



# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308  
PAULINE ANDERSON • DISTRICT 1 • 248-5220  
GRETCHEN KAFOURY • DISTRICT 2 • 248-5219  
RICK BAUMAN • DISTRICT 3 • 248-5217  
SHARRON KELLEY • DISTRICT 4 • 248-5213  
JANE McGARVIN • Clerk • 248-3277

AGENDA OF  
MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
FOR THE WEEK OF  
October 30 - November 3, 1989

Tuesday, October 31, 1989 - 9:30 AM - Planning Items . . . Page 2  
Tuesday, October 31, 1989 - 1:30 PM - Informal Meeting . . Page 2  
Thursday, November 2, 1989 - 9:30 AM - Formal. . . . . Page 3  
Work Session - . . . Page 4  
Justice Services

Tuesday, October 31, 1989 - 9:30 AM

Multnomah County Courthouse, Room 602

Continued Hearing - In the matter of Reviewing the Decision of the Planning Commission of July 10, 1989, Case CS 7-89, denying community service designation to allow development of a Tri-Met Terminus facility, for property located at 13525 SE Foster Road

On the Record plus Additional Testimony and Evidence Related to Traffic Impact. Notice of Review filed by the applicant. Oral Arguments - 20 minutes per side. Case was first heard by the Board on September 5 and continued to this date.

Tuesday, October 31, 1989 - 1:30 PM

Multnomah County Courthouse, Room 602

INFORMAL

1. Update concerning the Community Integration Project Phase II, status and request for Board direction on future involvement - Duane Zussy, Gary Smith, and DD Program Staff
2. Presentation of the Design Study report for the 207th Connector which is a County planned transportation piece linking the County arterial system with State improvements on I-84. Also, a status report per request for comment from the Board on State planned improvements to I-84 east of 181st - Susie Lahsene, Scott Pemble
3. Presentation on the Supplemental Security Outreach Program being co-sponsored by the PMCoA and the American Association of Retired Persons, to promote awareness about the federally funded SSI Program and to enroll eligible elderly and disabled citizens - Marian Sarles, Ruth Currie
4. Informal Review of Formal Agenda of November 2

PUBLIC TESTIMONY WILL NOT BE TAKEN AT INFORMAL MEETINGS

Thursday, November 2, 1989, 9:30 AM

Multnomah County Courthouse, Room 602

Formal Agenda

CONSENT CALENDAR

DEPARTMENT OF JUSTICE SERVICES

- C-1     Liquor License applications submitted by Sheriff's Office with recommendation that same be approved as follows:  
Package Store, Change of Ownership: Bob's Corner Grocery & Deli, 13110 S.E. Division; Biff's Seafood, 12840 S.E. Stark
- C-2     In the Matter of Approval of transfer of found, unclaimed property (List 89-2) from Sheriff's Office to the Department of General Services for sale or disposal as provided by Multnomah County Code 7.70
- C-3     In the Matter of Approval of transfer of found, unclaimed weapons (List 89-3) for Sheriff's Office to the Department of General Services for disposal as provided by Multnomah County Code 7.70
- C-4     In the Matter of Approval of transfer of found, unclaimed money (List 89-4), totaling \$4,202.81, from Sheriff's Office to the General Fund as provided by Multnomah County Code 7.70
- C-5     In the Matter of Approval of transfer of found, unclaimed bicycles (List 89-5) from Sheriff's Office to the Department of General Services for sale or disposal as provided by Multnomah County Code 7.70

REGULAR AGENDA

NONDEPARTMENTAL

- R-6     Resolution In the Matter of Acceptance of the Report "In Search of Ombudsmen" from the Portland/Multnomah Commission on Aging (P/MCoA) Ombudsman Committee

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-7     In the Matter of Ratification of an Intergovernmental Agreement with the City of Gresham to share costs of replacing the present one signal head at the intersection of N.E. Halsey St. and N.E. 192nd Avenue with two signals per approach

- R-8 Resolution In the Matter of Surrendering Jurisdiction to the City of Portland of all county roads in the areas annexed to the city between January 1, 1989, and June 30, 1989 (sets 12/12/89 as date for Hearing)
- R-9 Order In the Matter of Establishment of N.E. 179th Avenue from E. Burnside Street, northerly to N.E. Couch Street as a county road to be known as N.E. 179th Avenue, No. 4871
- R-10 Order In the Matter of Establishment of N.E. Couch Street from N.E. 179th Avenue, westerly 92.27 feet as a county road to be known as N.E. Couch Street, No. 4872

DEPARTMENT OF HUMAN SERVICES

- R-11 In the Matter of Ratification of an Intergovernmental Agreement with Multnomah County Education Service District to provide programming, printing, and staff support to train and assist County Health Division to comply with State law concerning mandatory immunizations of children entering all public and private schools in Multnomah County
- R-12 Budget Modification DHS #20 making an appropriation transfer in the amount of \$215,361 from General Fund Contingency to Aging Services, Federal/State Fund, to replace previously anticipated revenue from the City of Portland for the Portland/Multnomah Commission on Aging
- R-13 Budget Modification DHS #21 requests approval for several housekeeping changes to the Health Division Budget, General and Federal State Funds, with a net increase of \$46,651
- R-14 In the Matter of Ratification of Revision #1 to the Intergovernmental Revenue Agreement with Oregon Health Division whereby the amendment makes various additions/deletions to the 23 public health programs funded by the State effective for the period of July 1, 1989 through June 30, 1990

WORK SESSION

(following Formal Meeting)

1. Justice Services Issues

Thursday Meetings of the Multnomah County Board of Commissioners are recorded and can be seen at the following times:

Thursday, 10:00 PM, Channel 11 for East and West side subscribers

Friday, 6:00 PM, Channel 27 for Rogers Multnomah East subscribers

Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers

Date \_\_\_\_\_

NAME

Jean Hood

ADDRESS

2134 SE 174

Street

Barland

City

97233

Zip

I wish to speak on Agenda Item #  
Subject

Dunaway

\_\_\_\_ FOR

~~\_\_\_\_\_~~ AGAINST

Centennial Neighborhood Assoc.  
Don't sell Edgelynd

Date 9-12-89

NAME Frank Gearhart

ADDRESS 2103 NE 24<sup>th</sup> St.

Street

Gresham

City

Or

97030

Zip

I wish to speak on Agenda Item # \_\_\_\_\_

Subject

Quinway Center

\_\_\_\_ FOR

X AGAINST

Get closer to people, east of the  
river

Hold property at Edgfield, too



NAME

Arlene Collier

Date

9/28/84

ADDRESS

Street

City

Zip

I wish to speak on Agenda Item #  
Subject

Bulldozing

FOR

✓ AGAINST

NAME

Arlene Collins

Date \_\_\_\_\_

ADDRESS

\_\_\_\_\_  
Street

\_\_\_\_\_  
City

\_\_\_\_\_  
Zip

I wish to speak on Agenda Item #

Subject

Bulldy

\_\_\_\_\_  
FOR

☒

\_\_\_\_\_  
AGAINST

Clarification

NAME

Arick Bauer

Date

ADDRESS

6232 S.E. 158

Street

Portland

City

97236

Zip

I wish to speak on Agenda Item #

Subject

FOR

~~AGAINST~~



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## BOARD OF COUNTY COMMISSIONERS

**Tuesday, October 31, 1989**

**9:30 a.m., Room 602**

### A G E N D A

#### **CS 7-89      Continued Hearing**

#### **Public Hearing - On The Record Plus Additional Information Related to Traffic Impact**

Review the Decision of the Planning Commission of July 10, 1989, **denying** community service designation to allow development of a Tri-Met Terminus facility for property located at **13525 SE Foster Road**.

**This Notice of Review has been filed by the applicant.**

#### **Scope of Review**

On The Record Plus Additional Testimony Related to Traffic Impact

#### **Oral Argument**

Each side will have 20 minutes to present oral argument before the Board.

**This item was before the Board September 5, 1989 and continued to this date for additional information.**

**It is brought back at this time for further review.**

September 5, 1989-

Accknowledge four planning decisions made by the Planning Commision. CS989, MC189, LD1789, and MC289. Those are accknowledged by the chair.

Secondly, Have a hearing on the record. Which means no new testimony is allowed other than as specified as relating to traffic impact. And the board has read the proceedings, the staff report.

Marc Hess- The Planning Commision- The request for CS designation, to allow a bus route service to be developed for Trimet at the North West corner of 136 S.E. Foster. Denied request for designation, Essentially finding that the criteria for the CS approval were not satisfied with the request. They believe that the criteria that involves consistanty with the character of the area was not satisfied for the proposal.

Commisioner Kafoury- Larry Espy, with The Oregon Parks Foundation. Ex party contact. Gave her information that is allready on the record.

Joe Walsh - Trimet- 4012 S.E. 17th- Our presentation is in three parts. We want to build an off street fascilityon Foster to provide a lay over for our buses. It's an operations fascility. The planning commision as you know denied our request. We are basing the appeal on a couple of premises. First, that the things that we have included in the fascility will midigate the negative impact. Like

noise walls, street improvements, and landscaping. And then secondly, to the point of the actual appeal. We feel the planning commission didn't look at the community benefits, also that the planning commission's findings are inconsistent. As far as the facility and what it is. There are a couple of factors that create the need for a facility like this. First, we need a place to turn a bus around at the end of the line, at the same time we need a place to park that bus for 15 to 20 minutes while the driver has a break before continuing back. We are providing significant road improvements and the general landscape improvements in that area.

Jim Hanks- Traffic engineer-10211 S.W. Barber- I was requested to do a traffic analysis of the conditions of the intersection at 136th and Foster.

Based on our analysis the critical part of the day is the afternoon peak period. It runs from 4:45 to 5:45. We then took those numbers that were there and ran them through our computer model to determine what the actual level of service is. Level of service is a technical term that is a description of how well traffic flows. A is the best level. My conclusion is that the inclusion of the bus layover if you provide the required widening will reduce the delay and congestion in that area.

Joseph Shuban-3485 S.E. Foster- We dont care about their graphs and numbers we live there, we see the traffic, we smell the trucks and buses, we know that this is going to severely upheave our lives. My bedroom window will be 15 feet from this new fascility. We just dont want it in our residential area.

Susan Johnson-13532 S.E. Foster Place- Two neighborhood associations are involved here Pleasant Valley and Foster. When they held their meeting it was for Pleasant Valley. And it was held at Gilbert Parks School, which is a school one block from Foster. Their is a crosswalk at 134th but they do not put safety patrol out there because it is not a safe place. Foster is not an area that they want to put children on. We do have slides here about the traffic.

Gail Giloley- 135th and Foster-That lot is directly across from 134th and 135th. What are they going to do with waiting for buses to enter and exit that lot. You cannot get in and out without risking

and accident. Their talking about widening the road at 136th and that is not where the traffic is. It's on Foster. There are talking about a wall on the West and North sides of that site. All the single family homes that have just gone in there are on the south side of Foster, thats not going to help them any. The immediate neighborhood does not want this site.

Harold Morris-5421 S.E. 136th- There are many accidents at this area and I belive this will become a major problem. Combined with the noise and air pollution this is an extremely poor idea.



Trimet- Joe Walsh-Clarify the improvement and the impact on traffic. Two things were proposing to do, widen 136th at the frontage of the facility to two lanes that allows for almost a free right turn. On Foster we'd be adding additional 20 feet along our 220 foot long frontage. As far as the other issues about preexisting traffic conditions. We did hear alot of discussion about a need for a signal at 134th and were requested to look at a way that this facility would pay for it. We can't do that our funding just doesn't allow it. With this a facility like this I think that we can contribute to this new community that is developing there and get it on line to get them on transit.

Commisioner McCoy-Into deliberations.

Commisioner Bauman-Restate the view of the board in dening the this and whether the additional transportation study how that impacts those concerns.

Joe Walsh- The Planning Commitee found that they did'nt believe the proposal was'nt consistant with the area.

(TAPE 3)-

Commisioner McCoy- We have several options this morning since we only have three members here this must be a unanimous consent item. Two of our members are gone. We could approve it or remand it to the Planning Commision. We could uphold the decision of the Plannning Commision,or we could rewrite it. The point being we have alot of options.So lets open up the board.

Commisioner Kelley- I've worked with the Trimet on several occasions

and im very comfortable with their ability to work with the community. Im reasonably convinced that some of the traffic problems can be worked out. But I continue to be concerned about the characteracy of the neighbohood and I side more with my concerns about that. Buses are different than cars they certainly put out much more noise. The neighborhood would be greatly affected by this. Given that I'd be reluctant to support it. Without at least some continuos discussions or additional midigation efforts.

Commisioner Bauman- The neighborhood is changing quickly.I used to represent it. It is clearly an area in transition. The most nervous part of this for me is that I live along one of those lines. My suggestion would be given the new information remand to the commision and see if Trimet can make a new plan with the communtty..

Without that I'm going to have to support the commissions decision.

Commissioner Kafoury- The value of bus ridership has not yet been addressed. Multnomah county has a long standing commitment to encourage transit ridership and I certainly dont want us to be in a position of doing things that discourage adiquate bus access for people. I think alot of the concerns were hearing were exsiting conditions and it's difficult to seperate fear for what may be from frustration over what is. I refuse to believe that there is'nt someway given Trimet's record of willingness to work with the community, that we cant make out some kind of arrangement.

Commissioner Kafoury- We could continue the hearing for one month with option then of, well I feel were split and we cant do anything with this. Except that the lack of three votes means the decision stands. And there is a willingness to see additional evidence.

Commissioner McCoy- I think continuance is the only thing we all agree on. Is there a restriction in reapplication?

Joe Walsh- Yes, a six month wait.

Commissioner McCoy- Would the board be willing to hold it over for one month abd encourage Trimet to work with the neighborhood on the new information it may cover some of these issues. If Trimet does'nt want to do this I dont want to drag it on. You can hear the debate

the votes are not here.

Commissioner Kafoury- I think there is additional information and I think the Planning commission should get a chance to hear it.

Commissioner Bauman-Motion to continue hearing for eight weeks from today.seconded. The hearing is continued. Notice is served.

The position of the board is that were committed to mass transit and we think Trimet is a critical part of our transit system for this community. There is major traffic. I think that the hope of the board is that there is some sort of middle ground in the traffic plan that has been designed. We would ask Trimet to go back and review to see if there is another site.

Commisioner Bauman- Eight weeks from today is Halloween.

Commisioner McCoy- Why dont we set a condition for the hearing, could we set a 20 minute per side. We will set the hearing then on October 31st. For additional testimony. 15 minutes per side. And the other members of the board will not only review the record established previously, but they could hear the tapes of this meeting.

C289-Review the decision of the Planning Commission of June 12th, denying a request to change the name. An application to change three street names. N.E.215th, N.E.Shaver, N.E. 216th. That form a loop off the south side of Interlockin Lane off of Blue Lake and Fairview Lake. Changed to Lockinview Circle.The commission modified that proposal such that N.E.215th and N.E. Shaver they agreed should be called Lockinview Lane. And they rejected the notion that N.E.216th should be included in the proposal. The reasoning for that is there is property near these streets and they felt it could be subdivided and lead to an extension. It is called on our motion.

Commissioner Kafoury- Asked for a delay. There were supposed to be people here to speak on this.

Commissioner McCoy- No one knows what is going to happen to that 50 acres of property in the future. Motion,seconded. Item has been approved.

Public Hearing on Correction Center- Fred Stickle-President and publisher of the Oregonian Publishing Company-Chairman of Citizens Crime Commission-I dont think there is any doubt in anyones mind that this has'nt grabbed everyones attention.I believe in prior meetings with you individually,I tried to explain that the Crime Commission was formed really to help you. We believe that the essential problem is an inadequate supply of jail cells. Something has to be done to overcome that immediately. We propose to you a

number of ways to solve the inadequacy of jail cells. We stand ready to help you in any way we can. There is a extremely high cost in tranfering inmates from the fascilities to the courthouse. We reccomend finding a funding source for construction of court rooms located at the jail site. At the justice center, we feel it should be fully expanded to include double bunking in all the cells.

Commissioner Bauman- There is crowding in all the systems and when a judge does sentencing and there is just not a bed to put that person in, I mean there is crowding all the way along.

Patrick Donaldson- Staff member with the citizens crime commission- I'm a resident of Multnomah county and have been all of my life. I come to you today to let you hear issues that we feel you should hear. We're simply mad and were not going to take it anymore. We on an average basis every month are releasing 300 to 350 inmates from the population simply because we do not have enough space to house them. We feel there are a number of ways you can deal with this issue, and that is deal with the issue of jail space. We feel as a citizens crime commission, that until we can deal with the causes of crime such as housing and dysfunctional families and health care and the wide range of social agendas, that we need to deal with the issue of jail space. We are committed to holding individuals who commit crime in this community accountable. And the way in which we do that is by reserving a space for them within the Multnomah county corrections system. And if in fact they are a candidate for rehabilitation then we have a number of programs which are inadequate at this time and need to be expanded greatly. Until that time we will hold you accountable as offenders against not only the victim, but against all the people of this city, county, and of this state. We feel that a commitment needs to be made by this board that says to the people Jails are a critical key in the solution of crime. And until we stop releasing 300-350 criminals per month in this county we as a citizens crime commission do not feel that we will begin to address



the long range causes of crime.

Commisioner Anderson-From what data are you taking that reccomendation?

We interviewed correctional leaders and compared the results. From those we got our information.

Commisioner Bauman-Why is it prudent to rush this one element of a package onto the ballot?

We need to put our support into funding current jails.

Commisioner McCoy-The reason there is a hurry to get something onto the November ballot is that we agreed there would be a resolve before the next levy expires, and that there will be a decision made next thursday. One question, Have you talked about the size of this levy or have you determined that in your efforts to support opur levy request you want to have something thats doable that if in fact it becomes to big, have you talked about what your willing to support in terms of ballot measure.

Patrick Donaldson- We are awaiting the actual cost of those proposals.

Todd Taylor- Citizens Crime Commision- I want to communicate to you that this community is mad about crime. And were not going to sit here and talk about rehabilitation. That's not the issue. The issue is that we have a disfunctional system. I hope you get this anger today that alot of citizens feel, and that I feel. You sit there and talk about intensive supervision, yet if there is no recourse for them if they dont do well out in the community where are they going to go back into jail spaces that dont exsist. Right now were just recycling. I think one of the realities of our system now is that jail space has abused the plea bargaining process. Originally it was intended for the procecutor and defendant to agree based upon a fair assesment of what the outcome of that trial would be and the sentence would be they would come up with a negotiated agreement. This is not the case now, plea bargaining is driven by the fact that there is a lack of jail space. And in most cases the defended ends up with a leanient sentence. The relationship with drugs and gangs is that we have 80 gang members at any one day in that system and they need to be segregated from one another along with other things. Also, the fascility that was the most effective to run was the fascility that the inmates had the best moral. I would finally just like to emphasize the need to put something before the voters. I think were at a point now were people are beginning to understand the seriousness of the situation.

Louise Widelick-Director of Neighborhoods protectorate Ass.- I would like to see more jail space and I think the Troutdale fascilty must

remain open and expanded.

Commisioner Anderson-We all would like to see the criminals payback society in one way or another, but unfortunatley 75-85% in our jails are pretrial. And the constitution says that before your trial you are presumed innocent. We would like to see them pay, and probobly most of the people in jail will be pronounced guilty at one time or another.

Tom English-Oregon Council on Crime and Delinquency- We are talking about a balanced approach to the jail problem. That is a system that hold people accountable for their behaivior, that protects the community, and that allows those people the skills to return to their community.

The question we have to ask in the public safety issue is how do we want these people to return ?,since 80% of these people return to the community.

Commisioner Anderson-The way to solve the fear problem is to build more jails. And that the pulic could be assured that something is being done to provide enough space just for criminals. That they would be willing to create the other kinds of things that are not programs that are not social work kinds of things.

Commisioner Kafoury- You sent me a letter, that im going to pass out to the other commisioners.

Commisioner McCoy-The problem as I continue to hear it is and I dont know if we'll ever resolve it. Is that we have to have both the beds and the services. I think the problem is when do we have enough. We dont have the kind of money it takes to do everything that we want. Of course we have to have jail beds. But if we never start to deal with those people who can be salvaged,how do we ever begin to make a difference. It comes down to dollars and what is the greatest demand.And its possible that reaonable minds differ about that.

Dee Dee Coons-Crime Victims United- I would like to urge you to not do away with Troutdale and to add as much space as we can to Inverness as well as double bunking those cells. Having criminals out is much more costly than having them in. Not just property wise

and such but to the cost of human life.

Commisioner Bauman-What is the good of putting those men in there for 18 months months instead of 12 months,so my daughter gets raped 6 months earlier. Whats the good of that were is the protection?

Dee Dee Coons- Take the homeless for example. Feed them today and they will be hungry tommarrow, but that does'nt mean you dont feed him today. Because we dont have space for all the children to be educated, do we refuse them the education. No, we'd build another school. I cannot acept any reasonable logic to that arguement saying that, because someone is going to reoffend in 12 years we better let him offend for the next 12 on a steady basis. That makes no sense.

Daniel Banks- Citizens Crime Commision Board- Now is the best time for you to ask the community for this, because we are willing to spend themoney for this. We are willing to put our own money in also. This seems to be the year, that people are so angered with the release of the prisoners early that they want the beds to take care of that. At least now people want the beds.

Sye Cornbrode-Past President of Portland Probation Officers- I agree that you cannot build your way out of crime. On the other hand, this area is the only area I know of where we consistanly site criminals into court simply because we have no room. It is the only area I know where people consistanly break probation are repeatedly being released. We cannot enforce conditions when there is nothing to back that up. The people we see going through the revolving door are the multiple property offenders. Most of them involved in drug use. They know there is no real punishments for their crime. I am suggesting that we keep Troutdale open. Use Troudale differently, fine. But find a way to keep it in use. The time is right that you can go to the public that you can get some funds for it.

(TAPE 4)-

Mick Chase-Final Speaker- President Hawhtorne Blvd. Business Ass.-  
CItizen Crime Commision- By increase in jail space there could be some help for all the problems caused by jails.

Grant Nelson-Activities director Dept. of Justice Services- We think

the mission is to provide the appropriate level of supervision needed to control defendants and offenders, to insure their appearance in court, to provide community safety, to insure court imposed sanctions and minimise their potential for repeated criminal activity. We have put together a rather lengthy package, but there is a summary on the front. Wayne Salvo, Karrie Harckaway, and Harley Leeber are here to help go over this. This includes an upper of different alternatives to jail. And it is based upon the idea that the idea that the board may provide some additional jail beds. Jail beds are an important part of any balanced program. We have two groups of programs. First pretrial programs for dealing with defendants and this assumes that approximately 100 of those individuals being released could be managed through the kind of program similar to what supervision is today.

If we put that kind of program on line, it would cost us \$ 205,000 per year and we would be able to manage 800 individuals. Many of those individuals are being released because of population. Then we go on down to the programs for offenders. Which are part of a total package. We have inpatient & outpatient drug and alcohol facilities. If the board feels that 300 up to 400 beds are adequate. Then there are still 600 people being released. This is a contracted program to have this service provided and the provider would provide the facility and would get paid a fixed rate per day. This is a facility is unlocked they are being sent there as a condition of their probation. They are not in custody. I think that the programs are going to serve as a catch basin for those who are spending that much time in jail and it's a lesser cost. This program is approximately \$ 45.00 per day. We're not trying to pretend that this is going to be 100% successful, but we know that staying in jail for a similar amount of time is more expensive and less productive. The next program is a men's contract probation center. This is a program with a length of stay that will vary depending on the offender and the recommendations of the parole or probation officer. Then there is the intensive outpatient drug treatment with electronic monitoring, this is very stringent kind of controlling mechanism. The individual would attend outpatient alcohol and drug sessions and would be subject to electronic monitoring. Work camp replicates our program in the gorge. Which has been very successful.

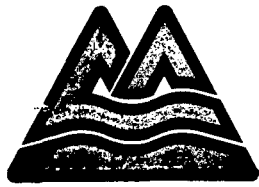
(TAPE 5)



Commisioner McCoy- There are two alternatives and one is a levy and one is general fund.

Commisioner McCoy- There is alot of this that are'nt varified. We have to put something on the ballot.

Commisioner McCoy- I think were hearing alot of opinions here, and what we need be hearing is more facts. We need to have something in writting from the city of Troutdale. If we keep Inverness open with the expectation that it is going to be phased out.



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**Date: 09/05/89    Time: 9:30 am    Place: Room 602, Multnomah County Courthouse**

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**CS 7-89      Public Hearing - On The Record Plus Additional Information  
Related to Traffic Impact**

Review the Decision of the Planning Commission of July 10, 1989, **denying** community service designation to allow development of a Tri-Met Terminus facility for property located at **13525 SE Foster Road**.

**This Notice of Review has been filed by the applicant.**

**Scope of Review**

**On The Record Plus Additional Testimony Related to Traffic Impact**

**Oral Argument**

**Each side will have 20 minutes to present oral argument before the Board.**

LR-10

PORTLAND TRACTION CO RR R/W

LR-5



Case #: CS 7-89  
Location: 13525 S.E. Foster Road  
Scale: 1 inch to 200 feet  
Shading indicates subject property

S E RAMONA STREET

S E RAMONA STREET

LR-5

S E KNIGHT STREET

LR-5

MR-4  
CS

CS 10-63  
MR-4  
CS 36-57  
CS 13-66  
CS 20-62  
CS 38-85

LR-5 CS  
MC 41-64

MR-4

LR-5

MR-4

FOSTER

LR-5

CS 14-59

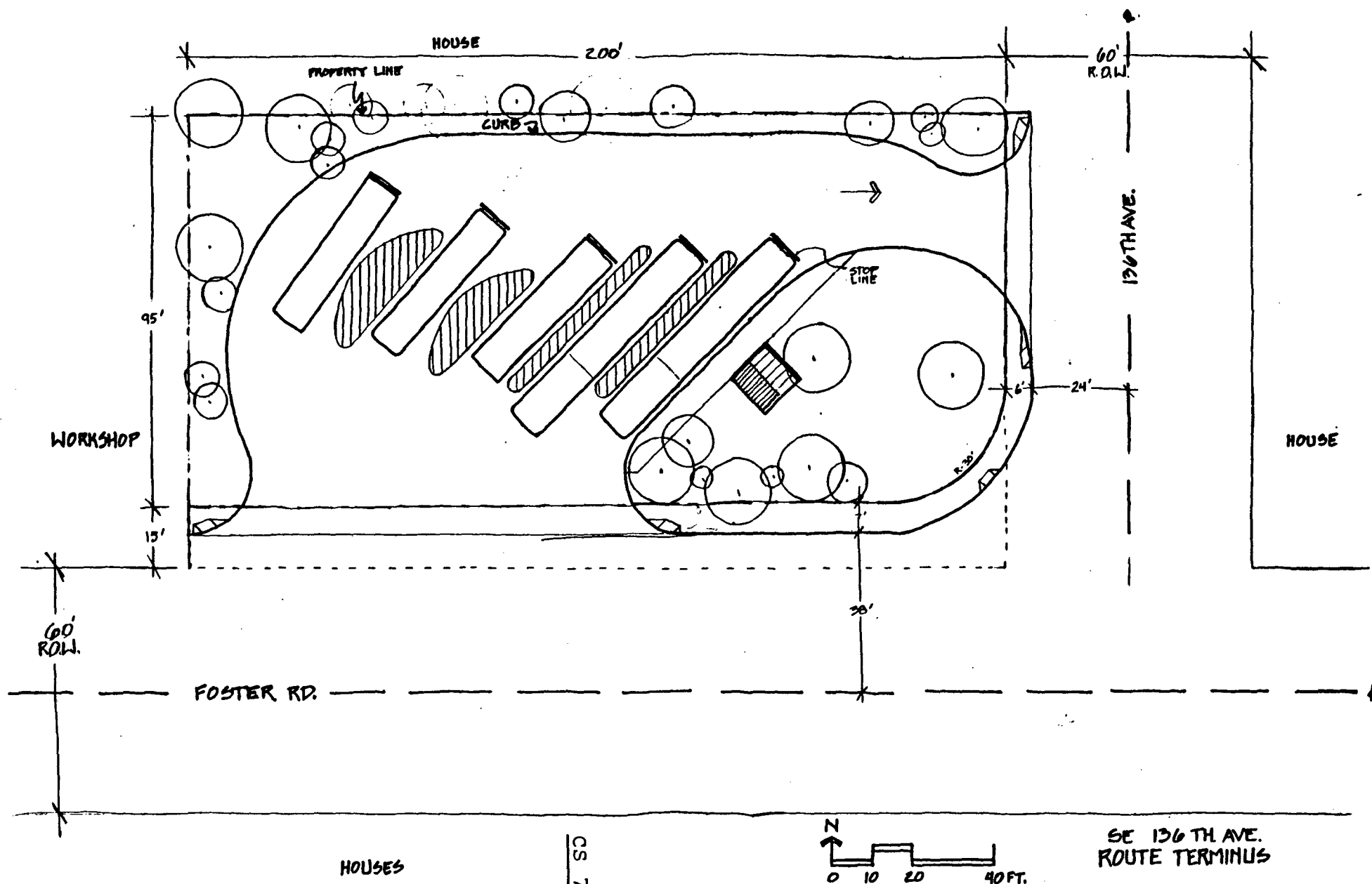
LR-5

PRICE TRACT

135TH AVENUE

COOK'S

LR-5



CS 7-89

Figure 1

## **Findings of Fact:**

- 1. Applicant's Proposal:** The Route Terminus Project is intended to allow Tri-Met to respond to the problems associated with bus layovers and turnarounds at the ends of routes. This project has been identified as a priority because of the opportunity to solve, at one facility, the problems which exist on several lines.

