unclear how the connection will be made from NW 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> to NW Wilson and NW Roosevelt – perhaps using the vacated frontage road, though that is not stated.

#### Demand Management:

1. NW active Streets encourages the creation of some version of a transportation management association that can promote demand management programs – providing on-going information and transportation option incentives for residents, employees, and visitors.
2. NW Active Streets supports a parking management plan, perhaps as an extension of the one in place for Zone M. Parking pricing needs to be a part of that plan to best reflect the real cost of parking within the right of way and off-street facilities.

NW Active Streets supports an attitude of innovation and pilot projects for this emerging study area but with timely analysis, adjustment and permanence as warranted.

NW Active Streets commends the bureaus and consultants for preparing a comprehensive plan for the study area that supports the study goals. Much work lies ahead in realizing the plan’s vision. NW Active Streets hopes these comments will be helpful in refining the draft plan to be even more effective and supportive of getting around using active modes of travel. Again, thank you for the opportunity to review the Montgomery Park to Hollywood Transit and Land Use Development Strategy Northwest Plan Discussion Draft Plan and associated Transportation Plan as they are prepared for broader community distribution and comment.

Sincerely,



Philip Selinger  
on behalf of NW Active Streets

<https://www.nwactivestreets.org/>

- C: Parker McNulty, Northwest District Association  
Rick Michaelson, Northwest Parking Stakeholder Advisory Committee  
Craig Hamilton, Northwest Industrial Business Association  
Reza Farhoodi, Pearl Neighborhood Association

April 22, 2022

**Bureau of Planning and Sustainability**

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

**Attn: Barry Manning, Senior Planner**

**RE: MP2H Discussion Draft comments**

The NWDA Planning Committee has reviewed the *MP2H Discussion Draft* and has met with BPS staff to discuss its policies several times since November 2021. As a product of these discussions, and of our internal review over the last few years, we offer a few broad comments, in addition to the Goals and Policy Statements that follow. These are in addition to our comments that were submitted to the *Preview Draft* from November 2021:

*The potential redevelopment of the MP2H area presents unprecedented opportunities to envision a place in our city unlike other recent redevelopment examples, with a chance to directly address the currently pressing and ascendent issues of affordability and diversity, along with the potential of realizing a new, relevant expression of urban design and form.*

Our comments incorporate the goals that the NWDA identified in its November *Preview Draft* comments, and couple them with:

1. Policy statements implementing those goals, and tying them to objectives and desired outcomes;
2. 'Vision Diagrams' and illustrations representing a.) the existing leverageable site characteristics, b.) potential arrangements of new and existing infrastructure, c.) potential development density, and d.) the desired outcomes. The NWDA believes that this has been a missing element in the process to date, and that while we recognize that this is not a master planning effort, and the Perkins and Will Urban Design Concepts study from 2020 notwithstanding, the absence of a 'vision' for the area has constrained the ability of the stakeholders to actually discuss this *Discussion Draft*.

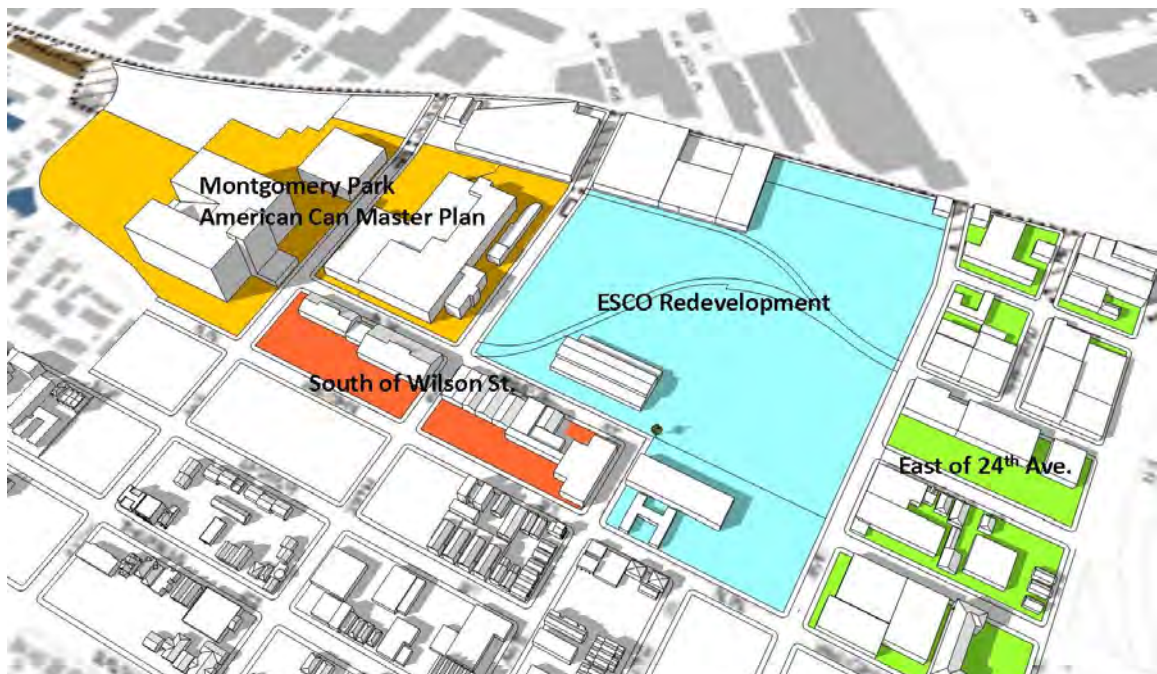
A few overview comments:

1. The proposals to potentially up-zone and significantly increase the allowable density and height in areas other than the ESCO redevelopment area appear to be counter-productive to stated equity and affordability goals;
2. The proposed maximum 6:1 FAR for the aggregated ESCO redevelopment area appears to be difficult to realistically accommodate; 3:1 FAR would be more achievable for reasonable development sites and allow for 'light and air' open space;
3. The MP2H area is insular geographically, and it is not a component in larger, continuous transportation networks. The proposed prescribed mode and special use street profiles in this area are unnecessary and should be reconsidered;
4. The NWDA asks that the creation of any new Plan District be coupled with the update of the corresponding policy plan documents.



## General

- **Subareas:** identify MP2H Study Area subareas, each with distinct existing characteristics and redevelopment potential.
  1. **Montgomery Park American Can Master Plan** subarea: its ownership has initiated a master planning process, area is currently adequately zoned for anticipated future uses;
  2. **South of Wilson St** subarea: recent renovation of modest industrial buildings into 'creative' office use, other imagable buildings on Wilson St, existing workshop and incubator uses, adequate existing zoning;
  3. **ESCO Redevelopment** subarea: foundry buildings have been demolished, site for potential redevelopment and master planning;
  4. **East of 24<sup>th</sup> Ave** subarea: concentration of affordable existing workshop and incubator uses, adequate existing zoning.



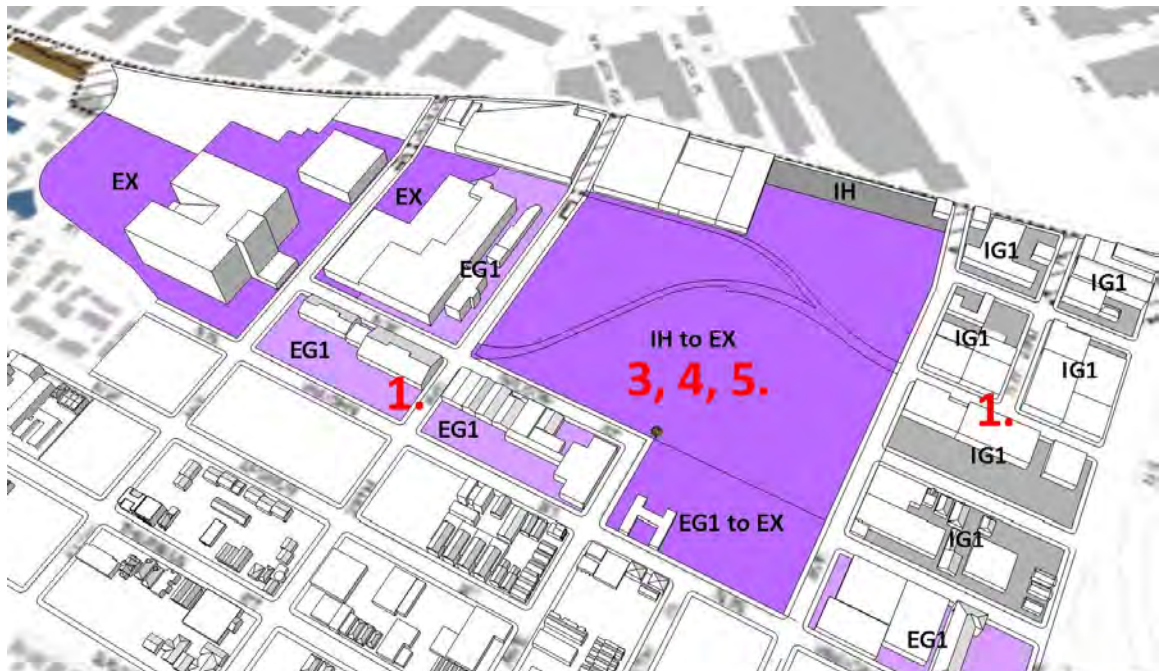
## Subareas

## Institutional and Infrastructure

- **Public Infrastructure:** mitigate impacts on schools, parks;
  - **Energy:** create a demonstration project for carbon neutral development, district energy generation systems, resilience and efficiency. Underground all utility distribution systems;
1. Address the impact of the creation of 3-5k new housing units over the next decade:
    - a. Enrollment in neighborhood elementary, middle and secondary public schools;
    - b. Currently over-used neighborhood park facilities;
    - c. The absence of active recreation and community center facilities in NW Portland;
  2. Structure a development agreement to ensure net-zero carbon emissions for the entire redevelopment area;
  3. Provide infrastructure for district energy generation systems;
  4. Provide infrastructure to allow for coordination and cross-usage of any sub-grade parking facilities.

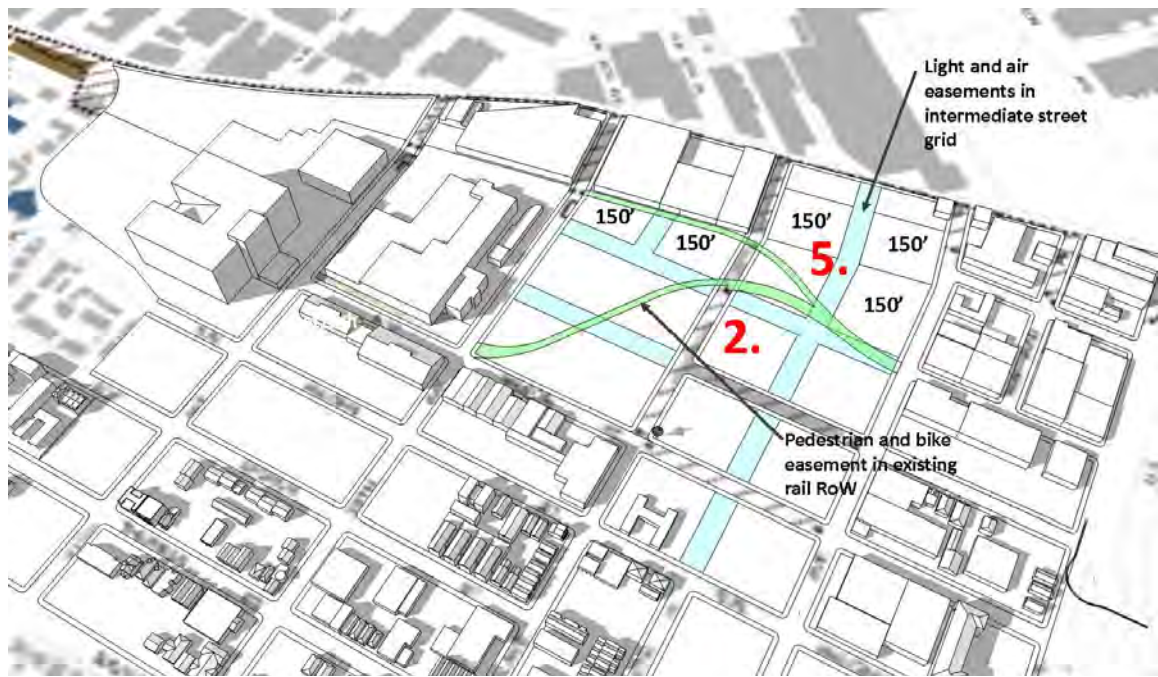
## Land Use

- **'Complete Neighborhoods':** create an urban district where people can recreate, live and work within affordable means;
  - **Mixed Uses:** expand the conception of 'mixed-use' beyond apartment buildings with retail shops and restaurants on the ground level, to include workshops, distribution facilities, etc., with a broad variety of residential types;
  - **Affordability:** conserve and expand the existing affordable commercial and workshop space in the area to support stated equity goals;
1. Retain existing uses and zoning at perimeter properties south of Wilson St. and east of 24<sup>th</sup> Ave. to provide unsubsidized, 'naturally-occurring' affordable commercial and 'incubator' space for light manufacturing and workshop uses;
  2. The proposed maximum aggregated density (6:1) in Subdistrict B in the ESCO property is infeasible if there is to be any provision for 'light and air' open space in the redeveloped area;
  3. Allow for the rezoning of the ESCO Redevelopment subarea to CM3 or EX with off-setting public benefits;
  4. Allow for a 3:1 FAR in the ESCO Redevelopment subarea with the transfer of density off of dedicated public open space;
  5. Allow for 75' maximum building height in the ESCO redevelopment area with a provision for 150' height at designated parcels in the northern portion.



