

January 6, 2015

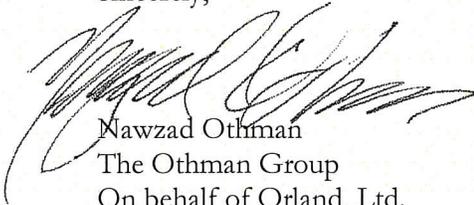
Mayor John Cook and City Council
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97224

RE: Multi-use path connecting between SW Lincoln Street and SW Oak Street

Dear Mayor Cook and City Councilors,

I represent Orland, Ltd., the owners of tax lots 3300 and 3302 of WCTM 1S1 35AB located on the north side of SW Oak Street, just east of Lincoln Center. These parcels lie south of the current southern end of SW Lincoln Street. Orland, Ltd., has agreed to provide a 12-foot wide pathway easement and any necessary construction easement over these parcels to DBG, LLC, with the intention that DBG, LLC will construct a 10-foot wide asphalt multi-use path between SW Lincoln Street and SW Oak Street and then convert the easement to a public pedestrian easement. Please be aware that we plan on the pedestrian easement to be located such that this area will later be incorporated into the right-of-way for SW Lincoln Street when that street is extended to connect with SW Oak Street. The multi-use path would then be replaced by the improved street and sidewalk.

Sincerely,



Nawzad Othman
The Othman Group
On behalf of Orland, Ltd.

January 6, 2015

Mayor John Cook and City Council
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97224

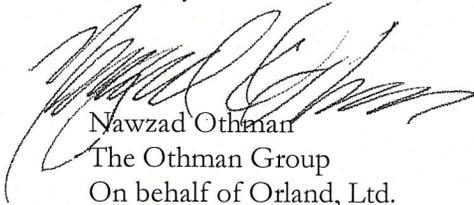
RE: SW Lincoln Street north of SW Oak Street

Dear Mayor Cook and City Councilors,

I represent Orland, Ltd., the owners of tax lots 3300 and 3302 of WCTM 1S1 35AB. These parcels are located on the north side of SW Oak Street, just east of Lincoln Center. These parcels lie south of the current southern end of SW Lincoln Street. It is understood that the City of Tigard will at some time want SW Lincoln Street to be extended to connect with SW Oak Street, thereby requiring that right-of-way be acquired from these two parcels. On behalf of Orland, Ltd., I would like to say that we understand the City's desire to extend SW Lincoln Street through these parcels. Orland, Ltd., is willing to cooperate with the needed right-of-way acquisition for this section of SW Lincoln Street at a fair market value for the affected property. However, please note that extending the full 62-foot right-of-way width of SW Lincoln Street from the north across Orland Ltd's properties would greatly reduce their development potential so we would hope that we can agree with the City on the right-of-way width tapering from 62-feet at the north side of tax lot 3300 to approximately 50-feet in width where it intersects with SW Oak Street. It should be understood that Orland, Ltd's agreement to cooperate in providing the necessary right-of-way for extension of SW Lincoln Street should in no way prohibit the owner from developing the affected properties consistent with the existing zoning.

Improvement of this section of SW Lincoln Street should be the responsibility of the developer(s) whose development project(s) triggers the need for the street improvements based upon the City's review of their development applications. Orland, Ltd., is willing to commit that Orland, Ltd., or the developer of Orland's property will pay their proportionate share of the needed street improvements at the time of improvement of the street.

Sincerely,



Nawzad Othman
The Othman Group
On behalf of Orland, Ltd.

Transmittal

Emerio Design
8285 SW Nimbus Ave, Suite 180
Beaverton, Oregon 97008

Cell: 503-780-4061
Email: ryano@emeriodesign.com

TO: Gary Pagenstecher, City of Tigard Associate Planner
FROM: Ryan O'Brien, Planning Consultant
DATE: 1-5-15
SUBJECT: A + O Apartments

I represent Gene Davis, the owner of property on the north and south side of Oak Street adjacent to the proposed A+O Apartments. We request changes to the following approved Planning Commission Condition of Approval No. 8 to require public right-of-way dedication for the extension of Lincoln Street to Oak Street over Tax Lots 3300 and 3802, Map 1S1-35AB when determined to be necessary by the City of Tigard.

City of Tigard Proposed Conditions 7 and 8

7. The applicant shall provide a walkability and ridership audit that ensures the plan maximizes methods to promote walkability and transit ridership within a quarter mile of the subject site, including but not limited to measures identifies in TriMet's comment letter dated December 4, 2014.

8. The applicant shall submit a revised development plans to meet required participation in funding future transportation and public improvements projects, such as the SW Lincoln Street extension, subject to rough proportionality, as recommended by the Planning Commission and approved by the City Council.

Orland LTD owns these tax lots and also owns the property where the A+O Apartment will be developed (See attached Tax Map). We assume Tax lot 3300 and 3802 were purchased so Orland LTD could extend Lincoln Street in the event it was required for the A+O Apartments. An agreement recorded as a deed restriction on Tax Lots 3300 and 3802 should be required to assure the right-of-way dedication will occur. Otherwise, the Tax Lots 3300 and 3802 could be sold and the new property owners may not agree with the right-of-way dedication. This agreement needs to be recorded prior to issuance of development permits for the

A+O Apartments. This condition of approval modification will provide the proportionality as identified in following **Section 18.810.020.A** of the Tigard Development Code.

