

8

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk  
\*\*\*This form is a public record\*\*\*

MEETING DATE: 5.7.10

SUBJECT: R-12

AGENDA NUMBER OR TOPIC: \_\_\_\_\_

FOR: ☒ AGAINST: \_\_\_\_\_ THE ABOVE AGENDA ITEM

NAME: Jeanne M. Gennis

ADDRESS: 13118 NW Old Germantown Rd

CITY/STATE/ZIP: Portland OR 97231

PHONE: DAYS: 503.701.1616

EVES: \_\_\_\_\_

EMAIL: \_\_\_\_\_

FAX: \_\_\_\_\_

SPECIFIC ISSUE: Rural Reserves

WRITTEN TESTIMONY: \_\_\_\_\_

**IF YOU WISH TO ADDRESS THE BOARD:**

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

**IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:**

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

9

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

\*\*\*This form is a public record\*\*\*

MEETING DATE:

5/6

SUBJECT:

Urban/Rural

AGENDA NUMBER OR TOPIC:

R-12

FOR:

AGAINST:

THE ABOVE AGENDA ITEM

NAME:

Steve Pfeiffer

ADDRESS:

1120 NW Couch

CITY/STATE/ZIP:

Portland OR

PHONE:

DAYS:

727-2261

EVES:

EMAIL:

FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

yes

**IF YOU WISH TO ADDRESS THE BOARD:**

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

**IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:**

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.



1120 N.W. Couch Street, Tenth Floor

Portland, OR 97209-4128

PHONE: 503.727.2000

FAX: 503.727.2222

www.perkinscoie.com

Steven L. Pfeiffer

PHONE: (503) 727-2261

FAX: (503) 346-2261

EMAIL: SPfeiffer@perkinscoie.com

May 6, 2010

**VIA MESSENGER**

Jeff Cogen, Chair  
Board of Commissioners  
Multnomah County  
501 SE Hawthorne, Suite 600  
Portland, OR 97214

**Re: Urban/Rural Reserves – Area 9B**

Dear Chair Cogen and Fellow Commissioners:

This office represents Metropolitan Land Group and Tri-County Investments with regard to the pending reserves designation of Area 9B, which is located in the East Bethany area of Multnomah County. Please include this letter, together with the referenced attachments in the record of these proceedings leading to final adoption of urban/rural reserve designations by Multnomah County.

Throughout the urban/rural reserves mapping program undertaken by Multnomah County, Metropolitan Land Group and Tri-County Investments, together with other affected property owners in the area, have presented oral and written testimony in support of an Urban reserves designation for a significant portion of the 9B area. Based upon the information and analysis made available in the record to date, we believe that designation of this area as Rural pursuant to the applicable factors set forth in OAR 660-027-0005, *et seq.* is both inappropriate as a matter of regional land use policy and not supported by substantial evidence in the record before the Board. Further, we believe that a review of the available information supports a finding of compliance with the factors for designation of this area as Urban reserve based upon, among other considerations, immediate proximity to the Bethany Town Center and other existing urban development, the availability of urban facilities and services and the unique opportunity at this location to undertake urbanization consistent with existing ecological systems in the area. To this end, we want to take this opportunity to provide the Board with the attached information and analysis provided by qualified consultants in the fields of urban planning, transportation

71840-0002/LEGAL18274160.1

ANCHORAGE · BEIJING · BELLEVUE · BOISE · CHICAGO · DENVER · LOS ANGELES · MADISON  
MENLO PARK · PHOENIX · PORTLAND · SAN FRANCISCO · SEATTLE · SHANGHAI · WASHINGTON, D.C.


Perkins Coie LLP and Affiliates

Jeff Cogen, Chair  
Board of Commissioners  
Multnomah County  
May 6, 2010  
Page 2

engineering, and natural resource planning in further support of our request for Urban reserve designation for this area.

We hope this information is of assistance as the Board moves forward with final action on the reserves program. If either you or your staff have any questions regarding any aspect of our submittal or our testimony to date, please feel free to contact me at your convenience.

