City *of* Tigard

Tigard Business Meeting – Agenda

TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD **Revised 5/9/2013, Added Agenda Item No. 4 - EMS Week Proclamation**

MEETING DATE AND TIME: May 14, 2013 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

PUBLIC NOTICE:
Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are *estimated;* it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. *Business agenda items can be heard in any order after 7:30 p.m.*

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

VIEW LIVE VIDEO STREAMING ONLINE:

http://live.tigard-or.gov

CABLE VIEWERS: The regular City Council meeting is shown live on Channel 28 at 7:30 p.m. The meeting will be rebroadcast at the following times on Channel 28:

Thursday	6:00 p.m.	Sunday	11:00 a.m.
Friday	10:00 p.m.	Monday	6:00 a.m.

City *of* Tigard

Tigard Business Meeting – Agenda

TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD

MEETING DATE AND TIME: May 14, 2013 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

6:30 PM

- STUDY SESSION

1. DISCUSSION ON RIVER TERRACE COMMUNITY PLAN - INFRASTRUCTURE FINANCING

- EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

2. BUSINESS MEETING

A. Call to Order

B. Roll Call

C. Pledge of Allegiance

D. Council Communications & Liaison Reports

E. Call to Council and Staff for Non-Agenda Items

3. CITIZEN COMMUNICATION (Two Minutes or Less, Please)

A. Follow-up to Previous Citizen Communication

B. Tigard High School Student Envoy

C. Tigard Area Chamber of Commerce

D. Citizen Communication – Sign Up Sheet

4. PROCLAIM MAY 19-25, 2013, AS EMERGENCY MEDICAL SERVICES (EMS) WEEK

5. CONSENT AGENDA: (Tigard City Council) These items are considered routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to: **7:40 p.m.estimated time**

A. Receive and File:

1. Council Calendar
2. Council Tentative Agenda for Future Meeting Topics

B. Approve City Council Meeting Minutes for:

1. March 19, 2013
2. March 26, 2013
3. April 9, 2013
4. April 16, 2013
5. April 23, 2013

C. AUTHORIZE EXECUTION OF A RIVER TERRACE UTILITY IMPROVEMENT INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY

D. APPROVE TIGARD/TRIMET GRANT APPLICATION FOR NEW TRANSIT SERVICE ON 72ND AVENUE

- *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council/City Center Development Agency has voted on those items which do not need discussion.*

6. AWARD THE 2013 "IF I WERE MAYOR" CONTEST PRIZE **7:45 p.m. estimated time**

7. CONSIDER A RESOLUTION OF NECESSITY TO ACQUIRE PROPERTY FOR THE 72ND AVENUE/DARTMOUGH STREET INTERSECTION IMPROVEMENT PROJECT **7:50 p.m. estimated time**

LOCAL CONTRACT REVIEW BOARD

8. INFORMATIONAL PUBLIC HEARING TO GRANT AN EXEMPTION FROM THE COMPETITIVE SCREENING AND SELECTION PROCESS FOR THE 72ND AND DARTMOUTH PROJECT **8:00 p.m. estimated time**

9. LEGISLATIVE PUBLIC HEARING ON RIVER TERRACE STREET MAINTENANCE FEE **8:10 p.m. estimated time**

10. LEGISLATIVE PUBLIC HEARING - COMMUNITY DEVELOPMENT CODE AMENDMENT FOR PARKING REQUIREMENT MODIFICATIONS **8:25 p.m. estimated time**

11. APPROVAL OF FISCAL YEAR 2013 MAY BUDGET SUPPLEMENTAL **9:25 p.m. estimated time**

12. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

13. COUNCIL LIAISON REPORTS

14. NON AGENDA ITEMS

15. ADJOURNMENT **9:30 p.m. estimated time**

AIS-1256

1.

Business Meeting

Meeting Date: 05/14/2013

Length (in minutes): 45 Minutes

Agenda Title: River Terrace Community Plan - Infrastructure Financing

Submitted By: Darren Wyss, Community Development

Item Type: **Meeting Type:** Council Business Mtg - Study Sess.

Public Hearing Newspaper Legal Ad Required?:

Public Hearing Publication Date in Newspaper:

Information

ISSUE

How much land use flexibility is the city open to considering in implementing the West Bull Mountain Concept Plan?

STAFF RECOMMENDATION / ACTION REQUEST

Council is requested to receive briefing from staff, ask questions and provide input as desired. Additional information and discussion is planned for the May 21st workshop.

KEY FACTS AND INFORMATION SUMMARY

The city has commenced its effort to complete a River Terrace Community Plan. The city signed an intergovernmental agreement with Washington County to perform this work by moving forward from the West Bull Mt. Concept Plan that was adopted by the Washington County Commission in November 2010. The concept plan process included a significant amount of investment, financial and volunteer time, and a well-documented public involvement effort.

The community plan will build upon and refine the concept plan into the necessary zoning and land use regulations that will ensure development accords with the publicly endorsed concept. The planning effort will also result in adopted infrastructure master plans and an infrastructure financing strategy that will convert the area from rural to urban use. The plan area will accommodate approximately 2300 dwelling units and a small neighborhood commercial area to provide services to local residents. A series of parks and trails, as well as a system of well-connected streets, will be developed to provide recreational opportunities and transportation options for autos, bicycles and pedestrians. The Tigard-Tualatin School District owns property in the planning area and will develop a school in the future.

The city has begun work related to zoning and natural resource mapping. Meetings with the community, the technical advisory committee, and the Council-appointed stakeholder working group have recently been held for initial review of this work. The city is now in the process of choosing a consultant team to help with updating infrastructure master plans and developing a financing strategy. The consultant team will outline available tools, funding opportunities, and policy options the Council will need to weigh and consider when it comes time to adopt an infrastructure financing strategy to ensure a successful implementation of the community plan.

As part of the community planning process, Council will be asked to hold public hearings and adopt components of the community plan. These include: zoning and land use regulations, transportation system plan updates, natural resource maps, public facility plan, and infrastructure financing strategy. To help prepare for these decisions, staff will schedule a series of discussions with Council focusing on key policy decisions needing deliberation over the next year. These include:

- Individual stakeholder needs versus planning area needs
- Land use recommendations from the concept plan
- Park locations and how to fund the acquisition, development, and maintenance
- Transportation impacts - financing on and off-site impacts and coordinating with Beaverton, Washington County and ODOT
- Infrastructure phasing - not all properties will develop at the same time or have the same access to existing infrastructure
- Financing strategy - striking a fair balance between development versus city responsibilities

All of these policy decisions are important to the community plan process. However, during the May 14, 2013 study session, staff hopes to concentrate on the land use recommendations that come in the form of the West Bull Mountain Concept Plan.
The Concept Plan identifies locations for streets, single family housing, multifamily housing, parks, natural areas, a commercial area and a school location. The city can take these land uses and apply City of Tigard zoning to the entire area, using city zones that will formally restrict each area to the use envisioned in the Concept Plan. (The Parks Zone doesn't yet exist but will be brought to Planning Commission and Council for adoption prior to the completion of the River Terrace Community Plan). The land uses described in the Concept Plan were arrived at through a lengthy and transparent public process.

Some stakeholders are suggesting that the city would be wise to alter the location of some land use elements. One primary point of discussion has revolved around the location of the neighborhood commercial center, which is adjacent to a public space, central to the entire district, and off the major arterials. The concept plan process outlined the rationale behind its size and location, and the concept plan technical advisory committee and stakeholder working group both supported its location. The Washington County Planning Commission questioned its location prior to adopting the plan, but the Board of County Commissioners did not address the issue. Staff is seeking to engage the council in a discussion about whether and why the city might consider amending this part, or any part, of the location of land uses in the Concept Plan. The provision of the land uses, and the amount of acreage dedicated to each, have raised fewer questions than the location of certain elements.

Park locations are another topic of interest to community plan stakeholders. The concept plan identified preferred park locations, with eight neighborhood parks (1 to 2.5 acres each) and two community parks (10 acres each) located in the River Terrace Community Plan area. The neighborhood park locations do not seem to be an issue and received little comment during the concept planning process. Staff has also not received any comment on the locations. However, the community park locations were discussed at length during the concept plan process, with the identified property owners requesting flexibility in siting these larger parks. Staff has also heard repeatedly about needed flexibility in locating these facilities. The concept plan shows the preferred locations of the community parks, with an acknowledgment that the locations might change slightly. The plan provided limited flexibility for adjusting community park locations. It was not drafted to allow for a community park to move to another location.

The success of the River Terrace Community Plan will lie with the ability of the city to deliver and finance infrastructure, including park amenities. Prior to beginning to work in earnest on infrastructure planning and financing, the city needs to determine where elements are going to be located, and whether/if any flexibility will be available to developers to adjust land use locations. As a critical path item, this early decision and the consequent establishment of a fixed zoning map will drive the remainder of the project work program and schedule.

OTHER ALTERNATIVES

N/A

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

DATES OF PREVIOUS CONSIDERATION

Council Workshop - April 23, 2013

Fiscal Impact

Cost:	$134,100
Budgeted (yes or no):	Yes
Where Budgeted (department/program):	CD

Additional Fiscal Notes:

Washington County transferred CET funds to the city for completing the community plan. The city has applied for additional CET funds for specific infrastructure master planning and financing strategy tasks.

AIS-1301

4.

Business Meeting

Meeting Date: 05/14/2013

Length (in minutes): 5 Minutes

Agenda Title: Proclaim May 19-25, 2013 Emergency Medical Services (EMS) Week

Submitted By: Carol Krager, City Management

Item Type: Update, Discussion, Direct Staff **Meeting Type:** Proclamation

Public Hearing: **Publication Date:**

Information

ISSUE

Shall Mayor Cook proclaim May 19-25, 2013 as Emergency Medical Services (EMS) Week?

STAFF RECOMMENDATION / ACTION REQUEST

Issue the proclamation honoring these public servants.

KEY FACTS AND INFORMATION SUMMARY

National Emergency Medical Services Week brings together local communities and medical personnel to publicize safety and honor the dedication of those who provide the day-to-day lifesaving services of medicine's "front line."

OTHER ALTERNATIVES

Don't issue the proclamation.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

Council issued this proclamation last May - and in previous Mays for many years.

Attachments

EMS Week Proclamation

Proclamation

City of Tigard

EMERGENCY MEDICAL SERVICES WEEK
May 19-25, 2013

WHEREAS, Emergency Medical Services is a vital service to the community, the members of emergency medical service teams are ready to provide lifesaving care to those in need 24-hours a day, seven days a week; and

WHEREAS, Access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, The emergency medical services system includes emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators and administrators; and

WHEREAS, The members of emergency medical services teams, whether career or volunteer, enhance their lifesaving skills by completing thousands of hours of specialized training and continuing education; and

WHEREAS, Tigard residents benefit daily from the knowledge and skill acquired by these highly trained individuals. It is appropriate to recognize the value and accomplishments of emergency medical service providers by designating Emergency Medical Services Week.

NOW THEREFORE BE IT RESOLVED THAT I, John L. Cook, Mayor of the City of Tigard, Oregon, do hereby proclaim the week of May 19--25, 2013 as

EMERGENCY MEDICAL SERVICES WEEK

in Tigard, Oregon and encourage people throughout the city to honor these brave men and women for a job well done.

Dated this _____ day of _____ , 2013.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Tigard to be affixed.

_____
John L. Cook, Mayor
City of Tigard

Attest:

_____
City Recorder

AIS-1293

5. A.

Business Meeting

Meeting Date: 05/14/2013

Length (in minutes): Consent Item

Agenda Title: Receive and File: Council Calendar and Council Tentative Agenda

Submitted By: Carol Krager, City Management

Item Type: Receive and File **Meeting Type:** Consent - Receive and File

Public Hearing: No **Publication Date:**

Information

ISSUE

Receive and file the Council Calendar and the Tentative Agenda for future Council meetings.

STAFF RECOMMENDATION / ACTION REQUEST

No action requested; this is a receive and file summary for information purposes.

KEY FACTS AND INFORMATION SUMMARY

Attached are the Council Calendar and the Tentative agenda for future Council meetings.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Long-Term Council Goals: Continue pursuing opportunities to reduce traffic congestion.

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A - Receive and File Items

Attachments

Three-month Council Calendar

Tentative Agenda

Agenda Item No._____
For Agenda of May 14, 2013

M E M O R A N D U M

TO: Honorable Mayor & City Council/City Center Development Agency Board

FROM: Carol A. Krager, Deputy City Recorder

RE: Three-Month Council/CCDA Meeting Calendar

DATE: May 7, 2013

May

6	Monday	Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
7	Tuesday	City Center Development Agency Meeting – Town Hall – 6:30 p.m. followed by a City Council Executive Session
14*	Tuesday	Council Business Meeting—6:30 p.m., Town Hall
21*	Tuesday	Council Workshop Meeting—6:30 p.m., Town Hall
27	Monday	Memorial Day – City Hall offices closed
28*	Tuesday	Council Business Meeting—6:30 p.m., Town Hall

June

4	Tuesday	City Center Development Agency – 6:30 p.m., Red Rock Creek Conference Room
11*	Tuesday	Council Business Meeting—6:30 p.m., Town Hall
18*	Tuesday	Council Workshop Meeting – 6:30 p.m., Town Hall
25*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall

July

2	Tuesday	City Center Development Agency – 6:30 p.m., Red Rock Creek Conference Room
4	Thursday	Fourth of July Holiday – City Hall offices closed
9*	Tuesday	Council Business Meeting—6:30 p.m., Town Hall
16*	Tuesday	Council Workshop Meeting – 6:30 p.m., Town Hall
23*	Tuesday	Council Business Meeting – 6:30 p.m., Town Hall

Regularly scheduled Council meetings are marked with an asterisk (*).

I:\adm\city council\council calendar\3-month calendar for c mtg 130514.doc

Meeting Banner	☐	Business Meeting	☐
Study Session	☐	Special Meeting	☐
Consent Agenda	☐	Meeting is Full	☐
Workshop Meeting	☐		

City Council Tentative Agenda
5/6/2013 1:13 PM - Updated

Form #	Meeting Date	Submitted By	Meeting Type	----------Title----------	Department	Inbox or Finalized
1220	05/13/2013	Cathy Wheatley	AAA	Budget Committee Meeting; 6:30 p.m., Public Works Auditorium		
1123	05/14/2013	Carol Krager	AAA	May 14, 2013 City Council Business Meeting		
1256	05/14/2013	Darren Wyss	CCBSNS	45 Minutes - River Terrace Community Plan - Infrastructure Financing	Community Development	05/02/2013
				45 of 45 minutes have been scheduled MEETING FULL!		
1292	05/14/2013	Carol Krager	CCBSNS	Consent Item - Approve City Council Meeting Minutes	City Management	05/02/2013
1293	05/14/2013	Carol Krager	CCBSNS	Consent Item - Receive and File: Council Calendar and Council Tentative Agenda	City Management	05/02/2013
1174	05/14/2013	Greer Gaston	CCBSNS	Consent Item - Authorize the Mayor to Execute an Intergovernmental Agreement with Washington County Regarding the Construction of a Water Line to Serve River Terrace	Public Works	MartyW, City Manager
1252	05/14/2013	Judith Gray	CCBSNS	Consent Item - Tigard/TriMet Application for New Transit Service on SW 72nd Avenue	Community Development	05/02/2013

Meeting Banner ☐ Business Meeting ☐
Study Session ☐ Special Meeting ☐
Consent Agenda ☐ Meeting is Full ☐
Workshop Meeting ☐

City Council Tentative Agenda
5/6/2013 1:13 PM - Updated

1280	05/14/2013	Joanne Bengtson	CCBSNS	5 Minutes - Award 2013 "If I Were Mayor" Contest Prize	City Management	04/30/2013
1167	05/14/2013	Renee Ferguson	CCBSNS	10 Minutes - Consider a Resolution of Necessity to Acquire Property for the 72nd Avenue/Dartmouth Street Intersection Improvement Project	Public Works	05/02/2013
1241	05/14/2013	Joseph Barrett	CCBSNS	10 Minutes - Public Hearing to Grant an Exemption from the Competitive Screening and Selection Process For the 72nd and Dartmouth Project	Financial and Information Services	05/02/2013
1202	05/14/2013	Carissa Collins	CCBSNS	15 Minutes - River Terrace Street Maintenance Fee	Financial and Information Services	05/02/2013
1180	05/14/2013	Cheryl Caines	CCBSNS	60 Minutes - Community Development Code Amendment - Parking Requirement Modifications	Community Development	05/02/2013
1289	05/14/2013	Toby LaFrance	CCBSNS	5 Minutes - Fiscal Year 2013 May Budget Supplemental	Financial and Information Services	05/02/2013
			Total Time: 105 minutes have been scheduled MEETING FULL!			
1124	05/21/2013	Carol Krager	AAA	May 21, 2013 City Council Workshop Meeting		
1158	05/21/2013	Alison Grimes	CCWKSHOP	20 Minutes - Joint Meeting with the Library Board	Library	MartyW, City Manager
1137	05/21/2013	Judith Gray	CCWKSHOP	45 Minutes - SW Corridor Plan Update	Community Development	Gray J, Sr Transportation Planner
1257	05/21/2013	Darren Wyss	CCWKSHOP	30 Minutes - River Terrace Community Plan Update	Community Development	Wyss D, Senior Planner

Meeting Banner ☐ Business Meeting ☐
Study Session ☐ Special Meeting ☐
Consent Agenda ☐ Meeting is Full ☐
Workshop Meeting ☐

City Council Tentative Agenda
5/6/2013 1:13 PM - Updated

1275	05/21/2013	Cathy Wheatley	CCWKSHOP	55 Minutes - Strategic Planning Discussion	City Management	MartyW, City Manager
			Total Time: 150 of 180 minutes have been scheduled			
1125	05/28/2013	Carol Krager	AAA	May 28, 2013 City Council Business Meeting		
1272	05/28/2013	Sandy Zodrow	ACCSTUDY	20 Minutes - Executive Session: Labor Relations	City Management	04/10/2013
			Total Time: 20 of 45 minutes have been scheduled			
1261	05/28/2013	Loreen Mills	CCBSNS	20 Minutes - Establish an Updated Renewal of PGE Franchise Agreement	City Management	05/02/2013
1199	05/28/2013	John Floyd	CCBSNS	40 Minutes - DCA2012-00003 MASCO DEVELOPMENT CODE AMENDMENT	Community Development	Floyd J, Associate Planner
1212	05/28/2013	Marissa Daniels	CCBSNS	45 Minutes - Public Hearing: Tigard Goal 10 Population and Housing Review	Community Development	Daniels M, Assoc. Planner
			Total Time: 105 of 100 minutes scheduled. MEETING FULL!			
1126	06/04/2013	Carol Krager	AAA	June 4, 2013 City Center Development Agency Meeting		
1127	06/11/2013	Carol Krager	AAA	June 11, 2013 City Council Business Meeting		
	06/11/2013	Carol Krager	ACCSTUDY	Walmart – Pending Study Session Item		TBD
1291	06/11/2013	Greer Gaston	ACONSENT	Consent Item - Consider a Resolution Amending Resolution No. 13-18 Which Adjusted Solid Waste Rates	Public Works	Wright, M., PW Business Manager

Meeting Banner ☐ Business Meeting ☐
Study Session ☐ Special Meeting ☐
Consent Agenda ☐ Meeting is Full ☐
Workshop Meeting ☐

City Council Tentative Agenda
5/6/2013 1:13 PM - Updated

1213	06/11/2013	Cathy Wheatley	CCBSNS	15 Minutes - State of the Tualatin Valley Fire District Presentation - Chief Mike Duyck	Administrative Services	Wheatley C, City Recorder
1223	06/11/2013	Liz Lutz	CCBSNS	5 Minutes - Resolution Certifying that the City of Tigard Provides Services Qualifying for State-Shared Revenues	Financial and Information Services	Lutz L, Conf Exec Asst
1224	06/11/2013	Liz Lutz	CCBSNS	5 Minutes - Resolution Declaring the City's Election to Receive State Revenue Sharing	Financial and Information Services	Lutz L, Conf Exec Asst
1225	06/11/2013	Liz Lutz	CCBSNS	10 Minutes - Resolution Adopting the Citywide Master Fees and Charges Schedule replacing Resolution 12-22 and All Subsequent Amendments to Date	Financial and Information Services	Lutz L, Conf Exec Asst
1226	06/11/2013	Liz Lutz	CCBSNS	15 Minutes - Public Hearing-Adopting the Budget, Making Appropriations, Declaring the Ad Valorem Tax Levy, and Classifying the Levy As Provided	Financial and Information Services	Lutz L, Conf Exec Asst
1227	06/11/2013	Liz Lutz	CCBSNS	5 Minutes - Public Hearing-Adopting the City Center Development Agency Fiscal Year 2013-2014 Budget, Making Appropriations, and Imposing and Categorizing Taxes	Financial and Information Services	Lutz L, Conf Exec Asst
1242	06/11/2013	John Floyd	CCBSNS	45 Minutes - Development Code Amendment - Wetlands Exemption	Community Development	Floyd J, Associate Planner
			Total Time: 100 of 100 minutes have been scheduled. MEETING FULL!			
1128	06/18/2013	Carol Krager	AAA	June 18, 2013 City Council Workshop Meeting		
1085	06/18/2013	Greer Gaston	CCWKSHOP	30 Minutes - Review Draft Sustainability Plan	Public Works	Wright, M., PW Business Manager

Meeting Banner ☐ Business Meeting ☐
Study Session ☐ Special Meeting ☐
Consent Agenda ☐ Meeting is Full ☐
Workshop Meeting ☐

City Council Tentative Agenda
5/6/2013 1:13 PM - Updated

1273	06/18/2013	Kristie Peerman	CCWKSHOP	90 Minutes - Discuss Naming Policy, Park Reservation Preferences, Agreement with SSC and TTL, Park Bond Status	Public Works	Rager B, Asst. PW Director
1283	06/18/2013	John Floyd	CCWKSHOP	25 Minutes - Briefing on Creation of new Parks Zoning District	Community Development	Floyd J, Associate Planner
1284	06/18/2013	Tom McGuire	CCWKSHOP	15 Minutes - Briefing on Upcoming Development Code Update Projects	Community Development	McGuire, T, Asst CD Director
1287	06/18/2013	Greer Gaston	CCWKSHOP	20 Minutes - Briefing on the City's Continuity of Operations Plan (COOP)	Public Works	Lueck M, Emergency Coordinator
			Total Time: 180 of 180 minutes have been scheduled MEETING FULL!			
1129	06/25/2013	Carol Krager	AAA	June 25, 2013 City Council Business Meeting – No Study Session Items scheduled as of 5/6/2013		
1288	06/25/2013	Greer Gaston	ACONSENT	Consent Item - Consider a Resolution Adopting the City's Continuity of Operations Plan (COOP)	Public Works	Gaston G, Conf Executive Asst
1169	06/25/2013	Kristie Peerman	CCBSNS	10 Minutes - Adopt a Resolution of Necessity to Acquire Property for Derry Dell Creek Culvert Replacement Project	Public Works	Berry G, Project Engineer
1260	06/25/2013	Judith Gray	CCBSNS	30 Minutes - Update on Initial Recommendation from Southwest Corridor Plan Steering Committee	Community Development	Gray J, Sr Transportation Planner
1282	06/25/2013	Kent Wyatt	CCBSNS	20 Minutes - Public Hearing - Consider an Ordinance Amending the Tigard Municipal Code to Authorize Social Gaming	City Management	Wyatt K, Management Analyst

Meeting Banner ☐ Business Meeting ☐
Study Session ☐ Special Meeting ☐
Consent Agenda ☐ Meeting is Full ☐
Workshop Meeting ☐

City Council Tentative Agenda
5/6/2013 1:13 PM - Updated

			Total Time: 60 of 100 minutes have been scheduled			
1128	07/18/2013	Carol Krager	AAA	July 16, 2013 City Council Workshop Meeting		
1237	07/16/2013	Greer Gaston	CCWKSHOP	15 Minutes - Briefing on Capital Improvement Plan Projects	Public Works	Stone Mike, City Engineer
1290	07/16/2013	John Goodrich	CCWKSHOP	60 Minutes - Willamette River Water Supply Options and Analysis - Regional Partnership Opportunities	Public Works	Goodrich J, Utility Div Manager
			Total Time: 75 of 180 minutes have been scheduled			
	07/23/2013	Carol Krager	AAA	July 23, 2013 City Council Business Meeting – No Study Session or Consent Items scheduled as of 5/6/2013		
1274	07/23/2013	Kristie Peerman	CCBSNS	20 Minutes - Consider a Resolution to Adopt the Westside Trail Master Plan	Public Works	Peerman, K, Sr. Admin. Spec.
			Total Time: 20 of 100 minutes have been scheduled			

AIS-1292

5. B.

Business Meeting

Meeting Date: 05/14/2013

Length (in minutes): Consent Item

Agenda Title: Approve City Council Meeting Minutes

Submitted By: Carol Krager, City Management

Item Type: Motion Requested **Meeting Type:** Consent Agenda

Public Hearing: **Publication Date:**

Information

ISSUE

Approve City Council meeting minutes.

STAFF RECOMMENDATION / ACTION REQUEST

Approve minutes as submitted.

KEY FACTS AND INFORMATION SUMMARY

Attached council minutes are submitted for City Council approval.

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

March 19, 2013 Minutes

March 26, 2013 Minutes

April 9, 2013 Minutes

April 16, 2013 Minutes

April 23, 2013 Minutes

Councilor Buehner replied that she is very concerned about the amount of gambling in Oregon and while social gaming is technically not defined as gambling, it can contribute to people participating in that behavior at casinos. She said she works with groups that deal with gambling addictions and felt this is the wrong way to go.

Councilor Woodard said to this is a lot like bingo which he played a lot of when he was younger. He said it helped his church and was a great way to socialize. He said he would vote in favor but wanted regulation. He said adults can make their own decision whether to participate or not. He said he did not want to stifle businesses.

Mayor Cook said the ordinances look good and he did not foresee a lot of changes to them.

Council President Henderson said, "We are a society of laws not necessarily morals. I would say go ahead."

City Manager Wine said staff will bring a draft ordinance to council that allows social gaming with regulations.

8. RECEIVE TIGARD TRIANGLE PLAN UPDATE

Associate Planner Caines introduced this item. She said the city received a Transportation Growth Management (TGM) grant of $180,000 from ODOT in October of 2012. The statement of work has been finalized for the Strategic Redevelopment Plan in the Tigard Triangle which builds upon the concept plan developed through the High Capacity Transit Land Use Plan. The next step is to hire a consultant to analyze existing conditions, needs, opportunities and constraints and then develop land use and transportation redevelopment options. The High Capacity Land Use Plan will be refined to create an implementation strategy. She said things are starting to happen with the grant this year, with an expected completion date of August 2014.

Associate Planner Caines said staff initially kept the focus open, looking at a Town Center on Main Street but will begin to hone in on areas where high capacity transit and station communities make more sense. She said staff avoided drawing a hard line at first so opportunities wouldn't be missed.

Councilor Buehner said a large number of people living in unincorporated areas across 99W from the Triangle are seniors with mobility issues. She asked if improvements would be made for car drivers because this population needs to drive through the Fred Meyer property and also on Pfaffle Street. She said the streets are not improved to Washington County standards, let alone city standards. She suggested a policy decision needs to be made on what to do with these unincorporated neighborhoods surrounded on three sides by Tigard. Associate Planner Caines said the actual Tigard Triangle land use plans generally stop at Highway 99W in order to keep the scope manageable. She said 99W, Highway 217 and I-5 are seen as barriers to connectivity and the city wants to provide better physical access to the station community living across 99W from the Triangle. A major focus will be improving bicycle and pedestrian access crossing Highway 99W. Associate Planner Caines said there are residents living to the north who would be major

City of Tigard
Tigard City Council Meeting Minutes
March 26, 2013

1. BUSINESS MEETING

A. Mayor Cook called the meeting to order at 6:32 p.m.

B. City Recorder Wheatley called the roll for Tigard and Lake Oswego City Councils:

Tigard:

Name	Present	Absent
Mayor Cook	✓	
Council President Henderson		✓
Councilor Buehner	✓	
Councilor Snider	✓	
Councilor Woodard	✓	

Lake Oswego:

Name	Present	Absent
Mayor Studebaker	✓	
Councilor Bowerman	✓	
Councilor Gudman	✓	
Councilor Gustafson		✓
Councilor Jordan	✓	
Councilor Kehoe		✓
Councilor O'Neill		✓

Staff Present:

City of Tigard: City Manager Wine, Assistant City Manager Newton, City Attorney Ramis, Public Works Director Koellermeier and City Recorder Wheatley.

City of Lake Oswego: City Manager Coffee, City Attorney Powell and Lake Oswego/Tigard Water Partnership Project Director Komarek. Also present: Professional Engineering Consultant Mike Prett.

C. Mayor Cook led the Pledge of Allegiance.

D. Council Communications & Liaison Reports were noted for Agenda Item No. 5.

E. Mayor Cook asked Council and Staff for Non-Agenda Items. See Agenda Item No. 6.

Mayor Cook announced Agenda Item No. 2:

2. JOINT TIGARD AND LAKE OSWEGO CITY COUNCIL MEETING - WATER PARTNERSHIP UPDATE

Public Works Director Koellermeier introduced the agenda item. Public Works Director Koellermeier, Project Director Komarek and Professional Engineer Prett updated the councils on the Water Partnership costs, schedule and program issues. A copy of the slide presentation used during the update is on file in the record copy of the council meeting packet.

Outline of the update presentation:

1. Introductions.
2. Program Update.
   - Brief History.
   - Schedule. - Still on schedule for project completion by July 2016.
   - Upcoming actions/decisions for councils.
     Contracts, Financing, Intergovernmental Agreement Amendment.
   - Status of projects.
   - Cost

Question by Mayor Studebaker: Referred to a slide depicting forecast and budget and asked for explanation on bar graph showing a difference between "forecast" and "budget." Engineer Prett advised the Project Team is currently reforecasting due to a slow down on the project.

Project Director Komarek asked for discussion and input from council members.

In Lake Oswego, it has been suggested that the program could benefit from another review by an independent third party. This program management performance review items include (Slide 28 of presentation):

- Conflicts of interest and procurement practices.
- Tools to track and forecast cost and schedule.
- Internal controls for payments.

- Processes for change management and authorization, quality control, and risk management.
- Coordination with O&M staff.
- Project performance post-construction.

Project Director Komarek referred to tonight's presentation where the above performance review items are currently being practiced. He said he hoped the Project Team had given the councils a sense of the robustness of their program management approach, including the protocols, checks and balances in place. He advised he has reached out to his professional colleagues to determine if similar work has been conducted. He referred to a draft scope of work from the Metropolitan Government of Nashville as they also requested an independent review for a project they were undertaking. The bulleted points noted above were the focus for the Nashville independent review effort and Project Director Komarek pointed out that all of the potential review items are currently in practice.

Council comments followed in response to the proposed outside program management performance review:

- Mayor Studebaker allowed that the Project Team has adequately considered the basics. He noted he has only been shown the "30,000-foot level overview" and he would like to see more detail. He advised he needs to have a detailed review of at least one or two areas of the project to obtain a comfort level. There was an offer from the Project Team for council member attendance at the weekly risk management and/or schedule updates.
- Councilor Bowerman said the invitation to attend the weekly updates is welcomed; however, she said the need to see more details does not obviate the third-party review of the project. While there is nothing suspected, a third-party review is standard operating procedure in a large project of this type. The review would evaluate the fiscal aspects as well as the engineering.
- Mayor Studebaker asked about the costs associated with such a review. Project Director Komarek estimated between $50,000-100,000.
- Councilor Buehner recommended and invited council members to attend Oversight Committee meetings for opportunities to gain useful knowledge about the performance management of the Water Partnership project and to receive answers to questions. Attending weekly technical committee meetings would also be helpful.
- Councilor Snider commented on the need to "trust but verify" and he was doubtful of tangible benefits from the type of third party review as it was described in the presentation. He said he thought the project was well planned and thought through. He said it is a good project and he would be more accepting of a review if it was to determine how to do the project better, faster or cheaper.
- Project Director Komarek and Councilor Woodard discussed the QBS bid process.

- Project Director Komarek, in response to a question from Councilor Woodard, advised the old pipe in the Willamette River would be tied to the new pipe in the short term as a way to get water to the treatment plant for testing. No long-term plans have been made for usage of the old pipe.
- Councilor Woodard reviewed the changing (more costly) estimates for the project during the design phase. Project Director Komarek explained that as the design levels advance cost estimates have been pushed upwards because of factors discovered that affect the cost of the project; i.e., the plant site on liquefiable soils requiring pile support.
- Public Works Director Koellermeier referred to the QBS bid process noting this process is used when retaining professional services. The decision has been made to use a design/build approach for the construction of the project.
- Councilor Jordan commented she has been involved with this project from the outset and she was very comfortable with the work of Brown and Caldwell. Her concern is how to impart information to satisfy the public that the project is necessary and being well managed. Spending additional money on a third party review with the outcome being that there are still no reassurances might not be worthwhile. She referred to the suggestion of a citizen oversight effort; however, she has concerns about selecting individuals with the expertise required to effectively contribute. She advised that demonstrating safeguards and accountability towards keeping costs in check would go a long way to reassure the public. Councilor Jordan concluded by saying that this is a great project and plan.
- Councilor Buehner recalled the use of a citizens' sounding board at one point the in the project. This type of board might be useful again; however, she preferred having it assigned to a specific part of the project (intake, treatment, piping, etc.).
- Mayor Studebaker offered that the review could be confined to one or two areas of the project. Project Director Komarek agreed that the scope of work for the review could be anything the council(s) desired it to be.
- In response to a question from Councilor Snider about what part of the entire project gave Project Director Komarek the most concern, Project Director Komarek said when the project enters into active construction in 2014, it is anticipated that $155 million will be spent that year. Any delays in the project during this time period would be costly. He stressed the need for timely decision making and developing a sound set of clear, easy to understand bidding documents. He advised that Ted Kyle will be giving a presentation in April to the Oversight Committee on change management and factors (such as timely decision making) that will mitigate delays during construction. Council members will be invited to attend this presentation.
- Councilor Snider said he would be more interested in focusing on doing the change management portion of the project well rather than second guessing past policy decisions and concerns about the cost of the project. The performance review as discussed this evening would not provide answers to the questions being asked and said he was not in support of a broad program management performance review.

- Mayor Cook summarized some of the issues brought out so far during the meeting. He suggested the schedule of Oversight Committee meetings be provided to the council members so they can attend. He also recommended that council members be invited to other meetings or have the agendas and packets for such meetings so they can access information.
- Councilor Gudman outlined his support for the performance audit. The initial report on project costs (the Carollo report) was at $131,000,000. Now, the project cost has essentially doubled. He would like an examination of the policy decision to accept the Carollo report or would it have been better to spend more money up front for an in-depth assessment of the project.
- Project Director Komarek explained the purpose of the Carollo report was to examine the advisability of the cities to choose a partnership option representing ownership of water rights over other options including procuring water as a wholesale water customer of Portland or to consider the Willamette River as a water source for the future. It still makes sense that the decision to form the water partnership was better than the other options considered.
- Councilor Gudman suggested that it probably would have been beneficial to spend more time and money educating citizens about the merits of the project. With the project doubling in cost from the original projections, citizens are likely to feel that the decision to move forward was a "bait and switch" tactic. Councilor Gudman agreed with Mayor Studebaker's proposal to limit the performance review to specific areas but rather than focus on two areas, he would prefer that four elements be reviewed:

    1. Ask the question whether more money should have been spent up front before the decision was made to go forward with the project as it now stands. This information would be useful as both Tigard and Lake Oswego consider large capital projects in the future so the cities have a better cost estimate to consider and use to educate and persuade the citizens on the merits for going forward.
    2. Tools to track and forecast cost and schedule.
    3. Internal controls for payments.
    4. Transition phase from design to construction.

- Councilor Bowerman confirmed her understanding with Councilor Gudman that he was intending the proposal process for this outside review would be run through the Oversight Committee and subject to approval by both councils.
- Councilor Bowerman said that in addition to the large increases in the project cost, there is another reason why some citizens have supported an outside study. In this particular project, the engineering is being done by the project manager. The finances and the Oversight Committee functions are being done by the same entity. This is a huge amount of responsibility on one entity and it would be normal for there to be an outside review. The question to come to the two councils is, "How would such an outside study would be formulated?" She suggested there be a separate meeting where

the councils can give this considerable thought. The head of Oregon's Engineering Society lives in the area and someone of that stature would certainly have suggestions. Equally reputable individuals in finance reviews could be consulted about the appropriate questions to be posed in an outside review from a financial as opposed to an engineering perspective. If the councils decide to go forward with a review, the question for the councils is to decide how to proceed.

- Councilor Woodard referred to Slide 27 of the presentation. He inquired about the attention given to the need for the operations and management team to work closely with the design team. He referred to the importance of considering the maintenance service requirements on equipment, which is often overlooked. If safety is not a close punch-list consideration for service/maintenance of the equipment, it can end up running project costs an additional 20 percent.
- Project Director Komarek responded to Councilor Woodard that the Project Team has worked with the water treatment plant staff in plant design with a particular eye towards ease of maintenance, safety and compliance with a wide range of regulations. The team is developing a hazardous materials management plan. Both the plant and the river intake pump station facilities will be operated by the Lake Oswego treatment plant staff. From the beginning the goal was to design a system that would not only perform for at least 75 years, but that the system would have a low life cycle cost (lowest capital, operating and maintenance costs).
- Councilor Woodard advised Project Director Komarek that he was generally comfortable with the project from the quality assurance standpoint.
- Councilor Snider asked Councilor Gudman for clarification on his first recommended stipulation for a performance review. He asked if this request was for a performance review on policy decisions that our councils made multiple years ago. Councilor Gudman advised that Councilor Snider was correct in his interpretation of his first recommendation for review. Mayor Cook added that he would also interpret this to mean that Lake Oswego is going into other projects and Tigard will also have other projects going forward. The outcome for this review is to address a policy issue going forward about how to lay the groundwork to provide information needed for making major decisions. While we cannot change the policy decisions made for this project, "…it's just as the next projects come forward, do we want to look at them from 30,000-foot or 10,000-foot level." Councilor Snider advised his understanding then was that this was a request for a study on this project and perform a "post mortem" assessment. Council Gudman said he agreed with Councilor Snider's characterization of what he was recommending.
- Councilor Buehner asked about the costs for performing the in-depth scoping of the project and the cost of the Carollo report. Consultant Prett said about $5 million. Project Director Komarek said the Carollo report was in the $3-500,000 range. When proceeding to the definition phase, it includes actually "rolling up your sleeves and starting design and also you are sending field crews out to drill holes in the Willamette River to get you technical information – you are really committing to understanding what the costs are versus…the dry lab or the desk top review…" Councilor Buehner

said she is raising this because it speaks to the policy review requested by Councilor Gudman that if a project is to be seriously considered, the decision must be made whether to do a paper review or a more in-depth review and how deep the review should be. Councilor Gudman added that this would be helpful for both councils as they consider capital projects in the future.

At this point in the meeting, Project Director Komarek continued with the overall presentation (Slide 29). The issue centers on a potential intergovernmental agreement amendment relative to capacity/cost allocation. Project Director Komarek said the key decision is for Lake Oswego to determine how much excess capacity it would be comfortable reallocating potentially to the City of Tigard. He recommended there be a backward-looking analysis of over the half dozen years of water usage trends and make assessments/assumptions whether this trend is likely to continue and, if so, for how long and for how much.

The Lake Oswego City Council needs to have the benefit of some fairly robust analysis of conservation programs. Perhaps Lake Oswego will want to take a re-look at population forecasts. Project Director Komarek said that both Lake Oswego and Tigard, with the recent passage of the Regional Water Providers Consortium budget, are paying for that population forecast to be done by Portland State University. That work will completed in about a year. The above considerations are the steps typically taken to assess how much water will be needed. Similar steps were followed for the Carollo work and followed again a year later when the state required development of a water management and conservation plan. This information is key for City of Lake Oswego officials to understand and determine their confidence level in allocating the amount of excess capacity to its partner, the City of Tigard. Once this confidence level is achieved, the next step would be to present an offer to the City of Tigard to serve as a launching point for negotiation between the two partners. Additional questions are: Who should negotiate? Who has the authority to negotiate? What is the process?

Project Director Komarek advised the current IGA took almost a year to complete. The process used was to form a sub-group of each of the councils and employment of an independent legal counsel familiar with drafting these kinds of agreements along with technical staff support.

Councilor Buehner commented that we have experienced three consecutive cool summers and this has significantly reduced the amount of water usage during the hot summer months in both cities. As we go through this review, we need to make sure that we do not make assumptions based on the reduced usage.

Councilor Jordan said in looking at the original policy decision, one of the critical issues for the Lake Oswego council at the time was for control of water rights. Recognizing changes in state law, the council felt it was better given the increasing value of water (more expensive and more precious) for the city to be able to deliver water to its citizens forever. Therefore, the policy decision was really more to maintain the right to that water and going forward, she said she thought the current council will have to look at it the same way. Whatever the decision for amendment(s) to the current agreement will need to take into account climate and potential

different growth rates for both cities. Perhaps there will need to be some type of flexible agreement that does not end up with Lake Oswego being "penny wise and pound foolish" at some point in the future by not having access to the water it needs for the city it has become. She said, "We need to be very careful about this. At the time, we always felt we could sell water to Tigard that was in excess of our original agreement if they needed it before we did. And, that still is an option. What it doesn't do, of course, is change our fixed costs and affect our rates…that's where we have to be very careful about trying to save a few dollars now and, perhaps, end up with a big problem later."

Councilor Woodard said he would invite the opportunity to review the agreement and have discussions on policy to determine what does or does not make sense. He noted there is a lot of statistical information for which he has not had access. Before decisions can be made, individual council discussions will be required followed by a joint meeting of the councils. He referred to a capped aquifer storage facility in Tigard and there have been no problems filling this facility to capacity although there has been lower demand as customers are practicing conservation. These factors do not offset the increases in rates, however. Because there is additional storage capacity, Councilor Woodard said he would like to have discussions to consider what type of flexibility could be built into the policy to determine capacity/cost allocations.

Public Works Director Koellermeier facilitated the closing remarks for this agenda item and the discussion between the two councils. He said that in looking ahead, he feels staff received good guidance this evening. He acknowledged there were a couple of interesting issues for the cities to move forward on. The Project Team thinks that moving into the construction management portion of this program will be the focus of the next joint meeting.

Public Works Director Koellermeier reiterated an earlier statement by Project Director Komarek that a speaker has been scheduled to address the Oversight Committee; an invitation will be issued to both city councils.

Public Works Director Koellermeier said there are additional things that can be done to better understand the impacts of construction management. He pointed out that "the calendar will not be our friend in the future." Much will be dependent on how "we work with time and money to make good decisions and I think we will all grow together on that issue."

In response to Public Works Director Koellermeier' s request for other suggestions, Councilor Buehner referred to Slide 9, which had the various contract decisions to be made in the next few months. She suggested that another joint council meeting be held early- to mid-summer as it is likely there will be a lot of decisions that will be needed then. Project Director Komarek said Councilor Buehner's suggestion for the timing of the next meeting was good. He noted the construction contract for the plant is planned to come before the Lake Oswego City Council on July 2. They will have "in hand" a bid from a contractor for the facility, which is the largest piece in the overall project.

Councilor Gudman said he was assuming that the Oversight Committee will be meeting on a monthly basis going forward. Public Works Director Koellermeier and Project Director Komarek confirmed that a monthly meeting would be the minimum.

Public Works Director Koellermeier noted that as things come up, they will be placed on the agenda for a joint meeting to be scheduled sometime around the first of July. Looking ahead, he said he thought the Oversight Committee could expect to see some work products coming back from staff.

Councilor Buehner said it might be necessary for the Oversight Committee to hold an extra meeting in May or June. Public Works Director Koellermeier said staff would be considering this.

Councilor Jordan asked about the timing for individual review of an RFP by each City Council for whatever type of additional oversight seems to be appropriate. She said she is assuming the amendment scheduled for the fall is something that councils would discuss at their joint meetings going forward. She inquired about getting this additional project for the oversight review going. Mayor Cook said that his understanding from the decision made at a recent Lake Oswego meeting was that the proposal for an independent oversight review would go to the Lake Oswego staff and from that point it would go to the Oversight Committee. If the proposal was approved by the Oversight Committee, it would go back to each of the councils for discussion and consideration.

Councilor Bowerman said the reason why the Lake Oswego council vote on the additional oversight review was not unanimous was that if staff is also overseeing the outside report, then it is no longer an outside report. In fact, the staff is overseeing the Oversight Committee right now and in control of the entire project. Therefore, another approach is not to have staff do the outside review or orchestrate it, but to have that done from the outside. This outside review would be with council(s) determining how that process should go forward – not with staff designing it, deciding what questions would be looked at and controlling the entire process again. Mayor Studebaker said this needs more discussion.

In response to a question from Councilor Woodard, Councilor Bowerman said she was not ruling out a staff liaison to the oversight review process. She advised her comments related to how the review would be structured and who would have the accountability for completion and how it was done.

Mayor Cook said based on the approved Lake Oswego motion, the process to go forward with consideration of an additional third-party oversight review would follow the course he described above with any tweaking to the process discussed by the Oversight Committee.

Mayor Cook thanked all who attended and thanked the staff for the presentation.

Meeting recessed at 8:18 p.m.

Meeting reconvened at 8:28 p.m.

3. CONSENT AGENDA: (Tigard City Council and Local Contract Review Board) These items are considered routine and may be enacted in one motion without separate discussion.

A. Approve City Council Meeting Minutes for:

1. January 22, 2013
2. February 12, 2013

B. Appoint Cameron James as a Member and Clifford Rone as an Alternate to the Audit Committee – Resolution No. 13-12

C. Adopt a 2.1% Cost-of-Living Adjustment for Tigard Police Officers Association Effective July 1, 2013

D. Local Contract Review Board:

1. Award Contract for Main Street Off-Street Parking Lot Improvements to D & T Excavating

Councilor Woodard requested that Agenda Item 3D1 be removed for separate discussion.

Motion by Councilor Buehner, seconded by Councilor Snider to approve the Consent Agenda less Agenda Item No. 3D1.

The motion was approved by a unanimous vote of City Council present:

Mayor Cook	Yes
Council President Henderson	Absent
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

Discussion on Item No. 3D1 – LCRB - Award Contract for Main Street Off-Street Parking Lot Improvements to D & T Excavating. Discussion highlights follow:

- Councilor Woodard spoke to the LCRB responsibility and the ability to check bids/proposals on the city's website. He spoke about the timing for an LCRB member to bring up issues or concerns.

- Councilor Buehner commented that an LCRB member should ask staff if they have questions.
- Councilor Woodard said he is unclear as to the role of the LCRB. He said he sees no functionality associated with the role of the LCRB other than accepting contracts. He referred to the process in place a couple of years ago concerning placement of LCRB items on the Consent Agenda, which were sometimes for large dollar amounts. He noted there is a member on council, Councilor Henderson, who has expertise in construction and there is never an opportunity to have discussions on LCRB matters.
- Councilor Woodard said there are projects out for bid now, but asked whether there would ever be a time set aside for the LCRB to discuss these proposed projects before it goes through the bidding process.
- City Manager Wine advised that the role of the LCRB is activated at the time of bid award. She reviewed some history surrounding the LCRB for the city. If some clarity or additional discussion is needed as bids are developed and this is to become part of the LRCB role, then this could be arranged. Councilor Woodard said his experience has been that there is really no role for the LCRB other than approvals must be granted because of state law requirements.
- Councilor Buehner explained to Councilor Woodard that her understanding is that when an LCRB board member has a question then staff should be notified so the relevant staff person would attend the City Council meeting and be prepared to discuss the particular question.
- Councilor Woodard spoke to a different level of discussion when trying to determine a mix of funding sources and projects; i.e., urban renewal fund sources and general funds. Councilor Buehner said this type of information could be conveyed to the entire LCRB with an advance question submitted to staff that can be responded to during the meeting at the time of consideration.
- Councilor Woodard noted that in his review process, he would likely have questions about every proposed contract. He would like to entertain the idea of having a project review list perhaps in the form of a quarterly update – something that can show forecasting. This would be a good process as part of the LCRB role. This would give an opportunity for each LCRB member to review the information from their area of expertise perspective.
- Councilor Snider asked if Councilor Woodard was suggesting that LCRB items should not be on Consent Agendas. Councilor Woodard said he thought there was a threshold that when a bid award reached a certain dollar amount, then it would not be placed on the Consent Agenda.
- Councilor Snider said the other thing he thought he heard Councilor Woodard saying was that no matter the dollar amount of the contract that the staff responsible for it should be at the City Council meeting. Further, staff with expertise on the LCRB item should attend a council meeting regardless of whether it has been pulled from the Consent Agenda.
- City Manager Wine responded that the venue, whether it is a City Council meeting or a Study Session for a preliminary review of issues or an LCRB consideration, this is the council's time to ask any question that needs to be resolved. City Manager Wine said if it is desired by the council to have a staff person available to answer questions on LCRB matters, that can be arranged.

- City Manager Wine made a process point about the Consent Agenda. In the past, she has heard from council members that items on the Consent Agenda must consist of matters for which the City Council has had adequate time in advance to consider. Staff will not place something on a Consent Agenda that the Council has not already briefed about unless it was time sensitive. If the item was new because it was time sensitive, staff would fully expect that council would pull the matter off of the Consent Agenda for discussion.
- City Manager Wine said tonight, regarding the issue about the parking lot, staff members who are working on the project are present to answer questions. Staff heard that there were questions about the LCRB process. She said she would like to address this question; although, she did not think it could be answered in full tonight. Councilor Woodard said he was also speaking on this matter for Council President Henderson, who was unable to attend tonight. He would appreciate a list of LCRB responsibilities and the process. He noted that when "…we put on three hats at once – we meet as council, the Local Contract Review Board and the City Center Development Agency, it becomes confusing. Each of these decisions might end up on different forms on a segment of the agenda and this causes confusion."
- Councilor Buehner commented that there is a City Center Development Agency meeting held on the first Tuesday of the month, although Mayor Cook noted that these first Tuesday meetings will often have a council or an LCRB element as well. Councilor Woodard said having a meeting every Tuesday of the month has also become overwhelming.
- Councilor Buehner recalled training on the LCRB role last year. She noted that Mayor Cook and Councilor Snider were not on the City Council at that time and she said another training could be scheduled. Councilor Snider said he felt comfortable with the information he received on LCRB from the League of Oregon Cities. City Manager Wine said staff will accommodate everyone where they have questions. Paraphrased summation from City Manager Wine: *When you are considering a contract that comes from a funding source other than the General Fund, council would like to receive fuller accounting of the funding sources supporting a project. What we try to do. in the effort to make sure that everybody receives the same information, is to spend council or CCDA meeting time in covering those issues or that you are all getting that information in your newsletter. We can cover some of the role issues or reviewing what the LCRB is on a one-on-one basis.*
- Councilor Buehner requested if another LCRB training is set up, that it either be set at a non-regular council meeting time or at the end of the meeting since she has had the training several times.
- Councilor Woodard said with regard to LCRB Consent Agenda Item 3D1, he had no issues with this project. He said both he and Council President Henderson are in favor of the project. He was using this opportunity to present concerns.

Motion by Councilor Woodard, seconded by Councilor Buehner, to approve Consent Agenda Item No. 3.D.1.

The motion was approved by a unanimous vote of City Council present.

Mayor Cook	Yes
Council President Henderson	Absent

Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

4. NATIONAL LEAGUE OF CITIES CONGRESSIONAL CITY CONFERENCE FOLLOW UP REPORT AND REPORT FROM MAYOR COOK ON HIS WASHINGTON D.C. TRIP

Individual City Council member reports:

- Report from Mayor Cook on his and City Manager Wine's Washington D.C. Trip (March 2013)
  - Met with the city's lobbyist to receive briefings.
  - Met with 14 different groups and/or individuals, which included Senators Merkley, Senator Wyden's staff, and Representatives Bonamici and Schrader and ten agencies including the Departments of Justice, Economic Development, Agriculture, Education, the Farm Bureau and Environmental Protection Agency.
  - City Manager Wine referred to the Tigard brochure highlighting the points of interest for the city, which was shared with the officials they visited. She explained the staff for the agencies provided gave Mayor Cook and her some education on how certain programs might match with efforts that Tigard has on the horizon. She and Mayor Cook learned about the way the federal programs work not only from a funding perspective but to understand areas of focus.
  - Mayor Cook noted they were able to learn about potential impacts due to the sequestration with regard to programs that might not be funded or cutback. They were also able to learn about what grants might be offered that might benefit Tigard and when they would be issued. The exchange of information allowed Mayor Cook and City Manager Wine to determine what agencies might have grants likely to be of interest to Tigard and whether our proposals would fit well with grant requirements (i.e., brownfield clean up, after-school programs, farm-to-school programs). Information about the likelihood of a Tigard grant application being funded was sometimes available.
  - In response to a question from Councilor Snider about feedback from Washington D.C. officials regarding Tigard's legislative agenda, Mayor Cook shared that all were impressed with the brochure. A copy of this brochure is on file in the record copy of the meeting packet. The brochure helped bring a focused message. Visiting among the agencies and officials' offices was helpful in bringing up legislation that would benefit the City of Tigard.

- Councilor Buehner Update (NLC and Meeting with Legislators)
  - The Oregon delegation met with Oregon legislators. They met with Senator Merkley's staff to address a number of issues. She said youth members from Beaverton and Hillsboro were present. She advocated that the city become more involved in getting the

Youth Advisory Council to Washington D.C. in the future. The League of Oregon Cities (LOC) asked the Oregon delegation to raise four issues with the legislative leaders:

- Continue the municipal bond tax exemption.
- Support for the federal timber payments.
- Marketplace Fairness Act (sales tax/Internet issue)
- Water infrastructure financing.

- Prior to the NLC conference, Councilor Buehner was part of the JPACT delegation members who met with the legislators including Senator Merkley. Sequestration budget cuts were reviewed and ramifications of furloughing of federal employees. Congressman Schrader estimated $500 million would be cut from the transportation infrastructure program. A bill is being prepared to set up an infrastructure bank for private/public partnership funding using a sales tax, which would work great in states that have a sales tax. Congressman Schrader was hopeful that for some kind of structure so the three states that do not have a sales tax can utilize this type of program.
- Congresswoman Bonamici and the JPACT group discussed the Columbia River Crossing. Councilor Buehner brought up issues relating to the SW Corridor. Congresswoman Bonamici requested more detailed information from Tigard to distinguish this project from the rest to be considered for funding.
- Councilor Buehner referred to a meeting with the Director of Strategic Partnerships of the Berking Institute. He offered strategies for exports for smaller cities and said the Portland pilot project was the most successful of all such projects.
- Congressman DeFazio is working on a proposal for an indexing program for the federal gas tax, which has been stationary since 1987. He feels we need to work on a long-term substitute funding policy to replace the gas tax.
- Senator Wyden's Transportation Aide talked to the group and asked for information.
- The group met with Department of Transportation staff and discussed how to approach the department for funding. Sequestration will impact the new start program and there will be regulations requiring that proposals include an affordable housing component analysis. A maintenance program, rather than construction, is under consideration. There is work being done on infrastructure of safety elements to balance with other concerns.
- Reported on innovation clusters and business accelerators with the Economic Development Department. There are a set of programs and grants for cities to help minority businesses.

- Councilor Woodard's update:
  - Referred to a meeting with CFM representatives, Joel Rubin and Julie Crockett. When CFM meets with the City Council in June, it is likely the council will be asked to reprioritize its legislative agenda.
  - Commented on Michelle Obama's program, *Let's Move* (second phase) working with communities/school systems participating to get people more active. Councilor Woodard said this could be another opportunity for the city to partner with the school.

- Reviewed some of the key elements for public/private partnerships. While the city has many pieces to move forward with public/private partnerships, but there is a need for an economic development organization.
- Councilor Buehner shared that she has additional information on public/private partnerships and will prepare a memo for council.

- Assistant City Manager Newton follow-up report on federal legislative priorities:
  - The Farm-to-School grant: A grant application will be submitted for a greenhouse at Durham School for a community garden to provide produce to families who rely on food boxes. Elements of the program were outlined by Ms. Newton. This is one example of cooperative efforts between the school district and the city.
  - Later in the discussion, Ms. Newton described a partnering opportunity with the school district – a pilot project with Metzger Elementary school on joint use of school facilities. It is possible that schools could be utilized to serve a community center function and for the grounds to serve as a neighborhood park.
  - The Farmers Market grant – City staff has discussed this with Chamber CEO Debbie Mollahan and consideration is being given to apply for a grant for the Farmers Market for marketing and to assist with a relocation event.
  - The City Manager has been in conversations with executive staff and Portland and Western Railroad regarding advancement with the Tigard trail issue.
  - The council as the City Center Development Agency (CCDA) will be seeing information on brownfields at the April 2nd CCDA meeting. Community Development Department staff will bring information on a proposed Tigard environmental clean-up fund program.
  - Senator Wyden is interested in a pilot demonstration program for the Farm-to-School grant. Staff is looking at proposing Metzger for the demonstration program.
  - The National Endowment for the Arts might be a funding source for Broadway Rose and Mask & Mirror. The city can help facilitate the process to apply for this funding.
  - Congresswoman Bonamici' s staff was interested in assisting Tigard in obtaining its own zip code.

Mayor Cook: Announce Agenda Item 5:

5. COUNCIL LIAISON REPORTS

Councilor Woodard submitted a letter from Edward Heintz requesting consideration of naming recently purchased 2.9 acre property after John Peter Bagan. A copy of this letter is on file in the record copy of the meeting packet.

Councilor Woodard gave Mayor Cook a copy of some information regarding the Westside Economic alliance relating to funding mechanisms.

Councilor Woodard shared that Council President Henderson will be reporting on activities on the CDBG in the near future. Later in the meeting, City Manager Wine advised that a memo regarding these activities was prepared by Assistant Planner Daniels. This memo will be distributed to the City Council.

Councilor Woodard referred to the River Terrace Stakeholder Work group. There was a good turnout at the last meeting. Land use and zoning has been reviewed. The biggest concern centers around density and identifying areas where the density can be placed to meet the required numbers. Questions about the school were brought up. A representative of the Homebuilders Association noted concerns with flexibility of the plan.

The next Stakeholder meeting will be devoted to review of parks, water and storm sewer service.

Councilor Buehner reported on contact from Ed Bartholomew who owns a parcel in the River Terrace area. He asked if there was a possibility to add a member to the Work group. City Manager Wine advised that Mr. Bartholomew has made contact with Senior Planner Wyss. Councilor Buehner said Mr. Bartholomew was also wanting to have open discussions about relocation of the commercial areas from what is designated in the Concept Plan. Councilor Woodard said the commercial area is under review.

Councilor Snider said he has had success in finding out more information on the Youth Advisory Council. He expects he will be notified for meetings and plans to participate as much as possible. The chair of this YAC is Alison Burke and Councilor Buehner mentioned that Ms. Burke is also the Rose Festival Princess for this region.

6. NON AGENDA ITEMS:

Mayor Cook reminded City Council of the upcoming Shining Stars Banquet on April 26, 2013.

7. EXECUTIVE SESSION: Not held.

8. ADJOURNMENT: 9:38 p.m.

_____
Catherine Wheatley, City Recorder

Attest:

_____
Mayor, City of Tigard

Date:_____
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City of Tigard
Tigard City Council Meeting Minutes
April 9, 2013

Executive Session cancelled:

- ~~EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to discuss labor negotiations under ORS 192.660(2) (d).~~

- STUDY SESSION
  A. Review of 2013 Community Event Funding Requests

Staff report presented by Information Services Department Director LaFrance and Confidential Executive Assistant Lutz. Council reviewed 2013 Community Event Funding Requests to recommend in the proposed budget. After discussion the council agreed to the following distribution of funds among the applicants as follows:

Broadway Rose:	$ 10,000
Festival of Balloons	20,000
4th of July	15,000
Undesignated Set Aside	413*
Tigard Little League	2,950
Big Horn Brass Concert	-0-
Compassion Tigard**	10,000
Dog Park	400
Downtown Street Fair	700
Mask & Mirror	6,000
Relay for Life	1,000
Templeton Annual Sock Hop	-0-
Tigard Farmers Market	8,500
Tree Lighting	2,500
Tigard High Graduation Party	2,000
Tigard Historical Association	1,500
Tigard Safety Town	4,000
Tualatin Riverkeepers	2,500
Tualatin Valley Community Band	2,000
	$ 89,463

*City Recorder Note: Adjusted from $415 to $413 by Finance and Information Services Department Director LaFrance for reconciliation purposes with budget document.
**For Compassion Tigard, City Council members asked that the applicant be advised to submit this request as a Social Services request rather than Community Events in the future.

A copy of the spreadsheet recording the council consensus on distribution of community event funding is on file with the record copy of the meeting packet. The spreadsheet also indicates where "in-kind" contributions for city services were approved for specific community events.

Discussion was held on the variance in the quality of applications received. For those events that were awarded a contribution from the city, council requested staff craft a question(s) in next year's application process so applicants explain how the city's funds were used to support the event. Also, council members discussed a question that might give council members an idea of how dependent the event is on city funding.

B. Administrative Items

- City Recorder Wheatley reviewed the following information pertaining to tonight's council business agenda:
  - Remove from the Consent Agenda consideration of January 29, 2013 meeting minutes; to be rescheduled for April 23, 2013.
  - Agenda Item No. 4.B. – Proclaim April 2013 as Child Abuse Prevention Month (this item was added to the Agenda on April 3, 2013).
  - Agenda Item No. 5 – Quasi-Judicial Public Hearing – Lennar Annexation (additional packet materials):
    - Revised ordinance reflecting this area to be withdrawn from the Tigard Water District.
    - April 5, 2013 Letter from Neighbors on 133rd Avenue.
- Grant application threshold for City Council authorization – staff proposal to raise threshold and submit resolution for council approval when required by grant application requirements.

  City Manager Wine advised of her authorization for staff to apply for grants when equal to or less than $100,000 without the initial step of requesting council approval for the application unless the grant application requirements require council approval either by motion or by a resolution. Council will have opportunities to determine whether to accept the grant proceeds if awarded at the acceptance and appropriation phase.

- National Guard Cities of Honor – May 17, 10 a.m. – Noon. – Assistant City Manager Newton noted this is a change of date. Due to conflicts on calendars, it appears that May 16 is a better date for this event. Assistant City Manager Newton will check with the organizers to determine if the date can be changed.

- Qualification Based Solicitation Letter –SB644.

  SB644 proposes that the "Qualification Based Solicitation" (QBS) bid process be imposed on cities for projects estimated at $100,000 or more. The current trigger requiring this process be used is $250,000.

  After lengthy discussion, council members agreed that they would support a letter to Tigard's state legislators and the committee chair opposing this change and also stating the council's opposition to the current requirements imposed on cities under the QBS bid process. Council President Henderson and other City Council members agreed that the process should at least allow a city to select the top three qualified bid responders and then negotiate project price.

  City Manager Wine summarized that the message in the letter would include a request for there to be an exploration for flexibility of implementation of the QBS process. It is likely too late to introduce changes to the current law due to timing for this legislative session. The next opportunity would be the short session in 2014. Council members also requested the League of Oregon Cities be asked to assist cities with weighing-in with the state legislature on this matter.

  There was discussion about the recent QBS process as it was applied to the design bid award for the Dirksen Nature Park. In response to a concern expressed by Council President Henderson about whether an $8 million+ project to develop this park was even feasible, City Manager Wine explained that the standard metric corresponding to the percentage of design costs and its ratio to total project costs does not necessarily apply to this project; that is, the end result of the design project will not necessarily produce an $8 million price tag. In addition, the design will produce a master plan to be implemented/funded over a 20+ year time period.

- Council Calendar:

  April

16*	Tuesday	Council Workshop Meeting – 6:30 p.m., Town Hall
22	Monday	Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
23*	Tuesday	Council Business Meeting –6:30 p.m., Town Hall
29	Monday	Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
30	Tuesday	Tigard Town Hall – 6:30 p.m., Library Burgess Community Room

1. BUSINESS MEETING - APRIL 9, 2013

A. Mayor Cook called the meeting to order at 7:33 p.m.

B. City Recorder Wheatley called the roll:

Name	Present	Absent
Mayor Cook	✓	
Council President Henderson	✓	
Councilor Buehner	✓	
Councilor Snider	✓	
Councilor Woodard	✓	

C. Pledge of Allegiance

D. Mayor Cook asked for any Council Communications & Liaison Reports. Councilor Buehner and Councilor Woodard gave reports at the end of the meeting. (See Agenda Item No. 9)

E. Call to Council and Staff for Non-Agenda Items: None

2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)

A. Follow-up to Previous Citizen Communication – City Manager Wine

1. Follow up: Request on February 26, 2013, from the Hajduk family regarding having the ability to raise chickens on residential property. The Community Development Department is planning for a code review in the fall and the questions from the Hajduk family will be incorporated in the code review. This has been communicated to the Hajduks and they are looking forward to the changes that might come forward from that process.

2. Follow-up: Request on February 26, 2013 from Glenna Thompson who lives at the Fanno Pointe Condominiums. Ms. Thompson asked the council for the blackberries to be maintained near the Fanno Creek Trail. Staff contacted Ms. Thompson to relay the understanding that the city agrees to maintain the trail and blackberries on the side of the fence next to the trail. This activity will be incorporated into the city's regular maintenance schedule.

