

Bend Central District MMA - Memorandum

To: Wendy Robinson, City of Bend

From: Matt Hastie, Serah Breakstone, Darci Rudzinski - Angelo Planning Group

Copy: Devin Hearing, Rod Cathcart, Oregon Department of Transportation (ODOT)

Date: November 4, 2013

Re: **Tech Memo #4 Land Use Assumptions & MMA Boundary Alternatives**

Overview

The City of Bend has been awarded a Transportation and Growth Management (TGM) grant in order to develop a plan for the Bend Central District Multi-Modal Mixed Use Area (MMA). An MMA designation may be applied by local governments to downtowns, town centers, main streets, or other areas where the local government determines that there is:

- Potential for high-quality connectivity to and within the area by modes of transportation other than the automobile;
- A denser level of development of a variety of commercial and residential uses than in surrounding areas;
- A desire to encourage these characteristics through development standards; and
- An understanding that increased automobile congestion within and around the MMA is accepted as a potential trade-off.

This work will build upon work previously completed for the Bend Central Area Plan (CAP) and focus specifically on an area along the 3rd Street corridor east of the Parkway. The Bend MMA plan will look at ways to improve connections for people traveling in the area by foot, bike, bus, car, or freight truck. It will explore ways to develop the area in the future to include a combination of housing, businesses, shops and other uses to create a distinct and vibrant district. The project will define an MMA boundary and will include amendments to the Bend General Plan (comprehensive plan), Transportation System Plan (TSP), and Development Code to allow future land use changes and redevelopment in the MMA. Pursuant to the Transportation Planning Rule, an MMA designation must meet specific requirements. Those requirements are listed in Table 3.

This memorandum addresses the following topics:

- Revisits land use assumptions for the Bend Central District (BCD) that were developed as part of the CAP and adjusts them based on updated information and discussion among City staff and stakeholders.
- Compares the land use assumptions with the goals and requirements for an MMA designation and summarizes potential impacts of applying an MMA to the area within the BCD.
- Describes three potential Bend MMA boundaries and discuss the benefits and constraints of each.

CAP Land Use Assumptions

General Vision

The Central Area Plan prepared in 2005-2007 describes the future vision for the Bend Central District as:

“... a new mixed-use area in the Bend Central District that will fill in missing spaces and provide greater density feeding onto a “new” 3rd Street. Because the 3rd Street re-invention will carry less automobile traffic, it can transition into a boulevard with greater levels of pedestrians socializing in community plazas, dining in local restaurants, shopping in a variety of mid-sized businesses, and working in a variety of professional offices. 3rd Street will become a passageway through medium to high density, compact, mixed-use residential areas with cafes and shops; it will be a street full of public spaces linking with the employment/industrial district to the north, the employment/office districts in Bend Central, the Historic Downtown Core via Greenwood and Franklin Avenues, and the Mill District to the south...”

The CAP identified a detailed list of “performance guidelines” for future development in the BCD to ensure consistency with this vision. Those guidelines generally include the following elements (full guidelines are provided in Attachment B of the CAP Land Use and Regularly Recommendations Memo – Appendix M):

- Making the BCD a “new town in town” that will draw people and activity into the district during all seasons and all times of day.
- Connections (visual, vehicle, pedestrian) within the district and to adjacent districts.
- Defined civic spaces and landscaping throughout the district that create gathering spots and pathways.
- Buildings that relate to their context in terms of scale, mass and design. Buildings should also be active on the ground floor and help to define the streets.

In general, City staff and stakeholders continue to support this vision based on discussions with staff, an initial meeting with the Project Team (advisory group) and Technical Advisory Committee and results from an initial community meeting. However, City staff and some members of the project team have questioned some elements of the CAP’s vision, particularly assumptions pertaining to the intensity of development and the potential height of future buildings in the area. East of the Parkway and west of 3rd Street, the CAP envisions the possibility for seven to 12-story residential towers with underground or structured parking and ample open, green space or public plazas. Areas along 3rd Street, NE Greenwood Avenue, and NE Franklin Avenue would provide a pedestrian scale environment with mid-rise building heights of three to six stories. Staff and stakeholders have questioned whether this is realistic from a market perspective, indicated that public facilities may not be adequate to serve that level of development and noted that buildings at those heights would potentially obscure views of the mountains from neighborhoods to the east. As an alternative, they have recommended assuming maximum building heights between four and six stories, with heights transitioning east of 3rd Street towards the neighborhoods to the east.