18.810.020 General Provisions

A. When standards apply. Unless otherwise provided, construction, reconstruction or repair of streets, sidewalks, curbs and other public improvements shall occur in accordance with the standards of this title. No development may occur and no land use application may be approved unless the public facilities related to development comply with the public facility requirements established in this section and adequate public facilities are available. Applicants may be required to dedicate land and build required public improvements only when the required exaction is directly related to and roughly proportional to the impact of the development.

If this right-of-way dedication Condition of Approval is not specific, too much discretion and confusion will result from the city, property owner and applicant attempting to determine how to comply with Condition of Approval No. 8. This street dedication is also necessary to comply with Condition of Approval No. 7 for pedestrian access. Clearly this right-of-way is needed for access to the Lincoln Center. Future development of Lincoln Street will help relieve AM peak hour left turning movements from 90th Avenue to Locust Street. With this option, the property owner will have a clear understanding about the proportionality requirement. We are not asking the applicants or the property owner to develop Lincoln Street. We are only requesting street dedication. If this street dedication is not required with the approval of this application, we have no option except to request city condemnation of the right-of-way so additional development applications can be submitted to the city. This process will be very expensive and time consuming. Orland LTD should dedicate the Lincoln Street right-of-way just to be good neighbors and to benefit all property in the Lincoln Center area including the future residents of the A+O Apartments.

The next development along Oak Street will probably push the capacity of surrounding streets to an unacceptable level of service which will require construction of the Lincoln Street extension. Possibly 600 more apartments can be developed in the area in addition to hotels and other commercial buildings. It is important for the city to be able to properly plan for future development of the Lincoln Center area. The benefit of the Lincoln Street dedication is the opportunity for future developers in the area to build this Lincoln Street so the owners of Tax Lots 3300 and 3802 will have a fully developed street on their property. If the owners of Tax Lots 3300 and 3802 submit a development application for these tax lots, then they would be required to build the Lincoln Street extension. This street dedication appears to be a great benefit for future development of Tax Lots 3300 and 3802.

We have discussed this with Nawzad Othman who represents Orland LTD. Nawzad said he would discuss this with the property owner. He agreed the City of Tigard should be the decision maker about when the right-of-way should be dedicated rather than having an agreement with Gene Davis or other developers in the area. We agree with this option. However, he needs approval from Orland LTD.



Dorothy S. Cofield,
Attorney at Law

VIA ELECTRONIC MAIL

January 5, 2015

Mayor John Cook and Tigard City Council
c/o Gary Pagenstecher – garyp@tigard-or.gov
Tigard Civic Center – Town Hall
13125 SW Hall Blvd
Tigard, Oregon

Re: Quasi Judicial Public Hearing A + O Apartments (CPA 2014-00002; PDR 2014-00003; SDR 2014-00004; SLR 2014-00002)

Dear Mayor Cook and Members of the City Council,

I represent Jill Warren and Trudy Knowles. Ms. Warren and Ms. Knowles testified to the planning commission on the above referenced applications. After the planning commission adopted staff's recommendation to approve the subject application, they retained my legal services.

My preliminary review of the Public Meeting Materials that are posted on line reveal that the city council should not approve the A & O Apartments for a number of reasons. I also ask that you continue the public hearing so that my law firm will have the necessary time to review this matter. The planning commission hearing was held on December 15, 2014 and with the intervening holidays and new council members, it is in everyone's best interest to continue the hearing to February. These four complicated development applications (including a comprehensive plan amendment to remove a Goal 5 Sensitive Wetlands Designation from the subject property) should not be summarily approved.

OBJECTIONS TO THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL

Commercial Zoning Districts: The property is zoned Mixed Use Employment 1 (MUE-1) and Mixed Use Residential (MUR). Yet, the project is comprised of 215 apartment units. Tigard Development Code (TDC) §18.020(G) describes the MUE-1 as "designed to apply to areas where employment uses such as office, research and development and light manufacturing are concentrated. Commercial and retail support uses are allowed but are limited and residential uses are permitted which are compatible with the employment character of the area." The MUR zone "is designed to apply to predominantly residential areas, where mixed-uses are permitted when compatible with the residential use." Both of these zones are MIXED use, not solely residential as the A & O apartments are planned.

There is no purpose in designating a mixed use zone if the entire development is not a mix of employment and residential. The Washington Square Regional Plan was adopted to provide new mixed-use zoning districts along with existing residential zoning districts. TDC §18.630(A)(5). The plan is being gutted by allowing this developer to build a residential apartment building with no mixed uses because it is more profitable. The city council must deny the planned development concept plan on this factor alone.

