



**TUALATIN CITY COUNCIL
AND
TUALATIN DEVELOPMENT COMMISSION**
Monday, July 12, 2010

City Council Chambers
18880 SW Martinazzi Avenue, Tualatin, Oregon

WORK SESSION begins at 4:00 p.m.

REGULAR MEETING begins at 7:00 p.m.

Mayor Lou Ogden

**Council President Chris Barhyte
Councilor Monique Beikman
Councilor Joelle Davis**

**Councilor Jay Harris
Councilor Donna Maddux
Councilor Ed Truax**

WELCOME! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for citizen comments on its agenda – Item C, following Presentations, at which time citizens may address the Council concerning any item not on the agenda, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the world wide web at www.ci.tualatin.or.us, at the Library located at 18878 SW Martinazzi Avenue, and are also on file in the Office of the City Manager for public inspection. Any person who has any question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised “live” on the day of the meeting on Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org.

Your City government welcomes your interest and hopes you will attend the City of Tualatin City Council meetings often.

- SEE ATTACHED AGENDA -

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A “legislative” public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. The Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. The Council then asks questions of staff, the applicant or any member of the public who testified.
5. When the Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either approve, deny, or “continue” the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A “quasi-judicial” public hearing is typically held for annexations, planning district changes, variances, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. The Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report to the Council.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. The Council then asks questions of staff, the applicant or any member of the public who testified.
5. When the Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either approve, approve with conditions or deny the application, or “continue” the public hearing.

TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

Executive session is a portion of the Council meeting that is closed to the public to allow the Council to discuss certain confidential matters. No decisions are made in Executive Session. The City Council must return to the public session before taking final action.

The City Council may go into Executive Session under the following statutory provisions to consider or discuss: *ORS 192.660(2)(a)* the employment of personnel; *ORS 192.660(2)(b)* the dismissal or discipline of personnel; *ORS 192.660(2)(d)* labor relations; *ORS 192.660(2)(e)* real property transactions; *ORS 192.660(2)(f)* non-public information or records; *ORS 192.660(2)(g)* matters of commerce in which the Council is in competition with other governing bodies; *ORS 192.660(2)(h)* current and pending litigation issues; *ORS 192.660(2)(i)* employee performance; *ORS 192.660(2)(j)* investments; or *ORS 192.660(2)(m)* security issues. **All discussions within this session are confidential.** Therefore, nothing from this meeting may be disclosed by those present. News media representatives are allowed to attend this session (unless it involves labor relations), but shall not disclose any information discussed during this session.



A. CALL TO ORDER

Pledge of Allegiance

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Page No.

1. Youth Advisory Council Update.....
2. Commuter Rail and High Speed Rail Updates
3. New Employee Introductions - Vivien Lorelied & Heidi Marx, Community Services
4. Proclamation Declaring the Month of July 2010 National Recreation and Parks Month
5. Announcement Regarding the City's New E-Mail Subscription Program

C. CITIZEN COMMENTS

This section of the agenda allows citizens to address the Commission regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

D. CONSENT AGENDA (Item Nos. 1 – 8)

Page No.

The Consent Agenda will be enacted with one vote. The Mayor will first ask the staff, the public and Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under "Items Removed from the Consent Agenda." The entire Consent Agenda, with the exception of items removed to be discussed under "Items Removed from the Consent Agenda," is then voted upon by roll call under one motion.

1. Approval of the Minutes of the Work Session and Meetings of June 14, 2010
2. Resolution No. **4988-10** Ratifying a Collective Bargaining Agreement between the
City of Tualatin and the Tualatin Police Officers Association and
Authorizing the City Manager to Execute the Agreement
3. Resolution No. **4989-10** Ratifying a Collective Bargaining Agreement between the
City of Tualatin and the Tualatin Employees Association and
Authorizing the City Manager to Execute the Agreement
4. Resolution No. **4990-10** Authorizing Non-Represented Employee Personnel Services
Updates for Fiscal Year 2010-11
5. Resolution No. **4991-10** Allowing the Mayor to Sign a Quit Claim of a Public Sanitary
Sewer Easement over Private Property that is No Longer Needed
6. Resolution No. **4992-10** Approving the Public Improvements for the Lower Tualatin.....
Pump Station
7. Resolution No. **4993-10** Authorizing a Memorandum of Understanding Between the
Cities of Tualatin and Wilsonville for Concept Planning the Urban
Growth Boundary Expansion Area (Basalt Creek/West Railroad
Planning Area)

D. CONSENT AGENDA (Item Nos. 1 – 8) [continued from previous page]**Page No.**

8. Resolution No. **4994-10** Adopting Fee Schedule for the Trestle Shelter.....

E. PUBLIC HEARINGS – Legislative or Other**Page No.**

None

F. PUBLIC HEARINGS – Quasi-Judicial (Item Nos. 1 – 2)

1. Public Hearing to Consider an Ordinance Changing the Planning District Designation
From Low-Density Residential (RL) to Medical Center (MC) of Parcels of Land Located
on SW Borland Road (21E 19C 1700 & 2000) and .25 Acres of Abutting Right-Of-Way;
Amending the Community Plan Map 9-1 (PMA-09-03)
[CONTINUED to September 13, 2010]
2. Public Hearing to Consider a Resolution Granting a Conditional Use Permit to Allow
Outdoor “Doggie Day Care” (Pet Day Care) in the General Commercial (CG) Planning
District at 17620 SW 63rd Avenue (Tax Map 21E 18 BC, Tax Lot 1400) (CUP-10-01)

Resolution No **4995-10** Granting a Conditional Use Permit to Allow Outdoor “Doggie
Day Care” (Pet Day Care) in the General Commercial (CG)
Planning District at 17620 SW 63rd Avenue (Tax Map 21E 18 BC,
Tax Lot 1400) (CUP-10-01)

G. GENERAL BUSINESS (Item Nos. 1 – 2)**Page No.**

1. Resolution No. ----- Approving a Development Agreement Between the City of.....
Tualatin and Legacy Health Systems
[CONTINUED to September 13, 2010]

- D.** Ordinance No. **1306-10** Increasing Parking Violation Fines in the Core Area Parking.....
District; Amending TMC 8-1-360

H. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

D. COMMUNICATIONS FROM COUNCILORS**J. EXECUTIVE SESSION****K. ADJOURNMENT**

Council Update June 12, 2010

TUALATIN YOUTH ADVISORY COUNCIL

Congratulations New YAC Co-Chairs!



- Co-Chairs: Sam Ford, Maddie Willon & Megan Schucht

New YAC Executive Board



- Records Coordinator: Valerie Tsai
- Finance Coordinator: Erich Helmreich
- Communications Coordinator: Malory Turner
- Community Relations Coordinator: Mackenzie Humble

Teen Extravaganza

- Cooperative program between YAC, Teen Program, and Library Teen Program
- Over 100 teens attended
- Played games, ate pizza, won prizes!



Movies on the Commons

- This Summer's movies are:
 - July 3 Astro Boy
 - July 10 The Spy Next Door
 - July 17 Shark Tale
 - July 24 Monsters vs. Aliens
 - July 31 Where the Wild Things Are
 - August 7 Cloudy With a Chance of Meatballs
 - August 14 The Goonies
 - August 21 Up



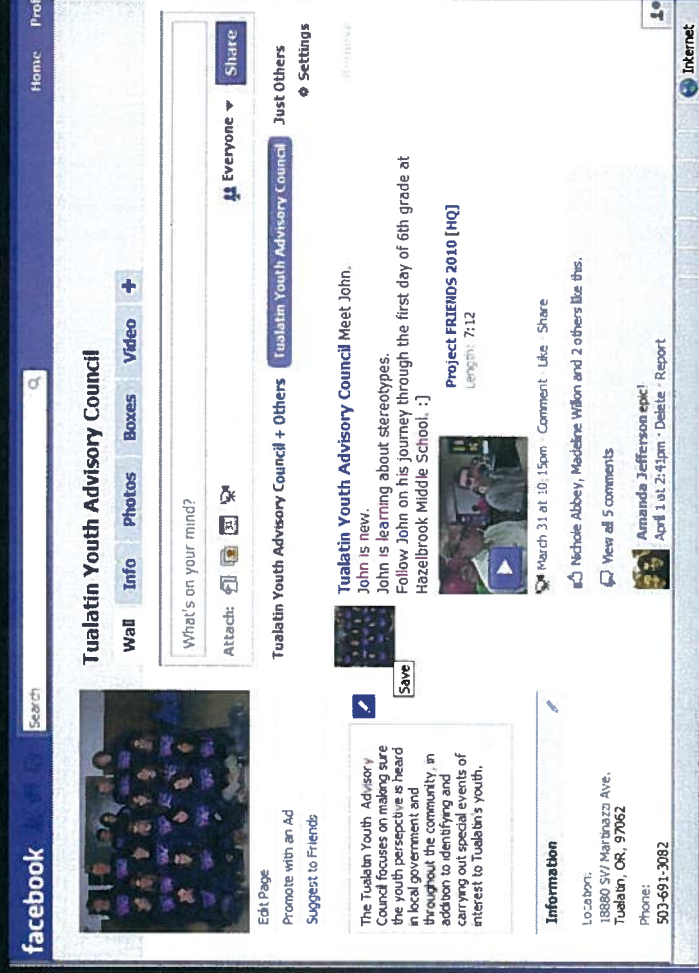
Coming soon....TualaFest!

- Teen Battle of the Bands
- Friday, August 13th
- Tualatin Community Park
- 6-9pm



Other YAC activities

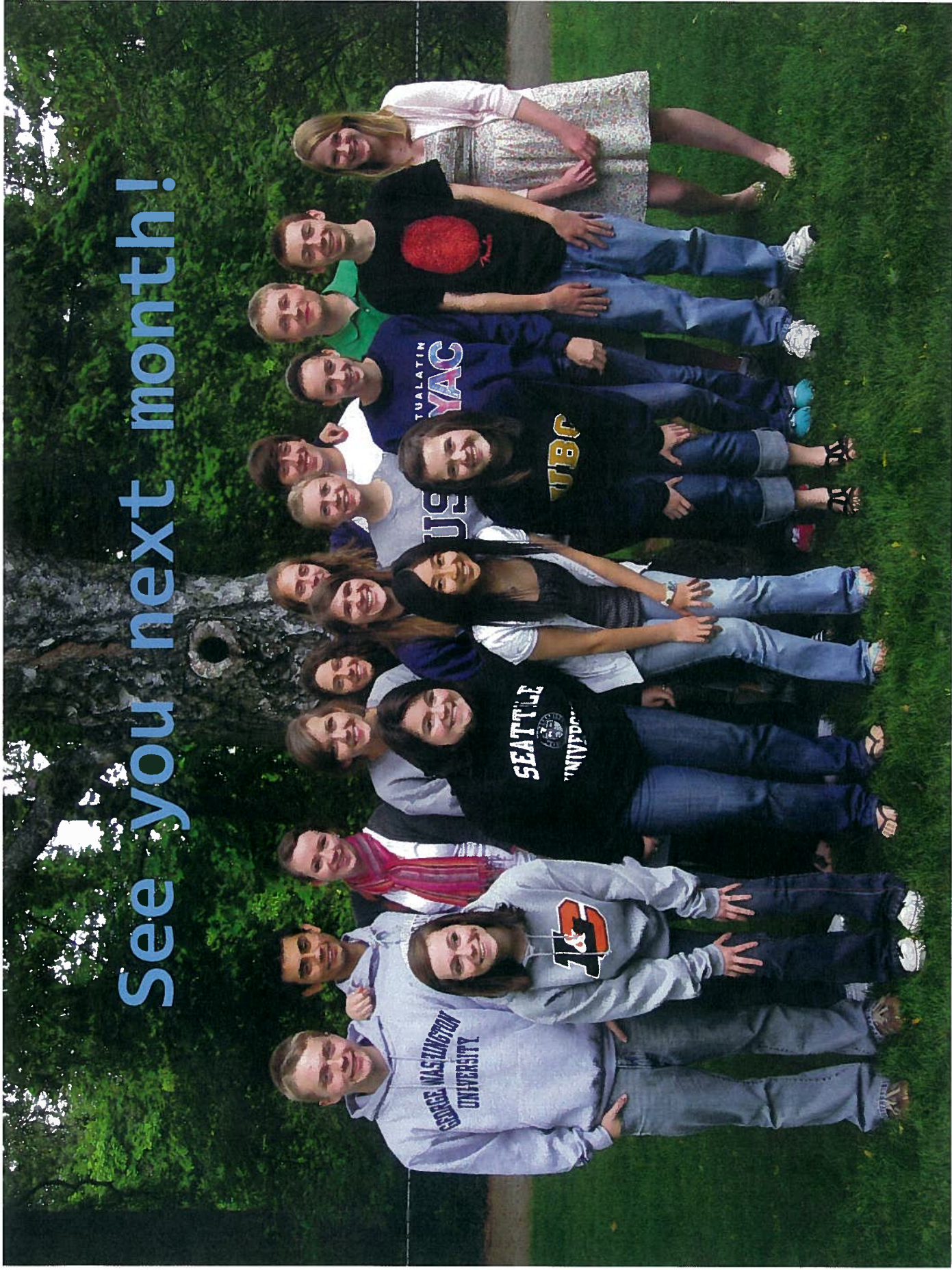
- Listened to guest speakers from Protect Tualatin's Parks at June 24th meeting
- New member recruitment ends July 8!
- Become a fan of the YAC on Facebook!



Congratulations YAC Grads!



See you next month!





CITY COUNCIL SIGN-UP SHEET

DATE: July 12, 2010

PLEASE COMPLETE TO GIVE TESTIMONY

LIMIT TESTIMONY TO THREE MINUTES

1 of 2

(PLEASE PRINT CLEARLY)		Name	Address	E-mail	Representing	Agenda Item(s) or Citizen Comments
1.		Todd Allison	5353 SW Jordan ST	Todd - Allison@IOEXX.com		Dev Agreement + Zone changes
2.		Linda Webster	5200 SW Joshua	webster@teleport.com		<u>all</u>
3.		Cheri Benson	5915 SW Seguin	clbenson@bpa.gov		Citizen Comments Zone
4.		Phil Chizum	19450 SW 56th Ct	pchizum@aol.com		Citizen comment
5.		Renee Balsiger	5885 SW Wichita ST.	reneebalsiger@ meyer.com		Citizen comment
6.		Terry Westman	5719 SW JOSHUA			.
7.		Nancy GRIMES	19710 SW 56th CT			Dev Agre ment change
8.		Harold BRAZIER	5944 SW Joshua ST	Kbrazier@comcast.net		DEVELOPMENT AGREEMENT



CITY COUNCIL SIGN-UP SHEET

DATE: July 12, 2010

2 of 3

PLEASE COMPLETE TO GIVE TESTIMONY

LIMIT TESTIMONY TO THREE MINUTES

	(PLEASE PRINT CLEARLY) Name	Address	E-mail	Representing	Agenda Item(s) or Citizen Comments
1.	GREG SHERBY	5731 SW Calusa Loop	Shobys5D Verizon.net	Self	Hospital
2.	Kristi Allen	5408 SW Wetzel St	Kristi.allen@ comcast.net	Self	Hospital
3.	Barbara Frank	19185 SW 52nd Ct 19260 SW 56th Ave	5 from 2009 a href="mailto:barbfrank@hospital.com">barbfrank@hospital.com	Self	Hospital
4.	Barry Dayton	19755 SW TARA PL.	bbdaveburnette@ cs.com	Self	Hospital
5.	DAVE BURNETTE	10225 SW Cuscuta Turnpike, OK 97062		Self	Doc TAYLOR
6.	Phil Beards				
7.					
8.					



CITY COUNCIL SIGN-UP SHEET

DATE: July 12, 2010

PLEASE COMPLETE TO GIVE TESTIMONY

LIMIT TESTIMONY TO THREE MINUTES

	(PLEASE PRINT CLEARLY) Name	Address	E-mail	Representing	Agenda Item(s) or Citizen Comments
1.	Joseph Schaefer	1211 SW 5 TH Ave Ste 1900 Portland OR 97204	j.schaefer@schwabe.com	Oswego Investors (Applicant)	F2
2.	Cathy Holland	10740 SW Lucas Dr			Zoning Changes for Fox Hill
3.	Aaron Deerr	5734 SW Calusa LP	backdeerr@gmail.com	Fox Hill Citizens	Zoning Changes for Fox Hill
4.	Jim Zupancic	5916 Nuperg Ln.	jim@zugroup.com	Stafford Hills Club	CMPT
5.					
6.					
7.					
8.					

Proclamation

Proclamation Declaring the Month of July 2010 as National Recreation and Parks Month

WHEREAS parks and recreation programs provide essential benefits to the Tualatin community by creating opportunities for positive social interaction, facilitating lifelong learning, encouraging a healthy lifestyle, teaching life skills, building family unity, increasing community involvement, promoting cultural diversity and providing places for enjoyment; and

WHEREAS everyone can enjoy parks and recreation programs regardless of age, race, color, religion, gender, national origin; and

WHEREAS parks and natural areas provide places for people to experience nature in the city and also provide vital environmental benefits by contributing to air, water, and soil quality and preserving fish and wildlife habitat; and

WHEREAS parks and recreation contribute valuable economic benefits by enhancing the desirability of Tualatin as a location for residential housing, business and industry and also thereby increasing property values; and

WHEREAS thousands of Tualatin residents participate in organized recreation, cultural, and Senior programs, use park picnic shelters, sports fields and community centers; and

WHEREAS the "July is National Recreation and Parks Month" campaign supports and promotes good mental, physical, and community health through the encouragement of park and recreation activities; and

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that:

Section 1. All citizens are urged to celebrate the importance of our community's parks and Recreation facilities and to learn more about how to support the places and programs that provide our community with so many benefits.

Section 2. The citizens of the City of Tualatin support the National Recreation and Park Association in their recognition of the value of recreation and parks by proclaiming the month of July as Recreation and Parks Month.

INTRODUCED AND ADOPTED this 12th day of July, 2010.

CITY OF TUALATIN, OREGON

BY 
Mayor

ATTEST:

BY 
City Recorder



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL
Date 7-12-10
Recording Secretary MSM

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager

DATE: July 12, 2010

SUBJECT: APPROVAL OF THE MINUTES FOR THE WORK SESSION
AND MEETING OF JUNE 14, 2010

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes of the Work Session and Meeting of June 14, 2010.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

FINANCIAL IMPLICATIONS:

There are no financial impacts associated with this item.

Attachments: A. Minutes



City of Tualatin

www.ci.tualatin.or.us

APPROVED BY TUALATIN CITY COUNCIL

Date 7-12-10

Recording Secretary U. Smith

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF JUNE 14, 2010

PRESENT: Mayor Lou Ogden, Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Kent Barker, Chief of Police; Dan Boss, Operations Director; Paul Hennon, Community Services Director; Will Harper, Associate Planner; Abigail Elder, Library Manager; Carl Switzer, Parks & Recreation Coordinator; Eric Underwood, Development Coordinator; Clay Reynolds, Maintenance Services Supervisor; Carina Christensen, Assistant to the City Manager; Ginny Kirby, Recording Secretary

ABSENT: * Councilor Jay Harris [* denotes excused]

*[Unless otherwise noted, **MOTION CARRIED** indicates all in favor.]*

A. CALL TO ORDER

Mayor Ogden called the Work Session to order at 4:01 p.m. and immediately went into executive session pursuant to ORS 192.660(2)(d) to discuss labor relations.

Council continued with the regular portion of the Work Session at 4:29 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Park Measure

City Manager Lombos began by noting that TPARK met on May 11 and June 8. During the May 11 meeting, TPARK discussed the proposed charter amendment and a list of questions that had been asked of the amendment committee. During the June 8 meeting, TPARK had further discussion regarding responses to the questions that had been asked of the committee. If Council decides to refer a measure, there are five or six areas that need to have clarification of language. City Manager Lombos said that several major definitions may need some modification. Staff is looking to Council for a decision tonight on whether to go forward and clarify language. If the decision is to move forward, then key language will be clarified/modified and will be brought back at the July 12 meeting.

Councilor Maddux stated that her position had not changed; the City should not get involved in this process. It is a citizen-based process, the citizens should go forth with their own process. Councilor Truax agreed; he feels it is bad public policy. It gives the impression that the City has been a poor steward of public parks.

Councilor Barhyte said he is in favor of crafting better language; he feels it will most likely pass and feels it could have language that will be problematic. If the City works with the group and gets clarified language in, this could help assist in getting a measure the City "likes". Mayor Ogden commented on Councilor Harris' views on this issue; his

concern is what outcomes would those not in favor like to see. Discussion continued with Community Services Director Paul Hennon and what may or may not be allowed if this amendment were to pass. He said that some of the group thought "issues" could possibly be dealt with at the back end vs. assisting with the crafting of the language.

Mayor Ogden didn't think this is in the best interest of the community. Councilor Maddux asked why we would put out something like this when some Councilors would actively campaign against it. Councilor Barhyte felt it is bad policy to not amend this; he believes it will pass. Brief discussion followed and it was decided not to work on language for a City-referred amendment at this time. Councilor Truax reiterated that the "short" timeline isn't the only timeline; that is for the November ballot; it could wait and go May 2011.

Citizen Involvement

Mayor Ogden reminded everyone that this subject has been discussed on various occasions throughout the past few years. The City has a formalized process; TPAC and other advisory committees address issues as they arise. The City is now involved with Facebook, Twitter, etc. The citizen involvement issue has now been brainstormed and researched as to what other cities are doing. Mayor Ogden stated he is interested in finding out from Council if they feel there are ways in which the City could improve the established way to communicate with neighborhoods.

Councilor Beikman feels there is an interest; but doesn't agree with forming ad hoc committees as there are processes already in place. Enough committees currently in place to gain feedback (Tualatin Tomorrow, TPAC, etc). Councilor Davis noted that there should be a method to solicit ideas from citizens who don't currently serve on a City committee to voice their opinions, such as an open house or a specific time at a City Council meeting. Councilor Maddux agreed with Councilor Beikman; we don't need to create a new committee. However, the way staff and committees currently work may need to be modified. There needs to be a mechanism for early citizen involvement on projects/issues. Mayor Ogden said he realizes how it feels from the Council's point of view; they see issues from early on, but at times the citizens do not feel they hear as early as they would wish. Council doesn't always see how things look from the citizen side.

Councilor Truax didn't want to get lost in the semantics of what we call the group. He feels we have spent so much time and money on Tualatin Tomorrow and feels we could use that structure and build upon it. He suggested we have a staff person involved and get people from every neighborhood. Possibly the Governance portion of the Tualatin Tomorrow group could deal with this issue of citizen involvement. Mayor Ogden expressed concern about the Governance section of Tualatin Tomorrow; it is only a couple of people and that couldn't transcend into a working group. He reiterated that his thought was that you still go out and recruit from all established homeowner's groups, neighborhood associations, etc.

Councilor Barhyte had concerns about forming an ad hoc committee to deal with citizen involvement. He thought that possibly citizen involvement could be pulled back out of TPAC and have a committee that looks at citizen involvement.

It was then discussed if a working group were to be established and with the 10 goals listed, in six months they have to come up with solutions for those goals and that could be nearly impossible within that time frame. Councilor Maddux expressed her concern that we are going down the same path we've been on before. We need to stop and do a bit more empowerment of the citizens to find solutions and bring them to Council.

After further brief discussion, Council agreed they do want a working group. Councilor Truax asked what exactly the working group would do. Councilor Beikman thought the working group needs to look to other cities to see what models exist and would work; don't reinvent the wheel. Councilor Davis felt there are citizens that have experience with citizen involvement working groups and would want to be involved. Councilor Beikman feels that we need to figure out a way to overcome the potential apathetic attitude of citizens when an issue doesn't directly affect their neighborhood. Councilor Maddux said we need to make sure those who wish to be involved and informed are involved and informed. Discussion followed.

Councilors Barhyte, Truax, and Maddux volunteered to serve on the committee/working group; Councilor Davis agreed to be an alternate. Brief discussion followed on how to get citizens to serve on the committee.

Kathy Newcomb, SW Cheyenne Way, Tualatin, asked if the committee membership could be set up to represent geographic locations of the City. Ms. Newcomb asked if we are supposed to stick with existing ordinance (how neighborhood associations are formed). Mayor Ogden said for this working group, we would start with a clean slate, not following the current neighborhood association process. He said to begin with, a working group would be formed and potentially a standing committee may be established. Councilor Truax thought it could be advertised as the City does for other committees. We could solicit applications and then map out where they are in the City and recruit if needed from locations not represented after a review of locations; Councilor Maddux concurred. Mayor Ogden suggested that the solicitation message for the working group could be worked on by staff and then brought back to Council at the next meeting. The "word" can start to get out to the public that Council will be bringing this to the citizens.

[A 10 minute BREAK was taken at 5:36 p.m.]

Tualatin Planning Advisory Committee (TPAC) Discussion on a Transportation Committee

Community Development Director Doug Rux stated that he and Mike Riley, TPAC representative, are here at Council's request. Two meetings have been held regarding formation of a transportation committee. Mr. Riley said most of the discussion at the two meetings had been about how TPAC did not want to give up TSP. After lengthy discussion during the two meetings, it was recommended that TPAC would serve as a technical (not engineering) advisor. Also discussed was TPAC's historical role as outreach in the City. It was recognized that there is a mechanism to disseminate the information. It was realized that they haven't done general citizen outreach; they didn't feel it was their charge. He said the new working group could help with feedback from citizenry and feedback on how they are doing. They also had discussed how to have an emphasis on publicity. TPAC understands this is a large undertaking. They would look to other stakeholders, such as Tigard-Tualatin School District, TVF&R, etc.; those people have a role to play in most projects and need to be involved early on.

Councilor Davis asked how TPAC intended to identify additional members; Mr. Riley said that had not specifically been decided. Community Development Director Rux noted that some of the discussion had centered on how they would get more people to serve, that potentially they could draw upon people serving on existing committees. Mr. Riley commented that one of the big things they want to do differently is include those stakeholders. Councilor Truax said he felt the "average neighborhood citizen" needs to be involved from the beginning; it won't work if they are dropped into the process midway. We have to go into this being very conscious about what it takes to get through this process. You don't want to establish a transportation committee that is doubling up on existing work being done by others.

City Manager Lombos commented that the Council is, ultimately, the steering committee for this process. Mayor Ogden wanted to know how we can involve enough people with a high concern for the entire process; not just at the very beginning or at the very end. There needs to be specific "touch back" points along the way, not just at the end. Discussion followed.

Councilor Barhyte suggested that not every member would need to be at each and every meeting; but you need to make sure the appropriate members are in attendance. Councilor Maddux reiterated that TPAC would be the "core" that handles the TSP through a transportation/technical committee. That information would then get to the citizen involvement committee to disseminate to the public, then gather opinions/ideas and bring that information back to TPAC. Mayor Ogden asked how TPAC would constitute that group; it was noted that TPAC will discuss and come back to Council with that information. Community Development Director Rux stated that there would be a presentation for Council on August 9.

Storm Water Management (SWM) Audit

City Engineer Mike McKillip gave a PowerPoint presentation that covered the SWM history, status, rule changes, etc. He stated there are a few issues that have come up; staff is looking for concurrence from Council. We have gone through our billing system for SWM fees (monthly fee) and updated all impervious surface accounts (non residential). The City has not taken a comprehensive look at the SWM information in the utility data base since this program was started in 1990. At that time, a number of people came back and disputed the areas the City had calculated; the City would review on a case-by-case basis and correct if necessary. Since that time, people have not been coming in with disputes. This was chosen as the time to make reviews because the Engineering and Building Department is updating storm drain data so that the Storm Water Master Plan can be updated; water quality is an important piece of the Master Plan. Also, the City is now setting its own rates on the local portion of the monthly SWM fee, and Clean Water Services (CWS) is currently reviewing the SWM program (rates, methodology, etc.).

Over the years, CWS made changes to the rules. This is the first time the City has revisited the data base to implement the changes. There are approximately 700 accounts with impervious surface. Categories were established: \$0-\$2.99 change/month, \$3-\$99.99/month increase, Over \$100/month increase, and \$3-over \$100/month decrease.

City Engineer recommendation \$0-\$2.99 change/month:

- Leave everything in the past alone,
- Notify the customers of the changes by letter, and
- Change account information for the next bill.

City Engineer recommendation \$3-\$99.99/month increase is to leave everything in the past alone and set a new start date for the changes to take effect:

- Send a letter to each customers explaining the audit,
- Explain current billing amount and the new billing amount,
- Let them know changes will take effect in 60 days, and
- Work with customers to phase-in increases if they request it.

City Engineer recommendation Over \$100/month increase is to leave everything in the past alone and set a new start date for the changes to take effect:

- Make personal contact with the customers explaining the audit and findings for their property,
- Explain the current billing amount and the new billing amount,
- Work with the customers to phase-in increases if they request it, and
- Set a date 6 months in the future for increases to be complete.

City Engineer recommendation \$3-over \$100 month decrease is to leave everything in the past alone and set a new start date for the changes to take effect:

- Send a letter to each customer explaining audit,
- Explain the current billing amount and the new billing amount, and
- Tell them changes will take effect on the next billing.

City Engineer McKillip stated we have instituted a process wherein new water quality permit applications are submitted and these will provide impervious surface area information that can be used.

The next steps in the process are:

- Get Council endorsement of methods for notifying customers of changes and handling credits/refunds/back bills,
- Send notices to affected customers,
- Establish an internal process to handle customer questions,
- Train staff that would be receiving phone calls about the billing changes,
- Continue system audits:
 - SWM – single family residential properties for ESU and billing accuracy
 - Road UtilityFee – for building square footage and ITE code accuracy
 - Water – for meter sizes and fire service line sizes

Council / Commission Meeting Agenda Review, Communications & Roundtable

Councilor Truax asked about one of the ordinances and its reference to property downtown; do the rules going away change how the real estate is zoned or affected. Community Development Director Rux said urban renewal projects are still in existence; when projects are completed there will have to be some discussion.

City Manager Lombos noted that D.10 had been added to the Consent Agenda and D.9 had been moved from Public Hearings to the Consent Agenda.

D. CITIZEN COMMENTS

None.

E. PUBLIC HEARINGS - Legislative or Other

Not applicable.

F. PUBLIC HEARINGS - Quasi-Judicial
Not applicable.

G. GENERAL BUSINESS

2. Ordinance No. 1303-10 Adopting the 2010 Edition of the Oregon Structural Specialty Code, the 2010 Oregon Mechanical Specialty Code, the 2010 Oregon Fire Code, and the 2010 Oregon Manufactured Dwelling Installation Specialty Code

MOTION by Councilor Maddux, SECONDED by Councilor Barhyte for a first reading by title only. MOTION by Councilor Maddux, SECONDED by Councilor Beikman for a second reading by title only. MOTION CARRIED. The poll was unanimous (Harris absent). MOTION by Councilor Maddux, SECONDED by Councilor Beikman to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

3. Ordinance No. 1304-10 Increasing Land Use Public Notification Requirements; And Amending Tualatin Development Code (TDC) 1.031, 31.063, 31.067, 31.071, 31.072, 31.074, 31.076, 31.077, 32.060, 33.010, 33.024, 33.030, 34.013, 34.185, 34.186, 34.200, 34.210, 34.260, 34.310, 36.120, 36.140, 36.220, 36.340, 37.020, 68.020, 68.050, 68.080, 68.090, and Adding TDC 31.064 (PTA 09-07)

MOTION by Councilor Maddux, SECONDED by Councilor Beikman for first reading by title only. MOTION by Councilor Maddux, SECONDED by Councilor Beikman for a second reading by title only. MOTION CARRIED. The poll was unanimous (Harris absent). MOTION by Councilor Maddux, SECONDED by Councilor Beikman to place adoption of the ordinance on the Consent Agenda. MOTION CARRIED.

H. ITEMS REMOVED FROM CONSENT AGENDA
None.

I. COMMUNICATIONS FROM COUNCILORS

Councilor Beikman stated that "Fit Kids" was held last Thursday evening; their next meeting is scheduled for July 13.

Councilor Davis noted she had attended the Community Involvement Committee meeting.

Councilor Maddux said she will be attending the Lake Forest Homeowners annual meeting tomorrow night.

Councilors Maddux and Davis will be attending a High Speed Rail meeting Wednesday evening; brief discussion followed.

Councilor Beikman commented that the issue of chickens in the City limits was brought up at the Fit Kids meeting. The residential issue of chickens will go to TPAC in the near future.

J. EXECUTIVE SESSION

Mayor Ogden noted an executive session pursuant to ORS 192.660(2)(d) to discuss labor relations was held at the beginning of the Work Session.

K. ADJOURNMENT

The meeting adjourned at 6:47 p.m.

Sherilyn Lombos, City Manager

Recording Secretary

A handwritten signature in blue ink, reading "Ginny Kirby", written over a horizontal line.



City of Tualatin

www.ci.tualatin.or.us

APPROVED BY TUALATIN CITY COUNCIL
Date 7-12-10
Recording Secretary U. Smith

TUALATIN CITY COUNCIL MEETING MINUTES OF JUNE 14, 2010

PRESENT: Mayor Lou Ogden, Councilors Chris Barhyte, Monique Beikman, Joelle Davis, , Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Doug Rux, Community Development Director; Kent Barker, Chief of Police; Dan Boss, Operations Director; Paul Hennon, Community Services Director; Will Harper, Associate Planner; Carl Switzer, Parks & Recreation Coordinator; Eric Underwood, Development Coordinator; Clay Reynolds, Maintenance Services Supervisor; Carina Christensen, Assistant to the City Manager; Ginny Kirby, Recording Secretary

ABSENT: * Councilor Jay Harris [* denotes excused]

[Unless otherwise noted, MOTION CARRIED indicates all in favor.]

A. CALL TO ORDER

Mayor Ogden called the meeting to order at 7:05 p.m.
Councilor Beikman led the Pledge of Allegiance.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

1. *Youth Advisory Council Annual Report and Year End Award Ceremony*
Members of the Youth Advisory Council (YAC) gave a PowerPoint presentation that covered their Annual 2009-2010 Report. It was noted that nine seniors on YAC had just graduated. Activities during the past year included: Project Friends, Movies on the Commons, TualaFest, the Haunted House at Halloween. Also, YAC sent four of their members to the National League of Cities in San Antonio, Texas. YAC members thanks the Mayor and Councilors for all their support during the past year.

Mayor Ogden then presented the YAC members with certificates of appreciation and praised them for all their hard work and community involvement.

2. *Tualatin Tomorrow – Governance, Leadership, & Community Engagement – Ed Casey*
Mr. Casey, Tualatin Tomorrow representative, stated that the Governance, Leadership, & Community Engagement portion of Tualatin Tomorrow strives to find ways to foster involvement with local government and to engage with citizens. He said since their last report, many sources of engagement have taken place. Tualatin Tomorrow understands the City is working on furthering its communication with citizens. A new calendar is available for use that allows for better event planning and helps prevent conflicts between various groups. A special focus is aimed at the Hispanic population and to include them in the visioning process via the Latino Outreach Committee (see attached handouts).

Mr. Casey reminded everyone about the June 25th ribbon cutting for the new Tualatin Farmers Market.

Councilor Beikman thanked Mr. Casey for all his time working with Tualatin Tomorrow. Mayor Ogden noted a new Tigard/Tualatin School Board member (from Tualatin) is very enthusiastic about changing the involvement with Latino members of the community.

3. *Supplemental Nutrition Assistance Program (SNAP) – Judith Auslancer, Oregon Hunger Task Force, “Partners for a Hunger-free Oregon”*

Ms. Auslancer stated that this program specifically targets seniors. Her PowerPoint presentation covered questions and answers regarding different nutritional issues too many seniors face daily.

This program was previously known as Food Stamps. The program has changed; recipients now receive a card (much like a debit card) that can be used with a PIN number. This is a Federally funded program; there are sufficient benefits for all who qualify. For more information, please call 1-800-SafeNet.

4. *Commuter Rail Update / High Speed Rail Update – Michael McKillip*

City Engineer McKillip began by addressing commuter rail. Crossing orders for all crossings are being reviewed and sent back; this entire process should be done by the end of July. Construction should start soon thereafter. The schedule still shows completion towards the end of the year. He noted that Project Engineer Dayna Webb and Assistant to the City Manager Carina Christensen are working on a public information effort that should begin in the Fall. They will be working with school districts to make sure that both parents and children are made aware that trains will be coming through without using horns at the crossings.

City Engineer McKillip went on to discuss High Speed Rail (HSR). Open Houses have already been held in Wilsonville; future Open Houses are scheduled for June 16, 4:30-6:30 p.m., in Tualatin (at the Police Department) and on June 17, 4:30-6:30 p.m. in Milwaukie. Mr. McKillip said he is giving HSR presentations to all City standing committees; this will be completed by this time next month.

Both City Engineer McKillip and Councilor Davis attended a recent meeting in Salem regarding high speed rail. Cascadia HSR is a group that has been formed with the idea of using existing rail lines. The interest in HSR is increasing; more updates will be brought to Council in the future.

C. CITIZEN COMMENTS

Mayor Ogden recognized members of Boy Scout Troop 530 who were in attendance; they are working on their communication merit badge.

Rob Cornilles, SW Choctaw, Tualatin. Mr. Cornilles stated he is a candidate running for US Congress, Congressional District #1, competing against Congressman David Wu. He simply wanted to introduce himself to everyone this evening. He thanked Council for

their involvement in the community and the sacrifice they make; also thanking staff for all they do.

Delores Hurtado, SW Chinook Street, Tualatin, thanked Councilor Davis for getting the recent Open House for HSR scheduled in Tualatin. Ms. Hurtado said she was impressed with the level of questions asked by participants at the Open House.

She expressed concern about the possibility of a bridge over the park as a way to deal with transportation issues in Tualatin; granted, ODOT has said we need better connectivity. Ms. Hurtado was interest in knowing where traffic originates; outside the City, inside the City, and are they travelling internally or going outside the city limits. She feels the citizens would like to have a voice in the concept of what we want for the City.

Kathy Newcomb, SW Cheyenne Way, Tualatin, stated that she thinks if people are not aware of HSR, they need to be. She said at the Open Houses, the formal presentations are typically given at the beginning. Open houses have been advertised as a time to decide if folks want the trains faster, or on time, etc. They need to decide if this is what they want for their City. These comments can be written on comment cards at the Open House. Also, she wanted folks to know they can enter comments on the HSR website.

Ms. Newcomb went on to ask about the possible Park amendment and citizen involvement; she was curious how big the City was projected to eventually grow. Community Development Director Rux stated the population projections estimate 40,000 in the next 25 to 30 years.

D. CONSENT AGENDA

Items G.2 and G.3 were adopted and added to the Consent Agenda at Work Session.

MOTION by Councilor Maddux, SECONDED by Councilor Beikman to adopt the Consent Agenda as read and amended:

1. Approval of the Minutes of the Work Session and Meetings of April 12, 2010, May 10, 2010, and May 24, 2010
2. Resolution No. 4978-10 Approving and Authorizing the Provision of Workers Compensation Insurance Coverage to Volunteers and Repealing Resolution No. 4902-09
3. Resolution No. 4979-10 Amending Sewer and Surface Water Management Rates Inside the City of Tualatin and Rescinding Resolution No. 4888-09
4. Resolution No. 4980-10 Certifying City of Tualatin Municipal Services
5. Resolution No. 4981-10 Amending an Intergovernmental Agreement between Clean Water Services and the City of Tualatin to Clarify Maintenance Responsibilities in Association with Construction of a Pump Station and Park Improvements in Tualatin Community Park

6. Resolution No. 4982-10 Accepting Public Improvements for Construction of Phase 1 Park Improvements Associated with the Lower Tualatin Pump Station
7. Resolution No. 4983-10 Modifying Establishment of Regular Meetings of the City Council and Advisory Committees of the City and Repealing Resolution No. 4950-10
8. Resolution No. 4984-10 Canvassing Results of the Authorization to Annex into The Clackamas County Library District to the Voters of The Primary Election in the City of Tualatin, Washington And Clackamas Counties on May 18, 2010
9. Resolution No. 4985-10 Authorizing Changes to the Adopted 2009-2010 Budget
10. Committee Involvement Committee Appointments
Dawn Upton – Arts Advisory Committee, partial term ending 03/31/2013
Dennis Wells – Parks Advisory Committee, partial term ending 2/28/2011
- G.2. Ordinance No. 1303-10 Adopting the 2010 Edition of the Oregon Structural Specialty Code, the 2010 Oregon Mechanical Specialty Code, the 2010 Oregon Fire Code, and the 2010 Oregon Manufactured Dwelling Installation Specialty Code
- G.3. Ordinance No. 1304-10 Increasing Land Use Public Notification Requirements; And Amending Tualatin Development Code (TDC) 1.031, 31.063, 31.067, 31.071, 31.072, 31.074, 31.076, 31.077, 32.060, 33.010, 33.024, 33.030, 34.013, 34.185, 34.186, 34.200, 34.210, 34.260, 34.310, 36.120, 36.140, 36.220, 36.340, 37.020, 68.020, 68.050, 68.080, 68.090, and Adding TDC 31.064 (PTA 09-07)

MOTION CARRIED.

E. PUBLIC HEARINGS - Legislative or Other

1. Resolution No. 4986-10 Declaring the City's Election to Receive State Revenue Sharing Funds During Fiscal Year 2010-2011

Mayor Ogden opened the public hearing.

Finance Director Don Hudson presented the staff report. This is on the portion of the liquor tax that is a formula-based piece for the upcoming year. These funds are not restricted by the State.

PROPONENT(S) - None.

OPPONENT(S) - None.

COUNCIL DISCUSSION - None.

Mayor Ogden closed the oral testimony of the public hearing.

COUNCIL DELIBERATIONS - None.

MOTION by Councilor Truax, SECONDED by Councilor Beikman, to adopt the resolution declaring the City's election to receive state revenue sharing funds.

MOTION CARRIED. [Vote: 6-0-1 Yes – Ogden, Barhyte, Beikman, Davis, Truax; Absent – Harris]

2. Public Hearing to Consider a Resolution Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2010, Making Appropriations, Levying Ad-Valorem Taxes and Categorizing the Levies

Resolution No. 4987-10 Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2010, Making Appropriations, Levying Ad-Valorem Taxes and Categorizing the Levies

Mayor Ogden opened the public hearing.

Finance Director Don Hudson presented the staff report. Staff recommends adoption of this resolution, includes FY 2010-2011. This year City departments were asked to hold budgets. This budget also includes some one-time capital improvements; reserves have been increased; PERS reserve was set aside last year (\$500,000), that increase will be a 4.2% increase instead of the expected 6%, so it has been reduced to \$400,000. There are a few changes programmed into this budget. Additionally, last week some "retro" monies will be received (\$251,000) and some switches made totalling \$65,000. Finance Director Hudson further reviewed changes in the proposed budget.

PROPONENTS

Kathy Newcomb, SW Cheyenne Way, Tualatin, spoke in favor. She said it was a pleasure to see that the budget is being held down carefully and that staff is working to keep costs down. Anything in the way of providing food, barbeques, or luncheons should be removed and replaced with paper certificates as a "thank you". However, this does not refer to Council dinners, as they are working through the dinner hour. Ms. Newcomb would prefer to see those "extras" cut out during these budget times. She did ask that the City please continue what has already been done with holding the line and doing less, at least in little ways that make a difference.

OPPONENTS - None.COUNCIL DISCUSSION - None.

Mayor Ogden closed the oral testimony of the public hearing.

COUNCIL DELIBERATIONS - None.

MOTION by Councilor Truax, SECONDED by Councilor Maddux to amend the budget to include a Senior Recreation Leader effective January 2011.

Discussion on the Motion

Councilor Barhyte said he would vote NO on this due to prior discussions. He is more concerned about having a youth program, concerned that it needs to be a broader spectrum.

Councilor Maddux said that the creation of this position, even in light of budget cuts, is critically important. The feeling is that programs will not move forward without help from the City. She would be in support, in large, that it would bring discussion on how this type of position could be funded. Councilor Beikman concurred with Councilor Maddux; stating that it is a timing issue. She believes we should wait until we have those discussions; so will vote NO on this motion.

Mayor Ogden is very much interested in increasing staff support for the great work done at the Pohl Center. He is not convinced we have exhausted all avenues for funding this type of staff person. He expressed concern about having it broader based. Mayor Ogden stated he doesn't feel we should vote to add 1.0 FTE at this point in time.

MOTION FAILED. [Vote: 3-3-1 YES – Truax, Maddux, Davis; NO – Ogden, Beikman, Barhyte; Absent – Harris]

Discussion on Failed Motion

Councilor Barhyte wanted to clarify that during previous budget discussions, it was decided to speak to this in the future; that is why he voted NO at this time.

MOTION by Councilor Barhyte, SECONDED by Councilor Maddux, to adopt the budget as presented. MOTION CARRIED.

3. Public Hearing to Consider an Ordinance Amending the General Commercial (CG) Planning District to Allow "Doggie Day Care" and Amending TDC 31.060; 54.020, and 54.030 (PTA-10-01) [Continued from May 24, 2010]

Ordinance No. 1305-10 Amending the General Commercial (CG) Planning District to Allow "Doggie Day Care" and Amending TDC 31.060, 54.020, and 54.030 (PTA-10-01)

Mayor Ogden opened the public hearing and noted it is a legislative hearing.

Associate Planner Will Harper presented the public hearing and entered the entire staff report into the record. At the April 12th hearing, staff proposed an alternate from the applicant's original proposal. Council heard the information from staff and TPAC at that time and asked about keeping separation from facility and restaurants in the area; also regarding waste disposal and odor. The public hearing was continued at that time. At the May 13th TPAC meeting, revised standards and language was presented and accepted. Associate Planner Harper then reviewed the proposed changes.

APPLICANT

Joseph Schaefer, 1211 SW 5th Avenue, Portland, applicant representative, stated that he is happy with this process thus far.

Phil Blatzell, 10225 SW Casteel Court, Tualatin, owner/tenant of Invisible Fence, said he didn't have a problem with the proposed doggie daycare facility.

PROPOSERS - None.

OPPOSERS - None.

COUNCIL DISCUSSION - None.

Mayor Ogden closed the oral testimony of the public hearing.

COUNCIL DELIBERATIONS - None.

MOTION by Councilor Barhyte, SECONDED by Councilor Beikman to adopt the ordinance, version D.2, amending the General Commercial Planning District to allow "Doggie Day Care" and amending the Tualatin Development Code.

MOTION by Councilor Davis, SECONDED by Councilor Barhyte for a first reading by title only. MOTION by Councilor Davis, SECONDED by Councilor Maddux for a second reading by title only. MOTION CARRIED. The poll was unanimous. MOTION by Councilor Davis, SECONDED by Councilor Beikman to adopt the ordinance. MOTION CARRIED.

F. PUBLIC HEARINGS - Quasi-Judicial
None.

G. GENERAL BUSINESS

1. Authorizing the Use of City Resources and Facilities by the Chamber of Commerce for the Annual Crawfish Festival

Carl Switzer, Parks & Recreation Manager, presented the staff report. He noted that the Chamber of Commerce's proposal has been submitted. It is typically placed on the Consent Agenda; however, this year they are asking to charge for use of the Green Lot and White Lot on the Saturday of the Crawfish Festival.

Councilor Maddux noticed Core Area Parking recommended denial of this request. Councilor Beikman spoke to the issue, stating that the Core Area Parking Board felt you shouldn't charge for parking in a public lot for a special event.

Councilor Davis stated we need to strike the language regarding paying for parking in public lots.

MOTION by Councilor Beikman; SECONDED by Councilor Davis to adopt the amended version of the proposal. MOTION CARRIED.

Items G.2 and G.3 had first and second readings and were placed on the Consent Agenda at Work Session.

2. Ordinance No. 1303-10 Adopting the 2010 Edition of the Oregon Structural Specialty Code, the 2010 Oregon Mechanical Specialty Code, the 2010 Oregon Fire Code, and the 2010 Oregon Manufactured Dwelling Installation Specialty Code
3. Ordinance No. 1304-10 Increasing Land use Public Notification Requirements; and Amending Tualatin Development Code (TDC) 1.031, 31.063, 31.067, 31.071, 31.072, 31.074, 31.076, 31.077, 32.060, 33.010, 33.024, 33.030, 34.013, 34.185, 34.186, 34.200, 34.210, 34.260, 34.310, 36.120, 36.140, 36.220, 36.340, 37.020, 68.020, 68.050, 68.080, 68.090, and Adding TDC 31.064 (PTA-09-07)

H. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

I. COMMUNICATIONS FROM COUNCILORS

It was noted that there will be a fundraiser for the Juanita Pohl Center at Chevy's Restaurant, Wednesday, June 16th, at both lunch and dinner. A percentage of the proceeds will be donated to the Pohl Center; you MUST bring the flyer with you.

J. EXECUTIVE SESSION

Mayor Ogden noted an executive session pursuant to ORS 192.660(2)(d) to discuss labor relations was held at the beginning of the Work Session.

K. ADJOURNMENT

The meeting adjourned at 8:42 p.m.

Sherilyn Lombos, City Manager

Recording Secretary





STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL
Date 7-12-10
Recording Secretary MM

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Nancy McDonald, Human Resources Director *NM*

DATE: July 12, 2010

SUBJECT: RESOLUTION RATIFYING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF TUALATIN AND THE TUALATIN POLICE OFFICERS ASSOCIATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

ISSUE BEFORE THE COUNCIL:

The City Council is respectfully requested to approve ratification of a successor collective bargaining agreement between the City of Tualatin and the Tualatin Police Officer's Association (TPOA.) This is a three-year agreement, which will be retroactively effective July 1, 2010 and be in effect until June 30, 2013.

RECOMMENDATION:

Staff recommends the City Council adopt the attached Resolution.

EXECUTIVE SUMMARY:

For the first year of the agreement there is no cost of living adjustment. Subsequent years of the agreement contain a 2% cost of living adjustment. A \$500.00 one-time payment will be made for each officer to a Voluntary Employee Benefit Account (VEBA).

The City's tiered monthly contribution toward the cost of health insurance premium rates has been decreased due to a medical insurance plan change in the first year of the agreement. Subsequent contract years each contain a 5% increase to the City's contribution. Premiums in excess of the City's tiered maximum contribution will be paid by the employee.

FINANCIAL IMPLICATIONS:

Provisions for adjustments to the economic terms of the collective bargaining agreement between the City of Tualatin and the Tualatin Police Officer's Association for the first year of the bargaining agreement are incorporated in the FY 2010-11 budget, and the costs associated with the second and third year of the agreement will be allocated to those fiscal year budgets.

Attachments: A. Resolution

RESOLUTION NO. 4988-10

RESOLUTION RATIFYING A COLLECTIVE BARGAINING
AGREEMENT BETWEEN THE CITY OF TUALATIN AND
THE TUALATIN POLICE OFFICERS ASSOCIATION AND
AUTHORIZING THE CITY MANAGER TO EXECUTE THE
AGREEMENT

WHEREAS at the June 14, 2010 City Council meeting, the Council gave its tentative approval of the terms of the labor agreement between the City of Tualatin and the Tualatin Police Officers Association, retroactively effective to July 1, 2010 and being in effect until June 30, 2013.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON that:

Section 1. The Council formally expresses its approval to the collective bargaining agreement, covering the years of July 1, 2010 through June 30, 2013, between the City and the Tualatin Police Officers Association

Section 2. The Council authorizes the City Manager to sign and execute the agreement.

Section 3. A copy of the signed and executed collective bargaining agreement is available from the Human Resources Director, as well as the official City of Tualatin website.

INTRODUCED AND ADOPTED this 12th day of July, 2010.

CITY OF TUALATIN, Oregon

BY

Mayor

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

ATTEST:

BY


City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Nancy McDonald, Human Resources Director *NM*

DATE: July 12, 2010

SUBJECT: RESOLUTION RATIFYING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF TUALATIN AND THE TUALATIN EMPLOYEES ASSOCIATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

ISSUE BEFORE THE COUNCIL:

The City Council is respectfully requested to approve ratification of a successor collective bargaining agreement between the City of Tualatin and the Tualatin Employees Association (TEA). This is a two-year agreement, which will be retroactively effective to July 1, 2010 and be in effect until June 30, 2012.

RECOMMENDATION:

Staff recommends the City Council adopt the attached Resolution.

EXECUTIVE SUMMARY:

There is a 2% cost of living adjustment to TEA classification pay ranges, range adjustments to selected classifications and merit step increases are reinstated for the duration of this contract.

The City's tiered monthly contribution toward the cost of health insurance premium rates has been increased \$25.00. Premiums in excess of the City's tiered maximum contribution will be paid by the employee.

FINANCIAL IMPLICATIONS:

Provisions for adjustments to the economic terms of the collective bargaining agreement between the City of Tualatin and the Tualatin Employee's Association for the first year of the bargaining agreement are incorporated in the FY 2010-11 budget, and the costs associated with the second year of the agreement will be allocated to that fiscal year budget.

Attachments: A. Resolution

RESOLUTION NO. 4989-10

A RESOLUTION RATIFYING A COLLECTIVE BARGAINING
AGREEMENT BETWEEN THE CITY OF TUALATIN AND THE TUALATIN
EMPLOYEES ASSOCIATION AND AUTHORIZING THE CITY
MANAGER TO EXECUTE THE AGREEMENT

WHEREAS at the June 14, 2010 City Council meeting, the Council gave its tentative approval of the terms of the labor agreement between the City of Tualatin and the Tualatin Employees Association, retroactively effective to July 1, 2010 and being in effect until June 30, 2012.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The Council formally expresses its approval to the collective bargaining agreement, covering the years of July 1, 2010 through June 30, 2012, between the City and the Tualatin Employees Association.

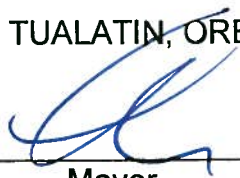
Section 2. The Council authorizes the City Manager to sign and execute the agreement.

Section 3. A copy of the signed and executed collective bargaining agreement is available from the Human Resources Director, as well as the official City of Tualatin website.

INTRODUCED AND ADOPTED this 12th day of July, 2010.

CITY OF TUALATIN, OREGON

BY



Mayor

APPROVED AS TO LEGAL FORM



CITY ATTORNEY

ATTEST:

BY



City Recorder



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL
Date 7-12-10
Recording Secretary MSM

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Nancy McDonald, Human Resources Director *NM*

DATE: July 12, 2010

SUBJECT: A RESOLUTION AUTHORIZING NON-REPRESENTED EMPLOYEE PERSONNEL SERVICES UPDATES FOR FISCAL YEAR 2010-11

ISSUE BEFORE THE COUNCIL:

The City Council is to consider salary adjustments for and benefits changes for non-represented staff. These changes will provide consistency of compensation packages based on the adjustments contained in the collective bargaining agreements of the Tualatin Employees Association and the Tualatin Police Officers Association.

RECOMMENDATION:

Staff recommends the City Council adopt the attached Resolution.

EXECUTIVE SUMMARY:

Section 1 of the Resolution proposes that the Salary Schedules for non-represented employees and each non-represented employee's rate of pay be increased by 2%. These changes are consistent with the negotiated increase for the Tualatin Employees Association. Selected Police Management positions will be eligible to participate in various programs contained in the Tualatin Police Officers Association Collective Bargaining Agreement.

Section 2 of the Resolution would adjust the City's contribution to management health insurance premiums to be consistent with the rates contained in the Tualatin Employees Association Collective Bargaining Agreement. Any amount exceeding the City's contribution will be the responsibility of the employee.

FINANCIAL IMPLICATIONS:

Provisions of the non-represented employee salary schedules adjustment including selected range adjustments and individual salary increases as well as adjustments to the health insurance premium contribution for management employees are incorporated in the FY 2010-11 budget.

Attachments: A. Resolution

RESOLUTION NO. 4990-10

A RESOLUTION AUTHORIZING NON-REPRESENTED EMPLOYEES
PERSONNEL SERVICES UPDATES FOR FISCAL YEAR 2010-11

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN,
OREGON, that:

Section 1. Effective July 1, 2010, the Salary Schedules for non-represented employees shall be increased by a 2% cost of living allowance with the pay rates for these employees adjusted accordingly. These changes are consistent with the adjustments contained in the Tualatin Employees Association Collective Bargaining Agreement. Selected Police Management positions will be eligible to participate in various programs contained in the Tualatin Police Officers Association Collective Bargaining Agreement.

Section 2. Effective July 1, 2010 the City shall adjust the employer's tiered contribution to management health insurance premiums to be consistent with the contribution rates contained in the Tualatin Employees Association Collective Bargaining Agreement. Any amount exceeding the employer's contribution will vary depending upon individual selection and is the responsibility of the employee.

INTRODUCED AND ADOPTED this 12th day of July, 2010.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:
BY _____
City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date 7-12-10

Recording Secretary U. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Michael A. McKillip, City Engineer *mak*
Tony Doran, Engineering Associate *TD*

DATE: July 12, 2010

SUBJECT: RESOLUTION ALLOWING THE MAYOR TO SIGN A QUITCLAIM OF A PUBLIC SANITARY SEWER EASEMENT OVER PRIVATE PROPERTY THAT IS NO LONGER NEEDED

ISSUE BEFORE THE COUNCIL:

To adopt a resolution allowing the Mayor to sign a quitclaim of a public sanitary sewer easement over private property that is no longer needed.

RECOMMENDATION:

Adopt a resolution allowing the Mayor to sign a quitclaim of a public sanitary sewer easement over private property that is no longer needed.

EXECUTIVE SUMMARY:

- Type of case: Quitclaim
- Facts: A previously existing multi-purpose easement, recorded October 1, 1969, included allowing a public sanitary sewer line to provide service to the Country Inn and Robinson Crossing I. A replacement public easement for a public sanitary sewer line (CD-09-06: W-2009-054295) was created to replace the previously existing easement (quitclaim CD-09-08: W-2009-054296) as it encompassed an area that conflicted with a past phase of the Robinson Crossing development. With the current phase of development, the replacement public sanitary sewer easement is no longer needed. Two private sanitary sewer laterals, approved by the Building Division, have been constructed to serve the Country Inn and Robinson Crossing I (the Robinson Store). These private laterals exist within private sanitary sewer easements (W-2010-041482 and W-2010-041483). The private sanitary sewer laterals replace the need for the existing public sanitary sewer line and easement, as approved in AR 08-12: Robinson Crossing I & II.
- Criteria applied to make decision: The public easement is no longer needed to provide sanitary sewer service to the Robinson Crossing I and Country Inn and it restricts the current phase of private Robinson Crossing II development. Approval of a quitclaim of this easement will remove restrictions to allow continued construction of this private development.

STAFF REPORT: Resolution allowing the Mayor to sign a quitclaim of a public sanitary sewer easement

July 12, 2010

Page 2 of 2

- Attachments:**
- A. Public Sanitary Sewer Easement presented for quitclaim
 - B. Location Map
 - C. Private Sanitary Sewer Easements
 - D. Resolution

RESOLUTION NO. 4991-10

RESOLUTION ALLOWING THE MAYOR TO SIGN A QUITCLAIM OF A PUBLIC
SANITARY SEWER EASEMENT OVER PRIVATE PROPERTY THAT IS NO
LONGER NEEDED

WHEREAS the City Council has adopted the Recorded Document CD-09-06
Sanitary Sewer Line And Access Easement – Grantor: Robinson Crossing, LLC;
W-2009-054295 Grantee: City of Tualatin; and

WHEREAS the easement adopted by City Council as a Recorded Document can
be quitclaimed; and

WHEREAS the City Council has reviewed the quitclaim of a public sanitary sewer
easement; and

WHEREAS the Council finds that the recommendations of the City Engineer
should be accepted and the quitclaim approved.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN,
OREGON, that:

Section 1. The quitclaim of the public sanitary sewer easement (W-2009-
054295) as shown on Exhibit A (attached) is adopted and by this reference incorporated
herein.

INTRODUCED AND ADOPTED this 12 day of JULY, 2010.

CITY OF TUALATIN, OREGON

BY 
Mayor

ATTEST:

BY 
City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

QUITCLAIM DEED

CITY OF TUALATIN, OREGON, releases and quitclaims any and all interest in the sanitary sewer easement, situated in Washington County, Oregon, conveyed to CITY by Document #2009-054295, Washington County, Oregon.

CITY no longer has a need for the easement described above. A portion of Document #2009-054295 describing the easement is attached and incorporated in by this reference.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true consideration for this conveyance is \$0 and other valuable consideration, the receipt of which is hereby acknowledged.

Dated this 12th day of JULY, 2010.

CITY OF TUALATIN, Oregon

By 

Mayor

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

ATTEST:

By 

City Recorder

STATE OF OREGON)
) ss
County of Washington)

On this 12th day of JULY, 2010, before me, the undersigned, a Notary Public, personally appeared Sherilyn Lombos, City Manager and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Maureen A Smith
Notary Public for Oregon



My Commission Expires: July 4, 2013

CITY OF TUALATIN, OREGON

By [Signature]
City Manager

The City Manager of the City of Tualatin, being duly authorized and directed by the Council of the City of Tualatin, pursuant to Ordinance 787-89, approves and accepts the foregoing Quit Claim on behalf of the City of Tualatin.

Dated this 12 day of JULY 20 10

[Signature]
City Manager



CITY OF TUALATIN
18880 SW MARTINAZZI AVENUE
TUALATIN OR 97062-7092

Washington County, Oregon 2009-054295

06/16/2009 09:45:05 AM

D-E Cnt=2 Stn=21 RECORDS1

\$25.00 \$5.00 \$5.00 \$11.00 - Total = \$46.00



01375822200900542950050050

I, Richard Hobernicht, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.

Richard Hobernicht, Director of Assessment and
Taxation, Ex-Officio County Clerk



COVER PAGE FOR RECORDING

Name(s) of Transaction(s):

SANITARY SEWER LINE AND ACCESS EASEMENT

Names of Person (Grantor, Grantee, etc.):

Grantor: ROBINSON CROSSING, LLC

Grantee: CITY OF TUALATIN

After recording, return to:

CITY OF TUALATIN
EXECUTIVE ASSISTANT
18880 SW MARTINAZZI AVENUE
TUALATIN OR 97062-7092

Consideration Statement: 0

Until a change is requested, all tax statements shall be sent to the following address:

City of Tualatin
- 18880 SW Martinazzi Ave.
Tualatin OR 97062

NOTE: A LEGIBLE MAP(S) IS ON FILE WITH THE CITY OF TUALATIN.
myfiles\ecordcov.frm [R-09/14/04]



CITY OF TUALATIN, OREGON

SANITARY SEWER LINE AND ACCESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that ROBINSON CROSSING, LLC (the "GRANTOR"), grants to the City of Tualatin (the "CITY"), its successors in interest and assigns, the permanent right to design, construct, reconstruct, operate and maintain Sanitary Sewer Line and Access Easement on the following described land:

See attached map & legal description

TO HAVE AND TO HOLD, the described easement unto the CITY, its successors in interest and assigns forever.

GRANTOR reserves the right to use the surface of the land for walkways, landscaping, parking, and other uses undertaken by the GRANTOR that are not inconsistent and do not interfere with the use of the subject easement area by the CITY. No building or utility shall be placed upon, under or within the property subject to this easement during its term without the written permission of the CITY.

Except as otherwise provided, upon completion of construction by CITY on the easement, the CITY shall restore the property's disturbed surface to the condition reasonably similar to the previous state, and shall indemnify and hold the GRANTOR harmless against all loss, costs, or damage arising out of the exercise of the rights granted. Nothing in this easement shall be construed as requiring the CITY, its successors in interest or assigns to maintain landscaping, walkways, parking or other surface or subsurface improvement made or constructed by or on behalf of the GRANTOR, its heirs, successors in interest or assigns.

The true and actual consideration paid for this transfer consists of \$0 or includes other property or other value given or promised, the receipt of which is acknowledged by the GRANTOR.

The GRANTOR covenants to the CITY, and CITY'S successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the granted premises, free from all encumbrances and that GRANTOR, and the GRANTOR'S heirs and personal

representatives shall warrant and forever defend the premises to the CITY, its agents, successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

Executed this 1 day of June, 2009.

Signature

DAVID EMAMI
Name (print or type)

MANAGER
Title

Signature

Name (print or type)

Title

STATE OF OREGON

)
) ss
)

County of Washington

On this 1st day of June, 2009, before me, the undersigned, a Notary Public, personally appeared David Emami, Manager, Robinson Crossing, LLC, and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me:

Maureen A. Smith
Notary Public for Oregon

My Commission Expires:

July 4, 2009

CITY OF TUALATIN, OREGON

By

[Signature]
City Manager

The City Manager of the City of Tualatin, being duly authorized and directed by the Council of the City of Tualatin, pursuant to Ordinance 787-89, approves and accepts the foregoing Deed of Dedication on behalf of the City of Tualatin.

Dated this 8th day of June, 2009.

[Signature]
City Manager

W.B. Wells
& Associates, Inc.
Surveyors • Engineers • Planners



Exceptional Service,
Creative Solutions,
Quality Beyond
Your Expectations

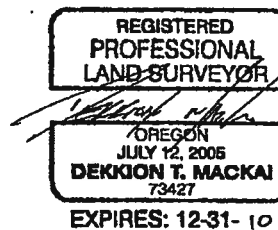
May 29, 2009

W.B. WELLS & ASSOC., INC.
JOB NO. 2008-073

DESCRIPTION
EASEMENT AREA

AN EASEMENT AREA BEING OVER A PORTION OF THAT TRACT OF LAND DESCRIBED IN TRACT II OF DOCUMENT NO. 2009-018102, WASHINGTON COUNTY DEED RECORDS, SITUATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF TUALATIN, COUNTY OF WASHINGTON AND STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

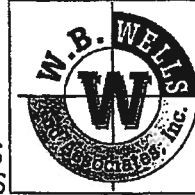
COMMENCING AT THE MOST WESTERLY NORTHWEST CORNER OF SAID TRACT II; THENCE SOUTH 88°36'53" EAST, ALONG THE MOST WESTERLY NORTH LINE OF SAID TRACT II, A DISTANCE OF 65.90 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 01°23'36" WEST, A DISTANCE OF 146.79 FEET TO THE SOUTH LINE OF SAID TRACT II AND THE NORTH RIGHT-OF-WAY LINE OF S.W. SENECA STREET (WIDTH VARIES); THENCE NORTH 88°36'58" WEST, ALONG SAID SOUTH LINE AND SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 14.00 FEET; THENCE NORTH 01°23'36" EAST, A DISTANCE OF 146.79 FEET TO THE MOST WESTERLY NORTH LINE OF SAID TRACT II; THENCE SOUTH 88°36'53" EAST, ALONG THE MOST WESTERLY NORTH LINE OF SAID TRACT II, A DISTANCE OF 14.00 FEET TO THE POINT OF BEGINNING.



EASEMENT MAP

CLIENT: ROBINSON CROSSING, LLC
LN./JOB NO. 07-258 ATTN.: -
DATE: MAY 27, 2009 SCALE: 1"= 30'

ENGINEERS
SURVEYORS

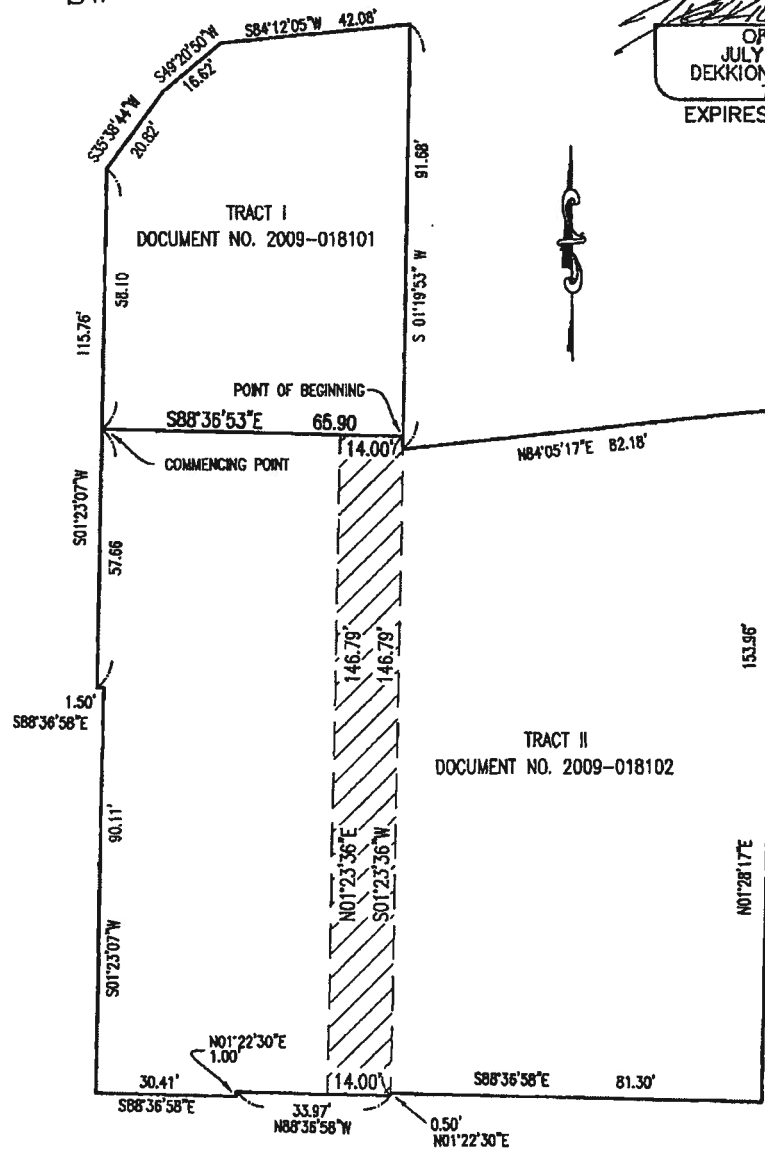


SW BOONES FERRY RD.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 2005
DEKKION T. MACKAI
73427
EXPIRES 12-31-10

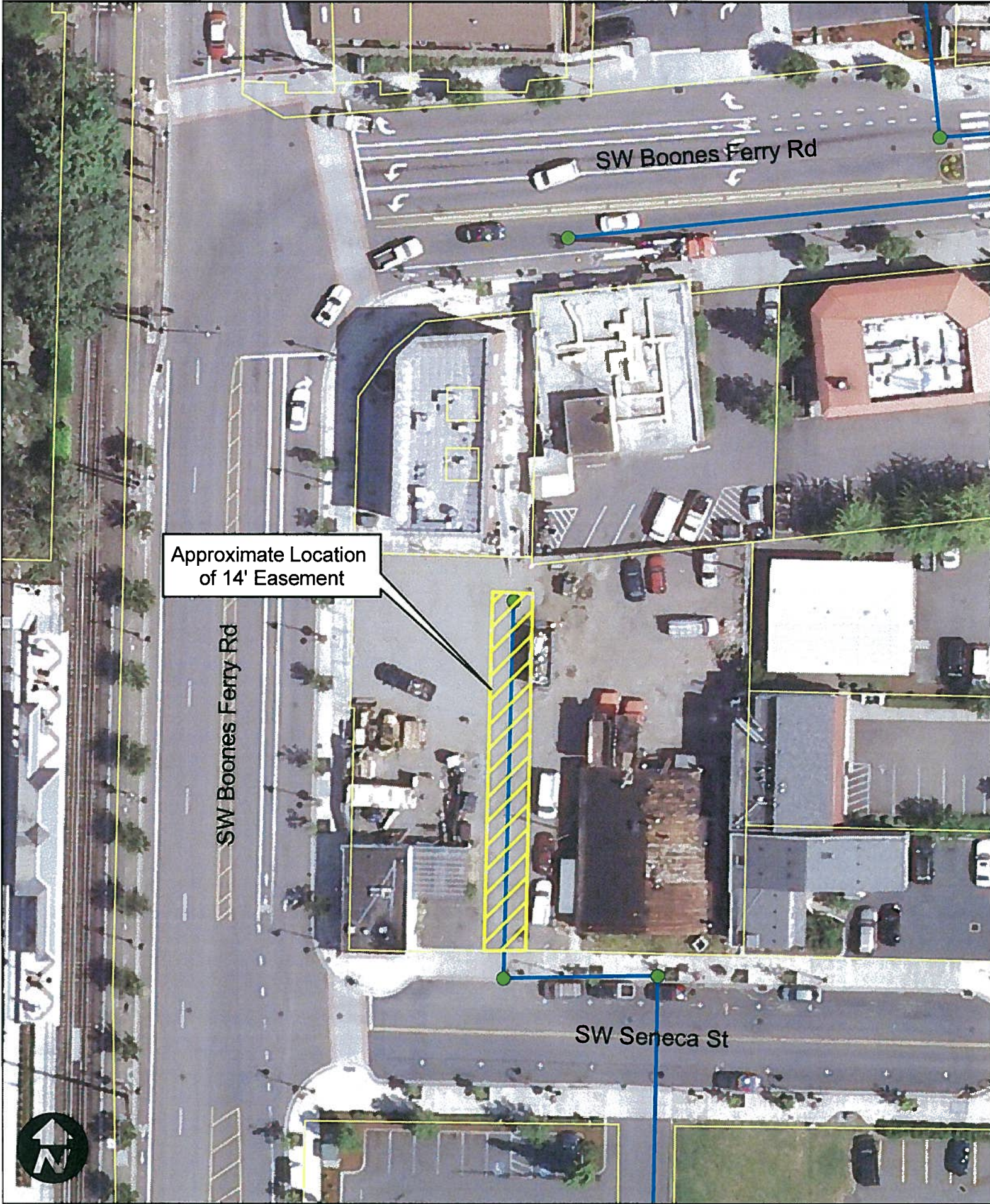
SW BOONES FERRY RD



LOCATED IN THE NW 1/4 OF SECTION 24,
T2S, R1W, W.M. CITY OF TUALATIN,
WASHINGTON COUNTY, OREGON

4230 N.E. FREMONT STREET, PORTLAND OREGON 97213 (503) 284-5896

JOB NO. 08-073 SS ESMT.DWG



After Recording Return To:
Robinson Crossing LLC
3380 Barrington Drive
West Linn, OR 97068

Washington County, Oregon

08/02/2010 10:39:03 AM

2010-041482

D-E

Crt=1 Str=29 RECORDS1

\$40.00 \$5.00 \$11.00 \$15.00 - Total = \$71.00



01487079201000414820080081

I, Richard Hobemicht, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.

Richard Hobemicht
Richard Hobemicht, Director of Assessment and
Taxation, Ex-Officio County Clerk



SEWER LINE EASEMENT AGREEMENT

40
5
11
15

SEWER LINE EASEMENT AGREEMENT

This Sewer Line Easement Agreement (the "Agreement") is entered into this 26th day of May, 2010, by and between Robinson Crossing, LLC ("Robinson"), and W.M.B. Investment Inc. ("W.M.B.").

RECITALS:

A. Robinson is the owner of certain real property located in Washington County, State of Oregon, commonly known as Tax Map & Lot 2S124BC03500 located at the northeast corner of SW Boones Ferry Road and SW Seneca Street, Tualatin, Oregon, said portion being more particularly described in Exhibit A attached here to and made a part hereof (the "Robinson Property"). W.M.B. is the owner of certain real property commonly known as 18786 SW Boones Ferry Road, Tualatin, Oregon, located North of the Robinson Property and more particularly described in Exhibit B attached here to and made a part hereof (the "W.M.B. Property").

B. It has recently been discovered that the existing sewer line servicing the W.M.B. Property as of July 20, 2009 runs across the Robinson Property. While the sewer line has been in existence for more than 10 years, there does not appear to be a formal easement over the Robinson Property for the existing sewer line. The owner of the Robinson Property has commenced construction of a new building on the Robinson Property and as a result, the sewer line must be moved to a different location. Robinson has agreed to replace the existing sewer line, and move it to a new location at Robinson's expense. Robinson has further agreed to grant this easement to W.M.B. for a new sewer line.

AGREEMENTS

In consideration of the mutual covenants and promises set forth herein, the parties agree as follows:

Section 1. Grant of Easement

1.1 Grant. In consideration of a one time payment of \$1.00, the receipt of which is acknowledged, Robinson grants W.M.B. a nonexclusive easement ten (10) feet in width measured five (5) feet on either side of that portion of a sewer line that runs across the Robinson Property for purposes of allowing W.M.B. to use the sewer line and for future maintenance. Attached to this Agreement as Exhibit C is a description and diagram that illustrates the location of the sewer line. The property located five (5) feet on each side of the sewer line will be referred to as the "Easement Property."

1.2 Rights and Restrictions. After construction of the sewer line, W.M.B. and W.M.B.'s Permitted Users shall have the right, at W.M.B.'s sole cost, to maintain the sewer line in and under the Easement Property and the right to use the Easement Property for access to the sewer line to perform any repairs or maintenance they deem necessary on the sewer line. Robinson will construct a parking garage on and over the Easement Property. With the

exception of said parking garage, Robinson agrees that it will not erect, construct or maintain any other building or structure on any portion of the Easement Property that would interfere with W.M.B. or W.M.B.'s Permitted Users' ability to access the sewer line. Robinson further agrees that if necessary, W.M.B. may cut through any asphalt or concrete or any other access needed in order to access the sewer line for repair and maintenance.

1.3 Maintenance and Repair. All maintenance of the sewer line shall be performed by W.M.B. at its own expense. In the event such maintenance damages the Easement Property, W.M.B. shall restore the Easement Property to the condition existing prior to the maintenance. Otherwise, Robinson or its successors and assigns shall be responsible for the maintenance of the surface of the Easement Property.

Section 2. Effect of Agreement.

The easement granted pursuant to this Agreement shall run with the land as to all property benefited and burdened by such easement. For its term, the rights, covenants, and obligations contained in this Agreement shall bind, burden, and benefit the parties and their successors, assigns, lessees, mortgagees, and beneficiaries under any conveyance or deed of trust.

Section 3. General Provisions.

3.1 Conformance with Governmental Requirements. All uses of the easement granted pursuant to this Agreement shall be in conformance with all applicable federal, state, county, and municipal laws, ordinances, regulations, and requirements.

3.2 Modification. The terms of this Agreement, including the boundaries of any easement granted pursuant to this Agreement, may not be modified except with the unanimous consent of the parties (or their successors or assigns), provided that any such modification shall be in writing signed by the parties (or their successors or assigns).

3.3 Attorneys' Fees. In the event suit or arbitration is instituted to enforce or interpret this Agreement, the prevailing party shall be entitled to recover its reasonably incurred attorneys' fees and costs upon said trial or arbitration, and appeal therefrom.


3.4 Notices. Any notice which either party desires to give to the other shall be in writing, and shall be effective when actually delivered in person or by facsimile transmission, one (1) business day after deposit with a reputable overnight courier service, or three (3) business days after placed in the U.S. Mail, postage prepaid as registered or certified mail, return receipt requested and addressed to such other owner at their last known address.

In WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

Robinson Crossing, LLC

By: 
David Emami,
Managing Member

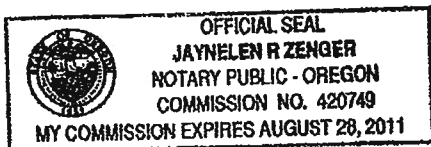
W.M.B. Investment Inc.

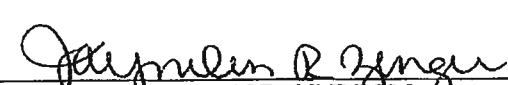
By: 
William Beckman, President

STATE OF OREGON

County of Clackamas } ss:

On this 26 day of May, 2010, personally appeared DAVID EMAMI, personally known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same freely and voluntarily.

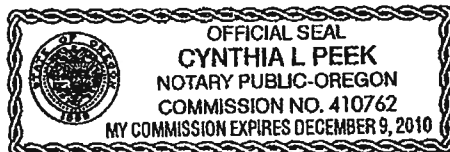



NOTARY PUBLIC FOR OREGON
My Commission Expires: Aug 28, 2011

STATE OF OREGON

County of Multnomah } ss:

On this 12th day of May, 2010, personally appeared WILLIAM BECKMAN personally known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same freely and voluntarily.





NOTARY PUBLIC FOR OREGON
My Commission Expires: 12-9-10

EXHIBIT A

Legal Description (Robinson Property)

TRACT 2

W.B. WELLS & ASSOC., INC. – 08-073

SITUATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF TUALATIN, COUNTY OF WASHINGTON, STATE OF OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO ROBINSON CROSSING, L.L.C. BY DEED RECORDED IN DOCUMENT NO. 2006-41540;

THENCE SOUTH 01°19'53" WEST, ALONG THE EAST LINE OF SAID DOCUMENT NO. 2006-41540 TRACT, A DISTANCE OF 91.70 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "W.B. WELLS & ASSOC., INC." SET, AND THE TRUE PLACE OF BEGINNING;

THENCE CONTINUING SOUTH 01°19'53" WEST, ALONG SAID EAST LINE, A DISTANCE OF 2.74 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO VETERANS OF FOREIGN WARS POST NO. 3452, BY DEED RECORDED IN BOOK 241, PAGE 651, WASHINGTON COUNTY DEED RECORDS;

THENCE NORTH 84°05'17" EAST, ALONG THE NORTH LINE OF SAID DEED BOOK 241, PAGE 651 TRACT, A DISTANCE OF 82.18 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 01°28'17" WEST, ALONG THE EAST LINE OF SAID DEED BOOK 241, PAGE 651 TRACT, A DISTANCE OF 153.96 FEET TO THE SOUTHEAST CORNER THEREOF AND THE NORTHERLY RIGHT-OF-WAY LINE OF SW SENECA STREET (WIDTH VARIES);

THENCE NORTH 88°36'58" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID DEED BOOK 241, PAGE 651 TRACT, A DISTANCE OF 81.30 FEET TO THE EAST LINE OF SAID DOCUMENT NO. 2006-41540 TRACT;

THENCE SOUTH 01°22'30" WEST, ALONG THE EAST LINE OF SAID DOCUMENT NO. 2006-41540 TRACT, A DISTANCE OF 0.50 FEET;

THENCE ALONG THE SOUTH LINES OF SAID DOCUMENT NO. 2006-41540 TRACT, AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINES, THE FOLLOWING COURSES:

NORTH 88°36'58" WEST, A DISTANCE OF 33.97 FEET;

THENCE SOUTH 01°22'30" WEST, A DISTANCE OF 1.00 FEET;

THENCE NORTH 88°36'58" WEST, A DISTANCE OF 30.41 FEET TO THE SOUTHWEST CORNER OF SAID DOCUMENT NO. 2006-41540 TRACT AND THE EASTERLY RIGHT-OF-WAY LINE OF SW TUALATIN ROAD (WIDTH VARIES);

THENCE ALONG THE WEST LINES OF SAID DOCUMENT NO. 2006-41540 TRACT AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING COURSES:

THENCE NORTH 01°23'07" EAST, A DISTANCE OF 90.11 FEET;

THENCE NORTH 88°36'58" WEST, A DISTANCE OF 1.50 FEET;

THENCE NORTH 01°23'07" EAST, A DISTANCE OF 57.66 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "W.B. WELLS & ASSOC., INC." SET;

THENCE SOUTH 88°36'53" EAST, A DISTANCE OF 65.90 FEET TO THE TRUE PLACE OF BEGINNING;

CONTAINING 21,676 SQUARE FEET

EXHIBIT B

Legal Description (W.M.B. Property)

Beginning at a point on the Northerly line of Block "A" of Tualatin Grove Tracts, in Section 24, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, which point bears North 82° 49' East, 89.0 feet, from the northwest corner of said Block "A"; running thence South, parallel with the West line of said Block "A", a distance of 100 feet; thence north 82° 49' East, parallel with the Northerly line of said Block "A", a distance of 90 feet; thence North and parallel to the West line of said Block "A", 100 feet to a point on the North line of Block "A"; thence West, along the North line of Block "A", 90 feet, to the place of beginning.



EXHIBIT C

SW TUALATIN ROAD

ROBINSON
CROSSING
CONDOMINIUM

POINT OF COMMENCEMENT
SOUTHEAST CORNER
ROBINSON CROSSING CONDOMINIUM

N88°36'53"W 65.90'

TRUE POINT OF
BEGINNING

N84°05'17"E 82.18'
63.16'

S01°19'53"W 2.74'

19.02'

ROBINSON
CROSSING
LLC PROPERTY
DOCUMENT NO.
2009-018102

5.00'

10.00'

5.00'

126.41'

S01°24'37"W

CENTERLINE
OF EASEMENT

N01°28'17"E 153.98'

S01°24'37"W

16.29'

S47°15'48"E
4.90'

N88°35'59"W 58.80'

SW SENECA STREET



W.B. WELLS
and associates, inc.
ENGINEERS-SURVEYORS-PLANNERS
4230 NE FREMONT STREET
PORTLAND, OREGON 97213
PHONE: (503) 244-5285 FAX: (503) 244-4530
e-mail address: info@wbwells.com

SEWER EASEMENT BETWEEN
COUNTRY INN AND
ROBINSON CROSSING, LLC

LOCATED IN THE NW 1/4 OF SECTION 24, T2S, R1W, W.M.,
CITY OF TUALATIN, WASHINGTON COUNTY, OREGON

DRAWN BY: BB

SCALE: 1"=30' DATE: 4-22-10

JOB NO: 08-073

FILE: P:\08-073\08-073

Sewer easements.DWG

APRIL 22, 2010

LEGAL DESCRIPTION

SEWER EASEMENT BETWEEN ROBINSON CROSSING, LLC, AND COUNTRY INN

W.B. WELLS & ASSOC., INC. - 08-073

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF TUALATIN, WASHINGTON COUNTY, OREGON, BEING A 10.00 FEET WIDE SEWER EASEMENT, LYING 5.00 FEET EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, WITH SIDELINES LENGTHENED OR SHORTENED TO MEET PROPERTY LINES, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE DULY RECORDED PLAT OF "ROBINSON CROSSING CONDOMINIUM", WASHINGTON COUNTY PLAT RECORDS, BEING ON THE EAST LINE OF THAT TRACT OF LAND CONVEYED TO ROBINSON CROSSING, LLC, RECORDED IN DOCUMENT NO. 2009-018102, WASHINGTON COUNTY DEED RECORDS;

THENCE SOUTH $01^{\circ}19'53''$ WEST, ALONG SAID EAST LINE, A DISTANCE OF 2.74 FEET;

THENCE NORTH $84^{\circ}05'17''$ EAST, ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 19.02 FEET TO TRUE PLACE OF BEGINNING OF THE EASEMENT CENTERLINE;

THENCE SOUTH $01^{\circ}24'37''$ WEST, A DISTANCE OF 126.41 FEET;

THENCE SOUTH $47^{\circ}15'48''$ WEST, A DISTANCE OF 4.90 FEET;

THENCE SOUTH $01^{\circ}24'37''$ WEST, A DISTANCE OF 16.29 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SW SENECA STREET AND THE TERMINUS OF THE EASEMENT CENTERLINE;

After Recording Return To:
Robinson Crossing LLC
3380 Barrington Drive
West Linn, OR 97068

Washington County, Oregon

2010-041483

08/02/2010 10:39:03 AM

D-E

Cnt=1 Stn=28 RECORDS1

\$40.00 \$5.00 \$11.00 \$15.00 - Total = \$71.00



01487080201000414830080086

I, Richard Hobernicht, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.

Richard Hobernicht
Richard Hobernicht, Director of Assessment and
Taxation, Ex-Officio County Clerk



SEWER LINE EASEMENT AGREEMENT

SEWER LINE EASEMENT AGREEMENT

This Sewer Line Easement Agreement (the "Agreement") is entered into this 26th day of May, 2010, by and between Robinson Crossing, LLC ("Robinson"), and Robinson Crossing Condominium ("Condominium").

