



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Dan Saltzman, Commissioner ■ Dean Marriott, Director

EXHIBIT G-3 LU 12-0032

October 8, 2012

Debra Andreades
Senior Planner
City of Lake Oswego
380 A Avenue
PO Box 369
Lake Oswego, OR 97034

RE: FOOTHILLS MIXED USE ZONE AND RELATED AMENDMENTS (LU 12-0032)

Dear Ms. Andreades,

The Tryon Creek Wastewater Treatment Plant (TCWTP) located adjacent to and within the Foothills Mixed Use Zone is owned and operated by the City of Portland for the benefit of the Lake Oswego and Portland Ratepayers. As the owner of this facility we are happy to offer our conditional support for the proposed Foothills District providing that the following three comments can be incorporated.

First, the Lake Oswego Comprehensive Plan should be amended to include a plan policy and text that recognizes that the TCWTP is critical to Lake Oswego's economic, environmental and public health objectives and that the TCWTP will remain in its current location indefinitely. The City of Portland is currently updating the facility master plan to address state and federal regulations now and in the future. This work will identify projects needed to comply with these standards and to continue to serve the community. Our concern is that the proposed land use change within the Foothills District from Industrial to Foothills Mixed Use will impede our ability to operate or to improve the facility toward these objectives in the future.

To mitigate this concern, we propose two changes to the Community Development Code (CDC). Amend the CDC to include objective land use performance standards for changes to the facility that are required to meet state and federal requirements. These changes should be considered as part of the early 2013 program to adopt objective design and development standards for uses allowed in the Foothills Mixed Use zone. We believe this path will provide certainty in the development review process while minimizing adverse impacts from such alterations. In addition, we ask that Lake Oswego adopt new conditional use master plan procedures so that the City can get a 10-20 year master plan approved in time to implement projects identified in the updated facilities plan.

Second, the Comprehensive Plan should maintain the existing Public plan designation and Public Function zoning for property owned by the City. The City has not agreed to sell land currently occupied by the TCWTP and believes reclassifying portions of the facility to Foothills Mixed Use is pre-mature. The existing Public comprehensive plan designation and Public Function zoning for the plant property should remain in place until there is an actual change in ownership.

Third, detailed development standards for the Foothills Mixed Use designation should include adequate buffers between habitable spaces and the TCWTP operations. In 2003, the City contributed \$500,000 toward the purchase of the Jarvis Property, now Tryon Cove Park. The primary reason for the contribution was to provide an enhanced noise and odor buffer between the TCWTP and possible residential development. While the City is committed to being a good neighbor, complete elimination of noise, odor and aesthetic impacts associated with operating a facility such as TCWTP is not economically practical for Lake Oswego or City of Portland ratepayers. This is why buffers between the plant and the residents in the proposed FMU designation are appropriate.

Sincerely,

A handwritten signature in black ink that reads "Dean Marriott". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Dean C. Marriott

Cc Bill Ryan
Steve Behrndt
Jim Brown
Amy Trieu
David Allred