

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING) RESOLUTION NO. 94-1900
THE NW 112TH LINEAR PARK FOR)
FUNDING AS PART OF ODOT REGION 1) Introduced by
PRIORITIES FOR TRANSPORTATION) Councilor Monroe
ENHANCEMENT FUNDING IN THE 1995-))
1998 TRANSPORTATION IMPROVEMENT)
PROGRAM)

WHEREAS, The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) requires the state to allocate 10 percent of its Surface Transportation Program (STP) funds to statewide Transportation Enhancement projects to address general environmental improvement activities; and

WHEREAS, ISTEA stipulates that states shall allocate Transportation Enhancement funds consistent with the Act and federal guidelines for eligibility and public process, and in consultation with the designated metropolitan planning organizations (MPOs); and

WHEREAS, Metro, in conjunction with the Joint Policy Advisory Committee on Transportation, is the designated MPO for the Portland, Oregon metropolitan area; and

WHEREAS, The state is currently programming funds, including the second iteration of Transportation Enhancement funds (FY 95, 96, and 97) for inclusion in the Oregon Department of Transportation's (ODOT) 1995-1998 Transportation Improvement Program (TIP); and

WHEREAS, Metro and the region have consulted in the development of the process and the proposed Transportation Enhancement Program; and

WHEREAS, JPACT previously adopted Resolution No. 93-1858B recommending approval of a package of Metro area projects for FY

95, 96, and 97; and

WHEREAS, The Metro Council adopted Resolution No. 93-18588 with the exception that the NW 112th Linear Park be remanded back to JPACT for further consideration; and

WHEREAS, JPACT, after further consideration, found that the project is eligible under ISTEA guidelines, meets ISTEA and Oregon Transportation Commission program objectives for enhancing the transportation system, is consistent with the relevant Washington County Transportation and Comprehensive Plans, and was reviewed and supported by residents in the vicinity of the NW 112th road project; and

WHEREAS, JPACT and the Metro Council recognize that the NW 112th Linear Park Transportation Enhancement funds are to support mitigation of the NW 112/113th arterial project; now, therefore,

BE IT RESOLVED,

1. That JPACT and the Metro Council adopt the NW 112th Linear Park as a Metro area Transportation Enhancement priority for inclusion in the ODOT 1995-1998 TIP and that the project be incorporated into the Regional Transportation Plan.

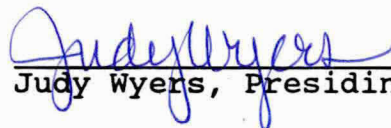
2. That staff be directed to forward NW 112th Linear Park in testimony during the appropriate hearings on the 1995-1998 TIP by the Oregon Transportation Commission.

3. That prior to obligation of federal Transportation Enhancement funds, Washington County will provide ODOT and Metro with necessary documentation ensuring incorporation of the NW 112th Linear Park project into the County Comprehensive Plan.

4. That obligation of Transportation Enhancement funds for the NW 112th Linear Park is restricted to mitigation support for the NW 112th/113th arterial project. If the arterial project

does not proceed, the Transportation Enhancement funds should be transferred to the contingency projects identified for Region 1.

ADOPTED by the Metro Council this 24th day of February,
1994.



Judy Wyers, Presiding Officer

MH:lmk/2-10-94
94-1900 RES
JFACT version

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 94-1900 FOR THE PURPOSE OF ENDORING THE NW 112TH LINEAR PARK FOR FUNDING AS PART OF ODOT REGION 1 PRIORITIES FOR TRANSPORTATION ENHANCEMENT FUNDING IN THE 1995-1998 TRANSPORTATION IMPROVEMENT PROGRAM

Date: January 19, 1994

Presented by: Andrew Cotugno

PROPOSED ACTION

This resolution endorses the NW 112th Avenue Linear Park project for priority FY 95, FY 96, and FY 97 Transportation Enhancement Program funding for inclusion in ODOT's 1995-1998 Transportation Improvement Program. The action supplements Resolution No. 93-1858B, adopted by the Metro Council in October 1993. That resolution endorsed the region's priority Transportation Enhancement Program recommendations with the exception of the 112th Avenue Linear Park proposal. At the request of the Metro Council, that project was remanded back to JPACT for further consideration.

The following staff report and attached resolution document the findings, options, and conclusions for that further consideration. The staff report focuses on four major elements: 1) review of the Enhancement funding program process and responsibilities; 2) review of the 112th Linear Park project and issues; 3) discussion of the alternative actions available to JPACT and the Metro Council; and 4) Metro staff recommendation.

The recommended project has been found to be consistent with the Transportation Enhancement Program eligibility standards as listed in Section 1007(c). As with Resolution 93-1858, the recommendation is developed for Oregon Transportation Commission (OTC) consideration during public hearings and testimony on the 1995-1998 TIP. Final OTC action on the entire TIP is scheduled for July 1994 and will essentially complete programming of state ISTEAs funds.

JPACT will take action on the resolution February 10. Metro Council action is tentatively set for February 24. The OTC is scheduled to hold hearings around the state on the entire TIP in March 1994.

TPAC has reviewed this resolution and recommends approval of Resolution No. 94-1900.

FACTUAL BACKGROUND AND ANALYSIS

Eligible Activities

As stated in ISTEAs, eligible Transportation Enhancement Program activities are as follows:

"The term 'transportation enhancement activities' means, with respect to any project or the area to be served by the project, provision of facilities for pedestrians and bicycles, acquisition of scenic easements and scenic or historic sites, scenic or historic highway program, landscaping and other scenic beautification, historic preservation, rehabilitation and operation of historic transportation buildings, structures or facilities (including historic railroad facilities and canals), preservation of abandoned railway corridors (including the conversion and use thereof for pedestrian or bicycle trails), control and removal of outdoor advertising archaeological planning and research, and mitigation of water pollution due to highway runoff."