Very truly yours,



Steven L. Pfeiffer

SLP:crl  
Enclosures  
cc: Client (w/enc.)

## **MEMO**



Shaping the Future

To: Matt Wellner, Metropolitan Land Group & Tri-County Investments

From: Jon P. Reimann, PE - Sr. Principal  
Ryan Givens, AICP – Sr. Community Planner

Date: May 5, 2010

Project: Study Area 9B (East Bethany – Multnomah County)

Cardno WRG#: 2109369

Re: Multnomah County Study Area 9B Urban Reserve Justification

5415 SW Westgate Drive  
Suite 100  
Portland, Oregon 97221  
USA

Phone (503) 419-2500  
Fax (503) 419-2600

[www.cardnowrg.com](http://www.cardnowrg.com)

---

## **ISSUE STATEMENT**

On February 25, 2010 Multnomah County removed area 9B (East Bethany) from “undesigned” to “rural” in conjunction with adopting agreements with Metro Council on Urban and Rural reserves designations for the next 50 years.

Several property owners in area 9B represented, by the Metropolitan Land Group, presented findings supporting the ability to service 9B with public infrastructure.

Metropolitan Land Group, and the property owners they represent, maintains their position that that Area 9B can be properly and efficiently served by Public Facilities from the Service Providers in the area and offer the following additional documentation to support our position.

---

## **METRO CONTEXT**

Area 9B (East Bethany) is located adjacent to existing urban development to its southwest and represents a gradual extension of the urbanized area. Exhibit 1 illustrates the plan area in relation to the larger metropolitan context. The plan area includes and is adjacent to several acres of *Exception* land which currently has development potential above farm and forest uses. The East Bethany plan area is located within immediate proximity to two major activity nodes; the Bethany Town Center (0.65 miles) and the PCC Rock Creek Campus (1.3 miles). The Plan area is within 3 miles of the Cedar Hills Town Center and the major employment centers in and around the Tanasbourne Town Center. Finally, METRO recently designated a future High Capacity Transit alignment along Highway 26 to provide a future mass transit linkage between Hillsboro and Portland; this alignment is less than 2.5 miles from the East Bethany Plan area.

## **NATURAL RESOURCES**

Attached is a memo from Environmental Science & Assessment, LLC (ESA) dated May 5, 2010, documenting a detailed Natural Resource Analysis of Area 9B applying Metro's definition of Natural Landscape Features for Rural Reserves, as provided by Metro to local jurisdictions to assist in urban/rural reserve land use designation.



In summary, the analysis showed that area 9B has similar natural resource characteristics as the North Bethany Area, currently within Washington County's Urban Growth Boundary, and that most of the natural landscape features do not strongly indicate the rural reserve designation.

#### **PUBLIC SANITARY SEWER SERVICIABILITY**

The location of the East Bethany plan area is adjacent to existing and planned development along the west and south boundaries. Existing Clean Water Services (CWS) Sanitary Sewer collections line stubs are available in three locations along these boundaries. Further north, service will be provided from the extension of new sanitary sewer collection lines as a part of the development of the area within the Urban Growth Boundary (UGB) (North Bethany Plan Area – see Exhibits 2 and 3).

A portion of the East Bethany Plan Area (approximately 260 acres) slopes to the north and would require service via pump stations or an extension of a gravity sanitary sewer system as a part of an extraterritorial extension with CWS.

In discussion with CWS officials, an extraterritorial extension would be acceptable as long as all property owners are agreeable to the location.

Attached is a letter from Tom Brian (Washington County Board Chair, and CWS Board Chair) dated February 17, 2010 stating that Sanitary Sewer service "would indeed be available" to service the East Bethany Plan Area.

#### **PUBLIC WATER SERVICIABILITY**

Tualatin Valley Water District (TVWD) has current investments in infrastructure to serve this area with potable water. TVWD just recently completed the addition of a new 10MG reservoir adjacent to the existing 10MG reservoir located in the Southwest corner of the East Bethany Plan Area. In addition, per TVWD's adopted 2007 Master Plan another new 3.0 MG reservoir is planned to be completed northeast of the East Bethany Plan Area by fiscal year 2012-13. This will serve the elevation 575' pressure zone.