Comprehensive Plan Amendment: The applicant seeks to remove nearly a half-acre of significant Goal 5 wetlands from the property. The applicant does not begin to meet the applicable criteria at TDC §18.775.130. The applicant states there are no other sites in the Tigard Planning Area (TPA) that would allow the use without the comprehensive plan amendment. It appears that the applicant only looked at vacant land in the Washington Square Regional Center (WSRC). It is hard to believe there is no other vacant land in the TPA that does not need to use a significant Goal 5 wetland to build these apartments. Even if the Council finds the WSRC only needs to be studied, the applicant's "survey" is far from substantial evidence and is not in the form of an accurate inventory of available, vacant land. For this reason alone, the Council must deny the CPA.

The Applicant's ESEE Analysis Is Not Supported by Substantial Evidence: The applicant states that it is not economical to build the project without filling the Significant Wetland. The applicant alternatively states that the applicant would realize "far less economic benefit" from remodeling or replacing the four existing houses." Alternatively, the applicant states that without removing the Goal 5 Significant Wetland, the applicant would need to build a six to eight story building and it would cost too much. Staff Report, p. 10. The applicant has no evidence on why it cannot build a six to eight story building to protect the Significant Wetland and the standard is not met. The ESEE is a balancing test and is not overly weighted on the economic factor.

When the city adopted its Goal 5 wetland inventory, it found that this wetland was significant. A Goal 5 rating of significance is much different than the State's wetland program, which allows wetlands to be filled if there is corresponding mitigation. This wetland, as the applicant's own consultant determined, is significant. The applicant's consultant determined that Wetland A (which the applicant seeks to partially remove from the City's Goal 5 Inventory) provides rearing and migration habitat because of its connection to Ash Creek. Appendix E, p. 4. The applicant's consultant further determined that "even though the quality [sic] of the wetland, its connection to Ash Creek still ensures it would be regarded as significant." The applicant's consultant also found that Ash Creek provides rearing and migration habitat for steelhead trout which is listed as Threatened under the Federal Endangered Species Act (ESA). Appendix E, p. 1, p. 7. Thus the applicant chose to do an ESEE type of comprehensive plan amendment (which arguably allows the applicant to make the economics of filling the wetland more important than protecting the wetland.)

The applicant's ESEE also states that the applicant cannot avoid removing the wetland from the City's inventory because the alternative would not meet the City of Tigard's requirements for density and parking. Id. This may be true for residential use, but not for mixed use which does not require 60 units per acre. There are no density requirements for the commercial development standards in Table 18.620(2).

The real reason the applicant seeks the comprehensive plan amendment to fill the Significant Goal 5 resource is to make more money for the project.

The Applicant Has Not Mitigated for Its Traffic Impacts: My clients are presently having a traffic engineer review the applicant's traffic study and may provide a separate letter on this issue. As a preliminary comment, the applicant is relying on transit to mitigate the impacts of 1,430 new car trips a day. Appendix A, p. 14. The applicant has also said future occupants will be able to work at the Washington Square Mall which is close by. The applicant has said the apartment rents will be in the range of \$900.00 to \$2000.00 a month. The developer testified that an income of \$3000 a month is needed to support rent of \$900.00 a month. The attached Occupational Employment Statistics from the U.S. Bureau of Labor Studies finds that the average Oregon retail worker makes a yearly salary of \$26,360, which is not enough to pay for the cheapest studio apartment the development has projected. Retail workers will not be able to afford the A & O Apartments to live and work near the Washington Square Mall and thus these apartments are not achieving the purpose of the WSRP idea to create a mixed use development, nor will the traffic from the 215 apartments (1430 trips a day) be mitigated by walking to work.

The Exception to the Parking Standard is Not Met: TDC §18.765(b) states an exception may be granted when a use has a "low demand for off street parking." The applicant states that A & O Apartments are low demand because they are 64 studios and 98 1-bedroom apartments. The code speaks to a low demand use such as a nursing home, in which most of the residents don't drive at all. The applicant's traffic study determined that the apartments will generate 1430 daily new trips. Appendix A, p. 14. That is not a low demand use by anyone's definition. When combined with the lack of affordability of the apartments to nearby employment and the need for all the required parking, the exception to the parking standard should not be granted.

The Applicant Must Pay Its Share For Funding Future Transportation: Staff has prepared a rough proportionality study that shows the monetary impact the A & O Apartments will have on public infrastructure. Staff Report, p. 54. The full impact is \$3,431,596. Less the Transportation Development Tax (TDT) and the ½ street improvement to Oak St., the applicant is being asked to mitigate less than half of its impact, leaving the public to pay the rest. This is not proportional.

The rough proportionality test requires a "nexus" to any required dedications or improvements and the amount of improvements must be "proportional." Staff has concluded that the applicant's traffic analysis does not satisfactorily address the additional traffic on SW 90th, a 50-foot local street, as the primary route north to SW Locust for southbound Greenburg/Hwy 217 trips. Staff Report, p. 28. The WSRP plan anticipates that Lincoln Street will be extended to mitigate some on the Oak St. trips. The applicant is substantially impacting SW Oak Street with over 1,430 new car trips a day. The applicant must provide a Dolan analysis that describes the impact area; the applicant's impact in a ratio to the impact area and then the City Council can determine if funding the future improvements to Lincoln are warranted. At a minimum, the applicant must mitigate the full 1.8 million dollars of impact it is creating.