Program Funds and Authority

ISTEA authority for the program is delegated to the state. The state in turn must develop the program in cooperation with Metropolitan Planning Organizations (MPOs) and local jurisdictions and the public. The OTC allocated approximately \$4.435 million for an Enhancement Program in Region 1 (consisting of Multnomah, Clackamas, Washington, Columbia, and Hood River counties). This figure acted as the target amount used in the programming exercise described below.

Program Development

In May 1993, the OTC directed ODOT staff to begin the process for developing the state's Transportation Enhancement Program for fiscal years 1995, 1996, and 1997. The process followed, with some refinement, an initial process developed in 1992 for programming Transportation Enhancement funds for the first three years of ISTEA (FYs 92, 93, and 94). The current process included the following elements:

- May 1993. The OTC approved a five-month process intended to solicit, evaluate, and recommend for funding the FY 95, FY 96, and FY 97 Transportation Enhancement Program. The process included the development of program objectives, project selection and prioritization criteria, and public review and adoption actions.

The original and refined process and Transportation Enhancement ranking criteria were developed by ODOT's ad hoc Transportation Enhancement Committee (comprised of public and private interests) and approved by the OTC. Members of the ad hoc committee are identified in Attachment A. The process was reviewed by TPAC in May.

- June 1993. ODOT provided notice to jurisdictions, the public, and interest groups soliciting program (project) recommendations.

- June 11, 1993. ODOT sponsored a Transportation Enhancement Program Public Information Workshop in Region 1. The workshop described the program, the grant application process, and other aspects for getting a project included in the program.
- August 6, 1993. Project proposals submitted to ODOT.
- August 1993. As per the OTC process, a Region 1 review panel independently reviewed and prioritized projects. The committee included representatives of Metro and Washington, Multnomah, Clackamas, Columbia, and Hood River counties. Over 40 applications (urban and rural) were submitted to Region 1. The projects were reviewed and scored relative to the OTC-approved criteria. The criteria are based on FHWA guidelines for the program and on key Oregon benchmark and policy objectives.

A 100-point scoring system was developed and included the following categories: "Intermodal Relationship" (30 points); "Relationship to other Plans and Programs" (30 points); "Benefits to the Community and Environment" (20 points); "Statewide Significance" (10 points); and "Match Level, Source, Public/Private Commitment" (10 points). In addition, each application was independently reviewed for clarity, detail, and design. Each project required a sponsoring public agency or jurisdiction as per federal funding requirements. Results of the scoring are shown in Attachment B.

Following the scoring, the ranking committee and ODOT staff reviewed the list for funding recommendations. Funding was recommended based on the "technical" score and on program objectives which also consider geographic distribution and cost-effectiveness. Projects recommended for funding are shown in Attachment C.
- October 1993. As noted, ISTEA requires the state to consult with MPOs on program development. MPO review in the Portland area is through JPACT/Metro Council. JPACT reviewed and approved Resolution No. 93-1858 in October. The resolution endorses the package of projects within Metro boundaries as recommended by the Region 1 review committee.
- October 1993. Metro Council adopts Resolution No. 93-1858B with the exception of the NW 112th Linear Park Project. Following public testimony, the Council Planning Committee remands the project to JPACT for further review.
- January/February 1994. TPAC/JPACT/Metro Council review and action on Resolution No. 94-1900.

- . March 1994. OTC hearings on the draft 1995-1998 TIP.
- . July 1994. OTC action the TIP.

NW 112th Linear Park

Project Description

As stated in the grant application, "Washington County proposes creating a linear park along 112th Avenue between Cornell and Barnes Roads. The park will include a bike and pedestrian connection between these two roadways, both of which are part of the bicycle route system in the adopted Washington County Transportation Plan, and will significantly improve access for non-auto traffic to the planned Sunset Light Rail Transit Center.

"The transportation link established by the project will complement a planned street connection made by the 112th Avenue project, which is anticipated to be built between Cornell Road and Barnes Road in 1996 or 1997. The 112th Avenue project and pathway system included in the linear park project will reduce the distance from the Cornell/112th intersection to the Sunset Highway and Transit Center area by more than 50 percent from current levels.

"The park will be approximately 2500 feet long and vary in width from 50 to 600 feet, occupying approximately 10 acres in all. It will include approximately one mile of eight-foot wide pedestrian/bicycle asphalt pathway." Attachment D shows the park concept.

Project Cost

The park is estimated to cost \$883,600. Washington County requested \$706,900 in Transportation Enhancement funds for the project. The ODOT/Region 1 review committee recommended funding \$308,000 of the cost to cover transportation-related right-of-way and pathway elements.

Project Issues

A number of issues and concerns were raised by the public and the Metro Council in review of Resolution No. 93-1858B. The following discussion focuses on the main issues as identified in letters and the Council minority report (Attachments E and F).

1. **Technical Score.** The project ranked second of 44 projects reviewed. The concern was that it ranked too high. Again, each project was reviewed independently based on the information included in the application. This project was felt to provide quality pedestrian/bicycle improvements within a developing area. The project was also felt to be a key link within a future system connecting area neighborhoods to the

Peterkort property on through to Barnes and the Sunset Transit Station. The project match, plan consistency, support, and general benefits were addressed through the application and review process.