3. Follow-up: Question raised by Councilor Woodard last week regarding the status of the Scholls Ferry Road undercrossing on Fanno Creek Trail. This situation

is not easy to address. There's a significant beaver dam complex in the area, which causes the flooding of the trail on a regular basis. Council has received communication from residents during the last year. The city owns some of the land mostly on the west side of the creek and this encompasses the trail. The city requires assistance from Clean Water Services and Tualatin Hills Park and Recreation District to make a change. One proposal was to raise the trail; however, the solution is not as easy as just raising the trail. City Manager Wine noted permits are required and the beaver dams would also need to be addressed. Staff has been working with Clean Water Services and will continue to do so. The city periodically clears the silt and mud that collects. Last fall, the city installed pipe to allow water to run off the trail. Because there is still beaver activity, flooding will continue to occur. Clean Water Services is in the lead to come up with a longer term solution. The city will continue to pursue temporary fixes to attempt to keep the water off the trail. Staff will advise the City Council and the residents who communicated with the City Council, once there is a solution offered by Clean Water Services.

B. Tigard High School Student Envoy - Associated Student Body President Megan Risinger presented a report on the High School activities. A copy of her report is on file with the council packet material.

C. Tigard Area Chamber of Commerce Debi Mollahan, Tigard Area Chamber of Commerce Chief Executive Officer presented a report on Chamber activities. A copy of her report is on file with the council packet material.

D. Citizen Communication: No one signed in to speak.

3. CONSENT AGENDA: (Tigard City Council, Local Contract Review Board and City Center Development Agency)

A. Approve City Council Meeting Minutes for:
1. ~~January 29, 2013~~ Reschedule to the Consent Agenda of April 23, 2013.
2. February 5, 2013 (City Council, Local Contract Review Board and CCDA Minutes)
3. February 19, 2013

B. Receive and File:
1. Council Calendar
2. Council Tentative Agenda for Future Meeting Topics

C. Appoint Alternate City Center Advisory Commissioner Carine Arendes to the City Center Advisory Commission to Replace Resigning Member Tamera Slack

RESOLUTION NO. 13-14 - APPOINTING CARINE ARENDES TO BECOME A VOTING MEMBER OF THE CITY CENTER ADVISORY COMMISSION TO COMPLETE THE TERM VACATED BY TAMERA SLACK

D. Appoint Alternate Budget Committee Member Melanie Boekee to the Budget Committee to Replace Resigning Member Cathy Hearn

RESOLUTION NO. 13-15 -- A RESOLUTION APPOINTING MELANIE BOEKEE TO BECOME A VOTING MEMBER OF THE BUDGET COMMITTEE TO COMPLETE THE TERM VACATED BY CATHY HEARN

E. Consider Amendments to a Resolution of Necessity (Resolution No. 12-01) Adopted by Council on January 24, 2012 -- Resolution

RESOLUTION NO. 13-16 – A RESOLUTION TO AMEND RESOLUTION NO. 12-01, REMOVING AND REPLACING PROPERTY NOS. 1, 4 AND 6 WITH REVISED LEGAL DESCRIPTIONS AND DEPICTIONS. RESOLUTION NO. 12-01 DECLARES THE NEED TO ACQUIRE RIGHTS OF WAY AND TEMPORARY CONSTRUCTION EASEMENTS ON PROPERTIES FOR THE PURPOSES OF INSTALLING, REPLACING AND REPAIRING SIDEWALK AND GREEN STREET IMPROVEMENTS NEEDED TO PROVIDE SAFE TRANSPORTATION ROUTES FOR PEDESTRIANS

F. Approve Nomination of Tigard Applications for Regional Flexible Funds for Transportation Projects

G. Authorize Submittal of Two Applications for Metro's Community and Development Grant Program - Cycle 3

H. Authorize the Mayor to Execute an Agreement with the Oregon Department of Transportation to Partially Fund Main Street Phase II Improvements

I. Authorize the Mayor to Execute an Amendment to an Agreement with the Oregon Department of Transportation to Partially Fund Main Street Phase I Improvements

J. Approve and Authorize the Mayor to Execute an Intergovernmental Agreement with Washington County on the Walnut Street Improvement Project

Motion by Councilor Buehner, seconded by Councilor Woodard, to approve the Consent Agenda.

The motion was approved by a unanimous vote of City Council present.

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

4. PROCLAMATIONS – Mayor Cook announced the following proclamations:

A. PROCLAIM APRIL 7-14 AS NATIONAL DAYS OF REMEMBRANCE

B. PROCLAIM APRIL 2013 AS CHILD ABUSE PREVENTION MONTH (Added to the Agenda on April 3, 2013)

5. QUASI JUDICIAL PUBLIC HEARING - ZCA2013-00001 - LENNAR ANNEXATION

REQUEST: A request to annex to the City of Tigard approximately 2.28 acres of property

LOCATION: 15060 SW 133rd Avenue; Assessor map 2S109DB, Tax Lot 800

COUNTY ZONES: R-6 District (Residential 6 Units Per Acre). The purpose of the Washington County R-6 District is to implement the policies of the Comprehensive Plan for areas designated for residential development at no more than six (6) units per acre and no less than five (5) units per acre, except as specified by Section 300-2 or Section 303-6. The intent of the R-6 District is to provide the opportunity for more flexibility in development than is allowed in the R-5 District.

EQUIVALENT CITY ZONE: R-7: Medium-Density Residential District. The City of Tigard R-7 zoning district is designed to accommodate attached single-family homes, detached single- family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

APPLICABLE REVIEW CRITERIA: The approval standards for annexations are described in Community Development Code Chapters 18.320 and 18.390, Comprehensive Plan Goal 1, Goal 11, Goal 12, and Goal 14; ORS Chapter 222; Metro Code Chapter 3.09.

Mayor Cook opened the public hearing. Associate Planner Floyd presented the staff report. A summary of the report is on file with the council packet materials. There was no oral testimony. Council received a letter from neighbors on 133rd Avenue; a copy of the letter is on file with the

council packet materials. Associate Planner Floyd reviewed the issues brought forward in the letter; however, the matter before the council was for annexation only and not for issues regarding potential development of the property. Neighbors will be counseled as to the timing for raising their concerns.

Mayor Cook closed the public hearing.

After the hearing, motion by Councilor Woodard, seconded by Councilor Buehner to adopt Ordinance No. 13-05.

ORDINANCE NO. 13-05 - AN ORDINANCE ANNEXING ONE PARCEL OF LAND APPROXIMATELY 2.28 ACRES IN SIZE, AND 1/2 OF THE ADJOINING 133rd AVENUE RIGHT-OF-WAY TOTALING 0.13 ACRES, APPROVING THE LENNAR ANNEXATION (ZCA2013-00001) AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT AND WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT.

The motion was approved by a unanimous vote of City Council present.

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

6. LEGISLATIVE PUBLIC HEARING: CONSIDER AN ORDINANCE TO AMEND THE TIGARD MUNICIPAL CODE CHAPTER 15.20, STREET MAINTENANCE FEE

Purpose of hearing is to consider a proposed amendment to TMC 15.20 Street Maintenance Fee language to accept the use of the Engineering News Record (ENR) Construction Cost Index-Seattle along with the Oregon Monthly Asphalt Cement Material Price.

Finance and Information Services Department Director LaFrance presented the staff report and responded to questions from the City Council. A summary of the report is on file with the council packet materials.

Mayor Cook opened the public hearing.

There was no public testimony.

Mayor Cook closed the public hearing.

After the hearing, there was a motion by Councilor Buehner, seconded by Councilor Snider, to adopt Ordinance No. 13-06

ORDINANCE NO. 13-06 - AN ORDINANCE TO AMEND TIGARD MUNICIPAL CODE CHAPTER 15.20.050 STREET MAINTENANCE FEE

The motion was approved by a unanimous vote of City Council present.

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

7. LEGISLATIVE PUBLIC HEARING - CONSIDER FISCAL YEAR THIRD QUARTER SUPPLEMENTAL BUDGET AMENDMENT

Senior Analyst Collins presented the staff report and Finance and Information Services Department Director LaFrance was available during the hearing to respond to council questions.

Mayor Cook opened the public hearing.

There was no public testimony.

Mayor Cook closed the public hearing.

Motion by Councilor Snider, seconded by Councilor Buehner, to adopt Resolution No. 13-17.

The motion was approved by a unanimous vote of City Council present.

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

City Council meeting recessed.
Local Contract Review Board meeting called to order.

8. LOCAL CONTRACT REVIEW BOARD: AWARD CONTRACT FOR EAST BUTTE HERITAGE PARK IMPROVEMENTS TO DA NEAL CONSTRUCTION, INC.

Senior Management Analyst Barrett presented the staff report. The city purchased property along the west side of 103rd Avenue from Canterbury Lane to the Murdock Street right of way to develop a neighborhood park. This park, East Butte Heritage Park, is included in the city's Parks Master Plan and was selected by the Park and Recreation Advisory Board for parks bond funding consideration. Senior Management Analyst Barrett reviewed the development plans for the park.

After council discussion and questions of staff about the reference checking of the lowest bidder, there was a motion by Councilor Buehner, seconded by Councilor Woodard, to award a contract for the East Butte Heritage Park improvements project to Da Neal Construction, Inc. in the amount of $350,806 and to direct the City Manager to take the necessary steps to execute the contract.

The motion was approved by a unanimous vote of City Council present.

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

Local Contract Review Board meeting concluded.
City Council meeting reconvened.

9. COUNCIL LIAISON REPORTS

Updates were received from Councilor Woodard on recent activities by the Park and Recreation Advisory Board and a meeting he attended for the Clackamas River Water Providers.

Updates were received from Councilor Buehner regarding a recent MPAC meeting and a meeting of the Lake Oswego/Tigard Water Partnership Oversight Committee.

10. NON AGENDA ITEMS

11. EXECUTIVE SESSION: Not held.

12. ADJOURNMENT – 9 p.m.

Motion by Councilor Buehner, seconded by Councilor Buehner, to adjourn the meeting.

The motion was approved by a unanimous vote of City Council present.

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

_____
Catherine Wheatley, City Recorder

Attest:

_____
Mayor, City of Tigard

Date:_____

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City *of* Tigard
Tigard City Council Workshop Meeting Minutes
April 16, 2013

1. WORKSHOP MEETING

A. At 6:32 p.m. Mayor Cook called the meeting of the Tigard City Council to order.

B. Deputy City Recorder Krager called the roll.

	Present	Absent
Council President Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	
Councilor Buehner		✓

C. Pledge of Allegiance

D. Council Communications & Liaison Reports: Councilor Snider attended the Library Board meeting and assisted with preparation for the upcoming joint meeting with council. He also attended an Intergovernmental Water Board meeting for Councilor Buehner.

E. Call to Council and Staff for Non-Agenda Items: City Manager Wine announced that two League of Oregon Cities' regional meetings will be held in the metro area tomorrow, April 17. She is planning to attend the meeting in Beaverton which begins at 5:00 p.m. She distributed a flyer to council and asked that they RSVP to LOC if they want to attend. LOC will give updates on current legislation and how the city's legislative agenda is faring.

Mayor Cook said a Gaarde/McDonald Street Intersection Design Options Open House will be held April 17, 2013 from 5-7 p.m. at Grace Point Community Church on Gaarde Street.

City Manager Wine said TriMet is hosting an Open House and Public Hearing regarding service changes to Route 94. It will be held on April 17, 2013, at 6:00 p.m. at the Ballroom Dance Company in downtown Tigard.

2. RECEIVE BRIEFING ON AN INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY REGARDING THE CONSTRUCTION OF A WATER LINE TO SERVE RIVER TERRACE

Senior Project Engineer Murchison briefed council on an IGA with Washington County to extend a water line to serve the River Terrace area. The line currently ends near the roundabout on Roshak and Barrows Roads. It needs to be extended to Roy Rogers Road and Scholls Ferry Road. Washington County will be constructing road improvements to Scholls Ferry Road from Roy Rogers to Barrows. The water line work will be done in conjunction with the road improvement projects to prevent having to tear up the improved Scholls Ferry Road.

Senior Project Engineer Murchison said the IGA lists obligations, roles and responsibilities and has been approved by the city attorney. The IGA is under review by Washington County and when returned, staff will place it on a council business meeting agenda. Washington County is administering the overall project.

Mayor Cook noted the cost is $1.45 million for the project. Senior Project Engineer Murchison said the estimated water-related costs are $900,000 and $550,000 is estimated for sewer-related costs to bring service to River Terrace.

Senior Project Engineer Murchison said the connection to the water system will not be built immediately, only the portion that is in Washington County's work plan. The city will connect the remaining line through another contract. He confirmed that the cost for the other line is included in the $1.45 million. Councilor Snider asked if extending the line this way makes the overall cost cheaper for the city. Senior Project Engineer Murchison said it does because the roadbed will already be torn up and the city is only paying for part of the trench area paving.

Senior Project Engineer Murchison said Beaverton will also be putting in a water line to serve the area north of Scholls Ferry Road. A sewer line extension is required and this too will be accomplished while the road is under construction. The cost for the sewer line extension will be split between Clean Water Services, Tigard and Beaverton.

Councilor Woodard asked if there were any other opportunities to take advantage of while the road is open. City Engineer Stone said if other utilities need to extend services, they will do their work at the same time.

In response to a question from Council President Henderson regarding the pipe size, Senior Project Engineer Murchison replied that it is 18 inches.

Councilor Snider asked if Beaverton will be using the same water line contractor as Tigard. Senior Project Engineer Murchison said that is not yet known because it has not gone out to bid. He said he will return to council in May with an IGA for council consideration.

3. BRIEFING ON CAPITAL IMPROVEMENT PLAN PROJECTS

City Engineer Stone presented a PowerPoint on the third quarter Capital Improvement Plan (CIP) projects, a copy of which has been added to the packet for this meeting. He said these are large, active CIP projects for which Council will approve contracts.

Water Projects:

- ASR Well No 3
- Main Street Waterline Replacement
- Pipeline Connection of 550 Zone to 530 Zone

He described the projects, the budgeted amounts, how much has been spent and the balance remaining. In response to a question from Councilor Henderson, City Engineer Stone said the numbers are for the entire project, or what will be spent in the current fiscal year. He said staff can carry over into next fiscal year the amount that is not spent if the project is not completed in the current fiscal year. Mayor Cook suggested adding another column so it is clear in which fiscal year the amounts are appropriated.

Councilor Snider asked if there is money budgeted in future years for the Main Street Waterline Replacement. City Engineer Stone said this money was budgeted in the current fiscal year because it was planned to be completed, but the Fiscal Year 13-14 budget will reflect what Council will be asked to carry over to finish the project next year.

City Engineer Stone said June is the end of the city's fiscal year and that is when the construction season begins. He said it is typical not to see all of the construction expenditures in the same fiscal year. Councilor Snider asked if the city is required to budget from July to June for CIP projects. City Manager Wine said she will talk to Finance and Information Services Director LaFrance about this, but when Council adopts a budget, they are adopting the first year of a CIP project and the other years are planned. She said project estimates are based on the best information known at the time. She said Council is not appropriating funding for the outer years. She agreed with Councilor Snider that the mechanics of budgeting from a July to June fiscal year do not fit well with the construction season or multi-year projects.

Councilor Snider asked if the city is restricted to a one-year budget. City Manager Wine said cities are permitted to have biennial budgets.

Council President Henderson said a red flag to him is the amount of money at the end of a fiscal year that is already committed as the city goes into a new fiscal year. City Manager Wine said she will ask staff to decipher project costs to make it easier to see where money was spent and make clear what is being shifted to another fiscal year. She said staff manages projects on a multi-year basis.

City Engineer Stone said Sanitary Sewer Projects are related to the replacement of existing pipes or pipes in danger because of soil erosion.

- Fanno Creek Slope Stabilization (protects a storm water line)
- The Derry Dell Sewer Interceptor Relocation is a joint project with CWS
- Main Street Sewer/Fanno Creek Crossing
- 128th Avenue/Shore Drive Sewer Replacement
- East Tigard Sewer Replacement (will alleviate capacity limitations and design will begin next month)
- Benchview Creek Sewer Stabilization - The home on Benchview Creek was purchased and the city is completing a wetlands inventory and applying for permits.

Street Projects Include:

- Pavement Management Program - complete except for slurry seal which will be finished next month. Staff will be coming before Council with the bid award for the next cycle, which starts in July.
- Pacific Highway/Gaarde/McDonald - The current appropriated budget is $242,265 which is only the current year budget of this $9.2 million dollar project.
- 72nd and Dartmouth – Walmart is conditioned to put in a traffic signal at the intersection. The city is putting signals back to be in compliance with the Transportation System Plan. In addition, the city is widening 72nd Avenue.
- 92nd Avenue Sidewalks – The design is complete and we are in the right of way negotiation stage
- Main Street Green Street Phase I – from the railroad tracks to Pacific Highway Design is complete and right of way acquisition is almost complete. The city is trying to meet ODOT's bid opening schedule of September 2013.
- Burnham Street Parking Lot – Council awarded the contract a few weeks ago and it could be done in as soon as six-eight weeks. The item with the longest lead time is the street light poles.

  Mayor Cook asked how much of the Main Street Green Street Phase I project will be completed by July 1. City Engineer Stone said because this is a joint project with ODOT, they prepare the construction cost estimate but before they will bid it, they want to receive our share of the project cost. City Manager Wine clarified that at the point when Council is asked to adopt a budget, the project costs are the best estimates but things change and when we partner with another agency, situations such as a bid opening date can shift project timing.

Storm Water Projects include:

- Walnut Street Culvert Improvements – replaces the culvert on Walnut Street at Derry Dell Creek to increase capacity, provide fish passage and enhance water quality.

- Copper Creek Slope Stabilization – This work was combined with the Fanno Creek stabilization project and the city hired the same engineer to complete both. In response to a question from Councilor Snider, City Engineer Stone said the location is off of Durham Road, towards the Tualatin River.

City Engineer Stone listed the status of park improvement projects.

- East Butte Heritage Park - Council just awarded this project and it will start soon.
- Fanno Creek House – This is the second phase and includes landscaping and hard surfaces around the house.
- Dirksen Nature Park – Development of the master plan is underway.
- Jack Park – The design for the bike path/bridge is being finished.
- Fanno Creek Trail - Main Street to Grant Avenue – The right of way was acquired, design is complete, and the city is ready to get a construction easement and begin work.
- Tigard Street Trail – Mayor Cook asked what is included in this project. City Engineer Stone said Council approved $831,000 for this project $125,000 in fiscal year 12-13, which will go towards land acquisition
- COT/TTSD Park Development Partnership – This is a set-aside that was put in the budget to cover development of projects between the city and the school district.

Mayor Cook thanked City Engineer Stone for his presentation and noted that Council gave some good feedback on what they would like to see in future reports. He said Council will have a lot of discussion on CIP projects and priorities in upcoming Budget Committee meetings. Council President Henderson said he would like to receive this update quarterly and financial information monthly.

4. ARBOR DAY – RECEIVE TREE CITY USA GROWTH AWARD

Associate Planner Daniels said she has the pleasure of coordinating the city's annual Arbor Day activities. She said Arbor Day is nationally celebrated on the last Friday in April but each state can schedule their own to coincide with their planting season. Oregon has an Arbor Week and Tigard designated April as Arbor Month.

She listed Tigard events celebrating Arbor Day including a SOLV-IT ivy pull; tree talk topics at the library that included the tree code and fruit trees, and other Earth Day and Arbor Day events at the library. In response to a question from Mayor Cook about attendance at the tree code talk, Associate Planner Daniels said there were 16 people in attendance that viewed the presentation and also got their individual questions answered by staff. She said the city's website gives ideas on how residents can celebrate Tigard's urban forest all year. The city's official Arbor Day celebration, in partnership with the Tigard-Tualatin School District, will be held at Tigard High School this year and the date is to be announced.

Associate Planner Daniels said Tigard is the recipient of its twelfth consecutive Tree City USA Award and its fifth Tree City USA Growth Award. The award display is at the library. Councilor Snider asked about Growth Award criteria. Associate Planner Daniels replied that Tigard is one of only 12 cities in Oregon to receive a Growth Award. It highlights innovative programs and projects, increased commitment and resources for urban forestry and provides an opportunity to share ideas and success around the country. It was given to Tigard this year for efforts on the urban forestry code revisions and youth outreach, which was the youth involvement in last year's Arbor Day planting.

She thanked all the volunteers and residents who participated in planting and caring for trees over the past year.

5. RECEIVE BRIEFING ON THE GOAL 10 POPULATION AND HOUSING REVIEW

Associate Planner Daniels reviewed the memo that was included in the packet for this agenda item. She said Angelo Planning Group Consultant Matt Hastie will discuss contents of the report and then address any questions. She said the City of Tigard is currently in periodic review and received a grant from the Department of Land Conservation and Development (DLCD) for technical assistance to complete the Tigard Goal 10 Population and Housing Review. Tigard's Planning Commission held a public hearing and unanimously approved the report, which is scheduled for a public hearing and council consideration at the May 28 council meeting.

Associate Planner Daniels discussed the four separate parts of the review:

- Housing Strategies Report – technical study comparing the projected demand for land for housing to the existing supply. This will assist the city in meeting state requirements and goals for housing.
- Population and Housing Review – This review helps the city to meet community aspirations, outlined in the comprehensive plan, while complying with state housing goals. It includes proposed language for inclusion in an updated Goal 10 – Housing element of the Comprehensive Plan.
- Updates to the Comprehensive Plan – Included are narrative updates to reflect current conditions, and changes to Chapter 2, inserting the required policy of using the Metro population and employment forecast.
- Amendments to the Development Code – This ensures that the city is in compliance with state regulations, particularly for clear and objective standards relating to housing. These changes are proposed to the site development review approval criteria. The Housing Strategies Report recommends a number of other code updates but this one must be done now to achieve compliance. Other Development Code amendments will be included as part of future Community Development Department work plans.

Mayor Cook asked about the approval process for future planning prospects. Associate Planner Daniels noted that these were the consultant's recommendations and staff would bring them to the Planning Commission and Council for consideration.

Councilor Woodard referred to recommendations in the report to focus on River Terrace and Tigard Triangle housing, and asked how these and others will be prioritized. He commented that the standards are subjective and require new criteria to be established. He asked for a realistic estimate of the scope of development code changes and whether it would be as complicated as the tree code update process. Associate Planner Daniels said upcoming projects may help determine priorities, such as a discussion on accessory dwelling units to help achieve density in potential station communities. She said work on Tigard Triangle area code amendments might be accelerated through work on the high capacity transit corridor.

Angelo Planning Group Consultant Matt Hastie said their firm was joined by Johnson Reid, a market analysis firm that completed most of the analysis on population projections and the breakdown of housing needs. He gave a PowerPoint slide presentation on the project overview and key strategies. He said Tigard's objective is to meet community-wide housing needs, address trends and promote housing affordability. He said the city desires to go beyond these state requirements by meeting the needs of an aging population, maintaining high livability and involving a wide range of stakeholders.

Consultant Hastie said Tigard's Development Code was evaluated to see if there are barriers to meeting future needs. Specific areas were studied, including the Tigard Triangle and the downtown. They suggested adding the words, "range and price levels" to Tigard's Housing Goal, for consistency with state and regional goals to provide a variety of housing types at a range of price levels, which recognizes the range of income levels and the diversity of current and future city residents.

He said every community is required to meet a full range of housing needs and Tigard was examined against those state requirements. Communities in the Metro area are required to zone land so there is the capacity to provide an even split of single-family detached housing and other types such as townhomes, multi-family units, duplexes, etc. There needs to be capacity to provide ten units per acre on average. He said there is also a requirement to have clear and objective standards in a city's development code for needed housing, giving a non-discretionary path for someone coming in with a proposal to develop housing.

Consultant Hastie discussed Key Findings:

- Tigard has enough land to meet the 20-year housing needs within the urban growth boundary.
- Future needs include a high percentage of ownership units with a relatively even split between single-family detached homes and other types of housing.
- There is continued need for housing at a full range of prices.
- Demographic issues include aging population, "millennial" generation desires, decreasing household size, immigration and workforce housing needs.

He summarized Housing Strategies that include:

- Comprehensive Plan policy and Development Code updates
- Location-specific recommendations: River Terrace, Downtown, Tigard Triangle, Washington Square, and other mixed-use or transit oriented areas
- Other non-regulatory strategies such as partnering with neighboring jurisdictions and non-profit and for profit developers, coordination, and informational materials
- Administrative and funding recommendations - staffing, affordable housing role, and financing.

Development Code Strategies (for future consideration):

- Increase existing opportunities for emerging housing types – cottage housing and live/work units
- Adjust duplex lot size standards to be more permissive (corner lots only?)
- Develop specific standards for attached single-family housing (row houses and townhomes) that apply city-wide
- Update accessory dwelling unit requirements (Tigard has standards that are not typical and represent potential barriers to housing.)
- Consider parking lot standard adjustments
- Consider height or density bonus provisions
- Address clear and objective standards issue

Mayor Cook asked for an example of how the current code might be a barrier. Consultant Hastie said Tigard's code requires that accessory dwelling units be physically attached to the main structure which is not typical of most codes. He said there is another requirement for the unit being 50 percent the size of the primary structure, and that might not work well if the primary unit is small.

Council President Henderson asked if staff keeps a log of problems or desired changes and inconsistencies in the Development Code. Assistant Community Development Director McGuire said as staff goes through code review projects, a list of issues is collected to address periodically.

In response to a question from Mayor Cook density bonuses in a high density area, Consultant Hastie said an example would be allowing 50 units in an area zoned for 40, in exchange for the developer meeting a housing or community objective. He said existing density bonuses in higher density zones may be adequate. Though there may not be a market for heightened density bonuses now, there may be in the future. He said the advisory committee recommended that if greater density bonuses are allowed, they be provided to meet a specific housing objective such as sustainability or affordable housing.

Consultant Hastie said an Implementation Approach table was attached to the staff report. It covers strategy, level of effort, timeliness and relative impact. It is intended to give Council and staff more information as priorities are identified and staff work plans are developed.

Councilor Woodard asked about the implementation timeline. Associate Planner Daniels said there is not a timeline in the report but there is an estimate of the time required to complete each activity from start to finish. He asked if the city should include organizations such as Housing and Urban Development and Vision Action Network when tackling some of these code changes. Consultant Hastie said yes, particularly if Tigard wants to look at going above and beyond local housing needs.

Councilor Woodard asked if there are any cottage clusters in Tigard. Associate Planner Daniels said there is one near Washington Square and she will take a photograph to share with him. Consultant Hastie said he attended a Housing Law Conference and saw some slides of attractive cottage houses in Portland, where they are permitted through their planned development process. He said cottages, which he views as mostly infill projects, can be built to be efficient and attractive. He said parking is typically in shared areas.

Councilor Snider asked a process question about whether Council is being asked to provide policy direction or just receive the report. City Manager Wine said workshops are an opportunity for Council to dig into content and get a sense of what the questions are. Staff receives feedback too, but the main purpose is for Council to get a preview of what will be coming to them in the future. She asked Assistant Community Development Director McGuire to describe what will be coming to Council for a decision.

Assistant Community Development Director McGuire said the Planning Commission passed the elements mentioned earlier. As the remainder of the recommendations are considered, they will be matched up with other projects currently underway in specific areas like River Terrace, and then will come to council with strategies to move forward.

Councilor Woodard asked about entitlement agencies and Consultant Hastie said it takes work to administer them and there is the question of whether benefits outweigh the costs.

Consultant Hastie said the Transportation Growth Management (TGM) grant is a vehicle for looking at some of the strategies and recommendations. It might give Tigard a test case to see if some of these ideas can work in the community.

Associate Planner Daniels and Council President Henderson serve on the Washington County CDBG Policy Advisory Board. In honor of Fair Housing Month, Washington County will be hosting a free public screening of the documentary, "Brick by Brick…a Civil Rights Story," on Monday, April 22 from 6-7 p.m. at the Washington County Public Services Building Auditorium in Hillsboro. Councilor Woodard noted that April 22 is the first Budget Committee Meeting and Council President Henderson suggested accessing the movie for a showing in Tigard.

6. DISCUSS ECONOMIC DEVELOPMENT STRATEGY

City Manager Wine and Community Development Director Asher presented this agenda item. City Manager Wine said they are seeking Council feedback and guidance on moving forward with an economic development strategy. She gave a PowerPoint presentation, a copy of which is in the packet for this meeting.

City Manager Wine spoke about numerous previous plans and policies that set the course for an economic development strategy. There are elements in those plans that can be used to implement economic development now. She brought together several definitions that were offered to shape Tigard's economic development, including supporting a healthy business climate, strengthening the local economy, creating, attracting and retaining businesses that keep jobs and income here, redeveloping downtown Tigard, developing centers (Tigard Triangle and Washington Square), and increasing living standards and employment opportunities.

She reminded Council that Goal 9 of Tigard's Comprehensive Plan addresses the economy and contains action strategies for economic development. She recommended that an economic development strategy take these into account. She noted that economic development is one of the four priorities that council identified during Goal Setting this year. She said Goal 9 lists a universe of things the city can do for economic development but there needs to be focus on assets that are unique to Tigard.

City Manager Wine said that Council met jointly with the Planning Commission and CCAC last October to come up with a common vocabulary leading to action, not just planning. There was a focus on private/public partnerships and building off of what we have. It was suggested that we build a strategy adopting the perspective of an investor who might want to locate, keep or develop their business in a place where they could achieve a high rate of return.

The Goal 9 Economic Development Vision says, "Tigard shall have a strong and resilient local economy with a diverse portfolio of economic activity: retail, professional service and industrial jobs." She said the Economic Opportunity Analysis, which was adopted in 2011, gave a more in-depth look at the local economy, buildable lands and job base. She said the Comprehensive Plan gives the city a broad framework on which to build a strategy and program and she asked for guidance in developing the specifics. The economic element of Goal 9 has three goals:

- Developing a strong, diverse and local economy
- Making the city a center and incubator for innovative businesses, with a theme of sustainability
- Making Tigard a prosperous place to live and do business

Councilor Snider questioned the focus on environmental sustainability because it is a very specific and limited focus. He asked if Tigard has attracted any businesses in that sector. City Manager Wine said it may represent a discouragement to some and she would like a future

discussion on this. Assistant City Manager Newton said in 2009 the city was starting to get inquiries from environmentally sustainable businesses and these were linked to innovation at the time. She said, "That is a sector that we hadn't considered before. This is why it was included but it was not intended to be a focus." Councilor Woodard suggested a refresher on sustainable businesses because they are innovative and good for the environment.

Council President Henderson suggested everyone become familiar with the Goal 9 section because it speaks to policies and recommended action measures. He said, "If we follow that path, it will get us somewhere. But we need leadership to get us down that road."

City Manager Wine said economic development strategies are built on unique characteristics that provide competitive advantages. She mentioned some features that distinguish Tigard from other cities, including a downtown with a Main Street, proximity to a hub of three major highways, Washington Square (largest retail center in Oregon), low property prices, and a good quality of life.

City Manager Wine discussed four types of Action Measures on a table showing the next two years. A copy of this is included in the packet for this meeting. She said, "If someone comes on board to implement an economic development program, what will we be asking this person to do?"

Mayor Cook asked staff how a new economic development position would fit into the city's structure. Councilor Snider asked about qualifications. Community Development Director Asher said there is an opportunity to house the position in his department and the person can start by focusing on the downtown, which will complement what we are already doing there. But this person's focus is not just the downtown. It will include other parts of the city with buildings, businesses and land with potential.

In response to Councilor Snider's question, he said, "We are looking for a pro." He said there are economic development professionals with a high level of sophistication with programs and practices and this is what Tigard needs. He said the core of an economic development program citywide will be getting industrial and commercial land and buildings developed or redeveloped. This will create more jobs and become a magnet for other similar or ancillary businesses. He said most economic development funding is coming from federal, state, regional or even Small Business Administration sources. He said the city needs someone who knows how to position Tigard to take advantage of these opportunities.

City Manager Wine said the proposed position is classified at a manager level and she will provide the position class description to Council. Councilor Snider said he wants to ensure that the city does not settle for a person that is not the best. He said if we cannot get that person, we need to figure out what we need to do to attract the right person.

Community Development Director Asher said the position is ready to be advertised. The city is looking for someone with eight years of experience and a background in public administration, economics or business. Supervisory experience is desirable. The position will report to him to ensure integration of the function with all geographic areas the city is

working on. He said they would act as an ombudsmen and advocate for businesses as they come into the Planning Department and navigate the Development Code and regulations.

In response to a question from Councilor Snider on whether the city has a list of business types that it does not want to attract, Community Development Director Asher said the city code speaks to the most nefarious businesses and our zoning protects against impacts. Councilor Snider said he did not want this to be a focus for the economic development person's time and energy. Community Development Director Asher said, "It is not about the city picking and choosing companies. It is about businesses picking the city." He said the stress should be placed on solid retention policies that keep and grow current businesses.

Council President Henderson said he believes there is a person in this community that can do this job. He said the challenge will be finding someone who is the best fit for Tigard. He said finding someone from the region would be more advisable because they would immediately have the necessary connections and trust from the local players. It may take someone from out of state too much time to develop this.

Councilor Woodard said he understood that the next step after hiring this person would be to charter an economic development subcommittee. Councilor Snider said this activity is important enough that Council should serve in that function for now.

City Manager Wine said Council chooses their liaison roles on the boards and commissions that serve as advisory committees. A new board needs to be created and a liaison chosen. She said that people on the commission need to be knowledgeable because we are going to focus on implementing action strategies. She said Council will receive reports regularly in the near term. Council President Henderson said, "That gives us a lot of credit." Mayor Cook replied, "That is our role."

Mayor Cook said he applauded City Manager Wine and Community Development Asher for this "great move forward" in developing this position.

7. NON AGENDA ITEMS

8. COUNCIL LIAISON REPORTS

9. EXECUTIVE SESSION - None held.

10. ADJOURNMENT - At 8:56 p.m. Councilor Snider moved for adjournment and Councilor Woodard seconded the motion. All voted in favor.

	Yes	No
Council President Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	
Councilor Buehner (absent)		

_____
Carol A. Krager, Deputy City Recorder

Attest:

_____
John L. Cook, Mayor

_____
Date

City *of* Tigard
Tigard City Council Meeting Minutes
April 23, 2013

Mayor Cook called the meeting to order at 6:30 p.m.

Name	Present	Absent
Mayor Cook	✓	
Council President Henderson	✓	
Councilor Buehner	✓	
Councilor Snider	✓	
Councilor Woodard	✓	

Staff Present: City Manager Wine, Assistant City Manager Newton, Assistant to the City Manager Mills, City Engineer Stone, Police Chief Orr, Asst. Police Chief de Sully, Senior Management Analyst Wyatt, Community Development Director Asher, Senior Management Analyst Barrett, Utility Division Manager Goodrich, Senior Planner Wyss, City Attorney Watts, City Recorder Wheatley

Mayor Cook advised an Executive Session would take place after the business meeting.

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session under ORS 192.660(2)(e) to discuss real property transaction negotiations.

- STUDY SESSION

  A. Discuss River Terrace Community Plan Consultant Selection

  Public Works Director Asher and Senior Planner Wyss facilitated this discussion.

  Senior Planner Wyss summarized the status of the River Terrace project and reviewed the selection process for a consultant to create the infrastructure master plan for the area. Highlights:

  - Request for Proposals for the consultant has been published.

- Consultant contract approval scheduled for City Council review on May 14, 2013.
- A detailed update on the River Terrace project is scheduled for the May 21, 2013 City Council meeting.
- The River Terrace Community Plan is on schedule to be completed by March 2014.

The following issues were discussed between the City Council and staff:

- Completed master plans (i.e., Water Master Plan/Water Rates) should be incorporated in this project.
- The River Terrace Community Plan will utilize the West Bull Mountain Concept Plan. Elements of the Concept Plan will be compared to Tigard's master plans and adjusted to represent the city's and stakeholders' choices.
- Land use designations for commercial, residential, parks, etc. will be influenced by the need to be cost effective and fair to landowners.
- As the project gains momentum, the Stakeholders Working Group will continue to hear about issues people have with the West Bull Mountain Concept Plan. The more difficult issues are starting to come up.
- The scope of the infrastructure consultant RFP is not tightly written and off-site impacts, such as transportation impacts on the system outside the area, will be understood.

B. Discuss Social Gaming Regulations

Senior Management Analyst Wyatt presented the staff report and gave a history of the activity to date on the proposed social gaming draft ordinance now before the City Council. He referred to the proposed alternate language presented to the council. Police Chief Al Orr presented remarks outlining the Police Department's perspective and enforcement tools for/of social gaming regulations. Highlights:

- Discussion was held about the Portland social gaming ordinance model, which is in need of an update to comply with the Attorney General's opinions regarding the definitions and regulations on social gambling.
- King City recently adopted regulations to allow social gaming and the King City Police Chief indicated that these regulations will need tightening to comply with the Attorney General's opinions.
- The Attorney General's opinion is clear -- there should be no cover charge during the times social gaming is occurring at commercial establishments.

- Police Chief Orr commented on the appeal process. Councilor Snider indicated he was satisfied with the appeal procedures.
- Mayor Cook advised that the changes reflected in the updated proposed ordinance alleviated his concerns.
- After discussion, consensus was that the definition of 50 percent of the floor area that can be used for social gaming activity should exclude the kitchen and storage areas along with the other exclusion areas listed in the proposed ordinance.
- The proposed ordinance does not limit social gaming to poker card games; the social gaming definition applies to games where betting occurs.
- Councilor Woodard commented on the changes to the proposed ordinance and advised his concerns were alleviated.
- City Attorney Watts explained the differences in social gaming in commercial establishments vs. charitable non-profit organizations (fundraising, "Monte Carlo" activities).
- Councilor Snider said he would prefer the 50 percent floor area provision be increased, but said overall the proposed ordinance with the alternate language was acceptable.
- Staff will schedule a public hearing and bring the proposed ordinance to City Council for its consideration.

C. Administrative Items

- City Council received an April 22, 2013, memo from Senior Management Analyst Wyatt regarding *Alternate Language for Draft Social Gaming Ordinance* and a draft ordinance with revisions highlighted.
- Update from staff on the Wal-Mart Petition: Emails from Wal-Mart petition signers, "No Wal-Mart in Tigard," have been received by the City Council in recent days. After brief discussion, consensus of council was to agree that staff could respond to the signers in one email blast regarding the status of the Wal-Mart development application. Approximately 80 percent of the petition signers are non-Tigard residents.
- Council President Henderson requested to be copied on the email sent to the petition signers.

> Crosswalk on Walnut Street: Councilor Buehner noted several emails received by the City Council regarding a crosswalk on Walnut Street. City Manager Wine said she would look into this and report back to the City Council.

- Council Calendar:

April

29	Monday	Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
30	Tuesday	Tigard Town Hall – 6:30 p.m., Library Burgess Community Room

May

6	Monday	Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
7	Tuesday	City Center Development Agency Meeting – Town Hall – 6:30 p.m. followed by a City Council Executive Session
13	Monday	Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
14*	Tuesday	Council Business Meeting—6:30 p.m., Town Hall
21*	Tuesday	Council Workshop Meeting—6:30 p.m., Town Hall
27	Monday	Memorial Day – City Hall offices closed
28*	Tuesday	Council Business Meeting—6:30 p.m., Town Hall

Recessed at 7:21 p.m.

1. BUSINESS MEETING - APRIL 23, 2013

A. Mayor Cook called the meeting to order at 7:30 p.m.

B. City Recorder Wheatley called the roll:

Name	Present	Absent
Mayor Cook	✓	
Council President Henderson	✓	
Councilor Buehner	✓	
Councilor Snider	✓	
Councilor Woodard	✓	

C. Pledge of Allegiance

D. Council Communications & Liaison Reports

Councilor Woodard said he would update the City Council on a recent MACC meeting during Agenda Item No. 8.

E. Call to Council and Staff for Non-Agenda Items: None

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication: None

B. Citizen Communication – Sign Up Sheet – No one signed in to speak.

3. CONSENT AGENDA:

A. Approve City Council Meeting Minutes for:
1. January 29, 2013
2. February 26, 2013
3. ~~March 19, 2013~~ Set over to May 14, 2013 for City Council consideration.

B. Local Contract Review Board:

1. Award a Contract for the City's 2013-2014 Pavement Management Program - Slurry Seal Project to Blackline, Inc.

Motion by Councilor Buehner, seconded by Councilor Woodard, to approve the Consent Agenda with the removal of the consideration of the March 19, 2013, City Council minutes.

The motion was approved by a unanimous vote of City Council present:

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

Mayor Cook issued the proclamations as noted below:

4. PROCLAMATIONS:

A. Proclaim May 5-11 as Be Kind to Animals Week
B. Proclaim May as Bike Month

5. DISCUSSION WITH METRO COUNCILOR CRAIG DIRKSEN

Mayor Cook introduced Metro Councilor Dirksen who updated the City Council on several Metro activities.

Councilor Dirksen distributed the following information to the City Council:

- *GreenScene – Your spring guide to great places and green living.* www.oregonmetro.gov
- *Optin* – Tell decision makers what's important to you. www.oregonmetro.gov/connect
- *Make a Great Spring at Metro's Venues and Parks* – April – June Calendar www.oregonmetro.gov/calendar

Councilor Dirksen's update included the following; highlights are shown in the PowerPoint slide presentation on file in the record copy of the meeting packet:

- Southwest Corridor Plan Update (online open house, evaluation of project bundles, May 23 community forum in Tualatin, engagement through the Opt In (online).)
- Climate Smart Communities
    - Efforts will fold in cost/benefit factors. The plan is based on the "best science available."
    - Goal is for 20 percent emission reduction from cars and light trucks by 2035. In response to a question from Councilor Snider, Councilor Dirksen advised that the method(s) to evaluate goal achievement are yet to be determined.
    - Councilor Buehner reported of concerns she noted at a recent MPAC meeting, Metro staff was not receptive to local governments' funding challenges to meet mandates. Councilor Dirksen noted that policy issues will need to be resolved by elected officials.
    - Council President Henderson said he believed goal achievement could only be accomplished through understanding/influencing human behavior. Councilor Dirksen said he was not a proponent of forcing these types of changes on people and would rather work toward compliance through setting and achieving goals.
- Urban Growth Management Process
    - Councilor Dirksen advised that every five years Metro is required to do an Urban Growth Report to manage urban growth in the region. This report will contain the region's population forecasts and employment growth projections for the next 20 years. Findings in the report will determine whether the Urban Growth Boundary (UGB) can accommodate that growth. The forecast and analysis will take place in 2014. If the UGB can accommodate the forecasted growth, there will be no need for expansion of the UGB. If it is determined that more capacity is needed, Metro

will first work with local governments to take efficiency measures within the UGB before expansion is considered.
    - Councilor Dirksen said he thought the information on population changes has been released. This information will be shared with the City Council.
- Natural Areas Update
    - Expanding wildlife corridor in the Tualatin Valley.
    - Ice Age Tonquin Trail Master Plan approved.
    - Missing link in Canemah Bluff purchased.
    - Westside Trail Master Plan nearing completion – May 8 open house.
- Convention Center hotel update
    - Goal is to attract new national convention business.
    - Ongoing negotiations for a 600-room Hyatt Regency
- Oregon Zoo
    - Ten-year land use plan approved.
    - Elephant lands construction begins in June.
    - Animal welfare work underway in Asia.

Mayor Cook recessed the City Council meeting and convened the Local Contract Review Board.

6. CONVENE LOCAL CONTRACT REVIEW BOARD:

Senior Management Analyst Joe Barrett presented the staff report on the following LCRB items:

A. Consider Award of a Contract for System Integrator Services to Portland Engineering, Inc.

Motion by Councilor Buehner, seconded by Councilor Snider, to award a contract for System Integrator Services to Portland Engineering, Inc.

The motion was approved by a unanimous vote of City Council present:

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

B. Consider Award of a Contract for the FY 2013-2014 Pavement Management Program - Pavement Overlay Project to Eagle Elsner, Inc.

Motion by Councilor Buehner, seconded by Councilor Snider, to award the contract for the FY 2013-2014 Pavement Management Program - Pavement Overlay Project to Eagle Elsner, Inc.

The motion was approved by a unanimous vote of City Council present:

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

C. Consider Award of a Contract for Grounds Maintenance at Various City Facilities, Water and Water Quality Sites to Portland Habilitation Center Northwest, Inc., an Oregon Qualified Rehabilitation Facility

Motion by Councilor Buehner, seconded by Councilor Snider, to award the contract for Grounds Maintenance at Various City Facilities, Water and Water Quality Sites to Portland Habilitation Center Northwest, Inc., an Oregon Qualified Rehabilitation Facility.

The motion was approved by a unanimous vote of City Council present:

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	Yes
Councilor Woodard	Yes

7. SELECT A SOLID WASTE RATE MODEL AND CONSIDER A RESOLUTION TO ADJUST SOLID WASTE RATES BASED ON THE SLECTED RATE MODEL INCLUDING A ONE-PERCENT INCREASE IN THE SOLID WASTE FRANCHISE FEE (PUBLIC COMMENT TO BE HEARD PRIOR TO COUNCIL CONSIDERATION)

Staff Report: Public Works Business Manager Michelle Wright and Consultant Chris Bell of Bell & Associates were present.

Public Works Business Manager Wright reviewed the staff report. Council discussed solid waste rate and franchise fee adjustments at its March 19, 2013, workshop meeting. During that meeting the council requested the following additional information:

- The number of customers in each service type.

- Cost of service, fixed rate and commercial subsidy rate models.
- Rate comparison with neighboring jurisdictions.

This additional information was included in the written staff report.

The mayor referred to the sign-in sheet that was available to anyone who wanted to comment on the adjustment to the solid waste rates. No one signed in to speak and the mayor asked if there was anyone present who wanted to speak on this matter. There was no testimony.

During discussion with staff on the proposed options, Mayor Cook, Council President Henderson, Councilor Buehner and Councilor Woodard indicated support for Option 1, which was the cost-of-service rate model. Councilor Snider said he favored Option 3, the commercial subsidy rate model, because it had a lesser impact on residential customers. He said Option 3 appears to be the most equitable with regard to sharing the increase in rates.

Mayor Cook and Council President Henderson commented on why they favored Option 1, noting their preference was to stay away from subsidizing commercial service. Ultimately, the consumer pays the commercial rate increases because businesses will pass these costs through by charging more for goods and services.

All three options included a 1 percent increase in the solid waste franchise fee. The increase will bring the total franchise fee up to 5 percent, which is consistent with other city franchise fees. Staff estimated the increase will generate $90,000 annually.

During discussion, Consultant Bell confirmed for council that there has been no rate increase to the solid waste rates in Tigard for seven years.

Motion by Councilor Woodard, seconded by Council President Henderson, to select Option 1 and adopt Resolution No. 13-18.

RESOLUTION NO. 13-18 - A RESOLUTION ADOPTING A NEW SOLID WASTE RATE SCHEDULE AND DIRECTING CITY STAFF TO ADJUST THE SOLID WASTE FRANCHISE FEE

The motion was approved by a majority vote of City Council present:

Mayor Cook	Yes
Council President Henderson	Yes
Councilor Buehner	Yes
Councilor Snider	No
Councilor Woodard	Yes

8. COUNCIL LIAISON REPORTS

Councilor Woodard gave an update on a recent meeting of the Metropolitan Area Communications Commission (MACC). There are 9 openings for videoing local government events. Programming ideas for Tigard are being considered.

The MACC contract with Comcast is in initial review. Councilor Woodard requested City Council members to refer people to Fred Christ or Bruce Crest at MACC if asked about the contract negotiations.

In response to a question from Councilor Buehner, Councilor Woodard said West Linn's council meetings will begin to air over TVCTV in July.

9. NON AGENDA ITEMS: None

Mayor Cook announced the upcoming Tigard Town Hall meeting scheduled for April 30, 2013.

Mayor Cook announced the Executive Session:

10. EXECUTIVE SESSION: The Tigard City Council went into Executive Session under ORS 192.660(2)(e) at 9:11 p.m. to discuss real property transaction negotiations.

11. ADJOURNMENT: 10:28 p.m.

_____
Catherine Wheatley, City Recorder

Attest:

_____
Mayor, City of Tigard

Date:_____

I:\adm\cathy\ccm\2013\final minutes\04 april\130423 final.docx

AIS-1174

5. C.

Business Meeting			
Meeting Date:	05/14/2013		
Length (in minutes):	Consent Item		
Agenda Title:	Authorize the Mayor to Execute an Intergovernmental Agreement with Washington County Regarding the Construction of a Water Line to Serve River Terrace		
Prepared For:	Rob Murchison	**Submitted By:**	Greer Gaston, Public Works
Item Type:	Motion Requested	**Meeting Type:**	Consent Agenda
Public Hearing Newspaper Legal Ad Required?:	No		
Public Hearing Publication Date in Newspaper:			

Information

ISSUE

Shall the council authorize the mayor to execute an intergovernmental agreement (IGA) with Washington County regarding the construction of a water line to serve River Terrace?

STAFF RECOMMENDATION / ACTION REQUEST

Staff respectively recommends the mayor execute the IGA.

KEY FACTS AND INFORMATION SUMMARY

- The council was briefed on a draft version of this IGA at its April16, 2013, workshop meeting. Significant terms of the agreement remain the same; there were no substantive changes between the draft IGA and the final IGA now before council.
- Washington County plans to reconstruct and widen the section of Scholls Ferry Road from Roy Rogers Road to the Walnut Street/Murray Road intersection.
- The city needs to install approximately 2,600 feet of water line under a section of Scholls Ferry Road from Roy Rogers Road to Barrows Road. This water line will eventually become part of the distribution system that will supply water to River Terrace.
- The county's project area for roadwork overlaps the city's project area for the water line.
- The attached IGA incorporates the city's water line project into the county's roadwork project. This allows the city to avoid excavating the new Scholls Ferry Road roadbed in the future—an activity that would not be viewed favorably by the county due to their roadway cut moratorium. And, when compared to constructing the roadwork and water line separately, combining projects will save money and reduce the number and duration of disruptions for motorists and area residents.
- The IGA outlines city and county responsibilities. In general, the county will construct, contract and manage the construction of both projects; this is similar to other agreements the city has entered into with the state and the county. The city will design, fund and inspect the construction of the water line project.
- The attached IGA has been reviewed and approved as to form by the city attorney.

OTHER ALTERNATIVES

The council could choose to:

1. Not enter into the IGA and could construct the water line at a later date.
2. Direct staff to look at additional alternatives or pursue some other course of action.
3. Direct staff to re-negotiate the IGA to pursue a different allocation of project responsibilities and/or funding.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

Not applicable

DATES OF PREVIOUS CONSIDERATION

The council was briefed on this IGA at its April 16, 2013, workshop meeting.

Fiscal Impact

Cost:	$1.45 million
Budgeted (yes or no):	Proposed *
Where Budgeted (department/program):	Water CIP Fund

Additional Fiscal Notes:

The estimated cost of water line construction and county administrative services, as outlined in the IGA, is $805,000. Additional monies will be needed to cover project design and city staffing costs (project manager, inspector, etc.). The total water related costs for the project is budgeted at $900,000. In addition, there are $550,000 of sanitary sewer related costs related to serving River Terrace, bringing the total project cost up to the listed $1.45 million.

* The proposed 2013-2018 Capital Improvement Plan (CIP) includes $900,000 to construct this water line over FY 2013 and FY 2014. Depending on the timing of construction by Washington County, appropriations may need to be carried forward from FY 2013 to FY 2014. This dollar amount will be sufficient to fund the city's share of the project, including staff time to manage the city's interest in the project.

Attachments

IGA

INTERGOVERNMENTAL AGREEMENT
BETWEEN
WASHINGTON COUNTY AND THE CITY OF TIGARD

FOR TRANSPORTATION AND UTILITY IMPROVEMENTS ON
SW SCHOLLS FERRY ROAD (SW ROY ROGERS ROAD TO SW BARROWS ROAD)

THIS INTERGOVERNMENTAL AGREEMENT is entered into between Washington County, a political subdivision of the State of Oregon, acting by and through its elected officials, hereinafter referred to as "COUNTY"; and the City of Tigard, a municipal corporation, acting by and through its City Council, hereinafter referred to as "CITY."

RECITALS

1. WHEREAS, ORS 190.010 authorizes agencies to enter into intergovernmental agreements for the performance of any or all functions and activities that a party to the agreement has the authority to perform; and

2. WHEREAS, COUNTY has an approved and funded Major Streets Transportation Improvement Program project to construct road improvements to SW Scholls Ferry Road, a County Arterial Street, from SW Roy Rogers Road to SW Barrows; and

3. WHEREAS, CITY as the designated public service provider, maintains certain public infrastructure within the Rights-of-Way of SW Scholls Ferry Road under permit from COUNTY; and

4. WHEREAS, CITY desires COUNTY to have water utility improvement work completed within and in conjunction with the road improvement project limits along SW Scholls Ferry Road; and

5. WHEREAS, this agreement will result in considerable cost savings to CITY and COUNTY by coordination of roadway and infrastructure improvements. Coordination with the COUNTY project improvements listed above is a benefit to the community by reducing costs, the number of road traffic restrictions and length of time needed to accomplish the work identified; and

6. WHEREAS, under such authority, it is the desire of the COUNTY and CITY to enter into such an Agreement to cooperate in the design and construction of the improvements to the water line as part of the road improvements to SW Scholls Ferry Road, with the allocation of responsibilities as detailed below; and

7. WHEREAS, it is the desire of COUNTY and CITY to enter into his agreement to allocate responsibilities for funding, design and construction of all the above-described improvements.

AGREEMENT

NOW, THEREFORE, the premise being in general as stated in the foregoing recitals, and in consideration of the terms, conditions and covenants as set forth below, the parties hereto agree as follows:

1. PROJECT DESCRIPTION

1.1 The COUNTY road project improvements will include: road widening, curbs, sidewalks, bike lanes, street lighting, drainage, landscaping, traffic control, water quality improvements and all necessary permitting on SW Scholls Ferry Road between SW Roy Rogers Road to SW Barrows Road, hereinafter referred to as "ROAD PROJECT" as shown generally on the attached Exhibit A.

1.2 The CITY project work includes installation of approximately 2200 feet of 18-inch water line, installation of approximately 40 feet of 12-inch waterline, valves, fire hydrants, water testing stations and respective appurtenances, hereinafter collectively referred to as "CITY PROJECT" as shown generally on the attached Exhibit B.

1.3 The ROAD PROJECT and the CITY PROJECT are referred to herein as the "PROJECT".

2. COUNTY OBLIGATIONS

2.1 Upon execution of this agreement, COUNTY shall assign a project manager to be responsible for oversight of the PROJECT during the design, bidding and construction phase of the PROJECT and provide timely coordination with CITY.

2.2 COUNTY shall perform, or cause to be performed, all actions necessary for the design and construction of the Road PROJECT including project management, design and construction engineering, regulatory and land use permits and approvals, public information, contract administration, and construction management. COUNTY shall coordinate the design of, advertise for, award, and administer the construction contract for the PROJECT.

2.3 COUNTY shall incorporate the plans, specifications, and bid items provided by CITY for the CITY PROJECT, into final bid documents and bid schedule for PROJECT.

2.4 COUNTY will provide CITY three (3) working days following bid opening to review and approve the bid results for the CITY PROJECT. COUNTY may award the construction contract, including the CITY PROJECT bid items, unless the CITY informs COUNTY in writing, prior to award, that it wishes to cancel its construction as part of the PROJECT.

2.5 After bid award, COUNTY shall obtain CITY approval for any contract change order or proposed design or other changes to the CITY PROJECT.

2.6 COUNTY shall require all contractors to include "City of Tigard, its elected and appointed official, officers, agents, employees and volunteers" as additional insured on insurance coverage required for construction work performed in completing the

PROJECT.

2.7 COUNTY shall require all contractors to provide worker's compensation coverage pursuant to ORS for all subject workers performing work in connection with this Agreement.

2.8 COUNTY shall establish a unique project number and compile accurate cost accounting records, which shall be available for examination by CITY upon reasonable notice and retain said records as established by ORS.

2.9 COUNTY shall provide a final cost accounting for the CITY PROJECT, including all internal and external costs, to the CITY within 60 days of final acceptance and payment to the contractor.

2.10 COUNTY shall provide written notice that the CITY PROJECT is complete and obtain CITY'S final acceptance prior to final lift paving of the PROJECT and prior to releasing bonds or issuing final payment to the contractor.

3. CITY OBLIGATIONS

3.1 Upon execution of this Agreement, CITY shall assign a project manager to be responsible for coordination of the PROJECT with COUNTY.

3.2 CITY shall provide to COUNTY biddable construction documents including construction plan sheets, specifications, and bid schedule for the CITY PROJECT. The CITY PROJECT bid items shall be incorporated into the overall Project Bid Schedule.

3.3 CITY shall provide timely responses to bidder's questions about the CITY PROJECT during advertisement of the Project. If necessary, provide COUNTY with addendum no later than five (5) business days prior to the Project bid opening.

3.4 CITY shall provide construction inspection of the CITY PROJECT bid items including review and approval of shop drawings, submittals, and onsite inspection to determine compliance with the contract documents. CITY's onsite inspections of the CITY PROJECT bid items shall be coordinated through COUNTY'S lead Project inspector. CITY's onsite inspector shall be onsite and responsible for enforcing all applicable specifications during all CITY PROJECT work, including but not limited to night work, accommodations for public traffic and work zone traffic control. CITY has the right to approve the final acceptance of the CITY PROJECT. CITY shall provide CITY PROJECT daily reports, field directives, pay notes and quantities to COUNTY in a timely manner in COUNTY-provided format and coordinate with COUNTY lead inspector.

3.5 CITY shall have the right to approve any design or other change to the CITY PROJECT WORK portions of the PROJECT.

3.6 CITY shall provide timely reviews and comments on COUNTY design documents and timely response to other PROJECT information requests. CITY shall provide the COUNTY as-built construction drawings for the CITY PROJECT within sixty (60) days after work is deemed complete and acceptable by the COUNTY. The as-built

drawings shall be provided in Camera-ready hardcopy, 11x17 inches, with a CD in AutoCAD digital format.

3.7 CITY shall coordinate and participate with COUNTY on any disagreements, disputes, delays or claims related to or as a result of the CITY PROJECT.

3.8 As construction work upon the PROJECT is performed, COUNTY shall, on a quarterly basis, prepare and submit construction invoices to the CITY for the construction and non-construction costs of the CITY PROJECT work. Construction costs include bid item quantities used for CITY PROJECT work and any City-related Extra Work bid item costs, and the proportional cost of applicable lump sum bid items (e.g. mobilization, TP&DT, erosion control, etc). Non-construction costs of COUNTY services, computed at a flat rate of 15% of the CITY PROJECT WORK construction costs, shall be charged to and paid by City and include the following: the cost of COUNTY services including project construction management, surveying, inspection and construction contract administration.

The City has provided estimated construction costs which are:

Water Line Improvements	$700,000
Non-construction Costs of County Services (15%)	$105,000
Estimated Total Construction Cost	$805,000

3.9 CITY and COUNTY understand that the construction costs outlined above are estimates and are used to determine project budgets and estimated payment amounts used within this agreement. Final costs will be based on the actual contract amount of the schedule of prices and quantities used and installed. Final payments made by the CITY to the COUNTY related to this PROJECT shall be based on actual design invoices, actual bid prices, construction quantities and non-construction costs.

4. GENERAL PROVISIONS

4.1 LAWS OF OREGON

The parties shall comply with all applicable laws and regulations regarding the handling and expenditure of public funds. This Agreement shall be construed and enforced in accordance with the laws of the State of Oregon. All relevant provisions required by ORS Chapter 279A and 279C to be included in public contracts are incorporated and made a part of this Agreement as if fully set forth herein.

4.2 DEFAULT

Time is of essence in the performance of the Agreement. Either party shall be deemed to be in default if it fails to comply with any provisions of this Agreement. The non-defaulting party shall provide the other party with written notice of default and allow thirty (30) days within which to cure the defect.

4.3 INDEMNIFICATION

This Agreement is for the benefit of the parties only. Each party agrees to indemnify

and hold harmless the other party, and its officers, employees, and agents, from and against all claims, demands and causes of actions and suits of any kind or nature for personal injury, death or damage to property on account of or arising out of services performed, the omissions of services or in any way resulting from the negligent or wrongful acts or omissions of the indemnifying party and its officers, employees and agents. To the extent applicable, the above indemnification is subject to and shall not exceed the limits of liability of the Oregon Tort Claims Act (ORS 30.260 through 30.300). In addition, each party shall be solely responsible for any contract claims, delay damages or similar items arising from or caused by the action or inaction of the party under this agreement.

4.4 MODIFICATION OF AGREEMENT

No waiver, consent, modification or change of terms of this Agreement shall be binding unless in writing and signed by both parties.

4.5 DISPUTE RESOLUTION

The parties shall attempt to informally resolve any dispute concerning any party's performance or decisions under this Agreement, or regarding the terms, conditions or meaning of this Agreement. A neutral third party may be used if the parties agree to facilitate these negotiations, with the parties sharing equally in the cost of a neutral third party. In the event of an impasse in the resolution of any dispute, the issue shall be submitted to the governing bodies of both parties for a recommendation or resolution.

4.6 REMEDIES

Subject to the provisions in paragraph 5.5, any party may institute legal action to cure, correct or remedy any default, to enforce any covenant or agreement herein, or to enjoin any threatened or attempted violation of this Agreement. All legal actions shall be initiated in Washington County Circuit Court. The parties, by signature of their authorized representatives below, consent to the personal jurisdiction of that court.

4.7 EXCUSTED PERFORMANCE

In addition to the specific provisions of this Agreement, performance by any party shall not be in default where delays or default is due to war, insurrection, strikes, walkouts, riots, floods, drought, earthquakes, fires, casualties, acts of God, governmental restrictions imposed or mandated by governmental entities other than the parties, enactment of conflicting state or federal laws or regulations, new or supplementary environmental regulation, litigation or similar bases for excused performance that are not within the reasonable control to the party to be excused.

4.8 SEVERABILITY

If any one or more of the provisions contained in this Agreement is invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions of the Agreement will not be affected or impaired in any way.

4.9 INTEGRATION

This Agreement is the entire agreement of the parties on its subject and supersedes any prior discussions or agreements regarding the same subject.

5. TERMS OF AGREEMENT

5.1 The term of the Agreement shall be from the date of execution until the completion of the PROJECT, but not to exceed five (5) years.

5.2 This Agreement may be amended or extended for periods of up to one (1) year by mutual consent of the parties. It may be canceled or terminated for any reason by either party. Termination or cancellation shall be effective thirty (30) days after written notice to the other party, or at such time as the parties may otherwise agree. The parties shall, in good faith, agree to such reasonable provisions for winding up the PROJECT and paying for any additional costs as necessary.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year hereinafter written.

