



City of Portland

Bureau of Development Services

Land Use Services Division

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STAFF REPORT AND RECOMMENDATION TO THE HEARINGS OFFICER

CASE FILE: LU 05-138386 CP ZC
REVIEW BY: Hearings Officer
WHEN: March 24, 2008 at 1:30 PM
WHERE: 1900 SW Fourth Avenue, Suite 3000
Portland, OR 97201

BUREAU OF DEVELOPMENT SERVICES STAFF: SHEILA FRUGOLI, SR. PLANNER

GENERAL INFORMATION

Representative: Trina Buitron Whitman
WRG Design, Inc.
5415 SW Westgate Drive, Suite 100
Portland, OR 97221

Applicant: Roland Haertl
Haertl Development Company
632 NW View Ridge Lane
Camas, WA 98607

Owners: Colwood Partnership
2155 Kalakaua Ave Suite 602
Honolulu, HI 96815-2354

Site Address: **7313 NE Columbia Blvd**

Legal Description: TL 100 47.56 ACRES, SECTION 17 1 N 2E; TL 100 0.45 ACRES, SECTION 17B 1N 2E; TL 800 2.33 ACRES, SECTION 17 1N 2E; TL 400 48.15 ACRES, SECTION 17 1N 2E; TL 300 32.17 ACRES, SECTION 17 1N 2E;

Tax Account No.: R942170040, R942170320, R942171040, R942171960, R942171970
State ID No.: 1N2E17 00100, 1N2E17B 00100, 1N2E17AD 00800, 1N2E17 00400, 1N2E17 00300

Also Owns: TL 2000 .32 ACRES, SECTION 17 1N 2E, R942171980, 1N2E17AA 2000

Quarter Section: 2338, 2337, 2438

Neighborhood: Cully, contact Land Use/Planning Chair, Steve Yett at 503-282-3251.
Business District: Columbia Corridor Association, contact Steve Mason at 503-287-8686.
District Coalition: Central Northeast Neighbors, contact Alison Stoll at 503-823-3156.

Plan District:	None
Existing Zoning:	OS, Open Space zone c, Environmental Conservation overlay zone h, Aircraft Landing overlay zone x, Portland International Airport Noise overlay zone
Case Type:	Comprehensive Plan Map Amendment (CP) Zoning Map Amendment (ZC)
Procedure:	Type III, with a public hearing before the Hearings Officer. The Hearings Officer will make a recommendation to City Council, in a public hearing. The City Council will make the final decision on this request.

Proposal: The subject property is currently the site of the Colwood National Golf Course. This site, approximately 138 acres, is presently zoned Open Space (OS), with an Aircraft Landing (“h”) overlay zone mapped on the site, and the Portland International Airport Noise (“x”) overlay zone mapped on the northern half of the site. An Environmental Conservation (“c”) overlay zone encompasses segments of Whitaker Slough and the Columbia Slough, which run through the site. Public Recreational Trail designations are mapped generally in an east-west direction through the site. The site is bordered on the north by the Portland International Airport and by NE Columbia Boulevard to the south. NE Alderwood Road runs through the site in a north-south direction and NE Cornfoot Road runs through the site in an east-west direction.

The applicants are requesting a **Comprehensive Plan Map Amendment** from Open Space to Industrial Sanctuary and a **Zoning Map Amendment** from OS, Open Space to IG2, General Industrial 2 for a majority of the site. The exception is the retention of OS zoning on 22.5 acres of the site, adjacent to the branches of the slough. The applicant proposes to dedicate that portion of the site to Portland Parks and Recreation. In addition, a \$100,000 cash donation will be made to Parks to assist in maintenance and physical improvements to the property. The c, h and x overlay zones will remain unchanged.

The applicant has identified no specific development plans as part of this proposal. The application includes a Transportation Impact Analysis, which assesses possible development scenarios and the resulting traffic impacts and identifies several proposed transportation improvements. The applicant proposes to: (1) fully fund new traffic signals and additional lanes at NE Alderwood/Columbia and Cully/Columbia intersections and (2) contribute funding to add a southbound to westbound right turn lane at NE 82nd Avenue/Alderwood intersection. The applicants propose to fund either the construction of a I-205 southbound on-ramp truck/carpool bypass lane from NE Killingsworth or to widen the ramp, with an island and traffic separator, to facilitate eastbound to southbound right turns from NE Killingsworth to I-205 south.

Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are:

- 33.810.050.A - Approval Criteria for Comprehensive Plan Map Amendments
- 33.855.050 – Approval Criteria for Base Zone Changes

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was filed, provided that the application is complete at the time of filing, or complete within 180 days. This application was filed on June 21, 2005 and determined to be complete on August 2, 2005.

ANALYSIS

Site and Vicinity: The site subject to the Comprehensive Plan Map/Zoning Map amendment is approximately 138 acres in size and developed as an 18-hole golf course with accessory club house with a restaurant, lounge and pro-shop and outbuildings for maintenance equipment and golf cart storage. Various segments of the Columbia Slough run through the site. There is a man-made pond in the northern section of the course. Trees and other vegetation about the water bodies and numerous large mature deciduous and conifer trees are located along the edges of the fairways. Movement along the golf course involves crossing two rights-of-way. NE Alderwood Road must be crossed between holes 4 and 5, 7 and 8 and 10 and 11. NE Cornfoot Road must be crossed between holes 12 and 13 and 16 and 17.

The site is bounded by NE Columbia Boulevard to the south. On the western edge, the site abuts NE Colwood Way, which extends approximately 1,000 feet north from NE Columbia Boulevard. This roadway provides access to industrial sites. Industrial, employment and airport-related uses, abut the eastern property line. The eastern abutting sites have access off NE Columbia Blvd via NE 80th Avenue and NE 82nd Avenue and the NE 82nd Avenue Frontage Road. The ITT technical college abuts the eastern property line. The northern property line abuts Port of Portland property identified as the Military Base Sector. This 270-acre area is leased to the Oregon Air National Guard and the US Air Force Reserve. NE Cornfoot Road, which runs in an east-west direction through most of the site, provides access to the military facilities. Immediately north of the military section is the Portland International Airport airfield, which is comprised of two main runways and a cross-wind runway. Immediately northeast of the site, off NE Alderwood Road, which runs in a north-south direction is the multi-story Country Inn Hotel and Brennen's restaurant and lounge. Across NE Alderwood Road, on the east side of the right-of-way is the Airport Business Center. This industrial park contains multi-tenant warehouse-like buildings.

Existing Zoning: The subject site is currently zoned OS, (Open Space). The Environmental Conservation ("c") overlay zone is applied along the slough segments, the Portland International Airport Noise ("x") overlay zone covers approximately the north half of the site and the Aircraft Landing ("h") overlay zone covers the entire site.

The *Open Space* zone is intended to preserve and enhance public and private open, natural, and improved park and recreational areas identified in the Comprehensive Plan. These areas serve many functions including:

- Providing opportunities for outdoor recreation;
- Providing contrasts to the built environment;
- Preserving scenic qualities;
- Protecting sensitive or fragile environmental areas;
- Preserving the capacity and water quality of the stormwater drainage system; and
- Providing pedestrian and bicycle transportation connections.

The *Environmental Conservation overlay zone* is one of two overlay zones that are applied to protect environmental resources and functional values that have been identified by the City as providing benefits to the public. The Environmental Conservation overlay zone is applied in areas where the resources and functional value can be protected while allowing environmentally-sensitive urban development.

The purpose of the *Portland International Airport Noise Impact* overlay zone is to reduce the impact of aircraft noise on development within the noise impact area surrounding the Portland International Airport. The zone achieves this by limiting residential densities and by requiring noise insulation, noise disclosure statements, and noise easements.

The *Aircraft Landing* overlay zone provides safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures and vegetation near the airport.

Proposed Zoning: The applicant is proposing a Zoning Map amendment that will place General Industrial 2 (IG2) zoning on approximately 115 acres of the site. The applicants' proposal includes retention of OS zoning on 22.5 acres of the site. Further, the applicant proposes to retain the overlay zones as currently applied.

The *General Industrial zones* are two of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zones provide areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and to preserve land for industry. The development standards for each zone are intended to allow new development that is similar in character to existing development. The intent is to promote viable and attractive industrial areas. Areas mapped with the IG2 zone generally have larger lots and an irregular or large block pattern. The area is less developed, with sites having medium and low building coverages and buildings that are usually set back from the street.

Land Use History: City records indicate the following previous land use reviews on the subject site:

- The golf course was annexed from Multnomah County in the City of Portland effective January 1, 1986 (annexation #A-28-85).
- CU 83-69/SRZ 44-89: Conditional Use Review and Site Review approval for golf cart storage addition at golf course.
- LUR 98-00818 EN: The City approved an environmental resource enhancement project for the Portland Office of Transportation in order to implement bank stabilization, erosion control and vegetative enhancement along NE Cornfoot

Road. A section along the golf course on the south side of NE Cornfoot Rd., west of NE Alderwood was included. The decision required installation of native plants along the bank of the slough.

- LUR 01-00505 EN: The Multnomah County Drainage District and BES requested, through an Environmental Review, to dredge and restore stream banks along a 7.5 mile reach of the Middle and Upper Columbia Slough. The slough runs through the golf course. The request was approved with requirements for revegetation.
- LU 03-177796 EN: An Environmental Review was approved for a request from BES and Colwood to replace two culverts with pre-cast bridges over the slough. The decision required the planting of 10 trees and other revegetation along the water body.
- 07-129247 PR: A Property Line Adjustment review was approved to move property lines so that lots, owned by Colwood, on the east side of NE Alderwood Road are consolidated and separated from the large tax lot located north of NE Cornfoot Road.

Agency Review: A “Request for Response” was mailed on August 8, 2005. After reactivating the case, after it was put on hold, an updated RFR was mailed on December 28, 2007. The following Bureaus have responded with no issues or concerns regarding the requested land use review:

- Bureau of Police (Exhibit E.1);
- Fire Bureau/Fire Prevention Division (Exhibit E.2);
- Bureau of Development Services/Life Safety Plans Examiner (Exhibit E.7);
- Bureau of Water Works (Exhibit E.9)

Responses from other bureaus and agencies were sent as follows:

Bureau of Environmental Services (BES) determined that the sanitary sewer system currently has capacity and is available to serve the potential proposed development of the site. The site has some topographic and environmental constraints that likely require that sewer flow be directed to multiple existing connection points in the sanitary system. Local pump stations may be necessary to convey flow from the project area to the connection points. Public works permits will be required to extend service. Stormwater disposal, after meeting BES water quality treatment requirements, may be directed to the available facilities, which include two branches of the Columbia Slough. There is an existing system of stormwater outfalls and culverts. There is an existing City-owned storm-only 12-inch NCP main in NE Alderwood Rd., near NE 79th Court and an existing 12-inch storm-only sewer located in NE Colwood Way which outfalls into the slough. This is not City owned. And, there are two open drainage ditch channels located on both sides of NE Alderwood Rd. from NE Columbia Blvd to NE Cornfoot Rd.

The Open Space zone has intrinsic natural resource value for hydrology, water quality and habitats. In its undeveloped state, the site offers benefits for the natural hydrological cycle. The meadows and tree canopy offer infiltration and evapotranspiration of stormwater and groundwater. The Open Space zone provides for protection of permeable surfaces. The golf course provides a buffer ranging from 700 to 1,000 feet which complements the waterway by stabilizing the banks, reducing sediment inputs and filtering pollutants. Given the important watershed and wildlife habitat functions of the site, along and between the sloughs. The BES Watershed Services Group recommends that the entire site be retained as Open Space and strongly recommends that the portion of the site along and between the two sloughs (“Parcel 4 and 7”) should remain designated as Open Space to ensure the watershed functions and ecosystem services are sustained in perpetuity. These comments are discussed in detail under approval criteria in 33.810.050.A.1 and 33.855.050.B. (Exhibit E.3 and E.4);

Site Development Section of the Bureau of Development Services (BDS) provided written comments. Site Development states that due to the high groundwater and poor infiltration characteristics, they do not recommend on-site infiltration of stormwater. Rather, per the Multnomah Drainage District approval, the proposed stormwater management plan with water quality swales and discharge to the Columbia Slough is acceptable. Outfalls to the slough may require additional environmental review. The existing golf course is currently served by an on-site (septic) sewage disposal system. At the time of future development, existing systems must be decommissioned through issued decommissioning permits. For new development, public sanitary sewer service connections must be provided. On-site sewage disposal would not be approved, per the State of Oregon Wastewater Treatment System Rules (OAR 340-071-0160(4)(f)). If the northern portion of the site is not sold to the Port of Portland, Site Development would not support the connection of development on the site to the Port’s sewer system, as that would result in a party sewer. The property contains flood hazard areas designated by both FEMA and Metro on the Title 3 Flood Management Area maps. The proposed Open Space to remain generally appears to follow the FEMA 100-

year floodplain, which is acceptable. All development in the floodplain is subject to requirements of Chapter 24.50, Flood Hazards, and in particular, the balanced cut and fill requirements. Any fill in the floodplain must be balanced by an equal amount of excavation, and all new buildings must be elevated 2 feet higher than the 1996 flood level. (Exhibit E.6)

Multnomah Drainage District No. 1 wrote on May 16, 2005 that the drainage district has reviewed the proposed stormwater plan. The proposed design is in compliance with District standards and approval is granted. (Exhibit E.16)

Portland Park & Recreation recommends the Open Space designation and zoning be retained. However, Parks offers a prioritized list of areas of the site (identified as Parcels on Exhibit C.1) that should remain Open Space. In the written comments the Parks Bureau notes it is mandated to provide parks and recreation services, including natural areas and trails, to meet Portland residents needs. Carrying out this mandate necessitates analyzing all existing open space opportunities, including privately-owned resources. Private facilities and ones operated by other agencies are all considered to be part of a regional park and open space system. It is beyond the capacity of any one public agency to achieve the city's goals. Private open space will become even more important in the future as existing land is reconfigured to accommodate more development and more people. Large open space areas will be most difficult to retain in this process.

Livability will become even more dependent on open space functions due to critical environmental issues such as global warming and resource depletion. Meeting the city's sustainability goals will require a sufficient amount and type of uses associated with the OS designation. Open space areas are appropriate in all parts of the city, especially industrial areas where it becomes more significant and valuable in contrast to surrounding context. Open spaces provide ecosystem services including mitigating impacts of more intensive uses. Even purely visual access to open spaces particularly if vegetation or water features are present is a highly valued amenity. Public ownership is generally the mechanism used to ensure that open space sites remain as such, but private ownership of Open Space uses will be needed to meet future needs and will continue to form an integral part of the Portland open space system.

In response to the applicant's scheme that designates various "parcels", Parks recommends protection of Open Space with the following priority:

- Parcel 7: This area (22.5 acres) includes portions of the Columbia Slough and is within an Environmental overlay zone.
- Parcels 3 and 4: Conversion to industrial zoning would seriously compromise open space functions, including long term management strategies for the slough, which are aimed at protecting and enhancing its natural resource value. Industrial development of either "parcel" would limit circulation and access to the slough and restrict recreational activities. New impervious surfaces would create additional impacts as would activities associated with the use, including noise, and light, making the remaining open space values more difficult to sustain.
- Parcels 5 and 6: These parcels (approximately 49 acres) have good community and regional access (bus and vehicular) are in close proximity to other open space properties and thus have significant value to the City's and region's park and open space system. The "parcels" are immediately adjacent to the slough and directly across NE Columbia Blvd., from the planned Cully Park. This offers the potential for open space connectivity. Together the two spaces represent a large open space resource, offer visual relief in the area, open up views northward to Washington State and meet recreational needs (private or public).
- Parcel 1: This parcel has the lowest value to the open space system due to its proximity to the airport (with related impacts), interior location (poorer access), less sensitive condition, and comparatively low need for natural resource preservation. These comments are discussed in detail under approval criteria in 33.810.050.A.1 and 33.855.050.B. (Exhibit E.10)

In a separate letter, Portland Parks reports that the City Council allocated funds to the Parks Bureau to commission a consultant to prepare a park master plan to guide future development and use of the Thomas Cully Park, a 26 acre site located at NE 75th and Killingsworth (directly south of the subject site). The master plan is underway. Once it is completed, its implementation will be dependent upon the bureau securing the necessary funding from council. (Exhibit E.17)

Bureau of Planning submitted written comments. Planning identified the following four areas of interest:

1. **Airport Futures:** In fall 2007 the Port of Portland began updating its airport master plan which will include a final airport layout alternative for projected passenger and cargo demand in 2035. And the City of Portland Bureau of Planning began a planning process that considers potential land uses and future development for the industrial and employment areas roughly between the Columbia River and Columbia/Lombard/Sandy Boulevards and between SE 33rd and 122nd Avenues. Both the City's legislative land use planning project and the Port's master plan will require a Traffic Impact Analysis. Assuming the Port purchases the northern portion of the golf course, the future use of that portion of the site will be analyzed as part of that Traffic Impact Analysis.

2. Comprehensive Plan Update to Address Statewide Planning Goal 9 (Industrial and Employment Land Supply): The City is currently in “periodic review” to update its Comprehensive Plan. This effort is expected to be completed in 2010. As part of the project, Statewide Planning Goal 9 compliance requires an economic opportunities analysis of industrial and employment land supply and demand and designation of an adequate supply to meet demand in a 20-year planning period. Recent analysis of the city’s industrial land supply indicates that demand will exceed supply. The Regional Industrial Land Study (2001) found that the industrial land market, particularly for sites 50 acres or more, is not meeting demand. Expansion of the urban growth boundary (UGB) is an alternative course to meet the forecasted demand. But UGB expansion is constrained by farmland conversion limits, transportation infrastructure needs and unsuitable industrial locations. These conditions highlight the Colwood site as a rare opportunity to expand the industrial land supply within an existing industrial district.
3. Natural Resources/Metro Title 13 Compliance: Metro adopted Title 13 of the Urban Growth Management Functional Plan in September 2005. On January 5, 2007, the Department of Land Conservation and Development (LCD) executed an order acknowledging Title 13. The LCD order gives Metro area cities and counties, including Portland, two years (January 5, 2009) from LCD acknowledgement to demonstrate compliance with Title 13. The City will soon be required to demonstrate compliance--to protect, conserve and restore fish and wildlife habitat, but is not required to do so for this proposed Comprehensive Plan Map Amendment.

Compliance with Title 13 will be particularly challenging in the Columbia Corridor where remaining natural resources are relatively scarce and industrial development is a high priority. Continuing to conserve existing natural resources and maintaining opportunities for restoration will help the City meet these obligations. The City’s goal for industrial development and environmental enhancement would be better optimized by retaining the Open Space designation for the portion of the site that is between and connects the slough (as described in the BES recommendation).

4. A planning project is underway that explores how to increase and sustain the attractiveness of the Cully-Concordia area for families with school age children. The project will create an action list and build partnerships to follow up on ideas generated through the project. The project is looking at current and planned needs and desires and their connections including recreation and open spaces, transportation, land uses, et.al. The Colwood site is immediately adjacent to the project area, with the northern-most boundary at NE Columbia Blvd. These comments are discussed in detail under approval criteria in 33.810.050.A.1 and 33.855.050.B. (Exhibit E.14)

Portland Transportation (PDOT) and Oregon Department of Transportation (ODOT) provided written comments on the requested land use review, and recommend conditions of approval that will be necessary for the request to be approved. These comments (Exhibits E.11, E12 and E.13) are discussed in detail under approval criteria in 33.810.050.A.1 and 33.855.050.B. In summary, PDOT has identified a number of improvements at intersections that are necessary to mitigate traffic impacts. The improvements will achieve acceptable levels of services. Even with the mitigation, industrial development must be limited to address impacts to State (ODOT) facilities. Further, dedications will be required along the rights of way that are within or adjacent to the site.

Oregon Department of Transportation (ODOT) reviewed the proposal as the subject site is in the vicinity of US Highway 30 and Interstate 205. ODOT has jurisdiction of these State highway facilities. ODOT submitted comments on January 28, 2008 (Exhibit E.13). In response to the PDOT written response, ODOT submitted a memo on March 13, 2008. (Exhibit E.12). ODOT points out that the proposal must address the Transportation Planning Rule (TPR) and specifically must show that the proposal will result in “no significant effect”. If there is significant effect, mitigation is required. ODOT states that after much discussion about proposed mitigation measures, that for one reason or another, the proposed mitigation actions were deemed unacceptable. The applicant, the City, and ODOT did agree to the following mitigation principles:

- Development on “Parcel 1” is prohibited prior to adoption of an airport conditional use master plan amendment or the Airport Futures project.
- Development on the remaining acreage is subject to the applicant’s proposed trip cap of 259 total PM peak-hour trips. Development may be permitted outright to the point where nine additional trips occur at the Killingsworth/I-205 ramp. Development beyond that cap, up to 259 trips, may occur once the Cully Park property is developed as a park.

ODOT raises concerns regarding the trip rate of 0.27 trips per 1,000 square feet of proposed warehouse/freight movement uses. Further ODOT has recommended a change to staff recommended Condition F.

Because the ODOT response was not received until the afternoon of March 13, 2008, this staff report and recommendation does not address these issues. PDOT staff will review the ODOT response and be prepared to speak to the issues raised at the March 24 hearing, and how, if necessary, the findings, recommendation and conditions of approval should be modified. Any reference to ODOT issues/concerns/recommendations in this report reflect previous discussions between PDOT and ODOT staff and may be subject to change.