2. **Bicycle Lanes.** A concern was raised that the project duplicates lanes planned for the NW 112th/113 road project. This fact was included in the application. However, the proposed project provides for both pedestrians and bicycles in an environment located off the arterial. The safe and pleasant nature of the Linear Park meets the intent of the Enhancement Program to fund projects which go beyond the scope of normal transportation investments.
3. **Funding.** A concern was raised that funds are already committed to the 112th/113th Avenue bicycle project. As noted, Washington County has programmed the NW 112th/113th road project for 1996-97 and is pursuing Enhancement funds for part of the Linear Park as part of an overall road/park project in the area. The Enhancement funds are for currently unfunded pedestrian and additional bicycle improvements in the corridor.
4. **Intermodal Relationship.** A concern was raised that the project is not "intermodal" since it is over one mile to the Sunset Transit Station. ISTEA guidelines, used by the review committee, clarify that the relationship to the intermodal system must be one of "function, proximity, or impact." Pedestrian and bicycle activities are specifically eligible under "function;" an enhanced visual appearance of a transportation corridor is explicitly listed under "proximity;" and mitigation which goes beyond the norm is included under "impact." The 112th Linear Park meets these tests.
5. **The project is not in the Comprehensive Plan.** Land use or transportation-related Enhancement projects need not be in a comprehensive plan to be included in the program. However, the project must be in the Comprehensive Plan to receive funds. The Enhancement evaluation criteria asked for projects that are in or consistent with Comprehensive Plans. The County provided findings of consistency in their application and follow-up materials. If the project does not meet necessary land use approvals in the future, it will not receive these funds.

Public Process and Comment

The public process was developed and approved by the OTC. The process was reviewed by TPAC and others within the region and was intended to identify and select projects within a five-month timeframe in order to be included in a public review draft of the 1994-1998 state TIP.

At the local level, Washington County has had a long history of public involvement regarding the 112th/113th road project. The Linear Park process is more recent. In August 1993, the County began a Linear Park public process. As a result, both County and public testimony indicates strong support for the proposal (see Attachment E, letters). Opposition to the Park included testimony that the funds should be used for other pedestrian and bicycle needs in the area (see also Attachment E, letters).

Alternative Action

Under ODOT program guidelines, the choices for JPACT and the Metro Council are: 1) recommend funding for the Linear Park; or 2) defer to the next project on the contingency list.

As shown in Attachment C, the next project is Project No. 29 -- Barlow Road Corridor/Moss Hill Preservation. The \$190,000 project would preserve and improve a segment of the Barlow Road segment of the Oregon Trail. The project is about four miles east of Oregon City and is outside the Metro boundary. Approximately \$118,000 would then remain to be applied to the Molalla River pathway in rural Clackamas County.

Conclusion and Staff Recommendation

A number of issues surfaced regarding the timing and location of the NW 112th Linear Park. Most significantly, does the project meet federal Transportation Enhancement eligibility; and does the project enhance the overall transportation system in the area?

First, as noted previously, the project meets federal guidelines by having a relationship to the intermodal transportation system through function, proximity, and impact. Second, the project will provide a quality bicycle and pedestrian connection from area neighborhoods through Peterkort to the Sunset Transit Center. Third, a Washington County public process resulted in project support by residents in the NW 112th area as mitigation above and beyond the norm for transportation projects. While other quality bicycle and pedestrian projects exist in the area, none were submitted as part of the ODOT process. Further, the project is consistent with the Washington County Comprehensive Plan and must be included to receive funding.

Given the further analysis of the project, program guidelines, and process, Metro staff recommends the 112th Linear Park be included as part of the region's priority Transportation Enhancement projects for FY 95, FY 96, and FY 97.

TPAC Recommendation

TPAC endorsed Resolution No. 94-1900 at its January 28 meeting. The endorsement was with an understanding that an opportunity for public comment be provided. As noted in Attachment G, a special JPACT-sponsored public meeting to discuss the 112th Linear Park was determined unnecessary. However, to provide public comment

on whether to include the park project as part of the region's recommendations for Enhancement funding, TPAC endorsed the original staff process to invite interested persons to the February 10 JPACT public meeting, the February 17 Council Planning Committee public hearing, and the February 24 Metro Council meeting.

The final result and recommendations of those meetings will be forwarded to the OTC at their March hearings on the state TIP.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No.94-1900.

MH:mk
94-1900.RES
2-2-94

Attachment A

"ODOT Ad Hoc Transportation Enhancement Committee"

<u>Name</u>	<u>Organization</u>
Chris Beck	Trust for Public Lands
Richard Benner	Oregon Land Conservation and Development Department
Pete Bond	Oregon Parks Department
Pat Ehrlich	Association of Oregon Counties
Phil Hirl	U.S. Forest Service
Mike Hoglund	Metro
John Kowalczyk	Oregon Department of Environmental Quality
Lewis McArthur	Historic Columbia River Highway Advisory Committee
Mary McArthur	Oregon Tourism Alliance
Pat Napolitano	Local Officials Advisory Committee
Janet Neuman	Oregon Division of State Lands
Kristin Ramstad	Oregon Department of Forestry
Wes Reynolds	Ashland Parks Commission
Robbin Roberts	Economic Development Department
Val Paulson	League of Oregon Cities
John Savage	Oregon Department of Energy
Richard Schmid	Mid-Valley COG
Gary Shaff	Rogue Valley COG
Lee Shoemaker	Lane COG
Jill Thorne	Oregon Trail Coordinating Council
John Wichman	Federal Highway Administration
Cam Gilmour	ODOT
John Rist	ODOT
John Baker	ODOT