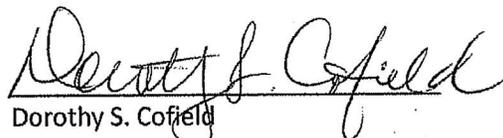
Floodplain Alternation is Not Allowed: The applicant is seeking to alter the 100-year floodplain by filling .35 acres of it and building a portion of Building A on the fill in the floodplain. Under TDC §18.775.070(B)(2), floodplain alterations are allowed only on land designated as commercial or industrial on the comprehensive plan. Staff Report, p. 14. The applicant's property is designed MUE and MUR (both commercial zones) but the property is being developed as completely residential. While it is not clear why the code prohibits filling residentially zoned land in a floodplain, it may have something to do with Federal Flood Insurance requirements. The city council should look further at the code requirements in filling the floodplain with residential apartments and the city's liability if there is flooding. My client, Jill Warren, will be submitting a separate letter on floodplain requirements.

Conclusion: The applicant has the burden of proof to demonstrate all the approval criterial for the four requested applications have been met. As shown in the above comments, the applicant has not met its burden and the applications must be denied.

I will be at the public hearing on January 13, 2015 to further testify on the A & O Apartment applications and to answer any questions the Council may have.

Very truly yours,

COFIELD LAW OFFICE

A handwritten signature in cursive script that reads "Dorothy S. Cofield". The signature is written in black ink and is positioned above a horizontal line.

Dorothy S. Cofield
Of Attorneys for Jill Warren and Trudy Knowles

DSC:dsc

Attachments: As Stated

Jill Warren
9280 SW 80th Ave.
Portland, OR 97223
January 13, 2015

Tigard City Council
13125 SW Hall Blvd.
Tigard, OR 97223

Dear Council Members,

re: 215-unit apartment complex on Oak St.
CPO 2014-00002, PDR2014-00003,
SDR2014-00004, SLR2014-00002

The Washington Square Regional Center plan was conceived 15 years ago yet was never built. There were unanswered questions about infrastructure costs, impacts of development in a sensitive lands area, property damage from flooding and questionable market success.

Removing Wetlands/Taxpayer Liability

The proposal includes removing 0.42 acres of delineated wetlands on the site from the Comprehensive Plan's Wetlands and Stream Corridor map's Goal 5 Safe Harbor/Significant Wetlands designation along with removal of the same area from the Significant Habitat areas map. It includes reshaping the ground surface to accommodate flooding. According to FEMA map #4102760509C, floodway areas in zone AE "must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights". The residents upstream will have more water impact during an event than if the buildings weren't there. It is not buildable land. Evidence of a changing climate with higher highs and lower lows, in precipitation and temperature, require us to be more thoughtful on how we protect what floodplains and wetlands still remain. It is impossible to justify that mitigation will solve the water problem, there will be extensive property damage and taxpayers will pick up the tab for damage and liability.

Parking Exemption

To satisfy the parking exemption of 9.1% the applicant shall provide a walkability and ridership assessment that ensures the plan maximizes methods to promote walkability and transit ridership within a quarter mile of the subject site. The nearest bus stop is more than a quarter mile away so the criteria does not justify the parking exemption.

Public Investment

The regional center plan includes a public/private partnership for funding, yet the plan does not fit the zoning criteria for the regional center, rendering it illegitimate. The zones got changed in 1999 from residential 4.5 units per acre to 50+ units per acre mixed use. The project is 100% residential. Why should taxpayers invest in a for-profit investment if there's no civic value? On page 54 of 56 of the staff report the estimate of unmitigated impacts is \$1,576,485.00. Where is that money going to come from?

Insurance

According to the state floodplain manager if City of Tigard approves this project the city could no longer qualify to be in the national flood insurance program.

Please do not approve the proposed application.

Respectfully submitted,



From: "Jere W. Retzer" <jere@teleport.com>
To: jandjay@ix12.ix.netcom.com
Date: Thu, 3 Jun 1999 20:31:48 -0700
MIME-Version: 1.0
Subject: Re: Followup on Ash Creek Article
Priority: normal
X-MIME-Autoconverted: from Quoted-printable to 8bit by ixmail5.ix.netcom.com id UAA29887

Here is the attachment pasted as good old text (looks like a great letter):

DRAFT

June 1, 1999

Ms. Elaine Cogan
Cogan, Owens, Cogan
8313 SW Alder Street
Portland, Oregon 97302

Lloyd Lindley and Lloyd Lindley - promoting development
Dear Ms. Cogan:

The Department of Land Conservation and Development (DLCD) serves as the state's floodplain management agency under an agreement with the Federal Emergency Management Agency. The department supports the need for Regional and Town Centers such as the proposed Washington Square Regional Center. However, we are concerned about the particulars of this proposed development which would impact lands in the Ash Creek watershed protected by other statewide planning goals (Goal 5 - riparian areas and Goal 7 - floodplains and other natural hazards). As the State's floodplain manager, I am most concerned about the impacts of this development on the Ash Creek floodplain.

