

CITY OF TIGARD
PLANNING COMMISSION
Meeting Minutes
July 6, 2015

CALL TO ORDER

President Rogers 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 Rogers
 Vice President Fitzgerald
 Alt. Commissioner Enloe
 Commissioner Lieuallen
 Alt. Commissioner Mooney
 Commissioner Muldoon
 Commissioner Schmidt

Absent: Commissioner Feeney; Commissioner Middaugh; Commissioner Smith

Staff Present: Tom McGuire, Assistant Community Development Director; Gary Pagenstecher, Associate Planner; Doreen Laughlin, Executive Assistant; Steve Martin, Parks; Carla Staedter, Project Coordinator Engineering

COMMUNICATIONS –

CONSIDER MINUTES

May 18 Meeting Minutes: President Rogers asked if there were any additions, deletions, or corrections to the May 18 minutes; there being none, Rogers declared the minutes approved as submitted.

OPEN PUBLIC HEARING

President Rogers opened the public hearing.

PUBLIC HEARING

DIRKSON NATURE PARK WETLANDS EDUCATION – CPA2015-00002

REQUEST: Comprehensive Plan Amendment approval is requested to remove 0.12 acres of Tigard significant wetlands from the Wetlands and Stream Corridor map to accommodate the future installation of two trail boardwalks in Dirksen Nature Park. These boardwalks are critical park infrastructure and will serve as environmental education facilities, consistent with public feedback and earlier site plan concepts regarding the layout and design of the property approved by the Parks and Recreation Advisory Board (PRAB). The boardwalks that extend into the mapped wetlands will provide overlooks into these unique habitat areas. APPLICANT: City of Tigard
LOCATION: 48 acres - 11000 Block of SW Tigard Street.

QUASI-JUDICIAL HEARING STATEMENTS

President Rogers read the required statements and procedural items from the quasi-judicial hearing guide. There were no abstentions; there were no challenges of the commissioners for bias or conflict of interest. Ex-parte contacts: None. Site visitations: Commissioners Fitzgerald, Rogers, and Muldoon. No one wished to challenge the jurisdiction of the commission.

STAFF REPORT

Associate Planner, Gary Pagenstecher went over the staff report. Staff reports are available on-line one week in advance of the meeting. Gary explained that a draft staff report dated June 29th went out with the original mailing but that they now had before them the final/approved version dated June 30th. He said there were only some minor clarifying languages between the two and nothing substantively different. The City, as the applicant, requests removal from the wetlands and stream corridors comprehensive plan inventory map, Goal 5 prohibition. They have conflicting uses on a total of .12 acres – about 5000 sq ft, located on two sites within the Dirksen Nature Park. This is for the purposes of public education and resource enhancement. The location of the proposed boardwalks are required to be in the resource to be effective – to provide effective access for educational purposes.

Gary compared this with the most recent Goal 5 review that had been before the commission with A&O Apartments. He reminded them that they'd received an education on Goal 5 protections then. In comparison – that was about four times the size (.41 acres); it was for the purposes of private development to ostensibly avoid increased development costs of structured parking or taller buildings. It was a discretionary impact – it didn't have to go there. It wasn't the nature of the development that required the impact like it is for this proposal. He said he mentions this because he wants to point out that it's very different this time and wanted to highlight the difference.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission find that the proposed Comprehensive Plan Amendment will not adversely affect the health, safety and welfare of the City and meets the Approval Standards as outlined in Section V of the staff report. Therefore, Staff recommends that the Planning Commission recommend to City Council APPROVAL of the proposed amendment.

QUESTIONS FROM THE COMMISSIONERS – None

APPLICANT'S PRESENTATION

Steve Duh of Conservation Techniques Land introduced himself as a land use planner assisting the City. He gave the following history and context regarding the project:

Voters approved a \$17M Park Bond back in 2010. Immediately thereafter, in December, the City was in a position to purchase the Dirksen Nature Park from the School District and intended to have that property become a future Community Park. The City was awarded about \$2.5M in grants from multiple sources supporting the acquisition of the site. One grant was from Metro which required a conservation easement be tied to the property as a funding condition. That easement protects 35 of the 48 acres of Dirksen Nature Park. Trails, boardwalks, interpretive