Average Scores 1993 Enhancement Program

Project	Maximum Points	Intermodal Relationship 30	Relationship to Other Plans and Programs 30	Benefits to Community/Environment, and Statewide Significance 30	Match Level, Source Public and Private Commitment 10	Total 100	Total Cost Estimate (\$ thousands)	Federal Cost Estimate (\$ thousands)	Federal Fund Availability (\$ thousand)
24 B: Banks - Yemoria	30	19	21	21	10	70.00	250.0	200.0	\$4,345.0
37 112th Linear Park		21	22	19	8	69.71	883.8	708.700.7	4,145.0
17a Eastbank Bike/Ped Way B: OMSI		18	22	20	9	68.00	120.0	100.0	3,438.1
20 Escadada Trails		18	22	20	9	68.00	419.1	314.7	2,078.1
6 Complete Cedar Creek Trail		18	22	20	9	68.00	120.0	100.0	1,978.1
33 Springwater - Intermodal Links & Restroom		18	22	20	9	68.00	296.0	228.9	1,683.7
17b Eastbank Bike/Ped Way B: OMSI		19	23	18	8	68.57	288.0	228.9	1,643.7
1 Historic Highway: Moffet Creek - Tanner Creek		19	19	22	8	68.43	1,297.0	1,164.0	1,314.8
38 Eastbank Bike/Ped Way C: Eastbank		19	23	18	8	68.00	390.0	312.0	150.8
21 Barlow Road Corridor/Moss Hill Preservation		17	20	21	8	68.14	340.0	190.0	
19 Intermodal Transfer Park		20	20	18	7	68.00	296.0	252.8	
33 Springwater - Intermodal Links & Restroom		18	23	19	9	65.00	877.0	701.8	
34 Historic Highway: Hood River - Mosier		18	22	22	8	65.14	150.7	113.1	
11 Pedestrian Trail Expansion		18	22	19	8	65.00	30.9	24.8	
36 NY 185th Pedestrian Facility		18	20	18	8	64.43	77.0	61.8	
2 Historic Highway: Hood River - Mosier		17	20	18	9	64.00	250.0	200.0	
7 Hollywood Pedestrian Path		18	20	20	8	63.71	984.0	683.0	
26 Barlow Road Junction - Beaverton		18	20	17	8	63.43	248.8	197.2	
19 Downtown Pedestrian Path		18	20	18	7	62.43	105.8	84.8	
9 Historic Highway: Hood River - Mosier		18	20	20	8	61.71	120.0	96.0	
9 School Bike Path		19	18	18	8	60.64	60.0	48.0	
21 Fanno Creek Bikepath		17	18	21	8	60.43	8.4	8.8	
23 Historic Elevator Upgrade		14	15	21	8	58.43	468.0	419.4	
10 Historic Highway: Hood River - Mosier		14	15	22	7	58.29	1,410.0	1,180.0	
4 Milton Creek Bike & Pedestrian Bridge		15	19	17	7	57.71	165.0	135.0	
8 Depot Gutters & Insulation		15	20	18	7	57.29	817.0	418.0	
33 Eastwood Pedestrian Path		14	17	18	7	57.00	324.8	259.8	
13 Barlow Road Corridor Phase One		14	20	18	7	56.71	440.0	344.0	
14 Barlow Road Corridor Full Project		14	19	18	7	55.57	37.4	30.0	
22 Historic Highway: Hood River - Mosier		14	14	17	9	54.29	862.3	397.4	
43 NE 201st Bike/Ped Connector		14	14	18	8	53.00	30.0	27.0	
42 Seville Island Road Shoulder Bikeway		14	14	18	8	50.14	1,350.0	1,211.4	
40 Downtown Access Plan		14	14	18	8	50.14	1,350.0	1,211.4	
41 East Burnside Bike Lanes		14	14	18	8	50.14	1,350.0	1,211.4	
32 Downtown Access Plan		14	14	18	8	50.14	1,350.0	1,211.4	
15 Highway 26 Ped/Bike Connection		14	14	18	8	50.14	1,350.0	1,211.4	
30 Storm Water Detention and Bio-Filtration		14	14	18	8	50.14	1,350.0	1,211.4	
44 Historic Highway: Hood River - Mosier		14	14	18	8	50.14	1,350.0	1,211.4	
31 Historic Faubion Bridge		14	14	18	8	50.14	1,350.0	1,211.4	
18 Classic Light Poles		14	14	18	8	50.14	1,350.0	1,211.4	

printed 30-Aug-93

ATTACHMENT B

Exhibit "A"

ENHANCEMENT PROJECTS RECOMMENDED BY REGION 1 SELECTION COMMITTEE

ID#	Project Agency	Priority	Total (1,000)	Federal (1,000)	Match (1,000)	Total Federal
24	Intermodal Link West of Portland B: Banks - Vernonia Oregon State Parks	1	\$250.0	\$200.0	\$50.0	\$200.0
37	112th Linear Park, down-scoped Washington County	2	385.0	308.0	77.0	508.0 #
17a&b	Eastbank Bike/Ped Way A: Bridges, OMSI City of Portland	3	1,986.0	1,588.9	397.1	2,096.9 #
20	Estacada Trails City of Estacada	4	120.0	100.0	20.0	2,196.9
6	Complete Cedar Creek Trail, down-scoped City of Sherwood	5	103.8	83.0	20.8	2,279.9 #
33	Springwater - Boring Connection Clackamas County	6	150.0	120.0	30.0	2,399.9 #
1	Historic Highway: Moffet Creek - Tanner Creek Oregon Department of Transportation	7	1,297.0	1,164.0	133.0	3,563.9
38	Rock Creek Bike/Ped Path, down-scoped (Rock Creek-Evergreen) City of Hillsboro	8	332.5	268.0	68.5	3,829.9 #
28	Intermodal Transfer Park City of Troutdale	9	100.0	80.0	20.0	3,909.9 #
34	Molalla River Pathway, down-scoped Clackamas County	10	333.8	267.0	66.8	4,176.9
11	Pedestrian Trail Expansion Port of Cascade Locks	11	150.7	113.1	37.6	4,290.0
4	Milton Creek Bike & Pedestrian Bridge City of St. Helens	12	60.0	48.0	12.0	4,338.0
8	Depot Gutters & Insulation Mount Hood Railroad	13	6.4	5.8	0.6	
						Total \$4,343.8
Contingency Projects						
29	Barlow Road Corridor/Moss Hill Preservation Clackamas County	*14	340.0	190.0	150.0	
34	Molalla River Pathway, remaining portions Clackamas County	*15	2,276.1	1,820.8	455.3	
38	Rock Creek Bike/Ped Path, remaining portions City of Hillsboro	*16	211.5	169.2	42.3	#
18	Union Station Passenger Shelter, eligible portions City of Portland	*17	457.0	410.1	46.9	#