Under federal floodplain management regulations (44 CFR section 60.20) communities that participate in the National Flood Insurance Program, including the City of Tigard, shall evaluate a number of standards in considering proposals for floodplain development. One standard is that the community shall consider the adverse effects of floodplain development on existing development (44 CFR 60.22(c)(4)). In addition, the community shall also consider diverting development to areas safe from flooding in light of the need to reduce flood damages and in light of the need to prevent environmentally incompatible flood plain use (44 CFR section 60.22(c)(2)). Therefore, the City of Tigard must thoroughly evaluate the consequences of developing Ash Creek's floodplain before issuing a permit. Also, it appears in this situation that there is acreage in the proposed development where higher density development could be diverted to protect the floodplain and wetlands area. The City of Tigard, as a requirement of participating in the national flood insurance program, needs to fully evaluate the consequences of this development.

If you have any questions, please contact me at 503-373-0050 (ext. 255).

Sincerely,

Ann Beier
State Floodplain Program Manager

cc: Mark Eberlein, Federal Emergency Management Agency
Meg Fernekees, Oregon Department of Land Conservation & Development

~~Jim Nicoli~~
Laurie Nicholson taskforce title

*Ward Rader copy to us
*Lloyd
John Spenser filter

Sq. Reg. Center need copy of final letter

Oct. 5, 2005

The Ash Creek Wetland/Floodplain has been up-zoned to 50+ units per acre (up from 4.5 upa).

This floodplain/wetland is an important feature in the Metzger/Tigard area and is part of the Fanno Creek Watershed.

CPO 4-M opposed up-zoning this important natural resource and the testimony submitted by Jill Tellez in 2000 sites Oregon Land Use Planning excerpts and portions of the WSRC plan contents that do not reflect impact reports, compromises sensitive lands area violating Statewide Goal 9.

The WSRC up-zones neighborhoods and open-space lands. Yet the 1997 Urban Growth Report Update by Metro, Sept.1999, states:

"There is now no new up zone applied toneighborhoods and parks and open space lands."

Pat Whiting

Attached: J.T.1/31/2000 letter and picture of Ash Creek area upzoned to 50+ units per acre.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oregon State Office
2600 S.E. 98th Avenue, Suite 100
Portland, Oregon 97266
(503) 231-6179 FAX: (503) 231-6195

Reply To: 6500.3001
File Name: WASQUAF.E.WPD

July 28, 1999

Washington Square Regional Center Task Force
c/o Elaine Cogan
Cogan Owens Cogan
813 SW Alder
Portland, OR 97205

Dear Task Force Members:

The U.S. Fish and Wildlife Service (Service) is submitting this letter to urge the Task Force not to recommend upzoning of the wetlands and floodplains within the proposed Washington Square Regional Center development area. In particular, the Service is concerned about the wetlands and floodplains associated with Ash Creek that would be impacted if the area between Oak and Hwy 217 is upzoned to allow for a minimum of 50 units per acre. The Service encourages the conservation of these valuable and sensitive natural resources by maintaining the more protective zoning.

In addition to the numerous fish and wildlife species typically associated with wetland and floodplain habitats, Ash creek is known to support sensitive species such as cutthroat and the northern red-legged frog. In addition, Upper Willamette River steelhead, which are listed under the Endangered Species Act as threatened, occur downstream and may occur in Ash Creek. Unfortunately, Ash Creek is currently included on the Oregon Department of Environmental Quality's 303(d) List of Water Quality Limited Waterbodies for declining fish communities due to poor water quality, low dissolved oxygen, high summer temperatures, and fecal coliform.

The recovery and sustainability of fish and wildlife species requires conservation efforts that lead to improved watershed health. This is a challenging goal to achieve in an urban area, not only because of direct development pressures on sensitive areas, but also because of the intensive off-site and indirect impacts related to urbanization. Long-term planning and sound policy development are two of the most effective protection mechanisms available for minimizing both direct and indirect impacts to natural resources and their associated functions and values. Local conservation efforts can play a key role in complimenting, supporting, and expanding upon those at the regional, state and Federal levels. To ensure that local resources continue to provide benefits to fish, wildlife and people, and for consistency with regulations that will affect the site, the Service recommends that the Task Force work to protect Ash creek and associated riparian areas, floodplains, wetlands and buffers by supporting zoning and other conservation strategies that will prevent resource degradation.

The following is a list of some of the many functions that floodplains, riparian zones, and wetlands provide.