CITY OF TIGARD, OREGON

_____
MAYOR

DATE: _____

ATTEST:

_____
CITY RECORDER

APPROVED AS TO FORM:

_____
CITY ATTORNEY

WASHINGTON COUNTY, OREGON

_____
CHAIR, BOARD OF COUNTY COMMISSIONERS

DATE: _____

_____
RECORDING SECRETARY

APPROVED AS TO FORM:

_____
COUNTY COUNSEL

WASHINGTON COUNTY
OREGON

Exhibit A

S.W. SCHOLLS FERRY ROAD WIDENING

ROY ROGERS ROAD TO TEAL BOULEVARD

Map Date: March 29, 2012
Prepared by: EDF

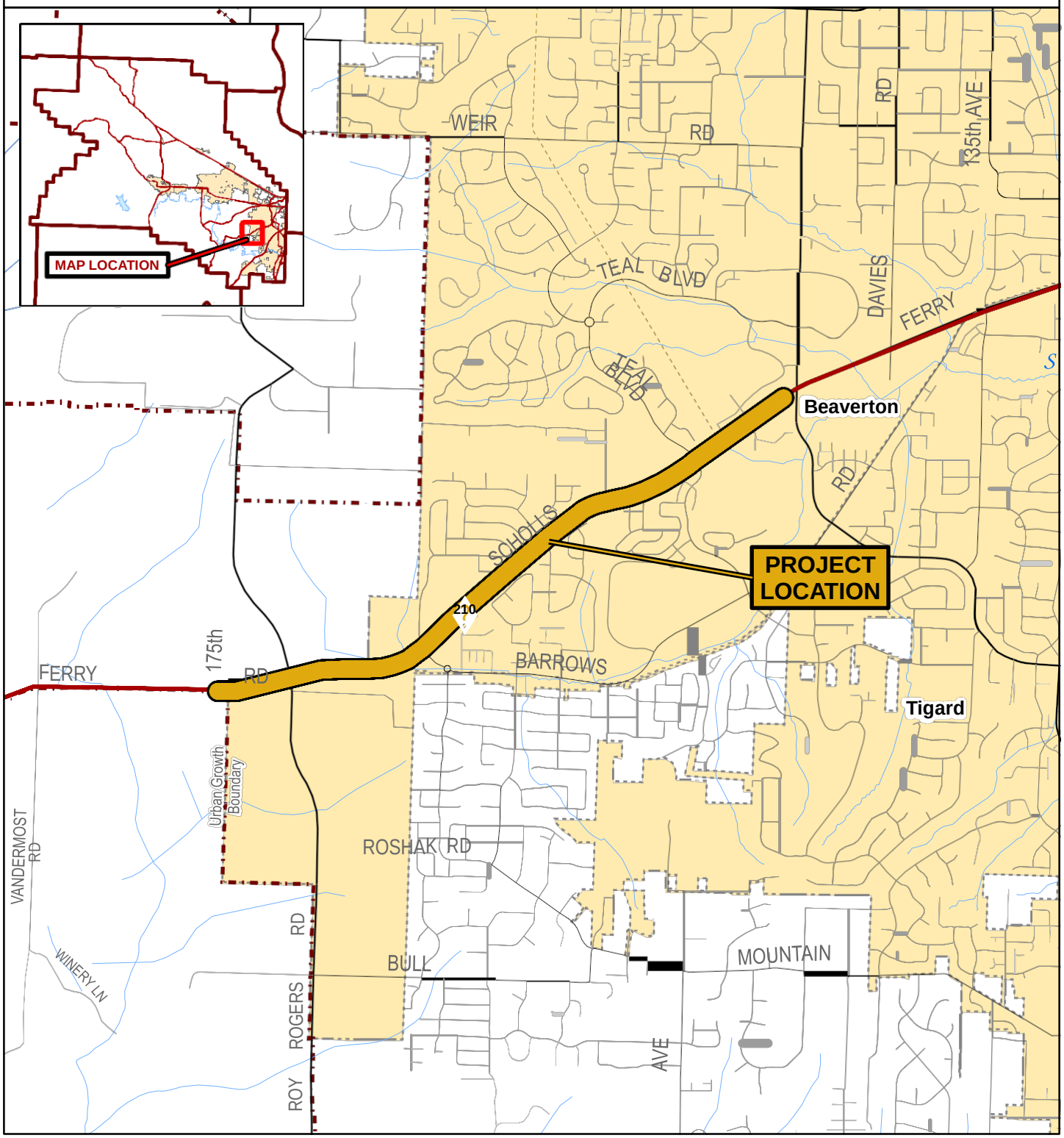
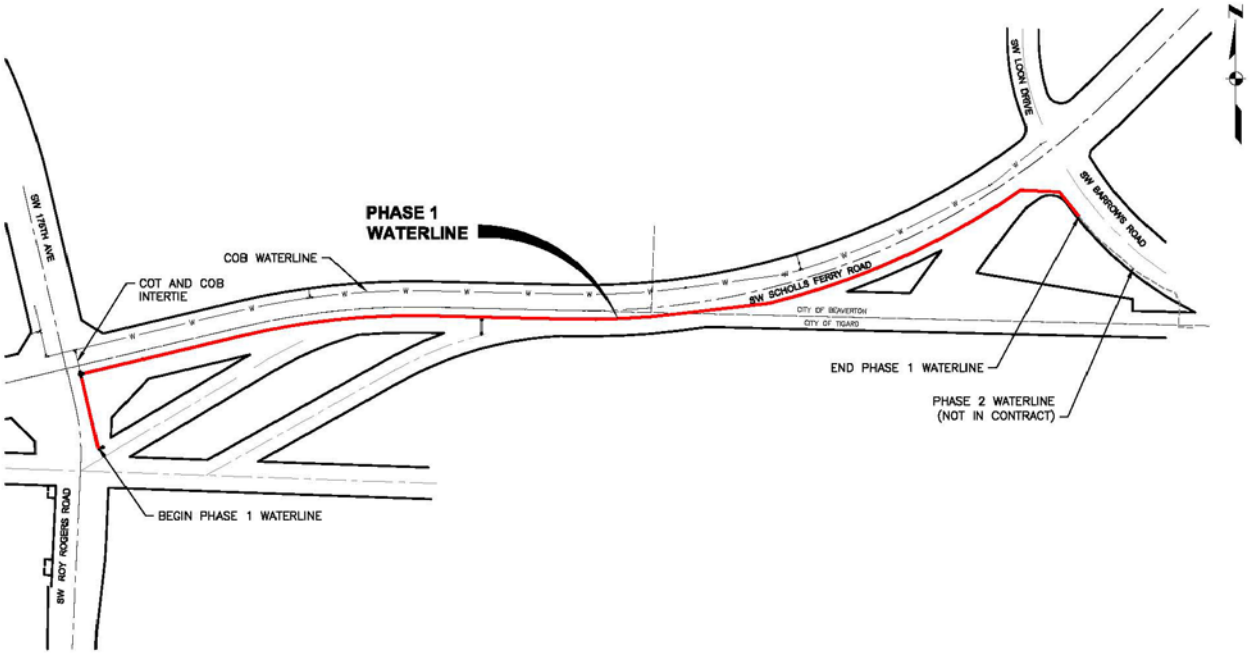


Exhibit B



VICINITY MAP
NO SCALE

AIS-1252

5. D.

Business Meeting

Meeting Date:	05/14/2013		
Length (in minutes):	Consent Item		
Agenda Title:	Tigard/TriMet Application for New Transit Service on SW 72nd Avenue		
Submitted By:	Judith Gray, Community Development		
Item Type:	Receive and File	**Meeting Type:**	Consent - Receive and File
Public Hearing:	No	**Publication Date:**	

Information

ISSUE

Should the City Council approve the City of Tigard's partnership application with TriMet for a Job Access Reverse Commute (JARC) grant application to provide new transit service in the SW 72nd Avenue corridor?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends that the City Council approve the grant application.

KEY FACTS AND INFORMATION SUMMARY

TriMet recently approached Tigard with an opportunity to pursue funds for future new transit service along SW 72nd Avenue. They asked that Tigard be a co-applicant on a Job Access and Reverse Commute (JARC) Program application. TriMet would provide the local match and would also be the service provider. The City of Tigard would not be providing local funds, administering a contract, or otherwise committing city resources.

The JARC program provides federal transportation funds geared toward providing access to jobs, with an emphasis on serving entry level jobs and low income riders. As the program administrator, TriMet has always allocated the funds based on a competitive grant process. However, they have the authority to keep and administer the funds themselves, provided expenditures meet the JARC program objectives. The SW 72nd Avenue presents such an opportunity.

The current JARC funds would likely not be enough to begin new service right away, but this application could enable TriMet to set aside a portion of funds now for new service. This would be included in future service planning, especially the upcoming Southwest Corridor Service Enhancement Plan. TriMet is hoping that new service could start in late 2014.

Before any new service would be started, there will be extensive outreach to determine details of routes, stop locations, and schedules. However, it is assumed that the JARC funding would support service connecting the Tigard Transit Center; Tigard Triangle; and, Bridgeport Village, generally via SW 72nd Avenue. A memo summarizing the proposal was provided to Council before the application was submitted (attached).

OTHER ALTERNATIVES

n/a

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

- Will support transit service enhancement planning associated with the Southwest Corridor Plan.
- Supports efforts to reduce traffic congestion by providing improved transit options.

DATES OF PREVIOUS COUNCIL CONSIDERATION

None

Fiscal Impact

Fiscal Information:

None

Attachments

Memorandum to Council

City *of* Tigard
Memorandum

To: Mayor Cook and City Council

From: Judith Gray, Senior Transportation Planner

Re: Potential Transit Grant Opportunity

Date: February 28, 2013

cc: Marty Wine, City Manager

TriMet recently approached Tigard with an opportunity to pursue new transit service along SW 72nd Avenue and have asked that Tigard partner with them as a co-applicant on a Job Access and Reverse Commute (JARC) Program application. TriMet would provide the local match and would also be the service provider. The City of Tigard would not be providing local funds, administering a contract, or otherwise committing city resources. However, due to the combined schedule constraints of the application process and Council agendas, it is necessary for us to submit the grant application before fully briefing you on the application. It is necessary to submit an application at this time in order to remain eligible and meet application requirements. I have asked Liz Newton to provide the signature. I am scheduled to have this item for your consideration at your April 9 meeting if you wish to have more information.

Job Access and Reverse Commute Program

The JARC program provides federal transportation funds geared toward providing access to jobs, with an emphasis on entry level jobs and low income riders. As the program administrator, TriMet has always allocated the funds based on a competitive grant process. However, they are not required by the JARC program to do this and they are able to keep and administer the funds themselves, provided it meets the JARC program objectives. TriMet knows that transit service is limited in the employment area of SW 72nd Avenue and they have determined that new service in the corridor would be consistent with JARC objectives.

Community Input

In order to get some initial community input, TTAC held a special meeting last night and invited guests from TriMet, Tualatin, and the Westside Transportation Alliance to discuss the opportunity, priorities, and potential limitations of the grant period. While there are limitations to this opportunity – only 8 service hours per day and no guarantee of future funding – TTAC members were unanimous in their strong support. In particular, one of our members, general manager of the Tigard Fred Meyer, was certain that his associates would consider the service valuable.

If this grant is awarded, there will be extensive outreach to determine details of routes, stop locations, and schedules. However, it is assumed that service would connect the Tigard Transit Center; Tigard Triangle; and, Bridgeport Village, generally via SW 72nd Avenue.

Timeline

Applications for the grant are due February 28 and awards will be made in early April. At this stage, an intergovernmental agreement would be developed that would clarify roles and obligations. Again, Tigard is not anticipating a commitment of funds, service delivery, or program administration.

AIS-1280

6.

Business Meeting

Meeting Date:	05/14/2013		
Length (in minutes):	5 Minutes		
Agenda Title:	Award 2013 "If I Were Mayor" Contest Prize		
Prepared For:	Joanne Bengtson	**Submitted By:**	Joanne Bengtson, City Management
Item Type:	Update, Discussion, Direct Staff	**Meeting Type:**	Council Business Meeting - Main

Public Hearing
Newspaper Legal Ad Required?: No
Public Hearing Publication
Date in Newspaper:

Information

ISSUE

Should Mayor Cook recognize and award student artist, Max Plaster, for his winning poster entry in the Oregon Mayor's Association annual "If I Were Mayor" contest. The prize is a $50 Visa gift card.

STAFF RECOMMENDATION / ACTION REQUEST

Award the prize.

KEY FACTS AND INFORMATION SUMMARY

Mayor John Cook will present a $50 gift certificate to Max Plaster, a student at Scholls Heights Elementary School, for his original poster submitted in the 2013 "If I Were Mayor" student contest sponsored by the Oregon Mayors Association (OMA). Mr. Plaster will be accompanied to the Council meeting by his mom Deedie Plaster for the presentation.

Although he lives in Tigard, the location of his home places him in the Beaverton School District as a student at Scholls Heights Elementary School.

There were no successful applications submitted in the Middle School Essay and High School Video categories. Mr. Plaster's poster will be entered into the statewide contest for a chance to win one of three new laptop computers from the OMA.

Statewide winners will be notified (along with their Mayor) in mid-June. The statewide winners and their parents will be invited to the OMA Annual Conference luncheon in Corvallis on Saturday, July 27, to be recognized and receive their prizes.

OTHER ALTERNATIVES

Not award a prize in any of the three categories.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

DATES OF PREVIOUS CONSIDERATION

The Mayor of Tigard has participated in this annual contest since it began in 2007.

Fiscal Impact

Cost:	56.00
Budgeted (yes or no):	yes
Where Budgeted (department/program):	100/0500

Additional Fiscal Notes:

Three $50 gift cards were budgeted for, but the Mayor did not receive winning entries in two of the three categories. There is a $6 service fee attached to the purchase of a $50 Visa Gift Card.

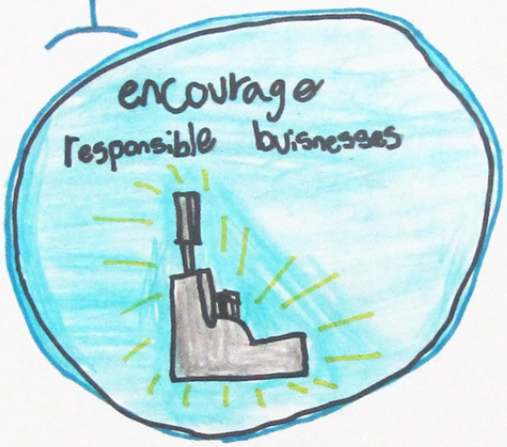
Attachments

2013 If I Were Mayor Contest Poster Winner

2013 If I Were Mayor Contest Winner's Application

IF I WERE Da Yor...

I Doula Help...



. . . . . OFFICIAL ENTRY FORM . . . . . .

(Must accompany EVERY contest entry)

2013 Student Poster/Essay/Video/PowerPoint Contest

if i were mayor...

What does a mayor do?

Oregon mayors are elected by the voters in their city to serve as the chair of the city's governing body — the city council. They are the recognized civic leader in the eyes of the community and the person who represents their city to other governments and individuals. The mayor presides over council meetings and participates in discussions. Depending on the city's charter (the equivalent of a constitution), the mayor may also appoint committees to study public policy (in areas such as parks, transportation, community planning, libraries, traffic safety, etc.) with council approval, and sign ordinances and other records approved by the council.

JUDGING CRITERIA:

Local judging will be conducted by Tigard Mayor Cook. Statewide judging will be conducted by a panel of mayors. In selecting the winners, the judges will consider:

- ✓ ***Creativity*** — Does the student demonstrate curiosity and originality?
- ✓ ***Clarity/Sincerity of Thought*** — Is the submission well thought out and organized?
- ✓ ***Proper Use of Grammar*** — Does the submission contain proper spelling, grammar and punctuation?
- ✓ ***Subject Relevancy*** — Are the major points relevant to the role of a government leader? Does the student demonstrate an understanding of municipal government and the job of mayor?

Student name: Max Plaster Home phone: 503. 524.3215

Home address: 13138 SW yarrow way

City/state/zip: tigard Oregon 97223

School: Scholls Heights Sponsoring teacher: Mrs. Dunlevy

Name of parent/guardian: Deedie Plaster Email: the.plasters@hotmail.com

Signature of parent/guardian: (required for students under age 18) Deedie Plaster

VERIFICATION STATEMENT

I hereby verify that the work enclosed was produced by the student whose name appears on this entry form.

Signature: Deedie Plaster Print name: Deedie Plaster

Relationship (parent/guardian, teacher): Mother

Submissions must be accompanied by a completed entry form and received no later than 5 p.m., Monday, April 15, 2013.

CONTESTANT LAST NAME: PLASTER CITY REPRESENTED: **Tigard, OR**

CITY OF TIGARD APPLICANTS ONLY:

If you have questions, contact the Mayor's Executive Assistant Joanne Bengtson at Joanne@tigard-or.gov or 503-718-2476.

AIS-1167 **7.**

Business Meeting			
Meeting Date:	05/14/2013		
Length (in minutes):	10 Minutes		
Agenda Title:	Consider a Resolution of Necessity to Acquire Property for the 72nd Avenue/Dartmouth Street Intersection Improvement Project		
Prepared For:	Mike Stone	**Submitted By:**	Renee Ferguson, Public Works
Item Type:	Resolution	**Meeting Type:**	Council Business Meeting - Main
Public Hearing Newspaper Legal Ad Required?:	No		
Public Hearing Publication Date in Newspaper:			

Information

ISSUE

Shall the council adopt a resolution of necessity to acquire certain real property and easements for the 72nd Avenue/Dartmouth Street intersection improvement project?

STAFF RECOMMENDATION / ACTION REQUEST

Staff respectfully recommends that the City Council adopt the attached resolution.

KEY FACTS AND INFORMATION SUMMARY

Current Project

The 'current' project, as outlined in the current 2013-2017 Capital Improvement Plan (CIP), contains the following description: "This project will fund a reimbursement district to signalize the intersection of 72nd Avenue and Dartmouth Street. The intersection is currently configured as an "all way stop" and is one of the most heavily traveled intersections in Tigard." The project envisioned the construction of a traffic control signal (conditioned on the Wal Mart development) matching the existing limited travel/turn lane configurations. This project would not construct pedestrian or bike lane linkages to the south.

Current project budget: $1.46M.

Proposed Project Expansion

The 'expanded' project, as illustrated in the current Transportation System Master Plan (TSP), envisions additional widening of this intersection with continued development which would necessitate the relocation of the traffic control signal as currently planned at some time in the future. After considering the increases in background traffic volumes since the approval of the original Target land use application (now Wal Mart) and the anticipated impacts of the turn limitations along 99W (also conditioned on Wal Mart), Staff is now recommending that the traffic control signal be installed in the 'ultimate TSP location', an additional section of 72nd be widened to the south to provide for immediate additional intersection capacity and temporary ped/bike connections be constructed to the residential areas lying to the south. The 'expanded' project would provide some temporary relief until the remaining section of 72nd (which was not conditioned on Wal Mart to construct) to Beveland is completed in future CIPs.

Proposed project budget: $2.65M.

While there is sufficient funding to cover the current project cost expenditures for the current fiscal year, additional funding will be necessary in the next budget cycle should the Council wish to proceed. Staff is recommending that the significant portion of the increased costs be secured by using a portion of the City's Gas Tax revenue. Staff requested that the TTAC, at it's April 3, 2013 meeting, forward such a recommendation to the Council for this approach and that request was granted.

Since the original project description envisions seeking reimbursement for the construction costs associated with the additional capacity generated at the intersection from future development in the area, it follows that the costs associated with the 'expanded' project would follow in a similar manner.

The Resolution of Necessity

In order to construct the improvements under either alternative, the city needs to acquire certain real property and easements for the proposed work from adjacent property owners.

The city's standard practice is to negotiate with each property owner and purchase the property at fair price. However, as a last resort, it is sometimes necessary to acquire property and easements via condemnation. If there is a possibility that condemnation may be required, the federal property acquisition process dictates that a resolution of necessity be adopted before negotiations begin. The city follows the federal process to ensure it will qualify for federal funding opportunities now and in the future.

If Council adopts the resolution of necessity, the city (or the city's agent) will enter into negotiations with the property owners to buy the required easements and properties, or portions of the properties, at the appraised value. Should negotiations prove unsuccessful, the resolution authorizes the city to proceed with condemnation. However, prior to filing any actual condemnation proceedings, Staff would return to Council for a briefing on the process to date.

OTHER ALTERNATIVES

The Council could choose to adopt the attached resolution of necessity allowing the 'expanded' project to proceed forward. Alternatively, the Council could choose to proceed with the 'original' project which would have significantly less right-of-way/easements needs and Staff would return with a modified resolution of necessity. Failure to acquire the properties for either alternative will affect the city's ability to construct either project which would likely lead to significant traffic delays in the area once Wal Mart opens its doors.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

The 'expanded' project is included in the city's *Transportation System Plan.*

DATES OF PREVIOUS CONSIDERATION

The Council was briefed on the resolution of necessity for the 'expanded' project in executive session on January 22, 2013.

Fiscal Impact

Cost:	$2,650,000
Budgeted (yes or no):	Partial *
Where Budgeted (department/program):	Multiple Funds

Additional Fiscal Notes:

* The 2012-2013 CIP contains $1,405,000 of Gas Tax and Traffic Impact Fee Funds for the original project. This included $100,000 for property acquisition. Funding for FY 2013-2014 has yet to be adopted.

Funding for the expanded $2.65 million project is included in the proposed 2014-2018 CIP, with $815,000 from the Gas Tax Fund, $165,000 from the Transportation Development Tax Fund, $520,000 from the Trafic Impact Fee Fund, $150,000 from the Utility Undergrounding Fund and $1,000,000 from the City Gas Tax Fund, as recommeded

by the TTAC. The estimated cost to acquire easements and rights of way for the expanded project is $600,000.

Attachments

Resolution

Exhibits to Resolution

72nd Dartmouth Map of Required Easements and Right of Way Acquisitions

72nd_Dartmouth Preliminary Design

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 13-19

A RESOLUTION DECLARING THE NEED TO ACQUIRE RIGHTS OF WAY AND EASEMENTS ON PROPERTIES FOR THE PURPOSE OF CONSTRUCTING STREET IMPROVEMENTS ALONG 72ND AVENUE AND DARTMOUTH STREET AND AUTHORIZING IMMEDIATE POSSESSION OF THE PROPERTY

WHEREAS, the City Charter grants the City of Tigard ("City") the authority to acquire land for public purposes; and

WHEREAS, the City is authorized by ORS 223.005 et seq. and ORS 35.015 et seq. to purchase, acquire, take, use, enter upon and appropriate land and property within or without its corporate limits for the purpose provided in those statutes; and

WHEREAS, the construction of the 72nd Avenue/Dartmouth Street Intersection Improvement project (the "Project") is identified in the City of Tigard *Transportation System Plan* and the proposed *2014-2018 Capital Improvement Plan*; and

WHEREAS, the City needs to construct the Project for the health, safety, benefit, and general welfare of the public by addressing traffic congestion and safety issues in the area; and

WHEREAS, the City needs to acquire an interest in the Properties (as defined below) on which to construct and maintain the needed street improvements that are part of the Project (including sidewalks, drainage systems, utilities, street-related easements, and other aspects of the Project); and

WHEREAS, immediate possession of the Properties is necessary in order to complete the Project in a timely and efficient manner; and

WHEREAS, to allow for acquisition of the Properties in a timely and efficient manner, a resolution of necessity is necessary to allow the City to take all measures necessary to acquire the Properties, including the exercise of eminent domain, if needed.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City hereby finds and declares that certain properties located in the City of Tigard, Washington County, Oregon are immediately needed and required for the Project, which includes construction, operation, maintenance, repair, and improvement of 72nd Avenue and Dartmouth Street. The properties for which the City needs to acquire a right of way or easements are legally described and depicted in the attached and incorporated exhibits (Exhibits A-1 through Exhibit J), (collectively, the "Properties").

SECTION 2: The City hereby finds that the acquisition of rights of way and/or easements on the Properties is necessary and in the public interest, and the improvements to the Properties will be planned, designed, located and constructed in a manner that will be most compatible with the greatest public benefit and the least private injury or damage.

SECTION 3: The city manager, city's agent, and the city's real estate attorney are authorized to negotiate and enter into agreements with the owners and other persons who have an interest in the Properties as to the compensation for each acquisition.

SECTION 4: In the event that no satisfactory agreement can be reached on the right of way or easement acquisition for all or any portion of the Properties, the city's real estate attorney is directed and authorized to commence and prosecute to final determination such proceedings as may be necessary to acquire the Properties or any portion of the Properties for which no satisfactory agreement can be reached, including exercise of eminent domain, and upon the filing of such proceedings, possession of the affected real property therein may be taken immediately to the extent provided by law.

SECTION 5: This resolution is effective immediately upon passage.

PASSED: This 14th day of May 2013.

Mayor - City of Tigard

ATTEST:

Catherine Wheatley
City Recorder - City of Tigard

WHPacific

Exhibit A-1

S.W. 72nd Avenue &
S.W. Dartmouth Street Intersection
February 6, 2013
Parcels 1 and 2

City Road Project No.: 95035
File No.: 01
Assessors Map: 2S 1 01BA
Tax Lot No.: 00401

PARCEL 1 (SLOPE EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Gordon R. Martin, by Bargain and Sale Deed recorded December 28, 2005, in Document No. 2005-163368, Washington County Book of Records, said parcel also being all that portion lying Easterly of the line delineated by following the below noted stations and offsets, Westerly of the Centerline of S.W. 72nd Avenue, as said Centerline is described below.

S.W. 72nd AVENUE CENTERLINE

A road Centerline situated in the Southeast One-Quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW 72nd Avenue right-of-way Centerline Station 127+18.37, said point bears South 65° 48' 43" West, a distance of 2120.02 feet from the Northeast One-Quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; said point being the point of curvature of a 285.16 foot radius curve, concave Westerly, thence along said Centerline through a central angle of 24° 06' 20" (the long chord of which bears North 11° 02' 44" East, a distance of 119.09 feet) an arc distance of 119.97 feet to a point of tangency at Centerline Station 128+38.35; thence North 01° 00' 26" West, a distance of 800.38 feet to Station 136+38.72, a Centerline angle point; thence North 01° 43' 36" East, a distance of 920.85 feet to Station 145+59.57, at the point of terminus, said point bears South 39° 14' 07" West, a distance of 1,165.26 feet from the North One-Quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW 72nd Avenue is determined by holding a Station of 136+03.69 = 23+72.60 at the right-of-way Centerline of SW 72nd Avenue and the right-

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of-way Centerline of SW Dartmouth Street, as per Survey Number 30,893, Washington County Survey Records.

Bearings are based upon Survey Number 30,893, Washington County Survey Records.

Station to Station	Offset Distances Westerly of S.W. 72nd Avenue Centerline
128+60.00 to 129+63.00	54.00 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. 72nd Avenue.

The parcel of land to which this description applies contains 711 square feet, more or less.

PARCEL 2 (TEMPORARY CONSTRUCTION EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Gordon R. Martin, by Bargain and Sale Deed recorded December 28, 2005 in Document No. 2005-163368, Washington County Book of Records, said parcel also being all that portion lying Easterly of the lines delineated by following the below noted stations and offsets, Westerly of the Centerline of S.W. 72nd Avenue, as said Centerline is described above under Parcel 1.

Station to Station	Offset Distances Westerly of S.W. 72nd Avenue Centerline
128+60.00 to 129+59.00	57.00 feet parallel with the centerline
129+59.00 to 129+90.00	69.00 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. 72nd Avenue and all that portion within the above described Parcel 1.

The parcel of land to which this description applies contains 727 square feet, more or less.

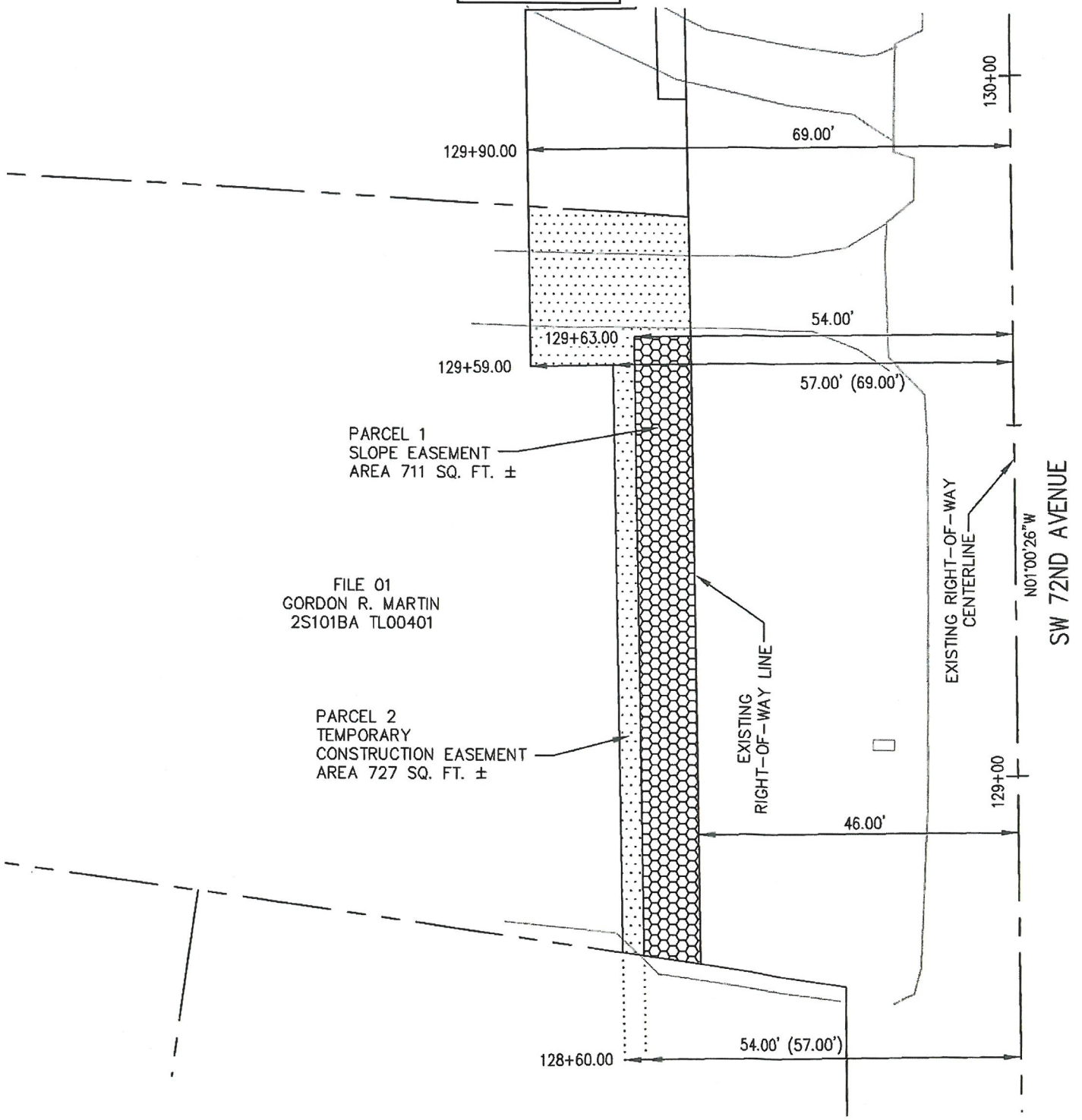
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Scott M. Grubbs

OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728

RENEWAL: 06-30-13

Exhibit A-2



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(FEET)

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LEGEND

SLOPE EASEMENT (PARCEL 1)	711 SQ. FT. ±
TEMPORARY CONSTRUCTION EASEMENT (PARCEL 2)	727 SQ. FT. ±

FILE NO.: 01	SW 72ND AVENUE & SW DARTMOUTH STREET INTERSECTION	SUBMITTAL DATE: 02/06/13	WHPacific
TAX LOT: 00401	CITY OF TIGARD PROJECT NO. 95035	REVISED DATE:	9755 SW Barnes Rd. Suite 300 Portland, OR 97225 503-626-0455 Fax 503-626-6775 www.whpacific.com
TAX MAP: 2S 1 01BA		REVISED DATE:	
ADDRESS: 12265 SW 72ND AVENUE		REVISED DATE:	DWG: 037614-V-EXF01.dwg

WHPacific

Exhibit B-1

S.W. 72nd Avenue &
S.W. Dartmouth Street Intersection
February 2, 2013
Parcels 1, 2 and 3

City Road Project No.: 95035
File No.: 02
Assessors Map: 2S 1 01AB
Tax Lot No.: 00700

PARCEL 1 (RIGHT-OF-WAY DEDICATION)

A parcel of land lying in the Northeast one-quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Miguel Ramon Heras and Elaine Clare Heras, Co-Trustees, by Warranty Deed recorded July 19, 2008 in Document No. 2008-055480, Washington County Book of Records, said parcel also being all that portion lying Westerly of the lines delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described below.

S.W. 72nd AVENUE CENTERLINE

A road centerline situated in the Southeast One-Quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW 72nd Avenue right-of-way Centerline Station 127+18.37, said point bears South 65° 48' 43" West, a distance of 2120.02 feet from the Northeast One-Quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; said point being the point of curvature of a 285.16 foot radius curve, concave Westerly, thence along said Centerline through a central angle of 24° 06' 20" (the long chord of which bears North 11° 02' 44" East, a distance of 119.09 feet) an arc distance of 119.97 feet to a point of tangency at Centerline Station 128+38.35; thence North 01° 00' 26" West, a distance of 800.38 feet to Station 136+38.72, a Centerline angle point; thence North 01° 43' 36" East, a distance of 920.85 feet to Station 145+59.57, at the point of terminus, said point bears South 39° 14' 07" West, a distance of 1,165.26 feet from the North One-Quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW 72nd Avenue is determined by holding a Station of 136+03.69 = 23+72.60 at the right-of-way Centerline of SW 72nd Avenue and the right-of-way Centerline of SW Dartmouth Street, as per Survey Number 30,893, Washington County Survey Records.

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Bearings are based upon Survey Number 30,893, Washington County Survey Records.

Station to Station	Offset Distances Easterly of S.W. 72nd Avenue Centerline
128+40.00 to 129+40.00	27.48 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. 72nd Avenue.

The parcel of land to which this description applies contains 695 square feet, more or less.

PARCEL 2 (SLOPE EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Miguel Ramon Heras and Elaine Clare Heras, Co-Trustees, by Warranty Deed recorded July 19, 2008 in Document No. 2008-055480, Washington County Book of Records, said parcel also being all that portion lying Westerly of the lines delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described above under Parcel 1.

Station to Station	Offset Distances Easterly of S.W. 72nd Avenue Centerline
128+40.00 to 128+60.00	28.76 feet along a straight line to 31.00 feet
128+83.00 to 129+40.00	32.00 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. 72nd Avenue and all that portion within the above described Parcel 1.

The parcel of land to which this description applies contains 280 square feet, more or less.

PARCEL 3 (TEMPORARY CONSTRUCTION EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Miguel Ramon Heras and Elaine Clare Heras, Co-Trustees, by Warranty Deed recorded July 19, 2008 in Document No. 2008-055480, Washington County Book of Records, said parcel also being all that portion lying Westerly of the lines delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described above under Parcel 1.

Station to Station	**Offset Distances Easterly of S.W. 72nd Avenue Centerline**
128+40.00 to 128+56.00	31.86 feet along a straight line to 33.00 feet
128+56.00 to 128+84.00	43.48 feet along a straight line to 44.60 feet
128+84.00 to 129+40.00	35.00 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. 72nd Avenue and all that portion within the above described Parcels 1 and 2.

The parcel of land to which this description applies contains 637 square feet, more or less.

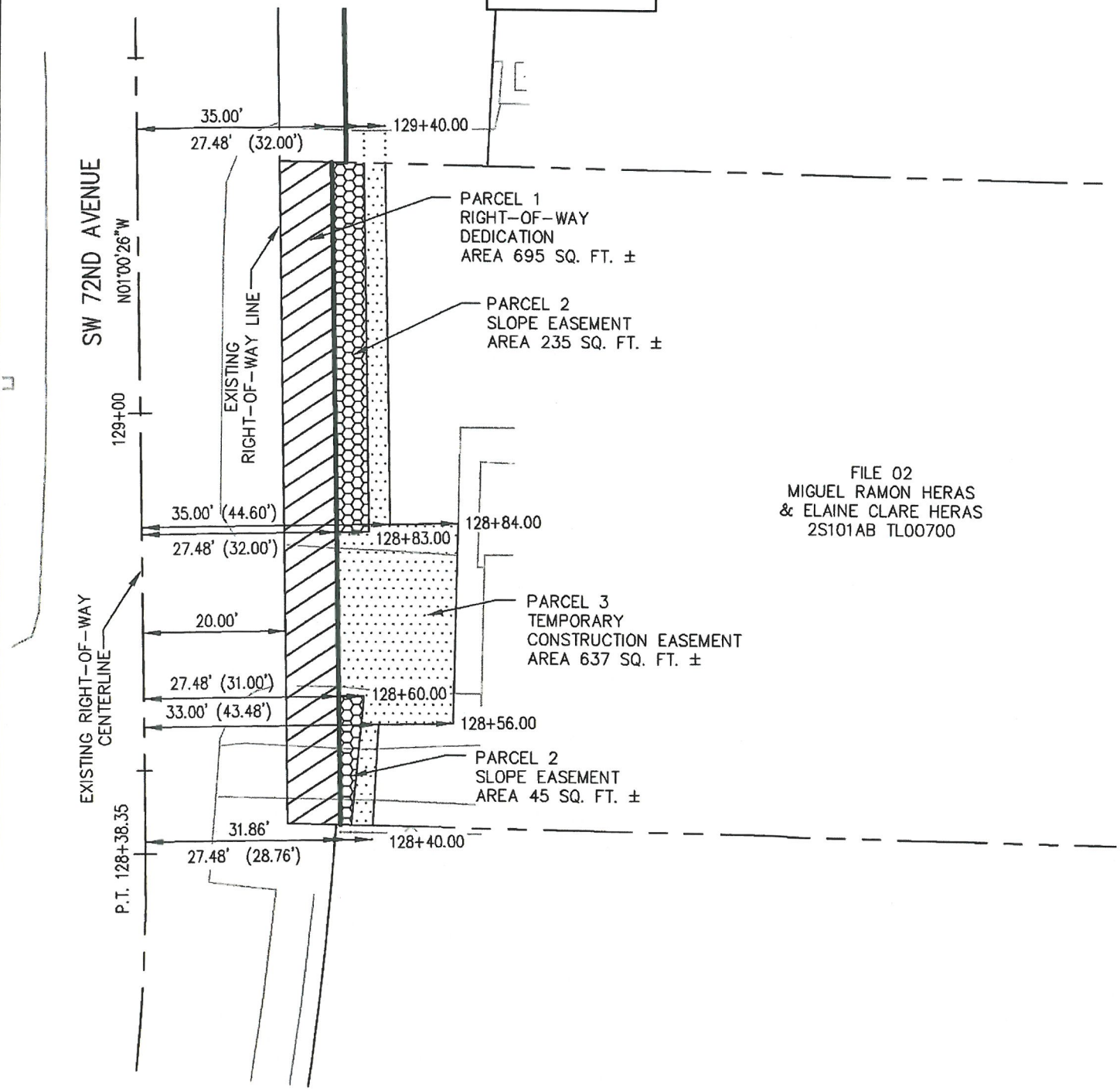
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Scott M. Grubbs

OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728

RENEWAL: 06-30-13

Exhibit B-2



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(FEET)

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LEGEND

	RIGHT-OF-WAY DEDICATION (PARCEL 1)	695 SQ. FT. ±
	SLOPE EASEMENT (PARCEL 2)	280 SQ. FT. ±
	TEMPORARY CONSTRUCTION EASEMENT (PARCEL 3)	637 SQ. FT. ±

FILE NO.: 02	SW 72ND AVENUE & SW DARTMOUTH STREET INTERSECTION	SUBMITTAL DATE: 02/06/13	WHPacific
TAX LOT: 00700	CITY OF TIGARD PROJECT NO. 95035	REVISED DATE:	9755 SW Barnes Rd, Suite 300 Portland, OR 97225 503-626-0455 Fax 503-526-0775 www.whpacific.com
TAX MAP: 2S 1 01AB		REVISED DATE:	
ADDRESS: 11985 SW 72ND AVENUE		REVISED DATE:	DWG: 037614-V-EXF02.dwg

WHPacific

Exhibit C-1

S.W. 72nd Avenue &
S.W. Dartmouth Street Intersection
February 6, 2013
Parcels 1 and 2

City Road Project No.: 95035
File No.: 03
Assessors Map: 2S 1 01BA
Tax Lot No.: 00300, 00400, 00402

PARCEL 1 (SLOPE EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Clackamas County Bank, by Trustee's Deed recorded February 19, 2010 in Document No. 2010-013552, Washington County Book of Records, said parcel also being all that portion lying Easterly of the lines delineated by following the below noted stations and offsets, Westerly of the Centerline of S.W. 72nd Avenue, as said Centerline is described below.

S.W. 72nd AVENUE CENTERLINE

A road Centerline situated in the Southeast One-Quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW 72nd Avenue right-of-way Centerline Station 127+18.37, said point bears South 65° 48' 43" West, a distance of 2120.02 feet from the Northeast One-Quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; said point being the point of curvature of a 285.16 foot radius curve, concave Westerly, thence along said Centerline through a central angle of 24° 06' 20" (the long chord of which bears North 11° 02' 44" East, a distance of 119.09 feet) an arc distance of 119.97 feet to a point of tangency at Centerline Station 128+38.35; thence North 01° 00' 26" West, a distance of 800.38 feet to Station 136+38.72, a Centerline angle point; thence North 01° 43' 36" East, a distance of 920.85 feet to Station 145+59.57, at the point of terminus, said point bears South 39° 14' 07" West, a distance of 1,165.26 feet from the North One-Quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW 72nd Avenue is determined by holding a Station of 136+03.69 = 23+72.60 at the right-of-way Centerline of SW 72nd Avenue and the right-of-way Centerline of SW Dartmouth Street, as per Survey Number 30,893, Washington County Survey Records.

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Bearings are based upon Survey Number 30,893, Washington County Survey Records.

Station to Station	Offset Distances Westerly of S.W. 72nd Avenue Centerline
129+97.00 to 130+69.00	50.00 feet along a straight line to 51.00 feet
130+69.00 to 131+88.00	51.00 feet along a straight line to 54.00 feet
131+88.00 to 132+70.00	54.00 feet along a straight line to 50.00 feet
132+70.00 to 134+38.00	50.00 feet along a straight line to 66.00 feet
134+38.00 to 134+95.00	66.00 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. 72nd Avenue.

The parcel of land to which this description applies contains 4,578 square feet, more or less.

PARCEL 2 (TEMPORARY CONSTRUCTION EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Clackamas County Bank, by Trustee's Deed recorded February 19, 2010 in Document No. 2010-013552, Washington County Book of Records, said parcel also being all that portion lying Easterly of the lines delineated by following the below noted stations and offsets, Westerly of the Centerline of S.W. 72nd Avenue, as said Centerline is described above under Parcel 1.

Station to Station	Offset Distances Westerly of S.W. 72nd Avenue Centerline
129+75.00 to 130+10.00	69.00 feet parallel with the centerline

130+10.00 to 130+69.00	53.00 feet along a straight line to 54.00 feet
130+69.00 to 131+88.00	54.00 feet along a straight line to 57.00 feet
131+88.00 to 132+70.00	57.00 feet along a straight line to 53.00 feet
132+70.00 to 134+38.00	53.00 feet along a straight line to 69.00 feet
134+38.00 to 134+95.00	69.00 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. 72nd Avenue and all that portion within the above described Parcel 1.

The parcel of land to which this description applies contains 2,039 square feet, more or less.

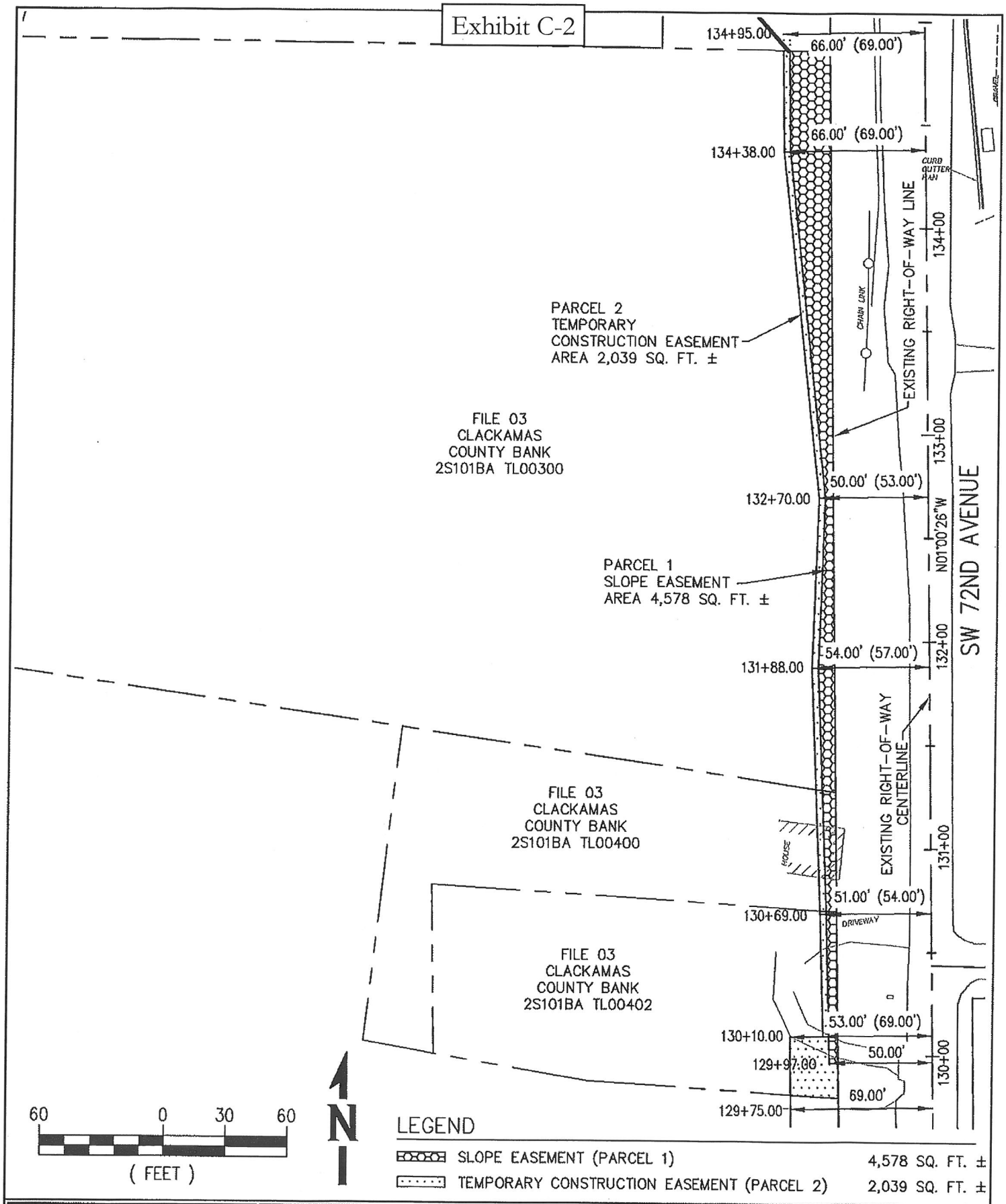
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Scott M. Grubbs

OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728

RENEWAL: 06-30-13

Exhibit C-2



FILE NO.: 03	SW 72ND AVENUE & SW DARTMOUTH STREET INTERSECTION	SUBMITTAL DATE: 02/06/13	WHPacific
TAX LOT: 00300, 00400, 00402	CITY OF TIGARD PROJECT NO. 95035	REVISED DATE:	9755 SW Barnes Rd, Suite 300 Portland, OR 97225 503 626-0455 Fax 503-626-0775 www.whpacific.com
TAX MAP: 2S 1 01BA		REVISED DATE:	
ADDRESS: 12235 & 12215 SW 72ND		REVISED DATE:	DWG: 037614-V-EXF03.dwg

WHPacific

Exhibit D-1

S.W. 72nd Avenue &
S.W. Dartmouth Street Intersection
February 6, 2013
Parcels 1 and 2

City Road Project No.: 95035
File No.: 04
Assessors Map: 2S 1 01AB
Tax Lot No.: 00600

PARCEL 1 (RIGHT-OF-WAY DEDICATION)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Femy Kriwandi, by Special Warranty Deed recorded May 11, 1998 in Document No. 98049496, Washington County Book of Records, said parcel also being all that portion lying Westerly and Northerly of the lines delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described below.

S.W. 72nd AVENUE CENTERLINE

A road Centerline situated in the Southeast One-Quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast one-quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW 72nd Avenue right-of-way Centerline Station 127+18.37, said point bears South 65° 48' 43" West, a distance of 2120.02 feet from the Northeast One-Quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; said point being the point of curvature of a 285.16 foot radius curve, concave Westerly, thence along said Centerline through a central angle of 24° 06' 20" (the long chord of which bears North 11° 02' 44" East, a distance of 119.09 feet) an arc distance of 119.97 feet to a point of tangency at Centerline Station 128+38.35; thence North 01° 00' 26" West, a distance of 800.38 feet to Station 136+38.72, a Centerline angle point; thence North 01° 43' 36" East, a distance of 920.85 feet to Station 145+59.57, at the point of terminus, said point bears South 39° 14' 07" West, a distance of 1,165.26 feet from the North One-Quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW 72nd Avenue is determined by holding a Station of 136+03.69 = 23+72.60 at the right-of-way Centerline of SW 72nd Avenue and the right-

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of-way Centerline of SW Dartmouth Street, as per Survey Number 30,893, Washington County Survey Records.

Bearings are based upon Survey Number 30,893, Washington County Survey Records.

Station to Station	Offset Distances Easterly of S.W. 72nd Avenue Centerline
129+30.00 to 129+98.00	29.50 feet parallel with the centerline
129+98.00 to 130+10.00	29.50 feet along a straight line to 36.00 feet
130+10.00 to 130+30.00	36.00 feet along a straight line to 101.66 feet

Excepting therefrom, all that portion of said parcel lying within the existing rights-of-way of S.W. 72nd Avenue and S.W. Elmhurst Street.

The parcel of land to which this description applies contains 1,490 square feet, more or less.

PARCEL 2 (TEMPORARY CONSTRUCTION EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Femy Kriwandi, by Special Warranty Deed recorded May 11, 1998 in Document No. 98049496, Washington County Book of Records, said parcel also being all that portion lying Westerly and Northerly of the lines delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described above under Parcel 1.

Station to Station	Offset Distances Easterly of S.W. 72nd Avenue Centerline
129+30.00 to 129+62.00	49.15 feet along a straight line to 51.30 feet

129+62.00 to 129+66.00	51.30 feet along a straight line to 32.00 feet
129+66.00 to 129+98.00	32.00 feet parallel with the centerline
129+98.00 to 130+07.00	32.00 feet along a straight line to 37.54 feet
130+07.00 to 130+30.00	37.54 along a straight line to 116.21 feet

Excepting therefrom, all that portion of said parcel lying within the existing rights-of-way of S.W. 72nd Avenue and all that portion within the above described Parcels 1 and 2.

The parcel of land to which this description applies contains 926 square feet, more or less.

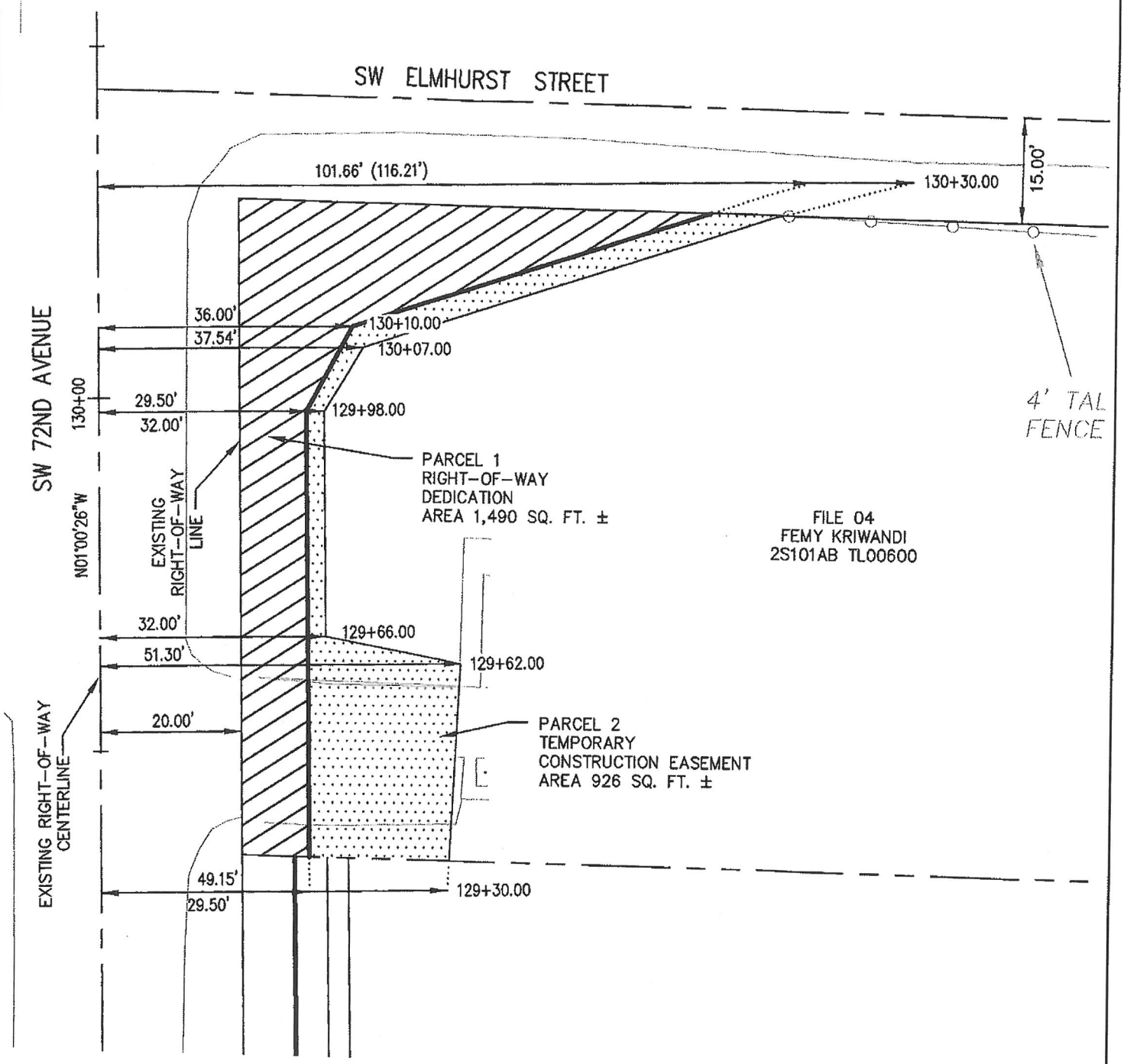
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Scott M. Grubbs

OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728

RENEWAL: 06-30-13

Exhibit D-2



LEGEND

RIGHT-OF-WAY DEDICATION (PARCEL 1)	1,490 SQ. FT. ±
TEMPORARY CONSTRUCTION EASEMENT (PARCEL 2)	926 SQ. FT. ±

FILE NO.: 04	SW 72ND AVENUE & SW DARTMOUTH STREET INTERSECTION	SUBMITTAL DATE: 02/06/13	WHPacific
TAX LOT: 00600	CITY OF TIGARD PROJECT NO. 95035	REVISED DATE:	9755 SW Barnes Rd, Suite 300 Portland, OR 97225 503-626-0455 Fax 503-626-0775 www.whpacific.com
TAX MAP: 2S 1 01AB		REVISED DATE:	
ADDRESS: 12260 SW 72ND AVENUE		REVISED DATE:	DWG: 037614-V-EXF04.dwg

WHPacific

Exhibit E-1

S.W. 72nd Avenue &
S.W. Dartmouth Street Intersection
February 6, 2013
Parcels 1, 2 and 3

City Road Project No.: 95035
File No.: 05
Assessors Map: 2S 1 01BA
Tax Lot No.: 00100

PARCEL 1 (RIGHT-OF-WAY DEDICATION)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Martin R. Gordon, by Bargain and Sale Deed recorded January 4, 2006 in Document No. 2006-000870, Washington County Book of Records, said parcel also being all that portion lying Easterly and Northerly of the lines delineated by following the below noted stations and offsets, Westerly of the Centerline of S.W. 72nd Avenue and Southerly of S.W. Dartmouth Street, as said Centerlines are described below.

S.W. DARTMOUTH STREET CENTERLINE

A road Centerline situated in the Southeast One-Quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW Dartmouth Street Centerline Station 14+22.30, said point bears North 54° 52' 02" West, a distance of 260.92 feet from the North One-Quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; thence South 74° 00' 42" East, a distance of 651.90 feet to Centerline Station 20+74.20 and the beginning of a 500.00 foot radius curve, concave Southerly; thence along said Centerline and said curve through a central angle of 14° 32' 43", (the long chord of which bears South 81° 17' 04" East, a distance of 126.59 feet) an arc distance of 126.93 feet to a point of tangency at Centerline Station 22+01.13; thence South 88° 33' 26" East, a distance of 980.62 feet to centerline Station 31+81.75 at a point of curvature and at the point of terminus, said point bears South 89° 37' 54" West, a distance of 1,115.73 feet from the Northeast One-Quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW Dartmouth Street is determined by holding a Centerline Station of 23+72.60 = 136+03.69 at the Centerline of SW 72nd Avenue and the Centerline

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of SW Dartmouth Street as per Survey Number 30,893, Washington County Survey Records

S.W. 72nd AVENUE CENTERLINE

A road Centerline situated in the Southeast One-Quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW 72nd Avenue right-of-way Centerline Station 127+18.37, said point bears South 65° 48' 43" West, a distance of 2120.02 feet from the Northeast One-Quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; said point being the point of curvature of a 285.16 foot radius curve, concave Westerly, thence along said Centerline through a central angle of 24° 06' 20" (the long chord of which bears North 11° 02' 44" East, a distance of 119.09 feet) an arc distance of 119.97 feet to a point of tangency at Centerline Station 128+38.35; thence North 01° 00' 26" West, a distance of 800.38 feet to Station 136+38.72, a Centerline angle point; thence North 01° 43' 36" East, a distance of 920.85 feet to Station 145+59.57, at the point of terminus, said point bears South 39° 14' 07" West, a distance of 1,165.26 feet from the North One-Quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW 72nd Avenue is determined by holding a Station of 136+03.69 = 23+72.60 at the right-of-way Centerline of SW 72nd Avenue and the right-of-way Centerline of SW Dartmouth Street, as per Survey Number 30,893, Washington County Survey Records.

Bearings are based upon Survey Number 30,893, Washington County Survey Records.

Station to Station	**Offset Distances Westerly of S.W. 72nd Avenue Centerline and Southerly of S.W. Dartmouth Street Centerline**
21+40.00, S.W. Dartmouth Street to 21+66.00, S.W. Dartmouth Street	47.00 feet from S.W. Dartmouth Street centerline, along a straight line to 51.00 feet from S.W. Dartmouth Street centerline
21+66.00, S.W. Dartmouth Street to 21+98.00, S.W. Dartmouth Street	51.00 feet from S.W. Dartmouth Street centerline, along a straight line to 54.50 feet from S.W. Dartmouth Street centerline

21+98.00, S.W. Dartmouth Street to 22+49.00, S.W. Dartmouth Street	54.50 feet from and parallel with S.W. Dartmouth Street centerline
22+49.00, S.W. Dartmouth Street to 134+63.00, S.W. 72nd Avenue	54.50 feet from S.W. Dartmouth Street centerline, along a straight line to 46.00 feet from S.W. 72nd Avenue centerline

Excepting therefrom, all that portion of said parcel lying within the existing rights-of-way of S.W. 72nd Avenue and S.W. Dartmouth Street.

The parcel of land to which this description applies contains 4,113 square feet, more or less.

PARCEL 2 (SLOPE EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Martin R. Gordon, by Bargain and Sale Deed recorded January 4, 2006 in Document No. 2006-000870, Washington County Book of Records, said parcel also being all that portion lying Northerly of the lines delineated by following the below noted stations and offsets, Southerly of the Centerline of S.W. Dartmouth Street, as said Centerline is described above under Parcel 1.

Station to Station	**Offset Distances Southerly of S.W. Dartmouth Street Centerline**
19+83.00 to 21+00.00	52.00 feet along a straight line to 53.00 feet
21+00.00 to 22+13.00	53.00 feet along a straight line to 65.00 feet
22+13.00 to 22+59.00	65.00 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. Dartmouth Street and all that portion within the above described Parcel 1.

The parcel of land to which this description applies contains 1,886 square feet, more or less.

PARCEL 3 (TEMPORARY CONSTRUCTION EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Martin R. Gordon, by Bargain and Sale Deed recorded January 4, 2006 in Document No. 2006-000870, Washington County Book of Records, said parcel also being all that portion lying Easterly and Northerly of the lines delineated by following the below noted stations and offsets, Westerly of the Centerline of S.W. 72nd Avenue and Southerly of S.W. Dartmouth Street, as said Centerlines are described above under Parcel 1.

Station to Station	**Offset Distances Southerly of S.W. Dartmouth Street Centerline and Westerly of S.W. 72nd Avenue Centerline**
19+60.00, S.W. Dartmouth Street to 21+00.00, S.W. Dartmouth Street	56.98 feet from S.W. Dartmouth Street centerline, along a straight line to 58.00 feet from S.W. Dartmouth Street centerline
21+00.00, S.W. Dartmouth Street to 22+13.00, S.W. Dartmouth Street	58.00 feet from S.W. Dartmouth Street centerline, along a straight line to 70.00 feet from S.W. Dartmouth Street centerline
22+13.00, S.W. Dartmouth Street to 22+49.00, S.W. Dartmouth Street	70.00 feet from and parallel with S.W. Dartmouth Street centerline
22+49.00, S.W. Dartmouth Street to 134+63.00, S.W. 72nd Avenue	70.00 feet from S.W. Dartmouth Street centerline, along a straight line to 56.00 feet from S.W. 72nd Avenue centerline

Excepting therefrom, all that portion of said parcel lying within the existing rights-of-way of S.W. 72nd Avenue, S.W. Dartmouth Street, and all that portion within the above described Parcels 1 and 2.

The parcel of land to which this description applies contains 2,205 square feet, more or less.

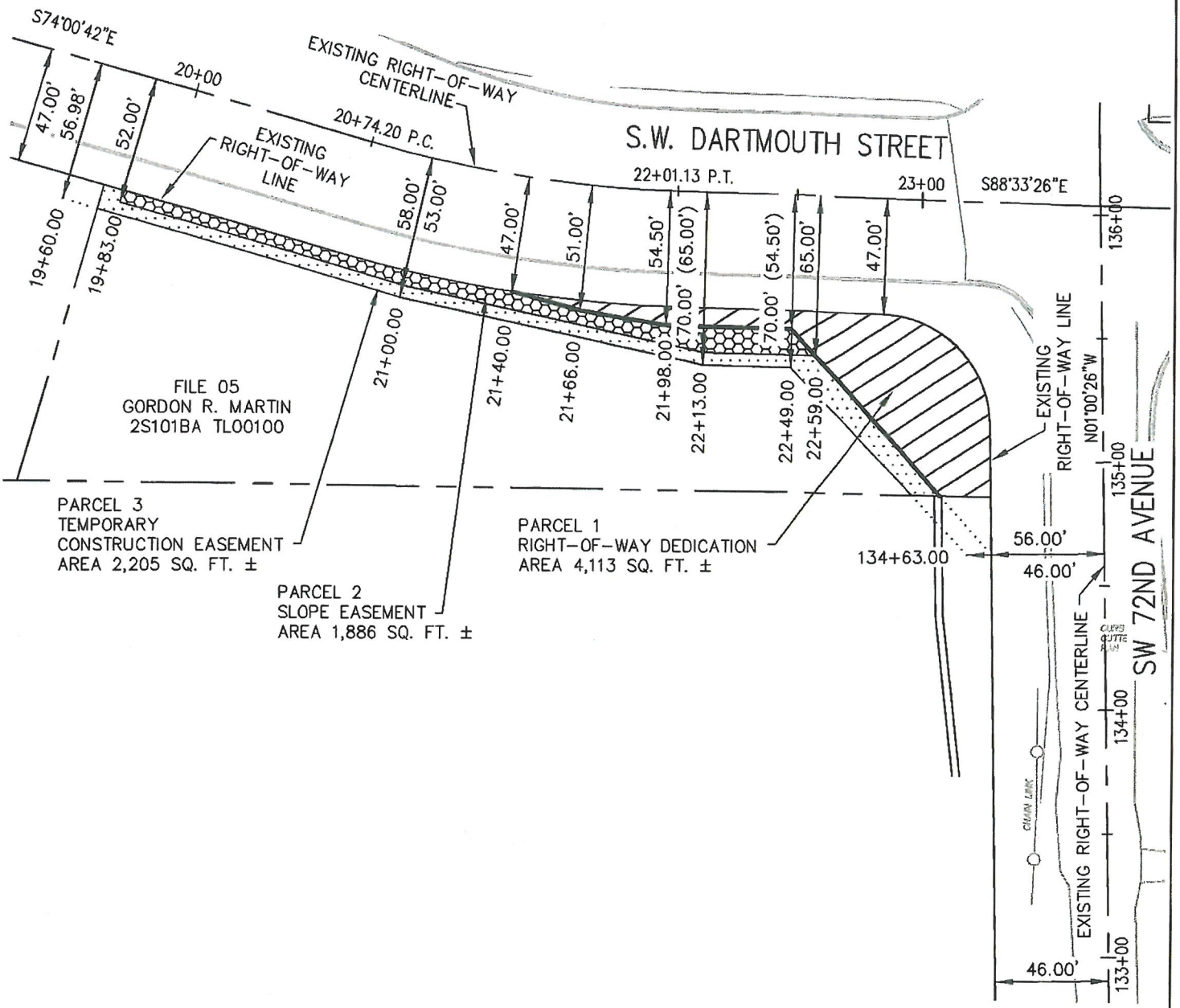
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Scott M. Grubbs

OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728

RENEWAL: 06-30-13

Exhibit E-2



60 0 30 60

(FEET)

N

LEGEND

RIGHT-OF-WAY DEDICATION (PARCEL 1)	4,113 SQ. FT. ±
SLOPE EASEMENT (PARCEL 2)	1,886 SQ. FT. ±
TEMPORARY CONSTRUCTION EASEMENT (PARCEL 3)	2,205 SQ. FT. ±

FILE NO.: 05	SW 72ND AVENUE & SW DARTMOUTH STREET INTERSECTION	SUBMITTAL DATE: 02/06/13
TAX LOT: 00100	CITY OF TIGARD PROJECT NO. 95035	REVISED DATE:
TAX MAP: 2S 1 01BA		REVISED DATE:
ADDRESS: 11985 SW 72ND AVENUE		REVISED DATE:

WHPacific
9755 SW Barnes Rd. Suite 300
Portland, OR 97225
503-626-0455 Fax 503-526-0775
www.whpacific.com

DWG: 037614-V-EXF05.dwg

WHPacific

Exhibit F-1

S.W. 72nd Avenue &
S.W. Dartmouth Street Intersection
February 6, 2013
Parcels 1, 2 and 3

City Road Project No.: 95035
File No.: 06
Assessors Map: 2S 1 01AB
Tax Lot No.: 00200

PARCEL 1 (RIGHT-OF-WAY DEDICATION)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Gordon R. Martin, Sr., Trustee, by Warranty Deed recorded December 15, 2006 in Document No. 2006-147682, Washington County Book of Records, said parcel also being all that portion lying Westerly and Southwesterly of the lines delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described below.

S.W. 72nd AVENUE CENTERLINE

A road centerline situated in the Southeast One-Quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW 72nd Avenue right-of-way Centerline Station 127+18.37, said point bears South 65° 48' 43" West, a distance of 2120.02 feet from the Northeast One-Quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; said point being the point of curvature of a 285.16 foot radius curve, concave Westerly, thence along said Centerline through a central angle of 24° 06' 20" (the long chord of which bears North 11° 02' 44" East, a distance of 119.09 feet) an arc distance of 119.97 feet to a point of tangency at Centerline Station 128+38.35; thence North 01° 00' 26" West, a distance of 800.38 feet to Station 136+38.72, a Centerline angle point; thence North 01° 43' 36" East, a distance of 920.85 feet to Station 145+59.57, at the point of terminus, said point bears South 39° 14' 07" West, a distance of 1,165.26 feet from the North One-Quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW 72nd Avenue is determined by holding a Station of 136+03.69 = 23+72.60 at the right-of-way Centerline of SW 72nd Avenue and the right-

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of-way Centerline of SW Dartmouth Street, as per Survey Number 30,893, Washington County Survey Records.

Bearings are based upon Survey Number 30,893, Washington County Survey Records.