Specific Land Use Assumptions

As part of preparing the CAP, the project team authored a Land Use Regulatory Recommendations Memo that recommended application of a new “Special Plan District” to allow for a broader mix of uses and more intensive development within the Central District. It also includes new proposed design and

development standards for application within this Special Plan District. The Special Plan District would be implemented through the application of a new CAP-MCEN¹: Bend Central District with the following purposes:

- Greater density development with a mix of uses
- Retail and entertainment at street level
- A mix of housing options
- Design elements to encourage a pedestrian friendly environment
- Development compatible with a future transit hub in this area

Specific allowed uses within the new District would include the following:

- Residential: Multi-family housing is allowed; single-family housing is not permitted.
- Commercial: The following would be allowed:
 - Retail sales with a maximum size of 20,000 square feet
 - Restaurants and food services (excluding drive-throughs)
 - Offices and clinics
 - Hotels and motels
 - Bed and breakfasts and vacation rentals (as a conditional use)
 - Entertainment and recreation (within an enclosed building)
 - Broadcasting/production studios
 - Wholesale sales (as a conditional use)
 - Hospitals (as a conditional use)
- Government and Institutional: A full range of these uses would be allowed.
- Industrial: The following would be allowed:
 - Production businesses (e.g., IT Support Centers, biotechnology, software/hardware development) and manufacturing uses under 5,000 square feet would be permitted outright
 - Industrial service uses (e.g., equipment cleaning and repair) would not be permitted
 - Other industrial uses such as larger manufacturing uses, warehouses and transportation, freight and distribution would only be allowed as conditional uses

Building heights allowed in the CAP-MCEN would be as follows:

- 35 feet along east/west “great streets” to build pedestrian scale.
- 35 feet bordering (1/2 block both sides) 4th Street to provide a transition scale to neighborhood.
- 65 feet on both sides of 3rd Street to facilitate redevelopment of current parking lots.
- Within the Tall Building District, the height limit would be 50 feet but would have opportunities in designated areas to go up to 100 and 150 feet if certain criteria are met. Criteria are related to the size of the site, setbacks, average area per floor and site orientation.

From the above, one can see that assumptions about land use and redevelopment in the CAP resulted in some fairly significant proposed increases in development within the Central District. A number of

¹ Central Area Plan Land Use Regulatory Recommendations (Appendix M), page 11 and Attachment B.

changes are recommended to those development assumptions, consistent with city staff and stakeholder concerns about the intensity and height of development assumed in the CAP. Table 1 compares assumptions from the CAP with proposed Central District MMA development projections. The table also includes information about historic (2003) development levels from the CAP. The updated development projections represent the following adjustments:

- Reduced the number of projected housing units from approximately 1,330 to 800, consistent with the assumption of fewer residential “towers” and lower height limitations and also consistent with the assumption that at least 500 housing units will be planned for the MMA.
- Reduced the amount of projected retail development by approximately 20%, consistent with a general decrease in development intensity but assuming that the vision for ground floor retail in a significant amount of the project area continues to represent the vision for the Central District.
- Reduced the amount of projected office development by approximately 40%, consistent with the decrease in development intensity and assumed building heights.
- Kept the amount of light industrial constant in comparison to the CAP assumptions.

Table 1. CAP and Central District Housing and Employment Projections

	2003	2030 CAP	2030 BCD MMA
Households	60	1,329	802
Office	1,857	4,007	2,226
Retail	1,169	1,895	1,517
Light Industrial	783	876	876

For the purposes of traffic analysis for the Central District MMA project, projections need to be broken out by geographic areas called transportation analysis zones (TAZs). Table 2 summarizes projected housing units and employment by TAZ, consistent with the overall projections in Table 1. These projections may be refined further based on selection of a preferred MMA boundary alternative and further discussion with City staff and stakeholders. For example, if a smaller MMA boundary alternative is recommended, land use and development assumptions may need to be further adjusted to reflect more intensive development within the MMA boundary and less intensive development or a somewhat different mix of uses within the BCD, but outside of the MMA.