RECITALS:

A. Robinson is the owner of certain real property located in Washington County, State of Oregon, commonly known as 18840 SW Boones Ferry Road, Tualatin, OR 97062 and identified as Tax Map Lot 2S124BC03500 located at the northeast corner of SW Boones Ferry Road and SW Seneca Street, Tualatin, Oregon, said portion being more particularly described in Exhibit A attached here to and made a part hereof (the "Robinson Property"). Robinson Crossing Condominium is the owner of certain real property located in Washington County, State of Oregon, commonly known as 18810 and 18820 SW Boones Ferry Road, Tualatin, OR 97062 and identified as Tax Map Lot 2S124BC80000, located north of the Robinson Property and more particularly described in Exhibit B attached here to and made a part hereof (the "Condominium Property").

B. An easement that included public sanitary sewer use was recorded Dec 1, 1969 as Washington County Document #1051, Easement 4A, Book 763, Page 915. This easement crossing the Robinson Property served both the Country Inn and Robinson Crossing Condominium Property.

To allow the condominium plat to be recorded for the Robinson Crossing Condominium Property development, this easement was quitclaimed and replaced by a reduced size public sanitary sewer easement, Washington County Document #2009-054295, recorded June 16, 2009.

The owner of the Robinson Property has commenced construction of a new building on the Robinson Property and as a result, the public sanitary sewer line must be replaced with private sanitary sewer lines that serve both the Country Inn and Robinson Crossing Condominium Property.

Robinson has agreed to replace the existing sewer line, and move it to a new location at Robinson's expense. Robinson has further agreed to grant this easement to Robinson Crossing Condominium for a new sewer line.

AGREEMENTS

In consideration of the mutual covenants and promises set forth herein, the parties agree as follows:

Section 1. Grant of Easement

1.1 Grant. In consideration of a one time payment of \$1.00, the receipt of which is acknowledged, Robinson grants Condominium a nonexclusive easement ten (10) feet in width measured five (5) feet on either side of that portion of a sewer line that runs across the

Robinson Property for purposes of allowing Condominium to use the sewer line and for future maintenance. Attached to this Agreement as Exhibit C is a description and diagram that illustrates the location of the sewer line. The property located five (5) feet on each side of the sewer line will be referred to as the "Easement Property."

1.2 Rights and Restrictions. After construction of the sewer line, Condominium and Condominium's Permitted Users shall have the right, at Condominium's sole cost, to maintain the sewer line in and under the Easement Property and the right to use the Easement Property for access to the sewer line to perform any repairs or maintenance they deem necessary on the sewer line. Robinson will construct a parking garage on and over the Easement Property. With the exception of said parking garage, Robinson agrees that it will not erect, construct or maintain any other building or structure on any portion of the Easement Property that would interfere with Condominium or Condominium's Permitted Users' ability to access the sewer line. Robinson further agrees that if necessary, Condominium may cut through any asphalt or concrete or any other access needed in order to access the sewer line for repair and maintenance.

1.3 Maintenance and Repair. All maintenance of the sewer line shall be performed by Condominium at its own expense. In the event such maintenance damages the Easement Property, Condominium shall restore the Easement Property to the condition existing prior to the maintenance. Otherwise, Robinson or its successors and assigns shall be responsible for the maintenance of the surface of the Easement Property.

Section 2. Effect of Agreement.

The easement granted pursuant to this Agreement shall run with the land as to all property benefited and burdened by such easement. For its term, the rights, covenants, and obligations contained in this Agreement shall bind, burden, and benefit the parties and their successors, assigns, lessees, mortgagees, and beneficiaries under any conveyance or deed of trust.

Section 3. General Provisions.

3.1 Conformance with Governmental Requirements. All uses of the easement granted pursuant to this Agreement shall be in conformance with all applicable federal, state, county, and municipal laws, ordinances, regulations, and requirements.

3.2 Modification. The terms of this Agreement, including the boundaries of any easement granted pursuant to this Agreement, may not be modified except with the unanimous consent of the parties (or their successors or assigns), provided that any such modification shall be in writing signed by the parties (or their successors or assigns).

3.3 Attorneys' Fees. In the event suit or arbitration is instituted to enforce or interpret this Agreement, the prevailing party shall be entitled to recover its reasonably incurred attorneys' fees and costs upon said trial or arbitration, and appeal therefrom.

3.4 Notices. Any notice which either party desires to give to the other shall be in writing, and shall be effective when actually delivered in person or by facsimile transmission,

one (1) business day after deposit with a reputable overnight courier service, or three (3) business days after placed in the U.S. Mail, postage prepaid as registered or certified mail, return receipt requested and addressed to such other owner at their last known address.

In WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

Robinson Crossing, LLC

By: [Signature]
David Emami,
Managing Member

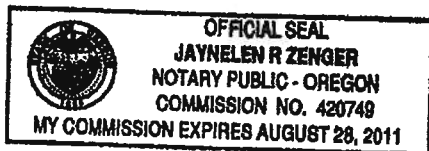
Robinson Crossing Condominium

By: [Signature]
David Emami,
Registered Agent

STATE OF OREGON

County of Clackamas } ss:

On this 26 day of May, 2010, personally appeared DAVID EMAMI, personally known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same freely and voluntarily.

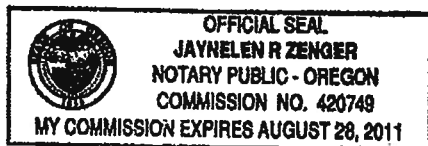


Jaynele R Zenger
NOTARY PUBLIC FOR OREGON
My Commission Expires: Aug. 28, 2011

STATE OF OREGON

County of Clackamas } ss:

On this 26 day of May, 2010, personally appeared DAVID EMAMI, personally known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same freely and voluntarily.



Jaynele R Zenger
NOTARY PUBLIC FOR OREGON
My Commission Expires: Aug. 28, 2011

EXHIBIT A

Legal Description of Robinson Crossing, LLC Property

JULY 13, 2008
LEGAL DESCRIPTION
TRACT 2

W.B. WELLS & ASSOC., INC. – 08-073

SITUATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF TUALATIN, COUNTY OF WASHINGTON, STATE OF OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO ROBINSON CROSSING, L.L.C. BY DEED RECORDED IN DOCUMENT NO. 2006-41540;

THENCE SOUTH 01°19'53" WEST, ALONG THE EAST LINE OF SAID DOCUMENT NO. 2006-41540 TRACT, A DISTANCE OF 91.70 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "W.B. WELLS & ASSOC., INC." SET, AND THE TRUE PLACE OF BEGINNING;

THENCE CONTINUING SOUTH 01°19'53" WEST, ALONG SAID EAST LINE, A DISTANCE OF 2.74 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO VETERANS OF FOREIGN WARS POST NO. 3452, BY DEED RECORDED IN BOOK 241, PAGE 651, WASHINGTON COUNTY DEED RECORDS;

THENCE NORTH 84°05'17" EAST, ALONG THE NORTH LINE OF SAID DEED BOOK 241, PAGE 651 TRACT, A DISTANCE OF 82.18 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 01°28'17" WEST, ALONG THE EAST LINE OF SAID DEED BOOK 241, PAGE 651 TRACT, A DISTANCE OF 153.96 FEET TO THE SOUTHEAST CORNER THEREOF AND THE NORTHERLY RIGHT-OF-WAY LINE OF SW SENECA STREET (WIDTH VARIES);

THENCE NORTH 88°36'58" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID DEED BOOK 241, PAGE 651 TRACT, A DISTANCE OF 81.30 FEET TO THE EAST LINE OF SAID DOCUMENT NO. 2006-41540 TRACT;

THENCE SOUTH 01°22'30" WEST, ALONG THE EAST LINE OF SAID DOCUMENT NO. 2006-41540 TRACT, A DISTANCE OF 0.50 FEET;

THENCE ALONG THE SOUTH LINES OF SAID DOCUMENT NO. 2006-41540 TRACT, AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINES, THE FOLLOWING COURSES:

NORTH 88°36'58" WEST, A DISTANCE OF 33.97 FEET;

THENCE SOUTH 01°22'30" WEST, A DISTANCE OF 1.00 FEET;

THENCE NORTH 88°36'58" WEST, A DISTANCE OF 30.41 FEET TO THE SOUTHWEST CORNER OF SAID DOCUMENT NO. 2006-41540 TRACT AND THE EASTERLY RIGHT-OF-WAY LINE OF SW TUALATIN ROAD (WIDTH VARIES);

THENCE ALONG THE WEST LINES OF SAID DOCUMENT NO. 2006-41540 TRACT AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING COURSES:

THENCE NORTH 01°23'07" EAST, A DISTANCE OF 90.11 FEET;

THENCE NORTH 88°36'58" WEST, A DISTANCE OF 1.50 FEET;

THENCE NORTH 01°23'07" EAST, A DISTANCE OF 57.66 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "W.B. WELLS & ASSOC., INC." SET;

THENCE SOUTH 88°36'53" EAST, A DISTANCE OF 65.90 FEET TO THE TRUE PLACE OF BEGINNING;

CONTAINING 21,676 SQUARE FEET

EXHIBIT B

Legal Description of the Robinson Crossing Condominium

JULY 13, 2008
LEGAL DESCRIPTION
TRACT 1

W.B. WELLS & ASSOC., INC. – 08-073

SITUATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF TUALATIN, COUNTY OF WASHINGTON, STATE OF OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO ROBINSON CROSSING, L.L.C. BY DEED RECORDED IN DOCUMENT NO. 2006-41540, AND THE TRUE PLACE OF BEGINNING;

THENCE SOUTH 01°19'53" WEST, ALONG THE EAST LINE OF SAID DOCUMENT NO. 2006-41540 TRACT, A DISTANCE OF 91.70 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "W.B. WELLS & ASSOC., INC." SET;

THENCE NORTH 88°36'53" WEST, A DISTANCE OF 65.90 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "W.B. WELLS & ASSOC., INC." SET, THE WEST LINE OF SAID DOCUMENT NO. 2006-41540 TRACT, AND THE EASTERLY RIGHT-OF-WAY LINE OF SW TUALATIN ROAD (WIDTH VARIES);

THENCE NORTH 01°23'07" EAST, ALONG SAID WEST LINE AND SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 58.10 FEET;

THENCE ALONG THE NORTHWEST AND NORTH LINES OF SAID DOCUMENT NO. 2006-41540 TRACT, AND ALONG THE SOUTHEASTERLY AND SOUTHERLY RIGHT-OF-WAY LINES OF SW BOONES FERRY ROAD (WIDTH VARIES), THE FOLLOWING COURSES:

NORTH 35°38'44" EAST, A DISTANCE OF 20.82 FEET;

THENCE NORTH 49°20'50" EAST, A DISTANCE OF 16.62 FEET;

THENCE NORTH 84°12'05" EAST, A DISTANCE OF 42.08 FEET TO THE TRUE PLACE OF BEGINNING;

CONTAINING 5,502 SQUARE FEET.

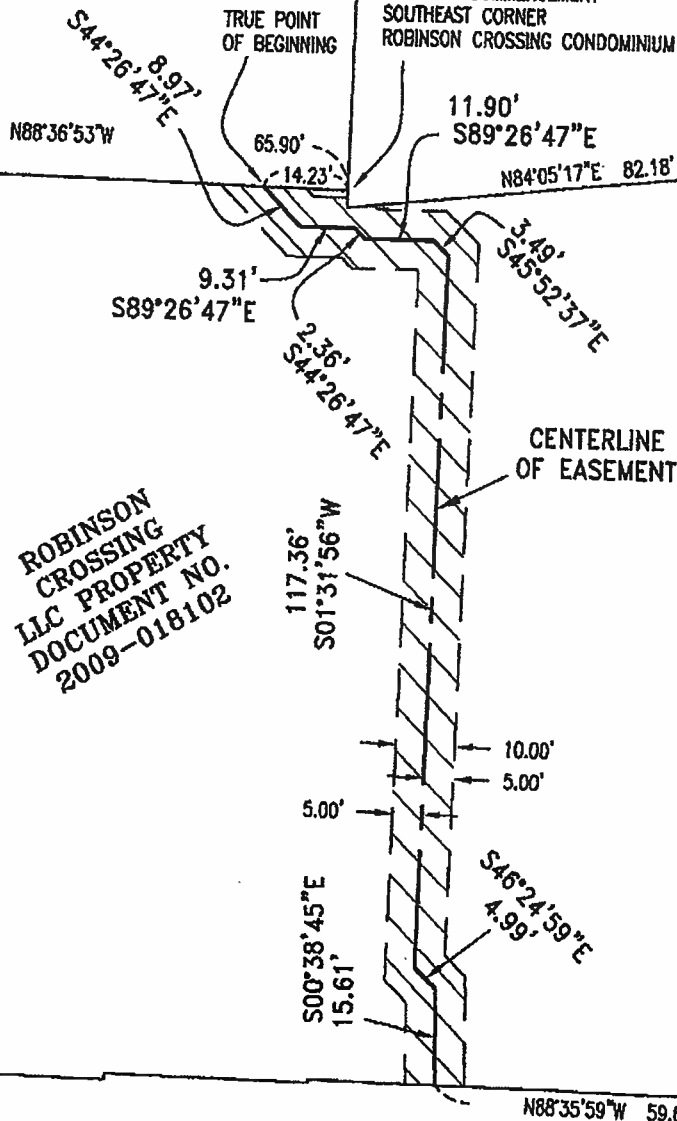


EXHIBIT C

SW TUALATIN ROAD

ROBINSON CROSSING CONDOMINIUM

POINT OF COMMENCEMENT
SOUTHEAST CORNER
ROBINSON CROSSING CONDOMINIUM



ROBINSON CROSSING
LLC PROPERTY
DOCUMENT NO.
2009-018102

CENTERLINE
OF EASEMENT

SW SENECA STREET



W.B. WELLS
and associates, inc.
ENGINEERS SURVEYORS PLANNERS
4230 NE FREMONT STREET
PORTLAND, OREGON 97213
PHONE: (503) 284-6898 FAX: (503) 284-8530
e-mail address: info@wbwells.com

SEWER EASEMENT BETWEEN
ROBINSON CROSSING, LLC AND
ROBINSON CROSSING, LLC

LOCATED IN THE NW 1/4 OF SECTION 24, T2S, R1W, W.M.,
CITY OF TUALATIN, WASHINGTON COUNTY, OREGON

DRAWN BY: BB

SCALE: 1"=30' DATE: 4-22-10

JOB NO: 08-073

FILE: P:\08-073\08-073

Sewer easements.DWG

APRIL 22, 2010

LEGAL DESCRIPTION

SEWER EASEMENT BETWEEN ROBINSON CROSSING, LLC, AND ROBINSON CROSSING, LLC

W.B. WELLS & ASSOC., INC. - 08-073

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF TUALATIN, WASHINGTON COUNTY, OREGON, BEING A 10.00 FEET WIDE SEWER EASEMENT, LYING 5.00 FEET EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, WITH SIDELINES LENGTHENED OR SHORTENED TO MEET PROPERTY LINES, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE DULY RECORDED PLAT OF "ROBINSON CROSSING CONDOMINIUM". WASHINGTON COUNTY PLAT RECORDS:

THENCE NORTH 88°36'53" WEST, ALONG THE SOUTH LINE OF SAID CONDOMINIUM PLAT, A DISTANCE OF 14.23 FEET TO TRUE PLACE OF BEGINNING OF THE EASEMENT CENTERLINE;

THENCE SOUTH 44°26'47" EAST, A DISTANCE OF 8.97 FEET;

THENCE SOUTH 89°26'47" EAST, A DISTANCE OF 9.31 FEET;

THENCE SOUTH 44°26'47" EAST, A DISTANCE OF 2.36 FEET;

THENCE SOUTH 89°26'47" EAST, A DISTANCE OF 11.90 FEET;

THENCE SOUTH 45°52'37" EAST, A DISTANCE OF 3.49 FEET;

THENCE SOUTH 01°31'56" WEST, A DISTANCE OF 117.36 FEET;

THENCE SOUTH 46°24'59" EAST, A DISTANCE OF 4.99 FEET;

THENCE SOUTH 00°38'45" EAST, A DISTANCE OF 15.61 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SW SENECA STREET AND THE TERMINUS OF THE EASEMENT CENTERLINE;



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date 7-12-10

Recording Secretary U.S.M.L.

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Michael A. McKillip, City Engineer *MA*
Mike Darby, Engineering Technician II *MD*

DATE: July 12, 2010

SUBJECT: RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR THE
LOWER TUALATIN PUMP STATION

ISSUE BEFORE THE COUNCIL:

Acceptance of public improvements constructed in association with the Lower Tualatin Pump Station, located within the boundaries of Tualatin Community Park.

RECOMMENDATION:

Staff recommends that the Council adopt the attached resolution approving and accepting the constructed public improvements.

EXECUTIVE SUMMARY:

All public improvements were constructed as part of Public Works Permit 08-12. The improvements constructed were installation of a water line, services, and a fire hydrant. These were done as required by AR 08-04 issued on May 1, 2008, and have been satisfactorily completed.

FINANCIAL IMPLICATIONS:

There are minor impacts on utility funds as a result of this work. Costs to be paid by ratepayers.

Attachment: A. Resolution

RESOLUTION NO. 4992-10

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
CONSTRUCTED IN ASSOCIATION WITH THE LOWER
TUALATIN PUMP STATION

WHEREAS the City of Tualatin, hereinafter referred to as CITY, issued Clean Water Services, hereinafter referred to as DEVELOPER, Public Works Construction Permit No. 08-12 to construct public improvements consisting of the installation of a public water line, services, and a fire hydrant in association with the Lower Tualatin Pump Station, said improvements being required by the Public Facilities Decision issued on May 1, 2008; and

WHEREAS DEVELOPER has constructed said required public improvements to standards required by CITY, and now desires to have CITY accept said improvements; and

WHEREAS CITY staff has inspected and recommends approval and acceptance of all public improvements; and

WHEREAS it is in the public interest that CITY accept said improvements.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The subject improvements are hereby approved and accepted by the CITY.

INTRODUCED AND ADOPTED this 12th day of July, 2010.

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

CITY OF TUALATIN, OREGON

By 
Mayor

ATTEST

By 
City Recorder



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date 7-12-10

Recording Secretary MSH

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Doug Rux, Community Development Director *DR*
Colin Cortes, Assistant Planner *C.C.*

DATE: July 12, 2010

SUBJECT: A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITIES OF TUALATIN AND WILSONVILLE FOR CONCEPT PLANNING THE URBAN GROWTH BOUNDARY EXPANSION AREA (BASALT CREEK / WEST RAILROAD PLANNING AREA)

ISSUE BEFORE THE COUNCIL:

A resolution authorizing a Memorandum of Understanding (MOU) between the Cities of Tualatin and Wilsonville for concept planning the Urban Growth Boundary (UGB) Expansion Area (Basalt Creek / West Railroad Planning Area formerly referred to as South Tualatin) located between the two cities.

RECOMMENDATION:

Staff recommends that the City Council consider the staff report and supporting attachments and adopt the attached resolution.

EXECUTIVE SUMMARY:

- Metro, the regional government, last expanded the regional Urban Growth Boundary (UGB) in 2004 and included the Basalt Creek / West Railroad Planning Area formerly referred to as South Tualatin. Through Exhibit F to Ordinance No. 04-1040B adopted September 22, 2004, Metro imposed on the included lands general conditions and ones specific to particular lands. Conditions specific to lands near Tualatin are found in Sections II(C), (D), and (E) and illustrated in Attachment A. For purposes of this staff report, the two most relevant conditions are that Basalt Creek / West Railroad Area is for residential and industrial land uses and Condition II(C)1:
"Washington County or, upon annexation to the Cities of Tualatin or Wilsonville, the cities, in conjunction with Metro, shall complete Title 11 planning within two years following the selection of the right-of-way alignment

for the I-5/99W Connector, or within seven years of the effective date of Ordinance No. 04-1040, whichever occurs earlier.”

- Attachment B is a map illustrating the various lands near Sherwood, Tualatin, and Wilsonville brought within the UGB in 2002 and 2004.
- The Basalt Creek / West Railroad Planning Area includes over 900 acres and is located within Washington County.
- The Cities have agreed to refer to the area generally as the Basalt Creek / West Railroad Planning Area.
- The Cities and the County wish to work together to complete concept planning for this area to assure carefully planned development in the Basalt Creek / West Railroad Area that will be of benefit to both Cities, the County and their residents.
- The property owners within the Basalt Creek / West Railroad Area have been unable to pursue urban development, in spite of the fact that it has been within the UGB for approximately six (6) years, because no concept plan is yet prepared for the area.
- Metro has allocated \$365,000 of Construction Excise Tax (CET) funding to pay for concept planning in the area, and
- The Cities expect to amend their existing Urban Planning Area Agreements (UPAAs) with Washington County to reflect the future city limit lines of each City, when the concept plan is completed.
- The Cities of Tualatin and Wilsonville will jointly conduct concept planning as established through the attached Memorandum of Understanding (MOU), which staff has drafted with Wilsonville staff. Concept planning will begin on or after July 1, 2010 yet before January 1, 2011 and take approximately 1½ to 2 years (or 18 to 24 months) to complete.
- Following completion of concept planning, the Cities will jointly amend their respective UPAAs with Washington County to establish within the Basalt Creek / West Railroad Area the ultimate jurisdictional limits for both cities.
- Policies and regulations that apply to the action include ORS 190.010, which provides that units of local government may enter into agreements for the performance of any or all functions and activities that a party to the agreement, its officers or agents, have authority to perform; Statewide Planning Goal 2 (Land Use Planning), which requires that City, County, State and Federal agency and special district plans and actions shall be consistent with the comprehensive plans of the cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 197; and the Oregon State Land Conservation and Development Commission (LCDC), which requires each jurisdiction requesting acknowledgment of compliance to submit an agreement setting forth the means by which comprehensive planning coordination within the Regional Urban Growth Boundary (UGB) will be implemented.

OUTCOMES OF DECISION:

Approval of the Resolution request will result in the following:

- Allows a Memorandum of Understanding (MOU) between the Cities of Tualatin and Wilsonville for concept planning the Urban Growth Boundary (UGB) Expansion Area (Basalt Creek / West Railroad Planning Area).

Denial of the Resolution request will result in the following:

- Denies a Memorandum of Understanding (MOU) between the Cities of Tualatin and Wilsonville for concept planning the Urban Growth Boundary (UGB) Expansion Area (Basalt Creek / West Railroad Planning Area).

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the staff recommendation for the Council are:

- Approve the proposed Resolution with modifications the Council deems necessary.
- Deny the request for the proposed Resolution.
- Continue the discussion of the proposed Resolution and return to the matter at a later date.

FINANCIAL IMPLICATIONS:

The City has budgeted revenue and expenditures through the CET grant program for Fiscal Year 2010/11.

- Attachments:**
- A. Exhibit F to Metro Ordinance No. 04-1040B
 - B. Map: UGB Expansion in the SW Metro Area
 - C. Resolution with Exhibit 1 Memorandum of Understanding

Exhibit F to Ordinance No. 04-1040B
Conditions on Addition of Land to the UGB

I. GENERAL CONDITIONS APPLICABLE TO ALL LANDS ADDED TO THE UGB

A. The city or county with land use planning responsibility for a study area included in the UGB shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan (“UGMFP”), section 3.07.1120 (“Title 11 planning”) for the area. Unless otherwise stated in specific conditions below, the city or county shall complete Title 11 planning within two years after the effective date of this ordinance. Specific conditions below identify the city or county responsible for each study area.

B. The city or county with land use planning responsibility for a study area included in the UGB, as specified below, shall apply the 2040 Growth Concept design types shown on Exhibit E of this ordinance to the planning required by Title 11 for the study area.

C. The city or county with land use planning responsibility for a study area included in the UGB shall apply interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1110, to the study area until the effective date of the comprehensive plan provisions and land use regulations adopted to implement Title 11.

D. In Title 11 planning, each city or county with land use planning responsibility for a study area included in the UGB shall recommend appropriate long-range boundaries for consideration by the Council in future expansions of the UGB or designation of urban reserves pursuant to 660 Oregon Administrative Rules Division 21.

E. Each city or county with land use planning responsibility for an area included in the UGB by this ordinance shall adopt provisions – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – in its land use regulations to enhance compatibility between urban uses in the UGB and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.

F. Each city or county with land use planning responsibility for a study area included in the UGB shall apply Title 4 of the UGMFP to those portions of the study area designated Regionally Significant Industrial Area (“RSIA”), Industrial Area or Employment Area on the 2040 Growth Concept Map (Exhibit C). If the Council places a specific condition on a RSIA below, the city or county shall apply the more restrictive condition.

G. In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) to Title 11 planning, each city and county with land use responsibility for a study area included in the UGB shall comply with those provisions of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission (“LCDC”) to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 by the deadline for completion of Title 11 planning, the city or county shall consider, in the city or county’s application of Goal 5 to its Title 11 planning, any inventory of regionally significant Goal 5 resources and any preliminary decisions to allow, limit or prohibit conflicting uses of those resources that is adopted by resolution of the Metro Council.

H. Each city and county shall apply the Transportation Planning Rule (OAR 660 Div 012) in the planning required by subsections F (transportation plan) and J (urban growth diagram) of Title 11.

II. SPECIFIC CONDITIONS FOR PARTICULAR AREAS

A. Damascus Area

1. Clackamas County and Metro shall complete Title 11 planning requirements through the incorporation of this area into the greater Damascus/Boring Concept Plan planning effort currently underway. This planning shall be completed within the same time frame as specified in Ordinance No. 02-969B.
2. In the planning required by Title 11, subsections (A) and (F) of section 3.07.1120, Clackamas County or any future governing body responsible for the area shall provide for annexation of those portions of the area whose planned capacity is sufficient to support transit to the Tri-met District.
3. In the planning required by Title 11, subsections (A) and (F) of section 3.07.1120, Clackamas County or any future governing body responsible for the area shall provide for annexation of those portions of the area whose planned capacity is sufficient to support transit to the Tri-met District.

B. Beavercreek Area

1. Clackamas County or, upon annexation to Oregon City, the city and county, with Metro, shall complete Title 11 planning for the area.
2. This area shall be planned in conjunction with the adjoining tax lot added to the UGB in 2002, under Ordinance No. 02-969B.

~~C. Borland Area North of I 205~~

- ~~1. Clackamas County or, upon annexation to the City of Tualatin, the city and county, in coordination with the Cities of Lake Oswego, Tualatin, and West Linn and Metro, shall complete Title 11 planning within four years following the effective date of Ordinance No. 04-1040. The county and city, in conjunction with Lake Oswego and West Linn and Metro shall recommend long range boundaries in the Stafford Basin and general use designations for consideration by the Council in future expansions of the UGB.~~
- ~~2. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.~~

~~D~~C. Tualatin Area

1. Washington County or, upon annexation to the Cities of Tualatin or Wilsonville, the cities, in conjunction with Metro, shall complete Title 11 planning within ~~four~~ two years following the selection of the right-of-way alignment for the I-5/99W Connector, or within seven years of the effective date of Ordinance No. 04-1040, whichever occurs earlier.

2. Title 11 planning shall incorporate the general location of the projected right of way ~~location~~ alignment for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan. If the selected right-of-way for the connector follows the approximate course of the "South Alignment," as shown on the Region 2040 Growth Concept Map, as amended by Ordinance No. 03-1014, October 15, 2003, the portion of the Tualatin Area that lies north of the right-of-way shall be designated "~~Inner~~Outer Neighborhood" on the Growth Concept Map; the portion that lies south shall be designated "Industrial."
3. The governments responsible for Title 11 planning shall consider using the I-5/99W connector as a boundary between the city limits of the City of Tualatin and the City of Wilsonville in this area.

~~D.~~ Quarry Area

1. Washington County or, upon annexation to the cities of Tualatin or Sherwood, the cities, and Metro shall complete Title 11 planning for the area.
2. Title 11 planning shall, if possible, be coordinated with the adjoining area that was included in the UGB in 2002 under Ordinance No. 02-969B.
3. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.
4. Title 11 planning shall incorporate the general location of the projected right-of-way for the Tonquin Trail as shown on the 2004 Regional Transportation Plan.

~~E.~~ Coffee Creek Area

1. Washington and Clackamas Counties or, upon annexation of the area to the ~~City~~ cities of Tualatin or Wilsonville, the city, ~~and in conjunction with Metro,~~ shall complete the Title 11 planning for the area within ~~four~~ two years following the selection of the right-of-way alignment for the I-5/99W Connector, or within seven years of the effective date of Ordinance No. 04-1040B, whichever occurs earlier.
2. ~~The concept~~ Title 11 planning shall incorporate the general location of the projected right of way location for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan.

~~G.~~ Wilsonville East Area

1. ~~Clackamas County or, upon annexation of the area to the City of Wilsonville, the city, and Metro shall complete the Title 11 planning for the area within two years of the effective date of Ordinance No. 04-1040.~~
2. ~~In the planning required by Title 11 a buffer shall be incorporated to mitigate any adverse effects of locating industrial uses adjacent to residential uses located southwest of the area.~~

- ~~3. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.~~

~~HF.~~ Cornelius Area

1. Washington County, or, upon annexation of the area to the City of Cornelius, the city and Metro shall complete the Title 11 planning for the area.









~~IG.~~ Helvetia Area

1. Washington County, or upon annexation of the area to the City of Hillsboro, the city, and Metro shall complete the Title 11 planning for the area.
2. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.

UGB Expansion in the SW Metro Area



UGB Expansion

-  Metro Urban Growth Boundary
 SW Concept Plan Area
 Basalt Creek/West Railroad Concept Plan Area
 UR5F
 2002 UGB Expansion
 Coffee Creek Area added to UGB June 2004
 South Tualatin Area added to UGB June 2004
 Quarry Area added to UGB June 2004














Area Cities and Counties

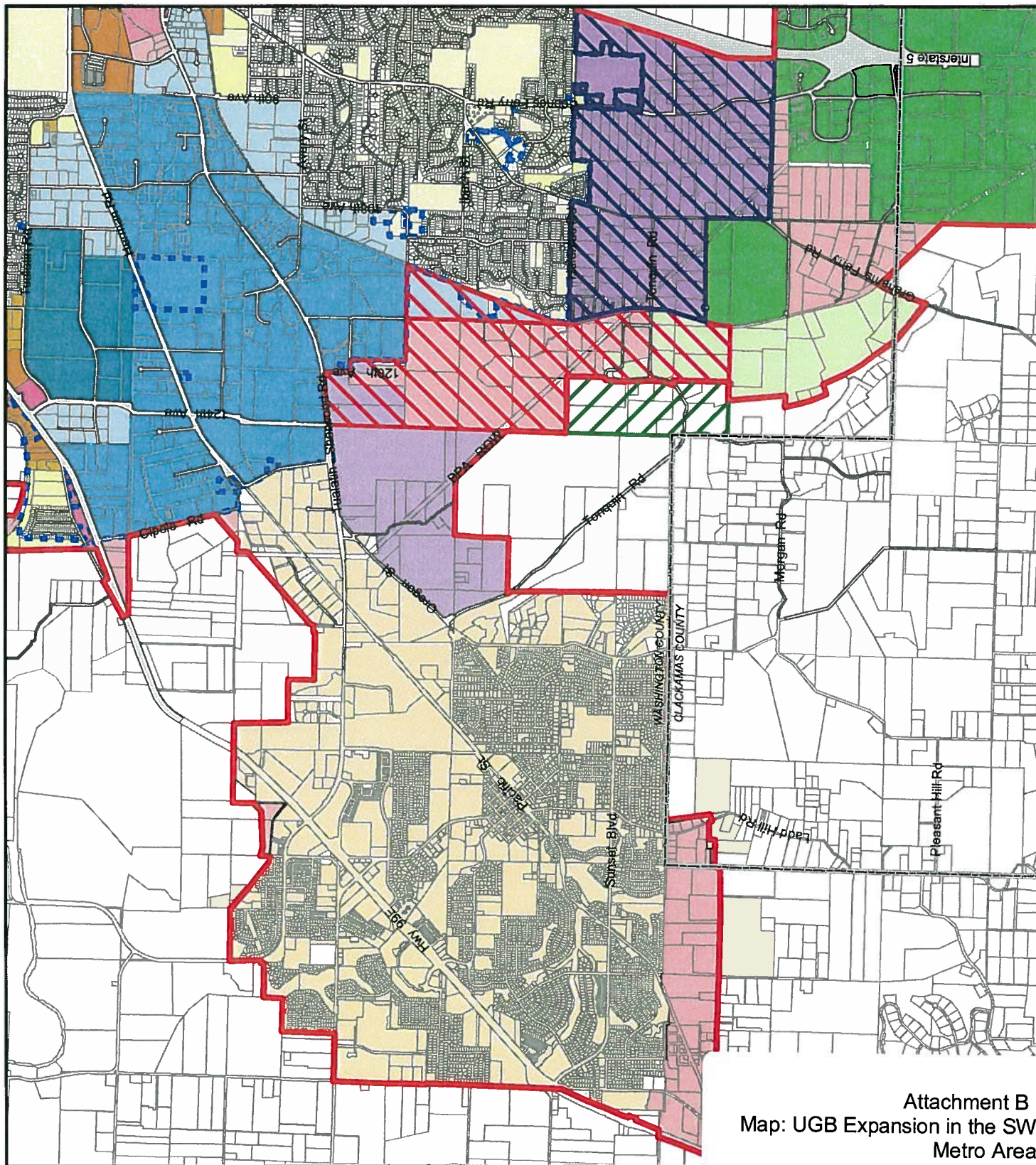
-  City of Tualatin
 City of Sherwood
 City of Wilsonville
 County Boundary

Transportation

- + Commuter Rail

Tualatin Planning Districts

- | | |
|---|---------------------------------------|
|  | Office Commercial (CO) |
|  | Central Commercial (CC) |
|  | General Commercial (CG) |
|  | Recreational Commercial (CR) |
|  | Medical Center (MC) |
|  | General Manufacturing (MG) |
|  | Light Manufacturing (ML) |
|  | Manufacturing Park (MP) |
|  | High Density Residential (RH) |
|  | High Density / High Rise (RH/HR) |
|  | Low Density Residential (RL) |
|  | Medium High Density Residential (RMH) |
|  | Medium Low Density Residential (RML) |



This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -Engineering and Building Department
Printed 6/30/2010

Attachment B
Map: UGB Expansion in the SW
Metro Area

RESOLUTION NO. 4993-10

A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN WASHINGTON COUNTY AND THE CITIES OF TUALATIN AND WILSONVILLE FOR CONCEPT PLANNING THE URBAN GROWTH BOUNDARY EXPANSION AREA (BASALT CREEK / WEST RAILROAD PLANNING AREA)

WHEREAS in 2004 the Metro Council added an area located generally between the CITIES to the Urban Growth Boundary (UGB) for residential and industrial uses in Metro Ordinance No. 04-1040B; and

WHEREAS the CITIES have agreed to refer to the area generally as the "Basalt Creek Planning Area"; and

WHEREAS concept planning has never been completed for these properties; and

WHEREAS the CITIES and the COUNTY wish to work together to complete concept planning for this area to assure carefully planned development in the Basalt Creek/West Railroad Planning Area Planning Area that will be of benefit to both CITIES, The COUNTY and their residents.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that :

Section 1. The City Council authorizes the Mayor to sign the Memorandum of Understanding entitled "Memorandum of Understanding between the Cities of Tualatin and Wilsonville for Concept Planning the Urban Growth Boundary Expansion Area (Basalt Creek / West Railroad Planning Area)."

INTRODUCED AND ADOPTED this 12TH day of July 2010.

CITY OF TUALATIN, Oregon

By  _____
Mayor

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

ATTEST:

By  _____
City Recorder

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITIES OF TUALATIN AND WILSONVILLE
FOR CONCEPT PLANNING THE URBAN GROWTH BOUNDARY
EXPANSION AREA (BASALT CREEK/WEST RAILROAD PLANNING AREA)**

Whereas, in 2004 the Metro Council added an area located generally between the Cities of Tualatin and Wilsonville, to the Urban Growth Boundary (UGB) for residential and industrial uses in Metro Ordinance No. 04-1040B; and

Whereas, the two Cities have agreed to refer to the area generally as the Basalt Creek Planning Area; and

Whereas, the two Cities wish to work together to complete concept planning for this area to assure carefully planned development in the Basalt Creek/West Railroad Planning Area that will be of benefit to both Cities and their residents; and

Whereas, Metro conditioned that the UGB expansion undergo Title 11 concept planning as defined in Metro Code Chapter 3.07, cited as the Urban Growth Management Functional Plan (UGMFP), and that the concept planning be completed in accordance with Exhibit F of Metro Ordinance 04-1040B; and

Whereas, recent action by the Oregon Transportation Commission (OTC), and by the Metro Council on the Regional Transportation Plan, support a southerly extension of SW 124th Avenue from SW Tualatin-Sherwood Road and ending at SW Tonquin Road and continuing via existing streets and rights-of-way to Interstate 5, in order to provide freight access to Tualatin's industrial areas in the vicinity of SW 124th Avenue; and

Whereas, the OTC has also approved the transfer of jurisdiction over SW Boones Ferry Road between Norwood Road and Day Road from the State to Washington County, authorizing \$2 million dollars in improvements to that section of roadway; and

Whereas, street connectivity within the study area will be necessary to support a functioning transportation system; and

Whereas, the property owners within the Basalt Creek/West Railroad Planning Area have been unable to pursue the urban development of their land, in spite of the fact that it has been within the UGB for approximately six years, because no Concept Plan has been prepared for the area; and

Whereas, Metro has allocated \$365,000 of Construction Excise Tax funding to pay for Concept Planning in the area, and

Whereas, once concept planning is complete, the two Cities intend to enter into an intergovernmental agreement (IGA) that will finalize the intent and understandings set forth in this Memorandum of Understanding (MOU); and

Whereas, there exists a somewhat isolated area west of the railroad tracks (labeled the West Railroad Planning Area) which was part of the same UGB expansion as the remainder of the Basalt Creek Planning Area and for which the City of Wilsonville intends to provide planning services; and

Whereas, Tualatin and Wilsonville approach planning differently in terms of legislative decision-making, with Tualatin using a single map for both Comprehensive Plan land use designations and zoning, while Wilsonville uses a separate map for each. Also, Tualatin's City Council conducts its own legislative hearings without a Planning Commission, while Wilsonville's City Council acts after receiving the recommendation of its Planning Commission. These differences will require staffs and consultants to coordinate with one another in ways that might not typically be needed and will require the two City Councils to work together in a cooperative manner; and

Whereas, Oregon Statewide Planning Goal 1 requires public involvement and Goal 2 requires intergovernmental coordination, this MOU is intended to indicate to private property owners in the area, Washington County, Metro, the State or Oregon, and all other interested parties the cooperative nature of the planning effort being undertaken by the Cities of Tualatin and Wilsonville; and

Whereas, both the Cities of Wilsonville and Tualatin expect to amend their existing Urban Planning Area Agreements (UPAAs) with Washington County to reflect the future city limit lines of each City, when the Concept Plan has been completed.

Now, therefore, the Cities of Tualatin and Wilsonville set forth their understanding as follows:

A. Subject Land Area

1. The Basalt Creek/West Railroad concept planning area between Tualatin and Wilsonville is mapped in Exhibit 1.

B. Urban Planning Area Agreements (UPAAs)

1. Both the City of Tualatin and the City of Wilsonville have UPAAs with Washington County that will have to be amended once jurisdictional boundaries are determined in the Concept Plan work. It is recognized that Washington County adopts annual land use and transportation work

programs, and this concept planning effort will require coordination to fit within the work program of Washington County.

C. Title 11 Concept Planning

1. The Cities of Tualatin and Wilsonville acknowledge that they will fulfill the requirements of Title 11 related to future land use, affordable housing, transportation, environmental conservation, potable water, sanitary sewer, stormwater management, parks, police, fire protection, and public school siting and will address additional topics including, but not limited to, citizen involvement, fiscal analysis, intergovernmental coordination, capital improvements, economic development, natural hazards, solid waste management, and general local government services.
2. The two Cities will initiate concept planning on or after July 2, 2010 and before December 31, 2010 as long as Metro authorizes the use of \$365,000 of construction excise tax (CET) grant funds, and both Cities allocate funds through their respective budgets to conduct the Title 11 concept planning work. If for whatever reason Metro does not grant CET funds, then either party to this Memorandum of Understanding (MOU) may either revoke the MOU without obligation or penalty or the two Cities may jointly amend the MOU.
3. Tualatin will act as the fiscal agent of the Metro CET grant funds.
4. The two Cities jointly will prepare a scope of work (***note draft scope of work outline attached as Appendix 1***) in coordination with Metro to establish key milestones for deliverables by addressing:
 - a. a CET grant as the funding source
 - b. City responsibilities
 - c. RFP process
 - d. eligible expenses for a CET grant
 - e. payment procedures
 - f. project records retention
 - g. records audit and inspection
 - h. term of contract
 - i. amendment, and
 - j. relationship to other legal agreements.
5. At the conclusion of the concept planning process, the two Cities intend to enter into an IGA to delineate the ultimate municipal boundary between the two Cities.

6. Based on mutual agreement the two Cities will share equally the additional cost if the cost of concept planning exceeds the amount of the CET grant funds. The sharing may be in the form of in-kind services as well as cash.
7. The two Cities jointly will draft and issue a Request for Proposals (RFP) for consultant services to conduct the concept planning work activities and will jointly chose a consultancy.
8. The two Cities jointly will fund using Metro CET grant funds one consultancy to aid completion of concept planning.
9. The two Cities jointly will establish criteria for review of candidate consultancies.
10. The two Cities will establish through the chosen consultancy a joint set of goals and objectives as well as criteria to guide project-related decisions.
11. The two Cities acknowledge that further amendment of their UPAA's will be necessary following completion of concept planning.

D. Comprehensive Planning

1. Each City is responsible for conducting its own Comprehensive Plan amendments.

E. City Council Coordination

1. The Cities of Tualatin and Wilsonville acknowledge that they will hold joint City Council meetings at key milestones to be determined.

F. Intergovernmental Agreement (IGA)

1. Based on the outcome of the concept planning work, the Cities of Tualatin and Wilsonville and other involved parties may as necessary establish an intergovernmental agreement (IGA).

G. Dispute Resolution

1. If a boundary dispute arises, and Tualatin and Wilsonville cannot resolve the dispute, the two Cities acknowledge that in 1997, the Oregon state legislature granted Metro authority to establish requirements for boundary

changes within its district. The Boundary Appeals Commission would arbitrate the dispute.

ENTERED into this 12 day of JULY, 2010.

CITY OF TUALATIN, Oregon

By 

ATTEST:

By 

CITY OF WILSONVILLE, Oregon

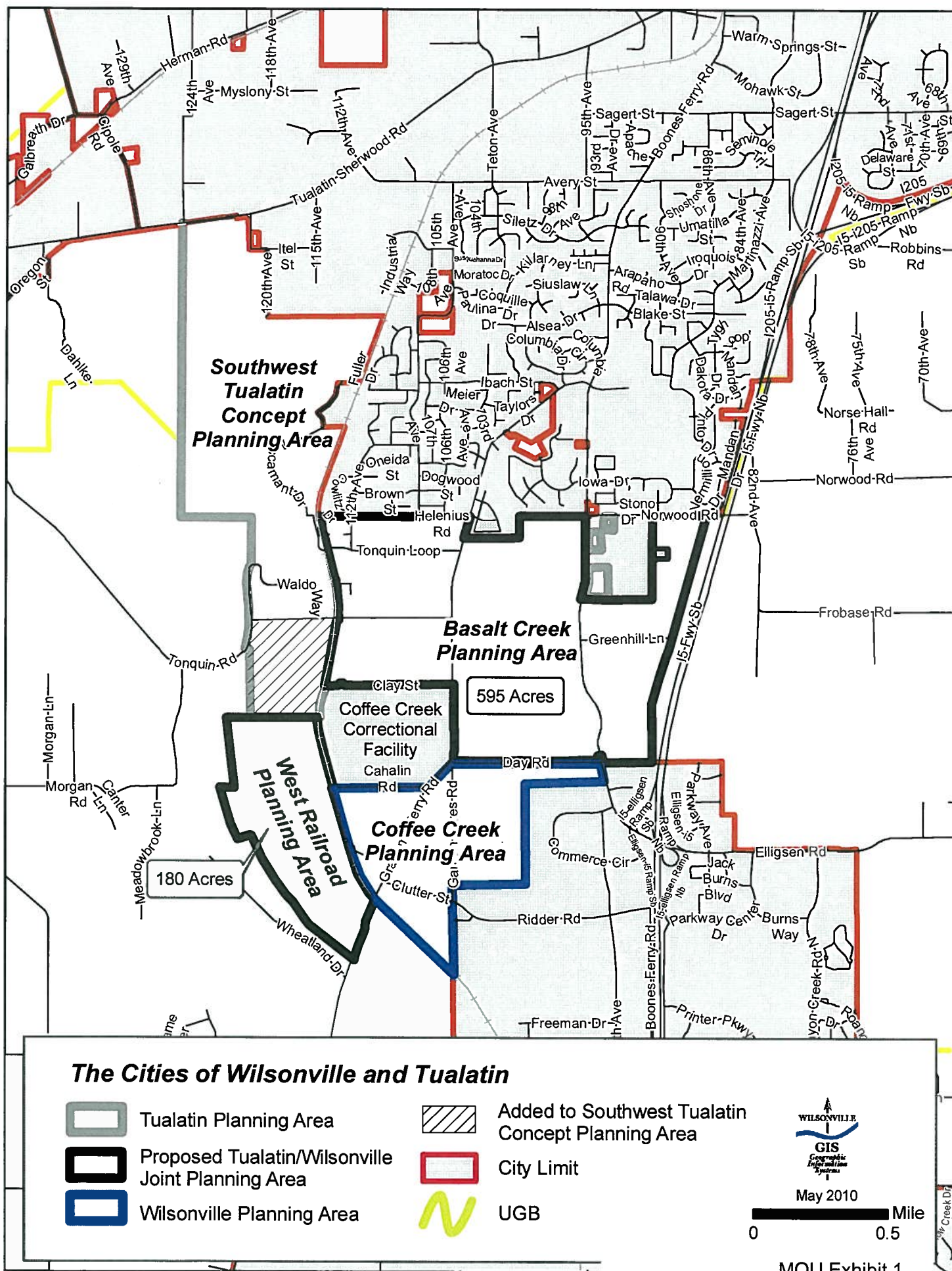
By _____

ATTEST:

By _____

APPROVED AS TO LEGAL FORM


CITY ATTORNEY



Draft Scope of Work:

Project Cooperation

Key Personnel

Project Purpose

Transportation Relationships and Benefits

Description of Project Area

Background

Objectives

Expectations About Written and Graphic Deliverables

Establish Technical Advisory Committee and Complete Goal Setting

Establish Public Involvement Process

Existing Conditions, Review, Research and Report

Develop Evaluative Criteria and Conceptual Alternatives

Traffic Analysis

Annexation/Cost Impact Analysis

Alternatives Evaluation

Draft Concept Plan

Final Concept Plan, Amendments, Adoption

Project Management

Draft Concept Plan outline:

I. Introduction

Context and setting – including a description of what already exists in the planning area.

Plan summary.

II. Planning Process

What is a Concept Plan -- including an explanation of how one would use it.

A description of the Concept Plan's relationship to the Tualatin and Wilsonville Comprehensive Plans.

An explanation of how was the Concept Plan was developed.

III. Concept Plan

Land use and development plan.

Traffic analysis and circulation plan (including 124th Ave. extension).

Infrastructure needs.

Natural and cultural resources.

IV. Implementation

Provision of urban services.

Cost estimates.

Funding options.

Fiscal impact findings.

Consistency with other City plans and policies.

A list or chart showing who will do what and the date by which it will be done.



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL

Date 7-12-10

Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *[Signature]*

FROM: Paul Hennon, Community Services Department *[Signature]*
Carl Switzer, Parks and Recreation Manager *[Signature]*

DATE: July 12, 2010

SUBJECT: RESOLUTION ADOPTING FEE SCHEDULE FOR THE
TRESTLE SHELTER

ISSUE BEFORE THE COUNCIL:

Council will consider a resolution approving a fee schedule for the Trestle Shelter in Tualatin Community Park.

RECOMMENDATION:

The Tualatin Park Advisory Committee (TPARK) recommends Council adopt the rental fee for the Trestle Shelter as shown in the attached resolution.

EXECUTIVE SUMMARY:

On June 14, 2010 Council approved a resolution accepting public improvements for construction of Phase 1 park improvements associated with the Lower Tualatin Pump Station which included a new picnic shelter, known as the Trestle Shelter. The Trestle Shelter is available for immediate use and fees must be established in order to provide an orderly and efficient use of those facilities and to defray costs to process reservation applications and to provide supervision and maintenance of the facilities.

FINANCIAL IMPLICATIONS:

The rental fees would be set to be consistent with the established picnic shelters. As such, rental of a four hour block of time would be set at \$25 for residents and \$50 for non residents. Existing Alcohol Permit fees and policies would apply to any rental of the Trestle Shelter.

Attachments: Resolution

c: Members of the Tualatin Park Advisory Committee (TPARK)

RESOLUTION NO. 4994-10

RESOLUTION ADOPTING FEE SCHEDULE FOR THE TRESTLE SHELTER

WHEREAS the City of Tualatin owns and operates the Trestle Shelter; and

WHEREAS in order to provide an orderly and efficient use of that facility by a broad cross-section of the public, a reservation system is in the public interest; and

WHEREAS the costs to process reservation applications, provide supervision and maintenance of the facility in conjunction with a reservation system necessitates the collection of fees to offset the costs to varying degrees.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON that:

Section 1. TRESTLE SHELTER FEE SCHEDULE

The fee schedule for the Trestle Shelter will be as follows:

Class 1: City of Tualatin functions.

Class 2: City of Tualatin Co-Sponsored

Class 3: Youth Serving Groups or Activities, and Public Agencies

Class 4: All Other Groups, Organizations and Individuals

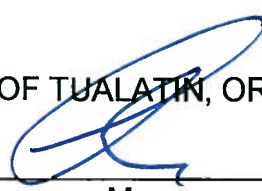
User Classification			
1 and 2	3	4	
		Resident	Non Resident
No Fee	No Fee	\$ 25.00	\$ 60.00

All picnic shelter fees are for a four hour block of time.

INTRODUCED AND ADOPTED this 12th day of July, 2010.

CITY OF TUALATIN, OREGON

BY


Mayor

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

ATTEST:

BY


City Recorder



STAFF REPORT

CITY OF TUALATIN

** 9/13/2010

CONTINUED BY TUALATIN CITY COUNCIL

Date 7-12-10

Recording Secretary M. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Doug Rux, Community Development Director *DR*
William Harper, Associate Planner *WH*

DATE: July 12, 2010

SUBJECT: ORDINANCE CHANGING THE PLANNING DISTRICT DESIGNATION FROM LOW-DENSITY RESIDENTIAL (RL) TO MEDICAL CENTER (MC) OF PARCELS OF LAND LOCATED ON SW BORLAND ROAD (21E 19C 1700 & 2000) AND .25 ACRES OF ABUTTING RIGHT-OF-WAY; AND AMENDING THE COMMUNITY PLAN MAP 9-1 (PMA-09-03)

ISSUE BEFORE THE COUNCIL:

City Council consideration regarding the request for a Plan Map Amendment (PMA) to change the Planning District designation from Low-Density Residential (RL) to Medical Center (MC) of parcels of land located at 6001, 6021, 6031, and 6041 SW Borland Road (21E 19C 1700 & 2000) and to the centerline of the abutting public right-of-way (ROW) of SW Borland Road.

RECOMMENDATION:

The Tualatin Planning Advisory Committee (TPAC) did not have a voting quorum on October 8, 2009, and did not review PMA-09-03 prior to the initial Council public hearing on November 9, 2009 thru a series of continuances to a second public hearing on March 8, 2010. With a continuance from the March 8 Council meeting to July 12, 2010, TPAC reviewed PMA-09-03 at the July 6, 2010 TPAC meeting. Due to the timing of this staff report to the Council, the TPAC recommendation on PMA-09-03 will be provided to the City Council at the Council's July 12 public hearing.

Staff recommends that the City Council consider the staff report and supporting attachments and provide direction.

EXECUTIVE SUMMARY:

- This matter is a proposed Plan Map Amendment to the Community Plan Map 9-1 of the Tualatin Development Code (TDC).
- The City Council will consider the matter in a quasi-judicial public hearing.

- This hearing was continued from the initial public hearing for the Legacy Health System (LHS) Plan Map Amendment (PMA-09-03) held at the November 9, 2009 Council Meeting, the January 25, 2010 meeting and the February 8, 2010 meeting. The hearing was continued to allow time for Legacy and City staff to prepare a Development Agreement (DA) that would address issues raised by neighbors and the Council. The 1st public hearing was continued to January 25, 2010 and City staff and Legacy began work on a Draft Development Agreement. On January 14, 2010, the Council reviewed a Draft of the agreement in Work Session. Based on the Work Session, Councilmember questions and further discussions with Legacy, transportation improvement issues in the proposed Development Agreement were still being discussed prior to the January 25 public hearing. On January 25, Legacy again requested continuing the hearing to February 8 and the Council granted the request. Prior to the February 8 meeting and consideration of the DA, five additional DA issues were raised by councilors and presented to Legacy. On February 8, Legacy requested continuing the PMA-09-03 hearing to allow time to review and discuss the additional DA issues. The Council continued the public hearing on PMA-09-03 and the consideration of the DA to March 8, 2010. At the February 22, 2010 Work Session, the Council reviewed the February 8 Draft version of the agreement in Work Session and discussed the additional five issues with Larry Hill of Legacy and Allyson Anderson, CEO of LMPMC. Based on the February 22 Work Session, the March 8 version of the proposed Development Agreement was presented to the Council on March 8, 2010 for consideration as a separate agenda item.
- At the March 8 public hearing for the DA and PMA-09-03, persons testifying and Council members raised questions regarding future access to and from the Property, Legacy's plans for development on the site, future access to the Property, and about the impact of buildings and site improvements on neighboring property owners. The Council asked for additional opportunity for neighboring residential property owners to ask Legacy about their proposal, review the DA, and provide their comments on the issues that concern them. The public hearing was continued to July 12, 2010.
- The applicant is Ms. Thomasina Gabriele of Gabriele Development Services on behalf of the property owner, Legacy Health System (LHS). Mr. Larry Hill represents Legacy Health System.
- The subject properties are two undeveloped parcels totaling 19.6 acres located at 6001, 6021, 6031, 6041 SW Borland Road in the RL (Low-Density Residential) Planning District (Clackamas County Assessors Map 21E 19C 1700 & 2000). The subject parcels have frontage on the north side of SW Borland Road and adjoin the east property line of the Legacy Meridian Park Medical Center (LMPMC) campus located in the MC Planning District. On the east property line, the subject properties are bordered by single-family residential development in the Fox Hills neighborhoods in the RL (Low Density Residential) Planning District. Staff recommends also changing the designation of the approximately 0.25 acres of abutting public ROW of SW Borland Road (RL changed to MC to the street centerline). A Vicinity Map, a Tax Map and a Site Map are included as

Attachments A, B and C respectively. The applicant's materials are included as Attachment D.

- Legacy Health System purchased the subject property in 2004 for future expansion of the 46 acre Legacy Meridian Park Medical Center campus and facilities. LHS does not have plans for buildings or other improvements on the property at this time.
- The subject property includes the former Grimitt farmhouse with outbuildings on the northern Parcel 2000. On Parcel 1700 adjoining SW Borland Road is a small vacant house identified as the "Minnie Skog House", listed in the City's Historic Preservation Chapter 68 as a historic landmark. No application for alteration, relocation or demolition of the historic structure has been submitted.
- The (existing) RL Planning District allows detached single-family residential dwelling development as a permitted use [TDC 40.020(1)] and allows a hospital or sanitarium as a conditional use [TDC 40.030(4)(h)]. The MC Planning District which currently encompasses the LMPMC campus allows various hospital and healthcare service uses including a primary care hospital, medical and healthcare professional offices, clinics and laboratories and supporting retail commercial uses (pharmacy, small bank or credit union branch, gift store, salon, etc.) as permitted uses. The MC District also allows residential facilities such as congregate care, assisted living, nursing and convalescent homes as permitted uses.
- The MC Planning District was created from a joint Plan Text Amendment application by Legacy Meridian Park Hospital/Legacy Health System and the City (PTA-99-01) and approved by Council on March 5, 1991. The purpose of the amendment was to specify the medical, allied medical, and facility support uses common to a medical-health care facility and provide specific building setback, parking setback and building height setbacks for a medical facility. It was understood that the MC designation would be applied to the Legacy Health Systems site in an existing and future context of residential development. Plan Map Amendment PMA-91-01 applying the MC Planning District designation to the 48 acre LMP Hospital campus was approved on June 3, 1991. The MC Planning District Standards are provided as Attachment E.
- Legacy approached the City in early 2009 about their interest in the process for securing the correct zoning to allow a future expansion of the medical center campus onto the LHS property. At that time, City staff advised Legacy that the MC Planning District was the appropriate designation for an expansion onto the property and would:
 1. Provide Legacy with greater certainty for planning and constructing the medical and health services and facilities that Legacy may want to develop on the property;
 2. Be consistent with the adjacent LMPMC designation and the intent of the MC Planning District, and;
 3. Provide nearby residential neighborhoods and properties with greater certainty about the kinds of medical center uses allowed and specific standards for building and parking setbacks and building heights allowed that will buffer and separate the medical center to residential development.

Staff noted that taking the course of a conditional use permit for a Hospital under the existing RL designation would restrict Legacy to a limited list of uses under the definition of a "hospital", may require a new conditional use approval for each facility expansion on the Property and would not provide the neighbors, Legacy or the City with any specific standards for setbacks, buffers, and building height. Staff thought the most certain and consistent approach for the neighbors, the City and Legacy would be a PMA to designate the property MC.

- Changing the designation on 19.6 acres to MC would allow the LMPMC campus to expand with buildings, parking and landscaping onto the subject properties in the future, subject to the specific list of allowed uses, minimum lot size and setback provisions, and building height provisions of the MC Planning District [TDC Chapter 56] and the Community Design Standards, Public Improvement Requirements & Access Management on Arterial Streets provisions in TDC Chapters 73, 74 & 75. LHS seeks the Map Amendment to change the designation to MC. Development and improvements on the property will be subject to Architectural Review. Alteration, relocation or demolition of the historic house will be subject to approval of a Historic Landmark Certificate of Appropriateness under TDC Chapter 68.
- The submitted traffic analysis (Attachment D, Transportation Planning Rule Analysis – Kittelson & Associates, Inc.) and Supplemental Information (Dated October 1, 2009) analyzes Reasonable Worst Case scenarios for existing RL and changing the Planning District designation of the subject parcels from RL to MC for three scenarios: RL, single family homes; a Hospital Conditional Use in RL; and a Medical Offices/Hospital development in MC. The analysis assumes a new SW Borland Road access (see discussion in Attachment G, p. 11). The Engineering Division Memorandum (Attachment H, pp. 1-4) provides the following summary of Trip Generation figures comparing RL single family residential with MC medical office:

Estimated Trip Generation								
Land Use	ITE Code	Size	Weekday AM Peak Trips			Weekday PM Peak Trips		
			Total	In	Out	Total	In	Out
Single-Family Residential	210	94 Units	75	20	55	100	60	40
Medical Office	220	250,000 square feet	620	490	130	930	260	680
Net Increase with Medical Office Development			545	470	75	830	190	640

Under the Reasonable Worst Case Development Scenarios the proposed MC medical office development traffic will result in an increase in the number of trips at the AM and PM Peak compared to a single family subdivision use in RL.

In regard to Oregon Statewide Planning Goal 12-Transportation and the Transportation Planning Rule (TPR) (OAR-660-012), the Kittelson Memorandums find that the proposed plan amendment will not “significantly effect” an existing or planned transportation facility and satisfies all of the requirements of the TPR. An October 27, 2009 comment from the Oregon Department of Transportation (ODOT) (Attachment I-ODOT Letter 1) requested additional information from the applicants regarding the I-5/Nyberg Street interchange. A January 14, 2010 letter from ODOT (Attachment I-ODOT Letter 2) questioned the Kittelson analysis and conclusion based on a “hospital” use as a “reasonable worst case” scenario, contending that as a conditional use in the existing RL Planning District a hospital is not an “outright” “allowed” use for purposes of evaluating TPR impacts on ODOT facilities. ODOT believes a conditional use is not suitable for a TPR analysis and would prefer that a permitted use under the RL designation (single-family residential) be used for evaluating the effect.

A medical office/clinic use is allowed as a hospital use (conditional in RL) and as a permitted use in MC. Because the City considers both permitted and conditional uses are “allowed” uses under the TDC and due to the history of the LMPMC as both a conditional use under RL (Previously approved in Case #s CUP-89-06; CU86-04; CU84-03; CU83-05; CU80-03; 1970) and a permitted use under the MC Planning Districts as well as the long-held expectation that LHS will expand the LMPMC facility onto the subject property in the future, staff disagrees with the ODOT position and accepts the Kittelson TPR analysis using 250,000 s.f. of medical office as a ‘reasonable worst case’ scenario.

In regard to Criterion “8” and Level of Service (LOS), the Engineering Division agrees with the submitted Supplemental Information statement “...this standard is met during all time periods for each development scenario, with the exception of the SW 65th/SW Sagert intersection. The SW Sagert/SW 65th Avenue intersection meets warrants for signalization under any scenario”. (Attachment H).

The City of Tualatin TSP Appendix C – Detailed Intersection Operations Results (Existing Conditions), completed in June 2001, shows the 65th/Sagert intersection as an all-way stop controlled intersection operated at a v/c of 1.14 and a LOS F. The TSP also identifies the intersection for a future traffic signal. With today’s RL designation on the subject property and with the existing development in the SW Borland and 65th Area, the SW 65th/Sagert intersection does not meet Criterion G. The proposed Development Agreement with LHS identifies signal and lane improvements to the SW 65th/SW Sagert and SW 65th/Borland Road intersections to be constructed by Legacy at the time a first building is constructed on the subject LHS property.

- The Applicant has prepared a narrative that addresses the Plan Map Amendment approval criteria (Attachment D) and staff has reviewed the Applicant’s material and included pertinent excerpts in the Analysis and Findings section of this report (Attachment G). TPAC Chairman Paul Sivley submitted a list of questions to be addressed at the October 8 TPAC meeting. Due to lack of a quorum, PMA-09-03

was not reviewed by TPAC and Mr. Sivley's questions were not addressed. A copy of Mr. Sivley's questions are included as Attachment J with responses to the questions by the Applicants and staff.

- Following a series of three Open House meetings conducted by Legacy and an open opportunity to review and comment the DA and PMA documents thru the Community Development Department, Legacy prepared a summary and response for the Council and interested neighbors (Attachment K). Based on comments collected by staff at the Open Houses and Legacy's response, the DA was revised to add:
 - (Section 4.2) Flexible language requiring a turnaround at a restricted emergency access from SW Joshua, SW Natchez or SW Witchita only as required at the time buildings are proposed, leaving an option to have one or two turnarounds, rather than an access and turnaround on all three streets if not necessary;
 - (4.7) A wider, broader planted berm with specific tree sizes on the Property's east border with residential neighbors;
 - (4.9) A building height limit of 75 ft. height of a building on the property beyond 300 ft. from the MC Planning District boundary (to the north, east and west of the Property), reduced from the 95 ft. allowed in the MC Planning District standards.
- The City has prepared a development agreement with the applicant (Legacy) that will ensure that if the MC Planning District designation is approved in PMA-09-03, future development on the Property and issues such as public street access, pedestrian access, Historic Landmark preservation or demolition, tree protection; on-site & off-site public improvements including sanitary sewer, stormwater management & street improvements; and development standards including building & parking setbacks, building height, landscape buffers & lighting will be addressed in an agreed upon manner. The development issues listed are typically addressed in a land use process (such as Architectural Review) when a specific development or property improvement is proposed, but are not issues to mitigate or require as conditions of approval in a Plan Amendment process such as PMA-09-03. The agreement, known as the "Non-Statutory Development Agreement", will be presented in its revised form to the City Council for approval and authorization at the July 12, 2010 meeting.
- The applicable policies and regulations that apply to the proposal include: TDC 1.032-Amendments; TDC 5.030 Residential Planning District Objectives; TDC 8.050-Churches, Retirement Homes, Residential Facilities & Hospitals (Objectives); TDC Chapter 40-Low-Density Residential Planning District, and; Chapter 56 Medical Center Planning District. The Metro (Regional Government) Functional Plan Title III has policies for housing. The Statewide Land Use Planning Goals Goal 10-Housing (Metropolitan Housing Rule) and Goal 12 (Transportation Planning Rule) are applicable. The Analysis and Findings section of this report (Attachment G) considers the applicable policies and regulations.

- In a November 20, 2009 letter (Attachment L- Metro Letter 1), Metro requested information demonstrating that the proposed Plan Map Amendment will "...not reduce the city's dwelling unit capacity in Table 1." of the Urban Growth Management Functional Plan (UGMFP). Metro asked for an analysis that documents how the city will maintain the 1994-2017 housing capacity required in the UGMFP Title 1 Table 1. Information and analysis responding to the request from Metro is provided in Attachment G, pp 9-10 and 11-14. In a second letter (January 21, 2010) (Attachment L-Metro Letter 2), Metro noted that even though the PMA could reduce the City's Title I dwelling unit capacity, other projects such as the Town Center Plan and Hwy 99W Corridor Plan "...could accommodate higher density residential development to offset this potential reduction." Based on that, Metro will not object to PMA-09-03.
- Attachment M is the draft ordinance for PMA-09-03.
- Comments received at the various public hearings are included as Attachment N.
- The 120th day within which the City Council must make a decision in the quasi-judicial process was January 26, 2010. The scheduled January 25, 2010 public hearing before the City Council was on the 119th day and the February 8 hearing was on the 133rd day. Legacy submitted a waiver of the 120 day deadline for an additional 60 days (180 days total), extending it to March 27, 2010. Legacy submitted an extension of the waiver 120-day deadline for an additional 90 days (270 days total) extending it to August 23, 2010. The July 12, 2010 hearing is on the 238th day.
- Before granting the proposed PMA, the City Council must find that the criteria listed in TDC 1.032 are met. The Analysis and Findings section of this report (Attachment G) examines the application with respect to the criteria for a Plan Amendment.

OUTCOMES OF DECISION:

Approval of the PMA request will result in the following:

1. Changes the Planning District designation of 19.6 acre Tax Lots 1700 & 2000 (and .25 acres of abutting public ROW) on Assessors Map 21E19C from RL to MC. The MC Planning District allows a primary care hospital, medical offices, clinics and laboratories, limited supporting/on-site retail uses and congregate care, assisted living, nursing and convalescent homes residential facilities as permitted uses.
2. Allows the applicant to develop the property in the MC Planning District with the medical, health care and residential facilities consistent with the existing LMPMC campus. Architectural Review will be required for development on the site. If adopted, the proposed LHS Development Agreement will establish certain development standards for the property, access, buffering, Legacy constructing on & off-site public improvements including the SW 65th Avenue/SW Sagert Street intersection & SW Borland Road frontage, the Historic Landmark on the site and tree protection.

Denial of the PMA request will result in the following:

1. The current RL Planning District designation on Tax Lots 1700 & 2000 (and abutting public ROW) will remain unchanged.
2. The Applicant may choose to develop the property under the RL Planning District provisions which allow single family residential uses as permitted uses and allows a hospital as a conditional use.

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the staff recommendation for Council are:

- Deny the proposed PMA.
- Continue the discussion of the proposed PMA and return to the matter at a later date.

FINANCIAL IMPLICATIONS:

The Applicant paid the required application fee, which is contained in the FY 09/10 budget for revenue.

PUBLIC INVOLVEMENT:

The Applicant conducted a Neighbor/Developer meeting on June 3, 2009, at 7:00 p.m. at the Legacy Meridian Park Medical Center, to explain their development and the PMA proposal to neighboring property owners and to receive comments. This meeting was attended by 23 members of the public including nearby property owners. The application materials indicate the attendees had questions about parking areas & internal driveway setbacks to residential properties, building height, and connections to "stubbed" local residential streets SW Wichita, Natchez & Joshua Streets to the east of the subject property. Attendees also asked about the Architectural Review process, the uses allowed in the MC Planning District, and LMPMC plans for trees and the historic "Minnie Skog House" on the property. Attendees expressed concerns about the unrelated Stafford Hills Racquet & Fitness Center development located north of the LMPMC properties.

A Notice of Hearing for PMA-09-03 was sent to property owners within the 300 ft. of the LHS subject property and to persons requesting notification. With the agreement of the applicant, a "Courtesy" Email Notice and invitation to testify or comment was sent to 101 email addresses of households in the Fox Hill, Sequoia Ridge and Venetia neighborhoods located east and south of the LHS property. The Email Notice list was compiled from the Email addresses of persons commenting on other proposed or submitted land use actions in the areas east of SW 65th Avenue including the proposed (later withdrawn) PMA-08-03 (Nyberg Lodge), PMA-09-02 (Waterman Property), CUP-09-01 (Stafford Hills Racquet & Fitness Club) and AR-09-08 (Stafford Hills Racquet & Fitness Club). Attachment N is a collection of written responses from the Notice and Courtesy Notice.

A number of persons submitted comments or testified at the November 9, 2009 public hearing and several persons have submitted email comments up to the January 25 hearing date (continued). A courtesy email was sent to the PMA-09-03 email list informing people of the request for a continuance of the January 25 hearing to the February 8 meeting. Copies of the written or emailed comments (collected through February 24) are provided in Attachment N.

In response to considerable testimony from neighboring property owners and residents living near the Property and the Legacy campus at the March 8, 2010 public hearing, the Council asked Legacy to provide additional opportunity for neighboring residential property owners to ask Legacy about their proposal, review the DA, and provide their comments on the issues that concern them. The hearing for PMA-09-03 was continued to July 12, 2010. Beginning in May, Legacy conducted a series of three Open House meetings with invitations to an expanded list of property owners in the vicinity of LMPH and interested persons in the community. There was also an open opportunity to review and comment the DA and PMA documents thru the Community Development Department. Based on the Open Houses and collection of questions and comments about the DA and PMA, Legacy prepared a summary and response for the Council and interested neighbors (Attachment K). On July 6, TPAC reviewed the PMA and the committee's recommendation will be provided to the Council at the July 12 public hearing.

- Attachments:**
- A. Vicinity Map
 - B. Tax Map
 - C. Site Map showing Existing Buildings
 - D. Applicant's Materials and Supporting Information
 - E. MC Planning District Standards
 - F. Background Information
 - G. Analysis and Findings
 - H. Engineering Division Memorandum, June 28, 2010
 - I. ODOT October 26, 2009 Letter 1
ODOT January 14, 2010 Letter 2
 - J. Paul Sivley Questions--October 6, 2009 Email
 - K. Legacy Summary & Response Letter
 - L. Metro November 20, 2009 Letter 1
Metro January 21, 2010 Letter 2
 - M. Draft Ordinance
 - N. Public Comments



Site Plan
Scale 1" = 300'-0"

LEGACY MERIDIAN PARK MEDICAL CENTER
Tualatin, OR

Attachment A
Vicinity Map

TualMap: Area of Interest Map



Attachment C
Site Map Showing Existing Buildings

APPLICATION FOR PLAN *MAP* AMENDMENT

City of Tualatin Community Development Dept - Planning Division
18880 SW Martinazzi Avenue
Tualatin, OR 97062
503-691-3026

Case No. PMA-09-03
Fee Rec'd. \$2000.00
Receipt No. 739062
Date Rec'd. 8-28-09
By _____

PLEASE PRINT IN BLACK INK OR TYPE

Nature of amendment requested Change 20 acre parcel to Medical Center
(MC) from current Residential low Density (RL)

State the specific section number(s) of the Code to be amended PLAN MAP AMENDMENT

As the applicant and person responsible for this application, I, the undersigned hereby acknowledge that I have read the instructions and information sheet and understand the requirements described therein, and state that the information supplied is as complete and detailed as is currently possible, to the best of my knowledge.

Applicant's Signature Thomasina Gabriels

Applicant's Name THOMASINA GABRIELS Phone 503-312-8002
GABRIELS DEVELOPMENT SERVICES 971-252-4363
Applicant's address 2424 NW NORTHROP PORTLAND OR 97210
(street) (city) (state) (zip)

Applicant is: Owner _____ Contract Purchaser _____ Developer _____ Agent _____

Other CONSULTANT

If the request is for a specific property:

County CLATSOP Map # 21E19C Tax Lot #(s) 21E19C 2000 AND
21E19C 1700

Owner's Name LEGACY HEALTH SYSTEM

Owner's Address _____
(street) (city) (state) (zip)

Owner recognition of application: _____

Larry Hill 8-27-09
(signature of owner(s))

WRITTEN STATEMENT

A. Is granting the plan map amendment in the public interest.

The plan map amendment will allow for expansion of the essential health care services provided by Meridian Park Hospital. The plan map amendment will add 20 acres to the existing campus providing room for additional buildings as they are needed to provide the complement of hospital and outpatient services to best serve the health care needs of the public. Expanding on the subject property, adjacent to the existing campus will promote orderly development located on existing arterials in a part of the city that is developed and has public infrastructure in place.

B. Is the public interest protected granting the plan map amendment at this time?

Legacy purchased the property 5 years ago with the intent to preserve land for anticipated expansion. While no buildings are proposed at this time, granting the plan map amendment will indicate an alignment of public planning with the intent of the hospital. This protects the public interest by making explicit future plans for the type of private growth anticipated and ensuring that public infrastructure is planned and financed appropriately. In addition, the setback and height standards of the MC designation explicitly require more buffering to the adjacent property giving more certainty to existing adjacent residential uses. Granting the plan map amendment makes clear that uses such as medical office buildings integrated with hospital operations that support and complement the hospital will be permitted. As specified in the development code, future proposed buildings will undergo Architectural Review which will further protect the public interest by promoting good design, providing a process for public and agency input, and ensuring coordination of infrastructure.

C. Is the proposed plan map amendment in conformity with the applicable objectives of the Tualatin Community Plan.

The objectives for Hospitals are listed in Section 8.050 of Tualatin's Development Code. The proposed Plan Map amendment to change the designation to Medical Center brings the anticipated use of the property into conformance with the objectives for hospitals as follows:

Location: the Plan says that hospitals should be located in Medical Center District as a permitted use or in commercial and residential zones as conditional uses. The current plan designation on the property is residential which would allow a hospital and its related uses as a conditional use but the level of certainty for the hospital and the neighborhood is less. Locating related uses on adjacent property supports the needs of patients and doctors to have access to hospital and office uses on the same campus. It is more straightforward and in conformity with this objective, given Legacy ownership and the adjacency to the existing hospital, to extend the MC designation already on the campus to the adjacent subject property. The objectives also state that hospitals (in residential districts) should be located adjacent to arterial or collector streets and close to City's park areas. The land in question fronts Borland Road, designated as a major arterial. The objectives stipulate cooperation with government agencies to assess health care services for the area. While there is no longer a state government needs assessment process, amending the Plan Map supports the orderly

development of health services as they are needed. Finally, the objectives preclude locating hospitals in industrial zone. The proposed change does not locate hospital uses in an industrial zone.

The property is currently designated as Low Density Residential Planning District (RL). The Tualatin Community Plan permits single family detached and manufactured homes at the lowest density allowed in the city. According to the calculation in the Plan, RL designated land represents the largest amount, 89%, of buildable residential land within the city and urban growth boundary. The objectives for residential housing element of the Tualatin Community Plan are listed in 5.030 of the code. The proposed plan map change will remove 20 acres from the vacant land available to meet the housing development objective of providing for the "housing needs of existing and future residents." The code contains an analysis of how much land is available to meet the current and future housing needs. This calculation of available land is updated by city staff as part of compliance with the Metro Housing goal. Staff has found that removing the property from the land inventory for housing will still leave enough available land area to meet the Community Plan objectives for housing.

D. Each of the factors listed below was consciously considered as follows:

1. The various characteristics of the area.

Similar to other hospital campus locations in Portland, Meridian Park Hospital is located in a primarily residential neighborhood close to arterials and a major freeway interchange. Generally hospital campuses work best located near the residential neighborhoods that they primarily serve with regional access to the goods, services, and employment base needed to operate. Most of the buildable land in the area bounded by the natural features of the Tualatin River and Saum Creek and the man made features of 1-5 and 1-205 is already developed with single family subdivisions directly to the east and across major arterials to the south and west. The north end of the property is near the wetlands and 100 year floodplain of the Tualatin river.

2. The suitability of the area for the particular land use and improvements.

The most important characteristic of the area is that the property in question abuts the existing Meridian Park Hospital campus and so is ideally located for development of buildings needing close proximity to the main hospital such as medical office buildings. Adding the property to the existing campus will have minimal impact on the surrounding residential area since the property abuts a planned fitness center to the north, the back yards of the adjacent subdivision to the east, the existing hospital campus to the west and Borland Road, a major arterial to the south. Because of the adjacency, internal circulation can connect into the existing campus road system from one main entrance on Borland Road without the need to connect or route traffic through the residential streets of the adjacent residential subdivision.

3. Trends in land improvement and development.

The City of Tualatin and Metro, the regional planning agency, are tracking when urban reserve lands at the urban growth boundary west of the Stafford Basin may be needed for additional development. The immediate area surrounding the subject property

has developed around natural areas and has matured with primarily medical and office uses and limited single family subdivisions. The area is nearing complete build out. Legacy Meridian Park is the cornerstone of health care services for the area and needs expansion area to continue to meet the need for medical services. Over the past 10 years Legacy has built 54,848 square of hospital/clinic space and 4 medical office buildings with 78,000 square feet as Tualatin and their patient base increased. Although changes in health care service delivery models and hospital construction funding mechanisms make it difficult to predict the quantity, type and timing of expansion, Legacy needs to add buildable land area now to be prepared to add buildings and programs to serve future anticipated population growth as it occurs.

4. Property values.

The existing Plan Map designation of RL could result in an estimated 94 single family homes being built on the subject property. Less homes would likely be built due to the drop in grade and proximity of wetlands at the north end of the property. Assuming an assessed property tax value, in today's dollars, of \$200,000 per home, and the current rate of 22.6 per \$1,000, the property developed at its current designation would generate approximately \$425,000 of tax revenue to the city. Given the much higher value per square foot, it is anticipated that the tax revenue from medical development will easily meet or exceed the amount generated by residential uses.

5. The needs of the economic enterprises and the future development of the area.

Appropriately sized and located medical services support current and future development of residential and commercial uses. Residents prefer hospital and doctor's offices located close to home with easy transportation access. It is also preferable to both the community and the hospital to cluster buildings near its patient base in a campus setting that supports doctors and other staff being able to walk between the hospital, clinics and doctor's offices. With the addition of the 20 acres of the subject property, the campus will total 75 acres, close to the ideal size to serve the size and type of population in its patient base.

6. Needed right of way and access for and to particular sites in the area.

No development of the property is proposed at this time. Changing the designation of the property does not allow more intense development than that allowed as a conditional use by the current designation. Improvements directly related to development of the subject property appear to be possible using existing right of way and possibly hospital owned property depending on actual survey of the property line. Development of the site, when it does occur, will not restrict or affect right of way or access for and to other sites in the area. See discussion of Transportation Planning Rule in section below addressing Statewide Transportation Goal.

7. Natural resources of the City and the protection and conservation of said resources.

8. Prospective requirements for the development of natural resources in the City.

There are no natural resources on the subject property nor on the existing hospital campus.

While the river and its associated wetlands is to the north, there are buildable parcels of land between these natural resources and northern boundary of the existing campus. The required 50 foot buffer to the wetlands currently extends approximately 15 feet inside the northeast corner of the subject property. See attached sketch.

However, the property to the north currently has proposed to mitigate for filling some of the existing wetland as part of developing that site for a fitness club. Should this development and mitigation proceed, the buffer will change and no longer extend into the subject property. (mitigation plan attached for convenience) Legacy will comply with any environmental buffer requirements as part of the design of future development.

The City has acquired land along the river for parks and open space to protect and conserve natural resources.

While not designated as a natural resource, as many of the existing mature trees at the south end of the subject property near Borland Road will be preserved as possible as part of the design of the access road off Borland Road.

9. The public need for healthful safe, aesthetic surroundings and conditions.
Making the Plan Map amendment will contribute to the health and well being of the public by permitting orderly planned expansion of medical services. In addition, any development of the property will be guided by Chapter 56, Medical Center Planning District, standards. This chapter establishes setback and height standards to buffer development from property that abuts the boundary of the district and incorporates, by reference, other City code chapters that govern community design standards, parking and loading, and landscape standards. Development of the subject property will meet or exceed the aesthetic design and quality of the existing Meridian Park Campus development and will be reviewed through the city's Architectural Review process. As mentioned above, circulation will link to the existing internal road system of the existing campus and to Borland Road with no need to connect or direct traffic onto local residential street that terminate at the western edge of the subject property.

10. Proof of change in a neighborhood area.

The property directly to the west and abutting the subject property is designated MC and is developed as a medical campus. Legacy purchased the subject property five years ago with the intention to expand the campus. While hospital and related uses are permitted as a conditional use with the existing Plan Map designation, changing the designation to MC specifically governs and permits medical center and related uses and applies the development standards needed to buffer these uses from adjacent uses. In addition, the area is primarily built out and the subject property is the best remaining parcel for medical center expansion.

Statewide Planning Goals.

The request for the Plan Map Amendment to MC meets the Statewide Planning Goals as follows:

Goal 1 Citizen Involvement.

This request is following the procedure for citizen involvement, including conducting a neighborhood/developer meeting, posting the property and sending written notice to owners within 300 feet of the property, as outlined in the Tualatin Community Plan.

Goal 2 Land Use Planning.

The City of Tualatin prepared a Comprehensive Plan that was acknowledged by the State in 1981 and has since conducted numerous post acknowledgment processes. This Plan Map amendment request is following the procedures and addressing the approval criteria contained in the Tualatin Community Plan.

Goal 3 Agricultural Lands.

Not applicable. The subject property is not classified as agricultural land.

Goal 4. Forest land.

Not applicable. The subject property is not classified as forest land.

Goal 5. Natural Resources, Scenic and Historic Areas and Open Space.

The buffer requirements contained in the environmental resource chapter of the Tualatin Development Code address preserving this resource. Clean Water Services (CWS), the agency that regulates protection of sensitive areas, has reviewed Legacy's Sensitive Area Pre-Screening Site Assessment and determined that Sensitive Areas potentially exist within 200 feet of the subject property. CSA has provided a a Pre-Screening Site Assessment form that functions as a Service Provider Letter since no development is proposed at this time. This form is attached. Pacific Habitat, an environmental consultant, located the required 50 foot buffer to the sensitive area: a small portion of which currently extends approximately 15 feet inside the northeast corner of the subject property. The location of this buffer will change and not extend into the property should the proposed Fitness Club development and its related wetlands modification occur to the north of the subject property. Legacy will incorporate this current buffer if still present when future development is designed.

The City of Tualatin lists the Minnie Skog farm house located on the subject property as a local historic resource. Legacy has been in conversation with the local chapter of the Historical Society about the possibility of moving the house with no positive result to date. Legacy plans to apply for landmark demolition or relocation of this house in compliance with the regulations of Chapter 68 of the Tualatin Development Code which include offering the house for relocation for at least 90 days.

Goal 6 Air, Water, and Land Resources Quality.

Both the current and proposed Plan Map designations are regulated by Tualatin's Comprehensive Plan and implementing measures that address state and federal regulations related to air, water, and land resource quality.

Goal 7. Areas subject to natural hazards.

The subject property is not located in a earthquake or flood plain zone.

Goal 8. Recreational needs.

Neither the current or proposed Plan Map designation reserves the subject property for recreational needs.

Goal 9. Economic development.

The Portland Vancouver Regional Business Plan prepared by the Portland Business Alliance (PBA) identifies the Medical Service sector as a key industry cluster for the region. Amending the Plan Map will support the growth and expansion of the hospital and related medical services that contribute to Tualatin's competitive position in this cluster. Having land for expansion supports Legacy's ability to provide health care services to other area employers, to continue to increase the opportunities for jobs at a range of wage and salary levels, and to build the infrastructure and buildings needed to house others providing services in this important economic sector.

Goal 10. Housing.

The City of Tualatin currently complies with Metro's Functional Plan that establishes targets for the amount of housing to be accommodated in each local jurisdiction. Tualatin has calculated how much residentially zoned land it needs to meet this target with a variety of single family and multifamily units built at different density levels. City staff have estimated that there will be sufficient land to accommodate the targeted amount of housing units based on current and assumed build out rates after removing the subject property from the lands available for housing. In addition, the proposed Plan Map designation allows housing such as congregate care and assisted living facilities as a permitted use.

Goal 11. Public facilities and services.

Tualatin has an acknowledged public utilities plan. The subject property is located in a predominantly built out area of the city that is already served with water, sewer, police and fire prevention services. Granting the proposed Plan Map designation adjacent to the existing medical campus allows for efficient delivery of services to the same location.

Goal 12. Transportation.

In accordance with the Plan Map amendment process, Legacy engaged traffic engineers, Kittelson & Associates, to prepare an analysis of existing and "worst case scenario" traffic conditions to determine the impact and any mitigation measures needed to support the anticipated development should the Plan Map amendment be approved. To establish the "worst case scenario" ZGF, project architects, analyzed the buildable capacity of the site. Assuming the most likely use is medical office

building with surface parking, which function most efficiently with a 20,000 square foot floor plate and surface parking, ZGF found, given setbacks, surface parking at the required ratios, and required landscaping, that both the current RL classification and the proposed MC designation result in a "worst case scenario" of three 4 story medical office buildings totaling 240,000 square feet. The TPR analysis from Kittelson & Assoc. submitted in the application package, reflects these assumptions and finds that there is no change or impact to an existing or proposed transportation facility if the proposed Plan Map amendment is approved.

Goal 13. Energy Conservation.

Allowing expansion of the existing medical campus promotes conservation by minimizing number and length of trips for a variety of medical services, for delivery of goods and services and for efficient staffing and administration. In addition, as an employer of a concentration of employees and owner of a larger facility, conservation measures such as recycling and employee commuter program can benefit from efficiencies of scale.

Goal 14. Urbanization.

The subject property is within the urban growth boundary for the City of Tualatin, is governed by an acknowledged comprehensive plan and is in compliance with the Metro Functional Plan.