Station to Station	**Offset Distances Easterly of S.W. 72nd Avenue Centerline**
130+50.00 to 130+71.83	76.80 feet along a straight line to 60.00 feet
130+71.83 to 130+84.83	60.00 feet along a straight line to 46.00 feet

Excepting therefrom, all that portion of said parcel lying within the existing rights-of-way of S.W. 72nd Avenue and SW. Elmhurst Street.

The parcel of land to which this description applies contains 393 square feet, more or less.

PARCEL 2 (SLOPE EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Gordon R. Martin, Sr., Trustee, by Warranty Deed recorded December 15, 2006 in Document No. 2006-147682, Washington County Book of Records, said parcel also being all that portion lying Westerly and Southwesterly of the lines delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described above under Parcel 1.

Station to Station	**Offset Distances Easterly of S.W. 72nd Avenue Centerline**
130+50.00 to 130+80.00	81.15 feet along a straight line to 59.00 feet

130+80.00 to 131+83.00	59.00 feet along a straight line to 61.00 feet
131+83.00 to 132+60.00	61.00 feet parallel with the centerline
132+60.00 to 132+80.00	61.00 feet along a straight line to 59.11 feet

Excepting therefrom, all that portion of said parcel lying within the existing rights-of-way of S.W. 72nd Avenue, S.W. Elmhurst Street and all that portion within the above described Parcel 1.

The parcel of land to which this description applies contains 2,625 square feet, more or less.

PARCEL 3 (TEMPORARY CONSTRUCTION EASEMENT)

A parcel of land lying in in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Gordon R. Martin, Sr., Trustee, by Warranty Deed recorded December 15, 2006 in Document No. 2006-147682, Washington County Book of Records, said parcel also being all that portion lying Westerly and Southwesterly of the lines delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described above under Parcel 1.

Station to Station	**Offset Distances Easterly of S.W. 72nd Avenue Centerline**
130+50.00 to 130+61.00	129.03 feet along a straight line to 77.00 feet
130+61.00 to 130+80.00	77.00 feet along a straight line to 59.00 feet
130+80.00 to 131+83.00	59.00 feet along a straight line to 64.00 feet
131+83.00 to 132+60.00	64.00 feet parallel with the centerline
132+60.00 to 132+80.00	64.00 feet along a straight line to 62.11 feet

Excepting therefrom, all that portion of said parcel lying within the existing rights-of-way of S.W. 72nd Avenue, S.W. Elmhurst Street and all that portion within the above described Parcels 1 and 2.

The parcel of land to which this description applies contains 723 square feet, more or less.

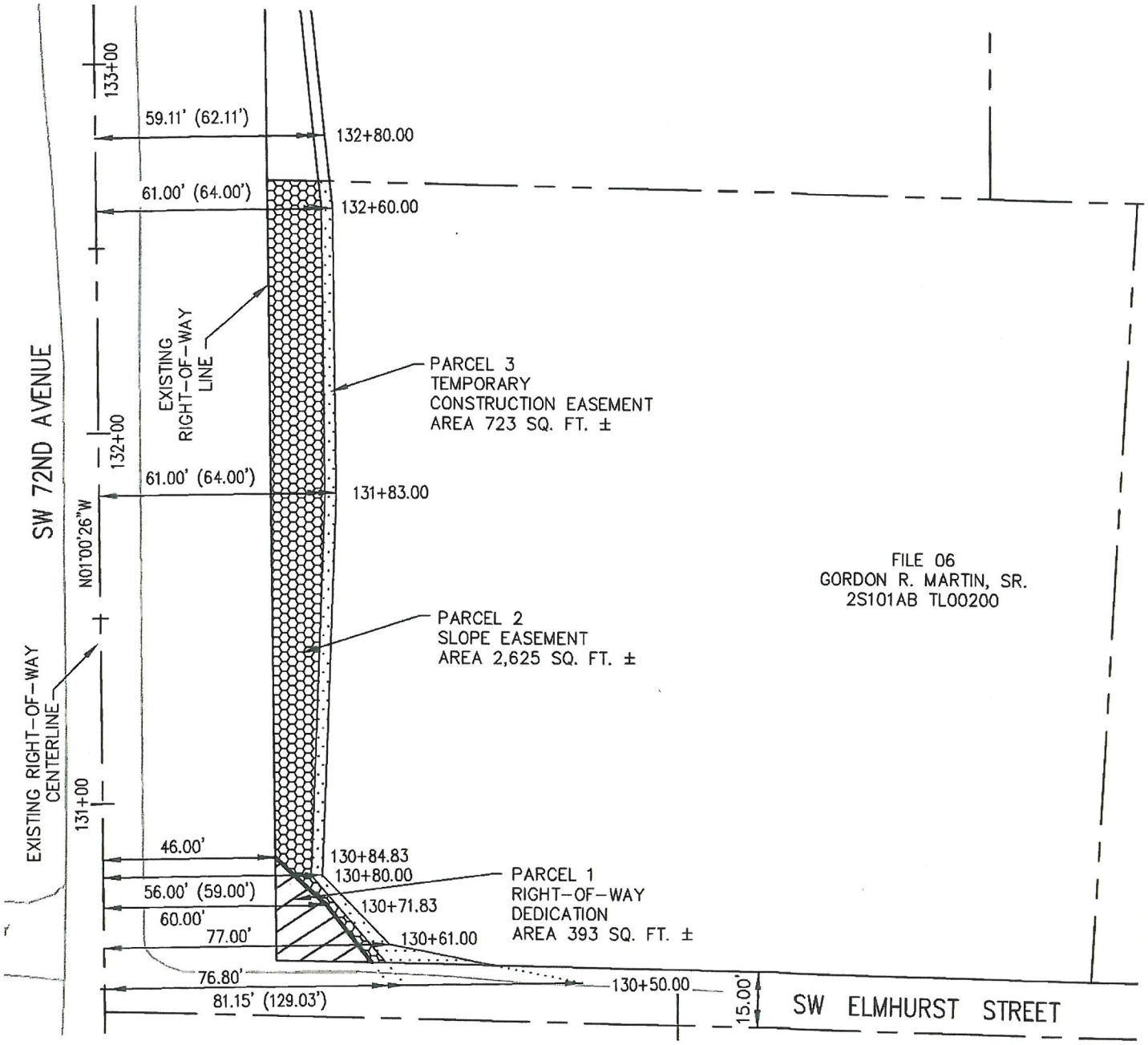
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Scott M. Grubbs

OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728

RENEWAL: 06-30-13

Exhibit F-2



40 0 20 40

(FEET)

N

LEGEND

RIGHT-OF-WAY DEDICATION (PARCEL 1)	393 SQ. FT. ±
SLOPE EASEMENT (PARCEL 2)	2,625 SQ. FT. ±
TEMPORARY CONSTRUCTION EASEMENT (PARCEL 3)	723 SQ. FT. ±

FILE NO.: 06	SW 72ND AVENUE & SW DARTMOUTH STREET INTERSECTION	SUBMITTAL DATE: 02/06/13	WHPacific
TAX LOT: 00200	CITY OF TIGARD PROJECT NO. 95035	REVISED DATE:	9755 SW Barnes Rd. Suite 300 Portland, OR 97225 503-626-0455 Fax 503-626-0775 www.whpacific.com
TAX MAP: 2S 1 01AB		REVISED DATE:	
ADDRESS: 7155 SW ELMHURST ST.		REVISED DATE:	DWG: 037614-V-EXF06.dwg

WHPacific

Exhibit G-1

S.W. 72nd Avenue &
S.W. Dartmouth Street Intersection
February 6, 2013
Parcels 1 and 2

City Road Project No.: 95035
File No.: 07
Assessors Map: 2S 1 01AB
Tax Lot No.: 00101

PARCEL 1 (SLOPE EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Gordon R. Martin, by Bargain and Sale Deed recorded January 4, 2006 in Document No. 2006-000870, Washington County Book of Records, said parcel also being all that portion lying Westerly of the lines delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described below.

S.W. 72nd AVENUE CENTERLINE

A road Centerline situated in the southeast One-Quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW 72nd Avenue right-of-way Centerline Station 127+18.37, said point bears South 65° 48' 43" West, a distance of 2120.02 feet from the Northeast One-Quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; said point being the point of curvature of a 285.16 foot radius curve, concave Westerly, thence along said Centerline through a central angle of 24° 06' 20" (the long chord of which bears North 11° 02' 44" East, a distance of 119.09 feet) an arc distance of 119.97 feet to a point of tangency at Centerline Station 128+38.35; thence North 01° 00' 26" West, a distance of 800.38 feet to Station 136+38.72, a Centerline angle point; thence North 01° 43' 36" East, a distance of 920.85 feet to Station 145+59.57, at the point of terminus, said point bears South 39° 14' 07" West, a distance of 1,165.26 feet from the North One-Quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW 72nd Avenue is determined by holding a Station of 136+03.69 = 23+72.60 at the right-of-way Centerline of SW 72nd Avenue and the right-

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of-way Centerline of SW Dartmouth Street, as per Survey Number 30,893, Washington County Survey Records.

Bearings are based upon Survey Number 30,893, Washington County Survey Records.

Station to Station	**Offset Distances Easterly of S.W. 72nd Avenue Centerline**
132+65.00 to 133+13.00	60.53 feet along a straight line to 56.00 feet
133+13.00 to 133+33.00	56.00 along a straight line to 50.00 feet
133+33.00 to 134+00.00	50.00 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. 72nd Avenue.

The parcel of land to which this description applies contains 927 square feet, more or less.

PARCEL 2 (TEMPORARY CONSTRUCTION EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Gordon R. Martin, by Bargain and Sale Deed recorded January 4, 2006 in Document No. 2006-000870, Washington County Book of Records, said parcel also being all that portion lying Westerly of the lines delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described above under Parcel 1.

Station to Station	**Offset Distances Easterly of S.W. 72nd Avenue Centerline**
132+65.00 to 133+13.00	63.53 feet along a straight line to 59.00 feet

133+13.00 to 133+33.00	59.00 feet along a straight line to 53.00 feet
133+33.00 to 134+00.00	53.00 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. 72nd Avenue and all that portion within the above described Parcel 1.

The parcel of land to which this description applies contains 376 square feet, more or less.

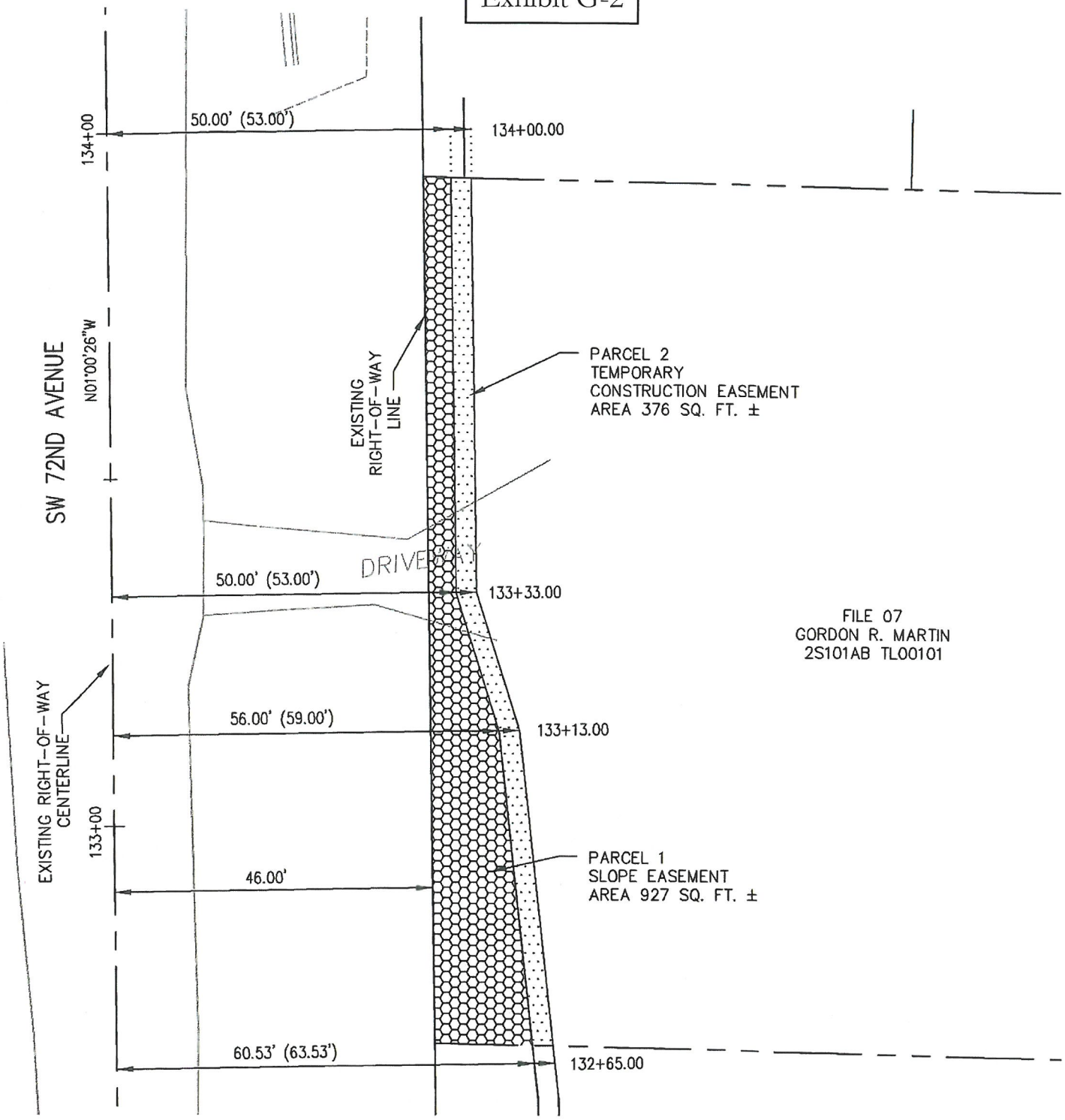
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Scott M. Grubbs

OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728

RENEWAL: 06-30-13

Exhibit G-2



20 0 10 20

(FEET)

N

LEGEND

SLOPE EASEMENT (PARCEL 1)	927 SQ. FT. ±
TEMPORARY CONSTRUCTION EASEMENT (PARCEL 2)	376 SQ. FT. ±

FILE NO.: 07	SW 72ND AVENUE & SW DARTMOUTH STREET INTERSECTION	SUBMITTAL DATE: 02/06/13	WHPacific
TAX LOT: 00101	CITY OF TIGARD PROJECT NO. 95035	REVISED DATE:	9755 SW Barnes Rd, Suite 300 Portland, OR 97225 503-626-0455 Fax 503-626-0775 www.whpacific.com
TAX MAP: 2S 1 01AB		REVISED DATE:	
ADDRESS: 12120 SW 72ND AVENUE		REVISED DATE:	DWG: 037614-V-EXF07.dwg

WHPacific

Exhibit H-1

S.W. 72nd Avenue &
S.W. Dartmouth Street Intersection
February 6, 2013
Parcel 1

City Road Project No.: 95035
File No.: 08
Assessors Map: 2S 1 01AB
Tax Lot No.: 03200

PARCEL 1 (SLOPE EASEMENT)

A parcel of land lying in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, and being a portion of that tract of land conveyed to Red Rock Business Associates LLC, by Bargain and Sale Deed recorded June 16, 2011 in Document No. 2011-042536, Washington County Book of Records, said parcel also being all that portion lying Westerly of the line delineated by following the below noted stations and offsets, Easterly of the Centerline of S.W. 72nd Avenue, as said Centerline is described below.

S.W. 72nd AVENUE CENTERLINE

A road Centerline situated in the Southeast One-Quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW 72nd Avenue right-of-way Centerline Station 127+18.37, said point bears South 65° 48' 43" West, a distance of 2120.02 feet from the Northeast one-quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; said point being the point of curvature of a 285.16 foot radius curve, concave Westerly, thence along said Centerline through a central angle of 24° 06' 20" (the long chord of which bears North 11° 02' 44" East, a distance of 119.09 feet) an arc distance of 119.97 feet to a point of tangency at Centerline Station 128+38.35; thence North 01° 00' 26" West, a distance of 800.38 feet to Station 136+38.72, a Centerline angle point; thence North 01° 43' 36" East, a distance of 920.85 feet to Station 145+59.57, at the point of terminus, said point bears South 39° 14' 07" West, a distance of 1,165.26 feet from the North One-Quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW 72nd Avenue is determined by holding a Station of 136+03.69 = 23+72.60 at the right-of-way Centerline of SW 72nd Avenue and the right-

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of-way Centerline of SW Dartmouth Street, as per Survey Number 30,893, Washington County Survey Records.

Bearings are based upon Survey Number 30,893, Washington County Survey Records.

Station to Station	**Offset Distances Easterly of S.W. 72nd Avenue Centerline**
133+90.00 to 135+10.00	52.00 feet parallel with the centerline

Excepting therefrom, all that portion of said parcel lying within the existing right-of-way of S.W. 72nd Avenue.

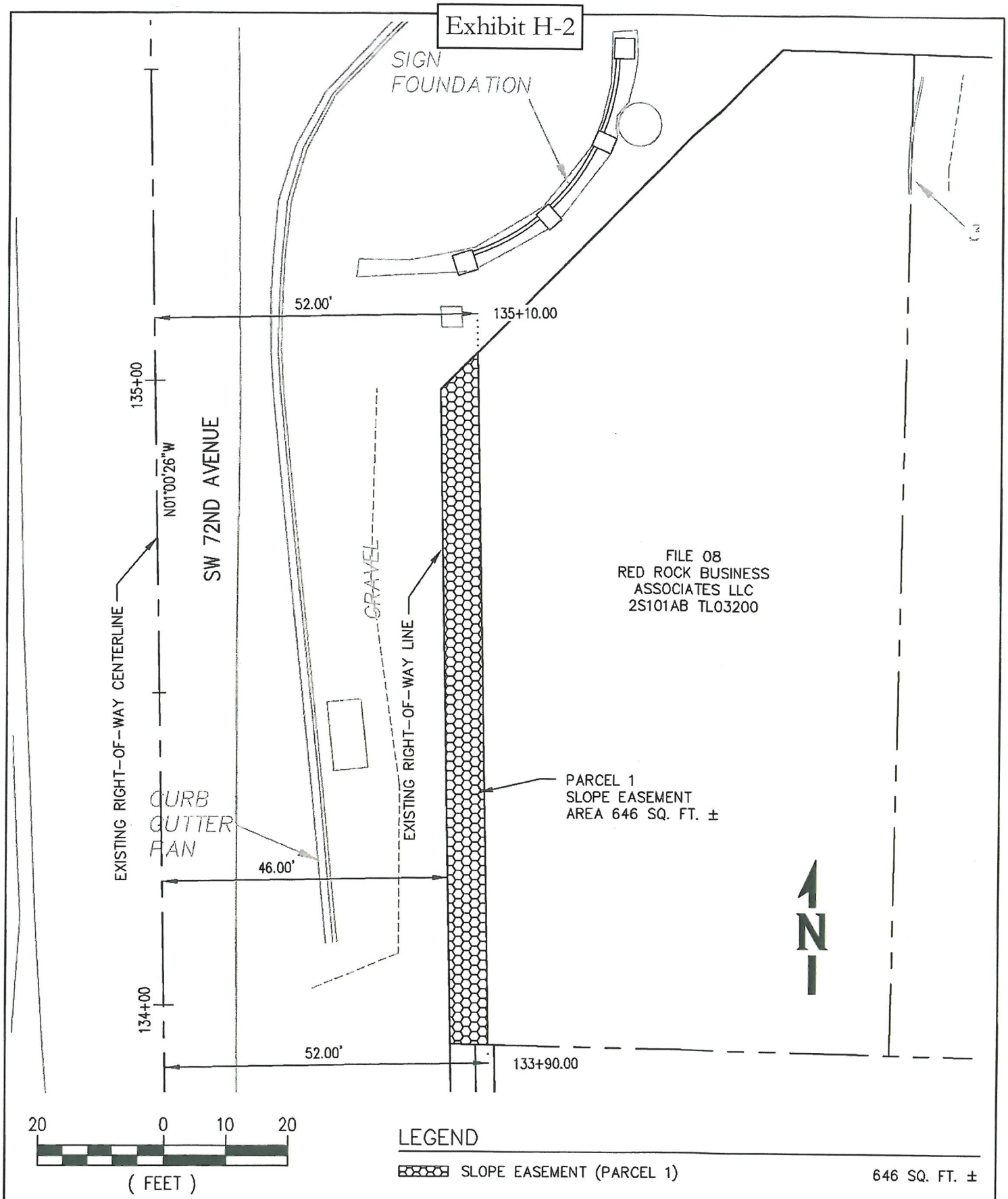
The parcel of land to which this description applies contains 646 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728

RENEWAL: 06-30-13

Exhibit H-2



FILE NO.: 08	SW 72ND AVENUE & SW DARTMOUTH STREET INTERSECTION	SUBMITTAL DATE: 02/06/13	WHPacific
TAX LOT: 03200	CITY OF TIGARD PROJECT NO. 95035	REVISED DATE:	9755 SW Barnes Rd. Suite 300 Portland, OR 97225 503-626-0455 Fax 503-626-0775 www.whpacific.com
TAX MAP: 2S 1 01AB		REVISED DATE:	
ADDRESS: N/A		REVISED DATE:	DWG: 037614-V-EXF07.dwg

WHPacific

Exhibit I

February 6, 2013 CITY OF TIGARD PROJECT NO.95035

SW 72nd AVENUE / SW DARTMOUTH STREET INTERSECTION IMPROVEMENT

CENTERLINE DESCRIPTION FOR A PORTION OF SW 72ND AVENUE

A road centerline situated in the southeast one-quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast one-quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW 72nd Avenue right-of-way Centerline Station 127+18.37, said point bears South 65° 48' 43" West, a distance of 2120.02 feet from the Northeast one-quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; said point being the point of curvature of a 285.16 foot radius curve, concave Westerly, thence along said centerline through a central angle of 24° 06' 20" (the long chord of which bears North 11° 02' 44" East, a distance of 119.09 feet) an arc distance of 119.97 feet to a point of tangency at Centerline Station 128+38.35; thence North 01° 00' 26" West, a distance of 800.38 feet to Station 136+38.72, a Centerline angle point; thence North 01° 43' 36" East, a distance of 920.85 feet to Station 145+59.57, at the point of terminus, said point bears South 39° 14' 07" West, a distance of 1,165.26 feet from the North one-quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW 72nd Avenue is determined by holding a Station of 136+03.69 = 23+72.60 at the right-of-way Centerline of SW 72nd Avenue and the right-of-way Centerline of SW Dartmouth Street, as per Survey Number 30,893, Washington County Survey Records.

BASIS OF BEARINGS:

North 34° 44' 09" West between the 2 inch Brass cap on a 1-1/2 inch iron pipe in a monument box at the Southeast corner of the George Richardson Donation Land Claim No. 38, and the 3-1/4 inch Aluminum cap in concrete at the North one-

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quarter corner of Section 1, per Survey Number 30,893, Washington County Survey Records.

Prepared by:
WHPacific, Inc.
9755 SW Barnes Road, Suite 300
Portland, Oregon 97225

Scott M. Grubbs February 6, 2013
Scott M. Grubbs, PLS Date

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Scott M. Grubbs
OREGON
JULY 13, 2004
SCOTT M. GRUBBS
54728
RENEWAL: 06-30-13

WHPacific

Exhibit J

February 6, 2013 CITY OF TIGARD PROJECT NO.95035

SW 72nd AVENUE / SW DARTMOUTH STREET INTERSECTION IMPROVEMENT

CENTERLINE DESCRIPTION FOR A PORTION OF SW DARTMOUTH STREET

A road centerline situated in the South half of Section 36, Township 1 South, Range 1 West of the Willamette Meridian in Washington County, Oregon and in the Northeast One-Quarter of Section 1, Township 2 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

Beginning at SW Dartmouth Street Centerline Station 14+22.30, said point bears North 54° 52' 02" West, a distance of 260.92 feet from the North One-Quarter corner of Section 1, Township 2 South, Range 1 West, of the Willamette Meridian; thence South 74° 00' 42" East, a distance of 651.90 feet to Centerline Station 20+74.20 and the beginning of a 500.00 foot radius curve, concave Southerly; thence along said Centerline and said curve through a central angle of 14° 32' 43", (the long chord of which bears South 81° 17' 04" East, a distance of 126.59 feet) an arc distance of 126.93 feet to a point of tangency at Centerline Station 22+01.13; thence South 88° 33' 26" East, a distance of 980.62 feet to centerline Station 31+81.75 at a point of curvature and at the point of terminus, said point bears South 89° 37' 54" West, a distance of 1,115.73 feet from the Northeast One-Quarter corner of Section 1, Township 2 South, Range 1 West, Willamette Meridian.

Centerline Stationing for SW Dartmouth Street is determined by holding a Centerline Station of 23+72.60 = 136+03.69 at the Centerline of SW 72nd Avenue and the Centerline of SW Dartmouth Street as per Survey Number 30,893, Washington County Survey Records.

BASIS OF BEARINGS:

North 34° 44' 09" West between the 2 inch Brass cap on a 1-1/2 inch iron pipe in a monument box at the Southeast corner of the George Richardson Donation Land Claim No. 38 and the 3-1/4 inch Aluminum cap in concrete at the North One-

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WHPacific

Quarter corner of Section 1, per Survey Number 30,893, Washington County Survey Records.

Prepared by:
WHPacific, Inc.
9755 SW Barnes Road, Suite 300
Portland, Oregon 97225

Scott M. Grubbs February 6, 2013
Scott M. Grubbs, PLS Date

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Scott M. Grubbs
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SCOTT M. GRUBBS
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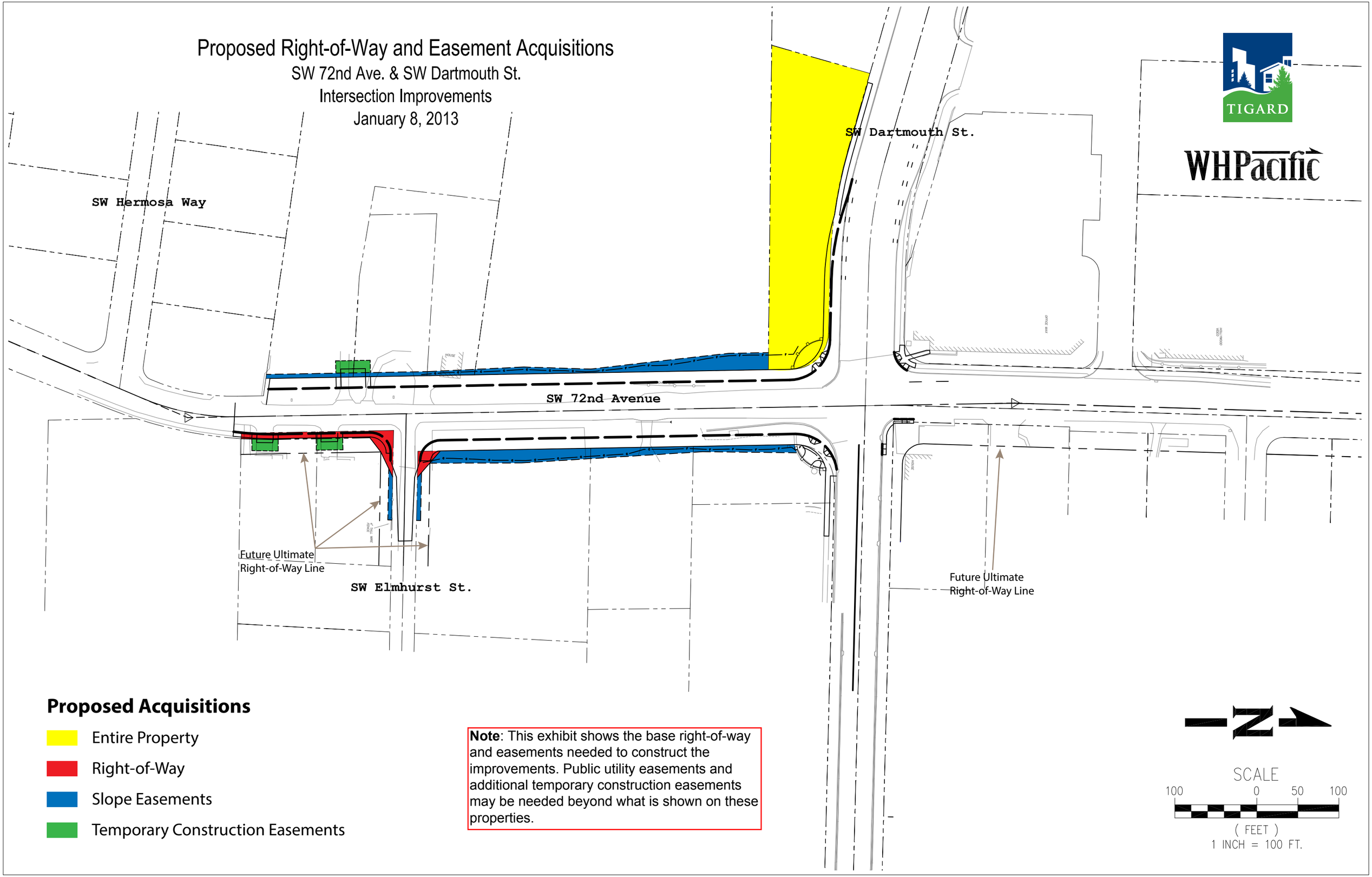
RENEWAL: 06-30-13

Proposed Right-of-Way and Easement Acquisitions

SW 72nd Ave. & SW Dartmouth St.

Intersection Improvements

January 8, 2013



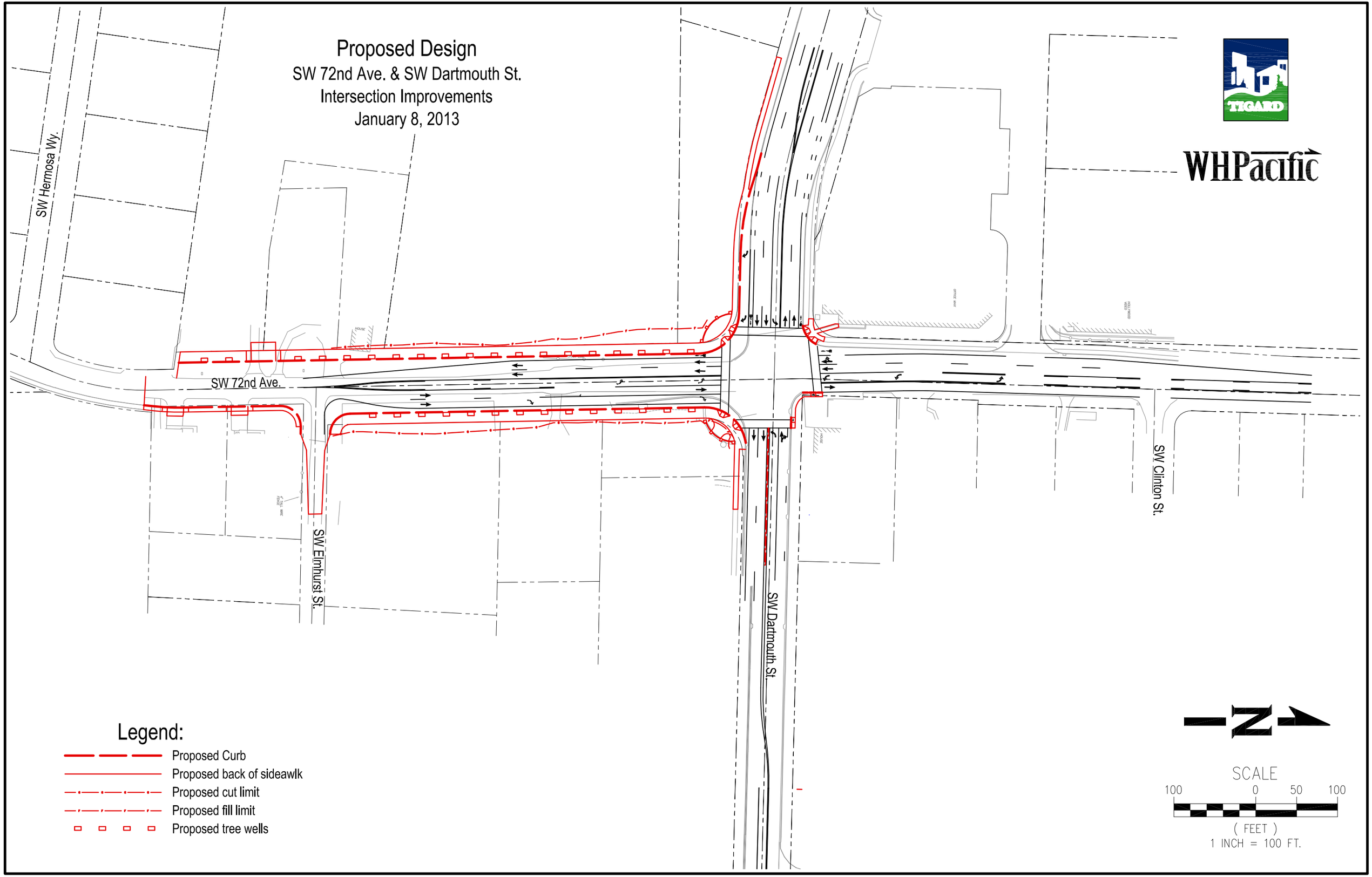
Proposed Acquisitions

- Entire Property
- Right-of-Way
- Slope Easements
- Temporary Construction Easements

Note: This exhibit shows the base right-of-way and easements needed to construct the improvements. Public utility easements and additional temporary construction easements may be needed beyond what is shown on these properties.

Proposed Design

SW 72nd Ave. & SW Dartmouth St.
Intersection Improvements
January 8, 2013



AIS-1241 **8.**

Business Meeting

Meeting Date:	05/14/2013		
Length (in minutes):	10 Minutes		
Agenda Title:	Public Hearing to Grant an Exemption from the Competitive Screening and Selection Process For the 72nd and Dartmouth Project		
Prepared For:	Joseph Barrett		
Submitted By:	Joseph Barrett, Financial and Information Services		
Item Type:	Resolution Public Hearing - Informational	**Meeting Type:**	Local Contract Review Board

Public Hearing Newspaper Legal Ad Required?: Yes

Public Hearing Publication Date in Newspaper: **03/26/2013**

Information

ISSUE

Shall the Shall the Local Contract Review Board grant an exemption from the competitive selection process, as allowed under Public Contracting Rule 10.110, for engineering services on the 72nd and Dartmouth Intersection/Street Improvement project?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the Local Contract Review Board grant an exemption to the competitive selection process, as allowed under Public Contracting Rule 10.110, which will allow staff to amend a current contract for engineering services on the 72nd and Dartmouth Intersection/Street Improvement project to a total of $205,302.

KEY FACTS AND INFORMATION SUMMARY

In the summer of 2012, the city entered into a contract to WHPacific, Inc. for engineering services to complete the design of a traffic signal and associated improvements to the intersection of 72nd Avenue and Dartmouth Street. The total cost of the design work was $97,240 and was let under a direct appointment as allowed by Tigard Public Contracting Rule 70.015.C.1.b. Under a previous contract, preliminary design work had taken the 72nd/Dartmouth intersection to roughly 60% level. WHPacific's charge under the new contract was to take this 60% design and flesh it out to 100% complete bid documents, so the city could bid and award the intersection project.

A large development on Dartmouth Street had been approved a few years ago, and one of the conditions attached to the development is to install a traffic signal (but no other improvements) at the intersection of 72nd Avenue and Dartmouth Street. The city learned in 2012 that this development would move forward with Walmart as its primary store. With Walmart required to construct the signal, the city's design effort changed to focus on the street improvements (instead of the signal) and coordinating with Walmart's engineer so that the signal equipment will be put in the right place for the future road improvements. Meanwhile, the city has been aware the need for a project to widen 72nd Avenue through its currently narrow section south of Dartmouth Street. The Walmart development will add a significant amount of traffic in this area, increasing the need to complete this project. Engineering staff have worked with WHPacific, within the current contract to a) coordinate with Walmart's engineer by provide the road design information necessary for the signal, and b) provide conceptual design of a project to widen 72nd Avenue to its planned width south of Dartmouth Street, including a pedestrian connection to the existing sidewalk north of Beveland Street. WHPacific is finishing up this work, and city staff has been pleased with their work.

Continuation the work in the area, with a new focus by the city on the needed street improvements rather than the traffic signal, would require the city to conduct new solicitation unless an exemption, as allowed under Tigard Public Contracting Rule 10.110 is granted. Staff has determined that an exemption is a good fit for this project as WHPacific has satisfactorily completed (and completed well) the preliminary design of this project and their coordination history with Walmart's engineers may make it very difficult to conceive of other company being seen as more qualified through a Request for Proposal, be it formal or informal, process. Staff believes the cost involved both from a city standpoint as well as from that of potential vendors, could be better utilized elsewhere. Additional information and findings regarding this exemption are detailed in the attached memorandum. The total cost of the additional work is $108,062, bringing the total contract price to $205,302.

OTHER ALTERNATIVES

The Local Contract Review Board may reject this request and direct staff to utilize either an informal or formal qualification based Request for Proposal process for the work.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

DATES OF PREVIOUS COUNCIL CONSIDERATION

This is the first time the Local Contract Review Board has seen this request for an exemption. The original contract was entered into in the summer of 2012.

Fiscal Impact

Cost: $205,302

Budgeted (yes or no): Yes

Where budgeted?: Multiple

Additional Fiscal Notes:

This project was original let for $97,240 and was for the traffic signal and associated improvements. Now that the scope of the project changed to street improvements (with Walmart taking care of the traffic signal) staff is requesting an additional $108,062. This brings the total contract amount to $205,302. Funding source for this design agreement is the Gas Tax Fund in FY 2012-2013.

The project, which will begin construction in FY 2013-2014, has a total cost of $2.65 million and is pending adoption of the FY 2013-2014 budget. The funding sources include the Gas Tax, City Gas Tax, Traffic Impact Fee, Underground Utility, and Transportation Development Tax Funds.

Attachments

Findings Memo - 72nd Dartmouth

City *of* Tigard
Memorandum

To: Toby LaFrance, Finance Director

From: Mike Stone, City Engineer

Re: 72nd Avenue / Dartmouth Street Intersection Improvements – Design Contract

Date: April 16, 2013

Summary
WHPacific, Inc. was hired in 2012 to complete the design of a traffic signal and associated improvements to the intersection of 72nd Avenue with Dartmouth Street at a design cost of $97,240. A pending development (Walmart) will significantly change transportation conditions in this area. We are requesting an exemption from the Local Contract Review Board in accordance with Tigard Public Contracting Rule 10.110 to allow this design contract to be expanded to $205,302 in order to widen 72nd Avenue and add sidewalks through its narrow section south of Dartmouth Street.

The Original Project
The original $1.4 million project, as outlined in the 2013-2017 Capital Improvement Plan (CIP), was to construct a traffic signal and related turn lanes at the intersection of 72nd Avenue with Dartmouth Street. However, the Walmart development will be constructing the traffic signal as a condition of development. While the city will still need to construct the turn lanes and intersection street improvements, it will not need to fund the installation of the traffic signal.

The Proposed Project Expansion
The section of 72nd Avenue south of Dartmouth Street is very narrow. It lacks sidewalks along some segments; this causes pedestrians to walk in busy vehicle travel lanes. Traffic volumes will increase significantly with the new Walmart development; this will exacerbate the issues associated with this narrow section of roadway. (It was not feasible to require Walmart to widen this section of 72nd Avenue, as the traffic it will generate did not exceed the capacity threshold). Due to Walmart's investment in the signal, staff will propose, (in the 2014-2018 CIP), to use funds from the original project, along with $1.4 million in additional funding, to:

- Widen 72nd Avenue to its design width and construct sidewalks along 72nd from Dartmouth Street south to just before the intersection with Hermosa Way.
- Add a right turn lane on Dartmouth Street approaching 72nd Avenue to enhance traffic flow.
- Construct a sanitary sewer line under 72nd Avenue so adjacent, unserved properties can be served without tearing up the new road in the future.
- Construct the turn lanes and intersection street improvements from the original project.
- Provide a continuous sidewalk along 72nd Avenue from Dartmouth Street across the Highway 217 interchange.

The expanded project will leverage Walmart's multi-million dollar investment in street improvements and expand the transportation benefits by helping alleviate the traffic congestion and improve pedestrian safety along 72nd Avenue.

The Exemption Need

WHPacific, Inc. was hired in 2012 to complete CIP project # 95035, the design of a traffic signal and associated improvements to the intersection of 72nd Avenue with Dartmouth Street at a design cost of $97,240. In accordance with Tigard Public Contracting Rule 70.015C.1.b., they were appointed to do this work as a continuation of previous preliminary design work they had done for the 72nd/Dartmouth intersection to bring this project design to about a 60% level. Their initial task was to take this 60% design and flesh it out to 100% complete bid documents, so the city could bid and award the intersection project.

A large development on Dartmouth Street had been approved a few years ago, and one of its conditions is to install a traffic signal (but no other improvements) at the intersection of 72nd Avenue and Dartmouth Street. The city learned in 2012 that this development is moving forward again, with Walmart as its primary store. With Walmart required to construct the signal, the city's design effort changed to focus on the street improvements (instead of the signal) and coordinating with Walmart's engineer so that the signal equipment will be put in the right place for the future road improvements. Meanwhile, the city has been aware of the need for a project to widen 72nd Avenue through its currently narrow section south of Dartmouth Street. While this has been a high priority project, it has not yet received funding. The Walmart development will add a significant amount of traffic in this area, increasing the need to complete this project. Engineering staff have worked with WHPacific, within the current contract to a) coordinate with Walmart's engineer by provide the road design information necessary for the signal, and b) provide conceptual design of a project to widen 72nd Avenue to its planned width south of Dartmouth Street, including a pedestrian connection to the existing sidewalk north of Beveland Street. WHPacific is finishing up this work, and city staff have been pleased with their work.

Tigard Public Contracting Rules Section 70.015 would require that the city conduct a competitive Request For Proposals (RFP) process to choose a consultant to complete the design of this project. Typical primary factors in an RFP process include experience on similar projects in the area, and knowledge of the project to be completed. The fact that WHPacific has completed (and completed well) the preliminary design of this project makes it very difficult to conceive of another company being seen as more qualified through this RFP process. When consultants respond to an RFP, they put significant cost and effort into preparing their proposal. It is our desire to be respectful of the time and effort of the private engineering community. We believe it would not be right to put out an RFP that would cause them to invest significant time and effort on a proposal when, by virtue of project-specific experience, it is already clear that a particular company is most qualified for this project. In addition, any other firm would need to spend considerable time (and thus expense) learning the project knowledge that the WHPacific team already has. For these reasons, we are requesting an exemption from the Local Contract Review Board in accordance with Tigard Public Contracting Rule 10.110 to allow this design contract to be expanded to $205,302 in order to widen 72nd Avenue and add sidewalks through its narrow section south of Dartmouth Street.

AIS-1202 **9.**

Business Meeting

Meeting Date:	05/14/2013		
Length (in minutes):	15 Minutes		
Agenda Title:	River Terrace Street Maintenance Fee		
Prepared For:	Toby LaFrance		
Submitted By:	Carissa Collins, Financial and Information Services		
Item Type:	Motion Requested Resolution Public Hearing - Legislative	**Meeting Type:**	Special Meeting

Public Hearing
Newspaper Legal Ad Required?: Yes
Public Hearing Publication Date in Newspaper: **05/06/2013**

Information

ISSUE

A resolution that will allow the deferrel of street maintenance fees for River Terrace until July 1, 2016.

STAFF RECOMMENDATION / ACTION REQUEST

Approve the resolution to defer Street Maintenance Fee charges for all River Terrace properties until July 1, 2016.

KEY FACTS AND INFORMATION SUMMARY

Recently, it was discovered that the Tigard Municipal Code 15.20.090(1)(a) specifically states the following: "Street maintenance fees imposed under this chapter shall apply to all occupied units, occupied units owned and/or occupied by local, state and federal governments, as well as property which may be entitled to exemption from or deferral of ad valorem property taxation." As a result, the code currently mandates that all River Terrace properties are to be charged a street maintenance fee. However, on October 3, 2012, a resolution was approved by council authorizing the deferral of property taxes for all River Terrace properties until completion of the River Terrace Community Plan. This resolution was approved in order to avoid charging these properties urban level fees until their properties are able to be developed. Because the community plan is expected to be completed in the Spring of 2015, and in order to maintain the spirit of intent of this resolution, staff recommends that deferral of all taxes and fees be authorized for River Terrace until July 1, 2016.

OTHER ALTERNATIVES

Charge street maintenance fees as stated in Tigard Municipal Code 15.20.090(1)(a).

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

N/A

DATES OF PREVIOUS CONSIDERATION

N/A

Fiscal Impact

Cost: $0.00

Budgeted (yes or no): No

Where Budgeted (department/program): N/A

Additional Fiscal Notes:

By waiving the fee in the River Terrace area, the city will fore go approximately $2,600 in revenue that would have supported the pavement management program.

Attachments

Resolution

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 13-

A RESOLUTION TO DEFER STREET MAINTENANCE FEE CHARGES FOR RIVER TERRACE UNTIL COMPLETION OF THE RIVER TERRACE COMMUNITY PLAN.

WHEREAS, City Council passed Resolution 07-13 that established policy to guide city actions pertaining to annexation of unincorporated lands to the municipal city limits by providing incentives including phasing in property taxes over a three year period at 33 percent, 66 percent, and 100 percent; and

WHEREAS, the Tigard Municipal Code 15.20.90 (1)(a) states that "street maintenance fees imposed under this chapter shall apply to all occupied units, occupied units owned and/or occupied by local, state, and federal governments, as well as property which may be entitled to exemption from or deferral of ad valorem property taxation." and

WHEREAS, Ordinance No. 12-07 begins the phased in rate of property taxes for all River Terrace properties on July 1, 2014; and

WHEREAS, the Community Plan for River Terrace will be completed by Spring 2014; and

WHEREAS, all property taxes and street maintenance fees will be deferred until completion of the River Terrace Community Plan.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The city will defer charging Street Maintenance Fees for River Terrace properties until July 1, 2016.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2013.

_____
Mayor - City of Tigard

ATTEST:

_____
City Recorder - City of Tigard

AIS-1180

10.

Business Meeting

Meeting Date:	05/14/2013		
Length (in minutes):	60 Minutes		
Agenda Title:	Community Development Code Amendment - Parking Requirement Modifications		
Submitted By:	Cheryl Caines, Community Development		
Item Type:	Ordinance Public Hearing - Legislative	**Meeting Type:**	Council Business Meeting - Main

Public Hearing
Newspaper Legal Ad Required?: Yes

Public Hearing Publication
Date in Newspaper: **04/18/2013**

Information

ISSUE

The applicant proposes to lower the minimum parking ratio requirements for certain uses (Eating and Drinking Establishments, Sales-Oriented Retail and Personal Services – banks with drive through) and lower the minimum percentages required for primary, secondary, etc. uses in mixed-use or multi-tenant developments. The purpose is to allow greater opportunities for the leasing or expansion of existing structures and businesses.

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the City Council support the Planning Commission's recommendation to adopt the proposed development code amendment, as amended by staff and the Planning Commission.

KEY FACTS AND INFORMATION SUMMARY

Tigard minimum parking ratios were adopted in 1998 and are based upon upper limit minimum ratios found in Metro's 2035 Regional Transportation Plan. Tigard parking code regulations are imposed for new construction, expansion of existing uses, and changes of use. The applicant states that the current minimum parking ratios are preventing some existing structures from being occupied and some existing businesses from expanding, within particular multi-tenant or mixed-use developments. Not allowing expansions or changes of use can negatively impact economic development. At the same time, adequate on-site parking is necessary to prevent overflow parking into adjacent residential areas and other commercial development.

Staff is aware of the concerns of business and property owners and also recognizes that the current minimum parking requirements may be too high. Ideally the city would complete a comprehensive review and amendment of the Development Code Off-Street Parking chapter that includes review of the minimum parking ratios as recommended by the Tigard Transportation System Plan. However that review is not expected to occur in the next year or more. This does not meet the immediate needs of the applicant and other business and property owners in Tigard. Therefore, the applicant has proposed this code amendment.

Based on the information provided by the applicant, staff recommended that the Planning Commission approve the proposal with a few amendments. The amendments included slightly higher ratios than those requested by the applicant for restaurants and no change to the ratio for banks. Planning Commission supported this "meet in the middle" approach that conservatively lowers the minimum parking requirements as an interim step until a comprehensive review of the entire parking code chapter can be completed. Commissioners recommended adding the term "commercial" to the language regarding mixed use and multi-tenant developments to ensure sufficient parking will be provided in mixed use developments with a residential component. Staff is recommending additional minor amendments for clarification and to improve implementation. Specific details on these minor amendments can be found with the proposed language

in the draft ordinance (Attachment 1).

OTHER ALTERNATIVES

Other alternatives include adopting the code as requested by the applicant, adopting the code as amended by City Council, or denying the request and making no modification to the current code.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

The Tigard Transportation System Plan (TSP) recommends a review and update of the Development Code off-street parking requirements to implement TSP Goal 1 (Transportation and Land Use Planning Coordination). However the proposal it for a citywide amendment to selected minimum parking requirements, while the TSP suggests a comprehensive review that includes densities, land uses, and multi-modal transportation options.

An ancillary impact of the change in minimum parking requirements is that it may cause a recalculation of the Street Maintenance Fee. Commercial/industrial properties are charge the fee based on required parking spaces as a proxy for the number of trips the business generates on Tigard roads. The fee is calculated by allocating the costs of the pavement management program between commercial/industrial and residential properties based on criteria set in TMC 15.20.050. The portion allocated to commercial/industrial properties is then divided by the number of required parking spaces to determine the fee per required space. If the number of required parking spaces is decreased, the fee per space will increase, if all other variables remain constant.

DATES OF PREVIOUS CONSIDERATION

None.

Attachments

Draft Ordinance

Exhibit A - Proposed Code

Exhibit B - Staff Report

Exhibit C - Planning Commission Meeting Minutes

Applicant's Materials

PowerPoint Presentation

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 13-_____

AN ORDINANCE AMENDING THE TIGARD COMMUNITY DEVELOPMENT CODE CHAPTER 18.765, TO REDUCE MINIMUM PARKING RATIOS FOR EATING AND DRINKING ESTABLISHMENTS, SALES-ORIENTED RETAIL AND PERSONAL SERVICES – BANK WITH DRIVE-THROUGH USES AND REDUCE THE MINIMUM PARKING PERCENTAGES WITHIN MIXED USE AND MULTI-TENANT DEVELOPMENTS (DCA2013-00001).

WHEREAS, the city received application for the proposed code amendment to amend the text of the Off-Street Parking and Loading Chapter (18.765) of the City of Tigard Community Development Code to reduce minimum parking ratios for the following uses: eating and drinking establishments, sales-oriented retail and personal services – bank with drive-through and lower the required parking percentages within commercial mixed use or multi-tenant developments; and

WHEREAS, the purpose of Chapter 18.765 is to insure adequate parking in close proximity to varying uses for residents, customers and employees, and to establish standards which will maintain the traffic carrying capacity of nearby streets; and

WHEREAS, notice was provided to the Department of Land Conservation and Development at least 35 days prior to the first evidentiary public hearing; and

WHEREAS, notice to the public was provided in conformance with the Tigard Community Development Code Chapter 18.390.060.D; and

WHEREAS, the Tigard Planning Commission held a public hearing on April 1, 2013 and recommended with a unanimous vote that Council approve the proposed code amendment, as amended by staff and Planning Commission; and

WHEREAS, the Tigard City Council held a public hearing on May 14, 2013, to consider the proposed amendment; and

WHEREAS, the Tigard City Council has considered the recommendation of the Planning Commission; and

WHEREAS, the Tigard City Council has considered applicable Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197; any federal or state statutes or regulations found applicable; any applicable Metro regulations; any applicable Comprehensive Plan Policies; and any applicable provisions of the City's implementing ordinances; and

WHEREAS, the Tigard City Council has determined that the proposed development code amendment is consistent with the applicable review criteria, and unanimously approves the request as being in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The specific text amendment attached as **"EXHIBIT A"** to this Ordinance is hereby approved and adopted by the City Council.

SECTION 2: The findings in the March 25, 2013 Staff Report to the Planning Commission and the Minutes of the April 1, 2013 Planning Commission hearing are hereby adopted in explanation of the Council's decision.

SECTION 3: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, 2013.

_____
Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2013.

_____
John L. Cook, Mayor

Approved as to form:

_____
City Attorney

_____
Date

Exhibit A

Commentary

The Planning Commission is recommending the addition of the term "commercial" in 18.765.030.D. There is concern that mixed use developments with residential components may be constructed without adequate parking. The addition of "commercial" to the code language means that the percentages will not apply to mixed use developments that include residences.

Staff is proposing to delete the language under 18.765.D.5 stating the maximum parking allowance shall be 150% of the total minimum as calculated in subsections 1-4. The code states that parking requirements for mixed use and multiple tenant developments shall be calculated using the percentages listed in 18.765.D, including the maximum of 150%. There are existing developments that may exceed the 150% and create non-conforming situations. Deleting this language lessens the likelihood of making a site non-conforming and maximums can be calculated by using the maximum parking ratios listed in Table 18.765.2.

Table 18.765.2 lists minimum and maximum ratios for two types of eating and drinking establishments (fast food and other). However, nowhere in the code is there a distinction made between the two types. The applicant has added a footnote (#8) to clarify how to determine if a restaurant is fast food. The applicant's proposed language is: *Fast food designation includes all eating and drinking establishments with a "walk up counter" and/or less than 10 tables. Examples include Subway, Starbucks, Chipotle, etc.* Staff is recommending the elimination of the term "and" because it may be interpreted to require fast food restaurants to have less than ten tables, which is not typical of many fast food restaurants. Also the examples were removed because specific restaurant names should not be codified as they can change or are trademarked.

Proposed code as amended by staff and the Planning Commission:

DCA2013-00001
OFF-STREET PARKING MODIFICATIONS
DEVELOPMENT CODE AMENDMENT

Explanation of Formatting
These text amendments employ the following formatting:
~~Strikethrough~~ - Text to be deleted or not added
[Bold, Underline and Italic] – Text to be added

18.765.030 General Provisions

D. Parking in mixed-use ***and multiple tenant*** projects. In ***commercial*** mixed-use ***and multiple tenant*** projects, the required minimum vehicle parking shall be determined using the following formula:

1. Primary use, i.e., that with the largest proportion of total floor area within the development, at 100% of the minimum vehicle parking required for that use in Section 18.765.060;
2. Secondary use, i.e., that with the second largest percentage of total floor area within the development, at ***85*** ~~90%~~ of the vehicle parking required for that use in Section 18.765.060;
3. ***Tertiary*** ~~Subsequent~~ use ~~or uses~~, at ***70*** ~~80%~~ of the vehicle parking required for that use(s) in Section 18.765.060;
4. ***All other uses, at 60% of the vehicle parking required for that use(s) in Section 18.765.060;***

~~54. The maximum parking allowance shall be 150% of the total minimum parking as calculated in Subsection D.1—3 above.~~

Table 18.765.2 (Minimum & Maximum Required Off-street Vehicle & Bicycle Parking Requirements)

Use	Minimums		
	Current	Proposed	Amended by Staff
Eating and Drinking Establishments[8]	Fast Food: 9.9/1,000 Other: 15.3/1,000	6.0/1,000 8.0/1,000	***8.0/1,000*** ***10.0/1,000***
Sales-Oriented Retail	3.7/1,000	***3.0/1,000***	--
Personal Services (Bank with drive-through)	4.3/1,000	2.7/1,000	4.3/1,000 (no change)
[8] Fast food designation includes all eating and drinking establishments with a "walk up counter" or less than ten (10) tables in the dining area.			

Agenda Item: _____
Hearing Date: April 1, 2013 Time: 7:00 PM

STAFF REPORT TO THE PLANNING COMMISSION FOR THE CITY OF TIGARD, OREGON

TIGARD

SECTION I. APPLICATION SUMMARY

CASE NAME: OFF STREET PARKING MODIFICATIONS
CASE NO.: Development Code Amendment (DCA) DCA2013-00001

PROPOSAL: The applicant has proposed amendments to chapter 18.765 - Off Street Parking and Loading Requirements of the Tigard Community Development Code. These modifications include reducing the minimum parking requirements for specific uses listed in Table 18.765.2 (Eating and Drinking Establishments, Sales-Oriented Retail, and Personal Services – bank with drive through) and modifying the minimum parking requirement percentages for mixed-use developments (18.765.030.D).

APPLICANT: Killian Pacific
500 E Broadway St., Suite 110
Vancouver, WA 98660

APPLICANT'S REP: Cardno WRG
5415 SW Westgate Dr., Ste 100
Portland, OR 97221

ZONES: R-25 and R-40 residential zones and all commercial and industrial zones.

LOCATION: Citywide.

APPLICABLE REVIEW CRITERIA: Community Development Code section 18.380.030.B and; Comprehensive Plan Goal 1, Public Involvement; Goal 2, Land Use Planning; Goal 4, Environmental Quality; Goal 9, Economic Development; Goal 12, Transportation; and Statewide Planning Goals 1, 2, 4 9, and 12.

SECTION II. STAFF RECOMMENDATION

Staff recommends that the Planning Commission find in favor of the proposed text amendment as amended by staff and with any alterations as determined through the public hearing process, and make a final recommendation to the Tigard City Council. This recommended approval is contingent upon the applicant's submittal of parking counts showing the amendments will result in adequate on-site parking for the impacted uses and developments and will not adversely impact adjacent streets, residential neighborhoods, or commercial developments.

SECTION III. PROPOSAL AND BACKGROUND INFORMATION

The applicant proposes to lower the minimum parking ratio requirements for certain uses (Eating and Drinking Establishments, Sales-Oriented Retail and Personal Services – banks with drive through) and lower the minimum percentages required for primary, secondary, etc. uses in mixed-use or multi-tenant developments. Current Tigard minimum parking ratios were adopted in 1998 and are based upon upper limit minimum ratios found in Metro's 2035 Regional Transportation Plan. Metro established minimum and maximum parking ratios to prevent an over-supply of parking, encourage compact development and more efficient use of land, promote non-auto trips, and protect air quality. The ratios adopted by the City were the highest "not to exceed" minimums established by Metro. Lower ratios could have been adopted.

Tigard parking code regulations are imposed for new construction, expansion of existing uses, and changes of use. The applicant states that the current minimum parking ratios are preventing some existing structures from being occupied and some existing businesses from expanding, within particular multi-tenant or mixed-use developments. Therefore, the applicant is proposing code modifications that require less parking for future developments and allow for the lease/expansion of existing storefronts. For example, the applicant owns a multi-tenant development at the corner of Scholl's Ferry Road and Nimbus Avenue (10105 – 11105 SW Nimbus Avenue). There is an existing restaurant within the center that would like to expand, but there is not enough on-site parking to meet the current parking minimums with the mix of tenants, even with a parking adjustment.

Business expansions or changes of use cannot be permitted within some existing developments due to inadequate parking to meet minimum standards; this does negatively impact economic development. At the same time, in 2010 the City received a complaint from residents abutting a commercial area that employees were being instructed to park in the neighborhood to vacate parking spaces for customers. Over time, the mix of uses had changed without City review and the parking demand had increased. This lack of parking spilled-over into the adjacent residential areas.

In 2010, the City adopted the 2035 Transportation System Plan (TSP) that guides future transportation policies, strategies, and projects to meet expected growth. The TSP also provides the transportation goals and policies of the Tigard Comprehensive Plan (Goal 12). Goal 1 of the TSP is to develop mutually supportive land use and transportation plans to enhance the livability of the community. One of the recommended actions to implement Goal 1 is to review and update development code requirements for on-site parking.

The TSP states that on-site parking is provided to protect surrounding land uses (such as neighboring residential areas and other commercial developments) from overflow parking impacts. Further, inadequate parking can contribute to traffic congestion at driveways, which can have impacts on the adjacent streets. However, too much available parking encourages single-occupancy vehicle (SOV) travel. Parking also requires large paved areas, which negatively impact pedestrian travel, increase stormwater runoff, reduce development opportunities and increase development costs. Therefore, it is important to strive for a balance that prevents or reduces all of the potential negative impacts associated with parking while still ensuring an adequate supply.

City staff area aware of the concerns of property owners, businesses and residents but also recognize that the minimum parking requirements adopted in 1998 may not still be appropriate for Tigard. For these reasons, and to implement TSP Goal 1, a comprehensive review and amendment of the Development Code Off-Street Parking chapter has been scheduled when time and budgets permit (likely 2014). The TSP states that it is appropriate to reduce the parking minimums in some areas of the City as part of an overall transportation demand management strategy. This strategy should also include improved connectivity, transit and bike/pedestrian services, carpool services, and shared or public parking. A comprehensive review of the code and policies is ideal, but that does not meet the immediate needs of the applicant and other business and property owners in Tigard. Therefore, the applicant has proposed this code amendment.

SECTION IV. STAFF RECOMMENDATION & ANALYSIS

Staff Recommendation:

Staff recommends that the Planning Commission find in favor of the proposed text amendment as amended by staff and with any alterations as determined through the public hearing process, and make a final recommendation to the Tigard City Council. This recommended approval is contingent upon the applicant's submittal of parking counts showing the amendments will result in adequate on-site parking for the impacted uses and developments and will not adversely impact adjacent streets, residential neighborhoods, or commercial developments.

Staff Analysis:

The applicant has proposed a Citywide reduction of the minimum parking requirements for certain uses and for multi-use or multi-tenant developments. Information provided by the applicant compares the number of required parking spaces for several multi-tenant developments under the current, and applicant's proposed ratios. In addition, the applicant compared Tigard parking ratios with several other Metro area jurisdictions and national average parking demand ratios from the Institute of Transportation Engineers (ITE) Manual.

Like Tigard, many of the other jurisdictions adopted the highest minimum parking ratios recommended by Metro. Those that have different ratios fall within the following ranges. All are based on spaces per 1,000 square feet of gross floor area (gfa).

Use	Tigard	Minimums
Retail	3.7 spaces per 1,000 gfa	2 - 4 spaces per 1,000 gfa
Banks w/drive through	4.3 per 1,000 gfa	2 - 4.1 per 1,000 gfa
Fast Food	9.9 per 1,000 gfa	4 – 10 per 1,000 gfa
Other Restaurants	15.3 per 1,000 gfa	4 – 13.3 per 1,000 gfa

Some cities have even lower ratios for specific areas such as downtowns and multiple use zones. Similarly, parking ratios within Downtown Tigard are reduced by 25% and no minimums are required for developments along Main Street and near the Tigard Transit Center. These reductions are not considered in this analysis since the development patterns and alternative travel modes are not similar to those in other parts of a suburban city.

Staff contacted planners/directors in other jurisdictions to ask what analysis was done to determine these lower minimum parking ratios; due to staff changes or the time that had passed, some did not know. Hillsboro is currently undertaking a major code rewrite that includes amendments to the minimum parking ratios where staff experience indicates the ratios are too high or too low. None of the cities contacted reported major parking issues, and the comparison seems to show that parking ratios lower than Metro's minimums are working in suburban areas.

However, parking codes do not address parking demands for the affected uses. To address this issue, the applicant provided data from the ITE manual (Exhibit E). ITE data is based upon national averages. This data supports the proposed retail ratio, but does not support the proposed bank ratio, and indicates that the proposed restaurant ratios are too low. Again, these numbers are national averages and may not reflect specific demands for these uses in Tigard. Therefore, staff is recommending that no amendments be approved prior to parking count data from the Tigard area being provided by the applicant that shows the minimum ratios are adequate to meet Tigard development parking demands.

Based upon ITE information, professional opinion, ratios from other jurisdictions, loss of economic opportunities, and TSP goals, staff agrees that the Tigard minimum parking ratios may be too high. However, the applicant has failed to provide documentation that the proposed numbers are adequate to meet parking demands in Tigard. Likewise, little information has been provided to support lowering parking percentages in multi-tenant developments. The City of Beaverton has a shopping center use category with a minimum parking ratio of 3.0/1,000 gfa. This lower standard for a shopping center is supported by the ITE manual information regarding shopping centers (Table 2 of Exhibit E), but it is unclear if these lower percentages meet parking demands.

If the City were undertaking the Development Code amendment, then several issues and solutions would be

considered as part of a transportation and parking management plan as recommended in the TSP. However, the proposed parking reductions could be a bridge to a future review and amendment of the code and would support economic growth in the meantime.

Information provided by the applicant does not support all of the proposed reductions. Staff has amended the proposed code amendments as shown in Attachment 1. These lower ratios are less likely to create negative impacts on adjacent streets and property owners. Staff is recommending approval of the proposed retail ratio reduction, denial of the proposed bank ratio reduction, and a slightly higher ratio for restaurants than what the applicant proposed. The staff recommendation is contingent on the applicant providing parking demand data to support these amendments.

SECTION V. APPLICABLE CRITERIA, FINDINGS AND CONCLUSIONS

APPLICABLE PROVISIONS OF THE TIGARD DEVELOPMENT CODE

Tigard Development Code Section 18.380.020, Legislative Amendments to this Title and Map, states that legislative zoning map and text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 18.390.060G.

The proposed will be reviewed under the Type IV legislative procedure as set forth in the chapter. This procedure requires public hearings by both the Planning Commission and City Council.

Section 18.390.060.G establishes standard decision-making procedures for reviewing Type IV applications. The recommendation by the Commission and the decision by the Council shall be based on consideration of the following factors: 1) The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197; 2) Any federal or state statutes or regulations found applicable; 3) Any applicable METRO regulations; 4) Any applicable comprehensive plan policies; and 5) Any applicable provisions of the City's implementing ordinances.

Findings and conclusions are provided below for the applicable listed factors on which the recommendation by the Commission and the decision by the Council shall be based.