This area of the Tri-Met service district lacks roadways capable of providing convenient on-street layovers and/or turnarounds. As a result, two of the bus lines in the area (lines 10 and 17) must make large 'terminal loops' in this area in order to prepare for their return trips. These loops add an additional layer of confusion to the service, as they may be reversed to serve the peak direction, and passengers may be required to wait at one location in the morning and at another location in the afternoon in order to board the same bus line to the same destination. Terminal loops which do not reverse may require many passengers to wait through the driver's layover before their trip is completed. In addition, loss of on-street layovers have required either truncation or extension of existing service, resulting in a loss of service or an increase in operating costs. By providing an off-street location on which these lines can both layover and turn-around, the loops can be eliminated and a more effective service delivered to the area.

- 2. Ordinance Considerations:** The burden is on the applicant for a Community Service designation to demonstrate that the proposal:
  - A. Is consistent with the character of the area;
  - B. Will not adversely affect natural resources;
  - C. Will not conflict with farm or forest uses in the area;
  - D. Will not require public services other than those existing or programmed for the area;
  - E. Will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable;
  - F. Will not create hazardous conditions; and
  - G. Will satisfy the applicable policies of the Comprehensive Plan.

3. **Site and Vicinity Characteristics:** The site of the proposed route terminus is an approximately 22,000 square foot vacant parcel on the northwest corner of S.E. 136th Avenue and Foster Road.

Approximately 100 feet north of the site on 136th Avenue is a well maintained single family dwelling. To the west, fronting on Foster Road is a private driveway. Immediately west of this Route Terminus driveway is outdoor auto storage, a garage/shop of approximately 1000 square feet, and another single family residence. To the south, across Foster is a single family residence with frontage on S.E. 135th, an abandoned dwelling, and a vacant lot. Southeast of the site, beyond the intersection of 136th and Foster is another single family dwelling. Lot sizes range from 8,000 to 35,000 square feet in this area.

The site is designated MR-4 (medium density residential) in both the zoning code and comprehensive plan of Multnomah County. Off-street transit layover and transfer facilities are allowed as community service uses in the MR-4 zone.

The improvement of the streets, the provision of curbs and sidewalks (adjacent to the site), the landscaping of the site, and the improvement in the level of transit service, are all consistent with the development of higher density land uses, as allowed by the current zoning.

4. **Analysis of Ordinance Criteria:** Designation of this site as a Community Service for governmental transportation purposes is found to satisfy the applicable ordinance criteria as follows:

A. **Consistency With the Character of the Area:** The applicant argued that the improvement of transit service (community service), and the physical improvement of the site and adjacent right-of-way would be consistent with the planned development of higher density land uses. However, the Planning Commission heard testimony from adjacent residents that the noise and fumes of diesel engines, and generation of over one hundred vehicular trips per day to this site was not consistent with the single family residential character of the surrounding area.

B. **Affect on Natural Resources:** No significant natural resources have been identified to exist on this site. In a broader context, the energy saving characteristics of transit service will help to save resources.

C. **Compatibility With Farm and Forest Uses:** The site is not zoned, nor is adjacent to any property zoned for farm or forest uses.

D. **Public Services:** The applicant stated that storm and sanitary effluent would be disposed of on site, via an engineered disposal system, which would need to be approved by DEQ. All other necessary services are in place, and the facility itself would allow the more effective provision of transit service. Testimony at the hearing, however, convinced the Planning Commission that the proposed use would encourage riders to board busses at the site. No provision for a "park and

ride" facility could be made on this property due to its small size and total development with the proposed terminal facility. Neither SE Foster Road nor SE 136th Avenues are capable of safely accommodating off-street parking due to narrow pavement widths. Therefore, the Planning Commission found that there was no provision for the public parking that would be generated by the proposed use.

E. ***Big Game Winter Habitat:*** The site is within the metropolitan area Urban Growth Boundary, it is not included in a big game winter habitat area.

F. ***Hazardous Conditions:*** The proposed project would include measures for increased safety and secure operations through implementation of crime and accident prevention methods. The lighting plan will emphasize an even level of lighting to encourage safe evening use of all driveways, walkways, and building facility. No hazardous materials will be used or allowed on site, nor is it expected that the changes in bus volumes would have a noticeable impact on traffic operations.

G. ***Comprehensive Plan Policies:*** The following Powellhurst Community Plan Policies are found to apply to this proposal:

(a) ***Policy 2: Off-site Effects*** — Any potential adverse conditions will be mitigated. The improvement of transit service in this area will provide an attractive alternative to the private automobile, this will likely have a positive effect on traffic.

(b) ***Policy 5: Economic Development*** — The improved transit service resulting from the construction of this facility will facilitate the accessibility to employment.

(c) ***Policy 13: Air and Water Quality and Noise Level*** — The improved transit service will result in the reduced use of the automobile and reduction of air pollution. Water Quality will be protected through the use of oil/water separators as necessary.

Buses will be shut-off during layover at the facility, under normal operating procedures, in order to alleviate noise impacts on adjacent properties.

(d) ***Policy 18: Community Identity*** — As a condition of development Tri-Met will dedicate 15 feet on the north side of Foster, and will pave that right-of-way as required. Tri-Met will also construct curbs and sidewalks in both right-of-ways.

(e) ***Policy 19: Community Design*** — The proposed design fully satisfies the following design guidelines:

- Development Fronting on Arterial Streets
- Energy (specifically, "Safe and attractive facilities to encourage the use of energy saving transportation modes".

(f) ***Policy 20: Arrangement of Land Uses*** — The existing zoning allows the proposed development as a Community Service use.

- (g) *Policy 22: Energy Conservation* — The improvement of transit service, is consistent with the planned development of higher density land uses adjacent to the site.
- (h) *Policy 32: Capital Improvements* — As mentioned above sidewalks adjacent to the site will be developed as a part of this project.
- (i) *Policy 33: Transportation System* — The development of this site as a mass transportation terminal will further the goal of providing balance in the availability of transportation types.
- (j) *Policy 34: Trafficways System* — Pedestrian pathways adjacent to 136th Avenue will be developed as a part of this project.
- (k) *Policy 35: Public Transportation System* — Tri-Met will meet independently with both the Powellhurst Neighborhood Association and adjacent property owners. Bicycle racks will be provided at the terminal.
- (l) *Policy 36: Transportation System Development Requirements* — As mentioned above, Tri-Met will dedicate 15 feet on Route Terminus the north side of Foster to be used as right-of- way, will construct curbs and sidewalks in those right-of-ways.

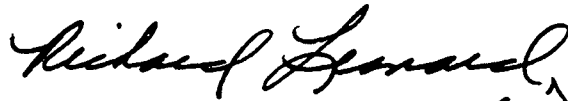
**Conclusions:**

The applicant has failed to carry the burden necessary for the granting of Community Service designation of this property for its use as a Tri-Met bus terminus by failing to convince the Planning Commission that such a use is consistent with the character of the surrounding area and that the use will not require public services other than those existing or programmed for the area.



**In the Matter of CS 7-89**

Signed July 10, 1989

  
By Richard Leonard, Chairman

Filed With the Clerk of the Board on July 20, 1989

**Appeal to the Board of County Commissioners**

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or before 4:30 PM. on Monday, July 31, 1989 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

*The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, August 8, 1989 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.*

**Decision  
July 10, 1989**

**8 of 8**

**CS 7-89**



DEPARTMENT OF ENVIRONMENTAL SERVICES  
DIVISION OF PLANNING AND DEVELOPMENT  
2115 SE MORRISON STREET  
PORTLAND, OREGON 97214 (503) 248-3043

### Decision

This Decision consists of Conditions, Findings of Fact and Conclusions.

**CS 7-89, #427**

### Community Service Classification (Tri-Met Route Terminus Facility).

Applicant requests Community Service approval to allow the use of this property as a route terminus (bus turnaround and driver layover facility) for Tri-Met busses.

**Location:** 13525 SE Foster Road  
**Legal:** Tax Lot '22' of Lot 12, Lamargent Park Plat 2  
**Site Size:** 110' x 200'  
**Size Requested:** Same  
**Property Owner:** Oregon Parks Foundation  
5319 SW Westgate Drive, 97205  
**Applicant:** Tri-County Metropolitan Transportation District of Oregon  
4012 SE 17th Avenue, 97202

BOARD OF  
COUNTY COMMISSIONERS  
1989 AUG 22 PM 2:16  
MULTNOMAH COUNTY  
OREGON

**Comprehensive Plan:** Medium Density Residential

**Present Zoning:** MR-4, Urban Medium Density Residential District

**Sponsor's Proposal:** MR-4, , C-S, Urban Low Density Residential  
Community Service District

### PLANNING COMMISSION

**DECISION:** DENY Community Service designation of the above described property to allow its development with a Tri-Met Route Terminus facility, based on the following Findings and Conclusions.

_____	Notices
<u>45</u>	Decision Notices
mailed on	<u>7-18-89</u>
by	<u>M.B.</u>

July 10, 1989  
CS 7-89

LR-10

PORTLAND TRACTION CO RR R/W

LR-5



Case #: CS 7-89  
Location: 13525 S.E. Foster Road  
Scale: 1 inch to 200 feet  
Shading indicates subject property

S E RAMONA STREET

S E RAMONA STREET

LR-5

S E KNIGHT STREET

LR-5

MR-4  
CS

CS 10-63  
CS 20-62  
MR-4  
CS 30-57  
CS 13-66

LR-5 CS

MC 41-64

MR-4

LR-5

MR-4

S E 136th AVENUE

FOSTER

LR-5

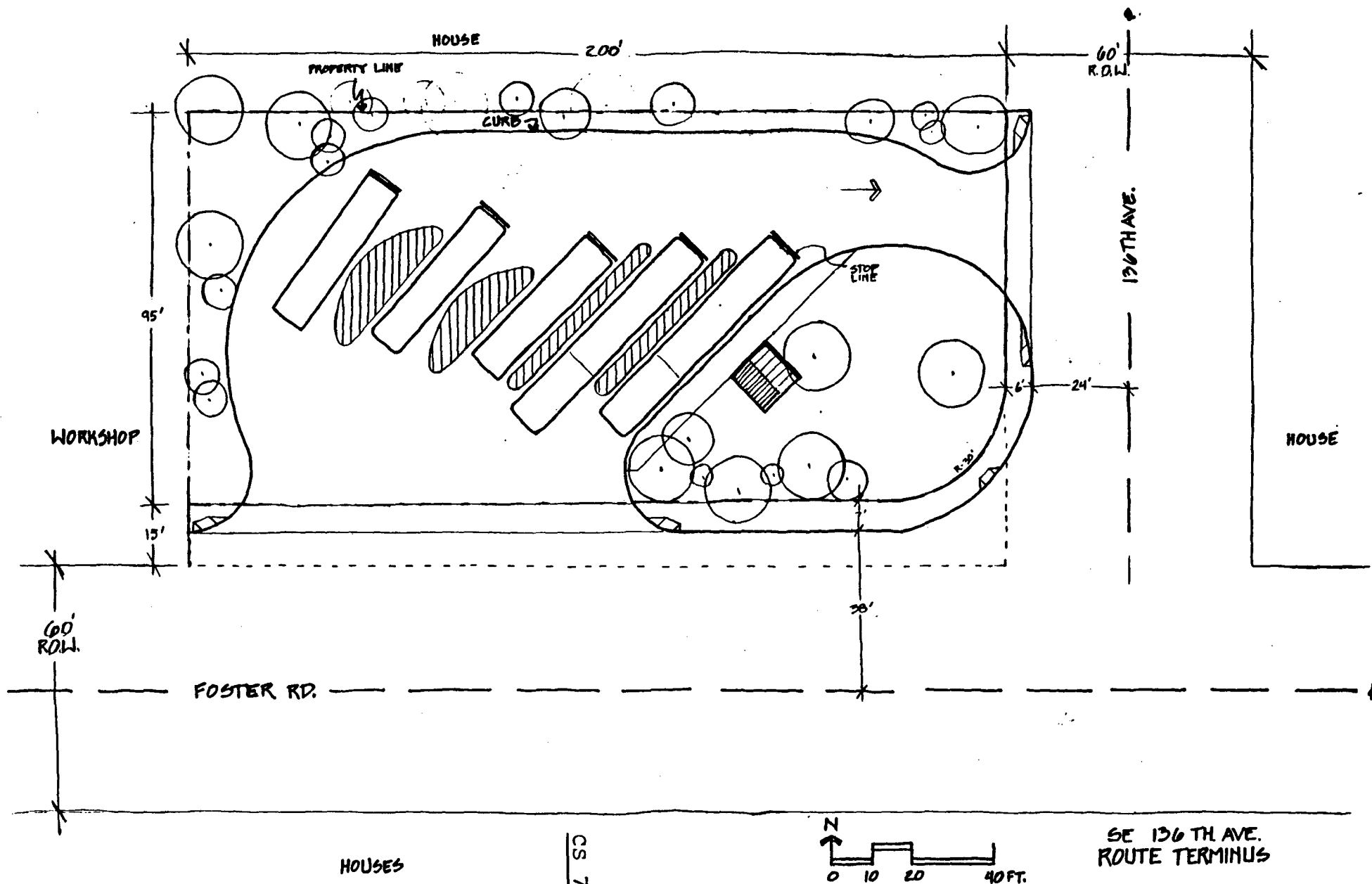
CS 24-59

LR-5

DRUCE TRACT

SE 135th AVENUE  
CONDOMINIES

LR-5



CS 7-89

Figure 1

## **Findings of Fact:**

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**Conclusions:**

The applicant has failed to carry the burden necessary for the granting of Community Service designation of this property for its use as a Tri-Met bus terminus by failing to convince the Planning Commission that such a use is consistent with the character of the surrounding area and that the use will not require public services other than those existing or programmed for the area.



**In the Matter of CS 7-89**

Signed July 10, 1989

  
By Richard Leonard, Chairman

Filed With the Clerk of the Board on July 20, 1989

**Appeal to the Board of County Commissioners**

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*The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, August 8, 1989 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.*



# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308  
PAULINE ANDERSON • DISTRICT 1 • 248-5220  
GRETCHEN KAFOURY • DISTRICT 2 • 248-5219  
RICK BAUMAN • DISTRICT 3 • 248-5217  
SHARRON KELLEY • DISTRICT 4 • 248-5213  
JANE McGARVIN • Clerk • 248-3277

## BOARD OF COUNTY COMMISSIONERS

**Tuesday, September 5, 1989**

**9:30 a.m., Room 602**

## A G E N D A

BOARD OF  
COUNTY COMMISSIONERS  
1989 AUG 28 PM 12:55  
MULTNOMAH COUNTY  
OREGON

The following Decisions are reported to the Board for acknowledgement by the Presiding Officer:

**CS 9-89**      **Approve, subject to conditions**, change in zone designation from NC to NC, C-S, HR-1 to HR-1, C-S and MR-3 to MR-3, C-S, community service to allow its use for school purposes, for property located at **14815-14917 SE Division Street**.

**MC 1-89**      **Deny** requested appeal; **Modify** Planning Director's Decision of May 24, 1989 and **approve, subject to conditions**, requested 12-car parking lot addition, all for property located at **1853 SW Highland Road**.

**Continued**

- LD 17-89**     **Approve, subject to conditions**, Tentative Plan for the Type I Land division requested, a rural area subdivision resulting in five lots;
- MC 2-89**     **Approve, subject to conditions**, request to use an easement as a means of access to new proposed lots instead of providing frontage on a dedicated street all for property located at 122200 NW Rock Creek Road.

**Public Hearing - On The Record Plus Additional Testimony Related to Traffic Impact**

- CS 7-89**     Review the Decision of the Planning Commission of July 10, 1989, **denying**  
**9:30 am**     community service designation to allow development of a Tri-Met Terminus facility, for property located at 13525 SE Foster Road

**This Decision has been appealed by the applicant**

**Scope of Review:**

On The Record Plus Additional Testimony Limited to Traffic Impact

**Oral Argument:**

Each side will have **20 minutes** to present oral argument before the Board.

- C 2-89**     **Public Hearing - De Novo**  
**10:30 am**

Review the Decision of the Planning Commission of June 12, 1989, **denying** request to change name of street segments known as NE 215th Avenue, NE Shaver Street and NE 216th Avenue to NE Lachenvue Circle;  
**Approve** change of name to NE Lachenvue Lane for two of the three street segments noted, namely NE 215th Avenue and NE Shaver Street. Retain NE 216th Avenue as shown;  
Decision to approve street name change to NE Lachenvue Lane for NE 215th Avenue and NE Shaver Street does not preclude change to NE Lachenvue Circle in the future (including NE 216th Avenue) if conditions change which qualifies the three street segments to be called "Circle:".



**Department of Environmental Services  
Division of Planning and Development  
2115 S.E. Morrison Street  
Portland, Oregon 97214 (503) 248-3043**

## **Decision**

This Decision consists of Conditions, Findings of Fact and Conclusions.

**August 14, 1989**

**CS 9-89, #400**

### **Community Service Request (Private School)**

Applicant requests Planning Commission approval for Community Service designation of this property to allow its use for an expansion of a school use that exists on property immediately to the north. Applicant plans to use existing building on westerly portion of the site and remove the two single family residences on the easterly portion and replace them with a 10,000 to 12,000 sq.ft. school expansion. Proposed expansion would provide administrative offices and teaching facilities for a maximum of forty-five additional students.

**Location:** 14815—14917 SE Division Street

**Legal:** Tax Lot '150', '50' and '51' Section 1, T1S, R2E (1988 Assessor's Map)

**Site Size:** 1.53 Acres

**Size Requested:** Same

**Property Owner:** Henry Hai-Loong Fang, PO Box 155 97207 (Tax Lot '150')  
Alco Development, PO Box 3255, Gresham 97030 (Tax Lot '50')  
GV/DV Coombs, 14917 SE Division Street 97236 (Tax Lot '51')

**Applicant:** Serendipity Academy, Inc., PO Box 156, Gladstone 97207

**Comprehensive Plan:** Neighborhood Commercial

**Current Zoning:** NC, Neighborhood Commercial District; HR-1, High Density Residential District; MR-3, Medium Density Residential District

**Proposed Zoning:** NC/CS, Neighborhood Commercial/Community Service for school  
HR-1/CS, High Density Residential/Community Service for school  
MR-3/CS, Medium Density Residential/Community Service for school

**Planning Commission Decision:** APPROVE, subject to conditions, change in zone designation from NC to NC, C-S, community service designation of the above described property to allow its use for school purposes, based upon the following Findings and Conclusions.

**CS 9-89**

LINCOLN RD 22-50 ST

LR-7  
CS 7-89

LR-7

SE GRANT RD NO 2152-50 ST

SE 146TH RD NO 2154-50 ST

LR-7

SE 147TH RD NO 2155-50 ST

LR-7

SE CARUTHERS RD 2153-50 ST

NC

SE DIVISION STREET

PR 6-85  
C 8-85  
43-59  
ZC 17-81P  
PR 7-81

GC

ZC 80-73/TA

SE CLINTON STREET

LAISSZ

FAIRE

north

CASES:..... CS 09-89

1/4 SEC MAPS:..... 3245 & 3345

SITE LOCATION:..... SW 1/4 SEC 01, T1S, R2E, WM.

SZM's SHOWN:..... Portions of 400 & 408

MAP SCALE USED:.... 1 inch to 200 feet

NOTE: Underscoring above denotes maps within which the subject property is located.

MR-3

MR-3

CS

HR-12

NC

MR-3

LR-7

MR-3

NC

HR-2

LR-7

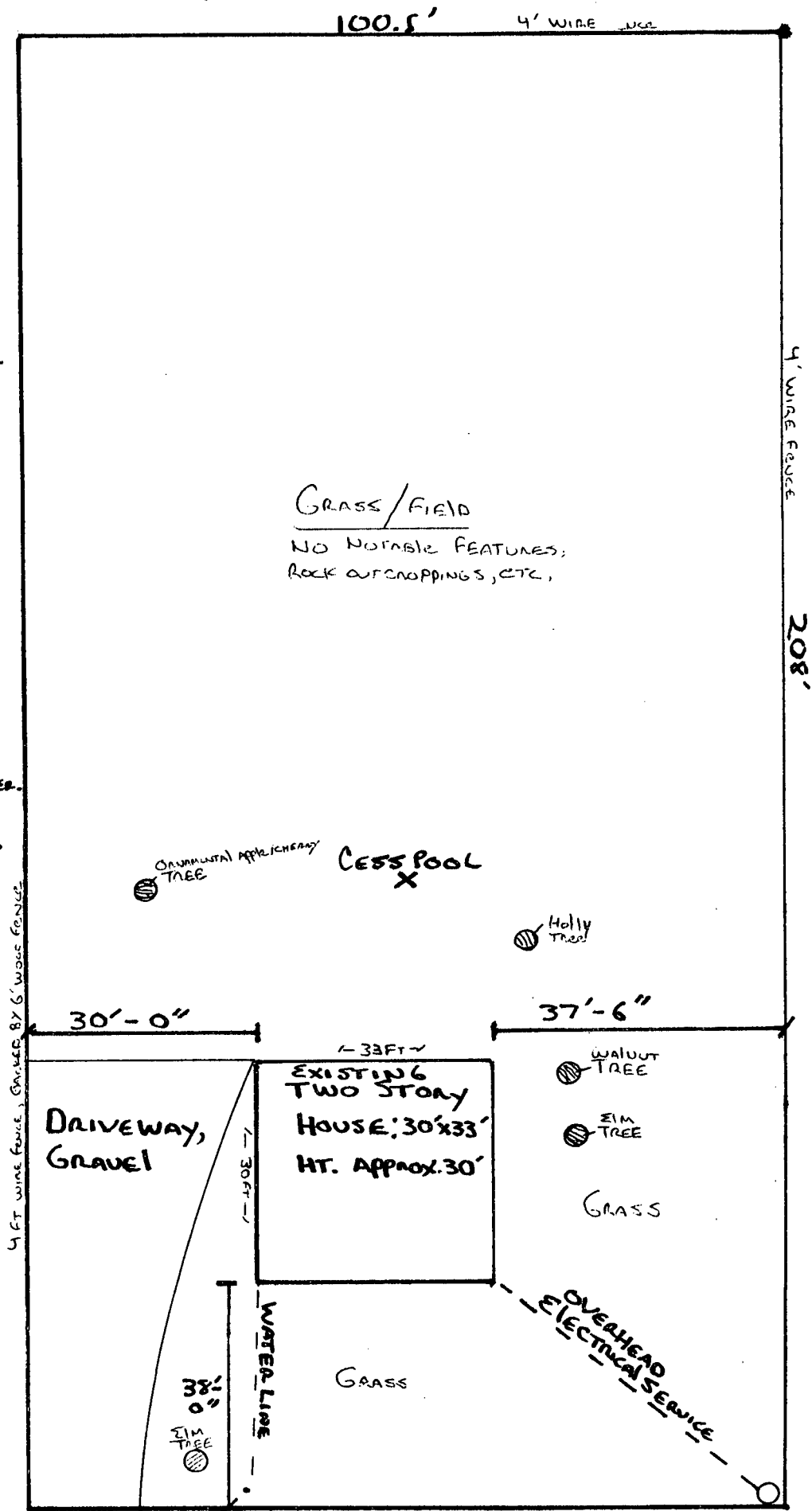
LR-7

DE MAR  
DOWNS



## NOTES

1. SEWER Hook-up  
DATE: 6/89
2. NO GAS SERVICE
3. NO EXISTING GARAGE OR OUT BUILDINGS
4. NO EXISTING SIDEWALK
5. LOT SIZE  
208' x 100.5'
6. PROPOSED USE  
FOR SITE IS A  
SCHOOL AND  
COUNSELING CENTER.  
APPROX. 10,000  
TO 12,000 SQ FT.



62	20	1	62
105.70	105.21		
62	19	2	62.01
105.40	104.71		
62	A 18	D 3	62
105.10	104.20		
62	17	4	62.01
104.80	103.70		
62	16	5	62
104.50	103.20		
62	15	6	62.01
104.20	102.70		
62	14	7	62
103.90	102.20		
62	E 13	S 8	62.01
103.60	101.69		
62.50	12	9	62.50
103.30	101.19		
63	11	10	63.01
103.0	100.69		

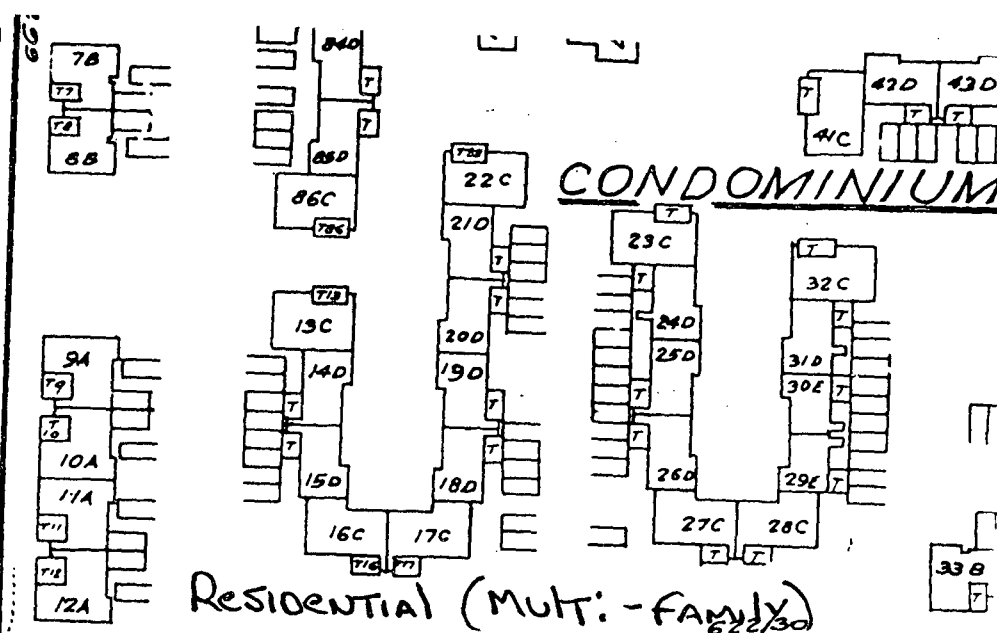
SINGLE FAMILY (RESIDENTIAL)

1540 ft

Line of Street Encroachment

IN ST. 650-1349

12



RESIDENTIAL (MULTI-FAMILY)

MAP 3245

(102')  
4.79 Ac.  
ST. JOSEPH  
CHURCH + SCHOOL BUILDINGS  
COMMUNITY ACTIVITIES (I.E. GIRL  
SCOUTS, WEDDINGS, FUNERALS, ETC.)

2153-50-11-9-34 ST.

62	62	62	62.50
RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL
4 SINGLE FAMILY	3 SINGLE FAMILY	2 SINGLE FAMILY	1 SINGLE FAMILY
280.78	62	61.17	103.44
EASMT 974-864 3-5-74			
85	100	100	100
COMMERCIAL	COMMERCIAL	COMMERCIAL	COMMERCIAL
0.20 Ac.	0.22 Ac.	0.22 Ac.	0.22 Ac.
88.81	56.78	56.78	56.78

148TH

N. 3-20-51

E. 2-1-71

115.53

6.21-71

115.53

6.21-71

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115.53

6.21-71

115.53

35' EASEMENT  
1109-2342 8-15-76  
159.64

COMMERCIAL  
BUILDING -  
(INC. CHINOPANCA)  
VACANT SPACE  
0.63 AC.