Goal 15. Willamette River Greenway

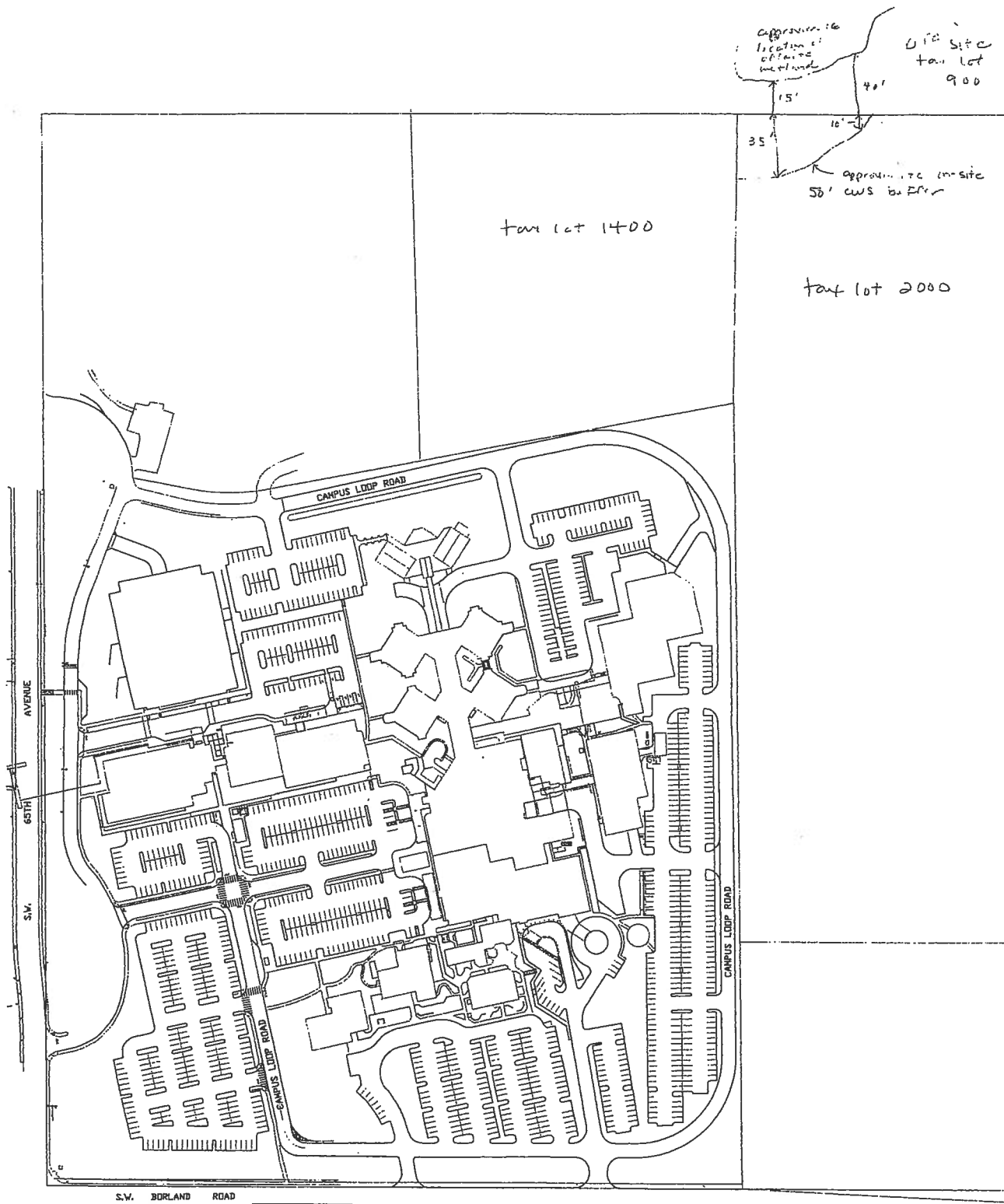
Goal 16. Estuarine Resources

Goal 17. Coastal Shoreline

Goal 18. Beaches and Dunes

Goal 19. Ocean Resource

None of these goals applies because the subject property is not located in any of these planning area types.



4512
Sp 1 mph
1:2000
inches



KITTELSON & ASSOCIATES, INC.

TRANSPORTATION ENGINEERING / PLANNING

610 SW Alder Street, Suite 700, Portland, OR 97205 • 503.228.5230 • 503.273.8169

MEMORANDUM

Date: August 21, 2009

Project #: 9760.0

To: Thomasina Gabrielle
Gabrielle Development Services
2424 NW Northrup
Portland, OR 97210

From: Mark A. Vandehey, P.E.

Project: Legacy Health System - Meridian Park Property Rezone

Subject: Transportation Planning Rule Analysis

Legacy Health System proposes to rezone a 20-acre site immediately east of its Meridian Park Hospital from RL – Low Density Residential to MC – Medical Center. No specific development is proposed for the site at the present time. This memorandum presents the results of an analysis of the proposed zone change's compliance with the Transportation Planning Rule (TPR), OAR 660-012-0060.

SUMMARY OF FINDINGS

The TPR institutes criteria under which the transportation impacts of a post-acknowledgement plan amendment and zoning map amendment must be evaluated (OAR 660-012-0060(1)). Based on the analysis results presented in this memorandum, the proposed zone change satisfies all of the requirements set forth in the TPR.

COMPARISON OF TRIP GENERATION POTENTIAL

The TPR analysis requires a comparison of the "reasonable worst case" development scenario for both the existing and proposed zoning. For the proposed site, the project architect (ZGF Architects) conducted an analysis of the City of Tualatin Development code and considered both the site constraints (such as topography, landscaping requirements, building height restrictions, setbacks, parking requirements, etc). A more detailed discussion of this analysis is included in the application narrative prepared by Gabrielle Development Services. ZGF Architect's analysis shows that the "reasonable worst case" development scenario is the same for both the existing and proposed zoning. Specifically, the "reasonable worst case" development scenario for the existing and proposed zoning designation is 240,000 square feet of medical office space. Accordingly, the proposed zone change results in no change in the "reasonable worst case" trip generation potential of the site.

TRANSPORTATION PLANNING RULE COMPLIANCE

OAR Section 660-12-0060 of the Transportation Planning Rule (TPR) sets forth the relative criteria for evaluating plan and land use regulation amendments. Table 1 below summarizes the criteria in Section 660-012-0060 and their applicability to the proposed rezone application.

Table 1 Summary of Criteria in OAR 660-012-0060

Criteria	Description	Applicable?
1	Describes how to determine if a proposed land use action results in a significant impact.	See response below
2	Describes measures for complying with Criteria #1 where a significant impact is determined.	No
3	Describes measures for complying with Criteria #1 and #2 without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility	No
4	Determinations under Criteria #1, #2, and #3 are coordinated with other local agencies.	See response below
5	Indicates that the presence of a transportation facility shall not be the basis for an exception to allow development on rural lands.	No
6	Indicates that local agencies should credit developments that provide a reduction in trips.	No
7	Outlines requirements for a local street plan, access management plan, or future street plan.	No
8	Provides guidelines for mixed-use, pedestrian-friendly neighborhood	No

As noted in Table 1, there are eight criteria that apply to Plan and Land Use Regulation Amendments. Of these, Criteria #1, and #4 are applicable to the proposed land use action. These criteria are provided below in *italics* with our response shown in standard font.

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- (b) Change standards implementing a functional classification system; or*
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:*
 - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

Response: The transportation impacts of the "reasonable worst case" development scenario for the proposed zoning is equivalent to the existing zoning. Further, the proposed zoning will not result in a change to the functional classification of an existing or planned transportation facility. Accordingly, based on the above criterion, the proposed zoning will not significantly affect an existing or planned transportation facility.

(4) Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

Response: The project team is coordinating the assessment of the transportation impact analysis with the Oregon Department of Transportation and Clackamas County.

We trust this letter adequately addresses the transportation issues associated with the proposed comprehensive plan change and rezone. If you have any questions or comments, please contact us at (503) 228-5230.



KITTELSON & ASSOCIATES, INC.
TRANSPORTATION ENGINEERING / PLANNING
810 SW Alder Street, Suite 700, Portland, OR 97205 P 503.228.5230 F 503.273.8189

MEMORANDUM

Date: October 1, 2009 **Project #:** 9760.0

To: Will Harper
City of Tualatin
18880 SW Martinazzi
Tualatin, OR 97062

From: Mark Vandehey, P.E.

Project: Legacy Meridian Park Plan Map Amendment

Subject: Transportation Analysis – Supplemental Information

This memorandum provides additional transportation information associated with Legacy Health System's proposal for a zone change and plan amendment for their 20-acre site immediately east of the Meridian Park Hospital. The two issues addressed in this memorandum are: 1) a comparison of trip generation potential for the 20 acre site assuming both residential and medical office development, and 2) a comparison of traffic impacts under residential and medical office development scenarios at key intersections within the vicinity of the site.

Trip Generation Comparison

The site's current zoning designation of RL (low density residential) allows hospitals and other medical uses integrated with the hospital as a conditional use. Based on discussion with City staff and a review of the City's RL zoning code, it was concluded that a medical office development represents the reasonable worst case trip generation scenario for the site under both the current RL classification or the proposed Medical Center (MC) for the following reasons:

- Medical office is a permitted use (conditionally under the RL zone designation and outright under the proposed MC zone designation).
- The subject property is owned by Legacy Health System that is a non profit corporation with the purpose of providing health services by building and operating hospital campuses.
- The subject property is adjacent and contiguous to Legacy Health Systems' existing campus.
- Legacy purchased the property five years ago to reserve land for campus expansion
- Based on development standards, the capacity of the site for medical office development with required landscaping and parking is the same in either the RL conditional use or MC classification.

Working with Legacy's project architect it was determined that under the existing or proposed zoning the reasonable worst case development potential for the site would be approximately 250,000 square feet of medical office development. City staff also expressed interest in knowing the trip generation potential of

the site if it were developed with residential housing as permitted outright under the RL zoning code. The City of Tualatin code allows for 6.7 units per net acre under RL zoning. Under the existing zoning, a 94-unit single family housing development could be developed on the site.

Based on the two development scenarios (residential or medical office), estimates of weekday a.m. and p.m. peak hour vehicle trip generation were developed from empirical observations at other similar developments. These observations are summarized in the standard reference manual, *Trip Generation, 7th Edition*, published by the Institute of Transportation Engineers. Table 1 summarizes the trip generation estimates.

**Table 1
Estimated Trip Generation**

Land Use	ITE Code	Size	Weekday AM Peak Hour Trips			Weekday PM Peak Hour Trips		
			Total	In	Out	Total	In	Out
Single Family Residential	210	94 units	75	20	55	100	60	40
Medical Office	220	250,000 square foot	620	490	130	930	260	680
Net Increase with Medical Office Development			545	470	75	830	190	640

As indicated in Table 1, the site has the potential to generate significantly more traffic with 250,000 square feet of medical office development than with a 94 single family homes. Table 1 also confirms that medical office is the appropriate reasonable worst case development scenario for the existing zoning.

Comparison of Year 2028 Traffic Conditions

City staff also requested a comparison of intersection level of service at key intersections within the vicinity of the site under the residential and medical office development scenarios under. Accordingly, an analysis of future year 2028 conditions was evaluated. The year 2028 forecast traffic volumes include traffic generated by the recently approved *Stafford Hills Racquet & Fitness Club* project. Table 2 provides a comparison of intersection levels of service under the various zoning scenarios.

Table 2 Comparison of Intersection LOS Results

Intersection	Existing Zoning w/Residential Development	Existing Zoning w/Medical Office Development	Proposed Zoning w/Medical Office Development
	AM/PM	AM/PM	AM/PM
SW Nyberg Road/ SW Nyberg Lane	B/C	B/C	B/C
SW 65 th / SW Borland Road	D/D	E/E	E/E
SW 65 th / SW Sagert	F/F	F/F	F/F
SW Borland/ Site Access	C/C	C/E	C/E
SW Borland Road/ SW 57 th Avenue	C/D	D/E	D/E

City of Tualatin's level of service standard is LOS "E" or better during the highest one hour time period. As indicated in the table, this standard is met during all time periods for each development scenario, with the exception of the SW 65th/SW Sagert intersection. The SW Sagert/SW 65th Avenue intersection meets warrants for signalization under any scenario.



KITTELSON & ASSOCIATES, INC.
TRANSPORTATION ENGINEERING / PLANNING
610 SW Alder Street, Suite 700, Portland, OR 97205 P 503.228.5230 F 503.273.8169

CITY OF TUALATIN
RECEIVED

NOV 06 2009

COMMUNITY DEVELOPMENT
PLANNING DIVISION

MEMORANDUM

Date: November 9, 2009 **Project #:** 9760
To: Will Harper, City of Tualatin
CC: Seth Brumley, ODOT
Larry Hill, Legacy

From: Julia Kuhn, P.E. and Mark Vandehey, P.E.
Project: Legacy Meridian Park Plan Map Amendment
Subject: Transportation Planning Rule Supplemental Analysis

This memorandum responds to issues raised in ODOT's letter dated October 26, 2009 (from Seth Brumley) related to the Transportation Planning Rule (TPR) analysis for the Legacy Meridian Park Plan Map Amendment. Per that letter, ODOT maintains that a conditional use should not be considered as a reasonable worse case for the TPR findings. As a result, they have requested analysis of the I-5/Nyberg ramp terminals assuming the development of a medical office building in order to address the TPR. The memorandum below responds to each of these items.

Reasonable Worse Case Scenarios

The TPR requires a comparative analysis of the reasonable worse case development potential under both the existing and proposed zoning. Per our previous memorandum to you (dated October 1, 2009); the 20-acre subject site is currently zoned for low density residential (RL) which allows for hospitals and medical office uses integrated with a hospital as a conditional use.

ODOT's memorandum states that they do not consider a conditional use as a reasonable worse case. It is important to note that for TPR analyses, the local agency (in this case the City of Tualatin) is responsible for determining the "reasonable worst case" scenario for existing and proposed zoning. Further, we do not find any language in the TPR that indicates conditional uses cannot be considered in the "reasonable worst case" determination. As indicated in our October 1, 2009 memorandum, based on discussion with City staff and a review of the City's RL zoning code, it was concluded that in this instance, a medical office development represents the reasonable worst case trip generation scenario for the site under both the current RL classification or the proposed Medical Center (MC) for the following reasons:

- Medical office is a permitted use (conditionally under the RL zone designation and outright under the proposed MC zone designation).

- The subject property is owned by Legacy Health System that is a non profit corporation with the purpose of providing health services by building and operating hospital campuses.
- The subject property is adjacent and contiguous to Legacy Health Systems' existing campus.
- Legacy purchased the property five years ago to reserve land for campus expansion
- Based on development standards, the capacity of the site for medical office development with required landscaping and parking is the same in either the RL conditional use or MC classification.

Finally, Conditional Use applications are not subject to TPR requirements, so it would be counterintuitive to assume they could not be considered as a possible "reasonable worst case" land use. In this situation, the "reasonable worst case" determination boils down to a simple question: Is it "reasonable" that 250,000 square feet of medical office could be developed with the existing zoning for the subject property? For the reasons stated above we believe the answer is clearly yes.

Please let us know if you need any additional information to prepare the TPR findings. We will be available at the November 9th hearing to answer any questions.



KITTELSON & ASSOCIATES, INC.
TRANSPORTATION ENGINEERING / PLANNING
610 SW Alder Street, Suite 700, Portland, OR 97205 P 503.228.5230 F 503.273.8169

CITY OF TUALATIN
RECEIVED

JAN 26 2010

COMMUNITY DEVELOPMENT
PLANNING DIVISION

MEMORANDUM

Date: January 26, 2010
To: Will Harper
City of Tualatin
18880 SW Martinazzi
Tualatin, OR 97062
From: Mark Vandehey, P.E.
Project: Legacy Meridian Park Plan Map Amendment
Subject: Transportation Analysis – Supplemental Information

Project #: 9760.0

This memorandum provides additional transportation information associated with Legacy Health System's proposal for a zone change and plan amendment for their 20-acre site immediately east of the Meridian Park Hospital. The four issues addressed in this memorandum are: 1) discussion of the need for a five lane improvement on SW Borland Road, 2) discussion of the need for a five lane improvement on SW 65th Avenue, 3) recommended improvements to SW 65th Avenue at its intersections with SW Borland Road and SW Sagert Street, and 4) recommended phasing of improvements for the Development Agreement between the City of Tualatin and Legacy.

Need for Borland Road Five Lane Improvement

Our understanding City Council have asked about the need for improving SW Borland Road to five lanes along the frontage of property owned by Legacy Health System. Using the forecast 2028 volumes improving SW Borland Road in the vicinity of the site to five lanes from its existing three lane cross-section is not required to meet the City's standard of Level of Service "E" or better. As discussed in the next section, the capacity constraint to SW Borland Road is at its intersection with SW 65th Avenue.

Need for SW 65th Avenue Five Lane Improvement

We understand City Council also had some questions regarding the need for improving SW 65th Avenue to five lanes in the future. The capacity constraints along SW 65th Avenue between SW Borland Road and SW Nyberg Road are located at the signalized intersections of SW 65th Avenue/SW Nyberg Lane and SW 65th/SW Borland Road. The other capacity constraint along SW 65th Avenue is at the existing four-way stop controlled intersection at SW Sagert Street. Table 1 below shows the Level of Service results for future 2028 conditions presented in our October 1, 2009 memorandum. As indicated in the our memorandum, through the year 2028 only the SW 65th/SW Borland and SW 65th/Sagert intersections are operating at or below the City's Level of Service "E" standard.

The future 2028 forecasts assume reasonable worst-case build-out assumptions for the 20-acre site that is the subject of the proposed zone change, but also include general growth in employment and population for other properties throughout the City of Tualatin.

Table 1 Comparison of Intersection LOS Results

Intersection	Existing Zoning w/Residential Development	Existing Zoning w/Medical Office Development	Proposed Zoning w/Medical Office Development
	AM/PM	AM/PM	AM/PM
SW Nyberg Road/ SW Nyberg Lane	B/C	B/C	B/C
SW 65 th / SW Borland Road	D/D	E/E	E/E
SW 65 th / SW Sagert	F/F	F/F	F/F

Recommended Improvements to SW 65th Avenue at SW Borland Road and SW Sagert Street

As discussed above, the capacity constraints within the vicinity of the site are located at the intersections of SW 65th/Sagert Street and SW 65th/SW Borland Road. Accordingly, it is recommended that future transportation improvements tied to Legacy's development of the 20 acre site be focused on the SW 65th Avenue intersections with SW Borland and SW Sagert Street. Figure A1 illustrates a conceptual improvement that could be constructed by Legacy as part of future development of the 20 acre parcel. It appears as though all of the right-of-way needed to construct this improvement would come from property that is currently owned by Legacy Health System. A "planning level" estimate to design and construct this improvement is approximately \$800,000 (not including right-of-way).

Table 2 shows the results of the improvements illustrated in Figure A1. As indicated in the figure, the proposed improvements will significantly improve the performance of both intersections.

Table 2 Comparison of Intersection LOS Results

Intersection	2028 Conditions w/Medical Office Development
	AM/PM
SW 65 th / SW Borland Road	D/D
SW 65 th / SW Sagert	C/C

Recommended Phasing of Improvements for the Development Agreement

Based on the results of our analysis to date as well as discussions with representatives from both the City and Legacy, we recommend that the Development Agreement between the City of Tualatin and Legacy include the conceptual improvements shown in Exhibit A1 to be constructed with the first phase of development on the 20 acre parcel subject to the following three conditions: 1) the first phase includes a minimum of 50,000 square feet of medical office development, 2) the cost of the improvements result in a credit against the City's Transportation Development Tax, and 3) the total cost of the improvements do not exceed \$900,000.

It is also recommended that no additional frontage improvements be constructed on SW Borland Road along the 20 acre site's frontage, but that right-of-way be dedicated to accommodate the City's standard five lane cross-section.

Chapter 56

Medical Center Planning District (MC)

Sections:

- 56.010 Purpose.**
- 56.020 Permitted Uses.**
- 56.030 Conditional Uses.**
- 56.040 District Size.**
- 56.045 Lot Size for Conditional Uses.**
- 56.050 Distances From Structures to MC District Boundaries and Setbacks.**
- 56.070 Structure Height.**
- 56.080 Special Standards.**
- 56.090 Special Standards.**
- 56.100 Access.**
- 56.110 Off-Street Parking and Loading.**
- 56.120 Floodplain District.**
- 56.130 Greenway and Riverbank Protection District.**
- 56.140 Community Design Standards.**
- 56.150 Landscape Standards.**

Section 56.010 Purpose.

The purpose of this district is to provide care facilities, allied health care uses and limited supporting retail and service uses for the convenience of patients, patient visitors and staff.

Section 56.020 Permitted Uses.

No building, structure or land shall be used, except for the following uses when conducted wholly within a completely enclosed building, except for utility facilities and wireless communication facilities, and provided retail uses on land designated Employment Area, Corridor or Industrial Area on Map 9-4 shall not be greater than 60,000 square feet of gross floor area per building or business:

(1) Medical center:

(a) hospital, including but not limited to diagnosis and treatment of sick and injured persons on an inpatient and outpatient basis; surgical, emergency, laboratory, imaging, pharmacy and physical therapy services; and facility maintenance, laundry, worship, food service and administrative functions,

(b) offices of physicians and dentists,

(c) offices and clinics of allied health care providers, including but not limited to nurse practitioners; midwives; dietitians; psychologists; opticians; physical and occupational therapists; occupational health/safety specialists; substance abuse counselors; chiropractors; and wellness centers including physical fitness facilities, nutritional counseling, health maintenance and rehabilitation services,

(d) durable medical goods sales and rentals,

(e) nursing school and other medical training facilities,

(f) nurses' and house staff physicians' housing,

(g) medical and dental laboratories,

(h) medical and dental related research laboratories and testing facilities,

(i) medical and dental non-profit educational, charitable and research organizations and facilities,

(j) congregate care facilities, assisted living facilities and residential facilities in accordance with §56.080,

(k) nursing and convalescent homes,

(l) community meeting facilities, and

(m) parking lot, parking structure, or underground parking.

(2) Supporting retail and service uses for the convenience of patients, patient visitors, staff physicians and on-site employees, subject to the requirements of §56.090:

(a) bank branch/automatic teller machine not greater than 1000 square feet of gross floor area,

(b) barber/beauty shop not greater than 750 square feet of gross floor area,

(c) child day care center not greater than 4000 square feet of gross floor area,

(d) credit union not greater than 1000 square feet of gross floor area,

(e) fitness center not greater than 15,000 square feet of gross floor area,

(f) florist/gift shop not greater than 750 square feet of gross floor area,

(Revised 05/02)

Tualatin Development Code

(g) pharmacy not greater than 2000 square feet of gross floor area, and

(h) restaurant/delicatessen/coffee shop not greater than 1500 square feet of gross floor area.

(3) Sewer and water pump stations, pressure reading stations. §30, passed Nov. 25, 1991; Ord. 920-94 §16, passed April 11, 1994;

(4) Wireless communication facility attached.

(5) Other uses of similar character, found by the Planning Director to meet the purpose of this district, as provided by TDC 31.070.

(6) Transportation facilities and improvements. [Amended by Ord. 849-91 §29 & Ord. 965-96 §63, passed Dec. 6, 1996; Ord. 1026-99 §71, passed Aug. 9, 1999.] (Ord. 1103-02, Amended, 03/25/2002)

Section 56.030 Conditional Uses.

The following uses are permitted as a conditional use when authorized in accordance with TDC Chapter 32, and provided retail uses on land designated Employment Area, Corridor or Industrial Area on Map 9-4 shall not be greater than 60,000 square feet of gross floor area per building or business.

- (1) Helipad.
- (2) Electrical substation.
- (3) Natural gas pumping station.
- (4) Water reservoir.
- (5) Wireless communication facility. [Amended by

Ord. 965-96 §64, passed Dec. 6, 1996; Ord. 1026-99 §72, passed Aug. 9, 1999.]

Section 56.040 District Size.

The minimum MC District size shall be 25 acres.

Section 56.045 Lot Size for Conditional Uses.

Except as otherwise provided, the lot size for a conditional use under TDC 56.030 is as follows:

(1) The minimum lot area shall be established through the Subdivision, Partition or Lot Line Adjustment process.

(2) The minimum average lot width shall be established through the Subdivision, Partition or Lot Line Adjustment process.

(3) The minimum lot width at the street shall be established through the Subdivision, Partition or Lot Line Adjustment process.

(4) For flag lots, the minimum lot width at the street shall be sufficient to comply with the minimum access requirements contained in TDC 73.400(8) to (12), except as established through the Subdivision, Partition or Lot Line Adjustment process. [Added by Ord. 965-96, Sec. 65, passed Dec. 9, 1996.]

Section 56.050 Distances From Structures to MC District Boundaries and Setbacks.

(1) The minimum distance from a property line which abuts a MC District Boundary to any structure in the MC District shall be no less than 50 feet.

(2) Setbacks from property lines within the MC District that do not abut a MC District Boundary shall be determined through the Architectural Review process.

(3) Off-street parking and vehicular circulation areas in the MC District shall be set back a minimum of 10 feet from any public right-of-way or property line which abuts a MC District boundary. Off-street parking and vehicular circulation areas shall be setback a minimum of 5 feet from any property line within the MC District that does not abut a MC District boundary, except as determined through the Architectural Review process.

(4) No fence shall be constructed within 5 feet of a public right-of-way.

(5) Setbacks for a wireless communication facility shall be established through the Architectural Review process, shall consider 73.510, shall be a minimum of 50 feet to a property line which abuts an MC District boundary, and shall be set back from an RL District, or an RML District with an approved small lot subdivision, no less than 175 feet for a monopole that is no more than 35 feet in height and the setback shall increase five feet for each one foot increase in height up to 80 feet in height, and the setback shall increase 10 feet for each one foot increase in height above 80 feet. [Amended by Ord. 862-92, Sec. 35, passed March 23, 1992; Ord. 904-93, Sec.

40, passed Sept. 13, 1993; Ord. 965-96, Sec. 66, passed Dec. 9, 1996.] (Ord. 1098-02, Amended, 02/11/2002)

Section 56.060 [Repealed by Ord. 862-92, Sec. 36, passed March 23, 1992.]

Section 56.070 Structure Height.

(1) In accordance with TDC 56.050 no structures are permitted within 50 feet of a property line abutting a MC District Boundary.

(2) The maximum height for a structure within the area 50.01 to 100 feet of a property line abutting a MC District Boundary shall be no greater than 25 feet in height above grade.

(3) The maximum height for a structure within the area 100.01 to 300 feet of a property line abutting a MC District Boundary shall be no greater than 45 feet in height above grade.

(4) The maximum height for a structure within the area greater than 300 feet from a property line abutting a MC District Boundary shall be no greater than 95 feet in height above grade.

(5) Notwithstanding (1)-(4) above, flagpoles displaying the flag of the United States of America, either alone or with the State of Oregon flag, shall be no greater than 100 feet in height above grade, except in the area within 50 feet of a property line abutting a MC District Boundary where no flagpole shall be allowed.

(6) Notwithstanding (1)-(4) above the maximum structure height for a wireless communication support structure and antennas shall be no greater than 100 feet. [Amended by Ord. 965-96, Sec. 67, passed Dec. 9, 1996.]

Section 56.080 Special Standards.

Special standards shall apply to congregate care, assisted living and residential facilities [56.020(1)(j)] as follows:

(1) Requirements of the Medical Center District shall be met unless specifically modified by this section.

(2) The building shall be designed or renovated specifically for use as a congregate care, assisted living or residential facility. All State required licenses shall be obtained.

(3) The facilities shall consist of living units with shared areas in accordance with State requirements.

(4) Outdoor walkways shall be paved and lighted and shall not exceed eight (8) percent in grade.

(5) Noise and lighting shall be buffered and screened.

(6) The residential density in the development area shall be no less than 16 and no more than 25 living units per acre. [Amended by Ord. 849-91, Sec. 31, passed Nov. 25, 1991.]

Section 56.090 Special Standards.

Special standards shall apply to supporting retail and service uses [56.020(2)] as follows:

(1) Notwithstanding §56.020 which requires uses to be conducted wholly within a completely enclosed building, a restaurant, delicatessen or coffee shop may include an outdoor eating area, provided the outdoor area consists on an all-weather surface not greater than 900 square feet in gross floor area and screened from public rights-of-way and residential planning districts by a completely sight-obscuring evergreen hedge and/or fence as determined through the Architectural Review process.

(2) Drive-up windows and drive-through services shall not be permitted. Loading and unloading at the vehicle entrance to the emergency room is not a drive-through service.

(3) The use shall have pedestrian access only and, except for emergency access required by the Uniform Building Code and secondary access to outdoor eating areas, it shall be through an interior hall or lobby of the building in which the use is located.

(4) The floor area of one use, or a combination of uses, listed in §56.020(2) in any one building shall not exceed ten (10) percent of the gross floor area of the building.

Section 56.100 Access.

All lots created after September 1, 1979, shall abut a public street, except secondary condominium lots, which shall conform to the access provisions in TDC 73.400 and TDC Chapter 75. Lots and tracts created to preserve wetlands, greenways, Natural Areas and Stormwater Quality Control Facilities identified by TDC Chapters 71, 72, Figure 3-4 of the Parks and Recreation Master

Plan and the Surface Water Management Ordinance, TMC Chapter 3-5, as amended, respectively, or for the purpose of preserving park lands in accordance with the Parks and Recreation Master Plan, may not be required to abut a public street. [Amended by Ord. 1026-99 §73, passed Aug. 9, 1999.]

Section 56.110 Off-Street Parking and Loading.

Refer to Chapter 73.

Section 56.120 Floodplain District.

Refer to Chapter 70.

Section 56.130 Greenway and Riverbank Protection District.

Refer to Chapter 72.

Section 56.140 Community Design Standards.

Refer to Chapter 73.

Section 56.150 Landscape Standards.

Refer to Chapter 73.

ATTACHMENT F

PMA-09-03: BACKGROUND INFORMATION

Pertinent background information obtained from the proposed PMA-09-03 and other supporting documents is summarized in this section.

The applicant is Ms. Thomasina Gabriele of Gabriele Development Services on behalf of the property owner, Legacy Health System (LHS). Mr. Larry Hill represents Legacy Health System. The subject properties are two undeveloped parcels totaling 19.6 acres located at 6001, 6021, 6031, 6041 SW Borland Road in the RL (Low-Density Residential) Planning District (Clackamas County Assessors Map 21E 19C 1700 & 2000). Parcel 1700 (Attachment D, Plat Map-) adjoins the north side of SW Borland Road and both subject parcels adjoin the east property line of the Legacy Meridian Park Medical Center (LMPMC) campus located in the MC Planning District and the west boundary of the Fox Hills residential neighborhoods in the RL Planning District. Legacy Health System purchased the subject property in 2004 for future expansion of the 46 acre LMPMC campus and facilities. LHS does not have plans for buildings or other improvements on the property at this time

The (existing) RL Planning District allows detached single-family residential dwelling development as a permitted use [TDC 40.020(1)] and allows a hospital or sanitarium as a conditional use [TDC 40.030(4)(h)]. The MC Planning District which currently encompasses the LMPMC campus allows various hospital and healthcare service uses including a primary care hospital, medical and healthcare professional offices, clinics and laboratories and supporting retail commercial uses (pharmacy, small bank or credit union branch, gift store, salon, etc.) as permitted uses. The MC District also allows residential facilities such as congregate care, assisted living, nursing and convalescent homes as permitted uses.

Changing the designation on 19.6 acres (with .25 acres of abutting ROW) to MC would allow the LMPMC campus to expand with buildings, parking and landscaping onto the subject properties in the future, subject to the specific list of allowed uses, minimum lot size and setback provisions, and building height provisions of the MC Planning District [TDC Chapter 56].

ATTACHMENT G

PMA-09-03: ANALYSIS AND FINDINGS

The proposed amendment to the Tualatin Development Code (TDC) Community Plan Map 9-1) is to change the Planning District designation of the 19.6 acre Tax Lots 1700 & 2000 on Map 21E19C (and .25 acres of SW Borland Road ROW) from Low-Density Residential (RL) to Medical Center (MC) on land located at 6001, 6021, 6031, 6041 SW Borland Road.

The eight (8) approval criteria of Section 1.032-Burden of Proof of the TDC must be met if the proposed Plan Map Amendment (PMA) is to be granted. The Applicant has prepared a narrative that addresses the criteria (Attachment D) and staff has reviewed the Applicant's material and included pertinent excerpts below.

A. Criterion 1-Granting the amendment is in the public interest.

The Applicant states: "The plan map amendment will allow for expansion of the essential health care services provided by Meridian Park (Medical Center). The plan map amendment will add 20 acres to the existing campus providing room for additional buildings as they are needed to provide the complement of hospital and outpatient services to best serve the healthcare needs of the public. Expanding on the subject property, adjacent to the existing campus will promote orderly development located on existing arterials in a part of the city that is developed and has public infrastructure in place." (Attachment D, pg. 1)

As identified by staff, the public interest is to:

- 1) To respond to the Legacy Meridian Park Medical Center (LMPMC) plans to expand the medical center campus and facilities onto the 19.6 acre Legacy Health System (LHS) property adjacent (east) to the existing campus with planning actions such as the proposed PMA;
- 2) Designate land associated with LMPMC in the MC Planning District, a district that allows a primary care hospital with associated and supporting medical and health care services and facilities as permitted uses;
- 3) Encourage the availability of medical and health care services for residents of the Tualatin area with an adequate supply of land designated as the Medical Center Planning District.
- 4) Ensure that the MC Planning District and a large medical and health care facility such as LMPMC is served by adequate transportation facilities;
- 5) Ensure an adequate supply of residential land is available for various housing types.
- 6) Protect the character and livability of residential areas adjacent to a MC Planning District.
- 7) To consider relevant Tualatin Tomorrow Community Vision and Action Plan objectives such as for health care services.

The applicant's public interest statements and the first three (#1-#3) public interests listed in this analysis are associated with the importance of the LMPMC medical center

to the community as a local hospital facility and provider of a full range of medical and health care services. The LMPMC facility benefits the community with its locally available medical and health care services, as a center for other medical-professional businesses, and as Tualatin's largest employer. The campus includes a senior care/housing facility. The existing 46 acre LMPMC site is centrally located in Tualatin and borders both SW 65th Avenue and SW Borland Road which connect the residential and commercial areas of Tualatin with the LMPMC campus. There are a number of private medical offices and clinics in Tualatin that are nearby or easily accessible to the LMPMC campus.

Legacy Health System purchased the former Grimitt property in 2004 with the intention of securing room to expand the LMPMC campus in the future. The LMPMC campus is currently designated as an MC Planning District and to expand medical and health care services and facilities onto the RL Planning District parcels 1700 & 2000 to the east, the LHS would need to either obtain a conditional use permit for a "hospital" in the RL district, or apply to change the designation to MC. The MC Planning District with its list of permitted medical, health care and supporting uses was created in 1992 for the LMPMC campus. LMPMC properties were previously in the RL Planning District and subject to having to obtain conditional use permits for each new building or health service needed for the property. The MC Planning District allows LHS to introduce new or expanded health services and plan and invest in the buildings and facilities located on the LHS property with the certainty that the uses are permitted and can be accommodated near the largely residential areas of Tualatin east of SW 65th Avenue.

The Plan Map Amendment to change the 19.6 acres from RL to MC as proposed by LHS, allows the LMPMC to expand facilities and services onto property that has a matching zoning and consistent with the standards and provisions that the existing facilities are subject to. The growth and expansion of the LMPMC medical and health care facilities facilitated by the proposed PMA, is an increase in the availability of medical and health care services for the Tualatin community. This satisfies the public interests #1-#3 in supporting and encouraging the growth in LMPMC services.

The LMPMC campus adjoins and has multiple accesses on both SW 65th Avenue (west) and SW Borland Road (south) which are Major Arterial streets directly connecting the LMPMC with Stafford Area & I-205 freeway to the east and south, SW Sagert Street and SW Nyberg Street to the west with the I-5 freeway, Tualatin's central downtown area and the residential areas to the south and further west. The subject property adjoins SW Borland Road and will share the same arterial street connections that the existing LMPMC campus does. No connections to nearby residential streets such as SW Natchez, SW Wichita or SW Joshua is planned or proposed to serve the LMPMC and MC Planning District development. The existing arterial street connections for the LMPMC campus discourage or eliminate LMPMC traffic using collector and local streets in the nearby residential areas. This meets the public interest #4 for the medical center and MC District adequately connected by arterial streets to both the local and regional transportation system.

The LHS property is currently in the RL Planning District that is primarily for single-family detached residential housing (up to 100 single family homes on the 19.6 acre subject property net 20% for required public streets and water quality facilities) as well as limited-size residential facilities. As addressed under Statewide Planning Goal 10 (Attachment G, pp 9-10), removing the 19.6 acres (+.25 acre ROW) from the RL residential designation, leaves the City's overall housing density and single-family/multi-family housing mix in compliance with the Oregon Metro Housing Rule standards. An adequate supply of residential housing land is retained if the RL designation is replaced with an MC designation. The MC Planning District allows assisted living, congregate care and residential facilities as permitted uses [TDC 56.020(j)]. The proposed MC designation will reduce the available land for single family detached housing but will provide some opportunity for congregate care/assisted living facilities. Metro Functional Plan Housing Targets are discussed on (Attachment F) pp. 11-14. The public interest for adequate residential land supply listed in #5 above is satisfied.

Interest #6 is to protect the character and livability of residential areas adjacent to a MC Planning District. The MC Planning District setback, building height, minimum landscaping and other standards are intended separate the medical center activities including buildings and parking away from residential properties and with specific buffering and landscape standards. The traffic impacts of the change from a residential designation to the MC Planning District are considered under the Goal 12 and Criterion G analysis. The traffic information concludes that the transportation system is adequate to accommodate the increased amount of traffic of a medical center and that the impacts will be confined to major streets such as SW Borland Road and SW 65th Avenue, not local residential streets. The proposed Legacy Development Agreement includes provisions committing Legacy to construct improvements to the SW 65th/Sagert and SW 65th /Borland Road intersections at the time the first building is constructed on the subject property. This will be a substantial contribution to the capacity and function of the transportation system.

Interest #7 is consideration of the public interests listed in the Tualatin Tomorrow Action Plan calling for access to health care and accessible health care for residents of the City as discussed in the section under Criterion 3 of this attachment.

Granting the amendment is in the public interest. Criterion "1" is met.

B. Criterion 2-The public interest is best protected by granting the amendment at this time.

The Applicant states: "Legacy purchased the property 5 years ago with the intent to preserve land for anticipated expansion. While no buildings are proposed at this time, granting the plan map amendment will indicate an alignment of public planning with the intent of the hospital. This protects the public interest by making explicit future plans for the type of private growth anticipated and ensuring that public infrastructure is planned and financed appropriately. In addition, the setback and height standards of the MC designation explicitly require more buffering to the adjacent property giving more certainty to existing adjacent residential uses." (Attachment D, pp. 1)

The LHS is moving forward with its investments and improvements on the LMPMC campus and needs to have the 19.6 acre suitably zoned and available as they proceed. The MC Planning District allows the various medical and health care uses that are anticipated as the LMPMC facilities grow while providing appropriate standards for site planning, building height, and landscaping. It is in the public interest to change the Planning District designation to MC, thus laying the groundwork for development of the site as part of the LMPMC campus.

The public interest is best protected by granting the amendment at this time.

Criterion "2" is met.

C. Criterion 3-The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

The applicable objectives of the Tualatin Community Plan are presented below along with the Applicant's response, which is also included in Attachment D.

General Growth Objectives:

TDC 4.050(6) Arrange the various land uses so as to minimize land use conflicts and maximize the use of public facilities as growth occurs.

The objective of TDC 4.050(6) is met because the MC designation has standards for setbacks, building heights and landscaping that buffer the medical center development to residential developed areas on the east of the site and minimize conflicts. The MC Planning District designation allows more intensive development and when built will increase the efficiency and utilization of public facilities improvements in the area, including sewer, water, stormwater and transportation.

TDC 4.050(9) Prepare a plan providing a variety of living and working environments.

The objective of TDC 4.050(9) is met because adding additional MC land to the SW Borland Road area would provide additional employment with proximity to Tualatin residential areas. This objective is met.

Semi-Public Land Uses--Objectives:

TDC 8.050 Objective (2) Allow uses such as churches, retirement homes and hospitals in commercial and residential planning districts, subject to conditional use approval, and allow congregate care facilities, assisted living facilities and residential care facilities and hospitals as permitted uses in the Medical Center District..

TDC 8.050 Objective (4) Locate uses such as churches, retirement homes and hospitals that are in residential planning districts adjacent to arterial or collector streets and close to the City's park areas.

The applicant states "The plan says that hospitals should be located in a Medical Center District as a permitted use or in commercial and residential zones as conditional uses.

The current plan designation on the property is residential which would allow and its related uses as a conditional use but the level of certainty for the hospital and the neighborhood is less. Locating related uses on adjacent property supports the needs of patients and doctors to have access to hospital and office uses on the same campus. It is more straightforward and in conformity with this objective, given Legacy ownership and the adjacency to the existing hospital, to extend the MC designation already on the campus to adjacent subject property.” (Attachment D, pp. 1-2)

“The objective also states that hospitals (in residential districts) should be located adjacent to arterial or collector streets and close to City’s park areas. The land in question fronts SW Borland Road, designated as a major arterial.”
(Attachment D, pg. 1)

The proposed map amendment to designate the 19.6 acre property as MC is consistent with the objectives relating to hospital location in an MC District and adjacent to arterial streets. The LHS properties are near the Atfalati and Browns Ferry City Parks. Staff agrees that the MC designation is the appropriate Planning District for the LHS property and future expansion of the LMPMC campus, and with the applicant’s reasons, meets the objectives.

The Tualatin Tomorrow Community Vision and Strategic Action Plan, June 2007, lists under the Access to Health Care & Accessible Health Care Strategies to “Help ensure that all residents of Tualatin have access to comprehensive health care.”(Strategy HSS5) and “Promote the availability of quality health care and state-of-the-art medical facilities to all Tualatin residents, regardless of insurance.” (Strategy HSS19) The ability to expand the LMPMC campus and facilities onto the LHS property with a MC Planning District designation allows the LMPMC to continue to offer up to date and comprehensive medical and health care services in a location and system that is available to Tualatin residents.

The proposed amendments conform to the applicable objectives of the Tualatin Community Plan.

Criterion "3" is met.

D. Criterion 4-The factors listed in Section 1.032(4) were consciously considered:

The various characteristics of areas in the City.

The area of the City affected by this amendment are located on all sides of the existing LMPMC campus and includes the single family residential areas on both sides of SW Borland Road east of SW 65th Avenue including the Fox Hills & Sequoia Ridge neighborhoods; the commercial office and multi-family residential developments on the west side of SW 65th Avenue and the Zupancic/Stafford Hills Racquet & Fitness Center property north of the LMPMC/LHS properties. The Applicant states “Similar to other hospital campus locations in Portland, Meridian Park Hospital is located in a primarily residential neighborhood close to arterials and a major freeway interchange. Generally hospital campuses work best located near the residential neighborhoods they primarily

service with regional access to the goods, services and employment base needed to operate.” (Attachment D, pg. 2)

The proposed amendment is appropriate in relation to the characteristics of the residential area, LMPMC campus and commercial office developments in the SW 65th Avenue/SW Borland Road area.

The suitability of the area for particular land uses and improvements.

The Applicant states: “The most important characteristic of the area is that the property in question abuts the existing Meridian Park Hospital (Medical Center) campus and so is ideally located for development of buildings needing close proximity to the main hospital such as medical office buildings.” “Adding the property will have minimal impact on the surrounding residential area since the property abuts the fitness center to the north, the back yards of the adjacent subdivision to the east, the existing hospital campus to the west and SW Borland Road, a major arterial to the south. Because of adjacency, internal circulation can connect into the existing campus road system from one entrance on Borland Road without the need to connect or route traffic through the residential streets of the adjacent residential subdivision.”(Attachment D, pg. 2) The medical center land uses allowed in the MC Planning District with the development standards are compatible with the surrounding land uses in the SW Borland Road/SW 65th Avenue vicinity. The area is suitable for MC Planning District uses and a future expansion of the LMPMC campus.

Trends in land improvement and development.

The Applicant states: “The area is nearing complete build out. Legacy Meridian Park is the cornerstone of health care services for the area and needs expansion room to continue to meet the need for medical services. Over the past 10 years Legacy has built 54,848 square feet of hospital/clinic space and 4 medical office buildings with 78,000 square feet as Tualatin and their patient base increased.” “...Legacy needs to add buildable land area now to be prepared to add buildings and programs to serve future anticipated population growth as it occurs.” (Attachment D, pp. 2-3)

In the future, LHS will need to expand the LMPMC facilities onto the subject property and seeks to change the Planning District designation to MC as the most appropriate for a modern medical center facility.

Property values.

The Applicant provides information about development potential on the LHS property and taxation.” (Attachment D, pg. 3)

While there is no evidence that the current vacant condition of the buildings on the LHS/former Grimitt property have a direct impact on property values of neighboring residential properties, it can be expected that redevelopment of the site with an appropriate use and with suitable improvements will not negatively affect property values in the area.

The needs of economic enterprises and the future development of the area.

The Applicant states: “Appropriately sized and located medical services support current and future development of residential and commercial uses.” “...with the addition of the 20 acres of the subject property, the campus will total 75 acres, close to the ideal size to service the size and type of population in its patient base.” (Attachment D, pg. 3)

The property owner, LHS, requests a change in the Planning District designation to MC to continue to expand the medical and health services expected of the LMPMC facilities.

Needed right-of-way and access for and to particular sites in the area.

The Applicant states: “No development is proposed on the property at this time.” “Development of the site, when it does occur, will not restrict or affect right of way or access for and to other sites in the area.” (Attachment D, pg. 3) A need for additional ROW on the SW Borland Road frontage may be necessary and will be addressed with issues of access to SW Borland Road during a development process. The ROW and access issues related to development on the property are relevant to both the existing and proposed Planning District designation and will be addressed in the development process including the public facilities decision in Architectural Review.

Natural resources of the City and the protection and conservation of said resources.

The proposed map amendment does not impact or alter designated natural resources associated with a development on the LHS site. The site includes clusters of deciduous and conifer trees on the south and around the Grimitt farmhouse that the owners are aware of. LHS indicates some of the trees will be preserved when development occurs.

Prospective requirements for the development of natural resources in the City.

Not applicable because the proposed map amendment does not impact or alter natural resources.

The public need for healthful, safe, aesthetic surroundings and conditions.

The Applicant states: “...any development of this property will be guided by Chapter 56, Medical Center Planning District, standards. This chapter establishes setback and height standards to buffer development from property that abuts the boundary of the district...” “Development on the property will meet or exceed the aesthetic design and quality of the existing Meridian Park Campus development...” “...circulation will link to the existing internal road system of the existing campus and to Borland Road with no need to connect or direct traffic onto local residential streets that terminate at the (eastern) edge of the subject property.” (Attachment D, pg. 4)

Staff agrees with the Applicant that the proposed amendment for the MC Planning District comes with established development standards for separation and buffering of residential areas from the MC development and the Architectural Review process can address certain aesthetic and safety concerns. The public need for healthful and safe

conditions applies here and is addressed under Criterion 1, where the finding is that granting the amendment is in the public interest.

Proof of a change in a neighborhood or area.

The Applicant states: "...changing the designation to MC specifically governs and permits medical center and related uses and applies the development standards need to buffer these uses from adjacent uses." "...the area is primarily built out and the subject property is the best remaining parcel for medical center expansion." Attachment D, pg. 4)

As stated earlier in this Section and in the applicant's statements quoted above (Attachment D, pg. 12), the area of the City affected by this amendment includes the existing single-family and multi-family residential developments in the vicinity of SW Borland Road and SW 65th Avenue and the LMPMC campus and nearby medical office developments in the CO Planning District. TDC Map 9-2 Neighborhood Planning Areas identifies the area in the vicinity of the LMPMC as Area 5, characterized by the mix of residential, commercial and medical office & LMPMC uses (TDC 9.035). The proposed change to MC conforms to the Area 5 mix of uses.

A mistake in the plan map or text.

No mistake is alleged or found.

The factors listed in Section 1.032(4) were consciously considered.

Criterion "4" is met.

E. Criterion 5-The criteria in the Tigard-Tualatin School District (TTSD) Facility Plan were considered.

The TTSD has not commented on the effect of removing the 19.6 acres from a residential designation on the capacity of TTSD schools. TDC 1.032(5) lists the school capacity formula for evaluating a land use action in respect to the TTSD Facility Plan. A decrease in residential density is something to be evaluated by the TTSD.

Criterion "5" was considered.

F. Criterion 6-Oregon Statewide Planning Goals

Of the 14 Statewide Goals, 9 Goals were considered and found to not be applicable to this proposed amendment. Staff has determined that Goals 1, 2, 10 and 12 are applicable and must be addressed.

The Applicant addresses these Goals as follows:

Goal 1: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Goal 2: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The Applicant states: “This request is following the procedure for citizen involvement...”
“This Plan Map Amendment request is following the procedures and addressing the approval criteria contained in the Tualatin Community Plan.” (Attachment D, pg. 5)

Staff agrees that the proposed amendment is consistent with Statewide Planning Goals 1 and 2.

Goal 10: Housing. To provide for the housing needs of citizens of the state.

The proposal will not jeopardize the City maintaining its regional housing density and housing mix standards that are a principal element of Goal 10 implementation (in the Metropolitan Housing Rule, OAR-660-007). Therefore, the proposed amendment complies with Goal 10. The Metropolitan Housing rule is a State of Oregon Administrative Rule that applies to the cities and counties within the metropolitan Portland urban growth boundary. While applying to the Portland region, it is not imposed by Metro, the Regional Government.

The application narrative briefly addresses Goal 10 (Attachment D, pg. 6) and describes change in capacity and mix of housing units that can result with the proposed MC designation of the 19.6 acre subject property.

Staff has prepared information on the effect of changing the designation of the property and the adjacent public ROW from the residential RL to MC on meeting the Metropolitan Housing Rule with updated analysis of planned housing density and housing mix to reflect the size of the RL properties as shown on Tables 2A & 2B. Staff determined that changing the 19.6 acres of land and .25 acres of public street ROW from RL to MC will have no significant change to the existing residential density of 8.17 du/acre, which complies with the Metropolitan Housing Rule requirement of a minimum of 8.0 du/acre planned residential density. The Metropolitan Housing Rule New Construction Mix (OAR-660-007-0035) requires cities to provide the opportunity for at least 50% of new residential units to be attached single-family housing or multiple family housing. As calculated by staff, changing 19.6 acres of RL residential land (with .25 acres of ROW) in the City’s supply to the MC designation will increase the attached/multi-family housing share from 52.09 percent to 52.5 percent, which would satisfy the requirement.

Other provisions of the Metropolitan Housing Rule including calculations of the supply of buildable land and needed housing are evaluated at the time of Periodic Review. Tualatin was found in compliance in the 1994 Periodic Review by the Land Conservation and Development Commission and will be revisiting the residential land supply and needed housing issues in the next Periodic Review.

Staff agrees granting the PMA is consistent with Goal 10 because the City of Tualatin Comprehensive Plan will continue to exceed the minimum housing density and mix standards required by the Metropolitan Housing Rule.

Table 2A

**CITY OF TUALATIN— METRO HOUSING RULE COMPLIANCE, PMA-09-03—
 WITH PROPOSED REDUCTION OF 19.6 ACRES (+ 0.25 Acres ROW) FROM**

	RL	RML	RMH	RH	RH/HR	Total	
Total acres in each residential district (current)	2,209.6	265.0	188.2	166.0	18.2	2,847.0	Acres
Acres proposed for removal from or added to residential district	-19.9					-19.9	
Total acres of ROW in each residential district (+/- 0.25 acres ROW)	-442.9	-59.2	-32.4	-23.6	-3.4	-561.4	
Total Gross Buildable Acres	1,746.9	205.9	155.8	142.4	14.8	2,265.8	Acres
Environmental restrictions (100 flood, NRPO, slopes > 25%)	-293.7	-44.4	-54.8	-76.4	-12.6	-481.8	
Total Acres Minus Environmental Restrictions	1,453.2	161.5	101.0	66.0	2.2	1,783.9	Acres
Non-buildable land (publicly owned, golf course, school, cemetery)	-297.1	-11.8	-6.3	-0.2	-0.1	-315.4	
Total net Buildable Acres	1,156.2	149.6	94.7	65.8	2.2	1,468.5	Acres
Maximum Density Allowed by Residential District (dwelling units per acre)	6.4	10.0	15.0	25.0	30.0	86.4	
Total Dwelling Units Allowed	7,399.4	1,496.2	1,421.0	1,646.0	64.8	12,027.4	DUs
Dwelling units per acre						8.190	

Table 2B

PMA-09-02 Metro Housing Rule New Construction Mix

	RL	RML	RMH	RH	RH/HR	Total	
Total acres in each residential district (current)	2,209.6	265.0	188.2	166.0	18.2	2,847.0	Acres
Acres proposed for removal from or added to residential district	-19.9					-19.9	
Total acres of ROW in each residential district (+/- 0.69 acres ROW)	-442.9	-59.2	-32.4	-23.6	-3.4	-561.4	
Total Gross Buildable Acres	1,746.9	205.9	155.8	142.4	14.8	2,265.8	Acres
Environmental restrictions (100 flood, NRPO, slopes > 25%)(RL only, no shift in density as allowed in RML-RH/HR)	-293.7	0.0	0.0	0.0	0.0	-293.7	
Total Acres Minus Environmental Restrictions	1,453.2	205.9	155.8	142.4	14.8	1,972.1	Acres
Non-buildable land (publicly owned, golf course, school, cemetery)	-297.1	-11.8	-6.3	-0.2	-0.1	-315.4	
Total net Buildable Acres	1,156.2	194.0	149.5	142.2	14.7	1,656.7	Acres
Maximum Density Allowed by Residential District (dwelling units per acre)	6.4	10.0	15.0	25.0	30.0	86.4	
Total Dwelling Units Allowed	7,399.4	1,940.3	2,242.6	3,556.0	441.9	15,580	DUs
Total Single Family Detached Units Allowed (RL)	7399.4					7,399.4	47.49% of DUs Allowed
Total Attached/Multi-Family Units Allowed (RML, RMH, RH, RH/HR)						8,180.8	52.51% of DUs Allowed

10/2/2009

* Removes 19.85 acres (19.6 lots + 0.25 ROW) from RL Gross; Removes 0.25 acres from RL ROW / Adds to MC.

Goal 12: To provide and encourage a safe, convenient and economic transportation system.

Statewide Planning Goal 12 encourages jurisdictions to provide a safe, convenient, and economic transportation system. Goal 12 is implemented through the transportation element of the City's Comprehensive Plan and through the Transportation Planning Rule (TPR), OAR 660-012-0060. The TPR requires an applicant for a plan amendment to demonstrate that the proposed change will not "significantly affect" a transportation facility within the horizon of the Transportation System Plan. If the change does significantly affect a facility, mitigation measures must be employed to address the anticipated impacts on the facility.

The Applicant states: "The TPR analysis from Kittelson & Associates submitted in the application package," "...finds that there is no change or impact to an existing or proposed transportation facility if the proposed Plan Map Amendment is approved." (Attachment D, pp. 6-7). The Kittelson Memorandums find that the proposed plan amendment will not "significantly effect" an existing or planned transportation facility and satisfies all of the requirements of the TPR.

An October 27, 2009 comment from the Oregon Department of Transportation (ODOT) requested additional information from the applicants regarding the I-5/Nyberg Street interchange. (Attachment I-ODOT Letter 1) The applicant is preparing the requested information for ODOT. A January 14, 2010 letter from ODOT (Attachment I-ODOT Letter 2) questioned the Kittelson analysis and conclusion based on a "hospital" use as a "reasonable worst case" scenario, contending that as a conditional use in the existing RL Planning District a hospital is not an "outright" "allowed" use for purposes of evaluating TPR impacts on ODOT facilities. ODOT believes a conditional use is not suitable for a TPR analysis and would prefer that a permitted use under the RL designation (single-family residential) be used for evaluating the effect.

A medical office/clinic use is allowed as a hospital use (conditional in RL) and as a permitted use in MC. Because the City considers both permitted and conditional uses are "allowed" uses under the TDC and due to the history of the LMPMC as both a conditional use under RL (Previously approved in Case #s CUP-89-06; CU86-04; CU84-03; CU83-05; CU80-03; 1970) and a permitted use under the MC Planning Districts as well as the long-held expectation that LHS will expand the LMPMC facility onto the subject property in the future, Staff disagrees with the ODOT position and accepts the Kittelson TPR analysis using 250,000 s.f. of medical office as a 'reasonable worst case' scenario.

The Engineering Division Memorandum (Attachment H, pp. 1-4) indicates the TPR analysis information resulting determinations will be provided for the Council's public hearing as soon as it is available.

G. Criterion 7-Metro's Urban Growth Management Functional Plan (UGMFP).

Staff reviewed the PMA in terms of the Metropolitan Service District's Urban Growth Management Functional Plan as provided in Metro Code, Title III, Planning, Chapter 3.07 Urban Growth Management Functional Plan. The UGMFP and TDC Map 9-4 Design Type Boundaries, identify the Residential Planning District areas bordering SW

Borland Road east of the current LMPMC campus as “IN Inner Neighborhood”. The proposed amendment revising the Planning District from RL to MC can be accounted for in a periodic revision of Design Types with Metro.

Title 1 (Housing and Employment Accommodation) and Title 7 (Housing Choice) of the UGMFP (Chapter 3.07) are applicable to the proposed PMA.

In a November 20, 2009 letter (Attachment L), Metro requested information demonstrating that the proposed Plan Map Amendment will “...not reduce the city’s dwelling unit capacity in Table 1.” Metro asked for an analysis that documents how the city will maintain the dwelling unit capacity of Title 1 Table 1.

Table 1 in Title I states the City’s housing capacity from 1994 and 2017 is 4,054 dwelling units. The housing capacity target is to be achieved by providing a potential for housing development within the City’s Planning Area considering an amount of zoned and developable residential land (land designated in RL – RH/HR Residential Planning Districts) and an amount of land eligible for residential development (land in commercial or MC Planning Districts eligible for residential uses).

The PMA proposes to change the LHS Property’s Low-Density Residential (RL) planning district designation which supports 1-6.4 dwelling units per acre for residential uses and allows a hospital facility (with or without a residential component) as a conditional use to MC which allows residential care, nursing & convalescent facilities with a minimum of 16 dwelling units (and up to 25 dwelling units) per development area acre [56.080(6)]. The following table shows the range of housing densities associated with the two Planning Districts.

	TLID	Total Acres	Acres subject to Change	Planning District Existing	RL Potential Dwelling Units		Planning District Proposed	MC Potential Dwelling Units	
Legacy Health Systems Property	21E19C 01700 & 21E19C 02000	19.6	19.6	RL (1-6.4)	19.6	125.44	MC (16-25)	313.6	490
Net Developable Vacant	21E19C 01700	4.63	4.63	RL (1-6.4)	4.63	29.632	MC (16-25)	74.08	115.75
	21E19C 02000	12.94	12.94	RL (1-6.4)	12.94	82.816	MC (16-25)	207.04	323.5
	Total	17.57			17.57	112.448		281.12	439.25

AHR 11-23-09

Under the current RL Planning District designation, the 19.6 acre subject property is eligible for a conditional use permit (a quasi-judicial land use decision) to construct a “hospital” [TDC 40.030(h)] with a range of medical facilities including inpatient care, laboratories, clinics, outpatient clinics and medical offices that would function in a manner that is similar to the adjoining LMPMC facilities. As a “hospital” conditional use, development on the LHS 19.6 acre property may or may not include housing. Evaluating the housing capacity of the subject property under the existing RL Planning

District designation and considering a residential or hospital use on the property leads to a range of housing density from 0 (hospital use with no residential component) to the maximum 6.4 du/acre (RL single family detached residential). The current UGMFP Title I Table 1 capacity of the 19.6 acre property (17.6 acres Net Developable) under the existing RL designation is **0 dwelling units to 112 dwelling units**.

The existing LMPMC campus in the MC Planning District includes a 120 bed (in apartment-style units), multi-story, residential care facility (Tualatin Senior Care LLC, assisted living). The care facility was initially developed when the LMPMC campus was designated RL and each building in the facility was approved as a conditional use (as a hospital use or the residential care facility). When the LMPMC campus property was designated in the MC Planning District in 1992, the residential care facility became a permitted use. No additional residential or housing facilities have been developed on the LMPMC properties since. Currently, LHS has no specific plans for any form of Medical Center development on the subject property or the LMPMC, including residential or housing facilities.

Under the proposed MC Planning District designation, a residential care facility (congregate care, assisted living), convalescent homes & nursing homes with a density of 16-25 dwelling units per acre are allowed as permitted uses. Evaluating the housing capacity of the subject property under the proposed MC Planning District designation and considering a medical center with or without a residential use on the property leads to a range of housing density from 0 (medical center uses with no residential component) to the maximum 25 du/acre (MC residential care, convalescent and nursing homes). The current UGMFP Title I Table 1 capacity of the 19.6 acre property (17.6 acres Net Developable) under the proposed MC designation is a range of **0 dwelling units to 439 dwelling units**.

In terms of the Title 1 Table 1 housing capacity target for Tualatin and assuming the range of existing and proposed housing density allowed on the 19.6 acres, the proposed PMA-09-03 may represent:

1. No change to the housing capacity potential (CUP for a hospital and no recalculation of Table 1 capacity);
2. A potential loss of 125 dwelling units from the housing capacity (Remove 19.6 acres from residentially developable land capacity with no potential for residential development on subject property) (No assumption of having or obtaining housing capacity on other residential property), or;
3. A potential increase (Maximum density of MC x Net Developable acres minus Maximum density of RL x Net Developable acres) of housing capacity of 327 dwelling units (439 dwelling units in MC – 112 dwelling units in RL=327).

The City of Tualatin's Community Plan, Planning District standards and residential land capacity were deemed to meet (or exceed) the Title 1 Table 1 Housing Capacity target at the time it was established in the year 2000. This was based on the potential for housing units that Tualatin's zoning and the supply of residentially developable land provided at the time. The target capacity and an evaluation of the City's ability to meet that capacity are not based on individual development proposals and as in this case, are not changed when residential or non-residential uses allowed by a particular zoning are retained (both RL and MC allow non-residential and residential uses). Whether the 19.6 acres LHS property is changed to MC or remains RL, **the housing potential (and in this specific case, the capacity) of the property is not reduced** because it could

be all “hospital” as conditional use in RL (0 dwelling units) or could be all residential as a permitted use in MC (up to 439 dwelling units).

A similar analysis applies to the Title 7 (Affordable Housing) provisions. While the property is proposed to leave a residential designation, the MC District allows needed care facility housing that can be more affordable housing than if a typical RL Planning District property is developed as single-family subdivisions.

H. Criterion 8-Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City’s Planning Area.

The submitted traffic information (Attachment D, Kittelson & Associates August 21, 2009 & October 1, 2009 memorandums) analyzes Reasonable Worst Case scenarios for existing RL conditional uses and changing the Planning District designation of the subject parcel from RL to MC for three scenarios. Under the worst case scenarios for the current RL zone and proposed MC zone in the 2029 analysis, except for SW 65th & Sagert which is F/F under all scenarios, the study intersections are forecasted to have a LOS within the E/E prescribed in the TDC during the weekday p.m. peak hour & a.m. peak hour respectively.

A January 26, 2010 Kittelson Memorandum provided additional information regarding: 1) discussion of the need for a five lane improvement on SW Borland Road, 2) discussion of the need for a five lane improvement on SW 65th Avenue, 3) recommended improvements to SW 65th Avenue at its intersections with SW Borland Road and SW Sagert Street, and 4) recommended phasing of improvements for the Development. Based on comments from the Engineering Division, this information was incorporated into the Development Agreement (February 8, 2010 version thru the July 12, 2010 version).

The Engineering Division Memorandum (Attachment H, pp. 2-3) agrees with the submitted Supplemental Information statement “...this standard is met during all time periods for each development scenario, with the exception of the SW 65th/SW Sagert intersection. The SW Sagert/SW 65th Avenue intersection meets warrants for signalization under any scenario”.

The City of Tualatin TSP Appendix C – Detailed Intersection Operations Results (Existing Conditions), completed in June 2001, shows the 65th/Sagert intersection as an all-way stop controlled intersection operated at a v/c of 1.14 and a LOS F (Attachment G, pp. 2-3). The TSP also identifies the intersection for a future traffic signal. With today’s RL designation on the subject property and with the existing development in the SW Borland and 65th Area, the SW 65th/Sagert intersection is at LOS F and with today’s conditions, does not meet Criterion #8.

The proposed Development Agreement with LHS identifies signal and lane improvements to the SW 65th/SW Sagert and SW 65th/Borland Road intersections to

be constructed by Legacy at the time a first building is constructed on the subject LHS property.

MEMORANDUM

DATE: June 28, 2010

TO: Will Harper, AICP
Associate Planner

FROM: Dayna Webb, PE
Project Engineer

SUBJECT: **PMA-09-03 – Proposed Zone Change from RL to MC
21E 19C #1700 & 2000 – SW Borland Road**

On August 31, 2009 the Engineering Division received Plan Map Amendment Application Notice PMA-09-03 for two properties adjacent to Meridian Park Hospital. The properties are located at 6001, 6021, 6031 & 6041 SW Borland Road and are 4.97 acres and 14.62 acres, respectively. The applicant is requesting a Planning District designation change from Low Density Residential (RL) to Medical Center (MC).

The requested Plan Map Amendment includes a total of 19.59 acres. A reasonable worst-case scenario of trips based on the existing and proposed zoning indicates an additional 545 AM Peak Hour Trips (470 In and 75 Out) and 830 PM Peak Hour Trips (190 In and 640 Out).

The applicant submitted a Memorandum – Transportation Planning Rule Analysis from Kittelson & Associates, dated August 21, 2009. The analysis summary of findings states the following:

- The TPR institutes criteria under which the transportation impacts of a post-acknowledgment plan amendment and zoning map amendment must be evaluated under OAR 660-12-0060(1). Based on the analysis results presented in this memorandum, the proposed zone change satisfies all of the requirements set forth in the TPR.

The applicant also submitted a Memorandum – Transportation Analysis – Supplemental Information from Kittelson & Associates, dated October 1, 2009. The supplemental information includes figures for trip generation and information to support TDC 1.032(8).

Additionally, the applicant submitted a Memorandum – Transportation Analysis – Supplemental Information on January 26, 2010. This supplement provides additional information associated with the proposed plan map amendment.

SW Borland Road

Clackamas County designates SW Borland Road as a Minor Arterial. The function of an Arterial is described as connecting collectors to higher order roadways. They carry moderate volumes at moderate speeds.

The City of Tualatin designates SW Borland Road as a Major Arterial (Eb&t) which includes four travel lanes, a center turn lane, bike lane, planter strip & sidewalk within a right-of-way width of 98-102 feet. Our TSP states, "Primary function is to serve both local and through traffic as it enters and leaves the urban area; connects the minor arterial and collector street system to freeways and expressways; provides access to other cities and communities; serves major traffic movements; access control through medians and/or channelization; restricted on-street parking; sidewalks and bicycle facilities required; may allow a right-turn pocket if warranted; will be used by public transit."

SW 65th Avenue

Washington County designates SW 65th Avenue as an Arterial. Washington County states the function of an Arterial is to interconnect and support the Principal Arterial highway system. Arterials intended to provide general mobility for travel within the region. Correctly sized Arterials at appropriate intervals allow through trips to remain on the Arterial system thereby discouraging use of Local streets for cut-through traffic. Arterial streets link major commercial, residential, industrial and institutional areas.

The City of Tualatin designates SW 65th Avenue as a Major Arterial (Eb&t) which includes four travel lanes, a center turn lane, bike lane, planter strip & sidewalk within a right-of-way width of 98-102 feet. Our TSP states, "Primary function is to serve both local and through traffic as it enters and leaves the urban area; connects the minor arterial and collector street system to freeways and expressways; provides access to other cities and communities; serves major traffic movements; access control through medians and/or channelization; restricted on-street parking; sidewalks and bicycle facilities required; may allow a right-turn pocket if warranted; will be used by public transit."

Following are the trip generation estimates, provided by Kittelson & Associates, Inc based on Trip Generation, 7th Edition:

Estimated Trip Generation								
Land Use	ITE Code	Size	Weekday AM Peak Trips			Weekday PM Peak Trips		
			Total	In	Out	Total	In	Out
Single-Family Residential	210	94 Units	75	20	55	100	60	40
Medical Office	220	250,000 square feet	620	490	130	930	260	680
Net Increase with Medical Office Development			545	470	75	830	190	640

TDC 1.032 Burden of Proof (6) Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules.

Because the proposed land use action will result in an amendment to the City of Tualatin's zoning map, Section 660-012-0060 of the State's Transportation Planning Rule applies. Division 12 of the State's Transportation Planning Rule (OAR 660-012) gives the Oregon Department of Land Conservation and Development (DLCD) and the City of Tualatin the power to interpret and implement Statewide Planning Goal 12 (Transportation). Section 660-012-0060 of the TPR provides specific language on how to deal with amendments to adopted plans and land use regulation.

OAR 660-012-0060 (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.

(a) Change the functional classification of an existing or planned transportation facility

(b) Change standards implementing a functional classification system

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Based on the results presented in the Memorandum – Transportation Planning Rule Analysis, Kittelson & Associates believes the proposed zone change satisfies all of the requirements set forth in the TPR.

TDC Section 1.032 Burden of Proof: (8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area. Based on TDC Map 9-4 the site is located in the IN (Inner Neighborhood) Design Type.

The submitted Supplemental Information states "this standard is met during all time periods for each development scenario, with the exception of the SW 65th/SW Sagert intersection. The SW Sagert/SW 65th Avenue intersection meets warrants for signalization under any scenario".

The City of Tualatin TSP Appendix C – Detailed Intersection Operations Results (Existing Conditions), completed in June 2001, shows the 65th/Sagert intersection as an all-way stop controlled intersection operates at a v/c of 1.14 and a LOS F. The TSP also identifies the intersection for a future traffic signal.

As part of the development agreement, the applicant has proposed constructing improvements to the SW 65th/SW Sagert intersection & the SW 65th/SW Borland Road intersection which will meet the criteria of TDC 1.032 (8).

Comments Received:

No comments were received from Washington County or Clackamas County regarding the proposed Plan Map Amendment.

We received comments from ODOT on October 27, 2009 requesting additional information before they can make a determination on the potential effect on the I5/Nyberg interchange.

Additionally, we received a second comment letter from ODOT on January 14, 2010 regarding the ability to use conditional use when evaluating TPR impacts on ODOT facilities.

Please let me know if you have questions, I can be reached at extension 3036.



Oregon

Theodore R. Kulongoski, Governor

Oregon Department of Transportation

ODOT Region 1
123 NW Flanders St
Portland, OR 97209 - 4037
Telephone (503) 731-8200
FAX (503) 731-8259

ODOT Case No: 1284

October 26, 2009

Will Harper
City of Tualatin
18880 SW Martinazzi Ave
Tualatin, OR 97062

Attn: Will Harper, Associate Planner

Re: PMA-09-03: RL Change to MC
I-5 / SW Nyberg St Interchange

Dear Mr. Will Harper,

We have reviewed the applicant's proposal to amend TDC Community Plan Map 9-1 changing a 20 acre parcel from Low-density Residential (RL) planning district designation to Medical Center (MC). The site is in the vicinity of the I-5 / SW Nyberg St Interchange. ODOT has jurisdiction of this State highway facility and an interest in assuring that the proposed comprehensive plan amendment is consistent with the identified function, capacity and performance standard of this facility. According to the 1999 Oregon Highway Plan (OHP), this facility is classified an Interstate Highway and the performance standard on ramp terminals is 0.85 volume to capacity (v/c) ratio.

For zone changes and comprehensive plan amendments local governments must make findings that the proposed amendment complies with the Transportation Planning Rule (TPR) OAR 660-012-0060. There must be substantial evidence in the record to either make the finding of "no significant effect" on the transportation system, or if there is a significant effect assurance that the allowed land uses are consistent with the identified function, capacity, and performance standard of the transportation facility.

The applicant provided a traffic memo prepared by Kittelson & Associates dated August 21, 2009. The memo presented the argument that the "reasonable worst case" development scenario for the proposed zoning is equivalent to the existing zoning because Hospitals are a conditional use under the existing zoning. However, transportation system plans typically utilize allowed uses for analysis purposes and conditional uses have a higher level of adequacy criteria, therefore it is common practice not to utilize conditional uses for "reasonable worst case scenarios" in traffic analysis for TPR findings. ODOT does not consider conditional uses appropriate for the purpose of traffic analysis in making TPR findings.

In order to determine whether or not there will be a significant effect on the State transportation system, ODOT staff requested further analysis including a comparison between the land use with the highest trip generation rate allowed outright under the proposed comp plan designation

Attachment
ODOT October 26, 2009-Letter
ODOT January 14, 2010-Letter

2

(Medical Center) with the land use with the highest trip generation rate allowed outright under the existing comprehensive plan designation (low-density residential).

Kittelson provided a follow-up traffic memo dated October 1, 2009, which compared the trip generation from 94 Single Family Residential units with 250,000 sq ft of Medical Office. The analysis showed a net increase of 830 trips in the weekday PM peak hour. This is a substantial amount of additional trips and ODOT can not currently make a determination of no significant effect. Therefore, ODOT requests additional analysis to determine the potential effect on the I5/Nyber interchange.

1. The analysis should focus on both I5/Nyberg St ramp terminals including queuing analysis.
2. The analysis can rely on existing and planned transportation improvements in which a funding mechanism is in place including but not limited to projects identified in:
 - State Transportation Improvement Program (STIP),
 - local/county capital improvement plans (CIP),
 - financially constrained Regional Transportation System Plan (RTP)
 - Washington County Major Streets Transportation Improvement Program MSTIP. (OAR 660-012-0060)
3. The analysis should apply the 0.85 highway mobility standard (volume-to-capacity ratio) identified in the OHP over a planning horizon of the adopted local transportation system plan or 15 years from the proposed date of amendment adoption, whichever is greater (OHP Action 1F2).
4. In situations where the highway facility is operating above the OHP mobility standard and transportation improvements are not planned within the planning horizon to bring performance to standard, the performance standard is to avoid further degradation. If the comprehensive plan amendment increases the volume-to-capacity ratio further, it will significantly affect the facility (OHP Action 1F6).

Prior to commencing the TIS, the applicant should contact Doug Baumgartner, ODOT Region 1 Traffic Analyst at (503) 731-8225 to obtain ODOT concurrence with the scope of the study. Thank you for providing ODOT the opportunity to participate in this land use review. If you have any further questions regarding this matter, please contact me at (503) 731-8234.

Sincerely,



Seth Brumley
Development Review Planner

C: Doug Baumgartner, ODOT Region 1 Traffic



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation
CITY OF TUALATIN
RECEIVED
JAN 14 2010
Region 1
123 NW Flanders Street
Portland, OR 97209-4037
503.731.8200
FAX 503.731.8259

COMMUNITY DEVELOPMENT
PLANNING DIVISION

January 14, 2010

City of Tualatin Community Development Dept
Planning Division
18880 SW Martinazzi Avenue
Tualatin, OR 97062

ATTN: Will Harper, Associate Planner

RE: PMA-09-03: Amend TDC Community Plan Map 9-1 Changing RL (Low-Density Residential) Planning District Designation to (MC) Medical Center

Dear Mr. Harper,

ODOT has concerns regarding the City of Tualatin's interpretation of the Transportation Planning Rule section 060 (TPR, OAR 660-012-0060(2)) concerning plan amendments. In the Legacy Meridian case, the applicant is proposing to rezone a 20 acre parcel of land from R7 Residential to MC Medical Center. The City has determined that the "likely" use of hospital which is allowed as a conditional use in the R7 zone can be assumed for the reasonable worst case comparative traffic analysis between the uses in the R7 zoning and the MC zoning. The Kittelson traffic memo dated October 1, 2009 argues that hospitals are a conditional use under R7 zoning and are therefore the reasonable worst case "allowed" under the current zoning. However, transportation system plans typically utilize uses allowed *outright* for analysis purposes and conditional uses and associated traffic are not accounted for in future traffic projections within these plans.

In addition, a conditional use decision would apply to a specific development and not the parcel as a whole. In this case, the City may approve a single medical office building as a conditional use if there are adequate facilities, but this would not assure that a second, third, or fourth medical office building would be approved at some time in the future. By changing the zoning to MC the City would be implicitly approving these future developments without regard to the standard of adequacy called for under a conditional use approval or TPR analysis. Therefore, ODOT does not consider conditional uses appropriate for the purpose of traffic analysis in making TPR findings and requests that the City require further traffic analysis. LUBA has found that under the TPR local governments must evaluate the traffic generation of the reasonable worst case "allowed" land uses rather than "likely" or "proposed land uses" to make findings of no significant effect (*Mason v. City of Corvallis and Pahlisch Homes*, 49 OR LUBA 199 (2005), *Griffiths v. City of Corvallis and Group Mackenzie*, 50 Or LUBA 588 (2005)). ODOT does not consider conditional uses "allowed", and local governments should be consistent with the LUBA decision in applying TPR 060.

In particular, ODOT is concerned with the southbound off-ramp at the I-5/Nyberg Rd interchange. Recent traffic studies for plan map amendments near this interchange (PMA09-02:

ODOT Case No:

Waterman Zone Change, PMA08-03: Nyberg Lodge) have shown that peak hour traffic will be approaching the volume-to-capacity (v/c) mobility standard of 0.85 v/c in the future. ODOT requests that the City require the applicant to conduct a TPR analysis for this specific location. The analysis should apply the highway mobility standard of 0.85 v/c ratio identified in the Oregon Highway Plan (OHP) over the planning horizon in the adopted local transportation system plan of the area or 15 years from the proposed date of amendment adoption, whichever is greater (OHP Action 1F2). If the proposed zone change causes the ramp to exceed the v/c ratio, the applicant must conduct a queuing analysis to show that the proposal will not cause queues that exceed storage and deceleration distances and contribute to potential safety problems on I-5 in order to show "no significant effect". Please direct the applicant to contact ODOT traffic analyst Doug Baumgartner at 503-731-8225 for questions regarding the TPR analysis.

Seth Brumley

A handwritten signature in cursive script, reading "Seth Brumley".

Development Review Planner

C: Doug Baumgartner, ODOT Region 1 Traffic

ODOT Case No:



Oregon

Theodore R. Kulongoski, Governor

Oregon Department of Transportation

ODOT Region 1
123 NW Flanders St
Portland, OR 97209 - 4037
Telephone (503) 731-8200
FAX (503) 731-8259

ODOT Case No: 3339

March 8, 2010

Will Harper
City of Tualatin
18880 SW Martinazzi Ave
Tualatin, OR 97062

**CITY OF TUALATIN
RECEIVED**

MAR 08 2010

**COMMUNITY DEVELOPMENT
PLANNING DIVISION**

Attn: Will Harper, Associate Planner

Re: PMA-09-03: Legacy Meridian Hospital Zone Change (RL to MC)
I-5 / SW Nyberg St Interchange

Dear Mr. Will Harper,

In previous comments on the proposed zone change, ODOT requested the City require the applicant to prepare a traffic impact analysis (TIA) in order for ODOT to evaluate whether or not the proposed change would have a significant effect on the I-5/Nyberg Rd interchange per Transportation Planning Rule 060. This request was made based on previous zone change applications in the vicinity of the interchange that presented analysis indicating that the southbound ramp terminal was approaching the Oregon Highway Plan mobility standard of .85 volume to capacity ratio for the peak hours. The previous analyses indicate that additional trips in the peak hours could potentially significantly effect the southbound interchange ramp terminal intersection. Therefore, reducing peak hour trips to the interchange would alleviate the potential for a significant effect at the interchange.

The existing hospital development should be in compliance with the Employee Commute Options Program OAR 340-242-0010-0290 administered by Oregon DEQ. The DEQ website states: "The ECO rules (OAR 340-242-0010 through 0290), affect employers in the Portland area with more than 100 employees reporting to a work site. Affected employers must provide incentives for employee use of alternative commute options. The incentives must have the potential to reduce commute trips to the work site by ten percent from an established baseline." The target auto trip reduction rate established through the approved "Auto Trip Reduction Plan" for the existing hospital must be maintained for the proposed hospital expansion.

The applicant's narrative addressing Goal 13: Energy Conservation, explains that by allowing the hospital expansion efficiencies of scale can be obtained by concentrating employees at a larger facility creating a benefit for an effective employee commute program. An effective employee commute program in the interchange peak hours would be an effective mechanism to address Goal 12: Transportation and the Transportation Planning Rule 060. ODOT recommends the City work with the applicant and the department to develop conditions for the zone change that include trip reduction strategies for the interchange peak hours resulting in a finding of no significant effect on the interchange.

Sincerely,

A handwritten signature in cursive script, reading "Seth Brumley". The signature is written in black ink and is positioned to the left of a vertical line.

Seth Brumley
Development Review Planner

C: Mark Vandehey P.E., Kittelson & Associates, Inc
Elaine Smith, ODOT Region 1 Planning Manager
Marah Danielson, ODOT Region 1 Planning

ATTACHMENT J

PMA-09-03

Paul Sivley-Tualatin Planning Advisory Committee (Acting Chairman) -Questions for Applicants and Staff-

In an October 6 email message, Paul Sivley provided the following questions for consideration at the October 8, 2009 Tualatin Planning Advisory Committee Meeting regarding the proposed PMA-09-03. Responses to questions that are best answered by Staff follow individual questions. Other questions were preliminarily answered by the Applicants in an October 7, 2009 email and listed below.

1) Why not wait to grant the zoning change until we see a development plan? At this point, we don't have a clue what they want to put where. Or at least wait until they have the first couple buildings planned. Rezoning now seems to reduce our leverage on the project somewhat in terms of conditional use, project sizing, etc. I know we can get some sense of the "worst case" development on the site via our setback, height, etc requirements, but wouldn't it be more logical to wait until they have some plans so we can really assess with some accuracy actual project impact on traffic, noise, visibility, height, etc issues?

Applicant Response. Legacy wants to be sure that the entire parcel of land that is already purchased and adjacent to the existing campus will be available for medical center development regardless of the outcome with Metro about the amount of land Tualatin needs to have available to meet housing targets.

Staff Response. Tualatin uses a "one map system" that combines a "Comprehensive Plan" and a "Zoning Map" into one Map 9-1, showing the location and designation of all property within Tualatin's Planning Area. The Plan Map Amendment process is focused on consideration of the change in Planning District at the "Plan" level and consideration of the uses and physical development issues are in land use decisions such as Conditional Use, Subdivision, Partition and Architectural Review. The Plan Amendment level will look at "worst case" scenarios, but is not intended to assess specific "impact" issues of a particular development.

2) Can we quantify how "the setback and height standards of the MC designation explicitly require more buffering to the adjacent property giving more certainty to existing adjacent residential uses"? (pg.1 staff report)

Applicant Response We will bring display boards showing height and setback lines in plan view for both RL and MC designations. Of particular note, MC allows no building within 50 feet of zoning line boundary, an allowed use in RL can be 10-15 feet of property line and a conditional use can be setback no more than 50 feet; also allowed and conditional uses can be 35 feet high at the setback line, conditional uses can be 75 high when setback 1.5 times this height from property lines, height at 50 foot setback in MC is 25 feet, 45 feet at 100 to 300 feet, and 95 feet high at 300 feet setback.

3) "Improvements directly related to development of the subject property appear to be possible using exiting right of way and possibly hospital owned property depending on actual survey of the property line" (pg 3 staff report). The terms "appear to be possible" and "possibly hospital" reinforce my concern that we are taking action on zoning with a lot of uncertainty about what will be built and the impact of the development. Can we eliminate the uncertainties in this statement in the staff report?

Applicant Response First it is important to remember that the improvements needed for future development of the property are the same for both the existing and proposed zoning (refer to the Kittelson memos). Second, the improvements needed in the future would be determined based on the "actual" development proposal, which would likely be significantly less than the "reasonable worst case" scenarios assumed in the Kittelson memos. However, if future development (under either the existing or proposed zoning) occurred to the level anticipated under the "reasonable worst case" scenarios, the transportation improvements that would be likely be needed could be accommodated within a combination of the existing Row or Row owned by Legacy.

4) "Worst case" development would add 250,000 sf of office space. What's the current sf already built and in place at Meridian?

Staff Response. Records show the Legacy Meridian Park Medical Center has approximately 419,000 sq. ft. of building area.

5) The traffic analysis notes an increase from medical development vs residential over about 1300 trips, pm and am peak. Yet only two sites suffer worsened LOS results? Seems like a fair amount of new traffic.

Applicant Response. The LOS results shown in the Kittelson memo are correct. A few points are worth noting. The largest increase was in the p.m. peak hour when the "reasonable worst case" scenario resulted in an increase of 830 additional trips (not 1,300). When assessing impacts to individual intersections the 830 trips is a combination of entering and exiting trips. Further, traffic is distributed in multiple directions (some coming to/from I-5, I-205, SW 65th, SW Sagert, etc). As a result, no one intersection experiences the full increase in site-generated traffic.

6) Table 2 in the traffic report seems misleading to me, as the middle column "existing zoning w/med office dev" takes into account medical office development is a secondary allowed option under current zoning. I'm not sure of the value of that one column vs the other 2.

Applicant Response. Since the focus of the transportation evaluation should be on the impact of the zone change, we felt it would be more misleading to simply compare the existing zoning (with residential development) to the proposed zoning (with medical office). As indicated earlier in the Kittelson memo, the "reasonable worst case" scenario for both the existing and proposed zoning is the same. The second column in table 2 simply reinforces that point.

Legacy Meridian Park Medical Center

As one of Tualatin's largest employers and the only hospital in the community, Legacy Meridian Park Medical Center wants to plan for future growth to provide the highest level of medical care available as well as to bring quality jobs to the community.

The 20 acres to the east of the current campus is currently zoned for Low Density Residential development. Legacy has applied to have the City of Tualatin change the zoning to Medical Center development in order to match the current campus zoning.

There are no imminent building plans for the property and Legacy is seeking the medical zone designation at this time to allow predictability for both the hospital and the neighborhood on how the property will be used in the future.

Legacy Meridian Park Medical Center has and will continue to make every effort to protect the integrity of the adjacent neighborhood as it enters into any future building plans for the property.

The Tualatin City Council wants to hear from the community before their vote on July 12, 2010. If you support Legacy Meridian Park Medical Center's efforts to plan for the future, please use the attached comment card to express your views. The cards can be dropped off in the Community Health Information Center.

Thank you for your continued support.



Save the Date

Plan to attend for questions about rezoning

Neighbors and those in the community are invited to come by an open house at Legacy Meridian Park Medical Center.

Come learn the details of the proposed rezoning of part of the Legacy Meridian Park Medical Center campus. More importantly, come ask your questions and give us your feedback about the rezoning proposal.

We will hold additional open house meetings in May and June; we will announce those dates when they are finalized.

We look forward to hearing from you.



Save the Date

Open House

Tuesday, April 27, 2010

Drop by anytime from 6 to 8 p.m.

Community Health Education Center

Legacy Meridian Park Medical Center

For more information about the open house, please call the Community Relations office at Legacy Meridian Park, 503-692-2193.

www.legacyhealth.org

EMANUEL Medical Center	GOOD SAMARITAN Medical Center	MERIDIAN PARK Medical Center	MOUNT HOOD Medical Center	SALMON CREEK Medical Center	
THE CHILDREN'S HOSPITAL Legacy Emanuel		LEGACY MEDICAL GROUP	LEGACY LABORATORY	LEGACY RESEARCH	LEGACY HOSPITAL



Legacy Meridian Park Hospital

19300 S.W. 65th Ave.

Tualatin, OR 97062

Legacy Meridian Park Medical Center

Learn More, Ask Questions, Tell Us What You Think We're Listening

Proposed Rezoning Open House
Legacy Meridian Park Medical Center

Come learn about the details of the proposed rezoning of part of the Legacy Meridian Park Medical Center campus. More importantly, come ask your questions and give us your feedback about the rezoning proposal.

**Tuesday, May 25, 2010
1:00 pm to 3:00 pm
Community Health Education Center
Legacy Meridian Park Medical Center**

If you can not attend this Open House, we will be doing an additional open house on Tuesday, June 8 from 6:00 pm to 8:00 pm in the Community Health Education Center. We look forward to hearing from you.

For more information about the Open House, please call the Legacy Meridian Park Medical Center Community Relations office at **503-692-2193**.



Legacy Meridian Park Medical Center

FACT SHEET

The rezoning of the 20-acre site from residential to medical center zoning creates consistent zoning with the entire Legacy Meridian Park Medical Center campus.

While there will likely be growth in the future, Legacy Meridian Park Medical Center has no plans to develop the property at this time, and no funding has been earmarked for expansion or growth on the property being rezoned.

Having the property rezoned now allows both Legacy Meridian Park Medical Center and the adjoining neighbors to have predictability for any future development.

While there are no plans for development at this time, it is likely that any future development will be medical office buildings, which are typically open during normal business hours and closed at night and on weekends.

When the first building is developed on the property, earthen berms with dense evergreen tree and shrub landscaping will be placed along the east perimeter of the property in order to create a buffer with adjoining residential developments.

Any buildings developed on the site will be subject to certain setback and height restrictions. For example buildings at the maximum setback will be limited to a 75 foot height.

Any buildings will be subject to the City's architectural review in order to ensure that the design and materials are compatible with the neighborhood and current campus.