Table 2. Central District Housing and Employment Projections by TAZ, 2030

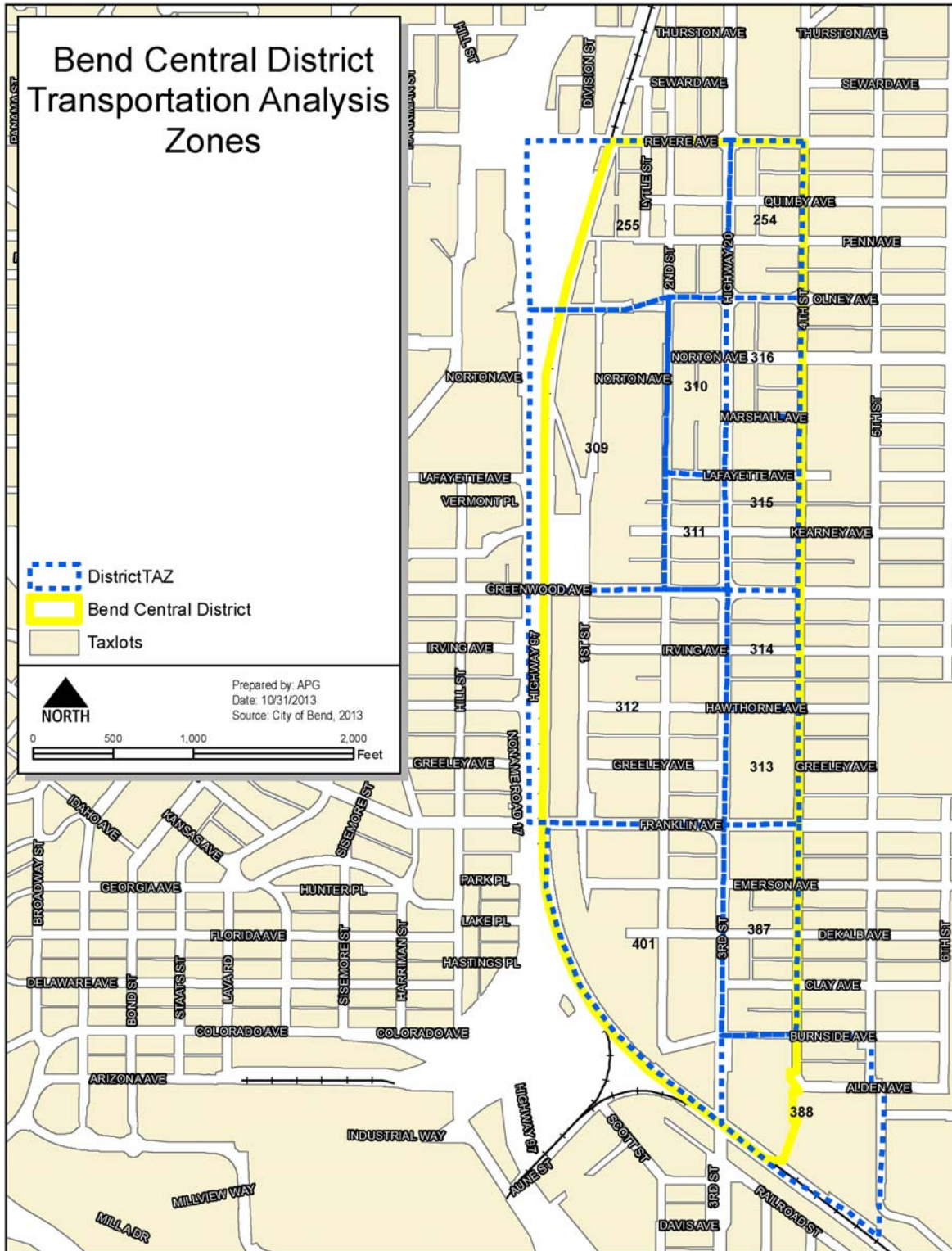
TAZ	Employment			Housing Units
	Light Ind.	Office	Retail	
254		40	94	34
255	98	79	92	68
309	356	229	84	122

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TAZ	Employment			Housing Units
	Light Ind.	Office	Retail	
310		76	89	33
311		91	53	20
312	240	386	174	127
313		120	84	31
314		100	70	26
315		157	110	40
316		50	71	26
387		185	130	48
388		397	278	102
401	182	316	188	125
Total	876	2,226	1,517	802

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Figure 1. Transportation Analysis Zone Boundaries, Bend Central District



MMA Requirements

Designation and application of a MMA requires cities to adopt a number of different design and development standards to attempt to ensure a future pattern of mixed use development within the MMA boundaries, consistent with the intent of a MMA. The following table summarizes those requirements.