## Zoning





**Open Space Easements and Height**



*Fox Commons 'creative office' renovation*



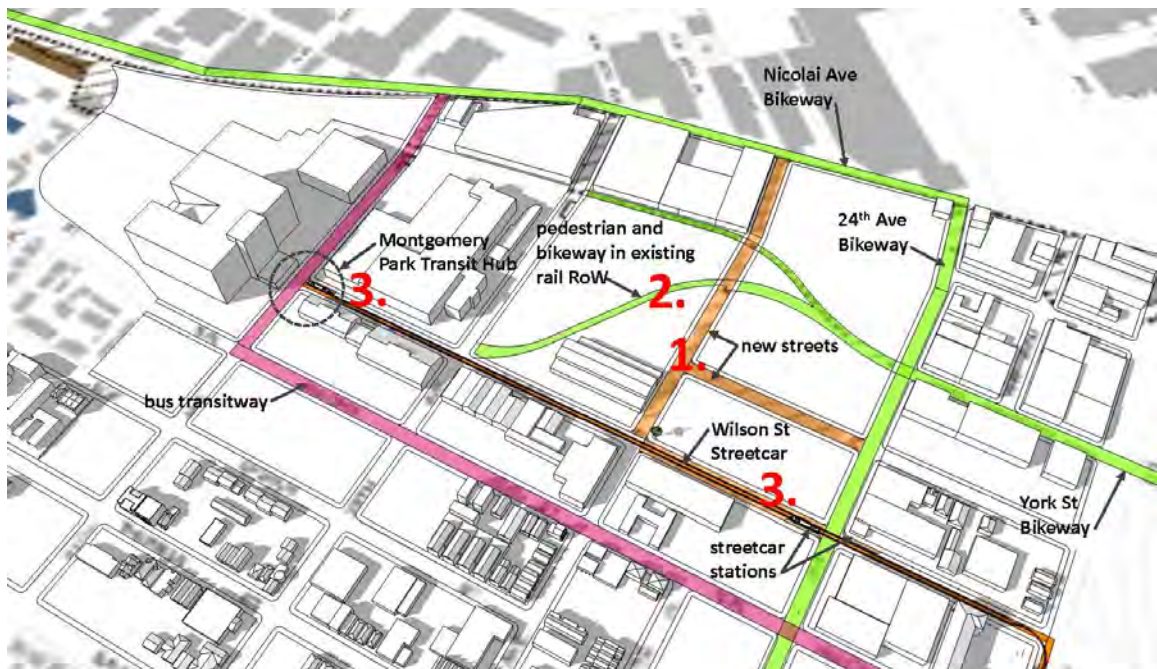
*South of Wilson St*



*East of 24<sup>th</sup> Ave*

## Transportation

- **Real Mode Splits:** provide sufficient transportation infrastructure that, while supportive of access, diversity and modal split goals, is based on the current reality of existing mode choices;
  - **Streetcar Routing:** align, if implemented, to an adopted urban design scheme, rather than it being the de facto generator of one;
1. Provide new general purpose, flexible, two-way streets with typical street profiles in the ESCO area; avoid unnecessary special purpose lanes and curb zone arrangements;
  2. Separate bikeways and routes from streetcar streets; they are incompatible;
  3. Route the streetcar in the existing Wilson Street right of way, not in the American Can Company setback, and place the stop at 27th Ave as a part of a transit hub with the adjacent bus lines.



Street Hierarchy



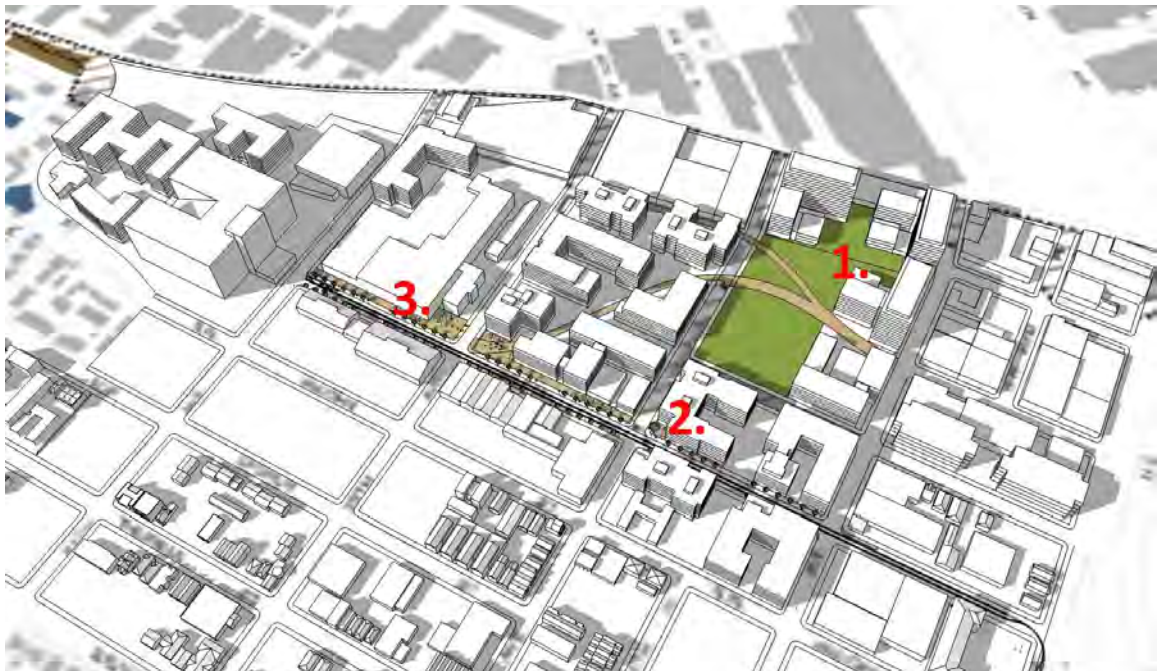
Streetcar in Wilson St



## Urban Design

- **Affordability:** preserve the affordable and imageable areas south of Wilson and east of 24th;
- **New Streets:** preserve the existing parcels and rail right-of-way, overlaying a new typical street grid only as needed;
- **Site Specific Heritage:** create a particular and unique urban environment that reflects its site-specific heritage, character and potential, and create the regulatory tools to facilitate that vision, not necessarily tied to today's conception of zoning regulation.

1. Allow additional height above 75' only at the perimeter properties north of York St. to conserve sun access to the areas to the south;
2. Preserve the existing 'old tree' at the 25th and Wilson gateway;
3. Create linear public square in an extended setback on the north side of Wilson Street from 27<sup>th</sup> to 25<sup>th</sup> to match the setback at the American Can Company building.



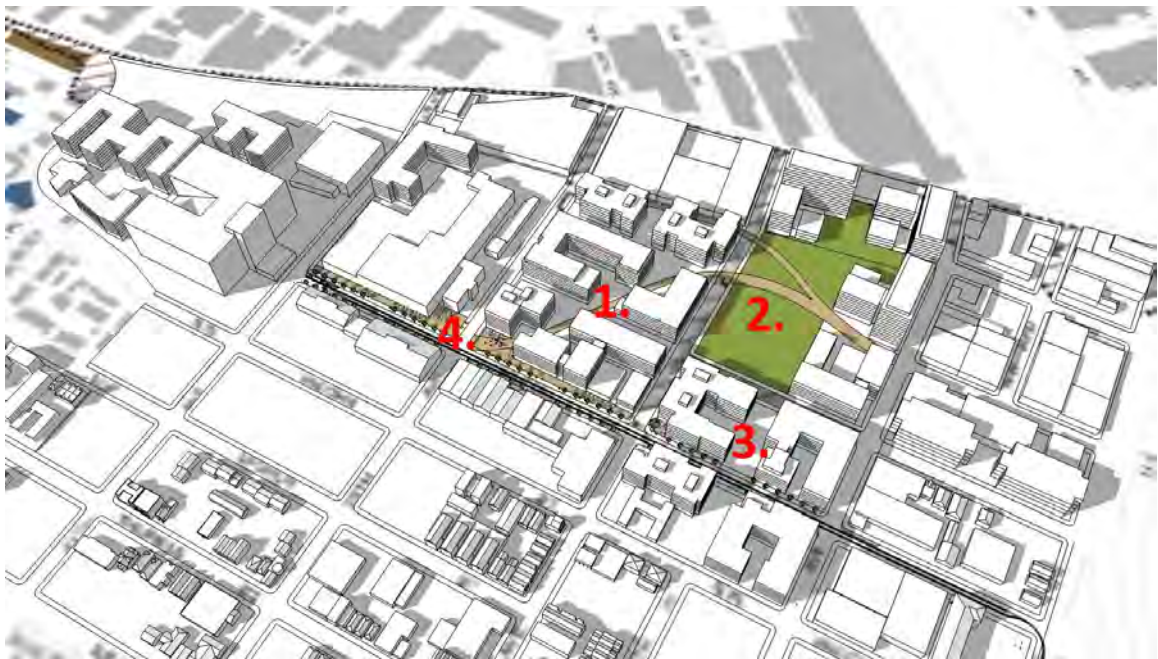
Vision Diagram – Urban Design



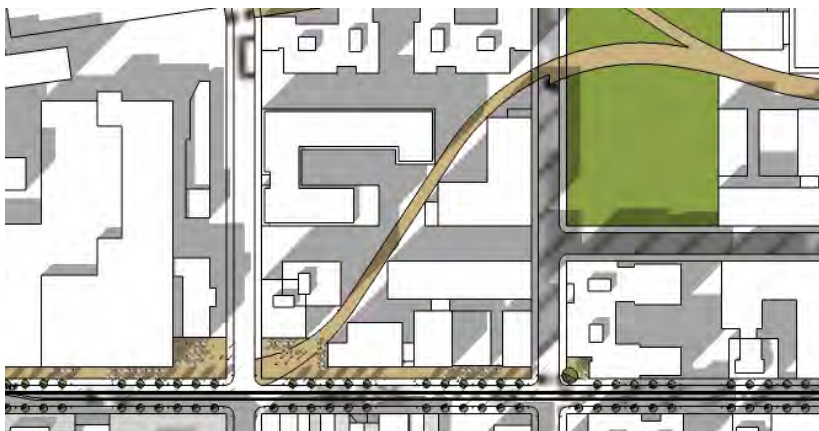
25<sup>th</sup> and Wilson 'old tree' gateway

## Parks and Open Space

- **Network of Open Space:** create a system of interlinked publicly-owned open spaces, including the street envelopes and viable, meaningful, full use parks and public squares. Avoid 'plazas' and privately-owned and controlled open spaces;
1. Preserve the existing rail right of way and use as public passage element to connect and leverage adjacent 'private' open spaces;
  2. Create publicly funded and accessible park located adjacent to the densest housing uses;
  3. Coordinate and organize 'private' open spaces to connect with and reinforce each other;
  4. Create a strong public spine along Wilson Street, reinforcing the visual corridor with the Montgomery Park building to the west and the Fremont bridge to the east, and connecting the Montgomery Park Transit Hub with the 'old tree' gateway square.

