



City of Tualatin

TUALATIN CITY COUNCIL

Monday, June 8, 2015

JUANITA POHL CENTER

8513 SW Tualatin Road

Tualatin, OR 97062

EXECUTIVE SESSION begins at 4:30 p.m.

WORK SESSION begins at 5:00 p.m.

BUSINESS MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Monique Beikman

Councilor Wade Brooksby

Councilor Frank Bubenik

Councilor Joelle Davis

Councilor Nancy Grimes

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 your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be 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 City website at www.tualatinoregon.gov/meetings, the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a 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* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org. Council meetings can also be viewed by live *streaming video* on the day of the meeting at www.tualatinoregon.gov/meetings.

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

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. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished 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, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When 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

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) 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) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



A. CALL TO ORDER
Pledge of Allegiance

B. ANNOUNCEMENTS

1. Recognition of the 2015 "If I Were Mayor..." Contest Winners in the Poster, Essay, and Presentation Categories
2. Announcing the 2015 Tualatin Science and Technology Scholarship Winner
3. YAC Update for June 2015
4. New Employee Introduction- Paul Ilg, Building Inspector

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent 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

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. 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 from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of May 26, 2015
2. Consideration of **Resolution No. 5238-15** Certifying City of Tualatin Municipal Services
3. Consideration of **Resolution No. 5231-15** Accepting Public Improvements for Construction of the Juanita Pohl Center Fire and Life Safety Project
4. Consideration of **Resolution 5230-15** Awarding the Bid for the 2015 Pavement Maintenance Program and Authorizing the City Manager To Execute a Contract

5. Consideration of **Resolution No. 5235-15** Authorizing City Manager to Accept Easements and Other Right-of-Way for Public Connections to Tualatin River Greenway Trail
6. Consideration of **Resolution Number 5234-15** Granting Clean Water Services an Easement for Water Quality Preservation and Storm and Surface Water Drainage for Property Located at Brown's Ferry Park
7. Consideration of **Resolution No. 5237-15** Awarding Bid for Construction of the SW Barngrover Way at SW Boones Ferry Rd., Tualatin River Greenway Shared Use Pathway Project

E. PUBLIC HEARINGS – Legislative or Other

1. Consideration of **Resolution No. 5239-15** Declaring the City's Election to Receive State Revenue Sharing Funds During Fiscal Year 2015-16

F. PUBLIC HEARINGS – Quasi-Judicial

1. Consideration of Plan Text Amendment (PTA) 15-02 Relating to Blocks 28 and 29 of the Central Urban Renewal Plan Area Generally Located South of Old SW Tualatin-Sherwood Road, West of the Railroad and SW Boones Ferry Road, and East of SW 90th Court; Amending Tualatin Development Code (TDC) 60.030 to Allow Office, Retail, Service, and other Commercial Uses; (PTA-15-02 & ORD 1380-15)

G. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. 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.

1. Consideration of **Resolution No. 5233-15** Authorizing Naming a Segment of the Tualatin River Greenway Trail as the Yvonne Addington Overlook

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

J. ADJOURNMENT

City Council Meeting

Meeting Date: 06/08/2015

ANNOUNCEMENTS: "If I Were Mayor..." Contest Winners Announcement

ANNOUNCEMENTS

Recognition of the 2015 "If I Were Mayor..." Contest Winners in the Poster, Essay, and Presentation Categories

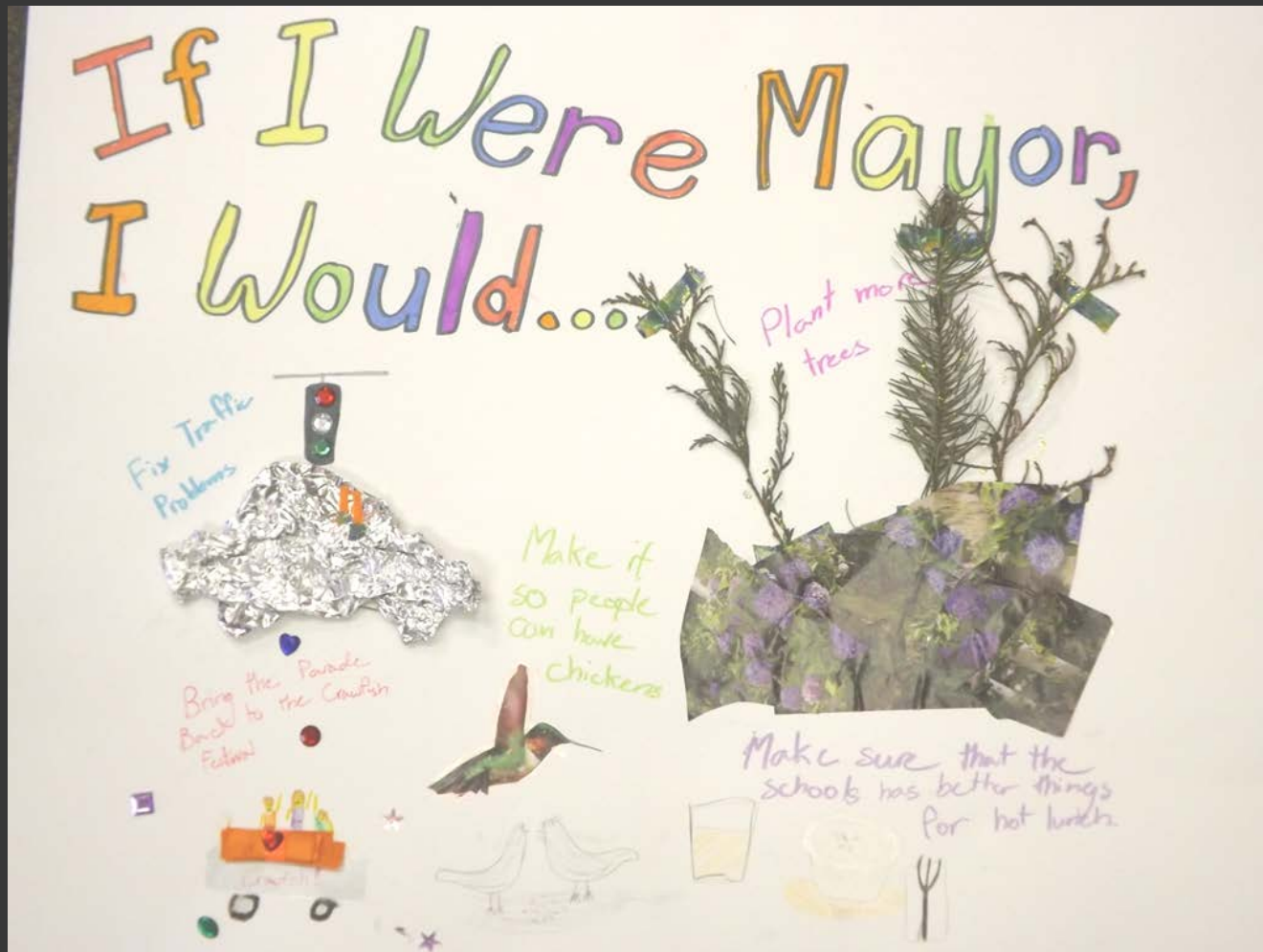
A. If I Were Mayor

If I Were Mayor...

Sponsored by the City of Tualatin and the Oregon Mayors Association

- A unique opportunity to promote local government education in our community
- Oregon students were asked to respond to the prompt “If I were Mayor, I would...”

Grade 4-5 Poster Contest Winner



**Ellie Cunnington
Tualatin Elementary School**

Middle School Essay Winner

- “If I were mayor, I would have a sports recreation facility, create an app for the people in need around the community, a quarterly neighborhood potluck at a local park, host a field trip for a local school to see what a mayor does in his career, and have a main street or several stores where local artists can rent a booth to sell their artwork.”

**Amber Hall
Hazelbrook Middle School**

High School Video/PowerPoint Winner

- Ideas included improving education, increasing volunteerism, encouraging residents to spend more time outdoors, starting a campaign to address mental health, and making sure that all residents feel that they have a voice in our local government.



**Emma Patton
Tualatin High School**

Next Steps....

- ◎ Tualatin's winning entries are sent on for statewide competition and the chance to win an iPad Air
- ◎ Statewide winner announced in mid-June

If I Were Mayor...

Sponsored by the City of Tualatin and Oregon Mayors Association

**Congratulations
Ellie, Amber, and Emma!**



City of Tualatin

City Council Meeting

Meeting Date: 06/08/2015

ANNOUNCEMENTS: Announcing the 2015 Tualatin Science and Technology Scholarship Winner

ANNOUNCEMENTS

Announcing the 2015 Tualatin Science and Technology Scholarship Winner

SUMMARY

This year Madison I. Cochran was selected to receive the Tualatin Science and Technology Scholarship, in the amount of \$400. Ms. Cochran will attend the University Honors College at Oregon State University to study biology in the fall. In 1990, the City of Tualatin and Oki Semiconductor, a local manufacturing company, established a science and technology scholarship trust fund. Since then scholarships have been awarded annually to high school seniors who are residents of Tualatin, planning to attend an Oregon four-year college or university, and planning to pursue a career in a science or technology field. The scholarship represents the commitment of Tualatin businesses to the young people in the community. It also represents the belief and faith that technological and scientific knowledge and skills can improve the quality of life as well as the environmental, social, and economic health of our community. After the Oki Semiconductor plant closed, the scholarship program was renamed Tualatin Science and Technology Scholarship and the trust fund continued under the guidance of the City of Tualatin, the Tualatin Chamber of Commerce, and the Tigard-Tualatin School District.

[PowerPoint](#)

Tualatin Science and Technology Scholarship



City of Tualatin

2015 Winner
Madison Cochran



Scholarship Committee

City Council representative: Monique Beikman

School Board representative: Dr. Barry Albertson

Chamber of Commerce representative: Denise Macriganis

City Council Meeting

Meeting Date: 06/08/2015

ANNOUNCEMENTS: Tualatin Youth Advisory Council Update

ANNOUNCEMENTS

YAC Update for June 2015

A. YAC Update

Council Update June 8, 2015

TUALATIN YOUTH ADVISORY COUNCIL

Tualatin TRYathlon

- June 6, 2015
- Tualatin High School
- YAC volunteers:
 - Pool
 - Route monitors
 - Event ambassadors



Kaleidoscope Run



- June 12, 2015 at Ibach Park
- Beginning of summer celebration for grades 6-12
- Collaboration between YAC and TLC



Movies on the Commons

- Free, family-friendly movies
- Saturdays in July & August
- YAC helps choose films, sells concessions



Movies on the Commons

- July 4: Holiday – no movie
- July 11: Alexander and the Terrible, Horrible, No Good, Very Bad Day
- July 18: Big Hero 6
- July 25: Finding Nemo
- August 1: The Wizard of Oz
- August 8: The Boxtrolls
- August 15: Cinderella (2014)
- August 22: Happy Feet

Special Location: Ibach Park

- August 29: Guardians of the Galaxy

InFocus



TheTimes TIGARD | TUALATIN | SHERWOOD



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Nicole Morris, Deputy City Recorder

DATE: 06/08/2015

SUBJECT: Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of May 26, 2015

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council Work Session and Regular Meeting of May 26, 2015.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Work Session Minutes of May 26, 2015](#)
[City Council Meeting Minutes of May 26, 2015](#)



OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR MAY 26, 2015

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Councilor Frank Bubenik; Councilor Joelle Davis

Staff City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker;

Present: Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Information Services Manager Lance Harris; Economic Development Manager Ben Bryant; Assistant City Manager Alice Cannon; Library Manager Jerianne Thompson; Recording Secretary Colleen Resch; Public Works Director Jerry Postema

CALL TO ORDER

Mayor Ogden called the meeting to order at 6:05 p.m.

1. **Stafford CET Grant Letter of Support.**

Assistant City Manager Alice Cannon and Planning Manager Aquilla Hurd-Ravich reminded the Council at the Work Session in April, Council directed staff to develop a position statement regarding the topics of governance, infrastructure systems and density for the Stafford area. Three weeks ago, elected officials and staff from the West Linn, Wilsonville and Tualatin met and drafted a Stafford position statement. Ms. Cannon asked Council to provide feedback on the Stafford position statement. In addition, Clackamas County is requesting Construction Excise Tax (CET) funding to pursue an Infrastructure Feasibility Assessment and is requesting a letter support from the three cities. Ms. Cannon stated the purpose of the Stafford Area Preliminary Infrastructure Feasibility Assessment is to build a common understanding of the potential impacts urban growth would have on the sewer, water, storm water and transportation infrastructure in the Stafford Area. She stated the grant application is due June 1, 2015.

Councilor Truax said his concern is that planning activities will get going before the cities have discussed and vetted what they want.

Mayor Ogden agreed and said the three cities have been adamant that a transportation network is necessary within the study area but the larger condition is access to and from the area. He stated the three things that have to occur are Tualatin has to be the governing jurisdiction, the area cannot develop to Metro density and will need a variance, and the transportation infrastructure needsto connect the area to the region.

Ms. Cannon stated the Transportation System Plans for each city have certain assumptions and will need to be reviewed.

Councilor Truax said he fears that won't happen with Metro planners involved and Clackamas County's desire to develop the area.

Councilor Grimes agreed with Councilor Truax and commented on the need to participate in the process. She said she is concerned the County is the one seeking the funding from Metro for the study and reiterated the need for Tualatin to be involved.

Ms. Cannon noted the concerns and stated the staff from the three cities have been working well and showing a unified front and the County is showing a different level of respect. Council agreed that the draft position statement appropriately reflects Tualatin's position and authorized staff to submit a letter of support for Clackamas County's grant application to Metro to complete a Stafford Area Infrastructure Feasibility Assessment.

2. Industrial Site Readiness Project Overview.

Economic Development Manager Ben Bryant presented a PowerPoint on the Industrial Site Readiness Project and said this is the first of a two part series. He stated in 2012, Metro developed an inventory of the region's large industrial sites needed for high-paying manufacturing and other trade sector employers. At that time, there were 56 large sites identified for future industrial jobs. He noted there were 5 sites identified in the Tualatin planning area which included: PacTrust Koch Corporate Center, which has already partially developed, Intel Property, Tigard Sand and Gravel, Tonquin Industrial Area and Morse Brothers. He said in 2014, Tualatin partnered with Washington County and many other cities to conduct site specific analysis on the Intel and Tigard Sand & Gravel sites. He stated the analysis asked what is the value of the existing site, what is a potential development pattern, how much is the cost of infrastructure to serve site, what is the value of the land in "shovel-ready" form and is there a financial gap. With this information there will be an analysis of the public tax benefits that will accrue overtime with the development of the site. He said the Intel site is 41 acres and is located where the extension of 124th Avenue will start. He said the consultants put together a mock development pattern for the purpose of showing the constraints and infrastructure and noted this site will require a number of transportation improvements. He said the Tualatin Sand and Gravel owns over 300 acres and has identified a 72 acre site that will likely be developed first and is located where 124th Avenue will be extended. He said the constraints include the requirements in the Southwest Concept Plan and the transportation infrastructure improvements needed.

He said the next step is to determine infrastructure and site costs considering water, sewer, stormwater, transportation, wetland mitigation, slope mitigation, environmental cleanup and the public financial benefits. He said the information from the analysis will be presented to Council in July. He said the City of Sherwood is analyzing sites on the other side of 124th Avenue and staff is collaborating on connecting infrastructure and marketing the area together.

Mayor Ogden referred to market readiness and the gap and asked about timing opportunities and phasing. Mr. Bryant said the timing will be factored in when looking at the value of the land as "shovel ready". Mayor Ogden asked how long it

will take to get infrastructure to these areas and when will there be a demand. Mr. Bryant said the study includes the Itel site and Tigard Sand and Gravel because they are the most likely to develop in the future.

3. City Facilities Study Update

Deputy City Manager Sara Singer presented a PowerPoint on the City Facilities Study update. She said the City Facilities Task Force met on May 13, 2015 and there will be a public involvement report developed and presented to the Task Force and Council. She said public input is still being sought. She said a video has been developed to inform the public and encourage them to participate in the surveys. She stated the goals of the project include documenting current needs and assets, engage the community in site selection, confirm the location fits future needs, document attributes, develop cost estimates and recommend an option to the Council. She said following the recommendation from the task force further analysis will be required. She said 8 sites were identified as potential City Hall building locations and the Library is a separate alternative. She said the Task Forces has narrowed the scope to consider 4 options and she presented a video which highlights the attributes of those options.

Councilor Truax said the video does not clearly state that the Library option is a separate issue. Council provided feedback and Deputy City Manager Singer noted their concerns.

Mayor Ogden said he is concerned that the study is supposed to be 20 year look but the numbers being used are for 2025 which is a 10 year look. He is also concerned that these options do not take into consideration all of the cost such as parking and deferred maintenance. Deputy City Manager Singer said there will be more discussion on parking in the final report and noted the project goal is to see if the sites will fit and have enough space.

Deputy City Manager Singer said the Task Force will meet on June 10 to develop a recommendation to present to Council on June 22.

ADJOURNMENT

The work session adjourned at 7:05 p.m.

Sherilyn Lombos, City Manager

_____ / Colleen Resch, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 26, 2015

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Councilor Frank Bubenik; Councilor Joelle Davis

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Information Services Manager Lance Harris; Economic Development Manager Ben Bryant; Assistant City Manager Alice Cannon; Library Manager Jerianne Thompson; Recording Secretary Colleen Resch; Public Works Director Jerry Postema

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:10 p.m.

B. ANNOUNCEMENTS

1. New Employee Introductions: Peggy McGregor, Library Assistant

Community Services Director Paul Hennon introduced the new Library Assistant Peggy McGregor. The Council welcomed her.

2. New Employee Introductions: Andrew Degner, Water Division Manager

Public Works Director Jerry Postema introduced the new Water Division Manager Andrew Degner. Council welcomed him.

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent 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.

Mae Heide, Chief petitioner for the Term Limits Initiative, stated she filed her petition on April 28, 2015 and on May 5, 2015 Council passed an ordinance that changed the process. She stated the State allows 2 years to gather signatures and the new ordinance changes the period to 180 days. She said the State allows for initiatives to be considered on the May and November elections and the new ordinance changed that to November only. She asked Council to rescind the

ordinance and noted that it was not on the agenda and happened late in a meeting when not too many citizens were present.

Jan Giunta referred to Ordinance 1381-15 that was drafted and enacted on May 11, 2015. She commented on the public process and said this was not properly noticed. She asked the Council to consider rescinding the ordinance or amending the ordinance to allow the State mandated 2 years to gather signatures and remove the emergency clause.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. 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 from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

MOTION by Council President Monique Beikman, SECONDED by Councilor Wade Brooksby to approve the consent agenda.

Aye: Mayor Lou Ogden, Council President Monique Beikman, Councilor Wade Brooksby, Councilor Nancy Grimes, Councilor Ed Truax

Other: Councilor Frank Bubenik (Absent), Councilor Joelle Davis (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of May 11, 2015.
2. Consideration of Approval of a New Liquor License Application for Brew Abyss
3. Consideration of **Resolution No. 5232-15** Authorizing the City Manager to Execute Amendments to the Intergovernmental Agreement with Tualatin Valley Water District and City of Portland for an Emergency Water System Intertie.

E. COMMUNICATIONS FROM COUNCILORS

None

F. ADJOURNMENT

Mayor Ogden adjourned the meeting at 7:24 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Don Hudson, Finance Director

DATE: 06/08/2015

SUBJECT: Consideration of Resolution No. 5238-15 Certifying City of Tualatin Municipal Services

ISSUE BEFORE THE COUNCIL:

To be eligible to receive state shared revenues (cigarette, liquor and highway taxes), the City must certify it provides four or more of certain municipal services.

RECOMMENDATION:

Staff recommends that the Council adopt the attached Resolution certifying City of Tualatin municipal services.

EXECUTIVE SUMMARY:

The State of Oregon requires that cities located in a county having more than 100,000 inhabitants according to the most recent decennial census, must provide four or more of certain municipal services in order to receive state shared revenues. Those services are: Police Protection; Fire Protection; Street Construction, Maintenance and Lighting; Sanitary Sewers; Storm Sewers; Planning, Zoning and Subdivision Control; and Water Utility Services. The City provides six of the seven listed municipal services (Fire Protection is provided by Tualatin Valley Fire & Rescue).

OUTCOMES OF DECISION:

If the Council approves the Resolution, the City will be eligible to receive state shared revenues. If the Council does not approve the Resolution, the City will not receive state shared revenues and we will need to reduce expenditures or contingencies.

FINANCIAL IMPLICATIONS:

It is estimated, and budgeted, that the City will receive \$31,500 in Cigarette Taxes and \$433,760 in Liquor Taxes in the General Fund and \$1,552,500 in State Gas Taxes in the Road Operating/Gas Tax Fund.

Attachments: Reso 5238-15

RESOLUTION NO. 5238-15

A RESOLUTION CERTIFYING CITY OF TUALATIN MUNICIPAL SERVICES

WHEREAS, ORS 221.760 provides that the officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants, disburse such funds only if the city provides four or more of the following services:

1. Police Protection
2. Fire Protection
3. Street Construction, Maintenance, and Lighting
4. Sanitary Sewers
5. Storm Sewers
6. Planning, Zoning, and Subdivision Control
7. Water Utility Services; and

WHEREAS, the City Council desires to comply with ORS 221.760 by certifying the provision of municipal services.

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

Section 1. The City of Tualatin certifies that it provides the following four or more municipal services, as provided in ORS 221.760:

1. Police Protection
2. Street Construction, Maintenance, and Lighting
3. Sanitary Sewers
4. Storm Sewers
5. Planning, Zoning, and Subdivision Control
6. Water Utility Services

Section 2. This resolution is effective upon adoption.

Adopted by the City Council this 8th day of June, 2015.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Kelsey Lewis, Management Analyst II
Paul Hennon, Community Services Director

DATE: 06/08/2015

SUBJECT: Consideration of **Resolution No. 5231-15** Accepting Public Improvements for Construction of the Juanita Pohl Center Fire and Life Safety Project

ISSUE BEFORE THE COUNCIL:

The Council will consider a resolution authorizing final acceptance of the Juanita Pohl Center Fire and Life Safety Project.

RECOMMENDATION:

Staff respectfully recommends that Council approve the attached resolution authorizing final acceptance.

EXECUTIVE SUMMARY:

The contract was awarded to Payne Construction, Inc. of Portland, Oregon on February 9, 2015. Construction of the improvements is complete and staff has inspected the improvements and received all required documents and materials.

OUTCOMES OF DECISION:

The five percent retainage on construction costs will be paid and the Maintenance and Warranty period will begin.

FINANCIAL IMPLICATIONS:

This project was funded through a combination of Community Development Block Grants, Park Development funds and General Fund. The final contract amount was \$124,909.07.

Attachments: [Resolution No. 5231-15](#)

RESOLUTION NO. 5231-15

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR CONSTRUCTION OF THE JUANITA POHL CENTER FIRE AND LIFE SAFETY PROJECT

WHEREAS, the City of Tualatin entered into a contract with Payne Construction Inc. to construct a fire suppression system in the Juanita Pohl Center; and

WHEREAS, Payne Construction, Inc. has completed construction of the improvements to the standards required by the City; and

WHEREAS, City staff has inspected and recommends final acceptance of the improvements; and

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

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

Section 1. The fire suppression system improvements of the Juanita Pohl Center are approved and accepted by the City.