signs and other environmental education elements are permitted within the conservation easement. Steve said he mentions that because the two boardwalk locations are within the conservation easement. Another grant was from the Oregon Watershed Enhancement Board which also had a stipulation that required that the site be used for environmental education. So as a Community Park that has a focus on environmental education with a conservation easement in place – there were a lot of layers that the city had to consider as it considered how to design and develop the future park. With these in mind, the Parks Division led preparation of a site Master Plan to guide the future design elements. The master planning process engaged many local residents, stakeholders, included public meetings - as well as had review and approval by the Parks & Recreation Advisory Board. It took about a year to go from their approval in July 2012 to July of 2013 to have the project mature enough to be in a position to move forward with land use reviews and permitting. The City submitted a land use application in July 2013 to permit the development of the park. The land use submittal is a Type III Conditional Use – so it went before the Hearings Officer. The hearing occurred in October, 2013 and the Hearings Officer conditionally approved the project. The decision did not approve the two planned wetland boardwalks that were included in the project and defined them as “development activity within the significant wetland” thus necessitating the current application that’s before you tonight through a Comp Plan amendment.

The proposal before you is to request the removal of 0.12 acres from the City’s local wetlands inventory and from sensitive lands review provisions of the Development Code and to accommodate the future installation of two trail boardwalks within Dirksen Nature Park. The proposal is consistent with as public feedback and the Park Master Plan regarding the design of the site that was approved by the Parks & Rec Advisory Board. The primary purpose of these boardwalks is environmental education for park users and to provide safe and accessible platforms for community groups, students, Tualatin Riverkeeper classes to view and begin to understand and appreciate the quality and nature of those wetland resources - so the boardwalks themselves are a venue for outdoor education. It’s important to note that the installation of the boardwalks, if approved, would also further reduce past damage that has occurred within those wetland areas through rogue trails or other human uses. Today, numerous existing rogue trails cross the site because of historic uncontrolled access through the property. These prior uses pre-exist the City’s purchase but the intent with the site to be a community nature park is to provide outdoor education and environmental opportunities such that a small encroachment into the wetlands will provide a big benefit for education and other opportunities to teach people about the value of those resources. Another benefit of the boardwalk is to aim to eliminate those rogue trails and provide for managed and controlled access at discreet points; make sure folks have a pointed way to get to the resource - without damaging the resource.

Steve pointed out that support letters for this action were provided from Tualatin Riverkeepers, Tualatin River Watershed Council, and the Oregon Department of Fish and Wildlife. Approval of the original land use packet discussion for the whole park that was processed by the Hearings Officer also was reviewed and approved by Clean Water Services, Oregon Department of City Lands, and the U.S. Army Corp of Engineers.

As part of the ESEE Analysis and staff report in favor of the proposal we ask that the Planning Commission approve the requested Comp Plan Amendment and forward it to City Council for approval.

Carla Staedter, Project Coordinator for the City of Tigard came up and explained that the site is well utilized by many people and that the Master Plan allows for controlled access on a single loop trail. The goal is to make that as interesting as possible. It also provides opportunities for the folks using the site and the folks taking tours through the site - as well as the Tualatin Riverkeepers who are leading these tours – to provide the richest experience of the seven ecosystems that exist on that site. The goal is to take something out of protection in order to protect it. She said that seems ironic, but it's necessary, as nearly 2000 children go through the site per year now. They go with guides leading them through the area - but that's a lot of people to move through the site and a lot of people to experience that site; having the infrastructure in place to do that is important. Dirksen Nature Park is considered a regionally significant facility.

Carla noted that the proposed boardwalks will not be situated in the middle of the wetlands, but rather at the edges, where they'll do the least damage while also allowing a good view in.

QUESTIONS

How will you redirect or close the existing cut-through trails to get people to stay on the single loop? The single loop trail that's going to go through the site is going to be the easiest way to move through the site. That alone will catch a good 95 – 98% of the people. Then we're looking at weaving plant material along the edge of that trail so that the only places that are easy to enter the resource are the areas where we have infrastructure in place. The same type of strategy will also apply to our Oak Savanna.

Are benches being considered for the boardwalk? Right now we're looking at just the basic pieces; however, as part of our interpretive plan, I'm sure we'll be looking at those kinds of opportunities – ways to wait and linger quietly.