208'	208'	208'	208'	208'
(50')	(51')	(52')	(53')	(54')
45 AC.	45 AC.	40 AC.	40 AC.	40 AC.
RESIDENTIAL (HOME)	RESIDENTIAL (HOME)	RESIDENTIAL (HOME)	RESIDENTIAL (HOME)	RESIDENTIAL (HOME)
100.5	100	90	90	90

DIVISION ST.

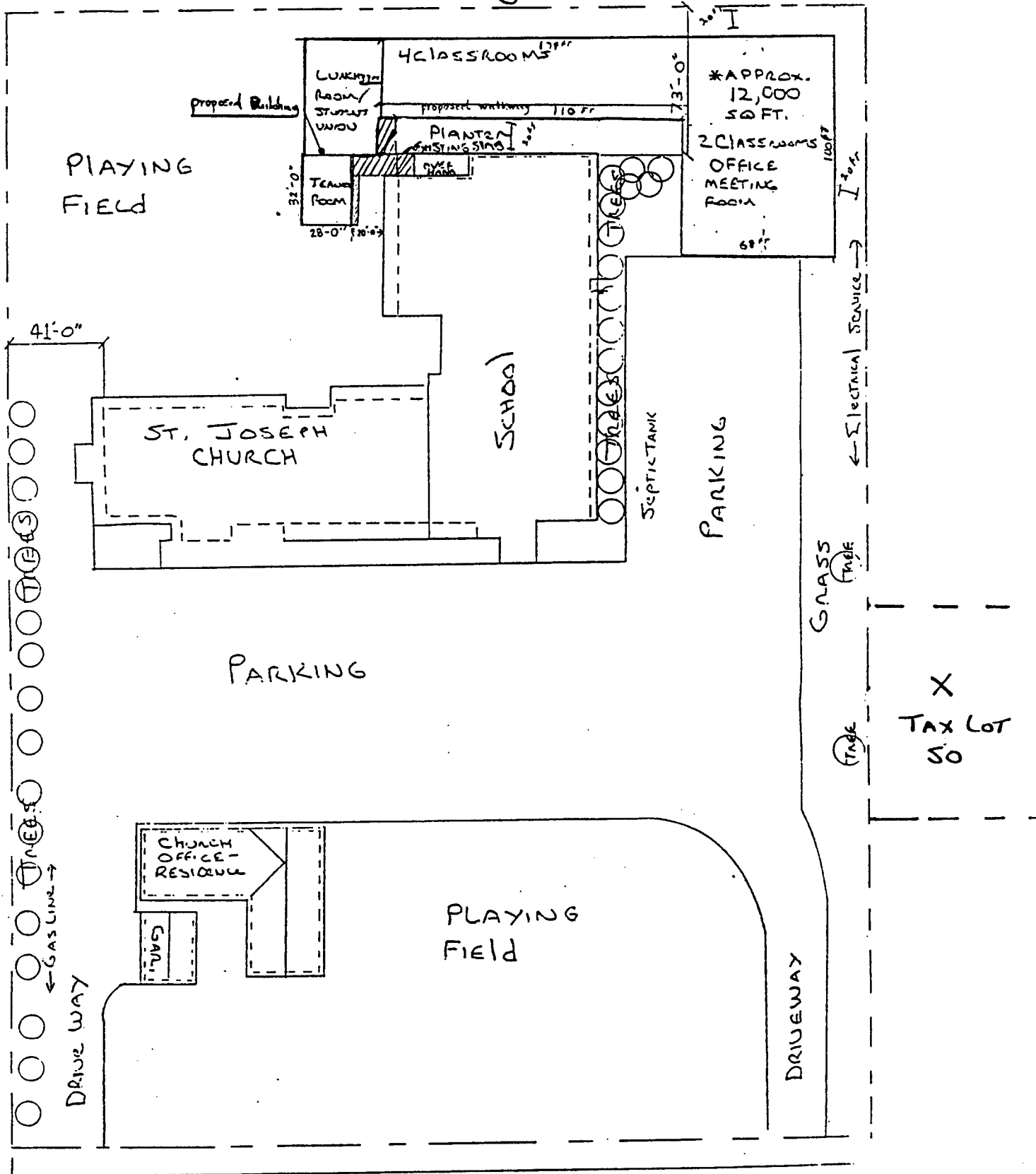
Frederick Meyer

↑ N

VACANT LOT



NORTH BOUNDARY  
 Property ADJOINING TAX LOT 50 Sec. 1 1 SOUTH 25th



1. Sewer Hook-up DATE 6/85
2. Single Story Building 120 ft. x 60 ft.

# WEST BOUNDARY

PROPERTY ADJOINING TAX LOT JO SEC. 1 SOUTH 22<sup>ND</sup> N

\*EASEMENT

LANDSCAPED VERGE  
SIDEWALK ON BOTH  
DIVISION AND 148TH.  
DRIVEWAY ON BOTH  
SOUTH AND WEST SIDES.  
PAVED PARKING (32 SPACES)  
ON SOUTH AND WEST  
SIDES.

LANDSCAPED VERGE  
ON SOUTH AND WEST  
SIDES VARYING FROM  
11' TO 20' IN WIDTH.  
THREE LANDSCAPED  
INSETS 15.5' x 6.75'  
INTO PARKING LOT

209.66

SE 148

88

71'3"

132.28'

Driveway  
Access

108'8"

BUILDING

70'

15'

7'9"

208'

32'8"

53'

TAX  
LOT  
50'

SE DIVISION

\*NOTE: DIVISION ST. FORMS  
SOUTH BOUNDARY.  
PROPERTY ON EAST  
BOUNDARY IS A SINGLE  
FAMILY HOME. NO  
PERMISSION WAS GIVEN  
TO MEASURE THIS PIECE

## **Conditions:**

1. Satisfy the applicable requirements of Engineering Services regarding future improvements of SE 148<sup>th</sup> Avenue and/or SE Division Street.
2. All future development shall be subject to Design Review approval.

## **Findings of Fact:**

### **1. Applicant's Proposal:**

The applicant requests Planning Commission approval for Community Service designation of this property to allow its use for an expansion of a school use that exists on property immediately to the north. The school currently serves 170 students. Approval of this proposal would allow accomodation of administration offices and classroom space for up to fifteen additional students for each of the next three years; resulting in a maximum of 215 students. Applicant plans initially to use the existing building on westerly portion of the site and later remove the two single family residences on the easterly portion and replace them with a 10,000 to 12,000 sq.ft. school expansion.

### **2. Ordinance Considerations:** The burden is on the applicant for a Community Service designation for school purposes to demonstrate that the proposal:

- A. Is consistent with the character of the area;
- B. Will not adversely affect natural resources;
- C. Will not conflict with farm or forest uses in the area;
- D. Will not require public services other than those existing or programmed for the area;
- E. Will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable;
- F. Will not create hazardous conditions; and
- G. Will satisfy the applicable policies of the Comprehensive Plan

### **3. Site and Vicinity Characteristics:**

This property is located at the northeast corner of the intersection of SE 148th Avenue and SE Division Street. The site is essentially level and is developed with 6,126 sq.ft. office complex and 29 space parking lot (approved by ZC 25-75), and two single family residences. St. Joseph School lies immediately to the north. To the east are single family residences on parcels designated High and Medium Density Residential. Across SE Division Street to the south is property designated Neighborhood Commercial, and east of that an apartment complex within a High Density Residential zone. A Fred Meyer Shopping Center

is located on the southwest corner of the intersection of SE 148th and Division on property zoned General Commercial. To the north of that, across Division Street, are several commercial businesses on Neighborhood Commercial land.

#### **4. Compliance with Ordinance Criteria:**

This proposal satisfies the criteria for a Community Service use as follows:

- A. *Consistency with the Character of the Area:* Serendipity Academy has operated on the property immediately to the north of this site for ten years with no conflict with other uses in the surrounding area. There is no reason to believe that this expansion will change that relationship.
- B. *Affect on Natural Resources:* There are no natural resources that have been identified that would be adversely affected by this request.
- C. *Conflict with Farm or Forest Uses in the Area:* There are no farm or forest uses in the surrounding area.
- D. *Public Services:* All public services necessary for the proposed use are available along the SE Division Street and SE 148th Avenue frontages.
- E. *Big Game Winter Habitat Area:* The property is not within a big game winter habitat area.
- F. *Hazardous Conditions:* No hazardous conditions have been identified that would result from this proposal.
- G. *Compliance with Applicable Comprehensive Plan Policies:* This proposal satisfies the following policies of the Comprehensive Framework Plan:
  - (a) No. 13—Air, Water and Noise Quality: The site is developed with a small office complex and residences using dry wells for disposal. No adverse impacts with respect to air, water and noise quality have been identified in their use.
  - (b) No. 14—Development Limitations: The site has posed no limitations for the development that exists and, judging from recent development in the surrounding area, there is no evidence that any such limitations exist.
  - (c) No. 16—Natural Resources: There are no known natural resources that would be affected by the proposed use.
  - (d) No. 36—Transportation System Development Requirements: Engineering Services is requiring a radius and signal improvement, or bond insuring future improvement, at the intersection of SE 148th and Division Street as a result of this proposal.
  - (e) No. 37—Utilities: Water is provided by Powell Valley Road Water district and

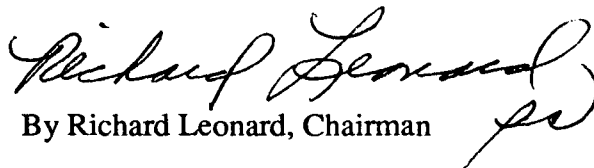
sewage is disposed of by a subsurface disposal system (public sewer is scheduled in the area in 1993). Drainage is handled on-site by means of dry wells. All necessary power and communication facilities are available along both street frontages.

- (f) No. 38—Facilities: Centennial School District has been informed of this request and has made no response. Fire protection is provided by Fire District No. 10 and police protection by the Multnomah County Sheriff.

**Conclusion:**

The applicant has carried the burden necessary for the granting of the requested Community Service Use designation for school purposes. The proposed change satisfies the applicable approval criteria and results in only an expansion of a use that has existed in the area for ten years.

Signed August 14, 1989

  
By Richard Leonard, Chairman

Filed With the Clerk of the Board on August 24, 1989

**Appeal to the Board of County Commissioners**

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or before 9:00 am on Tuesday, September 5, 1989 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

*The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, September 5, 1989 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.*



**Department of Environmental Services  
Division of Planning and Development  
2115 S.E. Morrison Street  
Portland, Oregon 97214 (503) 248-3043**

## **DECISION**

**August 14, 1989**

This Decision consists of Conditions, Findings of Fact and Conclusions.

### **MC 1-89 #139/140 Appeal of Administrative Decision (The Racquet Club Parking Lot)**

Appellant has appealed a design review approval of a 12-car parking lot addition to the Racquet Club. The appeal concerns landscaping, grading, drainage and other design issues.

**Location:** 1853 SW Highland Road

**Legal:** Tax Lot '4' of Lot 5, Blk. 2, The Highlands Plat 1 and 2 Plus  
Lots 6 and 7, Blk. 2, The Highlands

**Site Size:** Approximately 1 Acre

**Size Requested:** Same

**Property Owner:** The Racquet Club  
1853 SW Highland Road, 97221

**Appellant:** Joseph K. Meyer  
1801 SW Highland Road, 97221

**Comprehensive Plan:** Residential

**Present Zoning:** R-10/ C-S, Single Family Residential  
Community Service District

**Planning Commission  
Decision:** Deny requested appeal;

**Modify Planning Director's Decision of May 24, 1989 and approve, subject to conditions, requested 12-car parking lot addition, based on the following Findings and Conclusions.**

HIGHLANDS  
280 P. AT

SW HIGHLAND

ROAD 1330



Case #: MC/89

Location: 1853 SW Highland Road

Scale: 1 inch to 200 feet

Shading indicates subject property

734 AC  
**R 10**

City of  
Portland

**R 10**

SW TORR LANE

THE

HIGHLAND

SW STRATHFELL

LANE

**R 10C**

**R-10**

**R 10  
CS**

G H E A N D S

**R 10**

**R-10**

ZC 26-65/D

**R-20**

City of  
Portland

City of Portland Boundary

PHREY PARK ROAD

SW CANYON ROAD







### **Conditions of Approval.**

1. Install parking and landscaping as illustrated and specified on the July 28, 1989 submittals. Preserved trees shall be protected during construction.
2. Obtain permits for proposed paving and other work within the SW Highland Road right-of-way. Contact John Dorst at 248-3582.
3. Landscaping and paving must be completed and approved prior to use of the area for off-street parking.
4. The proposed gravel parking area, south of the court building and the gravel service drive west of the existing building may be used for supervised off-street parking on an occasional basis, twenty to twenty-five times per year for overflow parking for Club events pursuant to 11.15.6132(A)(2). The service loop drive shall only be used for emergency access, maintenance of the court building, and access to supervised, occasional parking. The drive need not be paved provided the use remains supervised and occasional as specified herein.
5. Proposed storm drainage facilities shall be reviewed and approved by the Plumbing Section of the Portland Building Bureau prior to site clearing or grading work on the site.

### **Findings of Fact.**

#### **Background:**

- A. A 1972 decision (CS 19-72) approved an addition of a tennis court structure adjacent to the now proposed parking area for twelve cars. The approval was subject to Design Review of site and landscape improvements. The 1972 case expanded the CS Boundary for the Racquet Club to include the subject tax lot '2' of lots 6 & 7, Block 2, The Highlands.
- B. Representatives for the Racquet Club filed a Design Review application on December 1, 1988 (Reference DR 88-12-01). This 1988 plan proposed a narrow "valet parking" area along the northerly boundary of the site - between the court building and the appellant's property. Design Review Staff responded in a letter dated December 6, 1988 as follows:
  - "1. *The proposed parking does not meet design standards of the OP, Off-street Parking Section of the Multnomah County Zoning Code. Specifically, the narrow aisle width precludes two-way access within the parking area. I understand the request is for "valet" parking, however, the Code does not authorize staff to vary from aisle width standards to this extent.*"

- C. The Racquet Club's designers then went back to the drawing board rather than pursue the variances dictated by the proposed parking north of the court structure. On May 15, 1989, a new Design Review application was filed (Reference DR 89-05-02). This plan proposed parking along the easterly side of the tennis court building.
- D. On May 25, 1989, this revised site and landscape design for a 12-car parking area addition to the club was approved by the Director and notices were mailed to abutting property owners. The Director's decision included three conditions of approval:
- 1. Install parking and landscape as illustrated and specified on approved plans.*
  - 2. Obtain permits (as necessary) for proposed paving and other work within the Highland Road right-of-way. Contact John Dorst at 248-3582.*
  - 3. Landscaping and paving must be completed and approved prior to use of the area for off-street parking.*
- E. On June 5, 1989 an appeal of the Director Decision was filed by Joseph K. Meyer, a neighboring property owner. Mr. Meyer owns the parcel of property adjacent to and north of the property subject to the land use decision. Mr. Meyer offers the following grounds for reversal of the Design Review approval:
- 1. MCC 11.15.784(A) requires the Final Design Review Plan to contain all items and specifications set for in MCC 11.15.7830(F) and (G). Subsection (F)(13), when read together with subsection (G)(2) requires the Final Design Review Plan to incorporate proposed site contours. This provision implements the concerns relating to cut and fill actions referred to in MCC 11.15.7810. Based upon our review of the application, no plan submitted sets forth the elevations and contours of the site affected by the proposed improvement. There is a substantial down gradient from SW Highland Road to the proposed parking lot. How cut and fill will be treated is not shown by proposed contours on the Final Design Review Plan, and accordingly, the development impact on the existing topography cannot be determined.*
  - 2. MCC 11.15.7845(D) requires the Planning Director's decision to set forth findings of fact and conclusions of law which specifically address the relationships between the proposed development action and the standards and criteria set forth in MCC 11.15.7850 and 11.15.7860. The Planning Director's decision, a copy of which is attached to this statement, merely concludes that the Design Review Plan conforms with MCC .7805-.7865. Such conclusions are legally impermissible under MCC 11.15.7845(D) and more generally administrative law principles. Because the findings fail to set forth the facts the Planning Director found applicable to the proposed development and review action, and fail to explain how the facts meet the standard discretionary criteria set forth in MCC 11.15.7850 and 11.15.7860, the decision violates the County's own zoning ordinance.*

3. *Because there are no findings and conclusions, the Planning Director's decision fails to explain how any criterion set forth in MCC 11.15.7850 or 11.15.7860 are met by the application. In particular, no findings have been made with respect to the following criteria:*
- a. *How the Design Review Plan relates harmoniously to the natural environment and the structures having a visual relationship with the site. MCC 11.15.7850(A)(1)(a). The proposed improvement is immediately adjacent to Mr. Meyer's property and no facts have been found to demonstrate how the proposed improvement will be in harmony with the environment and with Mr. Meyer's home.*
  - b. *How the Design Review Plan will protect Mr. Meyer's property from noise. MCC 11.15.7850(A)(1)(b). The proposed access road and parking lot is immediately adjacent to Mr. Meyer's property. The 20-foot wide road is less than three feet from the property line. No noise impact study was prepared by the applicant to demonstrate that the proposed use will not create an undue level of noise for the surrounding residential uses.*
  - c. *How the proposed Design Plan preserves the landscape and existing grade "to the maximum practical degree" considering suitability of the severe grade to safely provide access to the proposed parking lot. MCC 11.15.7850(A) (4). It is difficult to tell from the proposed landscape plan whether numerous large trees on the north side of the applicant's property will be retained or removed from the site. In addition, the plans do not explain how the grade of the access road will blend with existing topography, if at all.*
  - d. *How the location of the access point to the site will be harmonious with neighboring buildings and structures. MCC 11.15.7850(A) (5). Because the access road is less than three feet from Mr. Meyer's property line, it is difficult to determine how installation of a 20-foot wide access road would be harmonious with the buildings on Mr. Meyer's property.*
  - e. *How drainage issues have been resolved so as not to adversely affect the surrounding property. MCC 11.15.7850(A)(6). Installation of a 20-foot wide access road and parking area will create a large amount of runoff which, from the plans submitted, has not been accommodated or considered. The improved road, together with the impact of its slope, may result in an adverse effect on Mr. Meyer's property. However, without a drainage plan, it is not possible to tell what effects may be created.*
  - f. *How the parking area and access drive is designed, located, buffered or screened to minimize adverse impacts on Mr. Meyer's property. MCC 11.15.7850 (A)(7). The proposed landscape plan provides a two to three foot planting area between the proposed 20-foot wide driveway and Mr. Meyer's*

*property line. Within the planting area, the applicant proposes establishment of a laurel hedge. Other plantings proposed are not sufficient to adequately screen the proposed improvement from Mr. Meyer's property.*

4. *The findings do not permit the appellant to determine whether any minor exceptions are required under MCC 11.15. 7860 .*

F. Since the appeal was filed, the Racquet Club's designers have proposed further refinements and adjustments to the proposed parking area plan, partially in response to issues raised in Mr. Meyer's appeal. The revised plans, submitted on July 28, 1989, are illustrated in the site and grading plans, reduced copies of which are attached to this report. The landscape plan is oversized, but will be available for review at the appeal hearing, as will full size site, grading and lighting plans. Staff offers the following findings regarding the now proposed parking area design and its relationship to Design Review Approval Criteria; the applicable criterion is in bold italics:

- 1(a).*The elements of the design review plan shall relate harmoniously to the natural environment and existing buildings and structures having a visual relationship to the site.*

The proposed parking area design, grading plan and associated landscape plan display a harmonious relationship to the natural environment and structures visibly related to the site. The parking stall locations are adjacent to the easterly side of the existing tennis court structure and removed from nearby residential development by more than fifty feet. The parking area would be approximately 20-feet lower in elevation than the nearest residence (Mr. Meyer's house to the north), and this grade change provides further separation from the adjoining residential use; this finding is derived from analysis of submitted grading plans, site visits by staff, and review of aerial photographs of the area. There are several coniferous and deciduous trees along the north side of the court structure. Review of the grading plan and parking location indicates most of these existing natural features will be avoided in the construction and the plan will maintain the buffering which these trees provide between the parking use proposed and existing residential development to the north. The landscape plan proposes preservation of a large Fir tree east of the parking area and protection of the root structure for a Fir tree just off the site, north of the access drive entrance to SW Highland Road. These measures, along with new plantings display a harmonious relationship to natural features and minimize visual impacts of the proposed use to adjoining residences.

**1(b). *The elements of the design review plan should promote energy conservation and provide protection from adverse climatic conditions, noise and air pollution.***

The proposed 12-car parking area should have little effect on energy conservation or air quality. Existing demand for parking near the Racquet Club typically exceeds the supply of parking adjacent to the club's property. This finding is based on the County's extensive history of neighborhood complaints regarding excessive use of on-street parking by Racquet Club patrons, and from parking records which the club operator has gathered over the past several years. The operator estimates that approximately 20 times/year, parties or other events are held at the club which draw more patron cars than can be accommodated with existing street frontage parking. The 12-car parking area will allow the club to accommodate some of the club's vehicle parking demand on-site, minimizing off-site noise and air pollution impacts.

The proposed parking area has been moved from its earlier proposed location. The 1988 application (DR 88-12-01) proposed parking along the northerly edge of the site, directly abutting Mr. Meyer's property along its entire common boundary with the club. Revisions illustrated in the 1989 application (DR 89-05-02) moved the parking to a more internal location within the Racquet Club complex. The change moved the parking and the associated noise and air quality impacts approximately 75-feet away from the nearest residence to the north (according to staff analysis of Assessor's maps, submitted site plans, site visits and aerial photographs of the area).

The access drive from SW Highland Road to the parking area parallels the north property line for approximately 50-feet before curving to the south and descending down slope to the proposed parking area. The strip of land between the access drive and the adjoining property to the north is indicated with a five-foot width. The landscape plan proposes a hedge row planting of 26 *Prunus laurocerasus* ("English Laurel"), 4 to 5-feet in height at the time of planting. This is a rapid growth, dense evergreen hedge plant which should reach ten feet or more in height in two or three growing seasons. This hedge, along with a recessed grade proposed for the access drive and parking area minimizes noise impacts to adjoining parcels.

**1(c). *Each element of the design review plan shall effectively, efficiently, and attractively serve its function. The elements shall be on a human scale, inter-related, and shall provide spatial variety and order.***

The proposed parking area design efficiently integrates the new parking spaces into a difficult sloping site with numerous existing built features and natural constraints (i.e. buildings, swimming pool, large trees). The landscape plan and proposed grading will attractively screen and soften the visual impact of the parking area on the site and surrounding residences. This is accomplished through retention of several large trees on the site, and the proposed installation of new plantings in disturbed areas and installation of an evergreen hedge along the access drive to the new parking area. The grading proposed will recess the drive and parking area relative to the property to the north, further diminishing any adverse visual effects to the nearest residence.

2. ***Safety and Privacy - The design review plan shall be designed to provide a safe environment, while offering appropriate opportunities for privacy and transitions from public to private spaces.***

Applicant's July 28, 1989 submittal details proposed lighting for the new parking area. The plan provides shielded lights mounted on the east, south, and west faces of the existing court building. In addition, the walkway from the swimming pool area to the court building will have low level garden lights. No lights are proposed on the northerly face of the court building to minimize light spillage onto the nearest adjacent residential site.

An existing sight obscuring fence along most of the north boundary of the site, upslope from the proposed parking development, provides privacy for the adjoining residential properties to the north. The balance of the north boundary will be screened by the proposed laurel hedge planting. In addition, existing Fir trees between the court building, proposed parking area and the north property line will further screen and buffer the uses from the nearest residence to the north. The landscape plan also proposes installation of two *Thuja plicata 'Fastigiata'* ("Hogan Cedar") which will further screen and buffer the parking area from the nearest adjoining residence. The Western Garden Book published by *Sunset Magazine* describes Hogan Cedar as ... "Very dense, narrow, erect; fine for tall screen."

3. ***Special Needs of Handicapped - Where appropriate, the design review plan shall provide for the special needs of handicapped persons, such as ramps for wheelchairs and braille signs.***

The proposed on-site parking augments existing parking for the Racquet Club facilities east of the project area (within the SW Highland Road right-of-way). The needs of handicapped persons requiring access to the club are provided for on the adjoining site at grade with SW Highland Road. The grades and proposed use of the expanded parking area make provisions for handicapped persons impracticable (Reference grading plan).

4. ***Preservation of Natural Landscape - The landscape and existing grade shall be preserved to the maximum practical degree, considering development constraints and suitability of the landscape or grade to serve their functions. Preserved trees and shrubs shall be protected during construction.***

The grading plan minimizes disturbed areas to the degree practicable considering the dimensional requirements for off-street parking facilities and the location of existing buildings and other improvements on the site. The plan effectively avoids several large Fir trees on the site, and landscape plans note that preserved trees shall be protected during construction. The July 28, 1989 submittal also notes that construction of the proposed road entrance to SW Highland Road will be supervised by their landscape architect to assure the root system of an existing Fir tree on the neighboring parcel to the north is not damaged.

5. ***Pedestrian and Vehicular Circulation and Parking - The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and the arrangement of parking areas in relation to buildings and structures, shall be designed to maximize safety and convenience and shall be harmonious with proposed and neighboring buildings and structures.***

The Racquet Club facilities currently rely exclusively on parking within the SW Highland Road right-of-way, except for a narrow drop-off/pick-up loop drive to the front entrance to the club house building. The club's entire site is developed with several facilities including indoor and outdoor tennis courts, an outdoor swimming pool, and a restaurant and meeting rooms in the club house. These existing improvements and the sloping character of the club's property leave little space within which to develop on-site parking. The proposed plan displays an efficient means of providing needed on-site parking while mitigating its impact on surrounding parcels through an internal placement on the club property, a recessed grade for the access drive and parking area relative to the nearest adjoining residence, and a landscape plan which preserves and supplements existing screening vegetation on the site.

6. ***Drainage - Surface drainage systems shall be designed so as not to adversely affect neighboring properties or streets.***

The proposed plan indicates drainage from the proposed parking area and access drive will be directed to a catch basin near the south end of the new paved area. The basin would "daylight" downslope onto the club property according to the illustration. Such a system will require plumbing permits through the City of Portland Building Bureau, at which time the specifics of the system would be reviewed for their impacts to downstream properties. The property immediately abutting the southerly boundary is public right-of-way associated with Canyon Road and State Highway-26. Reference recommended Condition #5.

7. ***Buffering and Screening - Areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed, located, buffered or screened to minimize adverse impacts on the site and neighboring properties.***

The proposed grading plan recesses the parking area and access drive relative to the nearest adjoining residence. The landscape plan proposes retention of several large Fir trees within the area to be disturbed by the project. In addition, new plantings are proposed to buffer and screen the parking area and access drive from the nearest adjoining residence. The areas west and south of the site are heavily wooded and partially in public ownership. The wooded character and existing tennis court building screens and buffers the proposed use from surrounding parcels; this finding is based on site visits by staff, analysis of submitted plans and aerial photos of the area.



8. *Utilities - All utility installations above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.*

The lighting plan is designed to minimize light spillage and glare onto surrounding parcels. This is described in greater detail under criterion #2. No other above ground utilities are indicated on the plans.

9. *Signs and Graphics - The location, texture, lighting, movement, and materials of all exterior signs, graphics or other informational or directional features shall be compatible with the other elements of the design review plan and surrounding properties.*

The application does not include sign details or proposals. Signs which may be intended for viewing from a public right-of-way would be subject to sign regulations of MCC 11.15.7902 - .7982.

#### **G. Additional Findings**

The plans submitted on June 28, 1989 indicate a gravel loop drive around the court building leading to a gravel parking area at the southwest corner of the site. Applicant indicates in recent conversations with staff that this gravel area would be used for "overflow" and would be "valet parking only". The graveled area was not indicated as parking in the earlier plan approved through DR 89-05-02; applicant indicated the loop and gravel area would provide access to the west entrance of the tennis court building in cases of emergency and would allow maintenance vehicles access to the west and south sides of the building.

The off-street parking section of the Zoning Ordinance specifies that all areas used for parking, maneuvering and loading shall be paved, unless for occasional supervised use. (Reference 11.15.6114 & .6132). Recommended condition # 4. addresses this issue in the proposed design.