Legacy Meridian Park Medical Center will provide a minimum 20 foot setback from the property line to any parking area, and a minimum 50 foot buffer zone on the south and east boundaries in order to protect the existing stand of mature trees.

Legacy Meridian Park Medical Center will provide adequate on-site parking away from city streets.

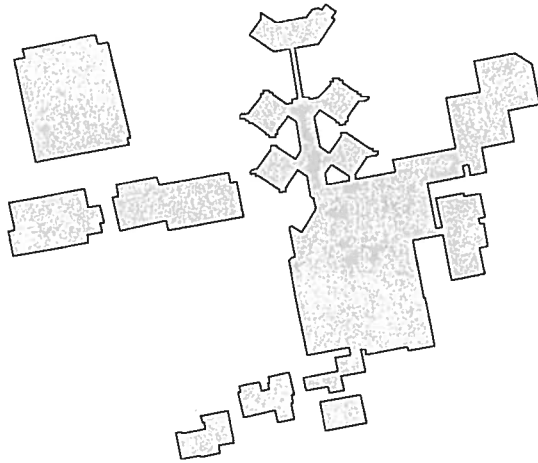


Access to buildings developed in the future will be from any of the four current Legacy Meridian Park Medical Center access points, as well as a new access point on SW Borland Road.

Legacy Meridian Park Medical Center does not plan to allow through traffic onto adjacent streets on the eastern perimeter of the property unless required by the City. Tualatin Valley Fire and Rescue may require emergency access, depending on the type and design of buildings on the site.

Legacy Meridian Park Medical Center will create pedestrian access on the eastern perimeter to allow neighbors to use future paths and trails connecting to the Nyberg Creek wetlands.

Legacy Meridian Park Hospital



FOX HILL NO. 3

FOX HILL NO. 2

FOX HILL NO. 1

KAITLIN PARK

SEQUOIA RIDGE

VENETIA

OWNERADDR	OWNERCITY	OWNERSTA	OWNERZIP	SUBDIVISION NAME
5719 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5716 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5712 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5670 SW POWHATAN AVE	TUALATIN	OR	97062-9759	KAITLIN PARK
19800 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19780 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19770 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19750 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19740 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19730 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19720 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19710 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
18880 SW MARTINAZZI AVE	TUALATIN	OR	97062-7092	KAITLIN PARK
5733 SW NATCHEZ ST	TUALATIN	OR	97062-9770	FOX HILL NO. 2
5740 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
5736 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
5714 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
5705 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5719 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5727 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5753 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5769 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5722 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5716 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5704 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5630 SW WICHITA ST	TUALATIN	OR	97062-8790	FOX HILL NO. 3
19260 SW 56TH PL	TUALATIN	OR	97062-6727	FOX HILL NO. 3
19240 SW 56TH PL	TUALATIN	OR	97062-6727	FOX HILL NO. 3
19120 SW 56TH PL	TUALATIN	OR	97062-6728	FOX HILL NO. 3
5645 SW WICHITA ST	TUALATIN	OR	97062-8790	FOX HILL NO. 3
19220 SW 57TH AVE	TUALATIN	OR	97062-8797	FOX HILL NO. 3
19110 SW 57TH AVE	TUALATIN	OR	97062-8796	FOX HILL NO. 3
5488 SW JOSHUA ST	TUALATIN	OR	97062-9771	FOX HILL NO. 2
5511 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
5545 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
5604 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
5566 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
5502 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
5486 SW NATCHEZ ST	TUALATIN	OR	97062-9766	FOX HILL NO. 2
19338 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19242 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19198 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19150 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19181 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19205 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19227 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2

19259 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
5531 SW NATCHEZ ST	TUALATIN	OR	97062-6705	FOX HILL NO. 2
5599 SW NATCHEZ ST	TUALATIN	OR	97062-6705	FOX HILL NO. 2
5615 SW NATCHEZ ST	TUALATIN	OR	97062-6704	FOX HILL NO. 2
19634 SW 56TH CT	TUALATIN	OR	97062-9726	FOX HILL NO. 1
19580 SW 56TH CT	TUALATIN	OR	97062-9705	FOX HILL NO. 1
19577 SW 56TH CT	TUALATIN	OR	97062-9705	FOX HILL NO. 1
19607 SW 56TH CT	TUALATIN	OR	97062-9722	FOX HILL NO. 1
5829 PHOENIX DR APT 102	DALLAS	TX	75231-6215	FOX HILL NO. 1
5641 SW POWHATAN AVE	TUALATIN	OR	97062-9760	FOX HILL NO. 1
5663 SW POWHATAN AVE	TUALATIN	OR	97062-9760	FOX HILL NO. 1
19600 SW 57TH AVE	TUALATIN	OR	97062-9753	FOX HILL NO. 1
19552 SW 57TH AVE	TUALATIN	OR	97062-9753	FOX HILL NO. 1
19631 SW 57TH AVE	TUALATIN	OR	97062-9756	FOX HILL NO. 1
19683 SW 57TH AVE	TUALATIN	OR	97062-9756	FOX HILL NO. 1
19717 SW 57TH AVE	TUALATIN	OR	97062-9756	FOX HILL NO. 1
5703 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5758 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5776 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5793 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5785 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5783 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5773 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5763 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
6 OAK CT	SUNNYVALE	CA	94086-5159	FOX HILL NO. 1
5743 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5635 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
5665 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
19295 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
19120 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
19185 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
19260 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
5725 SW WICHITA ST	TUALATIN	OR	97062-8791	FOX HILL NO. 3
PO BOX 1606	TUALATIN	OR	97062-1606	FOX HILL NO. 3
5885 SW WICHITA ST	TUALATIN	OR	97062-7701	FOX HILL NO. 3
5830 SW WICHITA ST	TUALATIN	OR	97062-7701	FOX HILL NO. 3
5700 SW WICHITA ST	TUALATIN	OR	97062-8791	FOX HILL NO. 3
15200 BANGY RD	LAKE OSWEGO	OR	97035-3204	FOX HILL NO. 1
19776 SW 57TH AVE	TUALATIN	OR	97062-6701	FOX HILL NO. 1
19752 SW 57TH AVE	TUALATIN	OR	97062-6701	FOX HILL NO. 1
19642 SW 56TH CT	TUALATIN	OR	97062-9726	FOX HILL NO. 1
5637 SW NATCHEZ ST	TUALATIN	OR	97062-6704	FOX HILL NO. 2
5749 SW NATCHEZ ST	TUALATIN	OR	97062-9770	FOX HILL NO. 2
5567 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
19645 SW 57TH AVE	TUALATIN	OR	97062-9756	FOX HILL NO. 1
5590 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
19685 SW 56TH CT	TUALATIN	OR	97062-9730	KAITLIN PARK

5738 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5581 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
5524 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
19669 SW 57TH AVE	TUALATIN	OR	97062-9756	FOX HILL NO. 1
19050 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
5750 SW WICHITA ST	TUALATIN	OR	97062-8791	FOX HILL NO. 3
5620 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
5731 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
19055 SW 57TH AVE	TUALATIN	OR	97062-8796	FOX HILL NO. 3
19075 SW 57TH AVE	TUALATIN	OR	97062-8796	FOX HILL NO. 3
5706 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5650 SW POWHATAN AVE	TUALATIN	OR	97062-9759	KAITLIN PARK
19461 SW 57TH AVE	TUALATIN	OR	97062-9764	FOX HILL NO. 2
19225 SW 56TH PL	TUALATIN	OR	97062-6727	FOX HILL NO. 3
5548 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
19551 SW 56TH CT	TUALATIN	OR	97062-9705	FOX HILL NO. 1
5681 SW POWHATAN AVE	TUALATIN	OR	97062-9760	FOX HILL NO. 1
19715 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
0836 SW CURRY ST UNIT 1500	PORTLAND	OR	97239-4529	KAITLIN PARK
5756 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5690 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
5557 SW NATCHEZ ST	TUALATIN	OR	97062-6705	FOX HILL NO. 2
19576 SW 57TH AVE	TUALATIN	OR	97062-9753	FOX HILL NO. 1
5685 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
19678 SW 57TH AVE	TUALATIN	OR	97062-6703	FOX HILL NO. 1
18880 SW MARTINAZZI AVE	TUALATIN	OR	97062-7092	KAITLIN PARK
5741 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5570 SW JOSHUA ST	TUALATIN	OR	97062-9772	FOX HILL NO. 2
5538 SW JOSHUA ST	TUALATIN	OR	97062-9772	FOX HILL NO. 2
19386 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
5631 SW NATCHEZ ST	TUALATIN	OR	97062-6704	FOX HILL NO. 2
5734 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
19095 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
19656 SW 57TH AVE	TUALATIN	OR	97062-6703	FOX HILL NO. 1
8249 TORREY GARDENS PL	SAN DIEGO	CA	92129-4603	FOX HILL NO. 3
5552 SW JOSHUA ST	TUALATIN	OR	97062-9772	FOX HILL NO. 2
19270 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
5585 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
19080 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
19280 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
19700 SW 57TH AVE	TUALATIN	OR	97062-6701	FOX HILL NO. 1
5610 SW WICHITA ST	TUALATIN	OR	97062-8790	FOX HILL NO. 3
19169 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
9700 SW IOWA DR	TUALATIN	OR	97062-7350	FOX HILL NO. 1
PO BOX 371	WEST LINN	OR	97068-0371	FOX HILL NO. 1
19135 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
19724 SW 57TH AVE	TUALATIN	OR	97062-6701	FOX HILL NO. 1

5702 SW CALUSA LOOP	TUALATIN	OR	97062-9757	KAITLIN PARK
19795 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
5477 SW JOSHUA ST	TUALATIN	OR	97062-9785	FOX HILL NO. 2
19293 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19565 SW 57TH AVE	TUALATIN	OR	97062-7733	FOX HILL NO. 1
5740 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5746 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5725 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5650 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
5613 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
19539 SW 57TH AVE	TUALATIN	OR	97062-9755	FOX HILL NO. 1
5845 SW WICHITA ST	TUALATIN	OR	97062-7701	FOX HILL NO. 3
5755 SW NATCHEZ ST	TUALATIN	OR	97062-9770	FOX HILL NO. 2
5728 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
5744 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
19280 SW 56TH PL	TUALATIN	OR	97062-6727	FOX HILL NO. 3
5514 SW JOSHUA ST	TUALATIN	OR	97062-9772	FOX HILL NO. 2
19554 SW 56TH CT	TUALATIN	OR	97062-9705	FOX HILL NO. 1
5777 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5550 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
5615 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
19275 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
19760 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19650 SW 56TH CT	TUALATIN	OR	97062-9730	KAITLIN PARK
5705 SW NATCHEZ ST	TUALATIN	OR	97062-9770	FOX HILL NO. 2
5796 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5709 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
19000 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
19155 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
5630 SW POWHATAN AVE	TUALATIN	OR	97062-9759	KAITLIN PARK
5523 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
5790 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
PO BOX 36	TUALATIN	OR	97062-0036	KAITLIN PARK
19270 SW 57TH AVE	TUALATIN	OR	97062-8797	FOX HILL NO. 3
19150 SW 57TH AVE	TUALATIN	OR	97062-8796	FOX HILL NO. 3
19304 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
5573 SW NATCHEZ ST	TUALATIN	OR	97062-6705	FOX HILL NO. 2
5789 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
PO BOX 1925	WILSONVILLE	OR	97070-1925	KAITLIN PARK
5752 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
5702 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
19530 SW 57TH AVE	TUALATIN	OR	97062-9748	FOX HILL NO. 2
5582 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
19216 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19321 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19025 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
5870 SW WICHITA ST	TUALATIN	OR	97062-7701	FOX HILL NO. 3

5680 SW WICHITA ST	TUALATIN	OR	97062-8790	FOX HILL NO. 3
19174 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19065 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
19220 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
5670 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
5737 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5525 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
19025 SW 57TH AVE	TUALATIN	OR	97062-8795	FOX HILL NO. 3
6005 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6015 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6025 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6035 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6055 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6065 SW SEQUOIA DR	TUALATIN	OR	97062-6833	SEQUOIA RIDGE
4525 SW NATCHEZ CT	TUALATIN	OR	97062-8769	SEQUOIA RIDGE
6083 SW SEQUOIA DR	TUALATIN	OR	97062-6833	SEQUOIA RIDGE
6085 SW SEQUOIA DR	TUALATIN	OR	97062-6833	SEQUOIA RIDGE
6070 SW PORT ORFORD ST	TUALATIN	OR	97062-6837	SEQUOIA RIDGE
6050 SW PORT ORFORD ST	TUALATIN	OR	97062-6837	SEQUOIA RIDGE
6058 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6050 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
19975 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
19985 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
20035 SW 60TH AVE	TUALATIN	OR	97062-6839	SEQUOIA RIDGE
20095 SW 60TH AVE	TUALATIN	OR	97062-6839	SEQUOIA RIDGE
20080 SW 60TH AVE	TUALATIN	OR	97062-6839	SEQUOIA RIDGE
20050 SW 60TH AVE	TUALATIN	OR	97062-6839	SEQUOIA RIDGE
19980 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
19970 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
19960 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
5980 SW SEQUOIA DR	TUALATIN	OR	97062-6852	SEQUOIA RIDGE
19995 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
20020 SW 59TH TER	TUALATIN	OR	97062-6841	SEQUOIA RIDGE
20000 SW 59TH TER	TUALATIN	OR	97062-6841	SEQUOIA RIDGE
19990 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
19950 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
19910 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
19955 SW 58TH TER	TUALATIN	OR	97062-6844	SEQUOIA RIDGE
20005 SW 58TH TER	TUALATIN	OR	97062-6848	SEQUOIA RIDGE
20025 SW 58TH TER	TUALATIN	OR	97062-6848	SEQUOIA RIDGE
20075 SW 58TH TER	TUALATIN	OR	97062-6843	SEQUOIA RIDGE
5860 SW PORT ORFORD ST	TUALATIN	OR	97062-6842	SEQUOIA RIDGE
5820 SW PORT ORFORD ST	TUALATIN	OR	97062-6842	SEQUOIA RIDGE
5800 SW PORT ORFORD ST	TUALATIN	OR	97062-6842	SEQUOIA RIDGE
20080 SW 58TH TER	TUALATIN	OR	97062-6843	SEQUOIA RIDGE
20050 SW 58TH TER	TUALATIN	OR	97062-6843	SEQUOIA RIDGE
19980 SW 58TH TER	TUALATIN	OR	97062-6844	SEQUOIA RIDGE

5775 SW SEQUOIA DR	TUALATIN	OR	97062-6853	SEQUOIA RIDGE
5825 SW SEQUOIA DR	TUALATIN	OR	97062-6854	SEQUOIA RIDGE
5865 SW SEQUOIA DR	TUALATIN	OR	97062-6854	SEQUOIA RIDGE
5915 SW SEQUOIA DR	TUALATIN	OR	97062-6854	SEQUOIA RIDGE
5955 SW SEQUOIA DR	TUALATIN	OR	97062-6854	SEQUOIA RIDGE
18880 SW MARTINAZZI AVE	TUALATIN	OR	97062-7092	SEQUOIA RIDGE
18880 SW MARTINAZZI AVE	TUALATIN	OR	97062-7092	SEQUOIA RIDGE
6090 SW PORT ORFORD ST	TUALATIN	OR	97062-6837	SEQUOIA RIDGE
6070 SW SEQUOIA DR	TUALATIN	OR	97062-6833	SEQUOIA RIDGE
20015 SW 59TH TER	TUALATIN	OR	97062-6841	SEQUOIA RIDGE
20035 SW 59TH TER	TUALATIN	OR	97062-6841	SEQUOIA RIDGE
20070 SW 59TH TER	TUALATIN	OR	97062-6841	SEQUOIA RIDGE
6060 SW SEQUOIA DR	TUALATIN	OR	97062-6833	SEQUOIA RIDGE
19905 SW 58TH TER	TUALATIN	OR	97062-6844	SEQUOIA RIDGE
19935 SW 58TH TER	TUALATIN	OR	97062-6844	SEQUOIA RIDGE
5995 SW SEQUOIA DR	TUALATIN	OR	97062-6854	SEQUOIA RIDGE
18880 SW MARTINAZZI AVE	TUALATIN	OR	97062-7092	SEQUOIA RIDGE
19975 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
20045 SW 58TH TER	TUALATIN	OR	97062-6843	SEQUOIA RIDGE
5840 SW PORT ORFORD ST	TUALATIN	OR	97062-6842	SEQUOIA RIDGE
19925 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
3 MONROE PKWY STE P429	LAKE OSWEGO	OR	97035-1486	SEQUOIA RIDGE
19930 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
18880 SW MARTINAZZI AVE	TUALATIN	OR	97062-7092	SEQUOIA RIDGE
11044 SW 113TH TER	TIGARD	OR	97223-4262	SEQUOIA RIDGE
20040 SW 59TH TER	TUALATIN	OR	97062-6841	SEQUOIA RIDGE
19965 SW 58TH TER	TUALATIN	OR	97062-6844	SEQUOIA RIDGE
20130 SW 58TH TER	TUALATIN	OR	97062-6845	SEQUOIA RIDGE
20065 SW 60TH AVE	TUALATIN	OR	97062-6839	SEQUOIA RIDGE
19940 SW 58TH TER	TUALATIN	OR	97062-6844	SEQUOIA RIDGE
20055 SW 59TH TER	TUALATIN	OR	97062-6841	SEQUOIA RIDGE
6030 SW PORT ORFORD ST	TUALATIN	OR	97062-6837	SEQUOIA RIDGE
6095 SW SEQUOIA DR	TUALATIN	OR	97062-6833	SEQUOIA RIDGE
6010 SW PORT ORFORD ST	TUALATIN	OR	97062-6837	SEQUOIA RIDGE
19955 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
9549 SW IOWA DR	TUALATIN	OR	97062-7367	SEQUOIA RIDGE
5795 SW SEQUOIA DR	TUALATIN	OR	97062-6853	SEQUOIA RIDGE
5940 SW SEQUOIA DR	TUALATIN	OR	97062-6852	SEQUOIA RIDGE
19960 SW 58TH TER	TUALATIN	OR	97062-6844	SEQUOIA RIDGE
10709 SW LONDON LN	WILSONVILLE	OR	97070-3029	SEQUOIA RIDGE
19945 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
5805 SW SEQUOIA DR	TUALATIN	OR	97062-6854	SEQUOIA RIDGE
6080 SW SEQUOIA DR	TUALATIN	OR	97062-6833	SEQUOIA RIDGE
20160 SW 58TH TER	TUALATIN	OR	97062-6845	SEQUOIA RIDGE
19920 SW 58TH TER	TUALATIN	OR	97062-6844	SEQUOIA RIDGE
5845 SW SEQUOIA DR	TUALATIN	OR	97062-6854	SEQUOIA RIDGE
20030 SW 58TH TER	TUALATIN	OR	97062-6848	SEQUOIA RIDGE

5885 SW SEQUOIA DR	TUALATIN	OR	97062-6854	SEQUOIA RIDGE
5707 SW SEQUOIA DR	TUALATIN	OR	97062-6865	VENETIA NO. 1
5689 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
6030 FROST LN	LAKE OSWEGO	OR	97035-4587	VENETIA NO. 1
5643 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
5621 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
5587 SW SEQUOIA DR	TUALATIN	OR	97062-9734	VENETIA NO. 1
5523 SW SEQUOIA DR	TUALATIN	OR	97062-9734	VENETIA NO. 1
20062 SW 56TH AVE	TUALATIN	OR	97062-6869	VENETIA NO. 1
20086 SW 56TH AVE	TUALATIN	OR	97062-6869	VENETIA NO. 1
20099 SW 56TH AVE	TUALATIN	OR	97062-6869	VENETIA NO. 1
20051 SW 56TH AVE	TUALATIN	OR	97062-6869	VENETIA NO. 1
5630 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
5642 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
5670 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
20036 SW 57TH TER	TUALATIN	OR	97062-6866	VENETIA NO. 1
20054 SW 57TH TER	TUALATIN	OR	97062-6866	VENETIA NO. 1
20078 SW 57TH TER	TUALATIN	OR	97062-6866	VENETIA NO. 1
5675 SW LEE ST	TUALATIN	OR	97062-6867	VENETIA NO. 1
5649 SW LEE ST	TUALATIN	OR	97062-6867	VENETIA NO. 1
5682 SW LEE ST	TUALATIN	OR	97062-6867	VENETIA NO. 1
5700 SW LEE ST	TUALATIN	OR	97062-6870	VENETIA NO. 1
20083 SW 57TH TER	TUALATIN	OR	97062-6866	VENETIA NO. 1
20067 SW 57TH TER	TUALATIN	OR	97062-6866	VENETIA NO. 1
5671 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
5664 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
173 PLAIN RD	WAYLAND	MA	01778-2424	VENETIA NO. 1
18880 SW MARTINAZZI AVE	TUALATIN	OR	97062-7092	VENETIA NO. 1
5693 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
20037 SW 56TH AVE	TUALATIN	OR	97062-6869	VENETIA NO. 1
20090 SW 57TH TER	TUALATIN	OR	97062-6866	VENETIA NO. 1
5653 SW LEE ST	TUALATIN	OR	97062-6867	VENETIA NO. 1
5657 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
20073 SW 56TH AVE	TUALATIN	OR	97062-6869	VENETIA NO. 1
5661 SW LEE ST	TUALATIN	OR	97062-6867	VENETIA NO. 1
5605 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
5559 SW SEQUOIA DR	TUALATIN	OR	97062-9734	VENETIA NO. 1
20048 SW 56TH AVE	TUALATIN	OR	97062-6869	VENETIA NO. 1
5656 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
5758 SW LEE ST	TUALATIN	OR	97062-6870	VENETIA NO. 1
5741 SW SEQUOIA DR	TUALATIN	OR	97062-6865	VENETIA NO. 1
20029 SW 57TH TER	TUALATIN	OR	97062-6866	VENETIA NO. 1
5639 SW SEQUOIA DR	TUALATIN	OR	97062-6864	VENETIA NO. 1
5734 SW LEE ST	TUALATIN	OR	97062-6870	VENETIA NO. 1
18880 SW MARTINAZZI AVE	TUALATIN	OR	97062-7092	VENETIA NO. 1
5696 SW LEE ST	TUALATIN	OR	97062-6867	VENETIA NO. 1
20041 SW 57TH TER	TUALATIN	OR	97062-6866	VENETIA NO. 1



CITY COUNCIL SIGN-UP SHEET

DATE: MARCH 8, 2010

PLEASE COMPLETE TO GIVE TESTIMONY

LIMIT TESTIMONY TO THREE MINUTES

(PLEASE PRINT CLEARLY)					Agenda Item(s) or Citizen Comments
Name	Address	E-mail	Representing		
1. Mike Hetley	19730 SW 56 th CT	McHetley@gmail.com	—		
2. Debi Lawrence	Tigard, OR	debi@mtmcharter school.org	Mitch Charter School		
3. Shaina Hildreth	9955 SW Grounutt Tualatin	shildreth@ reason.net	Mitch Charter School		
4. Joel Smith	Tualatin	joe@labeleble.org	Mitch Charter School		
5. Colleen Lynch	11	KellyCually@earthlink.net			
6. Dafne Stalder	8855 SW Churchill St				
7. Kathy Neuenberg				North Tualatin Funding	Urban Renewal Budget Approval
8. BRIAN BLIN	Tualatin				Hospitality Zone



CITY COUNCIL SIGN-UP SHEET

DATE: MARCH 8, 2010

5 of 7

PLEASE COMPLETE TO GIVE TESTIMONY

LIMIT TESTIMONY TO THREE MINUTES

(PLEASE PRINT CLEARLY)		Address	E-mail	Representing	Agenda Item(s) or Citizen Comments
Name					
1. Barbara Franczak	19135 SW 52nd Court	gfranz2@earthlink.net	Hospital		
2. Lori Kellogg	10425 SW Kinross Truiston	lori_kellogg@hotmail.com	MITAF		
3. David Lillard	5728 SW Nether St	lillard@yahoo.com	hospital		
4. Cathy Holland	10740 SW Kinross Dr	c.holland73@gmail.com	Urban Renewal - Corncast.net Bridge		
5.					
6.					
7.					
8.					



CITY COUNCIL SIGN-UP SHEET

DATE: MARCH 8, 2010

PLEASE COMPLETE TO GIVE TESTIMONY

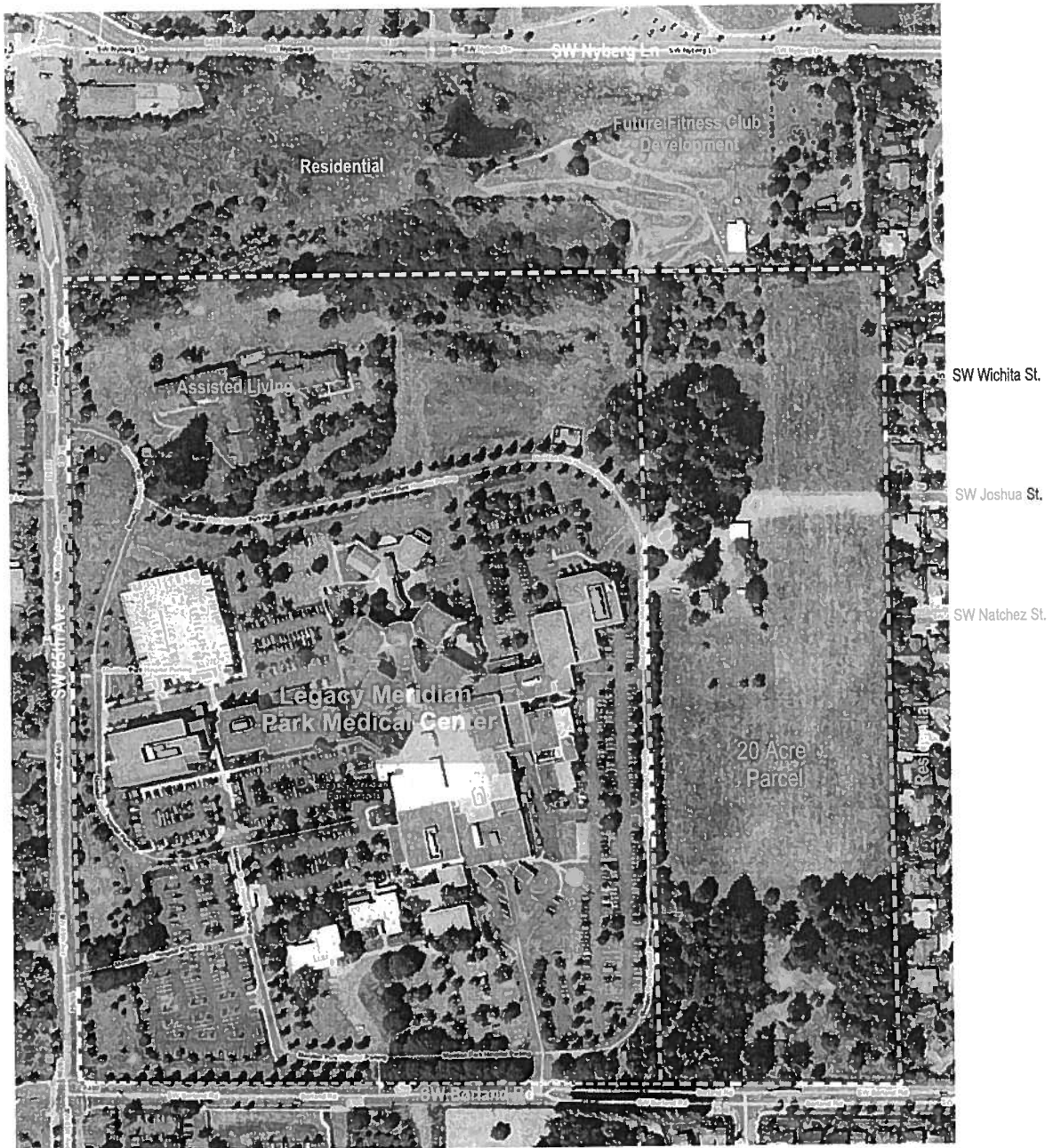
LIMIT TESTIMONY TO THREE MINUTES

(PLEASE PRINT CLEARLY)		Address	E-mail	Representing	Agenda Item(s) or Citizen Comments
Name					
1. Stephen Titus		10170 SW SEDLAK CT			Citizen Comments Tulaloh Day Comm Citizen comments Tulal. Davel. Comm.
2. Ed Bartlett		10200 SW Anderson Ct			
3. Joey Smith		22335 SW MANDAN		M.I.T.C.H. CHARTER SCHOOL BOARD	F. 2.
4. Todd Allison		5753 SW Joshua St			Zone Change
5. Nancy Grimes		19710 SW 54 th Ct			Zone change
6. Joey Smith					
7. Tim Inouebues		19291 SW CHESAPEAKE	Tim Inouebues @ Comcast NET		Zone change
8. Paul Peterson		19338 SW 55 th Ct			

Community Sign In Sheet

Please check below
to be added to mailing list

Name	Address	Phone Number	Email Address	
Mike Monahan	2743 SW Calusa, Tualatin, OR 97062	503-819-3338	katkwik@aol.com	✓
Tim Thornburg	19291 SW Chesapeake, Tualatin, OR 97062	503-612-9493	timthornburg@comcast.net	✓
Steve Wheeler	5326 SW Natchez St., Tualatin, OR 97062	503-691-1077	spjewheeler@comcast.net	✓
Paul Sivley	5190 SW Whichita, Tualatin, OR 97062	503-502-3385	p.sivley@comcast.net	✓
Bjorn S. G	5716 SW Joshua Street, Tualatin, OR 97062	503-692-4210	bjgall@gmail.com	✓
J. Waldron			Marylee16@hotmail.com	✓
John and Mary Grammel	19565 SW 57 th Ave, Tualatin, OR 97062	503-692-0670	Jandm.grammel@verizon.net	✓
Eric Barber				✓
Paul and Vanita Pedersen	19338 SW 55 th Court, Tualatin, OR 97062	503-454-0819	Vtpedersen@comcast.net	✓
Jim Zupancic	5335 Meadows, #161, Lake Oswego, OR	503-968-8200	jim@zupgroup.com	✓
Nancy Grimes	19710 SW 56 th Court, Tualatin, OR 97062	503-454-0272	sandngrimes@excite.com	✓
Doug Bowen	5695 SW Powhatan Ave, Tualatin, OR 97062	503-691-2148	dbowen@1cmsn.com	✓
Kathe Monroe	6025 SW Sequoia Drive, Tualatin, OR 97062	503-803-5555	kathemonroe@gmail.com	✓
Mark Coolican	19050 SW Mobile Place		Coolicanm1@aol.com	✓
Angela Wrantz	19155 SW Mobile Place	503-692-5123	Angela.wrantz@comcas.net	✓
Steve and Renee Balsiger	5885 SW Whichita Street	503-691-2665	Renee.balsiger@mercer.com	✓
Kaitlan Monroe	6025 Sequoia Drive, Tualatin, OR 97062			
Mike Reiss	19185 SW Mobile Place	503-692-3911	mikereiss@owens-minor.com	
Linda Mobelt	19181 SW 55 th Court	503-692-9621		
Mike and Karen Riley	8720 SW Tualatin Road, #233	503-691-9848	Jmyke2000@comcast.net	✓
Bob Grable	4980 SW Borland			
Cheri Benson	5915 SW Sequoia Drive	503-885-0243		
Joseph Herzig	5758 SW Calusa Loop	503-516-8292	gizreh@att.net	✓
Todd Allison	5753 SW Joshua		Todd-Allison@IDEM.com	
Mary Lee Tolley				
Sherilyn Lombos	City of Tualatin	503-691-3010		
Doug Rux	City of Tualatin			
Will Harper	City of Tualatin			
Chris Barhyte	Tualatin City Council		chris@barhyte.com	
Ed Truax	Tualatin City Council		edtruax@gmail.com	



Site Plan
Scale - 1" = 100'-0"





Site Plan - MC Zoning

Scale - 1" = 100'-0"



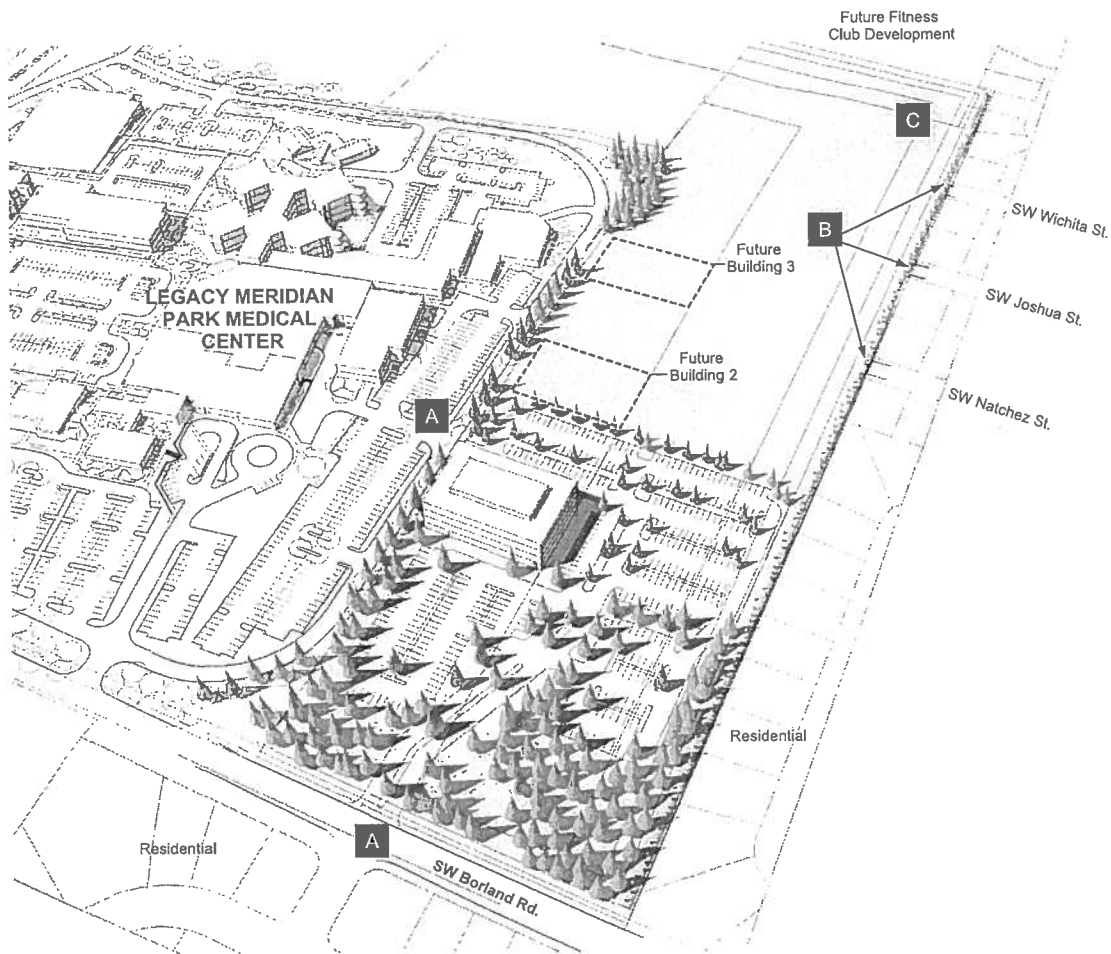
75' Max. at 300' Setback.
Height Agreed to by LMPMC.
(95' Maximum Height at 300'
Setback allowed by MC Zone.)

45' Maximum Height
at 100' Setback

25' Maximum Height
at 50' Setback

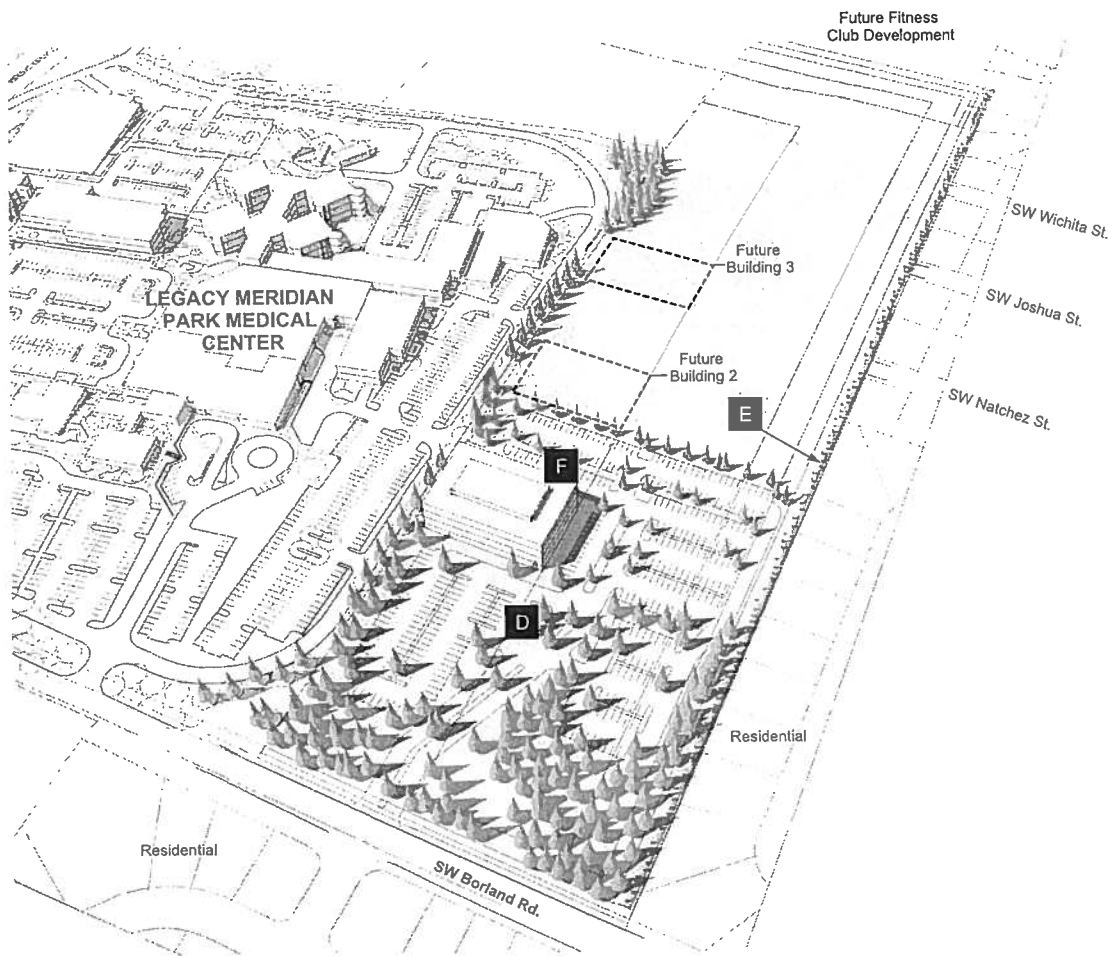
MEMORANDUM ITEMS

- A** Access may be obtained from one new public street access on SW Borland Road and shared access with existing LMPMC access on SW Borland Rd. and SW 65th Avenue
- B** Restrict direct motor vehicle ingress/egress access to the adjoining SW Joshua, SW Natchez & SW Wichita residential streets on east except for emergency access as required.
- C** Provide pedestrian access between the Legacy property and LMPMC to adjoining public streets and encourage connections to a future path or trail system on the nearby Stafford Hills Racquet & Fitness Club and Nyberg Creek wetlands (located to the north)



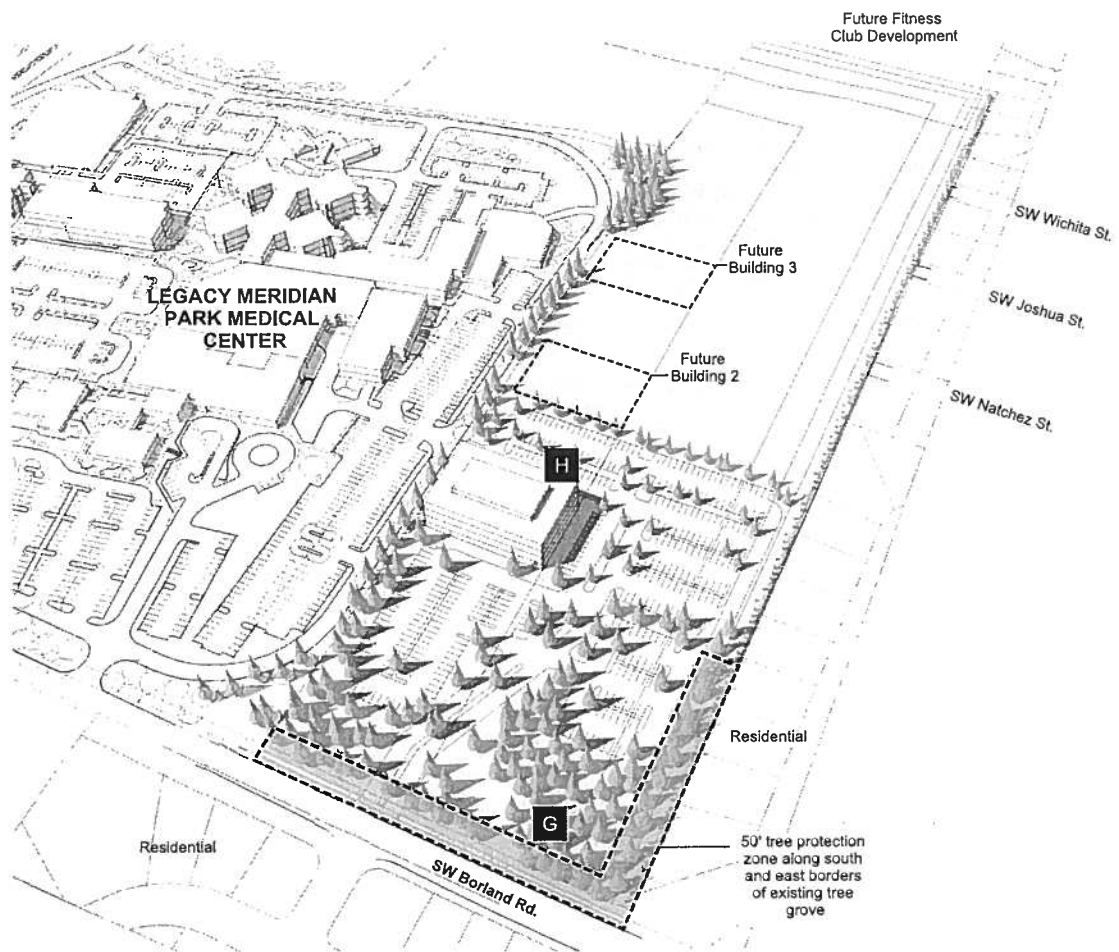
MEMORANDUM ITEMS

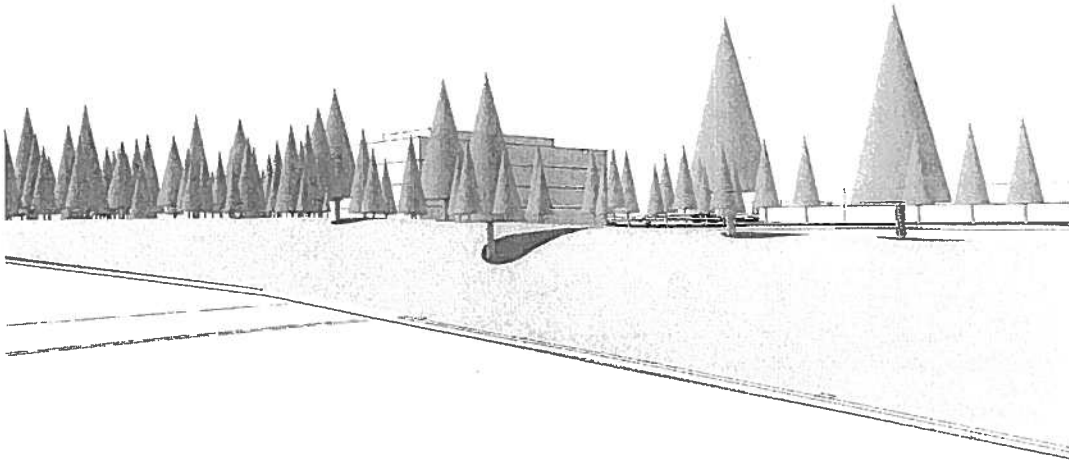
- D** Provide adequate on-site parking and place parking away from public streets.
- E** When the first building is developed on the Property, provide landscape berms with dense evergreen tree & shrub landscaping on the property's east perimeter to create a buffer to adjoining residential development.
- F** Building design compatible with nearby residential and medical center development.



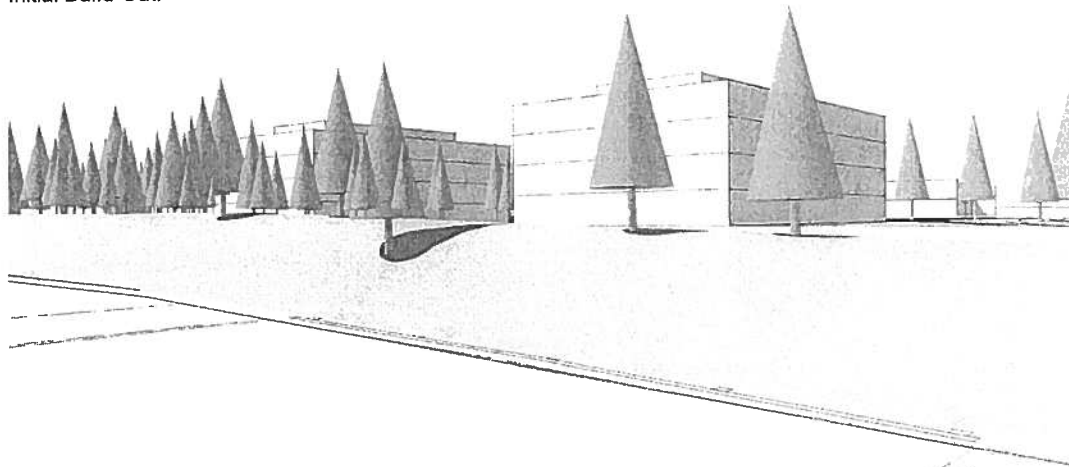
MEMORANDUM ITEMS

- G** Provide a minimum of 20 foot setback from property line to parking area (10' Minimum permitted under MC Zone) and minimum 50 ft for tree protection on the south and east boundaries, in the tree grove adjoining SW Borland Road.
- H** Limit maximum building height to 75' in the 20-acre parcel. (95' Maximum Height at 300' Setback permitted under MC Zone.)

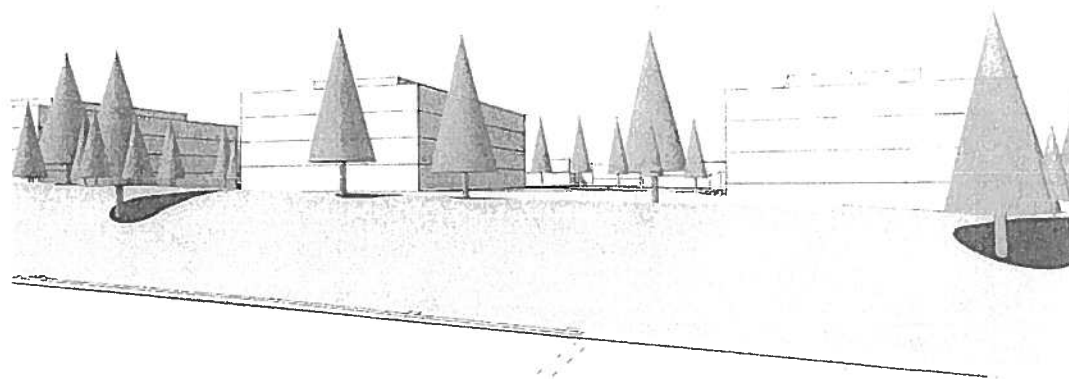




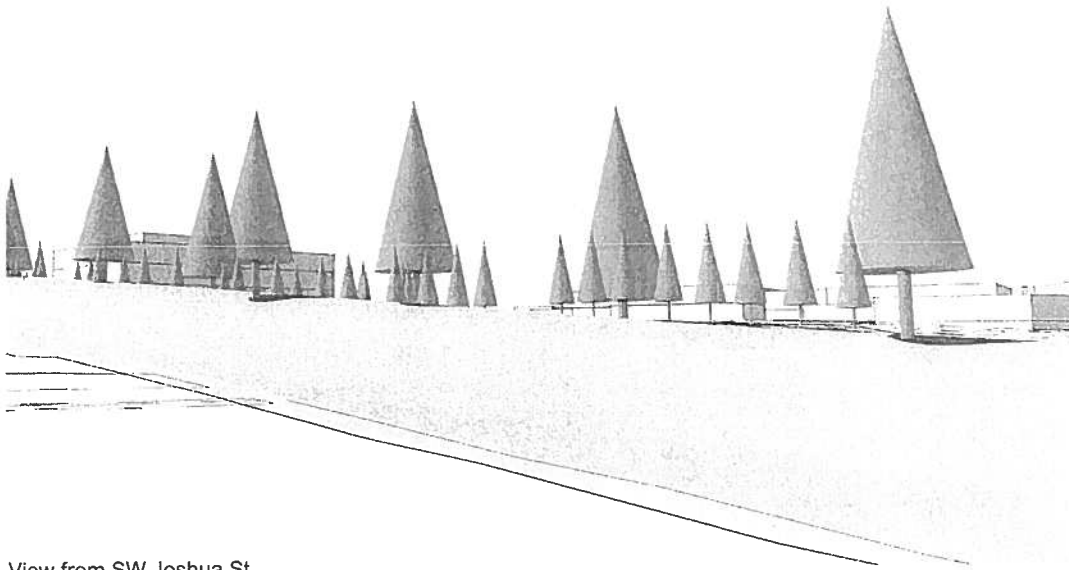
View from SW Natchez St.
Initial Build-Out.



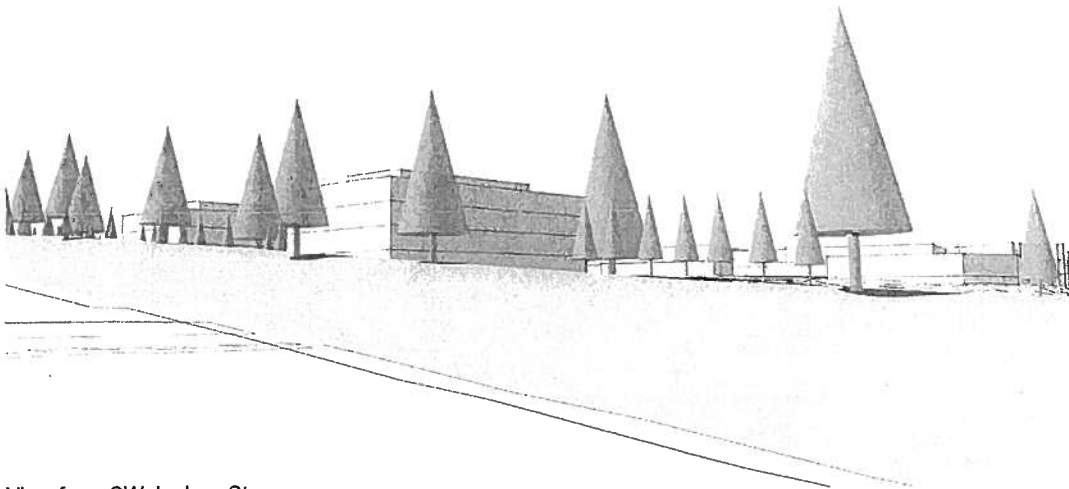
View from SW Natchez St.
Initial + Building 2



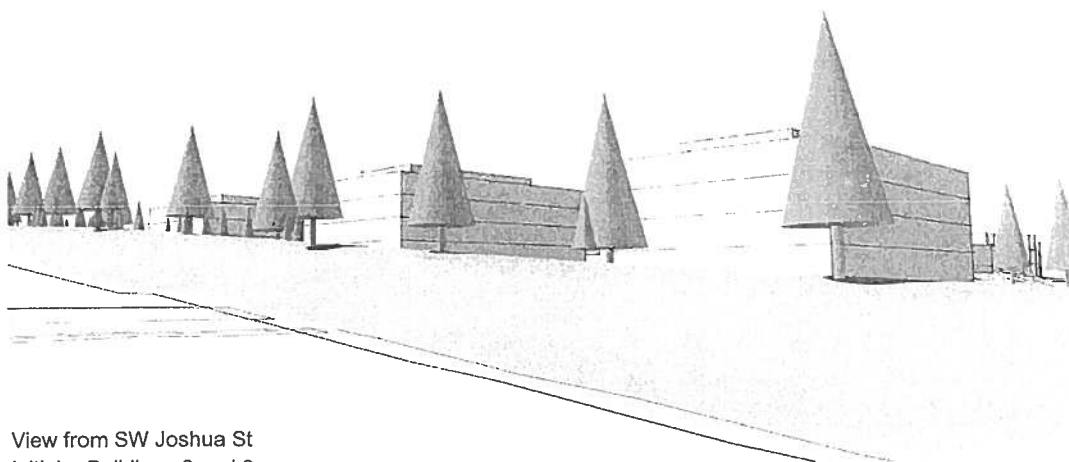
View from SW Natchez St.
Initial + Buildings 2 and 3



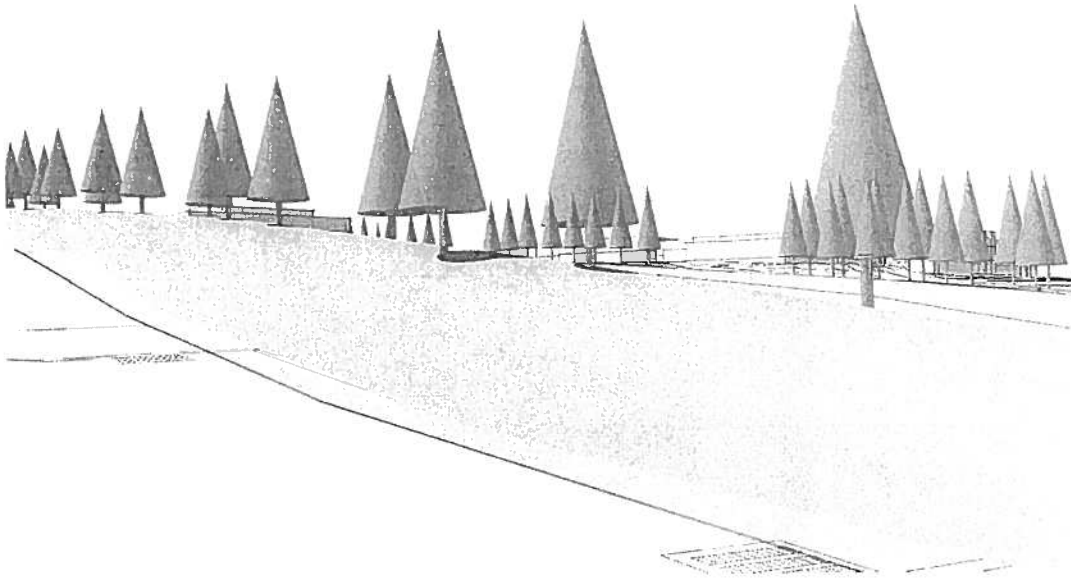
View from SW Joshua St
Initial Build-Out



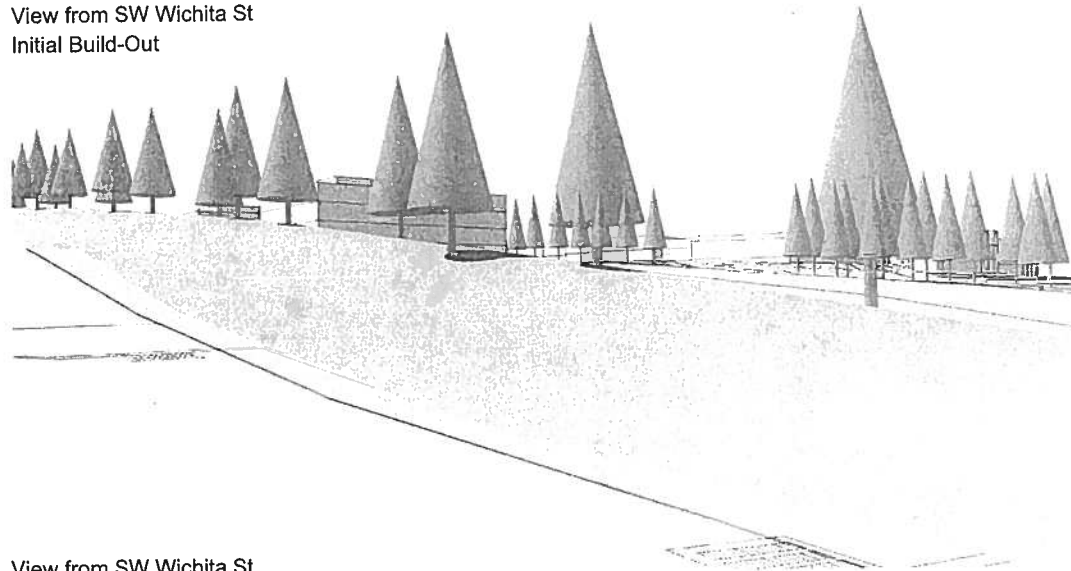
View from SW Joshua St
Initial + Building 2



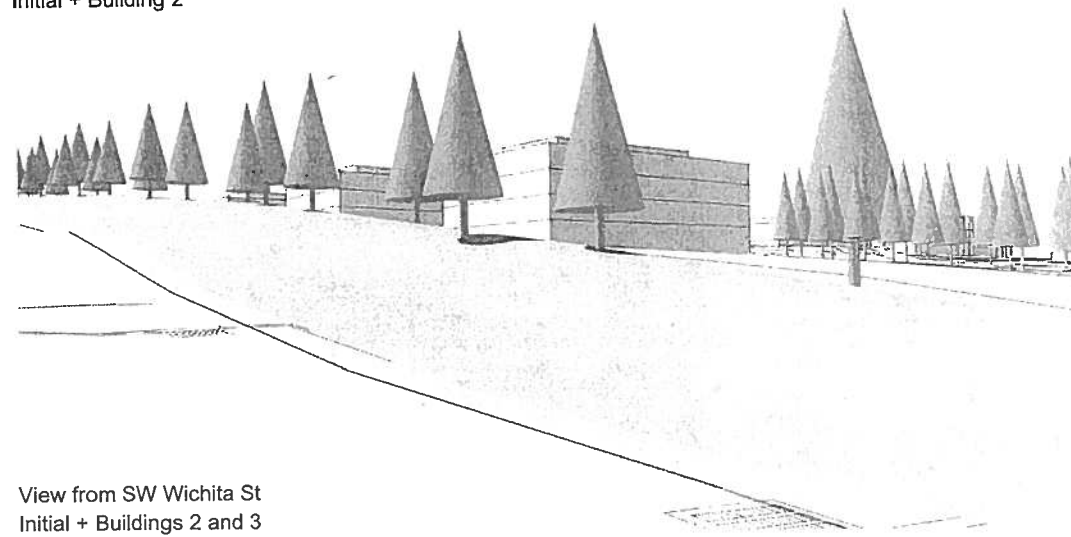
View from SW Joshua St
Initial + Buildings 2 and 3



View from SW Wichita St
Initial Build-Out



View from SW Wichita St
Initial + Building 2



View from SW Wichita St
Initial + Buildings 2 and 3

Questions from Community Open-House

Tuesday, April 27th

- Can Legacy work with ODOT to direct hospital traffic off I-205 (from Stafford) to I-5?
- Why now?
- Consider showing campus zones so community can have assurance of what Legacy won't do
- What assurance do we have that Legacy will preserve trees and keep skyline?
- What limitations are there to widen Borland?
- Can you ensure that the developer agreements will continue to exist if the hospital sells the land? Can that caveat be added to the development agreement?
- How long should the term of the development agreement be?
- Can we consider including berm and/or further expanding green space (visual)?
- Will there be a traffic light on Borland and 60th?
- Can there be no access off of Borland Road?
- Does Borland need to be widened? We don't want it widened.
- Can the area along the east be widened to 60'-80' for open space and maintained by the City?
- How do you measure building height on a sloped site?
- Can the development agreement restrict access over the length of the term of the agreement from the local residential streets?
- Can the trees at the southeast corner be protected as shown on the drawings?
- Is a development agreement binding on subsequent owners if the property is sold? Will include
- How high is the berm? Can it be higher?
- Can legacy build a trail along the wetlands to the north of their property?

Comments:

We do not approve of an entrance on Borland Road. Put a light on 65th and enter on the road that is already there. Borland Rd is residential and there are many school children who use it. (jandm.grammel@verizon.net)

Traffic will be increased at 60th & Borland. Right now it is extremely difficult to turn left from 60th & Borland. Vision is poor and multiple cars both directions. Request a traffic light. It is also difficult to cross Borland there. Set back from Borland should be greater than 50'. Name: M. Waldron

Tuesday, May 25th

- Will the new intersection be signalized?
- Does the height of the building including HVAC units on top of the building or is it measured from the top of the last floor?
- Is the 4 foot berm high enough to create visual barrier? What types of trees can be grown on the berm? Will they grow high enough?
- Will the parking lot lighting create light pollution?
- We were told that the traffic impact for any new construction would be 8,000 trips a day? That seems like a lot of new traffic on nearby streets.

Comments:

Legacy has been a good neighbor for many years. Thank you for the community education person, the trail around the site and neighborhood support. I support the planned expansion of the medical center. Bob Gerber.

Tuesday, June 8th

- Is it possible to build wall on berm? Would Legacy consider a taller berm (example – Novellus)
 - Preference for physical wall/barrier vs. berm
- Can Legacy confirm with Tualatin Valley Fire and Rescue their requirement for access?
- How do the draft development agreement restrictions compare with low den residential?
 - 15 ft from property vs. 300 ft (hospital proposal)
 - 45 ft height house and houses 5 ft apart

Comments:

None

Tell Us What You Think, Ask Questions...We're Listening

As a resident of the city of Tualatin I find it important to have quality health care in my community. I am also an employee of HPHC and am proud to support the measures necessary to grow this facility

☐ Yes, please add me to your mailing list for future meetings or events.

Name

Beth Hall

Mail/E-mail address

bhall@LHS.org



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

I feel that Legacy Meridian Park plays a vital role in my community. Allowing for a zoning change to occur on the parcel of land East of the hospital will enable legacy to continue to plan for future services necessary to provide the quality of care we all have become accustomed to.

☐ Yes, please add me to your mailing list for future meetings or events.

Name

Dave Anglen

Mail/E-mail address



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

I support the zoning change - I live in Sequoia Ridge and would rather see the hospital expand rather than more residential housing - I trust the hospital to provide some type of "landscaping" to the areas that border current residents . . .

☐ Yes, please add me to your mailing list for future meetings or events.

Name Lorna Hildahl

Mail/E-mail address _____



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

We have lived in Foxhill I for 24 years. Both the grade school and hospital have been good neighbors.

The plans for the use of our neighboring land look good, especially with the berms and trees. However, we see no need for another entrance/exit off Borland Rd. Please use the entrance you already have + consider putting a traffic light there. Borland can be a very busy road and we often have problems exiting 57th at Borland.

☐ Yes, please add me to your mailing list for future meetings or events.

Name already listed with you

Mail/E-mail address _____



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

I think rezoning the area would be a great opportunity for legacy to expand its services to the community and employees, with a competitive environment that our hospital is surrounded by. I think that offering more services advanced, technology, space would greatly favor us.

☐ Yes, please add me to your mailing list for future meetings or events.

Name

Mail/E-mail address



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

I agree with Legacy's plan for re-zoning of their 20 acres East of Campus. As Tualatin's largest employer, Legacy's expansion would only help to create more quality jobs.

☐ Yes, please add me to your mailing list for future meetings or events.

Name

Shelby McCaul RT(R)

Mail/E-mail address



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

As a member of the Meridian Park staff, I can definitely see the need to secure this land for future development. The only way to support our growing community is to be able to grow alongside its population. As a resident of Tualatin, I also can appreciate the concerns of the adjacent neighborhoods. I'm confident that Meridian Park will respect those boundaries and work hard to minimize the impact of the surrounding areas.

☐ Yes, please add me to your mailing list for future meetings or events.

Name

Chip Allen - supervisor/rehab surcs

Mail/E-mail address



MERIDIAN PARK
MEDICAL CENTER

Legacy Meridian Park Medical Center

Frequently Asked Questions – April 27, 2010

Here are a number of questions that have already been asked about Legacy Meridian Park Medical Center's rezoning effort. We hope you find these helpful in understanding more about this effort.

Why is Legacy Meridian Park Medical Center trying to rezone the 20 acres?

Currently the property is zoned for residential development, while the rest of the campus is zoned for medical services. Since growth will likely occur at some point in the future, and since Legacy Health is not in the business of building residential developments, we felt it would be best to have consistent medical services zoning throughout the property.

Most people apply for rezoning when they plan on doing something with their property. Is Legacy Meridian Park Medical Center planning on building on the 20 acres now?

At some point in the future Legacy Meridian Park Medical Center will need to grow. When that need will arise, we really don't know. Right now there are no plans to build on the property, and no funds have been earmarked by Legacy Health to grow or expand on the 20 acres.

When Legacy Meridian Park Medical Center does develop the property, what will be built?

Legacy Meridian Park Medical Center has already developed its core hospital, so any development will most likely be medical office buildings. Any development on the property would be linked to the delivery of medical care to the community.

What would the size of a building be when development does occur?

As a part of a draft agreement with the City of Tualatin, Legacy Meridian Park Medical Center has agreed to a set of standards for the property. No building will be any taller than 75 feet. Parking areas and a minimum 20 foot setback will separate any building from the closest homes.

Would buildings be open 24-hours a day, seven days a week?

An overwhelming majority of medical office buildings are only open during normal business hours, and closed at night and on weekends. That means buildings and adjacent parking areas would not be used during off hours, which reduces and minimizes any light or noise that would come from the building.



I would feel better knowing what is going on the property right now. Will we be able to raise concerns about whether a future building fits into the neighborhood?

While we don't know what will go on the property right now, Legacy Meridian Park Medical Center has agreed that any development will match the character of the neighborhood and the medical campus. In addition, when we decide to develop the property there are processes in place for people to know what will be built and to offer comments on the design, including the architectural review process.

What else will Legacy Meridian Park Medical Center do to separate its development from nearby residential neighbors?

Legacy Meridian Park Medical Center has also agreed to install an earthen berm, along with dense evergreen tree and shrub landscaping to minimize the visual impact of any development. We also have agreed to protect the mature stand of trees that already exist on the property with a 50 foot buffer zone.

Traffic is always a concern. What kind of traffic impact will new development have on the neighborhood?

Since we don't know what we will build on the property, we don't know what the traffic impact would be. Any future development does require a traffic study prior to final approval of a project. In addition, we have agreed to provide adequate parking so there will be no need for people coming to the property to park on neighborhood streets.

Will future development mean new through streets into the Fox Hill neighborhood?

Legacy Meridian Park Medical Center does not plan to connect to SW Joshua, SW Natchez or SW Wichita, unless we are required to by the City of Tualatin. Our preference is to leave those connections closed. Tualatin Valley Fire and Rescue may require some type of emergency access, depending on the type and design of buildings on the site, but it does not appear it would need to be a through street.

If traffic will not be coming onto the property from the Fox Hills neighborhood, then how will they access the property?

Access to the 20 acres could be from any of the four existing entrances off of SW 65th and SW Borland Road. An additional access point to any new development will be required off of SW Borland Road.

The flyer I received said you will hold additional meetings in May and June. When will these be held and will they be the same format?

Legacy Meridian Park Medical Center will hold two additional Open House meetings. One will be held on Tuesday, May 18th from 1:00 pm to 3:00 pm, and one on Thursday, June 10th from 6:00 pm to 8:00 pm. These will also be an Open House format with information available to anyone who attends. We will also send out answers to questions that are raised at any of the Open House meetings to people who ask to be added to our contact list.

Legacy Meridian Park Medical Center

Frequently Asked Questions – May 25, 2010

Here are a number of questions that have already been asked about Legacy Meridian Park Medical Center's rezoning effort. We hope you find these helpful in understanding more about this effort.

Why is Legacy Meridian Park Medical Center trying to rezone the 20 acres?

Currently the property is zoned for residential development, while the rest of the campus is zoned for medical services. Since growth will likely occur at some point in the future, and since Legacy Health is not in the business of building residential developments, we felt it would be best to have consistent medical services zoning throughout the property.

Most people apply for rezoning when they plan on doing something with their property. Is Legacy Meridian Park Medical Center planning on building on the 20 acres now?

At some point in the future Legacy Meridian Park Medical Center will need to grow. When that need will arise, we really don't know. Right now there are no plans to build on the property, and no funds have been earmarked by Legacy Health to grow or expand on the 20 acres.

Why is Legacy Meridian Park Medical Center seeking the rezoning now?

The answer is simple: predictability, certainty and reduced costs. This rezoning effort will allow the hospital to accurately predict what it can do with the 20 acres in the future when growth is likely to occur. It also allows a certainty about what will go on that land for the hospital for patient care, the City of Tualatin in planning its growth, and for the neighborhood to know what will happen with that acreage.

Most importantly, rezoning the land can help reduce the cost of future development by minimizing costly delays from long, drawn-out land use debates. It is important to understand that every month a project does not move forward means high material and labor costs due to inflation. Knowing what the zoning is now means that building in the future can be done using predictable costs.

When Legacy Meridian Park Medical Center does develop the property, what will be built?

Legacy Meridian Park Medical Center has already developed its core hospital, so any development will most likely be medical office buildings. Any development on the property would be linked to the delivery of medical care to the community.



What would the size of a building be when development does occur?

As a part of a draft agreement with the City of Tualatin, Legacy Meridian Park Medical Center has agreed to a set of standards for the property. No building will be any taller than 75 feet. Parking areas and a minimum 20 foot setback will separate any building from the closest homes.

Would buildings be open 24-hours a day, seven days a week?

An overwhelming majority of medical office buildings are only open during normal business hours, and closed at night and on weekends. That means buildings and adjacent parking areas would not be used during off hours, which reduces and minimizes any light or noise that would come from the building.

How do you measure building height on a sloped site?

We will measure building heights using the formula used by the City of Tualatin.

Is there a way to ensure that the development agreement stays in effect if Legacy Meridian Park Medical Center sells the land?

We can add a provision to the development agreement that ensures any current or future property owner is required to follow the terms laid out in the agreement.

How long will the draft development agreement be in effect?

The draft development agreement has a term of 30 years

I would feel better knowing what is going on the property right now. Will we be able to raise concerns about whether a future building fits into the neighborhood?

While we don't know what will go on the property right now, Legacy Meridian Park Medical Center has agreed that any development will match the character of the neighborhood and the medical campus. In addition, when we decide to develop the property there are processes in place for people to know what will be built and to offer comments on the design, including the architectural review process.

What else will Legacy Meridian Park Medical Center do to separate its development from nearby residential neighbors?

Legacy Meridian Park Medical Center has also agreed to install an earthen berm, along with dense evergreen tree and shrub landscaping to minimize the visual impact of any development. We also have agreed to protect the mature stand of trees that already exist on the property with a 50 foot buffer zone.

Can you assure your neighbors that you will preserve the existing stand of trees and keep the skyline?

The draft development agreement includes both a buffer zone to protect much of the existing tree stand and a limitation on the height of any buildings, which will help meet these needs.

Would Legacy Meridian Park Medical Center consider including a berm in the draft development agreement or further expanding green space?

There is a four-foot berm included in the current draft agreement, considerable landscaping within the berm, and a significant setback to the edge of any building. The City of Tualatin's Architectural Review process will ensure these conditions are met.

How high is the berm and can it be higher?

Under the current draft development agreement, the berm will be a minimum of four feet in height. There will also be trees and shrubs planted in the berm to increase the shielding of any buildings from the neighborhood. Given these trees and shrubs, having it any higher would be impractical.

Can the trees at the southeast corner of the property be protected as shown on the drawings?

The current draft development agreement already includes a 50-foot protection zone for those trees.

Can the area along the east be widened 60 to 80 feet for open space and maintained by the City?

Having a 60 to 80 foot open space area would essentially prevent Legacy Meridian Park Medical Center from using the land by eliminating any property for the parking required by the City of Tualatin. While it is not open space, we have agreed to a set back that pushes any new buildings more than 80 feet back from the eastern property line.

Traffic is always a concern. What kind of traffic impact will new development have on the neighborhood?

Since we don't know what we will build on the property, we don't know what the traffic impact would be. Any future development does require a traffic study prior to final approval of a project. In addition, we have agreed to provide adequate parking so there will be no need for people coming to the property to park on neighborhood streets.

I have a number of questions about Borland Road. Are there limitations on whether Borland Road will be widened? Will there be a traffic light on Borland and 60th? Can Legacy Health eliminate the access point to the 20 acres off of Borland Road?

Unfortunately, Legacy Meridian Park Medical Center has no control over a publicly-owned right-of-way, so all of these questions can only be answered by the City of Tualatin. As for the new entrance, city development codes require the new entrance to be included in the plan so only the City of Tualatin can remove the requirement.

Can signs be installed along I-205 to direct hospital traffic off of Stafford and onto I-5?

Signage directing motorists to hospitals is handled by the Oregon Department of Transportation, so Legacy Health has no direct control over where those signs are installed or the criteria used to identify the location of those signs.

Will future development mean new through streets into the Fox Hill neighborhood?

Legacy Meridian Park Medical Center does not plan to connect to SW Joshua, SW Natchez or SW Wichita, unless we are required to by the City of Tualatin. Our preference is to leave those connections closed. Tualatin Valley Fire and Rescue may require some type of emergency access, depending on the type and design of buildings on the site, but it does not appear it would need to be a through street.

If traffic will not be coming onto the property from the Fox Hills neighborhood, then how will they access the property?

Access to the 20 acres could be from any of the four existing entrances off of SW 65th and SW Borland Road. An additional access point to any new development will be required off of SW Borland Road.

Can the development agreement restrict access to local residential streets over the term of the agreement?

It is our preference not to have direct access from the 20 acres to the three adjoining streets. The only exception would be for emergency vehicle access, which would be a requirement established by the Tualatin Valley Fire and Rescue District. We are willing to work with our neighbors and TVF&R to design access that meets all of our needs.

Can Legacy build a trail along the wetlands to the north of their property?

Neighbors are already using the 20-acres to access the nearby wetlands, so Legacy Meridian Park Medical Center would certainly consider developing a formal trail system. In fact, a formal trail that goes all the way around the property could be designed to help encourage people to walk for fitness, and stay healthy.

The flyer I received said you will hold additional meetings in June. When will that be held and will they be the same format?

Legacy Meridian Park Medical Center will hold an additional Open House meeting on Tuesday, June 8th from 6:00 pm to 8:00 pm. This will also be an Open House format with information available to anyone who attends. We will also send out answers to questions that are raised at any of the previous Open House meetings to people who ask to be added to our contact list.

Legacy Meridian Park Medical Center

Frequently Asked Questions – June 8, 2010

Here are a number of questions that have already been asked about Legacy Meridian Park Medical Center's rezoning effort. We hope you find these helpful in understanding more about this effort.

Why is Legacy Meridian Park Medical Center trying to rezone the 20 acres?

Currently the property is zoned for residential development, while the rest of the campus is zoned for medical services. Since growth will likely occur at some point in the future, and since Legacy Health is not in the business of building residential developments, we felt it would be best to have consistent medical services zoning throughout the property.

Most people apply for rezoning when they plan on doing something with their property. Is Legacy Meridian Park Medical Center planning on building on the 20 acres now?

At some point in the future Legacy Meridian Park Medical Center will need to grow. When that need will arise, we really don't know. Right now there are no plans to build on the property, and no funds have been earmarked by Legacy Health to grow or expand on the 20 acres.

Why is Legacy Meridian Park Medical Center seeking the rezoning now?

The answer is simple: predictability, certainty and reduced costs. This rezoning effort will allow the hospital to accurately predict what it can do with the 20 acres in the future when growth is likely to occur. It also allows a certainty about what will go on that land for the hospital for patient care, the City of Tualatin in planning its growth, and for the neighborhood to know what will happen with that acreage.

Most importantly, rezoning the land can help reduce the cost of future development by minimizing costly delays from long, drawn-out land use debates. It is important to understand that every month a project does not move forward means high material and labor costs due to inflation. Knowing what the zoning is now means that building in the future can be done using predictable costs.

When Legacy Meridian Park Medical Center does develop the property, what will be built?

Legacy Meridian Park Medical Center has already developed its core hospital, so any development will most likely be medical office buildings. Any development on the property would be linked to the delivery of medical care to the community.



What would the size of a building be when development does occur?

As a part of a draft agreement with the City of Tualatin, Legacy Meridian Park Medical Center has agreed to a set of standards for the property. No building will be any taller than 75 feet. Parking areas and a minimum 20 foot setback will separate any building from the closest homes.

Does the height of the building including HVAC units on top of the building or is it measured from the top of the last floor?

According to the City of Tualatin's building codes, the 75 foot height limit does not include HVAC units on the top of commercial buildings.

How do you measure building height on a sloped site?

We will measure building heights using the formula used by the City of Tualatin.

Would buildings be open 24-hours a day, seven days a week?

An overwhelming majority of medical office buildings are only open during normal business hours, and closed at night and on weekends. That means buildings and adjacent parking areas would not be used during off hours, which reduces and minimizes any light or noise that would come from the building.

Will the parking lot lighting create light pollution?

Light pollution is a concern for us as much as it is for our neighbors. Old-style lighting, the kind that produces light pollution, is very inefficient, and wastes resources and money. New style lighting that focuses light down into the desired area is more cost effective, lasts longer and significantly reduces light pollution.

Is there a way to ensure that the development agreement stays in effect if Legacy Meridian Park Medical Center sells the land?

We can add a provision to the development agreement that ensures any current or future property owner is required to follow the terms laid out in the agreement.

How long will the draft development agreement be in effect?

The draft development agreement has a term of 30 years

I would feel better knowing what is going on the property right now. Will we be able to raise concerns about whether a future building fits into the neighborhood?

While we don't know what will go on the property right now, Legacy Meridian Park Medical Center has agreed that any development will match the character of the neighborhood and the medical campus. In addition, when we decide to develop the property there are processes in place for people to know what will be built and to offer comments on the design, including the architectural review process.

What else will Legacy Meridian Park Medical Center do to separate its development from nearby residential neighbors?

Legacy Meridian Park Medical Center has also agreed to install an earthen berm, along with dense evergreen tree and shrub landscaping to minimize the visual impact of any development. We also have agreed to protect the mature stand of trees that already exist on the property with a 50 foot buffer zone.

Can you assure your neighbors that you will preserve the existing stand of trees and keep the skyline?

The draft development agreement includes both a buffer zone to protect much of the existing tree stand and a limitation on the height of any buildings, which will help meet these needs.

Would Legacy Meridian Park Medical Center consider including a berm in the draft development agreement or further expanding green space?

There is a four-foot berm included in the current draft agreement, considerable landscaping within the berm, and a significant setback to the edge of any building. The City of Tualatin's Architectural Review process will ensure these conditions are met.

Is the 4-foot berm high enough to create visual barrier? What types of trees can be grown on the berm? Will they grow high enough?

Rather than serve as a visual barrier, the berm designed to create a buffer between the Legacy Meridian Park Medical Center property and the neighborhood. The trees and shrubs that will be planted on the berm are the components designed to create a visual screen. No decision has been made about the type of trees and shrubs, but since they will be chosen to serve as the screen, our expectation is they will grow high enough.

How high is the berm and can it be higher?

Under the current draft development agreement, the berm will be a minimum of four feet in height. There will also be trees and shrubs planted in the berm to increase the shielding of any buildings from the neighborhood. Given these trees and shrubs, having it any higher would be impractical.

Can the trees at the southeast corner of the property be protected as shown on the drawings?

The current draft development agreement already includes a 50-foot protection zone for those trees.

Can the area along the east be widened 60 to 80 feet for open space and maintained by the City?

Having a 60 to 80 foot open space area would essentially prevent Legacy Meridian Park Medical Center from using the land by eliminating any property for the parking required by the City of Tualatin. While it is not open space, we have agreed to a set back that pushes any new buildings more than 80 feet back from the eastern property line.

Traffic is always a concern. What kind of traffic impact will new development have on the neighborhood?

Since we don't know what we will build on the property, we don't know what the traffic impact would be. Any future development does require a traffic study prior to final approval of a project. In addition, we have agreed to provide adequate parking so there will be no need for people coming to the property to park on neighborhood streets.

I have a number of questions about Borland Road. Are there limitations on whether Borland Road will be widened? Will there be a traffic light on Borland and 60th? Can Legacy Health eliminate the access point to the 20 acres off of Borland Road?

Unfortunately, Legacy Meridian Park Medical Center has no control over a publicly-owned right-of-way, so all of these questions can only be answered by the City of Tualatin. As for the new entrance, city development codes require the new entrance to be included in the plan so only the City of Tualatin can remove the requirement.

Can signs be installed along I-205 to direct hospital traffic off of Stafford and onto I-5?

Signage directing motorists to hospitals is handled by the Oregon Department of Transportation, so Legacy Health has no direct control over where those signs are installed or the criteria used to identify the location of those signs.

Will the new intersection be signalized?

Any decisions about streets, signals or signage is managed by the City of Tualatin, so Legacy Meridian Park Medical Center has no control over whether any intersection is signalized or not.

Will future development mean new through streets into the Fox Hill neighborhood?

Legacy Meridian Park Medical Center does not plan to connect to SW Joshua, SW Natchez or SW Wichita, unless we are required to by the City of Tualatin. Our preference is to leave those connections closed. Tualatin Valley Fire and Rescue may require some type of emergency access, depending on the type and design of buildings on the site, but it does not appear it would need to be a through street.

If traffic will not be coming onto the property from the Fox Hills neighborhood, then how will they access the property?

Access to the 20 acres could be from any of the four existing entrances off of SW 65th and SW Borland Road. An additional access point to any new development will be required off of SW Borland Road.

Can the development agreement restrict access to local residential streets over the term of the agreement?

It is our preference not to have direct access from the 20 acres to the three adjoining streets. The only exception would be for emergency vehicle access, which would be a requirement established by the Tualatin Valley Fire and Rescue District. We are willing to work with our neighbors and TVF&R to design access that meets all of our needs.

Can Legacy build a trail along the wetlands to the north of their property?

Neighbors are already using the 20-acres to access the nearby wetlands, so Legacy Meridian Park Medical Center would certainly consider developing a formal trail system. In fact, a formal trail that goes all the way around the property could be designed to help encourage people to walk for fitness, and stay healthy.



Contact: Lisa Wood
Public Relations
Legacy Health
503-415-5770
liwood@lhs.org

Open House at Legacy Meridian Park Medical Center to Showcase Medical Zone Proposal

**WHAT: Open House – Learn About the Proposed Medical Rezoning on
20 acres of the Legacy Meridian Park Medical Center Campus**

WHEN: Tuesday, May 18, 2010
1:00 - 3:00 p.m.

WHERE: Legacy Meridian Park Medical Center
Community Health Education Center
19300 SW 65th Avenue, Tualatin, Ore.

Join us at an Open House at Legacy Meridian Park Medical Center where you can learn more about the details of the proposed rezoning of 20 acres on the hospital's campus. Drop by between 1:00 and 3:00 p.m. to ask your questions about the medical zone proposal and have the opportunity to provide feedback about the hospital's plans.

For more information about the Open House, please call the Legacy Meridian Park Medical Center Community Relations office at 503-692-2193.

#

LOCALLY OWNED BY PAMPLIN MEDIA GROUP

TheTimes

TIGARD | TUALATIN | SHERWOOD

News | Opinion | Features | Sports | Sustainable Life | Classifieds | Contact Us

Your state,
your elections,
your political news



PUBLIC NOTICE NEW

Also visit our other
Community Papers

The Portland Tribune
Beaverton Valley Times
Boom! boomers & beyond
Clackamas Review
Estacada News
News Times
The Outlook Online
Lake Oswego Review
Oregon City News
Regal Courier
Sandy Post
The Bee
Sherwood Gazette
South County Spotlight
The SW Connection
West Linn Tidings

Join Our Mailing List
JOIN NOW

SafeSubscribe

Search

2014 STREET OF
**affordable
Homes**

Printer-friendly version Email story link

Meridian Park zoning proposal will be subject of open house

BY ED JOHNSON
The Times, Apr 15, 2010

Community members looking to learn more about the proposed zoning change for 20 acres of land next to Legacy Meridian Park Medical Center will have a chance this month when the hospital hosts an open house on the topic.

The meeting will take place on Tuesday, April 27 from 6 p.m. to 8 p.m. at the hospital's Community Health Education Center, 19300 S.W. 65th Ave., in Tualatin.

The open house will give neighborhood residents the opportunity to talk with hospital staff about the project, and to provide feedback on the zoning-change plans as the city of Tualatin works to establish a development agreement governing the possible change.

The zoning change would switch the land owned by the hospital from residential zoning to medical center zoning, allowing Meridian Park to build medical facilities on the property.

In early March, the city council pushed off a decision on the change and development agreement after an outpouring of negative testimony made clear neighborhood residents were not happy with the idea. The council postponed the decision in the hopes that meetings between residents and hospital officials could bring some agreement to the issue.

For more information about the open house, call the Legacy Meridian Park Medical Center Community Relations office at 503-692-2193.

ADVERTISEMENTS

AccuWeather.com
72°F
Beaverton

Weather Forecasts
Weather Maps
Weather Radar

Video forecast

OnPoint
COMMUNITY RENT UNION
1
Make the switch at
www.onpointcu.com

Sign up for
**BREAKING
NEWS
ALERTS**



CLICK

JOIN NOW

Facebook
 Newsvine

Digg
 Stumbleupon

Del.icio.us
 Reddit

Public Relations
Find info on public relations.
<http://shop.simpli.com>

Chitika | Select

SPECIAL SECTIONS
AND PROMOTIONS

Meridian Park zoning proposal will be subject of open house

BY ED JOHNSON

The Times, Apr 15, 2010

Community members looking to learn more about the proposed zoning change for 20 acres of land next to Legacy Meridian Park Medical Center will have a chance this month when the hospital hosts an open house on the topic.

The meeting will take place on Tuesday, April 27 from 6 p.m. to 8 p.m. at the hospital's Community Health Education Center, 19300 S.W. 65th Ave., in Tualatin.

The open house will give neighborhood residents the opportunity to talk with hospital staff about the project, and to provide feedback on the zoning-change plans as the city of Tualatin works to establish a development agreement governing the possible change.

The zoning change would switch the land owned by the hospital from residential zoning to medical center zoning, allowing Meridian Park to build medical facilities on the property.

In early March, the city council pushed off a decision on the change and development agreement after an outpouring of negative testimony made clear neighborhood residents were not happy with the idea. The council postponed the decision in the hopes that meetings between residents and hospital officials could bring some agreement to the issue.

For more information about the open house, call the Legacy Meridian Park Medical Center Community Relations office at 503-692-2193.

Neighbors, hospital can settle differences

Development proposed near residential homes is rarely an easy process.

That's why it was with little surprise that we noted that many dozen neighbors in the Fox Hill neighborhood are raising concern over a proposed zoning change for land that lies between their homes and Legacy Meridian Park Medical Center.

The 20-acre grass-covered site has been owned by Legacy since 2003, and hospital officials now imagine that the land would best meet their needs if used for expanded hospital and medical office services, which requires a zone change from the land's current residential classification.

Oftentimes in Oregon — a state that guards its land-use planning tightly — major zone changes come with applicants having much work to do and opponents raising significant concerns. In a smaller community such as Tualatin, which recently completed a contentious process to allow the controversial construction of a major athletic facility along Southwest Nyberg Lane, land-use and development processes sometimes get even more complicated and tense.