Section 2. The City Manager, or designee, is authorized to execute any and all documents necessary to close out the contract with Payne Construction Inc.

Section 3. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 8th day of June, 2015.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Bert Olheiser, Street/Sewer/Storm Manager

DATE: 06/08/2015

SUBJECT: Consideration of **Resolution 5230-15** Awarding the Bid for the 2015 Pavement Maintenance Program and Authorizing the City Manager To Execute a Contract

ISSUE BEFORE THE COUNCIL:

Authorization for the City Manager to execute a contract with the successful low bidder for award of the 2015 Pavement Maintenance Program.

RECOMMENDATION:

Council is requested to authorize City Manager to execute a contract with Kodiak Pacific Construction for the 2015 Pavement Maintenance Program. Resolution 5230-15 also authorizes the City Manager or designee to execute change orders that do not exceed 10% of the contract. The procurement complies with the City's public contracting requirements.

EXECUTIVE SUMMARY:

The 2015 Pavement Maintenance Program Request for Bids was advertised in the Daily Journal of Commerce on April 8 and 15, 2015. Bids were publicly opened and read on April 22, 2015 at 2:00 pm. Bids were received from the following bidders:

Kodiak Pacific Construction	\$225,000.00
Brix Paving NW, Inc.	\$238,391.07
Baker Rock Resources	\$248,220.00
Knife River Corporation	\$262,607.50

Kodiak Pacific was the successful low responsible bidder for the project. Funding for the 2015 Pavement Maintenance Program is budgeted in the 2015/16 Road Utility Fund.

Resolution No. 5230-15 awards a contract in the amount of \$225,000.00 to Kodiak Pacific Construction and authorizes the City Manager to execute a contract for the project. Resolution No. 5230-15 also authorizes the City Manager or designee to execute change orders that do not exceed 10% of the contract. The procurement complies with the City's public contracting requirements.

Attachments: A - Resolution 5230-15

RESOLUTION NO. 5230-15

RESOLUTION AWARDING THE BID FOR PAVEMENT MAINTENANCE AND
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT

WHEREAS, the Pavement Maintenance Program Request for Bids was advertised in the Daily Journal of Commerce on April 8 and 15, 2015; and

WHEREAS, four bids were received and publically opened and read on April 22, 2015; and

WHEREAS, the procurement complies with the City's public contracting requirements; and

WHEREAS, funding for the project is budgeted in the 2015-2016 fiscal year Road Utility Fund.

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

Section 1. Kodiak Pacific Construction was the successful responsible low responsible bidder and is hereby awarded a contract to provide Pavement Maintenance.

Section 2. The City Manager is authorized to execute a contract with Kodiak Pacific Construction in the amount of \$225,000.00.

Section 3. The City Manager or designee is authorized to execute change orders that do not exceed 10 percent of the total contract price.

Section 4. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 8th day of June, 2015.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Kelsey Lewis, Management Analyst II
Paul Hennon, Community Services Director

DATE: 06/08/2015

SUBJECT: Consideration of **Resolution No. 5235-15** Authorizing City Manager to Accept Easements and Other Right-of-Way for Public Connections to Tualatin River Greenway Trail

ISSUE BEFORE THE COUNCIL:

The Council will consider authorizing the City Manager to accept easements and other right-of-way for public connections to the Tualatin River Greenway Trail Project.

RECOMMENDATION:

Staff respectfully recommends that the Council approve the attached resolution.

EXECUTIVE SUMMARY:

The attached resolution would authorize the City Manager to execute any and all easements, rights-of-way, and other legal documents to establish public access rights to the Tualatin River Greenway Trail Gap Completion Project from willing private property owners and lessees related to the project.

The City is developing a segment of the Tualatin River Greenway Trail that will run adjacent to and across private property. The City desires to connect the Tualatin River Greenway Trail with adjoining developments to promote public health and fitness, and to facilitate convenient recreational and transportation uses.

The City proposed making public connections to certain private property locations along the trail in its application for a *ConnectOregon V* grant to partially fund the Tualatin River Greenway Trail Gap Completion Project. This authority would enable the City Manager to execute legal documents to provide for those public access connections.

Furthermore, existing trail easements on the Nyberg Rivers Shopping Center site and a long-term land lease for the trail on the Nyberg Woods Shopping Center site will need to be amended after construction to reflect the final trail alignment, and this authority would enable the City Manager to execute legal documents related to those modifications.

The purpose of this authority is to ensure that easements and leases relating to this project will be recorded in a timely manner and not be delayed due to awaiting official City Council approval for these administrative tasks. Another purpose is to allow City Council meetings to be devoted to policy making and other City obligations without the interruption of routine administrative tasks. Staff review of such documents will be thorough and systematic.

FINANCIAL IMPLICATIONS:

The private property owners and lessees have agreed to grant the City legal rights to establish public connections to the Tualatin River Greenway Trail at no cost to the City.

Attachments: [Resolution 5235-15](#)

RESOLUTION NO. 5235-15

RESOLUTION AUTHORIZING CITY MANAGER TO ACCEPT EASEMENTS AND OTHER RIGHT-OF-WAY FOR PUBLIC CONNECTIONS TO THE TUALATIN RIVER GREENWAY TRAIL

WHEREAS, the City of Tualatin is developing a segment of the Tualatin River Greenway Trail that will run adjacent to private property; and

WHEREAS, the City desires to connect the Tualatin River Greenway Trail with adjoining public and private developments and to promote public health and fitness, and to facilitate convenient recreational and transportation uses; and

WHEREAS, the City in its application for a *ConnectOregon V* grant to partially fund the Tualatin River Greenway Trail Gap Completion Project, proposed making public connections to certain private property locations along the trail; and

WHEREAS, certain private property owners and lessees have agreed to grant the City legal rights to establish public connections to the Tualatin River Greenway Trail.

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

Section 1. The City of Tualatin finds it necessary and in the public interest to accept easements, rights-of-way, and other legal access rights across private property for the purposes of enhancing, and providing connections to, the Tualatin River Greenway Trail from willing private property owners and lessees.

Section 2. The City Manager is authorized to execute any and all easements, rights-of-way, and other legal documents to establish public access rights to the Tualatin River Greenway Trail from willing private property owners and lessees.

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this 8th day of June, 2015.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Paul Hennon, Community Services Director

DATE: 06/08/2015

SUBJECT: Consideration of **Resolution Number 5234-15** Granting Clean Water Services an Easement for Water Quality Preservation and Storm and Surface Water Drainage for Property Located at Brown's Ferry Park

ISSUE BEFORE THE COUNCIL:

The Council will consider granting Clean Water Services an easement for water quality preservation and storm and surface water drainage to accommodate mitigation plantings required to construct a segment of the Tualatin River Greenway Trail.

RECOMMENDATION:

Staff recommends that the Council adopt the attached Resolution.

EXECUTIVE SUMMARY:

The City is developing a segment of the Tualatin River Greenway Trail for which adequate area for mitigation plantings required by Clean Water Services regulations does not exist in the vicinity where the path is being constructed. Adequate area of about 1.6 acres in size for mitigation plantings does exist on nearby property along the Tualatin River in Brown's Ferry Park which is owned jointly by the City and Metro.

Metro, co-owner of the property, provided written approval for the City to grant an easement for off-site corridor mitigation for this project which is consistent with Section 5(C) of our Management Intergovernmental Agreement (IGA) for the property.

Clean Water Services requires an easement covering the land where mitigation plantings will be placed to ensure preservation of the area.

Section 50 of the City Charter, known as the Parks Charter Amendment, applies to the transfer, sale, vacation or major change in use of city parks. Under Charter Section 50 (b), the City is authorized to grant easements without voter approval so long as the easements "do not cause or constitute a major change in use of the park."

Under the Charter, a "major change" is defined as "a change in use of a park, or part thereof, from a recreation or preservation use to non-park use unrelated to public recreation or

preservation.” The CWS easement is not a “major change” as the recreation and preservation values of the area subject to the easement remain unchanged.

The CWS easement ensures preservation of the area for park uses and granting the easement is required in order to allow the City to expand recreational opportunities by constructing the trail. Granting the CWS easement enhances the parks preservation and recreational values and is wholly consistent with the Parks Charter Amendment.

FINANCIAL IMPLICATIONS:

There are no direct expenses associated with approving this easement other than a minor recording fee. The costs to plan for and plant the mitigation area are part of the Tualatin River Greenway Trail Gap Completion Project. Costs to maintain the mitigation area are part of the overall trail maintenance costs. Funding for construction and maintenance are included in the proposed FY15/16 annual budget.

Attachments: [A - Resolution](#)

RESOLUTION NO. 5234-15

RESOLUTION GRANTING CLEAN WATER SERVICES AN EASEMENT FOR WATER QUALITY PRESERVATION AND STORM AND SURFACE WATER DRAINAGE FOR PROPERTY LOCATED AT BROWN'S FERRY PARK

WHEREAS, the City of Tualatin is developing a segment of the Tualatin River Greenway Trail for which adequate area for mitigation plantings required by Clean Water Services regulations does not exist in the vicinity where the path is being constructed, and adequate area for mitigation plantings does exist on nearby property along the Tualatin River in Brown's Ferry Park; and

WHEREAS, the City and Metro jointly own Brown's Ferry Park including property located at 19020 SW 50th Avenue (Map 21E19DA, Tax Lot 10400) in Clackamas County; and,

WHEREAS, Section 50 of the City Charter, known as the Parks Charter Amendment, applies to the transfer, sale, vacation or major change in use of city parks. Under Charter Section 50 (b), the City is authorized to grant easements without voter approval so long as the easements "do not cause or constitute a major change in use of the park." Under the Charter, a "major change" is defined as "a change in use of a park, or part thereof, from a recreation or preservation use to non-park use unrelated to public recreation or preservation." The CWS easement is not a "major change" as the recreation and preservation values of the area subject to the easement remain unchanged. The CWS easement ensures preservation of the area for park uses and granting the easement is required in order to allow the City to expand recreational opportunities by constructing the trail. Granting the CWS easement enhances the parks preservation and recreational values and is wholly consistent with the Parks Charter Amendment; and

WHEREAS, Metro, co-owner of the property, provided written approval for the City to grant an easement for off-site corridor mitigation.

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

Section 1. The City of Tualatin finds it necessary to grant the Clean Water Services an easement across the property, which is in a form similar to that set forth in Exhibit 1, which is attached and incorporated herein.

Section 2. The City Manager is authorized to execute the Easement for Water Quality Preservation and Storm and Surface Water Drainage and is authorized to make changes to Exhibit 1 to effectuate the granting of the easement to Clean Water Services in a form mutually acceptable.

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this 8th day of June, 2015.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

RETURN TO: Clean Water Services
Mail Stop 10
2550 SW Hillsboro Highway
Hillsboro, OR 97123

Project: 15-000332
Tax Lot No.: Map R21E 19 D4, Tax Lot 10400
Square Feet: 71,297

EASEMENT FOR WATER QUALITY PRESERVATION AND
STORM AND SURFACE WATER DRAINAGE

GRANTOR'S NAME: City of Tualatin

ADDRESS: 18880 SW Martinazzi Ave, Tualatin. OR 97062-7062

GRANTOR, owner of the property described herein, has the authority and does hereby grant, convey and warrant unto Clean Water Services, GRANTEE, a non-exclusive perpetual easement in gross to use the real property described in Exhibit A and as depicted on Exhibit B attached hereto and by this reference incorporated herein (Easement Area) for water quality preservation and storm and surface water drainage, provided GRANTEE uses natural storm and surface water drainage systems. This easement includes the right to access the above described easement over and across the land of the GRANTOR for the purpose of maintenance of the easement and any natural storm and surface water drainage systems therein. This easement shall run with the land and shall be binding upon and shall inure to the benefit of the parties hereto, their heirs, successors and assigns. GRANTEE shall not have any responsibility for pre-existing environmental contamination or for environmental contamination caused by GRANTOR or any third party of the Easement Area.

The consideration for this grant is **nonmonetary**.

Additional terms and conditions set forth below are hereby agreed to and binding upon the parties to this easement:

1. No structure shall be erected on the Easement Area without the written consent of the GRANTEE, except GRANTOR is expressly granted the right to erect any and all facilities related to the Tualatin River Greenway Trail Project, as more particularly described in the Connect Oregon V grant application (hereafter "Tualatin River Greenway Trail Project").
2. One purpose of this easement shall be to preserve water quality by maintaining native vegetation and habitat conditions within the Easement Area. GRANTOR agrees that any vegetation planted by GRANTEE within the Easement Area shall not be removed, destroyed, mowed, altered or sprayed with biocides. GRANTOR may make additional plantings of Oregon native species within the Easement Area and may prune planted vegetation.

3. GRANTOR agrees that there shall be no filling, excavating or dredging; no removal of topsoil, sand, gravel, rock, minerals or other materials, nor any dumping of ashes, trash, garbage, or of any other material, and no changing of the grade or topography of the Easement Area in any manner unless authorized by GRANTEE. Notwithstanding the foregoing, GRANTOR may conduct such activities related to the Tualatin River Greenway Trail Project.
4. GRANTOR agrees that any activities within the Easement Area which are, in the opinion of the GRANTEE, inconsistent with preserving the natural condition of the Easement Area are prohibited and may be subject to enforcement action, provided however that activities related to the Tualatin River Greenway Trail Project are explicitly allowed.
5. GRANTEE shall take action to enforce the terms of this easement. Enforcement shall include abatement of any prohibited condition or activity within the Easement Area by all means provided under Clean Water Services' Ordinances and Resolution and Orders, and federal and state laws.

CORPORATE, LLC, PARTNERSHIP,
TRUST OR OTHER LEGAL ENTITY
SIGN BELOW

_____ CITY OF TUALATIN _____
(Entity name)

By: _____
(Sign here for entity)

Title: City Manager

Date: _____

ACCEPTED

APPROVED AS TO FORM

By: _____
General Manager or Designee
Clean Water Services

District Counsel

NOTARIZE DOCUMENT BELOW

[Use this notary block if GRANTOR is an individual.]

STATE OF _____)

COUNTY OF _____)

This instrument was acknowledged before me this _____ day of _____, 20____, by _____.

Notary Public

[Use this notary block if GRANTOR is an entity.]

STATE OF _____)

COUNTY OF _____)

This instrument was acknowledged before me on _____ (date)
by _____ (name of person) as
_____ (title) of _____ (name
of entity).

Notary Public

Exhibit "A"

LEGAL DESCRIPTION

Tualatin Greenway Shared Pathway 21408260

Vegetated Corridor Expansion

May 7, 2015

Page 1 OF 1

Portions of that tract of land conveyed to Metro and the City of Tualatin per Document No. 2004-035406, Clackamas County Deed Records, located in the East half of Section 19, Township 2 South, Range 1 East, Willamette Meridian, City of Tualatin, Clackamas County, Oregon, being more particularly described as follows:

VC Enhancement Mitigation

BEGINNING at the Southwest corner of the Southeast quarter of the Northeast quarter of Section 19, Township 2 South, Range 1 East, Willamette Meridian; Thence along the West line of the Southeast quarter of the Northeast quarter of said Section 19 N 00°40'40" West, 83.32 feet to the Southerly bank of the Tualatin River; Thence Southeasterly along said Southerly bank 402.9 feet more or less; Thence leaving said Southerly bank of the Tualatin River South 07°26'50" West, 103.45 feet; Thence South 21°27'56" East, 15.64 feet; Thence South 02°18'04" West, 20.42 feet; Thence North 87°04'04" West, 175.41 feet; Thence North 81°34'16" West, 62.20 feet; Thence North 77°52'49" West, 136.74 feet to the Easterly right-of-way line of S.W. 50th Avenue; Thence along said Easterly right-of-way line North 00°40'40" West, 47.67 feet to an angle point; Thence along the Northerly right-of-way of said S.W. 50th Avenue North 89°22'15" West, 15.00 feet to the **POINT OF BEGINNING**.

Excepting therefrom that portion that lies within the existing trail.

Contains 43,915 square feet or 1.008 acres, more or less.

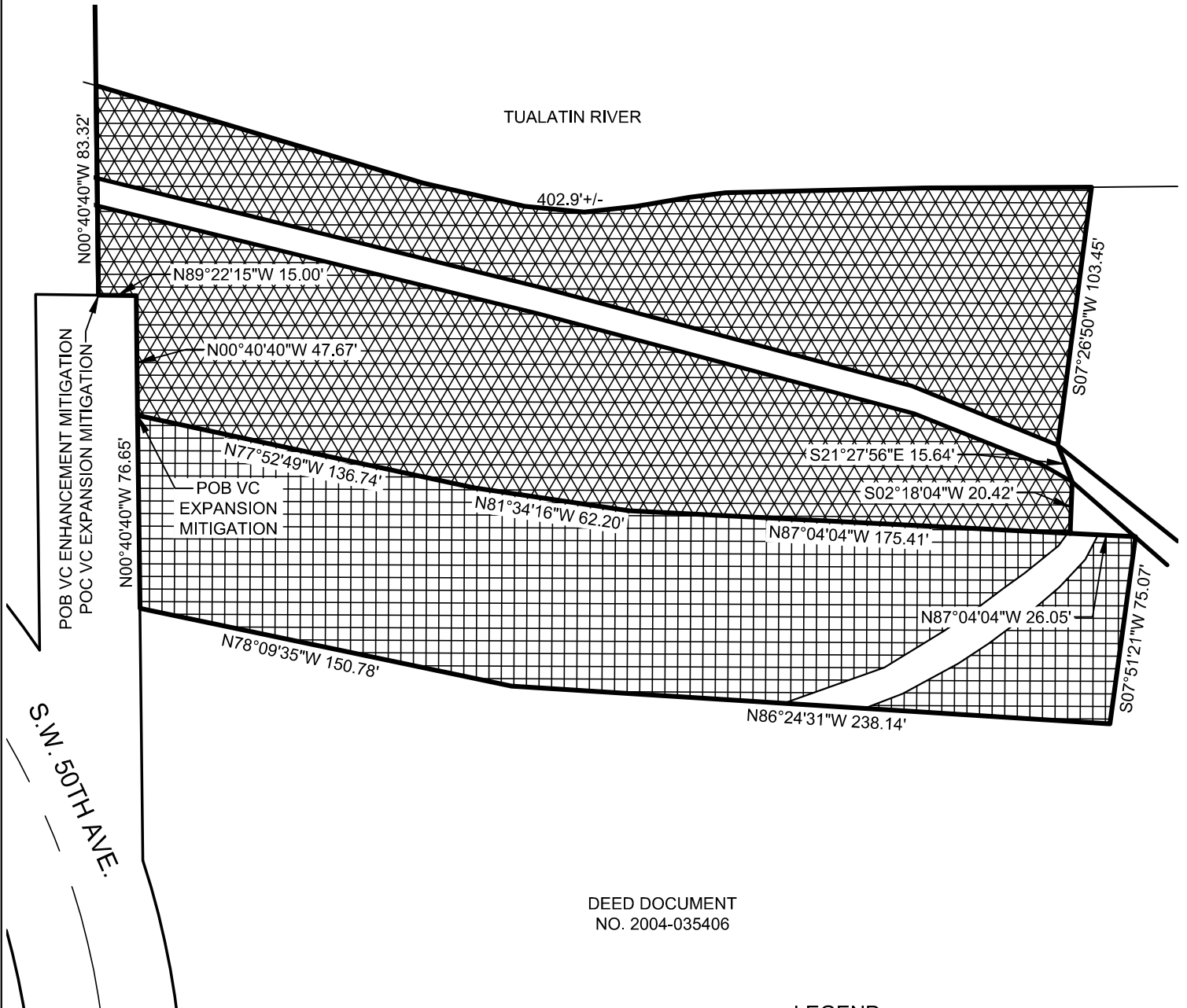
VC Expansion Mitigation

COMMENCING at the Southwest corner of the Southeast quarter of the Northeast quarter of Section 19, Township 2 South, Range 1 East, Willamette Meridian; Thence along the Northerly right-of-way line said S.W. 50th Avenue South 89°22'15" East, 15.00 feet to an angle point; Thence along the Easterly right-of-way line of said S.W. 50th Avenue South 00°40'40" East, 47.67 feet to the **POINT OF BEGINNING**; Thence continuing along said Easterly right-of-way line South 00°40'40" East, 76.65 feet; Thence leaving said Easterly right-of-way line South 78°09'35" East, 150.78 feet; Thence South 86°24'31" East, 238.14 feet; Thence North 07°51'21" East, 75.07 feet; Thence North 87°04'04" West, 201.46 feet; Thence North 81°34'16" West, 62.20 feet; Thence North 77°52'49" West, 136.74 feet to the **POINT OF BEGINNING**.

Excepting therefrom that portion that lies within the existing trail.


Contains 27,382 square feet or 0.629 acres, more or less.


EXHIBIT "B"



DEED DOCUMENT
NO. 2004-035406

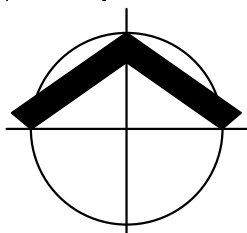
LEGEND:

 AREA OF VC ENHANCEMENT MITIGATION
43,915 SQUARE FEET OR
1.008 ACRES MORE OR LESS

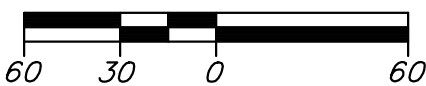
 AREA OF VC EXPANSION MITIGATION
27,382 SQUARE FEET OR
0.629 ACRES MORE OR LESS

POC=POINT OF COMMENCEMENT
POB=POINT OF BEGINNING

SEE ATTACHED LEGAL DESCRIPTION



SCALE: 1"=60'



5415 SW WESTGATE DR, SUITE 100
PORTLAND, OR 97221
TEL: (503) 419 - 2500 FAX: (503) 419 - 2600
www.cardno.com

VC ENHANCEMENT AND EXPANSION MITIGATION

S19, T2S, R1E, WILLAMETTE MERIDIAN
CITY OF TUALATIN, CLACKAMAS COUNTY, OREGON

PROJECT NO. 21408260
DATE: 05/14/2015
BY: TLB
SCALE: 1"=60'
PAGE NO. 3 OF 3



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Kelsey Lewis, Management Analyst II
Paul Hennon, Community Services Director

DATE: 06/08/2015

SUBJECT: Consideration of **Resolution No. 5237-15** Awarding Bid for Construction of the SW Barngrover Way at SW Boones Ferry Rd., Tualatin River Greenway Shared Use Pathway Project

ISSUE BEFORE THE COUNCIL:

The Council will consider awarding a construction contract for the SW Barngrover Way at SW Boones Ferry Rd., Tualatin River Greenway Shared Use Pathway Project.

RECOMMENDATION:

Staff respectfully recommends that Council adopt the attached resolution awarding the SW Barngrover Way at SW Boones Ferry Rd., Tualatin River Greenway Shared Use Pathway Project and authorizing the City Manager to execute a contract with Brown Contracting, Inc. in the amount of \$3,023,176.00.

EXECUTIVE SUMMARY:

Adopting the resolution authorizes the City Manager to enter into a contract with Brown Contracting in the amount of \$3,023,176.00 for construction and authorizes the City Manager to execute change orders to the Project up to 10 percent of the contract price.

This project includes all labor, materials, and equipment necessary to complete concrete pathway, elevated boardwalk, trail gateway(s), overlooks, lighting, interpretive signage, railings, retaining walls, and related work.

The project was advertised in the Daily Journal of Commerce and on the City bid website on May 11, 2015.

The bids were opened on June 4, 2015 at 2:00 p.m.