Table 3. MMA Land Use and Other Requirements

<input checked="" type="checkbox"/>	An MMA must meet each requirement in this column
<input type="checkbox"/>	MMA Boundary (10)(b)(A)
<input type="checkbox"/>	MMA entirely within a UGB (10)(b)(B)
<input type="checkbox"/>	Adopted plans & regulations that allow specified uses and require certain development standards: (10)(b)(C)
<input checked="" type="checkbox"/>	An MMA must meet each requirement in this column
<input type="checkbox"/>	Allow a concentration of a variety of uses, including: (8)(b)(A)
<input checked="" type="checkbox"/>	An MMA must meet each requirement in this column
<input type="checkbox"/>	Allow medium to high density residential development at 12 units per acre or more (8)(b)(A)(i)
<input type="checkbox"/>	Allow offices or office buildings (8)(b)(A)(ii)
<input type="checkbox"/>	Allow retail stores and services (8)(b)(A)(iii)
<input type="checkbox"/>	Allow restaurants (8)(b)(A)(iv)
<input type="checkbox"/>	Allow public open space or private open space open to the public (8)(b)(A)(v)
<input type="checkbox"/>	Allow civic or cultural uses (8)(b)(B)
<input type="checkbox"/>	Allow core commercial area with multi-story buildings (8)(b)(C)
<input type="checkbox"/>	Require buildings and building entrances to be oriented to streets (8)(b)(D)
<input type="checkbox"/>	Require street connections & crossings to access center (8)(b)(E)
<input type="checkbox"/>	Require pedestrian-centric network of streets & ways within center (8)(b)(F)
<input type="checkbox"/>	Require one or more transit stops in areas with transit service (8)(b)(G)
<input type="checkbox"/>	Limit or prohibit low-intensity uses e.g. drive through services (8)(b)(H)
<input type="checkbox"/>	Do not require off-street parking, or require less parking than other areas (10)(b)(D)
<input type="checkbox"/>	Located at least ¼ mile from an interchange, adopted in an IAMP, or with concurrence (10)(b)(E)
<input checked="" type="checkbox"/>	An MMA must meet at least one requirement in this column
<input type="checkbox"/>	Located at least ¼ mile from a ramp terminal intersection (10)(b)(E)(i)
<input type="checkbox"/>	Located within the area of, and consistent with an adopted IAMP (10)(b)(E)(ii)
<input type="checkbox"/>	Written concurrence with the MMA provided by the mainline facility provider (10)(b)(E)(iii)

Given the above requirements, application of an MMA would have a number of different implications for existing and future land uses.

- Allow for a wide range of retail, commercial and office uses. This is generally consistent with the vision established in the CAP and consistent with the types of uses allowed throughout the existing CL (Limited Commercial) zone. Meeting this requirement would broaden the set of uses currently allowed in areas zoned as Light Industrial but generally would provide enhanced opportunities for existing and future property owners in those areas. For example, industrial users could establish associated retail uses.
- Allow for housing at a minimum density of 12 housing units per acre. This also is consistent with the CAP recommendations, which assumed housing development at substantially higher densities. Along the eastern edge of the BCD, this would represent a shift in density but would be consistent with or at a potentially lower density than currently allowed in the existing area zoned for high density residential between Norton and Quimby Avenues.
- Require less parking than in other areas. This would represent a shift in comparison to current development patterns but likely would be necessary to achieve the development projections assumed in the CAP. Reducing minimum requirements would likely benefit many property owners from a redevelopment cost perspective and would not preclude private property owners from providing more than parking than required. Unless the City establishes relatively aggressive maximum off-street parking requirements or requires construction of parking structures, requiring less parking in the MMA by itself would not be expected to adversely impact existing property owners.
- Limit or prohibit low-intensity land uses such as drive-throughs. Depending on where the MMA boundary is located, this could make some existing businesses or land uses non-conforming. Depending on how this requirement is implemented, it also would potentially limit the ability of some existing low-intensity uses (light industrial uses) to expand in the future. At the same time, the CAP envisions a shift away from those types of uses to some degree.

In addition to these impacts, provisions associated with the proximity of the MMA boundary to a state highway interchange are important. If an MMA is located within one-quarter mile of an interchange, the Oregon Department of Transportation (ODOT) must concur with the designation. This can represent another layer of complexity for establishing the MMA. This and other issues are reflected in the discussion of MMA boundary alternatives in the following section of this memo.

Bend MMA Boundary Alternatives

One of the tasks in this study is to identify and assess up to three MMA boundary alternatives and then recommend a preferred alternative. Based on the discussion in the previous section, the following factors have been considered in identify and comparing different MMA boundary alternatives:

1. Current or future new requirements associated with the types of land uses that must be allowed within a MMA

2. Proximity to the interchanges
3. Balance between congestion/mobility standards and limitations on future development
4. Relative impact on existing low intensity or auto-oriented uses
5. Areas prime for redevelopment
6. Transit coverage, frequency of service, and location of existing and planned transit stops and routes

Three different alternatives have been identified. Note that the preferred alternative ultimately may closely resemble one of these alternatives, or may represent a combination of elements from one or more of the alternatives described below.