Neighborhood Review: A “Request for Response” was mailed on August 8, 2005. After reactivating the case, after it was put on hold, an updated RFR was mailed on December 28, 2007. A “Notice of a Public Hearing on a Proposal in Your Neighborhood” was mailed on January 18, 2008. . After the applicants asked to reschedule the hearing, a second “Notice of Public Hearing” was mailed on February 29, 2008. The following written comments have been received in response to the proposal:

Letters of Support from:

- 1) Corky Collier, Columbia Corridor Association wrote: The support is based on a variety of factors, as follows: (1) approximately 100 acres of readily developable industrial land will help alleviate a demonstrated shortage of industrial sites in the region, (2) the property is located within an Industrial Sanctuary, in close proximity to transportation facilities, (3) the site will contribute to the State’s largest industrial corridor, (4) development on the site will significantly increase employment generated at the site, (5) the proposal has received support from the Governor’s Economic Revitalization Team and (6) a portion of the site will be dedicated to the Parks Bureau. Further the association offers a response to three concerns raised as follows:
 - Loss of Open Space: The land donated to the Parks Bureau will mitigate much of the concern. Traffic Increases on Columbia Blvd: Traffic problems are currently being addressed by the Portland Department of Transportation
 - Neighbors Concerns About Airport Expansion: The two issues should not be linked. The request for a zone change should be evaluated on its own merit. (Exhibit F.1)
- 2) Andy Kangas, Vice –President, CB Richard Ellis: The letter states that the proposal will result in job creation, job retention, increased property tax revenue, dedicated park/greenway space and expansion land for future growth of the airport which far outweighs the one negative, the loss of which seems to be a functionally and economically challenged golf course. There are only two 10-acre industrial sites in Portland available and both have serious problems. Hundreds of jobs are being exported to other places, such as Ridgefield, Washington, where there is available industrial land. (Exhibit F.2)
- 3) Tony Reser, Senior Vice-President, GVA Kidder Mathews wrote that while the momentum of industrial development in North/Northeast Portland has been stronger over the last 15 years, there is currently a critical shortage of developable industrial parcels. In the entire Columbia Corridor submarket, there are less than 5 developable, available industrial parcels in excess of 20 acres. The Colwood site is well suited for industrial users given its proximity to the I-5, I-205 and I-84 freeways, as well as Portland International Airport. Available utility and infrastructure are nearby. The current environmental zoning and proposed park donation will preserve a balance between industrial uses and open space. (Exhibit F.3)
- 4) John Bartell, Vice-President/General Manager, The Opus Group wrote that his office has been following this proposal. He encourages the City to approve the change. Ten years ago Opus developed the Foster Road industrial park just east of I-205. Since then, his company has developed approximately one million square feet of industrial buildings in the outlying metropolitan area like Gresham, Wood Village and Clark County, where industrial land was available. Portland’s shortage of industrial land is restricting the city’s economic growth and ability to attract family wage jobs. (Exhibit F.4)
- 5) Todd A. DeNeffe, Cascade Commercial Real Estate wrote that Portland, as well as the entire region, has a well-chronicled shortage of shovel-ready industrial sites. Available sites are critical in helping existing companies expand or transition to owning their own facilities as well as to provide sites for firms looking to locate or expand in the Portland area. Anecdotally, Baxter Auto Parts, based in Portland for nearly 60 years has recently relocated to Washington County, moving 100 family-wage jobs and an \$8 million investment because there were no suitable 10 acre sites in Portland. The rezone of the Colwood site would provide needed land for metro area firms to remain and expand in the area. Retaining and increasing family wage jobs and increasing the tax base are healthy and necessary aspects for maintaining a strong and vibrant city. (Exhibit F.5)
- 6) Todd Sheaffer, President, Specht Development wrote that the proposal represents a remarkable opportunity for the development of a 22.5 acre public park, significant contributions to traffic infrastructure upgrades, accommodating the needs of Portland International Airport and potential employment growth.(Exhibit F.6)

- 7) Todd Sheaffer, National Association of Industrial and Office Properties, 2005 President Portland Chapter wrote that the association expresses support for the proposal. (Exhibit F.7)
- 8) Steven Wells, Trammel Crow Co. wrote that there are few, if any, comparable vacant industrial sites that share positive characteristics—located reasonably closed to downtown and employees, street and utility infrastructure in place and no conflicts with the operation of Portland International Airport. Given the present shortage of large, properly situated industrial sites, the City should support the conversion and redevelopment of the Colwood property for industrial development. (Exhibit F.8)

Letters of Opposition from:

- 1) Mike Houck, Urban Greenspaces Institute, Executive Director submitted a letter stating that he has grave concerns over the proposed zone change. The fish and wildlife habitat, scenic vistas, and park attributes of the Colwood Golf Course is an incredible open space resource for northeast Portland and the entire Columbia Slough Watershed. Rezoning of 85 percent of the site to industrial use will have a tremendous negative impact on the Columbia Slough. The Institute is particularly concerned about the future of the portion of the property that the Port of Portland has expressed interest in, given their past interest in extending the airport runway. Such an expansion would have a severe negative impact on the adjacent Columbia Slough given federal policies will lead to indirect negative impacts on fish and wildlife habitat, due to concerns over airport safety (Exhibit F.9). *BDS Staff Comment: The 48 acre portion of the site slotted for Port of Portland purchase will be addressed later in staff's recommendation in response to the approval criteria. However, the development or extension of an airport runway in this location is not being reviewed as part of this proposal. There is no information from the applicant regarding future use of the northern portion of the site. If the Port of Portland wishes to extend a runway, either a Conditional Use Master Plan for the airport or the legislative project—Airport Futures must fully address and approve such a proposal. Either approach will require extensive public participation.*
- 2) Richard Gunderson, Board of Directors, Cully Association of Neighbors: Mr. Gunderson states that he has been working the last two years to preserve Colwood Golf Course as open space for the community of Cully and for other Portland residents. He states he has successfully convinced City Commissioner Dan Saltzman and the Parks Bureau that the site is worth saving as Open Space and in particular as a City park. The only delay in the process of procuring the property is money. The money will be identified at some future date and the land will be protected by creating a park for present and future residents. The land was purchased by the current owners with the “open space” designation and should be kept as open space. The use designation should not be changed to increase its value for the owners. The City has a great heritage of developing urban parks and it needs to continue this action by saving this property as open space. The City will experience massive growth in the next 20 to 50 years. Planning for open space to meet the influx of residents is crucial for the health of that generation. (Exhibit F.10)
- 3) Frank Jagodnik, Executive Director, Oregon Recreation and Park Association: The Oregon Recreation and Park Association is a non-profit founded in 1954, representing over 900 members. The mission of the association is to protect natural resources by acquiring, managing and restoring resources. Open space including rivers, streams, greenways, view sheds, forests, protected habitat areas are critical to the health of Oregon’s environment and the survival of diverse species. The association urges the City to preserve the Colwood Golf Course as open space. This parcel is needed as open space to maintain a balance and for the health and happiness of the residents of Portland and the State of Oregon. (Exhibit F.11)
- 4) Jane Van Dyke, Executive Director, Columbia Slough Watershed Council: The council supports the acquisition of a portion of the golf course (north of NE Columbia Blvd., east of Alderwood Rd., south of the slough to the property line on the east) as a publicly owned open space, park and Columbia Slough buffer for the benefit of all Portland citizens. Purchase of this land will provide substantial and valuable key component in protecting and enhancing the unique Columbia Slough riparian system that stretches from Fairview Lake to Kelly Point. (Exhibit F.12)
- 5) Troy Clark, President, Friends of Smith and Bybee Lakes: The loss of 138 acres of open space is an alarming prospect in the Columbia Slough area, particularly land along the Columbia and Whitaker Sloughs. That the whole of the golf course would remain in OS designation would be preferable, but at the very least, the riparian zone along both sloughs should be expanded and protected. The zone change should be denied for the parcels 3 and 4. These lands that abut the sloughs are critical habitat areas and must be preserved. So much of the riparian habitat along these sloughs is gone due to development, that the remaining land must be treated with special favor and care. (Exhibit F.13)

BDS Staff Comment: The applicant's proposal does not include sale of property to a public or non-profit organization. This application proposes retaining the Open Space designation/zoning on 22.5 acres of site. The applicant stated an interest in donating this land to the Portland Parks Bureau. The proposed sale of the northern 48 acres of site to the Port of Portland is only relevant in that the legislative planning project Airport Futures has already included this portion of the Colwood site in the study boundary. This legislative study will consider future use, development and infrastructure capacity to serve the airport and airport-related activities. The future owners/leasees/developers/businesses/organizations that could/would use this site are not relevant to this review.

6-21) Nearby residents/concerned citizens--Bruce Seller, Erika Read, Shawn Busse, Jean and Robert Thompson, Pastor Gregory Ames, Bonnie Gregg, Micki Carrier, Cascade Anderson Geller, Don Jacobson, Linda Rose, Tony DeFalco, State Representative Ben Cannon, Shirley Simmons, Rachel Felice and Erwin Bergman offer the following points/concerns/objections (Exhibits F.14- F.28):

- Colwood provides enjoyable golf and a pleasant location (along NE Alderwood Road) for bicycle riding, walking and watching bird and wildlife.
- The commute to other workplaces, via NE Alderwood, NE Columbia Blvd and NE Cornfoot Rd will become more difficult and the scenic character of the route will be eliminated.
- Traffic will be increased making driving to the airport and Cascade Station more difficult.
- Air quality will be eroded both by loss of green space and the traffic generated by the use.
- Cully neighborhood is deficient in open space and parks. The conversion of Colwood will exacerbate the problem.
- The City should broker an exchange of the Colwood site for the proposed park site at NE Cully/NE Portland Highway/Lombard. Industrial development is better suited on that site and the roads would better support the additional traffic.
- Cully is desperate for green space and the idea of less is shocking.
- Keep all of Portland beautiful.
- Converting the golf course into industrial space will dramatically decrease quality of life and livability within the neighborhood. There will be a reduction in trees, open space, and access to wildlife.
- Industrial development will increase traffic, limit access to the slough and place increased demands on the neighborhood as a whole.
- Cully is an under-served neighborhood. Only 55 percent of the streets are considered standard and 36 percent are substandard, lacking curbs, gutters and sidewalks. There is no guarantee that the industrial development at Colwood will have any sort of positive impact on the surrounding neighborhood. Increased traffic will place a greater burden on the neighborhood's marginal infrastructure.
- It is fair to say that industrial development would increase traffic from secondary streets such as Cully Blvd, Prescott, Lombard/Portland Highway and Killingsworth. At peak traffic times, many of these streets are stressed and traffic backs up significantly. Traffic coming to and from the new industrial zone would certainly travel through nearby neighborhoods.
- Thomas Cully Park is yet to become a reality. Should it become a reality, it makes sense to consider the golf course.
- Rezoning Colwood to industrial would contribute little to thinking about the area in a comprehensive, holistic manner. Future tie-ins between the slough and Cully Park may become difficult or impossible.
- The rezoning of the golf course to IG2 will dramatically reduce the friendly space for people and wildlife that currently use this wonderful space. The IG2 zoning means many commercial businesses, acres of concrete, increased traffic and more air and noise pollution.
- The City has a rare opportunity to claim an area that could be utilized as a regional park to serve all residents. Consider this decision for not only now but for the next 100 years and generations to come.
- Preserving the open space will protect overall livability, provide wildlife habitat, reduce greenhouse gases and limit impervious surfaces.
- The land is already beautifully landscaped and park-like and is serving as a wildlife sanctuary.
- The land has important riparian habitat.
- There is limited public access to the Columbia Slough, an important natural resource for the region. This site has a sizeable portion of slough bisecting it.
- Rezoning it would increase the cost, making it prohibitive for public agencies and non-profits that are interested in obtaining a portion of the site.
- The golf course would create an important link to both active and passive recreation to the Thomas Cully Park and the Cully neighborhood.
- Keeping the entire portion south of the slough as open space is a reasonable mitigation to the Port of Portland's interest in obtaining the land north of the slough.
- How will cultural resource protection apply to the Colwood site?
- Cully needs more parks, trails and open space not more industry.

- It should only be approved if a specific accompanying proposal mitigated the loss of open space by creating another open space in the Cully neighborhood.
- Find ways to carry out economic development while also protecting open space. Rezone the portion for airport development. Retain the southern portion as open space and put to use as a park for the residents of Cully and all of Portland.
- Open Space values have not been identified by the applicant.
- Communities nationwide, state-wide and in the metro area are doing the exact opposite. Jurisdictions are busy attempting to preserve open space, not convert it.
- This sets a dangerous precedent.
- Why does a 150 acre site that is situated along two waterways and a pond, that has provided visual delight and relief for 80+ years and is a significant portion of the neighborhood and community greenspace get rezoned?
- The value of the open space has not been acknowledged by the applicant. Human beings respond to un-built space with unique brain and nervous system responses.
- Animals and wildlife use the space all hours of the day and night (24/7).
- All kinds of human use the space for golf, wildlife and birdwatching, scenic views and walking.
- The public is specifically invited (attached photo of Colwood sign shows—"Public Invited") to enjoy the greenspace. It is not private. It is available, unlike facilities that do not invite the public onto their property.
- The general public derives maximum pleasure from Colwood's open space views, vistas and features including majestic trees.
- Replacing functional riparian areas with the additional impervious surfaces, noise and lights associated with new industrial zoning will impact the countless animals, plants and paddlers who use this wildlife corridor.
- No mitigation could remedy the loss of the Colwood open space.
- The Port of Portland purchase of part of the site will be the first step in building a third parallel runway.
- Runway expansion will preclude vegetation which will devastate the slough along with its present wildlife and habitat functions.

BDS Staff Comments: When requesting to amend the Comprehensive Plan Map the applicant must show that the requested change is: (1) consistent and supportive of the appropriate Comprehensive Plan Goals and Policies, (2) compatible with the land use pattern established by the map, (3) consistent with Statewide Land Use Planning Goals and (4) consistent with any adopted applicable area plans. As stated above, the sale or donation of lands to public or private interests or the relative economic value of land is not germane to this review. Specific owners, leasees, developers, businesses, organizations that could/would use this site are not relevant to this review. Lastly, land valuation changes, based upon the map designations, is not considered.

Summary of Applicant's Statement: The Colwood National Golf Course has been in operation since the 1920s. When it first opened, it was located in a pastoral and largely rural area of the City. Its founding pre-dated the use of the immediate neighboring property for the Portland International Airport operations. The extensive industrial development and vehicular traffic now present in the area has grown around Colwood, leaving the golf course the exception to the current industrial use pattern in this area. Colwood is no longer competitive with newer, larger golf courses. Despite ongoing upgrade and maintenance efforts, its size and less appealing setting make the long term viability of the course fall into question.

The other reality facing Colwood is its proximity to the Portland International Airport. Colwood's owners are aware that future airport facilities expansion would directly impact the northern 47.9 acres of the golf course. Removal of nearly half the property would preclude golf course use on that portion of the site and thus prevent the course from operating as one cohesive use. The Port and golf course owners are in the process of finalizing a Purchase and Sale Agreement with the Port of Portland for the 47.9 acre piece of property.

Lastly, the Colwood site is located within a region that faces a growing need for suitable industrial sites, which has reached a critical point during the last few years. With a total of 115 developable acres, the Colwood site would be one of the largest available developable parcels in the City. The subject site is relatively flat and is just over one mile from the I-205 interchange, is bordered by industrial uses and the Portland International Airport. Development of the site would create needed jobs within the City of Portland. It is anticipated that the site will be developed as a multi-tenant business park. Businesses in the distribution and logistics sectors are likely to be the primary users of such facility. Other possible uses include light manufacturing and aviation related uses. According to the City of Portland's Industrial District Atlas, these facilities on average accommodate 17 jobs per developed acre. Therefore, 1,955 jobs could be created from this proposal.

The golf course, established in the 1920s, pre-dates the City's Comprehensive Plan and Zoning Maps. The Open Space designation was assigned to the site because of its golf course use, not for an intrinsic open space value (such as natural areas

located across the entire site or proximity to existing residential areas). The site is privately owned and therefore, public access to the site is only allowed for fee-based golfing activities. While the site is zoned OS, residents cannot use the site as a true “open space”. Further, the current use precludes other simultaneous uses due to the dangers associated with golfing. The proposed 22.5 acre area dedicated to the Portland Parks Bureau will be accessible to a members of the public for a variety of open space related users for free.

ZONING CODE APPROVAL CRITERIA

This report contains the following parts, each of which examines compliance with applicable criteria:

Part A Comprehensive Plan Map Amendment

Part B Base Zone Map Amendment

PART A. COMPREHENSIVE PLAN MAP AMENDMENT

The applicant is requesting a Comprehensive Plan Map amendment from Industrial Sanctuary to Mixed Employment. For the requested Comprehensive Plan Map amendment to be approved, the applicant must demonstrate that the approval criteria in Section 33.810.050 of the Portland Zoning Code are met.

33.810.050 Approval Criteria

A. Quasi-Judicial. Amendments to the Comprehensive Plan Map that are quasi-judicial will be approved if the review body finds that the applicant has shown that all of the following criteria are met:

- 1. The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be equally or more supportive of the *Comprehensive Plan* as a whole than the old designation;**

Findings: The proposal involves a Comprehensive Plan Map Amendment from Open Space to Industrial Sanctuary. Based on the findings identified below, the requested Comprehensive Plan Map designation on balance will be equally supportive of the applicable goals and policies of the *Comprehensive Plan* as the existing designation, and this criterion will be met.

Goal 1 Metropolitan Coordination

The Comprehensive Plan shall be coordinated with federal and state law and support regional goals, objectives and plans adopted by the Columbia Region Association of Governments and its successor, the Metropolitan Service District, to promote a regional planning framework.

Findings: Policy 1.5 of this goal (Compliance with Future Metro Planning Efforts) requires the review and update of Portland’s *Comprehensive Plan* so that it complies with the *Regional Framework Plan* adopted by Metro. The *Urban Growth Management Functional Plan* was approved by the Metro Council on November 21, 1996, and became effective February 19, 1997. The purpose of this plan is to implement the Regional Urban Growth Goals and Objectives, including the 2040 Growth Concept. Local jurisdictions must address the *Functional Plan* when Comprehensive Plan Map Amendments are proposed through the quasi-judicial or legislative processes. Each title of the *Urban Growth Management Functional Plan* is addressed below.

Overall, as noted in the discussion below, the requested Industrial Sanctuary designation either will be supportive of the intent of the titles contained in the Urban Growth Management Functional Plan, or these titles will be met through compliance with other applicable City regulations.

- Title 1, Requirements for Housing and Employment Accommodation,** *requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through city-wide analysis based on calculated capacities from land use designations.*

Housing is a prohibited use in the Open Space zone which corresponds to the existing Open Space Comprehensive Plan Map designation on the site. The IG2 zone, that corresponds to the proposed Industrial Sanctuary designation, allows housing if approved as a Conditional Use and only if it is a houseboat on a water

body. Houseboats would not be feasible along the segments of the slough. And due to the Portland International Airport Noise Impact overlay zone, even if allowed as a Conditional Use, housing is not practical on this site. Therefore, the change in designation and zone will not impact the region's housing goals.

The proposed Industrial Sanctuary Comprehensive Plan designation promotes a large variety of industrial uses. In contrast, the Open Space designation prohibits most employment-related uses.

On balance, the proposed designation better supports this title than the existing designation in that it promotes greater opportunities for employment growth.

- **Title 2, Regional Parking Policy**, *regulates the amount of parking permitted by use for jurisdictions in the region.*

This Title requires cities and counties to place limits on parking to ensure a more efficient use of land, and to promote alternative modes of transportation. Whether the site remains under its current Open Space designation or changes to the proposed Industrial Sanctuary designation, parking on the site will continue to be regulated by provisions of Zoning Code Chapter 33.266, Parking and Loading, and specifically, Zoning Code Section 33.266.110 (Minimum Required Parking Spaces) and PCC 33.266.115 (Maximum Allowed Parking Spaces). These regulations, which have been recognized by Metro as meeting the parking ratio requirements identified in Table 3.07-2 of Title 2, ensure that on-site parking will be consistent with Title 2.

- **Title 3, Water Quality, Flood Management, and Fish and Wildlife Conservation**, *is intended to protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities, protecting life and property from dangers associated with flooding and working toward a regional coordination program for Fish and Wildlife Habitat Areas.*

The site contains two branches of the Columbia Slough as well as associated vegetation and habitat area. The City's Environmental Conservation overlay zone has been applied on these resources. Except for a small strip on the southern edge of the Environmental zone, the applicant proposes to retain the Open Space designation on these resources. Any future development proposal will be required to address applicable requirements of the Environmental overlay zone. The City's environmental zoning is in compliance with Title 3.

The BDS Site Development Section notes that the area along the slough is within the designated 100-Year Floodplain. All development in the floodplain is subject to the applicable requirements of Chapter 24.50, Flood Hazards and in particular the cut and fill requirements. Further, the Columbia Slough is regulated by the Multnomah Drainage District #1, the Oregon Division of State Lands (DSL) and the Army Corps of Engineers. Future development that would impact the slough requires City, state and federal government approval.

The BES Watershed Service Group has identified numerous benefits of the current Open Space designation on the Colwood site. Benefits include water quality protection, wildlife habitat and watershed function. Specifically, the trees located along the riparian area reduce the water temperatures in the slough. BES notes that there has been substantial investment in this reach of Whitaker Slough by the City of Portland and Army Corps of Engineers to improve water quality. Undersized culverts were removed and replaced with bridges just east of NE Alderwood Road. The removal of the culverts helps improve flow and reduces thermal loading and allows more groundwater into the slough thereby helping to reduce water temperatures. In addition, the City has replanted several miles of slough bank in the immediate area. Further, the site is located halfway between two regionally significant and publicly-owned natural areas (Whitaker Ponds to the west and Johnson Lake to the east) and the site itself provides a critical habitat area and corridor link for dozens of native wildlife species that use the slough watershed during their breeding, wintering, or migratory seasons. Native trees and shrubs dominate much of the riparian area, providing high quality habitat for native wildlife. During the 108th Annual Christmas Bird Count conducted on January 5, 106 of the 118 species documented by volunteers were found along the Columbia Slough and Columbia River, indicating the importance of these habitats.

BES also points out that the portions of the site along (and between) the sloughs is classified as Class I and II riparian and Class B and C upland wildlife habitat by Metro's Nature in Neighborhoods program. The vast majority of the land area between the Whitaker and Columbia Sloughs, on both sides of NE Alderwood Rd, are included as ranked habitat area in Metro's inventory. The area between the sloughs but furthest from the sloughs

are ranked as low value. Current scientific literature suggests that native vegetation must extend 100 to 656 feet, rather than the 50 to 100 foot buffers provided through the City's environmental zoning. These facts lead BES to recommend the retention of the Open Space designation on "Parcels 7 and 4". Staff states, "There is an important case to be made for the restoration of this area as open space, to ensure its protection and restoration for important watershed functions".

The Portland Bureau of Planning finds that continuing to conserve existing natural resources and maintaining opportunities for restoration will help the City meet its goals and its obligations to address Metro requirements. The Planning Bureau concurs with BES and recommends the retention of the Open Space designation on the area between the sloughs--"Parcel 4". In the Planning Bureau's written comments, staff states, "The City's goal for industrial development and environmental enhancement would be better optimized by retaining the Open Space designation for the portion of the site."

The Portland Parks Bureau does not support removing the Open Space designation on any of the Colwood site. However, in the Parks Bureau response, staff recognizes that the full array of City, State and Regional policies must be weighed when considering a Comprehensive Plan Map Amendment. The Parks Bureau staff identified a prioritized/ranked list of "parcels" on the Colwood site. The Parks Bureau recommends that in addition to "Parcels 7 and 4", "Parcel 3" should remain as Open Space. Parcel 3 is a 4.7 acre area, which is located on the east side of NE Alderwood Rd. Parks staff state that a land use change, from open space to industrial, on the area shown as Parcels 3 and 4 would seriously compromise open space functions. The functions include long term management strategies for the slough which are aimed at protecting and enhancing its natural resource values. Industrial use on either of the lots would limit circulation and access to the slough, and restrict recreational activities. New impervious surfaces would create additional impacts as would activities associated with the use including noise and light making the remaining open space values more difficult to sustain.

Although Parcel 3 abuts a segment of the slough, unlike "Parcel 4" it is not flanked on both the north and south sides by the riparian corridors. In fact the slough is relatively narrow along the portion of site identified as "Parcel 3". There is a cluster of existing trees and other riparian vegetation along the south side of the slough bank, which is proposed for Open Space preservation in "Parcel 7". For these reasons, BDS staff concurs with the BES Watershed Group and the Bureau of Planning and recommendation to retain the Open Space designation only on Parcels 7 and Parcel 4, a total of 36 acres. The retention of the Open Space designation on 36 acres that encompass the two slough segments and the area between will support this Metro Title.

- **Title 4, Industrial and Other Employment Areas**, *seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs).*

This Title limits type and density of uses in areas on the 2040 Growth Concept Map designated as Regionally Significant Industrial Areas, Industrial Areas, and Employment Areas.

This site is designated on the Title 4 map as "Employment Land". The eastern abutting Airport Business Center and the nearby Cascade Station area are also mapped as such. While the site is not specifically identified as an industrial site, it is located within the largest regionally significant industrial area in the region, as identified on the RSIA map. The surrounding properties are located within the airport boundary. Title 4 acknowledges the necessity of non-industrial uses near an airport. The title includes an exception that allows non-industrial uses within airport master plan boundaries. Uses may include travel-related and freight movement activities of airports, hospitality uses, and retail uses that serve the traveling public.

The addition of over 100 acres of industrially-zoned land to this area will contribute to the region's employment needs. To prevent conflicts with industrial uses, the IG2 zone limits the size and number of retail and office and other commercial uses. However, as stated above, non-industrial uses may be developed within a designated airport boundary. The current approved Airport Conditional Use Master Plan allows specified uses such as hotels. Future development on "Parcel 1", the 48 acre parcel identified for acquisition by the Port of Portland, would require review through either a Conditional Use Master Plan or legislative planning process. The area is currently under study as part of the City of Portland Bureau of Planning Airport Futures legislative planning study.

Office and Retail Use Limitations

To address capacity limitations of the transportation system, staff is recommending conditions that set use, floor area and vehicle trip maximums. These maximums are intended to allow up to approximately 950,000 square feet of floor area for Warehouse and Freight Movement uses. Other industrial use categories have lower floor area maximums. And the recommended conditions significantly limit uses that typically generate more traffic such as retail and office uses. These limits generally correspond to the use restrictions of the General Industrial and Heavy Industrial zones. Given these limitations, full build-out of the site is unlikely.

The Zoning Code allows by right headquarter office space to locate on a site where the same business operates an allowed industrial use. The proposed IG2 zoning allows unrestricted office space for a headquarter facility. (Note that floor area built under the headquarter office exception is not considered Office use, but instead is considered part of the use allowed outright in the zone (i.e., manufacturing, warehousing, wholesaling, etc)). Because the potential transportation impacts would be significant, Portland Transportation recommends conditions of approval be applied that specifically identify this and other uses and limit the floor area of the activities to correspond with a trip limit applied to this site.

Furthermore, because of the associated traffic impacts, staff recommends the following uses/development be prohibited on this site: (1) retail drive-through facilities, such as fast food or coffee drive-through businesses, (2) truck stops with accessory hotel and/or restaurant space, (3) commercial parking facilities, (4) retail sales and service floor area over 25,000 square feet per site, and (5) office floor area over 25,000 square feet per site.