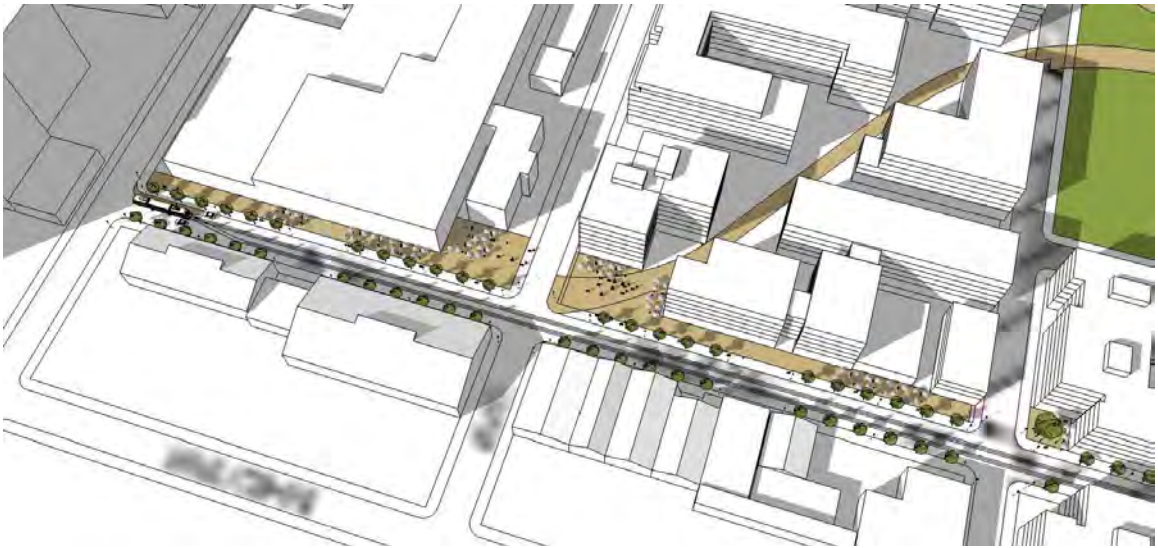


Vision Diagram – Parks and Open Space



Rail Right of Way Passage





*Wilson Street Square*



*Wilson Street at the American Can Company*



*Wilson Street visual corridor from Montgomery Park*

**Process**

1. Amend the NW District Plan to provide an updated policy framework for public actions in the study area;
2. Create a Master Plan area and development agreement in the proposed Vaughn-Nicolai Plan District in lieu of the Planned Development provision;
3. Identify the Master Plan area as the ESCO Redevelopment Subarea, and as a requirement of any proposed zone change.

Best Regards,  
Northwest District Association



Greg Theisen  
*Chair, Planning Committee, NW District Association*



Steve Pinger  
*Member, Planning Committee, NW District Association*



**From:** [Jay Price](#)  
**To:** [PBOT Streetcar Study](#)  
**Subject:** Industrial Area Changes  
**Date:** Monday, March 21, 2022 10:38:44 AM

---

Hi All

Sorry I missed your comment period, however here is my comment. I think development over in that area is fine however we need to continue to use some of the area for real employment for real companies and not restaurants and services. (There is very little incremental GDP created from restaurants and retail)

As for the infrastructure changes. Buses work great. The street car is an a idea that should be shelved as it isn't cost effective or efficient.

Best Regard

Jay Price  
1824 NW 28th Ave

**From:** [Jay Price](#)  
**To:** [PBOT Streetcar Study](#)  
**Subject:** Re: Industrial Area Changes  
**Date:** Wednesday, March 23, 2022 4:18:56 PM

---

Thanks Barry

I should also mention (and will comment in the app) that we need a load of new parking. Every building that seems to come on line in NW recently has either zero parking or insufficient parking.

Thanks again.

Best regards.

Jay

Sent from my iPhone

On Mar 23, 2022, at 12:47 PM, PBOT Streetcar Study  
<MP2HW@portlandoregon.gov> wrote:

Hi Mr. Price:

Thanks for your comments. The MP2H-NW Discussion Draft deadline was extended to April 22, so there is still time to comment. Here is the link to the comment tool: [Map App \(portlandmaps.com\)](#)

I will submit your email as comments in the map app. Please let me know if you have questions or wish to submit this yourself.

Thanks.

Barry

**Barry Manning** | Senior Planner | *he/him*  
Portland Bureau of Planning and Sustainability  
1810 SW 5th Avenue, Suite 710, Portland, OR 97201  
503.823.7965

[barry.manning@portlandoregon.gov](mailto:barry.manning@portlandoregon.gov)

*Due to COVID 19, I am currently working remotely and have limited phone access.  
Please use email to ensure I receive your message and can set up a call if needed.*

The City of Portland is committed to providing meaningful access. For accommodations, modifications, translation, interpretation or other services, please contact at 503-823-7700 or use City TTY 503-823-6868.

---

**From:** Jay Price <jaydprice@yahoo.com>  
**Sent:** Monday, March 21, 2022 10:38 AM

**To:** PBOT Streetcar Study <MP2HW@portlandoregon.gov>

**Subject:** Industrial Area Changes

Hi All

Sorry I missed your comment period, however here is my comment. I think development over in that area is fine however we need to continue to use some of the area for real employment for real companies and not restaurants and services. (There is very little incremental GDP created from restaurants and retail)

As for the infrastructure changes. Buses work great. The street car is an a idea that should be shelved as it isn't cost effective or efficient.

Best Regard

Jay Price  
1824 NW 28th Ave



Date: April 22, 2022

To: Barry Manning, Bureau of Planning and Sustainability

From: The Street Trust, André Lightsey-Walker

RE: Montgomery Park Land Use Discussion Draft

The Street Trust appreciates the opportunity to provide comment on the City of Portland's Montgomery Park to Hollywood Discussion Draft. We believe that the proposed expansion of the Portland Streetcar to Montgomery Park is directly aligned with our mission to improve the provision of a reliable, safe, affordable, and eco-friendly suite of transportation options for communities across the region.

We recognize that we are in the midst of a housing crisis and see the proposed expansion as a wonderful opportunity to develop additional housing (including subsidized units) that will help alleviate the burden our region and neighbors are currently experiencing. We also recognize the value of our limited industrial land supply but believe the plans for affordable housing and transportation development along this corridor will be an improvement over current land uses.

We are hopeful that through strategic partnerships with the private sector this project has the potential to ensure the timely delivery of affordable housing and living-wage jobs. We believe that if done correctly, this project has the potential to realize significantly more affordable housing units than would be generated through the City's Inclusionary Housing policy would be able to produce alone.

This project is a wonderful opportunity to marry transformative land use and zero-emission transportation and believe it will lead to happier, healthier, and more connected communities. The Street Trust looks forward to the further development of this project and looks forward to being a key community partner in future stages.

Best,

*A. Lightsey-Walker*

Policy Transformation Manager, The Street Trust

Tonkon Torp LLP represents all of the owners (the “Owners”) of the four-block area in Northwest Portland that is bounded by NW Nicolai on the north, NW 23rd on the east, NW York on the south and NW 24th on the west (the “Reed/York Area”). On behalf of the Owners, we have the following comments on the MP2H Development Strategy – Northwest Plan Discussion Draft (the “Draft Report”). Since the commenting website requires linking comments to a specific property, to avoid duplication we have linked these comments to only one of the properties in the Reed/York Area. Please understand, however, that these comments are submitted on behalf of all of the Owners, as regards all of their respective properties.

Overall, the Owners are supportive of the MP2H proposal and the Draft Report, which recommends comprehensive plan and zoning changes for land generally south of the Reed/York Area and the area around and including the former ESCO site to the west. The Draft Report, however does not recommend any comprehensive plan or zoning changes to the Reed/York Area except to remove it from the Guild’s Lake Industrial Sanctuary Plan District (“GLIS”) and add it the proposed new Vaughn-Nicolai Plan District (“VNPd”). The Owners recommend that the MP2H Proposal be revised to include the Reed/York Area in other changes as well.

At a minimum, the Owners recommend that the comprehensive plan designation for the Reed/York Area be changed from IS to ME. Several times, the Draft Report differentiates between the industrial areas east and west of Highway 30 by acknowledging that the City’s vision for the area west of Highway 30 (which includes the Reed/York Area) is to “transition ... into an intense mix of land uses including housing, employment/office/light industrial, institutional uses, and supportive commercial retail uses,” while the area east of Highway 30 will remain more industrial in nature. To illustrate this, the Draft Report often uses a diagram which can be found on page 11 of the report, among other places. The diagram shows the Reed/York Area as a future “employment/light industrial buffer,” which is the same designation given land further west along the south side of NW Nicolai. However, while the land further west already has a comprehensive plan designation of ME, no change is proposed for the Reed/York Area from its current comprehensive plan designation of IS. We see no reason to not also designate the Reed/York Area as ME, given that the desired outcome is the same. And, not changing the Reed/York Area designation from IS contradicts the statements in the Draft Report seeking to transition the areas west of Highway 30 away from industrial use.

Ideally, the proposal would go further and change the comprehensive plan designation for the Reed/York Area to EX rather than ME. The four blocks of the Reed/York Area is a gateway to the future redeveloped areas to the west, both from the north via Highway 30 and NW Nicolai, and from the south along NW 23rd, Portland’s pre-eminent walking street. An EX designation would maximize the

Reed/York Area's redevelopment potential as a welcoming gateway and an extension/transition from Slabtown to the south. Also, specifically with respect to the southern two blocks of the Reed/York Area (i.e., the two blocks south of NW Reed), a comprehensive plan designation to EX would be consistent with the subdistrict map proposed as part of the VNPD, which includes those two blocks in subdistrict B along with land further to the south that is already proposed for an EX designation. The proposed buffer to industrial uses on the north side of NW Nicolai is only one block deep elsewhere in the study area, so these two blocks are not needed for that buffer as they do not directly abut NW Nicolai.

Additionally, the Owners recommend that the City reexamine the proposed street car stops at NW 25th and Wilson/Roosevelt, and consider relocating them further east so as to be more centrally located to the areas designated for redevelopment.

Lastly, while the Owners are in favor of redesignation of their properties to ME and/or EX as expressed in these comments, should those comments not be incorporated and any part of the Reed/York Area remains designated IS in the comprehensive plan, then that part should not be removed from the GLIS and added to the VNPD. Instead, since those properties would remain designated for industrial use, they should still benefit from the protections for industrial uses in the GLIS. The subdistricts map of the remaining VNPD should also then be modified so that a buffer is maintained between the industrial uses in the Reed/York Area and the future, non-industrial uses in the VNPD. Essentially, this would mean redrawing subdistrict A to extend at least one block along the west and south sides of any portion of the Reed/York Area that keeps an IS designation in the comprehensive plan.

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**Compilation of additional Portland Bureau of Planning and Sustainability (BPS) exchanges with Unico and 1535 LLC property owners and representatives on the MP2H NW Plan Discussion Draft prior and subsequent to release of the Discussion Draft.**

- 1) 09/27/21 – Unico and 1535 LLC joint letter regarding MP2H planning.
- 2) 10/22/21 - City staff letter to Unico and 1535 LLC regarding upcoming MP2H Discussion Draft.
- 3) 02/02/22 - Unico and 1535 LLC comments on Discussion Draft.
- 4) 02/18/22 – City staff response to Unico and 1535 LLC issues from 02/02/2022 letter.
- 5) 04/06/22 – City staff summary of 04/06/22 industrial land meeting notes.
- 6) 06/08/22 – Unico and 1535 LLC joint letter follow up to Discussion Draft.

September 27<sup>th</sup>, 2021

**BY PDF barry.manning@portlandoregon.gov**

Barry Manning  
Bureau of Planning and Sustainability  
City of Portland  
1400 SW Fourth Avenue, Suite 5000  
Portland, Oregon 97201

Re: NW Streetcar Planning and Alignment

Dear Barry,

As the collective property owners who control 35.5 acres along the proposed Streetcar extension in NW Portland, we offer these comments early in the planning process to ensure that the City and the property owners clearly communicate our shared objectives and work together to deliver on those objectives.

The City of Portland is proposing the extension of the Streetcar line from its current terminus to Montgomery Park in NW Portland. There are three proposed alternative alignments. The Bureau of Planning and Sustainability is working on a discussion draft of zoning code amendments that will work in synergy with the Streetcar project to ensure that the project delivers on multiple public objectives while also encouraging and facilitating the successful and financially feasible development of a mixed-use neighborhood along the Streetcar line.

Financial Partnership. We understand that the City will look to the private property owners along the Streetcar line to help fund and finance a portion of this City transportation infrastructure. This funding is proposed through a future Local Improvement District ("LID"). While the LID has not yet been formed, nor has the method of assessment been proposed, we are prepared to work with the City through the LID process to help finance the Streetcar construction through an appropriate assessment. We reserve our right to object to the formation and assessment at this early stage of the planning process but are also optimistic that we will continue to work effectively and in cooperation with the City to realize the City's plans for Streetcar extension. We also understand, based on the size of our ownership along the line, that such an assessment will represent a significant portion of the Streetcar funding. This future private financial commitment to the City Streetcar funding requires a thoughtful review of the corollary code amendments to ensure that the development potential and related obligations are commensurate with the financial commitment, and facilitate and not impede, economically feasible development.