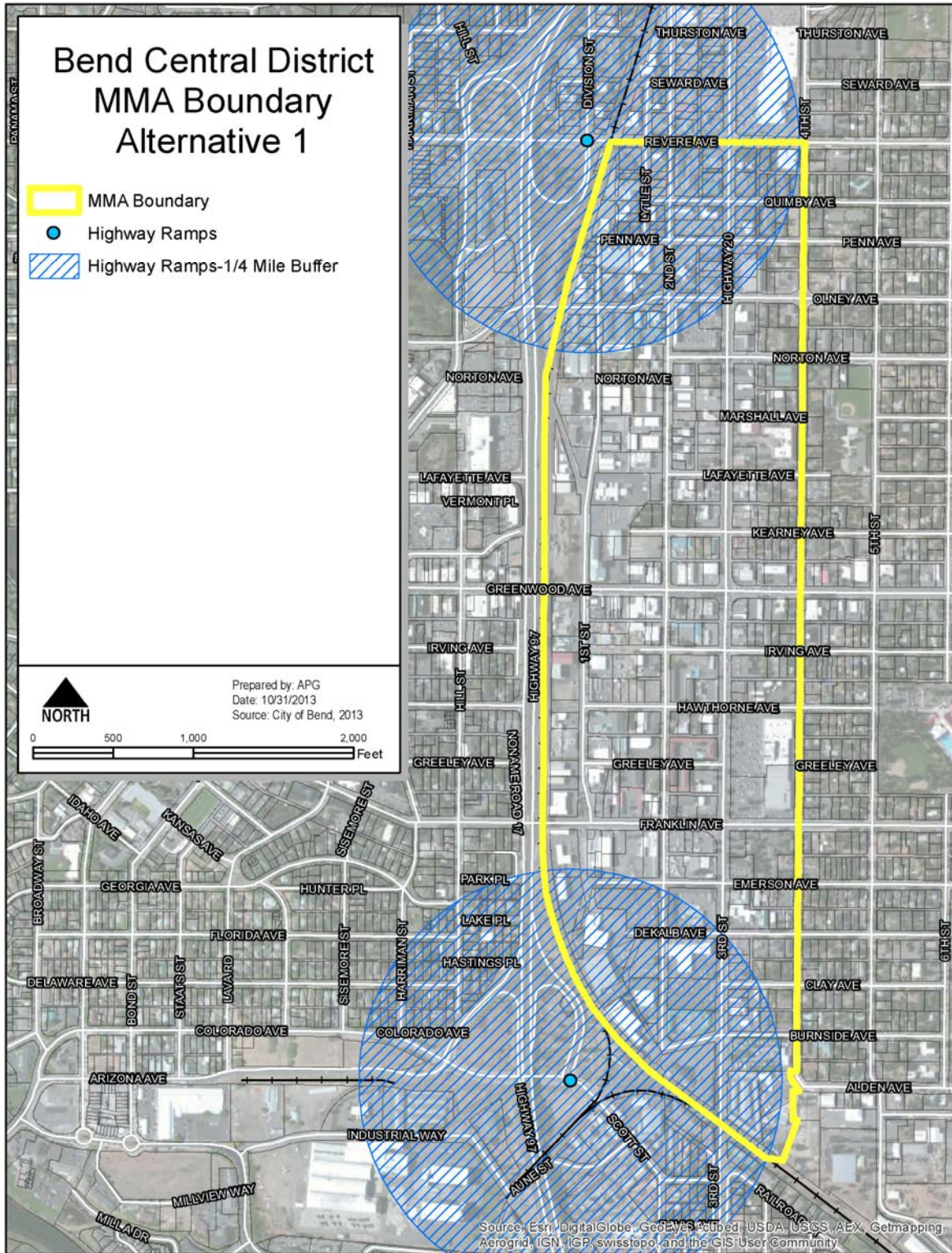
1. **BCD Study Area Alternative.** This alternative includes the entire BCD area.
2. **Central Location Alternative.** This alternative includes most of the BCD area, with the exception of areas within approximately one-quarter mile of the terminus of interchange ramps associated with the Bend Parkway (at the Revere and Colorado Avenue interchanges).
3. **Southern Location Alternative.** This alternative applies the MMA designation only in the southern portion of the study area (south of Kearney Avenue) to concentrate the mixed use area envisioned by the CAP between Greenwood and Franklin Avenues, where there is potentially more redevelopment potential.