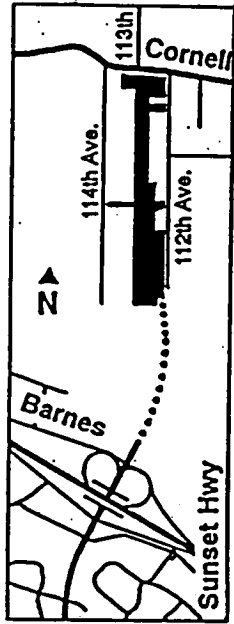
Projects within Metro Boundary

*If additional money becomes available these projects will be funded in order of priority.



ATTACHMENT C

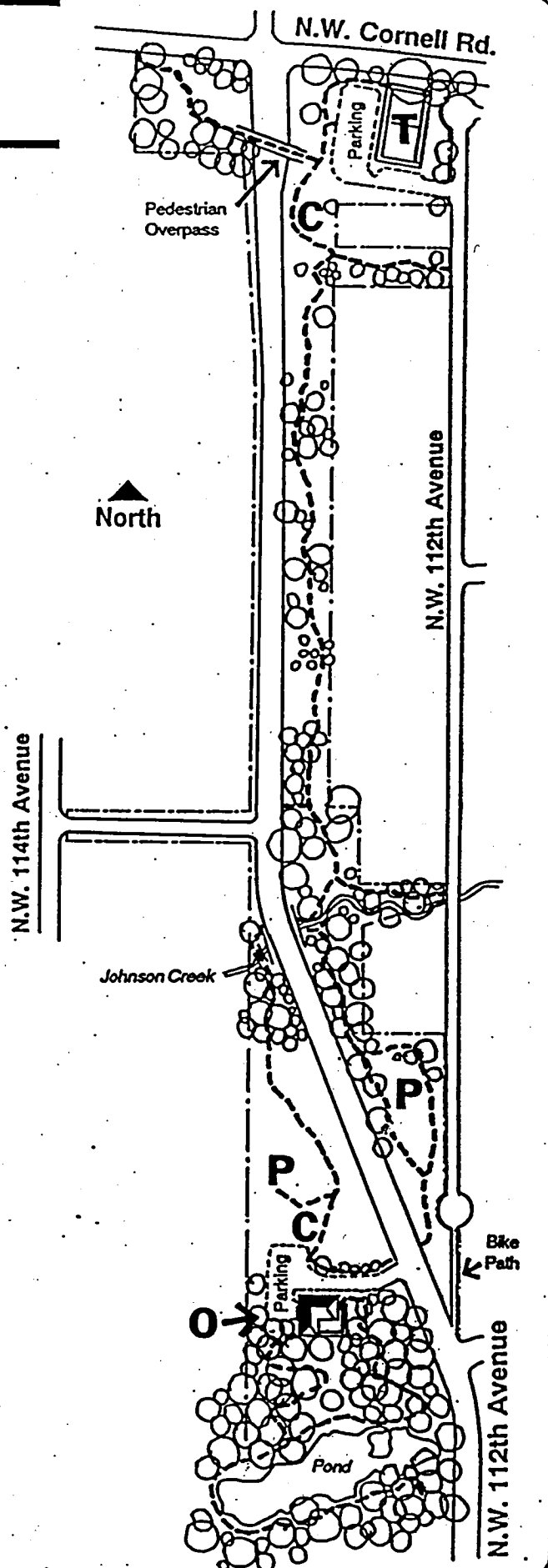
112th Avenue Linear Park

Project Area



Park Detail Map

-  Trail
-  Existing Trees
- C** Children's Play Area
- O** Overlook
- P** Picnic Area
- T** Tennis Court





**TUALATIN
HILLS
PARK &
RECREATION
DISTRICT** ADMINISTRATION OFFICE

15707 SW Walker Road • Beaverton, Oregon 97006 • 645-6433 • FAX 690-9649

ATTACHMENT E

September 14, 1993

Mr. Jerry Parmenter, Manager
Washington County Department of Land Use and Transportation
Capital Project Management Division
155 N. First Ave., Suite 350-18
Hillsboro, OR 97124

Dear Jerry,

At its September 8, 1993 Board meeting the Tualatin Hills Park and Recreation District's Board of Directors reviewed a design for the proposed construction of a linear park to be located at the 112th/113th realignment/extension and Washington County's request that the T.H.P.R.D. consider accepting management responsibilities of the proposed linear park.

The Board of Directors expressed their reluctance to become embroiled in the construction controversy between area neighbors and Washington County.

If the road and park is built the District would be interested in assuming ownership of the 112th/113th linear park site, however, at this time the Board wishes to remain non-committal.

Sincerely,

Neal Winters
Assistant General Manager

October 27, 1993

To: Terry Moore
Metro Council
District 13

From: Carol Gearin
2420 N.W. 119th Ave.
Portland, Or. 97229

Dear Ms. Moore:

It is my understanding that the Metro Council will hear testimony and vote tomorrow concerning funding for a bicycle\pedestrian strip park for N.W. 112th Avenue.

Since it is my belief that the completion of this street between the Sunset Highway and Cornell Road will eventually come to fruition; and because I would like to see this street be pedestrian and bicycle friendly, I urge you to vote for funding.