Code Amendments. Any code amendments necessary to realize the full development potential of the sites along the Streetcar extension should be finalized through the legislative process in the current code amendment package. The extension of Streetcar will require the City to rezone properties from the current General Employment or Industrial designations to Central Employment (EX) or Mixed-Use Commercial (CM3). These new zoning designations will permit the kinds of densities that are required to support the investment in this infrastructure and will encourage the urban form and design that is preferred along the Streetcar line. This transportation planning exercise must be contemporaneous with

the land planning exercise to ensure the desired results. Delaying the final zone changes to a later quasi-judicial procedure will result in great uncertainty for the property owners. For example, if the zone changes are delayed to a quasi-judicial procedure, the property owners will not be able to determine whether the ultimate zones on the properties are sufficient to permit financial support of the Streetcar LID. Further, if the zone change is denied or carries conditions of approval too burdensome to realize a financially feasible development, then the property will not be developed as anticipated by the Streetcar project. Thus, it is essential that the zone changes necessary to support the Streetcar project be contemporaneous and adopted legislatively with the code amendment package.

Alignment. It will be critically important that the final alignment reflects the urban design objectives for gateway intersections to and from the redevelopment area and retains feasible development parcels that can be efficiently developed. For example, Alternative 3(a), as we have retitled it on the attached exhibits, bifurcates an otherwise typical block configuration and results in parcel remnants that preclude feasible redevelopment. Such an alternative, or like alternative, would otherwise significantly increase development costs and reduce redevelopment options. While we understand it is early in the process, we do not anticipate being able to support an alignment that creates uneconomic remnant parcels. Based on our internal planning analysis, attached Alternative 3(b), preserves redevelopment feasibility for a variety of allowed uses, solves for Hwy 30 offramp back up challenges, reinforces Wilson as a prominent main street with axial views of MP and has the support of the two largest private landowners in the area. We recommend you pursue and further evaluate Alternative 3b.

Affordable Housing. We understand and embrace the inclusion of affordable housing on the properties that will be subject to the rezoning under the code amendment package. Some of these properties currently allow housing while other properties will be permitted to now build housing under the proposed zone changes. We also understand that the City's Inclusionary Housing (IH) program is the baseline expectation for these sites. The City's IH program is also in its early years and the data suggests that production of affordable housing has not yet hit its stride under the IH rules. While people can debate the reasons for this low production rate, we believe it is necessary to allow the creativity and wide experience of the marketplace to bring other solutions to the table that may equally or better meet the goals of the IH program. For these reasons, we are requesting that the City include language in the code amendment package or other documents adopted or resolved by the City Council that encourages and facilitates a wide variety of methods or options to deliver on the affordable housing objectives. As an example, we propose the following draft or similar language related to affordable housing in the Streetcar project area:

Any property within the study area that is permitted under the code amendment package to build housing shall conform to the requirements of PCC 33.245. However, a property owner within the study area may also propose an alternative program, in lieu of PCC 33.245, for the production of affordable housing if the program equally or better meets the purpose of the IH program considering a number of factors such as inclusion rate, home ownership, timeline for delivery of units to the market, access to public amenities, and similar factors.

Any alternative program must be approved by the Portland Housing Bureau ("PHB").

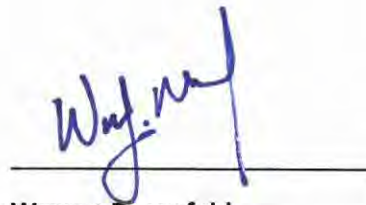
While this is not an exclusive list of issues that may arise in the present planning process, we have communicated these recommendations early in the process based on their importance in our future collaboration. The Streetcar infrastructure will certainly benefit the properties in the study area but will also bring a corollary cost in the form of a significant LID. The property owners will also continue to hold the risk and cost of horizontal and vertical development on each of their sites. It is critical that this planning project strike an appropriate and feasible balance between the costs and risks of redevelopment and the benefits of the Streetcar in order to ensure a financially feasible planning effort that can actually deliver on our mutual objectives.

Thank you for your review and consideration of these comments while we move this effort forward.

Sincerely,

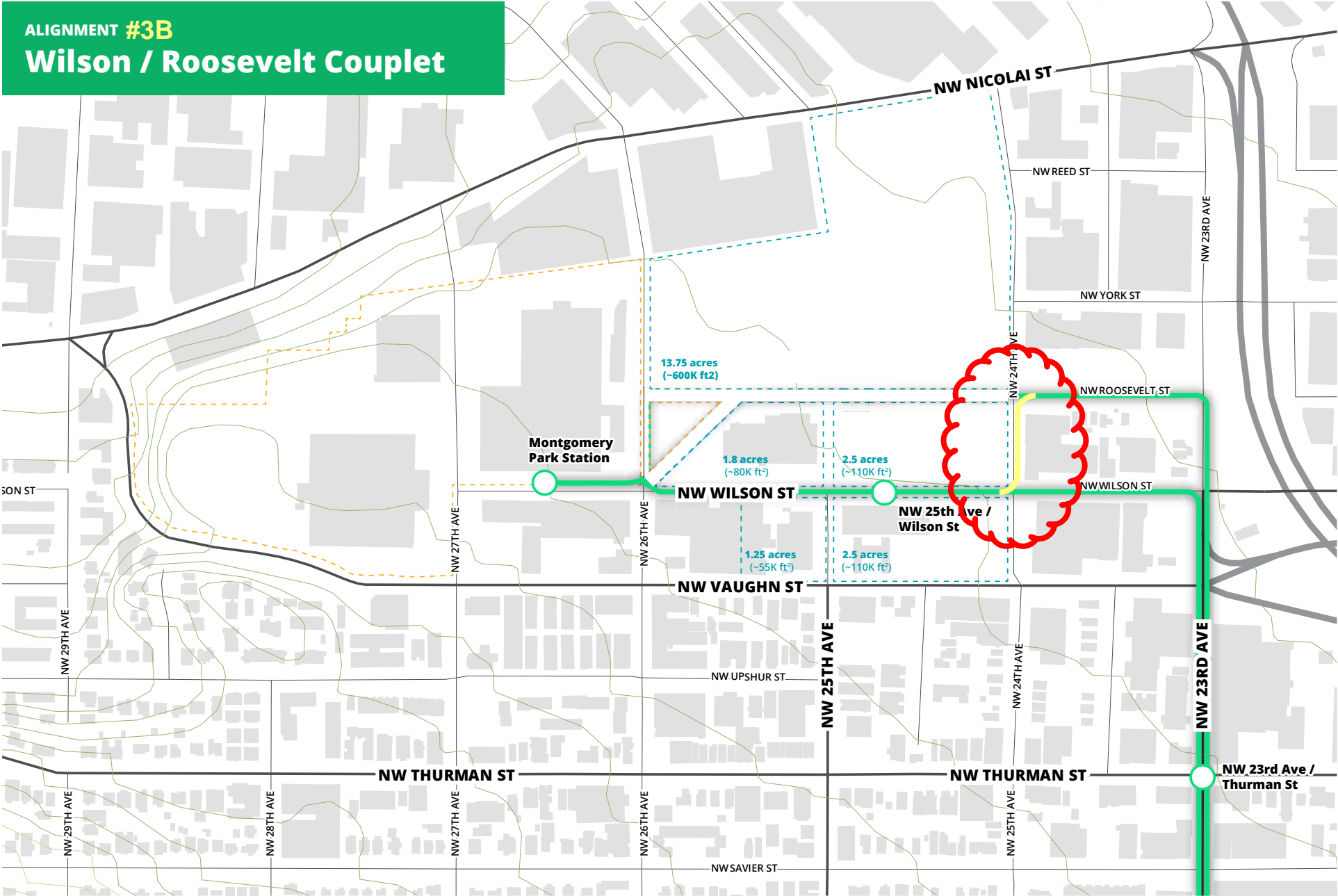


**Quentin Kuhrau**  
CEO, President, Chairman of the Board  
Unico Properties LLC



**Warren Rosenfeld**  
Manager  
1535 LLC.

cc: Zef Wagner: [zef.wagner@portlandoregon.gov](mailto:zef.wagner@portlandoregon.gov)  
Eric Engstrom: [eric.engstrom@portlandoregon.gov](mailto:eric.engstrom@portlandoregon.gov)  
Nicholas Starin: [nicholas.starin@portlandoregon.gov](mailto:nicholas.starin@portlandoregon.gov)  
Dan Bower: [dan.bower@portlandstreetcar.org](mailto:dan.bower@portlandstreetcar.org)



## KEY CONSIDERATIONS

- Maintains largest contiguous parcel at the northern end of the former ESCO site.
  - Partial couplet preserves redevelopment feasibility for a variety of allowed uses.
  - Tail track to Montgomery Park is a core element of this alignment with flexibility in the approach.
- 
- Initial scan by PBOT engineering does not appear to significantly impact traffic operations at the Highway 30 ramps and overall concept is compatible with many elements of existing transportation planning work to date.
  - May allow for a phased land-use approach.
  - Will require the northern section of the former ESCO site to meet street connectivity standards (with some flexibility) depending on future development pattern and programming.



THE BUREAU OF  
**PLANNING &  
SUSTAINABILITY**

October 22, 2021

By PDF to: [codym@unicoprop.com](mailto:codym@unicoprop.com)

Quentin Kuhrau, CEO, President, Chairman of the Board  
Unico Properties LLC

Warren Rosenfeld, Manager  
1535 LLC

Dear Mr. Kuhrau and Mr. Rosenfeld:

Thank you for your recent letter dated September 27, 2021 regarding planning for an extension of the Portland Streetcar in NW Portland to serve Montgomery Park, and nearby properties including those owned by 1535 LLC, and others. The purpose of this letter is to acknowledge your letter and the issues it addresses, and provide some information for you about the city process for considering the issues you outline and for moving forward.

As background, the City of Portland has been conducting the Montgomery Park to Hollywood Transit and Land Use Development Strategy (MP2H), funded in part by a grant from the Federal Transit Administration (FTA) since late 2019. The project was scoped to accomplish two primary objectives:

- **NW Portland:** explore extending Portland Streetcar transit service to Montgomery Park, linking the system to an under-served area of Northwest Portland. Consider land use and other investments needed to support a transit investment.
- **NE Portland:** explore the land use implications of alternate transit alignments to the Hollywood District.



City of Portland, Oregon | Bureau of Planning and Sustainability | [www.portland.gov/bps](http://www.portland.gov/bps)  
1900 SW 4<sup>th</sup> Avenue, Suite 7100, Portland Oregon, 97201 | phone: 503-823-7700 | tty: 503-823-6868

The City of Portland is committed to providing meaningful access. To request translation, interpretation, modifications, accommodations, or other auxiliary aids or services, contact 503-823-7700, Relay: 711.

Traducción e Interpretación | Biên Dịch và Thông Dịch | अनुवादन तथा व्याख्या | 口笔译服务 | Устный и письменный перевод | Turjumaad iyo Fasiraad | Письмовий і усний переклад | Traducere și interpretariat | Chiaku me Awewen Kapas | 翻訳または通訳 | ການແປພາສາ ຫຼື ສຳປະທັບພາສາ | الترجمة التحريرية أو الشفهية | [Portland.gov/bps/accommodation](http://Portland.gov/bps/accommodation)

As part of the FTA grant, the city is charged to create a proposal for NW Portland that can be considered by decision-makers. A project team composed of City of Portland staff from the Portland Bureau of Transportation (PBOT) and Bureau of Planning and Sustainability (BPS) have been working with consultants and staff from Portland Streetcar Inc. to consider city and regional policies, development economics, transportation issues and other factors as part of this process.

Your letter is helpful in articulating your desire to continue efforts to work with the city to meet shared objectives for the area and future development. The letter acknowledges the city project team's goal to create a package that can ultimately deliver on multiple public objectives while also encouraging and facilitating the potential development of a new mixed-use neighborhood along the streetcar. Your letter articulates your perspectives on four topics that are significant considerations in the project and to property interests: Financial Partnership, Code Amendments, Alignment and Affordable Housing. We acknowledge your perspectives on these topics and hope that the city and property owner stakeholders can ultimately come to mutually agreeable approaches to these and other issues that are considerations in the project.