That's why we suggest a personal touch is the best approach to communicate, understand and resolve any disagreement over Meridian Park's proposed land use change and future plans.

Neighbors deserve that up-front, complete and personal communication. And in return, Meridian Park deserves a fully informed, unemotional response from nearby citizens.

That's the way that people should invest in and treat each other. But that's also how great communities such as Tualatin do things: by investing in and enhancing assets such as their quality neighborhoods. And by investing in valued community features such as Meridian Park, which has been an important part of the community since the early 1970s, providing essential health services, education, community service and employment. Even nervous nearby neighbors need the kind of a neighbor that Meridian Park has been.

Between now and July 12, when the Tualatin City Council will consider this matter again, Meridian Park will hold a number of meetings with nearby neighbors. Those meetings need to be held as community conversations with hospital officials and neighbors getting to know each other better — and then learning about each others' aspirations, future plans, concerns, needs and opportunities for success and partnership.

But simply holding meetings is not enough. We encourage everyone involved not to simply attend a meeting with their minds already made up. Learn. Listen. Ask questions. Seek understanding. Propose trade-offs. Seek compromise. In other words, don't go to one of these meetings simply to say "no, this is the way it will be." By genuinely engaging in partnership, both sides may achieve even better outcomes than originally anticipated.

We believe with good neighbors getting together and openly communicating, the matter over Meridian Park's future will be resolved. The hospital and its administrator, Allyson Anderson, have been extraordinary assets to the community. We think that the hospital and its residential neighbors — with some help from the city — can sit down and figure things out.

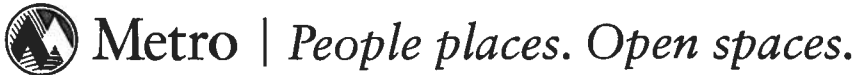


THE TIMES' EDITORIAL VIEWS — Editorials (written by President and Publisher Steve Clark, Associate Publisher Kevin Hohnbaum and Editorial Page Editor Nick Peterson) appear in the space above and represent the opinion of the newspaper's management. To discuss those views, call Clark at 503-546-0714 (sclark@comm-newspapers.com), Hohnbaum at 503-546-9811 (khohnbaum@commnewspapers.com), Peterson at 503-546-0730 (npeterson@commnewspapers.com) or write Times Newspapers, P.O. Box 22109, Portland, OR 97269.

600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1700
503-797-1804 TDD
503-797-1797 fax

www.oregonmetro.gov

Scanned



November 20, 2009

CITY OF TUALATIN
RECEIVED

NOV 24 2009

COMMUNITY DEVELOPMENT
PLANNING DIVISION

Doug Rux
Community Development Director
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97082

Dear Mr. Rux:

Metro staff reviewed the material concerning PMA-09-03, an ordinance changing the planning district designation from Low-Density Residential (RL) to Medical Center (MC) for land located on SW Borland Road. As you know, Title 1 of the Urban Growth Management Functional Plan (Metro Code 3.07.120) requires cities to provide at least the housing capacity specified in Table 3.07-1.

According to the city's Analysis and Findings (Attachment F), this zone change could affect the city's ability to meet Table 1 dwelling unit capacity. To comply with Title 1, the city must demonstrate that this zone change will not reduce the city's dwelling unit capacity in Table 1. Please submit to Metro an analysis that documents how the city will maintain the dwelling unit capacity of Title 1 Table 1. I make this request on behalf of the Chief Operating Officer pursuant to Metro Code section 3.07.820A which states that "the Chief Operating Officer may request, and if so the city or county shall submit, an analysis of the compliance of the amendment with the functional plan."

If you have any questions, please contact Dick Benner, Richard.Benner@oregonmetro.gov, (503) 797-1532 or me, Sherry.Oeser@oregonmetro.gov, (503) 797-1721.

Sincerely,

Sherry Oeser
Principal Regional Planner

c: Councilor Carl Hosticka, District No. 3
Robin McArthur, Planning & Development Director

Attachment L
Metro November 20, 2009-Letter 1
Metro January 21, 2010-Letter 2

600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1700
503-797-1804 TDD
503-797-1797 fax

www.oregonmetro.gov



Metro | *People places. Open spaces.*

January 21, 2010

William Harper
Community Development Department
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092

Dear Mr. Harper:

Metro staff reviewed Attachment F of PMA-09-03: Analysis and Findings for the proposed request to change the zone from Low-Density Residential (RL) to Medical Center (MC) for land located on SW Borland Road. We have concluded that this zone change could reduce the City of Tualatin's dwelling unit capacity as defined by Title 1 and displayed in Table 1 of the Urban Growth Management Functional Plan (Metro Code 3.07).

As you know, Title 1 of the Urban Growth Management Functional Plan (Metro Code 3.07.120) states that each city is required to determine its capacity for housing and to "ensure that it provides and *continues to provide*" at least the capacity for the city as specified in Table 3.07-1 (emphasis added). Metro staff understands that the City is undertaking other planning projects such as a town center plan and a Highway 99W corridor plan that could accommodate higher density residential development to offset this potential reduction. Based on the City's commitment to complete these planning efforts, Metro will not object to the request for a zone change embodied in PMA-09-03.

Metro stands ready to assist the City in your efforts to achieve your aspirations.

Sincerely,

Sherry Oeser
Principal Regional Planner

c: Councilor Carl Hosticka, District No. 3
Michael Jordan, Chief Operating Officer
Robin McArthur, Director, Planning and Development Department

ORDINANCE NO. _____

ORDINANCE CHANGING THE PLANNING DISTRICT DESIGNATION FROM LOW-DENSITY RESIDENTIAL (RL) TO MEDICAL CENTER (MC) OF PARCELS OF LAND LOCATED AT 6001, 6021, 6031, 6041 SW BORLAND ROAD (21E 19C 1700 & 2000) AND .25 ACRES OF ABUTTING RIGHT-OF-WAY; AND AMENDING THE COMMUNITY PLAN MAP 9-1 (PMA-09-03)

WHEREAS upon the application by Gabriele Development Services on behalf of Legacy Health Systems (LHS), a public hearing was held before the Tualatin City Council meeting on November 9, 2009, and continued to January 25, 2010, February 8, 2010, March 8, 2010 and July 12, 2010, relating to changing the planning district designation from Low Density Residential (RL) to Medical Center (MC) of parcels of land located at 6001, 6021, 6031, 6041 SW Borland Road (21E 19C 1700 & 2000) and .25 acres of abutting right-of-way and amending the Community Plan Map 9-1 (PMA-09-03); and

WHEREAS notice of public hearing was given as required under the Tualatin Community Plan by publication in The Times, a newspaper of general circulation within the City, which is evidenced by the Affidavit of Publication marked "Exhibit A", and by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting marked "Exhibit B", and by mailing a copy of this notice under the Tualatin Community Plan, which is evidenced by the Affidavit of Mailing marked "Exhibit C", and by emailing a courtesy notice to additional property owners near the subject property, which is evidenced by "Exhibit D"; all of which are attached and incorporated by this reference; and

WHEREAS the Council heard and considered the testimony and evidence presented on behalf of the applicant, the City staff, and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application [Vote _-]; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, and especially the City staff reports dated March 8, 2010 and July 12, 2010, the Council makes and adopts as its findings of fact the findings and analysis in the City staff report, marked "Exhibit E," which is attached and incorporated by reference; and

WHEREAS based upon the foregoing Findings of Fact, the Council finds that it is in the best interest of the residents and inhabitants of the City and the public; the public interest will be served by adopting the amendment at this time;

and the amendment conforms with the Tualatin Community Plan; and therefore, the Tualatin Development Code should be amended.

THE CITY OF TUALATIN, OREGON ORDAINS AS FOLLOWS:

Section 1. The Community Plan Map 9-1, Exhibit F, is amended to change the Planning District designation of 19.6 acres on Tax Lots 1700 & 2000 (and .25 acres of abutting public ROW) on Assessors Map 21E19C from RL to MC.

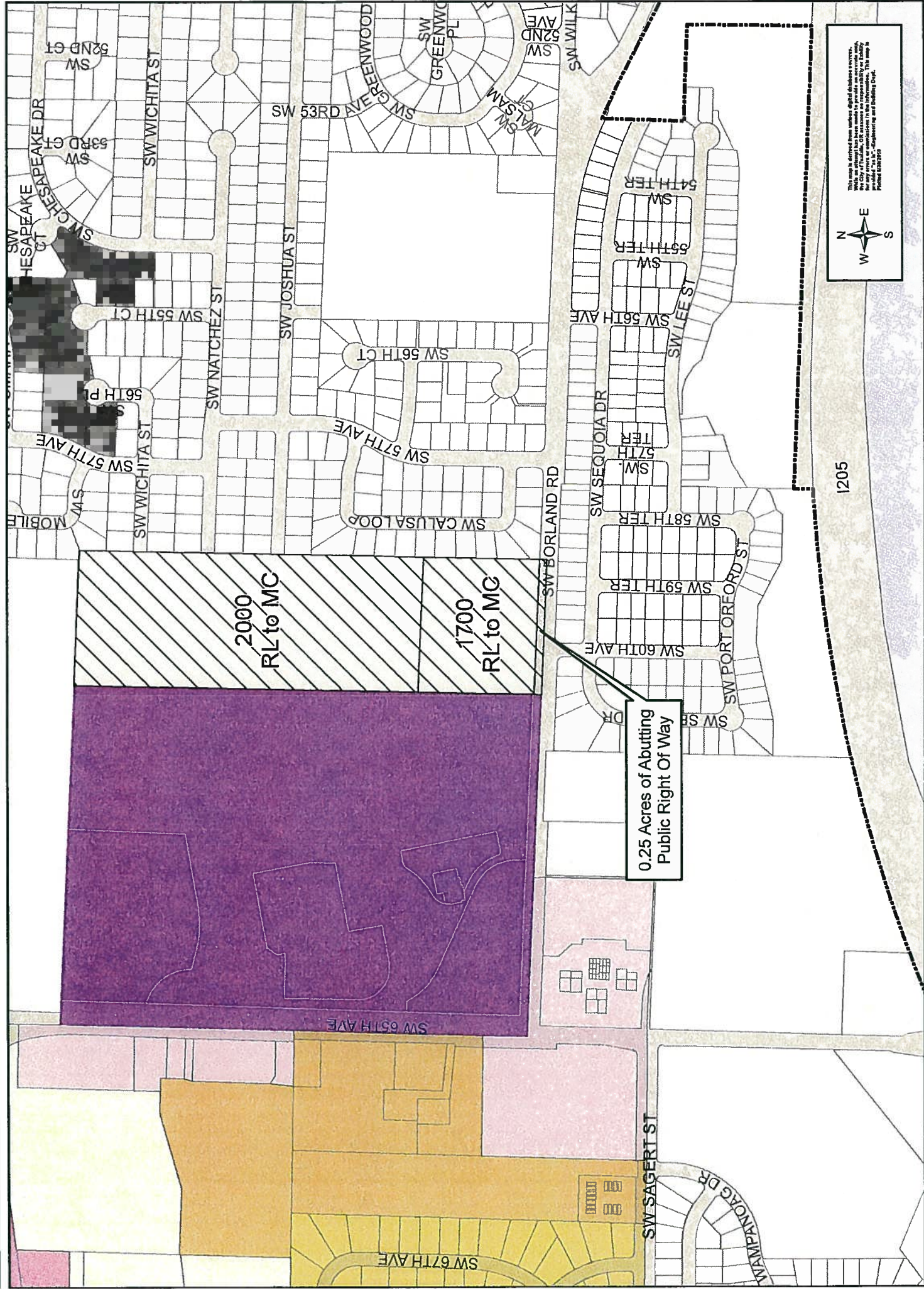
INTRODUCED AND ADOPTED this 12th day of July, 2010.

CITY OF TUALATIN, Oregon

By _____
Mayor

ATTEST:

By _____
City Recorder



From: STACY CRAWFORD
Sent: Wednesday, October 21, 2009 10:16 AM
To: Will Harper; Doug Rux; Sherilyn Lombos
Subject: FW: Meridian Park Hospital Plan Map Amendment Courtesy Notice

I received this comment.

Stacy

From: Marie Fromme [mailto:mfrommel@yahoo.com]
Sent: Wednesday, October 21, 2009 10:10 AM
To: STACY CRAWFORD
Subject: Re: Meridian Park Hospital Plan Map Amendment Courtesy Notice

Thank you for your email message regarding the change in zoning for the property east of the Meridian Park Hospital. If I understand this message correctly, you would like to change the single housing plats to land use for hospital expansion instead. We fully support this change.
Marie and Donald Fromme

--- On Wed, 10/21/09, STACY CRAWFORD <SCRAWFORD@ci.tualatin.or.us> wrote:

From: STACY CRAWFORD <SCRAWFORD@ci.tualatin.or.us>
Subject: Meridian Park Hospital Plan Map Amendment Courtesy Notice
To: "Adam Pettitt" <tallperson23@yahoo.com>, "Agnela and Philip Hansen" <AHAN618@aol.com>, "Alan Somervell" <somervell@Verizon.net>, "Alice Gydesen" <gydesenfamily@comcast.net>, "Alisha Coppedge" <alishadyan@gmail.com>, "Angela Wrahtz" <angela.wrahtz@comcast.net>, "Anthony Caflen" <webmaster@foxhillsoregon.com>, "Anthony Laflen" <anthony@cnwre.com>, "Barbara Archer" <barcher1@email.phoenix.edu>, "Becky Luther" <becky.luther@comcast.net>, "Bev Marlett" <bevmarlett@verizon.net>, "Bill and Joy Wilson" <williamewilson@comcast.net>, "Bob Dove" <Bob_dove@mentor.com>, "Brad Helm" <brad.helm.77@comcast.net>, "Brian" <stephenson5635@comcast.net>, "Briana Currey" <bkcurrey2002@yahoo.com>, "Bryan and Dianne Yates" <banddy8s@comcast.net>, "Burton Silverman" <burtionsilverman@comcast.net>, "Chad Sourthards" <scourthards@hotmail.com>, "Charles Brod" <cubrod@gmail.com>, "Cheri Collins" <collinscsk@msn.com>, "Cheri Emahiser" <cemahise@earthlink.net>, "Chris Pries" <jetmoney737@gmail.com>, "Christen Depweg" <cjkdepweg@verizon.net>, cindy.oubre@verizon.net, "Dana Terhune" <dmterhune@verizon.net>, "Danielle Ricca" <danielle@cincodeign.com>, "Dave and Diane Burnette" <Bbdaveburnette@cs.com>, "Derek Plank" <dplank@meacon.com>, "Diana Gowen"

Will Harper

From: Will Harper
Sent: Wednesday, January 13, 2010 11:27 AM
To: Dayna Webb; Kaaren Hofmann
Cc: Doug Rux; Brenda Braden
Subject: Legacy Development Impacts on SW 65th Ave.

Tuesday afternoon, the Mayor & Councilor Harris requested information on the following LMPMC and LHS Grimitt Property MC development scenarios:

1. LMPMC full build-out impacts on SW 65th Avenue. Would LMPMC development trigger SW 65th, SW Nyberg & SW Borland improvements?
2. Add Grimitt/LHS Property Full Build-out. What are added impacts to SW 65th and are improvements triggered?

Please help us respond ASAP. We will either reply to LO and JH directly or incorporate the info into the Development Agreement and staff report. If this leads to SW 65th dedication & improvement provisions in the LHS DA, we will have to continue to update Larry Hill and Kittelson.

Also, Councilor Barhyte continues to ask about making SW 65th Avenue as the primary ingress/egress access for the LMPMC + Grimitt campus with corresponding improvements to SW 65th to accommodate the traffic volumes from I-5 and the turning movements into LMPMC. We need to be able to provide information about the transportation system implementation and physical street & intersection improvements that become necessary with this scenario.

All of this is pinching the Development Agreement and may make it difficult to have the DA ready for the 1-25 Council meeting to go with the PMA.

William Harper, AICP
Associate Planner
Community Development Department
Planning Division
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Direct 503-691-3027 FAX 503-692-0147
Email wharper@ci.tualatin.or.us

Will Harper

From: Mark Vandehey [MVANDEHEY@kittelsohn.com]
Sent: Friday, January 15, 2010 3:42 PM
To: Will Harper
Cc: Dayna Webb
Subject: RE: Meet to discuss LHS PMA and DAgreement

That will work Will. We will bring us much information as we can.

Mark

From: Will Harper [mailto:WHARPER@ci.tualatin.or.us]
Sent: Friday, January 15, 2010 3:38 PM
To: Mark Vandehey
Cc: Dayna Webb
Subject: Meet to discuss LHS PMA and DAgreement

Mark: can you or Julia meet with COT Engineering & CDD on Tuesday 11am to

1. Comparison of SW Borland Rd ½ street (5 lanes), SW65/Sagert Intersection & SW 65th Avenue improvement costs. TDT eligibility.
2. Discuss SW 65th improvement constraints and the minimum improvements needed to improve capacity and operation of street (2 more lanes, additional ROW, new bridge, steep bank on east with retaining walls, multiple turn lanes & signal at LMPMC north access, impacts on existing development including 7-11, CWS Pump Station, Whitney Bldg parking & access, Residential access).
3. Discuss ODOT position on TPR analysis and responses.

Your traffic numbers and costs from the TSP on SW 65th and cost estimates on SW Borland and SW65th/Sagert will be helpful.

William Harper, AICP
Associate Planner
Community Development Department
Planning Division
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Direct 503-691-3027 FAX 503-692-0147
Email wharper@ci.tualatin.or.us



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

Will Harper

From: STACY CRAWFORD
Sent: Wednesday, October 21, 2009 8:20 AM
To: Adam Pettitt; Agneta and Philip Hansen; Alan Somervell; Alice Gydesen; Alisha Coppedge; Angela Wrahtz; 'Anthony Caflen'; Anthony Laflen; Barbara Archer; Becky Luther; Bev Marlett; Bill and Joy Wilson; 'Bob Dove'; Brad Helm; Brian; Briana Currey; Bryan and Dianne Yates; Burton Silverman; Chad Sourthards; Charles Brod; Cheri Collins; Cheri Emahiser; Chris Pries; Christen Depweg; 'cindy.oubre@verizon.net'; 'Dana Terhune'; Danielle Ricca; Dave and Diane Burnette; Derek Plank; Diana Gowen; Don Fromme; Donna Barton; 'Doug and Marjene Freiley'; 'Doug Rassmussen'; Gail Patterson; Heidi Bowen; 'Hilary Bissell'; 'Janice Dove'; Jeffery McCulloch; Jessica Wilson; Jim and Julie Fisher; Jim Belan; John Biniewski; John Gardner; Jon Hinrichs; Julie Park; 'Julie Sepp'; Karen Faus; Kathy McCulloch; 'Kevin'; Kevin Miskimins; Kimberly Hultgren; Kimberly Williams; 'Kip Aszman'; 'Kristi Allen'; 'Laurel Aszman'; Lee Williamson; 'LuAnne WELLS'; Mann Tong; Marie Fromme; Michelle Stevens; Miriam Pinoli; Molly Schray; Nancy Heck; Randy Johnson; Randy Leonard; Renee Balsiger; Robert Spadling; Robin Monahan; Roger Nilsen; Ronn Rhodes; Roy Hanash; Sally Ackley; Sharon Erkson; 'Sherri Hauke'; Shirley O'Neil; Staci Ball; Stecy James; Steve Balsiger; Steve Bourque; Steve Otos; Steve Stewart; 'suewilcock@gmail.com'; Susan James; Susanne Nelson; 'tallie@macadamsbarandgrill.com'; 'Teri Smith'; 'Terrie Petersen'; 'the5blocks@yahoo.com'; Thor and Judy Thorson; Tim Thornburg; 'Tobi O'Neil'; Todd Graves; 'Tom and Debra Conchuratt'; Tony Ricca; Tori Alderman; Tyler Brown; 'Valeri Cottrell'; 'waltw51@comcast.net'; 'wanalawn@verizon.net'
Cc: gabdevs@teleport.com; Sherilyn Lombos; Doug Rux; Will Harper
Subject: Meridian Park Hospital Plan Map Amendment Courtesy Notice
Attachments: Legacy MPH Vicinity Aerial.pdf; PMA-09-03 Notice of Hearing.pdf

*101 Addresses
with 10-26-09*

Tualatin Residents:

This email message is from the City of Tualatin Community Development Department regarding Plan Map Amendment PMA-09-03. This message is being provided as a courtesy notice to residents in the east Tualatin area in addition to the City's required notification of property owners within 300 ft. of the proposed land use action.

On November 9, 2009, the Tualatin City Council will hold a public hearing to consider a request by Legacy Health Systems to change the Planning District designation (zoning) of the undeveloped 19.6 acre property east of Legacy Meridian Park Hospital from Low-Density Residential (RL) to Medical Center (MC). The addresses of the property are 6001, 6021, 6031, 6041 SW Borland Road. A pdf format copy of the Notice of Hearing for Plan Map Amendment PMA-09-03 and a Vicinity Map are attached to this message.

The (existing) RL Planning District allows detached single-family residential dwelling development as a permitted use and allows a hospital as a conditional use (subject to City Council approval). The MC Planning District which currently encompasses the Meridian Park Hospital campus allows various hospital and healthcare service uses including a primary care hospital, medical and healthcare professional offices, clinics and laboratories and supporting retail commercial uses (pharmacy, small bank or credit union branch, gift store, salon, etc.) as permitted uses. The MC District also allows residential facilities such as congregate care, assisted living, nursing and convalescent homes as permitted uses.

Changing the designation on 19.6 acres to MC would allow the Meridian Park Hospital campus to expand with buildings, parking and landscaping onto the Legacy Health Systems property in the future, subject to the specific list of allowed uses, minimum lot size and setback provisions, and building height provisions of the MC Planning District.

Doug Rux

From: coolican2307@comcast.net
Sent: Saturday, October 31, 2009 12:41 PM
To: Doug Rux
Cc: Sherilyn Lombos
Subject: Public Hearing PMA 09-03

I would like the following comments included in the record regarding the proposed amendment to Community Plan Map (PMA-09-03).

1. Is granting the plan map amendment in the public interest?

No determination can be made regarding this criteria. Legacy has made it clear that no plans exist for the development of this property. It is conjecture and not in the best interest of the community to assume that whatever Legacy or another owner may decide to do is in the public interest. LHS most pressing campus issue today is parking. It's not clear that a series of parking garages and the necessary street access that would be required meets even Legacy's definition "to best serve the health needs of the public".

2. Is the public interest protected granting the plan map amendment at this time?

No determination can be made regarding this criteria.

Again, Legacy claims there are no building plans at this time. How can it be argued that handing Legacy a blank check regarding such a rezoning appeal is in the community's best interest? It is disingenuous on the part of Legacy to make such an assertion. The result of this request by Legacy would be to prevent public discourse on their building plans. Their offering of "Trust Us" we'll do the right thing for the community, is not acceptable. We have no guarantees from LHS or whomever may own this property in the future. Our protection is our ability to require the owner to present explicit information on plans in an open forum before granting a rezoning request.

Granting this request would be a misuse of the public trust and should be rejected by council.

Sincerely,

Mark Coolican
19050 SW Mobile Pl
Tualatin, OR

To: Community Development Department
From: Janice Dove, 19135 SW Mobile Pl., Tualatin OR 97062
Re: Meridian Park Hospital Zone Change, Tax Map 21E 19C, Tax Lots 1700 & 2000

Without any plan for this property, besides a zone change to MC, it's hard to comment. So at this time I only have two concerns about the effects of what could happen if the property was built out as a medical use.

1. If the roads adjoining the property (Joshua, Wichita, Nachez) are connected as through streets, I have concerns about the additional traffic that would travel through the Fox Hill neighborhood. With the recent approval of the Stafford Hills Racquet & Fitness Club (SHRFC) traffic increase, I would ask that the city consider not extending the above streets so that no additional commercial traffic will come through a residential neighborhood.
2. When the property eventually has buildings and parking lots built, I have concerns about the water runoff. With the recent approval of the SHRFC build-out to pave over the property directly below the Hospital, water runoff down to Nyberg Lane is already a concern. If mass amounts of impervious surface are added to the hospital property, the below properties (including mine) and Nyberg Lane will be impacted to an even greater extent than they are now.

Thank you for considering these concerns.

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 3:05 PM
To: Doug Rux; Will Harper
Subject: FW: Legacy Health Systems Zone Proposal

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: timthornburg@comcast.net [mailto:timthornburg@comcast.net]
Sent: Monday, March 08, 2010 1:45 PM
To: lou.ogden@juno.com; chris@barhyte.com; smbeikman@verizon.net; Joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com
Cc: Sherilyn Lombos
Subject: Legacy Health Systems Zone Proposal

Mayor and members of the Tualatin City Council:

Prior to the City Council meeting this evening, I would like to state in writing my opposition to the proposed hospital zone change. As the owner of the property, I certainly understand and can appreciate that Legacy Health System would like to develop this property. I am not opposed to development of the property. I am, however, opposed to development of the property with a zone change as it has been designated low density residential for many years. I believe that changing the zone goes against what residents of Tualatin believe and understood what the property could and would be used for. Let me be more specific on why I am strongly opposed to this change.

1. The City council recently completed the approval of a conditional use permit for the Stafford Hills Tennis and Fitness facility. While attending city council meetings on this proposed development, it was clear to me that the council was open and willing to discuss impacts (natural, traffic, parking, impact to home value etc) this development would have on the surrounding community. In my mind, why would the hospital property not follow the same conditional use permit process. This would insure a ARB process, involvement of the community and surrounding neighborhoods. I see a zone change of the hospital property restricting everyone, but the hospital.
2. I am concerned that the council could vote in favor of a zone change without fully understanding future impacts the tennis center may have on the surrounding community and neighborhoods. Given that the administrator of Legacy Meridian Park stated at a recent meeting that Legacy does not have current development plans, does it not make sense to know and understand the future impact the tennis center will have on the City and surrounding area prior to approval for increased development adjacent to that property. I believe this is the right decision given the size of property currently considered for development.
3. Is the City of Tualatin obligated to approve the zone change? I understand they are not.

4. If a zone change was granted, I believe that people in Fox Holl will be negatively impacted without having benefits that a conditional use permit may allow. Why would it be appropriate to identify conditional uses for the tennis center but not for the proposed hospital development. Furthermore, I would expect that given a zone change, the tennis center ownership and management would strike a deal with the hospital that would allow the tennis center to "work around" the conditional uses associated with parking.

5. I believe it is disingenuous that the hospital would open their doors for meetings to discuss the tennis center but not properly communicate their development proposal to neighbors. This is especially frustrating given that they were able to communicate to the community that they were now a "smoke free" campus but cannot in "good faith" communicate their plans for development.

To summarize: What would be the downside to approving development based on conditional uses of this property? In my mind, it would be a win/win for the City, Neighboring Communities and Legacy. Alternatively, a rezoning of the property restricts everyone but Legacy Health Systems.

I urge you to vote no on a rezoning of this property.

Regards,

Tim Thornburg
19291 SW Chesapeake Drive

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 3:08 PM
To: Doug Rux; Will Harper
Subject: FW: Proposed zoning change Meridian Park Hospital

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: David Arndorfer [mailto:darndorfer@msn.com]
Sent: Monday, March 08, 2010 1:10 PM
To: lou.ogden@juno.com; chris@barhyte.com; smbeikman@verizon.net; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com; joelle.d.davis@gmail.com; Sherilyn Lombos
Subject: Proposed zoning change Meridian Park Hospital

Dear Mayor and City Councilors,

Debby and I are citizens of Tualatin and have resided here for 20 years in the Fox Hill neighborhood. We were extremely disappointed the City Council approved the CUP for the Stafford Hills Tennis Club but understand this was arguably a permitted use under the conditional uses allowed in Low Density Residential zoning. We understand the Hospital is requesting a zoning change to Medical Complex for the property they own between the hospital and Fox Hills neighborhood.

We are completely against the City Council voting to approve this zoning change. This change is totally out of character for the existing neighborhood and will irreparable damage property values and will add unreasonable traffic, noise and non residential activities.

Enough is enough. We demand you deny this request for change in zoning.

Sincerely,

David and Debby Arndorfer
19339 SW Chesapeake Dr
Tualatin, OR 97062
503-691-1735

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 10:14 AM
To: Doug Rux; Will Harper
Subject: FW: Proposed Rezoning 57th Ave & Nachez

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Mike Fernandez [mailto:mwfernandez@comcast.net]
Sent: Monday, March 08, 2010 9:35 AM
To: Chris Barhyte; Donna Maddux; Ed Truax; Jay Harris; Joelle Davis; Lou Ogden; Monique Beikman; Sherilyn Lombos
Cc: Sara Fernandez
Subject: Proposed Rezoning 57th Ave & Nachez

Dear Council:

We own a home in Fox Hills, but I will not be able to attend the meeting Monday night when you consider the request for rezoning property at 57th Ave & Nachez. I want to make my concerns known to you:

1. First that the building designs be in character with the Fox Hills residential neighborhood. The hospital presents a different impression from 65th Avenue or Borlan Road than that from residential streets. But the hospital has little to loose from being next to our neighborhood (the quiet neighborhood is probably a benefit to the hospital) while the bucolic residences have everything to loose with the location of a busy enterprise in our viewscape. This may mean the developer may have to forgo maximum square footage and plant a natural buffer zone.
2. Second, the traffic patterns could be very disrupting to the residential use and dangerous, especially for walking children. It is important that the developer be required to make improvements connecting the property to main arterials of I-5, I-205, 65th Ave, and Borland Road. Measures must be implemented to prevent traffic from taking shortcuts along Nyberg Lane and the residential streets.

Thank You

Mike Fernandez
19480 SW 51st Avenue
Tualatin, OR 97062
Res Phone: 503-486-5640

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 10:22 AM
To: Doug Rux; Will Harper
Subject: FW: Meridian Park Hospital Zone Change Meeting 3/8/10

Importance: High

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Faus, Karen [mailto:KFaus@columbia.com]
Sent: Monday, March 08, 2010 9:57 AM
To: lou.ogden@juno.com; chris@barhtye.com; smbeikman@verizon.net; joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com; Sherilyn Lombos
Cc: Faus, Karen
Subject: Meridian Park Hospital Zone Change Meeting 3/8/10
Importance: High

Hi:

I am a resident in Fox Hill, living on the dead end street on Natchez. I am not sure I will be able to make the zone change meeting tonight and wanted to express my opposition to allowing the zone change from low-density residential to medical. We do not need our street to be a thoroughfare for traffic from the hospital, nor do we want to look at office buildings when we are in our yard and driving to our homes. It has been mentioned the potential for thousands of additional cars per day and using Natchez as a through street will not work.

You let us down by allowing the tennis club to be built even though when we built our house in 1986 and checked with the city, we were told in no uncertain terms that nothing could ever be built on that land as it is 100 year flood plain – PERIOD. In your quest for more money, you do not seem to care. This club will be bringing in more traffic also and the congestion will be unlivable.

I also hope you realize that if you allow the zoning change, property values will decline immensely as no one will want to buy homes in the 1st, 2nd and 3rd phases of Fox Hill when they have to look at large hospital buildings everyday and put up the noise and pollution from all the cars. We already deal with car alarms going off at all hours of the night.

Karen Faus
5752 S.W. Natchez St.
Tualatin, OR 97062

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:44 AM
To: Doug Rux; Will Harper
Subject: FW: MC Zoning

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 12:58 AM
To: exploredave@comcast.net
Cc: chris@mustardpeople.com; etruax@royalaa.com; jay@h-mc.com; joelle.d.davis@gmail.com; maddux01@verizon.net; Sherilyn Lombos; smbeikman@verizon.net
Subject: RE: MC Zoning

I understand your feelings about the project and I assure all who attend Monday night will be able to voice their concerns and observe how the council attempts to work through the issues. We are very concerned about the impacts to the neighborhood and again, will work very hard to mitigate those if there is a zone change, and will work very hard to mitigate those if there is not a zone change. If the zone is not changed, the hospital will then need to come back to council for a conditional use permit if they choose to build anything. In either event, I would imagine the council's scrutiny to those impacts and required mitigations would be similar.

However, I do need to set the record straight regarding the athletic club. I am not sure who you suggest rammed it through, as we did not have the authority to tell them to take it to another city, in my opinion. I do know that was disappointing to you and many people.

If you refer to the council as "the inner circle of our Tualatin government" it is completely inaccurate as well as unfair to say we don't care about the voice of the community and that we make "done deals" outside the public forum. If that were the case we wouldn't spend the countless hours we do working and reworking and trying to balance all the issues, we would simply "ram them thru" as you put it. You are certainly free to call us political, but I tell you sir, your accusations are inaccurate. We do work for you even when you don't believe it and when acrimony pervades your email. Your statement that we have a "desire to build", and the planners have something to gain by this is not only in error, but puzzling to me. We do work for you and we do it hour upon hour as volunteers, not as people who "want to degrade" neighborhoods. We do not "play games" and even in spite of your terse accusations of this being "already a done deal -- how about keeping the building scaled down, keep it as far away from the Fox Hills neighborhoods as possible, consider ways to shield the neighborhood from commercial buildings." Those issues as well as the increased traffic, are exactly what we have been working for weeks with the hospital toward a development agreement, and will continue to work on this Monday night at the hearing.

Mr. Hagan, if you honestly want to discuss the Urban Renewal concept and the ROI to the tax payers that we are proposing I would be very pleased to give you all the facts and the anticipated outcomes. If you simply want to toss barbs based upon your assumptions of what that debt is, that is your right, but hardly an objective analysis.

I have lived here for 29 years. When I moved here there was no Fox Hill, no Comanche Woods, no Hedges Creek 1, 2, or 3, no Victoria Woods, no Tualatin High School, no Tualatin Commons, no Hedges Green Shopping Center, etc, and you sir were not taking up the capacity of our streets. I could drive from my house by Byrom to the freeway in less than 5 minutes. And 30 years ago, my house wasn't looking down the hill upon my neighbors to the north and I wasn't taking up space on their streets. Everything that has been built since you and I moved here, has been built on land that was legally

zoned for the purpose, it just hadn't been built yet. However it was already zoned and parceled waiting to build. So for you to come in and now say we caused all that is frankly ignorant of the facts.

As I said, everyone on the council struggles with the impacts of people like the developer of your neighborhood, who own land and have a legal right to build upon it so folks like you and I can move here, work here, shop here. Those decisions were made some 40-45 years ago. So our efforts today are to do everything we can to try to manage and mitigate the impacts of that development. So you may not believe that, you certainly do not appreciate that, and you clearly are unhappy about that. I understand that, and you truly have every right to your emotions. I would ask that you not falsely accuse us of being insensitive to those concerns at best, or at worst, delighting in the effects of that development on all our neighborhoods.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: exploredave@comcast.net [mailto:exploredave@comcast.net]

Sent: Sunday, March 07, 2010 12:03 PM

To: lou.ogden@juno.com; etruax@royalaa.com

Subject: Fwd: MC Zoning

resend

----- Forwarded Message -----

From: exploredave@comcast.net

To: "lou ogde" <lou.ogde@juno.com>, Jay@h-mc.com, Chris@barthe.com, maddux01@verizo.net, etruax@royalaa.com, smbeikman@verizon.net, "joelle d davis" <joelle.d.davis@gmail.com>, slombos@ci.tualatin.or.us

Sent: Sunday, March 7, 2010 11:59:34 AM GMT -08:00 US/Canada Pacific

Subject: MC Zoning

To my Tualatin city government team

I'm sending you this note to advise you of my continued dissatisfaction with your zoning / building decisions as it relates to the Fox Hills area. First it was the athletic club that was rammed through while there were several other options in the Beaverton / Tigard areas... and now it appears your going for the grand slam -- at multi story building parked right next to a our neighborhood. What's next in your agenda for our neighborhood.

I've been to the meetings, and sad to say but I have come to realize the inner circle of our Tualatin government doesn't seem to care about it constituency's voice -- that appears to be the nature of politics these days...

So for the record I am opposed the the new " Medical building" parked at the end of 57th and Nachez. I am unable to attend the meeting due to business travel... in the past my presense in the meetings has not seemed to matter.... If you have to do this and knowing how you folks play the game its surely already a done deal -- how about keeping the building scaled down, keep it as far away form the Fox Hills neighbor hoods as possible, consider ways to shield the neighborhood from commercial buildings.

Ask yourself the question -- would you want this in your backyard or at the end of your street??? Any one of you that answers yes to the question -- please send me an honest response advising why you would want this in your backyard.

Please let me remind you, that you work for us, its time that you listen to the people, other than the contractors, accountants, city planners and those few who benefit from your decisions. Once upon a time I recall Mayor Lou walking around the Tualatin neighborhoods talking to the people and sharing his desire to be the voice of Tualatin...I have not seen Mayor Lou for many years in my neighborhood, the very one (Fox Hills) that he and his associates seem to want to degrade with the continuing decisions to turn suburbs to urban areas.

I've lived here for 15 years and raised my famiy in the once very nice area....Your decisions, your continued desire to build when there are many vacancies in commercial buildings and alternative options now has me considering where I will move in the future.

One last input on the matter of increasing Tualatin's debt to fund programs -- I think its a huge mistake to increase the debit by nearly a factor of 5 during these times. This is the time to be fiscally conservative in accumulating more debt.

Please listen to the people you represent. Please check you conscience when you make these decisons.

Responses welcome -- however I am not interested in political speak, I'd like honest answers.

Tualatin / Fox Hills resident

John Dave Hagan

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:44 AM
To: Doug Rux; Will Harper
Subject: FW: MC Zoning

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 12:58 AM
To: exploredave@comcast.net
Cc: chris@mustardpeople.com; etruax@royalaa.com; jay@h-mc.com; joelle.d.davis@gmail.com; maddux01@verizon.net; Sherilyn Lombos; smbeikman@verizon.net
Subject: RE: MC Zoning

I understand your feelings about the project and I assure all who attend Monday night will be able to voice their concerns and observe how the council attempts to work through the issues. We are very concerned about the impacts to the neighborhood and again, will work very hard to mitigate those if there is a zone change, and will work very hard to mitigate those if there is not a zone change. If the zone is not changed, the hospital will then need to come back to council for a conditional use permit if they choose to build anything. In either event, I would imagine the council's scrutiny to those impacts and required mitigations would be similar.

However, I do need to set the record straight regarding the athletic club. I am not sure who you suggest rammed it through, as we did not have the authority to tell them to take it to another city, in my opinion. I do know that was disappointing to you and many people.

If you refer to the council as "the inner circle of our Tualatin government" it is completely inaccurate as well as unfair to say we don't care about the voice of the community and that we make "done deals" outside the public forum. If that were the case we wouldn't spend the countless hours we do working and reworking and trying to balance all the issues, we would simply "ram them thru" as you put it. You are certainly free to call us political, but I tell you sir, your accusations are inaccurate. We do work for you even when you don't believe it and when acrimony pervades your email. Your statement that we have a "desire to build", and the planners have something to gain by this is not only in error, but puzzling to me. We do work for you and we do it hour upon hour as volunteers, not as people who "want to degrade" neighborhoods. We do not "play games" and even in spite of your terse accusations of this being "already a done deal -- how about keeping the building scaled down, keep it as far away from the Fox Hills neighborhoods as possible, consider ways to shield the neighborhood from commercial buildings." Those issues as well as the increased traffic, are exactly what we have been working for weeks with the hospital toward a development agreement, and will continue to work on this Monday night at the hearing.

Mr. Hagan, if you honestly want to discuss the Urban Renewal concept and the ROI to the tax payers that we are proposing I would be very pleased to give you all the facts and the anticipated outcomes. If you simply want to toss barbs based upon your assumptions of what that debt is, that is your right, but hardly an objective analysis.

I have lived here for 29 years. When I moved here there was no Fox Hill, no Comanche Woods, no Hedges Creek 1, 2, or 3, no Victoria Woods, no Tualatin High School, no Tualatin Commons, no Hedges Green Shopping Center, etc, and you sir were not taking up the capacity of our streets. I could drive from my house by Byrom to the freeway in less than 5 minutes. And 30 years ago, my house wasn't looking down the hill upon my neighbors to the north and I wasn't taking up space on their streets. Everything that has been built since you and I moved here, has been built on land that was legally

zoned for the purpose, it just hadn't been built yet. However it was already zoned and parceled waiting to build. So for you to come in and now say we caused all that is frankly ignorant of the facts.

As I said, everyone on the council struggles with the impacts of people like the developer of your neighborhood, who own land and have a legal right to build upon it so folks like you and I can move here, work here, shop here. Those decisions were made some 40-45 years ago. So our efforts today are to do everything we can to try to manage and mitigate the impacts of that development. So you may not believe that, you certainly do not appreciate that, and you clearly are unhappy about that. I understand that, and you truly have every right to your emotions. I would ask that you not falsely accuse us of being insensitive to those concerns at best, or at worst, delighting in the effects of that development on all our neighborhoods.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: exploredave@comcast.net [mailto:exploredave@comcast.net]

Sent: Sunday, March 07, 2010 12:03 PM

To: lou.ogden@juno.com; etruax@royalaa.com

Subject: Fwd: MC Zoning

resend

----- Forwarded Message -----

From: exploredave@comcast.net

To: "lou ogde" <lou.ogde@juno.com>, Jay@h-mc.com, Chris@barthe.com, maddux01@verizo.net, etraux@royalaa.com, smbeikman@verizon.net, "joelle d davis" <joelle.d.davis@gmail.com>, slombos@ci.tualatin.or.us

Sent: Sunday, March 7, 2010 11:59:34 AM GMT -08:00 US/Canada Pacific

Subject: MC Zoning

To my Tualatin city government team

I'm sending you this note to advise you of my continued dissatisfaction with your zoning / building decisions as it relates to the Fox Hills area. First it was the athletic club that was rammed through while there were several other options in the Beaverton / Tigard areas... and now it appears your going for the grand slam -- at multi story building parked right next to our neighborhood. What's next in your agenda for our neighborhood.

I've been to the meetings, and sad to say but I have come to realize the inner circle of our Tualatin government doesn't seem to care about its constituency's voice -- that appears to be the nature of politics these days...

So for the record I am opposed the the new " Medical building" parked at the end of 57th and Nachez. I am unable to attend the meeting due to business travel... in the past my presense in the meetings has not seemed to matter.... If you have to do this and knowing how you folks play the game its surely already a done deal -- how about keeping the building scaled down, keep it as far away from the Fox Hills neighborhoods as possible, consider ways to shield the neighborhood from commercial buildings.

Ask yourself the question -- would you want this in your backyard or at the end of your street??? Any one of you that answers yes to the question -- please send me an honest response advising why you would want this in your backyard.

Please let me remind you, that you work for us, its time that you listen to the people, other than the contractors, accountants, city planners and those few who benefit from your decisions. Once upon a time I recall Mayor Lou walking around the Tualatin neighborhoods talking to the people and sharing his desire to be the voice of Tualatin...I have not seen Mayor Lou for many years in my neighborhood, the very one (Fox Hills) that he and his associates seem to want to degrade with the continuing decisions to turn suburbs to urban areas.

I've lived here for 15 years and raised my famiy in the once very nice area....Your decisions, your continued desire to build when there are many vacancies in commercial buildings and alternative options now has me considering where I will move in the future.

One last input on the matter of increasing Tualatin's debt to fund programs -- I think its a huge mistake to increase the debit by nearly a factor of 5 during these times. This is the time to be fiscally conservative in accumulating more debt.

Please listen to the people you represent. Please check you conscience when you make these decisons.

Responses welcome -- however I am not interested in political speak, I'd like honest answers.

Tualatin / Fox Hills resident

John Dave Hagan

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:43 AM
To: Doug Rux; Will Harper
Subject: FW: Hospital zone change

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 1:03 AM
To: 'Hinrichs Family'; chris@barhyte.com; smbeikman@verizon.net; Joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com; Sherilyn Lombos
Subject: RE: Hospital zone change

Jon,

Thanks for the email and I do understand your concerns. I hope you can make it to the hearing tomorrow night, testify, then listen to all the facts and participate in the resolution of those issues.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: Hinrichs Family [mailto:hinrichs1230@verizon.net]
Sent: Sunday, March 07, 2010 9:05 PM
To: lou.ogden@juno.com; chris@barhyte.com; smbeikman@verizon.net; Joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com; slombos@ci.tualatin.or.us
Subject: Hospital zone change
Importance: High

Hello-

My name is Jon Hinrichs and I have lived in Tualatin for over 7 years and I moved into the Fox Hills neighborhood because of the truly neighborhood feeling, the low traffic, and the safety. Now I hear that the Hospital is asking the city council to change the zoning of the area of land between the Hospital and the Fox Hill neighborhood. This deeply concerns me because with a zone change the hospital will basically have a blank check to build whatever they want on that land; this could be anything from a huge parking lot to a very large office building and would also require access

from the streets Joshua and Nachez within the Fox Hills neighborhood. This would drastically increase the traffic that will be driving through our wonderful neighborhood, and would lower the safety of all the children that walk to and from Bridgeport Elementary or walk to and from the bus stops on a daily basis. Also the property values of the homes in all of Fox Hills would be reduced significantly.

I understand that the hospital owns that land and obviously bought it with expansion in mind and I am not against the hospital building on that land, however the city council SHOULD NOT change the zoning and let the hospital decide what to build on it because the hospital will not care about the impact to the neighborhood. They are a business and will make decisions based on their bottom line, not on what is best for the Fox Hills neighborhood. If the hospital wants to build on the land, the city council should leave the current zoning the way it is and just add conditions to the zoning in order to keep the expansion under control (i.e. limit the height of any new buildings to be no taller than 2 stories and/or a visual buffer (trees) need to be planted between the Fox Hills neighborhood and any new buildings, etc.)

We already are going to have to deal with the new monstrosity tennis center bordering Fox Hills and the increased traffic as all the people from Wilsonville/West Linn will be using 57th Avenue to cut through the Fox Hills neighborhood to access the club. By adding a large scale Hospital expansion (without conditions) on top of this new tennis center, you will be causing a HUGE increase in traffic, thus lowering the safety of the neighborhood and completely eroding away the truly unique Fox Hills neighborhood feeling.

I will be very disappointed in any city council members that vote "yes" to the hospital's proposed zone change.

Thank you
Jon Hinrichs
Fox Hills Resident

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:43 AM
To: Doug Rux; Will Harper
Subject: FW: Rezoning

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 1:07 AM
To: 'Paul Pedersen'
Cc: chris@mustardpeople.com; etruax@royalaa.com; jay@h-mc.com; joelle.d.davis@gmail.com; maddux01@verizon.net; Sherilyn Lombos; smbeikman@verizon.net
Subject: RE: Rezoning

Mr. & Mrs. Pederson,

Thanks for the email and I do understand your concerns. I hope you can make it to the hearing tomorrow night, testify, then listen to all the facts and participate in the resolution of those issues.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: Paul Pedersen [mailto:ppedersen@azambulance.com]
Sent: Sunday, March 07, 2010 2:20 PM
To: lou.ogden@juno.com
Subject: Rezoning

Dear Mayor Ogden:

As Fox Hill residents we urge you to vote NO on rezoning the property between our neighborhood and Meridian Park Hospital. Thank you for your consideration.

Paul and Vanita Pedersen

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:43 AM
To: Doug Rux; Will Harper
Subject: FW: MC zoning

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 1:08 AM
To: 'Linda Reid'
Cc: chris@mustardpeople.com; etruax@royalaa.com; jay@h-mc.com; joelle.d.davis@gmail.com; maddux01@verizon.net; Sherilyn Lombos; smbeikman@verizon.net
Subject: RE: MC zoning

Mr. & Mrs. Reid,

Thanks for the email and I do understand your concerns. I hope you can make it to the hearing tomorrow night, testify, then listen to all the facts and participate in the resolution of those issues.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: Linda Reid [mailto:lreid7@verizon.net]
Sent: Sunday, March 07, 2010 10:27 AM
To: lou.ogden@juno.com; chris@barhyte.com; smbeikman@verizon.net; joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com
Subject: Re: MC zoning

Dear City Council,
WE are a resident on S. W. Natchez St. in Tualatin, Oregon.
Just to voice our opinion:
We would be AGAINST the zoning proposed to build office buildings in the space owned by Meridian Park Hospital
Dave and Linda Reid
5399 S. W. Natchez St.
Tualatin, Oregon 97062

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:43 AM
To: Doug Rux; Will Harper
Subject: FW: MERICIAN PARK HOSPITAL ZONE CHANGE

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 1:10 AM
To: 'MOLLY SCHRAY'; CHRIS@BARHYTE.COM; SMBEIKMAN@VERIZON.NET; JOELLE.D.DAVIS@QMAIL.COM; JAY@H-MC.COM; MADDUX01@VERIZON.NET; Sherilyn Lombos; ETRUAX@ROYALAA.COM
Subject: RE: MERICIAN PARK HOSPITAL ZONE CHANGE

Ms. Schray,

Thanks for the email and I do understand your concerns. I hope you can make it to the hearing tomorrow night, testify, then listen to all the facts and participate in the resolution of those issues.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: MOLLY SCHRAY [mailto:mollyschray@verizon.net]
Sent: Saturday, March 06, 2010 3:08 PM
To: LOU.OGDEN@JUNO.COM; CHRIS@BARHYTE.COM; SMBEIKMAN@VERIZON.NET; JOELLE.D.DAVIS@QMAIL.COM; JAY@H-MC.COM; MADDUX01@VERIZON.NET; SLOMBOS@CI.TUALATIN.OR.US; ETRUAX@ROYALAA.COM
Subject: MERICIAN PARK HOSPITAL ZONE CHANGE

My name is Molly Schray and my address is 5402 SW Natchez St, Tualatin, Oregon, 97062.

I oppose the Zone change requested by Meridian Park Hospital. I feel that this change would cause a loss of neighborhood livability, decrease property values, and increased traffic. We still do not know the effect on our neighborhood from the tennis court, although increased traffic 57th is a no brainer

I am urging you to vote against the proposed zone change

Thank you so much for your thoughtful consideration of this matter.

Sincerely, Molly Schray

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:41 AM
To: Doug Rux; Will Harper
Subject: FW: ZONING CHANGE

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Greg Shelby [mailto:shelbys5@verizon.net]
Sent: Monday, March 08, 2010 8:33 AM
To: lou.ogden@juno.com; chris@barhyte.com; smgeikman@verizon.net; joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; Sherilyn Lombos
Subject: ZONING CHANGE

Ladies and Gentlemen.....

We will not be able to attend tonight's council meeting.....therefore allow us this e-mail communication.

We have lived on Calusa Loop since 1987. Our property backs onto the property in question. We selected our home because of the beautiful wooded area we look upon each day. Now we face the potential of looking at a 95 foot building!

My fellow citizen of Tualatin....Livability and property values are at stake here. You have all worked hard for those values here in Tualatin. I'm now urging you to do so again....

PLEASE **vote NO** on the request to change the zoning to allow my precious view to become a stark and imposing medical complex.

Thank you for keeping Tualatin livable for ALL of US.

Greg and Cheryl Shelby
5731 SW Calusa Loop






STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL
Date 7-12-10
Recording Secretary W. Smith

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager 

FROM: Doug Rux, Community Development Director 
William Harper, Associate Planner 

DATE: July 12, 2010

SUBJECT: A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW OUTDOOR "DOGGIE DAY CARE" (PET DAY CARE) IN THE GENERAL COMMERCIAL (CG) PLANNING DISTRICT AT 17620 SW 63rd AVENUE (TAX MAP 21E18BC, TAX LOT 1400) (CUP-10-01)

ISSUE BEFORE THE COUNCIL:

A request for a Conditional Use Permit (CUP) that would allow an outdoor pet day care use on the Hansen's Corner commercial center site in the General Commercial (CG) Planning District at 17620 SW 63rd Avenue (Tax Map 21E18BC, Tax Lot 1400).

RECOMMENDATION:

Staff recommends the City Council consider the staff report and supporting attachments and provide direction. If the Council chooses to adopt a resolution granting CUP-10-01 to allow an outdoor pet day care use, staff recommends the following condition:

1. To meet the standards of TDC 54.030(5)(b), the enclosure of the Hansen's Corner outdoor pet activity area shall be a minimum of 8 ft. in height.
2. To ensure that everyday use of the south enclosure gate of the outdoor activity area does not cause a disruption in the Hansen's Corner parking area, the use of the south enclosure gate shall be restricted to maintenance and emergency access.
3. To ensure that the conditional use standards for noise, odor and waste control are met, the standards for TDC 54.030(5)(b & d) shall be met and a noise, odor and animal waste control management plan be submitted to the Planning Division for review and approval prior to conducting outdoor pet day care activity proposed by the applicant.
4. To meet the requirements of 54.030(5)(c), no outdoor pet day care activity, including exercise and training, shall occur between the hours of 8:00 pm and 7:00 am.

EXECUTIVE SUMMARY:

- This matter is a quasi-judicial public hearing.
- This matter is a Conditional Use Permit (CUP) request.
- The application was submitted by Joseph Schaefer representing Drew Prell and Oswego Investors, LLC. Oswego Investors owns the 0.76 acre subject property in the CG Planning District (Attachment A). The property is known as the Hansen's Corner commercial development.
- This hearing was continued from April 26 to June 28 and due to the cancellation of the Council's meeting on that date, a 2nd notice of hearing for CUP-10-01 on the July 12, 2010 date was sent to the prescribed notice area.
- The subject property includes the multi-tenant North Building located at 17620 SW 63rd Avenue (Tax Map 21E 13BC, Tax Lot 1400) at the corner of SW 63rd Avenue. Land uses in this area include a mix of retail commercial such as Safeway Marketplace to the west and automotive service businesses to the north and east. A Vicinity Map and a Site Map are included as Attachments A & B respectively. The applicant's materials including a site plan are included as Attachment C.
- Oswego Investors seeks the conditional use permit for a prospective tenant to occupy a Hansen's Corner North Building lease space and conduct a dog day care use with outdoor activity area. Oswego Investors submitted a plan amendment PTA-10-01 to allow indoor dog day care as a permitted use and outdoor dog day care as a permitted use. On June 14, 2010, the City Council granted PTA-10-01 and approved an Ordinance allowing a pet day care (indoor) as a permitted use and a pet day care outdoor activity area as a conditional use with standards.
- The Hansen's Corner site is currently improved with two existing buildings, landscaping, parking, and a loading area that was approved in AR-06-07. The site plan shows the proposed dog day care use will occupy a 2,500 sq. ft. portion of the existing Hansen's Corner North Building and a 1,600 sq. ft. pave outdoor area, "former truck loading area", accessed to the building tenant space via two overhead doors (Attachment C-Site Plan). The outdoor area is enclosed on the west by the North Building, on the north by the back of an automotive service building and on the east by an automotive service building wall. The south portion the outdoor area will be enclosed by a wooden fence and be required to meet the standards established in PTA-10-01 (Attachment C South Elevation).
- The proposed dog day care use will offer daytime pet care and pet care supplies with dog exercise and activities in the outdoor area. The applicant states "Doggie day businesses prefer to have outdoor play areas, because the dogs naturally benefit from fresh air and exercise." (Attachment C, pg. 3)
- A pet day care use with outdoor activity area is a conditional use in the CG Planning District [TDC 54.030(5)] with standards (a-d). An indoor pet day care use is a permitted use in the CG District [54.020(2)(w)].
- The Applicant has prepared a narrative that describes the proposed conditional use and addresses the Conditional Use Permit approval criteria (Attachment C). Staff has reviewed the Applicant's materials and included pertinent excerpts in the Analysis and Findings section of this report (Attachment D). Attachment E is

a Memorandum prepared by the Engineering Division addressing transportation and other public facilities associated with the proposed conditional use.

- On June 14, 2010, the City Council approved plan text amendment PTA-10-01 allowing outdoor pet day care as a conditional use in the CG Planning District and adopted the ordinance on June 14, 2010. Previously, the Council has not reviewed an outdoor pet day care activity conditional use.
- The applicable policies and regulations that apply to the proposed conditional use in the CG Planning District include: TDC 6.040(5) CG Planning District Objectives; TDC Chapter 32 - Conditional Uses; TDC 54.020 CG Planning District Permitted Uses; TDC 54.030 CG Planning District Conditional Uses; and TDC Chapter 73 - Community Design. The Analysis and Findings (Attachment D) considers the applicable policies and regulations.
- Before granting the proposed CUP, the City Council must find that the use is allowed as a conditional use in the CG Planning District and the criteria listed in TDC 32.030 are met. The Analysis and Findings (Attachment D) examines the application with respect to the criteria for granting a CUP.
- Attachment F is the draft Resolution.
- The application was deemed complete on February 8, 2010. The applicant extended the 120-day review time frame by an additional 90 days on April 14, 2010. This hearing is on day 155.

OUTCOMES OF DECISION:

Approval of the Conditional Use Permit request will result in the following:

1. Allows the applicant's tenant to operate an outdoor dog day care use at this location subject to the standards of 54.030 and the conditions established by the Council. The subject property is located in a primarily commercial area and the tenant will utilize the existing building and outdoor area with parking and landscaping improvements previously approved in Architectural Review AR-06-07.
2. The proposed dog day care outdoor use with the recommended conditions requiring an 8 ft. high enclosure, impervious surface with waste control, restrictions on access via the south gate of the outdoor enclosure, limited hours of operation and a noise, odor and waste control management plan, is compatible with commercial developments in the area.

Denial of the Conditional Use Permit request will result in the following:

1. The applicant will be restricted from conducting the outdoor dog day care activity on the subject property. An indoor pet day care use will remain a permitted use.

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the staff recommendation for the Council are:

- Approve the proposed Conditional Use Permit with conditions the Council deems necessary.

- Deny the request for the proposed Conditional Use Permit with findings that state which criteria in TDC 32.030 the Applicant has failed to meet.
- Continue the discussion of the proposed Conditional Use Permit and return to the matter at a later date.

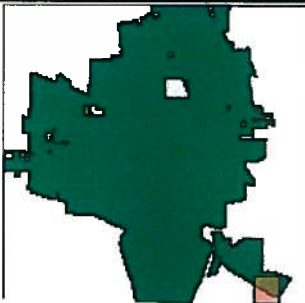
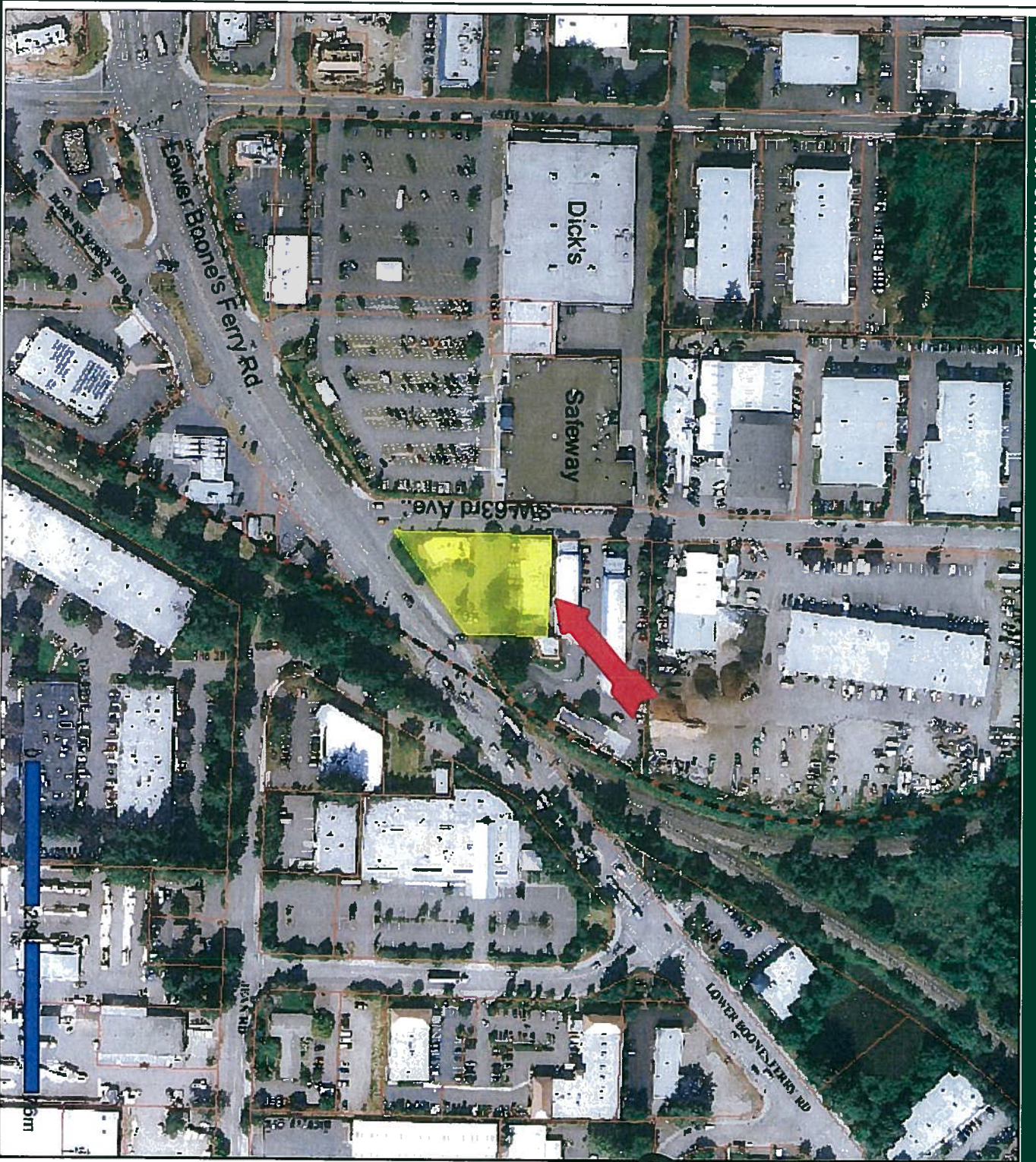
FINANCIAL IMPLICATIONS:

Revenue for Conditional Use Permits has been budgeted for Fiscal Year 09/10 and the Applicant submitted payment on January 8, 2010, to process CUP-10-01.

PUBLIC INVOLVEMENT:

The Applicant conducted a Neighbor/Developer meeting at 17620 SW 63rd Avenue on July 28, 2009, at 6:30 pm to explain the PMA & CUP proposal to neighboring property owners and to receive comments. No neighboring business or property owners attended the meeting.

- Attachments:**
- A. Vicinity Map
 - B. Site Plan
 - C. Applicant's Materials and Supporting Information including Group MacKenzie Traffic Impact Letters (March 31, 2010 & April 7, 2010)
 - D. Analysis and Findings
 - E. Engineering Division Memorandum
 - F. Draft Resolution



Attachment A
Vicinity Map

CRP-1061
Vicinity
MAP

S.W. 63RD AVENUE

32.00'

N 89°50'38"W 167.05'

EXISTING BUILDING

DOG
PLAY
AREA
1600 sf

N 00°50'10"W 136.51'
BASIS OF BEARINGS S1

SDMH

18" FIR
20' DRIP

24" CEDAR
40' DRIP

24" CEDAR
10' DRIP

18" CEDAR
15' DRIP

35.83'

176.14'

EXISTING BUILDING

S. W. 63RD AVENUE

SDMH

CB

7.8' FB

17.0' FB

19.7' FB

18.9' FB

20.17'

39.98'

24.20'

12.11'

11.1'

11.1'

11.1'

11.1'

11.1'

11.1'

S 52°58'06"W 211.64'

CONCRETE DRIVEWAY

ASPHALT DRIVEWAY

BOONES FERRYS. ROAD

FERRY ROAD

CONCRETE DRIVEWAY

ASPHALT DRIVEWAY

BOONES FERRYS. ROAD

FERRY ROAD

CONCRETE DRIVEWAY

ASPHALT DRIVEWAY

BOONES FERRYS. ROAD

FERRY ROAD

CONCRETE DRIVEWAY

SITE PLAN

N ↑

Scale 1" = 32'

Attachment B
Site Plan



Case No. CUP-10-01
 Fee Rec'd. 1369.00
 Receipt No. 139078
 Date Rec'd. FB-10
 By [Signature]

Attachment C
Applicant's Materials and
Supporting Information including
Group MacKenzie Traffic Impact



SCHWABE, WILLIAMSON & WYATT
ATTORNEYS AT LAW

Pacwest Center, 1211 SW 5th Ave., Suite 1900, Portland, OR 97204 | Phone 503.222.9981 | Fax 503.796.2900 | www.schwabe.com

JOSEPH S. SCHAEFER
LAND USE PLANNER
Direct Line: 503-796-2091
Cellular Phone: (503) 819-4764
E-Mail: jschaefer@schwabe.com

January 8, 2010

Mr. Will Harper
Associate Planner
City of Tualatin
18880 SW Martinez Avenue
Tualatin, OR 97062

Re: Hansen's Corner Neighborhood Meeting

Dear Mr. Harper:

Enclosed with this letter are the materials for the conditional use and text amendment applications, including the application forms, the site plan, the mailing list and maps, the legal description, a check for the combined application fee of \$3365, the neighborhood meeting materials, and the architectural drawing of the proposed fence.

The balance of this letter will serve as the applicant's narrative. The relevant Tualatin Development Code provisions are printed in bold, and the applicant's response follows in regular font.

Text Amendment

The amendment includes three parts: a definition of doggie day care; an addition of the doggie day care - indoor only use to Section 54.020 Permitted Uses in the General Commercial district; and an addition of the doggie day care - with an outdoor play area use to Section 54.030 Conditional Uses in the General Commercial District.

The proposed definition is: "Doggie Day Care – A business providing pet care services such as day care, sitting services, grooming, and retail sales of pet products. Overnight boarding, breeding, and veterinary services are not provided by a doggie day care business."

The proposed addition to Section 54.020 is: (w) Doggie Day Care (indoor only).

The proposed addition to Section 54.030 is: (9) Doggie Day Care with outdoor play area, subject to the following provisions: (a) the subject lot is not within 300 feet of a Residential

Planning district; and (b) the outdoor play area must be completely enclosed with a minimum 6 foot high, sight-obscuring fence.

(1) Granting the amendment is in the public interest.

Retail properties evolve as new goods and services become available in the marketplace. For example, prior to the proliferation of cell phones, there weren't any retail storefronts selling telephone equipment and service. In recent years, the proliferation of households with dogs that need grooming, day care and related services during regular business hours has led to the creation of businesses providing that service. At least one such business already exists in Tualatin; however, the "doggie day care" land use is not found in the Development Code.

It will serve the public interest to have this unique land use accounted for in the Development Code, so that it can be properly regulated without requiring a protracted and confusing analysis of whether it is similar – or not – to different uses that are listed in the code. We propose that Tualatin follow the recent examples of Beaverton and Lake Oswego, which are proposing a two tier regulation of doggie day care: indoor care is a permitted use; and outdoor facilities are a conditional use.

(2) The public interest is best protected by granting the amendment at this time.

As with Beaverton, Lake Oswego and innumerable other communities, it is in the public interest to update the Development Code at this time to include provisions for this type of retail service business. The demand for this use is growing, and the Development Code should be updated promptly.

(3) The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

Section 6.030(5) describes the key objective for the General Commercial district: "To provide areas suitable for a full range of commercial uses." Doggie day care is a use that is not included in the Development Code, and this amendment proposes to ensure that this commercial use is expressly included in the "full range" of permitted and conditional uses.

(4) The following factors were consciously considered:

The various characteristics of the areas in the City;

There are six separate General Commercial districts within the City, each with different characteristics. The subject property is located at the edge of one such district, and borders a light manufacturing district. While an outdoor play area for dogs is appropriate adjacent to a light manufacturing site, it likely is not appropriate adjacent to a residential site. That is why we propose a two tier amendment, so that unique neighborhood characteristics are taken into account during each application.

The suitability of the areas for particular land uses and improvements in the areas;

The General Commercial districts within the City allow intensive commercial uses, and there is no concern about indoor doggie day care. The real issue is the outdoor play areas, and whether this district is appropriate for that use. Because some areas of the districts are suitable, while others may not be, the two tier amendment creates a conditional use procedure for review of suitability case by case.

Trends in land improvement and development;

Doggie day care is a growing retail trend, and because it is somewhat different than traditional animal care uses such as veterinary offices and kennels, the code should be updated with provisions appropriate to this use.

Property values;

Commercial properties within Tualatin are experiencing the same challenges as elsewhere. Adding a new use to the lists of permitted and conditional uses will allow properties that are underutilized - in this case a vacant loading area for glass trucks – to be put to productive use. The two tier amendment offers protections to neighboring properties which potentially could be adversely affected by outdoor play areas for dogs.

The needs of economic enterprises and the future development of the area;

Doggie day care businesses prefer to have outdoor play areas, because the dogs naturally benefit from the fresh air and exercise.

Needed right-of-way and access for and to particular sites in the area;

Doggie day care produces less traffic than other uses permitted outright in the General Commercial zone. It does not have special transportation needs.

Natural resources of the City and the protection and conservation of said resources;

The text amendment does not affect natural resources of the City.

Prospective requirements for the development of natural resources in the City;

The text amendment does not affect natural resources of the City.

The public need for healthful, safe, aesthetic surroundings and conditions.

The text amendment aims to provide healthful, safe, aesthetic surroundings and conditions for pets, which includes a reasonable opportunity for fresh air and exercise. Again,

the two tier amendment will ensure the general public is not adversely affected by outdoor play areas.

Proof of change in a neighborhood or area, or a mistake in the Plan Text or Plan Map for the property under consideration are additional relevant factors to consider.

There are no material changes in the area or mistakes that are being corrected.

(5) The criteria in the Tigard-Tualatin School District Facility Plan for school facility capacity have been considered when evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment.

This application does not include a comprehensive plan amendment or an amendment to residential land use. This criterion is not applicable.

(6) Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules.

There are no planning goals or administrative rules regarding doggie day care, or other small scale retail uses. Planning Goal 12 and its accompanying administrative rule OAR 660-012 (the Transportation Planning Rule) only require analysis when the proposed use will have an impact on transportation facilities. Because doggie day care generates fewer vehicle trips than other uses which are already permitted outright in the General Commercial Zone, this text amendment will not have an adverse effect on traffic.

(7) Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.

Similarly, there are no provisions in the Functional Plan regarding doggie day care or other small scale retail uses. The Functional Plan does not require analysis when a local jurisdiction updates its code by permitting a new retail use which will not have an impact on public facilities or natural resources.

(8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

The text amendment adds a new use to the General Commercial district; a use which generates less traffic than other uses already permitted. The detailed analysis of level of service was provided during the zone change for this property, and the level of service will not be affected by use of the property for doggie day care.

Conditional Use

The conditional use application is bundled with the text amendment so the City can review both applications simultaneously and without redundant hearings. The conditional use must meet the criteria in Section 32.030.

(1) The use is listed as a conditional use in the underlying planning district.

The text amendment provides that doggie day care with an outdoor play area is a conditional use in the General Commercial District, subject to the two conditions. The first condition is that the subject lot must not be within 300 feet of a residential district. The subject property is approximately 1000 feet from the nearest residential district, which is southeast of the subject lot, in Lake Oswego. The second condition is that the play area must be fenced, and a drawing of the proposed fence is enclosed.

(2) The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, existence of improvements and natural features.

The site is the former Nagel Glass shop on Boones Ferry Road. On the east side of the building, two large overhead garage doors lead out to the former truck loading area. The loading area is approximately 1600 square feet, and this is the space proposed for the outdoor dog play area. The shape of the play area is roughly square. The location is adjacent to a Jiffy Lube oil change business and other automotive businesses. The topography is flat and the play area is paved. The existing improvement is primarily the building, which will be renovated. The existing natural features are mature conifer trees which will remain in place.

(3) The proposed development is timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use.

The proposed development is timely, given the increasing market demand for this retail use. The addition of an outdoor play area to this use – which is already permitted outright when conducted indoors – will not have a material effect on transportation systems, public facilities, and services planned for the area affected by the use.

(4) The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying planning district.

The surrounding properties to the east and north are zoned for manufacturing uses, and occupied by automotive service and repair businesses. The surrounding properties to the south and west are zoned for commercial and industrial uses, and the closest businesses are a dry cleaners and the Safeway grocery store.



The character of the surrounding area is intensive commercial and light industrial, which are not noise sensitive uses, so the outdoor play area will not limit, impair or preclude these uses.

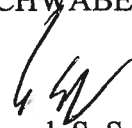
(5) The proposal satisfies those objectives and policies of the Tualatin Community Plan that are applicable to the proposed use.

Section 6.010(3) of the Community Plan describes the background for this proposal: "Greater concentrations of population and the relatively high incomes of the area's residents will support increasingly specialized types of retail and service establishments." Doggie day care is precisely this type of business. The applicable objective for the General Commercial district is found in Section 6.040(5): "To provide areas suitable for a full range of commercial uses, including those uses that are inappropriate for neighborhood, office or central commercial areas." Outdoor dog play areas may not be appropriate in neighborhood, office or downtown areas. This objective clearly distinguishes between the general commercial and other commercial zoning districts, and emphasizes that the General Commercial district is suitable for the "full range" of uses.

Thank you for your assistance with this application.

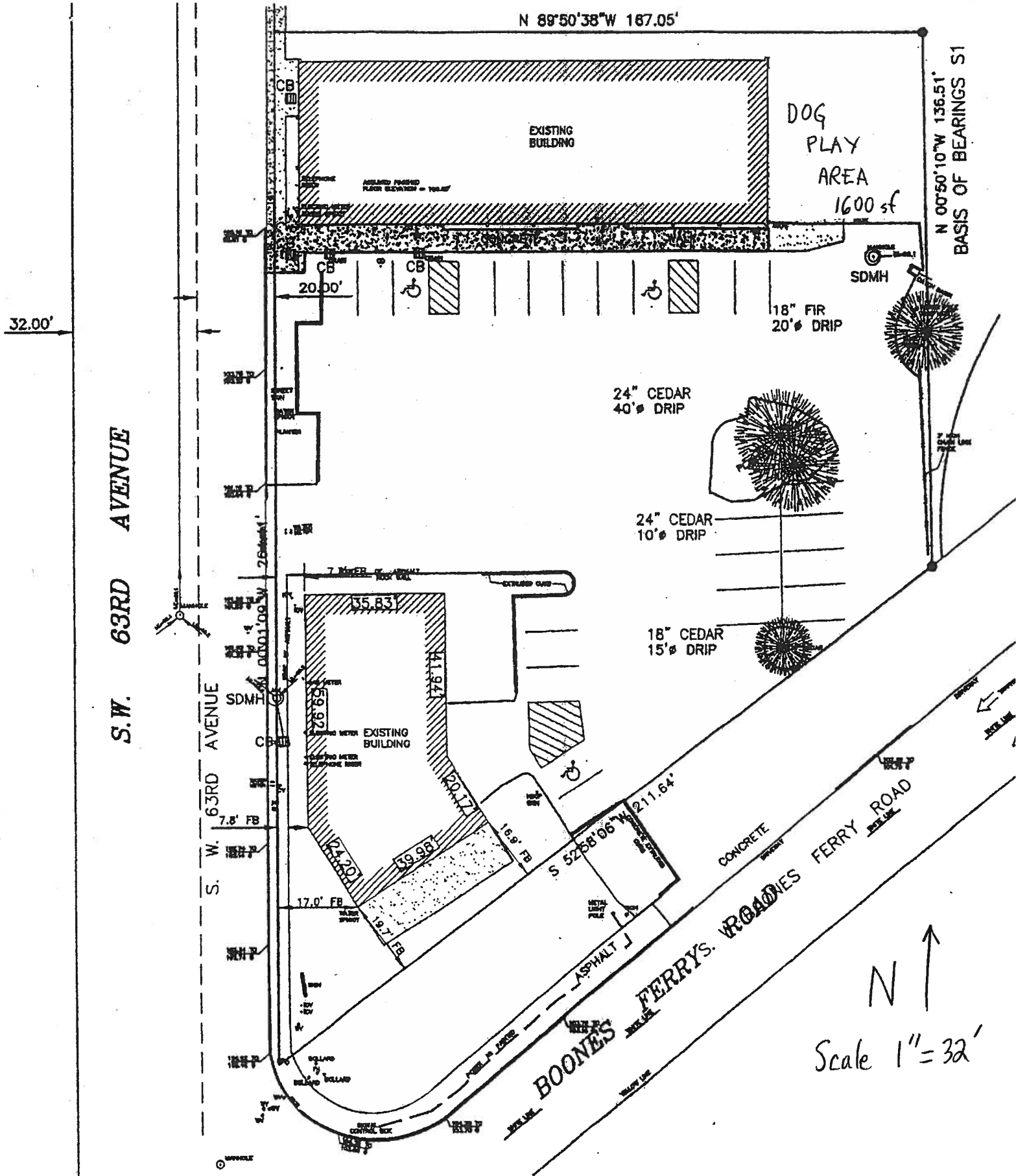
Sincerely,

SCHWABE, WILLIAMSON & WYATT, P.C.



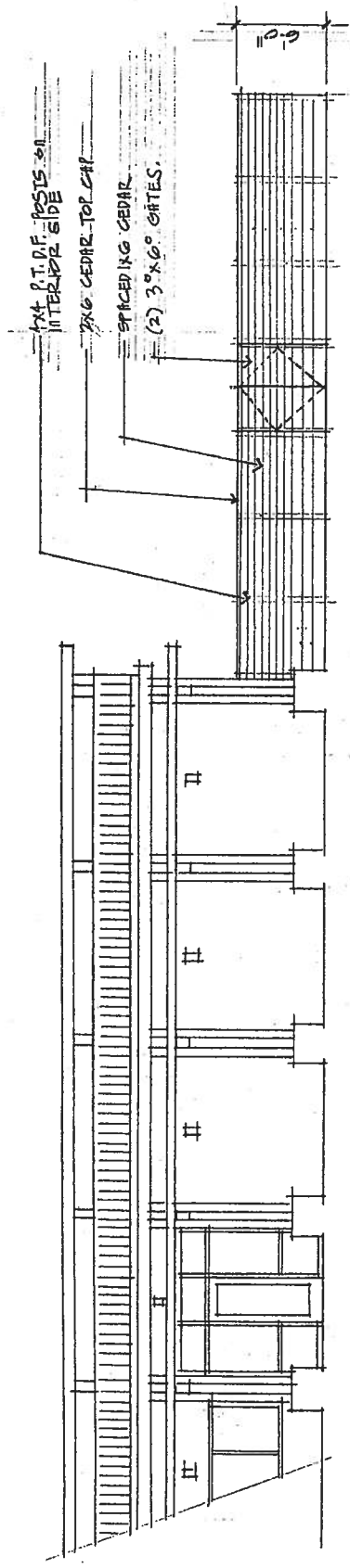
Joseph S. Schaefer
Land Use Planner

JSS:ae
Enclosures



SITE PLAN

N ↑
Scale 1" = 32'



PARTIAL SOUTH ELEVATION

Hansen's Corner
 Renovations
 17620-17648 SW 63rd Ave.
 Tualatin OR
 Oswego Investors, LLC

steven rounton
 ArchiTech/llc
 5160 tualata lane
 97033
 tele (503) 620-6713
 skarchitect@verizon.net
 artin architecture

GROUP

MACKENZIE

August 1, 2005

City of Tualatin
Attention: Dayna Johnson
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062

Re: **Hansen's Corner Community Plan Map Amendment**
Technical Response #1 to Development Impacts
Project Number 2050128.00

Dear Ms. Johnson:

This letter has been prepared to address transportation related issues resulting from City of Tualatin (City) review of Hansen's Corner Community Plan Map Amendment Transportation Impact Analysis (TIA). The following items are more specifically addressed in this letter:

1. SW 63rd Avenue/Lower Boones Ferry Road Intersection Operations
2. Summary

Materials contained in this technical letter supplement the TIA (June 16, 2005) also prepared by Group Mackenzie.

1. SW 63RD AVENUE/LOWER BOONES FERRY ROAD INTERSECTION OPERATIONS

Operation analysis was performed for the weekday PM peak hour at the SW 63rd/Lower Boones Ferry intersection for three different scenarios as follows:

- Base year (2005) Existing Community Plan Zoning (ML)
- 2020 Existing Community Plan Zoning (ML)
- 2020 Proposed Community Plan Map Zoning (CG)

Based on TIA analysis, intersection eastbound left-turn and southbound right-turn movements operate at an acceptable level-of-service (LOS) in all three scenarios, and the southbound left-turn movement operates at LOS "F". Further analysis indicates the southbound left-turn movement operates at LOS F for the one-half hour before and after the PM peak hour in all three scenarios.

Per the Tualatin Development Code Section 1.032(8), the City Council shall find the Community Plan Map Amendment request "...is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area." With existing ML or proposed CG zoning, intersection operation does not meet LOS E/E criteria in either 2005 or 2020.

0690 SW Bancroft St | PO Box 69039 | Portland, OR 97239-0039
Tel: 503.224.9560 Web: www.grpmack.com Fax: 503.228.1285

Group Mackenzie, Incorporated
Architecture
Interiors
Land Use Planning

Group Mackenzie Engineering, Incorporated

Civil/Structural Engineering
Transportation Planning

Locations:
Portland, Oregon
Seattle, Washington
Vancouver, Washington

H:\PROJECTS\205012800\WP\050801-L1.doc

Hansen's Corner Community Plan Map Amendment
Project Number 2050128.00
August 1, 2005
Page 2

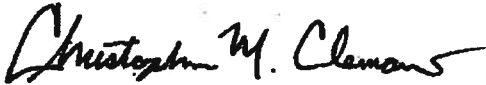
With the proposed CG zoning, the reasonable worst-case development scenario is anticipated to add a small number of southbound left-turning movements and is not anticipated to further degrade the LOS. Therefore, the Community Plan Map Amendment will not negatively impact operations.

2. SUMMARY

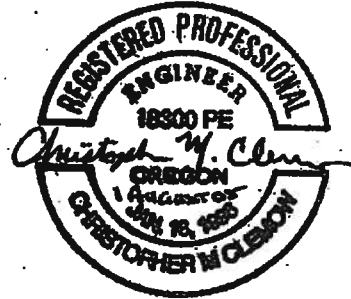
Materials presented in this letter are intended to address City review comments by further clarifying analysis presented in the TIA.

Based on materials contained in this technical letter, the SW 63rd/Lower Boones Ferry intersection southbound left-turn movement currently operates at LOS F during the PM peak hour, and the one-half hour before and after the PM peak. Additionally, the southbound left-turn movement is anticipated to operate at LOS F in 2020 regardless of zoning. Further, analysis indicates the proposed zone change does not significantly affect operations; therefore, property development consistent with the Community Plan Map Amendment (proposed CG zoning) will not negatively impact intersection operations.

Sincerely,



Christopher M. Clemow, P.E.
Transportation Engineer



c: Joseph Schaefer – Schwabe, Williamson & Wyatt

RECEIVED 12-21-05

TABLE OF CONTENTS

Page #

I.	Introduction.....	3
II.	Existing Conditions.....	6
III.	Traffic Conditions.....	9
V.	Intersection and Roadway Analysis.....	12
V.	Queuing Analysis	14
VI.	Site Access Analysis	16
VI.	Summary.....	18
VII.	Appendix.....	20

LIST OF TABLES

Table 1 – Study Intersections.....	4
Table 2 – Roadway Characteristics	6
Table 3 – Transit Routes Within 1/4 Mile	7
Table 4 – Crash Summary	8
Table 5 – Existing Light Manufacturing (ML) Zoning	10
Table 6 – Proposed General Commercial (CG) Zoning.....	10
Table 7 – New Primary Trip Generation.....	10
Table 8 – Intersection Operation Analysis.....	13
Table 9A – Scenarios 1 and 2 – PM Peak Queue Length (Feet)	14
Table 9B – Scenario 3 – PM Peak Queue Length (Feet).....	15

LIST OF FIGURES

1. Vicinity Map
2. Site Plan
3. Existing Traffic Volumes – PM Peak Hour
4. Existing Lane Configuration and Traffic Control
5. 2020 PM Peak Hour Traffic Volumes – Current Zoning
6. Trip Distribution and Traffic Assignment – Proposed Zoning
7. 2020 PM Peak Hour Traffic Volumes – Proposed Zoning

I. INTRODUCTION

This transportation impact analysis has been prepared to support a Community Plan Map amendment of the Tualatin Community Plan for a 0.27-acre site on SW 63rd Ave and SW Lower Boones Ferry Rd in the City of Tualatin, Oregon. The analysis addresses Transportation Planning Rule (TPR) requirements as outlined in Oregon Administrative Rule (OAR) 660-012-0060(1) stating, "An amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility." This analysis focuses specifically on a proposed Community Plan Map amendment and its impacts to operations at the nearby rail crossing under the Oregon Department of Transportation (ODOT) regulatory authority.

PROJECT DESCRIPTION

The subject site is currently zoned Light Manufacturing (ML) on the City of Tualatin Community Plan Map and fronts SW 63rd Ave. Figure 1 is a vicinity map indicating the site location. Figure 2 is an aerial map of the site and area and adjacent roadway system.