In the IG2 zone, up to four Retail or Office uses are allowed, each limited to a maximum of 5,000 square feet of floor area. If one of the uses is proposed to exceed that floor area limit, a Conditional Use Review must be approved. The maximum floor area allowed as a Conditional Use is 25,000 square feet. Uses listed as Conditional Uses on Zoning Code Table 140-1 will be allowed at the site, if review approval is granted. Those uses that are restricted via the recommended trip/use tables such as Retail and Office will also be subject to the trip cap set forth in this decision.

Summary

Changing the Comprehensive Plan Map designation from its current Open Space to Industrial Sanctuary for approximately 101 of the 137 acres supports Title 4. The conditions that restrict non-industrial uses further ensures that land designated for industrial use will not be developed with uses that are generally found in commercial zones.

Note: Upon approval of the Comprehensive Plan Map and Zoning Map Amendment, Metro may designate the site as a Regionally Significant Industrial Area. If designated as such, the maximum allowed floor area for retail and office uses will be limited to 20,000 square feet.

- **Title 5, Neighbor Cities and Rural Reserves**, *protects land along the green corridors from continuous strip development to maintain their rural character and agricultural economy.*

This Title is not applicable to the subject site.

- **Title 6, Central City, Regional Centers, Town Centers and Station Communities**, *enhances the Centers designated on the 2040 Growth Concept Map by encouraging development in these Centers.*

Because the site is not within one of the centers identified on Metro's 2040 Growth Map, this title is not applicable to the requested amendment.

- **Title 7, Affordable Housing**, *recommends that local jurisdictions implement tools to facilitate development of affordable housing.*

This Title is unaffected by the proposed Comprehensive Plan Map designation.

- **Title 8, Compliance Procedures**, *outlines compliance procedures for amendments to comprehensive plans and implementing ordinances.*

This proposal meets this Title by fulfilling the notice requirements for Type III land use reviews, as outlined in Portland Zoning Code Section 33.730.030 (Type III Procedure). In addition to notifying the affected City-

recognized organizations and property-owners within a 400 foot radius of the site, a notice of the proposal has also been sent to Metro and to the Department of Land Conservation and Development. Therefore, the proposal is consistent with this Title.

- **Title 9, Performance Measures**, *ensures that progress or lack of progress is measured in the implementation of the Urban Growth Management Functional Plan (UGMFP) and the 2040 Growth Concept.*

This Title is not applicable to the requested land use action.

- **Title 10, Definitions**, *defines the words and terms used in the document.*

This Title is not applicable to the requested land use action.

- **Title 11, Planning for New Urban Areas**, *guides planning of areas brought into the UGB for conversion from rural to urban use.*

This Title is not applicable to the requested land use action.

- **Title 12, Protection of Residential Neighborhoods**, *protects the region's existing residential neighborhoods from air and water pollution, noise and crime, and to provide adequate levels of public services through the protection of single-dwelling residential zoning, the provision of transportation facilities to commercial services and access to parks, greenspaces and schools.*

The requested designation will not significantly impact residential neighborhoods. At its closest point, the nearest residential area is in the Cully neighborhood, south of NE Killingsworth Avenue. The residential area is over 1,200 square feet from the site. This residential area abuts large developed industrial and employment sites. Given that the neighborhood is already subject to industrial impacts additional industrial development will not change the existing character of the area. A distance of 1,200 feet from the site will minimize any possible off-site impacts.

The applicants propose retaining 22.5 acres of Open Space designated land that will be available for park and greenspace use for public use. Staff recommends that an additional 12.5 acres located between the sloughs also be left as designated Open Space. The recommended 36 acres will be available to buffer the slough and provide an area for habitat enhancement. The proposal is consistent with this Title.

- **Title 13, Nature in Neighborhoods**, *implements a program to conserve and protect stream corridors, rivers and their floodplains, prevents water pollution and address water quality.*

Metro adopted Title 13 of the Urban Growth Management Functional Plan in September 2005. Title 13 identifies requirements to protect and conserve riparian corridors and wildlife habitat in the region. Metro adopted maps showing the regional Habitat Conservation Areas to which the Title 13 requirements apply. The areas designated on the Colwood site largely coincide with the existing Environmental Overlay zoning, except for an area located along a secondary drainage in the northeastern portion of the site. (Metro's designations are shown on map attached to the Planning Bureau response). It was not until January 5, 2007 that the Department of Land Conservation and Development (LCDC) executed an order acknowledging this Title. This order gives Metro area cities and counties, including Portland, two years (until January 2009) to demonstrate compliance with the letter and intent of Title 13. Therefore, a response to this Title is not required..

However, as noted above the City must address this Title by January 2009. The Bureau of Planning and BES, call attention to the riparian habitat values of the sloughs that run through the site. Both bureaus, as well as the Parks Bureau identify the importance of retaining the Open Space designation on the portions of the site that are environmentally-zoned, as well as the area between the sloughs. This recommendation is relevant to an array of policies discussed later in this report.

Goal 2 Urban Development

Maintain Portland's role as a regional employment, population, and cultural center, and the expansion of housing and employment opportunities while retaining the character of existing areas.

Findings: As previously mentioned, the proposed designation provides for greater diversity of uses on the site than the existing designation. The corresponding zones of the proposed Industrial Sanctuary designation allow all industrial use categories.

The applicant submitted an Economic Impact Report, prepared by Leland Consulting Group (Exhibit A.1.i). The report includes the following information:

The Portland region faces a long-acknowledged shortage of suitable shovel-ready industrial sites. Metro's 1999 Regional Industrial Land Study found just 2,387 acres of readily developable "Tier A" industrial land. The same study found that 80 percent of the industrial land inventory was in parcels of 10 acres or less, making them less suitable for development. The study identified just five Tier A parcels greater than 50 acres. Of these large Tier A sites, only one was in Multnomah County. In contrast, the subject site is 115 gross developable acres.

While Metro expanded the UGB in 2002 and again in 2004 to provide 2,300 and 1,940 acres of industrial land, respectively, these changes do not obviate the need for additional industrial land near the region's center. Lands on the edge of the UGB will not be development-ready in the near future due to a lack of access and existing infrastructure.

The site's size, approximately 115 gross developable acres, makes it one of the largest available developable parcels in the City. Metro's 2007 Industrial Land Supply Inventory Update found that the City had just two vacant industrial sites of 50 or more acres. Both sites are owned by the Port of Portland and are only available through ground leases, which severely limits their suitability for many users.

The applicant's economic analysis shows an immediate need in the City as well as the region for additional industrially-zoned, development-ready sites. The report estimates that 115 gross acres could result in providing a place for 1,955 new jobs. Because the Port of Portland is in the process of purchasing the portion of the site, located north of NE Cornfoot Road and west of NE Alderwood Road, it should be noted that these 48 acres will likely only be available through ground-leases and must be reviewed and approved through a separate process, either a Conditional Use Master Plan or the Airport Futures legislative study. Therefore, approximately 53 acres would be available for possible division and sale. Industrial business parks generally provide space via lease. Either fee simple (land ownership) or through a lease, the site would attract industrial development.

This request satisfies Goal 2 and is equally or more supportive of the associated policies, as explained below.

Policy 2.1 Population Growth

Allow for population growth within the existing city boundary by providing land use opportunities that will accommodate the projected increase in city households by the year 2,000.

Findings: Neither the existing or proposed designation allows housing development outright, so the amendment request has little impact on this policy.

Policy 2.2 Urban Diversity

Promote a range of living environments and employment opportunities for Portland residents in order to attract and retain a stable and diversified population.

Findings: The proposed designation will increase the opportunities for future industrial development on the site. The proposed Industrial Sanctuary designation provides more diversified employment opportunities in comparison to the limited employment opportunities generated by Open Space uses.

Policy 2.6 Open Space

Provide opportunities for recreation and visual relief by preserving Portland's parks, golf courses, trails, parkways and cemeteries. Establish a loop trail that encircles the city, and promote the recreational use of the city's rivers, creeks, lakes and sloughs.

Findings: This proposal will result in the closure of a golf course that has served the metropolitan area for over 80 years. Numerous citizens have submitted letters stating their opposition to the proposed loss of open space. Portland Parks and Recreation does not support the change in designation from Open Space to Industrial

Sanctuary. Parks states that it is beyond the capacity of any one public agency to meet the city's open space system needs. Private open space will become even more important in the future as existing land is reconfigured to accommodate more development and more people. The open space system includes steep slopes, wildlife habitat, water features, scenic views, riparian corridors, forests, woodlands, agricultural land, gardens, institutional grounds, greenways and play areas. Further, benefits of the open space system include community identity, neighborhood character, heritage and cultural values, scenic quality, biodiversity, watershed functions and placemaking. Lastly, livability of the city in the future will become even more dependent on open space functions.

Written comments from citizens speak to the amenities the golf course offers the Cully neighborhood as well as other Portland residents. Beyond it being a golf course that welcomes public use, it offers bird and wildlife watching, scenic views and vistas for bicyclist, pedestrians and motorist. The trees, vegetation and pervious surface improves air and water quality and supports the riparian habitat along the sloughs. Many note that the area, particularly the Cully Neighborhood has ample industrial land but is sorely deficient in open space.

According to the Parks Bureau 2020 Vision Plan, the Cully-Parkrose area had been designated as deficient in the following: (1) the amount of park land, (2) access to and crossings over the Columbia Slough, (3) natural areas around the Columbia Slough, (4) community centers and (5) designated pedestrian connections from residential areas to the 40-Mile Loop Trail. Portland Parks has designated NE Alderwood from NE 82nd Avenue to NE Cornfoot Road and along NE Cornfoot Road west to the Broadmoor Golf Course as a future regional recreational trail. The proposed change in designation and zone does not conflict with any future trail improvements within the public right-of-way.

In the Cully Neighborhood, the supply of City-owned parkland has increased. In 2002 the Portland Parks and Recreation purchased an approximately 25 acre site directly south of the subject site. The site, named the Thomas Cully Community Park, was used from the 1950s through the 1980s as a sand and gravel mining facility. It was converted to a landfill and used as such until 1991. The former landfill site has a permanent membrane cover with underground piping to collect and burn off methane gases. The City and community members are currently involved in a master planning process for development of the site. On January 22, 2008 the City unveiled four development concepts. All four concepts include sports fields, picnic shelters, restrooms, off-leash area and a perimeter trail. Implementation of the master plan will be dependent upon the City Council allocating funding for development the park. In addition, Sacajawea Park, at NE 74th Avenue and Alberta Street, was expanded by 3.36 acres. As part of the approval of a Comprehensive Plan Map and Zoning Map Amendment request (LU 03-177121 CP, ZC) a condition required the donation. The land area that was added to Sacajawea Park remains unimproved.

The expansion of the Sacajawea Park site and the purchase and master planning for the Thomas Cully Park could eventually serve to address deficiencies in the area. However, written comments from citizens note that the future expansions/improvements should not be treated as a trade for loss of the Colwood site. Further, citizens and Parks staff note that the benefits/value of the Thomas Cully Park would be increased if the Colwood site remained as open space. A system of open spaces and connections to the slough could be established.

The applicant is proposing the retention of the Open Space designation on 22.5 acres of site along the segments of the sloughs. The applicant has stated an interest in transferring ownership of the 22.5 acres to the Portland Parks and Recreation. Further, the applicant states that the donation would be accompanied with \$100,000 to Portland Parks to help fund improvements to the property. In order to address a myriad of policies, as discussed throughout this report, staff recommends the Open Space designation be retained on 36 acres of the site. The Open Space designation will encompass the segments of the slough the upland areas designated with environmental zoning and the 13.5 acre portion of the site, identified as "Parcel 4" located between the sloughs. The 36 acre open space area would replace a recreational fee-based facility with an open space that has potential to serve multiple objectives and multiple users. The open space designated area offers an opportunity for watershed restoration, riparian habitat enhancement, a gathering place for active and passive recreation and watercraft access to the sloughs.

Given that the change in designation and zoning will facilitate the redevelopment of this golf course site, overall this proposal does not support Policy 2.6. A change in designation that will result in only 26 percent of the site area remaining as Open Space is not consistent with this policy.

Policy 2.12 Transit Corridors

Provide a mixture of activities along major transit routes...Increase residential densities on residentially-zoned lands within one-quarter mile of existing and planned transit routes to transit-supportive levels. Require development along transit routes to relate to the transit line and pedestrians and to provide on-site pedestrian connections.

Findings: The Transportation Element of the Comprehensive Plan designates NE Columbia Boulevard, NE Alderwood Road, and NE Cornfoot Road as Community Transit Streets. Tri-Met operates the #86 bus line which runs on NE Columbia Blvd. to NE Alderwood Road to NE 82nd Avenue. This line provides service during AM and PM peak business hours. The corresponding IG2 zone of the proposed Industrial Sanctuary designation, does not require that the development be oriented to transit streets. However, transit will likely be utilized. In contrast, except for employees, generally golfers do not use transit due to the necessity of transporting golf clubs and related equipment. The industrial designation will provide a stronger link to transit use. Given fuel costs and the increasing awareness of fossil fuel impacts to the environment, employees will likely utilize transit service. This policy is met.

Policy 2.14 Industrial Sanctuaries

Provide industrial sanctuaries. Encourage the growth of industrial activities in the City by preserving industrial land primarily for manufacturing purposes.

Findings: The Comprehensive Plan describes this designation as follows:

This designation is intended for areas where City policy is to reserve land for existing and future industrial development. A full range of industrial uses are permitted and encouraged. Non-industrial uses are limited to prevent land use conflicts and to preserve land for industry. The corresponding zones are General industrial 1 (IG!), General Industrial 2 (IG2), and Heavy Industrial (IH).

The site is surrounded by lands that are designated as Industrial Sanctuary and therefore a change in designation from Open Space to Industrial Sanctuary will encourage the growth of industrial activities in the City. This policy is met.

Policy 2.19 Infill and Redevelopment

Encourage infill and redevelopment as a way to implement the Livable City growth principles and accommodate expected increases in population and employment. Encourage infill and redevelopment in the Central City, as transit stations, along Main Streets, and as neighborhood infill in existing residential, commercial and industrial areas.

Findings: The subject site is located within the Airport Industrial District and is surrounded by lands identified on Metro's Regionally Significant Industrial Areas Map. Further, the site is surrounded by lands with the Industrial Sanctuary designation. Staff recommends a change in designation on approximately 75 percent of the site. The addition of approximately 101 acres of industrial land will accommodate expected growth in employment, which corresponds with the region's population growth. At the same time, the retention of 36 acres of designated Open Space land will ensure that watershed functions, habitat protection and livability objectives are adequately addressed. This policy is met.

Goal 3 Neighborhoods

Preserve and reinforce the stability and diversity of the City's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses and insure the City's residential quality and economic vitality.

Findings: The proposal is consistent with Policy 3.5 and is, on balance, supportive of most of the neighborhood policies and objectives under Policy 3.6, as detailed below. Therefore, the proposal is consistent with this goal.

Policy 3.5 Neighborhood Involvement

Provide for the active involvement of neighborhood residents and businesses in decisions affecting their neighborhood through the promotion of neighborhood and business associations. Provide information to neighborhood and business associations which allows them to monitor the impact of the Comprehensive Plan and to report their findings annually to the Planning Commission.

Findings: Approximately two-thirds of the site—the area south of NE Cornfoot Road, lies within the Cully Neighborhood boundary. The applicant met with the Cully Neighborhood Association on three different occasions and met with the northeast coalition of neighborhood associations—Central Northeast Neighbors, as detailed in the application (Exhibit A.1.k). The neighborhood association was notified of a Pre-Application Conference held on December 8, 2004, in which the applicant’s proposal was discussed among the involved City bureaus. A neighborhood association representative attended the conference.

A “Request for Response” was sent to the neighborhood association on August 8, 2005. Shortly after, the applicant asked that the review be put on-hold. After reactivating the case, an updated “Request for Response” was mailed on December 28, 2007, in which an updated proposal was described. On January 23, 2008, a “Notice of Public Hearing on a Proposal in Your Neighborhood” was mailed to the neighborhood association as well as owners within a 400-foot radius of the boundaries of the subject site. After the applicants asked to reschedule the hearing, a second “Notice of Public Hearing” was mailed on February 29, 2008. The site was posted with a notice describing the proposal and stating the date and time of the hearing before the Hearings Officer on January 9, 2008. The notice boards were replaced with an updated hearing schedule on February 21, 2008.

Approximately 30 letters were received prior to the completion of this staff report. The public has an opportunity to submit written comments on the proposal and to testify at both the Hearings Officer and City Council hearings.

Policy 3.6 Neighborhood Plan

Maintain and enforce neighborhood plans that are consistent with the Comprehensive Plan and that have been adopted by City Council.

Findings: Approximately the southern two-thirds of the site lies within the Cully Neighborhood boundary. The Cully Neighborhood Plan was adopted by City Council in 1992.

As detailed below, on balance the proposed designation is equally or more supportive of the following applicable policies and/or objectives in the Cully Neighborhood Plan than the existing designation on the subject site:

1A. Policy - Image

Develop a strong neighborhood identity that creates a sense of place and belonging for residents of the neighborhood and unifies residential, commercial and industrial interests into a cooperative force for mutual improvement and advancement.

Findings: Rezoning the property to allow for new industrial development will likely include street improvements and construction of modern industrial facilities. The applicant proposes to maintain a 22.5 acre Open Space designated area. Staff recommends a 36 acre area be maintained for Open Space use. An open space that meets multiple objectives and serves multiple users could serve Cully residents, the industrial area employees and other Portland residents. Overall, the proposal is consistent with this policy.

1A-1 Objective: Promote a street tree-planting program to reinforce neighborhood identity.

Findings: The City Forester, under Chapter 20.40, Street Trees and Other Public Tree Regulations, has established requirements for street tree plantings along street frontages. These requirements are applied at the building permit process. Future development on the site will likely include street trees on the improved street frontages. This objective is met.

2B. Policy - Urban Character and Historic Preservation

Maintain and improve the quality and historic character of the neighborhood’s existing physical environment while attracting compatible development.

2B-1 Objective: Maintain and improve the historic character of the neighborhood.

Findings: The site is neither listed on the City’s Historic Resources Inventory or the National Registry of Historic Places nor does it contain any buildings designated for historic protection. The site contributes to the

historic character only in the sense that it has operated as a golf course facility in the neighborhood since the 1920s. The open character of the golf course harks back to a time of less intensive development and large undeveloped spaces. The replacement of the Open Space designation and development of the site with industrial buildings and activities will alter the historic character of this 137 acre site. However, industrial development has a long history in the area near the golf course, particularly along NE Columbia Boulevard.

Even with the recommended 36 acre Open Space area retained, the removal of an 80-year old recreational facility with large mature trees, grass-covered vistas (fairways) and expansive habitat for migratory birds conflicts with this objective.

2B-4 Objective: Support the careful planning and design of new development and of redevelopment to enhance neighborhood livability.

Findings: The applicant proposes to accomplish multiple goals with this proposal—to provide over 100 acres of land for industrial job creation, to provide land for airport-related development and to offer the City a 22.5 acre area for an accessible and usable public park. Staff's recommendation to retain 36 acres as designated Open Space would better enhance neighborhood livability.

Proposed transportation improvements will benefit the Cully residents as well as others who work in the industrial area. If the designated Open Space area were improved with passive and active recreational facilities and/or landscaped with native/diverse plants that address wildlife habitat, stormwater, watershed function and improve air and water quality, the change of designation for 75 percent of the site equally meets this objective.

2B-5 Objective: Encourage the reduction of air pollution, noise, energy waste, litter, solid waste, and use of hazardous materials in the neighborhood.

Findings: The site is not in a residential area where sensitivity to air and noise pollution, litter and solid waste and hazardous materials impacts is high. Instead, the site is in a predominantly industrial area where these impacts are typical. Staff recommends amending the Comprehensive Plan Map designation for approximately 75 percent of the site from Open Space to Industrial Sanctuary. Maintaining 25 percent of the site as Open Space will mitigate air, noise and water (stormwater) pollution that is generally associated with industrial development. The proposal is consistent with this objective.

4B. Policy - Commercial and Industrial Uses

Maintain and encourage commercial and industrial uses which serve the neighborhood and provide stable employment.

Findings: The subject site is located within the Airport Industrial District and is surrounded by lands identified on Metro's Regionally Significant Industrial Areas Map. Further, the site is surrounded by lands with an Industrial Sanctuary designation. The Comprehensive Plan Map Amendment and Zoning Map Amendment will allow for the provision of additional industrial lands in an area already industrial in nature. Industrial facilities typically accommodate 17 jobs per developed acre; therefore, future development could create approximately 2,006 jobs on the site. Approval of this proposal will encourage development of the site and investment in nearby industrial properties. This will create employment opportunities for northeast neighborhoods and other Portland residents. This objective is met.

4D. Policy – Recreation

Maintain existing parks, playgrounds and private open spaces; encourage new parks and community facilities.

4D-1 Objective: Expand existing parks or establish a new, centrally-located park within the neighborhood.

4D-2 Objective: Support public and private efforts which create park-like settings in the neighborhood.

4D-3 Objective: Preserve and encourage open space within the neighborhood.

Findings: This proposal does not support the Cully neighborhood's desire in maintaining existing open spaces.

The applicant states this proposal offers an appropriate balance with this and other neighborhood (and City) policies. The applicant contends that the site is privately-owned and public access to the site is only allowed for fee-based golfing activities. Residents cannot use the site as a true "open space" because activities on the site are limited to fee-based golfing. As part of the Comprehensive Plan Amendment/Zoning Map Amendment, the applicant proposes to maintain the existing Open Space designation on a 22.5-acre portion of the site that will be dedicated to the City of Portland's Parks and Recreation Bureau along with a \$100,000 cash donation for a new publicly-accessible and publicly-usable park.

The recreational fee-based component of the golf course inherently limits its attraction for a broad array of users. However, this policy does not speak to access to or the use of open space. Rather it simply calls for open space in the neighborhood. Staff recommends that the Open Space designation remain on 36 acres. Even with an increase in the area designated Open Space, the proposal does not fulfill this policy .

4E. Policy - Columbia Slough

Develop the slough as a recreational resource as part of the 40 Mile Loop trail system.

4E-1 Objective: Improve the water quality of the slough.

4E-2 Objective: Encourage safe access to and along the slough as a major recreational resource.

Findings: The segments of the Columbia and Whitaker Sloughs on the site are zoned with the Environmental Conservation Overlay Zone. Future development will be required to comply with applicable environmental regulations. The applicant proposes to set aside 22.5 acres, which includes the slough, for a public open space.

Staff recommends that 36 acres be set aside and remain designated Open Space. The Open Space designation will encompass the two sloughs, upland area designated with environmental zoning as well as a 13 .5 acre area located between the sloughs. This additional area is needed to address City and Regional goals for watershed enhancement, wildlife protection, and livability for residents.

The Portland Transportation recommends approval of the request to change the designation. Conditions will be applied that require dedications along the streets that front or cross through the site. Improvements, such as constructing sidewalks along NE Alderwood Road, will be required along frontages when development is proposed. The new sidewalks will provide safe access to the sloughs. Therefore, the proposal satisfies this policy and objectives.

6A. Policy - Regional

Encourage the use of major arterials for regional traffic and separate this traffic from local traffic.

6A-1 Objective: Support the existing growth at the airport for industrial and airport-related services without increasing traffic through the neighborhood.

Strategies:

- 1. Encourage use of I-205 and Airport Way as the primary access routes to the airport, airport related and industrial uses north of the slough**
- 2. Encourage use of I-205, Columbia Boulevard and Portland Highway–Killingsworth as the primary access routes to industries south of the slough.**
- 3. Encourage industrial truck traffic to stay on truck routes and in truck districts as defined by the ASCP. Encourage non-local truck traffic to use designated truck routes.**
- 4. Work with the Union Pacific Railroad to minimize the impact of the rail tracks and trestle on the neighborhood.**
- 5. Encourage the development of light rail in the I-205 corridor right-of-way with light rail stations to serve the neighborhood.**

Findings: The applicant is proposing mitigation measures to maintain acceptable traffic operations at nearby intersections. The streets located within and adjacent to the site are designated as Priority Truck Streets. The rail

tracks strategy is not applicable and light rail transit facilities to the Portland Airport are developed and additional facilities are currently under construction in the southern segment of the I-205 corridor. The proposal is consistent with this policy and objectives.

6B. Policy - Arterials

Improve the neighborhood's system of streets to ensure an energy-efficient and safe network that minimizes traffic impacts on residential areas and business operations and encourages transit use.

6B-1 Objective: Support improvements to arterial streets such as sidewalks, street and pedestrian path completion on NE Cully and NE Columbia.