I am aware that there is a citizen movement attempting to block the completion of 112th. However, should they fail, I would hate to see a repeat of Cornell Road where bicyclists risk death every day.

VIA FAX: SENDING STATION 643-4311

RECEIVING STATION 273-5589

Carol Gearin

Metro Council
October 28, 1993
Agenda Item No. 6.4

Oct. 27, 1993

To: Metro's Joint Policy Advisory Committee on Transportation
Oregon Department of Transportation

Regarding: Project 37 of the Metro area Transportation
Enhancement Project

Dear Members,

It has come to my attention that Washington County is currently seeking funds for financing a portion of this project. I believe this portion is the "linear park" and/or bicycle and pedestrian paths.

First let me say the County had an open house, displaying their latest proposed alignment. Since this project is still in planning stages, with LUBA appeals pending, allocating money for it is not in the public's best interests.

This project does not support pedestrian or mass transit.

1. It is over one mile to the transit station.
2. Its connection to NW 113th north of Cornell is fruitless, as 113th is too steep and dangerous to walk. Even with sidewalks, 113th is not pedestrian friendly.
3. If any one of you were to come up to our neighborhood and ask what route we would take to and from Cornell Rd. by bicycle or walking we would say NW 119th. Why is it no one has asked?
4. The development taking place on the Peterkort property can be well served by bus from Barnes Rd. Even if 112th were to be built, a two lane, 25mph residential road is all that is necessary to serve the proposed Peterkort development.

Having three children, the oldest of whom is five, we are very much in favor of parks and sidewalks. Its a shame our County staff does not rate these items at a higher priority. Just look at their record, it speaks for itself. A linear park along a road such as they are proposing is not what most of us would call a neighborhood park. I prefer to call it "a road in waiting". We are not as gullible as some would like to think.

I find it very unfortunate we cannot walk as a family to the stores at Cornell and Barnes because the roads are treacherous with no shoulders, especially when funds are available for useless projects such as Project 37.

To correct a statement by Brent Curtis of Oct. 6th, this project is not partially old and partially new road. I believe it is entirely new. As for "significant" citizen involvement, it might be better explained by "significant citizen objection". I'm afraid we may be seen; but our comments fall on deaf ears. Yes, the project has been on the map for 25 years. Who would have thought then we would be seeing something of the scope now being proposed?

If now is a time to set priorities then it must be a good opportunity to take a look at all of the projects set before you and choose those that will benefit the greatest number of people. Please look at those that will benefit our neighborhoods, not by allowing more and larger roads, but by allowing us the ability to walk, bike and use our mass transit system.

Thank you for the opportunity to express my views and making this part of the record.

Sincerely,


Jane Finnegan

Roger M. Ellingson
8515 SW Barnes Road
Portland, OR 97225

October 27, 1993

Mr. Mike Hogle
Metro Manager
Metro
600 NE Grand Ave.
Portland, OR 97232-2736

Dear Mike:

I am writing in regard to the ISTEA project funding meeting to be held October 28, 1993. My comment is specific to Washington County's project submitted for the 112 Ave area. It is a request for funding for a greenway ROW acquisition in coordination with ROW acquisition for the development of 112 Ave between Cornell and Cedar Hills Blvd.

I object to using ISTEA or other alternative transportation funding sources for this project for the following reasons:

- The 112th bike/ped link provided by the greenway is on the books in Washington county as a major roadway improvement project that has specific funding available via the gas tax, TIF, and other sources.
- The proposed project costs too much for the linear footage of inter-connected bike/ped facility it contributes to the transportation system.
- The ROW in question does have significant natural resource character and it is wonderful Washington County is interested in its protection. However, the entire segment between Cornell and the Barnes Road Extension needs to be included in this protective status/greenway study. To save the resource area north of Johnson Creek, but develop the 112th area wetland area along and south of the creek does not demonstrate wise ecological planning. Washington County administration officials should reconsider their lackluster support of projects like the Metro Greenspaces project which hopes to save such natural treasures and provides funding for doing so.
- Several bike/ped linkage projects have been identified by community in the vicinity of the proposed Sunset Transit Center that have no funding sources available. Specifically the SW 95th Transit Trail link north from the transit center to the SW 95th Ave vicinity could provide much more direct, convenient access to the transit center. Also a state bike path is being planned along the south side of hiway 26 in the area east of the transit center which has no access provisions to the north side of hiway 26, where the majority of users reside. The Cedar Hills/Cedar Mill Citizen Participation Organization has issued a

Mr. Mike Hoglund
October 27, 1993
Page - 2

detailed report (dated April, 1993) on these and other projects in our community to Mr. Hoglund and Washington County.

- There has been no public involvement in Washington county for prioritizing needs and functionality of this 112th project with other potential projects such as those mentioned above. Washington County's standard reponse to requests by the community for bike/ped linkages has been a pat answer that "no-funding is available". I am very pleased that Washington County has found some alternative sources for bike/ped facilities but object to their non-public assignment of such limited funds on projects that have already been funded through other sources.
- I would rather see CMAQ/ISTEA funds spent elsewhere in the region on bike/ped projects that will never be built due to lack of funding than see these limited funds go to fund roadway ROW bike/ped projects that have substantial funding support.

Sincerely,

Roger M. Ellingson



WASHINGTON
COUNTY,
OREGON

October 28, 1993

Council Members
Metropolitan Service District
600 NE Grand Avenue
Portland, Oregon 97232-2736

Dear Council Members:

**RE: RESOLUTION NO 93-1858
TRANSPORTATION ENHANCEMENT PROGRAM
112TH LINEAR PARK (WASHINGTON COUNTY)**

Thank you for the opportunity to comment on the subject project. The Washington County Board of Commissioners supports the Metro Planning Committee and JPACT recommendations to approve the Enhancement Program projects, and notes that the subject project ranked the highest of all urban projects in the metro area for Transportation Enhancement funding.