Five bids were received for work included in the Base Bid and six additive alternates. The results are shown on the attached Bid Tabulation Form.

Brown Contracting, Inc. of Eugene, Oregon submitted the lowest responsible bid for the project in the amount of \$3,023,176.00, which consists of all labor, materials, and equipment necessary to complete the work described in the Base Bid and Additive Alternate 3 (Minor Entry Gateway Features).

The cost estimate for the Base Bid and the selected alternate was \$2,769,218.00.

OUTCOMES OF DECISION:

If awarded, the project will proceed with an estimated completion schedule of November 30, 2015, and the City will utilize its full award of grant funds.

FINANCIAL IMPLICATIONS:

Funds are available for this project in the Park Development Fund.

Attachments: Resolution
 Bid Tabulation Form

RESOLUTION NO. 5237-15

RESOLUTION AWARDING THE BID FOR THE CONSTRUCTION OF THE SW BARNGROVER WAY @ SW BOONES FERRY RD., TUALATIN RIVER GREENWAY SHARED USE PATHWAY PROJECT

WHEREAS, the Notice of Construction of the SW Barngrover Way @ SW Boones Ferry Rd., Tualatin River Greenway Shared Use Pathway Project was published in the *Daily Journal of Commerce* on May 11, 2015; and

WHEREAS, five proposals were received and publically opened and read on June 4, 2015; and

WHEREAS, the procurement complies with the City's public contracting requirements; and

WHEREAS, funds are available for this project in the Park Development Fund;

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

Section 1. Brown Contracting, Inc. was the successful responsible low bidder and is hereby awarded a contract to construct the SW Barngrover Way @ SW Boones Ferry Rd., Tualatin River Greenway Shared Use Pathway Project.

Section 2. The City Manager is authorized to execute a contract with Brown Contracting, Inc. in the amount of \$3,023,176.00.

Section 3. The City Manager or designee is authorized to execute Change Orders totaling up to 10% of the original contract price.

Section 4. This resolution is effective upon adoption.

Adopted by the City Council this 8th day of June, 2015.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

CITY OF TUALATIN BID TABULATION FORM

Project Title: Tualatin River Greenway Shared Use Pathway

Bid Opening: June 4, 2015 at 2:00 pm

Juanita Pohl Center, 8513 SW Tualatin Rd.

CONTRACTORS	TOTAL BASE BID	ALTERNATE BID 1	ALTERNATE BID 2	ALTERNATE BID 3	ALTERNATE BID 4	ALTERNATE BID 5	ALTERNATE BID 6	GRAND TOTAL BASE BID PLUS ALTERNATE
3 Kings Environmental	\$3,214,602.50	\$29,000.00	\$37,000.00	\$23,000.00	\$10,000.00	\$32,000.00	\$14,000.00	\$3,359,602.50
Brown Contracting	\$3,013,176.00	\$72,000.00	\$60,000.00	\$10,000.00	\$69,000.00	\$40,000.00	\$90,000.00	\$3,354,176.00
Colf Construction	\$3,174,059.00	\$70,000.00	\$80,000.00	\$7,000.00	\$50,000.00	\$25,000.00	\$90,000.00	\$3,496,059.00
James W. Fowler Co.	\$3,060,903.50	\$68,000.00	\$44,000.00	\$3,600.00	\$70,000.00	\$17,500.00	\$57,000.00	\$3,321,003.50
Stellar J Corporation	\$3,327,412.00	\$71,000.00	\$50,000.00	\$9,000.00	\$62,000.00	\$51,000.00	\$110,000.00	\$3,680,412.00
COST ESTIMATE	\$2,749,418.00	\$79,486.00	\$44,000.00	\$19,800.00	\$54,186.00	\$52,140.00	\$30,800.00	\$3,029,830.00

DESCRIPTION OF ALTERNATES

Additive Alternate #1: Forest Rim River Elevated BoardWalk Overlook Including Related River Uses Interpretive Signs

Additive Alternate #2: Nyberg Woods Elevated Boardwalk Overlook

Additive Alternate #3: Minor Entry Gateway Features

Additive Alternate #4: Boardwalk Railing Type

Additive Alternate #5: Stone Masonry Veneer

Additive Alternate #6: Data Line Conduit & Pull Boxes



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Don Hudson, Finance Director

DATE: 06/08/2015

SUBJECT: Consideration of **Resolution No. 5239-15** Declaring the City's Election to Receive State Revenue Sharing Funds During Fiscal Year 2015-16

ISSUE BEFORE THE COUNCIL:

Whether or not to receive State Revenue Sharing Funds.

RECOMMENDATION:

Staff recommends adopting the attached Resolution after conducting the required public hearing.

EXECUTIVE SUMMARY:

In order for the City to receive state shared revenues, the City must have levied property taxes in the prior fiscal year, pass a resolution approving participation in the program and hold two public hearings on the use of state revenue sharing funds. The first public hearing, before the budget committee, is to discuss possible uses of the funds. That public hearing was held on May 27, 2015. The second public hearing, before the City Council this evening, is to discuss the proposed uses of the funds.

The City is set to receive \$339,000 in State Revenue Sharing Funds in 2015-16. This amount is a portion of the Liquor Tax and is apportioned to cities based upon a calculation defined in Oregon Revised Statutes (ORS) 221.770 using factors such as adjusted population and state per capita income.

The City also receives allocations for another portion of Liquor Tax funds, as well as Cigarette and Gas Taxes, based upon a per capita distribution. These funds are governed under ORS 221.760. The law provides that cities located within a county having more than 100,000 inhabitants, must provide four or more municipal services (out of a list of seven types of services) to be eligible to receive these revenues. Council must pass a resolution stating that these services are provided (on this evening's Council Agenda), and are therefore not part of tonight's public hearing.

These revenues are not restricted by the State and are therefore used as a General Fund revenue source.

OUTCOMES OF DECISION:

If the Council approves the Resolution, the City will be eligible to receive state shared revenues. If the Council does not approve the Resolution, the City will not receive state shared revenues and will need to reduce its expenditures or contingencies.

FINANCIAL IMPLICATIONS:

The City has budgeted \$339,000 of state shared revenues in the General Fund for general city operations in Fiscal Year 2015-2016.

Attachments: [Reso 5239-15](#)

RESOLUTION NO. 5239-15

A RESOLUTION ELECTING TO RECEIVE STATE REVENUE SHARING FUNDS FOR THE 2015-16 FISCAL YEAR

WHEREAS, ORS 221.770 requires the City Council adopt a resolution declaring the City's election to receive State Revenue Sharing Funds; and

WHEREAS, the 2015-16 budget for the City of Tualatin contains State Revenue Sharing Funds as a resource in the budget year beginning July 1, 2015; and

WHEREAS, on May 27, 2015, the Budget Advisory Committee held a public hearing, at which time citizens had the opportunity to provide written and oral comment on the possible and proposed uses of the State Revenue Sharing Funds, including offset against property tax levies by the City for the fiscal year; and

WHEREAS, on June 8, 2015, the City Council held a public hearing, at which time citizens had the opportunity to provide written and oral comment to, and ask questions of, the City Council on the possible and proposed uses of the State Revenue Sharing Funds in relation to the entire budget for the City for the fiscal year, including possible offset against property tax levies by the City for the fiscal year; and

WHEREAS, the City levied a property tax for the preceding fiscal year, beginning July 1, 2014.

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

Section 1. Pursuant to ORS 221.770, the City of Tualatin elects to receive State Revenue Sharing Funds for Fiscal Year 2015-16.

Section 2. This resolution is effective upon adoption.

Adopted by the City Council this 8th day of June, 2015.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Cindy Hahn, Associate Planner
Aquilla Hurd-Ravich, Planning Manager

DATE: 06/08/2015

SUBJECT: Consideration of Plan Text Amendment (PTA) 15-02 Relating to Blocks 28 and 29 of the Central Urban Renewal Plan Area Generally Located South of Old SW Tualatin-Sherwood Road, West of the Railroad and SW Boones Ferry Road, and East of SW 90th Court; Amending Tualatin Development Code (TDC) 60.030 to Allow Office, Retail, Service, and other Commercial Uses; (PTA-15-02 & ORD 1380-15)

ISSUE BEFORE THE COUNCIL:

City Council consideration of Plan Text Amendment (PTA) 15-02 relating to Blocks 28 and 29 of the Central Urban Renewal Plan Area generally located south of SW Old Tualatin-Sherwood Road, west of the railroad and SW Boones Ferry Road, and east of SW 90th Court.

This text amendment proposes to:

- Amend Tualatin Development Code (TDC) 60.030 to allow office, retail, service, and other commercial uses in Blocks 28 and 29;
- Restrict such office, retail, service, and other commercial uses to no more than 60,000 square feet per parcel;
- Prohibit gas stations (retail and cardlock automobile service stations);
- Prohibit motels or tourist courts;
- Delete TDC 60.050;
- Amend TDC Map 9-4 to remove the Employment Area designation on Blocks 28 and 29; and
- Add new provisions.

RECOMMENDATION:

At their meeting on May 21, 2015, the Tualatin Planning Commission reviewed the proposed Plan Text Amendment and made the following recommendation: Accept the proposed Plan Text Amendment as written. Yes 5, No 0, Abstained 0 (DeHaan and Grile absent).

Staff recommends the City Council consider the staff report, draft language, and analysis and findings, and provide direction on PTA-15-02.

EXECUTIVE SUMMARY:

Background

Urban Renewal Blocks 28 and 29 include 23 properties south of Old SW Tualatin-Sherwood Road, west of the railroad and SW Boones Ferry Road, and east of SW 90th Court in the southwest part of downtown Tualatin. (See Attachment 101 for a map of the area.) The underlying planning district is Light Manufacturing (ML). General Commercial (CG) uses are allowed by the Central Urban Renewal Plan (CURP) Area including Blocks 28 and 29. Central Commercial (CC) uses are not permitted in Blocks 28 and 29. Existing land uses in the area currently include a mix of light manufacturing and auto-oriented commercial/retail.

The City receives numerous requests to allow CC uses, such as health and fitness facilities and studios. These uses are currently either allowed in limited size and as subordinate uses to manufacturing on any given property, or are prohibited outright. The 2005 Town Center Plan identified the need to rezone the entire area of Blocks 28 and 29 to CG, which allows CC uses outright.

At work sessions in March and April 2014 the City Council discussed zoning options for Blocks 28 and 29. Council directed staff to move forward with a PTA that would allow CC uses, but restrict some of the uses based on size and scale to control traffic congestion on SW Tualatin-Sherwood Road and at major intersections in downtown. At a briefing during work session on April 27, the Council recommended removing pawn shops from the list of permitted uses.

Plan Text Amendment 15-02

Plan Text Amendment (PTA) 15-02 proposes to allow more flexibility in uses in Blocks 28 and 29 by amending Chapter 60: Light Manufacturing (ML) planning district of the Tualatin Development Code (TDC). The proposed code changes would accomplish the following:

- Increase flexibility in the types of uses, thus responding to market pressures
- Minimize impacts on surrounding intersections and the I-5 /Nyberg interchange
- Make some existing non-conforming uses conforming
- Allow existing uses, including light industrial uses, to remain conforming.

The proposed code language is included as Attachment 102 and analysis and findings as Attachment 103 to this report. The proposed amendment would change uses in Blocks 28 and 29 (in the ML planning district) as follows:

- Add new office, retail, service, and other commercial uses;
- Prohibit motels or tourist courts, which are currently permitted uses;
- Prohibit gas stations (retail and cardlock automobile service stations), which are currently permitted uses in Blocks 28 and 29;
- Prohibit gas stations (retail and cardlock automobile service stations), which are currently conditional uses in the ML district; and
- Restrict all office, retail, service, and other commercial uses in Blocks 28 and 29 to no more than 60,000 square feet per parcel.
- A previous draft of the proposed language included Pawn Shops as a permitted use; however, at Council direction that use was removed from the proposed list of new uses that could be allowed in the area.

New office, retail, service and other commercial uses include the following:

- Office:
 - Medical-dental clinic
 - Business or professional office
 - Real estate office

- Retail:
 - Antique shop or secondhand store
 - Appliance store (incidental repairs only)
 - Automobile accessory sales and auto parts retailing and wholesaling
 - Bicycle sales, service or repair
 - Book store
 - Clothing store
 - Florist
 - Furniture store (non-warehouse type)
 - Hardware store
 - Jewelry store
 - Pet shop
 - Plant shop
 - Record or music shop
 - Scientific or professional instrument sales or repair
 - Sporting goods store
 - Stationary store

- Service:
 - Barber or beauty shop
 - Blueprinting, photostating, printing, lithographing, or other reproduction process
 - Business college
 - Business machine sales, service or repair
 - Eating and Drinking Establishments:
 - Catering establishment
 - Tavern or cocktail lounge
 - Health or fitness facility
 - Laundry or drycleaning establishment
 - Locksmith or gunsmith
 - Magazine or newspaper distribution agency
 - Radio or television service
 - Shoe repair shop
 - Studio, including music, art, dancing, photography or health
 - Telephone or telegraph exchange
 - Watch and clock repair

- Other:
 - Assembly, packaging, and treatment of beer and other alcohol products, with or without a tasting or tap room
 - Other uses of similar character, found by the Planning Director to meet the purpose of this district, as provided by TDC 31.070

In addition to the above, the following General Commercial (CG) uses already are allowed in Blocks 28 and 29:

- Office:
 - Veterinarian's office or animal hospital
- Retail:
 - Boat, boat motor and boat trailer sales (with restrictions)
 - Building and home improvement materials and supplies retail sales (with restrictions)
 - Feed and seed store
 - Motorcycle sales and service
 - Recreational water, snow, and land vehicle sales and service
- Service:
 - Automobile glass shop; auto leasing office; auto service shop; and auto tire shop (with restrictions)
 - Automobile towing company office and dispatch office (with restrictions)
 - Dental laboratory
 - Eating and Drinking Establishments:
 - Drive-in restaurant (with restrictions)
 - Take-out restaurant (with restrictions)
 - Frozen food locker
 - Memorial planning and products center
 - Nursery or greenhouse
 - Optical lens grinder
 - Photo processing
 - Publishing house
 - Rental of various small equipment, tools and devices
 - Taxidermy shop
 - Testing laboratory

Conditional Uses:

One change is proposed to conditional uses: gas stations (retail and cardlock), which are currently conditional uses in the ML District, will be prohibited in Blocks 28 and 29. Existing conditional uses in the ML District that will not be affected by the proposed amendment include the following:

- Automobile body and/or auto paint shop; auto radiator repair shop; general auto repair, including but not limited to, repairing and rebuilding engines and repair of transmissions, drivelines, and rearends, except not allowed in the Special Commercial Setback.
- Building materials and supplies, wholesale sales, and warehousing
- Cold storage plant
- Contractor's shops and equipment storage
- Dwelling unit for watchman and family
- Fire station
- Machine shop, including automobile machine shop, of 7,500 gross square feet or larger
- Manufacture of the following types of products:
 - Bicycles
 - Small electric generators
 - Small electric motors
 - Marine pleasure craft
 - Sashes and doors
 - Vending machines

- Marine craft sales, service and rental except not allowed in the Special Commercial Setback
- Light metal fabrication (of semi-finished or finished metals)
- Metal casting (small)
- Manufactured dwelling sales and services
- Recycling collection center
- Schools for kindergarten through 12
- Rental and leasing of autos and light trucks with incidental sale of vehicles, except not allowed in the Special Commercial Setback
- Home Improvement materials and supplies retail sale, except not allowed in the Special Commercial Setback

PTA-15-02 also proposes to delete TDC 60.050 Prohibited Uses from the ML planning district. This is a "clean up" measure that fixes conflicts and confusion about uses in the ML district and Blocks 28 and 29.

Transportation Analysis

The City hired DKS Associates to complete a transportation analysis to provide guidance for redevelopment potential of the area. At the same time, staff engaged the Commercial Citizen Involvement Organization (CIO) Development Planning Advisory Group (DPAG), the Chamber of Commerce, and owners of property in Blocks 28 and 29 in more detailed discussions about allowing more flexibility in uses in this part of the City. In addition, staff consulted with Metro, ODOT, and Washington County about the proposed amendment.

The Transportation Analysis prepared by DKS Associates included two trip generation scenarios: Existing Zoning and Proposed Zoning. Land use characteristics of each scenario are shown below in Table 1 and a trip generation comparison is shown in Table 2.

Table 1. Land Use Characteristics by Scenario (Share of Gross Square Footage)

Land Use Type	Existing Zoning	Proposed Zoning
Industrial	35%	20%
Office	3%	10%
Commercial/Retail/Fitness	62%	70%

Table 2. Trip Generation Comparison

Time Period	Existing Zoning	Proposed Zoning	Potential Change
Daily Trips	5,066	5,042	-23
PM Peak Hour Trips	403	386	-17

The Transportation Analysis found that the proposed zoning change would not significantly increase daily trips or PM Peak Hour trips, and there would be no level of service (mobility standard) impacts at adjacent intersections for the Transportation System Plan horizon year (2035) under the proposed zoning scenario. Further, because the proposed zoning change would not generate significantly more vehicle trips, the Transportation Planning Rule

requirements (OAR 660-012-0060) would be sufficiently met. The full Transportation Analysis report is contained in Attachment 104 to this report.

Metro Employment Area Design Type Designation

Title 4 of the Metro Urban Growth Management Functional Plan addresses industrial and other employment areas in the Urban Growth Boundary (UGB). The purpose of Title 4 is to "provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas". Title 4 further directs cities and counties to "include measures to limit new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers - such as financial, insurance, real estate, legal, medical and dental offices - in order to ensure that they serve primarily the needs of workers in the area". Blocks 28 and 29 are designated Employment Area (EA) on the Employment and Industrial Areas Map.

The intent of Title 4 may not be met with the changes proposed in PTA-15-02 for Blocks 28 and 29. However, the area is in transition and currently only has about 35% industrial uses as compared with 65% in commercial/retail use. The City is requesting that Metro remove the EA designation given the current amount of industrial uses and the transitional status of the area. This process requires the City to submit a letter to Metro's COO addressing criteria as to why the Design Type should be removed. City Council authorized the City Manager to initiate this process and a request was submitted to Metro on April 29, 2015. On May 21, 2015, the City received authorization from Metro to make the requested change. Attachment 105 includes the letter to Metro, Attachment 106 shows the amended Map 9-4, and Attachment 110 is the letter from Metro.

Public Involvement

Staff engaged the Commercial Citizen Involvement Organization (CIO) Development Planning Advisory Group (DPAG), the Chamber of Commerce, and business and property owners in Blocks 28 and 29 in detailed discussions about allowing more flexibility in uses. Between December 2014 and February 2015, the DPAG met with or consulted all of the property owners in Blocks 28 and 29 to obtain their feedback. Generally, all property owners who expressed an opinion about the proposed changes saw the proposed additional commercial/retail uses as sensible and/or very helpful for economic development of the area. Attachment 107 contains a summary of property owner feedback.

Staff also consulted with Metro, ODOT, and Washington County about the proposed amendment. The 60,000 square foot limitation on commercial/retail uses proposed in PTA-15-02 addresses ODOT's concern about potential transportation impacts on SW Tualatin-Sherwood Road and the I-5 interchange. The request to remove the EA designation of Blocks 28 and 29 addresses Metro's concern about Title 4 compliance. Washington County's concerns about potential transportation impacts were fully addressed with the analysis completed by DKS Associates.

In addition, staff held an Open House on March 31, 2015, to discuss the proposed code changes and gather feedback from property owners and businesses in Blocks 28 and 29. Approximately 15 individuals, including business and property owners, attended the Open House. All were generally supportive of the proposed changes and appreciated being involved in the decision-making process. Attachment 108 summarizes written comments received at the Open House.

Next Steps

A public hearing on the proposed amendment is tonight, and staff anticipates bringing an ordinance to City Council on June 22.

OUTCOMES OF DECISION:

A recommendation to approve Plan Text Amendment (PTA) 15-02 would result in the following:

- Tualatin Development Code (TDC) 60.030 will be amended to allow office, retail, service, and other commercial uses in Blocks 28 and 29 of the Central Urban Renewal Plan Area; such office, retail, service, and other commercial uses will be restricted to no more than 60,000 square feet per parcel; retail and cardlock automobile service stations will be prohibited; motels or tourist courts will be prohibited; TDC 60.050 will be deleted; TDC Map 9-4 will be amended to remove the Employment Area designation on Blocks 28 and 29 of the Central Urban Renewal Plan; and new provisions will be added.

A recommendation to deny PTA-15-02 would result in the following:

- The Tualatin Development Code (TDC) will not be amended.

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the Planning Commission recommendation are:

- Recommend approval of the proposed Plan Text Amendment (PTA) with alterations to the draft language.
- Recommend denial of the proposed PTA.

FINANCIAL IMPLICATIONS:

The FY 2014/2015 budget accounts for the costs of City-initiated code amendments.

Attachments: [Attachment 101. Area Map](#)
 [Attachment 102. Draft Code Language](#)
 [Attachment 103. Analysis and Findings](#)
 [Attachment 104. Transportation Analysis](#)
 [Attachment 105. Title 4 Letter](#)
 [Attachment 106. Amended Map 9-4](#)
 [Attachment 107. DPAG Comment Summary](#)
 [Attachment 108. Open House Summary](#)
 [Attachment 109. Affidavits](#)
 [Attachment 110. Metro Authorization](#)
 [Attachment 111. Presentation](#)

Post Office

Tualatin Sherwood Rd

Dutch Bros

Applebee's

McDonald's

90th Ct

Warm Springs St

Boones Ferry Rd



In this document, ~~strike through~~ text is existing text to be deleted and underlined text is new proposed language.

Section 1. TDC 60.030 is amended to read as follows:

Section 60.030 Central Urban Renewal Plan - Additional Permitted Uses in Blocks 28 and 29.

~~In the Central Urban Renewal District, additional uses are permitted only on the blocks listed below, as shown on Map 9-3.~~

~~(1) Uses permitted in the CG District, conforming to the standards of the CG District, and excluding any use permitted in the CG District for Blocks 28 and 29. Notwithstanding the preceding sentence, limited use of take-out restaurants, smaller than 1,500 square feet, and with a seating capacity of 50 or less, will be allowed on Blocks 28 and 29. No drive-up windows will be allowed. No portion of such restaurant shall be closer than 200 feet from any public street right-of-way, unless the right-of-way is separated from the restaurant by railroad right-of-way, in which case the restaurant shall be no closer to the public street right-of-way than 100 feet. The restaurant must be intended to serve primarily the employees and customers of uses in the immediate vicinity. Retail uses permitted in the CG District, excluding any use permitted in the CG District, are permitted to be greater than 60,000 square feet of gross floor area per building or business in areas designated Employment Area or Industrial Area on Map 9-4.~~

(1) The following uses are permitted in Blocks 28 and 29 of the Central Urban Renewal Plan, as shown on Map 9-3:

(a) Office Uses:

- (i) Business or professional office.
- (ii) Medical-dental clinic.
- (iii) Real estate office.
- (iv) Veterinarian's office or animal hospital.

(b) Retail Uses:

- (i) Antique shop or secondhand store.
- (ii) Appliance store (incidental repairs only).