As you are aware, the city project team has been working over the past several months to draft a proposal to extend streetcar to a terminus near Montgomery Park. A "Discussion Draft" land use and correlated transportation plan have been substantially underway since Summer 2021 and are now nearing completion. A preview of the draft is expected to be shared with members of the MP2H NW Project Working Group in early November for initial feedback. Brian Ames of 1535 LLC is part of that group. It will be published more broadly a few weeks later. The draft will contain the city team's initial proposal to address extension of the streetcar and the factors important in transition of land uses in the district to facilitate transit-oriented development in an emerging mixed use district. Given where the city team is in the process, the Discussion Draft is unlikely to incorporate the specific recommendations that you include in your letter. ***However, the purpose of the Discussion Draft is to allow a broad array of stakeholders – including property owners – to consider a proposed approach, and comment on that approach.***

The Discussion Draft will be available publicly for several months in order to collect feedback and have conversations with both key stakeholders and other interested parties. This is opportunity for further negotiation and refinement, and we look forward to discussing your ideas in more detail during that period. The feedback from stakeholders will result in publication of a "Proposed Plan" that will be considered by Planning and Sustainability Commission (PSC) in another public process. This is expected in Spring 2022. After hearing testimony on the Proposed Plan, the recommendations of the PSC on this matter are forwarded to Portland City Council who also conduct public hearings and make a decision on the matter.





In closing, we wish to reiterate that the upcoming Discussion Draft is seen by city staff as an opportunity to begin a discussion with the public – and key stakeholders such as you – about the issues at hand in transition of the district. We welcome that discussion with you as part of this process and look forward to creating a package that allows the district to succeed, addresses policy objectives, and can be supported by all parties.

Sincerely,



Eric Engstrom, BPS Principal Planner



Mauricio Leclerc, PBOT Supervising Planner

Cc:

Zef Wagner: [zef.wagner@portlandoregon.gov](mailto:zef.wagner@portlandoregon.gov)

Barry Manning: [barry.manning@portlandoregon.gov](mailto:barry.manning@portlandoregon.gov)

Nicholas Starin: [nicholas.starin@portlandoregon.gov](mailto:nicholas.starin@portlandoregon.gov)

Dan Bower: [dan.bower@portlandstreetcar.org](mailto:dan.bower@portlandstreetcar.org)



BY PDF: eric.engstrom@portlandoregon.gov  
Eric Engstrom  
Bureau of Planning and Sustainability

Re: Comments on Northwest Plan Discussion Draft

As the owners of the former ESCO property located between NW 24<sup>th</sup> and 26<sup>th</sup> and NW Vaughn and Nicolai (the “ESCO Site”), and the owners of the Montgomery Park land complex (the “MP Site”) (or together the “Sites”), we offer these collective concerns on the Northwest Plan Discussion Draft (“NPDD”).

In exchange for our support of a Local Improvement District (“LID”) to help fund the Montgomery Park to Hollywood Streetcar extension, the City has proposed new zoning regulations in the NPDD for our Sites. We have reviewed the City’s proposal with our financial, development and legal advisors.

As a result of this review, we object to the proposed regulations. For many reasons, the proposed regulations will effectively preclude the desired redevelopment. For brevity, we have only discussed the most concerning elements of the proposal. If these concerns are not resolved, then we cannot support the proposal.

Our collective Sites comprise at least 30 acres. Because each Site comes to the NPDD with different initial zoning designations, our comments are organized around the issues that arise under each Subdistrict. To that end, attached as Exhibit 1 is a zoning matrix we produced that distills the Discussion Draft into an easily accessible comparison. As a threshold matter, we would like the city staff to review this matrix and identify any errors where our read of the code is inconsistent with the text you propose. We prefer to commence our discussion with the same understanding of intent for each provision.

### **Subdistricts A, B and D (The ESCO Site and portions of the MP Site)**

The property in Subdistricts A and B currently has a Comprehensive Plan designation of Mixed Employment and a zoning designation of Heavy Industrial with a Prime Industrial Overlay. Under the existing IH zoning, large warehouse uses are permitted as well as limited office and retail use. We are also permitted under the existing regulations to request a zone change to EG by demonstrating that there is adequate infrastructure capacity to serve the proposed development. Under the EG zoning we would be permitted to develop more office use, industrial uses and limited retail uses. This property is not currently subject to any design review or master planning requirements.

1. **Industrial Land Supply.** Under current zoning, we are permitted to request a zone change in compliance with the Comprehensive Plan from IH to EG without any required findings related to industrial land supply. We understand the EG zone would not permit residential uses, but it would permit industrial uses, non-industrial office uses as well as some retail uses.

Under the NPDD, it seems this EG zoning and process option would be removed. Instead, the Comprehensive Plan designation would go from ME to Central Employment and the implementing zone would change from EG to EX. While EX would permit a broader range of uses, the required zone change process under the proposed regulations is too burdensome and therefore not likely achievable. To secure the broader EX zoning, we would have to demonstrate, among other factors:

*No net loss of industrial zoned land as a result of the zoning map amendment or the loss of industrial zoned land is mitigated by providing evidence of no net loss of industrially zoned land area or contributions to the City of Portland Industrial Land Supply Mitigation Fund at \$X.00 per square foot in an amount corresponding to the land area proposed for zoning map amendment.*

These burdens on a zoning map amendment are dependent on variables outside of our control and are so restrictive and severe that the cost alone would prevent the application from proceeding. To rezone to EX, we would likely be required to find and purchase other land and rezone it to Industrial to offset any acreage losses in the Northwest Plan District. If we could not find land at the right price or secure rezoning of that land to Industrial, we would have to pay the City some amount to offset the loss. The NPDD suggests that the price per square foot of land for the mitigation fund would be based on the cost of remediation of brownfields. The City estimates a cost to remediate of \$800,000 per acre. (Volume 1, Zoning Code Amendments at page 38). Just 10 acres of new EX land would therefore cost \$8,000,000; this represents the fee one would have to pay to even submit a zone change application to EX for 10 acres of land along the Streetcar line. The NPDD anticipates 33.7 gross acres converting from ME to EX for a total fee of approximately \$27 million. And if we, or others, cannot carry these monetary burdens, what result?

Presumably, the property in Subdistricts A and B would remain zoned IH, with a Comprehensive Plan designation of Central Employment. We would no longer be able to rezone the property to EG, like we can today, and would instead be limited to Heavy Industrial uses along the Streetcar line. Heavy industrial uses are not consistent with Streetcar zoning and accordingly we would object to any LID that requires a significant contribution to the Streetcar construction without any corresponding ability to reasonably and feasibly increase the breadth of uses or density on the property. For this reason alone, we cannot support the NPDD or the LID. And for the same reasons, the City should not be recommending such a constrained path to redevelopment.

2. **Zoning Map Amendment Process.** The NPDD requires a subsequent quasi-judicial amendment process for any zone changes. *The zone changes are the critical path to achieving the densities that are required for the Streetcar extension.* If the zone changes are left in doubt, so too is the Streetcar. The reason the City is not adopting the zoning legislatively is stated on page 38 of Volume 1: the rezoning will be challenged by transportation and industrial land supply issues under Statewide Planning Goals 9 and 12. If the reason the City does not want to make these findings now is because they are difficult to make, delaying that burden and placing it on the property owners does not make it any easier or any more certain. If the City wants this plan to succeed it should tackle these issues now, with a comprehensive transportation study and reasonable approach to industrial land supply issues.
3. **FAR and FAR Bonus Provisions.** Under EX base zoning, the code currently allows a base FAR of 3:1 and the ability to bonus or transfer up to another 3:1 by either building Inclusionary Housing, payment into the Affordable Housing Fund or transfer of historic resource FAR. The maximum

FAR for sites governed by the EX base zone is 6:1, using any one or a combination of these three tools. Some of these EX-zones are also along Streetcar lines.

Not so under the NPDD. Under the NPDD in Subdistricts B and D, the maximum base FAR for the EX-zone drops from 3:1 down to only 1:1 for non-industrial uses and you must buy back every square foot of FAR up to the maximum of 6:1. And the only way to reach 6:1 is to secure approval of the Planned Development Bonus. Let us unpack how punitive and restrictive this new program would be.

Today in the EX base zone, one is permitted to build IH housing and earn 2:1. This is no longer allowed in Subdistricts B and D under the NPDD. The NPDD drops the IH bonus from 2:1 to only .5:1. That is “point 5 to 1.” This results in almost ridiculously low FAR of 1.5:1 along the Streetcar line. Alternatively, the Draft would permit payment into the Affordable Housing Fund to earn .5:1 to again reach only 1.5:1, a low suburban level of density. The City has also proposed the “Affordable Housing Benefit Bonus” which requires both a monetary contribution into the Affordable Housing Fund PLUS built IH units and even then, we can only reach 4.5:1 in Subdistricts B and D, a low-density development on the Streetcar line. We can assure you that requiring IH units under a restrictive covenant for 99 years, and a monetary contribution to the Affordable Housing Fund, while lowering allowed density will not be economically feasible and will therefore not be implemented.

The only way to reach 6:1 under the NPDD in Subdistricts B and D is to achieve the Planned Development bonus which requires 60% of the development in residential use, a dedication of 15% of the property as public parks, IH units, affordable housing contributions, and a “public benefits agreement” that aspires to “a significant amount of affordable housing in excess of the standard requirements”, and more public amenities, among other benefits. Such an agreement also introduces more uncertainty and more cost into the entitlement process precluding redevelopment, the stated purpose of increasing density to support funding of the Streetcar.

And in the case for example of the American Can Complex in Subdistrict D that is intended for office use and the next generation of Portland makers, there would be a 1:1 base FAR for office uses and only two bonus options: payment into the Affordable Housing Fund for a small .5:1 bonus or a giant leap into the Planned Development Bonus. As a comparison, under today’s zoning the American Can Complex is zoned EG1 and is in Subdistrict B of the GLISPD. It starts with a base FAR of 2:1 because it is an Historic Landmark and could earn at least .85:1 in FAR office bonus under the NW Transportation Fund for at least a total of 2.85:1 compared to the 1.5:1 proposed under the NPDD without a Planned Development. This represents a density downzone along the proposed Streetcar line.

The City should at least undergo an exercise of adding up the costs of each of these requirements in an effort to understand the weight of the regulations and the likely impacts on development. Start with (i) what is likely a multi-million-dollar Streetcar LID, (ii) at least \$8 million in industrial land purchase or mitigation fund, (iii) costs of reduced rents for 99 years in each IH unit, (iv) payment into the Affordable Housing Fund, (v) costs of IH units in excess of the standard requirements (vi) the cost of larger parks

dedicated to the public through the public benefits agreements, (vii) millions of dollars in system development charges, and all on the shoulders of relatively low density, wrapped up in increased uncertainty, and years of process, ultimately leading to underdeveloped and underutilized land.

It is also remarkable that these requirements seem to be imposed as some sort of payment for the value offered by the Streetcar; a Streetcar the property owners are helping fund in the first instance. If you want a Streetcar that can leverage and multiply public benefits, you will need a more balanced program that encourages responsible development, and in turn, provides the incentive and financial resources to actually achieve the City's desired results.

### **Subdistrict C (Most of the MP Site)**

In addition to the issues above, the Subdistrict C proposal also contains additional significant issues.

Today most of Subdistrict C is already zoned EX and allows a 3:1 base FAR and bonuses and transfers up to 6:1 with Inclusionary Housing, the Affordable Housing Fund or historic resource FAR transfers. Height is a maximum of 65 feet but adjustments to that height are permitted.

The NPDD effectively downzones these existing allowances, which is difficult to understand – why would landowners pay for a portion of the Streetcar and suffer a downzone? We may be much better off and more able to realize our vision for the MP Site with the existing zoning condition and no Streetcar.

In terms of FAR, the base FAR remains the same at 3:1 and the 2:1 maximum IH bonus is still permitted but to reach 6:1 without a historic resource FAR transfer, we would be required to secure approval of the Planned Development Bonus. This bonus, as we understand it, would require both Inclusionary Housing and a contribution into the Affordable Housing Fund, 60% of the development must be in residential use and 15% of the MP Site must be dedicated to open space. These additional requirements significantly narrow the options for reaching 6:1 and add significantly more expense for very little additional FAR.