Strategies:

- **Encourage full improvement of arterials including drainage, curbs and sidewalks on both sides of the street**
- **Encourage sidewalk improvements, clear of obstacles such as telephone poles in the pedestrian area. Encourage parkway strips between the sidewalks and the street to provide safety. Provide protected pedestrian crossings across wide, high-volume arterials at major transit stops, schools and commercial nodes.**
- **High priority should be given to completion of the arterial sidewalk improvements in the Arterial Streets Classification policy for the following streets: NE 72nd (between Prescott and Killingsworth), NE Cully, NE Columbia, NE 42nd, NE 82nd, NE 60th (Killingsworth to Prescott), NE 47th as listed in the Arterial Streets Classification Policy (ASCP), NE Prescott, NE Killingsworth, Slough as listed in the ASCP.**
- **Improve bicycle routes when located on arterials to provide maximum separation and safety.**
- **Support the immediate implementation of the approved NE 60th, Columbia, Lombard-Portland Highway improvement project to reduce non-local truck traffic in the neighborhood.**
- **Encourage the Oregon Department of Transportation to determine the need for additional improvements to NE Killingsworth–Columbia Boulevard between the NE 82nd underpass and I-205 for one additional traffic lane.**

Findings: As development occurs on the site, sidewalks will be constructed along the street frontage consistent with the City's standards, helping to expand the area's pedestrian network. Bicycle lanes will also be constructed along the site's frontages as development occurs. The proposed mitigation projects on Columbia Boulevard in the vicinity of the Alderwood and Cully intersections will provide sidewalks and bicycle lanes on both sides of Columbia Blvd. The City's East End Columbia/Lombard Connector project has already improved traffic flow on NE Columbia and Killingsworth from NE 82nd Avenue to I-205. See additional findings under Goal 6 of the Comprehensive Plan. The ODOT does not support the applicant's proposed improvements at the I-205 facility. With the development of Thomas Cully Park as a park (instead of more intensive use), ODOT will not require additional mitigations to address anticipated vehicle trips. This policy is met.

6B-3 Objective: Improve, maintain and encourage greater use of transit service and transit incentives in the Cully neighborhood. Establish convenient and direct access from transit stops and centers to housing, commercial and recreational areas; and create mixed land uses that allow for convenient and direct pedestrian and bicycle trips.

Strategies:

1. **Encourage commercial and industrial businesses in the neighborhood to set up carpool and transit incentive programs coordinated with Tri-Met.**
2. **Encourage Tri-Met to work with the industrial businesses in the northern portion of the neighborhood to establish and encourage transit use in this unserved area.**

Findings: Tri-Met bus line #86 provides service to the site during AM and PM peak work hours. The sidewalk improvements that will occur through development of the site will help support safe access to transit service. The jobs created through development of the site will help support increased transit ridership and will potentially influence service improvements. The site is capable of supporting larger industrial uses (i.e., those with 50 or more employees). Large employers are required under Oregon's Employee Commute Options rule to develop ways to reduce single-occupant vehicle trips (e.g., through supporting carpools, transit incentives, and/or similar programs). The proposal is consistent with this objective.

6C. Policy - Pedestrian, Bicycle Routes, and Local Streets

Improve sidewalks and bicycle paths to provide a safe transportation route.

6C-1 Objective: Encourage bicycle and walking as an alternative to automobile trips.

Strategies:

- 1. Require sidewalks on all new commercial, industrial and multifamily projects.**
- 2. Give highest priority to sidewalk improvements along the following local streets to serve public schools, parks and Tri-Met bus routes:**
 - **Slough trails as listed in the Arterial Streets Classification Policy**

Findings: As development occurs on the site, sidewalks will be developed along the street frontage consistent with the City's standards, helping to expand the area's pedestrian network. Off-site mitigation projects, on NE Columbia Boulevard and at the NE 82nd Avenue and Alderwood intersections, will include sidewalks. Portions of the site adjacent to the sloughs are proposed to be retained as open space. In the future, recreational trails could be developed within the Open Space designated areas. The proposal satisfies this objective.

6C-2 Objective: Improve local service streets to provide maximum traffic, pedestrian and bicycle safety while protecting the sylvan character of the area.

Strategies:

- 1. Improve local service streets to a minimum of the performance street standards.**

Findings: A portion of Alderwood Drive, a local service street, is located within the site. If development occurs along its frontage, improvements to meet current city street standards would be required. This objective is met.

7A. Policy - Support Businesses

Improve the neighborhood as a location for businesses while enhancing it as a place to live and work.

Findings: The subject site is surrounded by lands with an Industrial Sanctuary designation and lands identified on Metro's Regionally Significant Industrial Areas Map. The Comprehensive Plan Map Amendment and Zoning Map Amendment will allow for the provision of additional industrial lands in an area already industrial in nature. Approval of this proposal will encourage investment to nearby properties, creating additional employment opportunities and supporting business development. Staff recommends that 36 acres remain designated as Open Space. The Open Space area will provide opportunities to address multiple objectives and serve multiple users including Cully residents. The open space designated area offers an opportunity for watershed restoration, riparian habitat enhancement, a gathering place for active and passive recreation and watercraft access to the sloughs. This policy is met.

7A-2 Objective: Maintain open channels of communication between neighborhood residents and businesses.

Findings: The applicant has participated in several meetings with the Cully Neighborhood Association, the Central Northeast Neighbors, the Columbia Watershed Council and the Columbia Corridor Association. Summary notes of these meetings are included in the application (Exhibit A.1.k). This objective has been met.

7A-4 Objective: Support the retention and expansion of existing businesses and employment opportunities and encourage new commercial uses which provide goods and

services to the local residents and industrial activities to locate in appropriately zoned areas.

Findings: The proposal complies with this objective because it will result in the addition of readily developable industrial sites of suitable size and location. The site is located within a designated Regionally Significant Industrial Lands inventory area and is surrounded by lands designated as Industrial Sanctuary. This proposal provides opportunities for employment without adversely affecting opportunities for housing or directly impacting established residential neighborhoods. The proposal satisfies this objective.

Goal 5 Economic Development

Foster a strong and diverse economy which provides a full range of employment and economic choices for individuals and families in all parts of the City.

Findings: The proposed amendment will allow development on a site that is well-suited for large-scale industrial businesses. The site's large size, in conjunction with its location within an industrial district, its close proximity to transportation facilities and the overall lack of development constraints underscores the economic development opportunities this proposal offers. As detailed below, the proposal, is found to be more supportive of Goal 5 than the existing designation.

Eight letters of support from representatives of industrial businesses, industrial real estate and development companies were submitted. The letters point to a serious shortage of available, large industrial sites within the City boundary and the greater metropolitan region. The letters state that this proposal is well suited for industrial development given its proximity to I-205, I-5, I-84 and the Portland International Airport. The site is "shovel-ready" and will address immediate needs for available sites. Changing the designation/zoning on approximately 101 acres will help address the City's need for economic and employment growth.

The Bureau of Planning response to this proposal notes that Statewide Planning Goal 9 requires jurisdictions to address industrial and employment land demands. Local jurisdictions are required to designate/zone areas to meet forecast demand in the 20-year planning period. Expansion of the urban growth boundary (UGB) is an approach that could be taken. However, UGB expansion options are also constrained by farmland conversion limits, major transportation infrastructure needs and unsuitable industrial locations. Planning staff state that these conditions highlight how the Colwood site offers a rare opportunity to expand the industrial land supply within an existing industrial district. The Airport Industrial District is designated as prime industrial land and has been identified as Oregon's freight distribution hub and main global trade gateway.

The proposal better meets the City's economic development goal and policies as further described below.

Policy 5.1 Urban Development and Revitalization

Encourage investment in the development, redevelopment, rehabilitation and adaptive reuse of urban land and buildings for employment and housing opportunities.

Findings: The proposal supports this policy by providing a strategically-located site that would create an opportunity for possibly 1,955 employees (based on an average of 17 employees per acre employed at industrial facilities). The applicant has provided a marketing report, which identifies a need for large shovel-ready industrial properties in the City of Portland the greater metropolitan region. This policy is met.

Policy 5.2 Business Development

Sustain and support business development activities to retain, expand and recruit businesses.

Findings: The proposal supports business development activities by providing a large site that is well-suited to meet the region's need for industrial land. The proposal supports the creation and retention of industrial jobs in the City. Because of the site's proximity to the interstate freeway and the Portland International Airport, the applicant contends that the property will attract multiple tenants in the distribution and logistics sectors. This policy is met.

Policy 5.4 Transportation System

Promote a multi-modal regional transportation system that encourages economic development.

Findings: This site is uniquely located near an interstate freeway and the airport with air freight services. The site has peak bus service. The proposal is consistent with this policy. The policies associated with the transportation system are addressed below in response to Goal 6, Transportation.

Policy 5.5 Infrastructure Development

Promote public and private investment in public infrastructure to foster economic development in Council-designated target areas.

Findings: The site is not located within an urban renewal area. However, the Portland Development Commission has a plan that supports “target industries”. The plan supports growth of the distribution and logistics sector, which is identified by the applicants as the type of business most likely to locate at the site. The applicant is proposing improvements to the transportation system to address the City’s level of service criteria. This policy is met.

The availability and capacity of infrastructure to support this proposal is addressed below, under numerous goals and policies.

Policy 5.8 Diversity and Identity in Industrial Areas

Promote a variety of efficient, safe and attractive industrial sanctuary and mixed employment areas in Portland.

Findings: The proposed Comprehensive Plan Amendment and Zoning Map Amendment fulfills this policy by expanding available land for industrial development within an established industrial district. This policy is met.

Policy 5.9 Protection of Non-industrial Lands

Protect non-industrial lands from the potential adverse impacts of industrial activities and development.

Findings: This site is surrounded by sites designated for industrial and employment use. Golf course and other parks and open space uses are allowed outright in both the Industrial Sanctuary and Mixed Employment zones. There are numerous examples of Open Space designated areas located adjacent to or surrounded by industrial lands. Therefore, the Comprehensive Plan assumes compatibility rather than conflicts.

Staff recommends retaining the Open Space designation on 36 acres of the 137 acre site. The Open Space area will address a myriad of City and Regional policies that speak to improving watershed functions, maintaining habitat areas, and addressing recreational needs of the Cully residents. This policy is satisfied.

Goal 6 Transportation

Develop a balanced, equitable, and efficient transportation system that provides a range of transportation choices; reinforces the livability of neighborhoods; supports a strong and diverse economy; reduces air, noise, and water pollution; and lessens reliance on the automobile while maintaining accessibility.

Findings: As detailed below in response to the applicable policies under Goal 6, Portland Transportation and Oregon Department of Transportation find that with recommended conditions of approval, the amendment request is equally or more supportive of Goal 6 than the existing Comprehensive Plan Map designation on the site.

Policy 6.2 Public Involvement

Carry out a public involvement process that provides information about transportation issues, projects and processes to citizens, businesses and other stakeholders, especially to those traditionally underserved by transportation services, and that solicits and considers feedback when making decisions about transportation.

Finding: As required by the Portland Zoning Code, all quasi-judicial land use reviews must be noticed to the public (Chapter 33.730). This notice requirement includes a mailed notice to affected property-owners, as well as to surrounding neighborhood and business associations, and city, regional and state agencies. The mailed notice solicits comments from the public on the proposed land use action. The site is also required to be posted with the proposed land use action at least 30 days in advance of the hearing. For Comprehensive Plan Map amendments, a public hearing is required before both the Hearings Officer and City Council, which provides additional opportunity for public comment. This policy is met.

Policy 6.4 Classification Descriptions

Street classification descriptions and designations describe the types of motor vehicle, transit, bicycle, pedestrian, truck, and emergency vehicle movement that should be emphasized on each street.

Policy 6.5 Traffic Classification Descriptions

Maintain a system of traffic streets that support the movement of motor vehicles for regional, interregional, interdistrict, and local trips as shown. For each type of traffic classification, the majority of motor vehicle trips on a street should conform to its classification description.

Policy 6.6 Transit Classification Descriptions

Maintain a system of transit streets that supports the movement of transit vehicles for regional, interregional, interdistrict, and local trips.

Policy 6.7 Bicycle Classification Descriptions

Maintain a system of bikeways to serve all bicycle users and all types of bicycle trips.

Policy 6.8 Pedestrian Classification Descriptions

Maintain a system of pedestrianways to serve all types of pedestrian trips, particularly those with a transportation function.

6.9 Freight Classification Descriptions

Maintain a system of truck streets and districts and other freight facilities.

Policy 6.10 Emergency Response Classification Descriptions

Major Emergency Response Streets are intended to provide a network of streets to facilitate prompt emergency response.

Policy 6.11 Street Design Classification Descriptions

Street Design Classification Descriptions identify the preferred modal emphasis and design treatments for regionally significant streets and special design treatments for locally significant streets.

Findings: The following street classifications, as designated in the City's Transportation System Plan, apply to streets that are adjacent to the site:

NE Columbia Blvd – Major City Traffic Street, Community Transit, Local Bikeway east of Alderwood and City Bikeway from Alderwood-Cully, City Walkway, Priority Truck Street adjacent to a Freight District, Major Emergency Response Street, and Urban Road

NE Alderwood Rd – Neighborhood Collector, Community Transit, City Bikeway, City Walkway, Priority Truck Street adjacent to a Freight District, Major Emergency Response Street, and Urban Road

NE Cornfoot Rd – Neighborhood Collector, Community Transit, City Bikeway, Off-St Path for Pedestrians, Priority Truck Street adjacent to a Freight District, Major Emergency Response Street, and Urban Road

The site has frontage on streets that have higher than local service designations for all modes identified in the City's Transportation System Plan. The change from Open Space (OS) zoning to General Industrial 2 (IG2) is consistent with all of the street classification designations and is particularly supportive of the Freight designations. PDOT will recommend that the City's Transportation System Plan be updated by incorporating this site into the surrounding Freight District if approved. The applicant has submitted a Transportation Impact Analysis (TIA) that evaluates the transportation impacts from the proposed Comprehensive Plan and Zoning Map Amendment. The TIA proposes mitigations on the surrounding transportation system that are consistent with the traffic classifications. In addition, the development of the IG2 portion of the site will include improvement of the frontages (including OS zoned sections) to provide bike lanes, sidewalks and paths, and travel lanes that accommodate freight and transit movement.

With improvement of the frontages of the site, and the mitigations noted in the TIA, per conditions B-F, Portland Transportation finds that the Comprehensive Plan and Zoning Map Amendment are supportive of these policies.

Policy 6.12 Regional and City Travel Patterns

Support the use of the street system consistent with its state, regional and city classifications and its classification descriptions.

Findings: The site has access to arterial streets in all directions. Both NE Alderwood Road and NE Cornfoot Road area Neighborhood Collectors and are adjacent to the site. NE Columbia Boulevard is a Major City Traffic Street and is also adjacent to the site. I-205, the nearest interstate freeway, is accessible via both NE Columbia Boulevard to NE Killingsworth Street and NE Alderwood Road to NE 82nd Avenue to NE Airport Way. This policy is met.

Policy 6.14 Emergency Response

Provide a network of emergency response streets that facilitates prompt response to emergencies.

Findings: NE Cornfoot Road, NE Alderwood Road and NE Columbia Boulevard are designated Major Emergency Response Streets. These streets are not expected to be degraded by this proposal. This policy is met.

Policy 6.15 Transportation System Management

Give preference to transportation improvements that use existing roadway capacity efficiently and improve the safety of the system.

Findings: The proposed mitigations and future frontage improvements will address the objectives of this policy by adding facilities for alternative modes such as bicycles and pedestrians. This policy is met.

Policy 6.16 Access Management

Promote an efficient and safe street system, and provide adequate accessibility to planned land uses.

Findings: The site has frontage on streets that are appropriate for access. Access for the site will be reviewed for safe and efficient operation of the adjacent transportation facilities during building permit review when new development/redevelopment of the site is proposed. This policy is met.

Policy 6.18 Adequacy of Transportation Facilities

Ensure that amendments to the Comprehensive Plan (including goal exceptions and map amendments), zone changes, conditional uses, master plans, impact mitigation plans, and land use regulations that change allowed land uses are consistent with the identified function and capacity of, and adopted performance measures for, affected transportation facilities.

Findings: A Transportation Impact Analysis (TIA) was prepared by Kittelson & Associates, Inc, dated June 2005. Additional memos provided by KAI, Inc include a summary memo, dated December 20, 2007, and TIA follow-up information that includes updated trip generation, trip distribution and LOS analyses, provided in January, 2008. The applicant submitted an updated TIA in March 2008 (Exhibit A.2). This document is intended to replace the June 2005 information.

Performance Standards

The Oregon Transportation Planning Rule (TPR) OAR 660-012-0060, adopted March 2005, requires transportation facilities that have a “significant affect” to be mitigated to either meet the minimum acceptable performance standard or not worsen the performance of an existing transportation facility that is projected to perform below the minimum acceptable performance standard. Acceptable level-of-service for intersections that are under City of Portland authority is LOS “D” or better. Oregon Department of Transportation (ODOT) performance standards apply to the intersections on NE 82nd Avenue (at NE Columbia), NE Killingsworth Street, and at the I-205 interchanges. A volume-to-capacity (v/c) ratio of 0.99 or lower is considered acceptable at public intersections and 0.90 or lower is considered acceptable at the ramp terminals of interchange ramps.

Trip Generation and Trip Distribution

The applicant has provided trip generation rates for warehouse uses of 0.27 trips/1000 s.f. Warehouse in the PM peak hour. This trip rate was generated from a 2002 Port of Portland trip generation study for the nearby Portland International Center. The Institute of Transportation Engineers Trip Generation Handbook supports alternative trip rates that are developed based on similar uses located in a similar environment. This alternative PM trip rate

for warehouse use was accepted as a basis in the Cascade Station/Portland International Center Plan District. Portland Transportation also finds it to be acceptable for this study.

Subsequent to the 2005 TIA, the applicant submitted an Alternate Trip Rate Study, dated February 2008, to establish an alternate trip generation rate for Warehouse uses. Based on review of this study, ODOT has given preliminary indication that a Warehouse trip generation rate of 0.27 trips/1000 s.f. Warehouse in the PM peak hour is acceptable.

The trip distribution in the June 2005 TIA was based on the City's regional trip assignment model which assumes free flow conditions. Upon further review, the applicant submitted a revised trip distribution based on a version of the model that was developed for the Portland International Airport to look at likely trip assignments under congested conditions. The new trip distribution primarily changed at the NE Killingsworth and I-205 interchange. Portland Transportation finds the trip distribution based on the Portland International Airport model is acceptable for this analysis area.

The northern approximately 48 acres of the site (located on the north side of NE Cornfoot Rd and west side of NE Alderwood Road) is currently being sold to the Port of Portland. As such, the review of the traffic impacts from this portion of the site will be evaluated either through an amendment to the Airport Conditional Use Master Plan (CUMP) approval, or through the Airport Futures project, which is a legislative planning process to establish zoning requirements associated with the Portland International Airport boundary. The approval process must demonstrate compliance with the Oregon TPR through the year 2024. NOTE: If the Port of Portland purchase of the northern 48 acres does not occur, and development is desired by another party, then the transportation impacts for the site must be evaluated for compliance with the Goal 6 Transportation policies through a Comprehensive Plan Map and Zoning Map Amendment.

Intersection Analysis Summary

The TIA evaluated 20 public intersections and two site access intersections. The TPR allows projects that are identified on the federally-approved, financially constrained, regional transportation system plan (RTP) to be in place within the planning period. The TIA takes advantage of this TPR allowance and assumes the RTP projects to be in place. Based on the results in the updated TIA, dated March 2008, four intersections under the City's jurisdiction would need additional mitigations to meet City performance standards. All other City intersections in the study area are expected to operate at LOS "D" or better. The intersection of NE Columbia Blvd and NE 82nd Avenue Northbound Ramps will need additional mitigation to meet ODOT performance standards. The ODOT interchange intersection of NE Killingsworth Street and I-205 southbound on-ramp does not meet the TPR definition of no "significant effect" if the total trips generated by the site are relied upon and cannot be mitigated. The following discussion describes each of the intersections that need additional mitigations in more detail.

NE Alderwood Road / Columbia Blvd and NE Cully Blvd / Columbia Blvd

The results of the March 2008 updated TIA indicate that, with mitigation, both intersections will operate at a Level-of-Service (LOS) "C" or better in both the AM and PM peak hours in the year 2025. The mitigation includes signalization with railroad interconnect for the Cully Blvd railroad crossing. Additional lanes including left turn lanes on NE Columbia Blvd at both intersections, a westbound right-turn lane at NE Alderwood Rd, and right and left turn lanes on both NE Alderwood Rd and NE Cully Blvd. Sidewalks and bike lanes will also be required. According to City records, there is approximately 64-75 feet of right-of-way on NE Columbia and 60 feet of right-of-way along both NE Alderwood and Cully. In order to provide this mitigation, up to 19-29 feet of property dedication is expected to be required on NE Columbia Blvd and up to 20 feet of property dedication is expected to be required on both NE Alderwood Rd and NE Cully Blvd. All of the dedications, both on-site and off-site, for this mitigation will be the responsibility of the applicant. A survey is required to confirm the required dedications.

NE Alderwood Road / 82nd Avenue

The results of the March 2008 updated TIA indicate that, with mitigation, this intersection will operate at a Level-of-Service (LOS) "D" or better in both the AM and PM peak hours in the year 2025. The mitigation includes a westbound thru-right lane on the east leg of NE Alderwood Avenue and an additional receiving lane on the west leg of NE Alderwood Rd. These lanes are in addition to the lane configuration currently under design for a Port of Portland STIP funded project. Sidewalks and bike lanes will also be required. According to City records, there is approximately 80 feet of right-of-way on the west leg of NE Alderwood Rd and 90 feet of right-of-way on the east leg. In order to provide this mitigation, up to 12 feet of additional dedication width is required on the west leg of

NE Alderwood Rd, as well as additional right-of-way dedication (to be determined) to extend the lane transition on the east leg of NE 82nd Avenue. All of the off-site dedications for this mitigation project will be the responsibility of the applicant. A survey is required to confirm the required dedications.

NE Alderwood Road / Cornfoot Road

The results of the March 2008 updated TIA indicate that, with mitigation, this intersection will operate at a Level-of-Service (LOS) “C” or better in both the AM and PM peak hours in the year 2025. The Port project is based on higher projected volumes in the PM peak hour than the Colwood study projected for 2025. The updated TIA includes a LOS analysis with the higher PM peak hour volumes. Based on the results, the LOS for the intersection is LOS “F” in the PM peak hour. In order to provide a LOS “D”, in the PM peak hour, a second exclusive left-turn lane is required on NE Cornfoot (in addition to the exclusive left- and exclusive right-turn lanes provided by the Port project). Portland Transportation has determined that the volumes used for the Port project are more appropriate. As such, additional lanes are required at this intersection.

The mitigation, as noted above, includes an additional exclusive left-turn lane on NE Cornfoot Rd and an additional receiving lane on the north leg of NE Alderwood Rd to accommodate a dual left-turn from NE Cornfoot Rd. Sidewalks and bike lanes will also be required. In addition, the intersection will also be shifted to the north to provide space for a future off-street path identified in the City’s Transportation System Plan. In order to provide for this mitigation and accommodate the intersection shift, up to 34 feet of property dedication is required on the north leg of NE Alderwood Rd and up to 58 feet of property dedication is required on the north side of NE Cornfoot Rd. The dedication on NE Cornfoot Rd must all be taken from the north side due to proximity of the Columbia Slough embankment to the south side of the roadway. All of the dedications for this mitigation and the Port project will be the responsibility of the applicant. A survey is required to confirm the required dedications.

NE Columbia Boulevard / NE 82nd Avenue Northbound Ramps

The results of the March 2008 updated TIA indicate that, with mitigation, this intersection will operate at a volume-to-capacity ratio of 0.14 for southbound left-turning movements during the 2025 weekday p.m. peak hour. During the weekday a.m. peak hour, the southbound approach would operate at a volume-to-capacity ratio of 0.95. The mitigation includes re-striping the existing painted median immediately east of the intersection as a two-way center left-turn lane, allowing two-stage left turns to be made. Both peak hours would meet the ODOT standard of 0.99 for this intersection.

NE Killingsworth Street / I-205 Southbound Ramps

The results of the TIA indicate that this intersection is forecast to operate at a LOS “F” with a v/c of 1.66 in the AM peak hour and a LOS “F” with a v/c of 1.68 in the PM peak hour in 2024, without Colwood traffic. In order to achieve a status of no “significant affect” at this intersection, as described in the Oregon TPR, the v/c ratio cannot be degraded further. An additional 9 PM peak hour trips and 3 AM peak hour trips may be added to the eastbound right turn movement at this intersection without further degrading the LOS. In order to allow more Colwood site trips into this intersection, the applicant presented a number of mitigation proposals for consideration. In discussion, the Oregon Department of Transportation has indicated that the mitigation proposals presented are not acceptable. Therefore, in order to achieve a status of no “significant affect”, as defined by the Oregon TPR, the amount of development that can occur on the Colwood site under existing conditions must be limited.