- **The Statewide Planning Goals and Guidelines adopted under ORS Chapter 197**

Statewide Planning Goal 1 – Citizen Involvement:
This goal outlines the citizen involvement requirement for adoption of Comprehensive Plans and changes to the Comprehensive Plan and implementing documents.

Statewide Planning Goal 2 – Land Use Planning:
This goal outlines the land use planning process and policy framework.

Statewide Planning Goal 4 – Environmental Quality:
This goal seeks to maintain and improve the quality of the air, water and land resources of the state.

Statewide Planning Goal 9 – Economic Development:
This goal seeks to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Statewide Planning Goal 12 – Transportation:
This goal outlines how to provide and encourage a safe, convenient and economic transportation system.

FINDING: The Department of Land Conservation and Development (DLCD) has acknowledged the City's Comprehensive Plan as being consistent with the statewide planning goals. The proposed text amendment's consistency with the Comprehensive Plan's Citizen Involvement, Land Use Planning, Environmental Quality, Economic Development, and Transportation goals and policies are discussed in this report, below.

CONCLUSION: Based on the findings below regarding Comprehensive Plan goals 2, 9 & 12, staff finds that the proposed code amendments are not consistent with applicable Statewide Planning Goals. However, both local and statewide goals can be met if the applicant provides parking counts that show the amendments will result in adequate on-site parking for the impacted uses and developments and will not adversely impact adjacent streets, residential neighborhoods, or commercial developments.

- **Any applicable Metro regulations;**

FINDING: The Tigard TSP is consistent with the policies of Metro's 2035 Regional Transportation Plan (RTP) and the Tigard Comprehensive Plan goals and policies were developed based on TSP goals. The proposed amendments are not consistent with the Tigard Comprehensive Plan as outlined below; therefore the amendments are not consistent with Metro's 2035 RTP. If documentation supporting the amendments is provided by the applicant, then the Comprehensive Plan goals and Metro's 2035 RTP regulations can be met.

The minimum parking ratios developed by Metro are upper limits. The proposed lower ratios are less than the upper limits developed by Metro. There are no other Metro regulations regarding local parking requirements.

CONCLUSION: Based on the findings above, staff finds that the proposed code amendments are not consistent with applicable Metro regulations. However, Metro's 2035 RTP regulations can be met if the applicant provides parking counts that show the amendments will result in adequate on-site parking for the impacted uses and developments and will not adversely impact adjacent streets, residential neighborhoods, or commercial developments.

- **Applicable Comprehensive Plan Policies**

Comprehensive Plan Goal 1: Citizen Involvement

Goal 1.1 Provide citizens, affected agencies and other jurisdictions the opportunity to participate in all phases of the planning process.

FINDING: This goal has been met by complying with the Tigard Development Code notice requirements set forth in Section 18.390. On March 6, 2013 the city mailed a Measure 56 notice of the Planning Commission hearing to all affected property owners in accordance with Oregon Revised Statutes (ORS) 227.186. In addition, public hearing notices were mailed on March 18, 2013 to interested citizens and all property owners within a 500 foot radius of all commercial zones. A notice was published in The Oregonian newspaper on March 13, 2013, at least 10 days prior to the hearing. Two public hearings will be held (one before the Planning Commission and the second before the City Council) where opportunity for public input is provided.

CONCLUSION: Based on the above findings, Goal 1.1 is met.

Comprehensive Plan Goal 2: Land Use Planning

Goal 2.1: Maintain an up-to-date Comprehensive Plan, implementing regulations and action plans as the legislative foundation of Tigard's land use planning program.

Policy 2: The City's land use regulations, related plans, and implementing actions shall be consistent with and implement its Comprehensive Plan.

FINDING: The Tigard Community Development Code implements the Comprehensive Plan. The proposed code amendment is not completely consistent with the applicable provisions of Tigard's Comprehensive Plan as shown in the findings under Goals 9 & 12 below.

However if documentation meeting goals 9 & 12 are provided by the applicant, then the code amendment will be consistent with the Comprehensive Plan.

Policy 20: The City shall periodically review and, if necessary, update its Comprehensive Plan and regulatory maps and implementing measures to ensure they are current and responsive to community needs, provide reliable information, and conform to applicable state law, administrative rules, and regional requirements.

FINDING: The proposed amendment to the City's development code is precipitated by the applicant's inability to fully tenant existing developments due to minimum parking requirements. The proposed amendment is requested to increase economic development opportunities for Tigard businesses/property owners and allow efficient use of land for future developments. The applicant states that the proposed change to the Tigard Community Development Code is responsive to a current community need.

CONCLUSION: Based on the above findings, Goal 2.1 is not met but can be met if the applicant provides parking counts that show the amendments will result in adequate on-site parking for the impacted uses and developments and will not adversely impact adjacent streets, residential neighborhoods or commercial developments.

Comprehensive Plan Goal 6: Environmental Quality

Goal 6.1: Reduce air pollution and improve air quality in the community and region.

Policy 3: The City shall promote land use patterns which reduce dependency on the automobile, are compatible with existing neighborhoods and increase opportunities for walking, biking, and/or public transit.

Goal 6.2: Ensure land use activities protect and enhance the community's water quality.

Policy 7: The City shall investigate and use, to the extent practical, measures that limit the community's effective impervious area.

FINDING: The applicant states that the proposed reductions in parking represent a more efficient use of land resources. Reducing the amount of area dedicated for parking provides more land for landscaping, storm water processing, and denser development. If more landscaping or on-site stormwater facilities are provided, this promotes the City's goals of decreasing impervious area and enhancing water quality. If denser development is constructed, then more people may walk or bike to these developments, reducing the number of vehicle trips and improving air quality. The proposed parking reductions support the goals and policies for improving air and water quality, reducing dependency on automobiles, and limiting effective impervious surface area. This goal is met.

CONCLUSION: Based on the above findings, Goals 6.1 and 6.2 are met.

Comprehensive Plan Goal 9: Economic Development

Goal 9.1: Develop and maintain a strong, diversified, and sustainable local economy.

Policy 3: The City's land use and other regulatory practices shall be flexible and adaptive to promote economic development opportunities, provided that required infrastructure is made available.

FINDING: Current regulatory practices in the form of the City's minimum parking requirements may be hindering economic development in the city. The applicant has provided information that indicates lower parking ratios will remove these barriers and promote economic development opportunities. However, the information provided is either anecdotal or is generalized across the entire country. The applicant has not provided documentation that shows these proposed minimum parking ratios meet Tigard's local parking demands.

CONCLUSION: The proposed changes are likely to encourage the growth of existing businesses; however, no evidence has been submitted that shows the proposed minimum parking ratios will meet parking demands for the affected uses within the City of Tigard. Based on the above findings, Goal 9.1 is not met but can be met if the applicant provides parking counts that show the amendments will result in adequate on-site parking for the impacted uses and developments and will not adversely impact adjacent streets, residential neighborhoods or commercial developments.

Comprehensive Plan Goal 12: Transportation

Goal 12.1: Develop mutually supportive land use and transportation plans to enhance the livability of the community.

Policy 6: The City shall support land use patterns that reduce greenhouse gas emissions and preserve the function of the transportation system.

FINDING: Reduced parking supports a land use pattern that encourages less travel by automobile, which in turn reduces greenhouse gas emissions. This policy is met.

Policy 9: The City shall coordinate with private and public developers to provide access via a safe, efficient, and balanced transportation system.

FINDING: The City is working with the applicant (a private developer) to make adjustments to the code required parking minimums that best balance parking demand and for certain uses with site design and circulation to minimize off-site impacts. The City Engineer and Senior Transportation Planner both expressed concern that the proposed reductions in parking minimums may impact traffic by causing back-ups onto adjacent street systems as customers search for parking. No information was provided to address this concern. However, the applicant is preparing traffic counts for sites in and near Tigard that may address this concern. This policy is not met with the information so far received.

CONCLUSION: Based on the above findings, Goal 12.1 is not met but can be met if the applicant provides parking counts that show the amendments will result in adequate on-site parking for the impacted uses and developments and will not adversely impact adjacent streets, residential neighborhoods or commercial developments.

Goal 12.2: Develop and maintain a transportation system for the efficient movement of people and goods.

Policy 9: The City shall require the provision of appropriate parking in balance with other transportation modes.

FINDING: The applicant proposes to lower the minimum parking ratio requirements for certain uses and lower the minimum percentages required for primary, secondary, etc. uses in mixed use or multi-tenant developments. Current Tigard minimum parking ratios were adopted in 1998 and are based upon upper limit minimum ratios found in Metro's 2035 Regional Transportation Plan. Metro established minimum and maximum parking ratios for a number of reasons, including promoting non-auto trips.

In 2010, the City adopted the 2035 Transportation System Plan (TSP) that guides future transportation projects and strategies to meet expected growth. The TSP states that it is appropriate to reduce the parking minimums in some areas of the City as part of an overall transportation demand management strategy. One purpose of the demand management strategy is to balance appropriate parking with other transportation modes

such as, improved transit and bike/pedestrian services as well as connectivity, carpool services, and shared or public parking. A comprehensive review of the code and policies is ideal, but that does not meet the immediate needs of the applicant and other business and property owners in Tigard. Therefore the applicant has proposed this code amendment.

The key question is: what is the appropriate level of parking? The applicant has so far provided anecdotal information on what other neighboring jurisdictions require and ITE data that is generalized across the entire country. What's needed to determine the appropriate balance is parking count information for sites in and near Tigard. The applicant indicates that this information if forthcoming but a final determination cannot be made on this criterion until that information is received and analyzed.

CONCLUSION: Based on the above findings, Goal 12.2 is not met but can be met if the applicant provides parking counts that show the amendments will result in adequate on-site parking for the impacted uses and developments and will not adversely impact adjacent streets, residential neighborhoods or commercial developments.

- **Any applicable provision of the City's implementing ordinances.**

FINDING: The only applicable provision of the City's implementing ordinances is TCDC 18.390.060.G, which is addressed here. All of the factors listed in this code section have not been fully satisfied because the applicant's proposal does not satisfy all applicable Comprehensive Plans goals. However, supplemental information regarding Tigard parking demands may show that a modification to the parking minimums is supported.

CONCLUSION: Based on the above findings, the City's applicable implementing ordinances have not been met but can be met if the applicant provides parking counts that show the amendments will result in adequate on-site parking for the impacted uses and developments and will not adversely impact adjacent streets, residential neighborhoods or commercial developments.

(Continued on Next Page)

SECTION VI. ADDITIONAL CITY STAFF & OUTSIDE AGENCY COMMENTS

City of Tigard:

City Engineer, Mike Stone, reviewed the proposal and cautioned that reductions in parking may lead to complaints from adjacent residential neighborhoods and vehicles backing-up onto City streets while drivers search for a parking space.

Senior Transportation Planner, Judith Gray, reviewed the proposal and states that Tigard should not just follow the actions of other jurisdictions. Parking demand studies and parking counts should be provided to demonstrate and support the proposed amendments. Other approaches could be to develop variance/adjustment procedures that address site specific situations.

Redevelopment Project Manager, Sean Farrelly, reviewed the proposal and supports the proposal because it will be positive for economic development and brings us more in line with neighboring cities.

Other Agencies:

DLCD was notified of the proposed code text amendment but provided no comment.

Cheryl A. Caines

PREPARED BY: Cheryl Caines
Associate Planner

March 25, 2013
DATE

Tom McGuire

APPROVED BY: Tom McGuire
Assistant Community Development Director

March 25, 2013
DATE

Proposed code with staff amendments in red:

DCA2013-00001
OFF-STREET PARKING MODIFICATIONS
DEVELOPMENT CODE AMENDMENT

Explanation of Formatting
These text amendments employ the following formatting:
~~Strikethrough~~ - Text to be deleted or not added
[***Bold, Underline and Italic***] – Text to be added (proposed by applicant)
[***Bold, Underline and Italic, Red***] – Text to be added (recommended by staff)

18.765.030 General Provisions
D. Parking in mixed-use ***and multiple tenant*** projects. In mixed-use ***and multiple tenant*** projects, the required minimum vehicle parking shall be determined using the following formula:

1. Primary use, i.e., that with the largest proportion of total floor area within the development, at 100% of the minimum vehicle parking required for that use in Section 18.765.060;
2. Secondary use, i.e., that with the second largest percentage of total floor area within the development, at ***85*** ~~90%~~ of the vehicle parking required for that use in Section 18.765.060;
3. ***Tertiary*** ~~Subsequent~~ use ~~or uses~~, at ***70*** ~~80%~~ of the vehicle parking required for that use(s) in Section 18.765.060;
4. ~~***Subsequent use or***~~ ***All other uses, at 60% of the vehicle parking required for that use(s) in Section 18.765.060;***
5. ~~4~~. The maximum parking allowance shall be 150% of the total minimum parking as calculated in Subsection D.1—3 above.

Table 18.765.2 (Minimum & Maximum Required Off-street Vehicle & Bicycle Parking Requirements)

Use	Minimums		
	Current	Proposed	Amended by Staff
Eating and Drinking Establishments[8]	Fast Food: 9.9/1,000 Other: 15.3/1,000	***6.0/1,000*** ***8.0/1,000***	***8.0/1,000*** ***10.0/1,000***
Sales-Oriented Retail	3.7/1,000	***3.0/1,000***	--
Personal Services (Bank with drive-through)	4.3/1,000	***2.7/1,000***	4.3/1,000 (no change)
[8] Fast food designation includes all eating and drinking establishments with a "walk up counter" and/or less than 10 tables. Examples include Subway, Starbucks, Chipotle, etc.			

CITY OF TIGARD
PLANNING COMMISSION
Meeting Minutes
April 1, 2013

CALL TO ORDER

President Anderson called the meeting to order at 7:00 p.m. The meeting was held in the Tigard Civic Center, Town Hall, at 13125 SW Hall Blvd.

ROLL CALL

Present: President Anderson
Commissioner Feeney
Commissioner Fitzgerald
Commissioner Gaschke
Commissioner Muldoon
Vice President Rogers

Absent: Commissioner Doherty; Commissioner Schmidt; Commissioner Shavey

Staff Present: Kenny Asher, Community Development Director; Tom McGuire, Assistant Community Development Director; Doreen Laughlin, Executive Assistant; Cheryl Caines, Associate Planner; Judith Gray, Sr. Transportation Planner

COMMUNICATIONS

Commissioner Fitzgerald reported that she and Commissioner Shavey had attended the Downtown Public Art Visioning on the 27th of March. She found it very interesting to see what guidance the artist got to work on the new key entrances to Downtown Tigard. She said the artist will come back with some sketches, models, to get the next round of ideas through the committee. She thinks this is a very talented artist and she believes it will be something good. She reported about 20 people showed up; a good turnout.

CONSIDER MINUTES

March 18th Meeting Minutes: President Anderson asked if there were any additions, deletions, or corrections to the March 18th minutes; there being none, Anderson declared the minutes approved as submitted.

PUBLIC HEARING - OPENED

DEVELOPMENT CODE AMENDMENT (DCA) 2013-00001 - OFF STREET PARKING MODIFICATIONS

REQUEST: The applicant has proposed amendments to chapter 18.765 - Off Street Parking and Loading Requirements of the Tigard Community Development Code. These modifications include reducing the minimum parking requirements for specific uses listed in Table 18.765.2 (Eating and Drinking Establishments, Sales-Oriented Retail, and Personal Services – bank with drive through) and modifying the minimum parking requirement percentages for mixed-use developments. (18.765.030.D). **LOCATION:** Citywide. **ZONE:** R-25 & R-40 residential zones, all commercial zones and all industrial zones. **APPLICABLE REVIEW CRITERIA:** Community Development Code Chapters 18.380 and 18.390; Comprehensive Plan Goals 1, Public Involvement; Goal 2, Land Use Planning; Goal 6, Environmental Quality; Goal 9, Economic Development; and Statewide Planning Goals 1, 2, 6 and 9.

President Anderson read some required statements. No commissioners wished to abstain or declare a conflict of interest. No one in the audience wished to challenge any member of the Planning Commission for bias or conflict of interest. It was noted that Commissioners Tim Gaschke and Matt Muldoon had both received public notices on this case as they live within the affected area. Vice President Jason Rogers had made a site visit. No one in the audience wished to challenge the jurisdiction of the commission.

STAFF REPORT

Associate Planner Cheryl Caines introduced herself and went over the staff report. [Staff reports are available one week before the meeting.] She noted that this is a citywide proposal for reduction in minimum parking ratios for restaurants, retail shops and banks with drive-thru. The other part of the proposed code amendment is lowering the percentages for mixed-use or multi-tenant developments such as shopping strip malls and mixed-use development.

Cheryl went over a PowerPoint presentation (**Exhibit A**). She gave some background information regarding the establishment of the minimum parking ratios in table 18.765.2; she noted they were established by Metro in 1998 as regional highest minimums recommended for cities to apply. Tigard adopted those ratios straight from Metro's Regional Transportation Plan. There's been no modification to them since that time.

Cheryl turned the microphone over to Judith Gray, Sr. Transportation Planner to speak about parking ratios. She referred to a slide to help in her explanation (**Exhibit B**). She pointed out that the "Shopping Center" portion of the slide was incorrect. It showed staff's recommendation at 3.7 when, in fact, they are at 3 – which means they are recommending accepting the applicant's proposal in that area. She said the City appreciates the initiative that the applicant is taking to improve City code. It helps the City move in the general direction they would like to go, and also provides flexibility for other developers. She gave reasons why this is a good thing: She noted this is a minimum ratio – developers would still be able to provide more – they just won't be required to provide this as a minimum; that's important and that helps. She said there are a few mitigating factors in this case that give some flexibility, some protection; one is that it is a minimum ratio, another is that it's fairly limited to just a few land uses. With that in mind – that's why the staff recommendation moves pretty far and in the right direction. Cheryl added that, as stated in the staff report, this may not be the ideal way of looking at the ratios, as Judith pointed out, but it is the direction that the City has been going and so in the recommendation and the analysis, the thought was that this could be

possibly a bridge to where we want to go. It will alleviate some issues and it will encourage some economic development.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission find in favor of the proposed text amendment as amended by staff and with any alterations as determined through the public hearing process, and make a final recommendation to the Tigard City Council. This recommended approval is contingent upon the applicant's submittal of parking counts showing the amendments will result in adequate on-site parking for the impacted uses and developments and will not adversely impact adjacent streets, residential neighborhoods, or commercial developments.

QUESTIONS OF STAFF

Commissioner Muldoon: Is there any assumption that there will be improved mass transit? *No, it's strictly looking at the ratios and the percentages for the mixed-use developments.*

Commissioner Feeney: I understand the recommendations of the City adjusting it; why no change to the drive-in bank? I'm just wondering why we want to keep that in the current City code. *It was based upon Exhibit E of the applicant's materials, the review of parking proposed minimums relative to ITE parking generation. In looking at the range that was shown in that information, we didn't feel that that data supported lowering the number; that's why we recommended no change.*

APPLICANT'S PRESENTATION – Noel Johnson, Killian Pacific, 500 East Broadway St., Vancouver, WA introduced himself and his colleague, Phil Bretsch, also of Killian Pacific.

Mr. Johnson explained why they were bringing this forward. He noted that he realizes it's somewhat unusual for an applicant to bring forward a text amendment that is a citywide proposal. He explained the genesis of this decision; essentially it came out of a realization that a retail property they own "Nimbus Center" – is having some challenges and is unable to actually fill up with businesses. Problems occur when people want to locate businesses that may want to expand, or restaurants - and they simply aren't able to because of the parking problem. They realized it would be worth Killian, partnering with the City, to try to fix this small problem for them (just a few thousand square feet of space) that they'd like to fill up. They recognized that as opposed to spending their money and time on a variance for this property specifically, they'd spend that same money and time to try to fix, not only their problem, but a problem that exists in every other retail, restaurant, or bank establishment in Tigard.

He said they looked at four pieces of data:

1. Other cities – Killian develops throughout the whole Portland Metropolitan area. They asked themselves – "What is working there? What's successful there?"

2. See what other good developers that build well have done in the suburban communities that have a similar parking dynamic and transit need.
3. They looked at the ITE averages and data.
4. They looked at specific local parking counts and did a study as to the amount of parking needed during peak times.

Mr. Johnson said they don't completely agree with staff – he believes there is too much conservatism there - they still like their numbers but are willing to be flexible. They just want a good result that they hope helps the City as well. He said they spent a total of $50,000 on this effort – far more than it's worth just to fill up a few thousand square feet of retail, but he said it seemed like the right thing to do, Killian Pacific is a community focused business, having been here 40 years as a company, and planning to be here a lot longer; that's their MO and that's why they're doing it.

TESTIMONY IN FAVOR – Gerald Kolve – his business, Canterbury Square Shopping Center, is located at 14389 SW Pacific Hwy, Tigard 97214. He thanked them for hearing this. He spoke about an older commercial property that he owned and developed in 1972. He used that as a demonstration of how excessive the parking requirements of today are. He said if they applied the parking requirements of today and applied them back then, they would have had a requirement of 374 parking spaces. There isn't enough land there, with the buildings, to be able to even come close to being able to provide 374 parking spaces. They've had retail tenants and have rarely exceeded 80% of the available parking at the center. He spoke about a vacancy he has at the center now of 7,400 square feet. He's had several inquiries by people who would like to go in, spend money, improve the place… but they can't because they'd like to use it as a restaurant. As a restaurant use for that space, it would require 115 parking places. The space in question is about 9% of the square feet of the total feet of the total shopping center but that 9% would, under the present rules, take out almost 40% of the existing parking – so you have 91% of the tenants left to use what's available of 60% and, obviously, it doesn't even come close to being enough.

He encouraged the commission to please carefully examine the existing requirements. He hopes they will approve what the applicant is requesting, as it is indeed much more in line with common sense.

TESTIMONY IN OPPOSITION – Julie Blume, 6875 SW Pine Street, Tigard 97223 just wanted them to look carefully at the parking – make sure there's enough parking so there's not a bunch of problematic overflow parking from the bar there on weekends.

Cheryl Caines mentioned that there was an email that had been submitted by Marvin Gerr who's the liaison of the Tigard Summerfield Civic Association. He'd asked that the email be passed out and considered by the commissioners (**Exhibit C**). Basically it spoke about what kind of impact this might have on parking at the clubhouse at Summerfield. Cheryl said she'd spoken to him on the telephone that afternoon and told him she wasn't foreseeing any significant impact on Summerfield due to the distance. Mr. Gerr was present, and there weren't any questions by the commissioners.

QUESTIONS/COMMENTS

Commissioner Feeney asked if this would be an interim move. Is the City still doing a full study*? Yes – we feel this shouldn't be the end of that discussion because the TSP says look at the ratios but it also says look at the other items that make up that whole parking management system. So this is just one piece of that.*

Commissioner Fitzgerald said she didn't have a problem with the staff ratios, but she didn't like the language above that. She wanted them to pull the term "residential" out of the equation. Sr. Transportation Planner said she believed this was beyond the scope of this particular study at this time. She thought they could clarify a bit better such as "This is for mixed commercial uses" so it wouldn't be confused with residential.

APPLICANT REBUTTAL

Mr. Johnson said "We're more locally focused on where we're driving our numbers. We put less weight, rightly or wrongly, on the ITE numbers which are a national average. They can be adjusted but you're taking into consideration cities like Houston or Phoenix, which operate very differently than our Metropolitan area."

PUBLIC HEARING - CLOSED

DELIBERATIONS

President Anderson asked all the commissioners present to give their ideas on this.

- Commissioner Rogers – I was a bit apprehensive originally but I do like what staff presented. More of a slower approach rather than jumping into it and changing it completely. It's probably better to adopt this slowly.
- Commissioner Feeney concurs with this. He thanked the applicant for bringing this forward. He agrees with staff's recommendations… and would like a "meet in the middle" type of thing.
- Commissioner Gaschke – agrees and likes the direction they're going in. He agrees the parking ratios are extremely conservative and appreciates the applicant "greasing the skids" for Tigard to go in the right direction.
- Commissioner Fitzgerald – Would like to go with the staff recommendations.
- Commissioner Muldoon – any really big revitalization is dependent on improved mass transit.
- Commissioner Anderson – appreciates the applicant bringing this forward. He likes the meet you halfway type of thing.

MOTION

Commissioner Fitzgerald made the following motion, seconded by Commissioner Feeney:

"I move for approval of application DCA2013-00001 and the findings and conditions approved and contained in the staff report except for modification adding commercial to the language of multi-tenant."

A vote was taken and the motion passed unanimously.

OTHER BUSINESS

Commissioner Muldoon suggested that a public interest talk to the water partnership folks with Lake Oswego, and a possible joint meeting with the Planning Commission be looked into. Assistant Community Development Director, Tom McGuire, said he would look into it.

ADJOURNMENT

President Anderson adjourned the meeting at 8:30 p.m.

Doreen Laughlin, Planning Commission Secretary

ATTEST: President Tom Anderson

Text Amendment

City of Tigard Minimum Parking Requirements

Tigard, Oregon

An Application For:
Type IV Text Amendment

Submitted on:
December 27, 2012

Applicant:

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Vancouver, WA 98660
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Contact: Philip Bretsch

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Exhibit A Parking Table Comparison
Exhibit B Existing Development Examples
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Exhibit D Impacts of Proposed Amendments on Existing Retail Centers in Tigard

I. APPLICANT'S TEAM

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II. INTRODUCTION

This proposal has been initiated by Killian Pacific, a community-based and family-owned local commercial real-estate development and investment company located in the Portland/Vancouver metropolitan area. Killian Pacific has offered to partner with the City of Tigard to complete amendments to the parking code (Community Development Code Section 18.765) in order to facilitate development and redevelopment opportunities, specifically within commercial and mixed use zoning designated areas. The current minimum parking standards for commercial retail uses are above standards typically used and successful for many Portland/Vancouver suburban jurisdictions. Moreover, excessive parking minimums are contributing to vacant tenant spaces at existing properties and which limits economic development opportunities.

III. EXECUTIVE SUMMARY

Tigard's current minimum parking standards reflect a regulation imposed by Metro in 1997 that set an upper limit on the minimum number of parking spaces a city could allow -- i.e., a "maximum minimum." Cities were allowed to require less parking than the maximum set by Metro, but many jurisdictions, including Tigard, adopted the maximum parking allowed by Metro. Since then, several jurisdictions have reduced the minimum parking standards below the limit set by Metro. See Exhibit A.

Since 1997, we have learned that an unintended consequence of Tigard's parking minimums is that some existing structures cannot be occupied by desirable uses because the existing parking is insufficient to meet the code. The problem is particularly acute in multi-tenant or mixed use developments. An example of an existing development that must keep tenant spaces vacant, despite tenant interest, is Nimbus Center (10115 SW Nimbus Avenue, Tigard). It is noteworthy that this development is not chronically under-parked (meaning the parking lot is rarely near or at capacity) Instead, there is adequate parking for the existing tenants and vacant storefronts; the only parking deficiency is "on paper."

City staff and property owners that are unable to fully tenant existing developments due to the parking standards have met multiple times over the years to discuss the parking-related impediments to economic development. The solution that has been identified is to reduce some of Tigard's minimum parking standards. Staff is supportive of evaluating and reducing some of the minimum parking standards, but due to budgetary and staffing constraints, is unable to initiate the needed amendments. Killian Pacific has volunteered to lead and pay for much of the costs related to the text amendment process so that the economic development opportunities that are currently limited by parking standards can be realized.

Exhibit C includes the proposed code amendments, with deleted language shown in ~~strikethrough~~, and new language in **bold and double-underline**. The entirety of Chapter 18.765, Off-Street Parking and Loading Requirements, is included in Exhibit C. The requested amendments to the minimum parking requirements in Table 18.765.2 include:

- Reducing the minimum number parking spaces for fast food restaurants, a sub-category of Eating and Drinking Establishments, from 9.9 per 1,000 sf to 6.0 per 1,000 sf.
- Codifying the City's long-standing interpretation that "fast food" includes Eating and Drinking Establishments that offer counter-service and are primarily take-out, which may or may not have a drive-through or sit down seating. Examples include Subway, Starbucks or Chipotle.
- Reducing the minimum number parking spaces for all other Eating and Drinking Establishments (i.e., sit down restaurants), from 15.3 per 1,000 sf to 8.0 per 1,000 sf.
- Reducing the minimum number parking spaces for Sales-Oriented uses (i.e., retail) from 3.7 per 1,000 sf to 3.0 per 1,000 sf.
- Reducing the minimum number parking spaces for a bank with drive in, a sub-category of Personal Services, from 4.3 per 1,000 sf to 2.7 per 1,000 sf. The 2.7 spaces per 1,000 sf ratio is the current parking requirement for general office uses, which is not proposed to be changed.

The final requested amendment is a modification to the City's existing methodology in TDC 18.765.030(D) for how the parking standards apply to mixed-use or multiple tenant projects. The percentages of required parking are modified, and a fourth category of uses is introduced.

Rather than proposing across-the-board revisions to Tigard's parking standards, the recommended revisions are the result of extensive research of how other cities regulate parking (Exhibit A) and analysis of the parking ratios of existing successful developments across the region (Exhibit B).

Exhibit D includes a list of properties that the City has identified as having potential parking challenges. Based upon Killian Pacific's analysis, many of the properties listed have unique, property-specific issues, such as compromised or unusable parking spaces or likely non-conforming uses. The proposed amendments will not "legalize" the most severely under-parked properties, which was intentional. The most under-parked developments are not a model that should be replicated elsewhere in the City, so we intentionally avoided suggesting parking standards that would result in an undesirable supply of parking.

IV. APPLICABLE STATEWIDE LAND USE PLANNING FRAMEWORK AND GOALS

GOAL 1: CITIZEN INVOLVEMENT

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

Response: The proposed text amendment is subject to a Type IV legislative process, which requires two hearings—one before the Planning Commission and one before the City Council. Per the notification requirements outlined in the Tigard Development Code Section 18.390.060(D), the notice of hearings shall be sent to any City-recognized groups and the scheduled hearings date shall be posted in a

newspaper of general circulation in the City at least 10 business days prior to the public hearing. Any interested parties will then have the opportunity to address the Commission or Council at the time of the public hearing. These opportunities for citizen involvement insure that any interested citizen is entitled to present evidence to either support or deny a legislative text amendment.

GOAL 2: LAND USE PLANNING

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

Response: The proposed text amendment to the minimum parking requirements within the City of Tigard is subject to a Type IV legislative approvals process. Type IV text amendments must address applicable provisions within the Statewide Planning Goals and Guidelines adopted under ORS Chapter 197, any applicable Metro regulations, City of Tigard Comprehensive Plan policies, and any applicable provisions of the City's implementing ordinances. Response to each pertinent provision is provided within this narrative to serve as an adequate factual base for both Planning Commission and City Council determination.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

Response: The request to reduce the required minimum parking requirements for some commercial uses within the City of Tigard represents a more efficient use of land resources. For example, had Killian Pacific's Grand Central project in Vancouver been developed in accordance with Tigard's parking standards, 300 more parking stalls would have been required, which translates into approximately 3 acres of additional land needed for the project. See Exhibit B. As observed throughout various Oregon jurisdictions, anti-urban sprawl efforts are directly related to automobile and parking considerations. By reducing the amount of land devoted to impervious parking area, that land will be available for added development or landscaping, contributing to either greater commercial density or pervious surfacing for water quantity and quality processing, which will work to improve the quality of water resources. Also, by creating greater density where existing urban infrastructure is in place, this will limit the extension of utilities and roads to the urban fringe, which is costlier and a greater strain on the infrastructure grid. Finally, by creating opportunities for more dense areas, people will inevitably walk more, reduce their vehicle trips and miles traveled, which will improve the quality of air resources of the state.

GOAL 9: ECONOMIC DEVELOPMENT

OAR 660-015-015-0000(9)

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Guidelines

A. Planning

3. Plans should designate the type and level of public facilities and services appropriate to support the degree of economic development being proposed.

Response: The proposed text amendment to the minimum parking standard will better support commercial and mixed-use development, while also removing obstacles to re-tenanting existing but vacant properties. This will provide the City a mechanism to more efficiently meet their employment land needs utilizing existing zoning within the Urban Growth Boundary (UGB). In addition, the proposed changes will facilitate new businesses in Tigard, and thus bolster local jobs and tax basis.

The proposed text amendment does not change the zoning designation of any land, or otherwise diminish the City's ability to meet its economic development objectives, including but not limited to providing adequate sites and facilities for employment purposes, so the Goal 9 rules are not applicable to this application. OAR 660-0090-0010(4).

GOAL 11: PUBLIC FACILITIES AND SERVICES

OAR 660-015-0000(11)

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: Minimum parking requirements are not considered a Public Facility and Service, so Goal 11 is not applicable. Nonetheless, minimum parking requirements may impact the timely, orderly and efficient arrangement of commercial and mixed-use development within an urban/semi-urban context. As such, the text amendment, as proposed, would provide a more efficient allocation of resources to balance economic development with infrastructure needs. By reducing parking requirements to more closely match the needs of the community, we provide the opportunity to fully utilize built but partially vacant structures (and therefore avoid urban blight), increase density within existing developments, redevelop areas

and develop greenfield sites in a more efficient manner. This in turn results in the City's increased ability to provide for the long-term maintenance and development of infrastructure within the City.

GOAL 12: TRANSPORTATION

OAR 660-015-0000(12)

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

Response: The request to reduce the minimum parking standards for the City of Tigard will contribute to a safer, more convenient and economically efficient transportation system both within the area proposed for development/redevelopment and the larger regional system. A reduction in the parking requirement will likely lead to utilization of the existing zoned capacity (i.e., partially vacant structures will be occupied) and will likely put less strain on the transportation network through the reduction of sprawl associated with lower density development as well as through supporting transit opportunities. The proposed amendment will not significantly affect a transportation facility, so the Transportation Planning Rule ("TPR") does not apply. Nonetheless, the proposed amendment will advance the goals of the TPR, which includes encouraging the reduction in parking standards. OAR 660-12-0045(5)(c).

GOAL 13: ENERGY CONSERVATION

OAR 660-015-0000(13)

To conserve energy.

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: The proposed text amendment will support a more efficient use of the existing land within the City and UGB because additional land is not occupied by unneeded excess parking. As noted previously, this can have positive impacts throughout the community by reducing sprawl and providing more tax revenue to support maintenance and development of urban facilities. These outcomes will ultimately result in less energy expended within the transportation system, a more efficient urban infrastructure system and a more efficient pattern of development within the community.

GOAL 14: URBANIZATION

OAR 660-015-0000(14)

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Response: The proposed text amendment will result in the ability to fully utilize existing developments, redevelop underutilized centers and develop already served and zoned development-ready areas more efficiently. These outcomes will assist the City with providing for the employment needs of the community by first focusing on existing commercial, mixed use and employment land within the community. As noted previously, this will allow the community to provide urban services more efficiently and will reduce the need to add additional land to the UGB to provide for the long term employment options of the community.

V. APPLICABLE DEVELOPMENT CODE SECTIONS

18.380-- ZONING MAP AND TEXT AMENDMENTS

A. Purpose. The purpose of this chapter is to set forth the standards and process governing legislative and quasi-judicial amendments to this title and the zoning district map. These will be referred to as "zoning map and text amendments." It is recognized that such amendments may be necessary from time to time to reflect changing community conditions, needs and desires; to correct mistakes; and/or to address changes in the law.

Response: The applicant is aware of the purpose of the Zoning Map and Text Amendments provision. The proposed text amendment to the minimum off-street parking standards is subject to a Type IV legislative amendment. This procedure requires public hearings by both the Planning Commission and City Council.

18.380.020 Legislative Amendments to this Title and Map

A. Legislative amendments. Legislative zoning map and text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 18.390.060G.

Response: The proposed text amendment to the minimum off-street parking standards is subject to a Type IV legislative amendment. This procedure requires public hearings by both the Planning Commission and City Council.

18.390.060 Type IV Procedure

G. Decision-making considerations. The recommendation by the Commission and the decision by the Council shall be based on consideration of the following factors:

1. **The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;**

Response: As provided in the responses included with this narrative, this request for a Type IV text amendment to the City of Tigard parking code does include the pertinent Statewide Planning Goals and Guidelines under ORS Chapter 197. The relevant Statewide Planning Goals include:

- Goal 1- Public Involvement;
- Goal 2- Land Use Planning;
- Goal 6- Air, Water, and Land Resources Quality;
- Goal 9- Economic Development;
- Goal 11- Public Facilities and Services;
- Goal 12- Transportation;
- Goal 13- Energy Conservation;
- Goal 14- Urbanization

2. **Any federal or state statutes or regulations found applicable;**

Response: There are no federal or state statutes found that are directly applicable to this application.

3. **Any applicable METRO regulations;**

Response: Title 4 of Metro's Regional Transportation Functional Plan (Metro Code ("MC"" 3.08.410) addresses Regional Parking Management, and sets forth both minimums and maximums for city and county parking ratios. Metro establishes a "maximum minimum" parking standard, meaning that Metro's minimum parking standards are the highest minimum parking standard that a city can require. A city may elect to require a minimum parking standard than is less than Metro's minimum standard. In other words, Metro's minimum parking standards are the ceiling for what a local government may require as the minimum parking standard. The proposed text amendment reduces some of the City's minimum parking standards, which is compliant with Metro's Transportation Functional Plan and the Metro Code.

As noted in Table 3.08-3 of the Transportation Functional Plan and summarized in a parking table included as Exhibit A with this narrative application, Metro's minimum parking requirements for uses associated with this text amendment are:

- General Office—2.7/1,000 SF of gross leasable area (GLA)
- Retail/Commercial, including shopping centers—4.1/1,000 SF GLA.

- Fast Food with drive thru—9.9/1,000 SF GLA
- Other restaurants—15.3/1,000 SF GLA

When Metro first adopted minimum and maximum parking standards in 1997, Tigard (like many other jurisdictions) adopted the highest minimum parking standard allowed by Metro. In the intervening 15 years, some similar suburban Portland area jurisdictions have adopted lower parking minimum standards, which suggests that lower ratios are beneficial. Our analysis of the actual parking standards utilized by successful commercial developments in the region demonstrate that the proposed parking standards are reasonable and contribute to a vibrant commercial use. Exhibit B.

4. Any applicable comprehensive plan policies; and

Response: As provided in the responses included with this narrative, this request for a Type IV text amendment to the City of Tigard parking code does include the pertinent comprehensive plan policies. The relevant comprehensive plan policies include:

- Goal 1- Public Involvement;
- Goal 2- Land Use Planning;
- Goal 6- Air, Water, and Land Resources Quality;
- Goal 9.1, Policy 3 and Goal 9.3, Policies 2 & 3- Economic Development;
- Goal 11- Public Facilities and Services;
- Goal 12- Transportation;
- Goal 13- Energy Conservation;
- Goal 14- Urbanization

5. Any applicable provisions of the City's implementing ordinances.

Response: As provided in the responses included with this narrative, this request for a Type IV text amendment to the City of Tigard parking code does include applicable provisions of the city's implementing ordinances. The applicable ordinances include TDC 18.380—Zoning Map & Text Amendments; Section 18.390—Decision Making Procedures; and the proposed amendment to Section 18.765—Off-Street Parking & Loading Requirements. Responses to those provisions are provided in this narrative.

Chapter 18.765-- OFF-STREET PARKING AND LOADING REQUIREMENTS

18.765.010 Purpose

A. Insure adequate vehicle parking. These parking requirements are intended to provide sufficient vehicle parking in close proximity to the various uses for residents, customers and employees, and to establish standards which will maintain the traffic carrying-capacity of nearby streets.

Response: The applicant is aware of the purpose of the Off-Street Parking & Loading provision. The proposed text amendment to the minimum off-street parking standards would provide sufficient vehicle parking in close proximity to the various commercial and mixed uses affected by the text amendment. The Applicant has provided a comparison of existing parking requirements throughout the metropolitan area as Exhibit A and examples of similar developments throughout the metropolitan area as Exhibit B. These examples demonstrate that it is feasible to amend the City's code and still maintain vibrant commercial centers. The Applicant has also coordinated with City staff to identify existing centers within Tigard and analyze how those centers could be impacted by this request. This information is included as Exhibit D.

B. Adequate capacity. These regulations are also intended to establish vehicle parking areas which have adequate capacity and which are appropriately located and designed to minimize any hazardous conditions on the site and at access points.

Response: As supporting evidence provided with this application, there are multiple jurisdictions located within the Portland Metro area that provide lower minimum parking standards for commercial uses than those required under the City of Tigard CDC Section 18.765. A comparative Minimum Parking Standards chart is provided with this application, under Exhibit A. The proposed amendments to the minimum parking standards are consistent with the ratios at other successful commercial centers in the region, which demonstrates that the proposed standards will maintain adequate parking capacity. Exhibit B. The current standards require more capacity than is necessary, which is land intensive and results in some existing structures being partially vacant because minimum parking standards cannot be achieved. This is an issue for multiple tenant buildings, particularly those constructed prior to the adoption of the minimum parking standards allowed by Metro's Code.

VI. CITY OF TIGARD COMPREHENSIVE PLAN (2007)

APPLICABLE COMPREHENSIVE PLAN POLICIES

GOAL 1: CITIZEN INVOLVEMENT

"To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process."

Response: The proposed text amendment is subject to a Type IV legislative process, which requires two hearings—one before the Planning Commission and one before the City Council. Per the notification requirements outlined in the Tigard Development Code Section 18.390.060(D), the notice of hearings shall be sent to any City-recognized groups and the scheduled hearings date shall be posted in a newspaper of general circulation in the City at least 10 business days prior to the public hearing. Any interested parties will then have the opportunity to address the Commission or Council at the time of the public hearing. These opportunities for citizen involvement insure that any interested citizen is entitled to present evidence to either support or deny a legislative text amendment.

GOAL 2: LAND USE PLANNING

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

Response: The proposed text amendment to the minimum parking requirements within the City of Tigard is subject to a Type IV legislative approvals process. This proposal is consistent with the City's land use program, does comply with state and regional requirements, and is in the citizens' best interest. The text amendment is responsive to community needs and will provide a form of economic development to spur both re-tenanting of existing commercial and mixed-use development, as well as future development. As addressed in the Comprehensive Plan, "In the City's downtown center, commercial corridors, regional center, and industrial areas, the Comprehensive Plan and implementing regulations will guide the development of vibrant and compact urban housing and employment/shopping areas." This goal for compact and vibrant development will be more efficiently achieved through the requested text amendment. The current minimum parking requirement creates unneeded parking areas that limit additional development opportunity within an existing commercial node, which inevitably promotes further development at the city edges, contributing to sprawl and inefficient use of land resources.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

SECTION 3: LAND RESOURCES QUALITY

"To maintain and improve the quality of the air, water, and land resources of the state."

Response: The request to reduce the required minimum parking requirements for commercial uses within the City of Tigard represents a more efficient use of land resources. By reducing the amount of land devoted to impervious parking area, that land will be available for added development or landscaping, contributing to either greater commercial density or pervious surfacing for water quantity and quality processing, which will work to improve the quality of water resources. Also, by creating greater density where existing urban infrastructure is in place, this will limit the extension of utilities and roads to the urban fringe, which is costlier and a greater strain on the infrastructure grid. Also, by creating more dense areas, people will inevitably walk more, reduce their vehicle trips and miles traveled, which will improve the quality of air resources of the state.

GOAL 9: ECONOMIC DEVELOPMENT

"To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."

GOAL 9.1: Develop and maintain a strong, diversified, and sustainable local economy.

POLICIES:

3. The City's land use and other regulatory practices shall be flexible and adaptive to promote economic development opportunities, provided that required infrastructure is made available.

Response: The applicant is requesting the proposed text amendment to provide parking regulations that are more supportive of current development needs and infrastructure devoted to vehicle parking. This request will promote economic development opportunities, both for existing commercial and mixed-use properties, as well as future developments. As a result of lower parking requirements is a more efficient use of the existing urban infrastructure.

GOAL 9.3: Make Tigard a prosperous and desirable place to live and do business.

POLICIES:

2. The City shall adopt land use regulations and standards to ensure a well designed and attractive urban environment that supports/protects public and private sector investments.

Response: The existing minimum parking standards are undesirable for multi-tenant businesses because they require an over-supply of parking. The applicant is requesting the proposed text amendment to provide adequate parking regulations that are more supportive of current development needs and

infrastructure devoted to vehicle parking. This request, combined with the existing design standards, will ensure a well-designed and attractive urban environment that supports and protects public and private sector investments. As a result of lower parking requirements, more dense development will occur, which will create a more efficient use of the existing urban infrastructure as well as more vibrant commercial nodes that will likely bring added value to both public and private sector investments.

3. **The City shall commit to improving and maintaining the quality of community life (public safety, education, transportation, community design, housing, parks and recreation, etc.) to promote a vibrant and sustainable economy.**

Response: This proposed text amendment will work to create more dense, vibrant commercial and mixed-use areas, which will make more efficient use of the existing infrastructure and create a greater sense of place both for the owners and operators and citizens of Tigard. The proposed reduced minimum parking requirement is more sustainable, as it will focus more dense development within existing commercial and mixed-use designated areas, while limiting sprawl and infrastructure extension to the urban and semi-urban fringe.

GOAL 11: PUBLIC FACILITIES AND SERVICES

"To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development."

Response: Minimum parking requirements are not considered a Public Facility and Service, so Goal 11 is not applicable. Nonetheless, minimum parking requirements may impact the timely, orderly and efficient arrangement of commercial and mixed-use development within an urban/semi-urban context. As such, the text amendment, as proposed, would provide a more efficient allocation of resources to balance economic development with infrastructure needs. By reducing parking requirements to more closely match the needs of the community, we provide the opportunity to increase density within existing developments, redevelop areas and develop greenfield sites in a more efficient manner. This in turn results in the City's increased ability to provide for the long-term maintenance and development of infrastructure within the City.

GOAL 12: TRANSPORTATION

"Transportation which requires local jurisdictions 'to provide and encourage a safe, convenient, and economic transportation system."

Response: The request to reduce the minimum parking standards for the City of Tigard will contribute to a safer, more convenient and economically efficient transportation system both within the area proposed for development/redevelopment and the larger regional system. A reduction in the parking requirement will likely lead to higher density development that will likely put less strain on the transportation network through the reduction of sprawl associated with lower density development as well as through supporting transit opportunities.

GOAL 14: URBANIZATION

"To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities."

Response: The proposed text amendment will result in the ability to densify existing developments, redevelop underutilized centers and develop remaining greenfield areas more efficiently. These outcomes will assist the City with providing for the employment needs of the community by first focusing on existing commercial, mixed use and employment land within the community. As noted previously this will allow the community to provide urban services more efficiently and will reduce the need to add additional land to the UGB to provide for the long term employment options of the community.

VII. CONCLUSION

As demonstrated in this narrative, this proposed Type IV text amendment request to reduce some required parking standard meets all provisions applicable to Statewide Planning Goals, Metro regional goals, as well as City of Tigard code provisions and comprehensive plan policies. Therefore, the applicant is requesting approval of the text amendment. The amendment will better serve the community, sparking greater economic development and more vibrant commercial and mixed-use areas that fully serve both the residents and visitors to the City of Tigard. Furthermore, as evidenced by the exhibits included with this application, there is a precedent for the requested parking standards to adequately support commercial and mixed-use development. The comparative parking table (Exhibit A) and the assessment of existing development projects (Exhibit B) provides evidence that existing standards and projects that are already built can comply and thrive with the proposed minimum parking requirement.

Exhibit A

Perkins Coie

July 10, 2012

TO: Tigard Investors LLC/Fanno File

FROM: Dana L. Krawczuk

RE: **Comparison of Minimum Parking Standards**

	General office	**Retail, commercial, including shopping centers**	**Bank with drive thru**	**Fast food w/ drive thru**	**Other restaurants**
Metro[1]	2.7 (gsf)	4.1	4.3	9.9	15.3
Tigard[2]	2.7	Various sub-categories of general retail as relevant to the site: Sales oriented: 3.7 Personal services: 2.5	4.3	9.9	15.3
Hillsboro[3]	2.7	4.1 Some reduced ratios for categories not relevant to the site such as bulky merchandise, service or repair etc.	Not listed. If retail/commercial, then 4.1. If professional office, then 2.7	9.9	15.3

[1] Per 1k sf of gross leaseable area, unless noted. Also, Metro's standard is a not to exceed standard – NOT a minimum requirement
[2] Per 1k sf of floor area, unless otherwise noted. Basically, gross floor area, **which yields more parking that Metro**.
[3] per 1k sf of gross floor area excluding restrooms, hallways, mechanical spaces, elevators, stairwells and loading docks. Basically, leaseable area, which is the same as Metro.

	General office	Retail, commercial, including shopping centers	Bank with drive thru	Fast food w/ drive thru	Other restaurants
Beaverton[4]	2.7	3.3. Reduced ratio (3.0) for "Multiple Use Zones". Distinguishes services businesses, which has 3.0	3.3. Reduced ratio (3.0) for "Multiple Use Zones". Does not distinguish based upon drive-thru	10. Reduced ratio(5.0) for "Multiple Use Zones" and specified transit oriented zones	10. Reduced ratio (5.0) for "Multiple Use Zones" and specified transit oriented zones
Gresham[5]	2.7	Various sub-categories of general retail, as relevant to the site: Retail trade: 3.6 Commercial, Personal, Business services: 3.2 Convenience market: 2.3	Not listed. Likely Commercial, Personal, Business services: 3.2	6	8
Milwaukie[6]	2	Various sub-categories of general retail, as relevant to the site: General retail: 2 Personal services: 4 Commercial services: 2.8	2	4	4
Lake	3.3	Various sub-categories of general	2.5	9.9	Various subcategories,

[4] Per 1k sf of floor area, unless otherwise noted. Basically, gross floor area, **which yields more parking that Metro**.
[5] Per 1k sf of gross floor area, which yields more parking than Metro's leaseable floor area (but ratios are lower).
[6] Per 1k sf. Does not specify if gross or leaseable.

	General office	Retail, commercial, including shopping centers	Bank with drive thru	Fast food w/ drive thru	Other restaurants
Oswego[7]		retail, as relevant to the site: Retail sales: 3.3 Personal services: 4 Convenience food store: 2.2			including: Specialty food store (take out primarily, i.e., coffee): 4 Eating or drinking (i.e, sit down restaurant): 13.3
Oregon City[8]	2.7	4.1	4.1	4.1	4.1
Tualatin[9]	2.7	4.0	4.3	9.9	10

[7] Per 1k sf of gross floor area, which yields more parking than Metro's leaseable floor area (but some ratios are lower).
[8] Per 1k sf of gross floor area, which yields more parking than Metro's leaseable floor area (but ratios are lower).
[9] Per 1k sf of gross floor area, which yields more parking than Metro's leaseable floor area (but some ratios are lower).

Exhibit B

MEMORANDUM

5415 SW Westgate Drive
Suite 100
Portland, Oregon 97221
USA

Phone (503) 419-2500
Fax (503) 419-2600

www.cardno.com

To: Noel Johnson, Vice President
Killian Pacific
noel@killianpacific.com

From: Michael Cerbone, AICP

Date: December 27, 2012

Project: Text amendment to support reduced parking minimums
CardnoWRG#:
Re: Parking comparison of existing commercial centers

Cardno reviewed a series of successful commercial centers around the Portland Metropolitan region to give a comparative overview of existing parking ratios and the variation between jurisdictions. The goal of the summary is to present a variety of centers and illustrate that excessive parking supplies are not warranted to achieve a successful retail center. Cardno considered the following items when compiling a center list:

- Existing parking should be equal to or under 5 stalls per 1,000 sf of total leasable space.
- Centers should have little to no vacancies.
- Centers should have at least one major anchor tenant.
- Two or more separate uses should be present in the center.
- Examples should be taken from a variety of jurisdictions.

In addition, Cardno provided parking calculations for each center based on the current and proposed parking standards for the City of Tigard.

For reference, the following table summarizes the current and proposed parking ratios for specific uses in the City of Tigard.

Land Use	Current Code Parking Ratio (per 1,000 sf)	Proposed Code Parking Ratio (per 1,000 sf)
Sales Oriented	3.7	3
Bank with Drive Thru	4.3	2.7
Restaurant (fast food)	9.9	6
Restaurant (sit down)	15.3	8

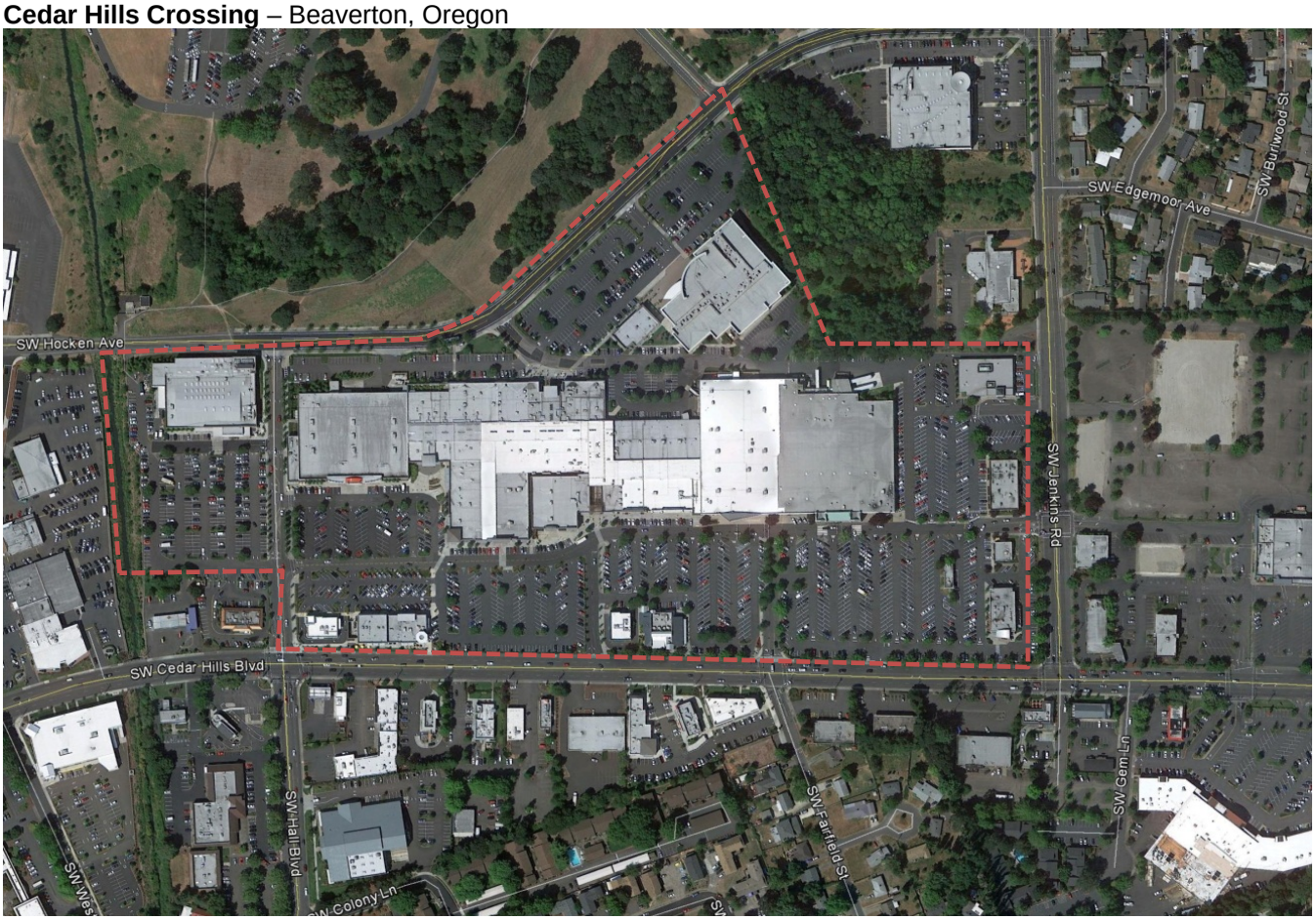
For reference, the following table summarizes the current and proposed parking quantities for mixed-use projects in the City of Tigard.

Current Required Parking Quantity for Mixed-Use Projects		Proposed Required Parking Quantity for Mixed-Use Projects	
	Percent of Required Quantity		Percent of Required Quantity
Primary Use	100%	Primary Use	100%
Secondary Use	90%	Secondary Use	85%
Subsequent Uses	80%	Tertiary Uses	70%
		Subsequent Uses	60%

The Nyberg Woods, Macadam Village, and Millikan Pointe comparisons directly support the requested changes, However, the range of comparisons provided suggests that the proposed

changes will be beneficial for the community through reducing barriers to economic development and redevelopment of property within the City and by providing the ability to develop a tighter urban form with superior livability and vitality.

Cedar Hills Crossing – Beaverton, Oregon



Summary:
Current Tigard standards would require 297 additional stalls, necessitating approximately 3 acres of additional land to develop this site. Under the proposed amendments the site would have a surplus of 299 stalls.

Parking Calculations

12/27/2012

Ceder Hills Crossing - Beaverton, Oregon

Land Use	Ratio Units	Current Code Parking Ratio	Proposed Code Parking Ratio	Size (Sq-Ft)	Current Required Parking Quantity	Proposed Required Parking Quantity
Sales Oriented	Per 1,000 sf	3.7	3	399,361	1,478	1,198
Personal Service	Per 1,000 sf	2.7	2.7	0	0	0
Bank	Per 1,000 sf	2.5	2.5	4,080	10	10
Bank with Drive Thru	Per 1,000 sf	4.3	2.7	6,865	30	19
Restaurant (fast food)	Per 1,000 sf	9.9	6	0	0	0
Restaurant (sit down)	Per 1,000 sf	15.3	8	39,140	599	313
Office	Per 1,000 sf	2.7	2.7	0	0	0
Office (Medical)	Per 1,000 sf	3.9	3.9	3,917	15	15
Theater*	Per 3 Seats	1	1	51,583	784	784
Existing Parking	2,409		**Sub Total Total**	504,946	2,915	2,339
Existing Parking Ratio	4.77		**Difference from Existing**	N/A	-506	70

*Note: *The theater in this project has 2,351 seats*

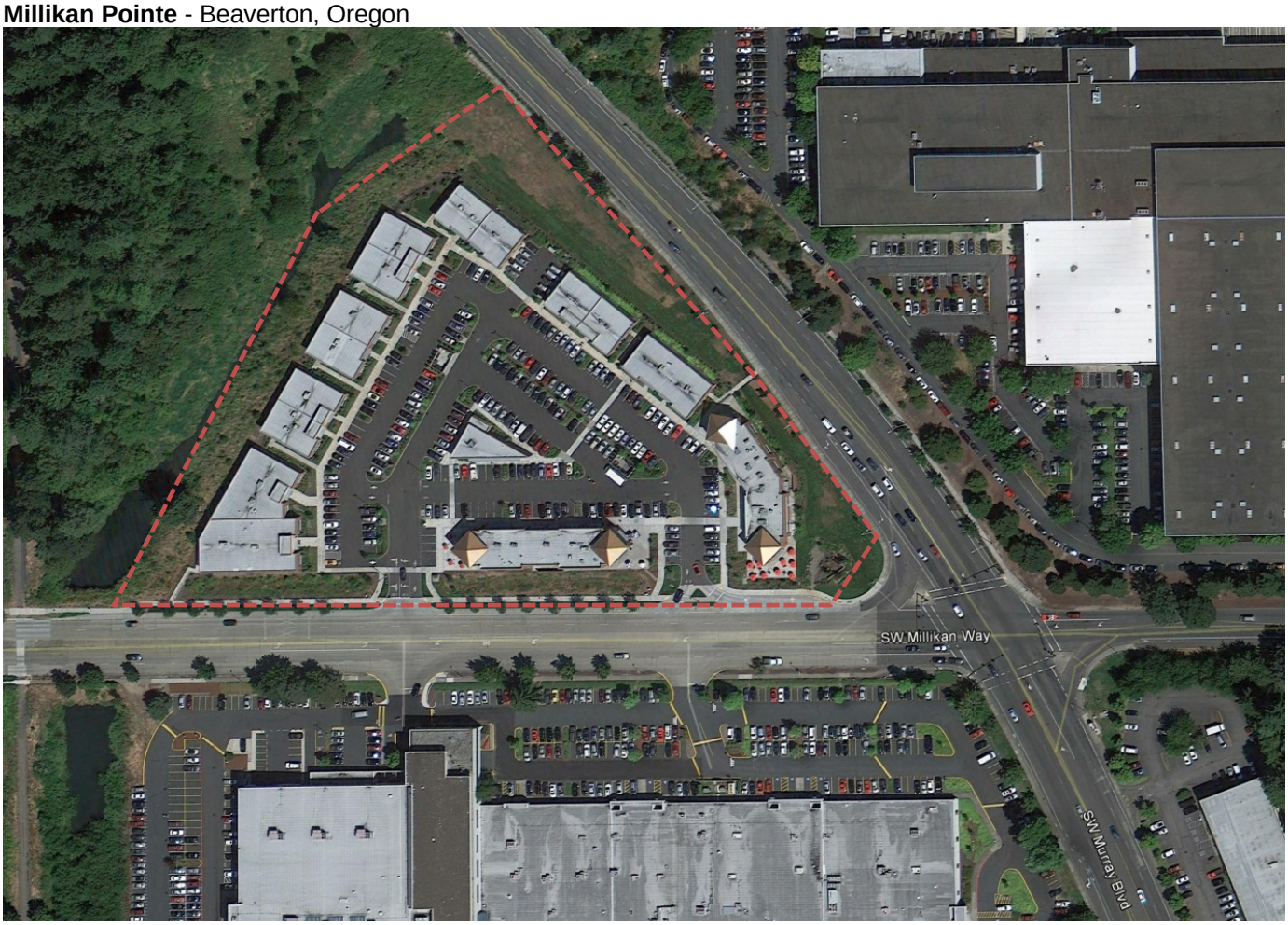
Current Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	399,361	1,478	1,478
Secondary Use	90%	51,583	784	705
Subsequent Uses	80%	54,002	654	523
			Required Parking Quantity	**2,706**
			Difference From Existing	**-297**

Proposed Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	399,361	1,198	1,198
Secondary Use	85%	51,583	784	666
Tertiary Uses	70%	39,140	313	219
Subsequent Uses	60%	14,862	44	26
			Required Parking Quantity	**2,110**
			Difference From Existing	**299**

Millikan Pointe - Beaverton, Oregon



Summary:
City of Tigard standards would require 90 additional spaces requiring approximately .9 acres of additional land to develop. Under the proposed standards an additional 80 stalls would be required necessitating approximately .82 acres of additional land.

Parking Calculations

12/27/2012

Millikan Pointe - Beaverton, Oregon

Land Use	Ratio Units	Current Code Parking Ratio	Proposed Code Parking Ratio	Size (Sq-Ft)	Current Required Parking Quantity	Proposed Required Parking Quantity
Sales Oriented	Per 1,000 sf	3.7	3	5,000	19	15
Personal Service	Per 1,000 sf	2.7	2.7		0	0
Bank	Per 1,000 sf	2.5	2.5		0	0
Bank with Drive Thru	Per 1,000 sf	4.3	2.7		0	0
Restaurant (fast food)	Per 1,000 sf	9.9	6		0	0
Restaurant (sit down)	Per 1,000 sf	15.3	8	10,800	165	86
Office	Per 1,000 sf	2.7	2.7		0	0
Office (Medical)	Per 1,000 sf	3.9	3.9	41,700	163	163
Theater*	Per 3 Seats	1	1		0	0
Existing Parking	236		**Sub Total Total**	57,500	346	264
Existing Parking Ratio	4.10		**Difference from Existing**	N/A	-110	-28

*Note: *Theater parking based on seats*

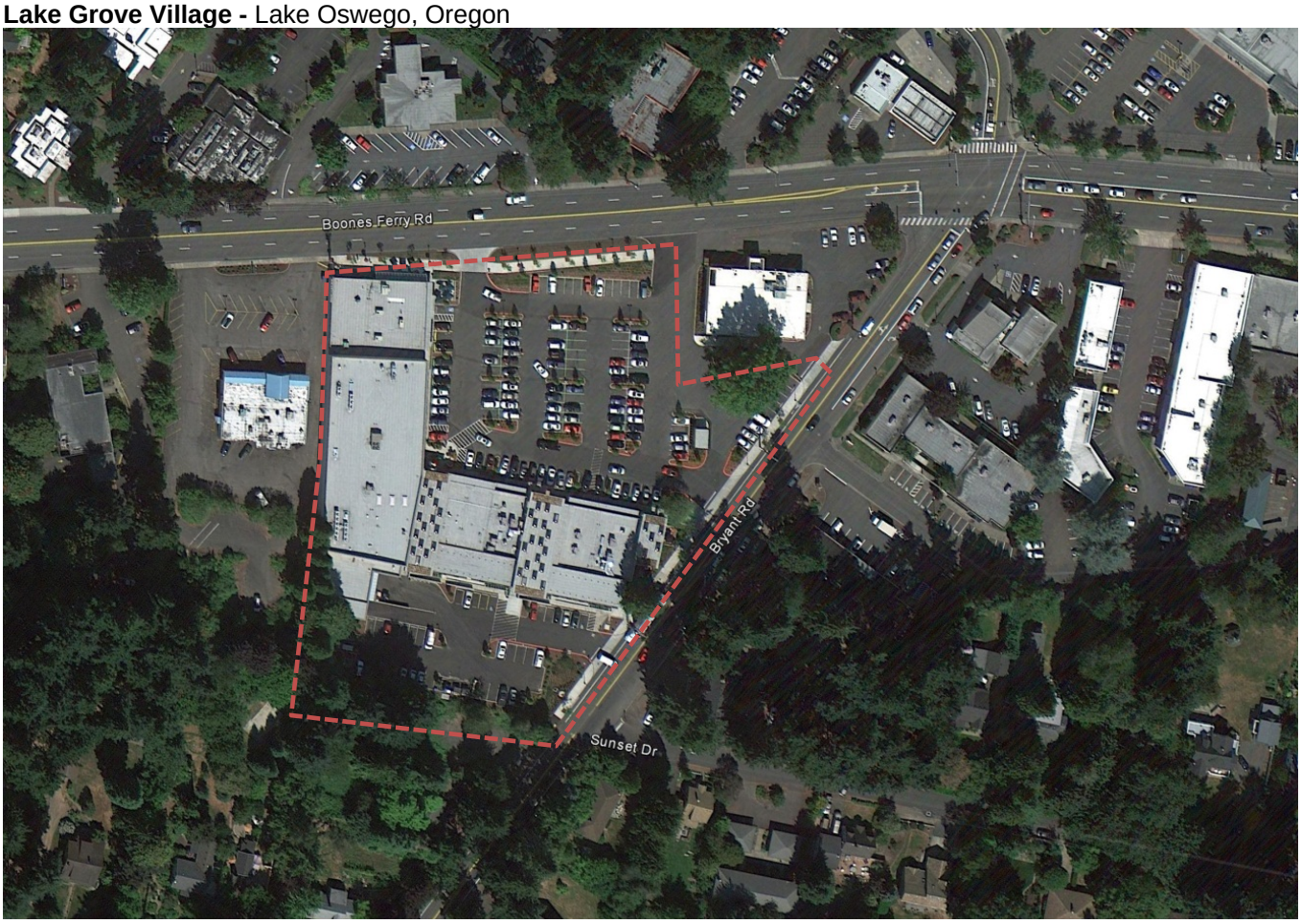
Current Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	41,700	163	163
Secondary Use	90%	10,800	165	149
Subsequent Uses	80%	5,000	19	15
			Required Parking Quantity	**326**
			Difference From Existing	**-90**

Proposed Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	41,700	163	163
Secondary Use	85%	10,800	165	140
Tertiary Uses	70%	5,000	19	13
Subsequent Uses	60%			0
			Required Parking Quantity	**316**
			Difference From Existing	**-80**

Lake Grove Village - Lake Oswego, Oregon



Summary:
City of Tigard standards would require 126 additional spaces requiring approximately 1.3 acres of additional land to develop. Under the proposed standards an additional 7 stalls would be required necessitating approximately .07 acres of additional land.

