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City of Portland
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Re: Oregon Museum of Science & Industry Comments on the SE Quadrant Plan

Dear Troy,

I have reviewed the Southeast Quadrant Plan SAC Review Draft (Draft Plan) and would like to present the following comments on behalf of my client the Oregon Museum of Science and Industry (OMSI). As a waterfront landowner and institutional stakeholder in the Southeast Quadrant, OMSI appreciates the opportunity to participate in this important planning process and urges the City, the Planning Commission and the City Council to consider the following comments and revise the Draft Plan accordingly.

The Draft Plan proposes rezoning the OMSI parcels from its current zoning that is a mix of IG and EG to the new zone, EX. The purpose of this rezoning is to create an employment-driven mixed-use hub centered on institutions like OMSI and the new OMSI transit station. The Draft Plan consistently repeats this mixed-use vision for the OMSI waterfront area:

“Develop mixed-use, high-density, vibrant and safe station areas and main street corridors that complement, but do not conflict with industrial operations.” (Draft Plan at page V-2).

“Establish a southeast Willamette riverfront as a major attractor for visitors, residents and employees with open space amenities and services with in-water and riverbank habitat improvements.” (Draft Plan at page V-2).

“OMSI Station Area. Create a major and active riverfront station area that includes land and water based transportation, educational and recreational opportunities. Promote visitor-serving attractions and amenities, and retail, as well as high-density commercial office, institutional and industrial employment uses.” (Draft Plan at page V-4).

“OMSI station areas maximize the development opportunity presented by new transit. There is an expectation that the stations will have higher employment densities, a diverse mix of uses, and urban form and character that feel safe, active and inviting to transit users, employees and visitors.” (Draft Plan at page VI-2).

Consistent with these repeated findings, the Draft Plan then recommends “that the EX zone be applied at both station areas to allow a broad mix of uses.” (Draft Plan at page VI-2).

However, despite all of these foundational mixed-use objectives that apply to the OMSI waterfront and transit station, the Draft Plan then prohibits residential development (even as a conditional use or as part of a master plan) near the OMSI station area but allows residential at the Clinton station area. The stated rationale for prohibiting residential at the OMSI station is that “because the OMSI station is within the middle of an area dominated by industrial zoning, housing would remain a prohibited use.” (Draft Plan at page VI-2). The Plan continues that prohibiting residential will protect these industrial operations and not place new residents in a location not suitable based on a lack of services and amenities.

The City’s stated rationale for prohibiting even a moderate amount of residential at or around the OMSI station area requires a new evaluation. In short, housing is currently allowed under OMSI’s existing EG zone as a conditional use. The OMSI station area is not therefore in the “middle of an area dominated by industrial zoning” that does not allow residential uses. Further, prohibiting housing in the station area is inconsistent with the mixed use objectives for the station area which include an “expectation that the stations will have higher employment densities, a diverse mix of uses, and urban form and character that feel safe, active and inviting to transit users, employees and visitors.”

Prohibiting residential uses while at the same time requesting an expanded Greenway on OMSI property to serve residents, visitors, bicyclists and pedestrians creates an illogical policy conflict that at once invites residential users into the District and at the same resolves that those same users create an untenable conflict with industry. Lastly, the master planning process is in place to ensure that any request for residential on the OMSI site will be designed to mitigate conflicts with any nearby industrial uses, to the extent there is any nearby industrial use.

The balance of this letter addresses each of these issues.

OMSI’s Current Zone Allows Residential Use on the EG Zoned Lands

Today, OMSI’s property is zoned with a mix of IG and EG zones. The EG zones are located closer to the new crossing and station area. The EG zone currently allows residential uses subject to conditional use criteria that evaluate and address any potential conflicts between industrial uses and residential uses. Thus, the City has already determined that a limited amount of housing is appropriate in this location subject to criteria that allow the City to address compatibility on a site-specific proposal.

This current residential allowance was provided by code *even before* the City's significant commitment to new multi-modal infrastructure in the Tillicum crossing and before it developed its mixed use, vibrant waterfront vision for the OMSI area. These new planning developments only further support a reasonable amount of residential use in the station area and do not provide any justification for now prohibiting that same residential as part of a mixed use vision. OMSI is also concerned that if the City adopts this Draft Plan in its current form without allowing residential use, OMSI is in effect losing a use that today is permitted as a conditional use on many OMSI properties.

OMSI is Not Surrounded by Incompatible Industrial Uses

While OMSI understands and appreciates the need to prevent conflicts between industrial uses and potentially incompatible residential development, the fear that this sort of conflict would occur if residential use were permitted on the OMSI parcels is unfounded. The OMSI site is already zoned in part to allow residential uses as mentioned above and is geographically contained by 99E, the Union Pacific Railroad and the Willamette River. While the properties surrounding the OMSI District will remain zoned for industrial use and are "adjacent" to the OMSI District, these existing buffers are long term and stationary and have already served to prevent conflicts with industrial users based on OMSI's current foot and visitor traffic.

The OMSI property is partially developed with a museum, opera house and educational facility. All of these uses are not industrial uses and are highly compatible with residential living. The future development plan for the OMSI District includes a major transit station that serves all modes of transport except vehicles. Pedestrians, bicycles and light rail are invited into the District and into the OMSI station area. Each of these modes of travel is also highly compatible with residential living.