Fish and Wildlife Habitat:

- There are currently 54 Federally listed threatened, endangered, proposed, candidate, and special concern species within Multnomah, Washington, and Clackamas counties. Over 80% of these species depend on wetlands, riparian habitat, or the functions they provide for one or more stages in their life cycles. Riparian, floodplain and wetland area protection can benefit listed species, as well as prevent the future listing of other species.
- Healthy riparian areas provide connected, protected corridors for wildlife to travel between seasonal ranges and alternate habitats, allowing for species dispersal. This mobility facilitates genetic exchange and allows utilization of a wider range of potential habitat.
- Undisturbed riparian vegetation composed of a mosaic of various successional stages and plant communities equates to high habitat diversity necessary to support diverse communities and populations.
- Undisturbed riparian systems typically contain an assortment of habitat characteristics including multiple canopy layers, snags, woody debris, irregular edges (which provide a diverse interface between riparian areas and differing habitat types, furthering habitat diversity), undercut banks and overhanging vegetation. These complex characteristics provide the diverse habitat requirements necessary to support a wide range of naturally occurring fish and wildlife species.
- Although riparian and wetland areas cannot ameliorate all adverse upland impacts, they provide the greatest resources needed by fish and wildlife in the smallest area, and thus are a priority for protection.
- In developed and developing landscapes, riparian and wetland areas can provide critical refuge when adjacent habitat is lost or degraded.

Role of Floodplains and Riparian Zones During Flood Events:

- Floodplains naturally accumulate the appropriate type and balanced amount of organic matter and dissolved nutrients which are flushed into streams and rivers during runoff events. At natural levels, this material supplies fish and aquatic invertebrates with a rich source of food that can enhance production.
- Intact vegetation buffers the impact and erosive forces of rain as it hits the ground, and helps to slow and store water as it flows across the landscape. The greater the vegetative cover in a watershed, the greater the amount of water that can be slowed and held for gradual release. Riparian areas and floodplains moderate both high and low stream flows, providing more consistent flows throughout the year.
- Water moves from the active stream channel onto floodplains during storm events, providing natural areas for flood storage. Alterations to floodplains, such as the removal of vegetation or creation of impervious surfaces, reduces the flood storage capacity and infiltration of water over the floodplain. In turn, this results in increased and expedited flows moving downstream, leading to stream degradation and potential flooding problems that may affect life and property.

Water Quality:

- Riparian buffers which retain adequate vegetation and intact soils intercept, store, and biodegrade significant portions of pollutants.
- Riparian buffers filter and break down nutrients. By preventing nutrient loading and excessive aquatic plant and algal growth (which can ultimately cause oxygen depletion and excess ammonia), an increase in water acidity is avoided, which would otherwise

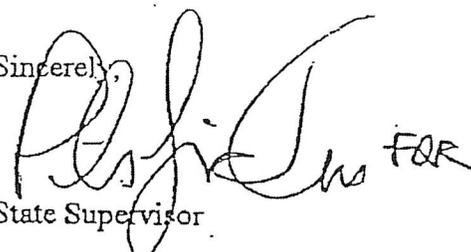
adversely impact fish and other wildlife by slowing fish growth and negatively impacting reproduction in some species.

Plant roots help to stabilize the soil. Maintaining woody vegetation and limiting soil disturbance in riparian areas will prevent significant quantities of sediment from entering stream systems.

Efforts are needed not only to maintain, but to improve watershed health throughout the metropolitan region. Locally lead and supported efforts are needed more now than ever to recover species such as threatened and endangered salmon and steelhead. The opportunity is still available at the proposed Washington Square Regional Center to avoid impacts to natural resources, which is much more effective than fixing problems later both in terms of preventing irreplaceable resource losses, maintaining environmental health and preventing the unnecessary costs of repair, restoration, or attempting to recreate lost functions through artificial means.

Please ensure that all Task Force members receive a copy of this letter, and that it is included in the Task Force Record and in the Regional Center Plan Appendix for consideration by local jurisdictions. Feel free to contact Jennifer Thompson or Kumari Sivam of my staff at (503) 231-6179 if you would like to discuss these comments, or if we can provide you with any additional information. Thank you in advance for considering our input and keeping us informed of your decision regarding this issue.