The July 28, 1989 submittal proposes an 18-foot wide access drive from SW Highland Road to the proposed parking area adjacent to the tennis court building. MCC 11.15.6128(A) requires that such access drives provide ... "an unobstructed paved drive not less than 20 feet in width for two-way traffic ...". MCC 11.15.7860(A)(2) provides for minor exceptions to Off-Street Parking dimensional standards as part of Design Review if the exception is not greater than 25% of the standard. The following is one factor which may be considered in granting such an exception:

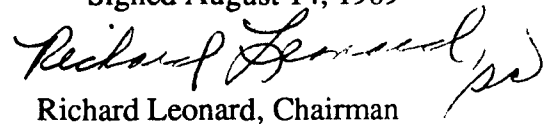
*Natural features of the site (topography, vegetation, and drainage) which would be adversely affected by application of required parking standards [Reference. 11.15.7860(C)(2)(d)].*

The proposed reduction in the access drive width from 20-feet to 18-feet provides sufficient room for at least a 5-foot wide landscape strip adjacent to the north property line. This 2-foot reduction represents a 10% exception to the 20-foot wide access drive standard. The reduced drive width also provides a greater distance between the new pavement and an existing large Fir tree at the northeast corner of the site (on the adjoining parcel to the north). This additional 2-feet of separation provides greater protection for the existing tree since grading work and associated soil compaction for the access drive may damage the tree's root structure. An existing mature Laurel Hedge and a fence surrounding the swimming pool precludes siting the drive further south. These factors persuade that a reduced access drive width is justified on this site.

## CONCLUSIONS

1. The site, grading, landscape and lighting designs comply with applicable design review criteria except as detailed herein and modified by the Conditions of Approval.
2. Conditions of Approval are necessary to assure the site is developed and landscaped as represented and that preserved trees are protected during construction.
3. The proposed gravel loop and parking area south of the tennis court building do not meet the surface improvement standards and dimensional requirements of the Off-Street Parking section of the Zoning Ordinance and therefore should be limited in use through Conditions of Approval.

Signed August 14, 1989

  
Richard Leonard, Chairman

Filed with the Clerk of the Board, August 24, 1989

## Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice and objects to their recommended Decision may file a Notice of Review with the Planning Director on or before 9:00 a.m. on Tuesday, September 5, 1989 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, September 5, 1989 in Room 602 of the Multnomah County Courthouse. For further information, call the Multnomah County Planning and Development Division at 248-3043.

Decision  
August 14, 1989

MC 1-89  
End



**Department of Environmental Services  
Division of Planning and Development  
2115 S.E. Morrison Street  
Portland, Oregon 97214 (503) 248-3043**

**Decision of the Planning Commission**

**August 14, 1989**

**LD 17-89, #175  
MC 2-89, #175**

**Five-Lot Land Division  
Access by Easement**

Applicant requests approval to subdivide a 99-acre parcel in the MUF-19, multiple use forest zoning district into five lots of approximately 20 acres each. No request is made for development of the property at this time. Applicant further requests approval of an access by easement for four of the proposed lots.

**Location:** 12200 NW Rock Creek Road  
**Legal:** Tax Lot '34', Section 36, 2N-2W, 1988 Assessor's Map  
**Site Size:** 99.24 Acres  
**Size Requested:** Same  
**Property Owner:** Western States Development Corporation  
20285 NW Cornell Road, Hillsboro, 97124  
**Applicant:** Same

**Comprehensive Plan:** Multiple Use Forest

**Present Zoning:** MUF-19, Multiple Use Forest District  
Minimum lot size of 19 acres

**Planning Commission**

**Decision #1 (LD 17-89):** Approve, subject to conditions, the Tentative Plan for the Type I Land Division requested, a rural area subdivision resulting in five lots in accordance with the provisions of MCC 11.45.080(A)

**Decision #2 (MC 2-89):** Approve, subject to conditions, request to use an easement as a means of access to new lots instead of providing frontage on a dedicated street as required in the MUF-19, multiple use forest district per MCC 11.15.2188, all based on the following findings and conclusions:

(13)  
31.77 Ac.

EFU

SZM 58-C

(25)  
34.1 Ac.

MUF-19

SZM 58-D

(35)  
25.00 Ac.

SZM 58-D

SZM 75-A

MUF-19

(22)  
39.36 Ac.

(32)  
83.47 Ac.

SZM 75-A

(14)  
11.70 Ac

(23)  
17.03 Ac.

SZM 75-A

north



CASE:..... LD 17-89 & MC 02-89

SITE IDENT:..... Tax Lot 34, 99.24 Acres

LOCATION:..... S½ Sec 36, T2N, R2W, WM

SZM's SHOWN:..... 58-C & 58-D (NW-A Book)  
75-C & 75-D (NW-B Book)

MAP SCALE USED:.. 1 inch to 600 feet

SZM BOUNDARY:....

NOTE: Underscoring above denotes Sectional  
Zoning Map within which the subject  
property is situated.

EFU

(3)  
40 Ac

SZM 75-B

SZM 75-B

SKYLINE

(2)  
19.29 Ac

MUF

(33)  
18.29 Ac

BLVD

SZM 75-B

(29)  
3.00 Ac.

(30)  
3.03 Ac.

EFU

(6)  
77.54 Ac

SZM 75-D

MUF-19

(A)  
40 Ac.

(13)  
4.48 Ac.

(45)  
2.21 Ac.

(12)  
13.86 Ac.

SZM 75-C

(11)  
12.58 Ac.

(28)  
2.64 Ac.

(26)  
2.30 Ac.

MUF-19

(25)  
25.91 Ac

CORNELL PASS TUNNEL

SZM 75-D

WASHINGTON

COUNTY

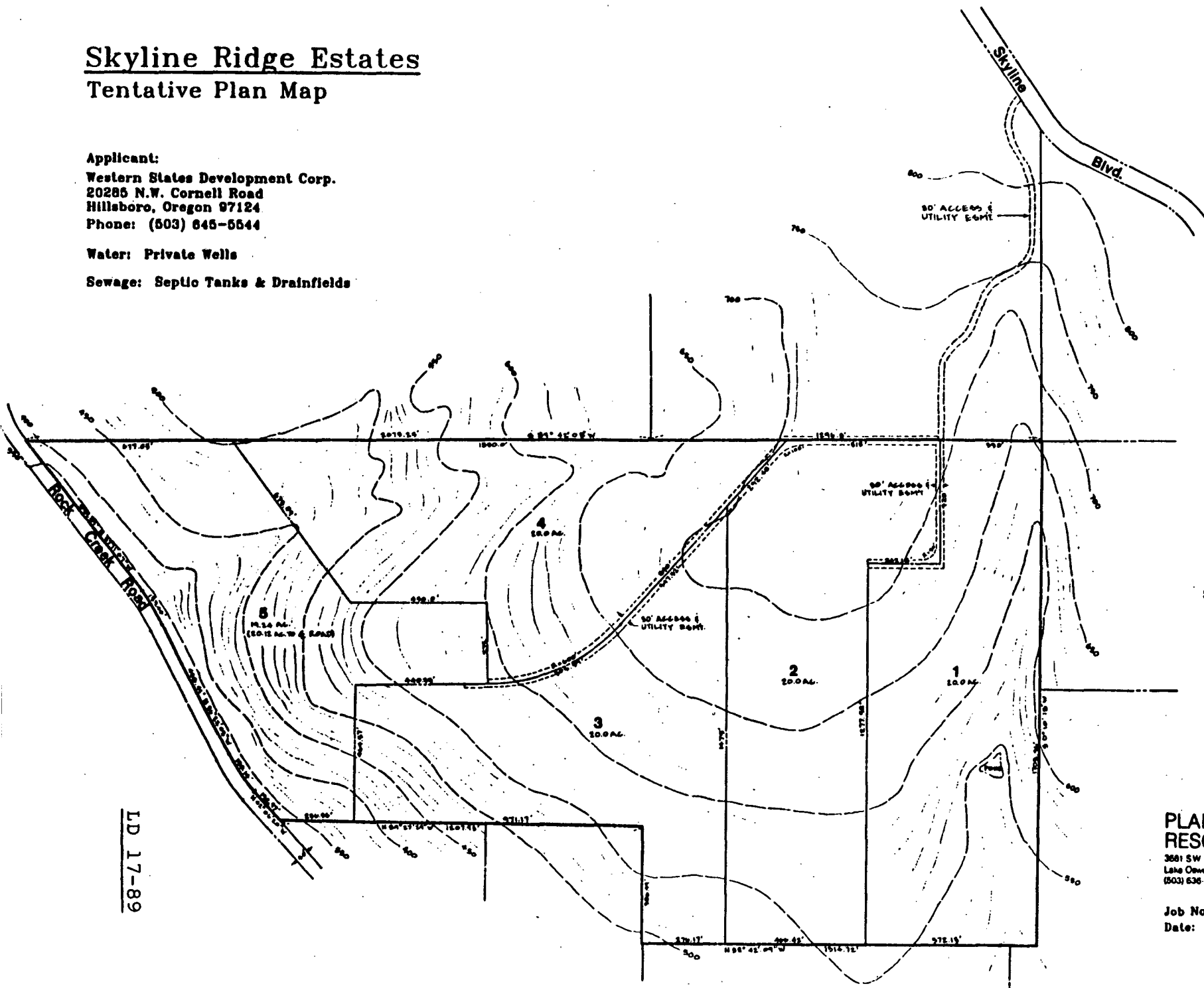
# Skyline Ridge Estates Tentative Plan Map

## Applicant:

Western States Development Corp.  
20285 N.W. Cornell Road  
Hillsboro, Oregon 97124  
Phone: (503) 645-5544

Water: Private Wells

Sewage: Septic Tanks & Drainfields



LD 17-89

**PLANNING RESOURCES, INC.** Long Use & Site Planning Services

3681 SW Carmen Drive  
Lake Oswego, Oregon 97035  
(503) 636-5422

Job No.: 88-BND-150  
Date: February 7, 1989

**Conditions of Approval: (LD 17-89)**

1. Within one year of the date of this decision, deliver the final plat and other required attachments to the Planning and Development Division of the Department of Environmental Services in accordance with MCC 11.145.710. Obtain a Summary Instruction Sheet contains detailed information regarding the final plat and the remaining steps for completing the land division.
2. Prior to recording the final plat, complete a Statement of Water Rights in accordance with the provisions of Senate Bill 142 as adopted by the 1987 Oregon Legislature. Contact the State Water Resources Department at 378-3066 for additional information.
3. Prior to recording the final plat, comply with the following Engineering Services Division requirements:
  - A. Commit to participate in future improvements on N.W. Rock Creek Road through deed restrictions. Contact Ike Azar at 248-5050 for additional information.
  - B. All storm drainage shall be disposed of on-site. Provide for on-site disposal of storm water in accordance with a plan approved by the Engineering Services Division.
4. Prior to application for a building permit on any lot, obtain a Land Feasibility Study from the County Sanitarian confirming the ability to use an on-site sewage system on that lot.
5. Prior to issuance of a building permit for any lot, satisfy the residential use development standards for the MUF District as contained in MCC 11.15.2194.
6. Prior to issuance of a building permit for any lot, show the slope of the building site on the plot plan. If any portion of the slope of the building site exceeds 20 percent, provide written certification from a geotechnical engineer or engineering geologist, licensed by the State of Oregon, that the site is suitable for the construction of a residence. Specifics to be covered include:
  - A. The ability to construct a single-family, detached dwelling, including two uncovered off-street parking spaces built to county standards;
  - B. Measures to be taken to prevent soil erosion; and
  - C. Confirmation that areas with slopes exceeding 20 percent are not subject to slumping, earth slides, or movement.
7. Prior to issuance of a building permit on any lot, obtain county approval of a resource management program for at least 75 percent of the productive land on that lot under MCC 11.15.2170(A)(2).

8 Prior to endorsement of the final plat, provide evidence acceptable to the County Engineer

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that water in sufficient amounts and pressure will be available to serve a house on each lot.

9. Prior to endorsement of the final plat, the applicant shall apply for and receive approval of annexation of the subject property to the boundaries of Multnomah County Rural Fire Protection District No. 20.
10. This land division shall be null and void unless all lots contain at least 19 acres in area as shown on the final plat.

### **Findings Of Fact (LD 17-89)**

1. **Applicant's Proposal:** The applicant proposes to develop a five-lot subdivision on a 99.24-acre parcel. All lots will be served by a private roadway over a proposed easement. Part of the road already exists and is located on tax lot '3' just north of the site. The request for approval of access by easement is addressed in this report under Recommended Decision #2 (MC 2-89). Planning Commission approval of a plan revision and zone change for the easterly 3 acres of the site from EFU to MUF-19 was affirmed by the Board of County Commissioners in April of 1989 (PR 3-89 and ZC 3-89).
2. **Site and Vicinity Information:** The property is located at 12200 N.W. Rock Creek Road, with access from N.W. Skyline Boulevard. Based on information furnished by the applicant, the property is currently in an inactive woodlot status. The eastern portion of the site has been cleared. There is no active resource use of the property at this time. The northern and western portions of the parcel have been logged in recent years. The access road to Skyline Boulevard was built to facilitate log removal. According to the applicant, previous efforts to farm and harvest timber on the property were hampered by poor access.
  - A. **Slope:** The site contain slopes exceeding 20 percent. However, there are areas with slopes under 20 percent where residences could be located. A condition of approval requires verification of the slope of building sites in conjunction with building permit applications for each lot.
  - B. **Future Road Improvements (N.W. Rock Creek Road):** No additional right-of-way dedication will be required in N.W. Rock Creek Road abutting the site. However, the County Engineer has determined that in order to comply with the provisions of MCC 11.60 (The Street Standards Ordinance) it will be necessary for the owner to commit to participate in future improvements to N.W. Rock Creek Road, abutting the site, through deed restrictions as a condition of approval.
3. **Land Division Ordinance Considerations (MCC 11.45)**
  - A. The proposed land division is classified as a Type I because it is *a rural area subdivision* [MCC 11.45.080(A)]. A subdivision is defined by MCC 11.45.015(JJ) as a land division resulting in the creation of four or more lots. This proposal would create five lots.

B. MCC 11.45.230 lists the approval criteria for a Type I Land Division. The approval  
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authority must find that:

- (1) *The Tentative Plan is in accordance with:*
  - a) *the applicable elements of the Comprehensive Plan;*
  - b) *the applicable Statewide Planning Goals adopted by the Land Conservation and Development Commission, until the Comprehensive Plan is acknowledged to be in compliance with said Goals under ORS Chapter 197; and*
  - c) *the applicable elements of the Regional Plan adopted under ORS Chapter 197. [MCC 11.45.230(A)]*
- (2) *Approval will permit development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this and other applicable ordinances; [MCC 11.45.230(B)]*
- (3) *The Tentative Plan or Future Street Plan complies with the applicable provisions, including the purposes and intent of this Chapter; [MCC 11.45.230(C)]*
- (4) *The Tentative Plan or Future Street Plan complies with the Zoning Ordinance or a proposed change thereto associated with the Tentative Plan proposal; [MCC 11.45.230(D)]*
- (5) *If a subdivision, the proposed name has been approved by the Division of Assessment and Taxation and does not use a word which is the same as, similar to or pronounced the same as a word in the name of any other subdivision in Multnomah County, except for the words "Town", "City", "Place", "Court", "Addition" or similar words, unless the land platted is contiguous to and platted by the same applicant that platted the subdivision bearing that name and the block numbers continue those of the plat of the same name last filed; [MCC 11.45.230(E)]*
- (6) *The streets are laid out so as to conform, within the limits of the Street Standards Ordinance, to the plats of subdivisions and maps of major partitions already approved for adjoining property unless the approval authority determines it is in the public interest to modify the street pattern; [MCC 11.45.230(F)] and*
- (7) *Streets held for private use are clearly indicated on the Tentative Plan and all reservations or restrictions relating to such private streets are set forth thereon. [MCC 11.45.230(G)]*

C. In response to the above approval criteria for a Type I Land Division, the following findings are given:



- (1) Finding 4 indicates that the proposal is in accord with the applicable policies of the Comprehensive Framework Plan. Therefore the proposal complies with MCC 11.45.230(A)(1). Verification of compliance with Statewide Planning Goals and the Regional Plan [MCC 11.45.230(A)(2) and (3)] is not applicable because the County Comprehensive Plan has been found to be in compliance with Statewide Goals by the Land Conservation and Development Commission.

(2) **Development of Property [MCC 11.45.230(B)]**

**Applicant's Response:** *"Because access to this subdivision is over an existing road easement on property also owned by the applicant, the proposal will not effect the development of or access to any adjoining property. Tax Lot 3 to the north may be developed using the same access and utility easement that serves this proposed subdivision. Other adjacent properties have their own access to either Skyline Boulevard or Rock Creek Road. This proposal satisfies this standard of the Code."*

**Staff Comment:** For the reasons stated by the applicant, the proposal satisfies MCC 11.45.230(B).

(3) **Purpose and Intent of Land Division Ordinance [MCC 11.45.230(C)]:**

Finding 5 indicates that the land division complies with the purposes and intent of the Land Division Ordinance and therefore satisfies MCC 11.45.230(C).

(4) **Zoning Compliance [MCC 11.45.230(D)]:** Finding 6 indicates that the tentative plan meets the requirements of the MUF-19 zone and therefore satisfies MCC 11.45.230(D).

(5) **Subdivision Name [MCC 11.45.230(E)]:** Prior to recording of the final plat, the Assessment and Taxation Division must verify that the proposed subdivision name "Skyline Ridge Estates" complies with MCC 11.45.230(E).

(6) **Street Layout [MCC 11.45.230(F)]:** No public streets are proposed. For this reason, MCC 11.45.230(F) does not apply.

(7) **Private Streets [MCC 11.45.230(G)]:**

**Applicant's Response:** *"The entire road system of the subdivision is intended for the private use of residents and landowners of the subdivision. The system is intended to provide access to the 5 proposed lots and is not a public thoroughfare. The easements for the road and utilities will be recorded by the applicant. The legal descriptions of the easement and the proposed lots are submitted with this application. The proposal satisfies this section of the Code."*

**Staff Comments:** Based on the findings, conclusions and approval conditions in Recommended Decision #2 (MC 2-89).and for the reasons stated by the applicant, the proposal complies with MCC 11.45.230(G).

4. **Applicable Comprehensive Plan Policies:** The following Comprehensive Plan Policies are applicable to the proposed land division. The proposal satisfies those policies for the following reasons:

**A. Policy No. 12, Multiple Use Forest Lands**

**Applicant's Response:** *"The county's policy is to designate and maintain certain areas as multiple use forest land. The intent of the Multiple Use Forest Area classification is to encourage small woodlot management, forestry, reforestation and agriculture. This policy was implemented by the creation of the Multiple Use Forest zoning district.*

*This proposed land division will create the opportunity for small woodlots and other resource uses on land that is presently used for limited hay production. Adjacent land in the MUF-19 district will not be affected by this proposal. For these reasons and because the proposal satisfies the purpose and intent of the MUF-19 zone, the proposed land division complies with Policy 12."*

**Staff Comment:** Obtaining approval of a resource management plan prior to issuance of a building permit on any lot is a condition of approval. Three of the adjacent MUF-19 parcels are smaller than the proposed lots. Two of the adjacent MUF-19 parcels are larger than the proposed lots. There is no information to indicate that approval of the requested land division will affect the ability to use any of those parcels in accordance with the MUF-19 zoning. Compliance with the purpose and intent of the Land Division Ordinance is addressed in Finding 5. For these reasons and for the reasons stated by the applicant, the proposal complies with this policy.

**B. Policy No. 13, Air, Water, and Noise Quality:**

**Applicant's Response:** *"The county's policy is to maintain or improve air and water quality and to prevent or reduce excessive noise levels while balancing social and economic needs.*

*There will be no housing development on the property without approved septic and drain field systems for each of the 5 potential home sites. The water supply will be from private wells. Wells on Skyline Ridge tap sources 600-700 feet deep. The addition of 5 wells will not jeopardize the area's water supply.*

*There will be no effect on the health, safety, welfare, and quality of life of Multnomah County residents because of this application."*

**Staff Comment:** Obtaining a Land Feasibility Study from the County Sanitarian for each lot is a condition of approval. Written confirmation of adequate well water supply is a condition of approval. For these reasons and for the reasons stated by the applicant, the proposal complies with this policy.

**C. Policy No. 14, Development Limitations:**

**Applicant's Response:** *"This policy, codified in MCC 11.45.460, addresses land suitability for the proposed subdivision. The subject parcel contains land with the following development limitation areas:*

**[(1)] "Slopes Exceeding 20%**

*This 99-acre parcel is bordered on three sides with slopes in excess of 20%. The steeper portions (30%-60% slope) are generally forested bands along the east, north, and west boundaries. The existing and proposed access roads will be designed to avoid these areas, with most of the roadway built on approximately 10% slope or less. The roads will be constructed with a heavy base of rock for year-round safety. Roadway cuts and fills will be seeded to prevent erosion. Home sites may be developed at a later date on all 5 lots. The road system is designed to provide access to each lot near a suitable home site which avoids the steepest portions of each lot."*

**[(2)] "Severe Soil Erosion Potential**

*Road building and future home sites will avoid the steep areas more prone to soil erosion. The long-term use of the land for small wood lots will bolster the land's natural defenses against erosion through reforestation and selective logging. At present, the steeper areas are generally forested and not subject to severe erosion. Any cuts and fills in road construction will be seeded with grass to reduce erosion. The steeper land is a hindrance to most activity and does limit the acreage suitable for roads and home sites. However, this limitation does not render the overall parcel unsuitable for subdivision and small wood lot management."*

**[(3)] "Land Within the 100-Year Flood Plain**

*"The proposed subdivision does not lie within a flood plane."*

**[(4)] "A High Seasonal Water Table 0" -24"**

*"The main concern with the high water table is the potential for killing plants with too much water. According to the Multnomah County Soil Survey by the Soil Conservation Service, all the soils on the property may be suitable for Douglas fir. The Cascade silt loam soils have a water table at a depth of 18" -30" from December through April. Drainage is enhanced by the overall slope of the property. The Saum silt loam soils are termed well-drained soils. Saum silt loam soil is concentrated in the southwest and northeast sections of the overall parcel. High water*

*table is not a problem on this site."*

**[(5)] "Fragipan Less than 30" from Surface**

*The main concern in this standard is that root systems cannot penetrate into the fragipan. According to the SCS Soil Survey, there is a slowly permeable fragipan at a depth of 20"-30" in the Cascade soils in the center of this parcel. This results in an effective rooting depth of 20"-30". The Douglas fir site index for these soils is 150-165, Class II-III, which means the root depth is not a serious problem for growing fir trees. The Saum silt loam soils have an effective rooting depth of 40"-60", with a Douglas fir site suitability of 130-140, Class III. The fragipan is not a problem on this site."*

**[(6)] "Land Subject to Slumping. Earthslides. or Movement**

*Land in the vicinity is generally stable. There are many dwellings on similar soils along Skyline Boulevard. The steeper portions of the property are forested and would be avoided by the development and most activities resulting from this application. There is no instability that would make this parcel unsuitable for the proposed forest uses."*

**Staff Comment:** A condition of approval requires that the ability of any building site with slopes exceeding 20 percent to accommodate a residence be confirmed by a geotechnical engineer or engineering geologist. The slope of the proposed private roads will be subject to review and approval by Multnomah County Rural Fire Protection District #20 for ability of the roads to handle fire-fighting equipment. For these reasons and those stated by the applicant, the proposal complies with this policy.

**D. Policy No. 15, Significant Environmental Concerns:** The site is not located in the Significant Environmental Concern zone. Therefore, Policy 15 is not applicable..

**E. Policy No. 16, Natural Resources:**

**Applicant's Response:** *"The county's policy is to protect natural resource areas and to require a finding in land use actions that the long-range availability and use of those areas will not be limited or impaired."*

*Most of the subject property has been cleared or logged already. The proposed land division will create an opportunity for woodlots or other resource uses that could increase the amount of vegetation and wildlife habitat on the property. The proposed land division will not limit or impair the long-range availability and use of any of the areas of concerns described in this policy. This application complies with Policy 16."*

**Staff Comment:** A condition of approval requires that a resource management plan be approved under MCC 11.15.2170(A)(2) prior to issuance of a building permit on any of the new lots. Subject to that condition and for the reasons stated by the applicant the proposal complies with this policy.

**E. Policy No. 19, Community Design:**

**Applicant's Response:** *"The county's policy is to maintain a community design process in order to assure a complimentary land use pattern. This rural subdivision is not intended for public use. The applicant will develop a road system and utility easement to the 5 lots. The remainder of the land will be untouched until the development of single-family housing at some time in the future. Single-family dwelling structures are excluded from design review provisions pursuant to Policy 19, Strategies (B)(1)(a). There is no adopted community plan in the N.W. Skyline Ridge/Rock Creek area. This proposal supports Policy 19."*

**Staff Comment:** For the reasons stated above, the proposal complies with this policy.

**F. Policy No. 22, Energy Conservation:**

**Applicant's Response:** *"The county's policy is to promote the conservation of energy, to use energy resources in a more efficient manner, and to reduce dependency on non-renewable resources. This application will create the opportunity for woodlots or other resource uses on 5, 20-acre parcels. Woodlots produce renewable resources, and to the extent that woodlots are developed, this land division would specifically support this policy. Otherwise, Policy 22 does not directly apply to this application."*

**Staff Comment:** For the reasons stated above, the proposal complies with this policy.

**G. Policy No. 36, Transportation System Development Requirements:**

**Applicant's Response:** *"The county's policy is to increase the efficiency and aesthetic qualities of the traffic ways and public transportation. The proposed access road is efficient because it shares the existing ingress and egress point at Skyline Boulevard with Tax Lot 3. The road system on the subject parcel is not visible from the public highways, and the development will have no effect on the aesthetic quality of the region. This proposal satisfies Policy 36."*

**Staff Comment:** The site abuts N.W. Rock Creek Road. As stated in Finding 2B, the owner will be required to commit to future improvements of the road through deed restrictions as a condition of approval. For these reasons and those stated by the applicant, the proposal complies with Policy 36..

**H. Policy No. 37, Utilities:**

**Applicant's Response:** *"The county's policy is to require that water supply, sewage disposal, drainage, energy, and communications are adequate for the proposed subdivision. The proposed development does not include housing at this time. It is expected that the water supply would be from on-site wells and that the sewage disposal would be through on-site septic tanks and drain fields. A land feasibility study and required approvals will be obtained prior to any housing development. Drainage on the parcel will not be substantially altered by the proposed road construction because the road is designed to follow the gentler slopes on the property. The property slopes toward the east, south, and west and drainage follows natural pathways. PGE provides electricity to the vicinity and telephone service is provided by U.S. West Communications. The proposal complies with policy 37."*

**Staff Comment:** For these reasons, the proposal complies with Policy 37.

**I. Policy No. 38, Facilities:**

**Applicant's Response:** *"The purpose of this policy is to assure that adequate police and fire protection is available to the project and to seek school district comment. The property is within the service area of Multnomah County Fire Protection District No. 20. The Multnomah County Sheriff is responsible for police protection in this rural area. The road system will be on a 30-foot wide access and utility easement, and will provide adequate access for police and fire emergency vehicles. The property is served by the Portland School District. This proposal will not have any additional impacts on public safety or school service."*

**Staff Comment:** Although the site is bounded on all sides by land inside Fire District #20, County Assessment and Taxation records show that the site itself is not taxed by the district. Annexation of the site to the district is a condition of approval. Subject to annexation to Fire District #20 and for the reasons stated above, the proposal complies with this policy.