Parking Calculations

12/27/2012

Lake Grove Village - Lake Oswego, Oregon

Land Use	Ratio Units	Current Code Parking Ratio	Proposed Code Parking Ratio	Size (Sq-Ft)	Current Required Parking Quantity	Proposed Required Parking Quantity
Sales Oriented	Per 1,000 sf	3.7	3	27,000	100	81
Personal Service	Per 1,000 sf	2.7	2.7		0	0
Bank	Per 1,000 sf	2.5	2.5		0	0
Bank with Drive Thru	Per 1,000 sf	4.3	2.7		0	0
Restaurant (fast food)	Per 1,000 sf	9.9	6		0	0
Restaurant (sit down)	Per 1,000 sf	15.3	8	14,400	220	115
Office	Per 1,000 sf	2.7	2.7		0	0
Office (Medical)	Per 1,000 sf	3.9	3.9		0	0
Theater*	Per 3 Seats	1	1		0	0
Existing Parking	172		**Sub Total Total**	41,400	320	196
Existing Parking Ratio	4.15		**Difference from Existing**	N/A	-148	-24

*Note: *Theater parking based on seats*

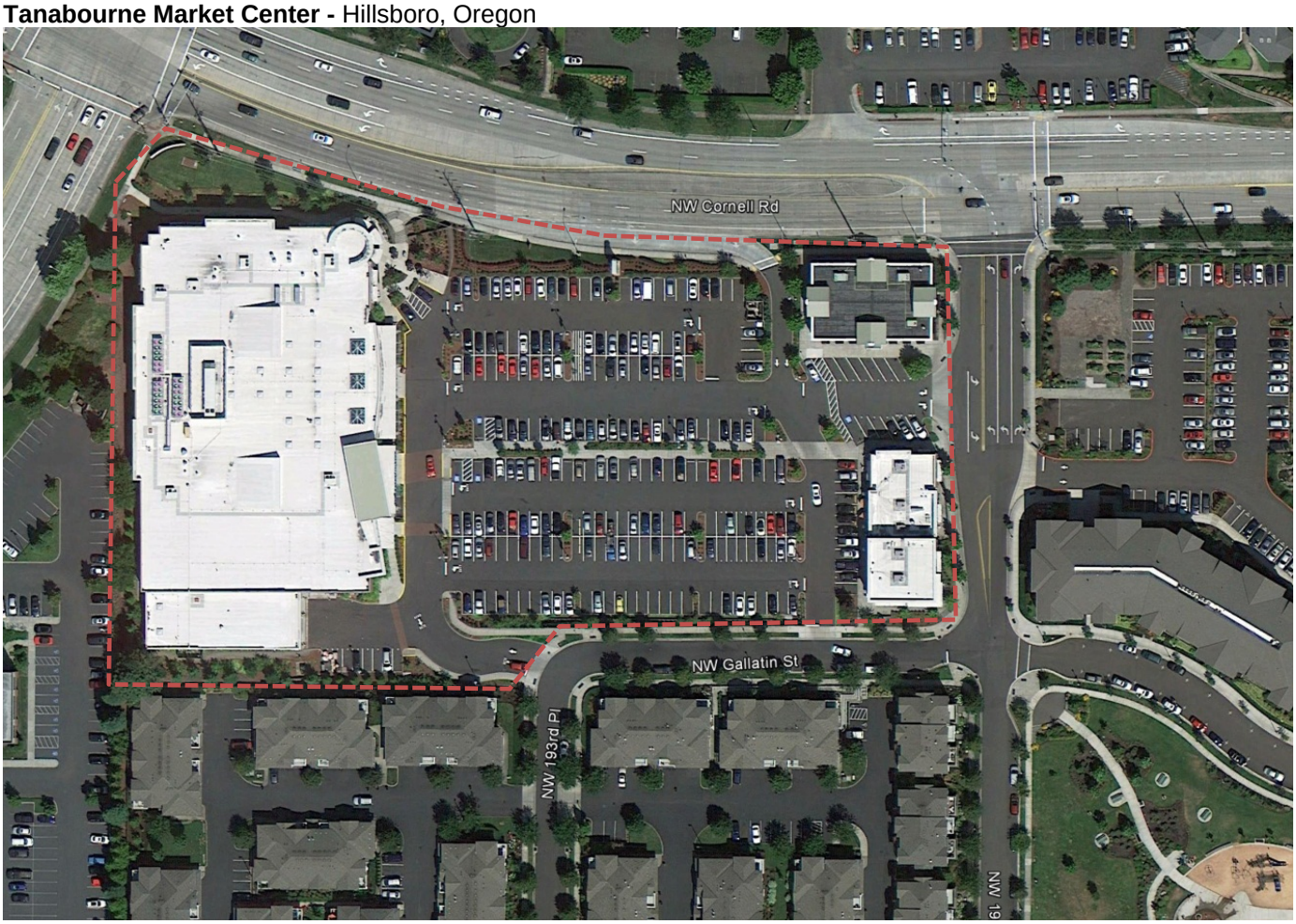
Current Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	27,000	100	100
Secondary Use	90%	14,400	220	198
Subsequent Uses	80%			0
			Required Parking Quantity	**298**
			Difference From Existing	**-126**

Proposed Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	27,000	81	81
Secondary Use	85%	14,400	115	98
Tertiary Uses	70%			0
Subsequent Uses	60%			0
			Required Parking Quantity	**179**
			Difference From Existing	**-7**

Tanabourne Market Center - Hillsboro, Oregon



Summary:
City of Tigard standards would require 71 additional spaces requiring approximately .73 acre of additional land to develop. Under the proposed standards an additional 3 stalls would be required.

Parking Calculations

12/27/2012

Tanasbourne Market Center - Hillsboro, Oregon

Land Use	Ratio Units	Current Code Parking Ratio	Proposed Code Parking Ratio	Size (Sq-Ft)	Current Required Parking Quantity	Proposed Required Parking Quantity
Sales Oriented	Per 1,000 sf	3.7	3	71,600	265	215
Personal Service	Per 1,000 sf	2.7	2.7		0	0
Bank	Per 1,000 sf	2.5	2.5		0	0
Bank with Drive Thru	Per 1,000 sf	4.3	2.7		0	0
Restaurant (fast food)	Per 1,000 sf	9.9	6		0	0
Restaurant (sit down)	Per 1,000 sf	15.3	8	3,500	54	28
Office	Per 1,000 sf	2.7	2.7		0	0
Office (Medical)	Per 1,000 sf	3.9	3.9		0	0
Theater*	Per 3 Seats	1	1		0	0
Existing Parking	242		**Sub Total Total**	75,100	318	243
Existing Parking Ratio	3.22		**Difference from Existing**	N/A	-76	-1

*Note: *Theater parking based on seats*

Current Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	71,600	265	265
Secondary Use	90%	3,500	54	48
Subsequent Uses	80%			0
			Required Parking Quantity	**313**
			Difference From Existing	**-71**

Proposed Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	71,600	215	215
Secondary Use	85%	3,500	28	24
Tertiary Uses	70%			0
Subsequent Uses	60%			0
			Required Parking Quantity	**239**
			Difference From Existing	**3**

Nyberg Woods - Tualatin, Oregon

Summary:
City of Tigard standards would require 202 additional spaces requiring approximately 2.1 acres of additional land to develop. Under the proposed standards a surplus of 75 stalls would exist.

Parking Calculations

12/27/2012

Nyberg Woods - Tualatin, Oregon

Land Use	Ratio Units	Current Code Parking Ratio	Proposed Code Parking Ratio	Size (Sq-Ft)	Current Required Parking Quantity	Proposed Required Parking Quantity
Sales Oriented	Per 1,000 sf	3.7	3	211,100	781	633
Personal Service	Per 1,000 sf	2.7	2.7		0	0
Bank	Per 1,000 sf	2.5	2.5		0	0
Bank with Drive Thru	Per 1,000 sf	4.3	2.7	5,353	23	14
Restaurant (fast food)	Per 1,000 sf	9.9	6		0	0
Restaurant (sit down)	Per 1,000 sf	15.3	8	17,300	265	138
Office	Per 1,000 sf	2.7	2.7		0	0
Office (Medical)	Per 1,000 sf	3.9	3.9		0	0
Theater*	Per 3 Seats	1	1		0	0
Existing Parking	836		**Sub Total Total**	233,753	1,069	786
Existing Parking Ratio	3.58		**Difference from Existing**	N/A	-233	50

*Note: *Theater parking based on seats*

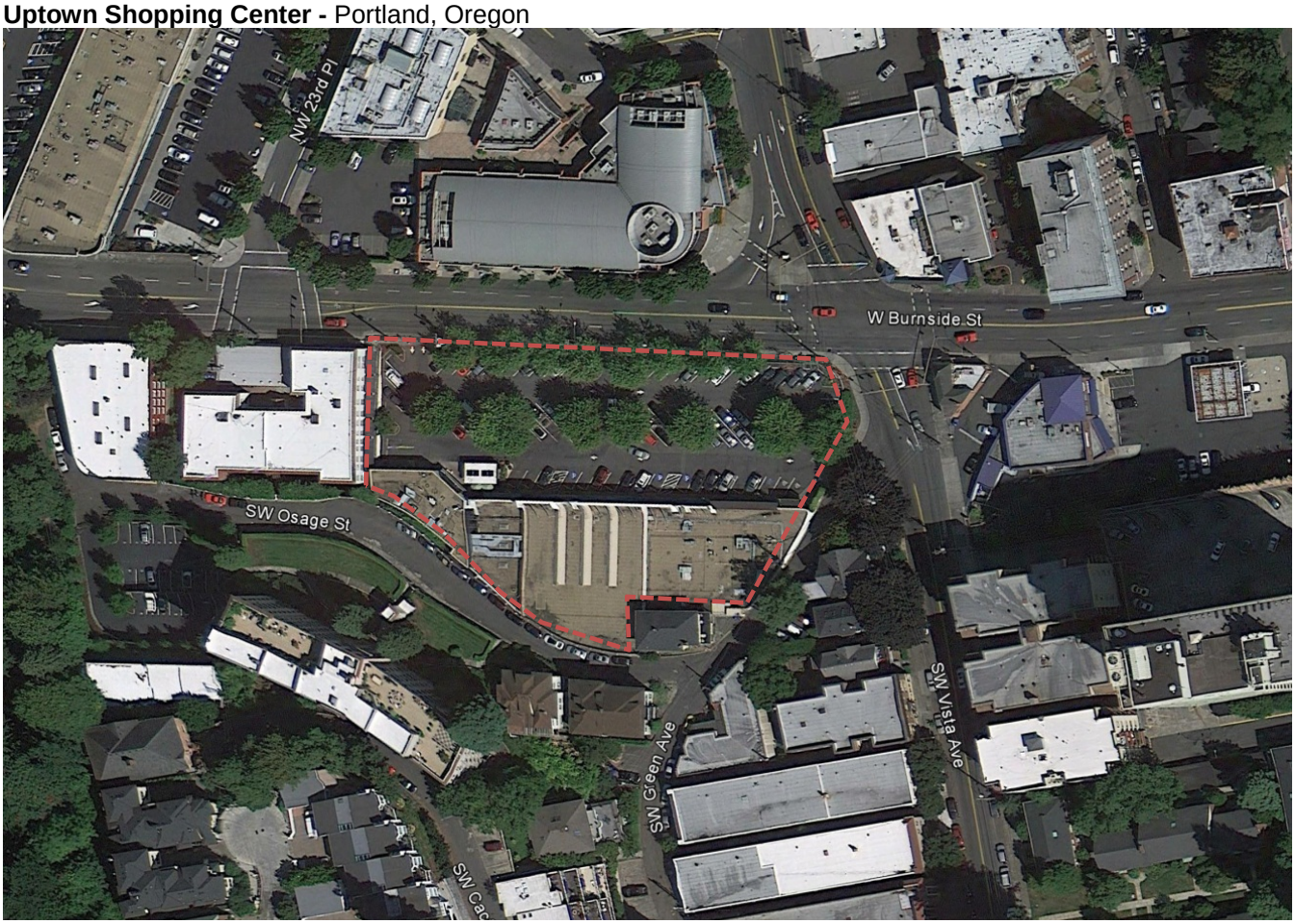
Current Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	211,100	781	781
Secondary Use	90%	17,300	265	238
Subsequent Uses	80%	5,353	23	18
			Required Parking Quantity	**1,038**
			Difference From Existing	**-202**

Proposed Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	211,100	633	633
Secondary Use	85%	17,300	138	118
Tertiary Uses	70%	5,353	14	10
Subsequent Uses	60%			0
			Required Parking Quantity	**761**
			Difference From Existing	**75**

Uptown Shopping Center - Portland, Oregon



Summary:
City of Tigard standards would require 55 additional spaces requiring approximately .57 acres of additional land to develop. Under the proposed standards an additional 4 stalls would be required.

Parking Calculations

12/27/2012

Uptown Shopping Center - Portland, Oregon

Land Use	Ratio Units	Current Code Parking Ratio	Proposed Code Parking Ratio	Size (Sq-Ft)	Current Required Parking Quantity	Proposed Required Parking Quantity
Sales Oriented	Per 1,000 sf	3.7	3	16,000	59	48
Personal Service	Per 1,000 sf	2.7	2.7		0	0
Bank	Per 1,000 sf	2.5	2.5		0	0
Bank with Drive Thru	Per 1,000 sf	4.3	2.7		0	0
Restaurant (fast food)	Per 1,000 sf	9.9	6		0	0
Restaurant (sit down)	Per 1,000 sf	15.3	8	5,700	87	46
Office	Per 1,000 sf	2.7	2.7		0	0
Office (Medical)	Per 1,000 sf	3.9	3.9		0	0
Theater*	Per 3 Seats	1	1		0	0
Existing Parking	83		**Sub Total Total**	21,700	146	94
Existing Parking Ratio	3.82		**Difference from Existing**	N/A	-63	-11

*Note: *Theater parking based on seats*

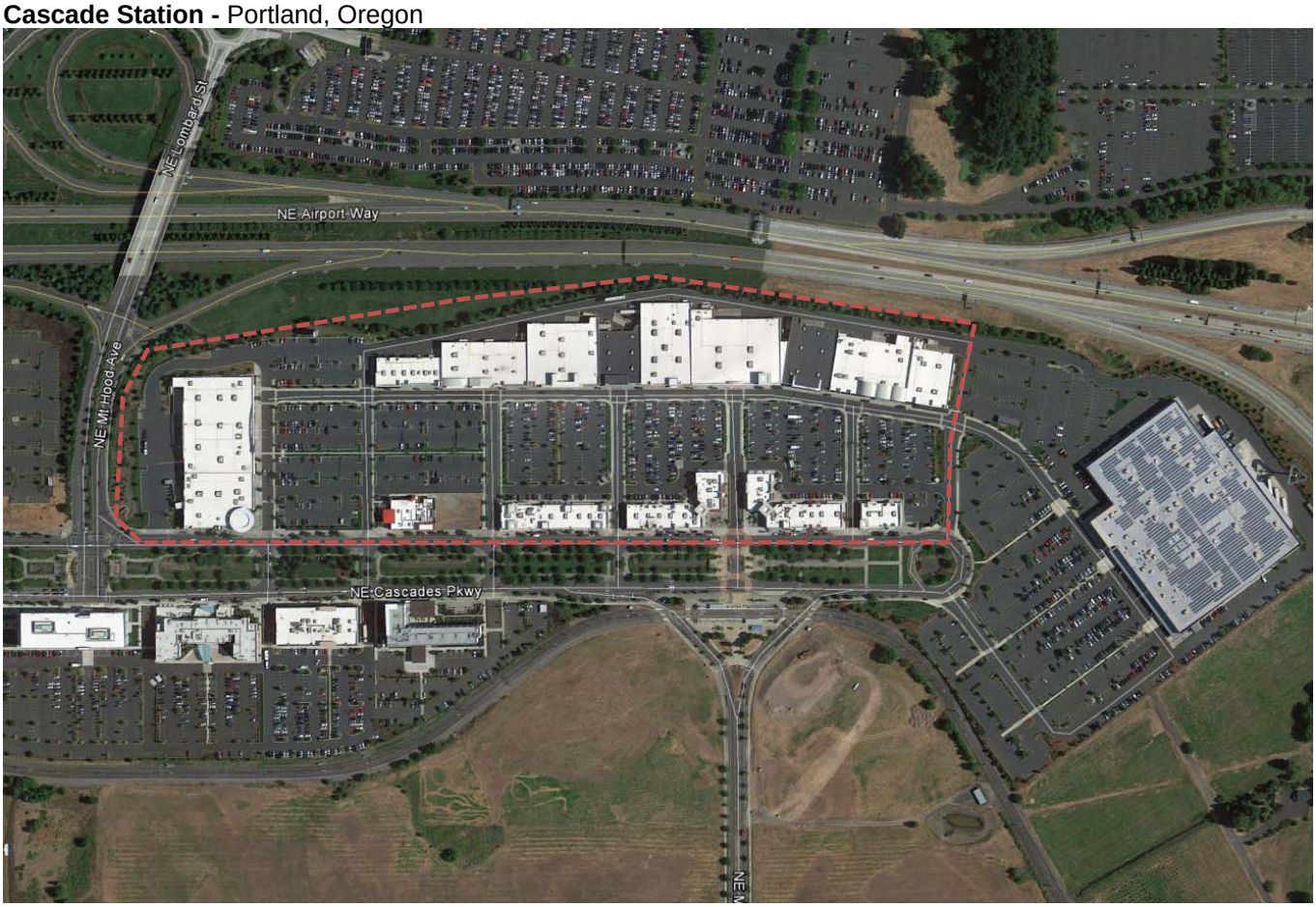
Current Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	16,000	59	59
Secondary Use	90%	5,700	87	78
Subsequent Uses	80%			0
			Required Parking Quantity	**138**
			Difference From Existing	**-55**

Proposed Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	16,000	48	48
Secondary Use	85%	5,700	46	39
Tertiary Uses	70%			0
Subsequent Uses	60%			0
			Required Parking Quantity	**87**
			Difference From Existing	**-4**

Cascade Station - Portland, Oregon



Summary:
City of Tigard standards would require 374 additional spaces requiring approximately 3.9 acres of additional land to develop. Under the proposed standards there would be a surplus of 31 stalls.

Parking Calculations

12/27/2012

Cascade Station - Portland, Oregon

Land Use	Ratio Units	Current Code Parking Ratio	Proposed Code Parking Ratio	Size (Sq-Ft)	Current Required Parking Quantity	Proposed Required Parking Quantity
Sales Oriented	Per 1,000 sf	3.7	3	333,730	1,235	1,001
Personal Service	Per 1,000 sf	2.7	2.7		0	0
Bank	Per 1,000 sf	2.5	2.5	2,500	6	6
Bank with Drive Thru	Per 1,000 sf	4.3	2.7		0	0
Restaurant (fast food)	Per 1,000 sf	9.9	6		0	0
Restaurant (sit down)	Per 1,000 sf	15.3	8	24,500	375	196
Office	Per 1,000 sf	2.7	2.7		0	0
Office (Medical)	Per 1,000 sf	3.9	3.9		0	0
Theater*	Per 3 Seats	1	1		0	0
Existing Parking	1,203		**Sub Total Total**	360,730	1,616	1,203
Existing Parking Ratio	3.33		**Difference from Existing**	N/A	-413	0

*Note: *Theater parking based on seats*

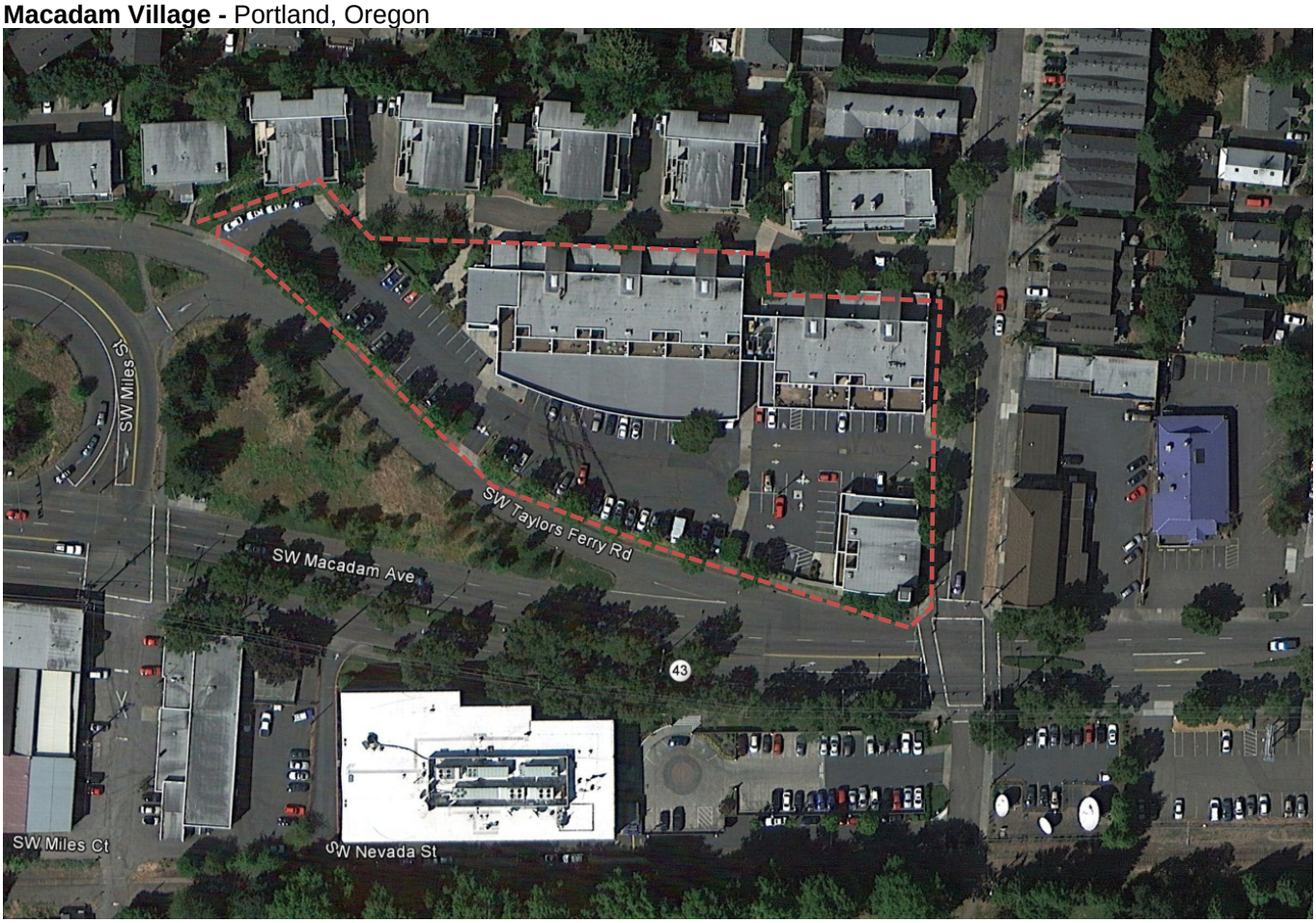
Current Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	333,730	1,235	1,235
Secondary Use	90%	24,500	375	337
Subsequent Uses	80%	2,500	6	5
			Required Parking Quantity	**1,577**
			Difference From Existing	**-374**

Proposed Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	333,730	1,001	1,001
Secondary Use	85%	24,500	196	167
Tertiary Uses	70%	2,500	6	4
Subsequent Uses	60%			0
			Required Parking Quantity	**1,172**
			Difference From Existing	**31**

Macadam Village - Portland, Oregon



Summary:
City of Tigard standards would require 95 additional spaces requiring approximately 1 acre of additional land to develop. Under the proposed standards an additional 40 stalls would be required necessitating approximately .4 acres of additional land.

Parking Calculations

12/27/2012

Macadam Village - Portland, Oregon

Land Use	Ratio Units	Current Code Parking Ratio	Proposed Code Parking Ratio	Size (Sq-Ft)	Current Required Parking Quantity	Proposed Required Parking Quantity
Sales Oriented	Per 1,000 sf	3.7	3	27,435	102	82
Personal Service	Per 1,000 sf	2.7	2.7		0	0
Bank	Per 1,000 sf	2.5	2.5		0	0
Bank with Drive Thru	Per 1,000 sf	4.3	2.7		0	0
Restaurant (fast food)	Per 1,000 sf	9.9	6		0	0
Restaurant (sit down)	Per 1,000 sf	15.3	8	5,200	80	42
Office	Per 1,000 sf	2.7	2.7		0	0
Office (Medical)	Per 1,000 sf	3.9	3.9	6,300	25	25
Theater*	Per 3 Seats	1	1		0	0
Existing Parking	92		**Sub Total Total**	38,935	206	148
Existing Parking Ratio	2.36		**Difference from Existing**	N/A	-114	-56

*Note: *Theater parking based on seats*

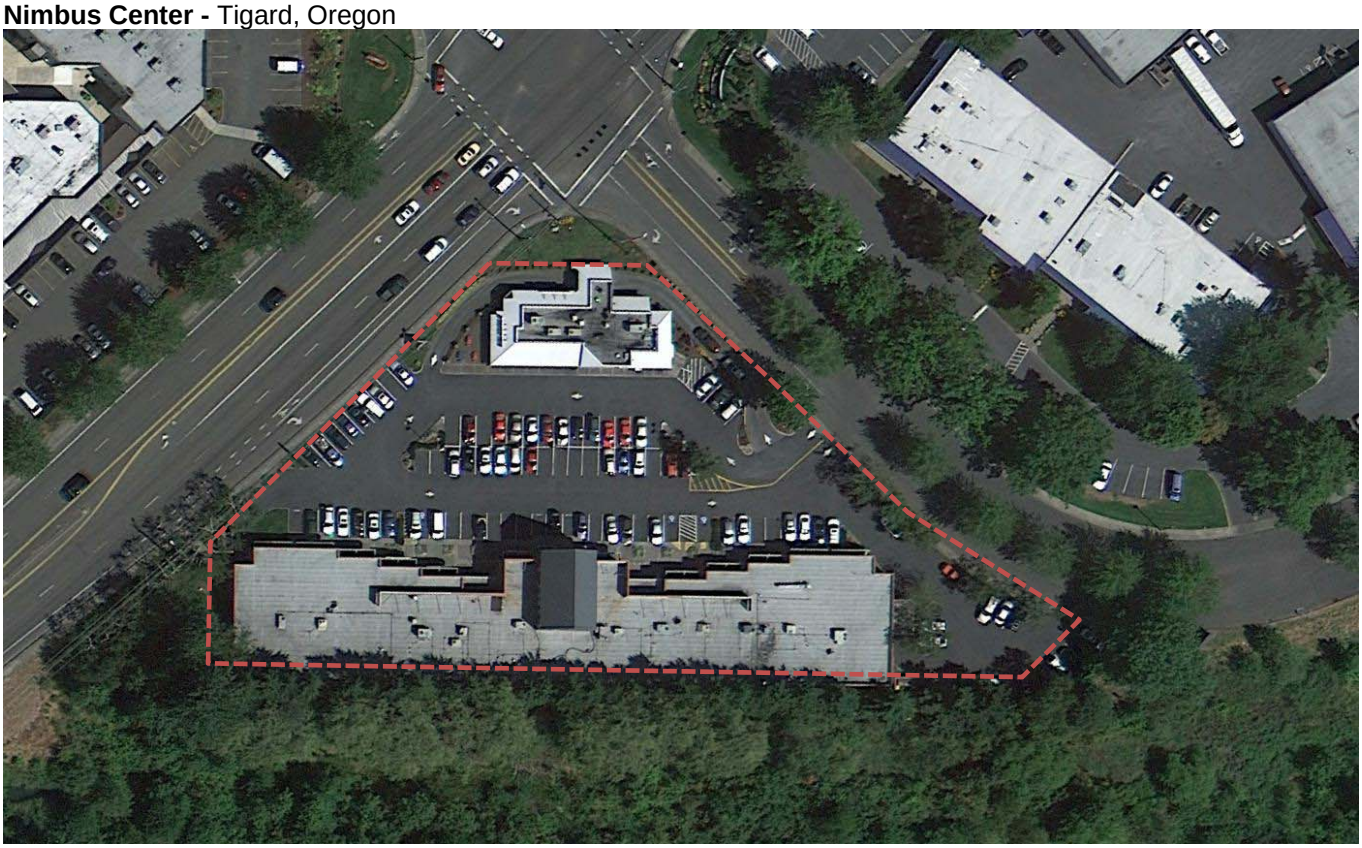
Current Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	27,435	102	102
Secondary Use	90%	6,300	25	22
Subsequent Uses	80%	5,200	80	64
			Required Parking Quantity	**187**
			Difference From Existing	**-95**

Proposed Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	27,435	82	82
Secondary Use	85%	6,300	25	21
Tertiary Uses	70%	5,200	42	29
Subsequent Uses	60%			0
			Required Parking Quantity	**132**
			Difference From Existing	**-40**

Nimbus Center - Tigard, Oregon



Summary:
City of Tigard standards would require 35 additional spaces requiring approximately .36 acres of additional land to develop. Under the proposed standards a surplus of 5 stalls would exist.

Parking Calculations

12/27/2012

Nimbus Center - Tigard, Oregon

Land Use	Ratio Units	Current Code Parking Ratio	Proposed Code Parking Ratio	Size (Sq-Ft)	Current Required Parking Quantity	Proposed Required Parking Quantity
Sales Oriented	Per 1,000 sf	3.7	3	13,678	51	41
Personal Service	Per 1,000 sf	2.7	2.7	2,692	7	7
Bank	Per 1,000 sf	2.5	2.5		0	0
Bank with Drive Thru	Per 1,000 sf	4.3	2.7		0	0
Restaurant (fast food)	Per 1,000 sf	9.9	6	7,068	70	42
Restaurant (sit down)	Per 1,000 sf	15.3	8		0	0
Office	Per 1,000 sf	2.7	2.7		0	0
Office (Medical)	Per 1,000 sf	3.9	3.9	2,889	11	11
Theater*	Per 3 Seats	1	1		0	0
Existing Parking	93		**Sub Total Total**	26,327	139	102
Existing Parking Ratio	3.53		**Difference from Existing**	N/A	-46	-9

*Note: *Theater parking based on seats*

Current Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	13,678	51	51
Secondary Use	90%	7,068	70	63
Subsequent Uses	80%	5,581	19	15
			Required Parking Quantity	**128**
			Difference From Existing	**-35**

Proposed Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	13,678	41	41
Secondary Use	85%	7,068	42	36
Tertiary Uses	70%	0	0	0
Subsequent Uses	60%	5,581	19	11
			Required Parking Quantity	**88**
			Difference From Existing	**5**

Grand Central – Vancouver, Washington

Summary:
City of Tigard standards result in the need for an additional 117 parking stalls which would require an additional 1.2 acres of land. The proposed standards would result in a surplus of 14 stalls..

December 27, 2012

Parking Calculations

12/27/2012

Grand Central - Vancouver, Washington

Land Use	Ratio Units	Current Code Parking Ratio	Proposed Code Parking Ratio	Size (Sq-Ft)	Current Required Parking Quantity	Proposed Required Parking Quantity
Sales Oriented	Per 1,000 sf	3.7	3	14,587	54	44
Personal Service	Per 1,000 sf	2.7	2.7	6,191	17	17
Bank	Per 1,000 sf	2.5	2.5	3,700	9	9
Bank with Drive Thru	Per 1,000 sf	4.3	2.7		0	0
Restaurant (fast food)	Per 1,000 sf	9.9	6	6,591	65	40
Restaurant (sit down)	Per 1,000 sf	15.3	8	15,247	233	122
Office	Per 1,000 sf	2.7	2.7	3,865	10	10
Office (Medical)	Per 1,000 sf	3.9	3.9	5,075	20	20
Grocery Store	Per 1,000 sf	3.7	3.7	138,729	513	513
Existing Parking	712		**Sub Total Total**	193,985	922	775
Existing Parking Ratio	3.67		**Difference from Existing**	N/A	-210	-63

*Note: *Grocery Store considered Sales at 3.7 per 1,000*

Current Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	153,316	567	567
Secondary Use	90%	15,247	233	210
Subsequent Uses	80%	6,591	65	52
			Required Parking Quantity	**829**
			Difference From Existing	**-117**

Proposed Required Parking Quantity for Mixed-Use Projects

	Percent of Required Quantity	Total Size of Use(s)	Required Parking Quantity	Adjusted Required Parking Quantity
Primary Use	100%	153,316	557	557
Secondary Use	85%	15,247	122	104
Tertiary Uses	70%	6,591	40	28
Subsequent Uses	60%	6,191	17	10
			Required Parking Quantity	**698**
			Difference From Existing	**14**

Exhibit C

Chapter 18.765
OFF-STREET PARKING AND LOADING REQUIREMENTS

18.765.010 Purpose

A. Insure adequate vehicle parking. These parking requirements are intended to provide sufficient vehicle parking in close proximity to the various uses for residents, customers and employees, and to establish standards which will maintain the traffic carrying-capacity of nearby streets.

B. Adequate capacity. These regulations are also intended to establish vehicle parking areas which have adequate capacity and which are appropriately located and designed to minimize any hazardous conditions on the site and at access points.

18.765.020 Applicability of Provisions

A. New construction. At the time of the erection of a new structure within any zoning district, offstreet vehicle parking will be provided in accordance with Section 18.765.070.

B. Expansion of existing use. At the time of an enlargement of a structure which increases the on-site vehicle parking requirements, off-street vehicle parking will be provided in accordance with Section 18.765.070 subject to the following:

1. On the date of adoption of this title, the number of vehicle parking and loading spaces required shall be based only on floor area or capacity of such enlargement;

2. If the minimum vehicle parking spaces required for the enlargement added to the existing onsite space exceed the maximum number of vehicle parking spaces allowed for the whole project per the maximum parking ratios established in 18.765.070, the applicant may reduce the additional number of spaces provided so that the total spaces on the site do not exceed the maximum spaces allowed.

C. Change of use. When an existing structure is changed from one use to another use as listed in Section 18.765.070, the following provisions shall apply:

1. If the parking requirements for each use are the same, no additional vehicle parking shall be required;

2. Where a change results in an intensification of use in terms of the number of vehicle parking spaces required, additional vehicle parking spaces shall be provided in an amount equal to the difference between the number of spaces required for the existing use and the number of spaces required for the more intensive use;

3. Where the change results in a decrease in intensity of use, the applicant may eliminate excess vehicle parking spaces in an amount equal to the difference between the number of spaces required for the existing use and the number of spaces required for the less intensive use.

D. When site design review is not required. Where the provisions of Chapter 18.360, Site Development Review, do not apply, the Director shall approve, approve with conditions, or deny a plan submitted under the provisions of this chapter by means of a Type I review, as governed by Section 18.390.030.

E. Building permit conditions. The provision and maintenance of off-street vehicle parking and loading spaces are the continuing obligation of the property owner:

1. **No building or other permit shall be issued until plans are presented to the Director to show that property is and will remain available for exclusive use as off-street vehicle parking and loading space; and**

2. **The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of vehicle parking and loading space required by this title.**

3. **Required vehicle parking shall:**

   a. **Be available for the parking of operable passenger vehicles of residents, patron and employees only;**

   b. **Not be used for storage of vehicles or materials or for the parking of trucks used in conduct of the business or use; and**

   c. **Not be rented, leased or assigned to any other person or organization.**

18.765.030 General Provisions

A. Vehicle parking plan requirements. No building or other permit shall be issued until scaled plans are presented and approved as provided by this chapter that show how access, egress and circulation requirements are to be fulfilled. The applicant shall submit a site plan. The Director shall provide the applicant with detailed information about this submission requirement.

B. Location of vehicle parking. The location of off-street parking will be as follows:

1. **Off-street parking spaces for single-family and duplex dwellings and single-family attached dwellings shall be located on the same lot with the dwelling(s).**

2. **Off-street parking lots for uses not listed above shall be located not further than 500 feet from the property line that they are required to serve, measured along the most direct, publicly accessible pedestrian route from the property line with the following exceptions:**

   a. **Commercial and industrial uses which require more than 40 parking spaces may provide for the spaces in excess of the required first 40 spaces up to a distance of 500 feet from the primary site;**

   b. **The 40 parking spaces which remain on the primary site must be available for users in the following order of priority:**

      (1) **Disabled-accessible spaces,**

      (2) **Short-term spaces,**

      (3) **Long-term preferential carpool and vanpool spaces,**

      (4) **Long-term spaces.**

C. Joint parking. Owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the peak hours of operation do not overlay, subject to the following:

1. **The size of the joint parking facility shall be at least as large as the number of vehicle parking spaces required by the larger(est) use per Section 18.765.070;**

2. **Satisfactory legal evidence shall be presented to the Director in the form of deeds, leases or contracts to establish the joint use;**

3. **If a joint use arrangement is subsequently terminated, or if the uses change, the requirements of this title thereafter apply to each separately.**

D. Parking in mixed-use and multiple tenant projects. In mixed-use and multiple tenant projects, the required minimum vehicle parking shall be determined using the following formula:

1. **Primary use, i.e., that with the largest proportion of total floor area within the development, at 100% of the minimum vehicle parking required for that use in Section 18.765.060;**

2. **Secondary use, i.e., that with the second largest percentage of total floor area within the development, at 85~~90~~% of the vehicle parking required for that use in Section 18.765.060;**

3. **Subsequent use or uses, at 70~~80~~% of the vehicle parking required for that use(s) in Section 18.765.060;**

4. **Subsequent use or uses, at 60% of the vehicle parking required for that use(s) in Section 18.765.060;**

5~~4~~. **The maximum parking allowance shall be 150% of the total minimum parking as calculated in Subsection D.1—3 above.**

E. Visitor parking in multifamily residential developments. Multi-dwelling units with more than 10 required parking spaces shall provide an additional 15% of vehicle parking spaces above the minimum required for the use of guests of residents of the complex. These spaces shall be centrally located or distributed throughout the development. Required bicycle parking facilities shall also be centrally located within or evenly distributed throughout the development.

F. Preferential long-term carpool/vanpool parking. Parking lots providing in excess of 20 long-term parking spaces shall provide preferential long-term carpool and vanpool parking for employees, students and other regular visitors to the site. At least five percent of total long-term parking spaces shall be reserved for carpool/vanpool use. Preferential parking for carpools/vanpools shall be closer to the main entrances of the building than any other employee or student parking except parking spaces designated for use by the disabled. Preferential carpool/vanpool spaces shall be full-sized per requirements in Section 18.765.040.N and shall be clearly designated for use only by carpools and vanpools between 7:00 AM and 5:30 PM Monday through Friday.

G. Disabled-accessible parking. All parking areas shall be provided with the required number of parking spaces for disabled persons as specified by the State Building Code and federal standards. Such parking spaces shall be sized, signed and marked as required by these regulations.

H. DEQ indirect source construction permit. All parking lots containing 250 spaces or parking structures containing two or more levels shall require review by the Oregon Department of Environmental Quality (DEQ) to:

1. Acquire an Indirect Source Construction Permit;

2. Investigate the feasibility of installing oil and grease separators. (Ord. 09-13; Ord. 02-13)

18.765.040 General Design Standards

A. Maintenance of parking areas. All parking lots shall be kept clean and in good repair at all times. Breaks in paved surfaces shall be repaired promptly and broken or splintered wheel stops shall be replaced so that their function will not be impaired.

B. Access drives. With regard to access to public streets from off-street parking:

1. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site;

2. The number and size of access drives shall be in accordance with the requirements of Chapter 18.705, Access, Egress and Circulation;

3. Access drives shall be clearly and permanently marked and defined through use of rails, fences, walls or other barriers or markers on frontage not occupied by service drives;

4. Access drives shall have a minimum vision clearance in accordance with Chapter 18.795, Visual Clearance;

5. Access drives shall be improved with an asphalt, concrete, or pervious paving surface. Any pervious paving surface must be designed and maintained to remain well-drained; and

6. Excluding single-family and duplex residences, except as provided by Subsection 18.810.030.P, groups of two or more parking spaces shall be served by a service drive so that no backing movements or other maneuvering within a street or other public right-of-way will be required.

C. Loading/unloading driveways. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school or other meeting place which is designed to accommodate more than 25 people at one time.

D. On-site vehicle stacking for drive-in use.

1. All uses providing drive-in services as defined by this title shall provide on the same site a stacking lane for inbound vehicles as noted in Table 18.765.1.

TABLE 18.765.1
STACKING LANE REQUIREMENTS FOR USES WITH DRIVE-IN WINDOWS

Use	Reservoir Requirement
Drive-in banks	150 feet/service terminal
Automated teller	50 feet/service terminal machines
Drive-up telephones	50 feet
Drive-in cleaners, repair services	50 feet

Drive-in restaurants	200 feet
Drive-in theaters	200 feet
Gasoline service	75 feet between curb cut and nearest pump
Mechanical car washes	75 feet/washing unit
Parking facilities:	
- Free flow entry	25 feet/entry driveway
- Ticket dispense entry	50 feet/entry driveway
- Manual ticket dispensing	100 feet/entry driveway
- Attendant parking	100 feet

2. The Director may reduce the length of the inbound stacking lane by means of an adjustment to be reviewed through a Type I procedure, as governed by Section 18.390.030, using approval criteria contained in Section 18.370.020.C.7.g.

3. Stacking lanes must be designed so that they do not interfere with parking and vehicle, pedestrian and bicycle circulation. Stacking lanes for the purpose of selling food must provide at least one clearly marked parking space per service window for the use of vehicles waiting for an order to be filled.

E. Curb cuts. Curb cuts shall be in accordance with Section 18.810.030.N.

F. Pedestrian access. Pedestrian access through parking lots shall be provided in accordance with Section 18.705.030.F. Where a parking area or other vehicle area has a drop-off grade separation, the property owner shall install a wall, railing, or other barrier which will prevent a slow-moving vehicle or driverless vehicle from escaping such area and which will prevent pedestrians from walking over drop-off edges.

G. Parking lot landscaping. Parking lots shall be landscaped in accordance with the requirements of Chapter 18.745.

H. Parking space surfacing.

1. **Except for single-family and duplex residences, and for temporary uses or fleet storage areas as authorized in 18.765.040.H.3 and 4 below, all areas used for the parking or storage or maneuvering of any vehicle, boat or trailer shall be improved with asphalt, concrete, or pervious paving surfaces. Any pervious paving surface must be designed and maintained to remain well-drained;**

2. **Off-street parking spaces for single and two-family residences shall be improved with an asphalt, concrete, or pervious paving surface. Any pervious paving surface must be designed and maintained to remain well-drained;**

3. **Parking areas to be used primarily for the storage of fleet vehicles or construction equipment may be surfaced in gravel when authorized by the approval authority at the time the site development approval is given. The Director may require that the property owner enter into an agreement to pave the parking area: (a) within a specified period of time after establishment of the parking area; or (b) if there is a change in the types or weights of vehicles utilizing the parking area; or (c) if there is evidence of adverse effects upon adjacent roadways, water courses, or properties. Such an agreement shall be executed as a condition of approval of the plan to establish the gravel parking area. Gravel-surfaced parking areas may only be permitted consistent with the following:**

   a. **Gravel parking areas shall not be permitted within 100 feet of any residentially-zoned or residentially-developed area,**

   b. **Gravel access and/or parking areas shall not be allowed within 100 feet of any water course,**

   c. **Gravel parking areas shall not be allowed within 100 feet of any public right-of-way, and**

   d. **A driveway which connects a gravel parking area with any public street shall be paved; and**

4. **Parking areas to be used in conjunction with a temporary use may be surfaced in gravel when authorized by the approval authority at the time the permit is approved. The approval authority shall consider the following in determining whether or not the gravel-surfaced parking is warranted:**

   a. **The request for consideration to allow a parking area in conjunction with the temporary use shall be made in writing concurrently with the Temporary Use application per the requirements of Section 18.385.050,**

   b. **The applicant shall provide documentation that the type of temporary use requested will not be financially viable if the parking space surface area requirement is imposed, and**

   c. **Approval of the gravel-surfaced parking area will not create adverse conditions affecting safe ingress and egress when combined with other uses of the property.**

I. Parking lot striping.

1. **Except for single-family and duplex residences, any area intended to be used to meet the offstreet parking requirements as contained in this chapter shall have all parking spaces clearly marked; and**

2. **All interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety.**

J. Wheel stops. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located three feet back from the front of the parking stall. The front three feet of the parking stall may be concrete, asphalt or low lying landscape material that does not exceed the height of the wheel stop. This area cannot be calculated to meet landscaping or sidewalk requirements.

K. Drainage. Off-street parking and loading areas shall be drained in accordance with specifications approved by the City Engineer to ensure that ponds do not occur except for single-family and duplex residences, off-street parking and loading facilities shall be drained to avoid flow of water across public sidewalks.

L. Lighting. A lights providing to illuminate any public or private parking area or vehicle sales area shall be arranged to direct the light away from any adjacent residential district.

M. Signs. Signs which are placed on parking lots shall be designed and installed in accordance with Chapter 18.780, Signs.

N. Space and aisle dimensions. (Figure 18.765.1)

FIGURE 18.765.1

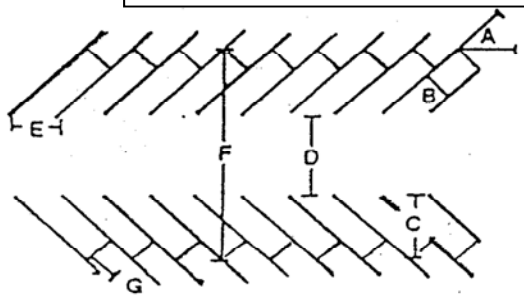
OFF-STREET SURFACE PARKING MATRIX

Required Space and Aisle Dimensions in Feet

	COMPACT						**STANDARD**					
A	**B**	**C**	**D**	**E**	**F**	**G**	***B***	***C***	***D***	***E***	***F***	***G***
45o	7.50	15.5	13.0	10.61	44.0	2.0	8.5	17.5	13.0	12.0	48.0	2.0
	7.75	15.5	12.0	10.96	43.0	2.0	9.0	17.5	12.0	12.7	47.2	2.0
	7.75	15.5	11.0	10.96	42.0	2.0	9.5	17.5	11.0	13.4	46.0	2.0
	8.00	15.5	11.0	11.32	42.0	2.0	10.0	17.5	11.0	14.1	46.0	2.0
60o	7.50	17.0	18.0	8.62	48.0	2.5	8.5	19.0	18.0	9.80	56.0	2.5
	7.75	17.0	16.0	9.01	46.0	2.5	9.0	19.0	16.0	10.4	54.0	2.5
	7.75	17.0	15.0	9.01	54.0	2.5	9.5	19.0	15.0	11.0	53.0	2.5
	8.00	17.0	14.0	9.20	44.0	2.5	10.0	19.0	14.0	11.6	52.0	2.5
75o	7.50	17.5	25.5	7.73	60.5	2.5	8.5	19.5	25.5	8.80	64.0	2.5
	7.75	17.5	23.0	7.99	58.0	2.5	9.0	19.5	23.0	9.30	62.0	2.5
	7.75	17.5	22.0	7.99	57.0	2.5	9.5	19.5	22.0	9.80	61.0	2.5
	8.00	17.5	21.0	8.25	56.0	2.5	10.0	19.5	21.0	10.3	60.0	2.5
90o	7.50	16.5	28.0	7.50	61.0	3.0	8.5	18.5	28.0	8.50	65.0	3.0
	7.75	16.5	26.0	7.75	60.0	3.0	9.0	18.5	26.0	9.00	63.0	3.0
	7.75	16.5	25.0	7.75	59.0	3.0	9.5	18.5	25.0	9.50	62.0	3.0
	8.00	16.5	24.0	8.00	58.0	3.0	10.0	18.5	24.0	10.0	61.0	3.0

Exhibit C

Stall width dimensions may be distributed as follows: 50% standard spaces; 50%compact spaces. All compact spaces shall be labeled as such.



A Parking Angle
B Stall Width
C Stall Depth (no bumper overhang)
D Aisle Width Between Stall Lines (5)
E Stall Width Parallel to Aisle
F Module Width (no bumper overhang)
G Bumper Overhang

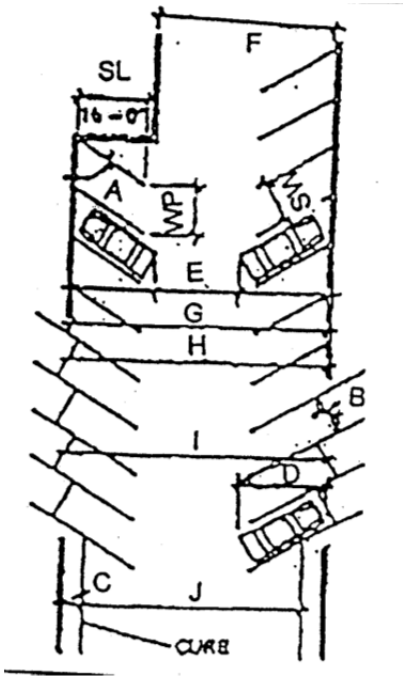
1. **Except as modified for angled parking in Figures 18.765.1 and 18.765.2, the minimum dimensions for parking spaces are:**
   a. **8.5' x 18.5' for a standard space;**
   b. **7.5' x 16.5' for a compact space; and**
   c. **As required by applicable State of Oregon and federal standards for designated disabled person parking spaces;**
   d. **The width of each parking space includes a stripe which separates each space.**
2. **Aisles accommodating two direction traffic, or allowing access from both ends, shall be 24 feet in width;**
3. **Minimum standards for a standard parking stall's length and width, aisle width, and maneuvering space shall be determined as noted in Figure 18.765.2. (Ord. 09-13; Ord. 06-20)**

FIGURE 18.765.2
PARKING STRUCTURE MATRIX
Required Space and Aisle Dimensions in Feet

Compact									
Angle	Interlock Reduction	Overhang	Vehicle Projection	Width			Module Widths		
A	B	C	D	E	F	G	H	I	J
45	2.0	1.41	15.25	11.5	26.75	42.0	40.0	38.0	39.16
60	1.41	1.75	16.08	13.33	29.66	46.0	44.58	43.16	42.5
75	0.75	1.91	16.5	16.0	32.5	49.0	48.25	47.5	45.16
90	0.0	2.0	15.5	20.0	35.5	51.0	51.0	51.0	47.0
Standards									
Angle	Interlock Reduction	Overhang	Vehicle Projection	Width			Module Widths		
A	B	C	D	E	F	G	H	I	J
45	2.4	2.08	18.0	13.0	31.0	49.0	46.66	46.33	44.83
60	1.66	2.58	19.5	16.0	35.5	55.0	51.33	51.66	49.16

75	0.83	2.91	19.75	20.0	39.75	59.5	58.66	57.83	53.66
90	0.0	3.0	18.66	24.66	43.33	62.0	62.0	62.0	56.0

A Parking angle
B Interlock reduction
C Overhang clearance
D Projected vehicle length measured perpendicular to aisle
E Aisle width
F Parking module width (wall to wall), single loaded aisle
G Parking module width (wall to wall), double loaded aisle
H Parking module width (wall to interlock), double loaded aisle
I Parking module width (interlock to interlock), double loaded aisle
J Parking module width (curb to curb), double loaded aisle
SL Stall Length
SW Stall Width
WP Stall width parallel to aisle



18.765.050 Bicycle Parking Design Standards

A. Location and access. With regard to the location and access to bicycle parking:

1. Bicycle parking areas shall be provided at locations within 50 feet of primary entrances to structures;

2. Bicycle parking areas shall not be located within parking aisles, landscape areas or pedestrian ways;

3. Outdoor bicycle parking shall be visible from on-site buildings and/or the street. When the bicycle parking area is not visible from the street, directional signs shall be used to located the parking area;

4. Bicycle parking may be located inside a building on a floor which has an outdoor entrance open for use and floor location which does not require the bicyclist to use stairs to gain access to the space. Exceptions may be made to the latter requirement for parking on upper stories within a multi-story residential building.

B. Covered parking spaces.

1. **When possible, bicycle parking facilities should be provided under cover.**
2. **Required bicycle parking for uses served by a parking structure must provide for covered bicycle parking unless the structure will be more than 100 feet from the primary entrance to the building, in which case, the uncovered bicycle parking may be provided closer to the building entrance.**

C. Design requirements. The following design requirements apply to the installation of bicycle racks:

1. **The racks required for required bicycle parking spaces shall ensure that bicycles may be securely locked to them without undue inconvenience. Provision of bicycle lockers for longterm (employee) parking is encouraged but not required;**
2. **Bicycle racks must be securely anchored to the ground, wall or other structure;**
3. **Bicycle parking spaces shall be at least 2½ feet by six feet long, and, when covered, with a vertical clearance of seven feet. An access aisle of at least five feet wide shall be provided and maintained beside or between each row of bicycle parking;**
4. **Each required bicycle parking space must be accessible without moving another bicycle; 5. Required bicycle parking spaces may not be rented or leased except where required motor vehicle parking is rented or leased. At-cost or deposit fees for bicycle parking are exempt from this requirement;**
6. **Areas set aside for required bicycle parking must be clearly reserved for bicycle parking only.**

D. Paving. Outdoor bicycle parking facilities shall be surfaced with a hard surfaced material, i.e., pavers, asphalt, concrete, other pervious paving surfaces, or similar material. This surface must be designed and maintained to remain well-drained.

E. Minimum bicycle parking requirements. The total number of required bicycle parking spaces for each use is specified in Table 18.768.2 in Section 18.765.070.H. In no case shall there be less than two bicycle parking spaces. Single-family residences and duplexes are excluded from the bicycle parking requirements. The Director may reduce the number of required bicycle parking spaces by means of an adjustment to be reviewed through a Type II procedure, as governed by Section 18.390.040, using approval criteria contained in Section 18.370.020.C.5.e.

18.765.060 Parking Structure Design Standards

A. Ground-floor windows/wall openings. All parking structures shall provide ground floor windows or wall openings along the street frontages. Blank walls are prohibited. Any wall facing the street shall contain windows, doors or display areas equal to at least 20% of the ground floor wall area facing the street excluding those portions of the face(s) devoted to driveway entrances and exits, stairwells, elevators, and centralized payment booths. Required windows shall have a sill no more than four feet above grade. Where the interior floor level prohibits such placement, the sill may be raised to allow it to be no more than two feet above finished floor wall up to a maximum sill height of six feet above grade.

B. Exit warning bell. A warning bell or other signal must be provided for exits from parking structures that cross public sidewalks where a standard vision clearance area cannot be provided.

C. Other standards. Parking structures must comply with all standards of the State Building Code as it pertains to structural design, ventilation, lighting and fire/safety requirements and disabled accessibility.

D. Parking layout and internal circulation. The layout of parking within a parking structure shall be subject to the requirements contained in Figure 18.765.2. An applicant may request approval of an alternative layout and internal circulation by means of a Type II adjustment, as governed in Section 18.370.010, using the approval criteria in Section 18.370.020.C.5.f.

18.765.070 Minimum and Maximum Off-Street Parking Requirements

A. Parking requirements for unlisted uses.

1. The Director may rule that a use, not specifically listed in Section 18.765.070.H, is a use similar to a listed use and that the same parking standards shall apply. If the applicant requests that the Director's decision be rendered in writing, it shall constitute a Director's Interpretation, as governed by Section 18.340.

2. The Director shall maintain a list of approved unlisted use parking requirements which shall have the same effect as an amendment to this chapter.

B. Choice of parking requirements. When a building or use is planned or constructed in such a manner that a choice of parking requirements could be made, the use which requires the greater number of parking spaces shall govern.

C. Measurements. The following measurements shall be used in calculating the total minimum number of vehicle parking spaces required in Section 18.765.070.H:

1. Fractions. Fractional space requirements shall be counted as a whole space;

2. Employees. Where employees are specified for the purpose of determining the minimum vehicle parking spaces required, the employees counted are those who work on the premises during the largest shift at the peak season;

3. Students. When students are specified for the purpose of determining the minimum vehicle parking spaces required, the students counted are those who are on the campus during the peak period of the day during a typical school term;

4. Space. Unless otherwise specified, where square feet are specified, the area measured shall be gross floor area under the roof measured from the faces of the structure, excluding only space devoted to covered off-street parking or loading.

D. Exclusions to minimum vehicle parking requirements. The following shall not be counted towards the computation of the minimum parking spaces as required in Section 18.765.070.H:

1. **On-street parking. Parking spaces in the public street or alley shall not be eligible as fulfilling any part of the parking requirement except; religious institutions may count on-street parking around the perimeter of the use provided that the following criteria have been satisfied:**

    a. **The on-street parking is on a street that is designed and physically improved to accommodate parking within the right-of-way;**

    b. **The street where on-street parking is proposed is not located on local residential streets.**

2. **Fleet parking. Required vehicle parking spaces may not be used for storage of fleet vehicles, except when a use can show that employee and fleet parking spaces are used interchangeably, e.g., the employee drives the fleet vehicle from home, or the spaces are used for fleet storage only at night and are available for employee use during the day. For the purposes of this title, space exclusively devoted to the storage of fleet vehicles will be considered as outdoor storage.**

E. **Exceptions to maximum parking standards. When calculating the maximum vehicle parking allowed as regulated by Section 18.765.080.H, the following exception shall apply:**

1. **The following types of parking shall not be included:**

    a. **Parking contained in a parking structure either incorporated into a building or freestanding;**

    b. **Market-rate paid parking;**

    c. **Designated carpool and/or vanpool spaces;**

    d. **Designated disabled-accessible parking spaces;**

    e. **Fleet parking.**

2. **If application of the maximum parking standard would result in less than six parking spaces for a development with less than 1,000 gross square feet of floor area, the development shall be allowed up to six parking spaces. If application of the maximum parking standard would result in less than 10 vehicle parking spaces for a development between 1,000 and 2,000 gross square feet, the development will be allowed up to 10 vehicle parking spaces.**

F. **Reductions in minimum required vehicle parking. Reductions in the required number of vehicle parking spaces may be permitted as follows:**

1. **The Director may reduce off-street vehicle parking spaces per Section 18.765.070.H by up to 20% in new developments for the incorporation of transit-related facilities such as bus stops and pull-outs, bus shelters, transit-oriented developments and other transit-related development through a Type II procedure, as governed by Section 18.390.040, using approval criteria contained in Section 18.370.020.C.7.b. Applicants who qualify for this adjustment may also apply for further parking reductions per 18.765.070.F.2. below.**

2. **The Director may reduce the total required off-street vehicle parking spaces per Section 18.765.070.H by up to a total of 20% by means of parking adjustment to be reviewed through a Type II procedure, as governed by Section 18.390.040, using approval criteria contained in Section 18.370.020.C.7.a.**

3. **The Director is authorized to reduce up to 10% of existing required parking spaces at a conversion ratio of one parking space for each 100 square feet of transit facility for developments which incorporate transit-related facilities such as bus stops and pull-outs, bus shelters, transit-oriented development or other transit-related facilities through a Type I procedure, as governed by Section 18.390.030, using approval criteria contained in Section 18.370.020.C.7.c.**

G. Increases in maximum required vehicle parking. The Director may increase the total maximum number of vehicle spaces allowed in Section 18.765.070.H by means of a parking adjustment to be reviewed by means of a Type II procedure, as governed by Section 18.390.040, using approval criteria contained in Section 18.370.020.C.5.d.