During the JPACT meeting on October 14, 1993, several persons testified against the 112th Avenue Linear Park project making statements that need clarification. In an effort to assist your deliberations on Resolution 93-1858, I have identified some of the key issues that have been raised about the proposal, and Washington County's response.

Issue No. 1: There is no specific project in the planning process at this time.

Washington County began planning for the NW 112th Avenue project in 1966 when right-of-way was purchased and a fill constructed across Johnson Creek. A city-county joint study, "The Patterns of Development," released in 1965, was the first document showing the 112th Avenue extension. Numerous public hearings and hearings have occurred over the past 27 years to confirm the County's intention to construct this road. The N.E. Community Plan, adopted in 1971 following extensive community involvement, and the 1973 Comprehensive Framework Plan included the 112th Avenue extension as a necessary link for the northeast county transportation system. Following extensive public involvement and hearings, the Board adopted its first transportation plan in 1983 and then updated it in

1988 using the same process. Both plans include 112th Avenue as a minor arterial roadway.

Progress on Westside Light Rail prompted the Board of County Commissioners (BCC) to form a Citizen Advisory Committee (CAC) two years ago to determine the best alignment for the road through the 112th Avenue neighborhood. Following ten meetings and two community open houses, the CAC presented the "least objectionable alignment" to the County Board of Commissioners in November, 1991. Staff have since refined this alignment and developed the linear park concept as a result of public testimony. An additional community open house was held in August of this year, at which time community support was offered for the linear park proposal. The BCC has since directed the Department of Land Use and Transportation to submit this alignment through the land use review process to assure that it adheres to the land use requirements of our County's Community Development Code.

Issue No. 2: Washington County already has the money to build the enhancements.

The total cost of purchasing right-of-way and constructing the road and linear park is approximately \$7.5 million. The County has spent \$680,000 to date on preliminary engineering, right-of-way purchases and citizen involvement. Another \$1.1 million has been budgeted, leaving a shortfall of \$5.8 million.

On a related note, the Federal Congestion Mitigation and Air Quality (CMAQ) funding recently approved by your Council is for the Highway 217 corridor from Sunset Highway to I-5. These funds cannot be used north of Sunset Highway, the area of the linear park proposal.

Issue No. 3: This funding will be used to buy land for a linear park.

Enhancement funds cannot be used to buy or develop parks. The funds are to be used to construct a bike/pedestrian bridge over the new roadway and to construct bike/pedestrian paths within an open space adjacent to the roadway. The open space land and pathways are intended to be turned over to the Tualatin Hills Park and Recreation District after completion of the project for future maintenance.

Issue No. 4: This land is already a greenway; why is this project necessary?

The land on which the roadway and pathways are being constructed is zoned for single family residential development. Several owners have already discussed partitioning their land to create more home sites. This project will preserve a minimum 50 foot wide open space between the roadway and the residential properties. The total acreage of the linear park is estimated at ten acres. Additionally, it will connect with approximately 20+ acres of open space that the County has conditioned on the Peterkort property, as well as several acres of open space north of Cornell Road.

Issue No. 5: Bike/pedestrian paths do not connect to the neighborhoods, so no one can use them.

The pathways connect to existing and future pathways along Cornell on the north and bikepaths on Barnes Road to the south, as well as a future bikepath on Cedar Hills Blvd. The Leahy Road neighborhood can access the pathways via Coleman Road, a local street which connects to 112th Avenue south of Cornell Road. Sidewalks along Barnes Road are a condition of development of the Peterkort properties. Given the proximity of the planned Sunset Light Rail transit station (opening in 1997), all of these linkages are critical to good bike/pedestrian access to the station.

Issue No. 6: The project is only a subterfuge to preserve land for a future widening of the new road to five lanes.

Traffic studies completed by a private consulting firm using the most recent Metro traffic projections showed that a three lane road would be sufficient for full buildout of the area north of Cornell Road. The County Transportation Plan was amended from five lanes to three lanes, based on this study. Turning the open space and pathways over to the Park District will also help preserve them from future development.

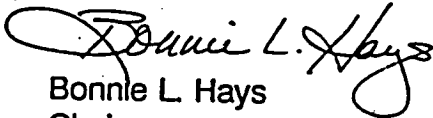
Issue No. 7: There is no need for the 112th Avenue road project or the pathways.

Tri-Met, ODOT, the City of Portland, Metro and Washington County have all publicly stated the need for this road connection in order to provide more efficient and effective access to the Westside Light Rail and the Sunset Highway. This need has been backed by numerous traffic studies over the past several

decades. As proposed, this project provides a unique opportunity to develop a multi-modal facility while preserving an open space buffer, with limited disruption to the existing residences along 112th and 114th Avenues.

The proposal before the Metro Council tonight for Enhancements Funds, in conjunction with the road improvement proposed by Washington County, is a clear commitment on the part of Washington County and the Metro Region that business as usual in the construction of urban highway facilities is no longer the norm. While all new road projects face some level of opposition, it is clear from the efforts to date by Washington County that urban road facilities can be constructed that address the mobility needs of the community and, at the same time, mitigate adverse impacts of those facilities. Completion of this improvement will complement and enhance the substantial public investment in the form of light rail and the Sunset Transit Station that is being developed just south and east of the subject property. The redesign of 112th Avenue by Washington County and the Enhancement Funds being requested from Metro are, in our minds, exactly what ISTEPA is asking for from local jurisdictions. Thank you for your consideration of this information and please don't hesitate to contact me or staff if you have questions. Also, please note the enclosed Oregonian editorial on the road/linear park proposal.