MMA Boundary Alternative #1: BCD Study Area

Description and map

Alternative #1 follows the same boundary as the BCD Study Area, as shown on Figure 2. This represents the largest of the three MMA boundaries and encompasses considerable portions of existing industrial land.

Figure 2. MMA Boundary Alternative #1 – BCD Study Area



Opportunities

- Potentially allows for exceptions from mobility requirements along the entire length of 3rd Street between Revere Street and the southern end of the planning area
- Potentially maximizes development potential within the entire CBD in comparison to other alternatives

Constraints

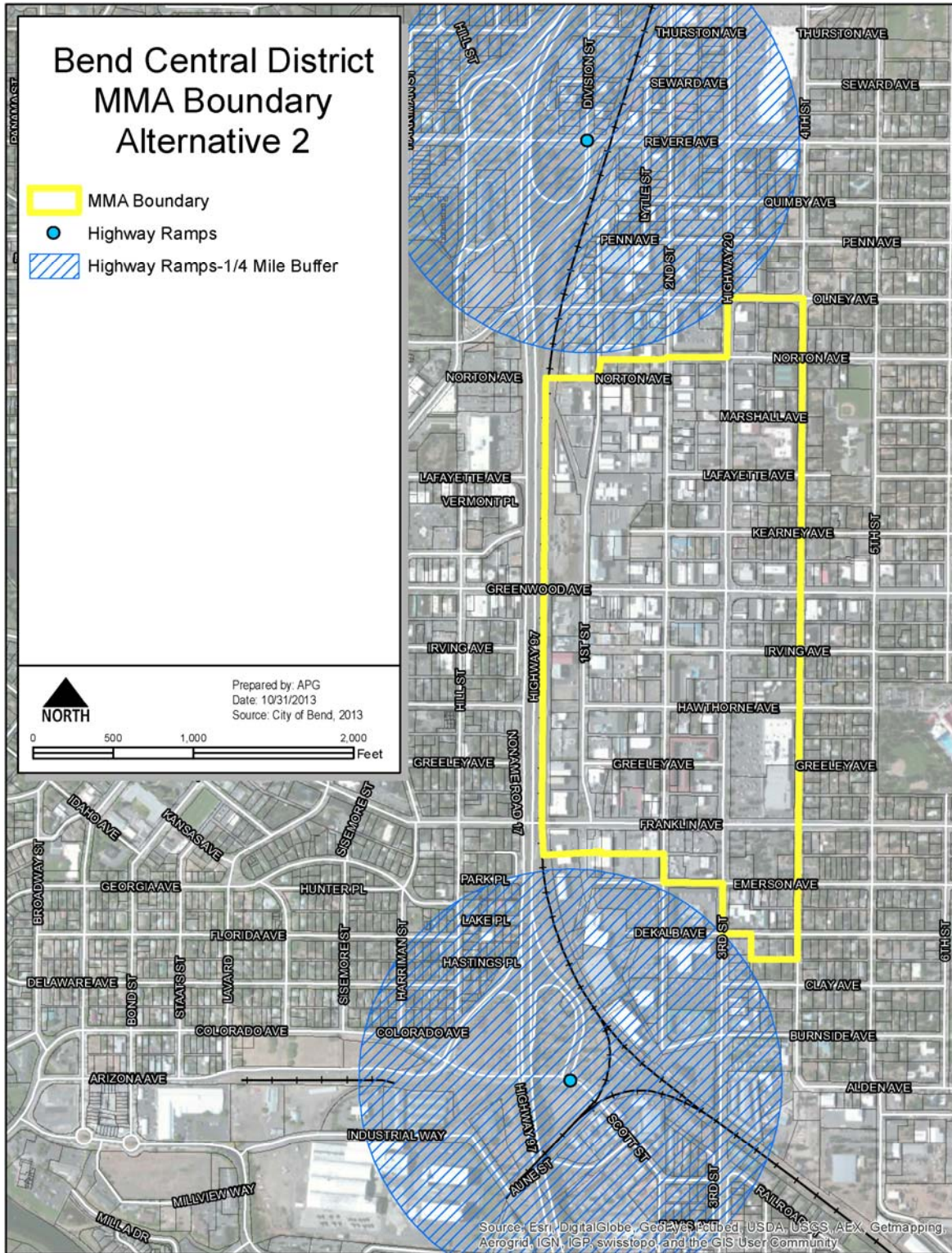
- Located within one-quarter mile of both Hwy 97 interchanges, requiring concurrence from ODOT
- Includes large portions of existing and functional industrial land
- May not be reasonable to expect high intensity development to occur over such a large area
- May result in larger number of non-conforming existing uses

MMA Boundary Alternative #2: Central Location

Description and map

This MMA boundary focuses on the 3rd Street Corridor between approximately Olney Avenue at the north end and Emerson or DeKalb Avenue at the south end, as shown on Figure 3. This ensures that the boundary is at least one-quarter mile from the terminus of ramps for nearby state highway interchanges (the Revere and Colorado Avenue interchanges with the Bend Parkway) and that the identified location for future mixed-use within the CBD is focused on a smaller geographic area.