5. **Purpose and Intent of Land Division Ordinance:** MCC 11.45.015 states that the Land Division Ordinance...*"is adopted for the purposes of protecting property values, furthering the health, safety and general welfare of the people of Multnomah County, implementing the Statewide Planning Goals and the Comprehensive Plan adopted under Oregon Revised Statutes, Chapters 197 and 215, and providing classifications and uniform standards for the division of land and the installation of related improvements in the unincorporated area of Multnomah County."* MCC 11.45.020 states that the intent of the Land Decision Ordinance is to...*"minimize street congestion, secure safety from fire, flood, geologic hazards, pollution and other dangers, provide for adequate light and air, prevent the overcrowding of land and facilitate adequate provisions for transportation, water supply, sewage disposal, drainage, education, recreation and other public services and facilities."*

**Applicant's Response:** *"The purposes of MCC Chapter 11.45 are to protect property values, to further the health and safety of county residents, and to follow state law when divid-*

*ing land in unincorporated areas of the county. The intent of Chap. 11.45 is to maintain a high quality of livability on the land.*

*This proposal enhances the value of the subject parcel by increasing its potential for resource use and by providing safe, convenient access to 5 potential home sites. At the same time, the proposal will not affect any of the surrounding properties because the parcel is screened from houses existing in the sparsely populated vicinity by the terrain and forest.*

*The proposal meets the purposes and intent of Chap. 11.45 by increasing the value and livability of the property. The proposal conforms to the intended land use zoning and will have no effect of any significance on street congestion, pollution, or any of the other concerns outlined in MCC 11.45.020."*

**Staff Comments:**

- A. Finding 4.H addresses water supply and on-site sanitation for the proposed land division. Finding 4.I addresses fire and police protection for the site. For these reasons, the proposal furthers the health, safety, and general welfare of the people of Multnomah County.
- B. Finding 4. indicates that the proposed land division complies with the applicable elements of the Comprehensive Plan. Since the Comprehensive Plan has been found to be in compliance with Statewide Planning Goals by the State Land Conservation and Development Commission as stated in finding 3.C.(1), the proposed land division complies with the Statewide Planning Goals.
- C. The proposal meets the purpose of "*providing classifications and uniform standards for the division of land and the installation of related improvements*" because the proposal is classified as a Type I Land Division and meets the approval criteria for Type I Land Divisions as stated in findings 3-6. Conditions of approval assure the installation of appropriate improvements in conjunction with the proposed land division.
- D. The proposal minimizes street congestion by utilizing an existing roadway to serve the new lots as shown on the Tentative Plan Map.
- E. As stated in finding 4.I, obtaining public fire protection through annexation to Fire District #20 is a condition of approval. Development limitation are addressed in Finding 4.C. Development of the 5 proposed lots will not significantly increase air pollution levels. For these reasons, the proposal secures safety from fire, flood, geologic hazard, and pollution.
- F. The proposal meets the area and dimensional standards of the MUF-19 zoning district as explained in finding 6, and thereby provides for adequate light and air and prevents the overcrowding of land.
- G. Roads are addressed in findings 2 and 4.G. Water supply, sewage dispos-

al and storm drainage are addressed in finding 4.H Education, fire protection and police service are addressed in finding 4.I. Based on the above findings, the proposed land division facilitates provision for transportation, water supply, sewage disposal, drainage, education, and other public services and facilities.

H. For the reasons stated above and for those stated by the applicant, the proposed land division satisfies the purpose and intent of the Land Division Ordinance.

6. **Zoning Ordinance Considerations:** The applicable Zoning Ordinance criteria (MCC 11.15) are as follows:

- A. The site is zoned MUF-19, Multiple Use Forest District.
- B. The following minimum area and dimensional standards apply per MCC 11.15.2178:
  - (1) The minimum lot size shall be 19 acres, including one-half of the road right-of-way adjacent to the parcel being created. As shown on the Tentative Plan Map, all lots exceed this requirement.
  - (2) The minimum front lot line length shall be 50 feet. As shown on the Tentative Plan Map, all lots exceed this requirement.
  - (3) The minimum yard setbacks are 30 feet front, 10 feet side, and 30 feet rear. As shown on the Tentative Plan Map, there is adequate area on each lot for residences to meet all yard requirements.
- C. As a condition of approval, construction of houses on all lots will require county approval of resource management programs for at least 75 percent of the productive land on each lot pursuant to MCC 11.15.2178(A)(2).
- D. **Residential Use Development Standards:** MCC 11.15.2194 contains standards for residential development in the MUF district. The standards relating to fire safety, access, building location, and construction.

**Applicant's Response:** *"" Because no construction approval is sought at this time, this criterion is not applicable. However, the parcels have been designed so as to be capable of satisfying the development standards if and when approval is sought to construct single family dwellings.*

*The lots are designed to provide safe access to homesite areas on each lot. Suitable footprints are available on each lot so as to be able to site a house on less productive soil. The setback, access and other locational requirements in Subsection .2194 are capable of being satisfied by any future dwellings sited on the lots. As is common*



*in the area, water supply would come from wells on each lot."*

**Staff Comment:** Compliance with the residential use development standards will be required in conjunction with building, permits for each lot. Subject to the conditions of approval recommended for this land division, compliance with those standards appears possible.

**.Conclusions (LD 17-89)**

1. Based on finding 4, the proposed land division satisfies the applicable policies of the Comprehensive Plan.
2. Based on findings 3 and 5, the proposed land division satisfies the approval criteria for Type I Land Divisions.
3. Based on finding . 6, the proposed land division satisfies the area and dimensional requirements of the MUF-19 zoning district.

**Conditions of Approval (MC 2-89)**

1. When recording the final plat, record an instrument that demonstrates the legal right of owners of all lots served by the easement to to use the easement for access to those lots.
2. When recording the final plat, record deed restrictions regarding the easement which:
  - A. Reference the Planning Commission decision approving access by easement (MC 2-89) and the land division for the property (LD 17-89); and
  - B. Specify maintenance responsibilities for owners of the lots served by the easement.
3. When submitting the final plat to the Planning and Development Division, include a copy of the documents referred to in Conditions 1 and 2 above
4. Prior to endorsement of the final plat by the Planning and Development Division, provide written confirmation from Multnomah County Rural Fire Protection District No. 20 (Skyline Fire Department) that the proposed easement roadway will be safe and convenient for emergency vehicle use. The report from the district shall address:
  - A. Width of traveled surface;
  - B. Type of surfacing, including width, type and thickness of base rock;
  - C. Slope of roadway;
  - D. Adequate turning areas for fire-fighting apparatus;
  - E. Specifications for turn-outs at appropriate intervals along the private easement road

to allow room for two-way vehicle traffic;

- F. Specifications for keeping brush back from the traveled surface of the easement roadways;
- 5. In conjunction with issuance of the first building permit on one of the new lots, improve or upgrade the easement roadways with an all-weather surface to specifications satisfactory to the Skyline Fire Department.
- 6. The design of the road, including slope stability and erosion control measures shall be subject to approval by the County Engineer.

#### **Findings of Fact (MC 2-89)**

- 1 Applicant's Proposal: Applicant proposes to create an easement over an existing private road to provide access to five land-locked lots proposed to be created under Land Division Case LD 17-89. The conditions, findings and conclusions for the land division are addressed in this report under Recommended Decision #1. The existing road runs from N.W. Skyline Boulevard across Tax Lot '3' to the north line of the site about 325 feet from the northeasterly corner of the site. At that point the road would extend into the site in two branches, one serving Lots 1 and 2 and the other serving Lots 3, 4 and 5.
  - A. Length of the existing road between N.W. Skyline Boulevard and the site is about 1,300 feet. The proposed branch serving Lots 1 and 2 is about 660 feet long. The proposed branch serving Lots 3, 4 and 5 is about 1,800 feet long.
  - B. The proposed easement for the existing road over Tax Lot '3' is 20 feet wide as shown on the tentative plan map. The proposed easements for the new roads serving the new lots are 30 feet wide as shown on the tentative plan map.
- 2. **Zoning Ordinance Considerations (MCC 11.15):** MCC 11.15.2188 states that all parcels in the MUF, Multiple Use Forest District shall abut a street or have other access determined to be "safe and convenient for pedestrians and passenger and emergency vehicles."

**Applicant's Response:** *"Although this property abuts Rock Creek Road, access from that road would be difficult because of the steep terrain. The access from Skyline Boulevard by easement through Tax Lot 3 will be on gravel roads designed for two-way traffic. The lot lines and roadway easements are laid out to follow gentle slopes for safe and convenient access. Each of the 5 proposed lots would be served by safe access roads."*

#### **Staff Comment**


- A. The site abuts N.W. Rock Creek Road on the west. Steep topography between the road and the proposed lots precludes creation of flag lots with direct access off Rock Creek Road. Utilization of the existing road over Tax Lot '3' with extensions to the new lots as proposed will provide adequate access to those lots.

- B. The proposed private road system will not use up substantial portions of each lot as "panhandles" as would occur if flag lots were created. Compared to flag lots, the private road system would result in a more efficient use of the land for small wood lots proposed by the applicant.
- C. Staff has sent the tentative plan map to the Fire Marshal of Multnomah County Rural Fire Protection District #20 for review of the private roads. A condition of approval requires written confirmation from the district that the roads are designed to handle fire-fighting apparatus with respect to width, type of base, top fill, surfacing, slope, turn-around areas, passing turn-outs and brush clearance. For the reasons stated above as well as those stated by the applicant, the request for access by easement satisfies MCC 11.15.2188.

### **Conclusions (MC 2-89)**

1. The criteria for approval of an alternate means of access as required by MCC 11.15.2188 have been met subject to the stated approval conditions.
2. Approval of an easement for access instead of requiring frontage on a public road is appropriate because steep topography makes creation of flag lots fronting on Rock Creek Road impractical.

Signed August 14, 1989

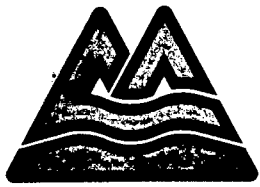
  
Richard Leonard, Chairman

**Filed with the Clerk of the Board, August 24, 1989**

### **Appeal to the Board of County Commissioners**

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice and objects to their recommended Decision may file a Notice of Review with the Planning Director on or before 9:00 a.m. on Tuesday, September 5, 1989 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, September 5, 1989 in Room 602 of the Multnomah County Courthouse. For further information, call the Multnomah County Planning and Development Division at 248-3043.



# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308  
PAULINE ANDERSON • DISTRICT 1 • 248-5220  
GRETCHEN KAFOURY • DISTRICT 2 • 248-5219  
RICK BAUMAN • DISTRICT 3 • 248-5217  
SHARRON KELLEY • DISTRICT 4 • 248-5213  
JANE McGARVIN • Clerk • 248-3277

---

**Date: 09/05/89      Time: 9:30 am      Place: Room 602, Multnomah County Courthouse**

---

**CS 7-89      Public Hearing - On The Record Plus Additional Information  
Related to Traffic Impact**

Review the Decision of the Planning Commission of July 10, 1989, **denying** community service designation to allow development of a Tri-Met Terminus facility for property located at **13525 SE Foster Road**.

**This Notice of Review has been filed by the applicant.**

**Scope of Review**

**On The Record Plus Additional Testimony Related to Traffic Impact**

**Oral Argument**

**Each side will have 20 minutes to present oral argument before the Board.**

LR-10

LR-10

PORTLAND TRACTION CO RR R/W

LR-5



Case #: CS 7-89  
Location: 13525 S.E. Foster Road  
Scale: 1 inch to 200 feet  
Shading indicates subject property

S E RAMONA STREET

S E RAMONA STREET

LR-5

S E KNIGHT STREET

LR-5

MR-4  
CS

CS 10-63  
MR-4  
CS 38-62  
CS 36-57  
CS 13-66

LR-5 CS

MC 41-64

MR-4

LR-5

MR-4

S E 136th AVENUE

FOSTER

LR-5

CS 24-59

LR-5

PRICE TRACT

CON

135TH AVENUE

CON

LR-5

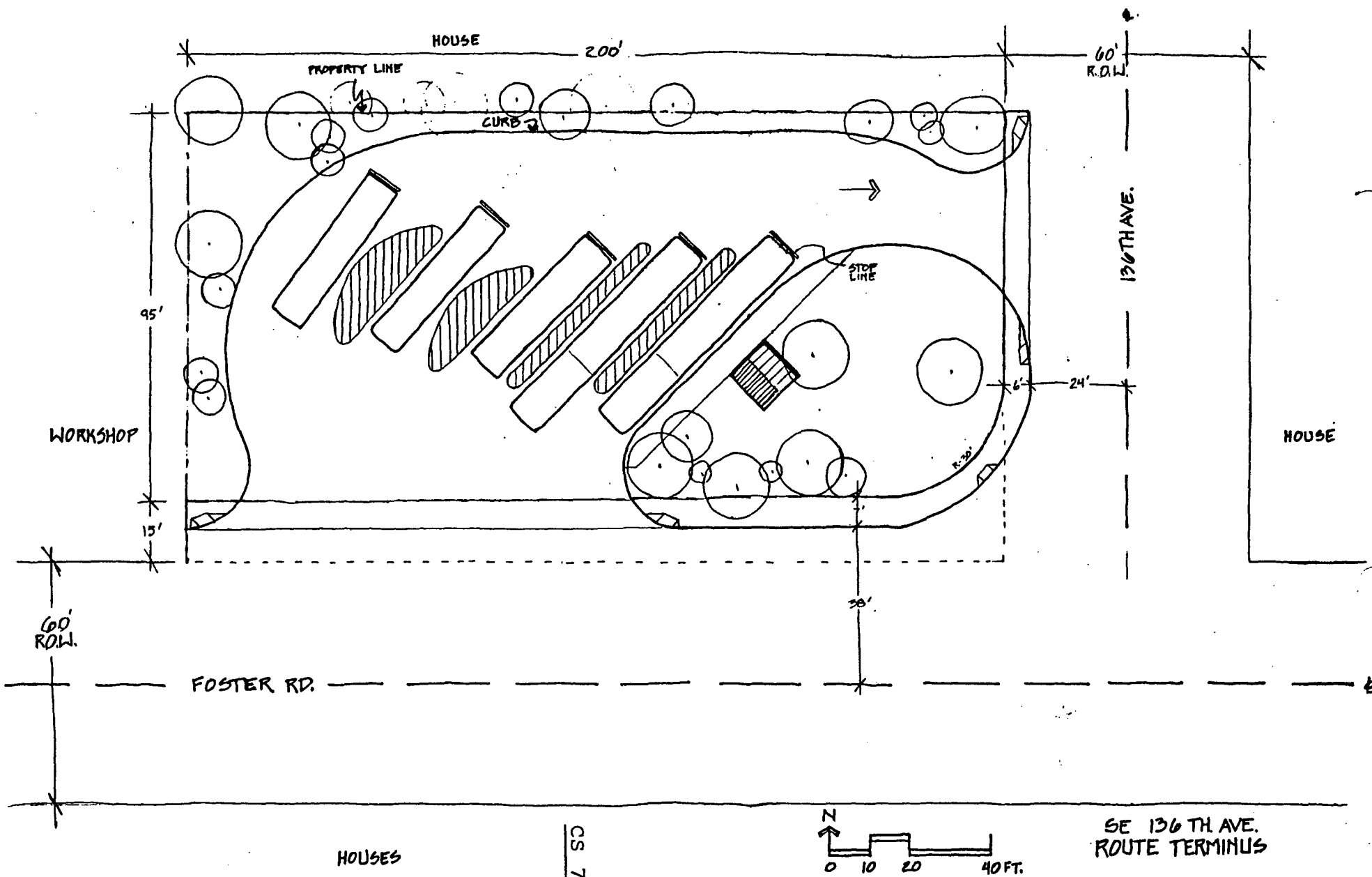
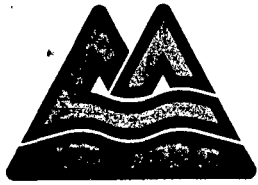


Figure 1



# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308  
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SHARRON KELLEY • DISTRICT 4 • 248-5213  
JANE McGARVIN • Clerk • 248-3277

---

**Date: 09/05/89    Time: 10:30 am    Place: Room 602, Multnomah County Courthouse**

---


## **C 2-89      Public Hearing - DeNovo**

Review the Decision of the Planning Commission of June 12, 1989, **denying** request to change name of street segments known as NE 215th Avenue, NE Shaver Street and NE 216th Avenue to NE Lachenview Circle; **approve** change of name to NE Lachenview Lane for two of the three street segments noted, namely NE 215th Avenue and NE Shaver Street. Retain NE 216th Avenue as shown; decision to approve street name change to NE Lachenview Lane for NE 215th Avenue and NE Shaver Street does not preclude change to NE Lachenview Circle in the future (including NE 216th Avenue) if conditions change which qualifies the three street segments to be called "Circle".

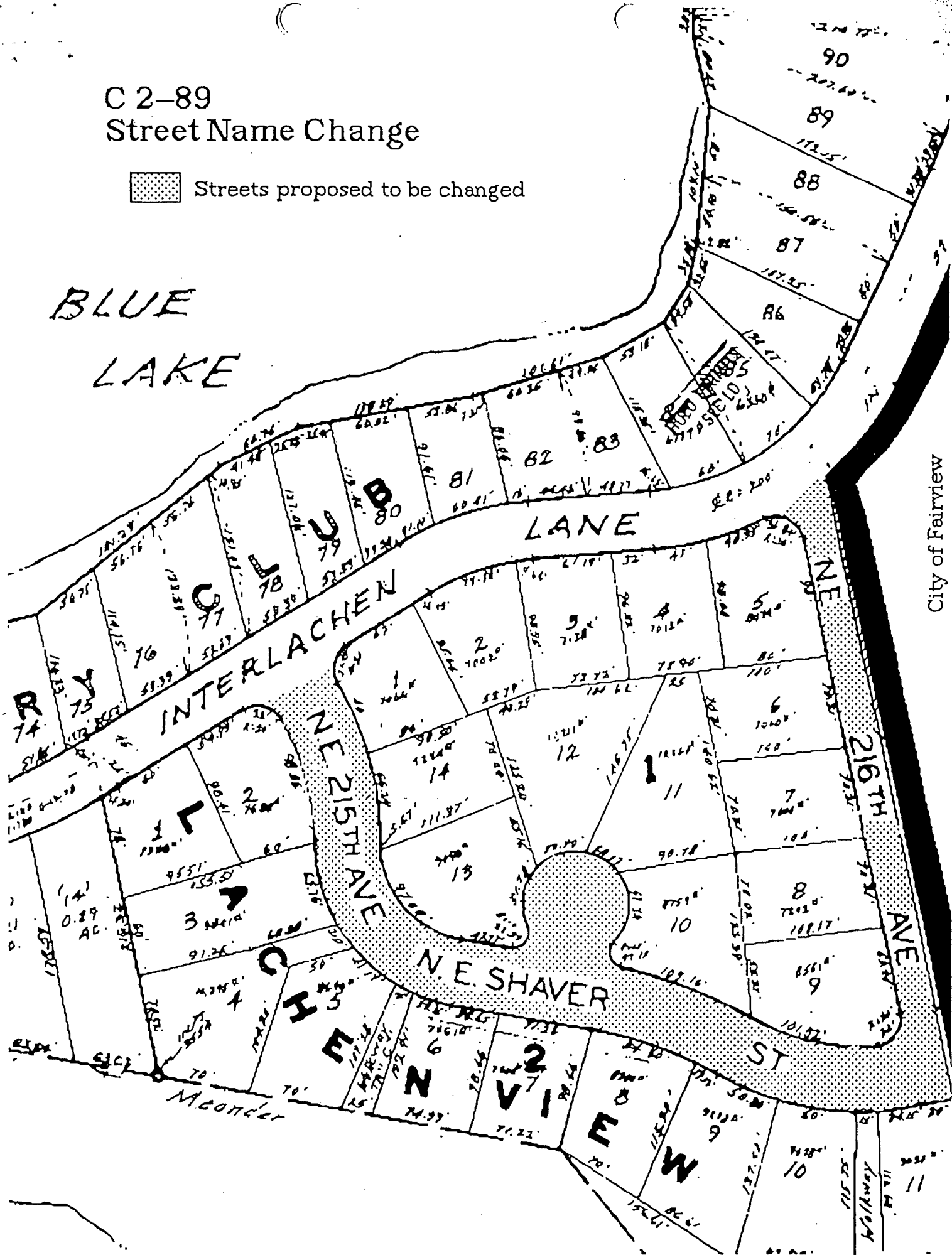
### **Scope of Review**

De Novo

C 2-89  
Street Name Change

 Streets proposed to be changed

BLUE  
LAKE







DEPARTMENT OF ENVIRONMENTAL SERVICES  
DIVISION OF PLANNING AND DEVELOPMENT  
2115 SE MORRISON STREET  
PORTLAND, OREGON 97214 (503) 248-3043

## NOTICE OF REVIEW

253 4007 8/31/89 272.50 T

1. Name: Tri-County Metropolitan Transportation District of Oregon (Tri-Met)  
Tri-Met (Contact Person - Joe Walsh, 238-4905)

2. Address: 4012 S.E. 17th Avenue, Portland, Oregon 97202

3. Telephone: ( 238 ) 4905

4. If serving as a representative of other persons, list their names and addresses:

5. What is the decision you wish reviewed (e.g., denial of a zone change, approval of a subdivision, etc.)?

Denial of Community Services Designation

6. The decision was announced by the Planning Commission on July 10, 1989

7. On what grounds do you claim status as a party pursuant to MCC 11.15.8225?

Tri-Met is the applicant and the prospective purchaser of the  
property.

*Please return this original form*

*C 57-89  
Back  
day to  
file  
Notice  
of Review  
Monday -  
July 31, 1989  
4:30 pm*

8. Grounds for Reversal Decision (use additional sheets if necessary):

See attachment

9. Scope of Review (Check One):

(a) ☐ On the Record

(b) ☒ On the Record plus Additional Testimony and Evidence

(c) ☐ De Novo (i.e., Full Rehearing)

10. If you checked 9(b) or (c), you must use this space to present the grounds on which you base your request to introduce new evidence (Use additional sheets if necessary). For further explanation, see handout entitled *Appeal Procedure*.

See attachment

Signed: *Douglas L. Capps*

Douglas L. Capps

Executive Director Public Services

Date: 7/28/89

For Staff Use Only

Fee:

Notice of Review = \$150.00

Transcription Fee:

Length of Hearing 70 min x \$1.75/minute = \$ 122.50

Total Fee = \$ 272.50

Received by: *M. Her*

Date: 7/31/89

Case No. \_\_\_\_\_

SUPPLEMENTARY NARRATIVE  
REVIEW OF PLANNING COMMISSION DECISION  
CS 7-89, # 427  
TRI-MET ROUTE TERMINUS, 136TH AND FOSTER

8. The Planning Commission cited noise and fumes, the traffic impact of additional bus trips and the potential for "park and ride" use as reasons for denial in the findings. However, the Commission findings and decision of denial are not consistent and do not take into account information on the record regarding potential adverse impacts.

While Finding 3, Site Vicinity and Character, indicates that the proposal is consistent with the character of the MR-4 zoning and finding 4(G)(a), Off-Site Effects, indicates a positive impact on traffic, Finding 4(A), Consistency with the character of the area, cites traffic impacts and inconsistency with the character of the area as reasons for denial.

Regarding mitigating measures, in the application and the presentation, Tri-Met indicated that 1) a wall and special operating rules would mitigate the noise generated from the facility; 2) the additional bus trips through the intersection would not increase the congestion level at 136th and Foster; and that if "park and ride" usage did develop there are alternatives that are more cost effective and with less impact than developing a park and ride lot at the site.

10. Additional information on traffic impacts should be introduced. Although Tri-Met presented information on the projected bus volumes and their lack of impact on the of 136th and Foster, the County's Traffic Engineer was not present at the hearing to confirm this. Traffic impacts were not raised as a concern by County Engineering or Planning Staff, and neighborhood traffic concerns that had been brought to Tri-Met's attention primarily involved existing traffic problems at 134th and Foster. As a result, Tri-Met did not develop an independent engineering analysis of the project's impact on pedestrian safety and traffic operations. Such an analysis could be undertaken and reviewed by county staff in order to evaluate the concerns raised at the Planning Commission level.

**A TRANSCRIPT OF A PORTION OF THE PLANNING COMMISSION  
MEETING OF JULY 10, 1989**

**CS 7-89**

**Planning Commission Members Present:** Chairman Leonard, Alterman, Spetter, Fry and Douglas

**Staff Present:** S. Cowley, B. Hall, M. Hess

**Hall:** This request involves a proposal by Tri Met to develop the property located at 13525 SE Foster with a bus turnaround and a layover facility. The proposed, or a sketch of the proposed facility is shown on page 3 of the Staff Report, and as you can see, the property is located on the northwest corner of 136th and SE Foster. Right at the corner of that intersection there would be a landscaped area with proposed restroom facilities, then a significant portion of the remainder of the site is proposed to be paved and would serve as a turnaround, an area where busses could turn around and also where busses could lay-over for drivers to get, what I believe is their required rest period or whatever during runs. The applicant could be more precise about that.

I do have just a few slides. Here's where the processor lost most of them

As I mentioned, this is located on the northeast corner of 136th and Foster. The property is located on the right of the slide there. You can see kind of on a tree, below the "Caution, Children" sign. That's the subject property. This is looking westerly along Foster and you can see at this point that Foster is a two-lane with a left-turn refuge. 136th does not go through to the south at this point.

And, this is looking easterly along Foster. This was taken between 11:00 and 12:00 I would say. A daytime period. Again, two-lane.

And this looks up 136th Avenue. In this case the property is on the left of the slide and 136th as you can see is a two-lane road. A Neighborhood Collector street.

The applicant, and I'm sorry, that's all the slides that I got back, the applicant has done an admirable job of addressing the ordinance criteria, and for the most part, the Staff agreed with them in total. The Staff feels that it does satisfy the applicable approval criteria for community services uses and, as outlined in the Staff Report, there are two conditions. One, two recommended conditions. One that they need to put the requirements of Engineering Services and secondly that they satisfy the applicable standards of Design Review.

I guess with that I'll leave it. Are there any questions?

Leonard: Any questions of Staff?

Hall: Yes, Commissioner Spetter.

Spetter: On page 6 of 8.

Hall: Yes.

Spetter: The sentence begins with "The development of this site as a mass"..... If you go to 7 of 8 it doesn't seem to follow.

Hall: Just a second. Where on 6 of 8?

Spetter: The very bottom, Policy 33.

Hall: Okay.

Alterman: Scratch out the last line on page 6 and the first line on 7; it looks ....

Hall: Oh, we got a duplication there.

Spetter: So the "j" is the same as "i"? Okay.

Hall: Yes. I don't know how that happened.

Spetter: Is there anything missing then?

Hall: No.

Spetter: Okay.

Hall: I did eliminate a references to two or three policies that I did not feel applied, and in so doing I had to go back and renumber, and apparently I left a line or two that should have been deleted.

Alterman: One question with regard to the hazardous conditions finding on this. Is this based on the facility not being expected to attract significant number of passenger cars; that is, it wouldn't be used as the equivalent of a transit center or a park and ride?

Hall: Correct. Yes. And in checking with Engineering Services, they didn't feel that it would create any hazardous conditions. You know, the development of this with that.

Alterman: Okay. What's, there isn't a description of the proposed building. What's in the building?

Hall: Its just a restroom facility.

Alterman: Okay.

Leonard: Would that be a public restroom, or?

Hall: As I understand, it was for the drivers. The applicant...

Leonard: It would be a locked building that the drivers would have access to?

Hall: Yes. At the time of the pre-ap it was proposed, as I recall, to be solely for drivers.

Spetter: I'm sorry, but I'm a little confused by exactly what this is for. Could you explain to me what this is for?

Hall: Well, its an area, well the applicant can explain it much better than I, they being transit experts, but as I understand the situation, because of the condition on Foster where there is no

adequate room for the busses to pull over for, I guess you could call them "required lay-over periods", and no convenient place in the area that turn busses around, that bus routes are either extended to or lengthened to areas that can accommodate such provisions. And one is, the shortening of the route provides inadequate provision services to the area and lengthening provides an unnecessary use of resources, so the applicant has identified this property as being a property central to at least two bus routes that could provide such facilities and still fit in with the logical routing of their busses throughout the neighborhood.

Spetter: Okay. I'll ask my further questions of the applicant.

Hall: Okay.

Leonard: I have one more question regarding traffic. Did Engineering Services have any comments on the turning movements in and out of the site as proposed?

Hall: They did and the applicant worked with them and they have been changed since their original proposal, but they are as shown on the site plan.

Leonard: So County Engineering Staff supports what is proposed?

Hall: Right. What you see on the site plan is a result of having worked with the engineers.

Leonard: Any other questions of Staff?

Thank you.

Is the applicant or the applicant's representative here?

Goodlink: Mr. Chairman, Commissioners...

Leonard: Would you please state your name and address for the record.

Goodlink: My name is Jeff Goodlink. I'm a project planner of Tri Met. Tri Met's address is 4012 SE 17th Avenue, Portland, Oregon, 97202. As you've been informed by Staff, Tri Met is interested in developing the northwest corner of 136th and Foster as a

small terminal facility. The facility would be used by three bus lines; number 5, 10 and 17. As the terminus of those routes. We need a facility in order to accommodate the busses on their layover. A layover is the period of time from when a bus reaches the end of its route on an out-bound trip until it begins its route back into town. There are several reasons why we need a layover. Partly its mandated by our contract with our union, partly its to ensure that the busses, if they arrive at the end of a line late, can leave going back into town on time and we can maintain a schedule adherence.

No vehicles are to be stored at that facility over-night. It will only be on a basis of ten to fifteen minutes as that vehicle requires.