- (iii) Automobile accessory sales and auto parts retailing and wholesaling.
- (iv) Bicycle sales, service or repair.
- (v) Boat, boat motor and boat trailer sales (does not include maintenance, service or repair), provided the boats do not exceed 18 feet in length, the boat motors do not exceed 40 horsepower, and the boat trailers are single axle.
- (vi) Book store.
- (vii) Building and home improvement materials and supplies retail sales, including garden tractors not exceeding 25 horsepower.
- (viii) Business machines sales, service or repair.
- (ix) Clothing store.
- (x) Feed and seed store.
- (xi) Florist.
- (xii) Furniture store (non-warehouse type).
- (xiii) Hardware store.
- (xiv) Jewelry store.
- (xv) Motorcycle sales and service.
- (xvi) Pet shop.
- (xvii) Plant shop.
- (xviii) Record or music shop.
- (xix) Recreational water, snow, and land vehicles sales and service.
- (xx) Scientific or professional instrument sales or repair.
- (xxi) Sporting goods store.
- (xxii) Stationery store.

(c) Service Uses:

- (i) Automobile glass shop; auto leasing office with no more than five autos stored on site; auto service shop, including but not limited to, service for air conditioners, electrical, brakes, washing, mufflers, oil or lubrication, sound, transmissions, tune-up, and upholstery; and auto tire shop.
- (ii) Automobile towing company office and dispatch office (no outdoor storage of towed vehicles).
- (iii) Barber or beauty shop.
- (iv) Blueprinting, photostating, printing, lithographing, or other reproduction process.
- (v) Business college.
- (vi) Dental laboratory.
- (vii) Eating and Drinking Establishment, including drive-in restaurants, take-out restaurants, catering establishments, taverns, and cocktail lounges, subject to the following provisions:
 - (1) Drive-throughs are prohibited; and
 - (2) Take-out restaurants must be smaller than 1,500 square feet, seat no more than 50 people, and be located at least 200 feet away from a public street right-of-way, unless the right-of-way is separated from the restaurant by railroad right-of-way, in which case the restaurant must be at least 100 feet away from a public street right-of-way.
- (viii) Frozen food locker.
- (ix) Health or fitness facility.
- (x) Laundry or drycleaning establishment.
- (xi) Locksmith or gunsmith.
- (xii) Magazine or newspaper distribution agency.
- (xiii) Memorial planning and products center.

- (xiv) Nursery or greenhouse (allowed outdoors).
- (xv) Optical lens grinder.
- (xvi) Photo processing.
- (xvii) Publishing house.
- (xviii) Radio or television service.
- (xix) Rental of various small equipment, tools, and devices.
- (xx) Shoe repair shop.
- (xxi) Studio, including music, art, dancing, photography or health.
- (xxii) Taxidermy shop.
- (xxiii) Telephone or telegraph exchange.
- (xxiv) Testing laboratory.
- (xxv) Watch and clock repair.

(d) Other Uses:

- (i) Assembly, packaging, and treatment of beer and other alcohol products, with or without a tasting or tap room.
- (ii) Other uses of similar character, when found by the Planning Director to meet the purpose of this district, as provided by TDC 31.070.

(2) All uses permitted in subsection (1) must be conducted wholly within an enclosed building, except the following:

(a) Building and home improvement materials and supplies retail sales store's that have a gross floor exceeding 50,000 square feet may have an outdoor storage, display, and sales area subject to the following provisions:

- (i) the outdoor area must abut a wall of the store,
- (ii) the outdoor area must not exceed 15,000 square feet,

- (iii) no less than 50 percent of the outdoor area must be covered by a permanent roof,
- (iv) all sides of the outdoor area not abutting a wall of the store must be screened with a sight obscuring fence, wall, berm, or dense evergreen landscaping not less than 6 feet in height as approved through the Architectural Review process, and
- (v) stored materials must not exceed the height of the sight obscuring barrier when viewed from street level.

(b) Eating and Drinking Establishment, including drive-in restaurants, take-out restaurants, catering establishments, taverns, and cocktail lounges may have outdoor seating.

(c) Retail sales of boats, motors, and trailers may have an outdoor storage, display, and sales area subject to the following provisions:

- (i) the sales of boats, motors, and trailers must not be the primary products sold by the store;
- (ii) the outdoor area must abut a wall of the store,
- (iii) the outdoor area must not exceed 5,000 square feet,
- (iv) no less than 25 percent of the outdoor area must be covered by a permanent roof,
- (v) all sides of the outdoor area not abutting a wall of the store must be screened with a sight obscuring fence, wall, berm, or dense evergreen landscaping not less than six feet in height as approved through the Architectural Review process, and
- (vi) stored materials must not exceed the height of the sight obscuring barrier when viewed from street level.
- (vii) the boats do not exceed 18 feet in length;
- (viii) the boat motors do not exceed 40 horsepower; and
- (ix) the boat trailers are single axle.

(3) All uses, or combination of uses, permitted in subsection (1) cannot exceed 60,000 square foot per parcel.

(4) Retail automobile service stations (gas stations) and nonretail cardlock stations (cardlock gas stations) are prohibited in Blocks 28 and 29 of the Central Urban Renewal Plan, notwithstanding TDC 60.040(1)(n), allowing retail automobile service stations (gas stations) and nonretail cardlock stations (cardlock gas stations) as a conditional use,

(5) To the extent any provision of the Tualatin Development Code conflicts with this Section, this Section controls.

Section 2. Tualatin Development Code Section 60.050 Prohibited Uses, is deleted in its entirety.

Section 3. Tualatin Development Code Map 9-4 is deleted and replaced with amended Map 9-4, as shown on Attachment 106, which is attached and incorporated herein, for the purpose of removing the “Employment Area” designation on Blocks 28 and 29 of the Central Urban Renewal Plan.

PTA 15-02: Analysis and Findings

Plan Text Amendment 15-02 (PTA-15-02) proposes to allow more flexibility in uses in Blocks 28 and 29 of the Central Urban Renewal Plan (CURP) by amending Chapter 60: Light Manufacturing Planning District of the Tualatin Development Code (TDC).

Background

Urban Renewal Blocks 28 and 29 include 23 properties south of Old SW Tualatin-Sherwood Road and north and west of the railroad tracks in the southwest part of downtown Tualatin. The underlying Planning District is Light Manufacturing (ML). General Commercial (CG) uses are allowed by the CURP. Land use currently includes a mix of light manufacturing and auto-oriented commercial/retail. The City receives numerous requests to allow Central Commercial (CC) uses, such as health and fitness facilities and studios, which currently are either allowed in limited size and as subordinate uses to manufacturing on any given property, or are prohibited outright. The 2005 Town Center Plan identified the need to rezone the entire area to CG, which allows CC uses outright.

At work sessions in March and April 2014 the City Council discussed zoning options for Blocks 28 and 29. Council directed staff to move forward with a PTA that would allow CC uses, but restrict some of the uses based on size and scale to control traffic congestion on SW Tualatin-Sherwood Road and at major intersections in downtown.

The City hired DKS Associates to complete a transportation analysis to provide guidance for redevelopment potential of the area. At the same time, staff engaged the Commercial Citizen Involvement Organization (CIO) Development Planning Advisory Group (DPAG), the Chamber of Commerce, and owners of property in Blocks 28 and 29 in more detailed discussions about allowing more flexibility in uses in this part of the City. PTA-15-02 and the proposed amendment to TDC Chapter 60 are the result of this analysis and discussion. The proposed amendment would accomplish the following:

- Minimize impacts on surrounding intersections and the I-5 /Nyberg interchange
- Increase flexibility in the types of uses, thus responding to market pressures
- Make some existing non-conforming uses conforming
- Allow existing uses, including light industrial uses, to remain conforming
- Create a short-term solution in lieu of a Downtown Plan.

Plan Amendment Criteria (TDC Section 1.032)

This document contains findings of fact to demonstrate that the proposed amendment is consistent with the approval criteria for a PTA per Section 1.032 of the TDC. These criteria must be met if the proposed PTA is to be granted. The plan amendment criteria are addressed below.

1. Granting the amendment is in the public interest.

FINDING: The proposed amendment responds to requests from owners of property in Blocks 28 and 29 of the CURP to allow more flexibility in the type of uses permitted, thus responding to market pressures and creating a short-term solution in lieu of a Downtown Plan, while minimizing impacts on surrounding intersections and the I-5/Nyberg interchange. In addition, the proposed amendment would make some existing non-conforming uses conforming and allow existing uses, including light industrial uses, to remain conforming.

Granting the amendment is in the public interest.

Criterion "1" is met.

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

FINDING: The proposed amendment allows additional commercial/retail uses in Blocks 28 and 29, thus responding to property owner requests and market pressures, while limiting the scale of those uses to control traffic congestion on SW Tualatin-Sherwood Road and at major intersections in downtown Tualatin. Further the proposed amendment does not allow two uses permitted under the existing CG zoning – automobile service stations with or without a mini-mart and motel or tourist courts – to locate in Blocks 28 and 29 as an additional measure to control traffic congestion. Adopting PTA-15-02 now will result in future development that better responds to public requests and market conditions while maintaining traffic congestion at acceptable levels. Without the proposed amendment, attaining this goal may be delayed. Therefore, the public interest is best served by adopting these amendments now.

Granting the amendment at this time best protects the public interest.

Criterion “2” is met.

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 discussed below:

Chapter 4 Community Growth

Section 4.050 General Growth Objectives

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

FINDING: The proposed amendment is intended to allow more flexibility in uses in Blocks 28 and 29 of the CURP by amending TDC Chapter 60: Light Manufacturing Planning District. The additional proposed uses are limited in scale to minimize conflict with existing, conforming light manufacturing uses and to maintain traffic congestion at acceptable levels, while increasing opportunity for additional commercial/retail uses compatible with development elsewhere in the downtown area, as well as making some existing nonconforming uses conforming. The proposed additional uses are not intended to be "destination" uses that would attract people from outside the immediate area, thus they are not expected to result in increased traffic congestion at nearby intersections or the I-5/Nyberg interchange.

(16) Encourage energy conservation by arranging land uses in a manner compatible with public transportation objectives.

FINDING: Proximity of Blocks 28 and 29 to downtown Tualatin and public transit systems, including the WES commuter rail station and bus services, and the change in character of the area from being dominated by light manufacturing to an increasing variety of commercial businesses in recent years, make the area appropriate for expanded commercial/retail uses consistent with its location and access. Increased use of public transit provides energy conservation benefits by reducing the number of single-occupancy commuting vehicles. Reducing the distance that downtown Tualatin patrons need to travel to meet their daily needs for eating and shopping also will enhance energy conservation.

Chapter 7 Manufacturing Planning Districts

Section 7.030 Objectives

(4) Preserve and protect, with limited exceptions, the City's existing industrial land.

FINDING: The proposed amendment is intended to allow more flexibility in uses in Blocks 28 and 29 of the CURP by amending TDC Chapter 60: Light Manufacturing Planning District. Commercial/retail uses in the General Commercial (CG) Planning District, not including those in the Central Commercial (CC) Planning District, already are allowed in Blocks 28 and 29. Uses in CG are particularly suitable for businesses needing direct automobile access to the freeway and the arterial streets leading to the freeway, such as motels, drive-in restaurants, automobile service stations, carwashes, and other automobile-related uses. There are several automobile-related uses in Blocks 28 and 29, however, in recent years property owners have expressed interest in allowing uses more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 and 29 to CG, which allows CC uses outright. The proposed amendment recognizes the transition in use from light manufacturing to predominantly commercial/retail use that is occurring in the area and the appropriateness of expanding commercial/retail uses consistent with its location and access. Further, the proposed amendment is specific to Blocks 28 and 29 and will not affect preservation and protection of existing industrial land elsewhere in Tualatin.

Chapter 7 Manufacturing Planning Districts

Section 7.040 Manufacturing Planning District Objectives

(2) Light Manufacturing Planning District (IVIL)

(c) The purpose of this district is to provide sites for manufacturing uses that are more compatible with adjacent commercial and residential uses and would serve to buffer heavy manufacturing uses. The purpose is also to allow the retail sale of products manufactured, assembled, packaged or wholesaled on the site provided the retail sale area, including the showroom area, is no more than 5% of the gross floor area of the building not to exceed 1,500 square feet. Certain heavier manufacturing uses may be allowed as conditional uses.

FINDING: The proposed amendments will allow a broader range of commercial/retail uses and more flexibility for locating such uses within Blocks 28 and 29 of the CURP in the ML Planning District. This is consistent with the objective of providing a transition from light manufacturing uses to adjacent commercial and residential areas. The sale of products manufactured in the area will not be impacted by the proposed amendment. Further, some existing nonconforming uses will be made conforming.

Based on the findings for each applicable objective above, the proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

Criterion “3” is met.

4. The following factors were consciously considered:

The various characteristics of the areas in the City.

FINDING: Blocks 28 and 29 of the CURP comprise an area in transition, which was recognized in the Plan through allowing CG uses in an area designated ML. Development in the area since adoption of the Plan has been dominated by automobile-related uses, however, in recent years property owners have expressed interest in allowing uses more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 and 29 to CG, which allows CC uses outright. The proposed amendment recognizes the transition in use from light manufacturing to

predominantly commercial/retail use that is occurring in the area and the appropriateness of expanding commercial/retail uses consistent with its location and access.

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

FINDING: Proximity of Blocks 28 and 29 to Downtown Tualatin and public transit systems, including the WES commuter rail station and bus services, and the change in character of the area from being dominated by light manufacturing to an increasing variety of commercial businesses in recent years, make the area appropriate for expanded commercial/retail uses consistent with its location and access.

Trends in land improvement and development.

FINDING: In recent years property owners have expressed interest in expanding uses in Blocks 28 and 29 to allow those more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 and 29 to CG, which allows CC uses outright. The proposed amendment recognizes the transition in use from light manufacturing to predominantly commercial/retail use that is occurring in this part of Downtown Tualatin and the appropriateness of expanding commercial/retail uses consistent with its location and access.

Property values.

FINDING: The City does not assert proof of any effect on property values that may result from the proposed amendment. However, a Measure 56 notice (in compliance with Oregon Revised Statute [ORS] 227.186, was mailed to property owners in the affected area because permissible uses of property will change as a result of PTA-15-02. Specifically, office, retail, service, and other commercial uses will be restricted to 60,000 square feet per parcel, automobile service stations (gas stations) and motels or tourist courts will be prohibited, and retail and cardlock service stations will be prohibited as a conditional use in Blocks 28 and 29.

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

FINDING: The proposed amendment allows additional commercial/retail uses in Blocks 28 and 29, thus responding to property owner requests and market pressures, while limiting the scale of those uses to control traffic congestion on SW Tualatin-Sherwood Road and at major intersections in downtown Tualatin. Further the proposed amendment does not allow two uses permitted under the existing CG zoning – automobile service stations with or without a mini-mart and motel or tourist courts – to locate in Blocks 28 and 29 as an additional measure to control traffic congestion. Adopting PTA-15-02 now will result in future development that better responds to public requests and market conditions while maintaining traffic congestion at acceptable levels.

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

FINDING: Not applicable.

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

FINDING: Not applicable.

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

FINDING: Not applicable.

And the public need for healthful, safe, aesthetic surroundings and conditions.

FINDING: Not applicable.

Proof of change in a neighborhood or area.

FINDING: The City does not assert proof of change in a neighborhood or area, however, the trend in recent years in Blocks 28 and 29 has been a desire by property owners to allow uses more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 and 29 to CG, which allows CC uses outright. The proposed amendment recognizes the transition in use from light manufacturing to predominantly commercial/retail use that is occurring in this part of downtown Tualatin and the appropriateness of expanding commercial/retail uses consistent with its location and access.

Mistake in the Plan Text or Plan Map.

FINDING: There is no mistake in the Plan Text or Plan Map.

The above factors were consciously considered.

Criterion "4" is met.

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.

FINDING: Criterion 5 is not applicable because the proposed amendment does not involve a comprehensive plan amendment or amendments to a residential land use regulation.

6. Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules, including compliance with the Transportation Planning Rule (TPR) (OAR 660-012-0060).

FINDING: Three State Planning Goals have been identified as applicable to the proposed amendment: Goal 1, Citizen Involvement; Goal 2, Land Use Planning; and Goal 9, Economic Development.

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

This goal will be met by complying with Tualatin Development Code 1.031 Notice Requirements for Plan Amendments. A notice was published in the Tualatin Times 10 City business days prior to the public hearing. Notices were posted in two conspicuous places within the City and a notice was sent to property owners and businesses in Blocks 28 and 29, to property owners within 1000 feet of the boundary of the affected area, and designated representatives of recognized Citizen Involvement Organizations.

A public open house was held in Blocks 28 and 29 on March 31, 2015, to discuss the proposed code changes and gather feedback from property owners and businesses. The Tualatin Planning Commission held a public meeting on May 21, 2015. This public meeting gave citizens and members of the public an opportunity to comment on the proposed recommendation to the City Council. A public hearing before the City Council will occur on June 8, 2015, during which the public can give input on the proposed amendment. All work session agendas and minutes are available to the public through the City website.

This Goal is satisfied.

Goal 2, “Land Use Planning”, states, “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 Department of Land Conservation and Development (DLCD) has acknowledged the City’s Comprehensive Plan as being consistent with the statewide planning goals. The Development Code implements the Community Plan and both pieces combine to make the Comprehensive Plan. The Community Plan establishes a process and standards to review changes to the Tualatin Development Code in compliance with the Community Plan and other applicable state requirements. As discussed above under Criteria “3”, the applicable Community Plan standards have been applied to the proposed amendment.

This Goal is satisfied.

Goal 9, Economic Development, states, “To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.”

The proposed amendment allows additional commercial/retail uses in Blocks 28 and 29, thus responding to property owner requests and market pressures, while limiting the scale of those uses to control traffic congestion on SW Tualatin-Sherwood Road and at major intersections in downtown Tualatin. Further the proposed amendment does not allow two uses permitted under the existing CG zoning – automobile service stations with or without a mini-mart and motel or tourist courts – to locate in Blocks 28 and 29 as an additional measure to control traffic congestion. Adopting PTA-15-02 now will result in future development that better responds to public requests and market conditions while maintaining traffic congestion at acceptable levels.

Compliance with the Transportation Planning Rule (TPR) (OAR 660-012-0060)

DKS Associates conducted a limited TPR analysis for the proposed amendment. This analysis concludes that, based on the documented land use assumptions, the proposed zoning change would not significantly increase daily trips or p.m. peak hour trips. There would be no level of service (mobility standard) impacts at adjacent intersections for the Transportation System Plan horizon year (2035) under this scenario. Off-peak performance of the Main Roadway Routes and Roadway Connectors (as shown in the Regional Freight Network Map in the Metro Regional Transportation Plan) will not be diminished as a result of the proposed zoning change. Because the proposed zoning change does not generate significantly more vehicle trips, the Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met.

Criterion “6” is met.

7. Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.

Title 4 of the Metro Functional Plan addresses protection of industrial areas and is relevant to the proposed amendment. Findings for Title 4 are provided below.

Title 4 - Industrial and Other Employment Areas

3.07.440(A) Protection of Employment Areas

This section states, “... cities and counties shall limit new and expanded commercial/retail uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Area.”

FINDING: Land use in Blocks 28 & 29 currently includes a mix of light manufacturing and auto-oriented commercial/retail. The City receives numerous requests to allow Central Commercial (CC) uses, such as health and fitness facilities and studios, which currently are either allowed in

limited size and as subordinate uses to manufacturing on any given property, or are prohibited outright. The 2005 Town Center Plan identified the need to rezone the entire area to CG, which allows CC uses outright.

The intent of Title 4 to protect Employment Areas will not be met with this proposed change. However, this area is in transition and currently only has about 35% industrial uses compared with 65% commercial/retail uses. The City is requesting to remove the EA designation given the current amount of industrial uses and the transitional status of the area.

3.07.450(C) Employment and Industrial Areas Map

“A city or county may amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:”

- 1. “The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area or a combination of the two;”**

FINDING: The area referred to as Blocks 28 & 29 is bordered on the west by Industrial Area (IA), however, the rest of the area is bounded by Inner Neighborhood (IN) and Town Center (TC). Therefore, Blocks 28 & 29 are not surrounded by IA or RSIA, and this criterion is met.

- 2. “The amendment will not reduce the employment capacity of the city or county;”**

FINDING: The proposed amendment will not reduce the employment capacity of the City of Tualatin. The proposed amendment is intended to allow more flexibility in uses in Blocks 28 & 29. Commercial/retail uses in the General Commercial (CG) Planning District, not including those in the Central Commercial (CC) Planning District, already are allowed in Blocks 28 & 29. There are several automobile-related uses in Blocks 28 & 29, however, in recent years property owners have expressed interest in allowing uses more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 & 29 to CG, which allows CC uses outright.

The proposed amendment recognizes the transition in use from light manufacturing to predominantly commercial/retail use that is occurring in the area and the appropriateness of expanding commercial/retail uses consistent with its location and access. The amendment does not propose to allow uses, such as residential or land-extensive uses (i.e. warehousing), that potentially would reduce the employment capacity of the area or, by extension, the City. It is likely that additional commercial/retail uses would increase employment density in the area as compared with those already located there, such as automobile-related uses and self-storage. Further, the proposed amendment is specific to Blocks 28 & 29 and will not affect preservation and protection of existing industrial land elsewhere in Tualatin. Therefore, while the type of employment is expected to gradually change in this area to include less industrial employment and more commercial/retail employment, the change will not reduce the employment capacity of the City overall. This criterion is met.

- 3. “If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities;”**

FINDING: Blocks 28 & 29 are not designated Regionally Significant Industrial Area (RSIA), do not have access to specialized services, and are not proximate to freight loading and unloading facilities; therefore, this criterion does not apply.

- 4. “The amendment would not allow uses that would reduce off-peak performance on the Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan, unless mitigating action is taken that will restore performance to RTP standards within two years after approval of uses;”**

FINDING: The amendment would not reduce off-peak performance on the Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan. DKS Associates performed a transportation analysis of the motor vehicle trip generation potential of the site under existing and proposed zoning. The analysis compares the “worst reasonable case” of traffic generation for these two land use scenarios. The land use assumptions were developed in coordination with City staff, reflecting their judgment of reasonable development potential on the site.

Based on the land use assumptions documented in this analysis, the proposed zoning change would not significantly increase daily trips or p.m. peak hour trips. Because the proposed zoning change does not generate significantly more vehicle trips, Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met.

Similarly, no reduction in off-peak performance for the regional freight system will result from the proposed zoning change. Because the estimated daily vehicle trips do not increase as a result of the proposed zoning change, off-peak performance of the Main Roadway Routes and Roadway Connectors (shown in the Regional Freight Network Map in the RTP) will not be diminished as a result of the amendment.

- 5. “The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas; and”**

FINDING: Blocks 28 & 29 comprise approximately 20 acres of land in 23 parcels immediately southwest of Tualatin’s Town Center. Some of the parcels, about 35% of the total area, currently are occupied by light industrial uses such as a mini-storage facility and a supplier of concrete building materials. The remainder of the area, about 65%, is occupied with a variety of commercial/retail businesses. For several years Blocks 28 & 29 have been transitioning from light industrial use to commercial/retail because CG uses are allowed and the location of the area in close proximity to the Town Center makes the area appealing for this type of use. In addition the 2005 Town Center Plan identified the need to rezone the entire area of Blocks 28 & 29 to CG, which allows CC uses outright, for this reason. The proposed amendment will not diminish the intended function of the Town Center as the principal location of retail, cultural and civic services in its market area for two reasons:

- The capacity of Blocks 28 & 29 to accommodate substantial commercial/retail development is severely limited by the small size of existing lots, multiple ownerships, and access constraints
- The proposed amendment would limit development of commercial/retail uses to 60,000 square feet per parcel, consistent with the intent of Title 4

Moreover, the amendment will enhance, not diminish the intended function of the Town Center. The criterion is met.