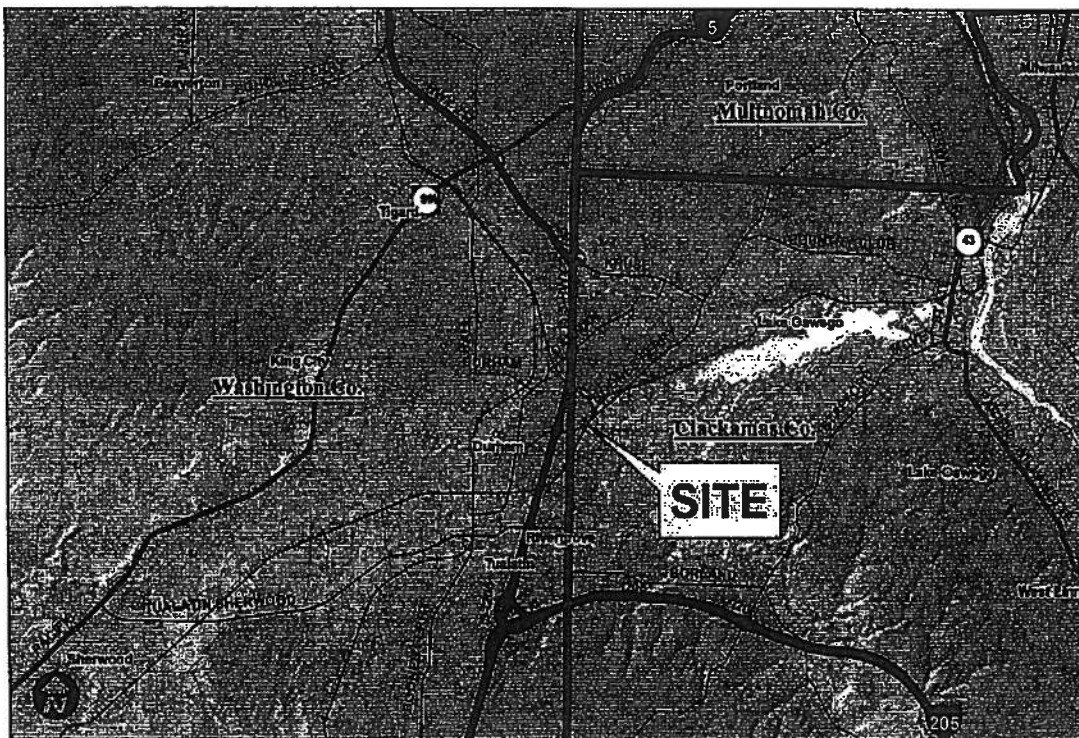


Figure 1 – Vicinity Map

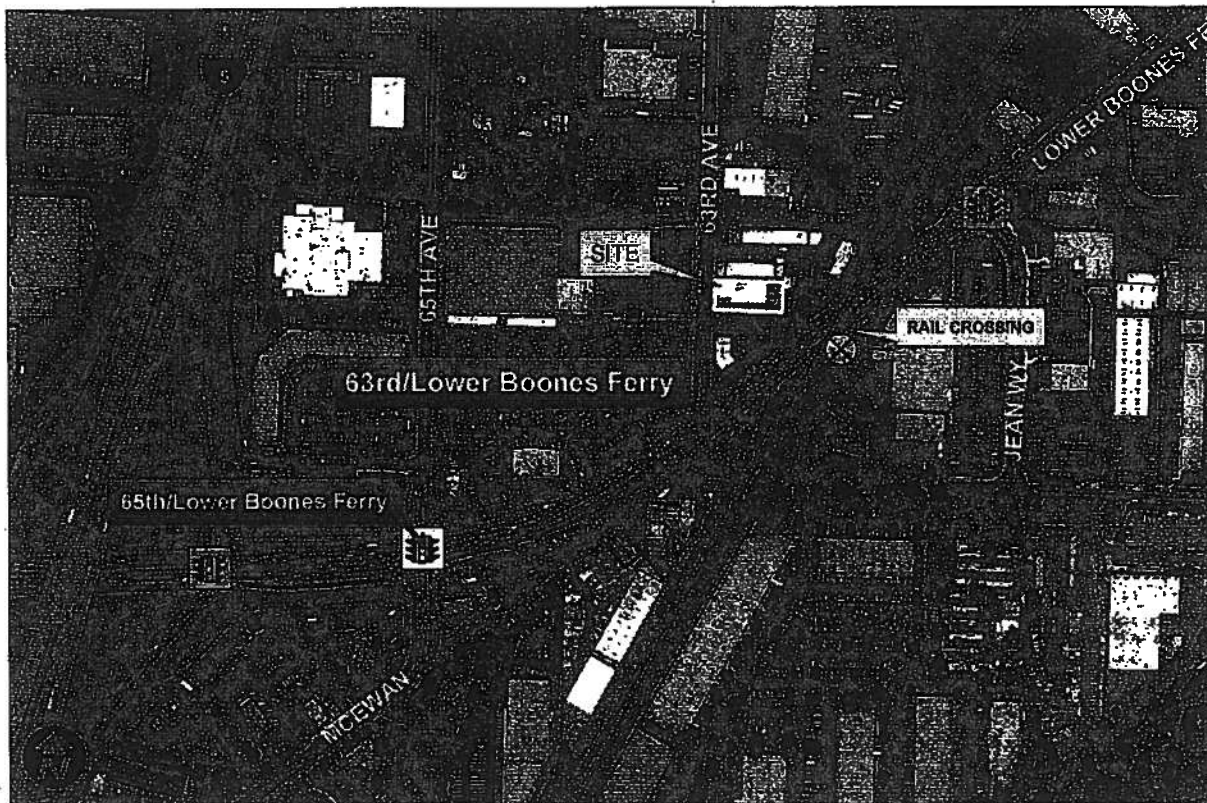


Figure 2 – Site Plan

This analysis supports a Community Plan Map Amendment application by addressing TPR requirements and impacts resulting from a reasonable “worst-case” development scenario with a proposed Community Plan designation of General Commercial (CG). The analysis further supports the ODOT requirement to analyze public rail crossing impacts. Based on agency input, the study area includes analysis of the following intersections:

TABLE 1 – STUDY INTERSECTIONS	
Intersection	Jurisdiction
A) SW 63 rd Ave./SW Lower Boones Ferry Rd.	Clackamas County
B) SW 65 th Ave./SW Lower Boones Ferry Rd.	ODOT

Intersection analysis scenarios include:

- Base year (2005) Existing Community Plan Zoning (ML)
- 2020 Existing Community Plan Zoning (ML)
- 2020 Proposed Community Plan Map Zoning (CG)

Although this report addresses impacts resulting from a worst-case scenario, it is important to note a Community Plan Map Amendment does not itself result in increased trip generation. Rather, increased trip generation results from physically constructed uses in excess of those allowed in the Community Plan designation.

Regarding rail crossings, ODOT's regulatory authority is defined by Oregon Administrative Rule (OAR) 741-100. On a roadway with a 35 MPH posted speed, the 'area of influence' is within 250 feet of a rail crossing. As the subject site is within the area of influence, this analysis evaluates potential queuing implications of the proposed Community Plan Amendment on the rail crossing.

II. EXISTING CONDITIONS

SITE CONDITIONS

The 0.27-acre site currently contains approximately 6,000 SF of vacant industrial flex-space. The most recent site use was a glass shop. The existing Community Plan Map zoning is Light Manufacturing (ML). Adjacent uses include a car wash facility to the east, an automobile servicing complex to the north, and a dry-cleaner to the south. Street frontage for the subject property is SW 63rd Avenue. Access is also provided to Lower Boones Ferry via an access easement thru adjacent property.

TRANSPORTATION FACILITIES

The following table summarizes study area roadway system characteristics:

Roadway	Classification	Posted Speed	Travel Lanes	Bike Lanes	On-Street Parking	Sidewalks
SW Lower Boones Ferry Road	Major Arterial	35 MPH	5	Yes	No	Yes
SW 65 th Avenue	Local Commercial Industrial Street	35 MPH	2	No	No	Yes
SW 63 rd Avenue	Local Commercial Industrial Street	Not Posted	2	No	No	Yes
SW McEwan Road	Major Collector	30 MPH	3	No	No	Yes

SW Lower Boones Ferry Road is classified in the Tualatin Functional Classification Plan as a major arterial roadway. Lower Boones Ferry is a five-lane roadway with two east and two westbound lanes and auxiliary turn lanes throughout the roadway segment. Posted speed is 35 MPH. Sidewalks and bicycle lanes exist on both sides of the roadway. There is no on-street parking available.

SW 65th Avenue is classified in the Tualatin Functional Classification Plan as a local commercial industrial street. SW 65th is a two-lane roadway with one travel lane in each direction. Posted speed is 35 MPH. Sidewalks exist on both sides of the roadway. There are no striped bicycle lanes or on-street parking available.

SW 63rd Avenue is classified in the Tualatin Functional Classification Plan as a local commercial industrial street. SW 63rd is a two-lane roadway with one travel lane in each direction. There is no posted speed visible. Sidewalks exist on both sides of the roadway. There are no striped bicycle lanes or on-street parking available.

SW McEwan Road is classified in the Tualatin Functional Classification Plan as a major collector roadway. McEwan Road is a three-lane roadway with one travel lane in each direction with a two-way center turn-lane median. Posted speed is 30 MPH. Sidewalks exist on both sides of the roadway. There are striped bicycle lanes for northbound direction and there is no on-street parking available in the project vicinity.

GROUP MACKENZIE
Since 1960

0690 SW Bancroft Street PO Box 69039 Portland, OR 97239-0039
T 503.224.9560 360.695.7879 F 503.228.1285 groupmackenzie.com

H:\PROJECTS\205012800\WP\050616-TIA.doc

For the study intersections, the existing lane configuration and traffic control devices are presented in Figure 3.

PEDESTRIAN AND BICYCLE FACILITIES

Sidewalks generally exist on all roadway segments in the study area. Bicycle lanes exist on Lower Boones Ferry Road.

TRANSIT SERVICE

Transit service in the area is provided by Tri-Met. The following routes are located within 1/4 mile of the site.

TABLE 3 - TRANSIT ROUTES WITHIN 1/4 MILE	
Route	Description
36	South Shore
37	Lake Grove

The nearest bus stops are located at the Lower Boones Ferry Road/Jean Way intersection (Route 37) and the Lower Boones Ferry Road/65th Avenue intersection (Route 36). Additionally, the Tualatin Park and Ride is located at the southwest corner of the I-5/Lower Boones Ferry Road interchange. The park and ride offers service to Tri-Met Routes 36,38,76,96, and the South Metro Area Rapid Transit (SMART) line 201.

RAILROAD CROSSING

The Pacific and Western railroad crosses Lower Boones Ferry Road approximately 375 feet east of the SW 63rd Avenue/Lower Boones Ferry Road intersection. The rail line primarily serves as a local freight short haul line for businesses with rail sidings. According to Pacific and Western¹, approximately four trains per day cross at Lower Boones Ferry. Trains operate regularly six days a week, but there is no fixed schedule.

CRASH ANALYSIS

When evaluating the relative safety of an intersection, consideration is not only given to the total number and types of crashes occurring, but also the number of vehicles entering the intersection. This leads to the concept known as "crash rate," which is usually expressed in terms of the number of crashes occurring per one million vehicles entering the intersection (mev). Intersections having a crash rate less than 1.0/mev are generally considered relatively safe. At crash rates higher than 1.0/mev, consideration may be given to correcting operational problems.

Crash data for the study area intersections and roadways was obtained from ODOT for January 1999 through December 2003 and is presented in the following table.

¹ Telephone conversation with Dennis Hanahs, Pacific and Western Railroad, May 4, 2005

TABLE 4 - CRASH SUMMARY								
Intersection	1999	2000	2001	2002	2003	Total	ADT	Crash Rate
SW 63 rd /Lower Boones Ferry	8	1	6	7	3	25	24,690	0.55
SW 65 th /Lower Boones Ferry	0	14	12	2	7	35	43,850	0.45
SW McEwan/Lower Boones Ferry	4	2	4	6	3	19	11,580*	0.01

* Source: Walgreens on Old Boones Ferry Road, Kittelson & Associates, October 2004

Reported crashes at SW 63rd/Lower Boones Ferry and SW 65th/Lower Boones Ferry intersections for the five years reviewed are primarily characterized as turning, angle, and rear-end collisions typical of signalized and non-signalized intersections. Crash rates are all below the threshold rate of 1.0/mev; therefore, it is concluded the intersections do not currently warrant further consideration for safety mitigation measures. All crash data and calculations are in the appendix.

III. TRAFFIC CONDITIONS

EXISTING TRAFFIC COUNTS

Manual traffic turning movement counts were obtained at SW 63rd/Lower Boones Ferry and SW 65th/Lower Boones Ferry intersections in April and May of 2005. Weekday turning movement counts were obtained between 4:00 and 6:00 PM. Count data is summarized in Figure 4.

BACKGROUND TRAFFIC GROWTH

Background traffic growth was evaluated using modeled volumes provided by Metro's EMMB2 model for 2005 and 2025. These volumes include impacts associated with anticipated growth in the immediate area and the larger planning area. Link volumes were evaluated in the study area to determine an average growth rate. Based on this evaluation, the background traffic growth rate was determined to be 1.5% per year.

2020 TRAFFIC VOLUMES WITH EXISTING COMMUNITY PLAN MAP ZONING

2020 traffic volumes with existing zoning were determined by applying the yearly traffic growth rate to the existing traffic volumes and are shown in Figure 5. This 'baseline' assumes the current ML Community Plan Map zoning and similar site trip generation.

2020 TRAFFIC VOLUMES WITH PROPOSED COMMUNITY PLAN MAP ZONING

To evaluate impacts resulting from the proposed Community Plan Map Amendment, a reasonable worst-case development scenario for the proposed CG zoning was analyzed. Reasonable worst-case development for the subject site, given its location and configuration, is a fast food restaurant with drive-through. Although the site is relatively small (approximately 12,000 SF), a small 2,400 SF building with drive-through could occupy the site and meet site development requirements.

TRIP GENERATION

To address TPR requirements, trip generation of existing and proposed zoning was compared. Trip generation rates as identified in the Institute of Transportation Engineers (ITE) *Trip Generation* Manual, 7th Edition were used for comparative purposes.

For the existing ML zone, a Light Industrial land use (ITE Code 110) was assumed. Current building coverage is approximately 50% and is unlikely to increase given development requirements such as landscaping and parking. Therefore, for the existing ML zone, the worst-case scenario assumes a 6,000 SF building.

For the proposed CG zone, a Fast-Food Restaurant with Drive-Through (ITE Code 934) was assumed. Based on development requirements, the worst-case scenario assumes a 2,400 SF building.

Results of the trip generation comparison are illustrated in the following tables.

TABLE 5 - EXISTING LIGHT MANUFACTURING (ML) ZONING				
Land Use	Units	PM Peak Hour Trip Generation		
		Enter	Exit	Total
Light Industrial (ITE 110)	6,000 SF	1	3	4
Total Primary Trips		1	3	4

TABLE 6 - PROPOSED GENERAL COMMERCIAL (CG) ZONING				
Land Use	Units	PM Peak Hour Trip Generation		
		Enter	Exit	Total
Fast-food w/ Drive Thru (ITE 934)	2,400 SF	42	41	83
Total Pass-by/Diverted Link		29	29	58
Total Primary Trips (Net New)		13	12	25

TABLE 7 - NEW PRIMARY TRIP GENERATION			
Zone Designation	PM Peak Hour Trip Generation		
	Enter	Exit	Total
Proposed CG	13	12	25
Proposed ML	1	3	4
New Primary Trips	12	9	21

As shown in Table 7, the proposed CG zone designation has potential to increase trip generation. It further shown in Table 6, most trips are already on nearby roadways and are referred to as "pass-by" or "diverted-link". The remaining "primary trips" are considered new trips to the system. Trip types are further described as follows:

- **Total trips** are simply the number of vehicle trips to the development during the time period.
- **Pass-by trips** are those trips to the site already driving by on adjacent roadways, but not currently stopping at the site. These trips do not increase the total traffic volumes on the roadways, but do add to turning movement volumes at the site accesses.
- **Diverted-link trips** are from vehicles already traveling in the area, but not on adjacent roadways. These trips must change their direction of travel to get to the site.
- **Primary (New) trips** are generated by a specific use. These trips were not already on the roadway and will return to their point of origin after stopping at the development. These trips stop only at the development, as it was the primary destination and are not shared with any other use.

For purposes of this analysis, all trips are assumed to be automobile trips. No reductions for shared trips or transit are made.

It should be remembered, CG development assumptions are intended to demonstrate a worst-case traffic situation, and do not necessarily reflect uses ultimately developed on the site.

TRIP DISTRIBUTION AND TRAFFIC ASSIGNMENT

Manual turning movement counts were obtained in the project area in April and May of 2005. Trip distribution for proposed development scenarios was performed based on distribution of adjacent traffic, current intersection operation and engineering judgement. Because the proposed zone designation and anticipated land uses will be general commercial, traffic will disperse into the surrounding area. Based on these assumptions, trip distribution is generally estimated as follows:

- 60% to/from Lower Boones Ferry, east of SW 63rd
- 30% to/from Lower Boones Ferry, west of SW 63rd
- 10% to/from McEwan Road

Traffic assignment resulting from trip distribution of the proposed ML zoning are presented in Figure 6.

2020 weekday PM peak hour traffic volumes with the proposed ML zoning are presented in Figure 7.

V. INTERSECTION AND ROADWAY ANALYSIS

OPERATION ANALYSIS DESCRIPTION

Intersection operational characteristics are generally defined by two measurements: volume-to-capacity (v/c) ratio and level-of-service (LOS). ODOT uses v/c ratio to determine intersection performance while Clackamas County and the City of Tualatin uses LOS. Since the site is in ODOT's public rail crossing 'area of influence', the SW 63rd is within Clackamas County's jurisdiction, and SW 65th is within the City of Tualatin's jurisdiction, both measurements are included in the analysis.

Volume-to-capacity (v/c) ratio is a measurement of the capacity utilized by a given traffic movement for an entire intersection. It is defined by the rate of traffic flow or traffic demand divided by the theoretical capacity.

LOS is a measure of the average control delay (in seconds) experienced by drivers at an intersection and is described by a letter on the scale from 'A' to 'F.' LOS 'A' represents optimum operating conditions and minimum delay. LOS criteria, as further presented in the 2000 Highway Capacity Manual, is included in the appendix. LOS 'F' indicates over capacity conditions causing unacceptable delay. LOS 'D' is considered the acceptable minimum in Clackamas County². LOS 'E' is considered the acceptable minimum in the city of Tualatin.

OPERATION ANALYSIS

Operational analyses were performed for the weekday PM peak hours at the 2 study intersections for three different scenarios as follows:

- Base year (2005) Existing Community Plan Zoning (ML)
- 2020 Existing Community Plan Zoning (ML)
- 2020 Proposed Community Plan Map Zoning (CG)

For analysis purposes, it is assumed new primary trips will use the SW 63rd/Lower Boones Ferry intersection as access to the site.

² *Clackamas County Roadway Standards*, Clackamas County Oregon, 1999

The computer program Synchro, using Highway Capacity Manual (HCM) techniques, was used to calculate v/c ratios and LOS at the study intersections which are summarized in the following table. Data output sheets from analyses can be found in the appendix.

TABLE 8 – INTERSECTION OPERATION ANALYSIS								
Intersection	Intersection Control		2005 Existing Zoning		2020 Existing Zoning		2020 Proposed Zoning	
			v/c	LOS	v/c	LOS	v/c	LOS
SW 65 th /Lower Boones Ferry	Signal		1.17	E	1.33	F	1.33	F
SW 63 rd /Lower Boones Ferry	Two-Way Stop	EB Lt	0.14	B	0.19	C	0.25	C
		SB Lt	1.32	F	—*	F	—*	F
		SB Rt	0.15	C	0.20	C	0.27	C

* v/c ratio exceeds 2.0

SW 65th/Lower Boones Ferry. As indicated above, the intersection currently exceeds capacity standards during the PM peak. With the forecasted growth and existing zoning, the v/c ratio increases from 1.17 to 1.33. With the proposed zoning, the v/c ratio remains at 1.33. In sum, the intersection will have failing operations and the Community Plan Map Amendment will not negatively impact operations.

SW 63rd/Lower Boones Ferry. As shown above, the eastbound left and southbound right-turn movements operate at acceptable standards in all three scenarios. The southbound left-turn movement exceeds capacity standards in all three scenarios. Based on this analysis, the Community Plan Map Amendment will not negatively impact operations.

OPERATION ANALYSIS CONCLUSION

Based on the above analysis, the SW 65th/Lower Boones Ferry intersection currently operates with a failing v/c ratio and LOS and is anticipated to operate a failing v/c ratio and LOS in 2020 regardless of zoning. The SW 63rd/Lower Boones Ferry intersection operates acceptably in all three scenarios for the eastbound left and southbound right-turn movements, but the southbound left-turn movement currently exceeds standards in the peak hour. Further, analysis indicates the proposed zone change does not significantly affect operations; therefore, the property development consistent with the proposed CG zoning will not negatively impact intersection operations.

V. QUEUING ANALYSIS

The purpose of this analysis is to identify proposed Community Plan Map Amendment impacts at the study intersections and the Pacific and Western rail line crossing. Three queuing scenarios were evaluated in relation to the rail crossing. These include:

1. Existing access conditions (full access on SW Lower Boones Ferry Road)
2. SW Lower Boones Ferry Road access limited to right-in/right-out
3. No access to SW Lower Boones Ferry Road

It should be noted, the subject property does not have direct access to Lower Boones Ferry. Rather, access to this roadway is through an adjacent commercial property. Because Lower Boones Ferry is a heavily traveled roadway, gaps for turning vehicles are limited, essentially eliminating left-turn ingress and egress during peak periods. Therefore, scenarios 1 and 2 operate similarly and were analyzed as one scenario.

Analyses were performed at the study intersections to determine existing and anticipated 95th percentile queue lengths. The 95th percentile queue length is the maximum queue length anticipated to be present 5% of the time (3 minutes) during the analysis hour.

SimTraffic analysis software was used with a queue storage assumption of 25 feet per vehicle. SimTraffic modeling is based on a modeled distribution of intersection approach volumes throughout the analysis period; therefore, results vary between individual analyses. To determine an 'average' anticipated delay, five model runs were performed and averaged. Queue lengths and queue storage lengths are presented in the following table.

TABLE 9A - SCENARIOS 1 AND 2 - PM PEAK QUEUE LENGTH (FEET)					
Intersection	Lane Group	2005 Existing	2020 Current Zoning	2020 Proposed Zoning	Estimated Storage Capacity
SW 65 th /Lower Boones Ferry	NB Lt	300	275	275	225
	NB Lt/Th/Rt	550	450	450	—*
	SB Lt/Th	700	600	600	—*
	SB Rt	175	175	175	125
	EB Lt	325	350	350	275
	EB Rt	225	250	250	200
	WB Lt	250	250	250	180
	WB Rt	150	150	175	200
SW 63 rd /Lower Boones Ferry	SB Lt	200	275	300	110
	SB Rt	100	225	225	—*
	EB Lt	75	75	150	200
	WB Th	375	825	950	—*
	WB Th/Rt	350	825	950	—*
63 rd Ave/ Site Access	NB Th/Rt		61	100	—*
	SB Lt/Th	175	275	300	—*
	WB Lt/Rt	75	75	200	—*

* Storage Capacity is length of roadway or to previous intersection

TABLE 9B - SCENARIO 3 - PM PEAK QUEUE LENGTH (FEET)					
Intersection	Lane Group	2005 Existing	2020 Current Zoning	2020 Proposed Zoning	Estimated Storage Capacity
SW 65th/Lower Boones Ferry	NB Lt	275	275	275	225
	NB Lt/Th/Rt	475	450	450	—*
	SB Lt/Th	675	575	575	—*
	SB Rt	175	175	175	125
	EB Lt	350	350	325	275
	EB Rt	250	250	225	200
	WB Lt	250	250	250	180
	WB Rt	150	200	200	200
SW 63rd/Lower Boones Ferry	SB Lt	225	250	300	110
	SB Rt	100	225	250	—*
	EB Lt	100	75	100	200
	WB Th	225	875	1050	—*
	WB Th/Rt	200	875	1050	—*
SW 63rd Ave/ Site Access	NB Th/Rt			50	—*
	SB Lt/Th	200	275	300	—*
	WB Lt/Rt	75	75	200	—*

* Storage Capacity is length of roadway or to previous intersection

As depicted in the previous tables, the current roadway queue storage areas are at capacity. Field observation also indicates 2005 westbound queues from the SW 65th/Lower Boones Ferry intersection extend thru the SW 63rd intersection and across the railroad tracks. 2020 westbound queue lengths from the 65th/Lower Boones Ferry and 63rd/Lower Boones Ferry intersections are also anticipated to extend across the rail line with or without the proposed Community Plan Map Amendment.

QUEUING ANALYSIS CONCLUSION

Based on materials presented in this analysis, the proposed Community Plan Map Amendment is not anticipated to significantly impact queue lengths. Further, direct southbound left-turn access to Lower Boones Ferry is limited during peak periods and westbound queued traffic on Lower Boones Ferry tends to not block either the SW 63rd/Lower Boones Ferry intersection or the rail crossing.

Eastbound left-turn volumes entering the existing commercial development (south of the subject property) from Lower Boones Ferry are small during the peak period (in part due to westbound queue blocking) and queue storage is sufficient. Southbound left-turning vehicles have the ability to queue on-site. Therefore, limiting access to Lower Boones Ferry Road is not anticipated to improve roadway or rail operations and will cause out-of-direction travel during off-peak periods.

VI. SITE ACCESS ANALYSIS

Site access is currently provided directly from SW 63rd and a shared access from Lower Boones Ferry via an access easement. The Lower Boones Ferry access, approximately 120 feet west of the rail crossing, also provides access to adjacent development. Given that the building on the subject site is currently vacant, manual turning movement counts were not obtained at individual driveway accesses; however, field observations yield the following:

- Westbound Lower Boones Ferry traffic accessing adjacent development tends to use the Lower Boones Ferry access rather than the access from SW 63rd.
- Eastbound Lower Boones Ferry traffic accessing adjacent development tends to use either the 63rd or Lower Boones Ferry access points, depending on the extent of westbound queuing on Lower Boones Ferry.
- Vehicles exiting the site traveling eastbound on Lower Boones Ferry (left-turn) tend to use SW 63rd rather than the Lower Boones Ferry access.
- Vehicles exiting the site traveling westbound on Lower Boones Ferry (right-turn) tend to use either the 63rd or Lower Boones Ferry access points.

POTENTIAL ACCESS RECONFIGURATION EVALUATION

Per ODOT's request, this analysis evaluates potential access reconfiguration options. These include:

- Restricting direct Lower Boones Ferry access to right-in/right-out (Queuing analysis Scenario 2)
- Eliminating direct Lower Boones Ferry access (Queuing analysis Scenario 3)

Restricting direct Lower Boones Ferry access to right-in/right-out movements would eliminate left turns, resulting in all left-turn movements occurring at the SW 63rd/Lower Boones Ferry intersection. This change will not improve operations at the presently failing intersections; however, it will reduce the number of turning movement conflict points and reduce crash potential.

If this movement is restricted, left-turn movements accessing the site will need to use the SW 63rd/Lower Boones Ferry intersection, contributing additional delay to the already failing southbound left-turn movement. As previously noted, the southbound left-turn movement fails in all scenarios. From the above discussion, it can be concluded restricting direct Lower Boones Ferry access to access to right-in/right-out from will reduce the number of turning movement conflict points, thereby reducing crash potential, but it will not improve operations and will not decrease queues at the rail crossing.

Eliminating access to Lower Boones Ferry Road will result in redirecting all site traffic to use the SW 63rd/Lower Boones Ferry intersection. With this assumption, the SW 63rd/Lower Boones Ferry intersection eastbound left and southbound right-turn movements operate acceptably, however, the southbound left-turn movement fails in all scenarios. Similar to the previous scenario, eliminating direct Lower Boones Ferry access will reduce the number of turning movement conflict points, thereby reducing crash potential, but it will not improve operations and will not decrease queues at the rail crossing.

Overall, limiting or eliminating direct Lower Boones Ferry access will reduce the number of turning movement conflict points, thereby reducing crash potential, but it is not anticipated to improve roadway operations, reduce queue lengths or reduce the potential for queued vehicles to block the rail crossing. Further, limiting or eliminating access operations and will cause out-of-direction travel during off-peak periods.

VI. SUMMARY

This analysis has been prepared to address transportation planning rule requirements. Oregon Administrative Rule (OAR) 660-012-0060(1) states, "An amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility." As identified in this analysis, the proposed change in zone designation can be approved without mitigation.

As identified in this analysis the proposed Community Plan Map Amendment is not anticipated to significantly affect the transportation facility. The following conclusions and recommendations are specifically based on materials contained in this analysis:

1. Crash rates at the study area intersections are all below the threshold rate of 1.0/mev; and warrant further consideration for safety mitigation measures.
2. Using reasonable 'worst-case' development assumptions the proposed CG zoning has potential to increase primary trip generation by 21 PM peak hour trips.
3. The SW 65th/Lower Boones Ferry intersection currently operates with a failing v/c ratio and LOS and is anticipated to operate with a failing v/c ratio and LOS in 2020 regardless of the Community Plan Map Amendment.
4. The SW 63rd/Lower Boones Ferry intersection operates acceptably in all scenarios for the eastbound left and southbound right-turn movements, but the southbound left-turn movement exceeds standards in all scenarios during the PM peak hour.
5. Operation analysis indicates the proposed Community Plan Map Amendment does not significantly affect operations; therefore, property development consistent with the proposed CG zoning will not negatively impact intersection operations.
6. The proposed Community Plan Map Amendment is not anticipated to significantly impact queue lengths. Further, direct southbound left-turn access to Lower Boones Ferry is limited during peak periods and westbound queued traffic on Lower Boones Ferry tends to not block either the SW 63rd/Lower Boones Ferry intersection or the rail crossing.
7. Eastbound left-turn volumes entering the existing commercial development from Lower Boones Ferry are small during the peak period (in part due to westbound queue blocking) and queue storage is sufficient. Southbound left-turning vehicles have the ability to queue on-site. Therefore, limiting access to Lower Boones Ferry Road is not anticipated to improve roadway or rail operations and will cause out-of-direction travel during off-peak periods.
8. Restricting direct Lower Boones Ferry access to right-in/right-out will reduce the number of turning movement conflict points, thereby reducing crash potential, but it will not improve intersection operation and will not decrease queues at the rail crossing.

9. Overall, limiting or eliminating direct Lower Boones Ferry access will reduce the number of turning movement conflict points, thereby reducing crash potential, but it will not improve roadway operations, reduce queue lengths or reduce the potential for queued vehicles to block the rail crossing. Further, limiting or eliminating access operations and will cause out-of-direction travel during off-peak periods



March 31, 2010

City of Tualatin
Attention: Tony Doran
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062

Re: **Hansen's Corner**
Technical Response 2 to Development Impacts
Project Number 2050128.01

Dear Mr. Doran:

This letter provides supplemental transportation analysis of the proposed Plan Text Amendment and Conditional Use Permit for the doggie day care use at Hansen's Corner in Tualatin.

In 2005, transportation issues for this property were extensively analyzed for the zone change from Light Manufacturing to General Commercial, and are contained in the June 16, 2005 Hansen's Corner Community Plan Map Amendment Transportation Impact Analysis (TIA) and the August 1, 2005 Technical Response 1 letter, both prepared by Group Mackenzie. In support of the proposed conditional use, the following items are more specifically addressed in this letter:

1. Background
2. Current Proposal
3. Trip Generation
4. Summary

BACKGROUND

In 2005, consistent with Transportation Planning Rule requirements, traffic impacts resulting from a reasonable worst-case development scenario in the proposed General Commercial (CG) zone were analyzed. Given the subject site location and configuration, reasonable worst-case development was assumed to be a 2,400 square foot fast food restaurant with drive through. This use generated 83 total PM peak hour trips, 58 pass-by (70% of total), and 25 primary trips.

Findings contained in the TIA indicated the proposed CG was not anticipated to significantly affect the transportation facility and via subsequent land use actions, the CG zone was approved.

CURRENT PROPOSAL

The applicant is currently proposing a specific use, a doggie day care accommodating 30 dogs in the CG zone, and City staff is requesting the resulting traffic impacts be reviewed to ensure the proposed use does not generate more traffic than previously assumed. City staff is

RiverEast Center | 1515 SE Water Avenue, Suite 100 | Portland, OR 97214

P.O. Box 14310 | Portland, OR 97293

Tel: 503.224.9560 Web: www.grpmack.com Fax: 503.228.1285

Group
Mackenzie,
Incorporated

Architecture

Interiors

Structural
Engineering

Civil Engineering

Land Use Planning

Transportation
Planning

Landscape
Architecture

Locations:

Portland, Oregon

Seattle, Washington

Vancouver, Washington

City of Tualatin
Hansen's Corner
Project Number 2050128.01
March 31, 2010
Page 2

further requesting a comparison of doggie day care impacts to those of other common uses in the CG zone.

TRIP GENERATION

For trip generation purposes, a doggie day care functions much like day care for children, where the majority of drop-offs occur during the morning, trip generation slows during the mid-day, and the majority of pick-ups occur in the late afternoon (PM peak hour). And often, trips are chained with work commute trips.

Based on data contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 8th Edition, the trip generation for Day Care Center (ITE Code 565), similar to a doggie day care, is 0.82 trips per student during the weekday PM peak hour. The proposed doggie daycare facility will accommodate 30 dogs, resulting in a total of 25 total PM peak hour trips. This is far fewer than the 83 total PM peak hour trips generated by a fast food restaurant with drive through.

For purposes of additional comparison, a 2,400 square foot office use (ITE Code 710) would generate 4 PM peak hour trips, and a 2,400 square foot specialty retail use (ITE Code 814) would generate 7 PM peak hour trips.

SUMMARY

Based on materials contained in this letter, addition of doggie day care accommodating 30 dogs as an allowed use in the General Commercial zone will not generate more vehicle trips during the weekday PM peak hour than the previously identified reasonable worst-case development, and will result in fewer actual vehicles coming to the property than a fast food restaurant.

As a result, approval of the Plan Text Amendment and Conditional Use will not negatively affect traffic in the General Commercial zone.

Sincerely,

A handwritten signature in blue ink, reading "Christopher M. Clemow".

Christopher M. Clemow, P.E.
Transportation Engineer

c: Joseph Schaefer – Schwabe, Williamson & Wyatt

GROUP
MACKENZIE
 CELEBRATING 50 YEARS

April 7, 2010

City of Tualatin
 Attention: Tony Doran
 18880 SW Martinazzi Avenue
 Tualatin, Oregon 97062

Re: **Hansen's Corner**
Technical Response #3 to Development Impacts
 Project Number 2050128.01

Dear Mr. Doran:

This letter provides supplemental transportation analysis of the proposed Plan Text Amendment and Conditional Use Permit for the dog day care use at Hansen's Corner in Tualatin.

In response to City of Tualatin review comments of the recently submitted March 31, 2010 Technical Response #2 letter, the following items are more specifically addressed:

1. Trip Generation Rates
2. Summary

TRIP GENERATION RATES

The following table presents trip generation rate data from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 8th Edition for the proposed conditional dog (pet) day care land use and the reasonable worst-case land use allowed in General Commercial (CG) zone.

For trip generation purposes, a doggie day care functions much like day care for children, where the majority of drop-offs occur during the morning, trip generation slows during the mid-day, and the majority of pick-ups occur in the late afternoon (PM peak hour). And often, trips are chained with work commute trips.

TABLE 1 - TRIP GENERATION RATES					
Land Use	ITE Code	Units	Trip Generation Rate		
			Daily	AM Peak Hour ³	PM Peak Hour ³
Day Care Center	565	1,000 SF ²	79.26	12.26	12.46
Fast Food Restaurant with Drive-thru ¹	934	1,000 SF	496.12	49.35	33.84

¹ Previously identified as the reasonable worst-case land use.

² Day care facilities vary greatly in size depending on amenities; therefore, trip generation rates using facility square footage as the independent variable also vary greatly - i.e. the standard deviation is high. These facilities are typically governed/licensed based on the number of children, which as an independent variable, has a significantly lower standard deviation and is the preferred independent variable.

³ Peak hour of the adjacent street traffic.

RiverEast Center | 1515 SE Water Avenue, Suite 100 | Portland, OR 97214

P.O. Box 14310 | Portland, OR 97295

Tel: 503.224.9660 Web: www.grpmack.com Fax: 503.228.1285

Group
 Mackenzie,
 Incorporated

Architecture
 Interiors
 Structural
 Engineering
 Civil Engineering
 Land Use Planning
 Transportation
 Planning
 Landscape
 Architecture

Locations:
 Portland, Oregon
 Seattle, Washington
 Vancouver, Washington

City of Tualatin
Hansen's Corner
Project Number 2050128.01
April 7, 2010
Page 2

When the CG zone was approved, a fast food restaurant with drive-thru was identified as the reasonable worst-case land use. Materials contained in this letter support this conclusion and indicate a day care center generates fewer trips on a per square foot basis.

SUMMARY

Based on materials contained in this letter, a dog (pet) day care land use generates fewer daily vehicle trips and fewer vehicle trips during the weekday AM and PM peak hours than the previously identified reasonable worst-case land use.

As a result, approval of the Plan Text Amendment and Conditional Use will not negatively affect traffic in the General Commercial zone.

Sincerely,



Christopher M. Clemow, P.E.
Transportation Engineer



c: Joseph Schaefer – Schwabe, Williamson & Wyatt

RECEIVED 31 DEC 2010

ATTACHMENT D

CUP-10-01: ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC) 32.030 must be met if the proposed Conditional Use Permit (CUP) for outdoor pet day care is to be granted. The Applicant prepared a narrative that addresses the CUP criteria (Attachment C). Staff has reviewed the Applicant's material and included pertinent excerpts below.

1. The use is listed as a conditional use in the underlying planning district.

The Applicant is applying for a conditional use permit to allow outdoor pet day care to occur at 17650 SW Lower Boones Ferry Road (Tax Map 21E18BC, Tax Lot 1400).

With the adoption of PTA-10-01 on June 14, 2010, pet day care (indoor facility with outdoor activity area) is allowed as a conditional use in the General Commercial (CG) District subject to conditions (a-c), as stated in TDC 54.030(5). The proposed site is in the CG Planning District.

Criterion 1 is met.

2. The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, existence of improvements and natural features.

- Size:** The subject property is .76 acres [33,541 square feet (s.f.)] in size. The site is currently developed with a 4,800 s.f. North Building and 2,600 s.f. South Building with parking and landscaping improvements with access to SW 63d Avenue and SW Lower Boones Ferry Road. The applicant proposes to occupy a 2,500 s.f. indoor tenant space in the North Building and an adjacent 1,600 s.f. outdoor area for the proposed pet day care activity area. The site size is suitable for the use.
- Shape:** The shape of the subject property is a rectangular lot and is suitable for the proposed use. Access to the North Building is via a driveway from SW 63rd Avenue to the west.
- Location:** The site is north of SW Lower Boones Ferry Road at the northeast corner of SW 63rd Avenue in the CG Planning District. On the north and east, the subject site adjoins auto service uses in the Lake Car Care Center including automotive repair businesses and Kaady Car Wash. The Safeway Marketplace is located across SW 63rd Avenue to the west. The site's location is in an area characterized by existing auto service and retail commercial uses. The site's location is suitable for the proposed conditional use.

Topography: The topography of the site is flat and is suitable for the proposed conditional use.

Improvements: The site is improved with two buildings, 34 parking spaces and site landscaping improvements approved in Architectural Review AR-06-07. The outdoor activity area adjoins the proposed tenant lease space in the north building, has a paved surface and is currently enclosed with a chain link fence.

Natural Features: The site does not contain natural features.

The applicant states "The site is the former Nagel Glass shop on Boones Ferry Road. On the east side of the building, two large overhead garage doors lead out to the former truck loading area. The loading area is approximately 1600 square feet, and this is the space propose for the outdoor dog play area." (Attachment C, pg. 5)

TDC 54.030(5)(a) requires:

The subject lot is not within 500 feet of a Residential Planning District and is not in the Central Urban Renewal District (CURD) Blocks 11, 28 & 29.

The Hansen's Corner location is not within 500 feet of a Residential Planning District and not in the CURD, meeting the requirement. Given the features and improvements of the subject property listed above, the characteristics of the site are suitable for the proposed uses.

Criterion 2 is met.

3. The proposed development is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

The applicant states "The proposed development is timely, given the increasing market demand for this retail use. The addition of an outdoor play area to this use- which is already permitted outright when conducted indoors- will not have a material effect on transportation systems, public facilities, and series planned for the area affect by the use."

The Engineering Division provides some of the following information in Attachment E.

Transportation

The site is adjacent to SW 63rd Avenue & SW Lower Boones Ferry Road. SW 63rd Avenue is designated as a Local Commercial Industrial (BC-I) by the City of Tualatin (TDC 11.620 – Table 11-2) and would ultimately include two travel lanes, a center turn lane, planter strips and sidewalks. SW Boones Ferry Road is designated as a Major Arterial (Eb&t) in this area, with a fully developed width of 98 to 102 feet. The existing, approximately, 105-foot right-of-way is sufficient. Clackamas County has jurisdiction of the right-of-way for SW Boones Ferry Road adjacent to this lot. In AR-06-07, Clackamas County responded without additional requirements for dedication or development of the right-of-way.

The Engineering Division analysis states "Due to the lack of submittal of complete traffic information as noted above, Engineering cannot conclude a recommendation of approval nor denial for either the PTA and the CUP. (See Attachment E for the Engineering Division Memorandum and Attachment C for the Applicant's Materials including the Traffic Impact Letters from March 31 and April 7, 2010 and the traffic analysis from the 2005 PMA change for the Hansen's Corner property.)

Public Facilities & Services:

Water: A connection to the City system already exists.

Sanitary Sewer: A connection to the City system already exists.

Storm Drainage: An on-site infiltration system already exists.

TDC standards for outdoor pet day care in TDC54.030(5)(b & d) and recommended conditions of approval require impervious surfacing of the outdoor activity area, a storm water runoff and waste control system and management plan to control pet waste in the area. Based on Staff review and analysis of the application and the recommended conditions of approval, the proposed conditional use is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

Criterion 3 is met.

4. The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying planning district.

The subject property is in the CG Planning District. Surrounding Planning/Zoning Districts and land uses include:

N:	ML	Lake Car Care Center
E:	ML	Lake Car Care Center
S:	CG	The Difference (Across SW Lower Boones Ferry Rd.)
W:	CG	Safeway Market Place/ Meridian Shopping Center (Across SW 63rd Avenue)

There are no residential areas adjoining or within 500 ft. of the subject property. The area on the both sides of SW Lower Boones Ferry Road at SW 63rd Avenue is characterized by primarily commercial development with industrial development in the ML Planning District to the north and east. The buildings in the vicinity of the subject building are commercial or light industrial buildings with retailing and service uses.

The Applicant states: "The surrounding properties to the east and north are zoned for manufacturing uses, and occupied by automotive service and repair businesses. The surrounding properties to the south and west are zoned for commercial and industrial use, and the closest businesses are a dry cleaners and Safeway grocery store. The character of the surrounding area is intensive commercial and light industrial, which are

not noise sensitive uses, so the outdoor play area will not limit impair or preclude these new uses.” (Attachment C, pp 5-6)

The proposed Hansen’s corner dog day care operation proposes the 1,600 sq. ft. outdoor activity and exercise area adjacent to the indoor tenant space in the North Building. The location is over 1,300 ft. from the nearest residential area beyond the City of Tualatin boundary to the north which meets the 500 ft. minimum distance required in TDC 54.030(5)(a). The outdoor area is enclosed on 2 1/2 sides with building walls and is shown enclosed on the south and southeast corner with a proposed wooden fence which meets the fence material standards required in TDC 54.030(5)(b). The height of the wooden fence is shown at 6 ft., which does not meet the minimum 8 ft. height required in TDC 54.030(5)(b). To meet the standards of TDC 54.030(5)(b), the enclosure of the Hansen’s Corner outdoor pet activity area shall be a minimum of 8 ft. in height.

The applicant indicates that access for pets and staff from the indoor pet day care area to the outdoor activity area will be via the two existing overhead doors on the east wall of the indoor tenant space. A 6 x 6 ft. gate to the fence enclosure is shown facing the parking area on the South Elevation drawing in Attachment C. Pets and owners entering or exiting the outdoor area via the south enclosure gate may conflict with people and vehicles in the adjoining Hansen’s Corner parking area. To ensure that everyday use of the south enclosure gate of the outdoor activity area does not cause a disruption in the Hansen’s Corner parking area, staff recommends the use of the south enclosure gate shall be restricted to maintenance and emergency access.

Standard 54.030(5)(b & d) requires the outdoor activity area surface to be paved impervious, to have a stormwater drainage and waste control system to keep pet waste from entering the stormwater system and for odor control. A noise, odor and waste control plan is required as a standard for a outdoor activity area conditional use. To ensure that the conditional use standards for noise, odor and waste control are met, staff recommends a condition of approval requiring the standards for TDC 54.030(5)(b & d) are met and a noise, odor and waste control management plan be submitted to the Planning Division for review and approval prior to conducting outdoor pet day care activity proposed by the applicant.

TDC 54.030(5)(c) requires:

No outdoor pet day care activity including exercise and training shall occur between the hours of 8:00 pm and 7:00 am.

The hours of the Hansen’s Corner dog day care outdoor activity area is not specified. To meet the requirements of 54.030(5)(c), no outdoor pet day care activity, including exercise and training, shall occur between the hours of 8:00 pm and 7:00 am.

Based on the applicant’s submitted information and review by staff, with the existing site improvements, and the conditions of approval requiring an 8 ft. high fence enclosure and restrictions on everyday use of the enclosure gates, it is concluded that the proposed use will not alter the character of the surrounding area in any manner which substantially limits, impairs or precludes the surrounding properties for the primary uses listed in the underlying Planning Districts.

Criterion 4 is met.

5. The proposal satisfies those objectives and policies of the Tualatin Community Plan that are applicable to the proposed use.

The Applicant cites the commercial planning district objectives in TDC 6.010(3) and 6.040(5). Following is the applicant's statements of the objectives (in **bold face type**) that are applicable to the proposed conditional use.

6.010(3) Greater concentrations of population and the relatively high incomes of the area's residents will support increasingly specialized types of retail and service establishments.

The applicant states "Doggie day care is precisely this type of business. (Attachment C pg. 6)

6.040(5) To provide areas suitable for a full range of commercial uses, including those uses that are inappropriate for neighborhood, office or central commercial areas.

The applicant states "Outdoor dog play areas may not be appropriate in neighborhood, office or downtown areas. This objective clearly distinguishes between the general commercial and other commercial zoning districts, and emphasizes that the General Commercial District is suitable for the 'full range' of uses."

Staff concurs that the proposal is consistent with plan policies.

Criterion 5 is met.

Based on the application and the above findings and analysis and with the recommended condition of approval listed below, the Hansen's Corner conditional use permit application for a outdoor pet day care use meets the criteria of TDC 32.030.

Recommended Conditions of Approval:

1. To meet the standards of TDC 54.030(5)(b), the enclosure of the Hansen's Corner outdoor pet activity area shall be a minimum of 8 ft. in height.
2. To ensure that everyday use of the south enclosure gate of the outdoor activity area does not cause a disruption in the Hansen's Corner parking area, the use of the south enclosure gate shall be restricted to maintenance and emergency access.
3. To ensure that the conditional use standards for noise, odor and waste control are met, the standards for TDC54.030(5)(b & d) shall be met and a noise, odor and animal waste control management plan be submitted to the Planning Division for review and approval prior to conducting outdoor pet day care activity proposed by the applicant.
4. To meet the requirements of 54.030(5)(c), no outdoor pet day care activity, including exercise and training, shall occur between the hours of 8:00 pm and 7:00 am.



City of Tualatin

www.ci.tualatin.or.us

MEMORANDUM

DATE: April 14, 2010

TO: Will Harper, AICP
Associate Planner

FROM: Tony Doran, EIT TD
Engineering Associate

SUBJECT: PTA 10-01 Dog Day Care CG Zone & CUP 10-01 Hansen's Corner

The applicant has submitted traffic information on March 31 & April 9 of 2010 titled Technical Response 2 & 3, respectively, to Development Impacts. These letters refer to a June 16, 2005 *Hansen's Corner Community Plan Map Amendment Transportation Impact Analysis* (TIA) and the August 1, 2005 *Technical Response 1 to Development Impacts* submitted to approve a zone change from Light Manufacturing (ML) to General Commercial (CG).

The traffic letters recently submitted for the current PTA and CUP include the following information. For trip generation purposes, a doggie day care functions much like day care for children (ITE 565), where the majority of drop-offs occur during the morning, trip generation slows during the mid-day, and the majority of pick-ups occur in the late afternoon (PM peak hour). Often trips are chained with work commute trips. It is noted that day care facilities vary greatly in size depending on amenities. Trip generation rates based on square footage vary greatly. The preferred independent variable is the number of children which has a much lower standard deviation for trip generation.

ODOT, Washington County, and Clackamas County have not submitted responses at this time.

OAR 660-012-0060 Plan and Land Use Regulation Amendments

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

Attachment E
Engineering Division Memorandum



City of Tualatin

www.ci.tualatin.or.us

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

TDC 1.032 Burden of Proof (8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

The PTA objective is to allow Dog Day Care as a permitted use for the General Commercial (CG) planning district. The applicant provided the following trip generation information:

PTA Trip Generation for 1,000 sq. ft.

Scenario	AM Peak	PM Peak	ADT
Fast Food (ITE 934)	49.35	33.84	496.12
Dog Day Care (ITE 565)	12.26	12.46	79.26

Evaluating trip generation of potential uses currently allowed in the zone show that the proposed dog day care (based on Day Care Center, ITE 565) is less than the reasonable worst case of a 'Fast-Food Restaurant with Drive-Through Window' (ITE 934).

The submittals did not provide any LOS data.



City of Tualatin

www.ci.tualatin.or.us

The CUP objective is to allow outdoor dog day care for 2,400 sq. ft. of the Hansen's Corner development. This would provide care for 30 dogs. The applicant provided the following trip generation information:

CUP Trip Generation for 2,400 sq. ft.

Scenario	AM Peak	PM Peak	ADT
Previous Zone Change to CG	132	113	1,191
Fast Food (ITE 934)		83	
Day Care (ITE 565)		25	
Specialty Retail Use (ITE 814)		7	
Office Use (ITE 710)		4	

Note: Specialty Retail Use and Office use are other currently allowed uses in the CG zone and were provided for additional comparison. AM Peak and ADT values were not provided for this specific instance.

The traffic information from the previous zone change in 2005 included the following information. The General Commercial zone reasonable worst case trip generation is fast food restaurant. The 2005 zone change accepted a potential trip generation of 83 PM peak hour trips for a 2,400 square foot building. The TIA addressed the stop controlled intersection of SW 63rd Avenue & SW Lower Boones Ferry Road. For the year 2020, the TIA states that while the eastbound left-turn and southbound right-turn movements would both operate at an acceptable level-of-service (LOS) of C, the southbound left-turn movement would operate an LOS of F regardless of ML or GC zone designation.

The submittals did not provide any LOS data.

Transportation

The site is adjacent to and development will have access to SW 63rd Avenue and SW Lower Boones Ferry Road.

SW Lower Boones Ferry Road

SW Lower Boones Ferry Road is designated as a Major Arterial (Eb&t) in this area, with a fully developed width of 98 to 102 feet. The existing, approximately, 105-foot right-of-way is sufficient. Clackamas County has jurisdiction of the right-of-way for SW Lower Boones Ferry Road adjacent to this lot.



City of Tualatin

www.ci.tualatin.or.us

SW 63rd Avenue

SW 63rd Avenue is designated as a Local Commercial (BC-I) in this area, with a fully developed width of 60 feet. There exists approximately 52 feet of right-of-way. The west width from centerline is 32 feet. The east width from centerline, next to this development, has only 20 feet.

Sanitary Sewer, Stormwater, & Water

For any future Architectural Review, downstream sizing for all public utilities will need to be evaluated by the developer for any changes from standard use or previously approved development. Any upsizing will be a requirement in the Architectural Review decision.

Public sanitary sewer, stormwater, and water lines exist in the SW 63rd Avenue adjacent to the development. The applicant will need to verify the capacity of existing public lines prior to obtaining a Water Quality and Public Works Permit associated with the development of the future Architectural Review.

TMC 3-2-010 Definitions.

(13) "Sewage" means the water-carried human or animal waste from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present. The admixture with sewage of industrial wastes or water shall also be considered sewage.

TMC 3-5-120 Maintaining Water Quality.

(2) Pollutants such as fuels, lubricants, bitumens, raw sewage, and other harmful materials shall not be discharged into or near rivers, streams or impoundments.

The presence of animals creates the potential for animal waste. Impervious outdoor locations create the potential for stormwater to unacceptably convey untreated animal waste into the stormwater system polluting stormwater facilities, streams, and rivers. Therefore, all impervious areas that receive or convey stormwater which are subject to the potential of animal waste will need to be conveyed to sanitary sewer rather than stormwater systems. Approval of sanitary sewer design will occur during land use decisions and building permits.

Engineering Recommendation

Due to the lack of submittal of complete traffic information as noted above, Engineering cannot conclude a recommendation of approval nor denial for either the PTA and the CUP.

RESOLUTION NO. _____

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW OUTDOOR "DOGGIE DAY CARE" (PET DAY CARE) IN THE GENERAL COMMERCIAL (CG) PLANNING DISTRICT AT 17620 SW 63RD AVENUE (TAX MAP 21E 18BC, TAX LOT 1400) (CUP 10-01).

WHEREAS a quasi-judicial public hearing was held before the City Council of the City of Tualatin on July 12, 2010, upon the application of Joseph Schaefer representing Oswego Investors, LLC, P.O. Box 130, Lake Oswego, OR 97034; and

WHEREAS notice of public hearing was given as required by the Tualatin Development Code by mailing a copy of the notice to affected property owners located within 300 feet of the property, which is evidenced by the Affidavit of Mailing marked "Exhibit A," attached and incorporated by this reference, and by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting marked "Exhibit B," attached and incorporated by this reference; and

WHEREAS the Council heard and considered the testimony and evidence presented on behalf of the applicant, the City staff, and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application [Vote _-__]; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, the Council makes, enters, and adopts as its findings of fact the findings and analysis in the City staff report, dated July 12, 2010, marked "Exhibit C," attached and incorporated by reference; and

WHEREAS based upon the foregoing Findings of Fact, the Council finds that the applicant has provided sufficient evidence to demonstrate that all of the requirements of the Tualatin Development Code relative to a conditional use have been satisfied and that granting the conditional use permit is in the best interests of the residents and inhabitants of the City, the applicant, and the public generally.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Council grants CUP-10-01 to allow a doggie day care use with the following conditions:

1. To meet the standards of TDC 54.030(5)(b), the enclosure of the Hansen's Corner outdoor pet activity area shall be a minimum of 8 ft. in height.

2. To ensure that everyday use of the south enclosure gate of the outdoor activity area does not cause a disruption in the Hansen's Corner parking area, the use of the south enclosure gate shall be restricted to maintenance and emergency access.

3. To ensure that the conditional use standards for noise, odor and waste control are met, the standards for TDC54.030(5)(b & d) shall be met and a noise, odor and animal waste control management plan be submitted to the Planning Division for review and approval prior to conducting outdoor pet day care activity proposed by the applicant.

4. To meet the requirements of 54.030(5)(c), no outdoor pet day care activity, including exercise and training, shall occur between the hours of 8:00 pm and 7:00 am.

INTRODUCED AND ADOPTED this 12th day of July, 2010.

CITY OF TUALATIN, Oregon

By _____
Mayor

ATTEST:

By _____
City Recorder

RESOLUTION NO. 4995-10

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW OUTDOOR "DOGGIE DAY CARE" (PET DAY CARE) IN THE GENERAL COMMERCIAL (CG) PLANNING DISTRICT AT 17620 SW 63RD AVENUE (TAX MAP 21E 18BC, TAX LOT 1400) (CUP 10-01).

WHEREAS a quasi-judicial public hearing was held before the City Council of the City of Tualatin on July 12, 2010, upon the application of Joseph Schaefer representing Oswego Investors, LLC, P.O. Box 130, Lake Oswego, OR 97034; and

WHEREAS notice of public hearing was given as required by the Tualatin Development Code by mailing a copy of the notice to affected property owners located within 300 feet of the property, which is evidenced by the Affidavit of Mailing marked "Exhibit A," attached and incorporated by this reference, and by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting marked "Exhibit B," attached and incorporated by this reference; and

WHEREAS the Council heard and considered the testimony and evidence presented on behalf of the applicant, the City staff, and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application [Vote 7-0]; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, the Council makes, enters, and adopts as its findings of fact the findings and analysis in the City staff report, dated July 12, 2010, marked "Exhibit C," attached and incorporated by reference; and

WHEREAS based upon the foregoing Findings of Fact, the Council finds that the applicant has provided sufficient evidence to demonstrate that all of the requirements of the Tualatin Development Code relative to a conditional use have been satisfied and that granting the conditional use permit is in the best interests of the residents and inhabitants of the City, the applicant, and the public generally.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Council grants CUP-10-01 to allow a doggie day care use with the following conditions:

1. To meet the standards of TDC 54.030(5)(b), the enclosure of the Hansen's Corner outdoor pet activity area shall be a minimum of 8 ft. in height.

2. To ensure that everyday use of the south enclosure gate of the outdoor activity area does not cause a disruption in the Hansen's Corner parking area, the use of the south enclosure gate shall be restricted to maintenance and emergency access.

3. To ensure that the conditional use standards for noise, odor and waste control are met, the standards for TDC54.030(5)(b & d) shall be met and a noise, odor and animal waste control management plan be submitted to the Planning Division for review and approval prior to conducting outdoor pet day care activity proposed by the applicant.

4. To meet the requirements of 54.030(5)(c), no outdoor pet day care activity, including exercise and training, shall occur between the hours of 8:00 pm and 7:00 am.

INTRODUCED AND ADOPTED this 12th day of July, 2010.

CITY OF TUALATIN, Oregon

By _____
Mayor

ATTEST:

By _____
City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

AFFIDAVIT OF MAILING

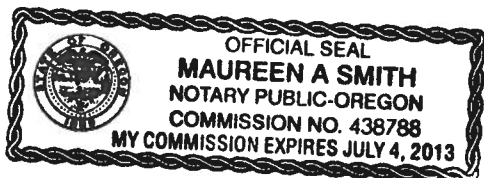
STATE OF OREGON)
) SS
COUNTY OF WASHINGTON)

I, Stacy Crawford, being first duly sworn, depose and say:

That on the 23rd day of June, 2010, I served upon the persons shown on Exhibit "A," attached hereto and by this reference incorporated herein, a copy of a Notice of Hearing marked Exhibit "B," attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses shown on said Exhibit "A" are their regular addresses as determined from the books and records of the Washington County and/or Clackamas County Departments of Assessment and Taxation Tax Rolls, and that said envelopes were placed in the United States Mail at Tualatin, Oregon, with postage fully prepared thereon.

Stacy Crawford
Stacy Crawford

SUBSCRIBED AND SWORN to before me this 24 day of June, 2010.



Maureen A Smith
Notary Public for Oregon
My commission expires: July 4, 2013

RE: CUP-10-01—CONDITIONAL USE PERMIT TO ALLOW OUTDOOR "DOGGIE DAY CARE" (PET DAY CARE) IN THE GENERAL COMMERCIAL (CG) PLANNING DISTRICT AT 17620 SW 63RD AVENUE (TAX MAP 21E 18BC, TAX LOT 1400)

EXHIBIT A

21E18 00300
Union Pacific Corp
1400 Douglas St #1640
Omaha, NE 68179-1001

21E18BC01104
Safeway Inc
1371 Oakland Blvd #200
Walnut Creek, CA 94596-8408

21E18BC01500
Lake Car Care Joint Venture
2839 SW 2nd Ave
Portland, OR 97201-4711

21E18BD02402
Wild Oats Markets Inc
550 Bowie St
Austin, TX 78703-4648

21E18CB00400
Fardanesh Enterprises LLC
6155 SW Seymour St
Portland, OR 97221-1137

21E18BC00202
Harrison Properties Inc
17540 63rd Ave
Lake Oswego, OR 97035-5210

21E18BC01201
Ledoux Properties LLC
23155 SW Boones Ferry Rd
Tualatin, OR 97062-9619

21E18BC01600
Stoneridge Custom Development
LLC
696 Mcvey Ave #101
Lake Oswego, OR 97034-4848

21E18CB00201
Watumull Properties Corp
307 Lewers St #600
Honolulu, HI 96815-2364

21E18BC00400
Norman Harrison
~~2040 SW 98th Ave 17540 63rd Ave~~
~~Portland, OR 97225-4903~~
Lake Oswego OR 97035-5210

21E18BC01400
Oswego Investors LLC
Po Box 130
Lake Oswego, OR 97034-0130

21E18BC01700
Landshire Acres Company LLC
15954 SW 72nd Ave
Portland, OR 97224-7936

21E18CB00300
Natural Gas Co Northwest
220 NW 2nd Ave
Portland, OR 97209-3942

Joseph S. Schaefer
Schwabe, Williamson & Wyatt
1211 SW 5th Avenue, Suite 1900
Portland, Oregon 97204

Drew Prell
Oswego Investors, Inc.
PO Box 130
Lake Oswego, OR 97034

Phil Brazell
10225 SW Casteel Court
Tualatin, OR 97062



City of Tualatin

www.ci.tualatin.or.us

NOTICE OF HEARING CITY OF TUALATIN, OREGON

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin City Council at **7:00 p.m., Monday, July 12, 2010 (Continued from April 26 & June 28, 2010)**, at the Council Building, 18880 SW Martinazzi Avenue, to consider:

CUP-10-01—CONDITIONAL USE PERMIT TO ALLOW OUTDOOR “DOGGIE DAY CARE” (PET DAY CARE) IN THE GENERAL COMMERCIAL (CG) PLANNING DISTRICT AT 17620 SW 63RD AVENUE (TAX MAP 21E 18BC, TAX LOT 1400)

In reviewing the conditional use the City Council must find that:

- (1) The use is listed as a conditional use in the underlying planning district;
- (2) The characteristics of the site are suitable for the proposed use;
- (3) The proposed use is timely;
- (4) The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the uses of surrounding properties for the primary uses listed in the underlying planning district;
- (5) The proposal satisfies those objectives and policies of the Tualatin Community Plan that are applicable to the proposed use.

All citizens are invited to attend and be heard upon the application. Failure of an issue to be raised in the hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals (LUBA) based on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to the decision maker to respond to the issue precludes an action for damages in circuit court.

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing and/or present written and/or verbal testimony to the City Council at the hearing. Hearings are commenced with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited. If a participant requests, before the hearing is closed, the record shall remain open for at least 7 days after the hearing.

Copies of the applications, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available for inspection at the City Library and Planning Division at least seven days prior to the hearing, and will be provided at reasonable cost. For information contact **William Harper, Associate Planner, at (503) 691-3027**. This meeting and any materials being considered can be made accessible upon request.

CITY OF TUALATIN, OREGON

By: Sherilyn Lombos
City Recorder

AFFIDAVIT OF POSTING

STATE OF OREGON)
) SS
COUNTY OF WASHINGTON)

I, Stacy Crawford, being first duly sworn, depose and say:

That at the request of Sherilyn Lombos, City Recorder for the City of Tualatin, Oregon; that I posted four copies of the Notice of Hearing on the 23rd day of June, 2010, a copy of which Notice is attached hereto; and that I posted said copies in four public and conspicuous places within the City, to wit:

1. City of Tualatin - Police Department
2. City of Tualatin - City Center Building
3. City of Tualatin - Community Development
4. City of Tualatin - Library

Dated this 23rd day of June, 2010.

Stacy Crawford
Stacy Crawford

Subscribed and sworn to before me this 24 day of June, 2010.



Maureen A Smith
Notary Public for Oregon
My Commission expires: July 4, 2013

RE: CUP-10-01—CONDITIONAL USE PERMIT TO ALLOW OUTDOOR "DOGGIE DAY CARE" (PET DAY CARE) IN THE GENERAL COMMERCIAL (CG) PLANNING DISTRICT AT 17620 SW 63RD AVENUE (TAX MAP 21E 18BC, TAX LOT 1400)

EXHIBIT B



City of Tualatin

www.ci.tualatin.or.us

NOTICE OF HEARING CITY OF TUALATIN, OREGON

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin City Council at **7:00 p.m., Monday, July 12, 2010 (Continued from April 26 & June 28, 2010)**, at the Council Building, 18880 SW Martinazzi Avenue, to consider:

CUP-10-01—CONDITIONAL USE PERMIT TO ALLOW OUTDOOR “DOGGIE DAY CARE” (PET DAY CARE) IN THE GENERAL COMMERCIAL (CG) PLANNING DISTRICT AT 17620 SW 63RD AVENUE (TAX MAP 21E 18BC, TAX LOT 1400)

In reviewing the conditional use the City Council must find that:

- (1) The use is listed as a conditional use in the underlying planning district;
- (2) The characteristics of the site are suitable for the proposed use;
- (3) The proposed use is timely;
- (4) The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the uses of surrounding properties for the primary uses listed in the underlying planning district;
- (5) The proposal satisfies those objectives and policies of the Tualatin Community Plan that are applicable to the proposed use.

All citizens are invited to attend and be heard upon the application. Failure of an issue to be raised in the hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals (LUBA) based on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to the decision maker to respond to the issue precludes an action for damages in circuit court.

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing and/or present written and/or verbal testimony to the City Council at the hearing. Hearings are commenced with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited. If a participant requests, before the hearing is closed, the record shall remain open for at least 7 days after the hearing.

Copies of the applications, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available for inspection at the City Library and Planning Division at least seven days prior to the hearing, and will be provided at reasonable cost. For information contact **William Harper, Associate Planner, at (503) 691-3027**. This meeting and any materials being considered can be made accessible upon request.

CITY OF TUALATIN, OREGON

By: Sherilyn Lombos
City Recorder

ATTACHMENT C

CUP-10-01: ANALYSIS AND FINDINGS

The approval criteria of the Tualatin Development Code (TDC) 32.030 must be met if the proposed Conditional Use Permit (CUP) for outdoor pet day care is to be granted. The Applicant prepared a narrative that addresses the CUP criteria (Attachment C). Staff has reviewed the Applicant's material and included pertinent excerpts below.

1. The use is listed as a conditional use in the underlying planning district.

The Applicant is applying for a conditional use permit to allow outdoor pet day care to occur at 17650 SW Lower Boones Ferry Road (Tax Map 21E18BC, Tax Lot 1400).

With the adoption of PTA-10-01 on June 14, 2010, pet day care (indoor facility with outdoor activity area) is allowed as a conditional use in the General Commercial (CG) District subject to conditions (a-c), as stated in TDC 54.030(5). The proposed site is in the CG Planning District.

Criterion 1 is met.

2. The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, existence of improvements and natural features.

Size: The subject property is .76 acres [33,541 square feet (s.f.)] in size. The site is currently developed with a 4,800 s.f. North Building and 2,600 s.f. South Building with parking and landscaping improvements with access to SW 63d Avenue and SW Lower Boones Ferry Road. The applicant proposes to occupy a 2,500 s.f. indoor tenant space in the North Building and an adjacent 1,600 s.f. outdoor area for the proposed pet day care activity area. The site size is suitable for the use.

Shape: The shape of the subject property is a rectangular lot and is suitable for the proposed use. Access to the North Building is via a driveway from SW 63rd Avenue to the west.

Location: The site is north of SW Lower Boones Ferry Road at the northeast corner of SW 63rd Avenue in the CG Planning District. On the north and east, the subject site adjoins auto service uses in the Lake Car Care Center including automotive repair businesses and Kaady Car Wash. The Safeway Marketplace is located across SW 63rd Avenue to the west. The site's location is in an area characterized by existing auto service and retail commercial uses. The site's location is suitable for the proposed conditional use.

- Topography: The topography of the site is flat and is suitable for the proposed conditional use.
- Improvements: The site is improved with two buildings, 34 parking spaces and site landscaping improvements approved in Architectural Review AR-06-07. The outdoor activity area adjoins the proposed tenant lease space in the north building, has a paved surface and is currently enclosed with a chain link fence.
- Natural Features: The site does not contain natural features.

The applicant states "The site is the former Nagel Glass shop on Boones Ferry Road. On the east side of the building, two large overhead garage doors lead out to the former truck loading area. The loading area is approximately 1600 square feet, and this is the space propose for the outdoor dog play area." (Attachment C, pg. 5)

TDC 54.030(5)(a) requires:

The subject lot is not within 500 feet of a Residential Planning District and is not in the Central Urban Renewal District (CURD) Blocks 11, 28 & 29.

The Hansen's Corner location is not within 500 feet of a Residential Planning District and not in the CURD, meeting the requirement. Given the features and improvements of the subject property listed above, the characteristics of the site are suitable for the proposed uses.

Criterion 2 is met.

3. The proposed development is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

The applicant states "The proposed development is timely, given the increasing market demand for this retail use. The addition of an outdoor play area to this use- which is already permitted outright when conducted indoors- will not have a material effect on transportation systems, public facilities, and series planned for the area affect by the use."

The Engineering Division provides some of the following information in Attachment E.

Transportation

The site is adjacent to SW 63rd Avenue & SW Lower Boones Ferry Road. SW 63rd Avenue is designated as a Local Commercial Industrial (BC-I) by the City of Tualatin (TDC 11.620 – Table 11-2) and would ultimately include two travel lanes, a center turn lane, planter strips and sidewalks. SW Boones Ferry Road is designated as a Major Arterial (Eb&t) in this area, with a fully developed width of 98 to 102 feet. The existing, approximately, 105-foot right-of-way is sufficient. Clackamas County has jurisdiction of the right-of-way for SW Boones Ferry Road adjacent to this lot. In AR-06-07, Clackamas County responded without additional requirements for dedication or development of the right-of-way.

The Engineering Division analysis states "Due to the lack of submittal of complete traffic information as noted above, Engineering cannot conclude a recommendation of approval nor denial for either the PTA and the CUP. (See Attachment E for the Engineering Division Memorandum and Attachment C for the Applicant's Materials including the Traffic Impact Letters from March 31 and April 7, 2010 and the traffic analysis from the 2005 PMA change for the Hansen's Corner property.)

Public Facilities & Services:

Water: A connection to the City system already exists.

Sanitary Sewer: A connection to the City system already exists.

Storm Drainage: An on-site infiltration system already exists.

TDC standards for outdoor pet day care in TDC54.030(5)(b & d) and recommended conditions of approval require impervious surfacing of the outdoor activity area, a storm water runoff and waste control system and management plan to control pet waste in the area. Based on Staff review and analysis of the application and the recommended conditions of approval, the proposed conditional use is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

Criterion 3 is met.

4. The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying planning district.

The subject property is in the CG Planning District. Surrounding Planning/Zoning Districts and land uses include:

N:	ML	Lake Car Care Center
E:	ML	Lake Car Care Center
S:	CG	The Difference (Across SW Lower Boones Ferry Rd.)
W:	CG	Safeway Market Place/ Meridian Shopping Center (Across SW 63rd Avenue)

There are no residential areas adjoining or within 500 ft. of the subject property. The area on the both sides of SW Lower Boones Ferry Road at SW 63rd Avenue is characterized by primarily commercial development with industrial development in the ML Planning District to the north and east. The buildings in the vicinity of the subject building are commercial or light industrial buildings with retailing and service uses.

The Applicant states: "The surrounding properties to the east and north are zoned for manufacturing uses, and occupied by automotive service and repair businesses. The surrounding properties to the south and west are zoned for commercial and industrial use, and the closest businesses are a dry cleaners and Safeway grocery store. The character of the surrounding area is intensive commercial and light industrial, which are

not noise sensitive uses, so the outdoor play area will not limit impair or preclude these new uses.” (Attachment C, pp 5-6)

The proposed Hansen’s corner dog day care operation proposes the 1,600 sq. ft. outdoor activity and exercise area adjacent to the indoor tenant space in the North Building. The location is over 1,300 ft. from the nearest residential area beyond the City of Tualatin boundary to the north which meets the 500 ft. minimum distance required in TDC 54.030(5)(a). The outdoor area is enclosed on 2 1/2 sides with building walls and is shown enclosed on the south and southeast corner with a proposed wooden fence which meets the fence material standards required in TDC 54.030(5)(b). The height of the wooden fence is shown at 6 ft., which does not meet the minimum 8 ft. height required in TDC 54.030(5)(b). To meet the standards of TDC 54.030(5)(b), the enclosure of the Hansen’s Corner outdoor pet activity area shall be a minimum of 8 ft. in height.

The applicant indicates that access for pets and staff from the indoor pet day care area to the outdoor activity area will be via the two existing overhead doors on the east wall of the indoor tenant space. A 6 x 6 ft. gate to the fence enclosure is shown facing the parking area on the South Elevation drawing in Attachment C. Pets and owners entering or exiting the outdoor area via the south enclosure gate may conflict with people and vehicles in the adjoining Hansen’s Corner parking area. To ensure that everyday use of the south enclosure gate of the outdoor activity area does not cause a disruption in the Hansen’s Corner parking area, staff recommends the use of the south enclosure gate shall be restricted to maintenance and emergency access.

Standard 54.030(5)(b & d) requires the outdoor activity area surface to be paved impervious, to have a stormwater drainage and waste control system to keep pet waste from entering the stormwater system and for odor control. A noise, odor and waste control plan is required as a standard for a outdoor activity area conditional use. To ensure that the conditional use standards for noise, odor and waste control are met, staff recommends a condition of approval requiring the standards for TDC 54.030(5)(b & d) are met and a noise, odor and waste control management plan be submitted to the Planning Division for review and approval prior to conducting outdoor pet day care activity proposed by the applicant.

TDC 54.030(5)(c) requires:

No outdoor pet day care activity including exercise and training shall occur between the hours of 8:00 pm and 7:00 am.

The hours of the Hansen’s Corner dog day care outdoor activity area is not specified. To meet the requirements of 54.030(5)(c), no outdoor pet day care activity, including exercise and training, shall occur between the hours of 8:00 pm and 7:00 am.

Based on the applicant’s submitted information and review by staff, with the existing site improvements, and the conditions of approval requiring an 8 ft. high fence enclosure and restrictions on everyday use of the enclosure gates, it is concluded that the proposed use will not alter the character of the surrounding area in any manner which substantially limits, impairs or precludes the surrounding properties for the primary uses listed in the underlying Planning Districts.

Criterion 4 is met.

5. The proposal satisfies those objectives and policies of the Tualatin Community Plan that are applicable to the proposed use.

The Applicant cites the commercial planning district objectives in TDC 6.010(3) and 6.040(5). Following is the applicant's statements of the objectives (in **bold face type**) that are applicable to the proposed conditional use.

6.010(3) Greater concentrations of population and the relatively high incomes of the area's residents will support increasingly specialized types of retail and service establishments.

The applicant states "Doggie day care is precisely this type of business. (Attachment C pg. 6)

6.040(5) To provide areas suitable for a full range of commercial uses, including those uses that are inappropriate for neighborhood, office or central commercial areas.

The applicant states "Outdoor dog play areas may not be appropriate in neighborhood, office or downtown areas. This objective clearly distinguishes between the general commercial and other commercial zoning districts, and emphasizes that the General Commercial District is suitable for the 'full range' of uses."

Staff concurs that the proposal is consistent with plan policies.

Criterion 5 is met.

Based on the application and the above findings and analysis and with the recommended condition of approval listed below, the Hansen's Corner conditional use permit application for a outdoor pet day care use meets the criteria of TDC 32.030.

Recommended Conditions of Approval:

1. To meet the standards of TDC 54.030(5)(b), the enclosure of the Hansen's Corner outdoor pet activity area shall be a minimum of 8 ft. in height.
2. To ensure that everyday use of the south enclosure gate of the outdoor activity area does not cause a disruption in the Hansen's Corner parking area, the use of the south enclosure gate shall be restricted to maintenance and emergency access.
3. To ensure that the conditional use standards for noise, odor and waste control are met, the standards for TDC54.030(5)(b & d) shall be met and a noise, odor and animal waste control management plan be submitted to the Planning Division for review and approval prior to conducting outdoor pet day care activity proposed by the applicant.
4. To meet the requirements of 54.030(5)(c), no outdoor pet day care activity, including exercise and training, shall occur between the hours of 8:00 pm and 7:00 am.



** 9/13/2010**

CONTINUED BY TUALATIN CITY COUNCIL

Date 7-12-10

Recording Secretary [Signature]

STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager [Signature]

FROM: Doug Rux, Community Development Director [Signature]
William Harper, Associate Planner [Signature]

DATE: July 12, 2010

SUBJECT: RESOLUTION APPROVING A DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF TUALATIN AND LEGACY HEALTH
SYSTEMS

ISSUE BEFORE THE COUNCIL:

City Council consideration of adopting a resolution approving a Non-Statutory Development Agreement (the "Agreement") between the City of Tualatin and Legacy Health System (Legacy). The purpose of the Agreement is to address the development issues associated with future expansion of the Legacy Meridian Park Medical Center facility onto the 19.6 acre Legacy property (the "Property") located on SW Borland Road. (See Attachment A for location map). The Agreement was revised following the continuance of the March 8 Council public hearing to July 12 and a series of Open House meetings held by Legacy with neighboring residents and interested parties.

RECOMMENDATION:

Staff recommends the City Council consider the attached draft resolution and Development Agreement (Attachment B) and provide direction.

EXECUTIVE SUMMARY:

- This action does not require a public hearing.
- The area affected by this Agreement is property generally referred to as the vicinity of the Property located at 6001, 6021, 6031, and 6041 SW Borland Road comprising approximately 19.6 acres (Clackamas County Assessors Map 21E 19C Tax Lots 1700 & 2000) in the RL (Low-Density Residential) Planning District. The Property adjoins the Legacy Meridian Park Medical Center (LMPMC) campus in the MC (Medical Center) Planning District.
- The City of Tualatin is currently considering an application by Legacy for a Plan Map Amendment (PMA-09-03) to change the designation of the property from RL to MC. The first public hearing was held on November 9, 2009, continued at the request of Legacy to January 25, 2010, February 8, 2010 and to a public hearing

on March 8, 2010. Legacy is the owner of the unimproved property and owns as a parent corporation the adjacent 46 acre property occupied by the LMPMC facility. In the future, Legacy intends to expand the LMPMC onto the property with buildings and site improvements in compliance with the standards and allowed uses of the MC Planning District. The proposed PMA-09-03 would change the property designation to the MC Planning District to match the current LMPMC site designation.

- During the November 9, 2009 public hearing for PMA-09-03, there were questions and concerns raised about future development on the property and development issues such as public street access, pedestrian access, Historic Landmark preservation or demolition, tree protection; on-site & off-site public improvements including sanitary sewer, stormwater management & street improvements; and development standards including building & parking setbacks, building height, landscape buffers & lighting. The development issues listed are addressed in a land use process (such as Architectural Review) when a specific development or property improvement is proposed, but are not issues to mitigate or require as conditions of approval in a Plan Amendment process such as PMA-09-03.
- The Council inquired about establishing a Development Agreement (DA) with Legacy for the purpose of spelling out the issues associated with development on the Property that arose in the PMA process and provide neighbors, the City and Legacy with assurances that the issues will be addressed in a satisfactory manner. Legacy agreed to begin discussions to create a DA that would address issues raised by neighbors and the Council. The public hearing was continued to January 25, 2010.
- Mr. Larry Hill of Legacy and Staff prepared a draft of a DA that was presented to Council at the January 11, 2010 Work Session. With Mr. Hill and staff present, the Council reviewed and discussed the draft DA. Council indicated an interest in: 1. Encouraging additional tree protection in both the grove of trees on the Tax Lot 1700 portion (south) of the property (adjoining SW Borland Road & Fox Hills residential properties) and the grove of trees surrounding the former Grimitt residence at the northwest corner of Tax Lot 2000 (DA 6); 2. Constructing a berm and densely vegetated buffer to the residential properties on the entire east property line when the first building is developed on the Property (DA 4.7); 3. Encourage pedestrian trail or path connections from the Legacy Property and LMPMC campus to trails and paths on the Stafford Hills Racquet & Fitness Club development and the Nyberg Creek natural areas on the north of the Property (DA 4.3); 4. Consider the need for ROW dedication and street improvements on SW 65th Avenue north of SW Borland Road on the LMPMC frontage (DA 8.6).
- As the PMA-09-03 continued hearing on January 25th approached, questions from Council members about traffic conditions on the SW 65th Ave frontage and access driveways of LMPMC and impacts of a full development of the LHS properties were being researched. Discussions with Legacy about the scope and timing of street dedications and improvements by Legacy were unresolved and Legacy requested a second continuance of the PMA-09-03 hearing and

consideration of the Development Agreement. The Council granted the continuance to the February 8 meeting.

- A January 26, 2010 Kittelson Memorandum (Attachment C) provided additional information regarding: 1) discussion of the need for a five lane improvement on SW Borland Road, 2) discussion of the need for a five lane improvement on SW 65th Avenue, 3) recommended improvements to SW 65th Avenue at its intersections with SW Borland Road and SW Sagert Street, and 4) recommended phasing of improvements for the Development. Based on the January 27, 2010 comments from the Engineering Division (Attachment D), this information was incorporated into the Development Agreement (January 27, 2010 version).
- Prior to the February 8 meeting and consideration of the DA, five additional DA issues were raised by councilors and presented to Legacy. On February 8, Legacy requested continuing the PMA-09-03 hearing to allow time to review and discuss the additional DA issues. The Council continued the public hearing on PMA-09-03 and the consideration of the DA to March 8, 2010. At the February 22, 2010 Work Session, the Council reviewed the February 8 Draft version of the agreement in Work Session and discussed the additional five issues with Larry Hill of Legacy and Allyson Anderson, CEO of LMPMC. Based on the February 22 Council Work Session discussion, the DA was revised to include construction of a 4-foot high berm as part of a buffer on the Property east property line (Section 4.7) and narrowing the width of any emergency accesses on the LHS Property at the SW Joshua, SW Natchez & SW Wichita Street locations. (Section 4.2)
- The Agreement was revised following the continuance of the March 8 Council public hearing to July 12. At the March 8 public hearing for the DA and PMA-09-03, persons testifying and Council members raised questions regarding future access to and from the Property, Legacy's plans for development on the site, future access to the Property, and about the impact of buildings and site improvements on neighboring property owners. The Council asked for additional opportunity for neighboring residential property owners to ask Legacy about their proposal, review the DA, and provide their comments on the issues that concern them. Following a series of three Open House meetings conducted by Legacy and an open opportunity to review and comment the DA and PMA documents thru the Community Development Department, Legacy prepared a summary and response for the Council and interested neighbors. Based on comments collected by staff at the Open Houses and Legacy's response, the DA was revised to add:
 - (Section 4.2) Flexible language requiring a turnaround at a restricted emergency access from SW Joshua, SW Natchez or SW Witchita only as required at the time buildings are proposed, leaving an option to have one or two turnarounds, rather than an access and turnaround on all three streets if not necessary;
 - (4.7) A wider, broader planted berm with specific tree sizes on the Property's east border with residential neighbors (Note: staff suggests 10 foot conifers and 5 gallon shrubs while Legacy requests 5 foot conifers and 2.5 gallon shrubs);

- (4.9) A building height limit of 75 ft. height of a building on the property beyond 300 ft. from the MC Planning District boundary (to the north, east and west of the Property), reduced from the 95 ft. allowed in the MC Planning District standards.
- The final revised version of the proposed Development Agreement for Council consideration on July 12, 2010 is Attachment B with a Draft Resolution.
- The proposed Agreement would be signed by both Legacy and the City if the proposed PMA-09-03 is approved, If PMA-09-03 is not approved the Agreement will not be signed and will not become effective.
- A series of agreement points have been reached in the Agreement with Legacy. Details of these points are outlined in the **DISCUSSION** section of this staff report.

OUTCOMES OF DECISION:

If the City Council approves the resolution with the accompanying Agreement and if PMA-09-03 is approved, the City, and Legacy will have an agreement, which will remain in effect for a period of 30 years after the Agreement Effective Date or until buildings and site improvements such as public facilities, loading, parking and landscaping occupy 75% of the Property area (whichever occurs first).

If the City Council does not approve the resolution with the accompanying Agreement, the City and Legacy will not have an agreement addressing the development issues associated with the Property. PMA-09-03 remains a separate decision for the Council.

If the City Council approves Plan Map Amendment PMA-09-03 changing the Property to a MC Planning District designation, but does not approve the Agreement, the City and Legacy will not have an agreement on the issues contained in the DA and any development issues associated with the Property will be addressed in individual development applications such as Architectural Review.

ALTERNATIVES TO RECOMMENDATION:

If the Council wishes to approve the resolution and Agreement, but with modifications, staff will coordinate with Legacy on the modifications and return at a later date with the modifications.

If the Council chooses to not move forward with the resolution and Agreement, staff will inform Legacy of the Council's decision.

FINANCIAL IMPLICATIONS:

Staff resources have been budgeted in Fiscal Year 09-10 and 10/11 to work on the Agreement and subsequent review of the project.

DISCUSSION:

There are 14 sections contained in the Agreement. Each is briefly described below:

1. Section 1 identifies the area affected by the Agreement.
2. Section 2 identifies the property affected by the Agreement.
3. Section 3 outlines the scope and characteristics of development on the Property including:
 - Development consistent with the purposes, uses and standards of the MC Planning District; and
 - Design compatibility with surrounding residential and medical center development.
4. Section 4 identifies specific development standards for improvements on the Legacy Property, including:
 - Access may be obtained from one new public street access on SW Borland Road and shared access with the existing LMPMC accesses on SW Borland Road and SW 65th Avenue;
 - Restrict direct motor vehicle ingress/egress access to the adjoining SW Joshua, SW Natchez & SW Wichita residential streets on the east except for emergency access as required. To allow for one or two emergency access locations on the Property's east boundary (rather than locking in three, one at each residential street) and reduce the impact on neighboring residential streets, the DA language is flexible and will allow the emergency access locations to be determined based on Fire & Life Safety requirements in effect at the time a building is proposed on the Property. To minimize a break in the landscape berm and buffer on the Property's east boundary, the width of any emergency access and turnaround shall be as narrow as possible subject to Fire & Life Safety requirements;
 - Provide pedestrian access between the Legacy Property and LMPMC to adjoining public streets and encourage connections to a future path or trail system on the nearby Stafford Hills Racquet & Fitness Club and Nyberg Creek wetlands (located to the north);
 - Provide a minimum 20 foot setback from property line to parking area and a minimum 50 ft. for tree protection on the south and east boundaries of Tax Lot 1700 (in the tree grove adjoining SW Borland Road);
 - Provide adequate on-site parking and place parking away from public streets;
 - When the first building is developed on the Property, provide a 4 foot high and 15 foot wide landscape berm with large (2" caliper deciduous trees/5 ft. high conifers/ 2.5 gallon shrubs) dense evergreen tree & shrub landscaping on the Property's east perimeter to create a buffer to adjoining residential development (staff suggests 10 ft. conifers and 5 gallon shrubs);
 - Building design compatible with nearby residential and medical center development; and

- Limit building height to MC Planning District standards for height and setbacks with a limit of 75 feet in building height on the Property beyond the 300 ft. setback from the MC District boundary (north, east & south). Attachment E-diagram of the MC height and setback standards.
5. Section 5 addresses identifying wetlands on the Property.
 6. Section 6 sets out standards for protection of existing trees in the portion of the Property adjoining residential properties and SW Borland Road and trees on the northwest corner of the Property.
 7. Section 7 addresses the Historic Landmark on the Property with a commitment to work with the Tualatin Historical Society on relocating it or preserving historic features.
 8. Section 8 outlines existing transportation conditions in the LMPMC area and transportation impacts associated with MC development on the site and identifies transportation improvements that Legacy will construct, including:
 - SW 65th Avenue/ SW Sagert Street & SW 65th Avenue/SW Borland Road intersection improvements to improve the capacities, function and level of service through the intersections, and
 - Dedication along SW Borland Road frontage of the Legacy Property and the LMPMC campus.The section also discusses Transportation Development Tax credits. The City cannot guarantee future application of TDT credits for Legacy's public street improvement construction, but under current and soon to be adopted TDT provisions for this area, the capacity-improving street and intersection improvements addressed in the Legacy DA are eligible for full TDT credit for a period of 10 years from completion.
 9. Section 9 discusses public improvements including:
 - Water, Sanitary Sewer, & Stormwater.
 10. Section 10 is a general statement about a Non-Statutory Development Agreement.
 11. Section 11 is the Term of Agreement. As proposed, the Agreement would remain in effect until the Property is 75% developed or 30 years has elapsed.
 12. Section 12 establishes the Agreement as a Final Agreement between the parties.
 13. Section 13 concerns the Agreement as a whole and in parts.
 14. Section 9 is a statement concerning general compliance with laws.

PUBLIC INVOLVEMENT:

A formalized public involvement program is not required in the development and approval of a Development Agreement. The City received email comments from several persons during the course of the PMA-09-03 and Legacy Development Agreement process. The comments are collected in Attachment F. The issues, question, answers and comments brought up during and after the three Legacy Open House meetings are in Attachment G.

- Attachments:**
- A. Location Map
 - B. Draft Resolution with Development Agreement Exhibit
 - C. Kittelson Memorandum-Supplemental Information January 26, 2010
 - D. Engineering Division Memorandum-June 28, 2010
 - E. Diagram of the MC building height and setbacks on LHS Property
 - F. Public Comments Received regarding the Development Agreement
 - G. June 29, 2010 Legacy Open House Summary & Response



Site Plan

Scale 1" = 300'-0"

LEGACY MERIDIAN PARK MEDICAL CENTER

Tualatin, OR

RESOLUTION NO. _____

A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF TUALATIN AND LEGACY HEALTH
SYSTEMS

WHEREAS Legacy Health Systems has applied for a Plan Map Amendment to change a 19.6 acre parcel located at 6001, 6021, 6031, and 6041 SW Borland Road (and .25 acres of abutting public ROW) from RL (Low-Density Residential) Planning District (Assessors Map 21 E 19C 1700 & 2000) to MC (Medical Center) for the purpose of constructing additional medical center uses on the site in the future; and

WHEREAS the proposed Agreement has been prepared to assure that if the Council approves proposed Plan Amendment PMA-09-03 after considering the evidence in a quasi-judicial public hearing, the approval will apply to the 19.6 acre parcel that is the subject of the Development Agreement; and

WHEREAS if the Council does not approve the requested Plan Map Amendment, the Development Agreement will be null and void and the Plan Amendment will not be enacted; and

WHEREAS a series of agreement points have been reached in the Development Agreement with the Property Owner, all of which are incorporated by reference in the agreement attached as Exhibit A.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF TUALATIN, OREGON that:

Section 1. The City Council approves the accompanying Development Agreement and authorizes the Mayor to sign the Development Agreement on behalf of the City.