H. Specific requirements. (See Table 18.765.2)

I. Developments in the MU-CBD zone. Please see Section 18.610.060, off-street vehicle parking minimum requirements in the MU-CBD zone. (Ord. 10-02 § 2; Ord. 09-13; Ord. 02-13)

18.765.080 Off-Street Loading Requirements

A. Off-street loading spaces. Commercial, industrial and institutional buildings or structures to be built or altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading and maneuvering space as follows:

1. **A minimum of one loading space is required for buildings with 10,000 gross square feet or more;**

2. **A minimum of two loading spaces for buildings with 40,000 gross square feet or more.**

B. Off-street loading dimensions.

1. **Each loading berth shall be approved by the City Engineer as to design and location.**

2. **Each loading space shall have sufficient area for turning and maneuvering of vehicles on the site. At a minimum, the maneuvering length shall not be less than twice the overall length of the longest vehicle using the facility site.**

3. **Entrances and exits for the loading areas shall be provided at locations approved by the City Engineer in accordance with Chapter 18.710.**

4. **Screening for off-street loading facilities is required and shall be the same as screening for parking lots in accordance with Chapter 18.745.**

Exhibit C

TABLE 18.765.2 MINIMUM AND MAXIMUM REQUIRED OFF-STREET VEHICLE AND BICYCLE PARKING REQUIREMENTS (NA: Not Addressed DU: Dwelling Unit (M): Metro Requirement)				
		MAXIMUM[1]		
	MINIMUM[5}	ZONE A	ZONE B	BICYCLE[2]
RESIDENTIAL				
Household Living				
Single Units, Attached	See Multifamily (M)	none (M)	none (M)	none
Single Units, Detached	1.0/DU	none (M)	none (M)	none
Accessory Units	1.0/DU	none	none	none
Multifamily Units	DU<500 sq ft: 1.0/DU (M) 1 bedroom: 1.25/DU (M) 2 bedroom: 1.5/DU (M) 3 bedroom: 1.75/DU (M)[7]	none	none	1.0/2 DUs except elderly, which is 1.0/20 DUs
Manufactured Units	1.0/DU (M)	none (M)	none (M)	none
Mobile Home Parks	1.0/DU (M)	none (M)	none (M)	none
Group Living	1.0/room 1.0/2.5 beds	none 2.7/1,000[3]	none none	1.0/5 beds
Transitional Housing	1.0/2.5 beds	none	none	1.0/5 beds
Home Occupation	none	none	none	None
CIVIC				
Basic Utilities	none	none	none	None
Colleges	0/5 students/staff (M)	1.0/3.3 students/staff (M)	1.0/3.3 students/staff (M)	1.0/3.0 students/staff
Community Recreation	2.0/1,000	2.5/1,000	4.0/1,000	0.3/1,000
Cultural Institutions	2.5/1,000	3.5/1,000	4.5/1,000	1.0/1,000
Day Care	Home: none Commercial: 2.0/classroom	none 2.7/1,000	none 3.2/1,000	Home: none Commercial: 1.5/classroom
Emergency Services	3.0/1,000	3.5/1,000	4.5/1,000	0.5/1,000
Medical Centers	2.0/1,000[4]	2.7/1,000[4]	3.2/1,000[4]	0.2/1,000
Postal Services	2.5/1,000	3.0/1,000	4.5/1,000	0.3/1,000
Public Support Facilities	none	none	none	none
Religious Institutions	1.0/3[6] seats in main assembly area (M)	1.0/1.7 seats in main assembly area (M)	1.0/1.3 seats in main assembly area (M)	1.0/20 seats in main assembly area
Schools	Preschool: 5.0+1/classroom Elementary/JR: 2.0/classroom SR: 1.0/5 students/staff (M)	Preschool: 7.0+1.0 classroom Elementary/JR: 2.5/classroom SR: 1.0/3.3 students/staff (M)	Preschool: 10.0+1/classroom Elementary/JR: 3.5/classroom SR: 1.0/3.3 students/staff (M)	Preschool: 1.0/classroom Elementary/JR: 6.0/classroom SR: 6.0/classroom
Social/Fraternal Clubs/Lodges	10.0/1,000 main assembly area	12.0/1,000 main assembly area	14.0/1,000 main assembly area	2.0/1,000 main assembly area

Exhibit C

TABLE 18.765.2 MINIMUM AND MAXIMUM REQUIRED OFF-STREET VEHICLE AND BICYCLE PARKING REQUIREMENTS (NA: Not Addressed DU: Dwelling Unit (M): Metro Requirement)				
		MAXIMUM[1]		
	MINIMUM[5}	ZONE A	ZONE B	BICYCLE[2]
COMMERCIAL [5]				
Commercial Lodging	1.0/room	1.2/room	1.4/room	1.0/10 rooms
Eating and Drinking Establishments	Fast food[8]: ~~9.9~~**6.0**/1,000 (M) other: ~~15.3~~**8.0**/1,000 (M)	12.4/1,000 (M) 19.1/1,000 (M)	14.9/1,000 (M) 23.0/1,000 (M)	All: 1.0/1,000
Entertainment – Oriented				
Major Event Entertainment	1.0/3 seats or 1.0/6' bench	1.0/2.5 seats or 1.0/5' bench	1.0/2 seats or 1.0/4' bench	1.0/10 seats or 40' bench
Outdoor Entertainment	4.0/1,000 (M)	4.5/1,000	5.0/1,000	0.4/1,000
Indoor Entertainment	4.3/1,000 (M) Theater: 1.0/3 seats (M)	5.4/1,000 (M) Theater: 1.0/2.5 seats (M)	6.5/1,000 (M) Theater 1.0/2.0 seats (M)	0.5/1,000 1.0/10 seats
Adult Entertainment	2.5/1,000 1.0/3 seats (M)	3.5/1,000 1.0/1.25 seats (M)	4.5/1,000 1.0/2.0 seats (M)	0.5/1,000 1.0/20 seats
General Retail				
Sales - Oriented	~~3.7~~**3.0**/1,000 (M)	5.1/1,000 (M)	6.2/1,000 (M)	0.3/1,000
Personal Services	2.5/1,000 Bank with drive in: ~~4.3~~**2.7**/1,000(M)	3.0/1,000 5.4/1,000 (M)	4.5/1,000 6.5/1,000 (M)	1.0/1,000 1.0/1,000
Repair - Oriented	3.3/1,000	4.0/1,000	4.5/1,000	0.3/1,000
Bulk Sales	1.0/1,000 but no less than 10.0	1.3/1,000	2.0/1,000	0.3/1,000
Outdoor Sales	1.0/1,000 sales area	1.3/1,000 sales area	2.0/1,000 sales area	0.1/1,000 sales area
Animal - Related	3.3/1,000	4.0/1,000	4.5/1,000	0.3/1,000
Motor Vehicle Related				
Motor Vehicle Sales/Rental	1.0/1,000 but no less than 4.0	1.3/1,000 but no less than 4.0	2.0/1,000 but no less than 4.0	0.2/1,000 sales area
Motor Vehicle Servicing/Repair	2.0/1,000 but no less than 4.0	2.3/1,000 but no less than 4.0	2.6/1,000 but no less than 4.0	0.2/1,000
Vehicle Fuel Sales	3.0+2.0/service bay	4.0+2.0/service bay	4.0+2.5/service bay	0.2/1,000
Office Medical/Dental Office	2.7/1,000 (M) 3.9/1,000 (M)	3.4/1,000 (M) 4.9/1,000 (M)	4.1/1,000 (M) 5.9/1,000 (M)	0.5/1,000 0.4/1,000

Exhibit C

TABLE 18.765.2
MINIMUM AND MAXIMUM REQUIRED OFF-STREET VEHICLE AND BICYCLE PARKING REQUIREMENTS
(NA: Not Addressed DU: Dwelling Unit (M): Metro Requirement)

		MAXIMUM[1]		
	MINIMUM[5}	ZONE A	ZONE B	BICYCLE[2]
Self-Service Storage	1.0/4 storage units	1.0/4 storage units	1.0/2 storage units	1.0/40 storage units
Non-Accessory Parking	none	none	none	None
INDUSTRIAL				
Industrial Services	0.8/1,000	1.2/1,000	1.8/1,000	0.1/1,000
Manufacturing and Production				
Light Industrial	1.6/1,000 (M)	none	none	0.1/1,000
General Industrial	1.6/1,000 (M)	none	none	0.1/1,000
Heavy Industrial	1.6/1,000 (M)	none	none	0.1/1,000
Railroad Yards	none	none	none	none
Research and Development	2.0/1,000	3.0/1,000	3.8/1,000	0.5/1,000
Warehouse/Freight Movement	<150,000 sq ft: 0.5/1,000 >150,000 sq ft: 0.3/1,000 (M)	0.8/1,000 0.4/1,000 (M)	1.2/1,000 0.5/1,000 (M)	0.1/1,000
Waste-Related	5.0	7.0	10.0	none
Wholesale Sales	0.8/1,000	1.2/1,000	1.8/1,000	0.1/1,000
OTHER				
Agriculture/Horticulture	2.5/1,000 sales area but no less than 4.0	none	none	none
Cemeteries	Exempt	Exempt	Exempt	none
Detention Facilities	1.0/2.5 beds	none	none	1.0/2.5 beds
Heliports	none	none	none	none
Mining	<5.0	none	none	none
Wireless Communication Facilities	none	none	none	none
Rail Lines/Utility Corridors	none	none	none	none

[1] To be determined by the City of Tigard based on Metro criteria.
[2] Required bicycle parking shall be required per the ratios below except in no case shall there be fewer than two spaces provided.
[3] Refers to 1,000 sq. ft. of floor area, unless otherwise noted.
[4] Does not include outpatient clinics or medical offices; see Medical/Dental Offices.
[5] Please see Section 18.610.060, off-street vehicle parking minimum requirements in the MU-CBD zone.
[6] Religious institutions may provide 1 space for every 4 seats on site in the main assembly area provided that they supply the city with a parking plan that demonstrates that the peak parking demand of 1 space for every 3 seats is met utilizing any combination of the alternatives mentioned in this chapter. Adjustments to the minimum parking of 1 space for every 3 seats may be granted per applicable provisions of the code, but shall not decrease the amount of required on-site parking to less than 1 space for every 4 seats (unless the cumulative value of all adjustments granted results in an adjusted requirement of less than 1 space for every 4 seats).
[7] In the MU-CBD zone the minimum parking requirements for all multiamily units is 1.0/DU.

Exhibit C

TABLE 18.765.2 MINIMUM AND MAXIMUM REQUIRED OFF-STREET VEHICLE AND BICYCLE PARKING REQUIREMENTS (NA: Not Addressed DU: Dwelling Unit (M): Metro Requirement)				
		MAXIMUM[1]		
	MINIMUM[5}	ZONE A	ZONE B	BICYCLE[2]
[8] **Fast Food designation includes all eating and drinking establishments with a "walk up counter" and/or less than 10 tables. Examples include Subway, Starbucks, Chipotle, etc.**				

Exhibit D

MEMORANDUM

5415 SW Westgate Drive
Suite 100
Portland, Oregon 97221
USA

Phone (503) 419-2500
Fax (503) 419-2600

www.cardno.com

To: Noel Johnson, Vice President
Killian Pacific
noel@killianpacific.com

From: Michael Cerbone, AICP

Date: December 27, 2012

Project: Text amendment to support reduced parking minimums
CardnoWRG#:
Re: Assessment of Two Properties Historically Deficient on Parking

---

Cardno reviewed a list of properties (see below) that are perceived to be historically deficient on parking when compared to current City of Tigard standards. Cardno analyzed a representative sample of these properties based on the existing and proposed parking standards. This memorandum gives a brief assessment of the parking conditions found so as to illustrate our general conclusions. Cardno understands the City is concerned about how the proposed parking modifications would affect these existing situations, based on our analysis the proposed amendments would not affect these properties as the problems are atypical and unique to each respective property. These properties represent existing deficiencies that would not be remedied with the proposed code amendments. While the extent of the nonconformity of each property with the City's parking requirements would be lessened, overall each of the sites analyzed would still not meet standards.

For reference, the following table summarizes the current and proposed parking ratios for specific uses.

Land Use	Current Code Parking Ratio (per 1,000 sf)	Proposed Code Parking Ratio (per 1,000 sf)
Sales Oriented	3.7	3
Bank with Drive Thru	4.3	2.7
Restaurant (fast food)	9.9	6
Restaurant (sit down)	15.3	8

For reference, the following table summarizes the current and proposed parking quantities for mixed-use projects.

Current Required Parking Quantity for Mixed-Use Projects		Proposed Required Parking Quantity for Mixed-Use Projects	
	Percent of Required Quantity		Percent of Required Quantity
Primary Use	100%	Primary Use	100%
Secondary Use	90%	Secondary Use	85%
Subsequent Uses	80%	Tertiary Uses	70%
		Subsequent Uses	60%

Property Analysis

Address	*Business*	*Primary Cause of Parking Deficiency*
11445 Pac Hwy	Bounty Hunter Saloon	Eating and Drinking
Assessment: The property is adjacent to the Regency Inn motel, and thus a defacto shared parking situation complicates this property and its parking functionality. Furthermore, the property is significantly under parked. County records indicate this single tenant restaurant building is 5,446 SF in size, but current observations count only 32 stalls being available (and some stalls are significantly compromised/unusable). Under current Tigard parking minimum standards, the 32 stalls of parking would allow only 2,092SF of restaurant, while under the proposed standards, 4,000 SF of restaurant would be allowed.		
Conclusion: Even with the proposed standards 44 stalls would be required for this property. The proposed amendments would not make the property in conformance with minimum parking requirements for the City.		

Address	*Business*	*Primary Cause of Parking Deficiency*
12700 North Dakota	Scholls Commercial Center	Eating and Drinking – Insufficient Ratio
Analysis: Key Bank, as well as significant eating and dining users (Starbucks, Quiznos, Pasta Pronto) exist with other users (Dry Cleaners, etc.) to create parking requirements that are significant. Per County records, Key Bank's 3,593 SF would require 16 stalls. County records do not provide the size nor breakdown of SF for the multi-tenant building; nonetheless, it is estimated to be approximately 11,500SF in size, which equates to a need of between 100 to160 stalls. Observed parking stalls were counted to be approximately 70 in number.		
Conclusion: The current situation does not meet code, nor would it meet the future code, as proposed. It is unknown how or why this occupancy situation has come to be. Nonetheless, even with the proposed amendments this site would still be nonconforming in terms of minimum parking spaces required. .		

Address	*Business*	*Primary Cause of Parking Deficiency*
	City Hall and Tigard Library	Public Institutions
Analysis: Parking appears to be deficient at these two locations as it relates to accommodating peak demands for the facilities due to special events. High volume events cause atypical needs for parking that realized during short specific timelines. Events such as these are unique to institutional and/or public gathering spaces.		
Conclusion: The concerns associated with these properties would not be realized within a commercial development and would be specific to public uses and should be addressed within that specific use.		

AREAS (PARCELS) HISTORICALLY SHORT ON PARKING

Single Business

Address	Business	Primary Cause
11445 Pac Hwy	Bounty Hunter Saloon	E&D*
11611 Pac Hwy	Teriyaki Bowl/Union Mission	E&D/Retail/Insufficient Ratio
11646 Pac Hwy	Transmission Repair	Insufficient Ratio
11652 Pac Hwy	Hookah Bar	Insufficient Ratio
13050 Pac Hwy	Sanchez Taqueria	E&D/FF**
11320 Pac Hwy	Martins Auto Detailing	Business Expansion
12705 Pac Hwy	Hookah Bar	Shared w/E&D
12725 Pac Hwy	Restaurant	E&D

Retail Centers

Address	Development	Primary Cause
12100/44 Scholls	Retail Strip	E&D/FF/Insufficient Ratio
12210 Scholls	Greenway Center	E&D/FF/Large Retail
13125 Hall Blvd	City Hall	Insufficient Ratio?
13500 Hall Blvd	Tigard Library	Insufficient Ratio?
11705 Pac Hwy	Pacific Crossing	E&D/FF
15917-95 Hall Blvd	Strip Development	FF/Insufficient Ratio
12700 North Dakota	Scholls Commercial Center	E&D/FF/Insufficient Ratio
9800 Shady Ln	Retail Strip	Insufficient Ratio

* E&D = Eating and Drinking
** FF = Fast Food

MEMORANDUM

5415 SW Westgate Drive
Suite 100
Portland, Oregon 97221
USA

Phone **(503) 419-2500**
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www.cardno.com

To: Noel Johnson, Vice President
Killian Pacific
noel@killianpacific.com

From: Michael Cerbone, AICP

Date: February 8, 2013

Project: Text amendment to support reduced parking minimums
CardnoWRG#:
Re: Supplemental information to support the requested parking minimum text amendment

---

This memo is presented to provide supplemental information to support the text amendment to reduce the minimum parking ratio for specific commercial uses in the City of Tigard. The applicant, Killian Pacific, owns and operates commercial, residential and employment properties through the metropolitan region. The applicant's primary concern when developing and commercial sites is that there is adequate parking to support the tenants and uses within the center. If there is not adequate parking they will not be able to lease storefronts.

For reference, the following table summarizes the current and proposed parking ratios for specific uses in the City of Tigard.

Land Use	Current Code Parking Ratio (per 1,000 sf)	Proposed Code Parking Ratio (per 1,000 sf)
Sales Oriented	3.7	3
Bank with Drive Thru	4.3	2.7
Restaurant (fast food)	9.9	6
Restaurant (sit down)	15.3	8

These ratios are based on two methodologies undertaken—1) a parking comparison of existing commercial centers in the region (provided as Exhibit B in the original submittal) and 2) a comparative analysis of jurisdictional minimum parking standards throughout the Portland Metro region. Based on the analysis conducted under the comparison of existing commercial centers, findings demonstrate that the application of the current Tigard parking ratios would require significant additional acreage, essentially making the project unfeasible. The comparative analysis of jurisdictional standards demonstrates that the requested minimum parking ratios generally fall in the middle of the parking requirement spectrum. As shown in the previously submitted *Exhibit A- Comparison of Minimum Parking Standards*, jurisdictions requiring lower parking ratios for both fast food and sit-down restaurants include:

- Gresham (8/1,000 for sit down; 6/1,000 for fast food with drive-thru),
- Beaverton (10/1,000 for sit down),
- Milwaukee (4/1,000 for both), and
- Oregon City (4.1/1,000 for both).

2011 ECONOMIC OPPORTUNITIES ANALYSIS (EOA)

The 2011 EOA prepared by Cogan Owens Cogan, LLC summarizes the commercial land needs for the City of Tigard. There are three assumed land need scenarios—efficient, moderate, and high land need scenarios. Under the efficient land need scenario there is a land surplus of 8 acres

of vacant commercial land, while the medium and high land need scenarios show a deficit of 19 and 45 acres, respectively. As stated in the EOA,

> *"As Tigard's population and employment levels increase with time, and vacant land diminishes, the City will need to rely more upon redevelopment areas, and productivity increases from existing developed lands to achieve long-term economic strength and diversity."*

As demonstrated in the previously submitted *Exhibit B—Parking Comparison of Existing Commercial Centers*, efficient or even moderate land need scenarios will be better achieved by reducing the minimum parking requirements for commercial development. The successful commercial centers around the Portland Metro region provide parking at a ratio of 5 stalls per 1,000 SF of total leasable space, which does save critical land that can be used for more efficient land uses and intensities. As an example provided in Exhibit B, the Nimbus Center would require 35 additional spaces requiring approximately 0.36 acres of additional land to develop under the current minimum parking requirements. Under the proposed standards a surplus of 5 stalls would exist. This text amendment request will achieve greater productivity from developed lands by reducing the area dedicated to vehicle parking.

RESULTS OF THE 2011 COMMUNITY ATTITUDES SURVEY

A memo from the 2011 Community Attitudes Survey summarized the key findings from a telephone survey conducted among a representative sample of 400 residents age 18 and older in the City of Tigard. Key findings applicable to commercial development and our requested text amendment include: 1) residents desire more family-friendly restaurants, upscale restaurants, and grocery stores in Tigard and 2) increased dining options were mentioned most frequently as a reason for residents traveling outside Tigard. If this trend continues and Tigard continues to have one of the highest parking requirements in the region for sit down restaurants, these uses will be the most difficult to attract to existing developments.

THE STATUS OF THE ELMO STUDD'S SITE REDEVELOPMENT

As noted in the memo addressed to Marty Wine and Kenny Asher, attached with this document, Killian Pacific has worked with Kittelson & Associates to maintain the full movement intersection that currently exists at SW Fanno Creek Place and the Elmo Studd's Building Supplies location. The City of Tigard Engineering Department has rejected the findings made by Kittelson, asserting that redevelopment would necessitate a right-in/right-out intersection. This discrepancy results even after Kittelson completed a study according to a mutually agreed upon scope.

SUMMARY

This supplemental information provides further evidence to support the text amendment request to reduce the minimum parking requirements for commercial uses.

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

March 29, 2013 Project #: 11300

Noel Johnson
Killian Pacific
500 E Broadway, Suite 110
Vancouver, WA 98660

RE: Parking Study of Various Sites in Tigard, Oregon

Dear Noel,

Pursuant to your request and conversations with City of Tigard staff, Kittelson & Associates, Inc. conducted weekday and weekend parking studies of six properties in Tigard. This letter provides a brief summary of the data collection process and the observed parking rates by time of day. The parking counts as well as graphical summaries of parking demand and occupancy rates are provided by time of day for further use by interested parties.

Data Collection

Parking data were collected at six locations in Tigard during a typical mid-week day and Saturday in March 2013. Parking supply at each parking lot was noted and hourly parking demand was measured throughout the day. Parking data was generally collected between the hours of 7:00 AM and 9:00 PM, with data collection hours varying by site based on the type of land use, hours of operation, and expected peak parking characteristics. Table 1 below identifies the locations of the six sites studied.

Table 1 Parking Demand Study Sites – Tigard, Oregon

Study Site	Address	Total Building Size (square feet)	Parking Supply[1] (spaces)
Scholls Ferry McDonald's	12388 SW Scholls Ferry Road	6,682	66
Greenway Shopping Center	12220 SW Scholls Ferry Road	139,169	452
Buster's Barbecue	11419 SW Pacific Highway	9,421	116
Pacific Crossroads	11705 SW Pacific Highway	39,340	156
Wells Fargo Bank	11760 SW Hall Boulevard	7,550	32
Nimbus Center	10115 SW Nimbus Avenue	26,281	93

[1] Includes handicapped spaces

The parking count worksheets are included in Attachment "A."

Parking Demand Rate Summary

Parking demand rates (as a function of building area) were calculated for each site for mid-week and Saturday demand during the morning, mid-day, and afternoon peak hours.

The observed peak parking data are summarized in Table 2 by time period. The shaded cells with bold text in Table 2 highlight peak observed parking demand for each site.

Table 2 Peak Parking Demand Rates for Various Sites in Tigard[1]

Study Site	Building Size (square feet)	Parking Spaces Occupied						Parking Rate By Time of Day (Spaces occupied per 1,000 square feet)					
		Mid-week			Saturday			Mid-week			Saturday		
		AM	Mid-day	PM	AM	Mid-day	PM	AM	Mid-day	PM	AM	Mid-day	PM
Scholls Ferry McDonald's	6,682	15	41	23	51	38	49	2.24	6.14	3.44	**7.63**	5.69	7.33
Greenway Shopping Center	139,169	117	239	229	230	277	232	0.84	1.72	1.65	1.65	**1.99**	1.67
Buster's Barbecue	9,421	12	36	41	14	28	48	1.27	3.82	4.35	1.49	2.97	**5.10**
Pacific Crossroads	39,340	43	71	55	44	98	86	1.09	1.80	1.40	1.12	**2.49**	2.19
Wells Fargo Bank	7,550	14	15	17	7	11	8	1.85	1.99	**2.25**	0.93	1.46	1.06
Nimbus Center	26,281	37 [2]	84 [2]	56 [2]	30	49	43	1.41	**3.20**	2.13	1.14	1.86	1.64

[1] For the purposes of Table 2, AM is defined as occurring in the period before 11 AM, mid-day occurs between 11 AM and 2 PM, and PM occurs after 2 PM
[2] Represents data collected in October2006

Please call me at (503) 535-7433 if you have any questions about this information.

Sincerely,
KITTELSON & ASSOCIATES, INC.

Chris Brehmer

Chris Brehmer, P.E.
Principal Engineer

REGISTERED PROFESSIONAL ENGINEER
62836PE
OREGON
JULY 11, 2000
CHRISTOPHER LYNN BREHMER
Expires: 12-31-13

Attachments

A. Raw Parking Data

B. Parking Demand Profiles

Attachment A

Parking Data Worksheets

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

Parking Utilization Survey
Tuesday 3/19/2013

Greenway Shopping Center								
	Zone 1		Zone 2		Zone 3		Zone 4	
Stall Classification	Regular Stalls	Handi capped	Regular Stalls	Handi capped	Regular Stalls	Handi capped	Regular Stalls	Handi capped
Available Stalls	176	6	144	1	43	4	75	3
Time	Occupied Stalls		Occupied Stalls		Occupied Stalls		Occupied Stalls	
7:00 AM	4	0	18	0	14	0	3	0
8:00 AM	9	0	20	0	12	0	9	0
9:00 AM	22	1	33	0	8	0	24	0
10:00 AM	40	0	34	0	8	0	35	0
11:00 AM	59	0	52	0	9	0	43	0
12:00 PM	94	3	57	2	18	0	47	0
1:00 PM	99	4	65	1	21	1	48	0
2:00 PM	78	2	49	0	18	0	37	0
3:00 PM	85	3	54	1	13	1	42	0
4:00 PM	54	1	39	1	18	1	42	0
5:00 PM	110	3	40	0	29	1	44	2
6:00 PM	98	3	40	0	26	0	38	1
7:00 PM	104	1	32	1	26	0	24	0
8:00 PM	57	1	14	0	29	0	21	0
9:00 PM	43	1	12	0	17	0	10	0

Zone 1	Note: Semi blocking 2 handicapped and 4 regular spaces at 8:00 AM Note: Truck blocking 7 regular spaces at 11:00 AM
Zone 3	Note: Truck blocking 6 regular spaces and truck blocking 5 regular spaces at 8:00 AM
Zone 4	Note: Truck blocking 7 regular spaces from 11:00 AM - 12:00 PM Note: Truck blocking 5 regular spaces at 12:00 PM

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

Parking Utilization Survey
Tuesday 3/19/2013

Scholls Ferry McDonalds		
Stall Classification	Regular Stalls	Handi capped
Available Stalls	62	4
Time	**Occupied Stalls**	
7:00 AM	14	0
8:00 AM	15	0
9:00 AM	15	0
10:00 AM	25	0
11:00 AM	31	0
12:00 PM	40	0
1:00 PM	40	1
2:00 PM	29	1
3:00 PM	17	1
4:00 PM	23	0
5:00 PM	16	0
6:00 PM	23	0
7:00 PM	18	0
8:00 PM	16	0
9:00 PM	9	0

Note: Truck taking up 8 regular stalls and 1 handicapped stall from 7:00 AM - 9:00 AM
Note: Service truck blocked 3 regular stalls at 8:00 PM

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

Parking Utilization Survey
Tuesday 3/19/2013

Buster's Barbeque		
Stall Classification	Regular Stalls	Handi capped
Available Stalls	113	3
Time	**Occupied Stalls**	
11:00 AM	12	0
12:00 PM	36	0
1:00 PM	30	0
2:00 PM	14	0
3:00 PM	17	0
4:00 PM	19	0
5:00 PM	18	0
6:00 PM	33	1
7:00 PM	40	1

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

Parking Utilization Survey
Tuesday 3/19/2013

Pacific Crossroads				
	Zone 1		Zone 2	
Stall Classification	Regular Stalls	Handi capped	Regular Stalls	Handi capped
Available Stalls	120	2	33	1
Time	**Occupied Stalls**		**Occupied Stalls**	
11:00 AM	37	0	6	0
12:00 PM	47	0	7	0
1:00 PM	60	0	11	0
2:00 PM	45	1	5	0
3:00 PM	47	0	3	0
4:00 PM	34	1	7	0
5:00 PM	43	1	11	0
6:00 PM	41	0	12	0
7:00 PM	37	0	10	0

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

Parking Utilization Survey
Tuesday 3/19/2013

Wells Fargo		
Stall Classification	Regular Stalls	Handi capped
Available Stalls	30	2
Time	**Occupied Stalls**	
9:00 AM	8	0
10:00 AM	10	0
11:00 AM	14	0
12:00 PM	14	1
1:00 PM	13	0
2:00 PM	17	0
3:00 PM	13	1
4:00 PM	10	0
5:00 PM	14	0
6:00 PM	6	0

16285 SW 85th Avenue
Tigard, OR 97224
Phone: 503-620-4242
Fax: 503 620-4545
www.qualitycounts.net

Numbus Center Parking 10/18/2006 **Total parking supply = (89)** 93

	Area A (9)			9	20.37%	Area B (3)			3	13.89%	Area C (32)			32	35.42%	Area D (33)			33	33.33%	Area E (16)			16	
TIME	BK	Office	ADA	Total	% Ave	BK	Office	ADA	Total	% Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	
7:00	1	1		2	22.22%				0	0.00%	2	9		11	34.38%		8		8	24.24%		4		4	25.00%
7:10		1		1	11.11%				0	0.00%	2	7		9	28.13%		10		10	30.30%		4		4	25.00%
7:20	1	1		2	22.22%				0	0.00%	1	10		11	34.38%		10		10	30.30%		6		6	37.50%
7:30	1	1		2	22.22%				0	0.00%	2	7		9	28.13%		9		9	27.27%		6		6	37.50%
7:40	1	1		2	22.22%				0	0.00%	3	9		12	37.50%		10		10	30.30%		6		6	37.50%
7:50	1	1		2	22.22%				0	0.00%	3	7		10	31.25%		9		9	27.27%		5		5	31.25%
8:00		1		1	11.11%				0	0.00%	3	8		11	34.38%		9		9	27.27%		8		8	50.00%
8:10		1		1	11.11%	1			1	33.33%	4	7		11	34.38%		17		17	51.52%		8		8	50.00%
8:20		1		1	11.11%	1			1	33.33%	7	7		14	43.75%		13		13	39.39%		8		8	50.00%
8:30		2		2	22.22%	1			1	33.33%	5	9		14	43.75%		10		10	30.30%		8		8	50.00%
8:40		3		3	33.33%	1			1	33.33%	4	7		11	34.38%		16		16	48.48%		8		8	50.00%
8:50		3		3	33.33%	1			1	33.33%	5	8		13	40.63%		11		11	33.33%		8		8	50.00%
	5	17	0	22		5	0	0	5		41	95	0	136		0	132	0	132		0	79	0	79	374

	Area A (9)				88.89%	Area B (3)				66.67%	Area C (32)				72.92%	Area D (33)				72.47%	Area E (16)				
TIME	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	
11:00		6		6	66.67%	2			2	66.67%	11	15		26	81.25%		28		28	84.85%		14		14	87.50%
11:10	1	7		8	88.89%	2			2	66.67%	10	16		26	81.25%		24		24	72.73%		16		16	100.00%
11:20	1	6		7	77.78%	2			2	66.67%	5	20		25	78.13%		27		27	81.82%		15		15	93.75%
11:30		7		7	77.78%	2			2	66.67%	3	23		26	81.25%		25		25	75.76%		17		17	106.25%
11:40		9		9	100.00%	2			2	66.67%	2	20		22	68.75%		30		30	90.91%		18		18	112.50%
11:50		8		8	88.89%	2			2	66.67%		17		17	53.13%		17		17	51.52%		15		15	93.75%
12:00		9		9	100.00%	2			2	66.67%	2	17		19	59.38%		19		19	57.58%		15		15	93.75%
12:10		9		9	100.00%	2			2	66.67%	5	15		20	62.50%		23		23	69.70%		13		13	81.25%
12:20		9		9	100.00%	2			2	66.67%	4	16		20	62.50%		23		23	69.70%		11		11	68.75%
12:30		9		9	100.00%	1			1	33.33%	6	22		28	87.50%		24		24	72.73%		12		12	75.00%
12:40		8		8	88.89%	2			2	66.67%	5	23		28	87.50%		28		28	84.85%		11		11	68.75%
12:50		7		7	77.78%	3			3	100.00%	7	16		23	71.88%		19		19	57.58%		11		11	68.75%
	2	94	0	96		24	0	0	24		60	220	0	280		0	287	0	287		0	168		168	855

	Area A (9)				61.11%	Area B (3)				19.44%	Area C (32)				48.96%	Area D (33)				42.93%	Area E (16)				
TIME	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	
4:00				5	55.56%				1	33.33%				16	50.00%				11	33.33%				15	93.75%
4:10				5	55.56%					0.00%				19	59.38%				12	36.36%				15	93.75%
4:20				6	66.67%					0.00%				13	40.63%				12	36.36%				14	87.50%
4:30				6	66.67%					0.00%				13	40.63%				13	39.39%				14	87.50%
4:40				5	55.56%					0.00%				16	50.00%				17	51.52%				14	87.50%
4:50				5	55.56%					0.00%				16	50.00%				19	57.58%				13	81.25%
5:00				5	55.56%					0.00%				17	53.13%				15	45.45%				13	81.25%
5:10				6	66.67%				1	33.33%				17	53.13%				15	45.45%				11	68.75%
5:20				5	55.56%				1	33.33%				17	53.13%				15	45.45%				8	50.00%
5:30				7	77.78%				1	33.33%				16	50.00%				16	48.48%				5	31.25%
5:40				6	66.67%				2	66.67%				15	46.88%				12	36.36%				5	31.25%
5:50				5	55.56%				1	33.33%				13	40.63%				13	39.39%				4	25.00%
	0	0	0	66		0	0	0	7		0	0	0	188		0	0	0	170		0	0	0	131	562

16285 SW 85th Avenue
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Numbus Center Parking 10/19/2006 **Total parking supply = (89)**

	Area A (9)			9	0.93%	Area B (3)			3	16.67%	Area C (32)			32	23.96%	Area D (33)			33	24.24%	Area E (16)			16	57.81%	93 individual	27.42%
TIME	BK	Office	ADA	Total	% Ave	BK	Office	ADA	Total	% Ave	BK	Office	ADA	Total	% Ave	BK	Office	ADA	Total	% Ave	BK	Office	ADA	Total	% Ave	Total	% Ave
7:00				0	0				0	0	1	6		7	0.219		5		5	0.152		4		4	0.25	16	17.20%
7:10				0	0				0	0	1	6		7	0.219		6		6	0.182		4		4	0.25	17	18.28%
7:20				0	0				0	0	3	4		7	0.219		4		4	0.121		4		4	0.25	15	16.13%
7:30				0	0				0	0	4	4		8	0.25		4		4	0.121		5		5	0.313	17	18.28%
7:40				0	0				0	0	2	4		6	0.188		9		9	0.273		12		12	0.75	27	29.03%
7:50				0	0				0	0	2	3		5	0.156		5		5	0.152		12		12	0.75	22	23.66%
8:00				0	0	1			1	0.3333	3	5		8	0.25		10		10	0.303		12		12	0.75	31	33.33%
8:10				0	0	1			1	0.3333	2	7		9	0.281		10		10	0.303		12		12	0.75	32	34.41%
8:20				0	0	1			1	0.3333	3	6		9	0.281		13		13	0.394		12		12	0.75	35	37.63%
8:30				0	0	1			1	0.3333	2	5		7	0.219		8		8	0.242		12		12	0.75	28	30.11%
8:40				0	0	1			1	0.3333	3	7		10	0.313		12		12	0.364		11		11	0.688	34	36.56%
8:50		1		1	0.1111	1			1	0.3333	4	5		9	0.281		10		10	0.303		11		11	0.688	32	34.41%
	0	1	0	1		6	0	0	6		30	62	0	92		0	96	0	96		0	111	0	111	306		

	Area A (9)				93.52%	Area B (3)				38.89%	Area C (32)				79.95%	Area D (33)				72.47%	Area E (16)				112.50%		82.89%
TIME	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave		
11:00		7		7	0.7778	1			1	0.3333	5	20		25	0.781		24		24	0.727		19		19	1.188	76	81.72%
11:10		7		7	0.7778	1			1	0.3333	4	21		25	0.781		24		24	0.727		19		19	1.188	76	81.72%
11:20	1	7		8	0.8889	1			1	0.3333	4	17		21	0.656		22		22	0.667		19		19	1.188	71	76.34%
11:30	2	7		9	1	1			1	0.3333	5	15		20	0.625		20		20	0.606		18		18	1.125	68	73.12%
11:40	1	7		8	0.8889	1			1	0.3333	5	18		23	0.719	1	24		25	0.758		19		19	1.188	76	81.72%
11:50		8		8	0.8889	1		1	2	0.6667	7	19		26	0.813	1	20		21	0.636		18		18	1.125	75	80.65%
12:00	1	8		9	1	1		1	2	0.6667	6	21		27	0.844	1	22		23	0.697		18		18	1.125	79	84.95%
12:10	2	8		10	1.1111	1			1	0.3333	8	19		27	0.844	1	24	1	26	0.788		18		18	1.125	82	88.17%
12:20	1	7		8	0.8889	1			1	0.3333	7	20		27	0.844		22	1	23	0.697		18		18	1.125	77	82.80%
12:30	1	8		9	1	1			1	0.3333	6	22		28	0.875		23	1	24	0.727		17		17	1.063	79	84.95%
12:40	1	8		9	1	1			1	0.3333	10	22		32	1	2	25	1	28	0.848		17		17	1.063	87	93.55%
12:50	1	8		9	1	1			1	0.3333	8	18		26	0.813	1	25	1	27	0.818		16		16	1	79	84.95%
	11	90	0	101		12	0	2	14		75	232	0	307		7	275	5	287		0	216		216	925		

	Area A (9)				59.26%	Area B (3)				44.44%	Area C (32)				55.73%	Area D (33)				49.75%	Area E (16)				89.58%		59.41%
TIME	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave	BK	Office	ADA	Total	Ave		
16:00				6	0.6667				1	0.3333				16	0.5				14	0.424				15	0.938	52	55.91%
16:10				5	0.5556				2	0.6667				16	0.5				14	0.424				15	0.938	52	55.91%
16:20				5	0.5556				1	0.3333				15	0.469				17	0.515				15	0.938	53	56.99%
16:30				5	0.5556				1	0.3333				15	0.469				19	0.576				15	0.938	55	59.14%
16:40				5	0.5556				1	0.3333				15	0.469				15	0.455				15	0.938	51	54.84%
16:50				5	0.5556				1	0.3333				16	0.5				18	0.545				15	0.938	55	59.14%
17:00				5	0.5556				2	0.6667				19	0.594				16	0.485				15	0.938	57	61.29%
17:10				5	0.5556				2	0.6667				20	0.625				13	0.394				15	0.938	55	59.14%
17:20				5	0.5556				2	0.6667			1	23	0.719				15	0.455				13	0.813	58	62.37%
17:30				7	0.7778				2	0.6667				20	0.625				17	0.515		1		12	0.75	58	62.37%
17:40				6	0.6667				1	0.3333				19	0.594				20	0.606				13	0.813	59	63.44%
17:50				5	0.5556				0	0				20	0.625				19	0.576			1	14	0.875	58	62.37%
	0	0	0	64		0	0	0	16		0	0	1	214		0	0	0	197		0	1	1	172	663		

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

Parking Utilization Survey
Saturday 3/16/2013

Greenway Shopping Center								
	Zone 1		Zone 2		Zone 3		Zone 4	
Stall Classification	Regular Stalls	Handi capped	Regular Stalls	Handi capped	Regular Stalls	Handi capped	Regular Stalls	Handi capped
Available Stalls	176	6	144	1	43	4	75	3
Time	**Occupied Stalls**		**Occupied Stalls**		**Occupied Stalls**		**Occupied Stalls**	
10:00 AM	138	2	50	0	19	1	20	0
11:00 AM	170	3	66	0	13	1	23	0
12:00 PM	156	4	66	1	19	0	31	0
1:00 PM	150	4	53	1	19	0	33	0
2:00 PM	126	5	52	0	17	1	30	1
3:00 PM	108	4	40	1	18	1	31	0
4:00 PM	120	3	39	1	27	0	24	0
5:00 PM	100	4	37	0	25	1	12	0
6:00 PM	107	1	48	1	32	2	18	0
7:00 PM	100	2	42	1	35	0	13	0

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

Parking Utilization Survey
Saturday 3/16/2013

Scholls Ferry McDonalds		
Stall Classification	Regular Stalls	Handi capped
Available Stalls	62	4
Time	**Occupied Stalls**	
10:00 AM	49	2
11:00 AM	34	0
12:00 PM	37	1
1:00 PM	34	0
2:00 PM	44	1
3:00 PM	49	0
4:00 PM	32	0
5:00 PM	29	0
6:00 PM	21	0
7:00 PM	25	0

Note: Tractor occupying 3 regular stalls at 10:00 AM

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

Parking Utilization Survey
Saturday 3/16/2013

Nimbus Center										
	Zone A		Zone B		Zone C		Zone D		Zone E	
Stall Classification	Regular Stalls	Handi capped	Regular Stalls	Handi capped	Regular Stalls	Handi capped	Regular Stalls	Handi capped	Regular Stalls	Handi capped
Available Stalls	9	0	2	1	32	0	31	3	16	0
Time	Occupied Stalls		Occupied Stalls		Occupied Stalls		Occupied Stalls		Occupied Stalls	
10:00 AM	4	0	0	0	15	0	8	0	3	0
11:00 AM	4	0	1	0	18	0	8	1	2	0
12:00 PM	4	0	1	0	22	0	19	1	2	0
1:00 PM	4	0	1	0	19	0	14	0	2	0
2:00 PM	9	0	1	0	17	0	13	1	2	0
3:00 PM	7	0	2	0	18	0	10	0	2	0
4:00 PM	6	0	1	1	18	0	11	2	3	0
5:00 PM	8	0	0	0	16	0	16	1	2	0
6:00 PM	6	0	0	0	12	0	7	0	2	0
7:00 PM	8	0	0	0	7	0	8	0	2	0

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

Parking Utilization Survey
Saturday 3/16/2013

Buster's Barbeque		
Stall Classification	Regular Stalls	Handi capped
Available Stalls	113	3
Time	**Occupied Stalls**	
11:00 AM	14	0
12:00 PM	16	0
1:00 PM	27	1
2:00 PM	38	1
3:00 PM	38	2
4:00 PM	34	1
5:00 PM	31	3
6:00 PM	47	1
7:00 PM	41	1

Note: Truck occupying 2 regular stalls at 3:00 PM -- Truck occupying 3 regular stalls at 4:00 PM

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

Parking Utilization Survey
Saturday 3/16/2013

Pacific Crossroads				
	Zone 1		Zone 2	
Stall Classification	Regular Stalls	Handi capped	Regular Stalls	Handi capped
Available Stalls	120	2	33	1
Time	**Occupied Stalls**		**Occupied Stalls**	
11:00 AM	31	0	13	0
12:00 PM	54	0	8	0
1:00 PM	86	1	11	0
2:00 PM	79	1	6	0
3:00 PM	71	1	5	0
4:00 PM	61	1	5	0
5:00 PM	59	0	11	0
6:00 PM	45	1	11	0
7:00 PM	34	0	11	0

Quality Counts
TRANSPORTATION DATA COLLECTION SERVICES

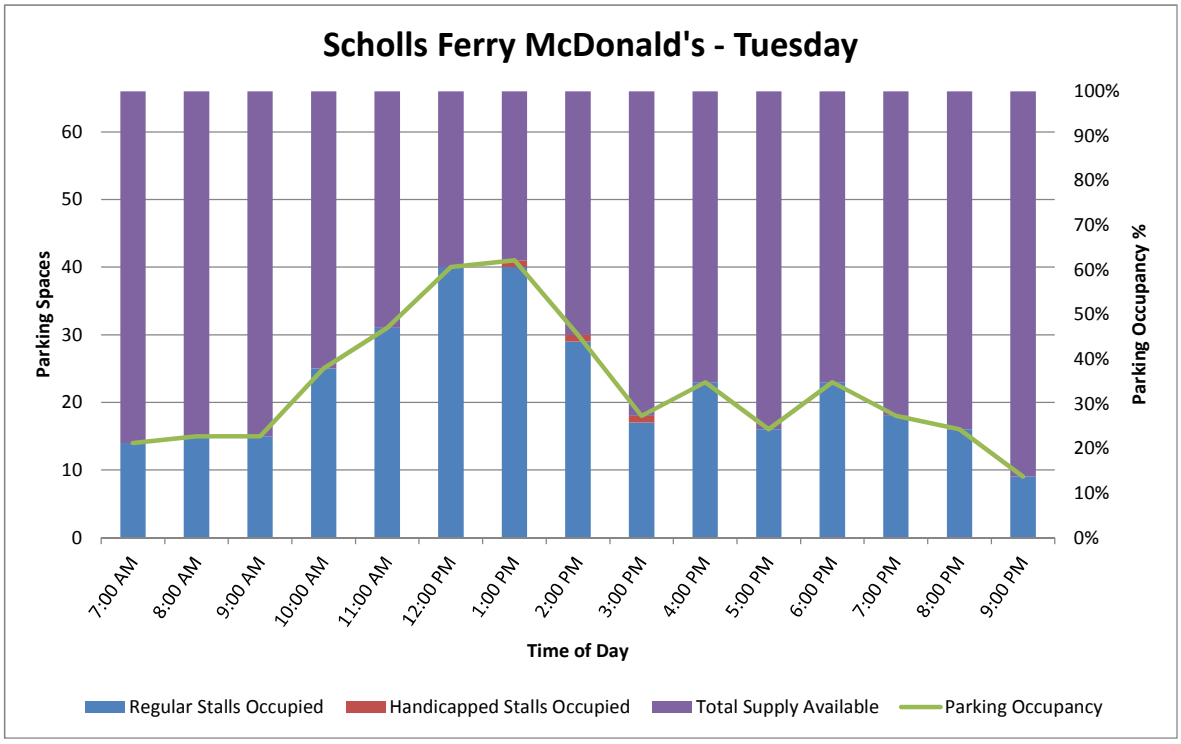
7409 SW Tech Center Dr, Ste 150
Portland, OR 97224

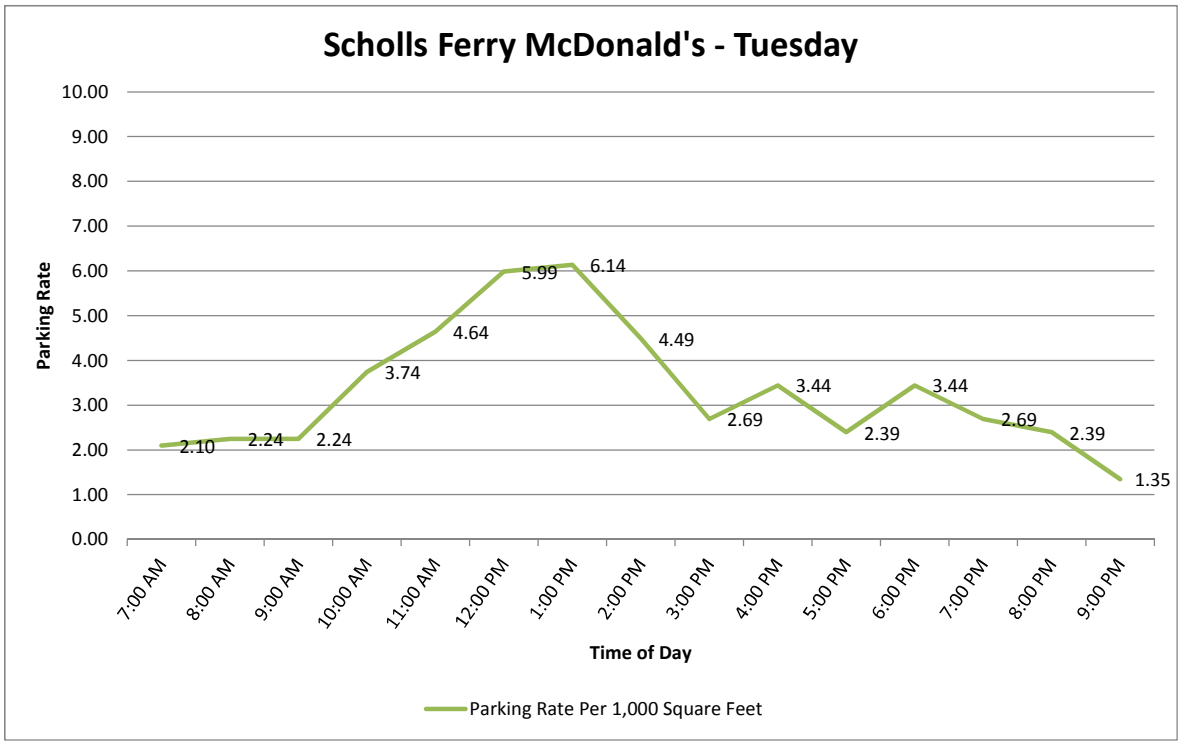
Parking Utilization Survey
Saturday 3/23/2013

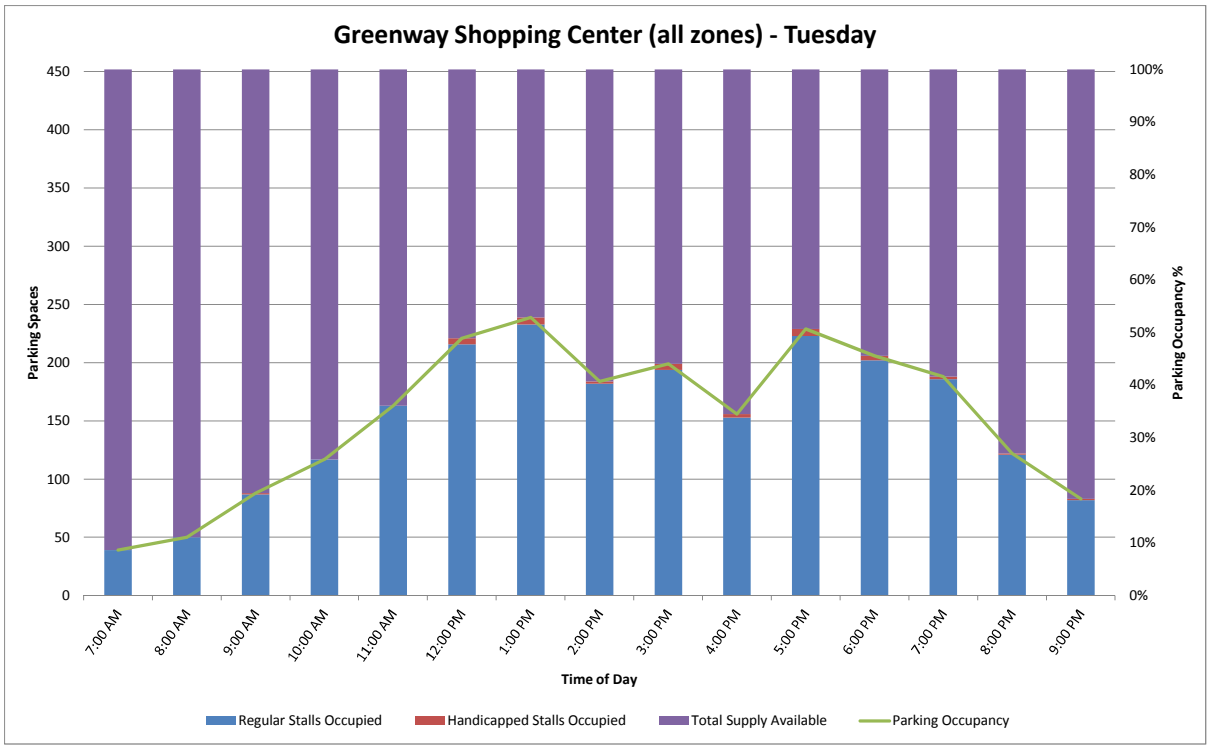
Wells Fargo		
Stall Classification	Regular Stalls	Handi capped
Available Stalls	30	2
Time	**Occupied Stalls**	
9:00 AM	1	0
10:00 AM	7	0
11:00 AM	10	1
12:00 PM	9	0
1:00 PM	9	0
2:00 PM	8	0
3:00 PM	2	0
4:00 PM	2	0
5:00 PM	2	0
6:00 PM	1	0

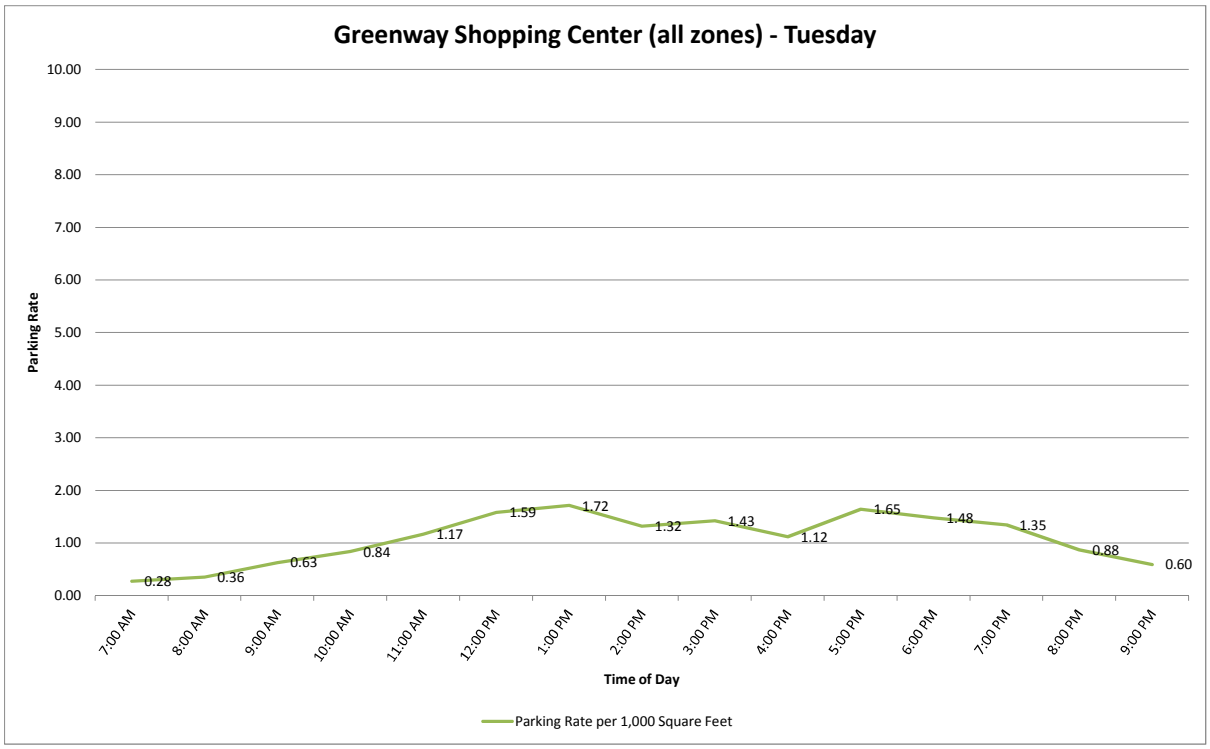
Attachment B

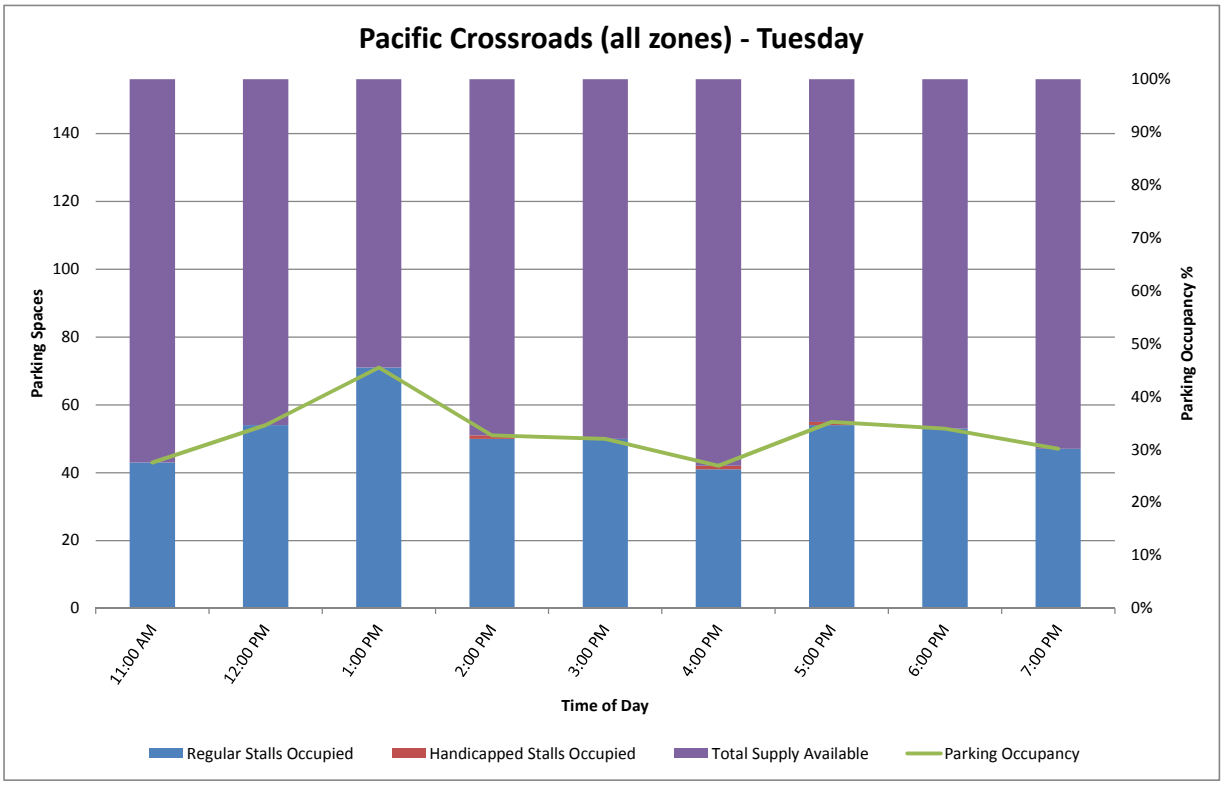
Parking Demand Profiles

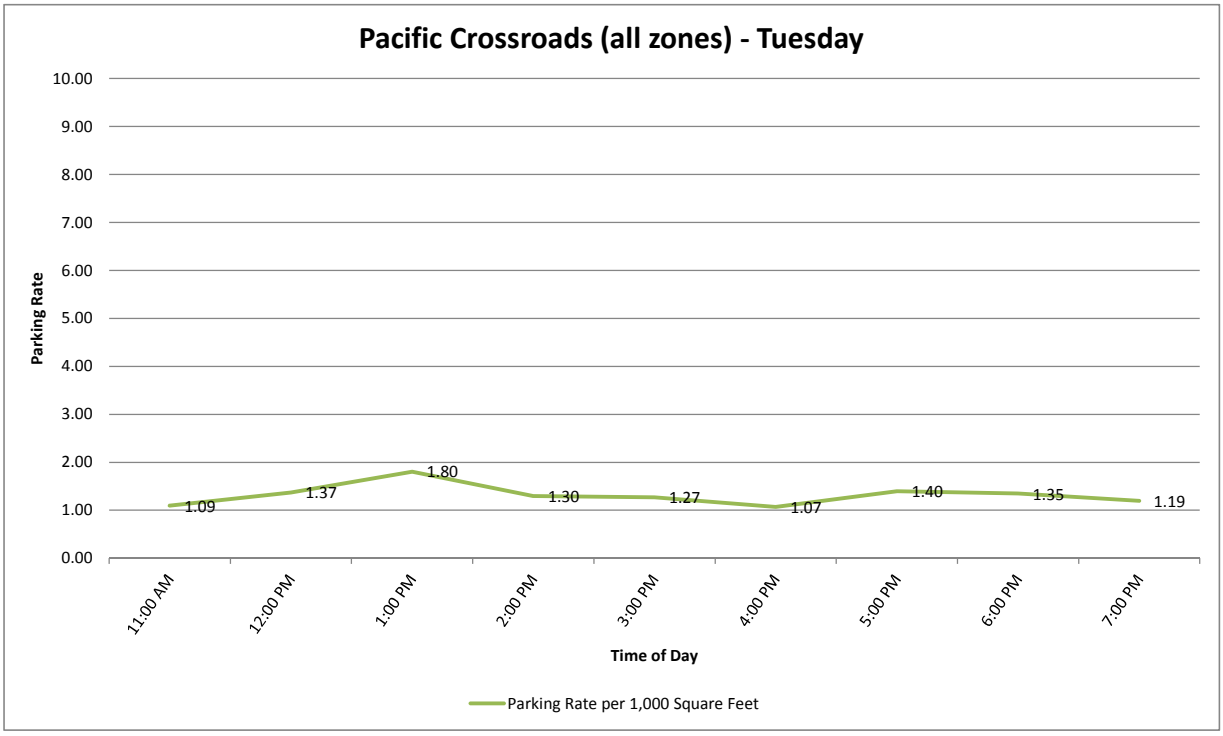

Scholls Ferry McDonald's - Tuesday
Parking Spaces
Parking Occupancy %
0
10
20
30
40
50
60
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
7:00 AM
8:00 AM
9:00 AM
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
8:00 PM
9:00 PM
Time of Day
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy

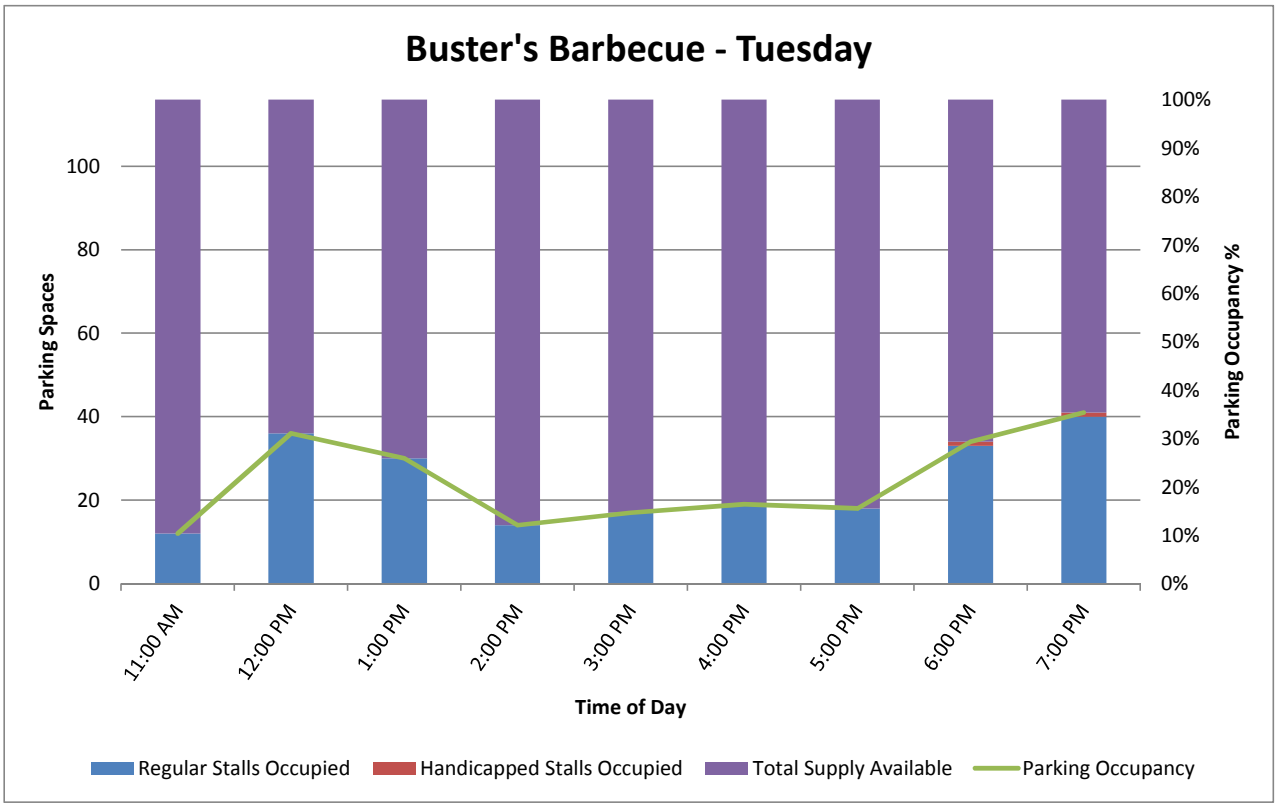

Scholls Ferry McDonald's - Tuesday
Parking Rate
0.00
1.00
2.00
3.00
4.00
5.00
6.00
7.00
8.00
9.00
10.00
2.10
2.24
2.24
3.74
4.64
5.99
6.14
4.49
2.69
3.44
2.39
3.44
2.69
2.39
1.35
7:00 AM
8:00 AM
9:00 AM
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
8:00 PM
9:00 PM
Time of Day
Parking Rate Per 1,000 Square Feet

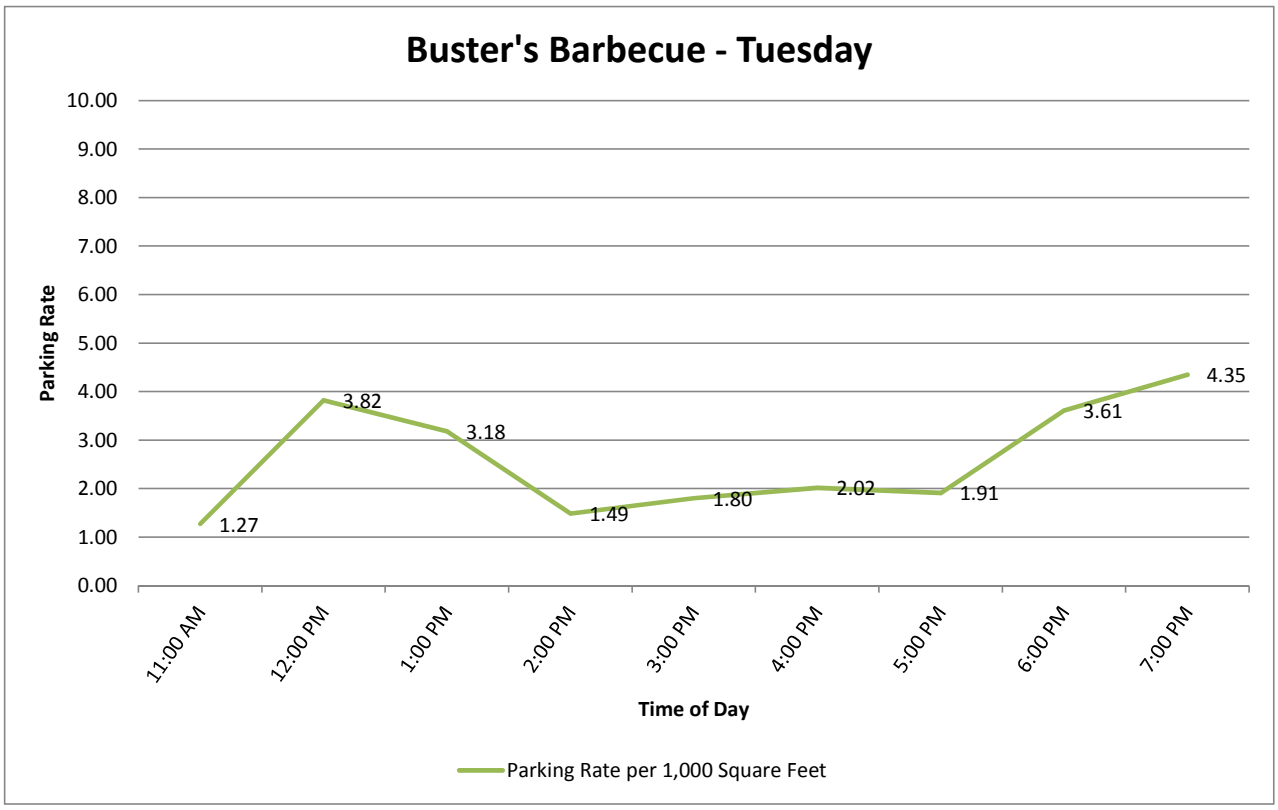

Greenway Shopping Center (all zones) - Tuesday
Parking Spaces
Parking Occupancy %
Time of Day
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy

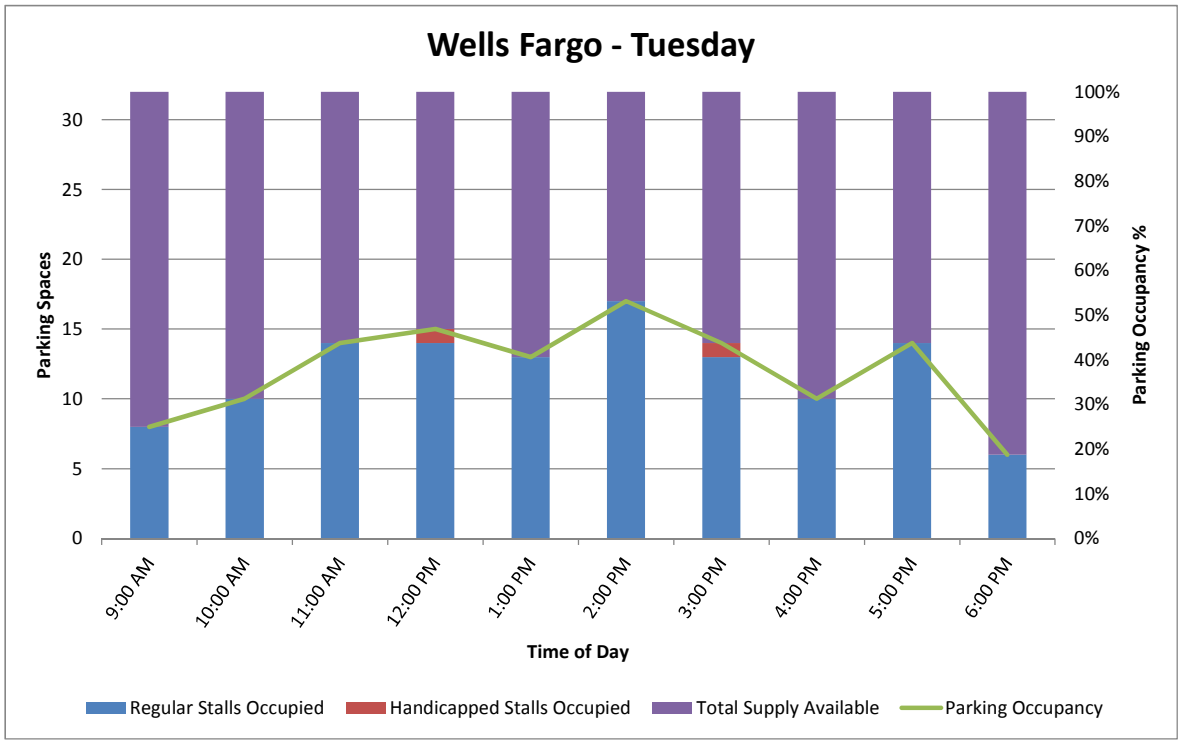

Greenway Shopping Center (all zones) - Tuesday
Parking Rate
Time of Day
0.28
0.36
0.63
0.84
1.17
1.59
1.72
1.32
1.43
1.12
1.65
1.48
1.35
0.88
0.60
Parking Rate per 1,000 Square Feet