Figure 3. MMA Boundary Alternative #2 – Central Location



Opportunities

- Supports goal of establishing 3rd Street as a vibrant mixed-use corridor
- Potentially allows for exceptions from mobility requirements along most of the length of 3rd Street (between approximately Olney and DeKalb Avenues)
- Does not require ODOT concurrence
- Focuses mixed uses development in a more concentrated area
- May result in fewer non-conforming uses and/or impacts to existing low intensity land uses in the northern and southern portions of the Central District

Constraints

- May limit land use or development goals in the study area due to the continued requirement that proposed land use amendments meet mobility requirements along the northern and southern sections of 3rd Street²
- May result in the need to plan for more significant transportation improvements to meet mobility requirements and accommodate future vehicular trips along the northern and southern sections of 3rd Street
- Potentially less effective in achieving the CAP goals for a vibrant mixed use area in the northern and southern portions of the BCD

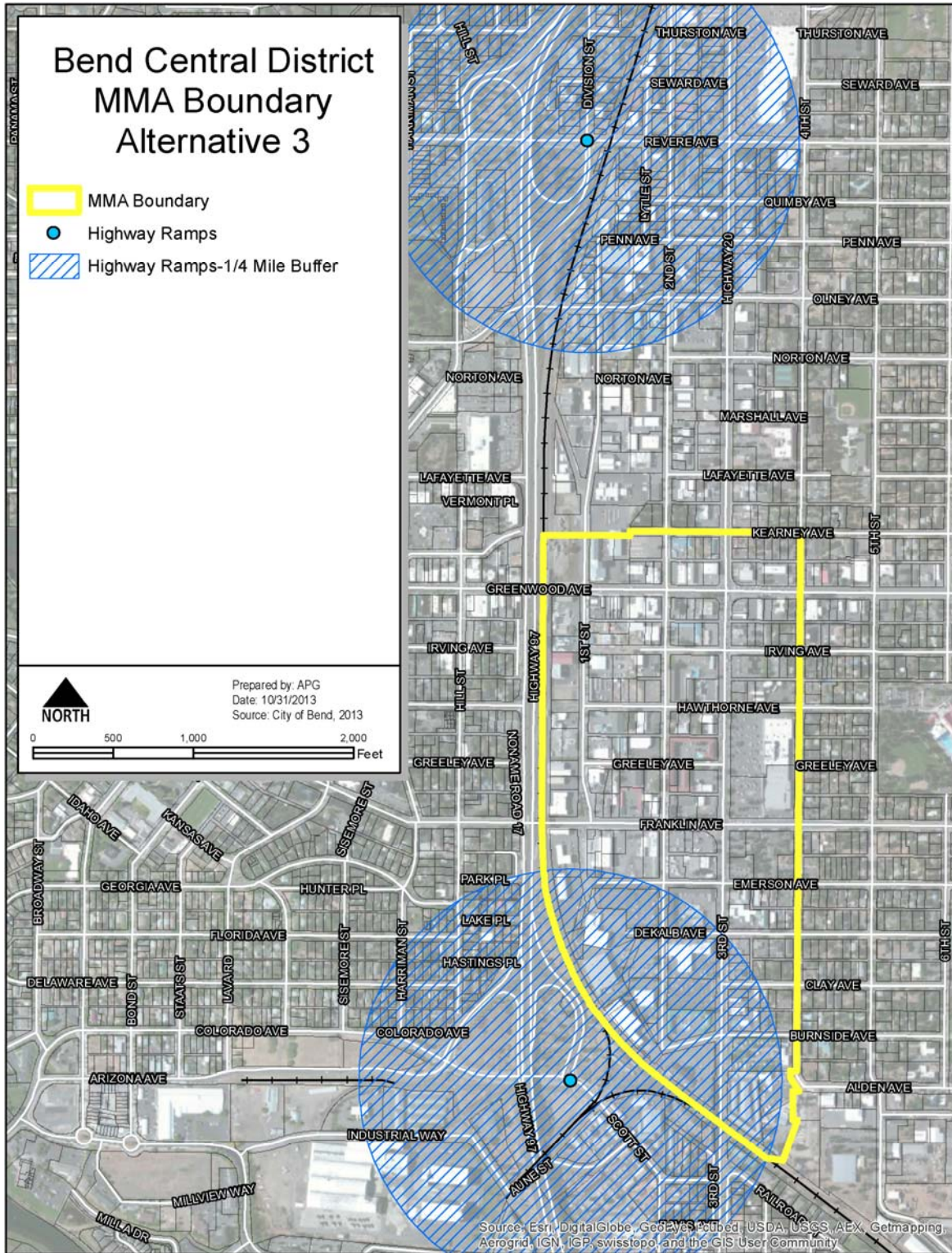
MMA Boundary Alternative #3: Southern Location