The Plan also calls for increased access to the Willamette River designed to draw residents and visitors to the area. These residents and visitors are intentionally drawn to the district and the OMSI station area by the Draft Plan and are the same kind of user as a resident who would live in a unit within the station area and visit that same Greenway, that same transit station or ride that same bike path.

The Plan allows other high intensity uses such as high density office and retail that would likely generate more PM peak hour trips near the station area than residential uses; yet all of these other mixed uses are permitted.

The Plan is therefore at odds with itself. Its objectives support residential like amenities, draw visitors and residents to the District, attract retail and office but yet prohibit a reasonable amount of residential; a use that may create less conflicts with industrial traffic than retail and office trips.

OMSI therefore requests that the City revisit its planning objectives for the District and allow a limited amount of residential at the OMSI station area just as it has permitted housing at the Clinton station area.

Master Planning and Zoning Protections Prevent Conflicts with Industry

The Draft Plan identifies the new Clinton and OMSI transit stations as future hubs of mixed use development crucial to the employment-driven mission of the Central Eastside. As such, the Draft Plan proposes changing the base zoning for the areas surrounding the Clinton and OMSI stations from a mix of employment, industrial and open space zones, to Central Employment - EX. The EX zone typically allows a base Floor Area Ratio (FAR) of 3:1 with a height limit of 65 feet. However, the Draft Plan envisions that the transit station areas would be limited to a FAR of 1:1 with the same height restrictions, but allowed to request increases in FAR when developed under master plans to meet property owners' "desire for a flexible zoning pattern that allows for high-density development and a diverse mix of uses to ensure that the two station areas are vibrant, safe and attractive."

The limited 1:1 FAR restriction will make development at the stations infeasible without master planning. It is therefore safe to assume that any development would be required to meet the identified master plan criteria. Those criteria include: "development that includes a variety of uses, but retains the EX zone focus on employment uses that need a central location, ... creation of an urban form (mix of uses, building massing and site design, etc.) that encourage new development and private investment at the station area, ... development that is integrated into the broader urban fabric and oriented toward special assets such as the Willamette riverfront, ... and, opportunities to provide open space amenities that can be used by those, working, visiting and/or living in the neighborhood."

These criteria can be equally applied to residential uses through the master planning process to address any concern over industrial land conflicts.

Together with the Existing Amenities in the Area, the Plan Encourages Additional Residential Amenities that will Serve Residential Users

The Draft Plan's policies include the development of mixed-use, high density, vibrant and safe station areas that do not conflict with industrial operations. This goal and policy will be implemented through the modified EX zone. Under that zone, office and retail uses will be permitted. Those uses will necessarily be developed at and near the OMSI station area and will provide essential services to both residential and employee users. These uses are in addition to the uses already serving the District such as existing restaurants, coffee shops, recreational outlets and the museum itself. Thus, the Draft Plan's statement that there is a lack of amenities in the District to serve residential users is not supported by a review of the existing uses in the area or the planned uses in the area.

A second goal includes the establishment of the Willamette Riverfront as a major attraction for visitors, residents and employees that includes open space amenities and services. This policy too will create a new Greenway amenity that will serve residents and visitors alike and draw more retail uses to the area that will be patronized by visitors and residents. The OMSI station itself and the associated transit bridge would easily connect residents of the OMSI district with adjacent communities in the SE Quadrant and with communities across the

Troy Doss
April 2, 2015
Page 5

Willamette river. Arguably under the existing and planned uses, there are just as many residential serving amenities in this District as several other young districts across the City.

FAR Restrictions Will Limit Development Potential in the Central Eastside

The only reference to FAR in the Draft Plan is a 1:1 limit in the transit station areas, absent master planning. While FAR limits may encourage master planning, a restrictive base FAR of 1:1 would significantly decrease the development potential of these parcels even if additional FAR can be earned through master planning or bonus and transferred FAR. This sort of FAR restriction is at odds with the high-density employment-driven uses the Draft Plan envisions for the OMSI District and the Central Eastside. OMSI urges the Commission to impose reasonable base FAR limits that are more consistent with the development priorities in the Draft Plan. A 1:1 FAR is generally recognized as a pure industrial level FAR. The Draft Plan clearly establishes objectives for higher density, vibrant, mixed-use urban form that will not occur under a 1:1 FAR.

Increased Greenway Setbacks Limit Development of OMSI Land

OMSI is not necessarily opposed to expansion of the Willamette River Greenway onto OMSI property. However, OMSI is sensitive to this expansion if development restrictions on its remaining land threaten its financial viability. Therefore, while OMSI supports the development of additional riverfront recreational activity and environmental sanctuaries along the River, these activities must be made compatible with OMSI's institutional needs and redevelopment needs on the balance of its ownership. Reasonable residential development is critical to that balance.

We appreciate the opportunity to comment on the Draft Plan. We support the Plan's objectives and request that the City revisit the prohibition on residential use on the OMSI property and the limitations on FAR. Residential uses are appropriate at the station area and can be made compatible with whatever industrial uses are adjacent, if any, through the master planning process.

Sincerely,

RADLER WHITE PARKS & ALEXANDER, LLP



Christie White