INTRODUCED AND ADOPTED this 12th day of July, 2010.

CITY OF TUALATIN, Oregon

By _____
Mayor

ATTEST:
By _____
City Manager

DRAFT 7-12-10
NON-STATUTORY DEVELOPMENT AGREEMENT

This Non-Statutory Development Agreement (this "Agreement") is made and entered into as of the ____ day of ____, 2010 (the "Effective Date") by and between Legacy Health System, an Oregon-based not-for-profit corporation ("Legacy") and the City of Tualatin, Oregon (the "City").

RECITALS

- A. Legacy is the owner of the approximately 19.6 acres of unimproved real property located within Tualatin (the "Property") (Exhibit A). Legacy owns as a parent corporation the adjacent 46-acre property occupied by the Legacy Meridian Park Medical Center (LMPMC) facility.
- B. Legacy has applied to the City for approval of a Plan Map Amendment (the "Amendment") PMA-09-03 to change the Property designation from Low-Density Residential (RL) to Medical Center (MC). In the future, Legacy intends to expand the LMPMC onto the Property with buildings and site improvements in compliance with the standards and allowed uses of the MC Planning District.
- C. The City wishes to assure that if the Amendment is approved by the City Council after a public, quasi-judicial hearing, the Amendment would only apply to the Property.
- D. The Parties desire to enter into this Agreement for the purpose of addressing the development-related issues (such as, but not limited to: public street access, pedestrian access, Historic Landmark preservation or demolition, tree protection; on-site and off-site public improvements including sanitary sewer, stormwater management, and street improvements; development standards including building & parking setbacks, building height, landscape buffers & lighting) for Legacy's future development of the Property (see Section 1). Because future development on the Property is subject to land use approval by the City, the City cannot predetermine conditions of approval; however, the Agreement sets forth the Parties' expectations for development on the property.

NOW, THEREFORE, in consideration of the foregoing premises and the mutual covenants of the parties set forth herein, THE PARTIES AGREE AS FOLLOWS:

SECTION 1. AREA AFFECTED BY THIS AGREEMENT. The area affected by this Agreement is property generally referred to as the vicinity of the Property located at 6001, 6021, 6031, and 6041 SW Borland Road comprising approximately 19.6 acres (Clackamas County Assessors Map 21E 19C Tax Lots 1700 & 2000).

SECTION 2. PROPERTY AFFECTED BY THIS AGREEMENT. This Agreement shall apply at such time as the Property is designated as the MC Planning District.

FINAL DRAFT 7-12-10
LEGACY DEVELOPMENT AGREEMENT

SECTION 3. SCOPE OF DEVELOPMENT. When development of the Property is commenced, Legacy or a succeeding property owner shall cause to be completed a development with the following characteristics:

- 3.1. Development consistent with the purposes of the MC (Medical Center) Planning District including: "...to provide care facilities, allied health care uses and limited supporting retail and service uses for the convenience of patients, patient visitors and staff." [TDC 56.010]
- 3.2. Development consistent with all the allowed uses and standards of the MC Planning District including out-patient care, medical clinics and medical office facilities [TDC 56.040-56.150].
- 3.3. Development that complies with the criteria and standards for Architectural Review Approval as specified in TDC 73.050 including: (1)(a) The proposed site development, including the site plan, architecture, landscaping, parking and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height, and appearance of the proposed development are involved; (b) The proposed design of the development is compatible with the design of other development in the general vicinity; and (c) The location, design, size, color and materials of the exterior of all structure are compatible with the proposed development and appropriate to the design character of other developments in the vicinity.

SECTION 4. DEVELOPMENT STANDARDS. When development of the Property is commenced, Legacy or a succeeding property owner shall cause to be completed a development with the following:

- 4.1. Access for the Property may be obtained from a new public street access on SW Borland Road that aligns with the existing SW 60th Terrace intersection and from shared access with the existing LMPMC accesses on SW Borland Road and SW 65th Avenue.
- 4.2. The Property will not have direct motor vehicle ingress/egress access to the adjoining SW Joshua, SW Natchez & SW Wichita Streets except for emergency access as required. Where emergency access is required from SW Joshua, SW Natchez or SW Wichita Streets, an emergency vehicle turnaround located on the Property shall be provided, based on current standards at the time of an Architectural Review for building(s) on the Property. To minimize a break in the landscape berm and buffer on the Property's east boundary, the width of any emergency access and turnaround shall be as narrow as possible subject to Fire & Life Safety requirements.
- 4.3. Provides pedestrian access connections between the pedestrian walkway system on the Property to SW Joshua, SW Natchez & SW Wichita Streets on the east and SW Borland Road on the south as identified in the

FINAL DRAFT 7-12-10
LEGACY DEVELOPMENT AGREEMENT

Architectural Review process. In the future, provide pedestrian connections to publicly accessible trails and paths to the Stafford Hills Racquet & Fitness Club development and the Nyberg Creek wetlands to the north of the LMPMC campus and the Legacy Property.

- 4.4. Provides a minimum 20 ft. setback from the Property's parking areas and drive aisles to adjoining public streets and to properties adjoining the east property lines parking areas and drive aisles. A 50 ft. setback for parking areas will be provided for tree protection as stated in Section 6.1.
- 4.5. Provides adequate on-site surface and structured parking for medical center facility staff, patients and visitors as approved in the Architectural Review process. Design parking areas in a manner that locates surface parking at the rear or side of all buildings located within 100 feet of the Property's SW Borland Road frontage.
- 4.6. Limits the height of freestanding outdoor lighting fixtures to a maximum 20 ft. height. Provides outdoor lighting that does not glare onto neighboring residential property and can meet or exceed the LEED SS Credit8 LZ2 (LEED Reference Guide for Green Building Design and Construction, pg. 130) residential illumination standards.
- 4.7. At the time the first building is developed on the Property, provide a minimum 4-foot high and 15 foot wide at the base landscape berm with dense evergreen tree & shrub landscaping on the Property's east perimeter landscaping to create a buffer to adjoining residential development as approved in the Architectural Review process. The deciduous trees planted on the berm and within the east perimeter landscaping shall be a minimum of 2 inch caliper size and coniferous trees shall be planted as 5 foot size or larger nursery stock. Shrubs on the berm and in the perimeter planter shall be planted at a 2.5 gallon or comparable size. Care shall be taken to address drainage issues on existing lots that may be created by the installation of the berm.
- 4.8. Legacy will comply with all of the design criteria in the MC Planning District and will strive to make sure any new buildings will be similar in nature to existing buildings on the campus and surrounding medical developments.
- 4.9. Building height on the Property will be in compliance with the maximum structure height standards of the MC Planning District in TDC 56.070(1-3 & 5-6). Legacy agrees to limit the height of a building located within the area greater than 300 feet from a property line on the Property that abuts a MC District Boundary to no greater than 75 feet in height above grade. As approved in the Architectural Review process, rooftop mechanical including heating & cooling units and elevator mechanical rooms and

FINAL DRAFT 7-12-10
LEGACY DEVELOPMENT AGREEMENT

rooftop screening are not included in a measurement of structural or building height.

SECTION 5. WETLAND PROTECTION. The intent of this section is to establish the interest of the City and Legacy to identify wetlands on the property and preserve wetlands to the extent possible during a development process.

- 5.1. Legacy or a succeeding property owner shall identify and delineate wetlands on the Property and submit documentation with Architectural Review applications for development on the Property.

SECTION 6. TREE PROTECTION. The intent of this section is to establish the interest of the City and Legacy to preserve existing trees in the groves of conifer and deciduous trees located on the south portion of the Property where it adjoins the Fox Hills neighborhood and SW Borland Road and on the northwest portion of the property surrounding the former Grimitt residence. Trees should be preserved to the extent possible to provide a buffer for neighboring residential properties to the east and south and retain the character of the tree grove on the Property when viewed from SW Borland Road. Legacy or a succeeding property owner shall submit a Tree Protection Plan with Architectural Review applications for development on the Property that shows the following:

- 6.1. Identify existing trees on the Property that will be preserved, including trees within 50 ft. of the new ROW for a 5-lane arterial street on SW Borland Road and trees within 50 ft. of the east property line adjoining the Fox Hills neighborhoods.
- 6.2. Trees within a new ROW & Slope easement on the Property for a 5-lane SW Borland dedication and improvements may be removed when Clackamas County or City permits for construction of the improvements are issued. Trees within a proposed or required ingress/egress access improvement on the Property may be removed as approved in the Architectural Review process.
- 6.3. Trees located on the Property where a proposed medical center building will be located may be removed as approved in the Architectural Review process.
- 6.4. Avoid or minimize tree removal from the tree grove adjacent to SW Borland Road for purposes of surface parking area development.

SECTION 7. HISTORIC LANDMARK. Legacy will consult with the Tualatin Historical Society to identify ways to preserve or relocate the Minnie Skog Historic Landmark house in its entirety or its significant features. Legacy will provide documentation of the consultations and a narrative of actions recommended and taken by the Tualatin Historical Society or Legacy to preserve or relocate the landmark. If the house cannot

be preserved or relocated, demolition of the house shall be reviewed as a Historic Landmark Demolition application.

SECTION 8. TRANSPORTATION IMPACT ANALYSIS AND IMPROVEMENTS.

- 8.1. The transportation impact information for PMA-09-03 (Transportation Planning Rule Analysis from Kittelson & Associates, dated August 21, 2009 and Memorandum – Transportation Analysis – Supplemental Information from Kittelson & Associates, dated October 1, 2009) identified that the SW 65th Avenue/SW Sagert Street intersection located west and south of the Property currently is currently functioning at Level of Service (LOS) “F/F” and would not improve in Year 2028 under the worst case scenario for a MC Planning District designation as proposed in PMA-09-03. To meet the requirement of Plan Map Amendment Criterion #8, the SW Sagert Street/SW 65th Avenue intersection should function at LOS E/E or better.
- 8.2. The January 26, 2010 Kittelson Memorandum-Supplemental Information discusses the existing capacity constraints on SW 65th Avenue at both the SW Borland Road and SW Sagert intersections with conceptual design of the intersections that would alleviate the constraints. Kittelson states “...it is recommended that future transportation improvements tied to Legacy’s development of the 20 acre site be focused on the SW 65th Avenue intersections with SW Borland Road and SW Sagert Street.” The Engineering Division agrees that the constraints to expanding capacity on SW 65th south of the Nyberg Lane intersection and along the LMPMC frontage and access are considerable and SW Borland Road & SW Sagert Street intersection improvements create more capacity and function at a cost that is proportional to development on the Legacy Property and the LMPMC site.
- 8.3. As a means to meet Plan Amendment Criterion #8 for PMA-09-03 and to increase the capacity and function of the transportation system in the vicinity of the Legacy Property, Legacy agrees to:
 - 8.3.1 Prior to issuance of a Building Permit for the first building on the Property, dedicate SW Borland Road ROW and slope easements (sufficient for a 5-Lane Arterial Street) from SW 65th Avenue to east end of the Property.
 - 8.3.2 Prior to Occupancy for the first building on the Property, construct improvements to the SW 65th Avenue/SW Sagert Street and SW 65th Avenue/SW Borland Road intersections comparable to the configurations shown in Figure 1 of the January 26, 2010 Kittelson Memorandum and as approved by Washington and Clackamas Counties for their respective jurisdictions.

FINAL DRAFT 7-12-10
LEGACY DEVELOPMENT AGREEMENT

- 8.4. The October 28, 2009 Engineering Memorandum for PTA-09-03 determined "The submitted (Kittelson) Supplemental Information states 'this standard is met during all time periods for each development scenario, with the exception of the SW 65th/SW Sagert intersection. The SW Sagert/SW 65th Avenue intersection meets warrants for signalization under any scenario'. The City of Tualatin Transportation System Plan (TSP) Appendix C – Detailed Intersection Operations Results (Existing Conditions), completed in June 2001, shows the 65th/Sagert intersection as an all-way stop controlled intersection operates at a v/c of 1.14 and a LOS F. The TSP also identifies the intersection for a future traffic signal."
- 8.5. Washington County and Clackamas County have shared jurisdiction over SW 65th Avenue. Washington County has responsibility for operations, maintenance and improvements of SW 65th Avenue and will participate in the design & permitting of the intersection improvements.
- 8.6. If the improvements to the SW 65th Avenue/SW Sagert Street & SW 65th Avenue/SW Borland Road intersections are approved, Legacy agrees to obtain necessary permits, construct the required improvements, and pay all associated costs of permitting, construction and installation (8.2.2). Legacy may be eligible for Transportation Development Tax (TDT) credits for these improvements depending on the TDT Rules at the time of the Permits and the scope of the Permits. When Legacy initiates a pre-application conference for development on the Property, the Engineering Division will work with Legacy on the details of the intersections improvements shown in Figure A1 and work together to match the value of the improvements to the anticipated TDT Credit available for the improvements, without going over the anticipated credit.

SECTION 9. OTHER PUBLIC FACILITY IMPROVEMENTS. When development of the Property is commenced, Legacy or a succeeding property owner shall cause to be completed a development with the following public facility improvements:

- 9.1. Sanitary Sewer. The Sanitary Sewer Master Plan identifies adequate capacity in the existing public sewer collector and transmission lines to serve residential development on the Property. Legacy will submit calculations in an Architectural Review application that verify the sewer system capacity is adequate to serve a medical center development on the Property. Legacy agrees to provide public or private sanitary sewer facilities to serve development on the Property as required in Architectural Review and acquire any offsite easements needed to extend service to the Property.
- 9.2. Water. The Property will be served from the B Level Service Area. Legacy will submit calculations for water demand for the Property in an Architectural Review application for the first medical center building on the

FINAL DRAFT 7-12-10
LEGACY DEVELOPMENT AGREEMENT

Property. Legacy will make improvements and obtain easements to provide water service for the Property.

- 9.3. Stormwater Management. On-site stormwater detention may be necessary to address the stormwater system downstream capacity and water quality facilities will be required to serve the Property when development occurs. Legacy agrees to provide public or private stormwater facilities and acquire easements to serve development on the Property as required in Architectural Review.

SECTION 10. The parties acknowledge and agree that this Agreement is not intended to be a statutory Development Agreement.

SECTION 11. This agreement will remain in effect until buildings and site improvements such as public facilities, loading, parking and landscaping occupy 75% of the Property area, or for a period of 30 years from the enactment of the agreement, whichever occurs first.

SECTION 12. This Agreement represents the entire and final agreement of the parties with respect to this subject matter and supersedes all prior negotiations, discussions or writings with respect thereto.

SECTION 13. This Agreement may be executed in counterparts, each of which shall be deemed to be an original but all of which taken together shall constitute but one and the same instrument.

SECTION 14. This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon.

IN WITNESS WHEREOF, the parties hereby execute this Agreement as of the day and year first set forth above.

Legacy Health System

City of Tualatin

By: _____

By: _____

Its: _____

Its: _____

Attorney: _____

Attorney: _____



KITTELSON & ASSOCIATES, INC.

TRANSPORTATION ENGINEERING / PLANNING

610 SW Alder Street, Suite 700, Portland, OR 97205 P 503.228.5230 F 503.273.8169

CITY OF TUALATIN
RECEIVED

JAN 26 2010

COMMUNITY DEVELOPMENT
PLANNING DIVISION

MEMORANDUM

Date: January 26, 2010

Project #: 9760.0

To: Will Harper
City of Tualatin
18880 SW Martinazzi
Tualatin, OR 97062

From: Mark Vandehey, P.E.

Project: Legacy Meridian Park Plan Map Amendment

Subject: Transportation Analysis – Supplemental Information

This memorandum provides additional transportation information associated with Legacy Health System's proposal for a zone change and plan amendment for their 20-acre site immediately east of the Meridian Park Hospital. The four issues addressed in this memorandum are: 1) discussion of the need for a five lane improvement on SW Borland Road, 2) discussion of the need for a five lane improvement on SW 65th Avenue, 3) recommended improvements to SW 65th Avenue at its intersections with SW Borland Road and SW Sagert Street, and 4) recommended phasing of improvements for the Development Agreement between the City of Tualatin and Legacy.

Need for Borland Road Five Lane Improvement

Our understanding City Council have asked about the need for improving SW Borland Road to five lanes along the frontage of property owned by Legacy Health System. Using the forecast 2028 volumes improving SW Borland Road in the vicinity of the site to five lanes from its existing three lane cross-section is not required to meet the City's standard of Level of Service "E" or better. As discussed in the next section, the capacity constraint to SW Borland Road is at its intersection with SW 65th Avenue.

Need for SW 65th Avenue Five Lane Improvement

We understand City Council also had some questions regarding the need for improving SW 65th Avenue to five lanes in the future. The capacity constraints along SW 65th Avenue between SW Borland Road and SW Nyberg Road are located at the signalized intersections of SW 65th Avenue/SW Nyberg Lane and SW 65th/SW Borland Road. The other capacity constraint along SW 65th Avenue is at the existing four-way stop controlled intersection at SW Sagert Street. Table 1 below shows the Level of Service results for future 2028 conditions presented in our October 1, 2009 memorandum. As indicated in the our memorandum, through the year 2028 only the SW 65th/SW Borland and SW 65th/Sagert intersections are operating at or below the City's Level of Service "E" standard.

The future 2028 forecasts assume reasonable worst-case build-out assumptions for the 20-acre site that is the subject of the proposed zone change, but also include general growth in employment and population for other properties throughout the City of Tualatin.

Table 1 Comparison of Intersection LOS Results

Intersection	Existing Zoning w/Residential Development	Existing Zoning w/Medical Office Development	Proposed Zoning w/Medical Office Development
	AM/PM	AM/PM	AM/PM
SW Nyberg Road/ SW Nyberg Lane	B/C	B/C	B/C
SW 65 th / SW Borland Road	D/D	E/E	E/E
SW 65 th / SW Sagert	F/F	F/F	F/F

Recommended Improvements to SW 65th Avenue at SW Borland Road and SW Sagert Street

As discussed above, the capacity constraints within the vicinity of the site are located at the intersections of SW 65th/Sagert Street and SW 65th/SW Borland Road. Accordingly, it is recommended that future transportation improvements tied to Legacy's development of the 20 acre site be focused on the SW 65th Avenue intersections with SW Borland and SW Sagert Street. Figure A1 illustrates a conceptual improvement that could be constructed by Legacy as part of future development of the 20 acre parcel. It appears as though all of the right-of-way needed to construct this improvement would come from property that is currently owned by Legacy Health System. A "planning level" estimate to design and construct this improvement is approximately \$800,000 (not including right-of-way).

Table 2 shows the results of the improvements illustrated in Figure A1. As indicated in the figure, the proposed improvements will significantly improve the performance of both intersections.

Table 2 Comparison of Intersection LOS Results

Intersection	2028 Conditions w/Medical Office Development
	AM/PM
SW 65 th / SW Borland Road	D/D
SW 65 th / SW Sagert	C/C

Recommended Phasing of Improvements for the Development Agreement

Based on the results of our analysis to date as well as discussions with representatives from both the City and Legacy, we recommend that the Development Agreement between the City of Tualatin and Legacy include the conceptual improvements shown in Exhibit A1 to be constructed with the first phase of development on the 20 acre parcel subject to the following three conditions: 1) the first phase includes a minimum of 50,000 square feet of medical office development, 2) the cost of the improvements result in a credit against the City's Transportation Development Tax, and 3) the total cost of the improvements do not exceed \$900,000.

It is also recommended that no additional frontage improvements be constructed on SW Borland Road along the 20 acre site's frontage, but that right-of-way be dedicated to accommodate the City's standard five lane cross-section.

MEMORANDUM

DATE: June 28, 2010

TO: Will Harper, AICP
Associate Planner

FROM: Dayna Webb, PE
Project Engineer

SUBJECT: **PMA-09-03 – Proposed Zone Change from RL to MC
21E 19C #1700 & 2000 – SW Borland Road**

On August 31, 2009 the Engineering Division received Plan Map Amendment Application Notice PMA-09-03 for two properties adjacent to Meridian Park Hospital. The properties are located at 6001, 6021, 6031 & 6041 SW Borland Road and are 4.97 acres and 14.62 acres, respectively. The applicant is requesting a Planning District designation change from Low Density Residential (RL) to Medical Center (MC).

The requested Plan Map Amendment includes a total of 19.59 acres. A reasonable worst-case scenario of trips based on the existing and proposed zoning indicates an additional 545 AM Peak Hour Trips (470 In and 75 Out) and 830 PM Peak Hour Trips (190 In and 640 Out).

The applicant submitted a Memorandum – Transportation Planning Rule Analysis from Kittelson & Associates, dated August 21, 2009. The analysis summary of findings states the following:

- The TPR institutes criteria under which the transportation impacts of a post-acknowledgment plan amendment and zoning map amendment must be evaluated under OAR 660-12-0060(1). Based on the analysis results presented in this memorandum, the proposed zone change satisfies all of the requirements set forth in the TPR.

The applicant also submitted a Memorandum – Transportation Analysis – Supplemental Information from Kittelson & Associates, dated October 1, 2009. The supplemental information includes figures for trip generation and information to support TDC 1.032(8).

Additionally, the applicant submitted a Memorandum – Transportation Analysis – Supplemental Information on January 26, 2010. This supplement provides additional information associated with the proposed plan map amendment.

SW Borland Road

Clackamas County designates SW Borland Road as a Minor Arterial. The function of an Arterial is described as connecting collectors to higher order roadways. They carry moderate volumes at moderate speeds.

The City of Tualatin designates SW Borland Road as a Major Arterial (Eb&t) which includes four travel lanes, a center turn lane, bike lane, planter strip & sidewalk within a right-of-way width of 98-102 feet. Our TSP states, "Primary function is to serve both local and through traffic as it enters and leaves the urban area; connects the minor arterial and collector street system to freeways and expressways; provides access to other cities and communities; serves major traffic movements; access control through medians and/or channelization; restricted on-street parking; sidewalks and bicycle facilities required; may allow a right-turn pocket if warranted; will be used by public transit."

SW 65th Avenue

Washington County designates SW 65th Avenue as an Arterial. Washington County states the function of an Arterial is to interconnect and support the Principal Arterial highway system. Arterials intended to provide general mobility for travel within the region. Correctly sized Arterials at appropriate intervals allow through trips to remain on the Arterial system thereby discouraging use of Local streets for cut-through traffic. Arterial streets link major commercial, residential, industrial and institutional areas.

The City of Tualatin designates SW 65th Avenue as a Major Arterial (Eb&t) which includes four travel lanes, a center turn lane, bike lane, planter strip & sidewalk within a right-of-way width of 98-102 feet. Our TSP states, "Primary function is to serve both local and through traffic as it enters and leaves the urban area; connects the minor arterial and collector street system to freeways and expressways; provides access to other cities and communities; serves major traffic movements; access control through medians and/or channelization; restricted on-street parking; sidewalks and bicycle facilities required; may allow a right-turn pocket if warranted; will be used by public transit."

Following are the trip generation estimates, provided by Kittelson & Associates, Inc based on Trip Generation, 7th Edition:

Land Use	ITE Code	Size	Estimated Trip Generation					
			Weekday AM Peak Trips			Weekday PM Peak Trips		
			Total	In	Out	Total	In	Out
Single-Family Residential	210	94 Units	75	20	55	100	60	40
Medical Office	220	250,000 square feet	620	490	130	930	260	680
Net Increase with Medical Office Development			545	470	75	830	190	640

TDC 1.032 Burden of Proof (6) Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules.

Because the proposed land use action will result in an amendment to the City of Tualatin's zoning map, Section 660-012-0060 of the State's Transportation Planning Rule applies. Division 12 of the State's Transportation Planning Rule (OAR 660-012) gives the Oregon Department of Land Conservation and Development (DLCD) and the City of Tualatin the power to interpret and implement Statewide Planning Goal 12 (Transportation). Section 660-012-0060 of the TPR provides specific language on how to deal with amendments to adopted plans and land use regulation.

OAR 660-012-0060 (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.

(a) Change the functional classification of an existing or planned transportation facility

(b) Change standards implementing a functional classification system

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Based on the results presented in the Memorandum – Transportation Planning Rule Analysis, Kittelson & Associates believes the proposed zone change satisfies all of the requirements set forth in the TPR.

TDC Section 1.032 Burden of Proof: (8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area. Based on TDC Map 9-4 the site is located in the IN (Inner Neighborhood) Design Type.

The submitted Supplemental Information states "this standard is met during all time periods for each development scenario, with the exception of the SW 65th/SW Sagert intersection. The SW Sagert/SW 65th Avenue intersection meets warrants for signalization under any scenario".

The City of Tualatin TSP Appendix C – Detailed Intersection Operations Results (Existing Conditions), completed in June 2001, shows the 65th/Sagert intersection as an all-way stop controlled intersection operates at a v/c of 1.14 and a LOS F. The TSP also identifies the intersection for a future traffic signal.

As part of the development agreement, the applicant has proposed constructing improvements to the SW 65th/SW Sagert intersection & the SW 65th/SW Borland Road intersection which will meet the criteria of TDC 1.032 (8).

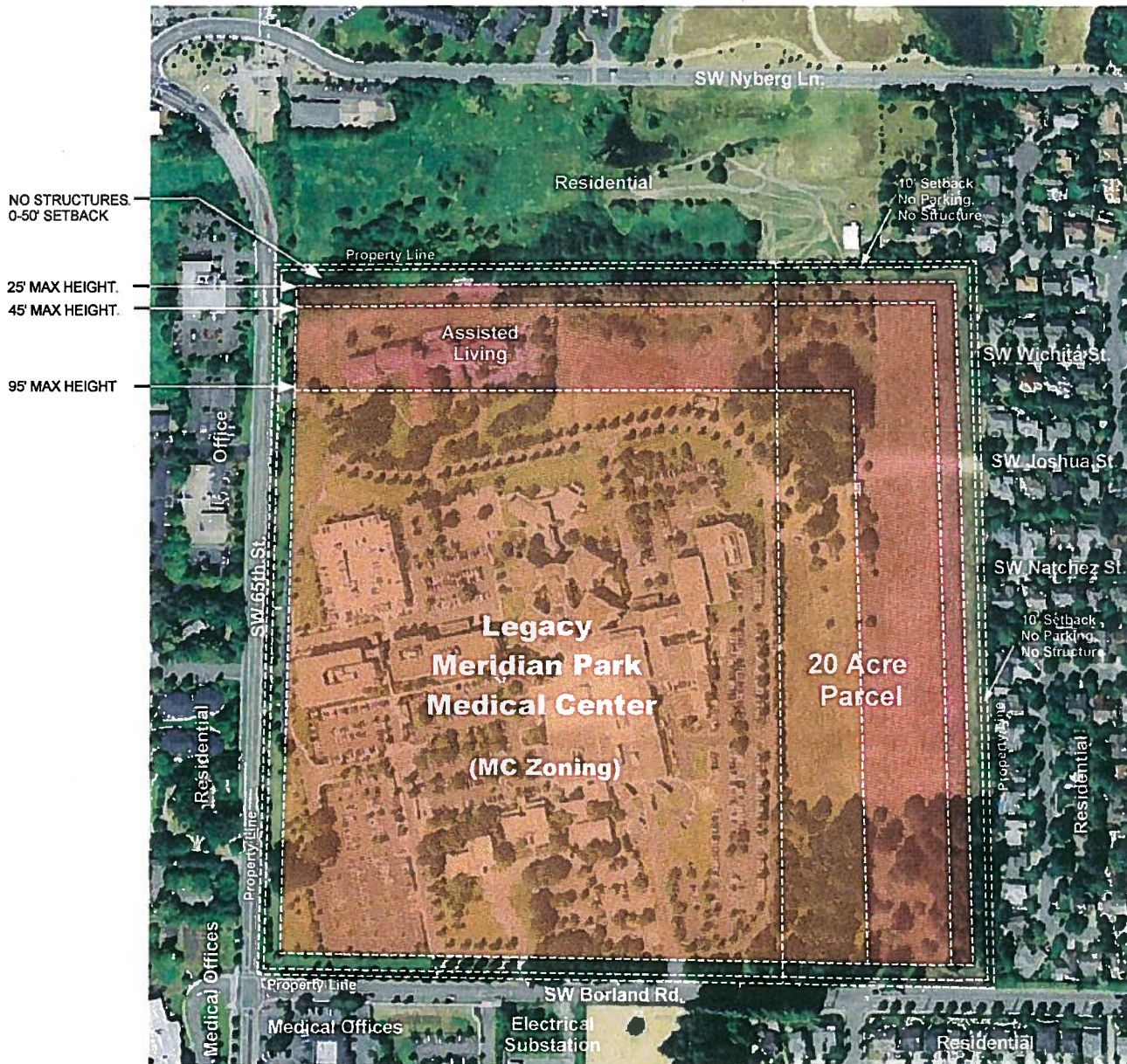
Comments Received:

No comments were received from Washington County or Clackamas County regarding the proposed Plan Map Amendment.

We received comments from ODOT on October 27, 2009 requesting additional information before they can make a determination on the potential effect on the I5/Nyberg interchange.

Additionally, we received a second comment letter from ODOT on January 14, 2010 regarding the ability to use conditional use when evaluating TPR impacts on ODOT facilities.

Please let me know if you have questions, I can be reached at extension 3036.



**MC ZONING SETBACK /
HEIGHT LIMITS:**

0-50' SETBACK.
NO STRUCTURES



50' TO 100' SETBACK.
25' MAX HEIGHT.



100' TO 300' SETBACK.
45' MAX HEIGHT.



+300' SETBACK.
95' MAX HEIGHT.



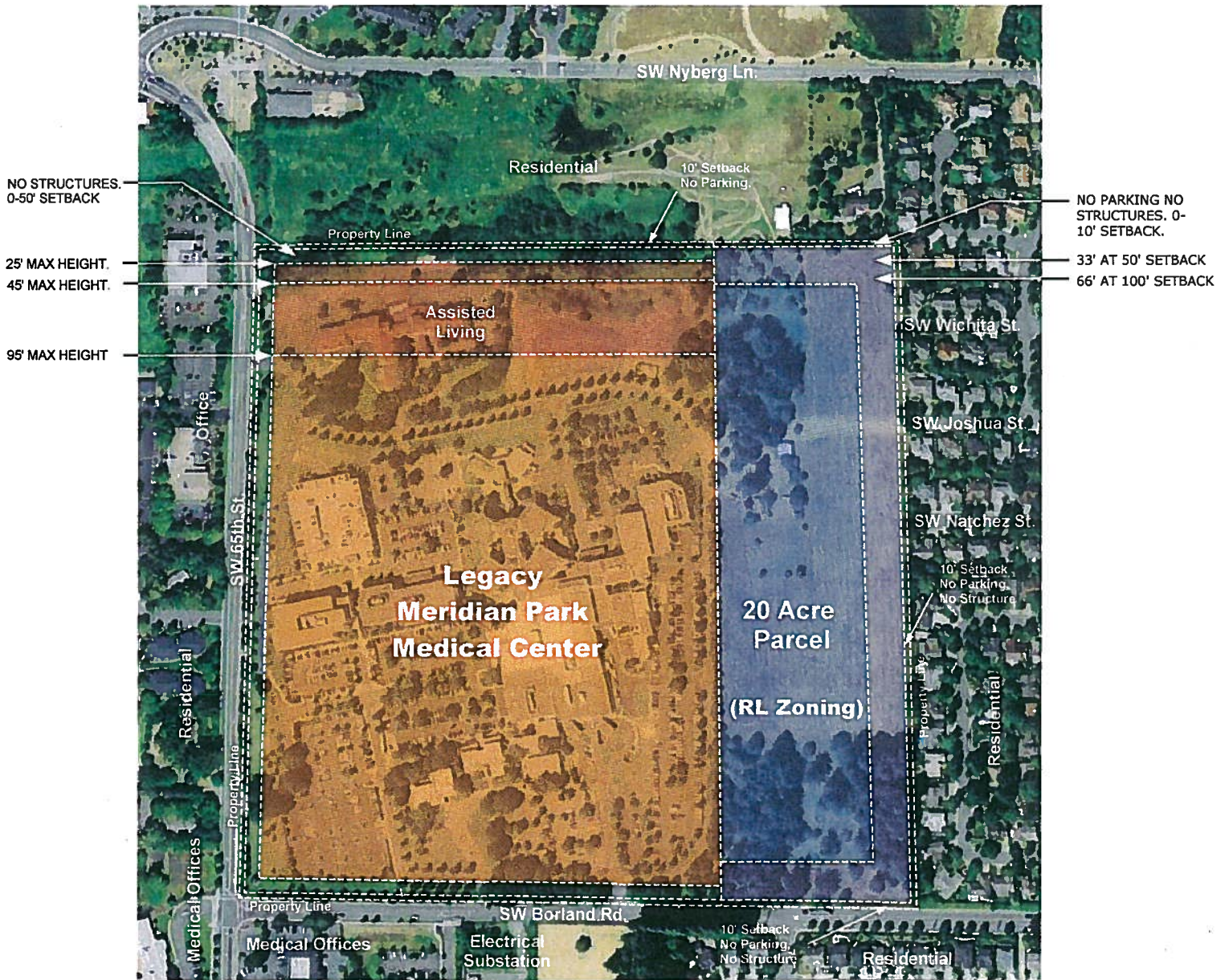
MC Zoning - Site Plan

Scale 1" = 400'-0"

LEGACY MERIDIAN PARK MEDICAL CENTER

Tualatin, OR

ZGF Architects, LLP
November 9, 2009



MC ZONING SETBACK / HEIGHT LIMITS:

0-50' SETBACK. NO STRUCTURES

50' TO 100' SETBACK. 25' MAX HEIGHT.

100' TO 300' SETBACK. 45' MAX HEIGHT.

+300' SETBACK. 95' MAX HEIGHT.



RL ZONING SETBACK / HEIGHT LIMITS:

0-10' SETBACK. NO STRUCTURES

BASE HEIGHT 35' FOR CONDITIONAL USES. UP TO MAX. 75' AT SETBACK / 1.5 RATIO.

+ 112'-6" SETBACK. 75' MAX HEIGHT. FOR CONDITIONAL USES



RL Zoning - Site Plan

Scale 1" = 400'-0"

LEGACY MERIDIAN PARK MEDICAL CENTER

Tualatin, OR

ZGF Architects, LLP
November 9, 2009

From: STACY CRAWFORD
Sent: Wednesday, October 21, 2009 10:16 AM
To: Will Harper; Doug Rux; Sherilyn Lombos
Subject: FW: Meridian Park Hospital Plan Map Amendment Courtesy Notice

I received this comment.

Stacy

From: Marie Fromme [mailto:mfrommel@yahoo.com]
Sent: Wednesday, October 21, 2009 10:10 AM
To: STACY CRAWFORD
Subject: Re: Meridian Park Hospital Plan Map Amendment Courtesy Notice

Thank you for your email message regarding the change in zoning for the property east of the Meridian Park Hospital. If I understand this message correctly, you would like to change the single housing plats to land use for hospital expansion instead. We fully support this change.
Marie and Donald Fromme

--- On Wed, 10/21/09, STACY CRAWFORD <SCRAWFORD@ci.tualatin.or.us> wrote:

From: STACY CRAWFORD <SCRAWFORD@ci.tualatin.or.us>
Subject: Meridian Park Hospital Plan Map Amendment Courtesy Notice
To: "Adam Pettitt" <tallperson23@yahoo.com>, "Agnela and Philip Hansen" <AHAN618@aol.com>, "Alan Somervell" <somervell@Verizon.net>, "Alice Gydesen" <gydesenfamily@comcast.net>, "Alisha Coppedge" <alishadyan@gmail.com>, "Angela Wrahtz" <angela.wrahtz@comcast.net>, "Anthony Caflen" <webmaster@foxhillsoregon.com>, "Anthony Laflen" <anthony@cnwre.com>, "Barbara Archer" <barcher1@email.phoenix.edu>, "Becky Luther" <becky.luther@comcast.net>, "Bev Marlett" <bevmarlett@verizon.net>, "Bill and Joy Wilson" <williamewilson@comcast.net>, "Bob Dove" <Bob_dove@mentor.com>, "Brad Helm" <brad.helm.77@comcast.net>, "Brian" <stephenson5635@comcast.net>, "Briana Currey" <bkcurrey2002@yahoo.com>, "Bryan and Dianne Yates" <banddy8s@comcast.net>, "Burton Silverman" <burtonsilverman@comcast.net>, "Chad Sourthards" <scourthards@hotmail.com>, "Charles Brod" <cubrod@gmail.com>, "Cheri Collins" <collinscsc@msn.com>, "Cheri Emahiser" <cemahise@earthlink.net>, "Chris Pries" <jetmoney737@gmail.com>, "Christen Depweg" <cjkdepweg@verizon.net>, cindy.oubre@verizon.net, "Dana Terhune" <dnterhune@verizon.net>, "Danielle Ricca" <danielle@cincodeesign.com>, "Dave and Diane Burnette" <BBdaveburnette@cs.com>, "Derek Plank" <dplank@meacon.com>, "Diana Gowen"

Will Harper

From: Will Harper
Sent: Wednesday, January 13, 2010 11:27 AM
To: Dayna Webb; Kaaren Hofmann
Cc: Doug Rux; Brenda Braden
Subject: Legacy Development Impacts on SW 65th Ave.

Tuesday afternoon, the Mayor & Councilor Harris requested information on the following LMPMC and LHS Grimitt Property MC development scenarios:

1. LMPMC full build-out impacts on SW 65th Avenue. Would LMPMC development trigger SW 65th, SW Nyberg & SW Borland improvements?
2. Add Grimitt/LHS Property Full Build-out. What are added impacts to SW 65th and are improvements triggered?

Please help us respond ASAP. We will either reply to LO and JH directly or incorporate the info into the Development Agreement and staff report. If this leads to SW 65th dedication & improvement provisions in the LHS DA, we will have to continue to update Larry Hill and Kittelson.

Also, Councilor Barhyte continues to ask about making SW 65th Avenue as the primary ingress/egress access for the LMPMC + Grimitt campus with corresponding improvements to SW 65th to accommodate the traffic volumes from I-5 and the turning movements into LMPMC. We need to be able to provide information about the transportation system implementation and physical street & intersection improvements that become necessary with this scenario.

All of this is pinching the Development Agreement and may make it difficult to have the DA ready for the 1-25 Council meeting to go with the PMA.

William Harper, AICP
Associate Planner
Community Development Department
Planning Division
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Direct 503-691-3027 FAX 503-692-0147
Email wharper@ci.tualatin.or.us

Will Harper

From: Mark Vandehey [MVANDEHEY@kittelson.com]
Sent: Friday, January 15, 2010 3:42 PM
To: Will Harper
Cc: Dayna Webb
Subject: RE: Meet to discuss LHS PMA and DAgreement

That will work Will. We will bring us much information as we can.

Mark

From: Will Harper [mailto:WHARPER@ci.tualatin.or.us]
Sent: Friday, January 15, 2010 3:38 PM
To: Mark Vandehey
Cc: Dayna Webb
Subject: Meet to discuss LHS PMA and DAgreement

Mark: can you or Julia meet with COT Engineering & CDD on Tuesday 11am to

1. Comparison of SW Borland Rd ½ street (5 lanes), SW65/Sagert Intersection & SW 65th Avenue improvement costs. TDT eligibility.
2. Discuss SW 65th improvement constraints and the minimum improvements needed to improve capacity and operation of street (2 more lanes, additional ROW, new bridge, steep bank on east with retaining walls, multiple turn lanes & signal at LMPMC north access, impacts on existing development including 7-11, CWS Pump Station, Whitney Bldg parking & access, Residential access).
3. Discuss ODOT position on TPR analysis and responses.

Your traffic numbers and costs from the TSP on SW 65th and cost estimates on SW Borland and SW65th/Sagert will be helpful.

William Harper, AICP
Associate Planner
Community Development Department
Planning Division
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092
Direct 503-691-3027 FAX 503-692-0147
Email wharper@ci.tualatin.or.us



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

Will Harper

From: STACY CRAWFORD
Sent: Wednesday, October 21, 2009 8:20 AM
To: Adam Pettitt; Agneta and Philip Hansen; Alan Somervell; Alice Gydesen; Alisha Coppedge; Angela Wrahtz; 'Anthony Caffen'; Anthony Laflen; Barbara Archer; Becky Luther; Bev Marlett; Bill and Joy Wilson; 'Bob Dove'; Brad Helm; Brian; Briana Currey; Bryan and Dianne Yates; Burton Silverman; Chad Sourthards; Charles Brod; Cheri Collins; Cheri Emahiser; Chris Pries; Christen Depweg; 'cindy.oubre@verizon.net'; 'Dana Terhune'; Danielle Ricca; Dave and Diane Burnette; Derek Plank; Diana Gowen; Don Fromme; Donna Barton; 'Doug and Marjene Freiley'; 'Doug Rassmussen'; Gail Patterson; Heidi Bowen; 'Hilary Bissell'; 'Janice Dove'; Jeffry McCulloch; Jessica Wilson; Jim and Julie Fisher; Jim Belan; John Biniewski; John Gardner; Jon Hinrichs; Julie Park; 'Julie Sepp'; Karen Faus; Kathy McCulloch; 'Kevin'; Kevin Miskimins; Kimberly Hultgren; Kimberly Williams; 'Kip Aszman'; 'Kristi Allen'; 'Laurel Aszman'; Lee Williamson; 'LuAnne WELLS'; Mann Tong; Marie Fromme; Michelle Stevens; Miriam Pinoli; Molly Schray; Nancy Heck; Randy Johnson; Randy Leonard; Renee Balsiger; Robert Spadling; Robin Monahan; Roger Nilsen; Ronn Rhodes; Roy Hanash; Sally Ackley; Sharon Erkson; 'Sherri Hauke'; Shirley O'Neil; Staci Ball; Stecy James; Steve Balsiger; Steve Bourque; Steve Otos; Steve Stewart; 'suewilcock@gmail.com'; Susan James; Susanne Nelson; 'tallie@macadamsbarandgrill.com'; 'Teri Smith'; 'Terrie Petersen'; 'the5blocks@yahoo.com'; Thor and Judy Thorson; Tim Thornburg; 'Tobi O'Neil'; Todd Graves; 'Tom and Debra Conchuratt'; Tony Ricca; Tori Alderman; Tyler Brown; 'Valeri Cottrell'; 'waltw51@comcast.net'; 'wanalawn@verizon.net'
Cc: gabdevs@teleport.com; Sherilyn Lombos; Doug Rux; Will Harper
Subject: Meridian Park Hospital Plan Map Amendment Courtesy Notice
Attachments: Legacy MPH Vicinity Aerial.pdf; PMA-09-03 Notice of Hearing.pdf

101 Addresses
with 102609

Tualatin Residents:

This email message is from the City of Tualatin Community Development Department regarding Plan Map Amendment PMA-09-03. This message is being provided as a courtesy notice to residents in the east Tualatin area in addition to the City's required notification of property owners within 300 ft. of the proposed land use action.

On November 9, 2009, the Tualatin City Council will hold a public hearing to consider a request by Legacy Health Systems to change the Planning District designation (zoning) of the undeveloped 19.6 acre property east of Legacy Meridian Park Hospital from Low-Density Residential (RL) to Medical Center (MC). The addresses of the property are 6001, 6021, 6031, 6041 SW Borland Road. A pdf format copy of the Notice of Hearing for Plan Map Amendment PMA-09-03 and a Vicinity Map are attached to this message.

The (existing) RL Planning District allows detached single-family residential dwelling development as a permitted use and allows a hospital as a conditional use (subject to City Council approval). The MC Planning District which currently encompasses the Meridian Park Hospital campus allows various hospital and healthcare service uses including a primary care hospital, medical and healthcare professional offices, clinics and laboratories and supporting retail commercial uses (pharmacy, small bank or credit union branch, gift store, salon, etc.) as permitted uses. The MC District also allows residential facilities such as congregate care, assisted living, nursing and convalescent homes as permitted uses.

Changing the designation on 19.6 acres to MC would allow the Meridian Park Hospital campus to expand with buildings, parking and landscaping onto the Legacy Health Systems property in the future, subject to the specific list of allowed uses, minimum lot size and setback provisions, and building height provisions of the MC Planning District.

Doug Rux

From: coolican2307@comcast.net
Sent: Saturday, October 31, 2009 12:41 PM
To: Doug Rux
Cc: Sherilyn Lombos
Subject: Public Hearing PMA 09-03

I would like the following comments included in the record regarding the proposed amendment to Community Plan Map (PMA-09-03).

1. Is granting the plan map amendment in the public interest?

No determination can be made regarding this criteria. Legacy has made it clear that no plans exist for the development of this property. It is conjecture and not in the best interest of the community to assume that whatever Legacy or another owner may decide to do is in the public interest. LHS most pressing campus issue today is parking. It's not clear that a series of parking garages and the necessary street access that would be required meets even Legacy's definition "to best serve the health needs of the public".

2. Is the public interest protected granting the plan map amendment at this time?

No determination can be made regarding this criteria.

Again, Legacy claims there are no building plans at this time. How can it be argued that handing Legacy a blank check regarding such a rezoning appeal is in the community's best interest? It is disingenuous on the part of Legacy to make such an assertion. The result of this request by Legacy would be to prevent public discourse on their building plans. Their offering of "Trust Us" we'll do the right thing for the community, is not acceptable. We have no guarantees from LHS or whomever may own this property in the future. Our protection is our ability to require the owner to present explicit information on plans in an open forum before granting a rezoning request.

Granting this request would be a misuse of the public trust and should be rejected by council.

Sincerely,

Mark Coolican
19050 SW Mobile Pl
Tualatin, OR

To: Community Development Department
From: Janice Dove, 19135 SW Mobile Pl., Tualatin OR 97062
Re: Meridian Park Hospital Zone Change, Tax Map 21E 19C, Tax Lots 1700 & 2000

Without any plan for this property, besides a zone change to MC, it's hard to comment. So at this time I only have two concerns about the effects of what could happen if the property was built out as a medical use.

1. If the roads adjoining the property (Joshua, Wichita, Nachez) are connected as through streets, I have concerns about the additional traffic that would travel through the Fox Hill neighborhood. With the recent approval of the Stafford Hills Racquet & Fitness Club (SHRFC) traffic increase, I would ask that the city consider not extending the above streets so that no additional commercial traffic will come through a residential neighborhood.
2. When the property eventually has buildings and parking lots built, I have concerns about the water runoff. With the recent approval of the SHRFC build-out to pave over the property directly below the Hospital, water runoff down to Nyberg Lane is already a concern. If mass amounts of impervious surface are added to the hospital property, the below properties (including mine) and Nyberg Lane will be impacted to an even greater extent than they are now.

Thank you for considering these concerns.

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 3:05 PM
To: Doug Rux; Will Harper
Subject: FW: Legacy Health Systems Zone Proposal

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: timthornburg@comcast.net [mailto:timthornburg@comcast.net]
Sent: Monday, March 08, 2010 1:45 PM
To: lou.ogden@juno.com; chris@barhyte.com; smbeikman@verizon.net; Joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com
Cc: Sherilyn Lombos
Subject: Legacy Health Systems Zone Proposal

Mayor and members of the Tualatin City Council:

Prior to the City Council meeting this evening, I would like to state in writing my opposition to the proposed hospital zone change. As the owner of the property, I certainly understand and can appreciate that Legacy Health System would like to develop this property. I am not opposed to development of the property. I am, however, opposed to development of the property with a zone change as it has been designated low density residential for many years. I believe that changing the zone goes against what residents of Tualatin believe and understood what the property could and would be used for. Let me be more specific on why I am strongly opposed to this change.

1. The City council recently completed the approval of a conditional use permit for the Stafford Hills Tennis and Fitness facility. While attending city council meetings on this proposed development, it was clear to me that the council was open and willing to discuss impacts (natural, traffic, parking, impact to home value etc) this development would have on the surrounding community. In my mind, why would the hospital property not follow the same conditional use permit process. This would insure a ARB process, involvement of the community and surrounding neighborhoods. I see a zone change of the hospital property restricting everyone, but the hospital.
2. I am concerned that the council could vote in favor of a zone change without fully understanding future impacts the tennis center may have on the surrounding community and neighborhoods. Given that the administrator of Legacy Meridian Park stated at a recent meeting that Legacy does not have current development plans, does it not make sense to know and understand the future impact the tennis center will have on the City and surrounding area prior to approval for increased development adjacent to that property. I believe this is the right decision given the size of property currently considered for development.
3. Is the City of Tualatin obligated to approve the zone change? I understand they are not.

4. If a zone change was granted, I believe that people in Fox Holl will be negatively impacted without having benefits that a conditional use permit may allow. Why would it be appropriate to identify conditional uses for the tennis center but not for the proposed hospital development. Furthermore, I would expect that given a zone change, the tennis center ownership and management would strike a deal with the hospital that would allow the tennis center to "work around" the conditional uses associated with parking.

5. I believe it is disingenuous that the hospital would open their doors for meetings to discuss the tennis center but not properly communicate their development proposal to neighbors. This is especially frustrating given that they were able to communicate to the community that they were now a "smoke free" campus but cannot in "good faith" communicate their plans for development.

To summarize: What would be the downside to approving development based on conditional uses of this property? In my mind, it would be a win/win for the City, Neighboring Communities and Legacy. Alternatively, a rezoning of the property restricts everyone but Legacy Health Systems.

I urge you to vote no on a rezoning of this property.

Regards,

Tim Thornburg
19291 SW Chesapeake Drive

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 3:08 PM
To: Doug Rux; Will Harper
Subject: FW: Proposed zoning change Meridian Park Hospital

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: David Arndorfer [mailto:darndorfer@msn.com]
Sent: Monday, March 08, 2010 1:10 PM
To: lou.ogden@juno.com; chris@barhyte.com; smbeikman@verizon.net; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com; joelle.d.davis@gmail.com; Sherilyn Lombos
Subject: Proposed zoning change Meridian Park Hospital

Dear Mayor and City Councilors,

Debby and I are citizens of Tualatin and have resided here for 20 years in the Fox Hill neighborhood. We were extremely disappointed the City Council approved the CUP for the Stafford Hills Tennis Club but understand this was arguably a permitted use under the conditional uses allowed in Low Density Residential zoning. We understand the Hospital is requesting a zoning change to Medical Complex for the property they own between the hospital and Fox Hills neighborhood.

We are completely against the City Council voting to approve this zoning change. This change is totally out of character for the existing neighborhood and will irreparable damage property values and will add unreasonable traffic, noise and non residential activities.

Enough is enough. We demand you deny this request for change in zoning.

Sincerely,

David and Debby Arndorfer
19339 SW Chesapeake Dr
Tualatin, OR 97062
503-691-1735

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 10:14 AM
To: Doug Rux; Will Harper
Subject: FW: Proposed Rezoning 57th Ave & Nachez

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Mike Fernandez [mailto:mwfernandez@comcast.net]
Sent: Monday, March 08, 2010 9:35 AM
To: Chris Barhyte; Donna Maddux; Ed Truax; Jay Harris; Joelle Davis; Lou Ogden; Monique Beikman; Sherilyn Lombos
Cc: Sara Fernandez
Subject: Proposed Rezoning 57th Ave & Nachez

Dear Council:

We own a home in Fox Hills, but I will not be able to attend the meeting Monday night when you consider the request for rezoning property at 57th Ave & Nachez. I want to make my concerns known to you:

1. First that the building designs be in character with the Fox Hills residential neighborhood. The hospital presents a different impression from 65th Avenue or Borlan Road than that from residential streets. But the hospital has little to loose from being next to our neighborhood (the quiet neighborhood is probably a benefit to the hospital) while the bucolic residences have everything to loose with the location of a busy enterprise in our viewscape. This may mean the developer may have to forgo maximum square footage and plant a natural buffer zone.
2. Second, the traffic patterns could be very disrupting to the residential use and dangerous, especially for walking children. It is important that the developer be required to make improvements connecting the property to main arterials of I-5, I-205, 65th Ave, and Borland Road. Measures must be implemented to prevent traffic from taking shortcuts along Nyberg Lane and the residential streets.

Thank You

Mike Fernandez
19480 SW 51st Avenue
Tualatin, OR 97062
Res Phone: 503-486-5640

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 10:22 AM
To: Doug Rux; Will Harper
Subject: FW: Meridian Park Hospital Zone Change Meeting 3/8/10

Importance: High

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Faus, Karen [mailto:KFaus@columbia.com]
Sent: Monday, March 08, 2010 9:57 AM
To: lou.ogden@juno.com; chris@barhtye.com; smbeikman@verizon.net; joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com; Sherilyn Lombos
Cc: Faus, Karen
Subject: Meridian Park Hospital Zone Change Meeting 3/8/10
Importance: High

Hi:

I am a resident in Fox Hill, living on the dead end street on Natchez. I am not sure I will be able to make the zone change meeting tonight and wanted to express my opposition to allowing the zone change from low-density residential to medical. We do not need our street to be a thoroughfare for traffic from the hospital, nor do we want to look at office buildings when we are in our yard and driving to our homes. It has been mentioned the potential for thousands of additional cars per day and using Natchez as a through street will not work.

You let us down by allowing the tennis club to be built even though when we built our house in 1986 and checked with the city, we were told in no uncertain terms that nothing could ever be built on that land as it is 100 year flood plain – PERIOD. In your quest for more money, you do not seem to care. This club will be bringing in more traffic also and the congestion will be unlivable.

I also hope you realize that if you allow the zoning change, property values will decline immensely as no one will want to buy homes in the 1st, 2nd and 3rd phases of Fox Hill when they have to look at large hospital buildings everyday and put up the noise and pollution from all the cars. We already deal with car alarms going off at all hours of the night.

Karen Faus
5752 S.W. Natchez St.
Tualatin, OR 97062

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:44 AM
To: Doug Rux; Will Harper
Subject: FW: MC Zoning

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 12:58 AM
To: exploredave@comcast.net
Cc: chris@mustardpeople.com; etruax@royalaa.com; jay@h-mc.com; joelle.d.davis@gmail.com; maddux01@verizon.net; Sherilyn Lombos; smbelkman@verizon.net
Subject: RE: MC Zoning

I understand your feelings about the project and I assure all who attend Monday night will be able to voice their concerns and observe how the council attempts to work through the issues. We are very concerned about the impacts to the neighborhood and again, will work very hard to mitigate those if there is a zone change, and will work very hard to mitigate those if there is not a zone change. If the zone is not changed, the hospital will then need to come back to council for a conditional use permit if they choose to build anything. In either event, I would imagine the council's scrutiny to those impacts and required mitigations would be similar.

However, I do need to set the record straight regarding the athletic club. I am not sure who you suggest rammed it through, as we did not have the authority to tell them to take it to another city, in my opinion. I do know that was disappointing to you and many people.

If you refer to the council as "the inner circle of our Tualatin government" it is completely inaccurate as well as unfair to say we don't care about the voice of the community and that we make "done deals" outside the public forum. If that were the case we wouldn't spend the countless hours we do working and reworking and trying to balance all the issues, we would simply "ram them thru" as you put it. You are certainly free to call us political, but I tell you sir, your accusations are inaccurate. We do work for you even when you don't believe it and when acrimony pervades your email. Your statement that we have a "desire to build", and the planners have something to gain by this is not only in error, but puzzling to me. We do work for you and we do it hour upon hour as volunteers, not as people who "want to degrade" neighborhoods. We do not "play games" and even in spite of your terse accusations of this being "already a done deal -- how about keeping the building scaled down, keep it as far away from the Fox Hills neighborhoods as possible, consider ways to shield the neighborhood from commercial buildings." Those issues as well as the increased traffic, are exactly what we have been working for weeks with the hospital toward a development agreement, and will continue to work on this Monday night at the hearing.

Mr. Hagan, if you honestly want to discuss the Urban Renewal concept and the ROI to the tax payers that we are proposing I would be very pleased to give you all the facts and the anticipated outcomes. If you simply want to toss barbs based upon your assumptions of what that debt is, that is your right, but hardly an objective analysis.

I have lived here for 29 years. When I moved here there was no Fox Hill, no Comanche Woods, no Hedges Creek 1, 2, or 3, no Victoria Woods, no Tualatin High School, no Tualatin Commons, no Hedges Green Shopping Center, etc, and you sir were not taking up the capacity of our streets. I could drive from my house by Byrom to the freeway in less than 5 minutes. And 30 years ago, my house wasn't looking down the hill upon my neighbors to the north and I wasn't taking up space on their streets. Everything that has been built since you and I moved here, has been built on land that was legally

zoned for the purpose, it just hadn't been built yet. However it was already zoned and parceled waiting to build. So for you to come in and now say we caused all that is frankly ignorant of the facts.

As I said, everyone on the council struggles with the impacts of people like the developer of your neighborhood, who own land and have a legal right to build upon it so folks like you and I can move here, work here, shop here. Those decisions were made some 40-45 years ago. So our efforts today are to do everything we can to try to manage and mitigate the impacts of that development. So you may not believe that, you certainly do not appreciate that, and you clearly are unhappy about that. I understand that, and you truly have every right to your emotions. I would ask that you not falsely accuse us of being insensitive to those concerns at best, or at worst, delighting in the effects of that development on all our neighborhoods.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: exploredave@comcast.net [mailto:exploredave@comcast.net]

Sent: Sunday, March 07, 2010 12:03 PM

To: lou.ogden@juno.com; etruax@royalaa.com

Subject: Fwd: MC Zoning

resend

----- Forwarded Message -----

From: exploredave@comcast.net

To: "lou ogde" <lou.ogde@juno.com>, Jay@h-mc.com, Chris@barthe.com, maddux01@verizo.net, etraux@royalaa.com, smbeikman@verizon.net, "joelle d davis" <joelle.d.davis@gmail.com>, slombos@ci.tualatin.or.us

Sent: Sunday, March 7, 2010 11:59:34 AM GMT -08:00 US/Canada Pacific

Subject: MC Zoning

To my Tualatin city government team

I'm sending you this note to advise you of my continued dissatisfaction with your zoning / building decisions as it relates to the Fox Hills area. First it was the athletic club that was rammed through while there were several other options in the Beaverton / Tigard areas... and now it appears your going for the grand slam -- at multi story building parked right next to our neighborhood. What's next in your agenda for our neighborhood.

I've been to the meetings, and sad to say but I have come to realize the inner circle of our Tualatin government doesn't seem to care about its constituency's voice -- that appears to be the nature of politics these days...

So for the record I am opposed the the new " Medical building" parked at the end of 57th and Nachez. I am unable to attend the meeting due to business travel... in the past my presence in the meetings has not seemed to matter.... If you have to do this and knowing how you folks play the game its surely already a done deal -- how about keeping the building scaled down, keep it as far away from the Fox Hills neighborhoods as possible, consider ways to shield the neighborhood from commercial buildings.

Ask yourself the question -- would you want this in your backyard or at the end of your street??? Any one of you that answers yes to the question -- please send me an honest response advising why you would want this in your backyard.

Please let me remind you, that you work for us, its time that you listen to the people, other than the contractors, accountants, city planners and those few who benefit from your decisions. Once upon a time I recall Mayor Lou walking around the Tualatin neighborhoods talking to the people and sharing his desire to be the voice of Tualatin...I have not seen Mayor Lou for many years in my neighborhood, the very one (Fox Hills) that he and his associates seem to want to degrade with the continuing decisions to turn suburbs to urban areas.

I've lived here for 15 years and raised my famiy in the once very nice area....Your decisions, your continued desire to build when there are many vacancies in commercial buildings and alternative options now has me considering where I will move in the future.

One last input on the matter of increasing Tualatin's debt to fund programs -- I think its a huge mistake to increase the debit by nearly a factor of 5 during these times. This is the time to be fiscally conservative in accumulating more debt.

Please listen to the people you represent. Please check you conscience when you make these decisions.

Responses welcome -- however I am not interested in political speak, I'd like honest answers.

Tualatin / Fox Hills resident

John Dave Hagan

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:44 AM
To: Doug Rux; Will Harper
Subject: FW: MC Zoning

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 12:58 AM
To: exploredave@comcast.net
Cc: chris@mustardpeople.com; etruax@royalaa.com; jay@h-mc.com; joelle.d.davis@gmail.com; maddux01@verizon.net; Sherilyn Lombos; smbeikman@verizon.net
Subject: RE: MC Zoning

I understand your feelings about the project and I assure all who attend Monday night will be able to voice their concerns and observe how the council attempts to work through the issues. We are very concerned about the impacts to the neighborhood and again, will work very hard to mitigate those if there is a zone change, and will work very hard to mitigate those if there is not a zone change. If the zone is not changed, the hospital will then need to come back to council for a conditional use permit if they choose to build anything. In either event, I would imagine the council's scrutiny to those impacts and required mitigations would be similar.

However, I do need to set the record straight regarding the athletic club. I am not sure who you suggest rammed it through, as we did not have the authority to tell them to take it to another city, in my opinion. I do know that was disappointing to you and many people.

If you refer to the council as "the inner circle of our Tualatin government" it is completely inaccurate as well as unfair to say we don't care about the voice of the community and that we make "done deals" outside the public forum. If that were the case we wouldn't spend the countless hours we do working and reworking and trying to balance all the issues, we would simply "ram them thru" as you put it. You are certainly free to call us political, but I tell you sir, your accusations are inaccurate. We do work for you even when you don't believe it and when acrimony pervades your email. Your statement that we have a "desire to build", and the planners have something to gain by this is not only in error, but puzzling to me. We do work for you and we do it hour upon hour as volunteers, not as people who "want to degrade" neighborhoods. We do not "play games" and even in spite of your terse accusations of this being "already a done deal -- how about keeping the building scaled down, keep it as far away from the Fox Hills neighborhoods as possible, consider ways to shield the neighborhood from commercial buildings." Those issues as well as the increased traffic, are exactly what we have been working for weeks with the hospital toward a development agreement, and will continue to work on this Monday night at the hearing.

Mr. Hagan, if you honestly want to discuss the Urban Renewal concept and the ROI to the tax payers that we are proposing I would be very pleased to give you all the facts and the anticipated outcomes. If you simply want to toss barbs based upon your assumptions of what that debt is, that is your right, but hardly an objective analysis.

I have lived here for 29 years. When I moved here there was no Fox Hill, no Comanche Woods, no Hedges Creek 1, 2, or 3, no Victoria Woods, no Tualatin High School, no Tualatin Commons, no Hedges Green Shopping Center, etc, and you sir were not taking up the capacity of our streets. I could drive from my house by Byrom to the freeway in less than 5 minutes. And 30 years ago, my house wasn't looking down the hill upon my neighbors to the north and I wasn't taking up space on their streets. Everything that has been built since you and I moved here, has been built on land that was legally

zoned for the purpose, it just hadn't been built yet. However it was already zoned and parceled waiting to build. So for you to come in and now say we caused all that is frankly ignorant of the facts.

As I said, everyone on the council struggles with the impacts of people like the developer of your neighborhood, who own land and have a legal right to build upon it so folks like you and I can move here, work here, shop here. Those decisions were made some 40-45 years ago. So our efforts today are to do everything we can to try to manage and mitigate the impacts of that development. So you may not believe that, you certainly do not appreciate that, and you clearly are unhappy about that. I understand that, and you truly have every right to your emotions. I would ask that you not falsely accuse us of being insensitive to those concerns at best, or at worst, delighting in the effects of that development on all our neighborhoods.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: exploredave@comcast.net [mailto:exploredave@comcast.net]

Sent: Sunday, March 07, 2010 12:03 PM

To: lou.ogden@juno.com; etruax@royalaa.com

Subject: Fwd: MC Zoning

resend

----- Forwarded Message -----

From: exploredave@comcast.net

To: "lou ogde" <lou.ogde@juno.com>, Jay@h-mc.com, Chris@barthe.com, maddux01@verizo.net, etraux@royalaa.com, smbeikman@verizon.net, "joelle d davis" <joelle.d.davis@gmail.com>, slombos@ci.tualatin.or.us

Sent: Sunday, March 7, 2010 11:59:34 AM GMT -08:00 US/Canada Pacific

Subject: MC Zoning

To my Tualatin city government team

I'm sending you this note to advise you of my continued dissatisfaction with your zoning / building decisions as it relates to the Fox Hills area. First it was the athletic club that was rammed through while there were several other options in the Beaverton / Tigard areas... and now it appears your going for the grand slam -- at multi story building parked right next to a our neighborhood. What's next in your agenda for our neighborhood.

I've been to the meetings, and sad to say but I have come to realize the inner circle of our Tualatin government doesn't seem to care about it constituency's voice -- that appears to be the nature of politics these days...

So for the record I am opposed the the new " Medical building" parked at the end of 57th and Nachez. I am unable to attend the meeting due to business travel... in the past my presense in the meetings has not seemed to matter.... If you have to do this and knowing how you folks play the game its surely already a done deal -- how about keeping the building scaled down, keep it as far away form the Fox Hills neighbor hoods as possible, consider ways to shield the neighborhood from commercial buildings.

Ask yourself the question -- would you want this in your backyard or at the end of your street??? Any one of you that answers yes to the question -- please send me an honest response advising why you would want this in your backyard.

Please let me remind you, that you work for us, its time that you listen to the people, other than the contractors, accountants, city planners and those few who benefit from your decisions. Once upon a time I recall Mayor Lou walking around the Tualatin neighborhoods talking to the people and sharing his desire to be the voice of Tualatin...I have not seen Mayor Lou for many years in my neighborhood, the very one (Fox Hills) that he and his associates seem to want to degrade with the continuing decisions to turn suburbs to urban areas.

I've lived here for 15 years and raised my famiy in the once very nice area....Your decisions, your continued desire to build when there are many vacancies in commercial buildings and alternative options now has me considering where I will move in the future.

One last input on the matter of increasing Tualatin's debt to fund programs -- I think its a huge mistake to increase the debit by nearly a factor of 5 during these times. This is the time to be fiscally conservative in accumulating more debt.

Please listen to the people you represent. Please check you conscience when you make these decisons.

Responses welcome -- however I am not interested in political speak, I'd like honest answers.

Tualatin / Fox Hills resident

John Dave Hagan

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:43 AM
To: Doug Rux; Will Harper
Subject: FW: Hospital zone change

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 1:03 AM
To: 'Hinrichs Family'; chris@barhyte.com; smbeikman@verizon.net; Joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com; Sherilyn Lombos
Subject: RE: Hospital zone change

Jon,

Thanks for the email and I do understand your concerns. I hope you can make it to the hearing tomorrow night, testify, then listen to all the facts and participate in the resolution of those issues.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: Hinrichs Family [mailto:hinrichs1230@verizon.net]
Sent: Sunday, March 07, 2010 9:05 PM
To: lou.ogden@juno.com; chris@barhyte.com; smbeikman@verizon.net; Joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com; slombos@ci.tualatin.or.us
Subject: Hospital zone change
Importance: High

Hello-

My name is Jon Hinrichs and I have lived in Tualatin for over 7 years and I moved into the Fox Hills neighborhood because of the truly neighborhood feeling, the low traffic, and the safety. Now I hear that the Hospital is asking the city council to change the zoning of the area of land between the Hospital and the Fox Hill neighborhood. This deeply concerns me because with a zone change the hospital will basically have a blank check to build whatever they want on that land; this could be anything from a huge parking lot to a very large office building and would also require access

from the streets Joshua and Nachez within the Fox Hills neighborhood. This would drastically increase the traffic that will be driving through our wonderful neighborhood, and would lower the safety of all the children that walk to and from Bridgeport Elementary or walk to and from the bus stops on a daily basis. Also the property values of the homes in all of Fox Hills would be reduced significantly.

I understand that the hospital owns that land and obviously bought it with expansion in mind and I am not against the hospital building on that land, however the city council SHOULD NOT change the zoning and let the hospital decide what to build on it because the hospital will not care about the impact to the neighborhood. They are a business and will make decisions based on their bottom line, not on what is best for the Fox Hills neighborhood. If the hospital wants to build on the land, the city council should leave the current zoning the way it is and just add conditions to the zoning in order to keep the expansion under control (i.e. limit the height of any new buildings to be no taller than 2 stories and/or a visual buffer (trees) need to be planted between the Fox Hills neighborhood and any new buildings, etc.)

We already are going to have to deal with the new monstrosity tennis center bordering Fox Hills and the increased traffic as all the people from Wilsonville/West Linn will be using 57th Avenue to cut through the Fox Hills neighborhood to access the club. By adding a large scale Hospital expansion (without conditions) on top of this new tennis center, you will be causing a HUGE increase in traffic, thus lowering the safety of the neighborhood and completely eroding away the truly unique Fox Hills neighborhood feeling.

I will be very disappointed in any city council members that vote "yes" to the hospital's proposed zone change.

Thank you
Jon Hinrichs
Fox Hills Resident

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:43 AM
To: Doug Rux; Will Harper
Subject: FW: Rezoning

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 1:07 AM
To: 'Paul Pedersen'
Cc: chris@mustardpeople.com; etruax@royalaa.com; jay@h-mc.com; joelle.d.davis@gmail.com; maddux01@verizon.net; Sherilyn Lombos; smbekman@verizon.net
Subject: RE: Rezoning

Mr. & Mrs. Pederson,

Thanks for the email and I do understand your concerns. I hope you can make it to the hearing tomorrow night, testify, then listen to all the facts and participate in the resolution of those issues.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: Paul Pedersen [mailto:ppedersen@azambulance.com]
Sent: Sunday, March 07, 2010 2:20 PM
To: lou.ogden@juno.com
Subject: Rezoning

Dear Mayor Ogden:

As Fox Hill residents we urge you to vote NO on rezoning the property between our neighborhood and Meridian Park Hospital. Thank you for your consideration.

Paul and Vanita Pedersen

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:43 AM
To: Doug Rux; Will Harper
Subject: FW: MC zoning

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 1:08 AM
To: 'Linda Reid'
Cc: chris@mustardpeople.com; etruax@royalaa.com; jay@h-mc.com; joelle.d.davis@gmail.com; maddux01@verizon.net; Sherilyn Lombos; smbeikman@verizon.net
Subject: RE: MC zoning

Mr. & Mrs. Reid,

Thanks for the email and I do understand your concerns. I hope you can make it to the hearing tomorrow night, testify, then listen to all the facts and participate in the resolution of those issues.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: Linda Reid [mailto:lreid7@verizon.net]
Sent: Sunday, March 07, 2010 10:27 AM
To: lou.ogden@juno.com; chris@barhyte.com; smbeikman@verizon.net; joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; etruax@royalaa.com
Subject: Re: MC zoning

Dear City Council,
WE are a resident on S. W. Natchez St. in Tualatin, Oregon.
Just to voice our opinion:
We would be AGAINST the zoning proposed to build office buildings in the space owned by Meridian Park Hospital
Dave and Linda Reid
5399 S. W. Natchez St.
Tualatin, Oregon 97062

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:43 AM
To: Doug Rux; Will Harper
Subject: FW: MERICIAN PARK HOSPITAL ZONE CHANGE

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Lou Ogden [mailto:lou.ogden@juno.com]
Sent: Monday, March 08, 2010 1:10 AM
To: 'MOLLY SCHRAY'; CHRIS@BARHYTE.COM; SMBEIKMAN@VERIZON.NET; JOELLE.D.DAVIS@QMAIL.COM; JAY@H-MC.COM; MADDUX01@VERIZON.NET; Sherilyn Lombos; ETRUAX@ROYALAA.COM
Subject: RE: MERICIAN PARK HOSPITAL ZONE CHANGE

Ms. Schray,

Thanks for the email and I do understand your concerns. I hope you can make it to the hearing tomorrow night, testify, then listen to all the facts and participate in the resolution of those issues.

Thanks,

Lou Ogden
Resource Strategies Planning Group
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals
21040 SW 90th Ave.
Tualatin, OR 97062
Phone 503.692.0163; Fax 503.914.1699
lou.ogden@juno.com

From: MOLLY SCHRAY [mailto:mollyschray@verizon.net]
Sent: Saturday, March 06, 2010 3:08 PM
To: LOU.OGDEN@JUNO.COM; CHRIS@BARHYTE.COM; SMBEIKMAN@VERIZON.NET; JOELLE.D.DAVIS@QMAIL.COM; JAY@H-MC.COM; MADDUX01@VERIZON.NET; SLOMBOS@CI.TUALATIN.OR.US; ETRUAX@ROYALAA.COM
Subject: MERICIAN PARK HOSPITAL ZONE CHANGE

My name is Molly Schray and my address is 5402 SW Natchez St, Tualatin, Oregon, 97062.

I oppose the Zone change requested by Meridian Park Hospital. I feel that this change would cause a loss of neighborhood livability, decrease property values, and increased traffic. We still do not know the effect on our neighborhood from the tennis court, although increased traffic 57th is a no brainer

I am urging you to vote against the proposed zone change

Thank you so much for your thoughtful consideration of this matter.

Sincerely, Molly Schray

Will Harper

From: Sherilyn Lombos
Sent: Monday, March 08, 2010 8:41 AM
To: Doug Rux; Will Harper
Subject: FW: ZONING CHANGE

Sherilyn Lombos
City Manager | Administration



Please consider the environment before printing this email.

DISCLAIMER: This email is a public record of the City of Tualatin and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: Greg Shelby [mailto:shelbys5@verizon.net]
Sent: Monday, March 08, 2010 8:33 AM
To: lou.ogden@juno.com; chris@barhyte.com; smgeikman@verizon.net; joelle.d.davis@gmail.com; jay@h-mc.com; maddux01@verizon.net; Sherilyn Lombos
Subject: ZONING CHANGE

Ladies and Gentlemen.....

We will not be able to attend tonight's council meeting.....therefore allow us this e-mail communication.

We have lived on Calusa Loop since 1987. Our property backs onto the property in question. We selected our home because of the beautiful wooded area we look upon each day. Now we face the potential of looking at a 95 foot building!

My fellow citizen of Tualatin....Livability and property values are at stake here. You have all worked hard for those values here in Tualatin. I'm now urging you to do so again....

PLEASE **vote NO** on the request to change the zoning to allow my precious view to become a stark and imposing medical complex.

Thank you for keeping Tualatin livable for ALL of US.

Greg and Cheryl Shelby
5731 SW Calusa Loop

To: Community Development Department
From: Janice Dove, 19135 SW Mobile Pl., Tualatin OR 97062
Re: Meridian Park Hospital Zone Change, Tax Map 21E 19C, Tax Lots 1700 & 2000

Without any plan for this property, besides a zone change to MC, it's hard to comment. So at this time I only have two concerns about the effects of what could happen if the property was built out as a medical use.

1. If the roads adjoining the property (Joshua, Wichita, Natchez) are connected as through streets, I have concerns about the additional traffic that would travel through the Fox Hill neighborhood. With the recent approval of the Stafford Hills Racquet & Fitness Club (SHRFC) traffic increase, I would ask that the city consider not extending the above streets so that no additional commercial traffic will come through a residential neighborhood.
2. When the property eventually has buildings and parking lots built, I have concerns about the water runoff. With the recent approval of the SHRFC build-out to pave over the property directly below the Hospital, water runoff down to Nyberg Lane is already a concern. If mass amounts of impervious surface are added to the hospital property, the below properties (including mine) and Nyberg Lane will be impacted to an even greater extent than they are now.

Thank you for considering these concerns.

Legacy Meridian Park Medical Center

As one of Tualatin's largest employers and the only hospital in the community, Legacy Meridian Park Medical Center wants to plan for future growth to provide the highest level of medical care available as well as to bring quality jobs to the community.

The 20 acres to the east of the current campus is currently zoned for Low Density Residential development. Legacy has applied to have the City of Tualatin change the zoning to Medical Center development in order to match the current campus zoning.

There are no imminent building plans for the property and Legacy is seeking the medical zone designation at this time to allow predictability for both the hospital and the neighborhood on how the property will be used in the future.

Legacy Meridian Park Medical Center has and will continue to make every effort to protect the integrity of the adjacent neighborhood as it enters into any future building plans for the property.

The Tualatin City Council wants to hear from the community before their vote on July 12, 2010. If you support Legacy Meridian Park Medical Center's efforts to plan for the future, please use the attached comment card to express your views. The cards can be dropped off in the Community Health Information Center.

Thank you for your continued support.



Save the Date

Plan to attend for questions about rezoning

Neighbors and those in the community are invited to come by an open house at Legacy Meridian Park Medical Center.

Come learn the details of the proposed rezoning of part of the Legacy Meridian Park Medical Center campus. More importantly, come ask your questions and give us your feedback about the rezoning proposal.

We will hold additional open house meetings in May and June; we will announce those dates when they are finalized.

We look forward to hearing from you.



Save the Date Open House

Tuesday, April 27, 2010

Drop by anytime from 6 to 8 p.m.
Community Health Education Center
Legacy Meridian Park Medical Center

For more information about the open house, please call the Community Relations office at Legacy Meridian Park, 503-692-2193.

www.legacyhealth.org

EMANUEL Medical Center	GOOD SAMARITAN Medical Center	MERIDIAN PARK Medical Center	MOUNT HOOD Medical Center	SALMON CREEK Medical Center	
THE CHILDREN'S HOSPITAL Legacy Emanuel		LEGACY MEDICAL GROUP	LEGACY LABORATORY	LEGACY RESEARCH	LEGACY HOSPITAL



Legacy Meridian Park Hospital
19300 S.W. 65th Ave.
Tualatin, OR 97062

Legacy Meridian Park Medical Center

Learn More, Ask Questions, Tell Us What You Think We're Listening

Proposed Rezoning Open House
Legacy Meridian Park Medical Center

Come learn about the details of the proposed rezoning of part of the Legacy Meridian Park Medical Center campus. More importantly, come ask your questions and give us your feedback about the rezoning proposal.

**Tuesday, May 25, 2010
1:00 pm to 3:00 pm
Community Health Education Center
Legacy Meridian Park Medical Center**

If you can not attend this Open House, we will be doing an additional open house on Tuesday, June 8 from 6:00 pm to 8:00 pm in the Community Health Education Center. We look forward to hearing from you.

For more information about the Open House, please call the Legacy Meridian Park Medical Center Community Relations office at **503-692-2193**.



Legacy Meridian Park Medical Center

FACT SHEET

The rezoning of the 20-acre site from residential to medical center zoning creates consistent zoning with the entire Legacy Meridian Park Medical Center campus.

While there will likely be growth in the future, Legacy Meridian Park Medical Center has no plans to develop the property at this time, and no funding has been earmarked for expansion or growth on the property being rezoned.

Having the property rezoned now allows both Legacy Meridian Park Medical Center and the adjoining neighbors to have predictability for any future development.

While there are no plans for development at this time, it is likely that any future development will be medical office buildings, which are typically open during normal business hours and closed at night and on weekends.

When the first building is developed on the property, earthen berms with dense evergreen tree and shrub landscaping will be placed along the east perimeter of the property in order to create a buffer with adjoining residential developments.

Any buildings developed on the site will be subject to certain setback and height restrictions. For example buildings at the maximum setback will be limited to a 75 foot height.

Any buildings will be subject to the City's architectural review in order to ensure that the design and materials are compatible with the neighborhood and current campus.

Legacy Meridian Park Medical Center will provide a minimum 20 foot setback from the property line to any parking area, and a minimum 50 foot buffer zone on the south and east boundaries in order to protect the existing stand of mature trees.

Legacy Meridian Park Medical Center will provide adequate on-site parking away from city streets.

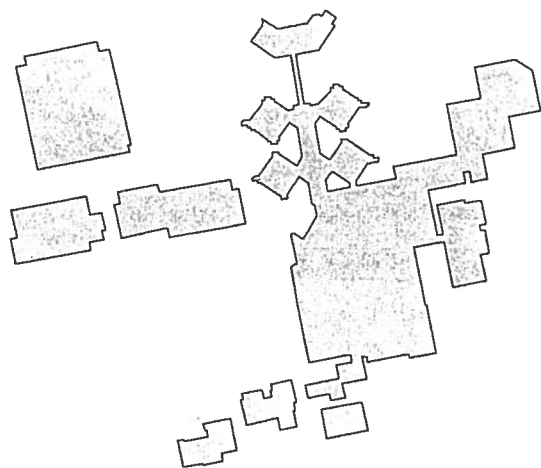


Access to buildings developed in the future will be from any of the four current Legacy Meridian Park Medical Center access points, as well as a new access point on SW Borland Road.

Legacy Meridian Park Medical Center does not plan to allow through traffic onto adjacent streets on the eastern perimeter of the property unless required by the City. Tualatin Valley Fire and Rescue may require emergency access, depending on the type and design of buildings on the site.

Legacy Meridian Park Medical Center will create pedestrian access on the eastern perimeter to allow neighbors to use future paths and trails connecting to the Nyberg Creek wetlands.