The PM peak period is the limiting time period for additional trips. Based on a limit of 9 PM peak hour trips that may be added to the eastbound right-turn movement at this intersection, a maximum of 78 site generated trips are allowed. In order to provide adequate accounting of development that does not exceed this trip threshold, an initial set of land use allocations for the IG2 zone is required (**referred to as Tier 1**).

Thomas Cully Park

There are some technical assumptions in the TIA that can provide for additional Colwood site-generated trips into the transportation system. The Thomas Cully Park site is located just south of the Colwood site and is accessed via NE Killingsworth Street. It is identified in the Portland Parks and Recreation Master Plan and is currently undergoing a public design process to develop a master site plan for the park. The final Thomas Cully Park Master Plan concept is slated to be presented to City Council for adoption in Spring 2008. There are some TIA considerations regarding the use of the Cully Park site that could result in additional capacity at the NE

Killingsworth/I-205 southbound ramp intersection. This extra capacity could provide additional trip allowances for the Colwood site.

These considerations are as follows:

- The site is currently zoned EG2, which allows park uses outright.
- Park uses typically generate lower trips than those generated by uses allowed in an EG2 zone.
- The site was formerly a landfill and, as noted in the project background for the Cully Park Master Planning effort, the permanent membrane 2 feet below the surface creates construction and landscaping restrictions that make structural development difficult and costly.
- Four master plan site concepts have been developed, only one of which will be taken forward to City Council. All four of the site plan concepts would generate significantly fewer vehicle trips than typical uses allowed in the EG2 zone.
- Purely from an operational analysis perspective, the reduction in trips from the typical EG2 uses to the Cully Park site trips, once the park is built, would offset additional trips from the Colwood site.

These considerations are acceptable for technical assumptions in the TIA if the Cully Park site is constructed as a park. At time of park build-out, a revised set of land use allocations (**referred to as Tier 2**) could be applied that would result in a TPR finding of “no significant affect”. The TIA did not analyze the transportation impacts for any site-generated trips higher than 259. Therefore, the total number of trips for Tier 2 cannot exceed 259 PM peak site-generated trips.

Required Limitations

As noted in the results above, a limitation on land uses, based on site-generated trips, is required in order to meet the performance standards, or to make Oregon TPR findings of no “significant effect”. Since warehousing uses are the most likely primary use, it is used as the base condition for determining all of the limitations on land use types. The NE Killingsworth Street/I-205 eastbound right turn movement requires a limit on uses that allow no more than 9 PM peak hour trips and 3 AM peak hour trips for Tier 1. The trip threshold of 78 trips equates to a maximum of approximately 289,000 s.f. of warehouse uses and approximately 105,000 s.f. or less for most other uses.

At the time that the Thomas Cully Park site is built out, the total PM trips must be limited to 259 for Tier 2 in order to meet performance standards at all study intersections. The trip threshold of 259 trips equates to a maximum of approximately 958,000 s.f. of warehouse use floor area and approximately 350,000 s.f. or less for most other uses.

The following Table 1 defines the land use and trip rate allocations for each Tier of development. Tier 1 total trips shall not exceed 78 PM Peak hour trips, which provides for the 9 PM peak hour trips to the eastbound right turn movement at the NE Killingsworth Street/I-205 southbound on-ramp. Tier 2 allocations should only be applied after the Thomas Cully Park site is developed. Tier 2 total trips shall not exceed 259 PM Peak hour trips. The applicant shall be responsible for providing an accounting of all square footages for each proposed use, as well as existing uses, and the conversion to trips for each building permit application.

Table 1 - Land Use and Trip Rate Allocations¹		
Tier 1 = Maximum 78 trips		
Tier 2 = Maximum 259 trips		
Land Use²	Building Square Footage / Other	Trip Rate³
Warehouse and Freight Movement	1000 square feet	0.27 trips
Manufacturing and Production	1000 square feet	0.74 trips
Wholesale Sales	1000 square feet	0.74 trips
Industrial Service	1000 square feet	0.98 trips
Quick Vehicle Servicing ⁴	Vehicle Fueling Position/ Service Bay	13.86 trips
	or 1000 square feet	or 11.64 trips
Vehicle Repair	Service Bay	3.38 trips
Self Service Storage	1000 square feet	0.26 trips
Office ⁵	1000 square feet	1.49 trips
Retail ⁵	1000 square feet	26.15 trips
Headquarter Office ⁶	1000 square feet	1.49 trips

¹The building square footage or vehicle fueling position/service bay shall be converted to trips and compared to the maximums established for each Tier. The established trip rates for these land use categories shall not be altered.

²Per Zoning Code chapter 33.930, Description of Use Categories

³All trip rates in this table are based on the highest ITE Trip Generation rates for uses in each category, with the exception of Warehouse and Freight Movement. The Warehouse and Freight Movement trip rate is based on an alternate rate study.

⁴Quick Vehicle Servicing uses that have Vehicle Fueling Positions (VFP) or Service Bays (i.e. gas stations, quick lube, self service car wash, etc) shall be based on the VFP/Svc Bay trip rate. Uses without VFP's or service bays (i.e. automatic car washes, etc) shall be based on the square footage trip rate.

⁵Per Zoning Code Section 33.140.100.B.5, Office and Retail uses are limited to a total of 12,000 s.f of office and/or retail uses (3000 s.f. per space, with no more than 4 spaces) in IG2 zones. Any amount above the 12,000 s.f. up to 25,000 s.f. must be approved through a Conditional Use Review. Retail uses are limited further by the maximum trip allowances shown.

⁶Headquarter Office is allowed in the Industrial and Employment zones, per Section 33.920.240.D.1.

Other uses that are allowed in the IG2 zone include Commercial Parking and truck stops with accessory uses such as hotels and restaurants. Retail drive-through facilities are also allowed. The number of vehicle trips generated by each of these uses is significantly higher than the number of vehicle trips generated by the other uses allowed in the IG2 zone. In addition, they would have significant traffic impacts associated with them. These scenarios were not evaluated in the Transportation Impact Analysis. As such, Portland Transportation recommends that these uses be prohibited. █

NOTE: Due to the nature of the trip rate differences and maximum trip thresholds noted in Table 1, the applicant is advised that future “change of occupancy” building permits that result in a change from a lower trip rate to a higher trip rate may result in rendering some building square footage unusable. The applicant is further advised to review Table 1 prior to applying for any “change of occupancy” building permits to ensure that all building square footage is usable and won’t be left partially vacant.

This policy (6.18) is met with a conditions that set a square footage limitation for allowable land uses, noted in Table 1 above for Tier 1 and Tier 2, restrict development of the north parcel, and require specific mitigations. The applicant will be required to enter into a Development Agreement with the Portland Office of Transportation for the mitigation projects. The details and timing of these mitigations are to be included in the Development Agreement.

Policy 6.19 Transit-Oriented Development

Reinforce the link between transit and land use by encouraging transit-oriented development and supporting increased residential and employment densities along transit streets, at existing and planned light rail transit stations, and at other major activity centers.

Findings: Tri-Met bus line #86, travels on NE Columbia Blvd to NE Alderwood Rd. to NE 82nd Avenue during AM and PM peak hours only. These hours serve typical industrial commuter times. Frontage

improvements including sidewalks and bike facilities will be required at time of new development/development of the site. These amenities typically support transit ridership. This policy is met.

Policy 6.20 Connectivity

Support development of an interconnected, multimodal transportation system to serve mixed-use areas, residential neighborhoods, and other activity centers.

Findings: The City's policies for public streets and pedestrian connections do not apply to industrially-zoned areas. However, additional public streets may be considered if the site is divided via a Land Division Review. This policy is met.

Policy 6.22 Pedestrian Transportation

Plan and complete a pedestrian network that increases the opportunities for walking to shopping and services, schools and parks, employment, and transit.

Policy 6.23 Bicycle Transportation

Make the bicycle an integral part of daily life in Portland, particularly for trips of less than five miles, by implementing a bikeway network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer.

Findings: The proposed IG2 zoning is expected to increase both pedestrian and bicycle use of the adjacent streets, in addition to increasing vehicle impacts to both of these modes. The proposed mitigations and frontage improvements will address the objectives of this policy by adding facilities for both bicycles and pedestrians. For portions of the site's street frontages that will remain in Open Space, per staff's recommendation, frontage improvements must be completed at time of development of the IG2 portions of the site, since that is when the impacts to pedestrians and bicycles will occur. Widening of the bridge south of NE Cornfoot Road (City of Portland Bridge #113) will also be required to provide for pedestrians and bicycle facilities. The applicant will be required to enter into a Development Agreement with the Office of Transportation. The details and timing of these improvements are to be included in the Development Agreement. These two policies are met.

Policy 6.24 Public Transportation

Develop a public transportation system that conveniently serves City residents and workers 24 hours a day, seven days a week and can become the preferred form of travel to major destinations, including the Central City, regional and town centers, main streets, and station communities.

Findings: Tri-Met bus line #86, travels on NE Columbia Blvd to NE Alderwood Rd. to NE 82nd Avenue. Frontage improvements, including sidewalks, will be required at time of new development/development of the IG2 zoned portion of the site. These amenities will support and encourage transit ridership. This policy is met.

Policy 6.25 Parking Management

Manage the parking supply to achieve transportation policy objectives for neighborhood and business district vitality, auto trip reduction, and improved air quality.

6.26 On-Street Parking Management

Manage the supply, operations, and demand for parking and loading in the public right-of-way to encourage economic vitality, safety for all modes, and livability of residential neighborhoods.

6.27 Off-Street Parking

Regulate off-street parking to promote good urban form and the vitality of commercial and employment areas.

Findings: All streets along the site's frontage are expected to be improved with no on-street parking at time of new development/redevelopment, which is typical of arterial streets in industrial zones. The proposed Comprehensive Plan Map Amendment is not expected to create negative impacts to parking. Parking minimum and maximum standards of Zoning Code Chapter 33.266 (Parking and Loading) will apply to the new development proposed on the site. Parking spaces are regulated based upon the type of use they serve. Commercial parking, such as satellite parking that serves off-site businesses, is generally not a concern. However, given the nearby location of the airport, Portland Transportation recommends prohibiting Commercial Parking uses on the southern portion of the site. For "Parcel 1", airport-related parking would only be allowed if

permitted through either the airport Conditional Use Master Plan or the Airport Futures legislative planning project. These policies are met.

Policy 6.28 Travel Management

Reduce congestion, improve air quality, and mitigate the impact of development-generated traffic by supporting transportation choices through demand management programs and measures, and through education and public information strategies.

Findings: Specific demand management measures are generally proposed at time of development. The proposed mitigations and future frontage improvements will address the objectives of this policy by adding facilities for both bicyclists and pedestrians. These multi-modal improvements typically promote reduction of single-occupant vehicles (SOVs). In addition, under the Oregon Employee Commute Options (ECO) rule, employers with 50 or more employees must develop ways to reduce SOV trips. This policy is met.

Policy 6.30 Truck Mobility

Develop, manage, and maintain a safe, efficient, and reliable freight street network to serve Freight Districts, commercial areas, and neighborhoods.

Policy 6.31 Truck Accessibility

Improve truck access to and from intermodal freight facilities, industrial and commercial districts, and the regional freight system.

Findings: The subject site is located within a Freight District. This policy is met.

Policy 6.35 Northeast Transportation District

Support the efficient use of land in Northeast Portland by focusing development and redevelopment where there will be a reduction in reliance on the automobile.

Findings: Objectives D, I, L and M are supported. The proposed mitigations and future frontage improvements will address the objectives of this policy by implementing projects identified in the Regional Transportation Plan and by bringing substandard streets up to City standards. The mitigation project at NE Columbia/Alderwood and NE Columbia/Cully, in particular, will improve mobility to the Interstate freeway system. The proposal supports this policy.

Goal 8 Environment

Maintain and improve the quality of Portland's air, water and land resources and protect neighborhoods and business centers from detrimental noise pollution.

Findings: As addressed below, the requested Comprehensive Plan Map Amendment is not equally or more supportive of most of the policies of Goal 8.

Policy 8.4 Ride Sharing, Bicycling, Walking, and Transit

Promote the use of alternative modes of transportation such as ridesharing, bicycling, walking, and transit throughout the metropolitan area.

Findings: The proposed Industrial Sanctuary designation will accommodate a wider range of uses than would otherwise be allowed outright if the subject site retained its existing Comprehensive Plan map designation. This greater diversity of allowed uses has the potential to increasing the percentage of employees/visitors who use alternative transportation modes such as transit and bicycles. Except for employees, generally golfers do not use alternative modes due to the necessity of transporting golf clubs and related equipment.

When the site is developed, required frontage improvements will include sidewalks and bicycle lanes. Given the site's proximity to northeast residential neighborhoods and to NE Columbia Boulevard, Cornfoot Road Alderwood Road which are designated Community Transit Streets, the future employment opportunities will have access to alternative modes of transportation including bicycling, walking and public transit. This policy is met.

Policy 8.8 Groundwater Protection

Conserve domestic groundwater and surface water resources from potential pollution through a variety of regulatory measures relating to land use, transportation, and hazardous substances.

Findings: The site is located outside of the designated well (groundwater) protection area which is east of NE 82nd Avenue. Development in the industrial designated areas must comply with the City's stormwater management requirements. Specifically for this site, the Bureau of Environmental Services, the Site Development Section of the Bureau of Development Services and the Multnomah County Drainage District #1 recommend treatment via vegetated surface stormwater facilities and disposal off-site to either the sloughs or to stormwater sewer facilities. This approach is deemed appropriate for all new development including buildings, impervious surfaces, and public street improvements.

In contrast, the Watershed Services Division of the Bureau of Environmental Services notes that if the Open Space designation were retained, the meadows and tree canopy would continue to offer infiltration and evapotranspiration of stormwater and groundwater. Further the golf course offers a wide riparian buffer that complements the function of the sloughs by stabilizing the bank, reducing sediment inputs and filtering pollutants.

Staff is recommending the retention of 36 acres of site area located along and in between the two sloughs. As noted by the Bureau of Environmental Services, this area will provide a robust buffer for the waterway on either side. Staff recommends the remaining 101 acres of site be designated for industrial use/development. Stormwater management facilities that provide treatment and flow control will be required for all new development. This policy is met.

Policy 8.9 Open Space

Protect Portland Parks, cemeteries and golf courses through an Open Space designation on the Comprehensive Plan.

Findings: This proposal entails the removal of the Open Space designation on approximately 115-acres of the site and the closure of a privately-owned golf course. The applicant states that the golf course is not economically viable due to the pressures of possible airport facility expansion, its industrial location and its relatively small size.

The applicant contends that this proposal strikes a balance between several different needs for the parcel. If approved, a privately owned golf course, only available to the public through green fees will meet the City's critical needs for: (1) needed land to accommodate airport facility expansions, (2) a 22.5 acre public park surrounding segments of the Columbia Slough, providing full access to the public, (3) needed land for industrial uses and job creation, and (4) over \$3 million in public transportation improvements. The applicant notes that the original land use request included a proposed donation of 19 acres to the Portland Parks and Recreation. The size of the donation was increased to 22.5 acres in order to ensure adequate land for public gathering spaces and access to all parts of the slough that runs through the site. Further, the applicant added the offer of giving \$100,000 to the Parks Bureau to help fund maintenance and improvements on the property.

In 1999, Portland Parks and Recreation completed a needs assessment, documented in the 2020 Vision Plan. This study identified deficiencies in northeast Portland. It found that overall the area was deficient in the following: (1) park land to serve the community, (2) access to and crossing over the Columbia Slough, (3) natural areas along the slough, (4) community centers, and (5) pedestrian connections from residential areas to the 40-Mile Trail

Over the past few years, there have been actions taken that could be seen as efforts to address the park deficiency in the Northeast area, particularly in the Cully Neighborhood. In 2002, Portland Parks and Recreation purchased approximately 25 acres directly south of the subject site. The site, named the Thomas Cully Community Park was used from the 1950s through the 1980s as a sand and gravel mining facility. It was converted to a landfill and used as such until 1991. The former landfill site has a permanent membrane cover with underground piping to collect and burn off methane gases. The City and community members are currently involved in a Master Plan process for development of the site. On January 22, 2008 the City unveiled four development concepts. All four concepts include sports fields, picnic shelters, restrooms, off-leash area and a perimeter trail. The preferred concept has not been selected and the funding for park improvements has yet to be secured.

In addition, the Sacajawea Park, at NE 74th Avenue and Alberta Street, was expanded by 3.36 acres as a condition of a Comprehensive Plan Map and Zoning Map Amendment approval (case file LU 03-177121 CP, ZC). Park improvements to the expansion area have not been made.

The applicant contends that the proposed 22.5 acres will provide the immediate northeast area, as well as the greater Portland area, public access along segments of the Columbia Slough and could provide access for watercraft onto the slough. Further, the donation to the City will provide opportunities to enhance and protect the natural features along the waterways.

Portland Parks and Recreation does not support the proposal. Parks contends that unlike other zones, the Open Space designation/zone is typically only applied on land that is existing open space. To create new open space areas, usually another type of land use must be converted. While land use amendments can be proposed and approved to create new open space, the process is rare and is generally difficult, due to displacement, demolition, and entitlement issues. It is far more common to see conversion of vacant land and open space to development, making open space designations inherently more fragile than others. Public ownership is generally the mechanism used to ensure that open space sites remain as such. But private ownership of Open Space uses will be needed to meet future needs and will continue to form an integral part of the Portland open space system. Most of the letters received from interested persons state objections to amending the Comprehensive Plan Map and changing the zoning. The prevailing theme in the letters is a desire to preserve the large open space.

In their written response, Portland Parks recognizes that this policy is weighed with other city policies such as those that address economic development, employment and housing. Parks suggests that if the map amendment is supported, “Parcel 7” should remain unchanged. The second highest priority should be “Parcels 3 and 4”. Parks views them as important in protecting the management strategies of the sloughs.

To address a myriad of policies, as discussed throughout this report, staff recommends the Open Space designation be retained on 36 acres of the site. The Open Space designation will encompass the segments of the sloughs and upland areas designated with environmental zoning and the 13.5 acre portion of the site, identified as “Parcel 4” located between the sloughs. Even though Parcel 3 abuts a segment of the slough, unlike “Parcel 4” is not flanked on both the north and south sides by the riparian corridors. In fact the slough is relatively narrow along the portion of site identified as “Parcel 3”. There is a cluster of existing trees and other riparian vegetation along the south side of the slough bank, which is proposed for preservation in “Parcel 7”. The BES Watershed Group and the Bureau of Planning both recommend the retention of the Open Space designation on a total of 36 acres—Parcels 7 and Parcel 4.

A 36 acre open space area would replace a recreational facility that offers use for one sport—golf. The golf course could be replaced with a facility that serves multiple objectives and multiple users. The open space designated area offers an opportunity for watershed restoration, riparian habitat enhancement, a gathering place for active and passive recreation and watercraft access to the sloughs. However it must be recognized that, even if enhanced, the designated area would only constitute only 26 percent of the current Open Space facility. Therefore, this policy is not met.

NOTE: This policy is not intended to be read as an absolute prohibition against the redesignation of lands currently mapped with the Open Space designation. In two previous cases, the City Council has interpreted policies that although call to protect certain uses via a Comprehensive Plan designation, the removal of the designation cannot be viewed as prohibited. Specifically, the two cases are summarized below:

LUR 97-00158 CP ZC: *A Comprehensive Plan Map/Zoning Map Amendment from Industrial Sanctuary to Central Employment (IG1 to EXd). In approving the request, City Council rejected the Hearings Officer’s recommendation of denial, and the Hearings Officer’s finding that Policy 2.14 is a prohibition against the redesignation of industrially-zoned lands. “This interpretation,” Council stated, “transforms one policy, which is to be read in balance with the [Comprehensive] Plan as a whole, into an absolute prohibition against redesignation of industrially-zoned lands.” “We reject this interpretation of Policy 2.14 in support of a more balanced approach” (Page 8, Findings and Decision of the City Council).*

LU 05-181402 CP ZC: *A Comprehensive Plan Map/Zoning Map Amendment from change from Industrial Sanctuary to Mixed Employment, with the Zoning Map designation changing from General Industrial 1 (IG1) to General Employment 2 (EG2). Both the Hearings Officer and City Council found that the removal of the*

industrial sanctuary designation is not prohibited. Rather, the conflict of one (or more policies) must be weighed with other applicable goals and policies.

Policy 8.10 Drainageways

Regulate development within identified drainageways for the following multiple objectives.

- A. Stormwater runoff: Conserve and enhance drainageways for the purpose of containing and regulating stormwater runoff*
- B. Water quality and quantity: Protect, enhance, and extend vegetation along drainageways to maintain and improve the quality and quantity of water.*
- C. Wildlife. Conserve and enhance the use of drainageways where appropriate as wildlife corridors which allow the passage of wildlife between natural areas and throughout the city, as well as providing wildlife habitat characteristics including food, water, cover, breeding, nesting, resting, or wintering areas.*

Findings: The central portion of the site contains branches of two sloughs—Whitaker Slough and the Columbia Slough and associated vegetation and habitat areas. This area is contained within the Environmental Conservation Overlay Zone. The applicant is not requesting a change to the placement of the environmental zoning on the site.

The applicant has submitted stormwater analysis that shows that water quality vegetated swales can be constructed to address water quality and detention requirements. The Multnomah County Drainage District #1 reports that stormwater disposal into the sloughs is allowed and the proposed disposal (after water quality treatment) will be permitted.

The Bureau of Environmental Services Watershed Services Group provided detailed information regarding the value of the open space zone and specifically the role of the Colwood golf course provides in the Columbia Slough watershed. The following characteristics/attributes were identified:

- Meadows and tree canopy offer infiltration and evapotranspiration of stormwater and groundwater.
- Protects permeable surfaces.
- Protects the slough from pollutants produced by industrial development.
- Provides a microclimate and shade for the sloughs.
- A riparian buffer complements the waterway by stabilizing banks, reducing sediment inputs and filters pollutants.
- Site provides a critical habitat area for breeding, wintering, migratory seasons and moving up and down between the sloughs and corridor for dozens of native wildlife species.
- Colwood is listed as an “anchor” habitat area in the City’s 2007 Terrestrial Ecology Enhancement Strategy.
- The Colwood site has the following special status habitats: forested wetlands, oak woodland, bottomland hardwood (riparian) forest and open meadow.
- The Colwood site contains high quality habitat for several bat species, native turtles and neotropical songbirds.
- The City needs open space for habitat protection and restoration in order to honor the City’s 2003 signing of an Urban Conservation Treaty for Migratory Birds with the US Fish and Wildlife Service.
- The large open meadow offers important habitat for cackling goose, Canada goose, native ducks and other species including predators—coyotes and raptors.

The BES Watershed Group and the Bureau of Planning recommend the retention of the Open Space designation on a total of 36 acres—Parcels 7 and Parcel 4. BES notes that according to Metro and Portland State ecologists, sites that are 30 acres or more in size have significantly higher potential for biodiversity. The 36 acre open space could serve multiple objectives and multiple users. The open space designated area offers an opportunity for watershed restoration, riparian habitat enhancement, a gathering place for active and passive recreation and watercraft access to the sloughs. The recommended designation supports this policy.

8.12 National Flood Insurance Program

Retain qualification in the National Flood Insurance Program through implementation of a full range of floodplain management measures.

8.13 Natural Hazards

Control the density of development in areas of natural hazards consistent with the provisions of the City’s Building Code, Chapter 70, the Floodplain Ordinance and the Subdivision Ordinance.

Findings: The site contains portions of the floodplain. However, most of the area located within the floodplain will remain designated as Open Space. If development is proposed within the floodplain, it must be designed to meet local, state and federal requirements before permits will be issued. The National Flood Insurance Program is maintained through the floodplain management measures in the City's code— Chapter 24.50, Flood Hazards of Title 24, Building Regulations,.

The City of Portland Comprehensive Plan and Zoning Code implements a natural resources protection policy framework through environmental policy goals and specific environmental zone overlay zone regulations. This framework has been deemed to be in compliance with Statewide Goal 5. The site is zoned with the Environmental Conservation Overlay Zone along the sloughs. This overlay zone limits activities within and near areas that are subject to natural flood hazards. Future development proposals would be required to address applicable processes and criteria set forth in Chapter 33.430, Environmental Zones. If the site were divided, specific Land Division Review criteria that addresses flood hazard areas would apply. The proposal is consistent with this policy.

