McCormick & Baxter

Site Reuse Assessment: Final Report

City of Portland
Bureau of Planning

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Executive Summary

A major public investment in the McCormick & Baxter Superfund Project in North Portland is nearing completion. The clean-up remedies are expected to be in place in 2003. Once safe for reuse, the site offers a rare opportunity to reclaim 50 acres of urban waterfront in the context of Portland’s River Renaissance.

Redevelopment of the site also presents many complex challenges:

- What is the future of the surrounding North Beach waterfront (between University of Portland and Cathedral Park), that was historically industrial and is now mostly vacant or in public use? This area is part of the finite land supply available for harbor industrial growth, but it is constrained by marginal truck access and infrastructure needs.
- How do we return this Superfund site to beneficial use after more than $20 million of public clean-up expense? The site is potentially a test case for what will become of the most challenging among the 40-70 properties in the harbor Superfund clean-up project now getting underway.
- How will the future use relate to the residential neighborhood at the top of the adjacent bluff? The potential for positive or negative impacts on these areas is high.
- What are the opportunities at this site to meet the expanding needs for riverfront habitat restoration, recreation, public access, and sustainable development?

This report relates the progress and recommendations of a reuse assessment project for the McCormick and Baxter site. The City of Portland Bureau of Planning coordinated the project under contract with the U.S. Environmental Protection Agency (EPA). The reuse assessment is one of ten pilot projects being implemented around the country to launch EPA’s Superfund Redevelopment Initiative.

About the Site

McCormick and Baxter Creosoting Company used the site as a wood-treatment facility for nearly 50 years and continues to own the property. The site has remained vacant since the company ceased operations in 1991. Wood-treatment operations resulted in contamination of soils, groundwater, and river sediments. In 1987, the Oregon Department of Environmental Quality (DEQ) entered into a Stipulative Order with the company requiring corrective actions. After further environmental investigation, EPA listed the property as a Superfund site in 1994. A multi-year clean-up project, led by DEQ under an agreement with EPA, is underway.
Figure 1. McCormick & Baxter Site and Vicinity
Panoramic view of McCormick and Baxter site.

The riverfront site, approximately 50 acres in size, is situated at the base of a steep bluff (see Figure 1). The immediate industrial area, which is zoned for heavy industrial use, is relatively isolated. It consists of two vacant properties: this one and a 34-acre parcel purchased by Triangle Park LLC in 1998 for future industrial development. Willamette Cove, a former industrial property directly north of the McCormick and Baxter site, was purchased by Metro in 1996 to be restored as a riverfront greenspace. Two railroads abut the McCormick and Baxter site: the (Burlington Northern Sante Fe) Railroad Bridge and a Union Pacific spur line along the base of the bluff. Access to the site is by Edgewater Street and Van Houten Place, two streets that ascend the bluff and serve the residential neighborhood.

Approach of the Project
The key elements of the approach were to (1) analyze the site’s redevelopment potential, (2) engage stakeholders and the interested public in learning about, proposing, and jointly considering what uses would best fit the site; and (3) develop reuse recommendations. Chapter 1 describes these elements further. All apparent reuse options were considered, regardless of existing zoning regulations.

A team of consultants and inter-bureau staff prepared a series of reports on environmental constraints, market feasibility, transportation needs, legal requirements, and other factors pertinent to the site’s future use. Their work was compiled in a companion document, the McCormick & Baxter Reuse Assessment Project: Background Report. Chapter 2 below summarizes this technical analysis.

The McCormick and Baxter Site Reuse Advisory Committee was organized to discuss and develop reuse recommendations for the site. The Committee represented a broad range of stakeholder interests, including the property owner, nearby landowners, community organizations, and the City of Portland. The Committee met eleven times between February 2000 and April 2001. It developed a working agreement in March 2000, which included an understanding that its reuse recommendations would be made by consensus. In the event that the Committee could not reach consensus, the agreement called for a Bureau of Planning recommendation that gives consideration to
the differing perspectives of Committee members. The Bureau of Planning also held informal open houses and other outreach activities for neighbors and interested citizens to learn about and participate in this process.