6. **“If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 40 acres or less.”**

FINDING: The area is designated EA and is less than 40 acres in size; therefore, the criterion is met.

The proposed amendment meets all applicable criteria for removing the EA designation from Blocks 28 & 29.

Criterion “7” is met.

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.**

As stated earlier, DKS Associates conducted a limited TPR analysis for the proposed amendment. This analysis concludes that, based on the documented land use assumptions, the proposed zoning change would not significantly increase daily trips or p.m. peak hour trips. There would be no level of service (mobility standard) impacts at adjacent intersections for the Transportation System Plan horizon year (2035) under this scenario. Off-peak performance of the Main Roadway Routes and Roadway Connectors (as shown in the Regional Freight Network Map in the Metro Regional Transportation Plan) will not be diminished as a result of the proposed zoning change. Because the proposed zoning change does not generate significantly more vehicle trips, the Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met.

Criterion “8” is met.

9. **Granting the amendment is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to TDC 12.020, water management issues are adequately addressed during development or redevelopment anticipated to follow the granting of a plan amendment.**

FINDING: Blocks 28 and 29 of the CURP are fully served by utilities consistent with urban scale development. For this reason, Criterion “9” does not apply.

10. **The applicant has entered into a development agreement.**

(a) This criterion shall apply only to an amendment specific to property within the Urban Planning Area (UPA), also known as the Planning Area Boundary (PAB), as defined in both the Urban Growth Management Agreement (UGMA) with Clackamas County and the Urban Planning Area Agreement (UPAA) with Washington County. TDC Map 9-1 illustrates this area.

(b) This criterion is applicable to any issues about meeting the criterion within 1.032(9).

FINDING: The proposed amendment is a legislative, not a quasi-judicial, action; therefore, a development agreement is not appropriate and Criterion “10” does not apply.



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MEMORANDUM

DATE: April 29, 2015

TO: Aquilla Hurd-Ravich and Cindy Hahn, City of Tualatin

FROM: Mat Dolata, P.E., and Peter Coffey, P.E., DKS

SUBJECT: **Zone Change Trip Generation Comparison**
Transportation Analysis for the SW Mohave Court Plan Text Amendment

P#14125-000

This memorandum evaluates the traffic generation potential under existing and proposed zoning scenarios for the proposed SW Mohave Court Plan Text Amendment (PTA). The purpose of the analysis is to determine whether the proposed zone change would increase the site's motor vehicle trip generation potential. The memorandum includes project background, land use assumptions, trip generation for current and proposed zoning, and a findings summary. The motor vehicle trip generation potential is estimated by comparing the "worst reasonable case" of traffic generation for these land use scenarios.

BACKGROUND

The proposed SW Mohave Court PTA would affect 23 parcels located east of SW 90th Court, south of SW Old Tualatin Sherwood Road, and north and west of the BNSF railroad tracks near SW Boones Ferry Road. The parcels make up two blocks (numbers 28 and 29) of the Central Urban Renewal Area in Tualatin, Oregon. A map of the tax lots is included in the Technical Appendix.

A proposed PTA would modify the current Light Manufacturing (ML) zoning with General Commercial (CG) zoning overlay to permit some new land uses while restricting others. Land use actions in Oregon are subject to the requirements of the Transportation Planning Rule¹ (TPR). TPR analysis must be performed to determine if changes to comprehensive plans or zoning designations would have a significant impact on the transportation network. To evaluate the impact, the "reasonable worst case" of traffic generation is compared for existing and proposed land uses.

LAND USE ASSUMPTIONS

The following section describes the land use scenarios and key assumptions applied for estimated trip generation. The first land use scenario reflects the existing zoning: Light Manufacturing (ML) Planning District within the existing Central Urban Renewal District boundary that includes Tualatin Town Center. The second

¹ Oregon Administrative Rule, Chapter 660-012-0060, Department of Land Conservation and Development, Division 012, Transportation Planning



scenario modifies existing zoning by allowing some of the Central Commercial Planning District (CC) uses such as health and fitness clubs. Other currently permitted uses, such as gas stations, would be prohibited under proposed zoning.

Existing Zoning

The existing zoning allows a wide range of uses because it is designated for both industrial (Light Manufacturing - ML) and commercial (General Commercial - CG) uses. The ML designation is intended to support “warehousing, wholesaling, and light manufacturing processes.”² A wide range of other uses are permitted to support the industrial uses, including retail sales, service and office uses. The Central Urban Renewal District applies to the study area, per Section 60.030 of the Tualatin Development Code, allowing higher density General Commercial (CG) uses. Permitted uses include take-out restaurants (without drive-up windows), gas stations, and larger retail uses than would otherwise be allowed under ML zoning.

Key restrictions that limit the traffic generation potential of the site under current zoning include:

- Central Commercial Planning District (CC) uses are not permitted
- Office uses are limited to 25 percent of total gross floor area per site
- Retail sales areas and restaurants are not to exceed 1,500 square feet of gross floor area per use
- Restaurants may not have drive-up windows

Proposed Zoning

The proposed modifications would expand the permitted commercial land uses to include some uses that are allowed in Central Commercial Planning District (CC) zoning while prohibiting other land uses. The CC designation is intended to support “a full range of retail, professional and service uses of the kind usually found in downtown areas patronized by pedestrians”.³ The proposed zone change would provide more options for potential retail development, but would not necessarily increase the total size of retail uses on the site.

A key restriction that limits the traffic generation potential of the site under the proposed zoning scenario is that gas stations would not be permitted. In addition, retail anchor tenants such as grocery stores, supermarkets, and department stores would continue to be prohibited under proposed zoning. Furthermore, the maximum size of individual commercial/retail uses would be capped at 60,000 square feet, thus removing the potential for large-scale traffic-intensive uses.

Key Impacts to Traffic Generation Potential

A list of permitted and not permitted uses under existing and proposed zoning scenarios is included in the Technical Appendix. Traffic generation potential of the site will decrease as a result of prohibiting gas stations. Traffic generation potential of the site will increase as a result of the following:

² Tualatin Development Code, City of Tualatin, Chapter 60

³ Tualatin Development Code, City of Tualatin, Chapter 53



- Larger health/fitness club allowed
- Wider range and size of retail uses allowed
- Wider range and size of office uses allowed

Land Use Allocation

There are many common and/or similar uses permitted under existing and proposed zoning. The analysis assumes that a mixture of uses will continue to be reflected in the land use characteristics of each scenario. The land use assumptions were developed in coordination with City of Tualatin staff, reflecting their judgment of reasonable development potential on the site.

The existing zoning scenario is assumed to retain industrial uses, along with limited office and fitness uses that support the function of the industrial uses, while also incorporating the higher density commercial uses permitted through the Central Urban Renewal Plan.

The proposed land use scenario retains industrial uses, but reduces the overall share of land allocated to them. In this scenario some industrial uses are assumed to be replaced with office and commercial uses that reflect a higher density, diverse use, and more pedestrian-oriented environment more typical of Central Commercial (CC) uses. The scenario assumes a fitness use (health and fitness club) is more likely to be constructed if the proposed land use action is adopted, based on the judgment of City of Tualatin staff.

Table 1 summarizes the land use allocations assumed for a “reasonable worst case” traffic generation analysis of each land use scenario. The land use allocations shown are applied to the gross square footage of buildable land in the 23 parcels that would be affected by the proposed PTA. The buildable land does not include land with existing roadways, as shown in the Technical Appendix.

Table 1: Land Use Characteristics by Scenario (Share of Gross Square Footage)

Land Use Type	Existing Zoning	Modified Existing Zoning
Industrial	35%	20%
Office	3%	10%
Commercial/Retail/Fitness	62%	70%

TRIP GENERATION

For evaluation of TPR compliance, potential traffic generation is compared for the proposed zoning relative to the existing zoning. Consistent methodology is applied to the existing and proposed land use scenarios to evaluate the increment of change in potential traffic generation. Trip generation rates are applied to estimated land uses to calculate trip generation potential. The land uses are estimated by applying typical building floor-to-area ratios to the developable land use allocation shown in Table 1. Permitted land uses that have higher trip



generation potential are used to represent the “reasonable worst case” traffic generation for each land use scenario.

Trip Rates

Motor vehicle trip generation rates are based on rates from the ITE Trip Generation Manual.⁴ Representative rates were applied for each of the land uses assumed, as described below.

Industrial uses assume traffic generation potential according to ITE Code 110 (General Light Industrial) to reflect the variety of light manufacturing uses that currently exist on the site. Limited supporting uses such as general office (ITE Code 110) and health/fitness club (ITE Code 492) are included under the existing zoning scenario. The intensity of these uses is increased from 5% of the site to 20% of the site to reflect possible changes under the proposed zoning scenario. A higher trip generation rate is also applied for the office uses by assuming Medical-Dental Office Building (ITE Code 720) in the proposed zoning scenario, to reflect the expanded potential for office development under proposed zoning.

Retail uses that generate higher traffic volumes are assumed in both scenarios. Limited sized restaurants without drive-thru are permitted under existing and proposed zoning. Their traffic generation potential is calculated using ITE code 933(Fast Food without Drive Through). The expected size and number of restaurants (less than 3,000 square feet total) are limited in both scenarios, to reflect reasonable worst case development expectations. Gas/service stations (ITE Code 944) are assumed under existing zoning and prohibited under proposed zoning. The expected size and number of gas stations (16 fuel stations/pumps) are limited, to reflect reasonable worst case development expectations under existing zoning.

The remainder of the site is allocated for general retail uses. Since no specific developments or land uses have been identified at this time, Specialty Retail Center (ITE Code 826) is applied as a generalized retail land use category to estimate trip generation potential. This land use is described in the ITE Trip Generation Manual (p. 1578) as “generally small strip shopping centers that contain a variety of retail shops”. Other general retail rates such as Shopping Center (ITE Code 820) and Supermarket (ITE Code 850) are not considered to be appropriate for the site. The small size (and multiple ownership) of parcels on the site does not lend itself to large retail developments, superstores, or supermarkets. The 60,000 square foot maximum precludes larger individual commercial developments. Furthermore, typical retail anchor tenants such as grocery stores, department stores, and movie theaters are not permitted under existing or proposed zoning.

Scenario Trip Totals

Daily and PM peak hour trips are estimated based on motor vehicle trip generation rates and estimated land uses. The results of the trip generation estimates are shown in Table 2. Trip generation calculation details and assumed land uses are included in the Technical Appendix.

⁴ Trip Generation Manual, 9th Edition, Institute of Transportation Engineers, 2012



Table 2: Trip Generation Comparison

Time Period	Existing Zoning	Proposed Zoning	Potential Change
Daily Trips	5,066	5,042	-23
PM Peak Hour Trips	403	386	-17

FINDINGS SUMMARY

Based on the land use assumptions documented in this memorandum, the proposed zoning change would not significantly increase daily trips or p.m. peak hour trips. There would be no level of service (mobility standard) impacts at adjacent intersections for the Transportation System Plan horizon year (2035) under this scenario. Off-peak performance of the Main Roadway Routes and Roadway Connectors (as shown in the Regional Freight Network Map in the Metro Regional Transportation Plan) will not be diminished as a result of the proposed zoning change. Because the proposed zoning change does not generate significantly more vehicle trips, the Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met.

The land use assumptions shown in Table 1 and the associated trip generation results shown in Table 2 represent one of many scenario comparisons that could be estimated for this proposed land use action. Other land use assumptions and trip rates could be applied to increase the difference in either direction. The land use assumptions were developed in coordination with City of Tualatin staff, reflecting their judgment of reasonable development potential on the site. We consider the scenarios developed for this analysis to be reasonable and representative of potential development resulting from the zone change.

The City of Tualatin and ODOT will continue to require transportation impact studies to evaluate transportation impacts for significant redevelopments as they occur.

Technical Appendix

SW Mohave Court Transportation Analysis - Taxlots



Technical Appendix

SW Mohave Ct. Transportation Analysis - Land Area

	LAND AREA (gross square feet)	PARCEL NUMBER (RNO)	NOTE
1	9,435	R532187	
2	44,290	R532221	
3	16,918	R532196	
4	4,070	R532310	
5	12,975	R532329	
6	32,177	R532230	
7	21,869	R532150	
8	22,390	R532212	
9	9,466	R532178	
10	22,778	R532203	
11	29,329	R532169	
12	23,412	R1327451	
13	21,044	R1327460	
14	25,991	R1327479	
15	26,807	R1449141	
16	38,314	R1327488	
17	146,076	R1327530	
18	21,688	R1327549	
19	69,720	R532267	
20	29,109	R532249	
21	98,031	R1384905	
22	-	R532301	Current street location. Excluded from developable land.
23	-	R532258	Current street location. Excluded from developable land.
Total	725,891		

725,891 Total Buildable Square Footage of 21 Tax lots under consideration
16.7 Acres

Tax Lot Blocks: 28
 29

SOURCE: Metro RLIS

Technical Appendix- SW Mohave Court Transportation Analysis

Land Use Comparison Under Existing and Proposed Zoning - ITE Trip Generation Codes

ITE Code	Description	Existing Zoning	Proposed Zoning	Comments on Proposed Land Use Action	Comments on Reasonable Worst Case Scenario Traffic Generation	
		[CG/ML]	[CG/ML + Limited CC + Limited Restrictions]			
Transportation						
10	Waterport/Marine Terminal				No effect.	
21	Commercial Airport					
22	Gen. Aviation Airport					
30	Truck Terminal					
90	Park-and-Ride Lot with Bus Service					
93	LRT Station w/ Parking					
Industrial						
110	Gen Light Industrial	Permitted	Permitted	No significant changes proposed related to industrial uses. However, assembly, packing, & treatment of beer and other alcohol products would be permitted.	No effect.	
120	Gen Heavy Industrial					
130	Industrial Park	Permitted	Permitted			
140	Manufacturing	Permitted	Permitted			
150	Warehousing	Permitted	Permitted			
151	Mini-Warehouse	Permitted	Permitted			
152	High Cube Warehouse					
160	Data Center	Permitted	Permitted			
170	Utilities	Permitted	Permitted			
Residential						
210	Single-Family Detached Housing			Residential uses are not permitted in either scenario.	No effect.	
220	Apartment					
221	Low-Rise Apartment					
222	High-Rise Apartment					
223	Mid-Rise Apartment					
224	Rental Townhouse					
230	Residential Condo/Townhouse					
231	Low-Rise Res. Condo/Townhouse					
232	High-Rise Res. Condo/Townhouse					
233	Luxury Condo/Townhouse					
240	Mobile Home					
251	Senior Adult Housing Detached					
252	Senior Adult Housing Attached					
253	Congregate Care Facility					
254	Assisted Living					
255	Cont. Care Retirement Community					
260	Recreation Homes					
265	Timeshare					
270	Residential Planned Unit Dev. (PUD)					
310	Hotel					
311	All Suites Hotel					
312	Business Hotel					
320	Motel	Permitted				Use would not be permitted
330	Resort Hotel					

Land Use Comparison Under Existing and Proposed Zoning - ITE Trip Generation Codes

ITE Code	Description	Existing Zoning	Proposed Zoning	Comments on Proposed Land Use Action	Comments on Reasonable Worst Case Scenario Traffic Generation
Recreational/Entertainment					
411	City Park				Health/Fitness Club is likely to be constructed as part of proposed zoning.
412	County Park				
413	State Park				
414	Water Slide Park				
415	Beach Park				
416	Campground/RV Park				
417	Regional Park				
418	National Monument				
420	Marina				
430	Golf Course				
432	Golf Driving Range				
433	Batting Cages				
435	Multipurpose Recreation Facility				
437	Bowling Alley				
443	Movie Theater w/o Matinee				
444	Movie Theater w/ Matinee				
445	Multiplex Movie Theater				
452	Horse Racetrack				
473	Casino/Video Lottery Establishment				
488	Soccer Complex				
490	Tennis Courts				
491	Racquet/Tennis Club	Permitted	Permitted	Restrictions on size of health/fitness club would be removed.	
492	Health/Fitness Club	Permitted	Permitted		
493	Athletic Club	Permitted	Permitted		
495	Recreation Community Center (e.g., YMCA)				
Office/Institutional					
501	Military Base				None are significant to worst case scenario analysis.
520	Elementary School				
522	Middle/Junior High School				
530	High School				
534	Private School (K-8)				
536	Private School (K-12)				
540	Junior/Community College		Permitted	Additional permitted use (business college)	
550	University/College		Permitted	Additional permitted use (business college)	
560	Church				
565	Day Care	Permitted	Permitted	Restrictions on size and location removed.	
566	Cemetery				Medical/dental clinic uses will be permitted with proposed zoning. Office uses may be more likely under proposed zoning.
571	Prison				
590	Library				
610	Hospital				
620	Nursing Home				
630	Clinic		Permitted	Additional permitted use (medical-dental clinic)	
640	Animal Hospital/Veterinary Clinic	Permitted	Permitted		
710	General Office Building	Permitted	Permitted		
714	Corporate Headquarters Building	Permitted	Permitted	Restrictions on type and size of offices removed to allow business or professional uses.	
715	Single Tenant Office Building	Permitted	Permitted		
720	Medical-Dental Office Building		Permitted	Additional permitted use	
730	Government Office Building				
731	State Motor Vehicles Department				

Land Use Comparison Under Existing and Proposed Zoning - ITE Trip Generation Codes

ITE Code	Description	Existing Zoning	Proposed Zoning	Comments on Proposed Land Use Action	Comments on Reasonable Worst Case Scenario Traffic Generation
732	Post Office				
733	Government Office Comple	Permitted	Permitted		
750	Office Park	Permitted	Permitted		
760	Research & Development Center	Permitted	Permitted	Restrictions on type and size of offices removed to allow business or professional uses.	
770	Business Park	Permitted	Permitted		
Retail					
810	Tractor Supply Store	Permitted	Permitted		
811	Construction Equipment Rental Store	Permitted	Permitted		
812	Building Materials & Lumber	Permitted	Permitted		
813	Free Standing Discount Super Store				
814	Variety Store				
815	Free-Standing Discount Store				
816	Hardware/Paint Store		Permitted	Additional permitted use	
817	Nursery (Garden Center)	Permitted	Permitted		
818	Nursery Wholesale	Permitted	Permitted		
820	Shopping Center				
823	Factory Outlet Center				
826	Specialty Retail Center	Permitted	Permitted	A range of specialty retail uses would be permitted.	
841	Automobile Sales				
842	Recreational Vehicle Sales	Permitted	Permitted		
843	Automobile Parts Sales			Additional permitted use	
848	Tire Store	Permitted	Permitted		
849	Tire Superstore	Permitted	Permitted		
850	Supermarket				
851	Convenience Market (24 hours)				
852	Convenience Market (15-16 hours)				
853	Convenience Market w/ Gasoline pump	Permitted		Use would not be permitted	Gas stations would not be permitted.
854	Discount Supermarket				
857	Discount Club				No effect.
860	Wholesale Market				
861	Sporting Goods Superstore		Permitted	Additional permitted use	
862	Home Improvement Superstore	Permitted	Permitted		
863	Electronic Superstore				
864	Toy/Children's Superstore				
866	Pet Supply Superstore		Permitted	Additional permitted use	
867	Office Supply Superstore		Permitted		
868	Book Superstore				
869	Discount Home Furnishing Superstore				
875	Department Store				
876	Apparel Store		Permitted	Additional permitted use	
879	Arts and Crafts Store		Permitted	Additional permitted use	
880	Pharmacy/Drugstore w/o drive-through				
881	Pharmacy/Drugstore w/ drive-through				
890	Furniture Store		Permitted	Additional permitted use	
896	Video Rental Store		Permitted	Additional permitted use	
911	Walk-In Bank				
912	Drive-In Bank				No effect.
925	Drinking Place		Permitted	Additional permitted use	
931	Quality Restaurant				
932	High Turnover Sit-Down Rest.	Permitted	Permitted	Permitted w/restrictions. No significant change to restaurant uses.	
933	Fast Food w/o Drive-Thru	Permitted	Permitted		

Land Use Comparison Under Existing and Proposed Zoning - ITE Trip Generation Codes

ITE Code	Description	Existing Zoning	Proposed Zoning	Comments on Proposed Land Use Action	Comments on Reasonable Worst Case Scenario Traffic Generation
934	Fast Food With Drive-Thru				No effect. No significant change to restaurant uses.
935	Fast Food w/ Drive-Thru and No indoor Seat				
936	Coffee/Donut Shop w/o Drive-Through Window				
937	Coffee/Donut Shop with Drive-Through Window				
938	Coffee/Donut Shop with Drive-Through Window and No Indoor Seating				
940	Bread/Donut/Bagel Shop with Drive-Through Window				No effect.
941	Quick Lubrication Veh. Shop	Permitted	Permitted		
942	Automobile Care Center	Permitted	Permitted		Gas stations would not be permitted.
944	Gas/serve Station	Permitted		Use would not be permitted	
945	Gas/Serv. Station with Conv. Market	Permitted		Use would not be permitted	
946	Gas/Serv. Station with Conv. Market & Car Wash	Permitted		Use would not be permitted	No effect.
947	Self-serve Car Wash	Permitted	Permitted		
950	Truck Stop				

Expansion of permitted land use
Restriction of permitted land use

Technical Appendix

SW Mohave Ct. Transportation Analysis - Scenario Trip Generation Comparison

Existing Zoning Scenario															
ITE Code	Land Use Type	% of buildable land	Change from Existing	FAR*	Building Square Feet	% of total Building SqFt	ITE Unit	Daily Rate	PM Rate	Daily Trips (All)	PM Trips (All)	% Internal Trip Reduction **	% Primary Trip Reduction ***	Daily Primary Trips	PM Primary Trips
110	Gen Light Industrial	35%	-	0.30	76,219	37.0%	76.2 ksf	7.0	1.0	531	74	0%	0%	531	74
492	Health/Fitness Club	2%	-	0.25	3,629	1.8%	3.6 ksf	43.9	3.5	159	13	20%	0%	127	10
710	General Office Building	3%	-	0.40	8,711	4.2%	8.7 ksf	11.0	1.5	96	13	20%	0%	77	10
720	Medical-Dental Office Building	0%	-	0.35	-	0.0%	0.0 ksf	36.1	3.6	-	-	20%	0%	-	-
826	Specialty Retail Center	50%	-	0.30	108,884	52.8%	108.9 ksf	44.3	2.7	4,826	295	20%	25%	2,895	177
933	Fast Food w/o Drive-Thru	2%	-	0.20	2,904	1.4%	2.9 ksf	194.2	26.2	564	76	20%	45%	248	33
944	Gas/serve Station	8%	-	0.10	5,807	2.8%	16.0 fuel stations	168.6	13.9	2,697	222	20%	45%	1,187	98
Total:		100.0%			206,153	100.0%				8,873	693			5,066	403

Proposed Zoning Scenario															
ITE Code	Land Use Type	% of buildable land	Change from Existing	FAR*	Building Square Feet	% of total Building SqFt	ITE Unit	Daily Rate	PM Rate	Daily Trips (All)	PM Trips (All)	% Internal Trip Reduction **	% Primary Trip Reduction ***	Daily Primary Trips	PM Primary Trips
110	Gen Light Industrial	20%	-15%	0.30	43,553	20.0%	43.6 ksf	7.0	1.0	304	42	0%	0%	304	42
492	Health/Fitness Club	10%	8%	0.25	18,147	8.3%	18.1 ksf	43.9	3.5	796	64	20%	0%	637	51
710	General Office Building	5%	2%	0.40	14,518	6.7%	14.5 ksf	11.0	1.5	160	22	20%	0%	128	17
720	Medical-Dental Office Building	5%	5%	0.35	12,703	5.8%	12.7 ksf	36.1	3.6	459	45	20%	0%	367	36
826	Specialty Retail Center	58%	8%	0.30	126,305	57.9%	126.3 ksf	44.3	2.7	5,598	342	20%	25%	3,359	205
933	Fast Food w/o Drive-Thru	2%	0%	0.20	2,904	1.3%	2.9 ksf	194.2	26.2	564	76	20%	45%	248	33
944	Gas/serve Station	0%	-8%	0.10	-	0.0%	0.0 fuel stations	168.6	13.9	-	-	20%	45%	-	-
Total:		100.0%			218,130	100.0%				7,880	592			5,042	386

Net Difference (vs. Base)
(23) (17)

Notes

* Floor-to-area ratio is estimated based on typical land uses.