Further:

1. Because a development would have to be 60% residential to qualify for the Planned Development bonus, primary office developments would not be able to ever reach 6:1 along the Streetcar line like they can today under existing zoning. The historic resource FAR transfer under the base zone, if it survives this code amendment, is not in sufficient available supply to cover this FAR gap. The 60% residential restriction does not currently apply today to other sites in the City using the Planned Development Bonus;
2. Because the bonuses earned through the Planned Development process now require both IH units and contributions to the Affordable Housing Fund, again office developments would be more heavily restricted in the EX-zone than they are today, and residential projects would have to carry both the 99-year restrictive covenant on all IH units and carry the cost of contributions into the Affordable Housing Fund. Current IH zoning requirements have seemingly stunted production of housing crucial to the long-term success of the City. Adding more onerous requirements at a time when affordable IH supply is anemic will further reduce new units and exacerbate the housing crisis.

For these reasons, the Planned Development Bonus should be recalibrated to make it more likely that the intended residential or office densities are realized along the Streetcar line.



It is also unclear what is intended or required by the option in Subdistrict C to contribute an undefined dollar amount to earn development potential above 65 feet. Is this an FAR and height bonus or just an FAR bonus up to a pre-determined height?

Under the existing zoning, we are permitted to reach 65 feet and seek height adjustments. We understand those adjustments or modifications are discretionary, but they are a current entitlement option to increase height. The NPDD prohibits this current adjustment option and relies only on bonuses to increase height. For an office development, this bonus height could only be achieved by a contribution into the affordable housing fund or securing approval of a Planned Development (or perhaps paying into a fund to increase height above 65 feet). Any of these bonus options are more difficult under the proposed zoning than under the current zoning. Given that the property owner will be asked to make a significant contribution to the Streetcar extension through an LID, this additional burden to achieve modest height increases must be recalibrated.

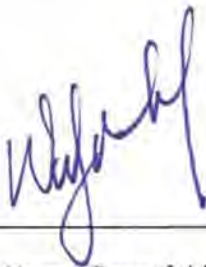
Commercial developments adding more than 10,000 square feet are now also required to dedicate at least 1,000 square feet of affordable commercial space. This requirement may be feasible to implement if not for all the other requirements that seem to relentlessly chip away at the economic feasibility of project development for sites in all Subdistricts of the NPDD.

Lastly, like in the other Subdistricts above, the NPDD makes a general statement that a Public Benefits Agreement is assumed for implementation of the development under the NPDD in Subdistrict C. Such an agreement would layer in more requirements such as "significantly more IH than required by the code" and "larger parks." All these elements, considered together, create what is in effect a downzoning of the property in Subdistrict C, while requesting a significant private contribution to public infrastructure through the Streetcar extension.

We could continue to address each element of the NPDD but with these concerns identified above, we cannot support the Discussion Draft or the Streetcar LID.

We do remain willing to inform the process and offer amendments that would better deliver the shared public and private objectives in the district. We will dedicate those resources and commence that effort only after a response from the City that indicates a willingness to have a comprehensive discussion about our concerns.

Best regards,



Warren Rosenfeld  
Manager  
1535 Llc  
PO Box 10067  
Portland Oregon 97296



Quentin Kuhrau  
President & CEO  
Unico Properties LLC  
1215 Fourth Avenue, Suite 600  
Seattle, WA 98161

**Exhibit 1**  
**Summary of Northwest Plan**  
**Discussion Draft**

<b>Regulation</b>	<b>Subdistrict A</b>	<b>Subdistrict B</b>	<b>Subdistrict C</b>	<b>Subdistrict D</b>
Prohibited Uses in EX zone	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture
Limited	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.
Ground Floor Active Use	In EX, at least 25% of ground floor within 200 feet of streetcar must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.	In EX, at least 25% of ground floor within 200 feet of streetcar must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.	In EX, at least 25% of ground floor within 200 feet of streetcar must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.	In EX, at least 25% of ground floor within 200 feet of streetcar must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.
Base Maximum Floor Area Ratio	In EX or EG zones, 3:1 overall FAR max; 1:1 max for non-industrial uses. No adjustment.	In EX or EG zones, 3:1 overall FAR max; 1:1 max for non-industrial uses. No adjustment.	Max base FAR is 3:1, all uses. No adjustment.	In EX or EG zones, 3:1 overall FAR max; 1:1 max for non-industrial uses. No adjustment.
Minimum FAR	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.

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Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Maximum Base Height	In EX and EG zones max height is 65 feet; No adjustments permitted but can earn bonus height.	In EX and EG zones max height is 65 feet; No adjustments permitted but can earn bonus height.	In EX and EG zones max height is 65 feet; No adjustments permitted but can earn bonus height.	Maximum height in all zones is 45 feet for area of site within 20 feet of NW Vaughn. Can be modified in Design Review.
Maximum FAR with Bonus	3:1	6:1	6:1	6:1
Bonus FAR	<p>IH <u>plus</u> payment into Affordable Housing fund up to <u>2:1</u> per site.</p> <p>No bonus floor area for industrial uses.</p> <p>No Planned Development Bonus available.</p>	<p>IH Bonus up to <u>.5:1</u> per site.</p> <p>Payment into Affordable Housing fund priced per square foot up to <u>.5:1</u> per site.</p> <p>IH <u>plus</u> payment into Affordable Housing fund up to <u>3.5:1</u> per site.</p> <p>No bonus floor area for industrial uses.</p> <p>Planned Development up to <u>5:1</u>.</p>	<p>IH Bonus up to <u>2:1</u> per site.</p> <p>Contribution of xx dollars into fund for each square foot of floor area above 65 feet.</p> <p>No bonus floor area for industrial uses.</p> <p>Planned Development up to <u>3:1</u>.</p>	<p>IH Bonus up to <u>.5:1</u> per site.</p> <p>Payment into Affordable Housing fund priced per square foot up to <u>.5:1</u> per site.</p> <p>IH <u>plus</u> payment into Affordable Housing fund up to <u>3.5:1</u> per site.</p> <p>No bonus floor area for industrial uses.</p> <p>Planned Development up to <u>5:1</u>.</p>
Bonus Height	Maximum height with bonus 65 feet.	Maximum height with bonus is 75 feet or 130 feet with Planned Development Bonus.	Maximum height with bonus is 75 feet or 130 feet with Planned Development Bonus.	Maximum height with bonus is 75 feet or 130 feet with Planned Development Bonus.



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<b>Regulation</b>	<b>Subdistrict A</b>	<b>Subdistrict B</b>	<b>Subdistrict C</b>	<b>Subdistrict D</b>
Minimum Residential Density	1 unit per 500 square feet of site area.	1 unit per 500 sq. feet of site area.	1 unit per 500 sq. feet of site area.	1 unit per 500 sq. feet of site area.
Required Affordable Space	N/A	In EX zones, when you add 10,000 square feet or more of commercial use, at least 1,000 square feet of affordable commercial space must be provided.	In EX zones, when you add 10,000 square feet or more of commercial use, at least 1,000 square feet of affordable commercial space must be provided.	In EX zones, when you add 10,000 square feet or more of commercial use, at least 1,000 square feet of affordable commercial space must be provided.
Ground Floor Windows	In EX zone, facing streetcar alignment, windows must cover 60% of ground wall area. Other walls, this is reduced to 40% if facing public area. Artwork is optional modification.	In EX zone, facing streetcar alignment, windows must cover 60% of ground wall area. Other walls, this is reduced to 40% if facing public area. Artwork is optional modification.	In EX zone, facing streetcar alignment, windows must cover 60% of ground wall area. Other walls, this is reduced to 40% if facing public area. Artwork is optional modification.	In EX zone, facing streetcar alignment, windows must cover 60% of ground wall area. Other walls, this is reduced to 40% if facing public area. Artwork is optional modification.
Streetcar Standards	Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment in active use, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.	Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment in active use, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.	Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment in active use, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.	Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment in active use, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.

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<b>Regulation</b>	<b>Subdistrict A</b>	<b>Subdistrict B</b>	<b>Subdistrict C</b>	<b>Subdistrict D</b>
Urban Green	<p>In EX zone, &gt;10,000 square feet of new development, 15% of site area must be landscaped.</p> <p>Space standards for large trees.</p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>	<p>In EX zone, &gt;10,000 square feet of new development, 15% of site area must be landscaped.</p> <p>Space standards for usage trees.</p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>	<p>In EX zone, &gt;10,000 square feet of new development, 15% of site area must be landscaped.</p> <p>Space standards for usage trees.</p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>	<p>In EX zone, &gt;10,000 square feet of new development, 15% of site area must be landscaped.</p> <p>Space standards for usage trees.</p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>
Required Outdoor Area	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>
Noise Insulation	In EX zone with lot line that abuts or across street from IH or IG, up to 45 dBA.	In EX zone with lot line that abuts or across street from IH or IG, up to 45 dBA.	In EX zone with lot line that abuts or across street from IH or IG, up to 45 dBA.	In EX zone with lot line that abuts or across street from IH or IG, up to 45 dBA.
TDMP	Required for 10 or more dwelling units or 20,000 of commercial use; objective standards of 17.107 or Transportation Impact Review process.	Required for 10 or more dwelling units or 20,000 of commercial use; objective standards of 17.107 or Transportation Impact Review process.	Required for 10 or more dwelling units or 20,000 of commercial use; objective standards of 17.107 or Transportation Impact Review process.	Required for 10 or more dwelling units or 20,000 of commercial use; objective standards of 17.107 or Transportation Impact Review process.

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Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Parking	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.
Planned Development in EX	<p>60% of floor area is <u>R</u> use.</p> <p>On-site IH required <u>plus</u> required contributions to affordable housing fund.</p> <p>15% of area is publicly dedicated OS.</p> <p>All primary buildings must meet ENN-5.10.</p> <p>Type III Design Review.</p> <p>Phasing plan, TIS, urban design framework, etc.</p>	<p>60% of floor area is <u>R</u> use.</p> <p>On-site IH required <u>plus</u> required contributions to affordable housing fund.</p> <p>15% of area is publicly dedicated OS.</p> <p>All primary buildings must meet ENN-5.10.</p> <p>Type III Design Review</p> <p>Phasing plan, TIS, urban design framework, etc.</p>	<p>60% of floor area is <u>R</u> use.</p> <p>On-site IH required <u>plus</u> required contributions to affordable housing fund.</p> <p>15% of area is publicly dedicated OS.</p> <p>All primary buildings must meet ENN-5.10.</p> <p>Type III Design Review</p> <p>Phasing plan, TIS, urban design framework, etc.</p>	<p>60% of floor area is <u>R</u> use.</p> <p>On-site IH required <u>plus</u> required contributions to affordable housing fund.</p> <p>15% of area is publicly dedicated OS.</p> <p>All primary buildings must meet ENN-5.10.</p> <p>Type III Design Review</p> <p>Phasing plan, TIS, urban design framework, etc.</p>

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Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Public Benefits Agreement [Not in code; but assumed part of implementation]	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.

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General Notes on Exhibit 1:

- Exhibit 1 generally captures proposed code provisions accurately. Staff has included some corrections or nuances in tracked changes.
- The floor areas, heights and bonus structure are generally aimed at addressing affordable housing goals.
- Many of the code provisions apply to EX-zoned sites and would not apply in the future EG or IG1 zoned areas.
- Also see staff notes on Public Benefits Agreements at end of this table.

Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Prohibited Uses in EX zone	<u>N/A: Not proposed EX</u> <u>EG: See base zone</u> <del>Vehicle Repair</del> <del>Storage (self-service)</del> <del>Commercial outdoor recreation</del> <del>Agriculture</del>	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture	Vehicle Repair Storage (self-service) Commercial outdoor recreation Agriculture
Limited	<u>N/A: Not proposed EX</u> <u>EG: See base zone</u> <del>In EX, RSS limited to 20,000 net building area per use, not per site. Groceries allowed up to 60,000. Hotels are RSS uses.</del>	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.	In EX, RSS limited to 20,000 net building area per <u>use</u> , not per site. Groceries allowed up to 60,000. Hotels are RSS uses.
Ground Floor Active Use	<u>N/A: Not proposed EX</u> <u>EG: See base zone</u> <del>In EX, at least 25% of ground floor within 200 feet of streetcar must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.</del>	In EX, at least 25% of ground floor within 200 feet of streetcar <u>stop</u> must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.	In EX, at least 25% of ground floor within 200 feet of streetcar <u>stop</u> must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.	In EX, at least 25% of ground floor within 200 feet of streetcar <u>stop</u> must be RSS, office, manufacturing/production, community service, daycare, religious institution, schools, colleges, medical center.