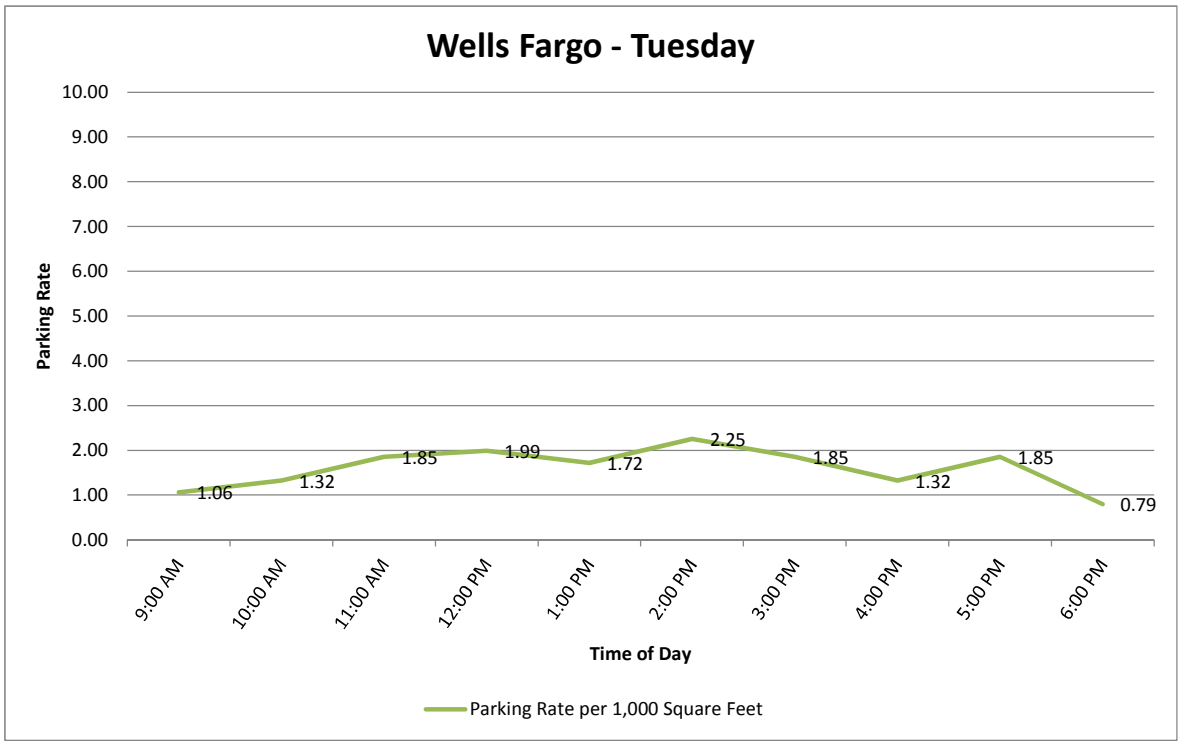

Pacific Crossroads (all zones) - Tuesday
Parking Spaces
Parking Occupancy %
0
20
40
60
80
100
120
140
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy


Pacific Crossroads (all zones) - Tuesday
Parking Rate
0.00
1.00
2.00
3.00
4.00
5.00
6.00
7.00
8.00
9.00
10.00
1.09
1.37
1.80
1.30
1.27
1.07
1.40
1.35
1.19
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Parking Rate per 1,000 Square Feet

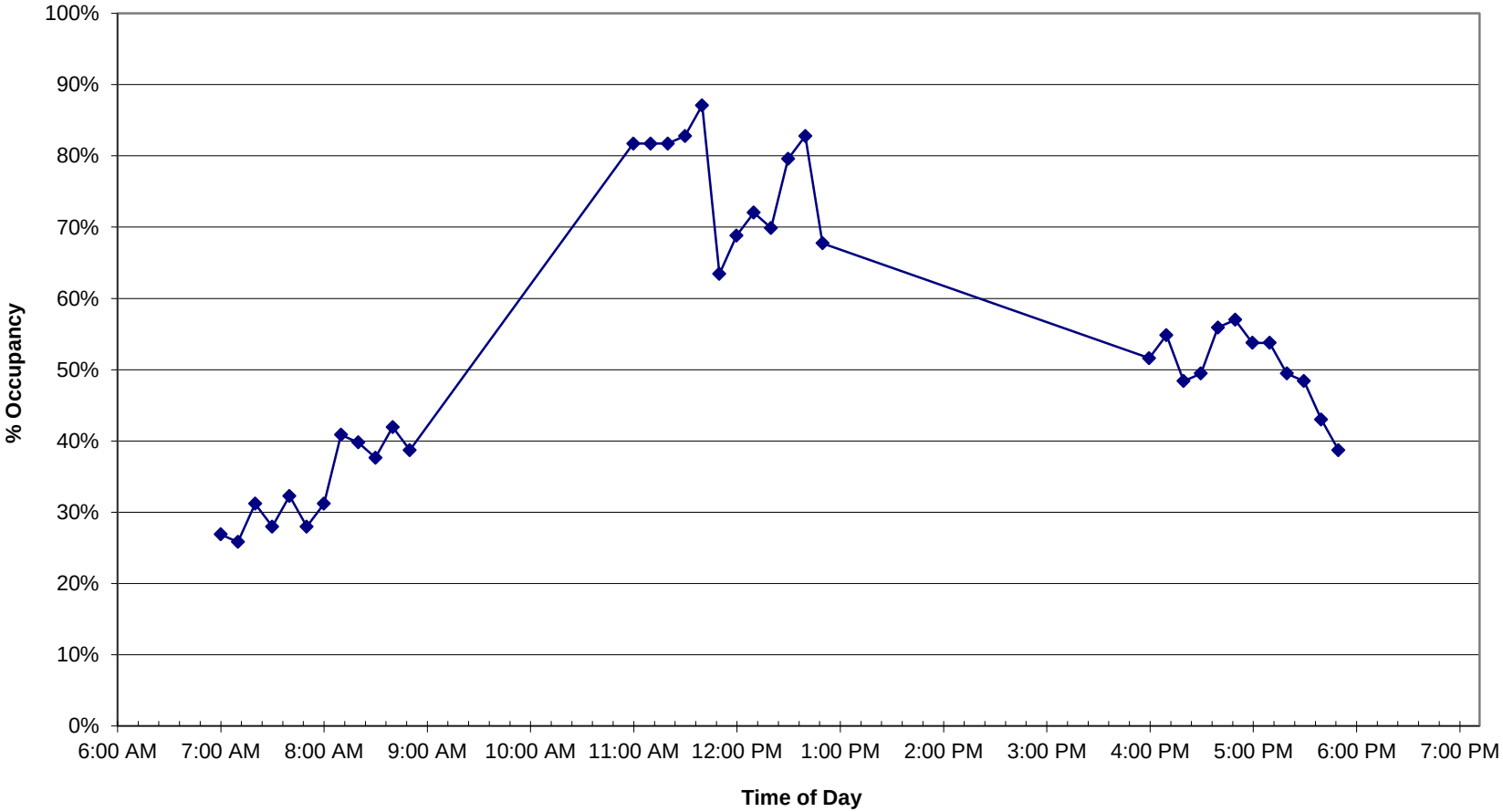

Buster's Barbecue - Tuesday
Parking Spaces
Parking Occupancy %
0
20
40
60
80
100
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy

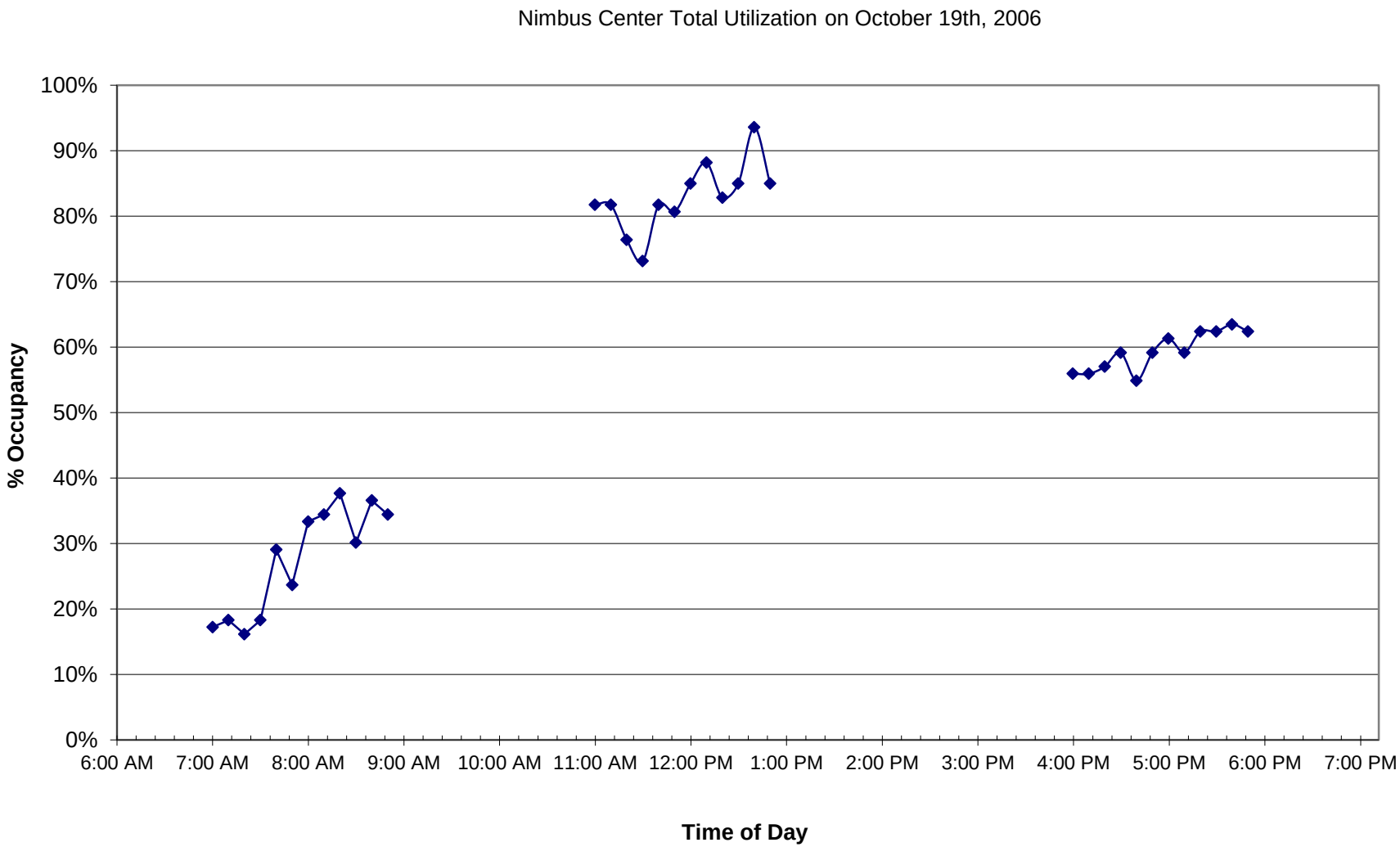

Buster's Barbecue - Tuesday
Parking Rate
10.00
9.00
8.00
7.00
6.00
5.00
4.00
3.00
2.00
1.00
0.00
1.27
3.82
3.18
1.49
1.80
2.02
1.91
3.61
4.35
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Parking Rate per 1,000 Square Feet

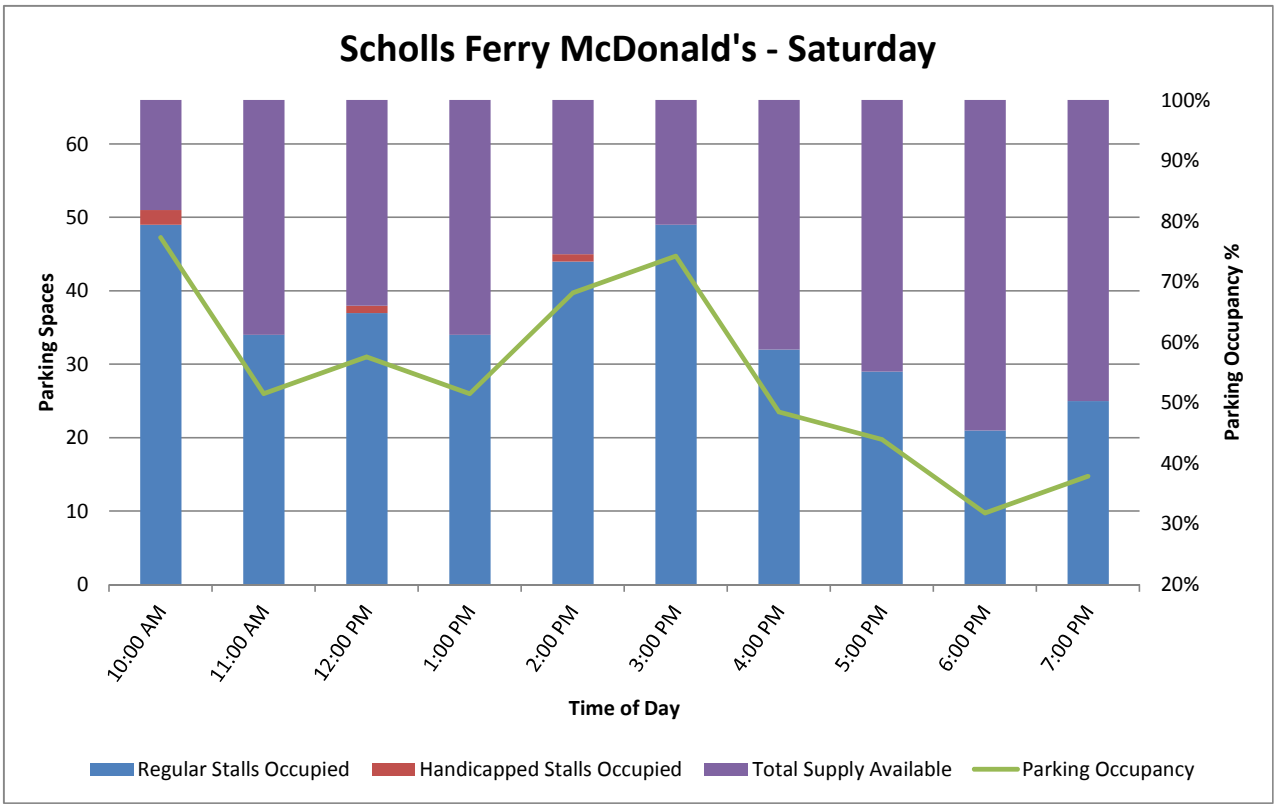

Wells Fargo - Tuesday
Parking Spaces
Parking Occupancy %
30
25
20
15
10
5
0
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
9:00 AM
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
Time of Day
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy

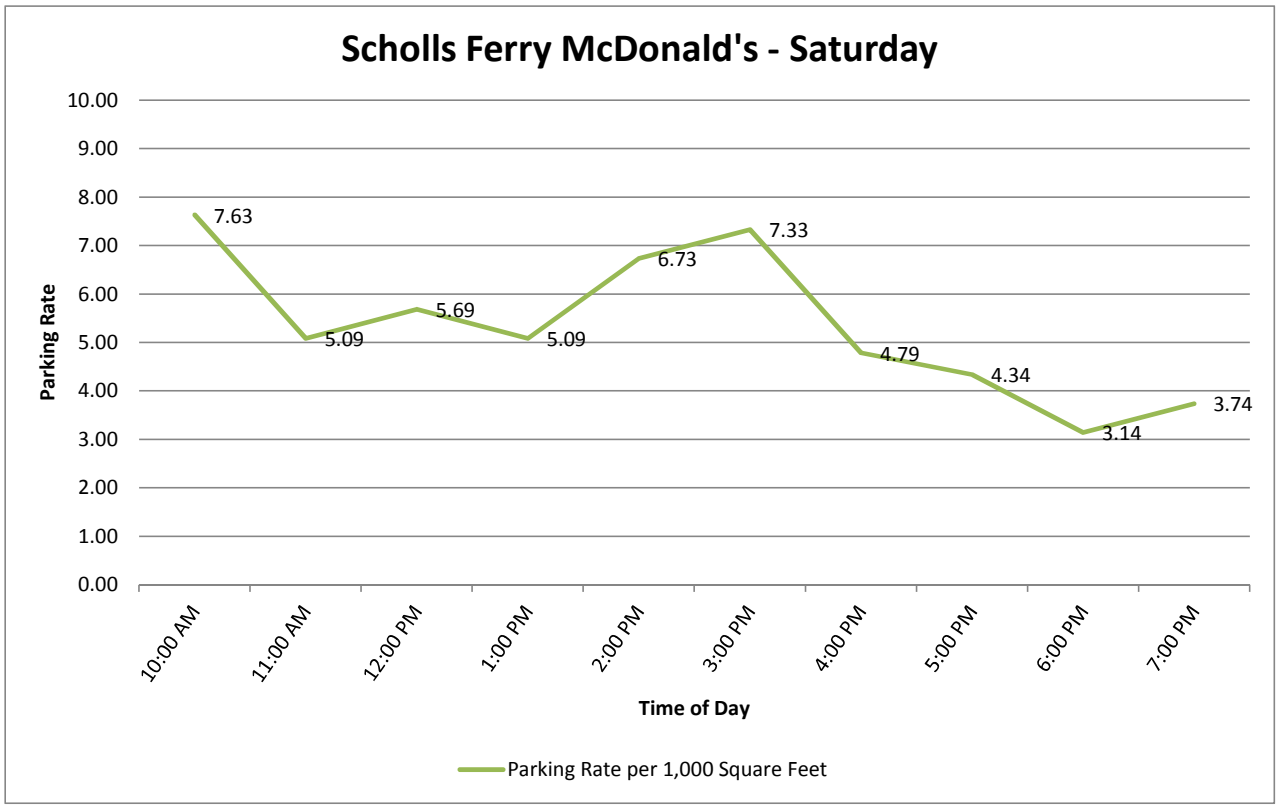

Wells Fargo - Tuesday
Parking Rate
10.00
9.00
8.00
7.00
6.00
5.00
4.00
3.00
2.00
1.00
0.00
1.06
1.32
1.85
1.99
1.72
2.25
1.85
1.32
1.85
0.79
9:00 AM
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
Time of Day
Parking Rate per 1,000 Square Feet

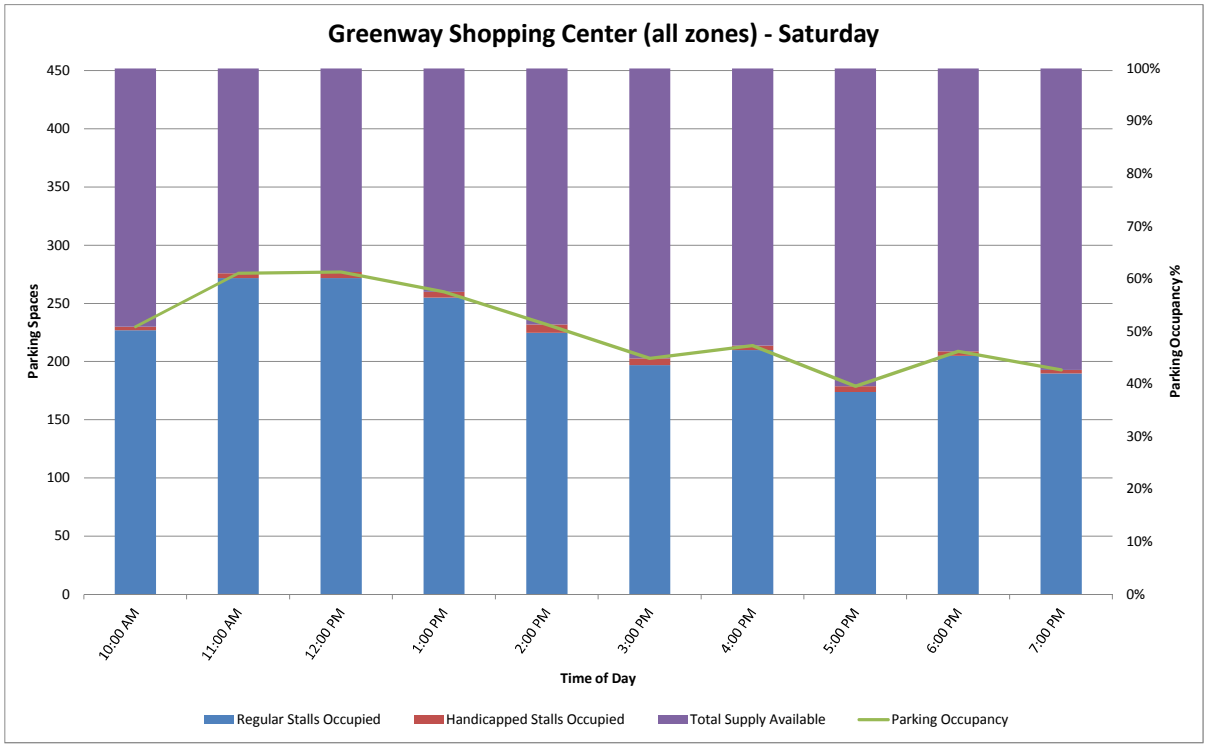
Nimbus Center Total Utilization on October 18th, 2006



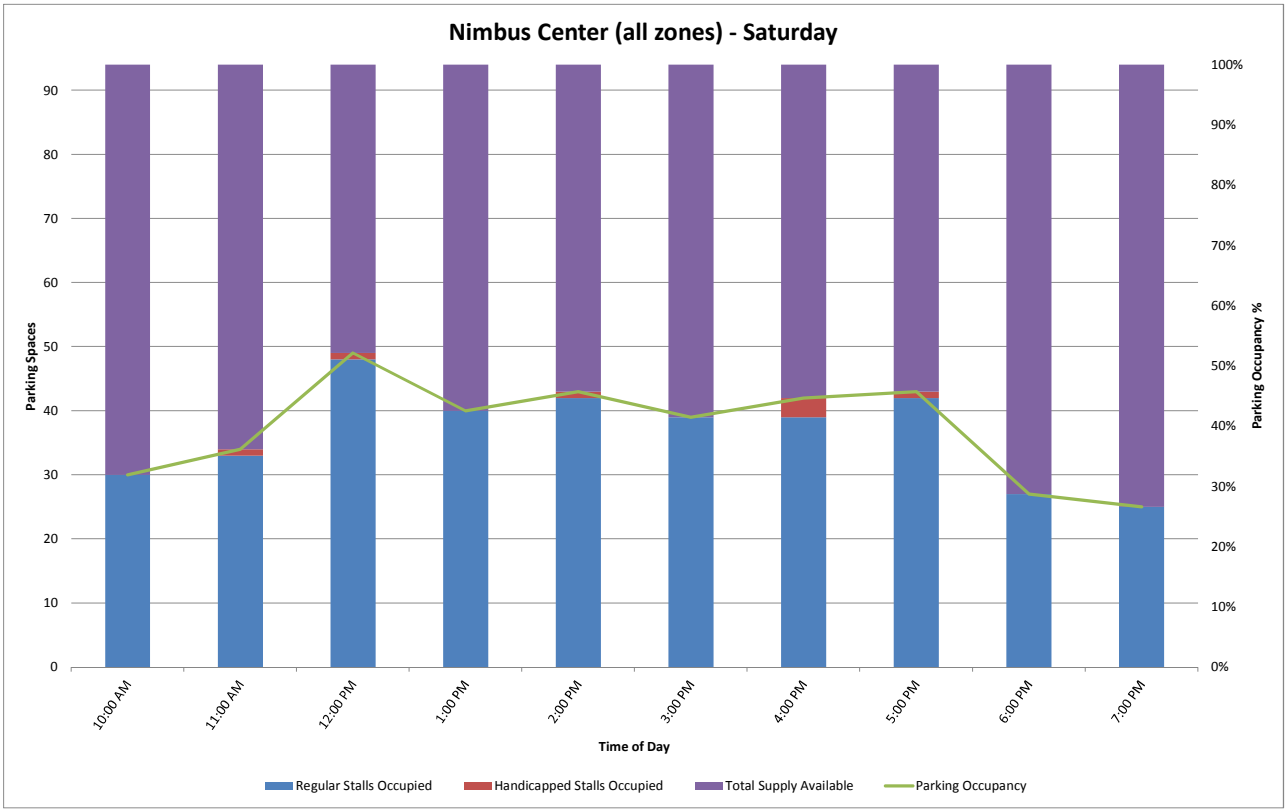

Nimbus Center Total Utilization on October 19th, 2006
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
% Occupancy
6:00 AM
7:00 AM
8:00 AM
9:00 AM
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day

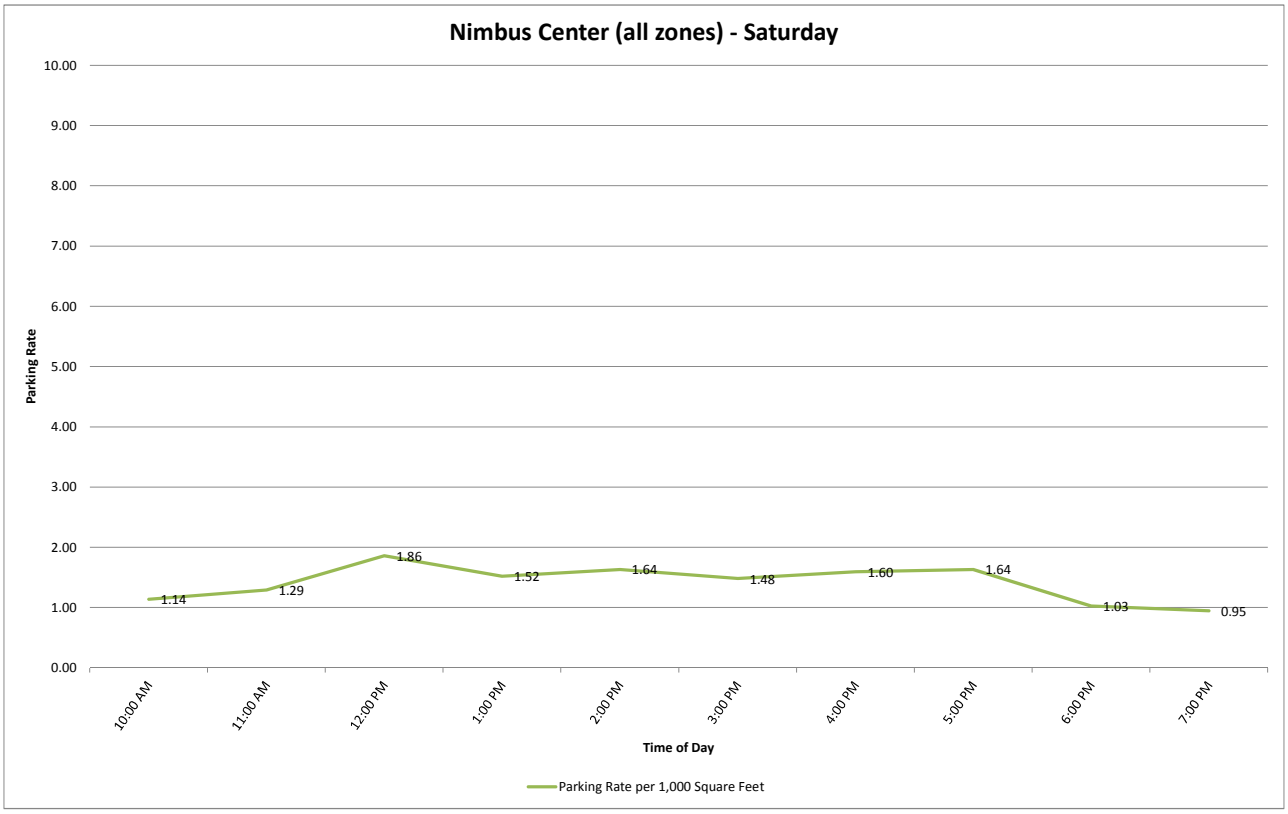

Scholls Ferry McDonald's - Saturday
Parking Spaces
Parking Occupancy %
0
10
20
30
40
50
60
20%
30%
40%
50%
60%
70%
80%
90%
100%
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy

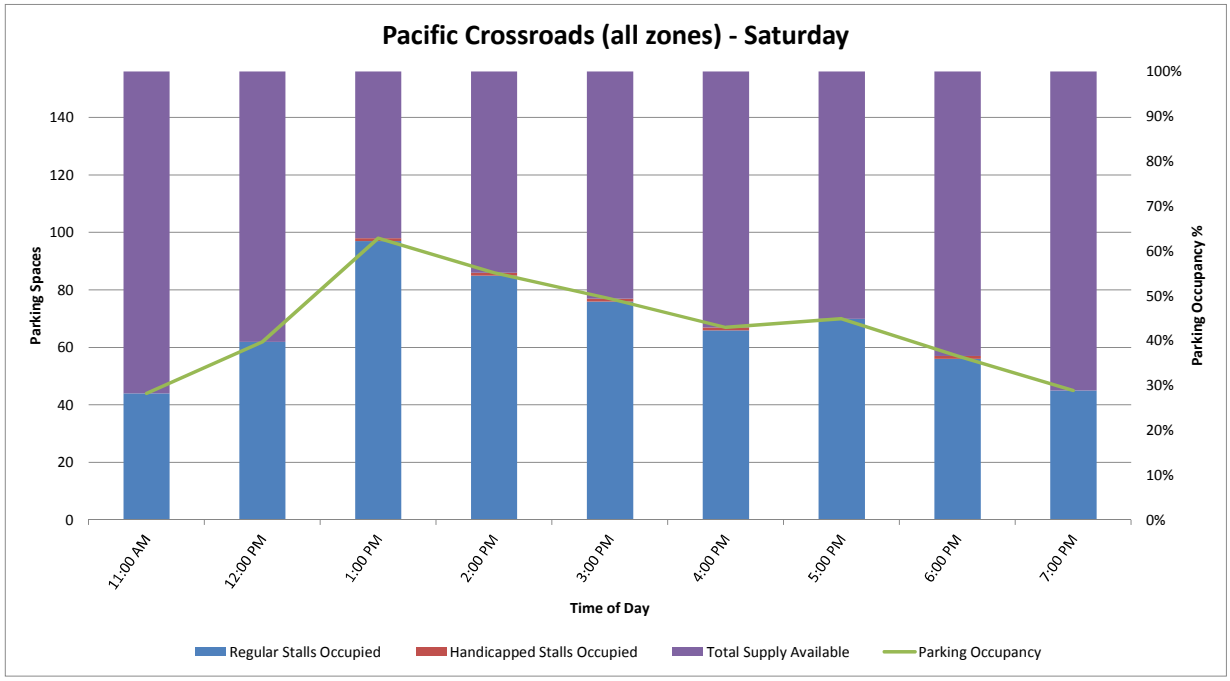

Scholls Ferry McDonald's - Saturday
Parking Rate
0.00
1.00
2.00
3.00
4.00
5.00
6.00
7.00
8.00
9.00
10.00
7.63
5.09
5.69
5.09
6.73
7.33
4.79
4.34
3.14
3.74
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Parking Rate per 1,000 Square Feet

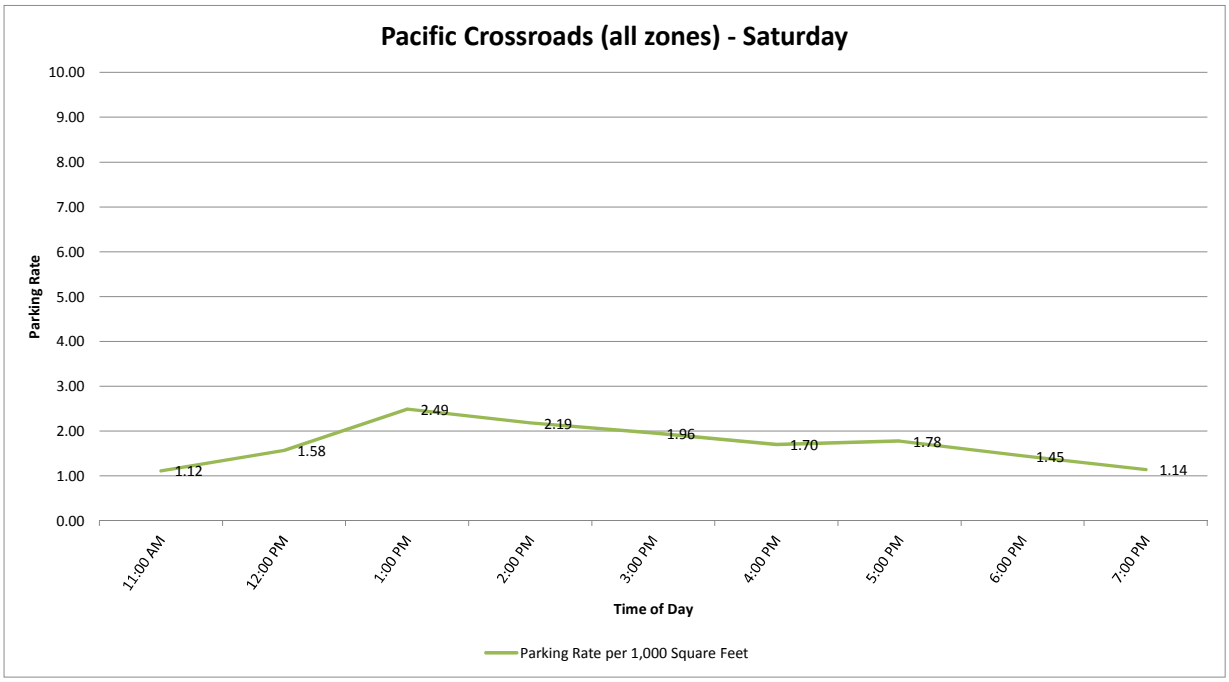

Greenway Shopping Center (all zones) - Saturday
Parking Spaces
Parking Occupancy%
Time of Day
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy

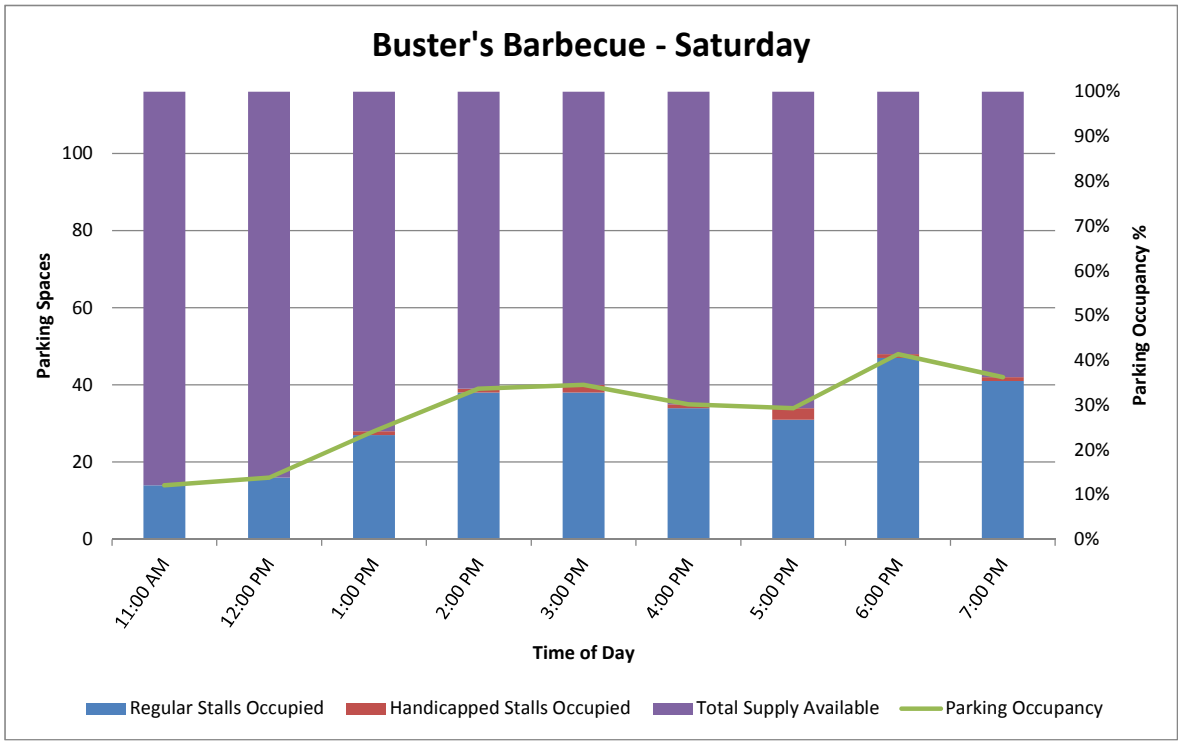
Greenway Shopping Center (all zones) - Saturday
Parking Rate
Time of Day
1.65
1.98
1.99
1.87
1.67
1.46
1.54
1.29
1.50
1.39
Parking Rate per 1,000 Square Feet

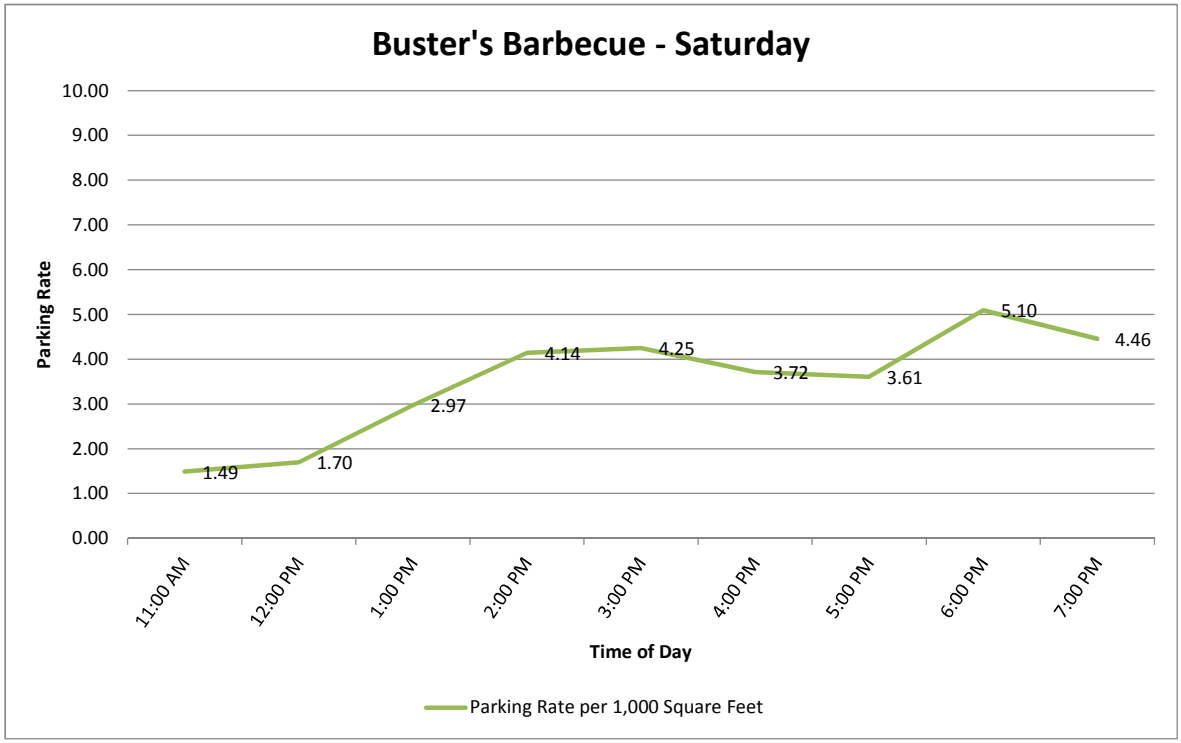

Nimbus Center (all zones) - Saturday
Parking Spaces
Parking Occupancy %
0
10
20
30
40
50
60
70
80
90
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy

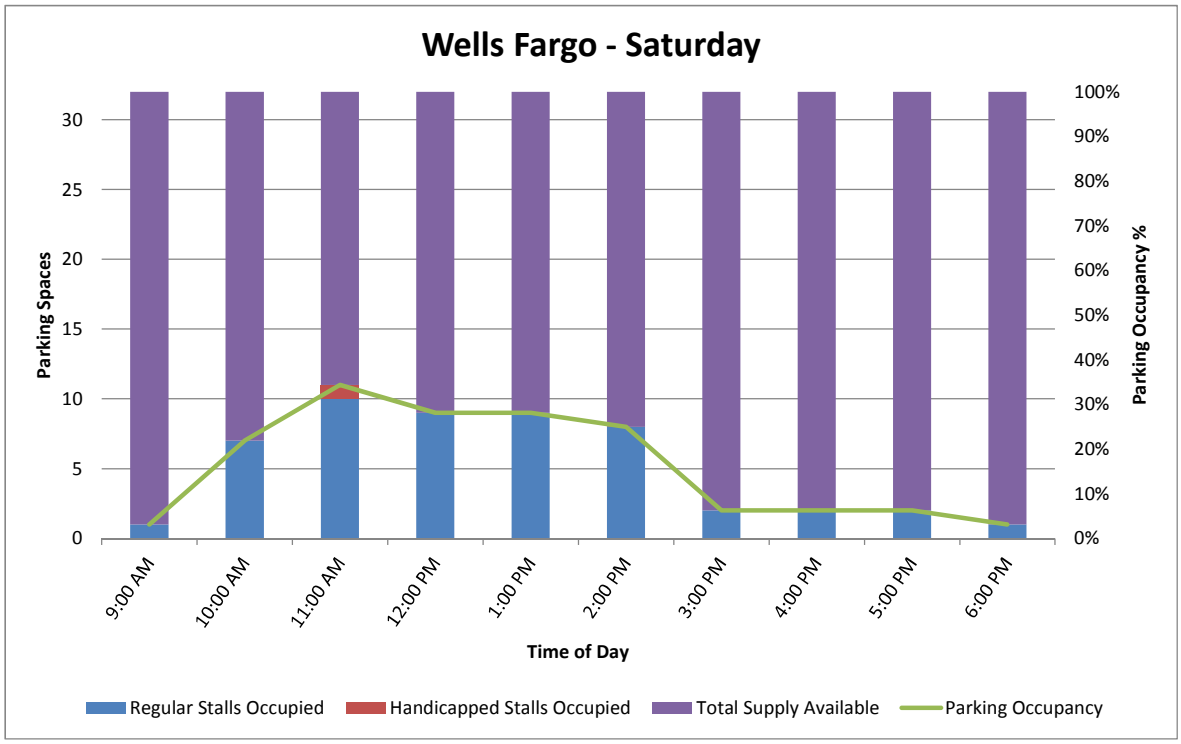

Nimbus Center (all zones) - Saturday
Parking Rate
0.00
1.00
2.00
3.00
4.00
5.00
6.00
7.00
8.00
9.00
10.00
1.14
1.29
1.86
1.52
1.64
1.48
1.60
1.64
1.03
0.95
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Parking Rate per 1,000 Square Feet

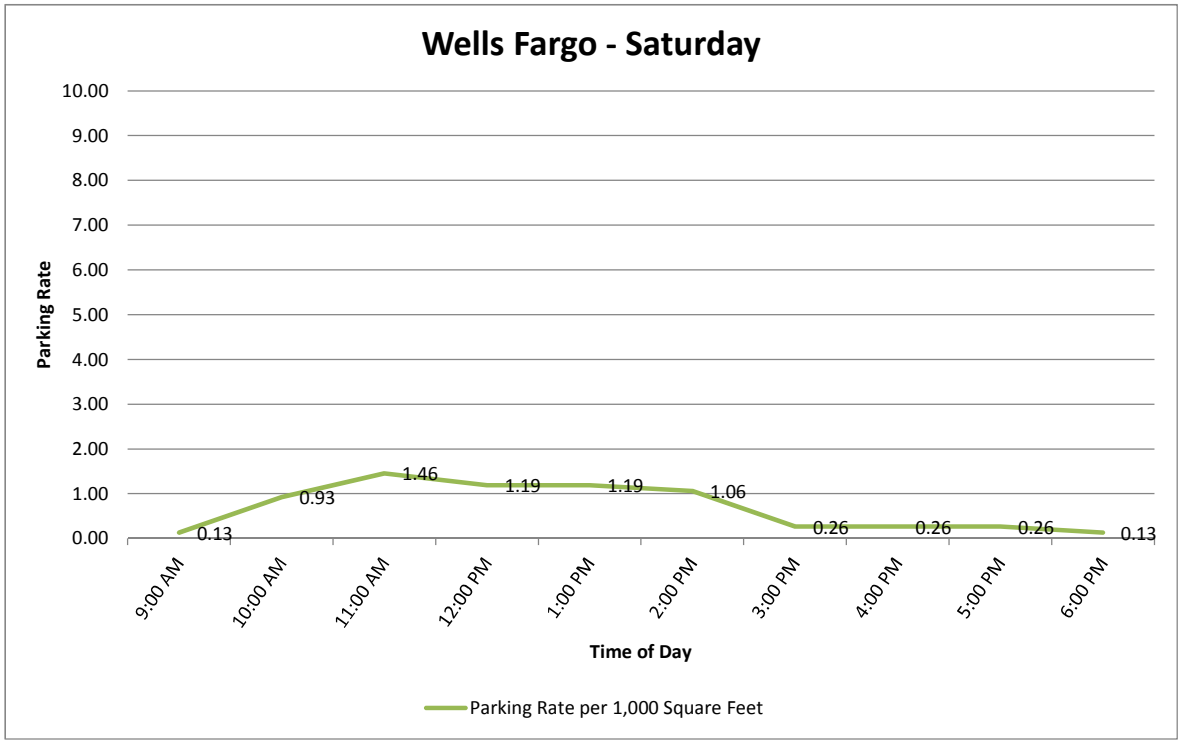

Pacific Crossroads (all zones) - Saturday
Parking Spaces
Parking Occupancy %
0
20
40
60
80
100
120
140
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy


Pacific Crossroads (all zones) - Saturday
Parking Rate
0.00
1.00
2.00
3.00
4.00
5.00
6.00
7.00
8.00
9.00
10.00
1.12
1.58
2.49
2.19
1.96
1.70
1.78
1.45
1.14
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Parking Rate per 1,000 Square Feet


Buster's Barbecue - Saturday
Parking Spaces
Parking Occupancy %
0
20
40
60
80
100
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy


Buster's Barbecue - Saturday
Parking Rate
0.00
1.00
2.00
3.00
4.00
5.00
6.00
7.00
8.00
9.00
10.00
1.49
1.70
2.97
4.14
4.25
3.72
3.61
5.10
4.46
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
Time of Day
Parking Rate per 1,000 Square Feet


Wells Fargo - Saturday
Parking Spaces
Parking Occupancy %
Time of Day
9:00 AM
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
Regular Stalls Occupied
Handicapped Stalls Occupied
Total Supply Available
Parking Occupancy


Wells Fargo - Saturday
Parking Rate
Time of Day
0.13
0.93
1.46
1.19
1.19
1.06
0.26
0.26
0.26
0.13
Parking Rate per 1,000 Square Feet

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

March 12, 2013 Project #: 11300

Noel Johnson
Killian Pacific
500 East Broadway, Suite 110
Vancouver, WA 98660

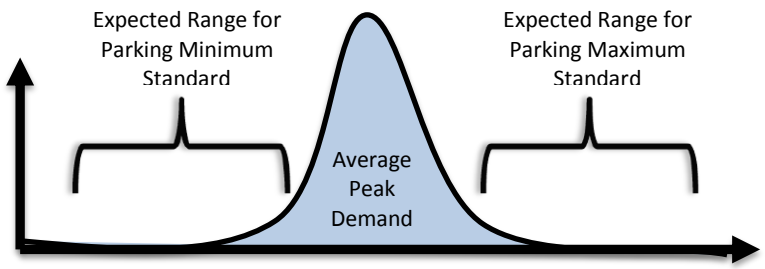
RE: Review of Parking Proposed Minimums Relative to ITE Parking Generation

Dear Noel,

This letter provides an overview of select City of Tigard parking standards compared to parking rates prescribed in the reference *Parking Generation, 4th Edition*, published by the Institute of Transportation Engineers (ITE) in 2010. The ITE parking rate data is generally supportive of the proposed revisions to the parking minimums currently under consideration by the City of Tigard.

Minimum and maximum code standards are typically established by cities to allow flexibility for site specific needs while at the same time minimizing the potential impact to adjacent neighborhoods and/or the multimodal transportation system. These minimums and maximums typically "bracket" the average anticipated daily peak demand. This relationship is shown in Exhibit 1.

Exhibit 1. Typical Parking Demand Distribution



Our review of the City of Tigard's development code identified several retail uses in which the specified parking minimums are equal to or exceed the average values shown in ITE's *Parking Generation*. In these instances the City's current parking minimums are set higher than the expected maximum peak period parking demand measured at other similar sites. Establishing parking minimums in excess of typical peak parking demand levels may have unintended and undesirable consequences in terms of requiring excessive parking, limiting the potential effectiveness of transportation demand management programs, not allowing for a context-specific review of a proposed land use and/or tenant, and the application of shared parking opportunities. Moreover, unnecessarily high minimum parking requirements may not achieve urban design and multimodal transportation system objectives and is also not an efficient use of precious land resources.

Parking demand can vary substantially based on individual building uses and practices. From a parking design perspective, it would be appropriate for jurisdictions to set their parking minimums below the

ITE peak period parking demand while at the same time allowing applicants the flexibility to provide parking levels that meet or exceed ITE typical peak parking demand. City of Tigard code does not currently allow for this flexibility.

Killian Pacific is proposing to reduce the City's current parking minimum for select land uses, with no changes proposed to the current City parking maximums. The proposed changes would allow for reduced parking options, where appropriate and desired, but would also continue to allow projects to build to the code maximum. The flexibility inherent to this approach would allow the City and applicants additional opportunity to assess and implement appropriate parking ratios for individual projects.

Table 1 provides a summary of ITE parking data compared with the City's current parking requirements. The ITE data shown reflects average peak period parking demand and the corresponding range of data[1]. As shown, the range provides the lowest and the highest peak parking demand rates at the ITE study sites and is substantial given the wide spectrum of uses falling in the broad categories defined by City code. For reference purposes, Appendix 1 provides a more detailed comparison reflecting parking demand at additional land use subcategories documented in ITE *Parking Generation*.

Table 1. Parking Data Comparison Summarized to Current City of Tigard Land Use Categories

Land Use	Parking Demand/1,000 Square Feet				
	ITE Average Peak Period Demand	City of Tigard Current Minimum	ITE Peak Period Demand Range	City of Tigard Current Maximum	Proposed Minimum
Eating & Drinking Establishment, Fast-food	12.4	9.9	0.98 – 29.17	12.4 - 14.9	6
Eating & Drinking Establishment, Other	16.4	15.3	2.59 – 37.5	19.1 – 23.0	8
Shopping Center	4.67	3.7	1.33 – 7.5	5.1 - 6.2	3
Drive-in Bank	4.0	4.3	1.44 – 8.0	5.4 - 6.5	2.7

GFA = Gross Floor Area

GLA = Gross Leasable Area

Light red shading indicates that City of Tigard minimum equals or exceeds ITE Average Peak Period Demand

Key findings from the comparison in Table 1 include:

- **Fast Food with drive-through:** There is a wide range of fast-food parking demand (refer to Appendix 1). Some fast-food uses have an average peak parking demand lower than City parking minimums while others are higher.

[1] Average peak period parking demand is defined by ITE as the observed peak period number of vehicles parked divided by the building size. Unlike ITE *Trip Generation*, the average peak parking demand is calculated by taking the maximum observed parking demand ratio for each site over the course of a day and then averaging that maximum value over multiple sites.

- **Eating and drinking establishments (non fast-food)**: As with fast-food restaurants, the City's minimum parking ratio is lower than the average peak period demand for some uses observed per ITE while the City's minimum parking ratio is higher than average peak period demand for other ITE sub-categories (refer to Appendix 1). The result is to create parking related barriers to entry for some types of restaurants.
- **Shopping Center:** The City's minimum parking ratio is higher than typical average weekday peak period demand but lower than December-peak period demand observed per ITE.
- **Drive-in Bank:** The City's minimum parking ratio exceeds the average peak period demand observed per ITE. This may result in a barrier to entry for banks seeking to locate in Tigard.

From a fundamental principles viewpoint, establishing the required parking minimum below average peak parking demand for a given use is desirable. Based on the current City code requirements, applicants designing parking areas to the City code minimum may be constructing more parking than is required to meet average peak parking demand, effectively guaranteeing that more parking is provided than needed. This over-building phenomenon would be especially true for High-turnover Sit-down Restaurants, coffee/donut shops with and without drive through windows, and drive-in banks. In cases where parking minimums align with or exceed the average peak period parking demand, it will be difficult to encourage non-auto travel and there will be more parking spaces provided than needed.

Please call me at 503-535-7433 if you have questions regarding the comparison provided in this letter.

Sincerely,
KITTELSON & ASSOCIATES, INC.

Chris Brehmer

Chris Brehmer, P.E.
Principal Engineer

Appendix 1 Additional ITE Parking Data

Table 2. Parking Data Comparison

Land Use	Parking Demand/1,000 Square Feet				
	ITE Average Peak Period Demand	City of Tigard Current Minimum	ITE Peak Period Demand Range	City of Tigard Current Maximum	Proposed Minimum
Quality Restaurant, Non-Friday Weekday (GFA)	10.6	15.3	5.46 - 15.35	19.1 – 23.0	8
Quality Restaurant, Saturday (GFA)	16.4	15.3	8.77 - 26.56	19.1 – 23.0	8
High-turnover Sit-Down Restaurant (Suburban), Weekday (GFA)	10.6	15.3	2.59 - 21.78	19.1 – 23.0	8
High-turnover Sit-Down Restaurant (Urban), Weekday (GFA)	5.55	15.3	3.13 - 12.41	19.1 – 23.0	8
High-turnover Sit-Down Restaurant (Suburban), Saturday (GFA)	13.5	15.3	6.3 - 26.5	19.1 – 23.0	8
Fast-food with Drive-Through Window, Weekday (GFA)	9.98	9.9	1.45 - 23.26	12.4 - 14.9	6
Fast-food with Drive-Through Window, Saturday (GFA)	8.7	9.9	0.98 - 18.0	12.4 - 14.9	6
Fast-food without Drive-Through Window (Hamburger), Weekday (GFA)	12.4	9.9	7.14 – 14.6	12.4 - 14.9	6
Fast-food w/o Drive-Through Window (Non-Hamburger), Weekday (GFA)	8.2	9.9	1.41 – 29.17	12.4 - 14.9	6
Coffee/Donut Shop with Drive-Through Window, Weekday (GFA)	10.4	15.3	2.96 – 37.5	19.1 – 23.0	8
Coffee/Donut Shop without Drive-Through Window, Weekday (GFA)	13.56	15.3	3.49 – 19.31	19.1 – 23.0	8
Coffee/Donut Shop without Drive-Through Window, Saturday (GFA)	14.44	15.3	14.0 – 14.67	19.1 – 23.0	8
Shopping Center, Non-Friday Weekday in December (GLA)	3.76	3.7	1.44 - 7.37	5.1 - 6.2	3
Shopping Center, Non-Friday Weekday in Non-December (GLA)	2.55	3.7	1.33 - 5.58	5.1 - 6.2	3
Shopping Center, Friday in December (GLA)	3.96	3.7	1.47 – 7.5	5.1 - 6.2	3
Shopping Center, Saturday in December (GLA)	4.67	3.7	2.01 – 7.5	5.1 - 6.2	3
Drive-in Bank, Weekday (GFA)	4.0	4.3	1.5 - 7.91	5.4 - 6.5	2.7
Drive-in Bank, Saturday (GFA)	3.47	4.3	1.44 - 8.0	5.4 - 6.5	2.7

GFA = Gross Floor Area

GLA = Gross Leasable Area

Light red shading indicates that City of Tigard minimum equals or exceeds ITE Average Peak Period Demand

Light blue shading indicates that City of Tigard minimum is less than ITE Average Peak Period Demand by less than 0.1 spaces/1,000 square feet

FINDINGS FROM TABLE 2 COMPARISON:

- **Fast Food with drive-through:** The City's minimum parking ratio is 0.01 spaces/1,000 square feet lower than the average peak period demand observed per ITE. This means the minimum is set at the expected (average) peak parking demand, instead of a reasonable range below it.
- **Fast Food without drive-through:** The City's minimum parking ratio is lower than the average peak period demand observed per ITE for hamburger-based restaurants and higher than ITE observations for non-hamburger restaurants. The result of the City's current minimum standard is to create additional parking costs (i.e. barriers to entry) for certain restaurants to locate in Tigard.
- **Eating and drinking establishments (non fast-food)**: The City's minimum parking ratio is lower than the average peak period demand for some uses observed per ITE (quality restaurant) while the City's minimum parking ratio is higher than average peak period demand for other ITE sub-categories such as high-turnover sit-down restaurants and

coffee/donut shops. Similar to fast-food restaurants, the result of the City's current minimum standard is to create parking related barriers to entry for some types of restaurants.

- **Shopping Center:** The City's minimum parking ratio is higher than typical average weekday peak period demand but lower than December-peak period demand observed per ITE. As a result, the parking minimum is set to a level that meets or exceeds typical peak parking requirements for 11 months of the year.
- **Drive-in Bank:** The City's minimum parking ratio exceeds the average peak period demand observed per ITE, creating a potential barrier to entry for banks seeking to locate in Tigard.

City *of* Tigard Respect and Care | Do the Right Thing | Get it Done

Off-Street Parking Code Modifications

DCA2013-00001

May 14, 2013

City *of* Tigard

Proposal

- Citywide
- Reduction in minimum parking ratios
  - restaurants
  - retail shops
  - banks with drive-through
- Lower percentages for mixed use or multi-tenant developments

City *of* Tigard

Background Information

- Metro established minimum ratios (1998)
- New development, redevelopment , and change of use
- Sometimes limited by parking requirements
- Overflow parking creates issues for residents
- City Parking Code Review (estimated 2014)

City *of* Tigard

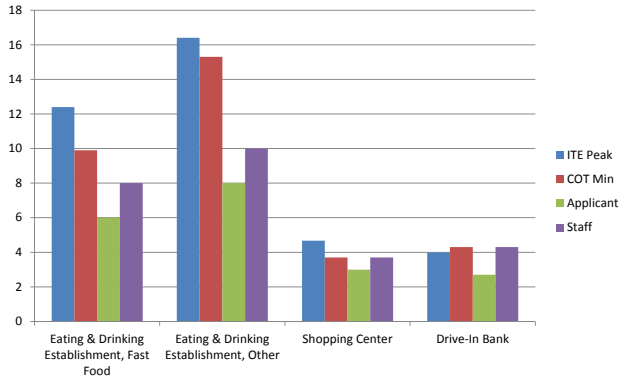
Applicant's Information

- Other jurisdictions
- Institute of Traffic Engineers Manual
- Local Parking Counts

Other Jurisdictions

Use	Tigard	Minimums
Retail	3.7	2 - 4
Banks - drive through	4.3	2 - 4.1
Fast Food	9.9	4 – 10
Other Restaurants	15.3	4 – 13.3

Land Use Type	ITE Peak	COT Min	Applicant	Staff
Eating & Drinking Establishment, Fast Food	12.4	9.9	6	8
Eating & Drinking Establishment, Other	16.4	15.3	8	10
Shopping Center	4.67	3.7	3	3.7
Drive-In Bank	4	4.3	2.7	4.3



City *of* Tigard

Summary

- Existing possibly high
- Comprehensive review for code amendments
- ITE and parking counts support recommendation

City *of* Tigard

Recommendation

Support the Planning Commission's recommendation to adopt the proposed development code amendment, as amended by staff and the Planning Commission.

AIS-1289

11.

Business Meeting

Meeting Date:	05/14/2013		
Length (in minutes):	5 Minutes		
Agenda Title:	Fiscal Year 2013 May Budget Supplemental		
Prepared For:	Toby LaFrance		
Submitted By:	Toby LaFrance, Financial and Information Services		
Item Type:	Resolution Public Hearing - Informational	**Meeting Type:**	Council Business Meeting - Main

Public Hearing
Newspaper Legal Ad Required?: Yes

Public Hearing Publication
Date in Newspaper: **05/09/2013**

Information

ISSUE

Shall the Council approve the Fiscal Year 2013 May Budget Supplemental to approve a 0.8 FTE Records Technician in Administrative Services to last no more than two years?

STAFF RECOMMENDATION / ACTION REQUEST

Approval of the FY 2013 May Budget Supplemental.

KEY FACTS AND INFORMATION SUMMARY

Over the past several years, the city has used temporary help to scan paper record archives into the electronic records management system as specific areas of the city are brought online, including the records of the City Council, Human Resources, Community Development, and some Finance records. The city's collective bargaining agreement limits the use of temporary employees such that if an employee works in a position for more than 1,040 hours the status will be changed to regular full or part-time status. The use of temporary staffing for this function has become frequent enough that the city should now either create a regular position or cease the use of temporary staffing to scan records, which would adversely affect the continuing transition to the electronic record management system. The electronic records management system helps staff respond quickly and efficiently to public records requests for external and internal customers and offers better management of and access to records used in daily work.

If approved, a Records Technician position will be created in Administrative Services for a two-year period to bring the city's electronic record management system (Laserfiche) current. The technician would continue to work on scanning archived paper records into the system while existing staff will enter records into the electronic system as they are created, which will keep the records system current from this point forward.

OTHER ALTERNATIVES

Do not approve the supplemental. Without additional records scanning assistance, the electronic records conversion in the records management program will proceed with the existing 1.0 FTE Records Management Specialist. This one staff person does not have the capacity to scan the public record paper archives and manage other duties. If the limited duration position is not created, this will mean a less efficient hybrid records management program consisting of paper records and electronic records.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

DATES OF PREVIOUS CONSIDERATION

Attachments

Resolution

Exhibit A

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 13-

A RESOLUTION TO ADOPT A MAY SUPPLEMENTAL BUDGET AMENDMENT TO FY 2013 TO ACHIEVE THE FOLLOWING: ADD 0.8 FTE RECORDS TECHNICIAN IN THE ADMINISTRATIVE SERVICES DEPARTMENT

WHEREAS, the city is acknowledging those items that were unknown at the time the FY 2013 Budget was adopted; and

WHEREAS, the city has needs to maintain public records; and

WHEREAS, the city has used temporary help to assist with scanning records with a level of frequency that requires the creation of a position by union contract, or cease utilizing temporary help for records scanning activities; and

WHEREAS, the city desires to create a 0.8 FTE Records Technician for a limited two-year period to end prior to July 1, 2015; and

WHEREAS, the city will appropriate $10,000 of Central Service Contingency to pay for the remainder of FY 2013; and

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2012-13 Budget is hereby amended as detailed in Exhibit-A.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2013.

_____
Mayor - City of Tigard

ATTEST:

_____
City Recorder - City of Tigard

FY 2013 May Supplemental
Summary of Budget Changes

Exhibit A

	Q3Revised Budget	Amendment	Revised Budget
Central Services Fund			
Resources			
Beginning Fund Balance	**$ 518,468**	**$ -**	**$ 518,468**
Property Taxes	$ -	$ -	$ -
Franchise Fees	$ -	$ -	$ -
Special Assessments	$ -	$ -	$ -
Licenses & Permits	$ 31,000	$ -	$ 31,000
Intergovernmental	$ -	$ -	$ -
Charges for Services	$ 5,948,588	$ -	$ 5,948,588
Fines & Forfeitures	$ -	$ -	$ -
Interest Earnings	$ 593	$ -	$ 593
Miscellaneous	$ -	$ -	$ -
Other Financing Sources	$ -	$ -	$ -
Transfers In from Other Funds	$ 282,477	$ -	$ 282,477
Total Resources	**$ 6,781,126**	**$ -**	**$ 6,781,126**
Requirements			
Policy and Administration	$ 6,324,537	$ 10,000	$ 6,334,537
Community Development	$ -	$ -	$ -
Community Services	$ -	$ -	$ -
Public Works	$ -	$ -	$ -
Program Expenditures Total	**$ 6,324,537**	**$ 10,000**	**$ 6,334,537**
Debt Service	$ -	$ -	$ -
Loans	$ -	$ -	$ -
Work-In-Progress	$ -	$ -	$ -
Transfers to Other Funds	$ -	$ -	$ -
Contingency	$ 267,600	$ (10,000)	$ 257,600
Total Budget	**$ 6,592,137**	**$ -**	**$ 6,592,137**
Reserve For Future Expenditure	**$ 188,989**	**$ -**	**$ 188,989**
Total Requirements	**$ 6,781,126**	**$ -**	**$ 6,781,126**