Description and map

This MMA boundary focuses on the southern portion of the study area, including the area south of approximately Kearney Avenue. This ensures that the boundary encompasses areas within the BCD with redevelopment potential, but that future MMA-associated growth is at least one-quarter mile from the terminus of the interchange ramp for the Revere Avenue interchange with the Bend Parkway. It includes areas within one-quarter mile of the Colorado Avenue interchange with the Parkway, but given the relatively disconnected nature of that interchange to the study area, that may be less problematic from a concurrence perspective. As an alternative, this boundary potentially could be modified to avoid the area within one-quarter mile of the Colorado interchange.

² The MMA only applies to land use actions subject to TPR requirements in OAR 660-012-0060, including comprehensive plan and zoning map amendments. Within an adopted MMA these land use decisions do not need to be tested for “significant effect” related to motor vehicle performance standards and traffic congestion.

Figure 4. MMA Boundary Alternative #3 – Southern Location



Opportunities

- Supports goal of establishing 3rd Street as a vibrant mixed-use corridor with a focus between the area north of Greenwood and the southern end of the study area
- Requires ODOT concurrence but only associated with one interchange area
- Focuses mixed uses development in a more concentrated area and in those areas with potentially the most redevelopment potential
- May result in fewer non-conforming uses and/or impacts to existing low intensity land uses in the northern and southern portions of the Central District; results in fewer impacts on light industrial users north of Kearney Avenue

Constraints

- Located within one-quarter mile of Colorado Avenue/Bend Parkway interchange, requiring concurrence from ODOT
- May limit land use or development goals in the study area due to the continued requirement that proposed land use amendments meet mobility requirements along the northern and southern sections of 3rd Street
- May result in the need to plan for more significant transportation improvements to meet mobility requirements and accommodate future vehicular trips along the northern and southern sections of 3rd Street
- May be less effective in maximizing development potential in the BCD or in achieving the goals of the CAP for the area as a whole (but may be more effective in a more concentrated area)

Preliminary Recommended Alternative

The next step in the Central District MMA project is to evaluate the impacts of applying a recommended MMA boundary within the BCD and particularly on evaluating the transportation impacts and needed improvements associated with application of an MMA boundary. This evaluation will entail looking at several different transportation improvement scenarios, including those studied in the CAP process. To allow for analysis of a manageable number of alternatives, a preferred MMA boundary needs to be selected at this time. Based on the review of opportunities and constraints associated with the three alternatives described in the previous section of the memo, the consultant team's preliminary preferred alternative is Alternative 3 (Southern Location Alternative). This alternative is recommended for the following reasons:

- Generally consistent with the goal of establishing 3rd Street as a vibrant mixed-use corridor and creating opportunities for a mix of commercial and residential uses between the Parkway and 4th Street, with a focus between the area just north of Greenwood and south of Franklin
- Requires ODOT concurrence but only associated with one interchange area, rather than two, and assumes that concurrence will be more easily achieved in the southern portion of the study area
- Focuses mixed uses development in a more concentrated area and in those areas with potentially the most redevelopment potential; expected to be more realistic from a market perspective

- Focuses mixed use and redevelopment in the areas most directly accessible to the Central Business District west of US 97 and potentially more accessible to the future Oregon State University Campus to be located southwest of the BCD
- May result in fewer non-conforming uses and/or impacts to existing low intensity land uses in the northern and southern portions of the Central District; results in fewer impacts on light industrial users north of Kearney Avenue

This recommendation will be reviewed with City and ODOT staff and other members of the Project Team and Technical Advisory Committee, as well as other community members at meetings with those groups. The recommendation may be refined based on the results of those meetings.

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