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Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Base Maximum Floor Area Ratio	In EX or EG zones, 3:1 overall FAR max; 1:1 max for non-industrial uses. No adjustment.	In EX or EG zones, 3:1 overall FAR max; 1:1 max for non-industrial uses. No adjustment.	Max base FAR is 3:1, all uses. No adjustment.	In EX or EG zones, 3:1 overall FAR max; 1:1 max for non-industrial uses. No adjustment.
Minimum FAR	<del>N/A: Not within 200' of streetcar alignment</del> <del>In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.</del>	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.	In EX/EG zone on portion of site within 200 feet of streetcar alignment minimum FAR of 1:1.
Maximum Base Height	In EX and EG zones max height is 65 feet; No adjustments permitted but can earn bonus height.	In EX and EG zones max height is 65 feet; No adjustments permitted but can earn bonus height.	In EX and EG zones max height is 65 feet; No adjustments permitted but can earn bonus height.	<del>Max height is 65 feet</del> <del>Maximum height. Max in all zones</del> is 45 feet for area of site within 20 feet of NW Vaughn. Can be modified in Design Review.
Maximum FAR with Bonus	3:1	6:1	6:1	6:1
Bonus FAR	<del>IH Bonus not available</del>  <del>AHB Bonus (IH plus payment into Affordable Housing fund) up to 2:1 per site.</del>  No bonus floor area for industrial uses.	IH Bonus up to <u>.5:1</u> per site.  <del>Payment into Affordable Housing fund priced per square foot up to .5:1 per site.</del>  <del>AHB Bonus (IH plus payment into Affordable Housing fund) up to 3.5:1 per site.</del>	IH Bonus up to <u>2:1</u> per site.  <del>AHB Bonus (IH plus payment into Affordable Housing fund) Contribution of xx dollars into fund for each square foot of floor area above 65 feet up to 75 feet.</del>	IH Bonus up to <u>.5:1</u> per site.  <del>Payment into Affordable Housing fund priced per square foot up to .5:1 per site.</del>  <del>AHB Bonus (IH plus payment into Affordable Housing fund) up to 3.5:1 per site.</del>

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Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
	No Planned Development Bonus available.	No bonus floor area for industrial uses.  Planned Development <u>Bonus</u> up to <u>5:1</u> .	No bonus floor area for industrial uses <u>in PD Bonus</u> .  Planned Development <u>Bonus</u> up to <u>3:1</u> .	No bonus floor area for industrial uses.  Planned Development <u>Bonus</u> up to <u>5:1</u> .
Bonus Height	Maximum height with bonus 65 feet.	Maximum height with bonus is 75 feet or 130 feet with Planned Development Bonus.	Maximum height with bonus is 75 feet or 130 feet with Planned Development Bonus.	Maximum height with bonus is 75 feet or 130 feet with Planned Development Bonus.
Minimum Residential Density	<u>N/A: Housing not allowed</u> <del>1 unit per 500 square feet of site area.</del>	1 unit per 500 sq. feet of site area.	1 unit per 500 sq. feet of site area.	1 unit per 500 sq. feet of site area.
Required Affordable <u>Commercial</u> Space	N/A	In EX zones, when you add 10,000 square feet or more of commercial use, at least 1,000 square feet of affordable commercial space must be provided.	In EX zones, when you add 10,000 square feet or more of commercial use, at least 1,000 square feet of affordable commercial space must be provided.	In EX zones, when you add 10,000 square feet or more of commercial use, at least 1,000 square feet of affordable commercial space must be provided.
Ground Floor Windows	<u>N/A: Not proposed EX</u> <u>EG: See base zone</u> <del>In EX zone, facing streetcar alignment, windows must cover 60% of ground wall area. Other walls, this is reduced to 40% if facing public area.</del>	In EX zone, facing streetcar alignment, windows must cover 60% of ground <u>level</u> wall area. Other <u>ground level</u> walls, this is reduced to 40% if facing public area. Artwork is optional modification.	In EX zone, facing streetcar alignment, windows must cover 60% of ground <u>level</u> wall area. Other <u>ground level</u> walls, this is reduced to 40% if facing public area. Artwork is optional modification.	In EX zone, facing streetcar alignment, windows must cover 60% of ground <u>level</u> wall area. Other <u>ground level</u> walls, this is reduced to 40% if facing public area. Artwork is optional modification.

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	<del>Artwork is optional modification.</del>			
Streetcar Standards	<p><del>N/A: Not proposed EX</del>  <del>EG: See base zone</del>  <del>Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment in active use, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.</del></p>	<p>Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment <u>built for</u> active uses, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.</p>	<p>Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment <u>built for</u> active uses, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.</p>	<p>Applies within EX zone within 200 feet of alignment. 15% of wall above ground floor in windows; 50% of ground floor facing streetcar alignment <u>built for</u> active uses, no surface parking, standards for structured parking, no parking access from streetcar frontage unless no other option.</p>



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Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Urban Green	<p><del>N/A: Not proposed EX</del>  <del>EG: See base zone</del>  <del>In EX zone, &gt;10,000 square feet of new development, 15% of site area must be landscaped.</del></p> <p><del>Space standards for large trees.</del></p> <p><del>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</del></p>	<p>In EX zone, &gt;10,000 square feet of new development;  15% of site area must be landscaped; <del>OR:</del></p> <p><del>10% of site area must be landscaped with</del> Space standards for <del>usage-large</del> trees; <del>OR:</del></p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>	<p>In EX zone, &gt;10,000 square feet of new development;  15% of site area must be landscaped; <del>OR:</del></p> <p><del>10% of site area must be landscaped with</del> Space standards for <del>usage-large</del> trees; <del>OR:</del></p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>	<p>In EX zone, &gt;10,000 square feet of new development;  15% of site area must be landscaped; <del>OR:</del></p> <p><del>10% of site area must be landscaped with</del> Space standards for <del>usage-large</del> trees; <del>OR:</del></p> <p>Must have ecoroof that is 60% of total building footprint of new buildings onsite.</p>
Required Outdoor Area	<p><del>N/A: Housing not allowed</del>  <del>Sites up to 20,000 square feet: 36 square feet per unit.</del></p> <p><del>Sites over 20,000 square feet: 48 square feet per unit.</del></p>	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>	<p>Sites up to 20,000 square feet: 36 square feet per unit.</p> <p>Sites over 20,000 square feet: 48 square feet per unit.</p>
Noise Insulation	<p><del>N/A: Not proposed EX</del>  <del>EG: See base zone</del>  <del>In EX zone with lot line that abuts or across street from IH or IG, up to 45 dBA.</del></p>	<p>In EX zone with lot line that abuts or across street from IH or IG, <u>sound insulation for</u> up to 45 dBA.</p>	<p>In EX zone with lot line that abuts or across street from IH or IG, <u>sound insulation for</u> up to 45 dBA.</p>	<p>In EX zone with lot line that abuts or across street from IH or IG, <u>sound insulation for</u> up to 45 dBA.</p>
TDMP	Required for 10 or more dwelling units or 20,000 of	Required for 10 or more dwelling units or 20,000 of	Required for 10 or more dwelling units or 20,000 of	Required for 10 or more dwelling units or 20,000 of

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Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
	commercial use; objective standards of 17.107 or Transportation Impact Review process.	commercial use; objective standards of 17.107 or Transportation Impact Review process.	commercial use; objective standards of 17.107 or Transportation Impact Review process.	commercial use; objective standards of 17.107 or Transportation Impact Review process.
Parking	<del>N/A: Not proposed EX</del> <del>EG: See base zone</del> <del>In EX zone, no minimum.</del> <del>Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.</del>	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.	In EX zone, no minimum. Maximums vary by use. No more than 25% of total number of spaces can be surface parked. Industrial uses exempt from this limitation and sites 20,000 square feet or less.
Planned Development <del>in EX</del>	<del>N/A: Not proposed EX</del> <del>EG: See base zone</del> <del>60% of floor area is <u>R</u> use.</del>  <del>On-site IH required <u>plus</u> required contributions to affordable housing fund.</del>  <del>15% of area is publicly dedicated OS.</del>  <del>All primary buildings must meet ENN-5.10.</del>	60% of floor area is <u>R</u> use.  On-site IH required <u>plus</u> required contributions to affordable housing fund.  15% of area is publicly <u>accessible plaza or parkdedicated OS</u> .  All primary buildings must meet ENN-5.10.  Type III Design Review	60% of floor area is <u>R</u> use.  On-site IH required <u>plus</u> required contributions to affordable housing fund.  15% of area is publicly <u>accessible plaza or parkdedicated OS</u> .  All primary buildings must meet ENN-5.10.  Type III Design Review	60% of floor area is <u>R</u> use.  On-site IH required <u>plus</u> required contributions to affordable housing fund.  15% of area is publicly <u>accessible plaza or parkdedicated OS</u> .  All primary buildings must meet ENN-5.10.  Type III Design Review

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Regulation	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
	<del>Type III Design Review.</del>  <del>Phasing plan, TIS, urban design framework, etc.</del>	Phasing plan, TIS, urban design framework, etc.	Phasing plan, TIS, urban design framework, etc.	Phasing plan, TIS, urban design framework, etc.
Public Benefits Agreement [Not in code; but assumed part of implementation]  <u>See staff notes below.</u>	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.	Significantly more IH than required by code.  Affordable commercial space.  Larger parks; more energy efficiency.  DBE contracting goals.  Ownership opportunities.

Staff notes on Public Benefits Agreement:

- A proposal for affordable housing beyond IH requirements is currently embedded in the proposed Affordable Housing Benefit Bonus and Planned Development Bonus approaches. The bonus approaches could potentially be modified based on a benefits agreement(s).
- A proposal for affordable commercial space is included in the proposed plan district. This approach could potentially be modified based on a benefits agreement(s).
- An approach to parks/open space and energy efficient buildings is included as part of the Planned Development Bonus. This approach could potentially be modified based on a benefits agreement(s).

# DRAFT

## MP2H/Industrial Land Meeting Notes

April 6, 2022

**Attendees:** Christe White; BPS staff: Eric Engstrom, Steve Kountz, Tom Armstrong, Barry Manning

The following is a summary of the concepts we discussed at our meeting on April 6.

1. ME – EG1 zone change approach

- A quasi-judicial zone change to EG1 and removal of “k” overlay is possible. However this does not solve fundamental question of industrial/employment land supply and need to make findings. In this situation FAR for Office uses is limited to 1:1, unless 0.85:1 FAR transportation fund bonus is used. The FAR is limited in keeping with needed job and development types.

2. Industrial land supply options

- a. **Direct land offsets.** This could be accomplished either by the city, or privately by acquiring and rezoning appropriate land to employment/industrial use to offset losses. The city does not currently have a plan to find and rezone such land.
- b. **Mitigation fund (brownfields and transportation).** This could be accomplished by private contributions to an industrial land brownfield fund that would be used to address conditions on environmentally-impacted sites, or to fund access improvements to lands that are constrained. It is possible that the private sector could acquire industrial lands in these categories and clean-up or improve access to those self-owned sites to address this.
- c. **Transportation/Access improvement, partnerships.** The city could identify transportation projects that improve access to underperforming industrial land as a way to address land needs. However, this would need to address situations/needs above-and-beyond targets for such improvements identified in the Comp Plan and TSP.
- d. **Performance target for jobs.** This could potentially be accomplished by private sector through recruitment of a significant employer(s) that agrees to a middle-wage jobs creation strategy for workers with less or no college at a level that is similar to the quantity and type of jobs expected in the district as currently designated. This would require a development agreement outlining the jobs expectations prior to a zone change. We discussed the possibility of the city being a partner in such a firm recruitment effort.

3. Zoning approaches

- a. **EX zoning near streetcar; EX Comp Plan north.** This approach would provide more certainty for some property owners by changing both Comprehensive Plan and Zoning to EXd for properties that are currently ME/EG1 and not within the prime industrial “k” overlay area or shown on Comp Plan Map 6.1. This would generally be the American Can site, and the area between Vaughn and Wilson streets. The area of plan map change may be limited to meet Goal 9 requirements for adequate remaining growth capacity in Dispersed Employment

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areas. The area north of Wilson would have EX and ME Comprehensive Plan designations as currently proposed, but zoning changes would be on-hold until industrial land mitigation is addressed. LID support for streetcar would also be required before any rezoning could occur.

- b. **EX near streetcar; ME/EG1 north.** This approach would also provide more certainty for property owners by changing both Comprehensive Plan and Zoning to EXd for properties that are currently ME/EG1 and not within the prime industrial “k” overlay area or shown on Comp Plan Map 6.1. This would generally be the American Can site, and the area between Vaughn and Wilson streets. The area of plan map change may be limited to meet Goal 9 requirements for adequate remaining growth capacity in Dispersed Employment areas. The area north of Wilson would retain a ME Comprehensive Plan designation as is currently applied; rezoning to EG1 or EG2 could be addressed legislatively if LID support of streetcar is addressed. Overall office use allowances/FAR limits in EG to be considered.
- c. **Alternate/variation.** For either a or b, consider changing Comprehensive Plan and zoning designations in block between Wilson and Roosevelt legislatively if industrial land mitigation can be addressed. This is a smaller increment of industrial land change – about 9.5 acres gross from NW 23<sup>rd</sup> to NW 26<sup>th</sup> Avenues.