Construction of the facility, therefore, would allow Tri Met to eliminate several existing lay-over locations that we have in the neighborhood. Consolidate them at one place where we could ensure a more coherent routing in the area and make improvements to the area, because it is our property to help mitigate the impacts caused by laying over busses.

We'd also be able to increase the amount of service available to the residents in the area without increasing our operating costs by improving the routing for the area.

I have a brief presentation; I'm going to be reading a lot of it to save you time and to much pain on your ears. If I didn't read it I'd be repeating a lot and leaving out some information you need to know. My presentation will cover the background of how we determine that a project is necessary, the site selection process that we went through, the site proposal, the impacts of our proposal, and the public process that Tri Met has gone through.

The project area as we've defined it is bounded by 122nd and Powell, Foster and 136th. We have four bus lines that operate east and west through the project area. Those bus lines are on Powell, Holgate, Harold and Foster. Because of the road network in the area is constructed to two-lane, rural standards, its difficult for us to currently turn our busses around. Both the Holgate and Harold lines, which cannot continue further east because of Powell Butte, make large terminal loops of



several miles in order to get turned back around into town. Terminal loops are, unfortunately, an inferior route design technique because they provide essentially one-way service to an area. In other words, if you were to catch the bus at certain times of day you may only get a part of the way to your destination and then be required to wait on the bus through the driver's lay-over in order to continue your trip. Frequently that extends the length of your bus trip by ten or fifteen minutes, which makes it less likely you're going to choose transit for that trip.

Because Powell Butte presents a barrier to an extension of those routes further east, those routes on Harold and Holgate will always terminate near the area of 136th. It therefore behooves Tri Met to provide a facility there so that we can eliminate those loops and serve the residents in the most economical fashion possible.

While this facility will be unique to Tri Met, it represents an industry standard. Prior to Tri Met, Rose City Transit owned and operated many route terminals; their trolleys as well as their busses. Unfortunately, in the late 1950's as Rose City was in significant financial hardship, the easy way for them to balance their books was by selling these pieces of property. Tri Met, therefore, inherited none of those properties. What we are attempting to do is reestablish some of those in areas where it makes sense; where the routes will not change.

Many sites in the area were looked at. Several dozen were looked at over a couple year process. We came down to a final three sites on 136th Avenue between Holgate and Foster. That area made the most sense because it allowed us to extend the routes the furthest east possible. The site on 136th and Foster was our final choice and is our preferred site for several reasons. First of all, there is a significant volume of traffic on Foster. That means that the impact of the additional busses will not be as great as it would be in another area. Are, the amount of vehicles that we would be adding to the area only represents one percent increase in the total amount of traffic that would be at that intersection.

Secondly, there's already a signal at that location. While there is many areas on Foster that are congested because of the

amount of traffic, that particular intersection allows us much better access and egress from the site than other locations.

Thirdly, the zoning allows this as a conditional use and projects that the area will increase in density in the future, which will be a benefit to transit.

And thirdly, this location makes a lot of sense from our point of view of operating costs, in that we can extend all three lines to this site without having to add any additional vehicles to these lines. And we will also not preclude the extension of the Foster line in the future to the east.

Our proposal, the site, the drawings you see in front of you, include bus storage as a significant part of the site. Storage is for up to five vehicles maximum. That maximum would include two articulated, 60-foot long vehicles and three smaller, 35 to 40-foot vehicles. While that's the maximum number that the site would accommodate, on average you would only find two vehicles on the site. We need the extra capacity during the peak and to make sure that when a bus arrives there it can pull into the facility and not have to circle the neighborhood waiting for a chance to turn around.

There would also be a restroom for the drivers. The restroom is approximately 144 square feet; as the majority of the area would have a small room with a table in it for the drivers to sit at and have a cup of coffee, relax from their trip out, prepare for the next trip in. And a restroom. You would also have a small closet for cleaning materials. It would be a locked facility. It would not be open to the public. The building would be constructed of split-faced concrete block and would have a copper or painted metal roof. I don't know if you're familiar with other Tri Met facilities, but it should be an attractive building. The majority of the rest of the site would be landscaped. There would also be lighting to provide a uniform level of lighting across the site without, which would be engineered not to shine on the residences adjacent to the site. We would also be providing sidewalks and curbs adjacent to our site according to county standards and participating in the improvement of both 136th and Foster Road adjacent to the site. We would also like to provide a bus stop shelter for passengers loading busses at this location.

Tri Met is well aware of the potential adverse impacts upon the neighborhood as a result of this proposal. We've heard from the public quite a bit of comment concerning the traffic. We want, I want to reiterate that our proposal would only add one percent to the existing traffic volumes. And, as the Staff's report indicates, there is a significant potential for us to entice current auto commuters out of their vehicles and into busses, which we therefore believe that this would result in a very insignificant increase in total traffic.

The more significant impact would be in the area of noise. Busses are fairly loud vehicles. Part of the attraction of the site for us was that there was already a lot of noise there. Its therefore a little more difficult for us to be a noise nuisance.

We've hired a firm out of Seattle that's very experienced in measuring environmental impacts. They are experienced in the measurement of noise, the modeling of noise impacts, the modeling of abatement technique. Their analysis is that our proposal would only increase the amount of noise in all of the adjacent receptors with the exception of one, which I will come back to in a minute. By one dba, which is generally considered completely insignificant. All of the residences along 136th and along Foster for the entire length of that street would not increase in the amount of noise they receive by more than one dba.

The one exception is the house immediately north of the property, on 136th. That house is projected to increase by three dba's, if a 6-foot sound wall is built on the north edge of the property for most of the property line. Three dba's is generally considered acceptable. Without a sound wall that dba figure would probably be about six dba's. No other significant impacts have been identified.

As I mentioned earlier, Tri Met has conducted fairly significant effort to contact the community regarding this effort. We explained to the public our existing problems in the area, our site selection criteria, and elements of the proposed project, just as I have explained to you. On June 12th we met with representatives of the Powellhurst community at the Gilbert Heights School. While that group took no formal action on this

case, they indicated they believed it would be an asset to the community. We then mailed approximately three hundred letters to households in the immediate area which explained the process, project, the process. Listed my phone number and invited residents to an informal meeting, which was held aboard a bus adjacent to the site on Saturday the 24th of June. Comments received as a result of this process, both on the phone and from the meeting on the 24th, have been evenly divided between the people opposed to the project with a facility or the route changes that result from the project, and in favor of the improved service resulting from the project. In my experience, this level of support is significant. It is, it is my experience that it is much less likely for a citizen to support an issue and to take the time to let you know that they are in support of it than to come out in opposition.

One, we have, I think you may have copies of the County Engineer's report to our variance for a size of the driveways that was mentioned in the Staff Report. The County Engineer has...

Leonard: We don't have that.

Goodlink: Okay. The County Engineer has said that our proposal is fine. They have recommended that...*"By copy of this letter we are recommending to the Planning Division that your turnaround site not be used as a passenger loading facility unless provisions are made for park and ride to protect the neighborhood from the parking problems that would otherwise result."* We have no problems with any of the other recommendations. That one, I think, could be a potential problem for us. I know that our operators would allow boarding at that facility, whether or not we provide a proper area for people to wait. Furthermore, we believe their concerns could be addressed more effectively in other ways rather than just not providing for passengers at that location. We have a problem of illicit park and ride at very many locations. We work with the counties, the cities, residents, community groups, to notify people that their parking in that neighborhood is not appreciated. We will participate in whatever way is possible for us to in enforcement of any county parking restrictions and its simply not cost effective for us to provide a park and ride facility at this location.

We estimate, at the minimum, we can spend to provide park and ride to this area is about \$150,000. We do not know at this time what the demand for that is. We would, however, continue to explore and monitor any parking problems that occur and work with the county to mitigate those and analyze the potential for park and ride in the future. However, at this time we would like to provide a passenger boarding area and do not feel it is necessary to provide a park and ride.

Yes.

Leonard: Questions?

Spetter: Well, I'm not clear about is how this proposal will eliminate passengers waiting and all the things you've talked about as problems now. In the Staff Report it says ..."people often have to wait during a layover...", and a number of other things, I don't understand why...

Goodlink: The loops are fairly confusing situation. I'll try to explain them as clearly as I can. Currently a bus traveling, for example the Harold bus, traveling out of town, will travel out Harold to 122nd Avenue and then either continue straight on Harold or turn right onto 122nd, depending on the time of day. To complete a loop that continues around 122nd, to Foster, to 136th and up to Harold. Some place along that loop it needs, that driver will take his break. If you board the bus on that loop before the driver takes his break you then wait through that layover, that break, with the driver on the bus before you continue in on your trip. So your choices are either to walk a considerable distance from one end of the loop to a spot where he's already finished his break or to wait with the driver through his layover. Therefore, by providing one common spot where the busses operate two directional to, so you always catch a bus going to your destination; after the break you eliminate that waiting.

Spetter: I think the word ....

Fry: Could you repeat why you cannot prohibit people from getting on the bus at this location?

Goodlink: Well, we can certainly discourage it. Our agreement with our operators allows them to pick up passengers at their discretion when they believe it is safe. We have limited abilities to enforce that. We could certainly do everything possible to enforce it but anytime a driver determines that its safe and if he makes a safe layover, our ability to enforce anything but time is strictly limited.

Fry: Just bear with me, because I wasn't aware of this. Are you saying that I could be on any street where a bus passes by and I could essentially hitchhike and if the bus driver felt it was safe I could get a ride?

Goodlink: That's correct. The drivers have to stop in designated stops and other locations at the driver's discretion.

Leonard: Your point is that if the bus is there and its stopped and its beginning to leave to go on its inbound route your drivers would probably be inclined to let people board.

Douglas: Its obviously a very safe location.

Alterman: Well, what loop does the Holgate bus make now?

Goodlink: The Holgate bus makes two separate loops. This is part of the problem that we're trying to alleviate. Weekdays and Saturdays it travels out Holgate to 136th, north on 136th to Powell, on Powell to 122nd, south on 122nd to Holgate. It lays over there at that location. So, for example, if you lived at 136th and Holgate you would board that bus every single trip at 136th and Harold, Holgate, ride around that loop to 122nd and Holgate where the driver takes his break every single time. You then continue from that location back into town. However, on Sundays, the bus makes a loop where it turns right on 122nd off of Holgate, south to Foster, Foster to 136th, 136th to Powell, Powell up to 122nd and then down to Holgate. It makes that loop to try and provide service to the area of 136th and Holgate on Sundays because the current bus line #10 does not operate on Sundays.

Alterman: Okay. And the Foster line, I would expect then, makes a loop of 122nd and Harold and 136th and....

Goodlink: No. The Foster line currently ends at 96th and Foster. It has a significant layover at that location and there's the opportunity for us to provide additional service between there and 122nd that's only provided by a cross-town line, #71, at this time.

Alterman: So the overall effect that about the same number of busses will be going by on Foster when you have this, as go by now.

Goodlink: The number of busses entering the study area, as I described earlier, would be exactly the same. The number of busses at 136th and Foster would be significantly greater.

Alterman: I'm thinking right now of the effect on traffic on the rest of Foster, say from 134th or so west. That if I piece the loops out right, that its going to about the same as it is now.

Goodlink: There would be an increase. There would be a significant increase on Foster between 122nd and 136th. An increase of approximately 130 busses a day. There are currently, I believe, approximately 11,000 vehicles a day on that street, so the increase is only about one percent.

Alterman: Okay. What time in the morning and about what time in the evening do you expect operations would start and stop there?

Goodlink: Operations in the morning will begin at approximately 5:00 to 5:30 in the morning and will continue at night until 12:00 to 12:30 at night. Obviously there's a peak to that so that in the morning the busses will peak to that so that in the morning busses will be very infrequent and late at night, particularly after 9:30 at night, the busses will be very infrequent. The majority of the busses, obviously, would be in the two peak periods.

Leonard: How long would the bus, any individual bus, stay on the site?

Goodlink: It would vary by route. I would make a guess that 20 minutes would be the absolute maximum.

Leonard: Do they leave their engines running during that time?

Goodlink: No. They turn off their engines during that layover except in extraordinary conditions. When the temperature drops below

freezing or the driver has been instructed to leave his bus running for some mechanical reason, that bus would idle, but under normal circumstances the bus would turn its engine off within two minutes of arriving. It would not start again until a minute before departure.

Leonard: Any further questions of the applicant at this time?

Thank you. We may have more questions later. There have been a number of, two letters received in opposition that raise some other questions.

Any one else here wish to testify in favor of the application?

Yes sir.

Espey: My name is Larry Espey, E-S-P-E-Y. Office at 5319 S.W. Westgate Drive, Portland, 97221. I'm here, I guess essentially, this would almost be a public announcement. We are the owners of the property which was donated to us by an elderly gentleman in Portland with the provision that we use any funds derived from the sale of that property for an enhancement of the neighborhood in the immediate area. Primarily development or addition of a park or community center, or more essentially, what we call a learning outdoor learning center. Now, this will come as a surprise to Metro and, I'm sure, to the neighborhood, because the only person I've discussed this with in the neighborhood is Mr. St. Clair, who is the Principal at Gilbert School. I've discussed it with Principal Tom Parr of Benson High School and Charles Ciecko, Superintendent of Multnomah County Parks. And, I have some brochures. These are a little outdated, but we don't want to waste them so we'll pass them out. And, unfortunately, we've lost two of our Board of Directors since this was published. But, briefly, what we would propose to do in the neighborhood is to give the children of that school and other schools opportunity to have a hands-on experience in what we would call, as I stated, an outdoor learning situation in which the Foundation would at least sponsor and use all those funds available to build a building for that purpose, but with the building of it we want to give students, and particularly in the situation of Benson High, an opportunity to not only survey the area but to lay out a building and assist in putting in the foundations and



right on to completion of the building. And, during that period of time we would depend on the educational system to provide some professional teaching supplemented by professionals that we would recruit or provide or those that might volunteer. And, I think, in the near neighborhood is a retirement center that would might have some very high class volunteers, professional work in their past, would like to donate some of their time to their teaching of these young students.

We believe that by starting the students at an early age to learn the value of resources we have here in Oregon, the wise use, the stewardship, and the cultivation of those resources is most important.

And we also believe that by so exposing those students to learn those values in an early age they would carry that through to adulthood and hopefully take those principles to their own families.

As I say, this is the first public announcement because naturally, you have to wait until the sale is made and then I go back to the school, to the neighborhood, and whoever might have an interest in order to develop a plan and a program that would be satisfactory to the area. To date there have been no commitments by either side; its just been a discussion, and I have received very favorable input from those I have told about it, and our Board is really in support of it and hope that this might be a demonstration unit that would help spread similar situations not only through Multnomah County but the rest of Oregon. And I say that because we have already developed a program in southern Oregon with Crater High School, in which is an accredited class, an instructor of that class came to Portland about two months ago and received a \$5,000 award for his participation in that program, down in Jackson County. And, he immediately turned that \$5,000 back into the program, which we are still supporting.

We have many others, I just wanted to mention a couple. Leach Gardens was one of our original projects. The Magness Memorial Tree Farm and we would also the sponsor and published the Oxbow Teacher's Guide, which has turned out to be a very good volume and its being used in a lot of other areas besides Multnomah County.

And, that's about the size of what I have. I do have a statement that I just wrote out longhand, and I'll leave for Mr. Chairman.

Leonard: Thank you. Any questions for Mr. Espey? Thank you.

Is there anyone else wishing to testify in favor of this proposal?

Espey: I have a few other brochures if anyone is interested.

Leonard: Is there anyone present who wishes to testify in opposition

Johnson: Hi. My name is Ken Johnson. My address is 13532 SE Foster Place. And, I think what he is saying here is really a great idea that we do something for the kids with the money but I think we should put a stop light in or something at 134th Street. I'm sorry, I'm here to talk to you guys. And, on 134th Street there is a, the Gilbert Park School District is, or David Douglas School District, there is a school, Gilbert Park, which the Tri Met has never approached. Some of the things they haven't mentioned is that 135th Street there, there is a bus line, the school bus line, that comes out and enters on Foster there. With the proposed busses and additional bus load that makes a great danger right there by the bus, because that's my daughter rides the bus right there and that's where it goes. Also, 134th Street by the fire station there is a yellow blinking light. The children have to cross there. I'm sure many of you've been in a situation where you've went around a bus a little to fast. Well, these children are going to be on Foster Road at that time, during the busy times of the day; its a danger.

And another thing they are saying is that a turnaround there, the pictures you showed you showed you no traffic. Well, that's not the case. Its a bazaar. I have to enter into the traffic light to turn onto 135th Street and its already a great danger and there's a lot of wrecks. Its all the time.

Now, I'm not saying we shouldn't improve public transit. I think its a great, but we have 128th and Foster, there's a supermarket, a little grocery store right there. Its got lights, its already got phones, I'm sure they could work out a deal with

the store to have bathrooms, its a big vacant lot; I mean everything is already there for it. It will help the local community, the businessmen; it'll save our children, you know.

Leonard: Okay. Any questions for Mr. Johnson?

Fry: Is that store vacant did you say?

Johnson: The store? No, it isn't. Its a small community grocery store that, oh, the lot. There's a lot probably three times the size of the lot they are proposing to use now. Its already got lighting; its a big vacant lot; there's telephones there; I'm sure the local businessmen would welcome the business. They say that its going to increase their cost. They know that for a fact. But he made a statement that he had to guess how long it will take busses to go through there. Well, how can they be so sure about one and so unsure about another. Jeff here asked him at the bus meeting asked him if he would want this in his neighborhood and he told him "no". That was from the word of Tri Met. Or the mouth of Tri Met. Well, all I've got to say is don't let them do it.

Leonard: Yes, sir.

Excuse me. There are cards for all the people who testified to fill out. Please fill those out. They are on the podium. We need to get your name and address so we can follow-up on any additional notifications on this.

Fanning: My name is Tom Fanning. I live at 2125 NE 140th, Portland, 97230.

Educational experience is anybody who lives on or near a bus line. I've been in real estate business for 23 years as a broker and I haven't met anybody that can honestly say that they enjoy being on a bus line or even near anything that has anything to do with a bus. Near a bus line is excellent for the real estate business, but on a bus line, NO.

I own the property that's just west of the property; the one with the big three-car garage and its a rental house and I'm quite concerned that with the bus facility there I will have tenants moving in, and because of the noise and so forth caused

from busses, be vacating rather quickly. So, that's my only real personal interest here. But, I can give you part of my experience of driving to and from my property, as to the traffic and the problems that I've incurred. There's already of noise from the traffic that I've incurred there, and I found it extremely difficult just to pull-out onto Foster, many times, from my property. With increase of only one percent, which sounds like an extremely small amount, but when you figure that up, in his own words, 130 more busses going down Foster, (inaudible), that's an awful lot of busses that will wear and tear on Foster and Foster already is extremely narrow and there is no off-street parking. The, being able to board the bus at the facility, I can understand that if somebody is there and he wants to get on the bus, he's probably going to get on the bus. If it gets to be a habit, then people are going to drive to this location and there is no off-street parking for extra cars in that area. The only one I can think of right now is down 135th would be south of Foster, which is an extremely residential area there. And they will be impacted greatly if there is off-street parking, if people park in front of their houses.

I'd like to refer to having a bus terminal there, \_\_\_\_\_, the sight of bus terminal there and the sight of busses going up and down Foster. The sound of busses at all hours can be very devastating. I don't care if it's under the legal limits. Just to be woken up at any time or not be able to go to sleep because of the roar of a bus taking off or slowing can be very irritating.

The smell of busses: There's a tremendous diesel odor of busses that I think everybody is aware of, and personally, if I lived anywhere near there, if the wind is right, you're going to smell those busses sitting idling or coming up and down Foster. I live quite a few miles from, across the river here, that paper plant, and we get the smell of that paper plant clear over where we're at, probably southeast Portland also.

Also, the most important part would be the safety of turning in and off of, because of ingress, egress, from the property, because of the narrow street and the tremendous traffic pattern that is there, its going to slow and stop things to a dead stop when a bus has to enter onto the property because they're going to be entering right onto the property right by my driveway that I come out or go into, on my property. And, I

have a difficult time just moving an automobile in and out of there let alone try to get in and out of there is there is a bus tying up traffic for any length of time.

The support of the people they were talking about in favor of the bus terminal, I don't know where they're getting their support because my wife and I walked the neighborhood last week, one evening only, and we got a total of 24 signatures, 23 signatures, 24 with my own, that are opposed, that do oppose the facility as proposed.

The only questions that I could really come up with from the presentation was the 10 to 15, maybe minute max, turnover, during the winter time when it is cold or cool or very cold, these busses will be there and their engines will be running. Anybody that has a residence anywhere near that facility will hear that. Even if they turned their engines off, and when they start them up, there is that sudden roar and then of course the exhaust fumes are put out all over the neighborhood. I feel that during the winter months those engines will be running a lot longer and the immediate neighbors will be impacted by the sound and the noise, or, from the noise of these busses.

I'd like to submit these names of the people who are propose and oppose this facility. Also, being in the real estate business, I grabbed my multiple book and quickly looked up other properties that might suffice for this particular area. And I came up with six real quick like, which, it probably \_\_\_\_\_ and so forth you might be able to eliminate them, but they are a larger facilities which would represent no immediate neighbors around that area. Just to give you some brief addresses, Baxter Road, which is 172nd off of Foster; there is Barbara Welch Road which is 146th off of Foster; there is 129th and Powell which may or may not be ....

Leonard: Excuse me. You're proposing these as other appropriate...

Fanning: Alternative sites.

Leonard: Or alternative sites?

Fanning: Right. Because the area that we have that is being proposed is predominantly and zoned residential. And there residents in

the area there that would be impacted from it. And I can't see a bus terminal put right where its located, and especially on a narrow street. And there's another spot, 176th and Foster, 174th and Powell, and one on 130th and Flavel. I don't know if that will meet their requirements or not. But there are other facilities, all those facilities was two acres up to five acres of land. Which is more than big enough for their proposal. Thank you.

Leonard: Yes. Man in the blue shirt.

Chubin: My name is Joseph Chubin and I live with my family at 13485 SE Foster. We were left off the map; originally they didn't seem to think we lived there. We lived there for eleven years, and we're right, we have the driveway that is west of the property line. And our house is built behind the house that Mr. Fanning owns.

Now, we already have trouble with drainage there. Its horrible. We live down, and if this bus thing is built there we're going to have water coming in there and we're going have come down to a big law suit or something against Tri Met for this drain, because its all grass and trees around there. In the first place, its a little tiny lot we're talking about. And there talking about putting busses on there, which is almost ridiculous. Tonight we came by there, around 4:30 there was traffic from 122nd clear up to 172nd; you couldn't even move because its all two-lane. A bus tried to make the turn from 136th onto Foster and it couldn't even turn in there because there were cars in there wanting to make a left. Its almost impossible. Those pictures you saw are just absolutely phoney. They were taken probably 6:00 Sunday morning. Because you don't see any traffic there. Normally there is so much traffic there you can't believe it. You can't even walk across the street. Now they want to make it worse. Its just to small a lot; to small an area. They used to park down there where this man was saying, down this store, down around Foster and something-or-other, Fulton Foods. Yeh, that's right. There's another that used to park there. They got kicked out of there for some reason. They probably weren't paying for it or something like that. And that's where they used to turn around. They used to go in the grocery and use their restroom and get their sandwiches there. We've seen it for eleven years.

Now they want to have this little corner lot for a bus station or whatever they're calling it. It's almost ridiculous. If you'd see this lot, these pictures don't show nothing. And we're right behind it. We're going to get noise; we're going to get smoke; we're going to get people; we're going to get everything we don't need in a residential area. Is what it is. And I think that is just something that nobody needs in the area. The traffic and the noise. It really is bad. You have to see it to believe it. Thank you.

Leonard: Excuse me, I have a question. Did you say you saw a bus there this evening when you came by?

Chubin: Almost every hour or two you see busses that can't turn onto the road; because its so narrow, and they're talking about articulated busses? You couldn't even get one on that lot. I don't know, I've worked for Greyhound. I've driven busses. I know what I'm talking about. That lot is to small for this type of operation. Its something that I don't know what's happening but I don't like the whole thing. I smells bad to me. That's what I'm saying.

Leonard: Any other questions for Mr. Chubin? Thank you.

Chubin: You bet.

Leonard: Any, yes. There's one more here. Yes. Come forward if you'd like to speak.

Johnson: I'm Susan Johnson, 13532 SE Foster Place. And if you look on your map, at the very bottom of the map where it says 135th, that's where we live. That's how we get out every day to go onto Foster. I take Foster and Ross Island Bridge to work because I work in Cedar Hills. I leave for work ten minutes before I should normally so I can get out onto Foster. If I'm coming home from Gresham, down Foster, and I pull into the turn lane to turn down to my house on 135th, I have cars coming at me, flipping me off and yelling at me because I'm in their way because they want to turn at 136th. My children cross Foster to go to school. If they have a before-school activity, or after-school activity, cause there's no bus for that. Hopefully my children are crossing at 136th at the light. I crossed that today to go over to write down this meeting was; I

came and I pushed the button to come back, looked up and it said "walk", and before I started walking it turned to "wait". There's not enough time to cross there. Its not a safe intersection.

I've lived there for eleven-and-a-half years and I wish I had kept track of how many times we've lost our electricity because somebody has hit a pole. Either on the south side or the north side. There are wrecks there constantly. That's why the light was put in there but it hasn't stopped it.

Leonard: Any questions for Ms. Johnson? Thank you.

Any one else? Yes sir.

Morris: My name is Harold Morris. My address is 5421 SE 136th Avenue. I am right on the northwest corner of 136th and Harold. And the Harold Street bus comes now and stops there and they have a difficult time making that turn from Harold Street onto Foster, and vice versa when they reverse their route. Morning and, they change directions at noon. Where they go on there, so there's a lot of noise and pollution from this billowing smoke that comes out of there. And now they're going to add another bus in the route coming down Harold Street towards Foster, which will put additional traffic on 136th, and, like's been said before, that the increase in noise may be in overall only one or two decibels, but when you have the busses make so much more noise at any given time that there's no comparison, but the main thing that's wrong with this is the traffic there. The traffic is just already horrible there and when the busses come out on the street now, the cars are, their brakes are screaming and there has been so many accidents there on the corner of 136th and Harold that, I've live there for, it will be 18 years now, and you can't believe the accidents that's happened there and between there and Foster and at the junction down there. And the other day I was going from, going down Harold Street, turning on Foster, heading west and the traffic was backed-up clear to the bottom of the hill. Clear back to the railroad tracks. Down there. Just, and this is common occurrence at the rush hours. Its just a horrible location and it isn't, and there will be a lot of serious accidents caused by impatient drivers with that much increase in bus



traffic. Its going to be a horrible mess and there's going to be some very serious accidents there. Thank you.

Leonard: Any questions for Mr. Morris? Thank you Mr. Morris.

Anyone else wishing to testify on this issue? Seeing none, we will now close the public portion of the hearing. Discussion from the Commission.

Douglas: I'd like to talk to the applicant if I could.

Leonard: There's some more questions of the applicant.

Douglas: It appears that while your map here that this is adequate, is there any larger one that would be more susceptible to large busses like that?

Goodlink: This piece is obviously no larger than is necessary. There are many lots in the area that are larger. One of our criteria was to have to be a location at which all of our bus lines could get to without increasing our operating costs. We have vehicles coming from the points of generally 96th and Foster, 122nd and Holgate, and 122nd and Harold. While they vary a little bit in the amount of time they have, with the one in the middle being the tightest, in order to preserve the streets on which we provide service now, having service, that the area of 122nd and Foster becomes one of the very few sites available.

Furthermore, the site, for example at 128th and Foster where the store is, while that site is quite a big bigger, because its adjacent to only one street, its functionally quite a bit smaller. Because this site is on an intersection, we have both Foster and 136th on which to accomplish our turning movements. And as you can see from the map that I gave you, the dark part of the street, shaded there, is the existing roadway. The lighter gray will be the improvements that would be made with Tri Met's participation to the street. To make it much easier for the vehicles to operate through there.

So, yes, there are sites that are bigger. Bigger is not the only criteria. Because we have the two right-of-way there that site is functionally quite a bit bigger than many others.

Leonard: Inaudible.

Douglas: You say you're going to, you can't very well stop people from getting on busses at this facility and yet you have no parking. My thought was that if you had a larger facility maybe you would have area that would accommodate something off the street and still .....

Goodlink: We have lots of concerns from lots of areas as I mentioned about parking. Unfortunately, we do not at the current time have a really good way of determining which areas are most in need of the limited resources that we have. We are working on a program to develop that priority list, and this area would certainly be considered amongst others for such a facility, but at this time, given some of the problems we've had I don't know if many of you are aware of the park and ride lot at Parkrose on Sandy Boulevard, but we've built a few that maybe shouldn't have been. And before we build to many others we want to make sure that they're the right ones.