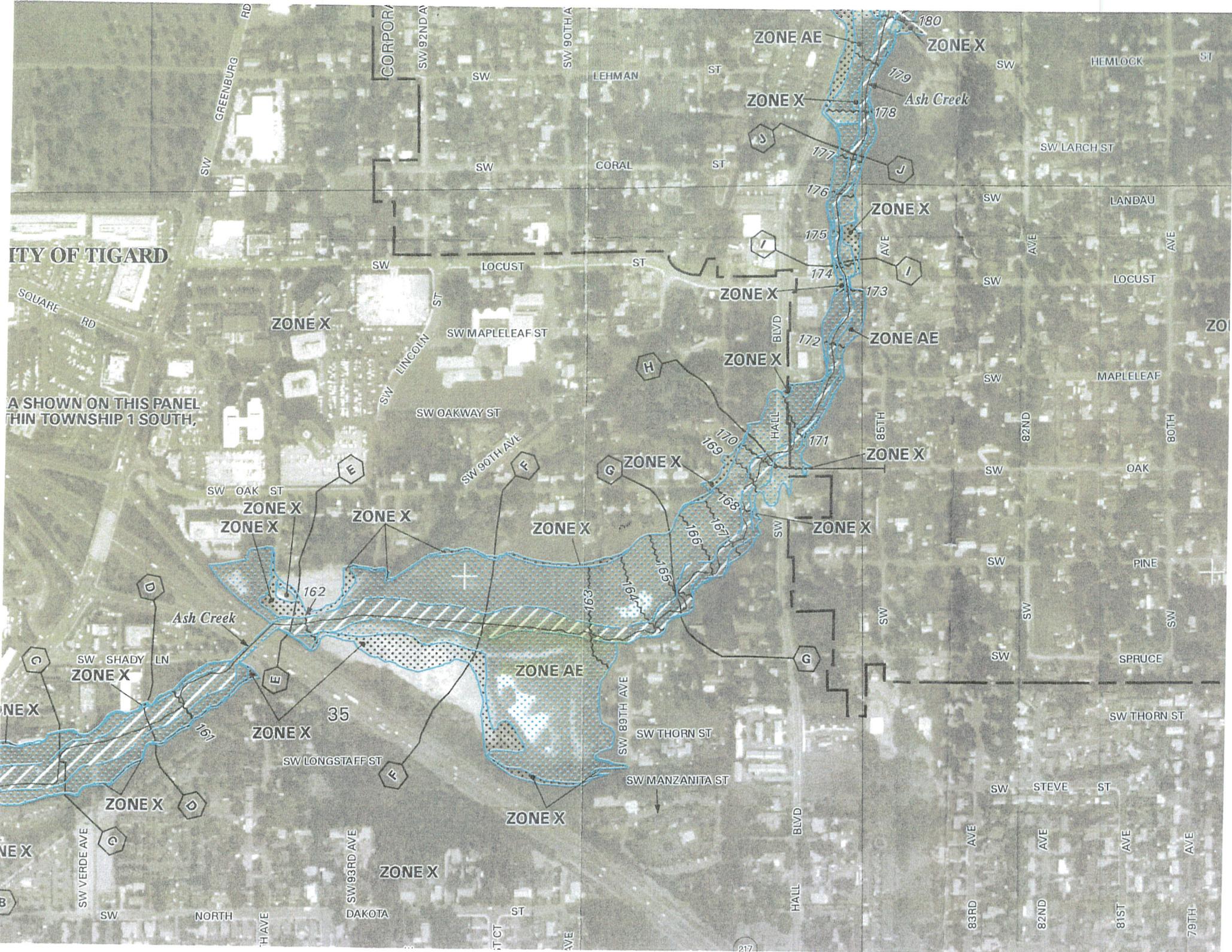
Sincerely,

 FOR
State Supervisor

cc: Washington Square Regional Center Task Force Members
Tigard City Council
Tigard Planning Commission

CITY OF TIGARD

AS SHOWN ON THIS PANEL
WITHIN TOWNSHIP 1 SOUTH,



LEGEND



SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood.

- ZONE A** No base flood elevations determined.
- ZONE AE** Base flood elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Area of special flood hazard formerly protected from the 1% annual chance flood event by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood event.
- ZONE A99** Area to be protected from 1% annual chance flood event by a Federal flood protection system under construction; no base flood elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no base flood elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); base flood elevations determined.



FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.



OTHER FLOOD AREAS

- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.



OTHER AREAS

- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.



COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS



OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or velocities.
- Base Flood Elevation line and value; elevation in feet*
- Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the National Geodetic Vertical Datum of 1929



Cross Section Line

Occupational Employment Statistics Query System

OES  FONT SIZE: 

Occupational Employment Statistics [\(For more information or help\)](#)

Area: Oregon
Period: May 2013

Occupation (SOC code)	Employment ⁽¹⁾	Employment percent relative standard error ⁽³⁾	Hourly mean wage	Annual mean wage ⁽²⁾	Wage percent relative standard error ⁽³⁾	Hourly 10th percentile wage	Hourly 25th percentile wage	Hourly median wage	Hourly 75th percentile wage	Hourly 90th percentile wage	Annual 10th percentile wage ⁽²⁾	Annual 25th percentile wage ⁽²⁾	Annual median wage ⁽²⁾	Annual 75th percentile wage ⁽²⁾
Retail Salespersons(412031)	60120	2.7	12.67	26360	1.1	9.13	9.46	11.00	13.83	18.16	19000	19690	22890	28780

Footnotes:
 (1) Estimates for detailed occupations do not sum to the totals because the totals include occupations not shown separately. Estimates do not include self-employed workers.
 (2) Annual wages have been calculated by multiplying the hourly mean wage by 2,080 hours; where an hourly mean wage is not published, the annual wage has been directly calculated from the reported data.
 (3) The relative standard error (RSE) is a measure of the reliability of a survey statistic. The smaller the relative standard error, the more precise the estimate.