By PDF:           eric.engstrom@portlandoregon.gov  
                      Barry.Manning@portlandoregon.gov  
                      Tom.Armstrong@portlandoregon.gov  
                      Steve.Kountz@portlandoregon.gov

City Staff for Bureau of Planning and Sustainability

Re:                Jobs and Housing within Proposed Vaughn-Nicolai Plan District

Together, Unico and 1535 LLC offer these follow-up comments on the City's Vaughn-Nicolai Plan District proposal. The city staff have been very gracious with their time in discussing our comments and offering new directions and thinking on how best to achieve some of the most important public objectives of the Plan District: more affordable housing and more middle wage jobs. As a result of those discussions, we have synthesized our analysis and offer this alternative for the City's consideration. Each of the two primary objectives are discussed below, followed by a specific amendment request.

### **Housing**

We can all agree that our city needs more affordable housing immediately. The City's Inclusionary Housing program is one tool that can increase the affordable housing supply. The idea is simple. When a developer builds market rate housing, they must also build a targeted percentage of affordable housing. This means that the Inclusionary Housing program depends entirely on the production of market rate units, the more market rate units, the more affordable housing units.

The city must recognize this basic economic principle and use the power of the pen, unapologetically, to increase the supply of market rate housing and therefore affordable housing.

How can this be accomplished with the Vaughn-Nicolai Plan District?

The City should rezone properties within the Plan District and along the Streetcar Line to EX and permit residential uses at a minimum of 7:1 FAR. This simple move will result in an estimated 700 to 1400 affordable units in the Plan District.

An example is instructive.

There are at least 20 blocks of land in the proposed Plan District that could be zoned EX. Here are 2 comparative scenarios and the resulting affordable housing units. The first scenario is the City's current proposal, followed by a proposed amendment.

	<b>Example 1 (City Proposed Amendment)</b>	<b>Example 2 (Alternative Amendment)</b>
EX Base Zone	1:1 (lower than it is across the city in same zone)	4:1 (similar to like areas in the CCPD)
IH Bonus	.5:1 (lower than it is across the city in same zone)	3:1 (same as it is in Central City)
Affordable Fund Bonus	.5:1 (lower than it is across the city in same zone)	
Fund Plus IH Units	3.5:1 (higher development cost for each square foot of housing FAR)	
Total FAR	4.5:1 or 6:1 with PD (with every square foot over 1.5:1, price of FAR increases significantly)	7:1 (4:1 base with 3:1 IH Bonus)
Site Area of 40,000 sq. ft.	60,000 square feet of development at 1.5:1 base FAR; 80,000 square feet of development at 2:1 with IH bonus FAR	160,000 square feet of development at 4:1 base FAR; 280,000 square feet of development at 7:1 with IH bonus FAR.
Average Unit Size	800 square feet	800 square feet
Net Units	100 units	350 units
Affordable Units	10-20 (depending on 60% or 80% MFI)	35-70 (depending on 60% or 80% MFI)
Number of Blocks Zoned EX	20	20
Number of IH Units	200 to 400 units	700 to 1400 units

Example 1 severely restricts and drives up the cost of housing production, discourages housing developers to take any risk, and therefore undermines the City's own program, eviscerating the number of IH units that can be produced near the Streetcar line.

Example 2 is a far superior solution socially, economically, and politically. Economically, it costs the city nothing to adopt a code that encourages a more robust housing supply; a supply that will drive down rents and force the production of affordable units. Politically, the city will adeptly harness the economic power of its partners, landowners and housing developers, to deliver affordable units profitably, at greater speed with higher unit counts.

In this case, the promise of profit incentivizes the residential builders to take risk for the benefit of the whole community. Socially, without these risktakers, we have no IH program at all.

There seems to be a current of regulatory behavior embedded in our city that assumes the way to achieve the housing objective is to restrict those who would deliver it. We must reverse that thinking. The way you get what you desire is to smartly harness the market forces to use their capital, at their risk, in a manner that bends towards the social good you are trying to achieve. The development business is highly rational; it will take risk and attract capital if there is a way to forecast reasonable profit; it will not act otherwise.

Accordingly, we request that you greatly simplify this code to target the most important objective: more affordable housing. Rezone the subject properties to EX, provide a 4:1 base FAR, a 3:1 IH bonus and a height of 120 feet and the development community will take the risk to be sure you achieve what we all desire, more affordable units.

### **Jobs**

Some of the land in the Vaughn-Nicolai Plan District has a few layers of zoning intended to facilitate middle wage jobs. For example, most of the former ESCO site is zoned with:

*Comprehensive Plan designation of General Employment  
Guilds Lake Industrial Sanctuary Plan District Subdistrict B  
Prime Industrial Overlay  
Base Zoning Heavy Industrial*

The City's current concept requires mitigation for loss of industrial land for any zone change out of the Industrial base zone. However, under these current designations, much of this property can already be developed with office uses at an average 1:1 floor area ratio, with no industrial use requirement. For example, any property north of Wilson on the former ESCO site could be developed under EG zoning with single story office uses across the entire site, leaving no requirement to build an industrial use. This EG zone can be secured through a zone change in compliance with the Comprehensive Plan. That process only requires an adequacy of services analysis and does not require, or permit the city to require, any findings on the industrial land supply.

As a result, the middle wage job objective need not be weighed down with industrial land mitigation because the current zoning structure already allows a property owner to seek office-only development with no industrial development.

The question should be how we use the Vaughn-Nicolai Plan District to preserve and incentivize the growth of middle wage jobs that do not require a college degree.

The two options are EX and EG with more density.



The EX-zone permits office, retail and industrial use. However, it also permits residential use which competes with office production in the zone and can result in a lower middle wage job count. One way to address this impact is to rezone some of the former ESCO site to EX without a residential allowance to encourage the kind of office job density that will help us reach our middle wage jobs objective in the Plan District. The alternative is to rezone some of the former ESCO site to EG that permits office and industrial uses but prohibits residential. This office-centric zone could apply to the northern reaches of the ESCO property, as illustrated in the attached Exhibit 1. (Exhibit 1 is an edited version of the City of Portland map that was contained in the City's proposed draft amendments). Exhibit 1 also illustrates the northern strip between Montgomery Park and Nicolai zoned to EG with a limited residential allowance restricted to the air rights above a mandatory and initial 1:1 office/employment use. This residential restriction will ensure that the office uses are built first in this strip and only after that office use is provided, residential uses would be permitted above the 1:1 office floor area. The overall FAR allowance would permit up to 4:1 office and a maximum of 7:1 overall FAR.

The Plan District could support job development over the existing zoning by increasing the base density of the EG or EX FAR for office uses from 1:1 to 4:1. This would mean on a 40,000 square foot parcel a property could be developed with 160,000 square feet of office use instead of only 40,000 square feet of office use. We reached out to some employers in this middle market, corporate campus typology who use a space planning job density of 160 square feet per employee. At 40,000 square this represents 250 jobs and at 160,000 square feet represents 1,000 jobs. The more density potential, the more jobs we can create. Some portion of these jobs should be middle wage jobs. The bonus system could be deployed, as it has successfully in the past, to incentivize middle wage jobs. For example, the first 1:1 bonus over 4:1 base could be earned using some metric for middle wage job creation in the base FAR much like the bonus has been used in the past to incentivize residential density downtown, locker rooms in office buildings or historic building preservation.

This zoning strategy would serve as a foundation for a partnership with economic development interests to recruit and secure a potential corporate campus office user to the site, or a combination of office centric users who would be attracted to the density allowance, housing and streetcar elements of the area.

The City's alternative approach that is based on mitigating for the loss of industrial land will not result in the desired job creation for a variety of reasons:

1. The City's current proposal only permits a zone change if the industrial land loss is mitigated. As explained above, the property could seek and secure a zone change to EG today without any industrial land analysis and then develop under that EG without industrial uses. Thus, the proposed mitigation measures including an estimated payment of \$800,000 per acre for every acre that converts from industrial land to employment land is not necessary or feasible. Another proposed mitigation measure is for the applicant to locate other land that is not zoned Industrial, purchase the land, seek and secure a zone change to Industrial and after that process the applicant would be able to seek a zone change in the Plan District to convert an equal amount of Industrial land to Employment land. This mitigation is equally weighty and includes variables that cannot be controlled by the applicant. Thus, it is also not necessary and unlikely to succeed.

2. Other options discussed with the City include helping fund transportation improvements that allow an industrial user to intensify industrial development on pre-existing industrial land. While this is potentially a more realistic mitigation, it would have to be coupled with an enumerated and available list of such improvements as well as a funding and financing plan to ensure its success. Without such a plan, uncertainty will prevail, and this code amendment will remain only a paper exercise rather than a feasible development strategy. However, it should be noted that it too is not necessary to mitigate for industrial job loss, because the property can be developed entirely with office uses without triggering such mitigation.

If the City is concerned about intensifying industrial job creation, there is at least one option that can be timely implemented and will certainly result in a significant intensification of industrial jobs. The City has maintained the River Industrial Overlay on at least two large riverfront properties which has restricted the intensification of industrial uses with no commensurate public benefit. Take for example the old Georgia Pacific site at 3838 NW Front Avenue. This site comprises 30 acres of industrial land. Georgia Pacific is in the process of vacating the site. The City placed a River Industrial Overlay on the property which prohibits all industrial uses but for those uses that can prove they are river related or river dependent. While that type of restriction may have once served a public policy objective to maintain an adequate supply of marine industrial use, that is no longer the case. The river depths adjacent to this site as are shallow as 11 feet and cannot accommodate barge traffic without heavy dredging in a Superfund site.

The economics, legal restrictions and impediments to the river related industrial user will likely leave that property vacant for the foreseeable future. We have direct knowledge of two industrial developers who pursued the property only to find that their true industrial uses with a significant middle wage job count could not develop the property with the river restriction. With a stroke of a pen, the City could lift that restriction on Industrial use and put 30 acres back into general industrial use, with the goal of intensifying the middle wage job count and completely mitigating for any loss of industrial land in the Streetcar project. There are several other Industrial parcels suffering like conditions.

If we are weighing alternatives with the collective goal of increasing and intensifying uses that create middle wage jobs, this seems a direct, immediate and effective measure that again uses the power of the pen with the ink of rational economics to achieve the desired outcome.

#### **Critical Path Amendment Requests in the Vaughn-Nicolai Plan District Proposal**

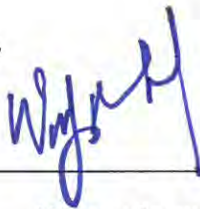
Based on the above, and our prior letter into the record, we proposed the following amendments for your consideration and further development:

1. Rezone the current EG and IH properties to EX and EG consistent with the attached Exhibit 1. Instead of Future Zoning, these zones would be amended with adoption of the Plan District.

2. Apply the EG zone to encourage middle wage jobs in the areas shown on Exhibit 1. Allow housing above at least 1:1 office in the limited EG area between Montgomery Park and Nicolai as illustrated on Exhibit 1.
3. Allow a base FAR of 4:1 in both the EX and EG zone and a 3:1 IH bonus in the EX-zone and up to a 3:1 bonus in EG based on a metric for creation of middle wage jobs or Inclusionary Housing in the area between Montgomery Park and Nicolai.
4. Do not require the currently proposed industrial land mitigation measures as a condition precedent to the EG and EX legislative rezoning.
5. Consider other mitigation measures to enhance and intensify middle wage job creation such as lifting the River Industrial Overlay on select properties along the river to permit more intense and more market ready industrial uses.

Thank you for this opportunity to comment on the proposed draft and we are available at the City's convenience to further develop the proposals discussed above.

Best regards,

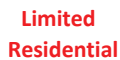


Warren Rosenfeld  
Manager  
1535 LLC  
PO Box 10067  
Portland Oregon 97296



Quentin Kuhrau  
President & CEO  
Unico Properties LLC  
1215 Fourth Avenue, Suite 600  
Seattle, WA 98161

The Zoning Map for the MP2H NW study area is shown below. Portions of the area would ultimately be changed to the General Employment 1 (EG1) zone and the Central Employment Zone (EX), and the Design overlay zone (d) would be applied to sites zoned EX.

City of Portland Bureau of Planning and Sustainability