**Internal trip reduction is applied to remove trips that would travel between uses within the site.

***A second trip reduction is applied to remove pass-by and diverted trips.

Trip reductions are estimated based on the *Trip Generation Handbook*, 2nd Edition, Institute of Transportation Engineers, 2004.

Daily trip rates for ITE Codes 492 and 933 are not available. Therefore, the ratio from PM peak hour to Daily trip generation from similar uses (ITE code 493 and 934) are applied to PM peak rates to estimate daily rates for ITE Codes 492 and 933.



City of Tualatin

www.tualatinoregon.gov

April 30, 2015

Martha Bennett
Chief Operating Officer
600 NE Grand Avenue
Portland OR 97232

RE: REQUEST TO REMOVE DESIGN TYPE DESIGNATION FROM BLOCKS 28 & 29
OF THE CITY OF TUALATIN CENTRAL URBAN RENEWAL DISTRICT

Dear Ms. Bennett:

This letter is our formal request to remove the Employment Area (EA) 2040 Design Type designation from the area known as Blocks 28 & 29 of the City of Tualatin's Central Urban Renewal District (CURD).

Blocks 28 & 29 comprise approximately 20 acres immediately southwest of the City's downtown. The area is bounded by SW Old Tualatin-Sherwood Road on the north, BNSF railroad tracks on the east and south, and SW 90th Court on the west (see Attachment 1). There are 23 parcels of land in this area.

Existing zoning in this area includes a Light Manufacturing (ML) base with uses in the General Commercial (CG) planning district permitted, excluding Central Commercial (CC) uses which usually are allowed in CG. This restriction was imposed as part of the Central Urban Renewal Plan in 1984. CG is considered suitable for a full range of commercial uses and particularly suitable for businesses needing direct automobile access to the freeway and the arterial streets leading to the freeway.

At the request of property owners and businesses, and based on direction from the Tualatin City Council, City staff, with the assistance of a citizen-driven Development Planning Advisory Committee, is exploring ways to broaden allowed uses and provide more flexibility in this part of Tualatin. Specifically, we are proposing to add a variety of new uses from the CC planning district, as well as the assembly, packaging and treatment of beer and other alcohol products, with or without a tasting or tap room (from the General Manufacturing [MG] district), while prohibiting two currently allowed uses in CG – automobile service station, with or without a mini-mart, and motel or tourist court. We have developed draft changes to the Tualatin Development Code (TDC) to accomplish this goal. (Attachment 2 contains the draft code language and Attachment 3 contains the staff report from the April 27, 2015 City Council work session.)

In discussions with Metro staff, a concern was raised about compliance of the proposed changes with Title 4 of the Metro Regional Framework Plan. Specifically, Section 3.07.440(A) Protection of Employment Areas which states:

“...cities and counties shall limit new and expanded commercial/retail uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Area.”

Land use in Blocks 28 & 29 currently includes a mix of light manufacturing and auto-oriented commercial/retail. The City receives numerous requests to allow Central Commercial (CC) uses, such as health and fitness facilities and studios, which currently are either allowed in limited size and as subordinate uses to manufacturing on any given property, or are prohibited outright. The 2005 Town Center Plan identified the need to rezone the entire area to CG, which allows CC uses outright.

The intent of Title 4 to protect Employment Areas will not be met with this proposed change. However, this area is in transition and currently only has about 35% industrial uses compared with 65% commercial/retail uses. The City is requesting to remove the EA designation given the current amount of industrial uses and the transitional status of the area.

Section 3.07.450 Employment and Industrial Areas Map outlines the process to accomplish the removal. The text of Section 3.07.450(C) and the City’s response to the criteria is as follows:

“A city or county may amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:”

- 1. “The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area or a combination of the two;”**

Response: Attachment 4 includes Map 9-4 Design Type Boundaries of the Tualatin Development Code (TDC), which shows the EA designation of Blocks 28 & 29. As shown on the map, this area is bordered on the west by Industrial Area (IA), however, the rest of the area is bounded by Inner Neighborhood (IN) and Town Center (TC). Therefore, Blocks 28 & 29 are not surrounded by IA or RSIA, and this criterion is met.

- 2. “The amendment will not reduce the employment capacity of the city or county;”**

Response: The proposed amendment will not reduce the employment capacity of the City of Tualatin. The proposed amendment is intended to allow more flexibility in uses in Blocks 28 & 29. Commercial/retail uses in the General Commercial (CG) Planning District, not including those in the Central Commercial (CC) Planning District, already are allowed in Blocks 28 & 29. There are several automobile-related uses in Blocks 28 & 29, however, in recent years property owners have expressed

interest in allowing uses more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 & 29 to CG, which allows CC uses outright.

The proposed amendment recognizes the transition in use from light manufacturing to predominantly commercial/retail use that is occurring in the area and the appropriateness of expanding commercial/retail uses consistent with its location and access. The amendment does not propose to allow uses, such as residential or land-extensive uses (i.e. warehousing), that potentially would reduce the employment capacity of the area or, by extension, the City. It is likely that additional commercial/retail uses would increase employment density in the area as compared with those already located there, such as automobile-related uses and self-storage. Further, the proposed amendment is specific to Blocks 28 & 29 and will not affect preservation and protection of existing industrial land elsewhere in Tualatin. Therefore, while the type of employment is expected to gradually change in this area to include less industrial employment and more commercial/retail employment, the change will not reduce the employment capacity of the City overall. This criterion is met.

- 3. “If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities;”**

Response: Blocks 28 & 29 are not designated Regionally Significant Industrial Area (RSIA), do not have access to specialized services, and are not proximate to freight loading and unloading facilities; therefore, this criterion does not apply.

- 4. “The amendment would not allow uses that would reduce off-peak performance on the Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan, unless mitigating action is taken that will restore performance to RTP standards within two years after approval of uses;”**

Response: The amendment would not reduce off-peak performance on the Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan. DKS Associates performed a transportation analysis of the motor vehicle trip generation potential of the site under existing and proposed zoning (see Attachment 5). The analysis compares the “worst reasonable case” of traffic generation for these two land use scenarios. The land use assumptions were developed in coordination with City staff, reflecting their judgment of reasonable development potential on the site.

Based on the land use assumptions documented in this analysis, the proposed zoning change would not significantly increase daily trips or p.m. peak hour trips. Because the proposed zoning change does not generate significantly more vehicle trips, Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met.

Similarly, no reduction in off-peak performance for the regional freight system will result from the proposed zoning change. Because the estimated daily vehicle trips do not increase as a result of the proposed zoning change, off-peak performance of the Main Roadway Routes and Roadway Connectors (shown in the Regional Freight Network Map in the RTP) will not be diminished as a result of the amendment.

5. “The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas; and”

Response: Blocks 28 & 29 comprise approximately 20 acres of land in 23 parcels immediately southwest of Tualatin’s Town Center. Some of the parcels, about 35% of the total area, currently are occupied by light industrial uses such as a mini-storage facility and a supplier of concrete building materials. The remainder of the area, about 65%, is occupied with a variety of commercial/retail businesses. For several years Blocks 28 & 29 have been transitioning from light industrial use to commercial/retail because CG uses are allowed and the location of the area in close proximity to the Town Center makes the area appealing for this type of use. In addition the 2005 Town Center Plan identified the need to rezone the entire area of Blocks 28 & 29 to CG, which allows CC uses outright, for this reason. The proposed amendment will not diminish the intended function of the Town Center as the principal location of retail, cultural and civic services in its market area for two reasons:

- The capacity of Blocks 28 & 29 to accommodate substantial commercial/retail development is severely limited by the small size of existing lots, multiple ownerships, and access constraints
- The proposed amendment would limit development of commercial/retail uses to 60,000 square feet per parcel, consistent with the intent of Title 4

Moreover, the amendment will enhance, not diminish the intended function of the Town Center. The criterion is met.

6. “If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 40 acres or less.”

Response: The area is designated EA and is less than 40 acres in size; therefore, the criterion is met.

Request to Remove EA Designation on Blocks 28 & 29
April 30, 2015
Page 5 of 5

The proposed amendment meets all applicable criteria for removing the EA designation from Blocks 28 & 29, as demonstrated above. Therefore, the City formally requests that the removal be approved.

If you need clarification or require more information in review and approval of this request, please do not hesitate to contact Aquilla Hurd-Ravich, Planning Manager, via phone to 503-691-3028 or email to ahurd-ravich@ci.tualatin.or.us.

Sincerely,



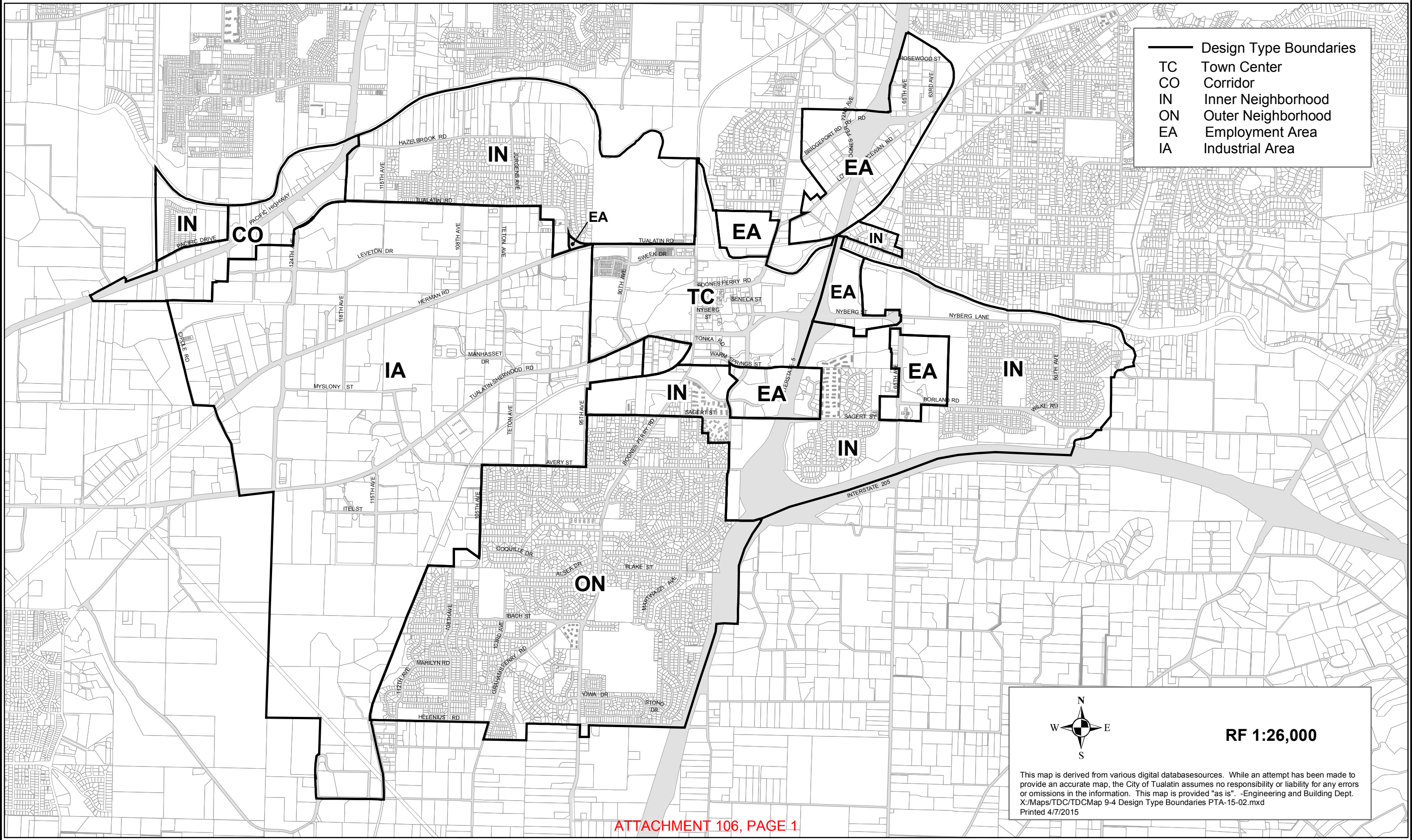
Sherilyn Lombos
City Manager

clh


Enclosures: 1. Area Map
2. Draft Code Language
3. Staff Report from April 27, 2015 City Council Work Session
4. Map 9-4 Design Type Boundaries
5. Transportation Analysis

cc: Brian Harper, Planning & Development Department, Metro
Alice Cannon, Assistant City Manager
Aquilla Hurd-Ravich, Planning Manager
Ben Bryant, Economic Development Manager
Sean Brady, City Attorney

Map 9-4: Design Type Boundaries as Amended in PTA-15-02



—	Design Type Boundaries
TC	Town Center
CO	Corridor
IN	Inner Neighborhood
ON	Outer Neighborhood
EA	Employment Area
IA	Industrial Area


RF 1:26,000

This map is derived from various digital databasesources. 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 Dept. X:/Maps/TDC/TDCMap 9-4 Design Type Boundaries PTA-15-02.mxd Printed 4/7/2015

Commercial Citizen Involvement Organization



Memorandum To: City of Tualatin Planning Staff
From: CCIO DPAG Committee (Scott Miller (Chair), Robert Kellogg, Cathy Holland)
Subject: Feedback From Property Owners on Potential Expansion of Commercial Uses
Date: February 23, 2015

On February 17, we finished contacting all of the property owners/representatives in Blocks 28 and 29. We started the process on December 15. At our face-to-face meetings, we gave them a copy of the Summary dated December 12, 2014, and asked for their feedback. Three were not available for face-to-face meetings. We sent them a digital copy of the summary and talked to those property owners by phone.

The following summarizes the feedback we received:

- Everyone expressing an opinion saw the proposed additional low traffic commercial uses as sensible and/or very helpful for the economic development of the area. Several asked to think about it and then contacted us saying they supported the proposal. Two did not get back to us but during our conversations, they didn't appear concerned about the changes.
- One property owner asked if existing conditional uses could become allowed uses. After talking with Aquilla, we reported back that was not possible.
- All property owners wish to see the final code language before agreeing to the removal of two allowed uses: gas station and motel/apartment. If the revised code language was what we described, then they generally agreed that neither use made sense for Blocks 28 & 29.
- Several suggested the following businesses did not make sense and if they were dropped from the list it would be fine with them: Antique shop or second hand store, pawn shop, and/or radio or television service.
- Several suggested a size limitation of 10,000 sq. ft. on some of the more "retail" type shops (Clothing store, sporting good store, jewelry store, etc.)
- Existing light manufacturing owners did not want to see the "zoning" changed from Light Manufacturing but thought the additional commercial uses did make sense.
- The majority liked the idea of a general formula using size and traffic rates rather than a specific list of commercial uses. This would allow the City to respond to requests from new types of businesses in a more timely way.

Below is the list of property owners we contacted:

Site Address	Tenant	Ownership
19302 SW MOHAVE CT	Tire Factory	JPF INVESTMENTS LLC
19340 SW 89TH AVE	Paragon Auto	CARNEY INVESTMENTS LLC
19350 SW 89TH AVE	NW Spray & Compressor	JKM PROPERTIES LLC
19355 SW MOHAVE CT	Miller Paint	MILLER PAINT CO INC
19365 SW 89TH AVE	Rev-Chem	BLACKSTONE INVESTMENT (2)
19401 SW MOHAVE CT	JC Motors	J C MOTORS OF TUALATIN LLC
19425 SW 89TH AVE	ADI-Mobile	OSWEGO WEST LLC
19460 SW 89TH AVE	Upscale Auto	NORTHLAND ENTERPRISES LLC (2)
19465 SW 89TH AVE	Contractors	JVTC EXPLORATIONS LLC
19470 SW 89TH AVE	Chocosphere	TGOCC LLC
19470 SW MOHAVE CT	Oaktree	PIETKA PROPERTIES LLC
19477 SW 89TH AVE	Willamette Gray Stone	S N H CORPORATION
19404 SW 89TH AVE	Willamette Gray Stone	S N H CORPORATION
19493 SW 89TH AVE	Willamette Gray Stone	S N H CORPORATION
19480 SW 89TH AVE	Willamette Gray Stone	89TH STREET LLC
19488 SW MOHAVE CT	Columbia Self-Storage	COLUMBIA SELF-STOR LLC
8680 SW OLD Tual-Sher RD	Kmotion/Aaron Rental	CREATIVE ASSETS LLC
8750 SW OLD Tual-Sher RD	Brake Team	HURLBUTT FASANO & WONACOTT
8810 SW OLD Tual-Sher RD	Marsh Trans/Accurate Auto	MARSH JEFFREY O JR &
8930 SW OLD Tual-Sher RD	Undeveloped	KITCH TIM B & SUZANN P
8974 SW TUALATIN_SHER RD.	Cascade Funeral Directors/ Crown Memorial	RANDY TJADEN & MIKE FLEMMING

Open House: Blocks 28 & 29 Allowed Uses Comment Summary

Roughly 15 individuals attended the Open House held on March 31, 2015, at 19354 SW Mohave Court in the Oak Tree Business Center.

Written comments received included the following:

- “Great!”
- “I am 100% in support of the changes to Blocks 28 & 29 and see it as a huge improvement to the City of Tualatin.”
- “Looks good to us!”
- “Good ideas—We support completely these extended uses.”
- “We appreciate the City’s willingness to work with the property owners on the zone changes. Thank you!”
- “We have had the same use on our property since 1973, but we are not a permitted use. We would like our use added to the list of permitted uses.”
 - Staff explained that the business currently operates under a conditional use permit, which would not be affected by the proposed code changes. It also was explained that it is not possible to make conditional uses permitted outright.
- “Please review current conditional uses and see if they can be added to new list and not be considered “conditional”.
 - Staff responded to this comment similarly to the one above. It was explained that it is not possible to make conditional uses permitted outright.



City of Tualatin

AFFIDAVIT OF POSTING

STATE OF OREGON)
) SS
COUNTY OF WASHINGTON)

I, Lynette Sanford, 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 three copies of the Notice of Hearing on the 8th day of May, 2015, a copy of which Notice is attached hereto; and that I posted said copies in two public and conspicuous places within the City, to wit:

1. City of Tualatin – Development Services Building
2. City of Tualatin - Library

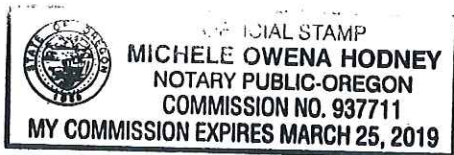
Dated this 26th day of May, 2015

Lynette Sanford
Lynette Sanford

Subscribed and sworn to before me this 26th day of May, 2015.

Michele Owena Hodney
Notary Public for Oregon

My Commission expires: 3-25-2019



RE: PLAN TEXT AMENDMENT (PTA) 15-02 TO AMEND THE TDC CHAPTER 60 RELATING TO BLOCKS 28 AND 29 OF THE CENTRAL URBAN RENEWAL PLAN.



City of Tualatin

www.tualatinoregon.gov

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, June 8, 2015, at the Juanita Pohl Center, Tualatin City Center, at 8513 SW Tualatin Rd, to consider:

Plan Text Amendment (PTA) 15-02 to amend Tualatin Development Code (TDC) Chapter 60: Light Manufacturing (ML) Planning District relating to Blocks 28 and 29 of the Central Urban Renewal Plan Area to: (1) add new office, retail, service, and other commercial uses; (2) remove two uses that are currently allowed; (3) restrict all office, retail, service, and other commercial uses in Blocks 28 and 29 to no more than 60,000 square feet per parcel; and (4) remove the Employment Area (EA) design type designation as shown in Map 9-4. Amendments proposed to TDC Chapter 60.

To grant the amendment, Council must find the proposal meets the criteria of Tualatin Development Code 1.032(1-10) relating to the public interest; timeliness; conformity with objectives of the Tualatin Community Plan; consideration of the factors listed in Section 1.032(4); the Tigard-Tualatin School District Facility Plan; the Statewide Planning Goals; the Metro Urban Growth Management Functional Plan; and impact on the transportation system.

You are invited to attend and participate in the public hearing. Failure to raise an issue at the hearing or in writing or to provide sufficient specificity to afford the Council an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA). Copies of the application, 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 at no cost prior to the hearing.

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing or present written or verbal testimony to the City Council at the hearing. Hearings begin with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited.

To view the application materials visit www.tualatinoregon.gov/projects. This meeting and any materials being considered can be made accessible upon request. For additional information, contact Cindy Luxhoj Hahn at 503-691-3029 or chahn@ci.tualatin.or.us.

CITY OF TUALATIN, OREGON

CITY OF TUALATIN
RECEIVED

MAY 27 2015

COMMUNITY DEVELOPMENT
PLANNING DIVISION



6605 SE Lake Road, Portland, OR 97222
PO Box 22109 Portland OR 97269-2109
Phone: 503-684-0360 Fax: 503-620-3433
E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Washington, SS
I, Charlotte Allsop, being the first duly sworn,
depose and say that I am the Accounting
Manager of *The Times* (serving Tigard,
Tualatin & Sherwood), a newspaper of
general circulation, published at Beaverton,
in the aforesaid county and state, as defined
by ORS 193.010 and 193.020, that

City of Tualatin
Notice of Public Hearing - PTA 15-02
TT12040

A copy of which is hereto annexed, was
published in the entire issue of said
newspaper for

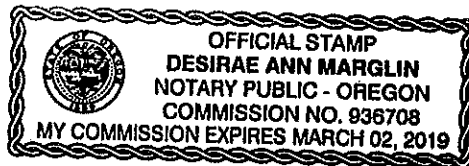
1
week in the following issue:
May 21, 2015

Charlotte Allsop
Charlotte Allsop (Accounting Manager)
Subscribed and sworn to before me this
May 21, 2015.

Desirae A Marglin
NOTARY PUBLIC FOR OREGON
My commission expires *March 02, 2019*

Acct #108462
Attn: Lynette Sanford
City of Tualatin, Planning Department
18880 SW Martinazzi Ave
Tualatin, OR 97062

Size: 2 x 4.5"
Amount Due: \$81.45*
*Please remit to the address above.



City of Tualatin
www.tualatinoregon.gov

NOTICE OF HEARING CITY OF TUALATIN, OREGON

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Plan Text Amendment (PTA) 15-02 to amend Tualatin Development Code (TDC) Chapter 60: Light Manufacturing (ML) Planning District relating to Blocks 28 and 29 of the Central Urban Renewal Plan Area to: (1) add new office, retail, service, and other commercial uses; (2) remove two uses that are currently allowed; (3) restrict all office, retail, service, and other commercial uses in Blocks 28 and 29 to no more than 60,000 square feet per parcel; and (4) remove the Employment Area (EA) design type designation as shown in Map 9-4. Amendments proposed to TDC Chapter 60.