8.14 Natural Resources

Conserve significant natural and scenic resource sites and values through a combination of programs which involve zoning and other land use controls, purchase, preservation, intergovernmental coordination, conservation, and mitigation. Balance the conservation of significant natural resources with the need for other urban uses and activities through evaluation of economic, social, environmental, and energy consequences of such actions.

Findings: The Environmental Conservation Overlay Zone covers the sloughs that run through the site. The environmental overlay zone limits activities within and near these waterbodies. The City's environmental zone is intended to implement the goals of protecting wetlands, riparian areas, and water bodies with significant functions.

The Bureau of Environmental Services Watershed Services Group provided detailed information regarding the value of the open space zone and specifically the role the Colwood golf course provides in the Columbia Slough watershed (see findings under Policy 8.10). The BES Watershed Group and the Bureau of Planning recommend the retention of the Open Space designation on a total of 36 acres—"Parcels 7 and 4". BES notes that according to Metro and Portland State ecologists, sites that are 30 acres or more in size have significantly higher potential for biodiversity. The 36 acre open space could serve multiple objectives and multiple users. The open space designated area offers an opportunity for watershed restoration, riparian habitat enhancement, a gathering place for active and passive recreation and watercraft access to the sloughs. With enhancement and protection of the habitat area, this policy could be met. However, no changes or habitat enhancements are proposed. The proposal to convert most of the open space area to industrial development does not support this policy.

8.15 Wetlands/Riparian/Water Bodies Protection

Conserve significant wetlands, riparian areas, and water bodies which have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation, and fish and wildlife habitat. Regulate development within significant water bodies, riparian areas, and wetlands to retain their important functions and values.

- A. *Wetland/water body Buffer. Conserve significant riparian, wetland, and water body natural resources through the designation and protection of transition areas between the resource and other urban development and activities. Restrict non-water dependent or non-water related development within the riparian area.*
- B. *Water Quality. Maintain and improve the water quality of significant wetlands and water bodies through design of stormwater drainage facilities.*
- D. *Stormwater and Flood Control Conserve stormwater conveyance and flood control functions and values of significant riparian areas within identified floodplains, water bodies, and wetlands.*

Findings: As stated above, the City's environmental overlay zoning, the flood plain regulations and the retention of 36 acres of open space along and between the sloughs will sufficiently protect the resource and function as a stormwater conveyance and flood control resource. This policy is met.

8.16 Uplands Protection

Conserve significant upland areas and values related to wildlife, aesthetics and visual appearance, views and sites, slope protection, and groundwater recharge. Encourage increased vegetation, additional wildlife habitat areas, and

expansion and enhancement of undeveloped spaces in a manner beneficial to the city and compatible with the character of surrounding urban development.

- A. *Wetland/water body Buffer Provide protection to significant wetland and water body natural resources through designation of significant upland areas as a buffer between the resource and other urban development and activities.*
- B. *Slope Protection and Drainage Protect slopes from erosion and landslides through the retention and use of vegetation, building code regulations, erosion control measures during construction, and other means.*
- C. *Wildlife Corridors Conserve and enhance drainageways and linear parkways which have value as wildlife corridors connecting parks, open spaces, and other large wildlife habitat areas, and to increase the variety and quantity of desirable wildlife throughout urban areas. increase the variety and quantity of fish and wildlife throughout the urban area in a manner compatible with other urban development and activities.*

Findings: The City's Environmental Overlay Zone implements the goals of protecting wetlands, riparian areas, and water bodies. The recommended retention of 36 acres of open space along and between the sloughs would provide an opportunity for significant enhancement to wildlife, aesthetics, visual appearance and groundwater recharge. If revegetated and protected, the biological functions of a 36 acre site could potentially match the habitat and watershed functions of the 137 acre golf course. However, this proposal does not include revegetation or habitat enhancement actions. Therefore, this policy is not met.

8.17 Wildlife

- A. *Natural resource areas. Regulate activities in natural resource areas which are deemed to be detrimental to the provision of food, water, and cover for fish and wildlife.*
- B. *City-wide. Encourage the creation or enhancement of fish and wildlife habitat throughout the city.*
- C. *City Parks. Protect existing habitat and, where appropriate, incorporate new fish and wildlife habitat elements into park plans and landscaping.*

Findings: The City's Environmental Overlay Zone implements the goals of protecting wetlands, riparian areas, and water bodies with significant functions. Beyond the e-zone regulations, the Open Space designation/zone contributes significantly to the establishment and protection of wildlife habitat areas. Under Policy 8.10, the Bureau of Environmental Services identifies a number of characteristics/attributes that are found at the Colwood site.

The retention of 36 acres of open space along and between the sloughs would provide an opportunity for enhancement to the existing wildlife habitat areas found at the Colwood site. If revegetated and protected, the biological functions of a 36 acre site could potentially match the habitat and watershed functions of the 137 acre golf course. However, this proposal does not include revegetation or habitat enhancement actions. Therefore, this policy is not met.

8.18 Natural Resources Management Plans

The development of natural resource management plans for large parcels or areas is encouraged. Overlapping plan and permit requirements for natural resource management plans and developments therein will be minimized. Plans approved through the regulations of the Environmental zones are deemed to be in compliance with Policies 8.9 through 8.17.

Findings: The subject site is located within the Columbia Corridor, for which a natural resource management plan was developed in 1989 (*Inventory and Analysis of Wetlands, Water Bodies, and Wildlife Habitat Areas for the Columbia Corridor: Industrial/Environmental Mapping Project.*) The environmental zoning on the site implements the management plan. The applicant is not proposing to remove or modify this environmental zoning. Therefore, this policy is met.

Policy 8.20 Noise Abatement Strategies

Reduce and prevent excessive noise levels from one use which may impact another use through on-going noise monitoring and enforcement procedures.

Findings: Concerns have been raised that if redeveloped with industrial uses, the natural resource values of areas along the sloughs would be degraded by impacts of noise. New industrial development is subject to noise restrictions. Off-site impacts of noise (Zoning Code Chapter 33.262) as well as vibration, odor and glare, are

restricted. Noise impacts affecting Open Space zoned areas are subject to standards set forth under City Title 18, Noise Control.

Goal 9 Citizen Involvement

Improve the method for citizen involvement in the on-going land use decision-making process and provide opportunities for citizen participation in the implementation, review and amendment of the adopted Comprehensive Plan.

Policy 9.1 Citizen Involvement Coordination

Encourage citizen involvement in land use planning projects by actively coordinating the planning process with relevant community organizations, through the reasonable availability of planning reports to city residents and businesses, and notice of official public hearings to neighborhood associations, business groups, affected individuals and the general public.

Policy 9.3 Comprehensive Plan Amendment

Allow for the review and amendment of the adopted Comprehensive Plan which insures citizen involvement opportunities for the city's residents, businesses and organizations.

Findings: As noted previously, the City and the applicant have complied with the mandated neighborhood notification requirements identified in the Portland Zoning Code. This includes posting the site with a description of the proposal at least 30 days prior to the hearing; mailing affected property-owners, neighborhood associations, district coalition offices, and business associations a written description of the proposal (with exhibits) and notifying them of the opportunity to comment on the proposal, and holding public hearings before the Hearings Officer and City Council. As such, Goal 9 will be met.

Goal 10 Plan Review and Administration

Portland's Comprehensive Plan will undergo periodic review to assure that it remains an up-to-date and workable framework for land use development. The Plan will be implemented in accordance with State law and the Goals, Policies and Comprehensive Plan Map contained in the adopted Comprehensive Plan.

Findings: As indicated below in response to the applicable policies, the proposal will be equally or more supportive of this goal as is the existing designation.

Policy 10.4 Comprehensive Plan Map

The Comprehensive Plan Map is the official long-range planning guide for uses and development in the city. The Comprehensive Plan Map uses the designations listed below. The designations state the type of area each is intended for, general uses and development types desired, and the corresponding zone or zones which implement the designation. Comprehensive Plan Map designations are shown on the Official Zoning Maps.

Finding: The proposed Industrial Sanctuary designation, reflects the uses and development types found on the surrounding properties. The Industrial Sanctuary designation is applied to areas where industrial development may occur, with non-industrial uses limited to prevent land use conflicts and to preserve land for industry. The applicant is requesting a zoning map amendment, on most of the site, from Open Space to General Industrial 2 (IG2). The IG2 zone is one of three zones that implements the Industrial Sanctuary designation.

Policy 10.5 Corresponding Zones and Less Intense Zones

Corresponding zones are zones which best implement a Comprehensive Plan Map designation. Base zones must either be the zone corresponding to the designation, or be a zone less intense than the corresponding zone. When the Comprehensive Plan Map is amended legislatively and the underlying base zones are more intensive than allowed by the amended Plan Map, the zones are automatically changed to corresponding zones. When the Comprehensive Plan Map is amended through a quasi-judicial review and the underlying base zone is more intensive than allowed by the amended Plan Map, the zone must be changed to a corresponding zone as part of the review. In either situation, when the underlying base zone is less intensive than the corresponding zone, the underlying zone may remain. Base zones that are corresponding, less intense, and more intense for each designation are shown in Table 10.4-1.

Findings: The applicant is requesting a Comprehensive Plan Map amendment from the Open Space designation to the Industrial Sanctuary designation. The Industrial Sanctuary designation has three corresponding zones – General

Industrial 1 (IG1), General Industrial 2 (IG2) and Heavy Industrial (IH). As discussed in more detail in response to the Zoning Map Amendment approval criteria, the applicant is requesting an IG2 designation for the site. The IG2 zone is the most appropriate General Industrial zone. The IG2 zone is generally found outside of the central core where there are larger lots and an irregular or large block pattern. The Heavy Industrial zone is not found near the site while IG2 zoning is applied on most of the surrounding properties. The IG2 zone corresponds to the Industrial Sanctuary designation, this policy is met.

Policy 10.7, Amendments to the Comprehensive Plan Map

Quasi-judicial amendments to the Comprehensive Plan Map will be reviewed by the Hearings Officer prior to City Council action, using procedures stated in the zoning code. For quasi-judicial amendments, the burden of proof for the amendment is on the applicant. The applicant must show that the requested change is: (1) Consistent and supportive of the appropriate Comprehensive Plan Goals and Policies, (2) Compatible with the land use pattern established by the Comprehensive Plan Map, (3) Consistent with the Statewide Land Use Planning Goals, and (4) Consistent with any adopted applicable area plans adopted as part of the Comprehensive Plan.

Findings:

- 1) *Consistent and supportive of the appropriate Comprehensive Plan Goals and Policies.*

The approval criteria contained in Zoning Code Section 33.810.050.A require the applicant to demonstrate the requested amendment is equally or more supportive of applicable goals and policies of the Comprehensive Plan than the existing designation. As detailed in the findings included herein, the applicant has demonstrated, with conditions of approval, that this criterion is met.

- 2) *Compatible with the land use pattern established by the Comprehensive Plan Map.*

The proposed designation better reflects the established land use pattern in the area. The subject site is flanked on three sides by industrial uses. Changing the designation from Open Space to Industrial Sanctuary reflects the industrial nature of the area. Immediately south of the site—the Thomas Cully Park, a community park will be developed. The park is an allowed use in the Employment and Industrial zones. The park will provide a transition between the residential areas to the south and the industrial development located along NE Columbia Boulevard and north to the airport.

- 3) *Consistent with the Statewide Land Use Planning Goals.*

The requested Comprehensive Plan Map amendment is consistent with the applicable Statewide Land Use Planning Goals, since the State Land Conservation and Development Commission (LCDC) has acknowledged the City's *Comprehensive Plan*, and the City goals mentioned in "LCDC and Comprehensive Plan Considerations" are comparable to the statewide planning goals, as follows: City Goal 1 is the equivalent of State Goal 2 (Land Use Planning); City Goal 2 addresses the issues of State Goal 14 (Urbanization); and City Goal 3 deals with local issues of the neighborhoods. Additionally, the following City and State goals are similar: City Goal 4 - State Goal 10 (Housing); City Goal 5 - State Goal 9 (Economic Development); City Goal 6 - State Goal 12 (Transportation); City Goal 7 - State Goal 13 (Energy Conservation); City Goal 8 - State Goals 5, 6, 7 and 8 (Open Space, Scenic and Historic Areas and Natural Resources, Air, Water and Land Resource Quality, Areas Subject to Natural Disaster and Hazards, and Recreational Needs); and City Goal 9 - State Goal 1 (Citizen Involvement). Further, City Goal 10 addresses City plan amendments and rezoning, and City Goal 11 is similar to State Goal 11 (Public Facilities and Services).

- 4) *Consistent with any adopted applicable area plans adopted as part of the Comprehensive Plan.*

A large portion of the site is located within the boundaries of the Cully neighborhood. As analyzed under Policy 3.6, on balance the proposed designation is equally or more supportive of the Cully Neighborhood Plan than the existing designation on the site.

Policy 10.8 Zone Changes

Base zone changes within a Comprehensive Plan Map designation must be to the corresponding zone stated in the designation. When a designation has more than one corresponding zone, the most appropriate zone will be applied

based on the purpose of the zone and the zoning and general land uses of surrounding lands. Zone changes must be granted when it is found that public services are presently capable of supporting the uses allowed by the zone, or can be made capable prior to issuing a certificate of occupancy. The adequacy of services is based on the proposed use and development. If a specific use and development proposal is not submitted, services must be able to support the range of uses and development allowed by the zone. For the purposes of this requirement, services include water supply, sanitary sewage disposal, stormwater disposal, transportation capabilities, and police and fire protection.

Findings: As discussed in Part B of this report, which includes findings for the requested Zoning Map amendment, the applicant has demonstrated that the requested IG2 Zoning Map designation corresponds to the proposed Industrial Sanctuary Comprehensive Plan Map designation, and that, with conditions of approval, public services are or can be made capable of supporting uses allowed in the IG2 zone. As such, the proposal is supportive of this policy.

Policy 10.9 Land Use Approval Criteria and Decisions

The approval criteria that are stated with a specific land use review reflect the findings that must be made to approve the request. The approval criteria are derived from and are based on the Comprehensive Plan. A proposal that complies with all of the criteria is in conformance with the Comprehensive Plan and will be approved. A proposal that can comply with the criteria with mitigation measures or limitations will be approved with the necessary conditions. A proposal that cannot comply with the criteria will be denied.

Findings: The proposed Comprehensive Plan Map amendment from Open Space to Industrial Sanctuary is combined with a Zoning Map Amendment request to place the corresponding zone of IG2 on the site. These policies and objectives are implemented through this land use review, and are specifically addressed in findings for conformance with the approval criteria for the proposed Zoning Map Amendment, which follows this section of the report. To the extent that applicable approval criteria are met, with conditions, this policy is met.

Goal 11 Public Facilities

11 A Provide a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities.

Policy 11.2 Orderly Land Development

Urban development should occur only where urban public facilities and services exist or can be reasonably made available.

Findings: The proposed Comprehensive Plan Map amendment has been reviewed by the City service bureaus and other affected agencies, and with the exception of Portland Transportation and Oregon Department of Transportation, these bureaus and agencies have expressed no significant concern with the amendment request (Exhibits E.1-E.16). To minimize impacts on transportation infrastructure, Portland Transportation and ODOT has proposed conditions of approval that limit the intensity of development and types of uses that are allowed outright on the site and mitigation. With the conditions of approval, both the Portland and State transportation agencies find that the transportation system will be capable of accommodating the anticipated industrial traffic.

11.4 Capital Efficiency

Maximum use of existing public facilities and services should be supported through encouraging new development to occur at the maximum densities allowed by the Comprehensive Plan and through the development of vacant land within presently developed areas.

Findings: The Colwood site is not vacant. The applicant is requesting a change to the map designation/zone that would allow a change of use. The proposed Comprehensive Plan Map Amendment and Zoning Map Amendment will allow new development to occur on a under-developed parcel within an established industrial area. Although the site is not vacant, it is well-suited to industrial development due to its size, location in proximity to transportation facilities, and relative lack of site constraints. The Oregon Department of Transportation and Portland Transportation support the requested change but with conditions that require mitigation and limit the level of development—floor area restrictions of industrial uses.

11.5 Cost Equity

To the maximum extent possible, the costs of improvement, extension and construction of public facilities should be borne by those whose land development and redevelopment actions made such improvement, extension

and construction necessary. A procedure is to be established that defines the responsibility for improvements of individual projects.

Findings: As identified under Policies 6.18, 6.22 and 6.23, the applicant will be responsible for completing intersection improvements at: (1) NE Alderwood Road/NE Columbia Blvd and NE Columbia Blvd/NE Cully, (2) NE Alderwood Rd/NE 82nd Avenue, and (3) NE Alderwood Rd/NE Cornfoot Rd. Further, the applicant is required to dedicate portions of the site along NE Columbia Blvd, NE Alderwood Rd and NE Cornfoot Rd. All public streets within or adjacent to the site will be required to be improved to City standards when the property is subdivided or developed by other means. Required frontage improvements must also comply with BES stormwater drainage requirements. Public works permits to extend sanitary service to portions of the site will be required. Costs of improvements and extension of necessary public services will be addressed at the time of specific development applications.

11.10 Street Design and Right-of-Way Improvements

Design improvements to existing and new transportation facilities to implement transportation and land use goals and objectives.

Objectives:

- A. Make changes to public rights-of-way that are consistent with their street classifications and descriptions in the Transportation Element of the Comprehensive Plan.*
- B. Consider the needs and safety of all users of a planned facility in its design and during the construction process.*
- C. When changes to a right-of-way are proposed, consider the overall capacity impacts to the immediately affected street, as well as potential areawide capacity impacts.*
- D. Use Metro street design guidelines (Creating Livable Streets: Street Design for 2040, November 1997 and Green Streets, July 2002) as a resource in developing and designing projects for streets on the regional system.*
- E. Use a variety of transportation resources in developing and designing projects for all City streets, such as the City of Portland's Pedestrian Design Guide, Bicycle Master Plan-Appendix A, and Design Guide for Public Street Improvements.*
- F. Provide planned bicycle facilities in conjunction with street improvements, or develop equally safe and convenient alternative access for bicycles on parallel streets when the appropriate bikeway facility cannot be provided on the designated street because of severe environmental or topographical constraints, unacceptable levels of traffic congestion, or the need to retain on-street parking.*
- G. Include sidewalks on both sides of all new street improvement projects, except where there are severe topographic or natural resource constraints or when consistent with the Pedestrian Design Guide.*
- H. Include improvements that enhance transit operations, safety, and travel times in projects on existing or planned transit routes.*
- I. Improve streets within Freight Districts and on truck-designated streets to facilitate truck movements.*
- J. Construct local residential streets to minimize pavement width and total right-of way width, consistent with the operational needs of the facility and taking into account the needs of both pedestrians and vehicles.*
- K. Ensure that transportation facilities are accessible to all people and that all improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way comply with the Americans with Disabilities Act of 1990.*
- L. Encourage the beautification of the City by incorporating appropriate streetscape elements along regionally designated streets and along other City-designated arterials, in conjunction with the Urban Forestry Program.*
- M. Encourage the formation of local improvement districts (LIDs for the construction of transportation infrastructure, which may include streets, curbs, or other structures; pedestrian or bicycle facilities; drainage; and street trees.*
- N. Continue to explore cost-effective methods to finance local street improvements.*

- O. Consider and minimize impacts on the natural environment, consistent with the City and regional response to the Endangered Species Act and stream crossing design guidelines in the Green Streets handbook, in the planning, design, and development of transportation projects.*
- P. Consider the desired character of the area, including neighborhood livability, in the design and development of transportation projects.*

Findings: The Transportation Impact Analysis acknowledges the City's Capital Improvements Plan and demonstrates that the proposal is consistent with the Transportation System Plan. The required intersection improvements, needed to serve as mitigation to traffic service levels, will be designed to meet City standards. Dedications and frontage improvements will be required to meet City standards.

SANITARY AND STORMWATER FACILITIES GOAL & POLICIES

GOAL:

11 C Insure an efficient, adequate and self supporting wastewater collection treatment and disposal system which will meet the needs of the public and comply with federal, state and local clean water requirements..

Findings: BES reports that while no sewer lines currently exist on the property, future development on the site may connect to existing sewer lines located east and west of the subject site. BES, BDS Site Development and Multnomah Drainage District #1 recommend on-site stormwater treatment and detention with disposal directed to the sloughs or stormwater sewer facility.

WATER SERVICE GOAL & POLICIES

GOAL:

11 E Insure that reliable and adequate water supply and delivery systems are available to provide sufficient quantities of high quality water at adequate pressures to meet the existing and future needs of the community, on an equitable, efficient and self-sustaining basis.

Findings: Water service is currently provided by the City of Portland Water Bureau. The Water Bureau reports that service is available.

PARKS AND RECREATION GOAL & POLICIES

GOAL:

11 F Maximize the quality, safety and usability of parklands and facilities through the efficient maintenance and operation of park improvements, preservation of parks and open space, and equitable allocation of active and passive recreation opportunities for the citizens of Portland.

Findings: This proposal will ultimately result in the cessation of a privately-owned golf course that has operated at the site for 80 years. Portland Parks and Recreation does not support the change in designation and zoning from Open Space to General Industrial. See findings under policies 2.6 and 8.9.

FIRE GOAL & POLICIES

GOAL:

11 G Develop and maintain facilities that adequately respond to the fire protection needs of Portland.

Findings: The subject site abuts three Major Emergency Response street facilities (Columbia Blvd, Alderwood, and Cornfoot). The change in land use designation will not affect the function of the streets with respect to emergency response. Therefore, the proposal is consistent with the City's goal to maintain adequate emergency response facilities.

POLICE GOAL & POLICIES:

GOAL:

11 H Develop and maintain facilities that allow police personnel to respond to public safety needs as quickly and efficiently as possible.

Findings: The subject site abuts two Major Emergency Response street facilities. The change in land use designation will not affect the function of the streets with respect to emergency response. Therefore, the proposal is consistent with the City's goal to maintain adequate emergency response facilities.

Goal 12 Urban Design

Enhance Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations.

Findings: The proposed amendment will create an immediately developable industrial site within the largest existing industrial district in the City. Ultimately, the proposal constitutes a more efficient use of available land and public investment in infrastructure than alternatives located elsewhere, which would require extensive investment in facilities and infrastructure. The proposed redevelopment will result in a large industrial site within an area that is surrounded by similar uses and that can be readily served by utilities and facilities. Such a proposal reduces impacts to public infrastructure and existing residential areas within the City. Future development proposals will be reviewed against applicable criteria set forth in the Code to ensure that the development is of high quality. Therefore, the proposal helps maintain Portland's dynamic urban character by ensuring that large scale industrial development is located in the most appropriate and suitable location.

Portland Parks cites Objective G under this policy, which states:

Extend urban linear features such as linear parks, park blocks and transit malls. Celebrate and enhance naturally occurring linear features such as rivers, creeks, sloughs and ridge-lines. Tie public attractions, destinations and open spaces together by locating them in proximity to these linear features. Integrate the growing system of linear features into the City's transportation system, including routes and facilities for pedestrians, bicyclists and boaters.

Portland Parks contends that this and other policies "demonstrates that open space functions are woven into the city's physical form and contribute in many way to its livability." Parks does not support changing the map designation from Open Space to Industrial Sanctuary. This proposal entails the removal of an 80-year old recreational facility that covers 137 acres, its replacement even with quality private development, would not satisfy this goal.

12.4 Provide for Pedestrians

Portland is experienced most intimately by pedestrians. Recognize that auto, transit and bicycle users are pedestrians at either end of every trip and that Portland's citizens and visitors experience the City as pedestrians. Provide for a pleasant, rich and diverse experience for pedestrians. Ensure that those traveling on foot have comfortable, safe and attractive pathways that connect Portland's neighborhoods, parks, water features, transit facilities, commercial districts, employment centers and attractions.

Findings: The Airport Industrial District is one of the region's most significant industrial areas. The nearby Portland International Airport and the sloughs are the site's prominent defining features. Approval of this proposal will result in the addition of hundreds of employees. Future employees will experience the site in part as pedestrians. NE Columbia Boulevard and NE Alderwood Road are classified as City Walkways. NE Cornfoot Road is classified as an Off-street Path. Future improvements to the streets will include pedestrian facilities. In addition, the Columbia Slough trail is indicated on the City map as crossing the site to connect with future segments of the trail. Street improvements will provide connections through the site and to the designated slough trail system. The proposal supports this policy.

Summary

Based on these findings, the requested Comprehensive Plan Map amendment from Open Space to Industrial Sanctuary for approximately 101 acres of the 137 acres of site and the retention of the Open Space on 36 acres of site area, on balance, is equally or more supportive of the applicable *Comprehensive Plan* goals and policies.