Legacy Meridian Park Hospital



FOX HILL NO. 3

FOX HILL NO. 2

FOX HILL NO. 1

KAITLIN PARK

SEQUOIA RIDGE

VENETIA

OWNERADDR	OWNERCITY	OWNERSTA	OWNERZIP	SUBDIVISION NAME
5719 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5716 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5712 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5670 SW POWHATAN AVE	TUALATIN	OR	97062-9759	KAITLIN PARK
19800 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19780 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19770 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19750 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19740 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19730 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19720 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19710 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
18880 SW MARTINAZZI AVE	TUALATIN	OR	97062-7092	KAITLIN PARK
5733 SW NATCHEZ ST	TUALATIN	OR	97062-9770	FOX HILL NO. 2
5740 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
5736 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
5714 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
5705 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5719 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5727 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5753 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5769 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5722 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5716 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5704 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5630 SW WICHITA ST	TUALATIN	OR	97062-8790	FOX HILL NO. 3
19260 SW 56TH PL	TUALATIN	OR	97062-6727	FOX HILL NO. 3
19240 SW 56TH PL	TUALATIN	OR	97062-6727	FOX HILL NO. 3
19120 SW 56TH PL	TUALATIN	OR	97062-6728	FOX HILL NO. 3
5645 SW WICHITA ST	TUALATIN	OR	97062-8790	FOX HILL NO. 3
19220 SW 57TH AVE	TUALATIN	OR	97062-8797	FOX HILL NO. 3
19110 SW 57TH AVE	TUALATIN	OR	97062-8796	FOX HILL NO. 3
5488 SW JOSHUA ST	TUALATIN	OR	97062-9771	FOX HILL NO. 2
5511 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
5545 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
5604 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
5566 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
5502 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
5486 SW NATCHEZ ST	TUALATIN	OR	97062-9766	FOX HILL NO. 2
19338 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19242 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19198 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19150 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19181 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19205 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19227 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2

19259 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
5531 SW NATCHEZ ST	TUALATIN	OR	97062-6705	FOX HILL NO. 2
5599 SW NATCHEZ ST	TUALATIN	OR	97062-6705	FOX HILL NO. 2
5615 SW NATCHEZ ST	TUALATIN	OR	97062-6704	FOX HILL NO. 2
19634 SW 56TH CT	TUALATIN	OR	97062-9726	FOX HILL NO. 1
19580 SW 56TH CT	TUALATIN	OR	97062-9705	FOX HILL NO. 1
19577 SW 56TH CT	TUALATIN	OR	97062-9705	FOX HILL NO. 1
19607 SW 56TH CT	TUALATIN	OR	97062-9722	FOX HILL NO. 1
5829 PHOENIX DR APT 102	DALLAS	TX	75231-6215	FOX HILL NO. 1
5641 SW POWHATAN AVE	TUALATIN	OR	97062-9760	FOX HILL NO. 1
5663 SW POWHATAN AVE	TUALATIN	OR	97062-9760	FOX HILL NO. 1
19600 SW 57TH AVE	TUALATIN	OR	97062-9753	FOX HILL NO. 1
19552 SW 57TH AVE	TUALATIN	OR	97062-9753	FOX HILL NO. 1
19631 SW 57TH AVE	TUALATIN	OR	97062-9756	FOX HILL NO. 1
19683 SW 57TH AVE	TUALATIN	OR	97062-9756	FOX HILL NO. 1
19717 SW 57TH AVE	TUALATIN	OR	97062-9756	FOX HILL NO. 1
5703 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5758 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5776 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5793 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5785 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5783 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5773 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5763 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
6 OAK CT	SUNNYVALE	CA	94086-5159	FOX HILL NO. 1
5743 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5635 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
5665 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
19295 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
19120 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
19185 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
19260 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
5725 SW WICHITA ST	TUALATIN	OR	97062-8791	FOX HILL NO. 3
PO BOX 1606	TUALATIN	OR	97062-1606	FOX HILL NO. 3
5885 SW WICHITA ST	TUALATIN	OR	97062-7701	FOX HILL NO. 3
5830 SW WICHITA ST	TUALATIN	OR	97062-7701	FOX HILL NO. 3
5700 SW WICHITA ST	TUALATIN	OR	97062-8791	FOX HILL NO. 3
15200 BANGY RD	LAKE OSWEGO	OR	97035-3204	FOX HILL NO. 1
19776 SW 57TH AVE	TUALATIN	OR	97062-6701	FOX HILL NO. 1
19752 SW 57TH AVE	TUALATIN	OR	97062-6701	FOX HILL NO. 1
19642 SW 56TH CT	TUALATIN	OR	97062-9726	FOX HILL NO. 1
5637 SW NATCHEZ ST	TUALATIN	OR	97062-6704	FOX HILL NO. 2
5749 SW NATCHEZ ST	TUALATIN	OR	97062-9770	FOX HILL NO. 2
5567 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
19645 SW 57TH AVE	TUALATIN	OR	97062-9756	FOX HILL NO. 1
5590 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
19685 SW 56TH CT	TUALATIN	OR	97062-9730	KAITLIN PARK

5738 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5581 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
5524 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
19669 SW 57TH AVE	TUALATIN	OR	97062-9756	FOX HILL NO. 1
19050 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
5750 SW WICHITA ST	TUALATIN	OR	97062-8791	FOX HILL NO. 3
5620 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
5731 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
19055 SW 57TH AVE	TUALATIN	OR	97062-8796	FOX HILL NO. 3
19075 SW 57TH AVE	TUALATIN	OR	97062-8796	FOX HILL NO. 3
5706 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5650 SW POWHATAN AVE	TUALATIN	OR	97062-9759	KAITLIN PARK
19461 SW 57TH AVE	TUALATIN	OR	97062-9764	FOX HILL NO. 2
19225 SW 56TH PL	TUALATIN	OR	97062-6727	FOX HILL NO. 3
5548 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
19551 SW 56TH CT	TUALATIN	OR	97062-9705	FOX HILL NO. 1
5681 SW POWHATAN AVE	TUALATIN	OR	97062-9760	FOX HILL NO. 1
19715 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
0836 SW CURRY ST UNIT 1500	PORTLAND	OR	97239-4529	KAITLIN PARK
5756 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5690 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
5557 SW NATCHEZ ST	TUALATIN	OR	97062-6705	FOX HILL NO. 2
19576 SW 57TH AVE	TUALATIN	OR	97062-9753	FOX HILL NO. 1
5685 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
19678 SW 57TH AVE	TUALATIN	OR	97062-6703	FOX HILL NO. 1
18880 SW MARTINAZZI AVE	TUALATIN	OR	97062-7092	KAITLIN PARK
5741 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
5570 SW JOSHUA ST	TUALATIN	OR	97062-9772	FOX HILL NO. 2
5538 SW JOSHUA ST	TUALATIN	OR	97062-9772	FOX HILL NO. 2
19386 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
5631 SW NATCHEZ ST	TUALATIN	OR	97062-6704	FOX HILL NO. 2
5734 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
19095 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
19656 SW 57TH AVE	TUALATIN	OR	97062-6703	FOX HILL NO. 1
8249 TORREY GARDENS PL	SAN DIEGO	CA	92129-4603	FOX HILL NO. 3
5552 SW JOSHUA ST	TUALATIN	OR	97062-9772	FOX HILL NO. 2
19270 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
5585 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
19080 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
19280 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
19700 SW 57TH AVE	TUALATIN	OR	97062-6701	FOX HILL NO. 1
5610 SW WICHITA ST	TUALATIN	OR	97062-8790	FOX HILL NO. 3
19169 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
9700 SW IOWA DR	TUALATIN	OR	97062-7350	FOX HILL NO. 1
PO BOX 371	WEST LINN	OR	97068-0371	FOX HILL NO. 1
19135 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
19724 SW 57TH AVE	TUALATIN	OR	97062-6701	FOX HILL NO. 1

5702 SW CALUSA LOOP	TUALATIN	OR	97062-9757	KAITLIN PARK
19795 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
5477 SW JOSHUA ST	TUALATIN	OR	97062-9785	FOX HILL NO. 2
19293 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19565 SW 57TH AVE	TUALATIN	OR	97062-7733	FOX HILL NO. 1
5740 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5746 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5725 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5650 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
5613 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
19539 SW 57TH AVE	TUALATIN	OR	97062-9755	FOX HILL NO. 1
5845 SW WICHITA ST	TUALATIN	OR	97062-7701	FOX HILL NO. 3
5755 SW NATCHEZ ST	TUALATIN	OR	97062-9770	FOX HILL NO. 2
5728 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
5744 SW JOSHUA ST	TUALATIN	OR	97062-9774	FOX HILL NO. 2
19280 SW 56TH PL	TUALATIN	OR	97062-6727	FOX HILL NO. 3
5514 SW JOSHUA ST	TUALATIN	OR	97062-9772	FOX HILL NO. 2
19554 SW 56TH CT	TUALATIN	OR	97062-9705	FOX HILL NO. 1
5777 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5550 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
5615 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
19275 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
19760 SW 56TH CT	TUALATIN	OR	97062-9706	KAITLIN PARK
19650 SW 56TH CT	TUALATIN	OR	97062-9730	KAITLIN PARK
5705 SW NATCHEZ ST	TUALATIN	OR	97062-9770	FOX HILL NO. 2
5796 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
5709 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
19000 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
19155 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
5630 SW POWHATAN AVE	TUALATIN	OR	97062-9759	KAITLIN PARK
5523 SW JOSHUA ST	TUALATIN	OR	97062-9773	FOX HILL NO. 2
5790 SW CALUSA LOOP	TUALATIN	OR	97062-9757	FOX HILL NO. 1
PO BOX 36	TUALATIN	OR	97062-0036	KAITLIN PARK
19270 SW 57TH AVE	TUALATIN	OR	97062-8797	FOX HILL NO. 3
19150 SW 57TH AVE	TUALATIN	OR	97062-8796	FOX HILL NO. 3
19304 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
5573 SW NATCHEZ ST	TUALATIN	OR	97062-6705	FOX HILL NO. 2
5789 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
PO BOX 1925	WILSONVILLE	OR	97070-1925	KAITLIN PARK
5752 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
5702 SW NATCHEZ ST	TUALATIN	OR	97062-9769	FOX HILL NO. 2
19530 SW 57TH AVE	TUALATIN	OR	97062-9748	FOX HILL NO. 2
5582 SW NATCHEZ ST	TUALATIN	OR	97062-9767	FOX HILL NO. 2
19216 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19321 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19025 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
5870 SW WICHITA ST	TUALATIN	OR	97062-7701	FOX HILL NO. 3

5680 SW WICHITA ST	TUALATIN	OR	97062-8790	FOX HILL NO. 3
19174 SW 55TH CT	TUALATIN	OR	97062-9763	FOX HILL NO. 2
19065 SW MOBILE PL	TUALATIN	OR	97062-7736	FOX HILL NO. 3
19220 SW MOBILE PL	TUALATIN	OR	97062-8793	FOX HILL NO. 3
5670 SW OMAHA CT	TUALATIN	OR	97062-7737	FOX HILL NO. 3
5737 SW CALUSA LOOP	TUALATIN	OR	97062-9758	FOX HILL NO. 1
5525 SW OMAHA CT	TUALATIN	OR	97062-8792	FOX HILL NO. 3
19025 SW 57TH AVE	TUALATIN	OR	97062-8795	FOX HILL NO. 3
6005 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6015 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6025 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6035 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6055 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6065 SW SEQUOIA DR	TUALATIN	OR	97062-6833	SEQUOIA RIDGE
4525 SW NATCHEZ CT	TUALATIN	OR	97062-8769	SEQUOIA RIDGE
6083 SW SEQUOIA DR	TUALATIN	OR	97062-6833	SEQUOIA RIDGE
6085 SW SEQUOIA DR	TUALATIN	OR	97062-6833	SEQUOIA RIDGE
6070 SW PORT ORFORD ST	TUALATIN	OR	97062-6837	SEQUOIA RIDGE
6050 SW PORT ORFORD ST	TUALATIN	OR	97062-6837	SEQUOIA RIDGE
6058 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
6050 SW SEQUOIA DR	TUALATIN	OR	97062-6836	SEQUOIA RIDGE
19975 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
19985 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
20035 SW 60TH AVE	TUALATIN	OR	97062-6839	SEQUOIA RIDGE
20095 SW 60TH AVE	TUALATIN	OR	97062-6839	SEQUOIA RIDGE
20080 SW 60TH AVE	TUALATIN	OR	97062-6839	SEQUOIA RIDGE
20050 SW 60TH AVE	TUALATIN	OR	97062-6839	SEQUOIA RIDGE
19980 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
19970 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
19960 SW 60TH AVE	TUALATIN	OR	97062-6838	SEQUOIA RIDGE
5980 SW SEQUOIA DR	TUALATIN	OR	97062-6852	SEQUOIA RIDGE
19995 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
20020 SW 59TH TER	TUALATIN	OR	97062-6841	SEQUOIA RIDGE
20000 SW 59TH TER	TUALATIN	OR	97062-6841	SEQUOIA RIDGE
19990 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
19950 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
19910 SW 59TH TER	TUALATIN	OR	97062-6840	SEQUOIA RIDGE
19955 SW 58TH TER	TUALATIN	OR	97062-6844	SEQUOIA RIDGE
20005 SW 58TH TER	TUALATIN	OR	97062-6848	SEQUOIA RIDGE
20025 SW 58TH TER	TUALATIN	OR	97062-6848	SEQUOIA RIDGE
20075 SW 58TH TER	TUALATIN	OR	97062-6843	SEQUOIA RIDGE
5860 SW PORT ORFORD ST	TUALATIN	OR	97062-6842	SEQUOIA RIDGE
5820 SW PORT ORFORD ST	TUALATIN	OR	97062-6842	SEQUOIA RIDGE
5800 SW PORT ORFORD ST	TUALATIN	OR	97062-6842	SEQUOIA RIDGE
20080 SW 58TH TER	TUALATIN	OR	97062-6843	SEQUOIA RIDGE
20050 SW 58TH TER	TUALATIN	OR	97062-6843	SEQUOIA RIDGE
19980 SW 58TH TER	TUALATIN	OR	97062-6844	SEQUOIA RIDGE



CITY COUNCIL SIGN-UP SHEET

DATE: MARCH 8, 2010

PLEASE COMPLETE TO GIVE TESTIMONY

LIMIT TESTIMONY TO THREE MINUTES

(PLEASE PRINT CLEARLY)		Name	Address	E-mail	Representing	Agenda Item(s) or Citizen Comments
1.		Mike Hetley	19730 SW 56th CT	MichaelH@Email.com	—	
2.		Debi Lorence	Tigard, OR	debi@mtcharterschool.org	Mitch Charter School	Mitch Charter School
3.		Shaina Hildreth	9355 SW Gurnault	shildreth@tealatin.net	Mitch Charter School	Mitch Charter School
4.		Joel Smith	Tealatin	joe@tealatin.org	Mitch Charter School	Mitch Charter School
5.		Colleen Deachey	11	KathyCwally@earthlink.net		there are 3 they are
6.		Debi Lorence	8655 SW Gurnault			
7.		Kathy Newcomb			North Tealatin Francis	Urban Renewal Buckley's Quarter
8.		BRIAN KULIN	Tealatin			Hospitality Zone



CITY COUNCIL SIGN-UP SHEET

DATE: MARCH 8, 2010

5 OF 3

PLEASE COMPLETE TO GIVE TESTIMONY

LIMIT TESTIMONY TO THREE MINUTES

(PLEASE PRINT CLEARLY)		Address	E-mail	Representing	Agenda Item(s) or Citizen Comments
Name					
1. Barbara Franczak	19135 SW 52nd Court		gfranz@earthlink.net	Hospital	
2. Lori Kellogg	10425 SW Kiowa Trakon		lori_kellogg@hotmail.com	Middle	
3. David Lillard	5728 SW Natchez St		davidlillard@yahoo.com	hospital	
4. Cathy Holland	10740 SW Lucas Dr		c.holland73@gmail.com	urban renewal - Comcast.net Bridge	
5.					
6.					
7.					
8.					



CITY COUNCIL SIGN-UP SHEET

DATE: MARCH 8, 2010

PLEASE COMPLETE TO GIVE TESTIMONY

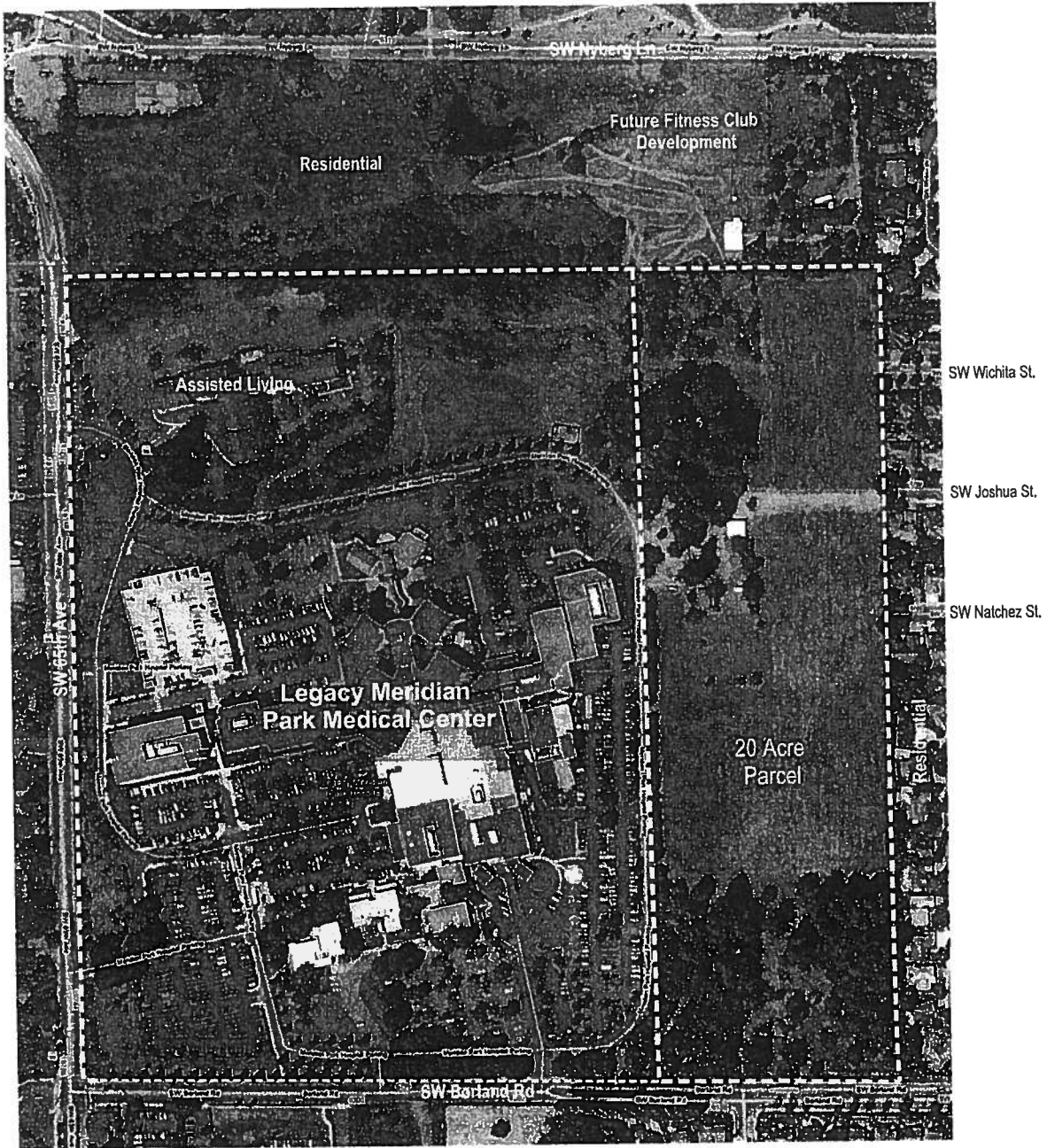
LIMIT TESTIMONY TO THREE MINUTES

(PLEASE PRINT CLEARLY)					
Name	Address	E-mail	Representing	Agenda Item(s) or Citizen Comments	
1. Stephen Titus	10170 SW SEDLAK CT			Citizen Comments Tualatin Day Comm Citizen comments Tual. Davel. Comm.	
2. Ed Bartlett	10200 SW Anderson Ct				
3. Joe Smith	22335 SW MANDAN		M.I.T.C.H. CHARTER SCHOOL BOARD	F. 2.	
4. T. Allison	5753 SW Joshua St			Zone Change	
5. Nancy Serimes	19710 SW 56 th Ct			Zone change	
6. Joe Smith					
7. Tim Threlburg	19291 SW CHESTER AVE	Tim Threlburg		Zone change	
8. Paul Peterson	19338 SW 55 th Ct				

Community Sign In Sheet

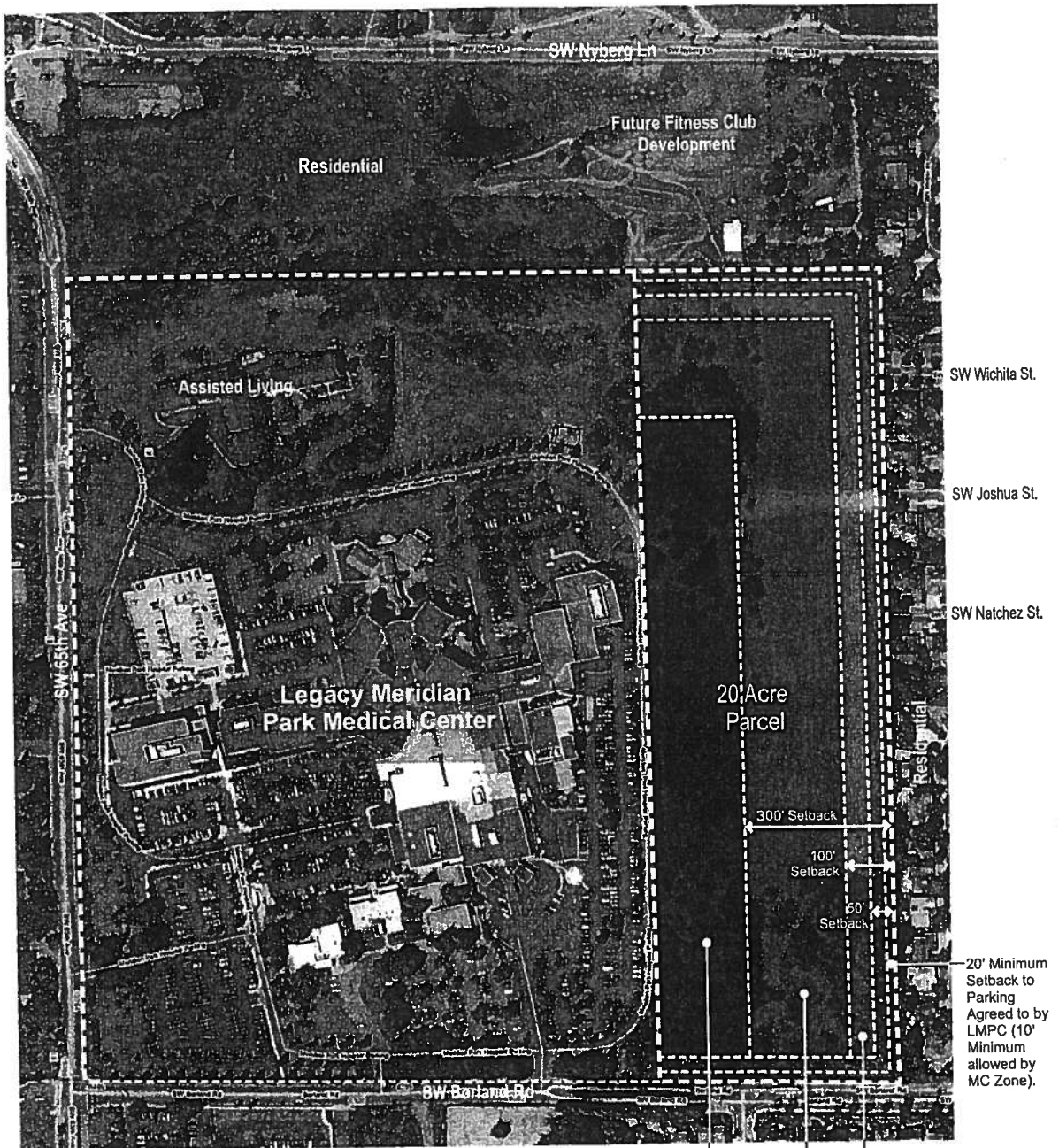
Please check below
to be added to mailing list

Name	Address	Phone Number	Email Address	
Mike Monahan	2743 SW Calusa, Tualatin, OR 97062	503-819-3338	katkwik@aol.com	✓
Tim Thornburg	19291 SW Chesapeake, Tualatin, OR 97062	503-612-9493	timthornburg@comcast.net	✓
Steve Wheeler	5326 SW Natchez St., Tualatin, OR 97062	503-691-1077	spiewheeler@comcast.net	✓
Paul Sivley	5190 SW Whitchita, Tualatin, OR 97062	503-502-3385	p.sivley@comcast.net	✓
Bjorn S. G	5716 SW Joshua Street, Tualatin, OR 97062	503-692-4210	bjgall@gmail.com	✓
J. Waldron			Marylee16@hotmail.com	✓
John and Mary Grammel	19565 SW 57 th Ave, Tualatin, OR 97062	503-692-0670	Jandm.grammel@verizon.net	✓
Eric Barber				✓
Paul and Vanita Pedersen	19338 SW 55 th Court, Tualatin, OR 97062	503-454-0819	Vtpedersen@comcast.net	✓
Jim Zupancic	5335 Meadows, #161, Lake Oswego, OR	503-968-8200	jim@zupgroup.com	✓
Nancy Grimes	19710 SW 56 th Court, Tualatin, OR 97062	503-454-0272	sandngrimes@excite.com	✓
Doug Bowen	5695 SW Powhatan Ave, Tualatin, OR 97062	503-691-2148	dbowen@lcmn.com	✓
Kathe Monroe	6025 SW Sequoia Drive, Tualatin, OR 97062	503-803-5555	kathemonroe@gmail.com	✓
Mark Coolican	19050 SW Mobile Place		Coolicann1@aol.com	✓
Angela Wrantz	19155 SW Mobile Place	503-692-5123	Angela.wrantz@comcas.net	✓
Steve and Renee Balsiger	5885 SW Whitchita Street	503-691-2665	Renee.balsiger@mercer.com	✓
Kaitlan Monroe	6025 Sequoia Drive, Tualatin, OR 97062			
Mike Reiss	19185 SW Mobile Place	503-692-3911	mikereiss@owens-minor.com	
Linda Mobelt	19181 SW 55 th Court	503-692-9621		
Mike and Karen Riley	8720 SW Tualatin Road, #233	503-691-9848	jmyke2000@comcast.net	✓
Bob Grable	4980 SW Borland			
Cheri Benson	5915 SW Sequoia Drive	503-885-0243		
Joseph Herzig	5758 SW Calusa Loop	503-516-8292	gizreh@att.net	✓
Todd Allison	5753 SW Joshua		Todd-Allison@IDEM.com	
Mary Lee Tolley				
Sherilyn Lombos	City of Tualatin	503-691-3010		
Doug Rux	City of Tualatin			
Will Harper	City of Tualatin			
Chris Barhyte	Tualatin City Council		chris@barhyte.com	
Ed Truax	Tualatin City Council		edtruax@gmail.com	



Site Plan
Scale - 1" = 100'-0"





Site Plan - MC Zoning
Scale - 1" = 100'-0"



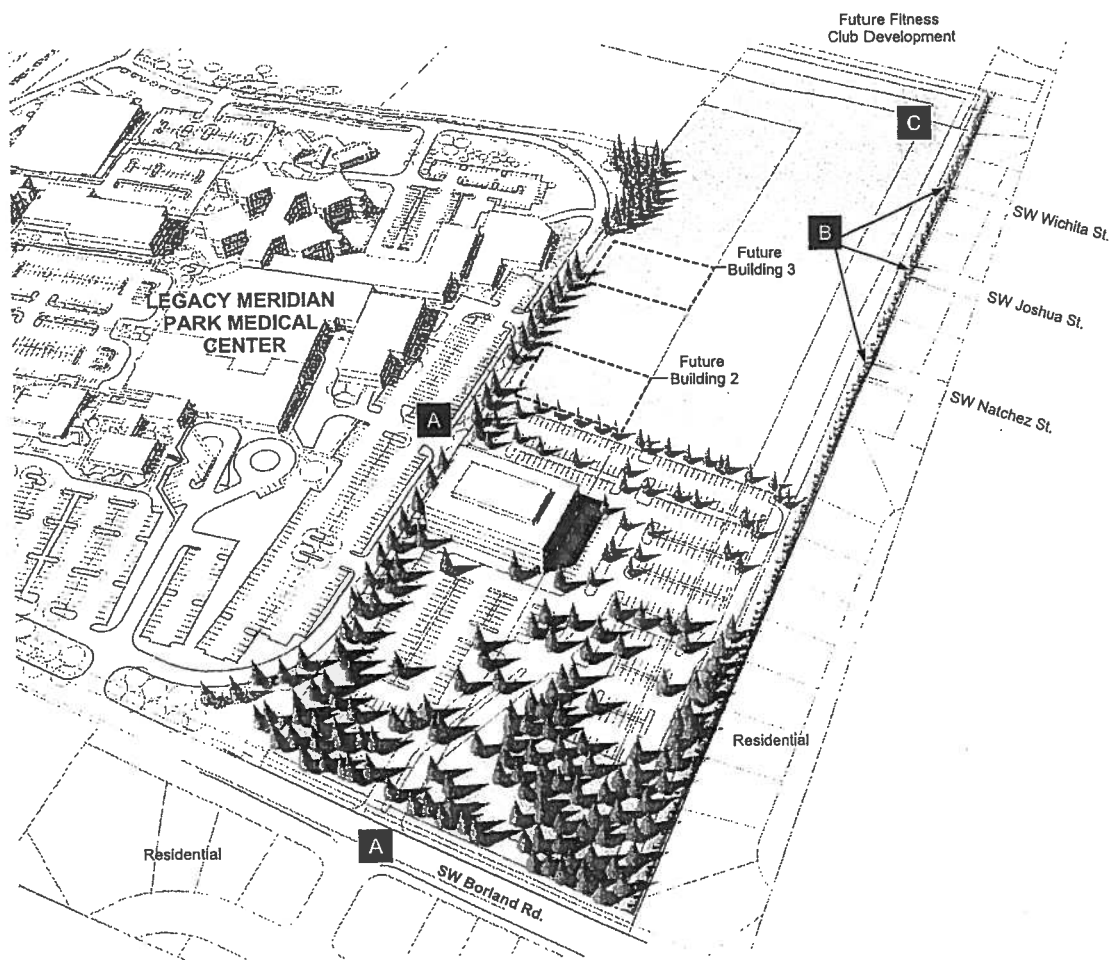
75' Max. at 300' Setback.
Height Agreed to by LMPMC.
(95' Maximum Height at 300'
Setback allowed by MC Zone.)

45' Maximum Height
at 100' Setback

25' Maximum Height
at 50' Setback

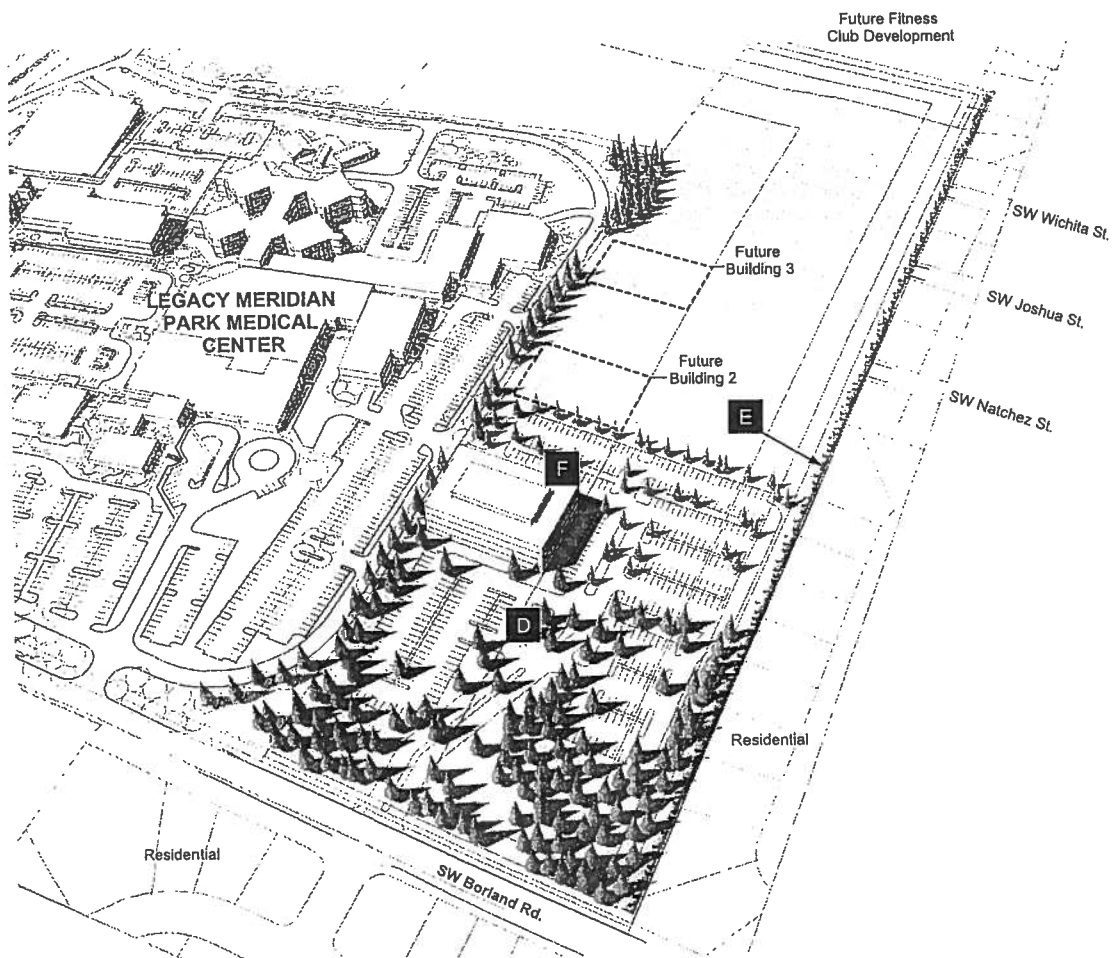
MEMORANDUM ITEMS

- A** Access may be obtained from one new public street access on SW Borland Road and shared access with existing LMPMC access on SW Borland Rd. and SW 65th Avenue
- B** Restrict direct motor vehicle ingress/egress access to the adjoining SW Joshua, SW Natchez & SW Wichita residential streets on east except for emergency access as required.
- C** Provide pedestrian access between the Legacy property and LMPMC to adjoining public streets and encourage connections to a future path or trail system on the nearby Stafford Hills Racquet & Fitness Club and Nyberg Creek wetlands (located to the north)



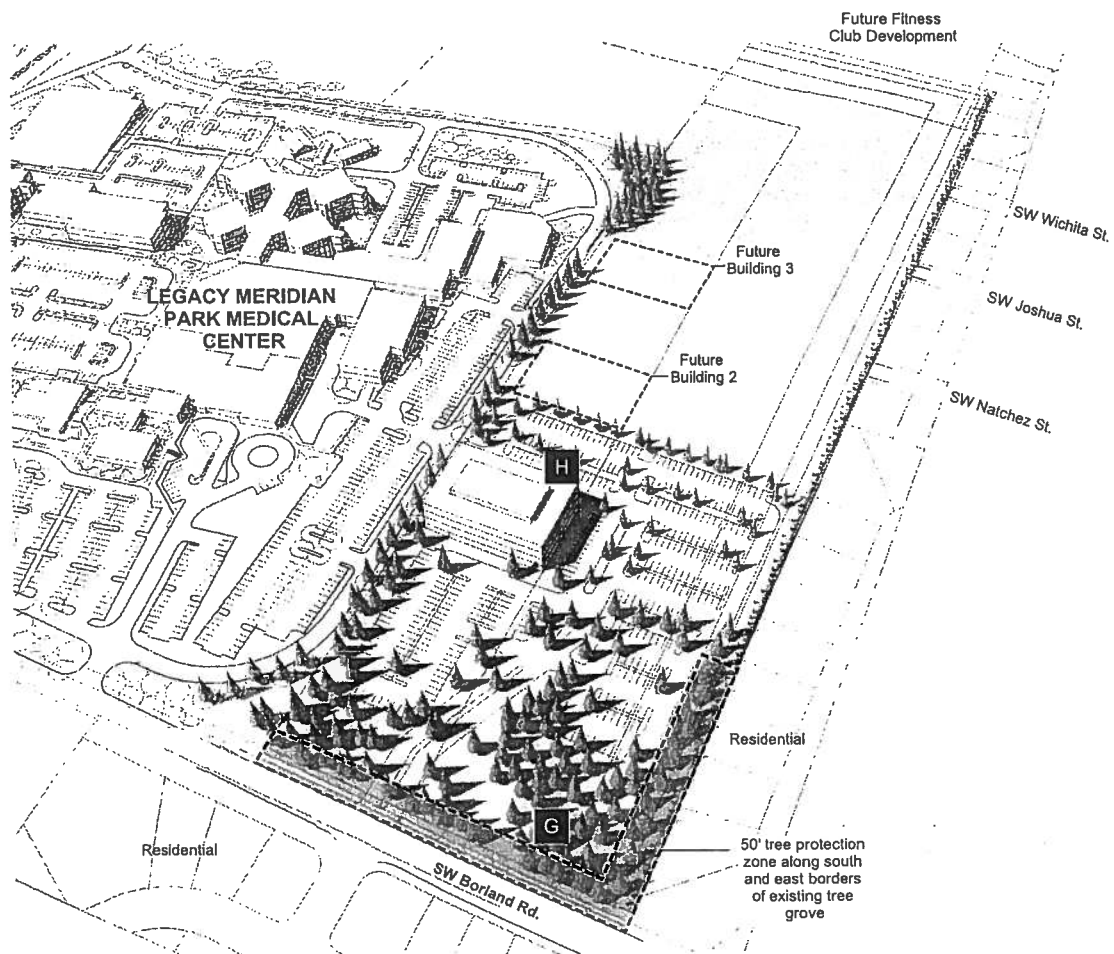
MEMORANDUM ITEMS

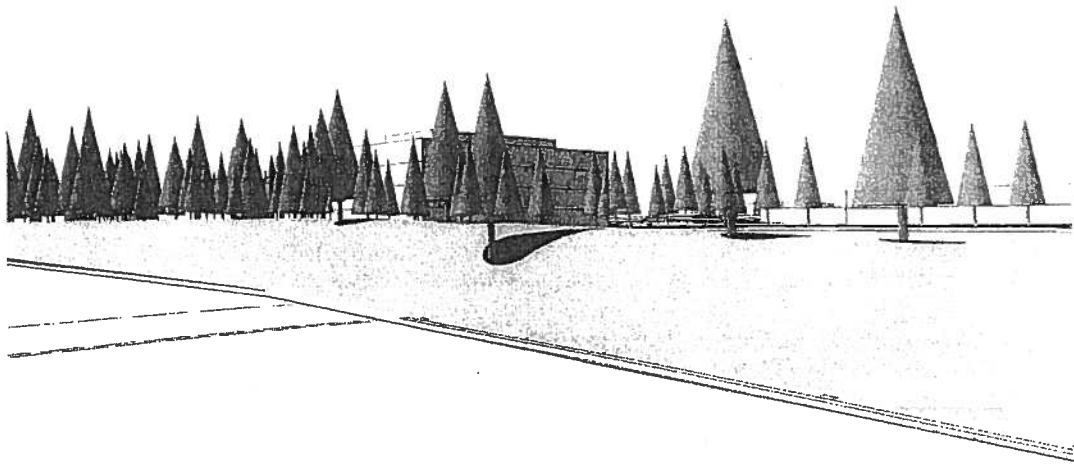
- D** Provide adequate on-site parking and place parking away from public streets.
- E** When the first building is developed on the Property, provide landscape berms with dense evergreen tree & shrub landscaping on the property's east perimeter to create a buffer to adjoining residential development.
- F** Building design compatible with nearby residential and medical center development.



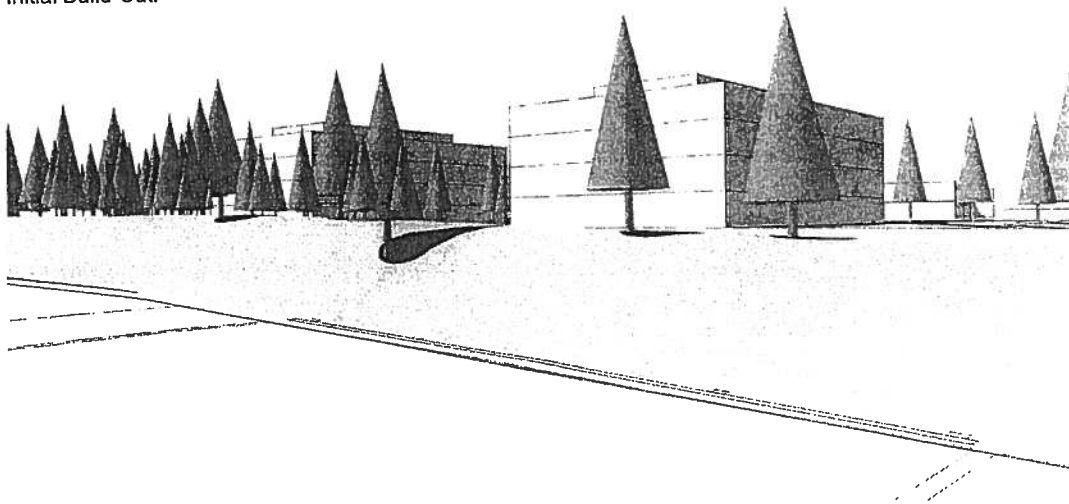
MEMORANDUM ITEMS

- G** Provide a minimum of 20 foot setback from property line to parking area (10' Minimum permitted under MC Zone) and minimum 50 ft for tree protection on the south and east boundaries, in the tree grove adjoining SW Borland Road.
- H** Limit maximum building height to 75' in the 20-acre parcel. (95' Maximum Height at 300' Setback permitted under MC Zone.)

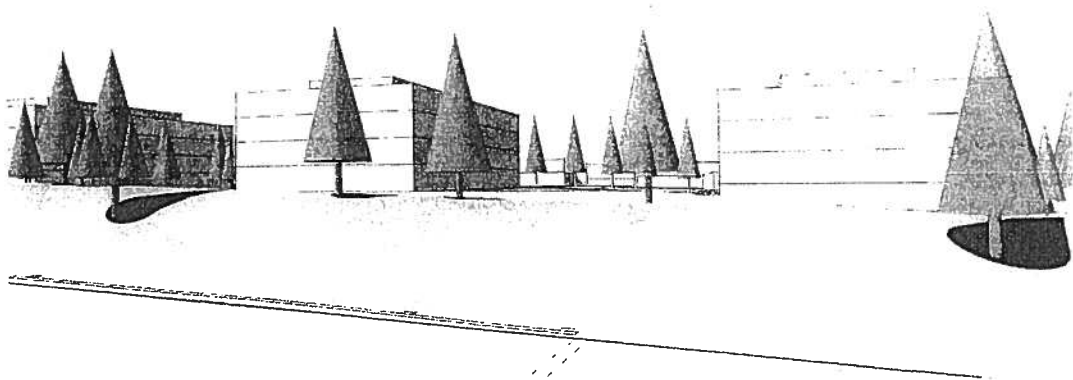




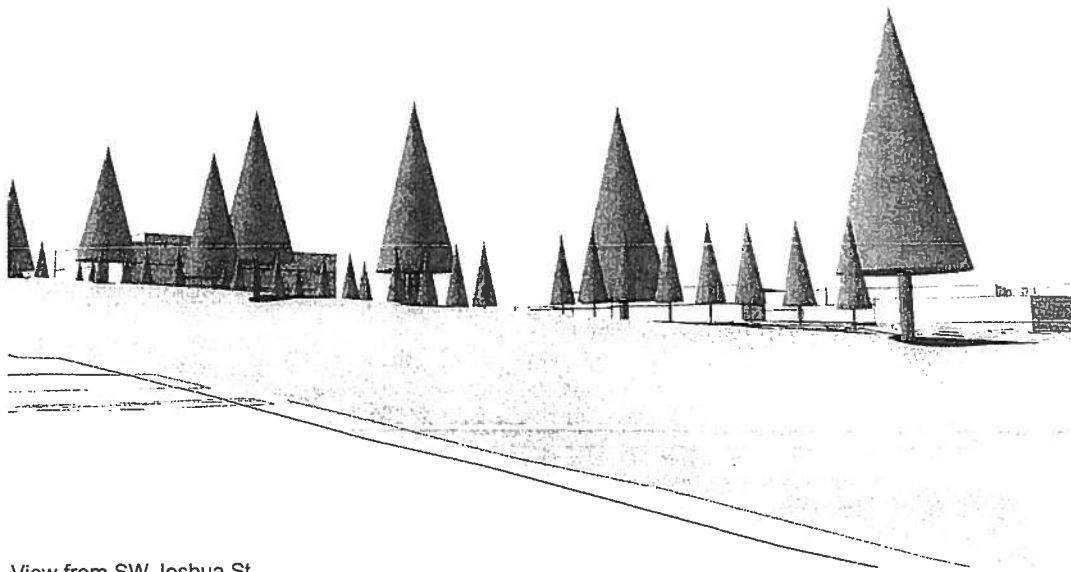
View from SW Natchez St.
Initial Build-Out.



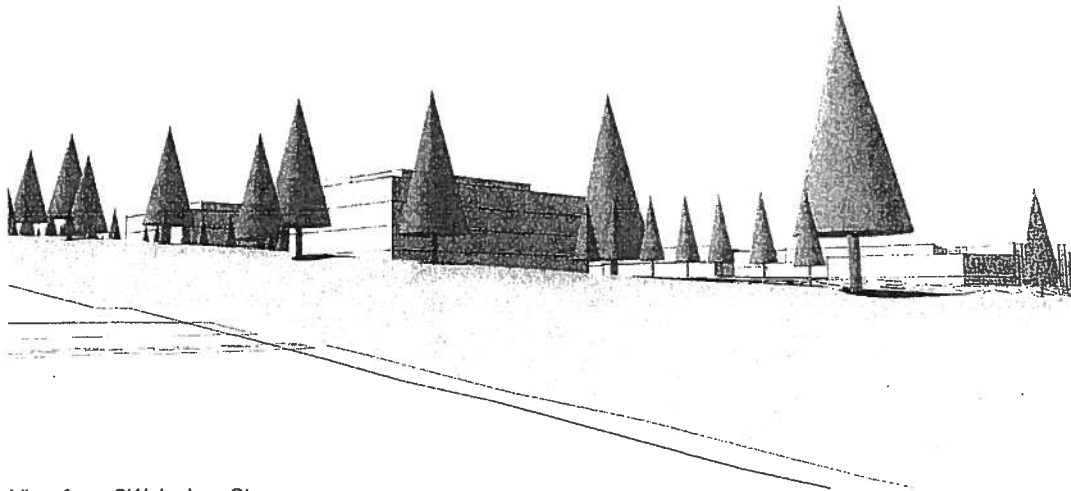
View from SW Natchez St.
Initial + Building 2



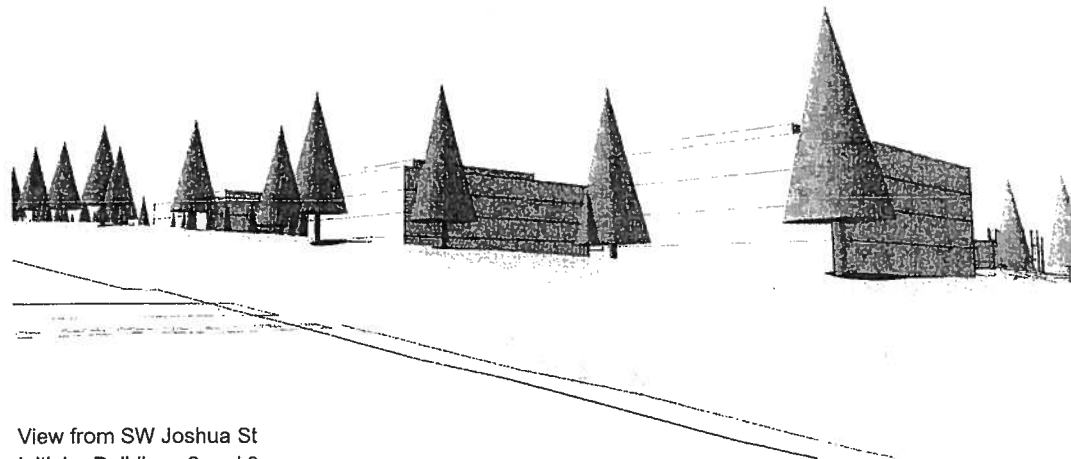
View from SW Natchez St.
Initial + Buildings 2 and 3



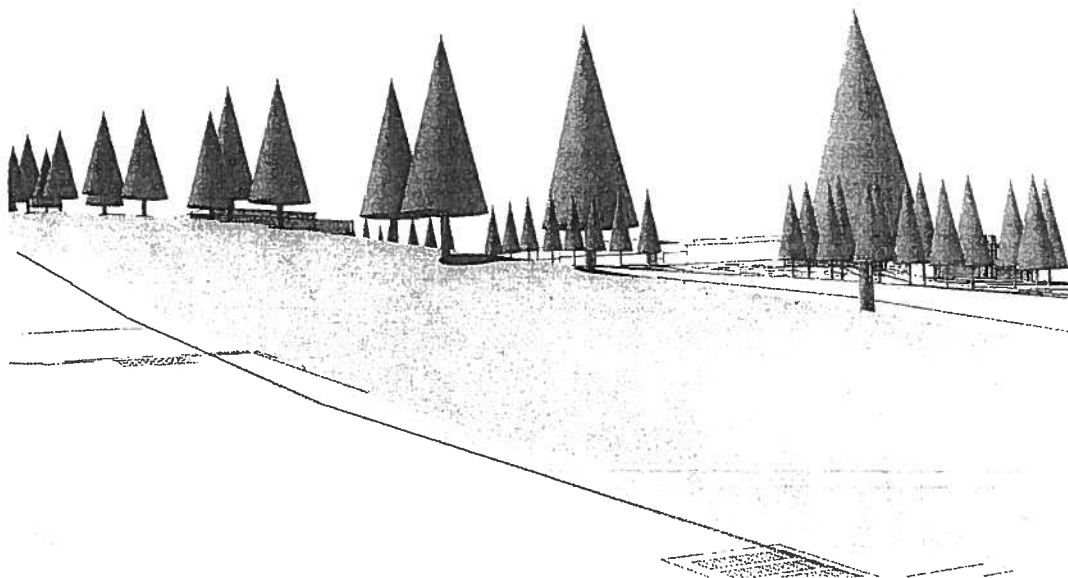
View from SW Joshua St
Initial Build-Out



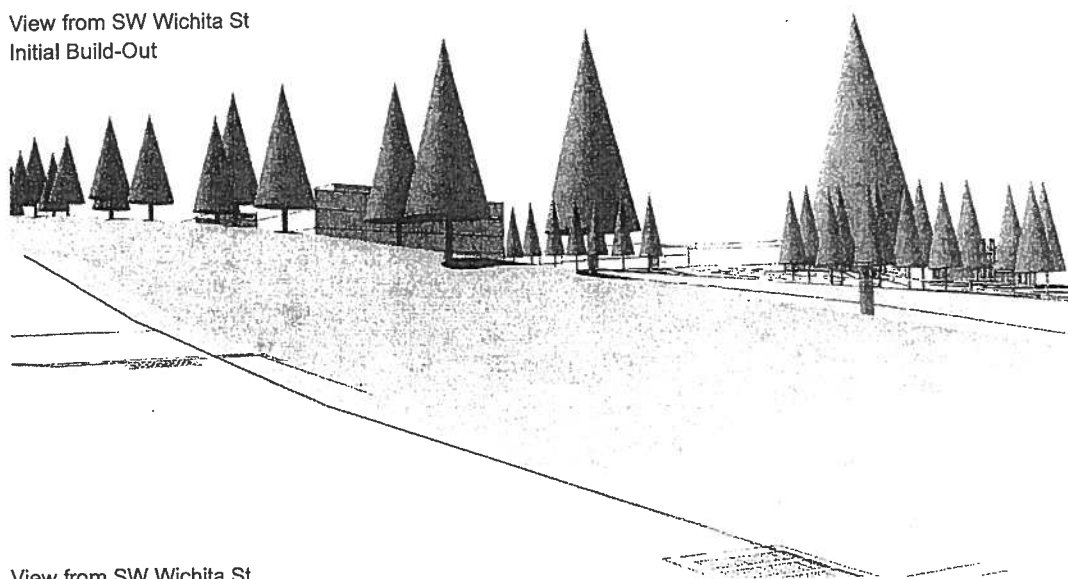
View from SW Joshua St
Initial + Building 2



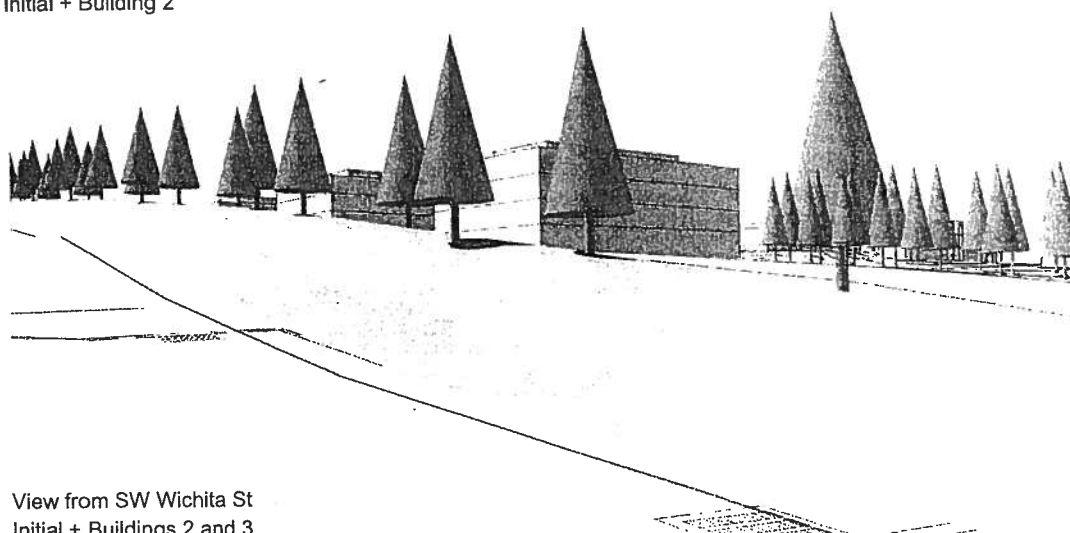
View from SW Joshua St
Initial + Buildings 2 and 3



View from SW Wichita St
Initial Build-Out



View from SW Wichita St
Initial + Building 2



View from SW Wichita St
Initial + Buildings 2 and 3

Questions from Community Open-House

Tuesday, April 27th

- Can Legacy work with ODOT to direct hospital traffic off I-205 (from Stafford) to I-5?
- Why now?
- Consider showing campus zones so community can have assurance of what Legacy won't do
- What assurance do we have that Legacy will preserve trees and keep skyline?
- What limitations are there to widen Borland?
- Can you ensure that the developer agreements will continue to exist if the hospital sells the land? Can that caveat be added to the development agreement?
- How long should the term of the development agreement be?
- Can we consider including berm and/or further expanding green space (visual)?
- Will there be a traffic light on Borland and 60th?
- Can there be no access off of Borland Road?
- Does Borland need to be widened? We don't want it widened.
- Can the area along the east be widened to 60'-80' for open space and maintained by the City?
- How do you measure building height on a sloped site?
- Can the development agreement restrict access over the length of the term of the agreement from the local residential streets?
- Can the trees at the southeast corner be protected as shown on the drawings?
- Is a development agreement binding on subsequent owners if the property is sold? Will include
- How high is the berm? Can it be higher?
- Can legacy build a trail along the wetlands to the north of their property?

Comments:

We do not approve of an entrance on Borland Road. Put a light on 65th and enter on the road that is already there. Borland Rd is residential and there are many school children who use it.
(jandm.grammel@verizon.net)

Traffic will be increased at 60th & Borland. Right now it is extremely difficult to turn left from 60th & Borland. Vision is poor and multiple cars both directions. Request a traffic light. It is also difficult to cross Borland there. Set back from Borland should be greater than 50'. Name: M. Waldron

Tuesday, May 25th

- Will the new intersection be signalized?
- Does the height of the building including HVAC units on top of the building or is it measured from the top of the last floor?
- Is the 4 foot berm high enough to create visual barrier? What types of trees can be grown on the berm? Will they grow high enough?
- Will the parking lot lighting create light pollution?
- We were told that the traffic impact for any new construction would be 8,000 trips a day? That seems like a lot of new traffic on nearby streets.

Comments:

Legacy has been a good neighbor for many years. Thank you for the community education person, the trail around the site and neighborhood support. I support the planned expansion of the medical center. Bob Gerber.

Tuesday, June 8th

- Is it possible to build wall on berm? Would Legacy consider a taller berm (example – Novellus)
 - Preference for physical wall/barrier vs. berm
- Can Legacy confirm with Tualatin Valley Fire and Rescue their requirement for access?
- How do the draft development agreement restrictions compare with low den residential?
 - 15 ft from property vs. 300 ft (hospital proposal)
 - 45 ft height house and houses 5 ft apart

Comments:

None

Tell Us What You Think, Ask Questions...We're Listening

As a resident of the city of Tualatin I find it important to have quality health care in my community. I am also an employee of HPHC and am proud to support the measures necessary to grow this facility

☐ Yes, please add me to your mailing list for future meetings or events.

Name

Beth Hall

Mail/E-mail address

bhall@LHS.org



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

I feel that Legacy Meridian Park plays a vital role in my community. Allowing for a zoning change to occur on the parcel of land East of the hospital will enable legacy to continue to plan for future services necessary to provide the quality of care we all have become accustomed to.

☐ Yes, please add me to your mailing list for future meetings or events.

Name

Dave Anglen

Mail/E-mail address



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

I support the zoning change - I live in Sequoia Ridge and would rather see the hospital expand rather than more residential housing - I trust the hospital to provide some type of "landscaping" to the areas that border current residents...

☐ Yes, please add me to your mailing list for future meetings or events.

Name

Lorna Hildahl

Mail/E-mail address



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

We have lived in Foxhill I for 24 years. Both the grade school and hospital have been good neighbors.

The plans for the use of our neighboring land look good, especially with the homes and trees. However, we see no need for another entrance/exit off Borland Rd. Please use the entrance you already have & consider putting a traffic light there. Borland can be a very busy road and we often have problems exiting 57th at Borland.

☐ Yes, please add me to your mailing list for future meetings or events.

Name

already listed with you

Mail/E-mail address



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

I think rezoning the area would be a great opportunity for legacy to expand its services to the community and employees, with a competitive environment that our hospital is surrounded by. I think that offering more services advanced technology, space would greatly favor us.

☐ Yes, please add me to your mailing list for future meetings or events.

Name _____

Mail/E-mail address _____



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

I agree with Legacy's plan for re-zoning of their 20 acres East of Campus. As Tualatin's largest employer, Legacy's expansion would only help to create more quality jobs.

☐ Yes, please add me to your mailing list for future meetings or events.

Name _____

Mail/E-mail address _____



MERIDIAN PARK
MEDICAL CENTER

Tell Us What You Think, Ask Questions...We're Listening

As a member of the Meridian Park staff, I can definitely see the need to secure this land for future development. The only way to support our growing community is to be able to grow alongside its population. As a resident of Tualatin, I also can appreciate the concerns of the adjacent neighborhoods. I'm confident that Meridian Park will respect those boundaries and work hard to minimize the impact of the surrounding areas.

☐ Yes, please add me to your mailing list for future meetings or events.

Name

Chip Allen - supervisor/rehab sur

Mail/E-mail address



MERIDIAN PARK
MEDICAL CENTER

Legacy Meridian Park Medical Center

Frequently Asked Questions – April 27, 2010

Here are a number of questions that have already been asked about Legacy Meridian Park Medical Center's rezoning effort. We hope you find these helpful in understanding more about this effort.

Why is Legacy Meridian Park Medical Center trying to rezone the 20 acres?

Currently the property is zoned for residential development, while the rest of the campus is zoned for medical services. Since growth will likely occur at some point in the future, and since Legacy Health is not in the business of building residential developments, we felt it would be best to have consistent medical services zoning throughout the property.

Most people apply for rezoning when they plan on doing something with their property. Is Legacy Meridian Park Medical Center planning on building on the 20 acres now?

At some point in the future Legacy Meridian Park Medical Center will need to grow. When that need will arise, we really don't know. Right now there are no plans to build on the property, and no funds have been earmarked by Legacy Health to grow or expand on the 20 acres.

When Legacy Meridian Park Medical Center does develop the property, what will be built?

Legacy Meridian Park Medical Center has already developed its core hospital, so any development will most likely be medical office buildings. Any development on the property would be linked to the delivery of medical care to the community.

What would the size of a building be when development does occur?

As a part of a draft agreement with the City of Tualatin, Legacy Meridian Park Medical Center has agreed to a set of standards for the property. No building will be any taller than 75 feet. Parking areas and a minimum 20 foot setback will separate any building from the closest homes.

Would buildings be open 24-hours a day, seven days a week?

An overwhelming majority of medical office buildings are only open during normal business hours, and closed at night and on weekends. That means buildings and adjacent parking areas would not be used during off hours, which reduces and minimizes any light or noise that would come from the building.



I would feel better knowing what is going on the property right now. Will we be able to raise concerns about whether a future building fits into the neighborhood?

While we don't know what will go on the property right now, Legacy Meridian Park Medical Center has agreed that any development will match the character of the neighborhood and the medical campus. In addition, when we decide to develop the property there are processes in place for people to know what will be built and to offer comments on the design, including the architectural review process.

What else will Legacy Meridian Park Medical Center do to separate its development from nearby residential neighbors?

Legacy Meridian Park Medical Center has also agreed to install an earthen berm, along with dense evergreen tree and shrub landscaping to minimize the visual impact of any development. We also have agreed to protect the mature stand of trees that already exist on the property with a 50 foot buffer zone.

Traffic is always a concern. What kind of traffic impact will new development have on the neighborhood?

Since we don't know what we will build on the property, we don't know what the traffic impact would be. Any future development does require a traffic study prior to final approval of a project. In addition, we have agreed to provide adequate parking so there will be no need for people coming to the property to park on neighborhood streets.

Will future development mean new through streets into the Fox Hill neighborhood?

Legacy Meridian Park Medical Center does not plan to connect to SW Joshua, SW Natchez or SW Wichita, unless we are required to by the City of Tualatin. Our preference is to leave those connections closed. Tualatin Valley Fire and Rescue may require some type of emergency access, depending on the type and design of buildings on the site, but it does not appear it would need to be a through street.

If traffic will not be coming onto the property from the Fox Hills neighborhood, then how will they access the property?

Access to the 20 acres could be from any of the four existing entrances off of SW 65th and SW Borland Road. An additional access point to any new development will be required off of SW Borland Road.

The flyer I received said you will hold additional meetings in May and June. When will these be held and will they be the same format?

Legacy Meridian Park Medical Center will hold two additional Open House meetings. One will be held on Tuesday, May 18th from 1:00 pm to 3:00 pm, and one on Thursday, June 10th from 6:00 pm to 8:00 pm. These will also be an Open House format with information available to anyone who attends. We will also send out answers to questions that are raised at any of the Open House meetings to people who ask to be added to our contact list.

Legacy Meridian Park Medical Center

Frequently Asked Questions – May 25, 2010

Here are a number of questions that have already been asked about Legacy Meridian Park Medical Center's rezoning effort. We hope you find these helpful in understanding more about this effort.

Why is Legacy Meridian Park Medical Center trying to rezone the 20 acres?

Currently the property is zoned for residential development, while the rest of the campus is zoned for medical services. Since growth will likely occur at some point in the future, and since Legacy Health is not in the business of building residential developments, we felt it would be best to have consistent medical services zoning throughout the property.

Most people apply for rezoning when they plan on doing something with their property. Is Legacy Meridian Park Medical Center planning on building on the 20 acres now?

At some point in the future Legacy Meridian Park Medical Center will need to grow. When that need will arise, we really don't know. Right now there are no plans to build on the property, and no funds have been earmarked by Legacy Health to grow or expand on the 20 acres.

Why is Legacy Meridian Park Medical Center seeking the rezoning now?

The answer is simple: predictability, certainty and reduced costs. This rezoning effort will allow the hospital to accurately predict what it can do with the 20 acres in the future when growth is likely to occur. It also allows a certainty about what will go on that land for the hospital for patient care, the City of Tualatin in planning its growth, and for the neighborhood to know what will happen with that acreage.

Most importantly, rezoning the land can help reduce the cost of future development by minimizing costly delays from long, drawn-out land use debates. It is important to understand that every month a project does not move forward means high material and labor costs due to inflation. Knowing what the zoning is now means that building in the future can be done using predictable costs.

When Legacy Meridian Park Medical Center does develop the property, what will be built?

Legacy Meridian Park Medical Center has already developed its core hospital, so any development will most likely be medical office buildings. Any development on the property would be linked to the delivery of medical care to the community.



What would the size of a building be when development does occur?

As a part of a draft agreement with the City of Tualatin, Legacy Meridian Park Medical Center has agreed to a set of standards for the property. No building will be any taller than 75 feet. Parking areas and a minimum 20 foot setback will separate any building from the closest homes.

Would buildings be open 24-hours a day, seven days a week?

An overwhelming majority of medical office buildings are only open during normal business hours, and closed at night and on weekends. That means buildings and adjacent parking areas would not be used during off hours, which reduces and minimizes any light or noise that would come from the building.

How do you measure building height on a sloped site?

We will measure building heights using the formula used by the City of Tualatin.

Is there a way to ensure that the development agreement stays in effect if Legacy Meridian Park Medical Center sells the land?

We can add a provision to the development agreement that ensures any current or future property owner is required to follow the terms laid out in the agreement.

How long will the draft development agreement be in effect?

The draft development agreement has a term of 30 years

I would feel better knowing what is going on the property right now. Will we be able to raise concerns about whether a future building fits into the neighborhood?

While we don't know what will go on the property right now, Legacy Meridian Park Medical Center has agreed that any development will match the character of the neighborhood and the medical campus. In addition, when we decide to develop the property there are processes in place for people to know what will be built and to offer comments on the design, including the architectural review process.

What else will Legacy Meridian Park Medical Center do to separate its development from nearby residential neighbors?

Legacy Meridian Park Medical Center has also agreed to install an earthen berm, along with dense evergreen tree and shrub landscaping to minimize the visual impact of any development. We also have agreed to protect the mature stand of trees that already exist on the property with a 50 foot buffer zone.

Can you assure your neighbors that you will preserve the existing stand of trees and keep the skyline?

The draft development agreement includes both a buffer zone to protect much of the existing tree stand and a limitation on the height of any buildings, which will help meet these needs.

Would Legacy Meridian Park Medical Center consider including a berm in the draft development agreement or further expanding green space?

There is a four-foot berm included in the current draft agreement, considerable landscaping within the berm, and a significant setback to the edge of any building. The City of Tualatin's Architectural Review process will ensure these conditions are met.

How high is the berm and can it be higher?

Under the current draft development agreement, the berm will be a minimum of four feet in height. There will also be trees and shrubs planted in the berm to increase the shielding of any buildings from the neighborhood. Given these trees and shrubs, having it any higher would be impractical.

Can the trees at the southeast corner of the property be protected as shown on the drawings?

The current draft development agreement already includes a 50-foot protection zone for those trees.

Can the area along the east be widened 60 to 80 feet for open space and maintained by the City?

Having a 60 to 80 foot open space area would essentially prevent Legacy Meridian Park Medical Center from using the land by eliminating any property for the parking required by the City of Tualatin. While it is not open space, we have agreed to a set back that pushes any new buildings more than 80 feet back from the eastern property line.

Traffic is always a concern. What kind of traffic impact will new development have on the neighborhood?

Since we don't know what we will build on the property, we don't know what the traffic impact would be. Any future development does require a traffic study prior to final approval of a project. In addition, we have agreed to provide adequate parking so there will be no need for people coming to the property to park on neighborhood streets.

I have a number of questions about Borland Road. Are there limitations on whether Borland Road will be widened? Will there be a traffic light on Borland and 60th? Can Legacy Health eliminate the access point to the 20 acres off of Borland Road?

Unfortunately, Legacy Meridian Park Medical Center has no control over a publicly-owned right-of-way, so all of these questions can only be answered by the City of Tualatin. As for the new entrance, city development codes require the new entrance to be included in the plan so only the City of Tualatin can remove the requirement.

Can signs be installed along I-205 to direct hospital traffic off of Stafford and onto I-5?

Signage directing motorists to hospitals is handled by the Oregon Department of Transportation, so Legacy Health has no direct control over where those signs are installed or the criteria used to identify the location of those signs.

Will future development mean new through streets into the Fox Hill neighborhood?

Legacy Meridian Park Medical Center does not plan to connect to SW Joshua, SW Natchez or SW Wichita, unless we are required to by the City of Tualatin. Our preference is to leave those connections closed. Tualatin Valley Fire and Rescue may require some type of emergency access, depending on the type and design of buildings on the site, but it does not appear it would need to be a through street.

If traffic will not be coming onto the property from the Fox Hills neighborhood, then how will they access the property?

Access to the 20 acres could be from any of the four existing entrances off of SW 65th and SW Borland Road. An additional access point to any new development will be required off of SW Borland Road.

Can the development agreement restrict access to local residential streets over the term of the agreement?

It is our preference not to have direct access from the 20 acres to the three adjoining streets. The only exception would be for emergency vehicle access, which would be a requirement established by the Tualatin Valley Fire and Rescue District. We are willing to work with our neighbors and TVF&R to design access that meets all of our needs.

Can Legacy build a trail along the wetlands to the north of their property?

Neighbors are already using the 20-acres to access the nearby wetlands, so Legacy Meridian Park Medical Center would certainly consider developing a formal trail system. In fact, a formal trail that goes all the way around the property could be designed to help encourage people to walk for fitness, and stay healthy.

The flyer I received said you will hold additional meetings in June. When will that be held and will they be the same format?

Legacy Meridian Park Medical Center will hold an additional Open House meeting on Tuesday, June 8th from 6:00 pm to 8:00 pm. This will also be an Open House format with information available to anyone who attends. We will also send out answers to questions that are raised at any of the previous Open House meetings to people who ask to be added to our contact list.

Legacy Meridian Park Medical Center

Frequently Asked Questions – June 8, 2010

Here are a number of questions that have already been asked about Legacy Meridian Park Medical Center's rezoning effort. We hope you find these helpful in understanding more about this effort.

Why is Legacy Meridian Park Medical Center trying to rezone the 20 acres?

Currently the property is zoned for residential development, while the rest of the campus is zoned for medical services. Since growth will likely occur at some point in the future, and since Legacy Health is not in the business of building residential developments, we felt it would be best to have consistent medical services zoning throughout the property.

Most people apply for rezoning when they plan on doing something with their property. Is Legacy Meridian Park Medical Center planning on building on the 20 acres now?

At some point in the future Legacy Meridian Park Medical Center will need to grow. When that need will arise, we really don't know. Right now there are no plans to build on the property, and no funds have been earmarked by Legacy Health to grow or expand on the 20 acres.

Why is Legacy Meridian Park Medical Center seeking the rezoning now?

The answer is simple: predictability, certainty and reduced costs. This rezoning effort will allow the hospital to accurately predict what it can do with the 20 acres in the future when growth is likely to occur. It also allows a certainty about what will go on that land for the hospital for patient care, the City of Tualatin in planning its growth, and for the neighborhood to know what will happen with that acreage.

Most importantly, rezoning the land can help reduce the cost of future development by minimizing costly delays from long, drawn-out land use debates. It is important to understand that every month a project does not move forward means high material and labor costs due to inflation. Knowing what the zoning is now means that building in the future can be done using predictable costs.

When Legacy Meridian Park Medical Center does develop the property, what will be built?

Legacy Meridian Park Medical Center has already developed its core hospital, so any development will most likely be medical office buildings. Any development on the property would be linked to the delivery of medical care to the community.



What would the size of a building be when development does occur?

As a part of a draft agreement with the City of Tualatin, Legacy Meridian Park Medical Center has agreed to a set of standards for the property. No building will be any taller than 75 feet. Parking areas and a minimum 20 foot setback will separate any building from the closest homes.

Does the height of the building including HVAC units on top of the building or is it measured from the top of the last floor?

According to the City of Tualatin's building codes, the 75 foot height limit does not include HVAC units on the top of commercial buildings.

How do you measure building height on a sloped site?

We will measure building heights using the formula used by the City of Tualatin.

Would buildings be open 24-hours a day, seven days a week?

An overwhelming majority of medical office buildings are only open during normal business hours, and closed at night and on weekends. That means buildings and adjacent parking areas would not be used during off hours, which reduces and minimizes any light or noise that would come from the building.

Will the parking lot lighting create light pollution?

Light pollution is a concern for us as much as it is for our neighbors. Old-style lighting, the kind that produces light pollution, is very inefficient, and wastes resources and money. New style lighting that focuses light down into the desired area is more cost effective, lasts longer and significantly reduces light pollution.

Is there a way to ensure that the development agreement stays in effect if Legacy Meridian Park Medical Center sells the land?

We can add a provision to the development agreement that ensures any current or future property owner is required to follow the terms laid out in the agreement.

How long will the draft development agreement be in effect?

The draft development agreement has a term of 30 years

I would feel better knowing what is going on the property right now. Will we be able to raise concerns about whether a future building fits into the neighborhood?

While we don't know what will go on the property right now, Legacy Meridian Park Medical Center has agreed that any development will match the character of the neighborhood and the medical campus. In addition, when we decide to develop the property there are processes in place for people to know what will be built and to offer comments on the design, including the architectural review process.

What else will Legacy Meridian Park Medical Center do to separate its development from nearby residential neighbors?

Legacy Meridian Park Medical Center has also agreed to install an earthen berm, along with dense evergreen tree and shrub landscaping to minimize the visual impact of any development. We also have agreed to protect the mature stand of trees that already exist on the property with a 50 foot buffer zone.

Can you assure your neighbors that you will preserve the existing stand of trees and keep the skyline?

The draft development agreement includes both a buffer zone to protect much of the existing tree stand and a limitation on the height of any buildings, which will help meet these needs.

Would Legacy Meridian Park Medical Center consider including a berm in the draft development agreement or further expanding green space?

There is a four-foot berm included in the current draft agreement, considerable landscaping within the berm, and a significant setback to the edge of any building. The City of Tualatin's Architectural Review process will ensure these conditions are met.

Is the 4-foot berm high enough to create visual barrier? What types of trees can be grown on the berm? Will they grow high enough?

Rather than serve as a visual barrier, the berm designed to create a buffer between the Legacy Meridian Park Medical Center property and the neighborhood. The trees and shrubs that will be planted on the berm are the components designed to create a visual screen. No decision has been made about the type of trees and shrubs, but since they will be chosen to serve as the screen, our expectation is they will grow high enough.

How high is the berm and can it be higher?

Under the current draft development agreement, the berm will be a minimum of four feet in height. There will also be trees and shrubs planted in the berm to increase the shielding of any buildings from the neighborhood. Given these trees and shrubs, having it any higher would be impractical.

Can the trees at the southeast corner of the property be protected as shown on the drawings?

The current draft development agreement already includes a 50-foot protection zone for those trees.

Can the area along the east be widened 60 to 80 feet for open space and maintained by the City?

Having a 60 to 80 foot open space area would essentially prevent Legacy Meridian Park Medical Center from using the land by eliminating any property for the parking required by the City of Tualatin. While it is not open space, we have agreed to a set back that pushes any new buildings more than 80 feet back from the eastern property line.

Traffic is always a concern. What kind of traffic impact will new development have on the neighborhood?

Since we don't know what we will build on the property, we don't know what the traffic impact would be. Any future development does require a traffic study prior to final approval of a project. In addition, we have agreed to provide adequate parking so there will be no need for people coming to the property to park on neighborhood streets.

I have a number of questions about Borland Road. Are there limitations on whether Borland Road will be widened? Will there be a traffic light on Borland and 60th? Can Legacy Health eliminate the access point to the 20 acres off of Borland Road?

Unfortunately, Legacy Meridian Park Medical Center has no control over a publicly-owned right-of-way, so all of these questions can only be answered by the City of Tualatin. As for the new entrance, city development codes require the new entrance to be included in the plan so only the City of Tualatin can remove the requirement.

Can signs be installed along I-205 to direct hospital traffic off of Stafford and onto I-5?

Signage directing motorists to hospitals is handled by the Oregon Department of Transportation, so Legacy Health has no direct control over where those signs are installed or the criteria used to identify the location of those signs.

Will the new intersection be signalized?

Any decisions about streets, signals or signage is managed by the City of Tualatin, so Legacy Meridian Park Medical Center has no control over whether any intersection is signalized or not.

Will future development mean new through streets into the Fox Hill neighborhood?

Legacy Meridian Park Medical Center does not plan to connect to SW Joshua, SW Natchez or SW Wichita, unless we are required to by the City of Tualatin. Our preference is to leave those connections closed. Tualatin Valley Fire and Rescue may require some type of emergency access, depending on the type and design of buildings on the site, but it does not appear it would need to be a through street.

If traffic will not be coming onto the property from the Fox Hills neighborhood, then how will they access the property?

Access to the 20 acres could be from any of the four existing entrances off of SW 65th and SW Borland Road. An additional access point to any new development will be required off of SW Borland Road.

Can the development agreement restrict access to local residential streets over the term of the agreement?

It is our preference not to have direct access from the 20 acres to the three adjoining streets. The only exception would be for emergency vehicle access, which would be a requirement established by the Tualatin Valley Fire and Rescue District. We are willing to work with our neighbors and TVF&R to design access that meets all of our needs.

Can Legacy build a trail along the wetlands to the north of their property?

Neighbors are already using the 20-acres to access the nearby wetlands, so Legacy Meridian Park Medical Center would certainly consider developing a formal trail system. In fact, a formal trail that goes all the way around the property could be designed to help encourage people to walk for fitness, and stay healthy.



Contact: Lisa Wood
Public Relations
Legacy Health
503-415-5770
liwood@lhs.org

Open House at Legacy Meridian Park Medical Center to Showcase Medical Zone Proposal

WHAT: Open House – Learn About the Proposed Medical Rezoning on
20 acres of the Legacy Meridian Park Medical Center Campus

WHEN: Tuesday, May 18, 2010
1:00 - 3:00 p.m.

WHERE: Legacy Meridian Park Medical Center
Community Health Education Center
19300 SW 65th Avenue, Tualatin, Ore.

Join us at an Open House at Legacy Meridian Park Medical Center where you can learn more about the details of the proposed rezoning of 20 acres on the hospital's campus. Drop by between 1:00 and 3:00 p.m. to ask your questions about the medical zone proposal and have the opportunity to provide feedback about the hospital's plans.

For more information about the Open House, please call the Legacy Meridian Park Medical Center Community Relations office at 503-692-2193.

#

LOCALLY OWNED BY PAMPLIN MEDIA GROUP

TheTimes

TIGARD | TUALATIN | SHERWOOD

News \ Opinion \ Features \ Sports \ Sustainable Life \ Classifieds \ Contact Us \

Your state,
your elections,
your political news



**PUBLIC
NOTICES**

Also visit our other
**Community
Papers**

The Portland Tribune
Beaverton Valley Times
Boom! boomers & beyond
Clackamas Review
Estacada News
News Times
The Outlook Online
Lake Oswego Review
Oregon City News
Regal Courier
Sandy Post
The Bee
Sherwood Gazette
South County Spotlight
The SW Connection
West Linn Tidings

**Join Our
Mailing List**

JOIN NOW

Safe Subscriber

Printer-friendly version Email story link

Meridian Park zoning proposal will be subject of open house

BY ED JOHNSON

The Times, Apr 15, 2010

Community members looking to learn more about the proposed zoning change for 20 acres of land next to Legacy Meridian Park Medical Center will have a chance this month when the hospital hosts an open house on the topic.

The meeting will take place on Tuesday, April 27 from 6 p.m. to 8 p.m. at the hospital's Community Health Education Center, 19300 S.W. 65th Ave., in Tualatin.

The open house will give neighborhood residents the opportunity to talk with hospital staff about the project, and to provide feedback on the zoning-change plans as the city of Tualatin works to establish a development agreement governing the possible change.

The zoning change would switch the land owned by the hospital from residential zoning to medical center zoning, allowing Meridian Park to build medical facilities on the property.

In early March, the city council pushed off a decision on the change and development agreement after an outpouring of negative testimony made clear neighborhood residents were not happy with the idea. The council postponed the decision in the hopes that meetings between residents and hospital officials could bring some agreement to the issue.

For more information about the open house, call the Legacy Meridian Park Medical Center Community Relations office at 503-692-2193.

Search

**affordable
Homes**

AccuWeather.com



72°F

Beaverton

Weather Forecasts
Weather Maps
Weather Radar

Video forecast

ADVERTISEMENTS

OnPoint
COMMUNITY RENT UNION
Make the switch at
www.onpointcu.com

Sign up for
BREAKING
NEWS
ALERTS



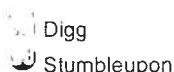
CLICK

NOW



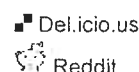
Facebook

Newsvine



Digg

Stumbleupon



Del.icio.us

Reddit



Public Relations
Find info on public relations.
<http://shop.simpli.com>

Chitika | Select

SPECIAL SECTIONS
AND PROMOTIONS

Neighbors, hospital can settle differences

Development proposed near residential homes is rarely an easy process.

That's why it was with little surprise that we noted that many dozen neighbors in the Fox Hill neighborhood are raising concern over a proposed zoning change for land that lies between their homes and Legacy Meridian Park Medical Center.

The 20-acre grass-covered site has been owned by Legacy since 2003, and hospital officials now imagine that the land would best meet their needs if used for expanded hospital and medical office services, which requires a zone change from the land's current residential classification.

Often times in Oregon — a state that guards its land-use planning tightly — major zone changes come with applicants having much work to do and opponents raising significant concerns. In a smaller community such as Tualatin, which recently completed a contentious process to allow the controversial construction of a major athletic facility along Southwest Nyberg Lane, land-use and development processes sometimes get even more complicated and tense.

That's why we suggest a personal touch is the best approach to communicate, understand and resolve any disagreement over Meridian Park's proposed land use change and future plans.

Neighbors deserve that up-front, complete and personal communication. And in return, Meridian Park deserves a fully informed, unemotional response from nearby citizens.

That's the way that people should invest in and treat each other. But that's also how great communities such as Tualatin do things: by investing in and enhancing assets such as their quality neighborhoods. And by investing in valued community features such as Meridian Park, which has been an important part of the community since the early 1970s, providing essential health services, education, community service and employment. Even nervous nearby neighbors need the kind of a neighbor that Meridian Park has been.

Between now and July 12, when the Tualatin City Council will consider this matter again, Meridian Park will hold a number of meetings with nearby neighbors. Those meetings need to be held as community conversations with hospital officials and neighbors getting to know each other better — and then learning about each others' aspirations, future plans, concerns, needs and opportunities for success and partnership.

But simply holding meetings is not enough. We encourage everyone involved not to simply attend a meeting with their minds already made up. Learn. Listen. Ask questions. Seek understanding. Propose trade-offs. Seek compromise. In other words, don't go to one of these meetings simply to say "no, this is the way it will be." By genuinely engaging in partnership, both sides may achieve even better outcomes than originally anticipated.

We believe with good neighbors getting together and openly communicating, the matter over Meridian Park's future will be resolved. The hospital and its administrator, Allyson Anderson, have been extraordinary assets to the community. We think that the hospital and its residential neighbors — with some help from the city — can sit down and figure things out.



THE TIMES' EDITORIAL VIEWS — Editorials (written by President and Publisher Steve Clark, Associate Publisher Kevin Hohnbaum and Editorial Page Editor Nick Peterson) appear in the space above and represent the opinion of the newspaper's management. To discuss those views, call Clark at 503-546-0714 (sclark@comm-newspapers.com), Hohnbaum at 503-546-9811 (khohnbaum@commnewspapers.com), Peterson at 503-546-0730 (npeterson@commnewspapers.com) or write Times Newspapers, P.O. Box 22109, Portland, OR 97269.



STAFF REPORT

CITY OF TUALATIN

APPROVED BY TUALATIN CITY COUNCIL
Date 7-12-10
Recording Secretary [Signature]

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager [Signature]

FROM: Doug Rux, Community Development Director [Signature]
Eric Underwood, Development Coordinator [Signature]

DATE: July 12, 2010

SUBJECT: AN ORDINANCE INCREASING PARKING VIOLATION FINES IN
THE CORE AREA PARKING DISTRICT; AMENDING TMC 8-1-360

ISSUE BEFORE THE COUNCIL:

Whether the City Council should adopt an ordinance amending TMC Ordinance 8-1-360 to increase the parking violation fees within the Core Area Parking District (CAPD).

RECOMMENDATION:

- The Core Area Parking District Board (CAPDB) met on February 17, 2010 and March 23, 2010 to discuss the tax rate increase proposal and voted (4 to 0) recommending that the City Council adopt an ordinance for the tax rate at \$155.34. As part of that recommendation, the Board also voted to recommend raising the parking fine from \$10 to \$30 with late fees and with the increased amount, above the original \$10 fine, being directed into the Core Area Parking District Fund.
- Staff recommends that the City Council consider the staff report and provide direction.

EXECUTIVE SUMMARY:

- This request is a legislative hearing concerning the Core Area Parking District parking violation fee increase.
- This is the second part of a recommendation for the annual review and hearing on the CAPD annual tax rate and credit.
- The parking violation fee increase proposal is part of an effort to reduce the operating budget deficit of the District.

STAFF REPORT: CORE AREA PARKING VIOLATION FEES

July 12, 2010

Page 2 of 4

- A cost for services study conducted by the City recently revealed that the Core Area Parking District is operating within a deficit, which is predicted to increase over the next five years.
- As recommended by the CAPDB, the parking violation fee will increase from \$10 to \$30 with late fees. The late fees will be imposed as follows:
 - \$30 for the first offense; if paid within five days
 - \$35 for the second offense; if paid within five days
 - \$40 for the third offense; if paid within five days
- The increment for the second and third offenses has remained the same as what is currently in the TDC.
- Based on the parking fine totals from the previous two years, the increased amount that would have been directed to the CAPD fund, if the increases were in effect, would have been \$3,060.00 or an annual total of \$1,530.00.
- The District will continue to operate within a deficit with this increase.
- The parking violation fee increase in conjunction with a proposed six-month study to evaluate long-term funding options for the District are efforts to balance revenues and expenditures for the CAPD.
- Additional long-term funding mechanisms that have been suggested and are begin evaluated as part of the six-month study include:
 - Use of road utility fee for maintenance
 - Add a parking fee for employees that work within the District
 - Expand the District
 - Add parking meters
 - Outsourcing parking to a private entity
 - Charge for residential use
 - Charge event fees
 - Increase the business license fee (City wide)
 - Reduce maintenance/landscaping services within the District
 - Reduce labor cost (enforcement) within the District
- Tualatin Municipal Code (TMC) 11-3-040 requires the CAPDB to make recommendations to the City Council on preparations and revisions of community development ordinances including the Tualatin Development Code.
- There are no criteria to apply to this request. The intent is for the CAPD to remain financially stable and to generate sufficient revenue to meet operational expenses.

OUTCOMES OF DECISION:

Approval of an increase in CAPD parking violation fees will result in the following:

1. Bringing the District closer to balancing revenues with expenditures.
2. Helping to reduce the scaling back of program services.
3. Reducing the level of draw down from the reserve fund to meet parking lot maintenance and service demand.

Denial of an increase in CAPD parking violation fees will result in the following:

1. Leaving the District to operate within its current deficit level.

2. Not supplementing the recently approved 5% CAPD tax rate increase to reduce the operating deficit.
3. Focusing efforts on creating and selecting an alternative method for long-term funding of the District.

ALTERNATIVES TO RECOMMENDATION:

Alternatives analyzed to increasing the CAPD parking violation fees included:

1. *Road utility fee for maintenance* – This would be a reliable subsidy to the FY 10/11 CAPD tax rate increase of 5% previously approved by City Council and could be used to greatly reduce or eliminate the CAPD budget deficit.
2. *Adding a parking fee for employees that work within the District* - This would be a way to charge those that use the parking facilities and somewhat relieve the financial burden of the business owner. However, the Board believes that this fee would ultimately be paid by the business owner.
3. *Expanding the District* - This could generate additional tax revenue, which would assist in reducing the CAPD operating deficit. Buy-in from property owners currently outside of the District needs to be achieved.
4. *Adding parking meters* - This would generate additional revenue. It is also considered a politically sensitive issue for the business owners and patrons and would impose significant upfront capital costs.
5. *Outsourcing parking facility operations to a private entity* – This option is not justifiable at this time and it is the Board's opinion that this option warrants greater density and parking demand within the City.
6. *Charging for residential parking* – This would be hard to enforce and the residential units in the Core Area are already self-parked.
7. *Charge event fees for parking in the District* – This would not be a steady nor reliable source of revenue as it is dependent upon events being scheduled downtown.
8. *Increase the business license fee (City wide)* – Partnered with the increase in parking fines, this option could potentially make up approximately half of the CAPD operating deficit. Businesses outside of the District could question why they are required to pay a higher licensing fee to support the District.
9. *Scaling back parking enforcement hours* - This could have an impact on parking violations for short-term parking areas. The Parking Enforcement Officer currently works half-time. Essentially, limited enforcement could allow long-term parking in short-term spaces impacting patrons for local businesses. This option has the potential of resulting in conflict and complaints from businesses in the District.
10. *Reduce maintenance of parking lots, landscaping, striping, sweeping, signing & pavement maintenance* - Reducing maintenance affects appearance and diminishes opportunities for redevelopment. There has been a significant capital investment in upgrading the public parking lots. Maintenance levels are at minimum levels.

11. *Reduce contribution to contingency* - Contingency is currently budgeted at 8% of materials and services where 10% is optimum.

FINANCIAL IMPLICATIONS:

Revenues support operation of the Core Area District. With the parking citation increase, the total estimated revenue for the District is dependent upon parking enforcement.

PUBLIC INVOLVEMENT:

The CAPDB February 17th and March 23rd meeting were noticed. No business within the District attended or submitted comments on the proposed parking violation fee increase.

Attachments: A. Ordinance

ORDINANCE NO. _____

AN ORDINANCE INCREASING PARKING VIOLATION FINES IN THE CORE
AREA PARKING DISTRICT; AND AMENDING TMC 8-1-360

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TMC 8-1-360 is amended to read:

~~1) Violation of TMC 8-1-080 through 8-1-140 is punishable by a fine not to
exceed \$100.~~

(21) A violation of TMC 8-1-150 through 8-1-270, excepting for a violation of
TMC 8-1-160(1)(c), and except for a violation that occurs in a Core Area Parking Lot, is
punishable as follows:

(a) First offense in any one day, \$10;
Second offense in any one day, \$15;
Third and additional offenses in any one day, \$20;

(b) All fines noted in subsection (2)(a) are due and payable to the
Municipal Court within ten days after the date the citation is issued. Fines
listed in subsection (2)(a) that are not paid within ten days shall double on
the eleventh day after date of issuance.

(32) Violation of TMC 8-1-160(1)(c) is punishable as follows:

(a) For the first offense, \$15, if paid within 5 days.

(b) For the second offense, \$25, if paid within five days.

(c) For the third offense, and any offense thereafter, \$50, if paid within five
days.

(d) If the fines listed in (a), (b), and (c) are not paid within five days, but
are paid within thirty days, then the fines shall be double the amounts
listed in (a), (b), and (c).

(e) If the fines listed in (a), (b), and (c) are not paid within 30 days, a
warrant may be issued. After 30 days if the fine has not been paid, a
disposition of the case by way of conviction at trial or plea of guilty is
punishable by a fine not to exceed \$200.

(3) A violation of TMC 8-1-160(3) or (4) that occurs in a Core Area Parking Lot is
punishable as follows:

(a) First offense in any one day, \$30;
Second offense in any one day, \$35;
Third and additional offenses in any one day, \$40.

(b) All fines under this subsection (3)(a) are due and payable to the Municipal Court within ten days after the date the citation is issued. If a fine is imposed under subsection (3)(a) is not paid within the ten days, the fine shall double on the eleventh day after issuance.

INTRODUCED AND ADOPTED this 12th Day of July, 2010.

CITY OF TUALATIN, OREGON

BY


Mayor

ATTEST:

BY


City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

ORDINANCE NO. 1306-10

AN ORDINANCE INCREASING PARKING VIOLATION FINES IN THE CORE AREA PARKING DISTRICT; AND AMENDING TMC 8-1-360

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TMC 8-1-360 is amended to read:

~~1) Violation of TMC 8-1-080 through 8-1-140 is punishable by a fine not to exceed \$100.~~

(21) A violation of TMC 8-1-150 through 8-1-270, excepting for a violation of TMC 8-1-160(1)(c), and except for a violation that occurs in a Core Area Parking Lot, is punishable as follows:

(a) First offense in any one day, \$10;
Second offense in any one day, \$15;
Third and additional offenses in any one day, \$20;

(b) All fines noted in subsection (2)(a) are due and payable to the Municipal Court within ten days after the date the citation is issued. Fines listed in subsection (2)(a) that are not paid within ten days shall double on the eleventh day after date of issuance.

(32) Violation of TMC 8-1-160(1)(c) is punishable as follows:

(a) For the first offense, \$15, if paid within 5 days.

(b) For the second offense, \$25, if paid within five days.

(c) For the third offense, and any offense thereafter, \$50, if paid within five days.

(d) If the fines listed in (a), (b), and (c) are not paid within five days, but are paid within thirty days, then the fines shall be double the amounts listed in (a), (b), and (c).

(e) If the fines listed in (a), (b), and (c) are not paid within 30 days, a warrant may be issued. After 30 days if the fine has not been paid, a disposition of the case by way of conviction at trial or plea of guilty is punishable by a fine not to exceed \$200.

(3) A violation of TMC 8-1-160(3) or (4) that occurs in a Core Area Parking Lot is punishable as follows:

(a) First offense in any one day, \$30;
Second offense in any one day, \$35;
Third and additional offenses in any one day, \$40.

(b) All fines under this subsection (3)(a) are due and payable to the
Municipal Court within ten days after the date the citation is issued. If a
fine is imposed under subsection (3)(a) is not paid within the ten days, the
fine shall double on the eleventh day after issuance.

INTRODUCED AND ADOPTED this 12th Day of July, 2010.

CITY OF TUALATIN, OREGON

BY

Mayor

ATTEST:

BY

City Recorder

APPROVED AS TO LEGAL FORM

Brenda L. Braden
CITY ATTORNEY