The Committee took the following steps to develop reuse recommendations:
- Understand the environmental, legal, infrastructure, and economic conditions that influence the site’s development potential.
- Incorporate each other’s concerns into a list of reuse criteria that would support consensus recommendations.
- Propose and discuss a range of reuse ideas and site plans.
- Select three to four reuse scenarios for public review and further study.
- Propose and discuss reuse recommendations that the entire Committee would support.
- Attempt to develop consensus recommendations.

**Reuse Obstacles and Opportunities**

- The private market is not likely to move the property into productive use in the near term. Development costs from contamination liability, property encumbrances, and infrastructure requirements substantially exceed market land values.
- Most uses would require access improvements estimated to cost in excess of $5 million.
- Reuse as a park could offer short-term economic advantages over other uses. For example, public acquisition through ‘friendly condemnation’ would establish a barrier to state and federal liability for past contamination.
- Access to the site is limited by distance from a collector street and truck route, steep grades, and railroad crossings. The local streets leading to the site, however, have adequate physical and operational capacity to accommodate modest traffic volumes, such as from industrial, residential, or multi-purpose recreation uses (generally less than 3,000 daily trips).
- Even lower traffic volumes (especially from trucks) would have significant negative impacts on the residential and campus environment along access streets.
- Higher intensity uses, such as a community shopping center or office complex, could generate tens of thousands of daily trips and potentially overwhelm the local street system.
Relative to other uses, a low-intensity park or open space would generate minimal traffic impact.

Superfund remedies were designed to adequately protect workplace and recreational uses. Residential use would require further investigation and possibly additional protective measures.

**Reuse Criteria and Scenarios Considered**

What would make some uses better than others on this site? The Committee incorporated their concerns on this subject into a list of reuse criteria. Individual Committee members did not necessarily support, nor give equal weight to, each criterion. However, the Committee as a whole recognized that, in order to have the support of the full range of stakeholders, any development would require a reasonable balance of these criteria.

- Minimize traffic impacts.
- Minimize nuisance impacts.
- Minimize conflicts with industrial neighbors.
- Ensure adequacy of infrastructure.
- Get return on public clean-up investment.
- Be compatible with clean-up remedies.
- Minimize pollution impacts.
- Protect, enhance and restore fish and wildlife habitat.
- Increase public access to the river and neighborhood connections.
- Foster aesthetic quality.
- Foster efficient use of land.
- Serve an identified market or community need.
- Be consistent with the Comprehensive Plan.
- Reserve land for river-dependent or river-related uses.

These criteria were used to evaluate alternative land use types, as described in Chapter 3. Park, athletic field, and open space uses, in general, were found to be more consistent with the criteria than other uses, although the impacts of specific development proposals would vary.

Committee members presented and discussed a variety of reuse ideas and conceptual site plans (see Appendix 3). The Committee selected four reuse scenarios for further study and review at public open houses: an open space demonstration site, recreational...
use, industrial use, and mixed use (residential, commercial, and university facilities). Project consultants prepared market feasibility and traffic analysis reports for these four scenarios, which are included in Chapter 4.

The Committee was clearly divided on the acceptability of some uses. For example, while residential development may be economically viable in the short run, it would pose potential conflicts with future industrial use on the adjacent Triangle Park LLC site, and some stakeholders would not support a recommendation for residential use of the property. Also, while the City’s zoning and comprehensive plan support heavy industrial use, much of the Committee objected to industrial use, citing truck traffic, pollution, and nuisance concerns.