To grant the amendment, Council must find the proposal meets the criteria of Tualatin Development Code 1.032(1-10) relating to the public interest: timeliness; conformity with objectives of the Tualatin Community Plan; consideration of the factors listed in Section 1.032(4); the Tigard-Tualatin School District Facility Plan; the Statewide Planning Goals; the Metro Urban Growth Management Functional Plan; and impact on the transportation system.

You are invited to attend and participate in the public hearing. Failure to raise an issue at the hearing or in writing or to provide sufficient specificity to afford the Council an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA). Copies of the application, 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 at no cost prior to the hearing.

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To view the application materials visit www.tualatinoregon.gov/projects. This meeting and any materials being considered can be made accessible upon request. For additional information, contact Cindy Luxhol Hahn at 603-691-3029 or chahn@ci.tualatin.or.us.

CITY OF TUALATIN, OREGON

NOTICE TO THE TUALATIN TIMES: Please publish on May 21, 2015

Publish 05/21/2015.

TT12040



CITY OF TUALATIN

18880 SW MARTINAZZI AVENUE
TUALATIN, OREGON 97062-7092
(503) 692-2000
TDD 692-0574

THIS IS TO NOTIFY YOU THAT THE CITY OF TUALATIN HAS PROPOSED A LAND USE REGULATION THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES.

May 12, 2015

Dear Property Owner:

This land use hearing notice is being sent to you to comply with Oregon Revised Statute (ORS) 227.186 (Measure 56) with the following required language:

ON MONDAY, JUNE 8, 2015, THE CITY OF TUALATIN WILL HOLD A PUBLIC HEARING REGARDING ADOPTION OF ORDINANCE NO. 1380-15. THE CITY HAS DETERMINED THAT ADOPTION OF THIS ORDINANCE MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY, AND OTHER PROPERTIES IN THE AFFECTED ZONE, AND MAY CHANGE THE VALUE OF YOUR PROPERTY.

HERE IS WHAT THIS MEANS:

The Tualatin City Council is considering an amendment to Chapter 60: Light Manufacturing (ML) Planning District of the Tualatin Development Code (TDC) relating to Blocks 28 and 29 of the Central Urban Renewal Plan Area. The ordinance under consideration would change the uses of property in Blocks 28 and 29 as follows:

- add new office, retail, service, and other commercial uses;
- prohibit motels or tourist courts, which are currently permitted uses;
- prohibit retail and cardlock gas stations, which are currently permitted uses;
- prohibit retail and cardlock gas stations, which are currently conditional uses in the ML District; and
- restrict all office, retail, service, and other commercial uses in Blocks 28 and 29 to no more than 60,000 square feet per parcel.

A map showing the location of Blocks 28 and 29 is provided on the reverse side of this page.

WHEN AND WHERE IS THE HEARING AND WHAT ARE THE DETAILS?

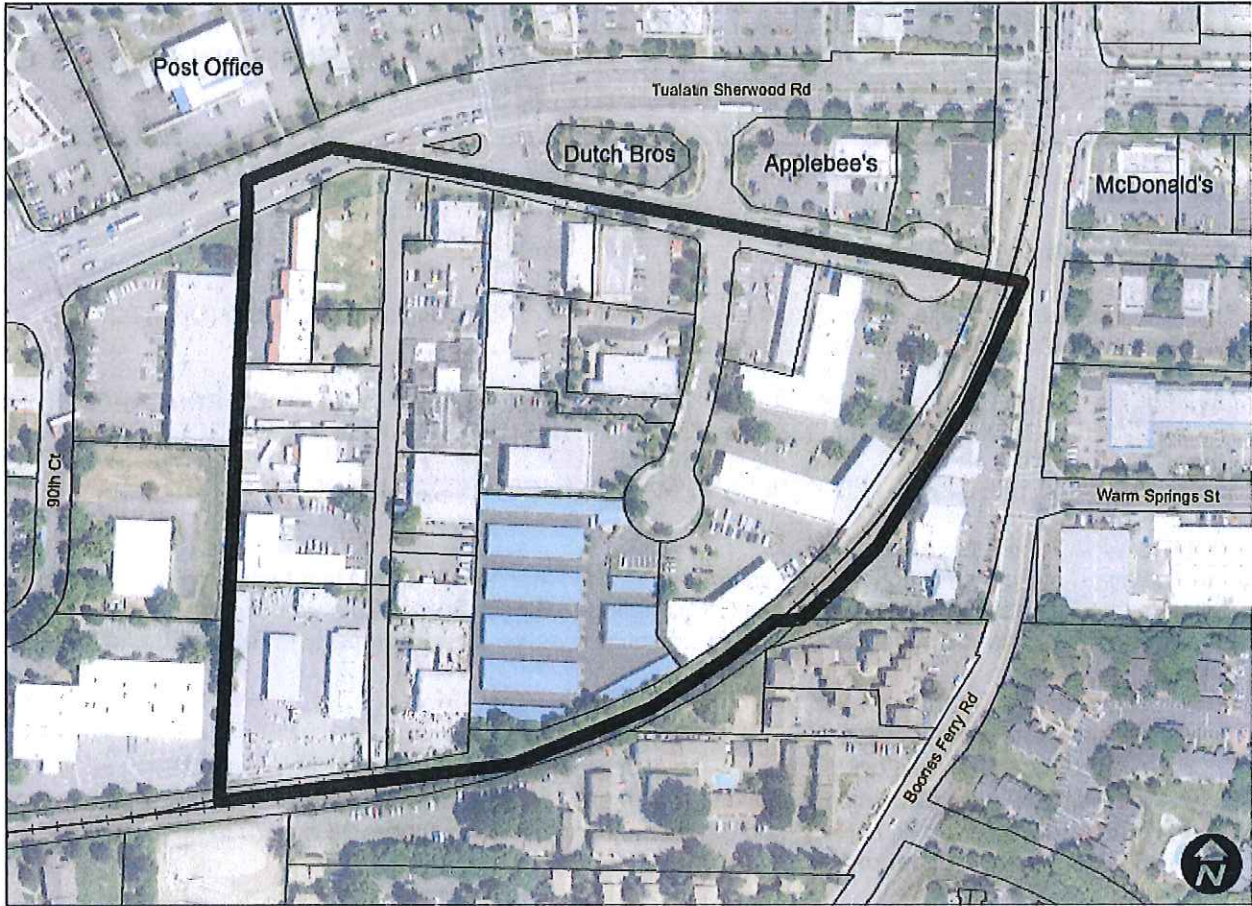
When Monday, June 8, 2015, 7:00 p.m.

Where Juanita Pohl Center, 8513 SW Tualatin Road, Tualatin, OR 97062

Details: You may comment 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. Failure (1) to raise an issue in the hearing in person or by letter to the address below or (2) provide sufficient detail and clarity to enable a decision-maker to respond to the issue precludes appeal to the Oregon Land Use Board of Appeals (LUBA) on that issue.

IF YOU WANT ADDITIONAL INFORMATION:

- To view the application materials, visit <http://www.tualatinoregon.gov/projects>. The project is PTA-15-02 – Blocks 28 & 29 Allowed Uses.
- Ordinance No. 1380-15 is available for inspection at no cost at the Tualatin Planning Division located at 18876 SW Martinazzi Avenue, Tualatin, OR 97062. A copy of Ordinance No. 1380-15 also is available for purchase at reasonable cost at least seven (7) days prior to the hearing.
- For additional information concerning this project, you may call Cindy Luxhoj Hahn, AICP, Associate Planner, at the Planning Division at 503-691-3029 or chahn@ci.tualatin.or.us.



PTA-15-02

To lessen the bulk of the notice and to address privacy concerns, this sheet substitutes for the photocopy of the mailing labels. A copy is available upon request.



AFFIDAVIT OF MAILING

STATE OF OREGON)
) ss
COUNTY OF WASHINGTON)

I, Lynette Sanford, being first duly sworn, depose and say:

That on the 19th day of May, 2015, 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.

Dated this 26 of May, 2015

Lynette Sanford
Signature

SUBSCRIBED AND SWORN to before me this 26th day of May, 2015.



Michele Owena Hodney
Notary Public for Oregon

My commission expires: 3-25-2019

RE: NOTICE OF PUBLIC HEARING FOR PTA-15-02 TO AMEND TE TDC BLOCKS 28 AND 29 OF THE CENTRAL URBAN RENEWAL PLAN AREA.



NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT

CITY OF TUALATIN, OREGON

NOTICE IS HEREBY GIVEN that a public hearing before the **City Council** will be held:

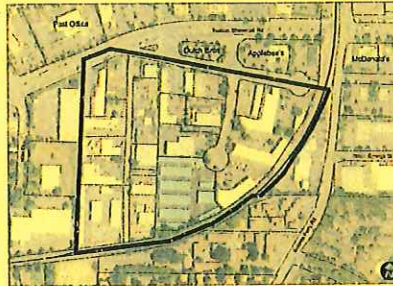
June 8, 2015, 7:00 PM
Juanita Pohl Center, 8513 SW Tualatin Road
Tualatin, OR 97062

Plan Text Amendment 15-02 to amend Tualatin Development Code (TDC) 60.030 to (1) allow office, retail, service and other commercial uses in Blocks 28 and 29 of the Central Urban Renewal Plan (CURP) Area; (2) restrict such uses to no more than 60,000 square feet per parcel; (3) prohibit gas stations; (4) prohibit motels and tourist courts; (5) delete TDC 60.050; (6) amend TDC Map 9-4 to remove the Employment Area designation on Blocks 28 and 29; and (7) add new provisions.

Blocks 28 and 29 of the CURP Area are generally located south of Old SW Tualatin-Sherwood Road, west of the railroad and SW Boones Ferry Road, and east of 90th Court in the southwest part of downtown Tualatin.

Comments and questions can be submitted to:
 Planning Division
 Attn: Cindy Luxhoj Hahn, Associate Planner
 City of Tualatin
 18880 SW Martinazzi Avenue
 Tualatin, OR 97062-7092
 chahn@ci.tualatin.or.us
 503-691-3029

- **Project Description:** Allow more flexibility in uses in Blocks 28 and 29 of the Central Urban Renewal Plan Area by amending Chapter 60: Light Manufacturing (ML) Planning District of the Tualatin Development Code (TDC).
- **Additional applications:** None.
- **Criteria:** TDC 1.032, 31.077, 60.030, 60.040, 60.050, Map 9-4.
- **Print copies of the application:** all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and copies will be provided at a reasonable cost.
- **Staff report:** A copy of the staff report, and supporting documents will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost at the Tualatin Planning Division.
- **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 begin 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.





City of Tualatin
18880 SW Martinazzi Ave
Tualatin, OR 97062

- **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 for the decision maker to respond to the issue precludes an action for damages in circuit court.

You received this mailing because you own property within 1,000 feet (ft) of the site or within a residential subdivision which is partly within 1,000 ft. To view the application materials visit www.tualatinoregon.gov/projects.

For additional information contact:

Lynette Sanford, Office Coordinator lsanford@ci.tualatin.or.us 503-691-3026
Cindy Luxhoj Hahn, Associate Planner chahn@ci.tualatin.or.us 503-691-3029

PTA-15-02

To lessen the bulk of the notice and to address privacy concerns, this sheet substitutes for the photocopy of the mailing labels. A copy is available upon request.

REC'D
CITY OF TUALATIN
MAY 28 2015

MAYOR _____ COUNCIL _____ POLICE _____ ADM _____
FINANCE _____ COMMDEV _____ LEGAL _____ OPER _____
COMMSVCS _____ ENG & BLDG _____ LIBRARY _____



May 21, 2015

Sherilyn Lombos
City Manager
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

Re: Request to remove Title 4 Employment Area Design Type from Blocks 28 & 29 of the City of Tualatin Urban Renewal District

Dear Ms. Lombos:

I received your letter dated April 30, 2015 asking to remove the Title 4 Employment Area designation from Blocks 28 & 29 of the City's Urban Renewal District. The purpose and intent of Title 4 of the Urban Growth Management Functional Plan (UGMFP) is to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in specifically designated areas throughout the Metro Region.

Section 3.07.450.C of Title 4 outlines a specific set of criteria that must be applied for this change to the Title 4 map to be accepted. Metro staff has reviewed the full set of criteria and have provided the following findings:

- 1. The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two:**

According to the current 2040 Design Type Map, the property is bordered by Title 4 Industrial Area design type on the west. The remainder of the property is bordered by the Inner Neighborhood and Town Center design type. This criterion has been met.

- 2. The amendment will not reduce the employment capacity of the city or county:**

The proposed changes in allowed uses in this location will technically provide more employment than existing uses. This is based on accepted methodology that estimates employment/sq. ft. for retail uses. This criterion has been met.

- 3. If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities:**

The area in question is not designated Regionally Significant Industrial Area, so this criterion is not applicable.

4. **The amendment would not allow uses that would reduce off-peak performance on the Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan, unless mitigating action is taken that will restore performance to RTP standards within two years after approval of uses:**

Metro staff approve of the methodology used in the referenced DKS Associates transportation analysis of the motor vehicle trip generation potential of the site under existing and proposed conditions. The one caveat to that study is that the assumptions being made about a "worst case scenario" might not adequately cover the possible development outcomes in this area. As such, we are convinced that by keeping the square foot restrictions to retail uses outlined in Title 4 in place, future development patterns will not produce a use that negatively impacts the area's vital transportation network. The proposal from your staff is to continue to allow **no more than 60,000 sq. ft. of gross leasable area in a single building, or commercial retail uses with a total of more than 60,000 sq. ft. of retail sales area on a single lot or parcel, or on continuous lots or parcels, including those separated only by transportation right-of-way**, is critical to this proposal being successful. Based on this proposal, this criterion has been met.

5. **The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural, and civic services in the market areas:**

Blocks 28 & 29 are identified in the City of Tualatin 2005 Town Center Plan as in need of a re-zone to help support the Town Center. The limitation on retail square footage and the current ownership/lot size constraints indicate that this change will not diminish the intended function of the Town Center. This criterion has been met.

6. **If the map designates the property as Employment Area, the property subject to the amendment is 40 acres or less:**

The area in question is designated Employment Area and totals, approximately, 20 acres. This criterion has been met.

Based on these findings, I am authorizing a change to the 2040 Growth Concept Map that reflects your request. Do not hesitate to contact my staff with any questions regarding this letter. Your Metro liaison is Brian Harper, Senior Regional Planner and he can be reached at brian.harper@oregonmetro.gov or 503-797-1833.

Sincerely,

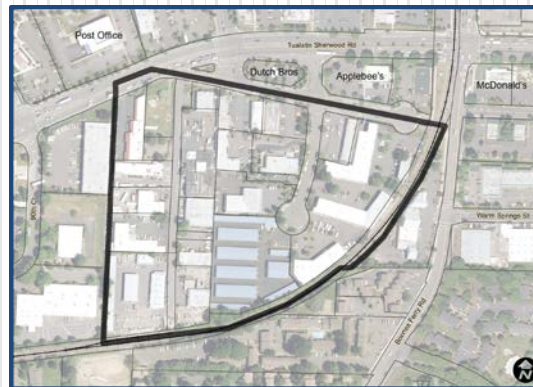


Martha Bennett
Chief Operating Officer

- c: Councilor Craig Dirksen, District No. 3
Beth Cohen, Council Policy Coordinator
Elissa Gertler, Director of Planning & Development
John Williams, Deputy Director of Planning & Development
Brian Harper, Senior Regional Planner

Plan Text Amendment 15-02: Allowed Use in Blocks 28 and 29

Tualatin City Council
June 8, 2015



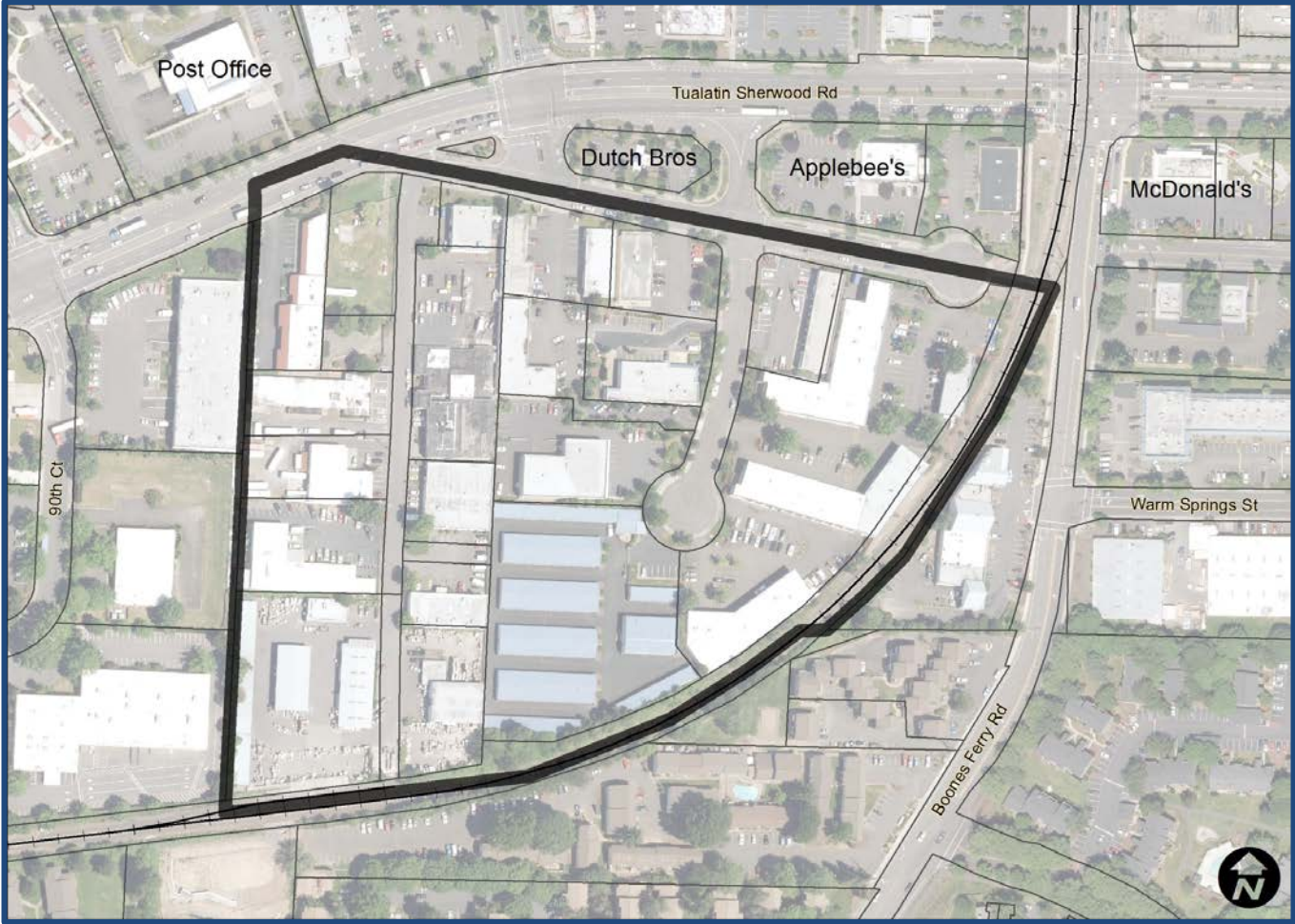
Background

- **March 2014:** City Council discussed project at work session
 - Expand uses to allow more flexibility
 - Possibly limit by type & size to control traffic impacts
- **July 2014:** DKS Associates hired for transportation analysis
- **October 2014:** CCIO DPAG prepared project status report
- **November 2014 – March 2015:** DPAG consulted with property owners & businesses
- **March 2015:** City staff consulted with ODOT, Washington County & Metro
- **March 31, 2015:** City staff held Open House for property owners and businesses
- **April 16, 2015:** Planning Commission briefed on proposed amendment
- **April 27, 2015:** City Council briefed on proposed amendment
- **May 21, 2015:** Planning Commission recommendation to City Council

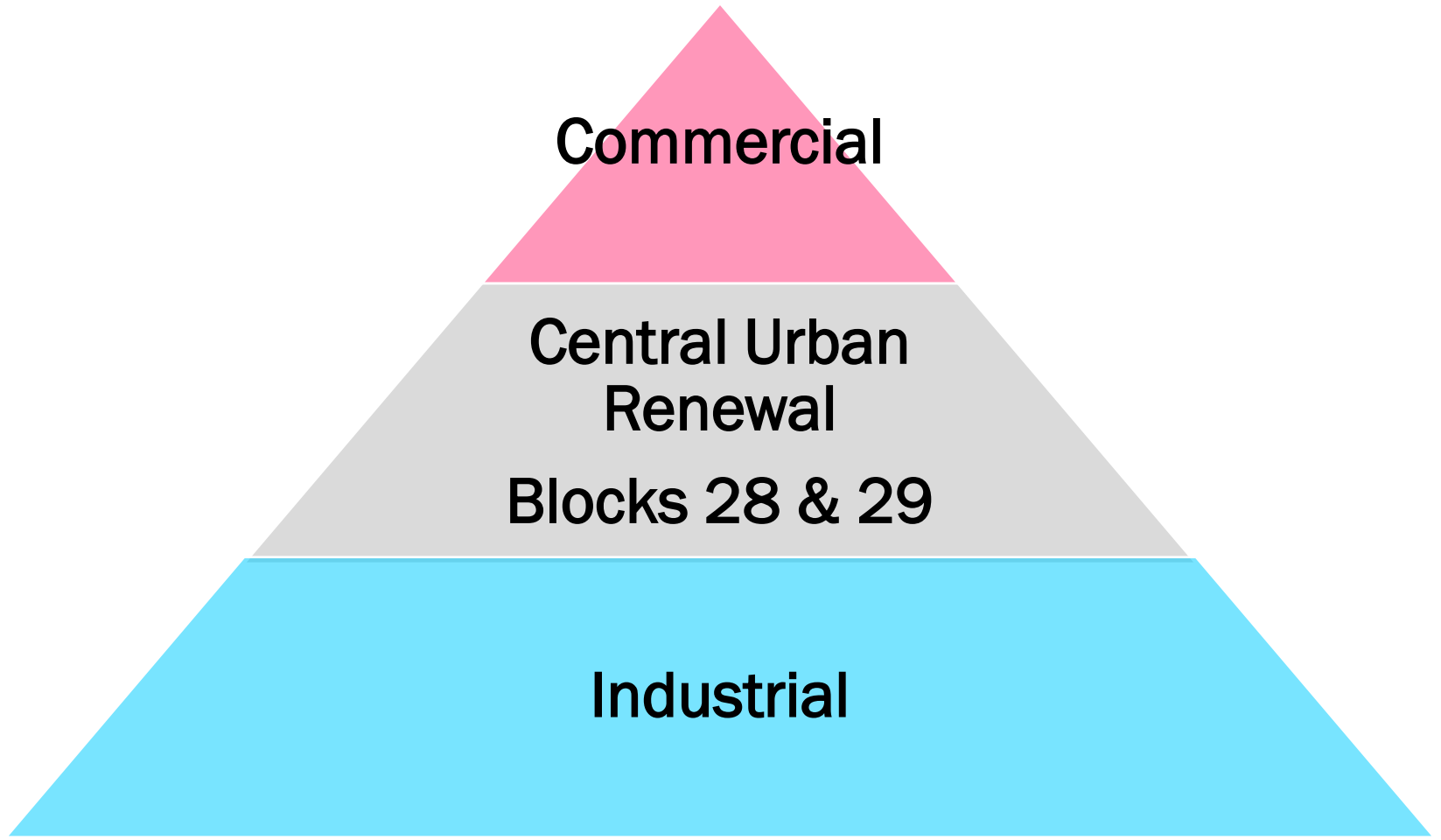
Purpose of Tonight's Meeting

- Review draft language
 - Plan Text Amendment (PTA) 15-02
- **Action Item:**
 - Hold a Public Hearing on PTA-15-02

Site Location



Layered Uses





Proposed Change to Commercial Uses

- **Prohibit:**

- Gas stations (retail and cardlock automobile service stations)
- Motels or tourist courts

- **Limit:**

- Size of all commercial/retail uses to 60,000 square feet per parcel

- **Allow:**

- Outdoor seating associated with tasting or tap rooms and eating and drinking establishments



Proposed Change to Commercial Uses

- **Office Uses - New:**

- Medical-dental clinic
- Business or professional office
- Real estate office

- **Office Uses - Existing:**

- Veterinarian's office or animal hospital

- **Retail Uses - New:**

- Antique shop or secondhand store
- Appliance store (incidental repairs only)
- Automobile accessory sales and auto parts retailing and wholesaling

- Bicycle sales, service or repair
- Book store
- Clothing store
- Florist
- Furniture store (non-warehouse type)
- Hardware store
- Jewelry store
- Pet shop
- Plant shop
- Record or music shop
- Scientific or professional instrument sales or repair
- Sporting goods store
- Stationery store



Proposed Change to Commercial Uses

- **Retail Uses - Existing:**

- Boat, boat motor and boat trailer sales (with restrictions)
- Building and home improvement materials and supplies retail sales (with restrictions)
- Feed and seed store
- Motorcycle sales and service
- Recreational water, snow, and land vehicle sales and service

- **Service Uses - New:**

- Barber or beauty shop
- Blueprinting, photostating, printing, lithographing, or other reproduction process
- Business college

- Business machines sales, service or repair
- Eating and Drinking Establishments:
 - Catering establishment
 - Tavern or cocktail lounge
- Health or fitness facility
- Laundry or drycleaning establishment
- Locksmith or gunsmith
- Magazine or newspaper distribution agency
- Radio or television service
- Shoe repair shop
- Studio, including music, art, dancing, photography or health
- Telephone or telegraph exchange
- Watch and clock repair



Proposed Change to Commercial Uses

- **Service Uses - Existing:**

- Automobile glass shop; auto leasing office; auto service shop; and auto tire shop (with restrictions)
- Automobile towing company office and dispatch office (with restrictions)
- Dental laboratory
- Eating and Drinking Establishments:
 - Drive-in restaurant (with restrictions)
 - Take-out restaurant (with restrictions)
- Frozen food locker
- Memorial planning and products center
- Nursery or greenhouse
- Optical lens grinder

- Photo processing
- Publishing house
- Rental of various small equipment, tools, and devices
- Taxidermy shop
- Testing laboratory

- **Other Uses:**

- Assembly, packaging, and treatment of beer and other alcohol products, with or without a tasting or tap room.
- Other uses of similar character, found by the Planning Director to meet the purpose of this district, as provided by TDC 31.070.