To adequately support many of the applicable policies, staff is recommending approval of the map designation change on approximately 101 acres of the site rather than the requested 115 acres. The removal of the Open Space designation on identified "Parcel 4" created significant policy conflicts and therefore could not be supported. The recommended change in designation and zoning will help address the region's shortage of "shovel ready" industrial land. Even though this proposal conflicts with the City's policies that addresses open space, the recommended retention of 36 acres will balance policies that address environmental considerations. The open space will: maintain important functions of the drainageway and riparian corridors.

Most of the recommended conditions of approval are intended to address potential transportation impacts associated with the requested amendment. Transportation improvements along the frontage of the site as well as improvements to nearby intersections will serve the established industrial area.

This criterion is met.

2. When the requested amendment is:

- From a residential Comprehensive Plan Map designation to a commercial, employment, industrial, or institutional campus Comprehensive Plan Map designation; or
- From the urban commercial Comprehensive Plan Map designation with CM zoning to another commercial, employment, industrial, or institutional campus Comprehensive Plan Map designation;

the requested change will not result in a net loss of potential housing units. The number of potential housing units lost may not be greater than the potential housing units gained.

Findings: Because the existing Comprehensive Plan Map designation is neither residential nor Urban Commercial with a CM zone, this criterion is not applicable.

3. When the request is for a site within the Guild's Lake Industrial Sanctuary plan district and involves a change from the Industrial Sanctuary designation to any other designation, in order to prevent the displacement of industrial uses and preserve land primarily for industrial uses, the following criteria must also be met:

- a. The uses allowed by the proposed designation will not have significant adverse effects on industrial uses in the plan district or compromise the district's overall industrial character;
- b. The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing uses in the plan district. Evaluation factors include street capacity and level of service, truck circulation, access to arterials, transit availability, on-street parking impacts, site access requirements, neighborhood impacts, and pedestrian and bicycle circulation and safety;
- c. The uses allowed by the proposed designation will not significantly interfere with industrial use of the transportation system in the plan district, including truck, rail, and marine facilities; and
- d. The proposed designation will preserve the physical continuity of the area designated as Industrial Sanctuary within the plan district and not result in a discontinuous zoning pattern.

Findings: Because the site is not within the Guild's Lake Industrial Sanctuary plan district, this criterion is not applicable.

PART B BASE ZONE MAP AMENDMENT

33.855.050 Approval Criteria for Base Zone Changes

An amendment to the base zone designation on the Official Zoning Maps will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

A. Compliance with the Comprehensive Plan Map. The zone change is to a corresponding zone of the Comprehensive Plan Map.

- 1. When the Comprehensive Plan Map designation has more than one corresponding zone, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.**

Findings: The applicant proposes a Comprehensive Plan Map designation of Industrial Sanctuary, which has three corresponding zones: General Industrial 1 (IG1), General Industrial 2 (IG2), and Heavy Industrial (IH). The zones are described in Zoning Code Section 33.140.030.C.1 and .2, respectively, as follows:

***General Industrial.** The general Industrial zones are two of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zones provide areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and to preserve land for industry. The development standards for each zone are intended to allow new development which is similar in character to existing development. The intent is to promote viable and attractive industrial areas.*

IG1 areas generally have smaller lots and a grid block pattern. The area is mostly developed, with sites having high building coverages and buildings which are usually close to the street. IG1 areas tend to be the City's older industrial areas.

IG2 areas generally have larger lot and an irregular or large block pattern. The area is less developed, with sites having medium and low building coverages and buildings which are usually set back from the street.

***Heavy Industrial.** This zone is one of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where all kinds of industries may locate including those not desirable in other zones due to their objectionable impacts or appearance. The development standards are the minimum necessary to assure safe, functional, efficient, and environmentally sound development.*

Because the subject site is large in area, in excess of 100 acres, with its size breaking the grid block pattern of the surrounding area, the IG2 zone best reflects the characteristics of the site. Lots in the surrounding non-residential area are not intensively developed, and typically have a relatively low building coverage with large paved open areas. As indicated in the description above, the IG1 zone is intended to be mapped on strips or small areas, characteristics that are inconsistent with those found at the subject site. The IH zone is intended to accommodate industries that can generate visual, noise and odor impacts. No landscaping is required on the industrial sites, except for parking areas.

As for being consistent with the zoning pattern in the immediate area, the area to the west and north of the site is located in a General Industrial 2 (IG2) zone, with development consisting largely of industrial uses. In the immediate area there are sites with large exterior storage areas for heavy construction equipment as well as warehouse and manufacturing buildings. The area to the east is zoned either IG2 and EG2. Sites to the east are developed with light industrial and airport-related uses. The 25 acre site immediately south of the subject site is zoned Employment 2 (EG2 zone). This site, a former landfill, is owned by the City of Portland and is currently being planned for development as a public park. Parks and Open Space uses are allowed in this zone.

Based on these findings, the IG2 zone is the most appropriate of the three corresponding zones of the Industrial Sanctuary designation. Therefore, this criterion is met.

- 2. Where R zoned lands have a C, E, or I designation with a Buffer overlay, the zone change will only be approved if it is for the expansion of a use from abutting nonresidential land. Zone changes for new uses that are not expansions are prohibited.**

Findings: As the subject site is not mapped with a residential zone, this criterion is not applicable.

- 3. When the zone change request is from a higher-density residential zone to a lower-density residential zone, or from the CM zone to the CS zone, then the approval criterion in 33.810.050 A.2 must be met.**

Findings: The proposal does not involve a request from a higher density residential zone to a lower density residential zone, or from a CM zone to a CS zone. As such, this criterion is not applicable.

B. Adequate public services. Public services for water supply, transportation system facilities and capacity, and police and fire protection are capable of supporting the uses allowed by the zone or will be capable by the time development is complete, and proposed sanitary waste disposal and stormwater disposal systems are or will be made acceptable to the Bureau of Environmental Services.

1. Adequacy of services applies only to the specific zone change site.
2. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands. Service demands may be determined based on a specific use or development proposal, if submitted. If a specific proposal is not submitted, determination is based on City service bureau demand projections for that zone or area which are then applied to the size of the site. Adequacy of services is determined by the service bureaus, who apply the demand numbers to the actual and proposed services to the site and surrounding area.

Findings: As indicated below, the Bureaus of Police, Fire, BDS Site Development, and Water have responded that adequate existing services are available for the anticipated level of use(s) that may occur under the proposed zoning designation, with no conditions of approval required. The Bureau of Environmental Services, Portland Transportation and Oregon Department of Transportation have responded that with conditions of approval, the public services can support the uses allowed by the proposed zone.

Police Bureau (Exhibit E.1)

The Police Bureau responded they are capable of serving the proposal, and express no objections or concerns at this time.

Fire Bureau/Fire Prevention Division (Exhibit E.2)

The Fire Bureau reviewed the proposal for Access and Water issues and has no objections or conditions of approval associated with the requested land use review.

Bureau of Environmental Services (Exhibit E.3 and E.4)

The Bureau of Environmental Services determined that the sanitary sewer system currently has capacity and is available to serve the potential proposed development of the site. The site has some topographic and environmental constraints that likely will require that sewer flow be directed to multiple existing connection points in the sanitary system. Local pump stations may be necessary to convey flow from the project area to the connection points. Public works permits will be required to extend service. Stormwater disposal, after meeting BES water quality treatment requirements, may be directed to the available facilities which include two branches of the Columbia Slough. There is an existing system of stormwater outfalls and culverts. There is an existing City-owned storm-only 12-inch NCP main in NE Alderwood Rd., near NE 79th Court and an existing 12-inch storm-only sewer located in NE Colwood Way which outfalls into the slough. This is not City owned. And, there are two open drainage ditch channels located on both sides of NE Alderwood Rd. from NE Columbia Blvd to NE Cornfoot Rd. Public works permits are required to extend sanitary sewer to serve development on the site.

Bureau of Development Services/Site Development Section (Exhibit E.6)

Site Development states that due to the high groundwater and poor infiltration characteristics, they do not recommend on-site infiltration of stormwater. Rather, per the Multnomah Drainage District approval, the proposed stormwater management plan with water quality swales and discharge to the Columbia Slough is acceptable. Outfalls to the slough may require additional environmental review. The existing golf course is currently served by an on-site (septic) sewage disposal system. At the time of future development, existing systems must be decommissioned through issued decommissioning permits. For new development, public sanitary sewer service connections must be provided. On-site sewage disposal would not be approved, per the State of Oregon Wastewater Treatment System Rules (OAR 340-071-0160(4)(f)). If the northern portion of the site is not sold to the Port of Portland, Site Development would not support the connection of development on the site to the Port's sewer system, as that would result in a party sewer.

The property contains flood hazard areas designated by both FEMA and Metro on the Title 3 Flood Management Area maps. The proposed Open Space to remain, generally appears to follow the FEMA 100-year floodplain. All development in the floodplain is subject to requirements of Chapter 24.50, Flood Hazards, and in particular, the balanced cut and fill requirements. Any fill in the floodplain must be balanced by an equal amount of excavation, and all new buildings must be elevated 2 feet higher than the 1996 flood level.

Multnomah Drainage District #1 (Exhibit E.16)

Multnomah Drainage District wrote on May 16, 2005 that the drainage district has reviewed the proposed stormwater plan. The proposed design is in compliance with District standards and approval (for stormwater disposal directed to the sloughs) is granted.

Bureau of Water Works (Exhibit E.8 and E.9)

At the pre-application conference the Bureau of Water Works verified that water service is available to serve the site. In response to this request, the Water Bureau states there are no concerns.

Portland Transportation/Development Review (Exhibit E.11)

Portland Transportation provided the following comments:

Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands. Service demands may be determined based on a specific use or development proposal, if submitted. If a specific proposal is not submitted, determination is based on City service bureau demand projections for that zone or area which are then applied to the size of the site. Adequacy of services is determined by the service bureaus, who apply the demand numbers to the actual and proposed services to the site and surrounding area.

A Transportation Impact Analysis (TIA) was prepared by Kittelson & Associates, Inc, dated June 2005. Additional memos provided by KAI, Inc include a summary memo, dated December 20, 2007, and TIA follow up information that includes updated trip generation, trip distribution and LOS analyses, provided in January, 2008. The applicant submitted an updated TIA in March 2008. This document is intended to replace the June 2005 information. As noted in the Policy 6.18 Adequacy of Transportation Facilities section above, all intersections in the study area will either meet performance standards or can be mitigated with the following conditions:

- Limitations on development,
- A requirement that mitigations be provided by the applicant, and
- Limitations on the northern 48 acres (identified as "Parcel 1")

The applicant will be required to enter into a Development Agreement with the Portland Office of Transportation. The details and timing of the mitigation are to be included in the Development Agreement.

Oregon Department of Transportation (Exhibit E.12 and E.13)

Oregon Department of Transportation (ODOT) reviewed the proposal as the subject site is in the vicinity of US Highway 30 and Interstate 205. ODOT has jurisdiction of these State highway facilities. ODOT submitted comments on January 28, 2008 (Exhibit E.13). In response to the PDOT written response, ODOT submitted a memo on March 13, 2008.(Exhibit E.12). ODOT points out that the proposal must address the Transportation Planning Rule (TPR) and specifically must show that the proposal will result in "no significant effect". If there is significant effect, mitigation is required. ODOT states that after much discussion about proposed mitigation measures, that for one reason or another, the proposed mitigation actions were deemed unacceptable. The applicant, the City, and ODOT did agree to the following mitigation principles:

- Development on "Parcel 1" is prohibited prior to adoption of an airport conditional use master plan amendment or the Airport Futures project.
- Development on the remaining acreage is subject to the applicant's proposed trip cap of 259 total PM peak-hour trips. Development may be permitted outright to the point where nine additional trips occur at the Killingsworth/I-205 ramp. Development beyond that cap, up to 259 trips, may occur once the Cully Park property is developed as a park.

ODOT raises concerns regarding the trip rate of 0.27 trips per 1,000 square feet of proposed warehouse/freight movement uses. Further ODOT has recommended a change to staff recommended Condition F.

Because the ODOT response was not received until the afternoon of March 13, 2008, this staff report and recommendation does not address these issues. PDOT staff will review the ODOT response and be prepared to speak to the issues raised at the March 24 hearing, and how, if necessary, the findings, recommendation and conditions of approval should be modified. Any

reference to ODOT issues/concerns/recommendations in this report reflect previous discussions between PDOT and ODOT staff and may be subject to change.

Summary

Based on the responses from the service bureaus, and with the identified conditions of approval, this criterion is met.

C. When the requested zone is IR, Institutional Residential. In addition to the criteria listed in subsections A. and B. of this Section, a site being rezoned to IR, Institutional Residential must be under the control of an institution that is a participant in an approved impact mitigation plan or conditional use master plan that includes the site. A site will be considered under an institution's control when it is owned by the institution or when the institution holds a lease for use of the site that covers the next 20 years or more.

Findings: As the proposal does not involve mapping an IR zone, this criterion is not applicable.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The applicants are seeking a Comprehensive Plan Map amendment from Open Space to Industrial Sanctuary, and a Zoning Map amendment from OS (Open Space) to IG2 (General Industrial 2) on most of the Colwood National Golf Course site.

This proposal directly speaks to numerous policies from the obvious open space and business development to others that carry equal weight—environment, transportation, urban design and neighborhood desires (defined in the Cully Neighborhood Plan). Bureau of Development Services staff, in coordination with City service bureaus, has reviewed the Comprehensive Plan Map request against the goals and policies of the Comprehensive Plan and other applicable policies, and on balance finds the change in designation to be equally or more supportive of the Plan than the existing designation, with several conditions of approval.

To adequately address many of the applicable policies staff is recommending approval of the map designation change on approximately 101 acres rather than the requested 115 acres. The removal of the Open Space designation on identified “Parcel 4” created significant policy conflicts and therefore could not be supported.

Most of the recommended conditions of approval are intended to address potential transportation impacts associated with the requested amendment. Transportation improvements along the frontage of the site as well as improvements to nearby intersections will serve the established industrial area. Conditions will restrict land uses that typically generate higher traffic impacts and there will be floor area limits (based on vehicle trip rates). This decision will allow the development of up to 958,000 square feet of floor area for Warehouse and Freight Movement uses. The allowed floor area would be as low 350,000 square feet, if other uses are located on the site. This maximum build out is only allowed if the City of Portland property to the south is developed as a park and not developed as a more intensive industrial/employment use. Staff is recommending that the northern portion of the site, identified by the applicant as “Parcel 1” be changed in designation and zone from Open Space to General Industrial 2. However, this property will not be available for use/development until it receives a thorough analysis and approval through either a Airport Conditional Use Master Plan Review or through the Bureau of Planning’s legislative study—Airport Futures.

The recommended change in designation and zoning will help address the region’s shortage of “shovel ready” industrial land. Even though this proposal conflicts with the City’s policies that addresses open space, the recommended retention of 36 acres will balance policies that address environmental considerations. The open space will: maintain important functions of the drainageway and riparian corridors.

TENTATIVE STAFF RECOMMENDATION

(May be revised upon receipt of new information at any time prior to the Hearings Officer decision)

Approval of a Comprehensive Plan Map Amendment from Open Space to Industrial Sanctuary for “Parcels 1, 3, 5 and 6” as shown on Exhibit C.1

and

Approval of a Zoning Map Amendment from Open Space (OS) to General Industrial 2 (IG2), for “Parcel 1”, approximately 47.9 acres, located north of NE Cornfoot Rd, “Parcel 3”, 4.7 acres, “Parcel 5” 38.0 acres and “Parcel 6” 10.8 acres as shown on Exhibit C.1

and

with approvals subject to the following conditions:

- A. Development, including exterior improvements, on “Parcel 1”, is prohibited prior to the Port of Portland receiving either:
1. A Conditional Use Master Plan Amendment Review approval, which includes Parcel 1 in the airport master plan boundary and identifies the permitted use(s)/development on the tax lot. The approval shall also address the Oregon Transportation Planning Rule.; or
 2. The Airport Futures, a legislative planning project, adopted by the Portland City Council, has addressed use of the site. Development/uses on the site must be consistent with this adopted and implemented regulatory framework.
- B. The applicant is required to provide mitigations at the following intersections to meet City of Portland transportation performance levels, as noted in the March 2008 Transportation Impact Study.
- NE Alderwood Rd / Columbia Blvd and NE Cully / Columbia Blvd – install traffic signals and turn lanes at each intersection.
 - NE Alderwood Rd / Cornfoot Road – install additional turn lane and receiving lane.
 - NE Alderwood Rd / 82nd Avenue – install additional turn lane and receiving lane.
 - NE Columbia Blvd / 82nd Avenue Northbound Ramps – re-stripe median to two-way center turn lane.

The improvements must be constructed to meet the requirements of the City Engineer. Prior to the issuance of the first building permit that is associated with the new development/redevelopment of the site, the applicant must provide to the Portland Office of Transportation a financial guarantee, contract and initial deposit for the above required mitigation projects in the form of a Development Agreement. The specific details of the financial guarantee amounts, timing of improvements and on and off-site dedications are to be described in the “Development Agreement” between the applicant and the Portland Office of Transportation. The details of the “Development Agreement” may be modified with the approval of the City Engineer and the applicant, but under no circumstances can the required intersection mitigations be eliminated or the capacity of the intersections be degraded below the City of Portland performance standards for Level-of-Service and Street Capacity.

- C. Dedication of property to public right-of-way, both on-site and off-site is required to accommodate future frontage improvements and mitigation projects. The following dedications are expected, but may be modified to meet the requirements of the City Engineer. Surveys will be required to confirm the actual dedication amounts.

- NE Alderwood Rd/Columbia Blvd and NE Cully Blvd/Columbia Blvd mitigation – up to 29 feet in width on NE Columbia and up to 20 feet in width on NE Alderwood and NE Cully
- NE Cornfoot Rd/Alderwood Rd mitigation – up to 58 feet in width on NE Cornfoot and up to 34 feet in width on NE Alderwood
- NE Alderwood Rd/82nd Avenue mitigation – up to 12 feet in width on the west leg of NE Alderwood and adequate right-of-way on the east leg to accommodate the transition (which varies)
- NE Alderwood Rd site frontage – up to 8 feet in width (4 feet on each side), and up to 24 feet where the roadway is not centered
- NE Cornfoot Rd site frontage – up to 30 feet in width (majority on the north side)

All dedications must be completed prior to acceptance of any building permit for review. Specific details of the timing of each dedication related to a mitigation project, are described in the Development Agreement specified in Condition B. Additional right-of-way may be required at time of new development/redevelopment to accommodate additional

infrastructure needs such as access related turn lanes or stormwater facilities. Surveys must be provided by the applicant to confirm the exact dedication amounts.

- D. The applicant must construct frontage improvements along all site frontages (NE Columbia Blvd, NE Alderwood Rd and NE Cornfoot Rd) meeting the requirements of the City Engineer at time of new development/redevelopment of the site. Frontage improvements along NE Alderwood Road shall include widening of the bridge on the south side of NE Cornfoot Rd (C.O.P. Bridge #113) and frontages through the OS zoned areas. Specific details of the bridge construction and the frontage improvements are described in the Development Agreement specified in Condition B. Development, including improvements within the public right-of-way must comply with the Environmental Overlay Zone requirements (Chapter 33.430).
- E. Development is limited to Tier 1 levels to address capacity limitations at NE Killingsworth and I-205 southbound ramp. Land use and trip rate allocations for Tier 1 are limited per Table 1 below. Tier 1 total trips shall not exceed 78 PM Peak hour trips, which provides for the 9 PM peak hour trips to the eastbound right turn movement at the NE Killingsworth Street/I-205 southbound on-ramp. Tier 1 applies to the IG2 portion of the site located south of NE Cornfoot Rd or east of NE Alderwood Rd (not property shown as Parcel 1). The applicant shall be responsible for providing an accounting of all square footages for each proposed use, as well as existing uses, and the conversion to trips for each building permit application, as noted in Condition G. Other uses not shown on this table are addressed under Conditions H and I.

Table 1 - Land Use and Trip Rate Allocations¹		
Tier 1 = Maximum 78 trips		
Tier 2 = Maximum 259 trips		
Land Use²	Building Square Footage / Other	Trip Rate³
Warehouse and Freight Movement	1000 square feet	0.27 trips
Manufacturing and Production	1000 square feet	0.74 trips
Wholesale Sales	1000 square feet	0.74 trips
Industrial Service	1000 square feet	0.98 trips
Quick Vehicle Servicing ⁴	Vehicle Fueling Position/ Service Bay	13.86 trips
	or 1000 square feet	or 11.64 trips
Vehicle Repair	Service Bay	3.38 trips
Self Service Storage	1000 square feet	0.26 trips
Office ⁵	1000 square feet	1.49 trips
Retail ⁵	1000 square feet	26.15 trips
Headquarter Office ⁶	1000 square feet	1.49 trips

¹The building square footage or vehicle fueling position/service bay shall be converted to trips and compared to the maximums established for each Tier. The established trip rates for these land use categories shall not be altered.

²Per Zoning Code chapter 33.930, Description of Use Categories

³All trip rates in this table are based on the highest ITE Trip Generation rates for uses in each category, with the exception of Warehouse and Freight Movement. The Warehouse and Freight Movement trip rate is based on an alternate rate study.

⁴Quick Vehicle Servicing uses that have Vehicle Fueling Positions (VFP) or Service Bays (i.e. gas stations, quick lube, self service car wash, etc) shall be based on the VFP/Svc Bay trip rate. Uses without VFP's or service bays (i.e. automatic car washes, etc) shall be based on the square footage trip rate.

⁵Per Zoning Code Section 33.140.100.B.5, Office and Retail uses are limited to a total of 12,000 s.f of office and/or retail uses (3000 s.f. per space, with no more than 4 spaces) in IG2 zones. Any amount above the 12,000 s.f. up to 25,000 s.f. must be approved through a Conditional Use Review. Retail uses are limited further by the maximum trip allowances shown.

⁶Headquarter Office is allowed in the Industrial and Employment zones, per Section 33.920.240.D.1.

- F. Development limited to Tier 2 levels shall be allowed only after any zoning permit and/or site development permit for the Thomas Cully Park improvements receives final inspection approval and the permit is "finalized". At that time, the Portland Office of Transportation must adjust the transportation model to reallocate trips from the Thomas Cully Park site to the subject site. Land use and trip rate allocations for Tier 2 are limited per Table 1 in Condition E. Tier 2 total trips shall not exceed 259 PM Peak hour trips. Tier 2 applies to the IG2 portion of the site located south of NE Cornfoot Rd or east of NE Alderwood Rd (not property shown as Parcel 1). The applicant shall be responsible for providing an accounting of all square footages for each proposed use, as well as existing uses, and the conversion to trips for each building permit

application, as noted in Condition G. Other uses not shown on this table are addressed under Conditions H and I. Tier 2 may also be applied if the Thomas Cully Park site is changed to Open Space.

- G. In addition to documenting compliance with applicable Zoning Code requirements, all building permit applications submitted for new development/redevelopment or change of occupancy on "Parcels 3, 5 and 6" shall include:
1. A description of the proposed development, with floor area or service position calculations by land use category;
 2. The resulting new trips generated by the proposed development, using Table 1 - Land Use and Trip Rate Allocations in Condition E;
 3. The calculated number of trips generated by any existing development, using Table 1 - Land Use and Trip Rate Allocations in Condition E;
 4. Confirmation that the proposed use trips plus existing use trips fall within the trip thresholds in Table 1 - Land Use and Trip Rate Allocations in Condition E.
- H. Proposals for uses that require a Conditional Use approval, per Zoning Code Section 33.140.100, on Parcels 3, 5 and 6, are subject to the maximum trip limitations in Table 1 – Land Use and Trip Rate Allocations in Condition E.
- I. Proposals that include any of the following use categories are prohibited:
- 1) Commercial Parking
 - 2) Mining
 - 3) Retail Sales and Service that include a Drive-Through Facility
 - 4) Office over 25,000 square feet per site
 - 5) All accessory uses, such as Hotels and Retail, associated with truck stops
- J. Any Land Division reviews that occur on the site must include a re-accounting of Tier 1 or Tier 2 trip thresholds, whichever is in effect at time of a land division review. The applicant must provide a new Table 1 - Land Use and Trip Rate Allocations for each parcel included in the approved Land Division. Retail and Office use limitations must be distributed among the parcels. All development that has been approved or applied for must be accounted for in the new tables.
- K. The applicant must provide a codicil, to be recorded on the land with the County, acknowledging the development limits of the zone change. The codicil shall include Table 1 – Land Use and Trip Rate Allocations, as noted in Condition E, as well as building permit application requirements, as noted in Condition G, and other use limitations, as noted in Conditions H and I. The codicil shall also be included in all lease agreements on the property. The codicil shall be reviewed by the Portland Office of Transportation prior to recording with the County.
- L. Prior to development on the site, Public Works Permits must be obtained that provide appropriate sewer service.
- M. On-site stormwater management requirements for on-site development and street frontage improvements must be met.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the recommendation of the Bureau of Development Services with input from other City and public agencies.