Leonard: Yes. Do you have another question?

Commissioner Fry.

Fry: Which house did you say was the 3 dba impact?

Goodlink: That's the house immediately to the north of the property.

Fry: So that would be, okay, that's the house adjacent to the 5-foot wide strip \_\_\_\_\_?

Goodlink: That's correct.

Fry: What would be the impact on your project if theoretically there was a requirement of a 20-foot wide buffer?

Goodlink: The project would not be feasible.

Fry: What about 10-foot wide?

Goodlink: I've think what we've shown is really the minimum.

Fry: So 5-foot is the absolute maximum buffer you could develop given the size the site would need for the bus?

Goodlink: It would require I believe, significant realignment of both Foster and 136th, which would make it physically impossible to provide a bigger buffer along that edge.

Leonard: I have a couple of questions. The concerns that have been raised, there are quite a few people that are concerned about this; I think they might be summarized as "noise, odor, traffic, and drainage." On the question of noise, is there potential for doing anything more to cut down the noise impact on the adjacent properties?

Goodlink: Well, we are committed to doing and being the best neighbor that we can be and doing everything that we can. We have, and will enforce, that all vehicles turn off their engines at all possible times. Last winter there was approximately one week during which vehicles had to run their engines. You may remember that week. Nobody else was out driving. Other than that, we will because of the tight geometry on the site, vehicles will not travel at over five miles an hour, which also helps slow down, decrease, the amount of noise that's provided. We will provide a retaining wall as mentioned if that's determined to be necessary.

Leonard: What about a sound barrier wall?

Goodlink: That's what I meant. I'm sorry. A sound wall along the north and the west side if its determined to be necessary. And, we'll do whatever else we can that our consultants recommend to mitigate the noise impacts. We agree that those probably are the most significant.

It should also be mentioned that this facility will be constructed using 80% federal funds. In order to get those funds we have to submit to the federal government an environmental assessment and they have to concur that the impacts on the environment are negligible. So, if we cannot design a facility which does not significantly impact the adjacent residences, we will have no money to build the facility.

Leonard: Okay. A question was raised about storm drainage. How will the drainage from the property be handled?

Goodlink: The county requires that all storm water and all waste water be disposed of on-site. An engineered disposal system of dry wells and septic tanks will be provided on-site. There will be no run-off off of the site onto adjacent properties.

Leonard: Once it gets into the ground where does it go?

Goodlink: Into the ground water system. The depth of these will be approximately 18 to 23 feet. That, the county's proposed, the county's requirements are in order to maintain the existing ground water supply and not deplete it further.

Leonard: There are no storm drains or natural drainage ways in the vicinity?

Goodlink: No sir. And there's no sewage system planned for the area either.

Leonard: Okay. How will the sanitary sewage be handled then?

Goodlink: As I said, it would be a septic system.

Leonard: Is there potential for acquiring additional land on the north or west to get a little better buffering? For some of the surrounding areas?

Goodlink: Little potential. I can understand the people's concerns. I think there is potential to explore it in the future. At this time, for a variety of reasons, not the least of which is our budget, we would not be pursuing that course.

Leonard: You mentioned the potential for parking on the street and potential for that becoming a negative impact on the area. If that were to occur and people started using this as a park and ride facility, what controls or options might you have to deal with that problem?

Goodlink: Tri Met in the past has put signs, put fliers, stationed people in the area at hours when people arrive and depart, to notify

them in person. Beyond that its obviously, only if its illegal can Multnomah County enforce it. But, also that activity is not demonstrated as a problem elsewhere in that area. Currently, while there may be some additional enticement at this location, should the problem arise, frankly, from Tri Met's point of view its an opportunity rather than a problem. We would then explore further the potential for park and ride.

Leonard: You'd then look at the possibility of acquiring a parking lot adjacent to the site?

Goodlink: Yes sir.

Leonard: Any further questions of the applicant?

Thank you.

Further discussion from the Commission.

Fry: Well, I'll just dive in here. I definitely strongly support Tri Met and I always felt that they do go through good public planning processes. And I feel that this is a good idea, but I just don't think the site is big enough to do what they want to do. That's my own opinion.

Woman: I'd like to say something please. Its been difficult to hear people speaking due to comments from the audience and I would appreciate it if further portion of this hearing were done in silence. Thank you.

Fry: So the bottom line is, from my point of view, I'd like to see in an ideal world a much higher percentage of property being used for buffering and for other uses besides the use of the vehicles themselves. And, so I look at this and I see only a 5-foot piece of land being able to use as a buffer and the rest, almost the entire site is being used for the use itself. So, I'm really troubled by that. And, I would at this time go against this.

Leonard: Any other comments? Discussion?

Alterman: Well, Commissioner Fry has essentially summarized my position. I'm looking at the seven ordinance considerations

which are shown on page 4 of the Staff Report. I believe that Tri Met has met five of them, numbers B, C, E, G and either D or F. I don't believe that Tri Met has met A, being consistent with the character of the area. And, I'm persuaded from the testimony and a little bit of personal experience that provision of the terminus at which three lines will come together will create a demand for parking in the area, and from the slides of the evidence of the supply of parking, which I think is a public service, it simply isn't there. At present its not adequate to support it. I'm not quite sure whether that would rule it out under consideration D. or consideration F, Hazardous Conditions, but for that reason I move to deny the application on the ground that it does not meet conditions A and D.

Spetter: Second.

Leonard: Discussion on the motion.

All those in favor of the motion.

Aye.

All those opposed.

Nay.

Motion passes. The application is denied.



TRI-MET

4012 S.E. 17TH AVENUE  
PORTLAND, OREGON 97202

October 18, 1989

Commission Chair Gladys McCoy  
Commissioner Pauline Anderson  
Commissioner Rick Bauman  
Commissioner Gretchen Kafoury  
Commissioner Sharron Kelley  
Multnomah County Courthouse  
1020 S.W. 5th Avenue  
Portland, OR 97204

BOARD OF  
COUNTY COMMISSIONERS  
1989 OCT 30 PM 3:54  
MULTNOMAH COUNTY  
OREGON

RE: CS7-89, Foster Road Transit Terminal

Dear Commissioners:

At the conclusion of the September 21 hearing on this appeal, the Commission requested that Tri-Met undertake the following efforts: review and report back on our site selection process; circulate our traffic study for further review; look for way to minimize the impacts of the facility on the neighborhood and meet with neighbors to discuss the specific mitigation measures that might be implemented.

#### Summary

We have undertaken those additional reviews of site selection, traffic and site design while holding two neighborhood association sponsored meetings in the project area. Each of those efforts is detailed below, but briefly, our conclusions are that:

- \* This site is the best of the 13 alternatives we were able to identify;
- \* There is considerable neighborhood frustration about existing traffic congestion. This facility will not contribute to traffic problems. The street improvements adjacent to the site will improve traffic flow and the improved transit service is an alternative to additional auto trips;
- \* Increasing on-site buffering and taking certain preventative measures can further reduce neighborhood impacts;

- \* There is considerable opposition to this location from neighbors, and there was no interest in discussion of any mitigating measures.
- \* David Douglas School District and Fire District 10 do not oppose the project.

### Site Selection

The primary purpose of the proposed facility is to improve transit service in the Powellhurst-Pleasant Valley area without increasing the cost of that service. The site selection process represents a balance between community concerns and Tri-Met's service and operating cost goals. In the site selection process we considered the size and configuration of the site, impacts on surrounding uses, traffic issues and cost (both operating and capital) among other things.

Thirteen sites were initially identified and rated against our criteria (attachment 1). The investigation of these sites concluded that west of 136th, additional vehicles would need to be added to the existing lines due to increased running time, resulting in significant increase in annual operating cost. Seven sites were eliminated from further consideration for this reason. Additional sites were eliminated due to potential traffic problems. For instance, sites 7, 8 and 9 lack left turn lanes or signals. Some sites were too large (4 and 12), and one was too small (7).

Of the sites along 136th, two were eliminated because they were zoned for single family residential development. The three remaining sites (#1, 2 and 3) were extensively analyzed before a preferred site was chosen. A conceptual design was developed for each of these sites, and a detailed analysis of the impacts on transit service was performed.

These analyses indicated that from both an operations and community impact standpoint, the 136th and Foster site was superior. Our recent review of this process leads us to conclude that the site on the northwest corner of 136th and Foster is the only site in this area which meets Tri-Met's goals of improving transit service while minimizing impacts upon the neighborhood.

### Traffic Impacts

The traffic analysis performed by JRH Engineering and discussed at the September hearing concluded that street improvements associated with the transit facility would decrease traffic congestion at 136th and Foster due to the provision of a new right turn lane on 136th. This conclusion was reviewed and endorsed by the County's Traffic Engineer.

Since then Tri-Met has conducted further analysis of traffic issues including safety and impacts on residents' access to SE 135th (Attachment 2). That work has also been endorsed by County



Engineering Staff. In the course of that analysis we concluded that: the existing congestion is partly due to a malfunctioning traffic signal; that access to 135th will be unaffected and that improvements associated with the bus lay-over facility have the potential to reduce accidents at the intersection of 136th and Foster Road. In the case of the existing congestion, the additional lane on 136th will allow up to 250 more cars an hour through the intersection. Access to 135th from the east, which now experiences delay will not be affected by buses turning onto the site, as the signal will provide gaps in westbound traffic, allowing eastbound buses to turn onto the site without delay.

Finally the construction of Foster Road Route Terminus bus layover facility will provide the following safety improvements:

1. Sidewalks for pedestrian safety,
2. Dedication of right of way for Foster Road widening.
3. Paved shoulder on Foster Road in front of the facility.
4. Right and left turn lane on SE 136th Avenue at Foster Road.
5. Improved sight distance across the northwest corner of SE 136th Avenue and Foster Road.
6. Additional signal capacity which will reduce congestion on Foster Road.
7. Removal of the power poles from edge of roadway.

#### Park and Ride

Concern has been expressed about on-street park and ride activity occurring as a result of this facility. Although our modeling effort indicates only a very small demand (approximately four cars per weekday) for park and ride, Tri-Met is committed to working with the neighborhood to insure that this does not become a problem. In similar cases elsewhere, Tri-Met has been able to resolve most of these kinds of problems informally, by alerting parkers that this activity is not appropriate, and by providing them with better alternatives. If those efforts are not successful, posting of nearby streets for four hour parking is a possibility. Tri-Met can also develop additional "joint use" parking lots with area businesses or churches. We are currently investigating the possibility of such a lot at the Bellrose Pentecostal Church, one block from the proposed project.

#### Buffering

The current proposal now meets all code requirements for landscaping and setbacks. One request from the Commission was that we look at ways to increase buffering. By revising the site plan

slightly, we can increase the narrowest part of the landscaped area from the current 5 feet to 10 feet. This widening will allow for placement of larger trees along the east-west boundary of the site. Also, if the neighbors desired, we could provide plantings along their side of the six-foot noise wall.

#### Conclusion

We have reviewed and analyzed the proposed site in comparison with other alternatives and conclude that the proposed site at 136th and Foster is the one where Tri-Met is best able to minimize the community impacts of this facility and is the one that works best from a transit standpoint:

- Traffic operations at 136th and Foster will actually improve as a result of the project;
- Transit service will be improved in this portion of the Pleasant Valley - Powellhurst Neighborhoods, allowing for increased mobility, especially for those dependant on transit service;
- Project impacts will be minimized by provision of a sound wall, street improvements and landscaping.

Although the neighbors chose not to discuss any modifications, Tri-Met does remain ready to consider additional measures including limitations on the number of buses using the facility and/or deferring placement of a passenger shelter on the site until a park and ride agreement is confirmed with an area church, school or commercial property.

Transit can and should be part of a balanced transportation solution for the Region and for Mid-County. This project will provide an "anchor" for transit service to this portion of Mid-County and will allow Tri-Met to better serve the Powellhurst-Pleasant Valley area.

Sincerely,



Douglas L. Capps  
Director of Public Services

JW/jw  
Attachments

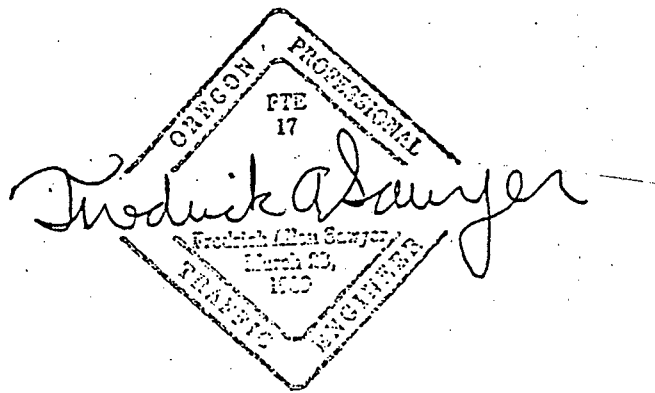
# COMPARISON OF POTENTIAL SITES, TRI-MET LAYOVER FACILITY

## Ratings

+ Superior  
o Acceptable  
- Poor  
= Unsuitable

Site #	Location	Appropriate Size	Vacant	Compatibility w/surrounding uses	Traffic Issues	Other environmental concerns	Transit Operating Cost	Increased Ridership	Cost
1	NW corner of 136th & Foster	o	+	o	+	+	o	+	o
2	5707 SE 136th	-	-	o	o	o	-	+	o
3	NW corner of 136th & Holgate	o	+	o	o	o	-	+	o
4	SW corner of 136th & Holgate	-	+	-	o	o	-	+	-
5	5206 SE 136th	o	-	-	o	o	-	+	o
6	5644 SE 136th	o	o	-	o	o	-	+	o
7	Lot west of Foster Food Mart	-	o	+	-	o	-	o	-
8	SE corner of 128th & Foster	o	-	o	-	-	-	o	-
9	123rd & Foster	o	-	+	-	o	-	o	o
10	SE corner of 122nd & Ramona	o	o	o	o	+	-	o	o
11	NE corner of 111th & Foster	o	+	+	+	+	=	-	o
12	SW corner of 101st & Foster	-	-	+	-	-	=	-	o
13	I-205 & Foster/Woodstock	o	+	+	-	+	=	-	+

FOSTER ROAD ROUTE TERMINUS  
TRAFFIC AND SAFETY IMPACTS



Prepared By:

Fredrick A. Sawyer PTE, PLS  
Project Planner

October, 1989

This report analyzes the traffic and safety impacts of constructing a route terminus bus layover facility at SE 136th Avenue and Foster Road. This report covers issues not included in JRH Transportation's report which analyzed the level of service (LOS) with and without the route terminus at the intersection of SE 136th and Foster Road. Additional analysis of the intersection of SE 135th and Foster Road has been performed, to determine the existing LOS and the LOS with the proposed facility. The reason for the congestion on Foster Road during the PM peak was discovered. Accident records at SE 134th and Foster Road and SE 136th Avenue and Foster Road were reviewed, and the safety effects of the proposed project were then determined.

### SUMMARY

The addition of one southbound approach lane at the intersection of SE 136th and Foster Road provides additional capacity resulting in improving the LOS one level. Two hundred fifty two (252) more cars an hour will be able to travel through the intersection on Foster Road greatly reducing the back up of vehicles in the PM peak from 136th Avenue toward 122nd Avenue.

Buses turning into the facility from the left turn median at 135th Avenue will have a LOS of A. The existing LOS of vehicles entering and exiting 135th Avenue does not change with the addition of buses turning from the left turn median.

The existing intersections of SE 134th Avenue and Foster Road and 136th Avenue and Foster Road have low accident rates, the construction of the Foster Road Route Terminus bus layover facility will provide the following safety improvements:

1. Sidewalks for pedestrian safety,
2. Paved shoulder on Foster Road in front of the facility.
3. Right of way for widening Foster Road in the future.
4. Right and left turn lane on SE 136th Avenue at Foster Road.
5. Improved sight distance across the northwest corner of SE 136th Avenue and Foster Road.
6. Additional signal capacity which will reduce congestion on Foster Road.
7. Removal of the power poles from edge of roadway.

These improvements have the potential to reduce accidents at the intersection of SE 136th Avenue and Foster Road.

### ANALYSIS

#### Study Area

The traffic impacts of the proposed route terminus bus layover facility on the intersections of SE 134th Avenue, SE 135th Avenue and SE 136th Avenue and Foster Road was analyzed.

### Traffic Counts

Turning movement counts were taken at the intersection of SE 136th Avenue during the afternoon of August 15 and the morning of August 23, 1989 to determine the time and volume of the peak traffic. The highest hourly traffic occurs between 4:45 and 5:45 P.M.

Using the traffic volumes from the intersection of SE 136th Avenue and Foster Road and trip generation rates from single family detached housing, ITE Land Use Code 210, P.M. peak hour traffic volumes were developed for the intersection of SE 135th Avenue and Foster Road.

### Level of Service

JRH Transportation Engineering performed an analysis of the impacts of the Route Terminus Bus Layover Facility. They found that the addition of one lane on the SE 136th Avenue approach to Foster with the additional bus trips through the intersection result in a level of service improvement from the existing level LOS of C to B.

### 135th Avenue Level of Service

During the PM peak hour seven eastbound buses on Foster will pull into the Route Terminus Bus Layover Facility. These buses will occupy the two-way left turn median at SE 135th Avenue and Foster Road while waiting to pull into the facility. The LOS of the existing intersection of SE 135th Avenue and Foster Road and the proposal with buses using the left turn median was calculated using unsignalized intersection analysis contained in the Highway Capacity Manual Special Report #209, published by the Transportation Research Board.

### Level of Service 135th Avenue and S.E. Foster Road

	Existing	Proposed
--	----------	----------

Exiting SE 135th Avenue	D-E	D-E
Entering SE 135th Avenue	C	C
Bus entering Facility		A

The analysis shows buses using the left turn median will not change the level of service for vehicles exiting and entering SE 135th Avenue during the PM peak hour.

### Signal at SE 136th Avenue and Foster Road

The traffic counts at SE 136th Avenue and Foster Road and the analysis based on the traffic counts do not reflect the level of service 'F' I observed on the eastbound approach to SE 136th Avenue on October 2, 1989 5:25 to 5:55 P.M. when traffic was backed up from the signal at SE 136th Avenue as far as I could see past the fire station at SE 134th Avenue. The traffic counts in this situation reflect the number of cars that get through the signal each cycle instead of the demand.

The existing signal allows 17 vehicles per cycle or 1,020 cars per hour through it eastbound. The traffic detector loop on SE 136th Avenue was cut and put out of service by excavation in the street. When the loop is replaced the signal will return to semi-actuated operation.

Semi-actuated operation allows the signal to give all time not being used by traffic and pedestrians on SE 136th Avenue to traffic on Foster Road. Presently traffic on SE 136th Avenue receives 34% of the time but only needs 20% of the time. When the loop is repaired the signal will allow 252 more cars per hour through on Foster Road. With the additional lane provided on SE 136th Avenue by the Route Terminus Bus Layover Facility the time required by southbound traffic is further reduced allowing 252 more vehicles through an hour for a total of 504 additional vehicles per hour. The existing LOS 'F' which I observed during the P.M. peak hour will be reduced when the signal loop is repaired and would be further reduced or eliminated by the construction of two lanes southbound at the intersection with Foster Road.

#### Traffic Control Devices

During my visits to the site I reviewed the signs, marking and the signal. The traffic control devices were in good condition. I stood at the intersection of SE 135th Avenue and Foster Road and looked at the available sight distance. There is good sight distance for a driver sitting in the stop position on SE 135th Avenue in both directions along Foster Road.

#### Accidents

Multnomah County provided me with collision diagrams for the intersection of SE 134th Avenue and SE 136th Avenue with Foster Road. There have been 17 reported accidents in the covered 5-1/2 year period at the intersection of 136th and Foster and 10 reported accidents in the 5 year period at the intersection of SE 134th Avenue and Foster Road.

The City of Portland puts intersections with a history of 5 accidents or more per year for 4 years with an accident ratio of 1.75 accidents per million vehicles entering the intersection on its critical list. The accident rate for SE 136th Avenue and Foster Road is .46 and the accident rate for SE 134th Avenue and Foster Road is .33. These accident rates indicate these intersections are fairly safe intersections. Of course, this accident data is prior to the destruction of the loop at SE 136th Avenue and it is possible that the consequent increases in congestion have increased the number of accidents, repair of the signal actuation at SE 136th Avenue and Foster Road will reduce congestion and should

improve the safety of this roadway. The construction of the Foster Road Route Terminus Bus Layover Facility will provide the following significant safety improvements to the northwest corner of SE 136th Avenue and Foster Road:

1. Sidewalks for pedestrian safety.
2. Removal of the power poles from the edge of the roadway.
3. Paved shoulder on Foster in front of facility.
4. Right and left turn lanes on SE 136th Avenue at Foster Road.
5. Improved sight distance across the northwest corner of SE 136th Avenue and Foster Road.
6. Additional signal capacity which will reduce congestion on Foster Road.

These improvements have the potential to reduce accidents at the intersection of SE 136th and Foster Road.



October 25, 1989

Chairman of the Board of TRI-MET  
4012 S.E. 17th Avenue  
Portland, OR 97202

Dear Sir:

We are concerned about the way Tri-Met personnel have used half-truths, erroneous facts, and misleading information to slant their report of October 18, 1989, addressed to the County Commissioners. We hope that you would be concerned because of the way in which these kind of tactics erode public trust in Tri-Met and make it impossible for the neighborhood to consider any kind of compromise.

The following points are examples of our objections.

The initial neighborhood meeting, following the County Commissioner's meeting of Sept. 5, was initiated at the request of neighbors adjacent to 136th & Foster even though Tri-Met had been told to work with the neighbors in resolving problems. At no time did Tri-Met offer any compromise or alternative other than slight modifications to the site plan.

On-site buffering will have no effect on the carcinogenic pollution created or on the noise impact (caused mostly by buses on the street) on the higher concentration of neighbors bordering the south side of the site.

David Douglas School District and Fire District 10, contrary to what is implied, are neutral because they cannot do the studies that would allow them to take a stand either for or against the proposed site.

Tri-Met was admonished by the Commission to take another look at other sites not just review their selection process. Available sites at 122nd & Harold and 122nd & Holgate have not

OCT 30 1989

been considered.

If, as Tri-Met personnel have indicated, the traffic light on Foster is red less often and for a smaller percentage of the signal time, there will be fewer (and shorter) breaks in the traffic during which the buses can make their turn from eastbound Foster (average volume of cars past the site on westbound Foster during pm rush hour is one vehicle every 9 seconds). <sup>At 45 mph)</sup> It also means that cars, seeking access to Foster from 135th and 134th will have even more restricted access to Foster.

The estimate, of an additional 250 cars per hour being allowed through the intersection, is based on traffic on 136th taking 34% of the signal time and improved signal functioning increasing the signal time for Foster by 14%. The signal is green for 136th only 18% of the 60 second cycle with 8% for amber (both directions) and 2% to separation of red and green signals. The only change in signal length would have to be during the green signal. Since there is an average of one car per minute on southbound 136th exiting onto eastbound Foster, the chances of the signal being activated are quite high. Since right turn traffic on 136th currently uses the shoulder, when possible, to go around traffic waiting to make a left turn onto Foster, the addition of a right turn lane will probably not make a significant difference in the flow of traffic other than making it easier to merge with westbound traffic.

The seventeen accidents, indicated in the report, occurred during a three year period resulting in an accident ratio of 1.18. These figures also do not reflect the danger to the traffic using 136th and 134th which probably account for approximately 50% of the cars involved. No mention is made of 135th where near accidents are almost a daily occurrence.

On the "Comparison of Potential Sites" chart, "Compatibility with surrounding uses" is indicated as acceptable -- to whom --

Certainly not to the residential neighborhood. "Increased ridership" is indicated as being superior and yet a survey of the neighborhood shows that the ridership won't come from this area. "Other environmental concerns" is also listed as superior. How can that be when the neighborhood is a part of the environment and the impact that the additional pollution will have on the health of the residents will be equivalent to increasing the traffic volume by 5,440 cars per day.

Sidewalks, around the site, will end at the boundaries leaving pedestrians with only narrow, unimproved shoulders beyond that.

Over 95% of the neighborhood is opposed to the facility, and yet what is being sought is a "Community Service" overlay. Which community?

There already is "park & ride" occurring on 136th and neighbors have told me about acquaintances who regularly park on side streets near other bus stops.

The Bellrose Pentecostal Church now keeps a chain across the entrance to its lot. Does Tri-Met intend to pay them to allow parking on a lot which is a block away and across the street? There is no school or commercial property nearby on any of the roads adjacent to the property with parking facilities.


The larger trees, suggested for the east & west sides, will not help the majority of the neighbors who live on the south side of the proposed site.

One's home is supposed to be a place where you can relax, sleep undisturbed, and raise your children in a relatively pollution free environment without the presence of hazardous conditions.

Sincerely,

Thomas Anderson

Joy Anderson



Patricia R. O'Brien

Dorothy Davis Jane L. Andrus

Wynne Lecker Norman E. Lundquist

Joseph Chubir

Reta K. Chubir



E. V. Mullback

Harold E. Mullback

Harold E. Morris

Mayone H. Morris

Susan L. Johnson

cc: Commission Chair Gladys McCoy  
Commissioner Pauline Anderson  
Commissioner Rick Bauman  
Commissioner Gretchen Kafoury  
Commissioner Sharron Kelley

OCT 30 1989

Gladys McCoy

Pauline Anderson

Gretchen Kafoury

Rick Bauman

Sharon Kelley

Dear County Commissioners,

I am writing to all of you about not doing any development of a try-Met Terminus at 135 25 S. E. Foster Road. We live on 135 St + we will not be able to get on to Foster Road at all with 181 Buses a day.

This is a Residential area only + not Commercial area for Try-Met. From 3:00 P.M. on there is so much traffic on Foster Road with out all 181 Buses, it has taken me 21 minutes to get across at 134 + Foster. Cross walk. People Park on 134 + Foster Road by Fir Station + leave there Cars there all day long. We don't want all the Smoke + noise From 181 Buses out here at all. There is not room enough for 181 Buses on Foster + all the Cars + truck in the morning hours to work + 3:00 P.M. To 7:00 P.M.

Over

This is not even a  $\frac{1}{2}$  acre of Ground at  
13525 S.E. Foster Road

This should be at 128th Foster Road  $2\frac{1}{2}$  acres  
for Park + ride is for Sale

One other Place is S.E. Corner of 122nd &  
Ramona St. 4 lanes on 122 St with left turn  
lane there.

Yours Truly,  
Thomas & Joyce Anderson  
6506 S.E. 135th ave  
Portland, Ore. 97136

BCC

JANE L. ANDRUS

13464 S.E. FOSTER RD.

PORTLAND, ORE 97236

BOARD OF  
COUNTY COMMISSIONERS  
1989 AUG 28 PM 12:54  
Chairman  
MULTI-NO. COUNTY  
OREGON  
BOARD OF County Commissioners.

DEAR MADAM:

REGARDING CS 7-89 - PUBLIC HEARING  
ABOUT TRI-MET TERMINUS FACILITY AT  
136<sup>th</sup> & S.E. FOSTER RD.: I AM OPPOSED  
TO THIS FACILITY FOR THE FOLLOWING REASONS:

1. THE PRESENT TRAFFIC ON FOSTER RD IS SO  
HEAVY NOW - BETWEEN 6 AM - 8:30 AM & 3:30 PM - 6 PM  
THAT IT IS IMPOSSIBLE TO GET OUT OF OUR DRIVE-  
WAY. WHEN THE LIGHT TURNS RED AT 136<sup>th</sup> - IT  
BACKS UP THE TRAFFIC FOR MANY BLOCKS WEST  
OF THE FIRE STATION AT 134<sup>th</sup> & FOSTER.

2. THE FIRE STATION ON 134<sup>th</sup> IS BLOCKED AND  
THE ENGINES HAVE TO GO OUT ON EMERGENCIES VERY  
OFTEN DURING THIS RUSH HOUR PERIOD, WE  
HAVE SEEN MANY NEAR ACCIDENTS AT THOSE  
TIMES.

3. THERE HAVE BEEN 3 ACCIDENTS AT 135<sup>th</sup>  
& FOSTER IN THE PAST 6 WEEKS - PEOPLE TRYING  
TO GET OUT ON FOSTER RD.

4 - THE NOISE OF THE TRAFFIC AT PRESENT IS  
(noise)

So Loud even with ALL the windows & doors shut,  
that it is very hard to hear ordinary conversation  
unless we raise our voices - And to hear TV or Radio  
we must turn volume up high. And we do not  
need hearing aids either.