Other Changes

- **Clarify:**
 - Conditional use language related to gas stations (retail and cardlock automobile service stations)
- **Delete:**
 - Prohibited Uses section from ML
- **Remove:**
 - Employment Area (EA) designation from Blocks 28 & 29 and update TDC Map 9-4
- **Revision to draft language:**
 - At Council direction and after confirmation with the Development Planning Advisory Group, **Pawn Shop** was removed from the list of proposed new uses.

Next Steps

June 8: Public Hearing



June 22: Ordinance
Adoption

Questions & Discussion



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Paul Hennon, Community Services Director

DATE: 06/08/2015

SUBJECT: Consideration of **Resolution No. 5233-15** Authorizing Naming a Segment of the Tualatin River Greenway Trail as the Yvonne Addington Overlook

ISSUE BEFORE THE COUNCIL:

The Council will consider a recommendation to name a segment of the Tualatin River Greenway Trail in honor of Yvonne Addington.

RECOMMENDATION:

The Tualatin Park Advisory Committee (TPARK) recommends Council approve the attached resolution naming a segment of the Tualatin River Greenway Trail as the Yvonne Addington Overlook.

Staff respectfully recommends that Council approve the attached resolution.

EXECUTIVE SUMMARY:

A request to name a portion of the Tualatin River Greenway Trail in honor of Yvonne Addington was received from Fred Bruning, Chief Executive Officer, CenterCal Properties, LLC (see Attachment A). The Board of the Tualatin Historical Society has submitted a letter of support of Fred Bruning's request (see Attachment B).

Yvonne grew up in Tualatin, has had a life-long public service career in city, county, and state government leading the development of planning, land use, parks and open space, and then financing economic development, public works, and parks and recreation in all cities and counties in Oregon.

Yvonne has made extraordinary and unparalleled contributions to the mission and purpose of parks and recreation in the City of Tualatin through her vision, leadership, and public administration capabilities while serving as Tualatin's first City Administrator during Tualatin's formative years between 1969 and 1982, and continuing since then through her passionate and effective volunteerism.

The City is developing a new section of the Tualatin River Greenway Trail to provide people access to nature, promote public health, provide a safe off-street transportation alternative, and

for the general recreational benefit and enjoyment of the people that will include a beautiful and peaceful overlook along the Tualatin River.

After careful consideration of Tualatin Municipal Code requirements, staff and TPARK recommend that the segment of the Tualatin River Greenway Trail, as set forth in Exhibit 1 of the attached resolution, be named the Yvonne Addington Overlook.

Park Facility Naming Requirements

The Tualatin Municipal Code, Chapter 05-06, Memorials and Naming Policy, establishes conditions and criteria for naming public park facilities. These include:

1. Requests to name or rename park facilities must be in writing, and
2. A minimum of two years has passed since the event, activity, or occurrence that generated the desire to name the park facility, and
3. Requests be evaluated by TPARK with a staff recommendation, and result in a recommendation to Council, and
4. Generally, naming park facilities should occur before or during development and include a public participation opportunity, and
5. Consideration should include recognition of a person's extraordinary volunteerism, employment, leadership, or similar service or other non-monetary contributions to the mission and purpose of parks and recreation in Tualatin.

Findings

Staff and TPARK have found that the conditions and criteria for naming a public park facility in honor of Yvonne Addington have been met. Specifically,

1. A request was submitted in writing, and
2. A minimum of years has passed since Yvonne's contributions to the mission and purpose of parks and recreation in Tualatin began and spans decades, and
3. TPARK and the staff recommend approval, and
4. The segment of trail proposed to be named the Yvonne Addington Overlook will be under construction this summer. The Tualatin Park Advisory Committee (TPARK) and Tualatin City Council meetings serve as the public involvement opportunities for this recommendation. These meetings have been noticed on the City's website.
5. The following information demonstrates Yvonne's Addington's extraordinary volunteerism, employment, leadership, or similar service or other non-monetary contributions to the mission and purpose parks of and recreation in Tualatin.

Background Information on Yvonne's Role as Tualatin's First City Administrator

In the 1960's the small City of Tualatin, population 359, was in the next ring of growth outside of the City of Portland. With Interstate Highway 5 running through the city, there was no choice not to grow. Growth needed to be planned well and quickly to avoid mistakes of other suburban jurisdictions, and to create the foundation for the vibrant community that Tualatin is today, including its parks, greenways, wetlands and other natural areas, recreation and cultural facilities, services, and programs.

There were great obstacles to overcome. The city wells were dry, there was no sewer system or treatment available, the one room city hall was not open to the public, and the City was in debt. There were only three companies employing residents.

In 1964 Yvonne was elected as Treasurer, later appointed as City Recorder/Municipal Judge, and in 1969 was appointed as Tualatin's first City Administrator. While Yvonne served as City Administrator she worked with elected officials and top consulting firms to make great efforts to lay the strong foundation that fostered the vibrant community that Tualatin is today, including its

parks, greenways, wetlands and natural areas, and recreation and cultural facilities, services, and programs.

While serving as City Administrator, Yvonne served on the board of the International City Managers Association, State Speed Control Board, League of Oregon Cities Board, and several others. Yvonne was also elected as President of the Oregon Municipal Judges Association.

Some of Yvonne's most significant accomplishments while serving as City Administrator include:

Financing and development of a clean and adequate water system with connection to the City of Portland's Bull Run water system which is still the major source of Tualatin's city supply.

Financing and development of the first sewage treatment system while under threat of a building moratorium due to the pollution of the Tualatin River. Yvonne obtained federal grants and business contributions to build a new state of the art tertiary treatment plant and sewer system. The treatment plant was shortly replaced by the Regional Unified Sewage Agency (now Clean Water Services) plant at Durham. The Tualatin River is now one of Tualatin's most significant and heavily used recreational resources, as well as providing vital habitat for fish and wildlife.

Development of Tualatin's Land Use Comprehensive Plan by working with elected officials, consultants, and citizens in the development of a state approved land use plan, which laid out major open spaces, park lands, parks and trails in subdivisions, Tualatin River access, and street rights of way, and establishing TPARK's role in planning for parks and recreation. This planning also included the first street tree ordinance, adoption of an ordinance naming city streets after Native American Tribes, creation of city street and sidewalk criteria, a sign ordinance, and formulation of an architectural review board. Also established while Yvonne served as City Administrator were dedication requirements or set asides by private development for lands for open spaces, parks, greenways, and natural areas, and restrictions on development within Tualatin's floodways and floodplains.

Creation and Financing of the Central Urban Renewal Agency in downtown Tualatin was established to eliminate blighted areas and fund public facilities such as streets, parking lots, park lands and open spaces which later resulted in development of the Tualatin Commons, expansion of the Library, many new businesses, and a new major by-pass now called Tualatin-Sherwood Road.

Facilitating Job Creation and Economic Development was important since there were only three major employers when Yvonne first started as City Administrator: Hervin Company employed 125 people; Ramada/Sweetbrier Inn employed 120 people, and Peerless Truck and Trailer Service employed 200. Recruitment of Meridian Park Hospital was the first major business development accomplishment of the Mayor and Yvonne as City Administrator. The Hospital today is Tualatin's largest employer with over 900 employees and the hospital has spurred the location of many more professional and medical facilities and jobs in Tualatin.

Contributions to the Mission and Purpose of Parks and Recreation in Tualatin

Yvonne has contributed to the mission and purpose of parks and recreation in Tualatin both as an employee (first City Administrator) and as an active volunteer for Tualatin and for various non-profit and government organizations that serve Tualatin and further the mission of parks and recreation in Tualatin.

As an employee, Yvonne's role as City Administrator guided most of the formative planning,

public involvement, financing, land acquisition and development of Tualatin's parks and recreation lands, facilities, services, and programs. Some of the accomplishments were very broad reaching, such as creating Tualatin's Land Use Comprehensive Plan and the first Parks and Recreation Master Plan, and others were more specific to particular financing, land acquisitions, developments, and the Tualatin Mastodon. Highlights of these include:

- Creating financing by developing the use of federal and state grants, voter approved measures, including urban renewal tax increment financing, and business donations, to fund land acquisition and development.
- Managing the land dedications, donations, and development of many parks, greenways, natural areas, and trails including:
 - Tualatin Community Park areas 1) north of the railroad trestle to the Ki-a-Kuts Bike and Pedestrian Bridge, 2) the east area of the park on which the Lafky House and the Juanita Pohl Center sit, and 3) Tualatin River waterfront lands on north side of the river between Boones Ferry Road and just north of the trestle, and
 - Lafky Park, Little Wood Rose Nature Park, Saarinen Wayside Park, and
 - Trails and greenways in subdivisions and along Boones Ferry Road including Autumn Woods, Chieftain, Columbia, Dakota Hills, Hedges Creek, Hi-West Estates (Lafky Park), Indian Woods, Sandhurst, and Shaniko.
- Acquisition of lands and development for major public buildings including:
 - The land where the Library is located (originally acquired for city offices), and
 - The Tualatin/Durham Senior Center (now Juanita Pohl Center), and
 - Lafky House and Van Raden Community Center, and
 - Other facilities in Tualatin Community Park: tennis courts, the building that houses the Community Services Department Administrative Offices, and parking lots, and
 - The Operations Center/Public Works (used to support park and facility maintenance among others).
- The Tualatin Mastodon, now displayed at the Tualatin Public Library. Yvonne will always be linked to the Tualatin Mastodon. Yvonne personally typed the original report on the excavation of the bones in 1962 for then student, John George.

Years later, as City Administrator, Yvonne facilitated the return of the mastodon bones to Tualatin from Portland State University where they had been stored after excavation and mislabeled "Tigard Mastodon." After that, the bones were stored in Tualatin for the remainder of Yvonne's tenure as City Administrator.

After Yvonne moved on to her next job with Washington County, due to space constraints, the bones were transferred to the Oregon Zoo until the Tualatin Historical Society, led by the efforts of Loyce Martinazzi, arranged for the bones to be returned again to Tualatin for display in the lobby of the old city offices/library building.

Finally, a couple of years ago, the zoo was decommissioning the elephant display and located a rib bone of the Tualatin Mastodon that had been mounted for display, and,

learning this, Yvonne promptly undertook a road trip to the zoo to recover the rib bone.

Yvonne is fond of saying, "The Tualatin Mastodon has probably travelled more since it died than when it was alive!"

As a volunteer, Yvonne's efforts have been effective and productive since retirement from state service, and have included participation with the following projects in support of the mission and purpose of parks and recreation in Tualatin, her hometown. Highlights include:

- Serving as board member and former president of Tualatin Historical Society with a key accomplishment of assisting with the relocation and rehabilitation of the old Tualatin Methodist Church into the Tualatin Heritage Center in cooperation with the City of Tualatin.
- Obtaining a Washington County Visitor's Association grant which led to development of the Tualatin Ice Age Visitor's Plan by a national branding expert and interpretive projects of the unique Ice Age Floods and ancient animals that lived in the area over 10,000 years ago. Yvonne has created partnerships with businesses, the City, County, Metro, Chamber of Commerce, and other organizations including the National Park Service – Ice Age Floods National Geologic Trail, Ice Age Floods Institute and its Lower Columbia Chapter, University of Oregon, Portland State University, and others.
- Facilitating CenterCal's interest in using the Ice Age as a theme in the Nyberg Rivers Shopping Center including creating the bronze statue of a baby mastodon and boy inspired by the original excavation of mastodon bones in the Tualatin swamps, providing a children's book about the mastodon, Cabela's Ice Cave, and encouraging partnership with the City in building a new section of the Tualatin River Greenway Trail.
- Partnering with paleontologists and educators involved with the North America Research Group and the Willamette Valley Pleistocene Project to raise public awareness of the large megafauna that once roamed the Tualatin area and Willamette Valley including mammoths, ground sloths, mastodons, and bisons.

Yvonne has organized displays and presentations at the Library, Heritage Center, local schools, the Tualatin River Wildlife Refuge, and other places of these large ancient animals that once lived here.

- Serving on the Washington County Museum board which approved expansion of cultural facilities at the Hillsboro Civic Center. This is a facility that serves Tualatin.
- Yvonne currently serves as a board member of the Willamette Falls Heritage Area Coalition which recently obtained approval from the State Heritage Council for the first State Heritage Area. She is now working on Federal Designation and recently facilitated Oregon Senate passage of a Memorial requesting Congress to create the federal heritage area (which includes West Linn, Oregon City, parts of Lake Oswego and the mouth of the Tualatin River), and to re-open the Willamette Falls locks for recreation and business, as well as to appropriate funds for repair and operation of the locks. The Willamette Falls are located close to Tualatin and will provide Tualatin residents increased recreational and cultural opportunities in the future.
- Yvonne has received the Tualatin Chamber of Commerce "Spirit of Tualatin" award and the Tualatin Historical Society Lafky-Martinazzi Award for extraordinary dedication to preserving Tualatin's Ice Age History.

FINANCIAL IMPLICATIONS:

There will be a cost to place signage at the Yvonne Addington Overlook that can be afforded as part of the current Tualatin River Greenway Gap Completion Project.

Attachments: A - Letter from Fred Bruning
 B - Letter from Tualatin Historical Society
 C - Resolution



January 29, 2015

Sherilyn Lombos
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062-7092

Dear Sherilyn:

First off, I'd like to offer my congratulations to the City on the progress of the Tualatin River Trail. This will obviously be a tremendous benefit to the surrounding communities.

Secondly, I wish to respectfully request that the City consider naming a portion of the trail after Yvonne Addington. I truly feel Yvonne's tireless efforts to improve the quality of life in Tualatin, and her dedication to this trail project in particular, deserve to be recognized. This would be an ideal way in which that might be accomplished.

Again, allow me to convey my congratulations, along with my heartfelt request that the City grant this request to honor Ms. Addington as a most significant contributor to the health and well-being of the Tualatin community.

Sincerely,

A handwritten signature in dark ink, appearing to read "Fred Bruning". The signature is stylized and written over a light blue horizontal line.

Fred Bruning
Chief Executive Officer

FB/lr



Tualatin Historical Society

Tualatin Heritage Center

P.O. Box 1055, Tualatin, Oregon 97062

To: Tualatin Parks Advisory Committee

From: Larry McClure, Tualatin Historical Society Board of Directors

On behalf of the members of THS, I am pleased to support the recommendation by Fred Bruning that a portion of the Tualatin River Greenway Trail be named in honor of Yvonne Addington. Yvonne's contributions to our city are well known by all who have known and worked with her over her lifetime as a "hometown girl" who continues to work for the preservation and interpretation of our history.

Naming an overlook of this Trail coincides with her passionate commitment to tell the stories of Tualatin's Ice Age history. She was herself part of that saga as the one who typed the John George thesis about Tualatin's famous mastodon in 1962. After retiring from state government and elected president of THS, she became a local expert on the Lake Missoula Floods with the help of Scott Burns, Tualatin resident and the state's most well-recognized geologist. Now she is our principal cheer leader for Tualatin becoming the Gateway to the entire Willamette Valley panorama of Ice Age history. And if more mastodons and giant fauna from 14,000 years ago are potentially resting near Tualatin, Yvonne will be there to help dig.

Sincerely,

RESOLUTION NO. 5233-15

RESOLUTION AUTHORIZING NAMING A SEGMENT OF THE TUALATIN RIVER GREENWAY TRAIL AS THE YVONNE ADDINGTON OVERLOOK

WHEREAS, a request to name a portion of the Tualatin River Greenway Trail in honor of Yvonne Addington was received from Fred Bruning, Chief Executive Officer, CenterCal Properties, LLC; and

WHEREAS, the Tualatin Municipal Code, Chapter 05-06, Memorials and Naming Policy, establishes conditions and criteria for naming public park facilities; and

WHEREAS, Yvonne Addington, who grew up in Tualatin, has made extraordinary and unparalleled contributions to the mission and purpose of parks and recreation in the City of Tualatin through her vision, leadership, and public administration capabilities while serving as Tualatin's first City Administrator and since then through her passionate and effective volunteerism; and

WHEREAS, the City is developing a new section of the Tualatin River Greenway Trail to provide people access to nature, promote public health, provide a safe off-street transportation alternative, and for the general recreational benefit and enjoyment of the people that will include a beautiful and peaceful overlook along the Tualatin River that would serve as an appropriate place to be named "Yvonne Addington Overlook;" and

WHEREAS, the Tualatin Parks Advisory Committee (TPARK) considered the naming request, the staff recommendation of support, and has recommended that Council designate the segment of the Tualatin River Greenway Trail, as set forth in Exhibit 1, as the Yvonne Addington Overlook.

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

Section 1. In honor of Yvonne Addington's extraordinary and unparalleled contributions to the mission and purpose of parks and recreation in the City of Tualatin, the segment of the Tualatin River Greenway Trail, as set forth in Exhibit 1, is officially named "Yvonne Addington Overlook."

Section 2. This resolution is effective upon adoption.

Adopted by the City Council this 8th day of June, 2015.

CITY OF TUALATIN, OREGON

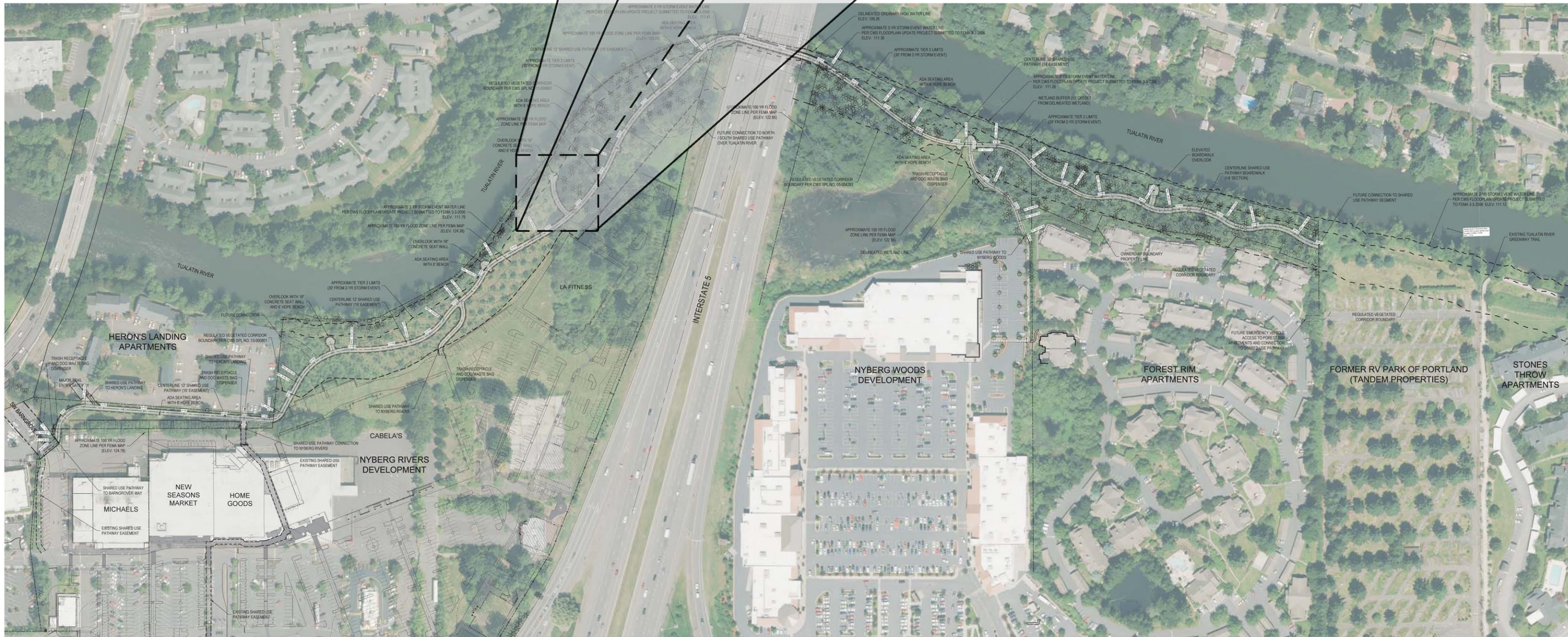
BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



Tualatin River Greenway - Shared Use Pathway

Final Trail Alignment