Attached is a letter from TVWD, dated April 13, 2010 confirming the above capital improvements and adds the ability/option to serve portions of the area with a new pump station at the planned future North Bethany Reservoir.

The above completed and planned improvements by TVWD clearly show that the East Bethany Plan Area can be served with Public Water.

#### **PUBLIC STORMWATER MANAGEMENT**

Storm water management will follow along with the strategies currently being developed for the North Bethany Area and will include looking at opportunities to provide regional facilities and incorporating Low Impact Development Approaches (LIDA).

#### **TRANSPORTATION**

Urban development in North Bethany would be served by a logical extension of both existing and planned transportation systems near the planning area. Saltzman Road is planned to extend to the Washington County boundary on the south edge of the planning area, and urbanization within East Bethany would facilitate the northern extension of Saltzman Road to Springville Road. The





increase in connectivity provided by this connection would offer an important travel option for existing and future trips in the area, particularly those within North Bethany and developing areas along Saltzman Road. This connection of Saltzman Road to Springville Road would likely not be possible without urban development within East Bethany.

Such urban development could make use of the significant infrastructure planned for North Bethany and trips would be directed largely to the west and south in Washington County, away from rural Multnomah County transportation facilities. In addition, the extension of Saltzman Road would decrease travel demand on Skyline Boulevard, which is a Multnomah County facility that is rural in character. Considering the overall transportation system and not the jurisdictional boundary and the political and financial complications that its presence induces, the connection of Saltzman Road to Springville Road is clearly beneficial to the system. For additional details, please refer to the attached November 23, 2009 letter from Todd Mobley of Lancaster Engineering.

#### **EAST BETHANY CONCEPT PLAN**

The East Bethany Concept Plan has been revised since originally submitted in September 2009. The concept plan was revised to include mapped riparian corridors, wetland features, and steep slopes exceeding 25 percent. The concept plan was revised to response to and to preserve these natural features. Additionally, the concept plan was redesigned to complement the adopted North Bethany plan by providing logical roadway extensions, open space linkages, a harmonious mix of land uses, and traditional urban design principles.