5 - We are on the David Douglas School Bus route  
which means those buses are also trying to  
manuever that tight intersection at 136<sup>th</sup> & Foster

6 - I have asthma & the air pollution here now  
(~~the~~ Diesel fumes) from buses - big dump trucks &  
cars make the asthma worse - & every afternoon  
I have to turn the air conditioner from 3:30 - 6 pm.

6. I am physically handicapped & must walk with  
2 canes and can't go to the hearing. But I want  
the commissioners to know that we already have  
traffic, noise & health problems enough already  
with out the added problems that this TRI-MET  
facility will undoubtedly bring on. Many people  
living in this area have worse health problems  
than I have. And these problems with all the  
extra buses are more than the ~~few~~ residents  
here should have to put up with.

Sincerely yours,

Jane L. Andrews  
134 & 4 SE Foster Rd  
Portland, OR 97236



Jane L. Andrus  
13464 S.E. Foster Rd.  
Portland, OR 97236

October 6, 1989

To Gladys McCoy, Chair  
Multnomah County Commissioners

Dear Madam:

I am writing in regards to CS 7-89, The Tri-Met Terminus Facility at 136th & S.E. Foster Rd. I oppose it for the following reasons:

At the Pleasant Valley Neighborhood Assoc. meeting on Sept. 19, Tri-Met representatives showed photos, maps, etc., and had their say and then, when those of us who oppose the facility wanted time to ask questions - and make suggestions, the Tri-Met people left.

I thought that the Tri-Met representatives were supposed to work with the neighbors instead of the attitude they showed us that night.

Our present traffic problems are now so bad here between 6 am - 9 am and 3:30 pm - 6 pm that we are not able to get out of our driveway safely -- the same problems that our neighbors have trying to get out of 135th onto Foster. The 1½ block center lane on Foster will be blocked from our use by the Foster buses (if this facility goes in). This center lane was put in a few years ago to make left turns into the regular lanes more accessible.

Also, at the last meeting at the Allice Ott Middle School, Joe Walsh of Tri-Met said that Tri-Met was not planning on acquiring any homes for park and ride at this time! Then he went on to show the John Lee property (adjacent to the north side of the proposed site) as being a good lot for Park & Ride! He also mentioned the possibility of using the nearby church parking lot for Park & Ride! To me, these statements acknowlege the potential of a Park & Ride situation here in this area!

All of the neighbors are opposed to Tri-Met coming in

and forcing on us a tremendous number of buses, a possible park and ride situation (against our will), and over 4 months of stress (mental) especially when the only people that will benefit in this area will be Tri-Met.

Please do not go against the Planning Commission decision and neighborhood wishes on this matter.

Sincerely yours,

*Jane L. Andrus*

Jane L. Andrus

CC: Pauline Anderson  
Rick Bauman  
Gretchen Kafoury  
Sharron Kelly

10-25-89

TO-COUNTY COMMISSIONERS:

IN REGARDS TO NOTICE OF REVIEW OF TRI-MET FACILITY CS 7-89, WE WANT YOU TO KNOW WE ARE STILL VERY MUCH OPPOSED TO IT.

AT ALL OUR NEIGHBORHOOD MEETINGS 99% OF THE PEOPLE OUT HERE ARE AGAINST IT.

THE TRI-MET PEOPLE ARE USING VERY POOR TACTICS IN PRESENTING THEIR SIDE, (SOMETIMES NOT TELLING THE TRUTH).

WE DO NOT WANT THE SMELL, NOISE & MOST OF ALL THE HIDEOUS TRAFFIC THAT IT WILL CAUSE. IT IS ALREADY REAL BAD OUT HERE.

WHY HAVE A PLANNING COMM. IF NO ONE BELIEVES THEM? THEY SIDED 4 TO 1 FOR US AND THEY ARE CORRECT.

WHY ALL THIS WASTED MONEY ON A LOSING BUS CO.?

CHECK THE FACTS OF THE BART SYSTEM IN S.F. BAY AREA, WHERE IN OVER 12 YEARS THEY HAVE FAILED TO GET PEOPLE OUT OF THEIR CARS. (60% OF EXPECTATIONS NOW.)

LET US LIVE IN PEACE WITHOUT MORE POLLUTION & TRAFFIC.

THANK YOU,

13485 S.E. FOSTER RD.  
PORTLAND, OR. 97236

Joseph Chubir  
Rita K. Chubir

13519 SE Harold St.  
Portland, OR 97236  
October 26, 1989

Board of County Commissioners  
Room 605, County Courthouse  
1021 SW Fourth Ave.  
Portland, Oregon 97204

Dear Commissioners:

I live in the area which will be impacted by the bus terminus proposed by Tri-Met to be constructed on the NW corner of SE 136th and Foster Road. I have lived in this area since 1950 and I am well-acquainted with the growing traffic problems on Foster Road between SE 122nd and 136th. As the Happy Valley, Pleasant Valley, Damascas and other adjacent areas continue to be developed, the situation can only worsen.

Regardless of the "safety improvements" cited by the Tri-Met Project Planner in the FOSTER ROAD ROUTE TERMINUS TRAFFIC AND SAFETY IMPACTS report, the addition of the planned number of buses entering and exiting this facility is certain to make the area more hazardous to pedestrians as well as drivers. The statement that "These improvements have the potential to reduce accidents at the intersection of SE 136th and Foster Rd." can be looked at only with incredulity.

In addition to the traffic problem, the presence of these buses will surely entice commuters east and south of the terminus to leave their cars on neighborhood streets and to use these buses. Indeed, one of the plusses of this location, as noted on the Comparison of Potential Sites, is "Increased Ridership."

This facility should not be located in an essentially residential neighborhood, especially one which is already troubled with traffic problems. Instead, it should be located on a five-lane street with adequate traffic and turn signals in place and with adjacent space for park-and-ride vehicles. Two examples are Foster Rd. between 122nd and 111th and 122nd between Foster Rd. and Holgate. The SW corner of 122nd and Holgate would be an ideal site. It is vacant and all four corners are zoned for businesses.

Cost seems to have played an important role in Tri-Met's selection of a site. As taxpayers, everyone should be concerned about the cost of this project, since we will pay the price whether it is federally or locally funded. However, aside from the monetary outlay, there is another cost which should be considered, and that is the damage to the quality of life for the people who live within the impacted area of this proposed facility. No amount of money can compensate the people who lose the livability of their neighborhood.

Yours truly,

Ethel V. Mullbock

*Ethel V. Mullbock*

Harold E. Mullbock

*Harold E. Mullbock*

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Oct 29, 1989  
13420 S.E. Foster Rd.  
Portland, Or. 97236

Board of Commissioners  
Rm 602, County Courthouse  
1021 S.W. Fourth Avenue  
Portland, Or. 97204

Regarding the proposed bus layover facility at 136<sup>th</sup>  
and Foster Road.

Dear Ladies & Gentlemen of the Board of County Commissioners,  
We live at 13420 S.E. Foster Road. When this proposal  
first came to our attention in July of this year,  
our only concern was the traffic problem which  
already exists. We have witnessed the line-up  
of traffic as far away as 132<sup>nd</sup> st to 136<sup>th</sup> st,  
during the rush hours of the day. That is four-  
teen blocks of traffic! Many times we have  
taken risks trying to enter Foster road from  
134<sup>th</sup> st. It is nearly impossible to make a  
left hand turn from there between the hours of  
4 pm and 6 pm. I invite you to come and see  
for yourself the conditions that already exist.  
Since July, we have heard additional arguments  
against the proposal!

The noise of the motors idling - the air pollution  
from the diesel engines and the possibility of people  
parking along the streets in the area to ride the  
buses.

We request that you reject the proposal of tri-met.  
There must be more suitable property in the area.  
Yours truly,  
Martha & Wayne Gumm

5421 S.E. 136th Ave.  
Portland, Or. 97236  
October 26, 1989

Commission Chair Gladys McCoy  
Commissioner Pauline Anderson  
Commissioner Rick Bauman  
Commissioner Gretchen Kafoury  
Commissioner Sharron Kelley  
Multnomah County Courthouse  
1020 S.W. 5th Avenue  
Portland, Or. 97204

Re: Tri-Met Route Terminal Facility, 136th at Foster Road

Dear Commissioners:

We wish to protest the Tri-Met proposal for a transit terminal at 136th Avenue at Foster Road..We feel this is a completely inadequate and unacceptable place for such a facility.

Tri-Met states in thier letter of October 18th, 1989 that the neighbors of the area show no interest in discussion of mitigating measures. We cannot understand a statement like that. We have attended innumerable meetings during which we listened to the same proposal over and over.

We are not against Tri-Met or a terminus, but are against the site they have chosen for it. We have voiced numerous reasons why we were opposed to the site but all have fallen on deaf ears.

This seems to us to be a case of the bottom line justifying the means.

What about the livability of the area? Is not a livable neighborhood worth something economically?

The extra noise and pollution created by the proposed increase in traffic through this site will contribute to the degradation of neighborhood.

A realistic analysis of the traffic pattern created by this plan should show that a major problem will exist.

As we understand the proposal, the Holgate busses routed south on 136th Ave. will use the new rightturn lane to loop west on Foster and into the Facility. These same busses would then have to exit the facility and cross the new right turn lane on 136th Ave. competing with the heavy rush hour traffic using this same lane to go west on Foster. Also, these busses when northbound would have to cut across the "new" left turn lane to try to merge with the heavy flow of traffic in the north lane on 136th Ave.

Attached is a simple sketch which we hope will show some of the problems of the proposed plan.

We ask that you give seriou<sup>s</sup> consideration to our objections.

Respectfully yours,

OCT 30 1989

*Harold J. Morris*  
*Margaret G. Morris*

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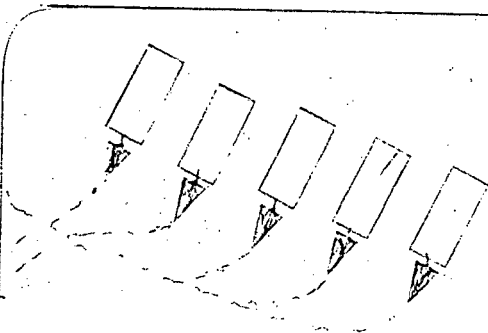
136th

Existing North bound Lane

Existing south Lane - Proposed L. Lane →

New Right Lane -

Existing East bound Lane  
Existing Left turn lane  
Existing West bound Lane



Concerned Neighbors  
of 136th & Foster

Board of County Commissioners  
Room 605, County Courthouse  
1021 S.W. Fourth Avenue  
Portland, OR 97204

Dear Commissioner:

Concerning Proposed Bus Layover Facility at 136th & Foster

At the request of neighbors near 136th & Foster, meetings were set up with Tri-Met by the neighborhood associations at which they were given every opportunity to come up with ideas or locations that would be more suitable to our area. All of our suggestions seem to have fallen on deaf ears. We are not against a bus terminus located in a more suitable area, such as the commercial areas west of Foster & 129th. However we feel as a group, that this kind of facility is not compatible with the pollution and noise free needs of a single family residential community. The neighborhood, in the vicinity of 136th & Foster, is single family residential in nature and all new construction, in the area, has been single family residences.

David Douglas School District and Fire District 10 do not oppose Tri-Met's site selection, but, without a study of the impact or polling of the area which they cannot do because of budget constraints, neither do they approve of this site. They are, in fact, neutral as stated in their letters to Tri-Met.

Designation of this site as a community service site must meet certain applicable ordinance criteria in order to be

OCT 30 1980



approved. The Planning Commission, in their decision of July 10, 1989, indicated that neither the "Consistency with the Character of the Area" nor the "Public Services" ordinance criteria were satisfied (i.e. "not consistent with the single family residential character" and "proposed use would encourage riders to board buses at the site"). The Planning Commission report, dated July 10, 1989, stated that the "provision of the terminus at which three lines will come together will create a demand for parking in the area, and from the slides of the evidence of the supply of parking, it simply isn't there.". Enforcement of any no parking or limited parking signs would require additional public services. Tri-Met's, as Jeff Goodlink states in the same report, "ability to enforce anything but time (that the buses stop) is strictly limited". Tri-Met's ability to estimate the demand for Park & Ride has proven to be woefully inadequate, as illustrated by a recent captioned picture in the Oregonian, in which neighbors stated that there was a demand for at least 60 - 70 more spaces at that site. From personal and second hand knowledge, Tri-Met's stated view of the park & ride situation must be construed as nothing more than thinly veiled P.R. and their concern, for the neighborhood problems caused by a park & ride situation, flagrantly lacking.

Cars, seeking access to 135th from westbound Foster (once the facility was in operation), would find their access even further restricted by buses competing with the cars for use of the two-way left turn lane. In fact, even with the addition of the right turn lane, cars would be forced to impede the flow of westbound Foster Avenue traffic in order to gain access to the left turn lane since they would have to wait for buses (as well as other traffic) to clear the left turn lane at precisely the same spot needed for access to 135th. Southbound traffic, needing access to 135th, would be forced to impede the right turn lane (including Tri-Met buses) until such time as they could gain access to both lanes. Although the impact on Foster Avenue

traffic would not be substantial due to the low volume of cars on 135th, the inconvenience (and danger) to neighbors, who live on or just off of 135th, would be extreme. Although the number of reported accidents at the intersections of 136th, 135th, and 134th may not seem extremely high when compared with the volume of traffic on Foster, when you consider that approximately 50% of the cars involved are coming from the side streets and take that number and compare it to the volume of traffic on the side streets, the risk, to the neighbors living on the side streets, is extremely high. Cars needing access to Foster, from 135th, 134th, and 131st (1½ blocks away from the entrance) will be even more severely impacted, especially if the capacity of Foster is increased by decreasing the number of times the traffic light on Foster turns red. It is only when traffic is stopped for the light during rush hour that traffic on these side streets can gain access to Foster.

Under the "Comprehensive Plan Policies: Off-site Effects", the Planning Commission indicated that "The improvement of transit service in this area will provide an attractive alternative to the private automobile". The vast majority of traffic, using the intersection of Foster & 136th, comes from east of 136th. A neighborhood survey of over 80 people showed that only eight are currently using the bus service and that five more might if service was improved. Over 95% of those surveyed, including those wanting improved bus service, do not want a bus terminus at 136th & Foster. Any substantial increase in ridership (decrease in Foster Avenue traffic) would therefore have to come from "park and ride". Since there are already over three buses per rider, in this neighborhood, the addition of 141 buses hardly constitutes a community service. The old #26 route used to be a very popular and well used bus route. Tri-Met's justification for discontinuing it was that it required one more bus, yet, one of the reasons for the choice of this site was the need to improve service and thereby increase ridership. This they're doing by

bringing an additional 141 buses into this area.

To say that the generation of over 360 bus trips around the site per day (as opposed to the current 39), would not negatively impact traffic is an insult to our intelligence. Through traffic does not have nearly the effect on an area that the starting, stopping, and accelerating of buses would have. An average of one car per minute makes a left turn from southbound 136th to eastbound Foster. This means that the likelihood that the traffic light would turn red on Foster once every minute would be quite high during the peak pm rush hour. The repair of the traffic loop on 136th would therefore affect only off peak traffic. The addition of the right turn lane only means that cars will no longer be using the shoulder to get around the cars waiting to make a left turn. At the present time, the traffic counts reflect only the number of cars able to get through each cycle of the traffic light. During the peak pm rush hour, the average speed on Foster is only about 25 mph. A decrease in the number of times the traffic light on Foster is red would have the effect of increasing the average speed again making it that much more difficult for traffic on the side streets to gain access to Foster.

Buses produce 17 times more carcinogenic pollution than do cars and the worst emissions occur during starting and accelerating. Without a corresponding decrease in the volume of private cars, this cannot be considered acceptable in a residential neighborhood.

Tri-Met's noise studies, indicating a 6 DBA (without a wall as would be the case on the south and east sides), were based on buses sitting at idle and computer adjusted for buses running and then compared to peak hour traffic. Buses accelerating create considerably more noise and a great deal of acceleration would have to occur for them to merge with the normally 45 mph traffic on this section of Foster. The sound barriers proposed for the north and west sides of the site would have the tendency to bounce back traffic noise to the far heavier concentration of residences

on the south side of the site. It is important to remember that peak hour traffic constitutes only 10% of each day and that the most severe impact on the neighborhood in terms of noise would be during off peak hours.

For all of these reasons, we continue to oppose Tri-Met's choice of 136th & Foster for their layover facility and applaud the Planning Commission's decision to deny Tri-Met's application for a Community Service Overlay.

Jane L. Andrews

Floyd L. Silvers

Sincerely,

E. L. Gilman  
Harold E. Mullback  
Ethel V. Mullback

Harold J. Morris  
Marjorie D. Morris

Karen L. Johnson  
Thomas Anderson

Joyce W. Nelson  
M. P. P. P.

Patricia R. O'Brien

Quincy Davis

Mym Selter

Joseph Chubir

Rita K. Chubir

Norman E. Lundquist

10/25/89

TO - BOARD OF COUNTY COMMISSIONERS:

THIS LETTER IS IN REGARDS TO PLANNING COMM.  
REVIEW OF C.S. 7-89 - TRI-MET FACILITY AT  
136 TH + FOSTER RD.

I COULD NOT BE AT THE HEARING ON JULY 10, 1989  
BECAUSE I MUST BE AT HOME IN ORDER TO  
TAKE CARE OF MY WIFE.

SHE HAS HAD A SEVIERE STROKE AND NEED  
MY CONSTANT HELP.

I, LIKE ALL THE OTHER HOME OWNERS  
IN THIS AREA DO NOT WANT OR NEED THIS  
FACILITY.

I HAVE LIVED HERE AT 6235 S.E. 136 TH  
SINCE 1955. IT WAS, AND I THOUGHT STILL IS  
A RESIDENTIAL ZONE.

WE DO NOT NEED THE NOISE, EXTRA TRAFFIC  
OR SMELL OF DEISEL BUSES. IT COULD CAUSE  
MORE SERIOUS PROBLEMS FOR MY WIFE.

THESE BUSES WILL BE OPERATING WITHIN  
15 TO 20 FEET OF OUR HOUSE. OUR PROP  
ERTY ADJOINS LOT A13525 S.E. FOSTER RD.

CAN'T WE LIVE OUT OUR OLD AGE IN  
PEACE & QUIET WITHOUT OBNOXIOUS FUMES AND  
MORE TRAFFIC?

THANK YOU,  
MR. & MRS. JOHN LEE

John W. Lee & Lucille

OCT 30 1989

Regarding: Proposed Tri-Met Bus Layover Facility at 136th & Foster

The City of Portland allows an outside noise level in a residential - residential area of 55 dBA's, commercial - residential areas are allowed 60 dBA's, and manufacturing - residential is 65 dBA's.

The State law allows a bus, when accelerating, to create up to 80 dBA's when measured at 50ft. Many homes, in the proposed terminus site are 30 to 50 feet from the street so they are currently receiving a noise level up to and above 80 dBA's. This occurs 39 times in a day currently and Tri-Met is proposing an increase to 362 bus trips with their new terminus. Even subtracting 20 dBA's for being indoors with the window/doors closed, from the allowable 80 dBA's, gives 60 dBA's and in the summer with windows/doors open subtracting 5 dBA's from the allowable 80 dBA's gives 75 dBA's.

After talking to several experts in the field of noise pollution, some interesting points came up:

- 1) 45 dBA's interrupts rem sleep (that is the sleep prior to and just after deep sleep)
- 2) 60 dBA's will interrupt deep sleep or wake you up
- 3) 70 to 75 dBA's may affect blood pressure

In Tri-Met's incomplete environmental impact study, they say that with 39 buses a day at peak traffic flow, the noise level is between 66 and 75 dBA's. With the terminus complete and from their current readings they estimate that 34 bus trips at peak traffic times would put the noise level at between 68 to 76 dBA's.

Tri-Met says that ridership would increase but, without a park & ride facility, the traffic problems on Foster Rd. will continue because most of the traffic is coming in from surrounding areas (Gresham, Boring, & Damacus) due to the easy access to 205 and there is no where to park (except on the street or possibly a church parking lot) at the proposed site.

From the information above we see that area residents are already impacted with above average dBA levels and the proposed site will magnify the noise and air pollution levels due to the increased traffic on 136th and Southeast Foster Road and the congestion at that intersection which is already reaching or is over capacity according to traffic engineers and improvements seem to be in the indefinite future.

A park and ride facility and a route adjustment further out on Foster Road where there is commercial property would allow people from surrounding areas to take the bus on Foster Rd. to downtown Portland there by relieving noise, pollution, and congestion in the residential area along Foster Rd.

Locating their terminus either alone or with a park & ride facility in a commercially zoned area such as 122nd & Holgate, or 111th & Foster, would allow them to encompass all their current and future routes in this area and benefit all 3 sectors.

We are asking you our County Commissioners to help us keep our neighborhood livable by considering the concerns and solutions mentioned above. Please don't let our neighborhood become more noise polluted, air polluted, and congested than it is already.

BC<sup>c</sup>

COUNCIL OF MULTN. COUNTY COMMUNITY

I AM WRITING ABOUT PUBLIC HEARING C.S. 7-89 ON  
SEPT. 5, 1989.

I WILL BE AT HEARING AND WOULD LIKE TO EXPRESS  
MY VIEWS AGAIN.

OUR DRIVEWAY IS ADJACENT TO THIS LOT AT  
13525 S.E. FOSTER RD. AND THERE IS TOO MUCH  
TRAFFIC HERE ALREADY. BESIDES THE NOISE &  
SMELL OF DEISEL FUMES, WHICH ACCORDING TO AN  
ARTICLE IN OREGONIAN, BUSES EMIT 17 TIMES  
MORE BAD STUFF IN AIR THAN AVERAGE AUTO.

TRI-MET PEOPLE SOMETIMES DO NOT TELL  
THE WHOLE TRUTH ABOUT THEIR NEEDS.

WHY SPEND MORE MONEY ON SOMETHING THAT IS  
FREE.

BUS WAITING AREAS ARE NEAR 7-11 MARKETS,  
SERVICE STATIONS AND ON PUBLIC STREETS.  
THEY, (TRI-MET) ALREADY LOOSES A WHOLE  
LOT OF MONEY AND THEY WANT TO SPEND  
MORE OF OUR TAX DOLLARS, (FEDERAL & COUNTIES).  
THEY ALSO HAVE A HUGE AREA AT 97TH &  
POWELL, LESS THAN 10 MIN. FROM HERE.

WE ARE RETIRED PEOPLE AND WHO NEEDS  
THIS THING IN OUR FRONT YARD?

NO ONE IN THIS IMMEDIATE AREA IS IN  
FAVOR OF TRI-MET NO MATTER WHAT THEY SAY.

PLEASE UPHOLD THE DECISION OF THE  
PLANNING COMMISSION, FOR THE SAKE OF THE  
OLDER PEOPLE AND SMALL CHILDREN IN AREA.

Joseph Chubini  
Rita K. Chubini

THANK YOU,  
MR. & MRS. JOSEPH CHUBINI  
13485 S.E. FOSTER RD.  
PORTLAND, ORE. 97236



BCC  
Planning

BOARD OF  
COUNTY COMMISSIONERS

1989 AUG 30 PM 3:52

TO - BOARD OF COUNTY COMMISSIONERS :

MULTNOMAH COUNTY

THIS LETTER IS IN REGARD ~~SORCEN~~ PLANNING COMM  
REVIEW OF C.S. 7-89 - TRI-MET FACILITY AT  
136TH + FOSTER RD.

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SINCE 1955. IT WAS, AND I THOUGHT STILL IS  
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PEACE + QUIET WITHOUT OBNOXIOUS FUMES AND  
MORE TRAFFIC?

THANK YOU,  
MR. + MRS. JOHN LEE  
John W. Lee + Lucille

*Citizen contact form -*

TO: Sharron Kelley, Franklin Jenkins  
FROM: Robert  
RE: Opposition to Tri-Met Proposal  
DATE: October 30, 1989

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Susan Johnson of 13532 S.E. Foster Place contacted me to discuss her opposition to the Tri-Met turnaround proposal. She cannot attend the hearing. Because this memo describes an ex parte contact, the existence of the contact and the memo should be disclosed at the hearing.

Ms. Johnson has three primary objections:

1. Increased traffic from additional buses will adversely affect the safety of child pedestrians -- Children from the Gilbert Heights Elementary School at 125th and Holgate, the Gilbert Park Elementary School at 127th and Ramona, and the Alice Ott Middle School at 124th and Ramona cross Foster and will face an increased number of vehicles and increased traffic flow with the extra buses and signal improvement.
2. Increased street parking will adversely affect safety because the street will be less visible and some nearby streets have no sidewalks for pedestrians.
3. Cars making left turns from and onto Foster will have increased difficulties because of the increased traffic flow and number of vehicles.

She anticipates that Gail Gilliland will speak against the proposal at the hearing.

October 18, 1989

Multnomah County Commissioners  
1021 SW 4th  
Portland, Ore. 97204

Dear Commissioner Sharron Kelly,

We are writing in opposition to Tri-Met's proposed transit station at SE 136th and Foster. Although we appreciate Tri-Met's need to simplify their routes and their desire to create a viable bus stop for their drivers, the negative impacts in terms of pollution and noise does not justify the placing of such a facility in a residential area.

Foster is the main through street in the area east of 122nd and south of Powell. Residents living on side streets adjoining the south side of Foster have no choice but to use Foster regardless of their final destination. Busses utilizing the lot on the north side of Foster and 136th will be competing with traffic turning on to and off of Foster.

We feel that a Park and Ride would be desirable and is needed but should be sited in a commercial area because of the pollution and noise that goes with such a facility. The terminus of three bus routes at one location with the likelihood of at least one bus being at the facility at any one time cannot help but encourage Park and Ride. With no parking facility planned, parking would have to take place on the side streets.

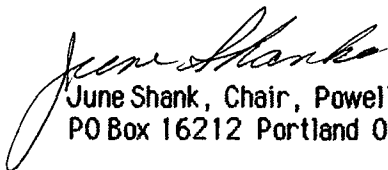
We support the Planning Commission's decision to turn down the petition for a CS overlay of the MR-4 zoning even though such overlay is permitted under the MR zoning. We agree that this use is inconsistent with the residential character of the neighborhood because of increased noise, air pollution, and traffic congestion and inadequate parking facilities.

The overwhelming consensus of the combined meeting of Pleasant Valley and Powellhurst/Gilbert Neighborhood Associations was that the location of such a facility at the corner of 136th and Foster would not be in the best interests of the surrounding neighborhoods and is strongly opposed by both of the Neighborhood Associations.

Sincerely,



Linda Bauer; Chair Pleasant Valley Neighborhood Assoc.  
6232 SE 158TH, Portland Ore. 97236



June Shank, Chair, Powellhurst/Gilbert Neighborhood Assoc.  
PO Box 16212 Portland Ore. 97216

cc. Gladys McCoy  
Pauline Anderson  
Rick Bauman  
Gretchen Kafoury

*Draft*

September 6, 1989

Bonnie McKnight  
Community Relation  
TriMet  
4012 S.E. 17th  
Portland, OR 97202

RE: Request for Community Service Designation Property  
on 13525 S.E. Foster Road

Dear Bonnie:

Since you did not attend the hearing held on September 4th  
and because I did not fully enunciate my perspective of the  
issues, I am taking advantage of our friendship to more fully  
communicate my concerns about this application.

The area in question is environmentally rich. The trees  
and lot sizes provide an enhanced setting for residential

**RECEIVED**

SEP 07 1989

COUNTY COUNSEL FOR  
MULTNOMAH COUNTY, ORE.

purposes. The traffic on Foster and the fact that it is a major arterial, however, is clearly a detriment. The concern that I have for this application is that the addition of bus traffic, as well as the facility may help to "tip the scale" and become a liability to the integrity of the neighborhood as a whole.

I do understand, however, the purpose of the turnaround and layover facility and what it could mean to the overall common good to TriMet and its ridership. But, I also believe that good government means putting something back into the smaller community that compensates for any real or perceived loss that was justified to accommodate that "greater good" benefit to the larger community.

So, at least in my opinion, your charge in the next 60 days is to "make better" the community through either traffic mitigation, site design or both. If cost becomes a barrier than perhaps the site should be considered too costly for this particular purpose.

I hope this letter clearly expresses my concerns and is useful to you in your future endeavors.

Sincerely,

Sharron Kelley

County Commissioner

District No. 4

SEK/yca1304L

Jean why is  
this on there  
and not informed  
are they requesting  
Approval?  
Jane