Procedural Information. The application for this land use review was submitted on June 21, 2005, and was determined to be complete on August 2, 2005.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on June 21, 2005.

This report is not a decision. This report is a recommendation by the Bureau of Development Services to the Land Use Hearings Officer. The Land Use Hearings Office may adopt, modify, or reject this recommendation. The Hearings Officer will make a recommendation to the City Council within 17 days of the close of the record. You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant.

You may review the file on this case at our office at 1900 SW Fourth Avenue, Suite 4500, Portland, OR 97201. Your comments to the Hearings Office should be mailed c/o Land Use Hearings Officer, 1900 SW Fourth Avenue, Suite 3100 Portland, OR 97201, or you may FAX your comments to (503) 823-4347.

City Council Hearing. The City Code requires the City Council to hold a public hearing on this case and you will have the opportunity to testify. The hearing will be scheduled by the City Auditor upon receipt of the Hearings Officer's recommendation. If you wish to speak at the Council hearing, you are encouraged to submit written materials upon which your testimony will be based, to the City Auditor.

The City Council decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

Recording the final decision.

Before the applicant can proceed with their project, the final City Council Land Use Review decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after the date the City Council mails its final decision.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034. For further information on your recording documents, please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of approval. Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

Applying for your permits. A building permit, occupancy permit, or development permit must be obtained before carrying out development allowed by the land use decision. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed, herein, if any;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-7702 (TTY 503-823-6868).

Date: March 14 2008

EXHIBITS

NOT ATTACHED UNLESS INDICATED

A. Applicant's Submittal

1. Revised/Updated Land Use Review Submittal, Submitted December 2007

- a. Cover Letter – Proposal Update
- b. Land Use Request
- c. Existing Conditions
- d. Proposal Overview
- e. Response to Approval Criteria
- f. Response to Cully Neighborhood Plan Policies and Objectives
- g. Land Use Application Form and Property Title Information
- h. Pre-Application Meeting Summary
- i. Economic Impact Analysis
- j. Letter to Mr. Haertl from Mark Ellsworth, Office of the Governor, dated July 15, 2005
- k. Neighborhood and Business Association Meeting Summary Notes
- l. Transportation Executive Summary, from Kittelson, dated December 20, 2007
- m. Kittelson Concept Design for Columbia Blvd/Cully Rd
- n. Kittelson Concept Design for NE Alderwood & 82nd Ave
- o. Kittelson Concept Design for Proposed Ramp Lane at I-205/Killingsworth
- p. Kittelson Concept Design, Alternative at I-205/Killingsworth
- q. Transportation Impact Analysis, Colwood Golf Course, prepared by Kittelson and Assoc., Submitted June 2005
- r. Letter to Mr. Haertl from Robin Grimwald, Portland Parks, dated June 15, 2005
- s. Preliminary Stormwater Drainage Analysis
- t. Multnomah County Drainage District Service Provider Letter, dated May 16, 2005
- u. Utility Service Availability Letters

2. Transportation Impact Analysis, Colwood Golf Course, prepared by Kittelson and Assoc., Submitted March 2008

3. Original Land Use Review Submittal, Submitted June 2005

- a. Land Use Request
- b. Existing Conditions
- c. Proposal Overview
- d. Response to Approval Criteria
- e. Land Use Application Form and Property Title Information
- f. Pre-Application Meeting Summary
- g. Economic Impact Analysis
- h. Letter to Mr. Haertl from Mark Ellsworth, Office of the Governor, dated July 15, 2005
- i. Neighborhood and Business Association Meeting Summary Notes
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- k. Letter to Mr. Haertl from Robin Grimwald, Portland Parks, dated June 15, 2005
- l. Preliminary Stormwater Drainage Analysis
- m. Multnomah County Drainage District Service Provider Letter, dated May 16, 2005
- n. Utility Service Availability Letters

B. Zoning Map

1. Existing (attached)
2. Proposed, requested December 2007 (attached)
3. Proposed with original application, June 2005

C. Plans & Drawings:

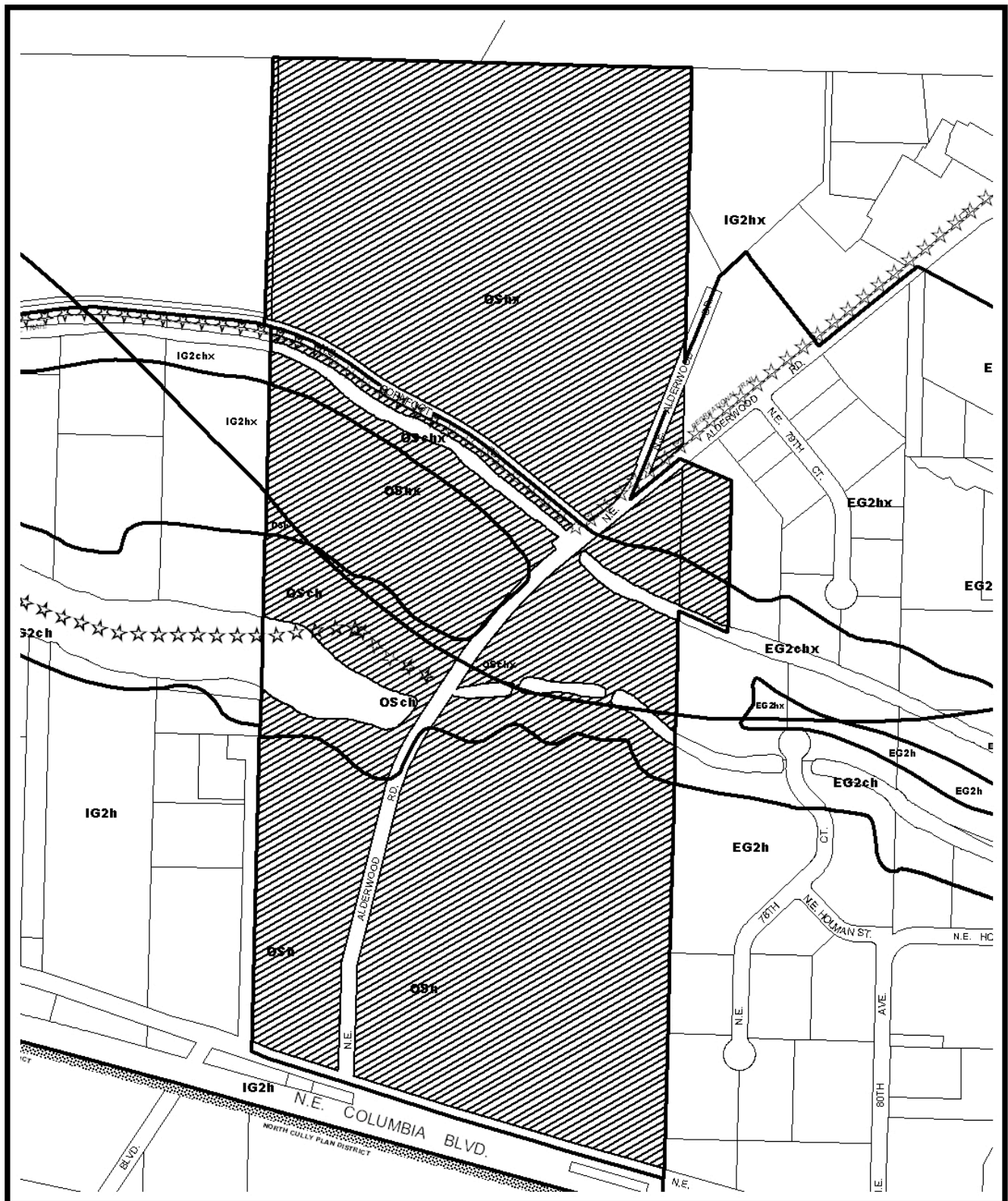
1. Zoning/Comprehensive Plan Map Proposal by Acreage (attached)
2. Existing Conditions Site Plan/Aerial Photo – Identifying Floodplain and Streets
3. Storm Plan

4. Utility Plan
 5. Existing Conditions Aerial Photo
 6. Proposed Park Exhibit
 7. Original Zoning/Comprehensive Plan Map Proposal by Acreage, Submitted June 2005
 8. Original Proposed Park Exhibit, Submitted June 2005
- D. Notification information:
1. Second Request for response, dated December 28, 2007
 2. First Request for response, dated August 8, 2005
 3. Posting letter for Rescheduled Hearing sent to applicant, dated Feb. 13, 2008
 4. Posting letter sent to applicant, dated December 31, 2007
 5. Rescheduled Hearing Notice to be posted
 6. Original Notice to be posted,
 7. Applicant's statement certifying re-posting, dated February 21, 2008
 8. Aerial photo from applicant identifying location of posting boards
 9. Photos of each posting board
 10. Applicant's statement certifying posting, dated January 9, 2008
 11. Mailing List for Rescheduled Hearing
 12. Mailing List for Hearing
 13. Mailed Notice for Rescheduled Hearing dated February 29, 2008
 14. Mailed Notice for Hearing
 15. LCDC Notice of Proposed Amendment
 16. Original LCDC Notice of Proposed Amendment,
- E. Agency Responses:
1. Police Bureau
 2. Fire Bureau/Fire Prevention Division – TRACS Response
 3. Bureau of Environmental Services Revised Response
 4. Bureau of Environmental Services Addendum to Land Use Response
 5. Bureau of Environmental Services Land Use Response
 6. Bureau of Development Services/Site Development Review Section
 7. Bureau of Development Services/Life Safety Plans Examiner
 8. Bureau of Water Works – Pre-Application Conference Response
 9. Bureau of Water Works – TRACS Response
 10. Portland Parks & Recreation
 11. Portland Bureau of Transportation Engineering and Development Review
 12. Oregon Department of Transportation, dated March 13, 2008
 13. Oregon Department of Transportation, received Jan. 28, 2008
 14. Bureau of Planning, dated March 5, 2008
 15. Bureau of Planning, dated Jan. 28, 2008
 16. Multnomah Drainage District #1, dated May 16, 2005
 17. Portland Parks memo to PDOT regarding Thomas Cully Park
- F. Correspondence
1. Corky Collier, Columbia Corridor Association, P.O. Box 55651, Portland, OR 97238
 2. Andy Kangas, CB Richard Ellis, 1300 SW Fifth Ave., Suite 200, Portland, OR 97201
 3. Tony Reser, GVA Kidder Mathews, One SW Columbia St., Suite 950, Portland, OR 97258
 4. John Bartell, Opus Northwest, LLC, 1500 SW First Ave., Suite 1100, Portland, OR 97201
 5. Todd A. DeNeffe, Cascade Commercial Real Estate, LLC, 2323 N. Williams Ave., Portland, OR 97227
 6. Todd Sheaffer, Specht Development, 15325 SW Beaverton Creek Court, Beaverton, OR 97006
 7. Todd Sheaffer, National Association of Industrial and Office Properties, Portland, OR
 8. Steven Wells, Trammell Crow Company, 4949 SW Meadows Rd., Suite 150, Lake Oswego, OR 97035
 9. Mike Houck, Urban Greenspaces Institute, P.O. Box 6903, Portland, OR 97228
 10. Richard Gunderson, Cully Association of Neighbors
 11. Frank Jagodnik, Oregon Recreation and Park Association, 309 Lexington Ave., Astoria, OR 97103
 12. Jane Van Dyke, Columbia Slough Watershed Council, 7040 NE 47th Ave., Portland, OR 97218
 13. Troy Clark, Friends of Smith and Bybee Lakes, 2821 NE Klickitat, Portland, OR 97212
 14. Bruce Seiler
 15. Erika Read, Portland Habitat for Humanity, 1478 NE Killingsworth St., Portland, OR 97211
 16. Shawn Buese, 5936 NE Mason St. Portland, OR

17. Jean and Robert Thompson, 5316 NE 53rd Ave., Portland, OR 97218
18. Greg Ames, Luther Memorial Lutheran Church, 4800 NE 72nd, Portland, OR 97218
19. Bonnie J. Gregg, Luther Memorial Lutheran Church, 4800 NE 72nd, Portland, OR 97218
20. Micki Carrier
21. Cascade Anderson Geller
22. Don Jacobson, 941 SE 55th Ave., Portland, OR 97215
23. Linda Rose, 4343 NE Ainsworth, Portland, OR 97218
24. Tony DeFalco, 4347 NE Sumner St., Portland, OR 97218
25. Ben Cannon, 1125 SE Madison, Suite 100B, Portland, OR 97214
26. Shirley Simmons, 216 SE 30th Ave., Portland, OR 97214
27. Rachel Felice, 703 NE Sumner St., Portland, OR 97211
28. Erwin Bergman, 5330 NE Holman St. Portland, OR 97218

G. Other:

1. Site History Research
2. Application Incompleteness Letter to Applicant, dated July 11, 2005
3. Bureau Representatives Correspondence. Preparing and Responding to Pre-Application Conference
4. Copies of Previous CP/ZC Amendments from OS Zone to Applicant from BDS Staff, dated April 25, 2005
5. Memo from PDOT to Applicants Regarding Colwood Development Agreement, dated Sept. 21, 2005
6. Memo from ODOT to BDS Staff, dated Sept. 1, 2005
7. Memo from ODOT to BDS Staff, dated August 31, 2005
8. Memo Regarding Development Agreement Concept to BDS Staff from Kittelson and Assoc., dated Aug. 5, 2005
9. Letter from Applicant, Trina Buitron Whitman to BDS Staff Regarding Updated Completeness Submittal, dated July 20, 2005
10. Letter from Applicant, Trina Buitron Whitman to BDS Staff Regarding Proposed Zone Boundary Explanation, dated Aug. 26, 2005
11. E-mail response to Applicant and City Staff from PDOT, dated Aug. 8, 2005
12. E-mail from Kittelson to BDS Staff regarding incomplete letter, dated July 18, 2005
13. Notes from Meeting Discussing Colwood Development Agreement, June 12, 2006
14. Memo to Kittelson (Paul Ryus) from PDOT regarding Feasibility Analysis, dated Dec. 17, 2005
15. Memo to Jack Orchard, Paul Ryus from PDOT, Colwood Follow-up, dated Jan. 20, 2006
16. Draft Development Agreement, with Staff editorial comments, July 10, 2006
17. E-mail updated from PDOT to City staff, dated Oct. 5, 2006
18. Memo from Kittelson and Assoc. to PDOT staff regarding Killingsworth/I-205 ODOT TPR Issues, dated February 28, 2007
19. Memo from Kittelson and Assoc. to PDOT and ODOT regarding Alternative Open Space Land Use Scenario
20. Copy of Courtesy e-mail sent to Bureau Contacts and Others Regarding Hearing Reschedule, dated February 8, 2008
21. Request to Postpone Original Hearing Date from Applicant to BDS, dated Aug. 16, 2005
22. Request from Applicant to Reschedule Hearing
23. Request from Applicant to Reschedule Hearing to March 24, 2008

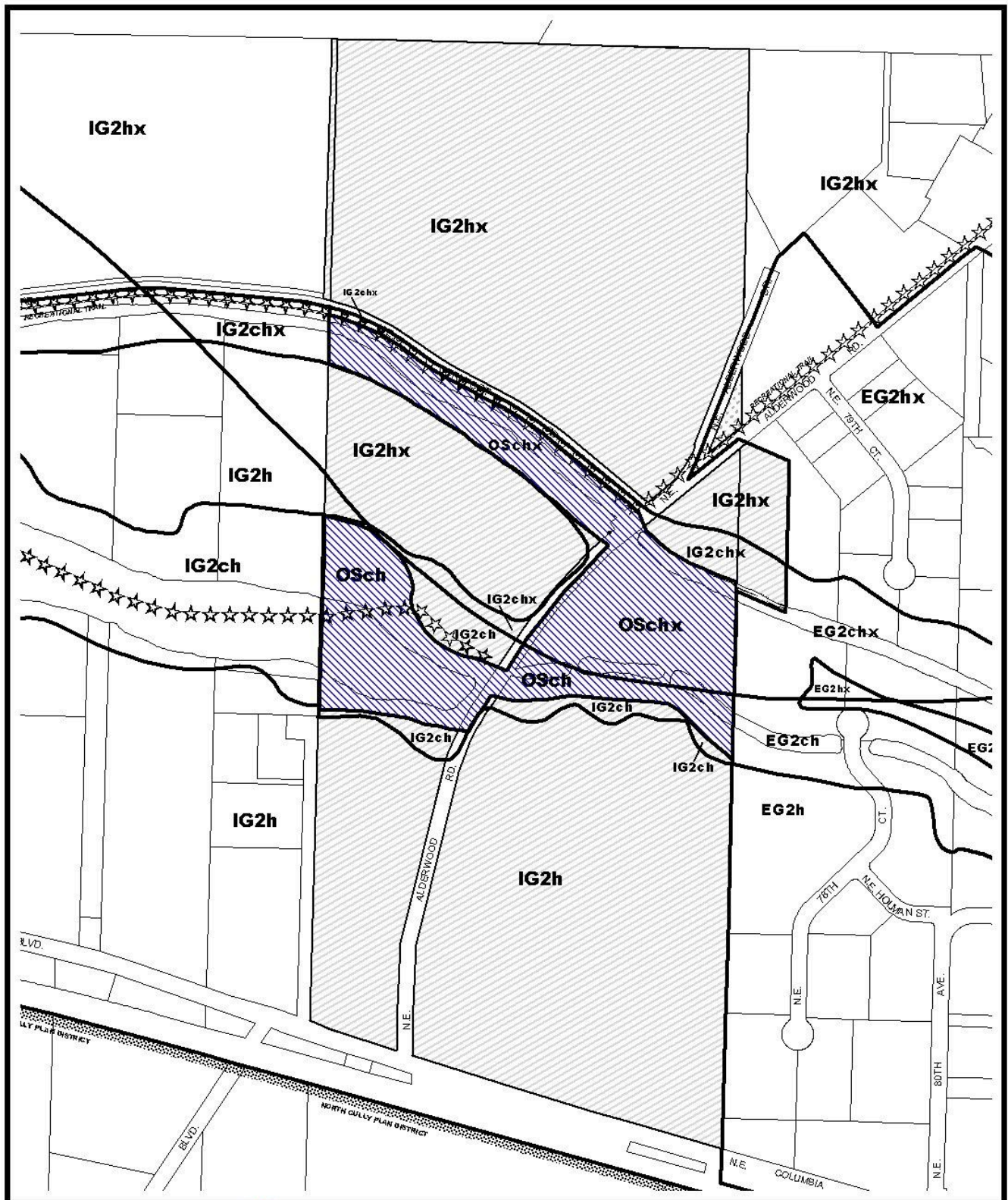


ZONING EXISTING



 Site

File No.	LU 05-138386 CP ZC
1/4 Section	2438 , 2437 , 2338 , 2337
Scale	1 inch = 500 feet
State-Id	1N2E17B 100+
Exhibit	B (Jun 24, 2005)



ZONING PROPOSED

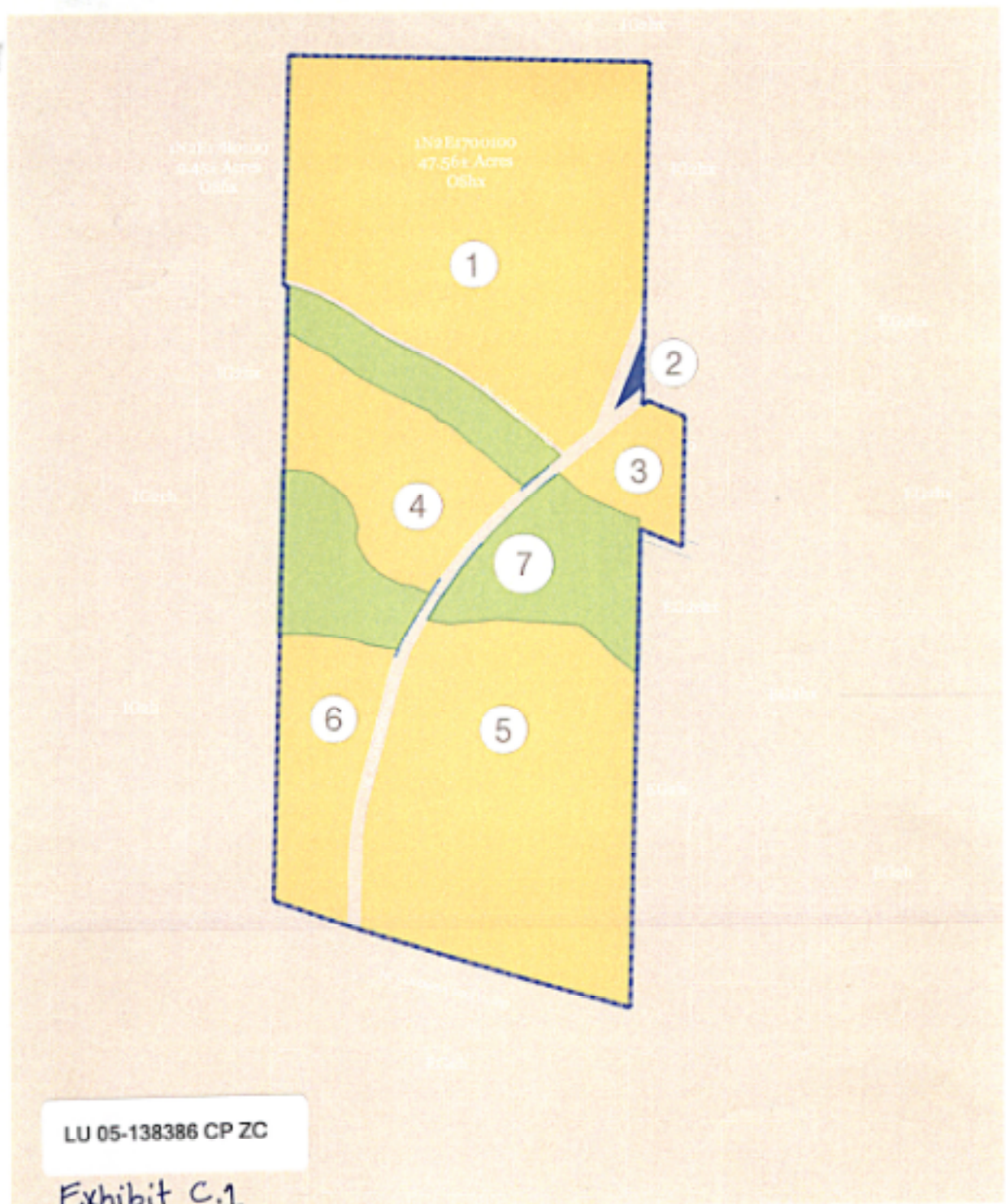


Site



Property also owned

File No.	LU 05-138386 CP ZC
1/4 Section	2438, 2437, 2338, 2337
Scale	1 inch = 500 feet
State-Id	1N2E17B 100+
Exhibit	B
	December 26, 2007



Parcel Legend

Parcel	Size	Existing Designations Comp. Plan / Zoning	Proposed Designations Comp. Plan / Zoning	Map Color
1	47.9 ac.	Open Space / (OS) Open Space	Industrial Sanctuary / (IG2) General Industrial	
2	0.3 ac.	Mixed Employment / (EG2) General Employment 2	Mixed Employment / (EG2) General Employment 2	
3	4.7 ac.	Open Space / (OS) Open Space	Industrial Sanctuary / (IG2) General Industrial	
4	13.5 ac.	Open Space / (OS) Open Space	Industrial Sanctuary / (IG2) General Industrial	
5	38.0 ac.	Open Space / (OS) Open Space	Industrial Sanctuary / (IG2) General Industrial	
6	10.8 ac.	Open Space / (OS) Open Space	Industrial Sanctuary / (IG2) General Industrial	
7	22.5 ac.	Open Space / (OS) Open Space	Open Space / (OS) Open Space	

Total 137.7

Note: Parcels 1 - 6 acreages do not include rights-of-way. Parcel 7 acreages includes half of the NE Corridor Road right-of-way but does not include any other right-of-way.



Colwood National Golf Course

Colwood Limited Partnership

Proposed Comprehensive Plan & Zoning Designations