SOC code: Standard Occupational Classification code -- see <http://www.bls.gov/soc/home.htm>

Data extracted on January 5, 2015

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U.S. Bureau of Labor Statistics | Division of Occupational Employment Statistics, PSB Suite 2135, 2 Massachusetts Avenue, NE Washington, DC 20212-0001
www.bls.gov/oes/ | Telephone: 1-202-691-6569 | [Contact OES](#)

Carol Krager

From: Gary Pagenstecher
Sent: Tuesday, January 06, 2015 2:19 PM
To: Carol Krager
Subject: FW: Parking comparison document - A+O Apartments
Attachments: Parking comparison121514.doc

Carol,
A further request by the applicant to include this document in the record and to make available to the CC for their review.
Thanks,
Gary

From: Jerry Offer [<mailto:jerry.offer@otak.com>]
Sent: Tuesday, January 06, 2015 11:16 AM
To: Gary Pagenstecher
Cc: Nawzad Othman; Skip Grodahl; Don Hanson; Mike Peebles
Subject: Parking comparison document - A+O Apartments

Good morning Gary,
Attached is a minimally edited version of the document that I submitted to the Planning Commission showing how other Portland area suburban jurisdictions' parking standards would apply to the proposed unit mix for the A+O Apartments. We would like the City Council to see this document – either in their meeting packets or in the work session prior to the public hearing. Don or Mike will be referring to this comparison at the public hearing.

Also, we will be sending you a couple of letters from Nawzad Othman on behalf of Orland, Ltd., regarding: 1) providing a 12-foot pedestrian easement over the future right-of-way for the SW Lincoln Street extension and DBG, LLC providing the asphalt path within the easement; and 2) Orland agreeing to cooperate in the provision of right-of-way for the SW Lincoln Street extension when needed. Those letters are currently being processed and scanned and will be sent to you in short order.



Jerry Offer | Planner

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Main 503.287.OTAK (6825) | Fax 503.415.2304 | Direct 503.415.2330



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Tigard Code Section 18.765.070.H Table 18.765.2 parking requirements applied to the A +O Apartments proposal

On-Site Parking Spaces Required

Parking Spaces Required per MFR Unit	Number of Units Proposed	Auto Parking Spaces Required
1 space/studio (<500 sf)	64	64
1.25 spaces/1-bedroom unit	98	122.5
1.5 spaces/2-bedroom unit	53	79.5
Subtotal	215	266
15 percent additional onsite parking required for visitors	-	40
Total MFR Units/ Parking Spaces Required	215 units	306 spaces

On-Site Parking Spaces Provided

Type of Parking Space	Onsite Parking Spaces Provided
Surface parking – standard-sized	121
Surface parking – compact	115
ADA surface parking	5
Parking garage – standard-sized	17
Parking garage – compact	18
Parking garage – ADA space	2
Total On-site Parking Spaces Provided	278 On-site Parking Spaces
Total compact spaces	133 spaces, 48% of total

In addition, an estimated 16 parking spaces will be provided along the site’s SW Oak Street road frontage.

An Exception to the minimum on-site parking standard is requested to allow 278 spaces to serve the development whereas the typical on-site parking standard would require 306 on-site parking spaces. This would constitute a 9.1% reduction in parking. With the 16 on-street spaces added to the on-site parking, a 4% exception to the maximum parking standard would be what is requested.

Washington County Community Development Code parking requirements if they were applied to A +O Apartments proposal

On-Site Parking Spaces Required per Table 413-7 Wash. Co. Development Code

Parking Spaces Required per MFR Unit	Number of Units Proposed	Auto Parking Spaces Required
1 space/studio (<500 sf)	64	64
1 spaces/1-bedroom unit	98	98
1.5 spaces/2-bedroom unit	53	79.5
Visitor parking – no requirement	-	-
Total MFR Units/ Parking Spaces Required	215 units	242 spaces

Tualatin Community Development Code parking requirements if they were applied to A +O Apartments proposal

On-Site Parking Spaces Required per Tualatin Code Section 73.370(2)(a)

Parking Spaces Required per MFR Unit	Number of Units Proposed	Auto Parking Spaces Required
1 space/studio	64	64
1.25 spaces/1-bedroom unit	98	122.5
1.5 spaces/2-bedroom unit	53	79.5
Visitor parking – no requirement	-	-
Total MFR Units/ Parking Spaces Required	215 units	266 spaces

Lake Oswego parking requirements if they were applied to the A +O Apartments proposal

On-Site Parking Spaces Required Per Lake Oswego Code Section 50.06.002

Parking Spaces Required per MFR Unit	Number of Units Proposed	Auto Parking Spaces Required
1 space/studio (<500 sf)	64	64
1.25 spaces/1-bedroom unit	98	122.5
1.5 spaces/2-bedroom unit	53	79.5
Visitor parking – 25 of the required parking must be non-reserved so as to provide for common or visitor use	-	-
Total MFR Units/ Parking Spaces Required	215 units	266 spaces

Beaverton Community Development Code parking requirements if they were applied to A +O Apartments proposal

On-Site Parking Spaces Required per Beaverton Code for Multi-Use Zones Section 60.30.010

Parking Spaces Required per MFR Unit	Number of Units Proposed	Auto Parking Spaces Required
1 space/studio	64	64
1 spaces/1-bedroom unit	98	98
1spaces/2-bedroom unit	53	53
Visitor parking – no requirement	-	-
Total MFR Units/ Parking Spaces Required	215 units	215 spaces