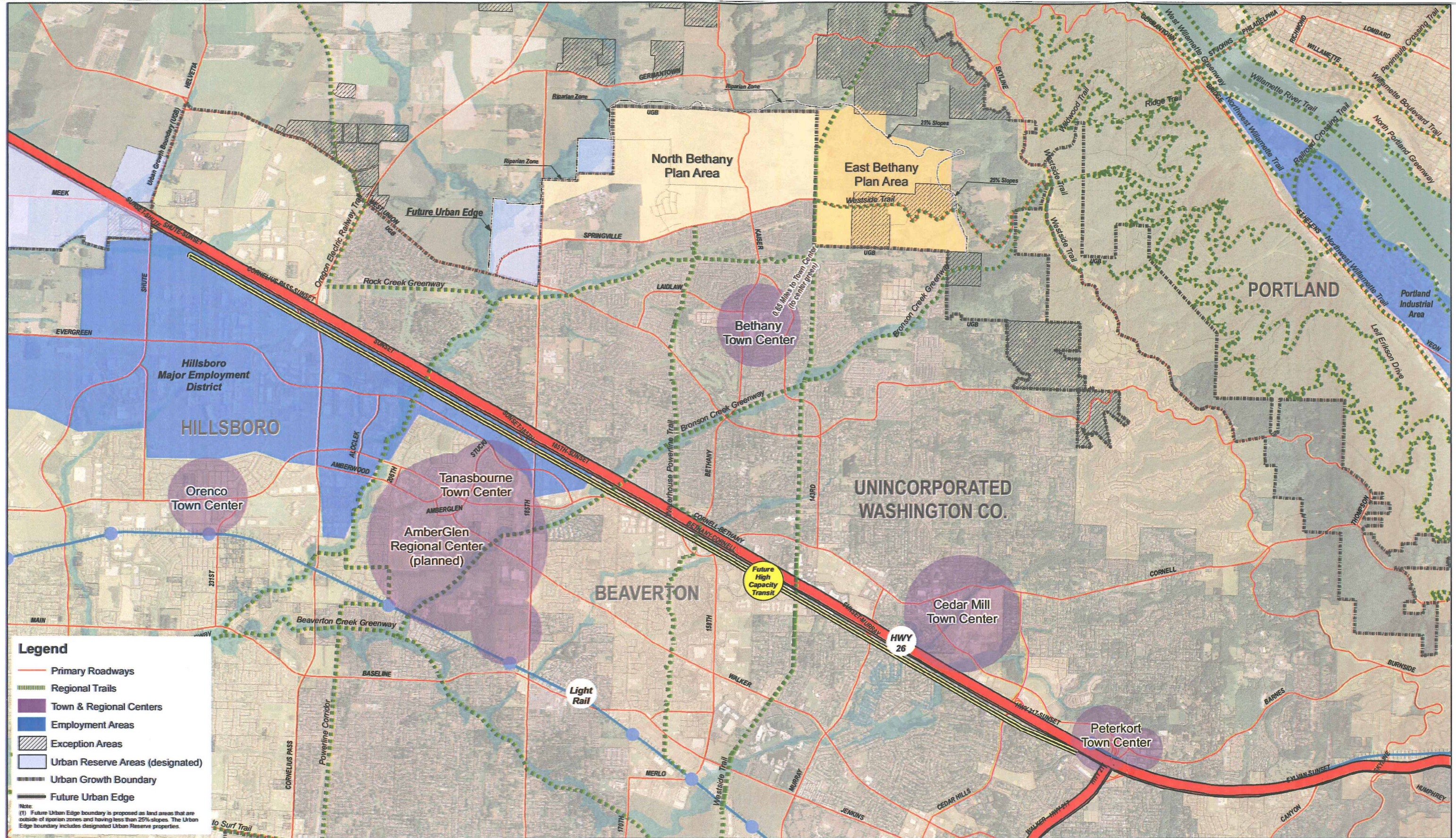
Exhibit 2 illustrates the revised East Bethany Concept Plan displayed with the adopted North Bethany plan area. This exhibit also contrasts the plan area with other Urban Reserve designations in the immediate vicinity. These planning efforts for the plan area and its vicinity generally suggest that the future urban edge should be delineated as those areas outside the Rock Creek riparian zones and those land areas with less than 25 percent slopes. Additionally, the future urban edge should include all the previously identified urban reserve properties. More specifically, the future urban edge should be delineated with natural features, not political boundaries (County lines).

Exhibit 3 provides more detail relating to the revised East Bethany concept plan and its proposed urban design. Specifically, the plan area is conceptualized around similar design principles as displayed in North Bethany; a modified street grid, a clear hierarchy of streets, natural open space corridors, parks, distinctive residential neighborhoods, and identifiable activity nodes. The community is designed to radiate its land use intensity from a neighborhood center at the future Springville Road / Saltzman Road crossroads. Dense residential will surround this node with lower density radiating from this center and designed atop hillsides. A school/major civic use is located central to the plan area and connected to residential neighborhoods with open space corridors.

#### **Attachments:**

- Exhibit 1: East Bethany Metro Context Map, Dated May 5, 2010 (Cardno WRG)
- Exhibit 2: North & East Bethany Concept Plans, Dated May 5, 2010 (Cardno WRG)
- Exhibit 3: East Bethany Concept Plan, Dated May 3, 2010 (Cardno WRG)
- Memo from ESA Dated May 5, 2010
- Letter from Tom Brian, Washington County/CWS Chair dated February 17, 2010
- Letter from Greg DeLoreto, General Manager, TVWD dated April 13, 2010
- Letter from Todd Mobley, Lancaster Engineering Dated November 23, 2009





# East Bethany - Metro Context

## Exhibit 1

Metropolitan Land Group  
Multnomah/Washington Counties, Oregon





# North & East Bethany Concept Plans

Exhibit 2