I'm interested in long term management question. I'm for the trails and more dedicated trails, connectivity, etc., but I worry about the long term management – I worry about people tossing trash over these boardwalks, etc. Is there a management plan for these new platforms? It'll be part of our overall maintenance of the park in general. As infrastructure comes on board, our staff will know what maintenance activities take place at each of those pieces of infrastructure. Because it's part of the system, trash pickup and watching over it are all part of managing our parks. This is our second largest park – only behind Cook Park; so it's not a park that's considered insignificant. It will be very carefully watched by our park staff. We also have ongoing restoration that's going on. We're partnered up with many different agencies in order to do that. Clean Water Services is working with us; Tualatin Riverkeepers are working with us; we have a lot of corporate groups that support this site - Intel is one big one. Last year one of Intel's groups comprised of 322 people came out and cleared over six acres of non-native vegetation. So there's a huge community interest in restoring the resources that are onboard there. Our Parks Crew augments that with the ongoing weekly maintenance activities that will happen.

Please talk about the building phase – how many trees are we knocking out, what are the size of the trees that we're knocking out, what will we do to impact the environment that we're supposed to be protecting? I know there's a couple of people that we'd expect to be

in the audience tonight that aren't here - but I believe those are the questions that they would ask. Yes, this particular construction methodology is very low impact. It's called a pin piling. The actual footprints of the pins are very, very small. They're basically screwed in and they flare out - and that's what provides the structural support. It doesn't take a giant piece of equipment to get those into place. As far as losing trees - we might have to cut one or two Willows on the edge of the emergent wetland. No trees will be impacted on the forested wetland. The only thing that will happen there is the boardwalk will go in - all the trees will stay in place as they are.

My concern is that over the past 20 years we've been buying a lot of property at the City of Tigard and we've been denying access to vast tracts on that property. For example, the library property is great - great trails, great paths - but my kid can't walk to the edge of the water. Cooks Park - same thing. It sounds like what you're really wanting to do with this boardwalk is exactly that - limit access to large parts of this property we've all paid for. The forested wetland boardwalk actually is up and it's so close to the trees that you'll be able to touch the trees. It's designed so that kids can peek through and literally see the water under their feet. I would say that it's a totally different experience than what you're talking about. It's controlled access but a great deal of thought is given as to how you're going to experience that. Unfortunately, we can't offer unlimited access or we would lose the resource. Our strategy is not to keep people out, but to allow them to experience it in a way that's very dynamic.

So in your estimation, these boardwalks give the greatest enjoyment to the greatest number of citizens in Tigard? Absolutely! That's what the goal is. It will not be a boring experience - it will be a really cool experience of what this site offers.

And how do we treat people who leave these boardwalks or paths - these controlled areas? Are there park exclusions? Are there fines for leaving the path? No. We just make it tougher so that it's not all that fun to leave it. To leave it, you'd either have to climb over rocks, plant materials, and various things that are in place to gently guide people off the area. It's super pleasant, open and flowing. People won't go in and say, "Oh! People are controlling my access!" What they're going to do is walk in there and say "Wow! This is cool!"

TESTIMONY IN FAVOR - April Albrecht, PO Box 338, Hillsboro, OR - Coordinator of the Tualatin River Watershed Council said the Council was very pleased to submit a letter of support for this project and that she, personally, was pleased to be able to provide testimony in support of it. She said the Council was very interested in instilling a sense of stewardship in the young people of Tigard and the Tualatin Basin. These young people will take care of this resource after some of us end up retiring. We hope we have great support out there and people who are interested and willing to take that on. We think this is a great solution where the wetland area is protected because of these pathways and being able to get around without causing damage - and also providing the educational experience so that folks can appreciate and know how to take care of things in the future.

QUESTIONS - None.

TESTIMONY IN OPPOSITION - No one was present to personally testify; however, testimony in opposition came in by way of an email from Ms. Sue Beilke (Exhibit A).

APPLICANT REBUTTAL - None

PUBLIC HEARING – CLOSED

No further testimony or questions from the audience are allowed.

DELIBERATION

There was a short deliberation with everyone on the commission speaking in favor of this project.

MOTION

Commissioner Fitzgerald made the following motion: “I move the Planning Commission forward a recommendation of approval to City Council of application CPA2015-00002 and adoption of the findings in the staff report and based on the testimony received.”

Commissioner Schmidt seconded the motion.

ALL IN FAVOR – None opposed – No abstentions.

MOTION PASSES UNANIMOUSLY

OTHER BUSINESS –

Assistant Community Development Director Tom McGuire gave a brief rundown of what would be coming up on the Commission calendar.

ADJOURNMENT

President Rogers adjourned the meeting at 7:48 p.m.

Doreen Laughlin, Planning Commission Secretary

ATTEST: President Jason Rogers