Portland Parks and Recreation’s 2020 Vision Plan Discussion Draft (February 2001) identifies the McCormick & Baxter property as a potential site for a river park and sports fields. A growing community need exists for active and passive recreational areas. The site could be an important addition to Portland’s park system. The riverfront setting, adjacent open spaces, intersecting trails, size, level terrain, and location between the St. Johns Town Center and University of Portland are well suited for use as recreational open space. A McCormick and Baxter park, located next to Willamette Cove and Waud Bluff and near Cathedral Park, would give North Portland neighborhoods an expansive riverfront amenity, comparable to the Oaks Bottom and Sellwood Park area in Southeast Portland. In a 1998 community survey for the North Beach Vision and Action Plan, 88% of the 354 respondents favored ‘recreation’ as the most appropriate use for the North Beach riverfront.

**Reuse Recommendations**

In July 2000, the Committee reached general agreement to recommend use of the site as managed open space, such as a park or natural area, but in the following months was unable to resolve whether to recommend this as a permanent or interim use. The property owner representative proposed a long-term lease of the site as an active park, to be reconsidered when other redevelopment options become feasible. Some Committee members supported this proposal, while others recommended securing permanent use of the site as a public park or other managed open space. Given this unresolved issue, the Committee’s working agreement called for reuse recommendations by the Bureau of Planning. The decision-making process is described in Chapter 5.

As an inter-bureau representative of the City of Portland, the Bureau of Planning makes the following recommendations to the various parties that will have influence on the future use of the site. These parties include the property owner, DEQ, EPA, Portland City Council, and others.

1. Develop the site as a permanent park to include a variety of active and passive recreation uses. Rehabilitate the riverfront as a riparian buffer, generally 100-300 feet wide, to enhance natural-resource values while accommodating opportunities for environmental education, including an interpretive trail, viewpoints, and limited access to the river. Consider developing up to one third of the site for complementary non-recreational uses that are consistent with the Advisory Committee’s reuse criteria.
2. The City of Portland should prepare a feasibility study to evaluate the costs and benefits of acquiring and developing the site as a park. Cost analysis should include predevelopment site management, access and infrastructure improvements, development and maintenance costs, and riparian habitat restoration. The study should include a funding strategy to develop the site, acquisition steps, and a preliminary phasing plan for development.

3. If the study finds that the site can be feasibly acquired and developed as a city park and possibly other complementary uses—and subject to approval by Portland Parks and Recreation (PP&R), City Council, the property owner, and lienholders—the site should be transferred to the City of Portland for use as a park. The acquisition agreement should provide a barrier from liability for existing site contaminants. It is PP&R’s position that public use be allowed only after the site is developed as a park. The site is not considered to be a park simply by acquiring the property; rather, the site needs to be developed according to an approved master plan.

4. DEQ and EPA should forego monetary reimbursement by the City of Portland for investigation and clean-up costs, because of the site’s severe development constraints and the resulting public benefits of park use. Support opportunities to fund natural resource enhancements on the site as mitigation for environmental damages under the harbor Superfund project.

5. The Division of State Lands should forego monetary reimbursement for river encroachment by historic fill below the 1859 waterline, because of this site’s contamination-related constraints to removing that fill and the public benefits of park use.

6. To the extent feasible, DEQ and EPA should incorporate eventual bank contouring, landscaping, stormwater management, and habitat restoration into the design and materials of the soil and sediment caps, in order to reduce public site costs and disruption of the caps once in place. (See the advisory letters from the Portland ESA Program (5/22/01) and U.S. Fish and Wildlife Service (8/28/00)).

   ▪ Bank treatment should accommodate habitat functions and stormwater infiltration, in addition to isolating contaminants and stabilizing the cap. Treatment options that provide habitat benefits include configuring natural “roughness” or coves in the bank-line, laying back the bank, terracing above and below the waterline, and reintroducing a diversity of native vegetation including large hardwood species.

   ▪ Implement a stormwater management plan during cap installation to prevent runoff from causing erosion or exposing contaminants.

   ▪ Plant and maintain native vegetation over the riparian and upland portions of the site to stabilize the cap, enhance habitat functions, and allow for development of park uses.

   ▪ To the extent feasible, use soil mixes that would support revegetation, riparian tree cover, and upland athletic fields and structures.

7. After completion of Superfund remedies, the site should be managed to provide for security, safety, and general maintenance.