Sincerely,



Bonnie L. Hays
Chairman

Enclosure

Roads with an attitude

Debate over a westside street underscores the need to put people ahead of cars

When Washington County asked Cedar Mill residents what they thought of the county's plan for a road to connect that neighborhood with the Sunset Highway and the new light-rail Sunset Transit Center, it got an earful.

Turning 112th Avenue, a dead-end road, into the five-lane street that county planners envisioned would have destroyed the peace of their quiet neighborhood, residents said.

Members of the local citizen advisory committee made it clear they thought the best road would be no road.

But since that wasn't an option, they came up with a list of design ideas they hoped the county could meet. Those included better bike and pedestrian paths and an attempt to limit the speed of cars going through their neighborhood.

The county's new plan for 112th is being presented this month. It features a narrower road, designed for 35-mph instead of 45-mph traffic. Its route cuts through larger-than-usual backyards instead of slicing off front property lines. A curving walkway removes pedestrians from the roadway, allowing them to walk through tall trees.

County transportation planners want to turn the street's route into a linear park, with children's play areas

and a tennis court.

In other words, the county's new proposal would build a street where bicyclists and pedestrians get equal consideration with motorists. That's exactly the kind of philosophy that should guide road building in a metropolitan area that must reduce its dependence on cars.

New roads must invite use by non-car travelers.

Of course, some residents still feel that a road — any road — will destroy their neighborhood and the natural areas that make it attractive.

And ideally, the 112th Avenue extension would not be built until the specific development projects for the Peterkort land at the Sunset Transit Center are finalized.

Questions still linger about the future of that Peterkort property. Friends of Cedar Springs, a community group, wants Metro to buy portions of the Peterkort property to save as a natural area. The group, however, has not made the case convincingly that such a move would be compatible with the need for intense development at light-rail stops. It also has been unsuccessful in getting the owners interested in such an idea.

Given that, some kind of future extension of 112th Avenue seems likely. Residents, at least, now have a proposal that strikes a better balance between cars and people.

Monday, November 1, 1993

Metro Council
2000 SW First Avenue
Portland, Or 97201-5398

RE: Resolution 93-1858 (ISTEA Enhancement Funding)

Your vote to refer the 112th Linear Park Project back to Committee for re-evaluation and a re-examination of the criteria used to judge submitted projects may seem like a safe vote, but I did not view it that way and neither will many people in the Cedar Mill Community.

Washington County did not develop the criteria. The State of Oregon sets the guidelines that your committees and local jurisdictions were to use in developing and rating the submitted projects. Metro's professional staff tells me the criteria and ranking method are not within your authority to change, and therefore, in my opinion, not a basis for rejecting a project because you don't like the outcome of the rankings.

The second criticism of the 112th project questions the honesty, integrity and commitment of Washington County to use these funds appropriately and as represented to build a linear park that does what the project claims to do....link our community together and to the light rail with a bicycle and pedestrian friendly green space. I hope our geography lesson and petition makes it clear a large segment of this community desires and believes it does!

Further, Washington County has insisted over and over and over and over, against significant public opposition, their commitment to building 112th. This idea of finding fault with the ranking because the new alignment and park hasn't been "technically" updated in the community plan is specious. There has been long years of public input and awareness. A LUBA appeal on ordinances affecting community plan amendments has delayed but not derailed 112th. Terry Moore knows this and this point is undeserving of further comment!

In response to local criticism of this project, Washington County responded with an absolutely terrific linear park concept that was received by an ovation of the 100-150 people present at its unveiling in August 1993. Even people who oppose this road endorse this design concept. *You are seeing a few people using technicalities to try and delay and defeat a road project they oppose by attacking anything positive that moves this road closer to reality.* They threaten the livability of my neighborhood and this community with these short-sighted tactics.

This road and this park are the only North-South public access point bicyclist and pedestrians North of the canyon will have to the light rail between Miller-Barnes and Saltzman. This route is heavily used now and will be used even more after the new

Councilor McFarland, even if I had received an agenda for Thursday's meeting, I wouldn't have recognized resolution 93-1858 as something I needed to be concerned about. Obviously, my Metro Councilor who knows of my interest in this project, didn't make any effort to get my feedback.

I support the Council's interest in understanding and evaluating how criteria are generally established and reviewed if they do not reflect the realities of Region I. I didn't get the feeling this was a broad concern. It appeared you were all grasping to justify referring 112th when the full facts didn't warrant it.

Your own process is flawed! You didn't make sure or even know that the majority support the park on 112th. Maybe you need to refer all projects back to square one! If that's your true concern? Maybe other successfully funded projects didn't get an adequate public input process!. Maybe, even one of your favorites!

Consider me disenchanted!



Irma Trommlitz
515 NW 112th
Portland, Or 97229
644-6138

cc: Washington County Board of Commissioners ✓
ODOT REGION 1
The Oregonian
The Valley Times
CPO I ✓
JPACT
Congresswoman Furse
Senator Hatfield

encl: Goals, recommendations, and public report on 112th Citizen's Advisory Co.

sent via Fax 11-2-93 to above list.

112TH AVENUE ALIGNMENT STUDY

At its October 24, 1991 meeting (and continued on November 4 and November 12, 1991) the Citizens Advisory Committee made the following recommendations:

The 112th Avenue Alignment Study Citizens Advisory Committee, recognizing the overwhelming opposition to the construction of an 112th Avenue extension, is forwarding the B1 alignment as the least objectionable, based on the goals and objectives and subject to the following design refinements:

Intersections:

- ◆ Provide cul de sacs on 112th and 114th at Cornell.
- ◆ Monitor traffic on Copeland; if necessary due to increased traffic, build traffic "calming" devices or close at 107th (based on community consent).
- ◆ Provide a four way stop at 111th & Rainmont.

Bike and Pedestrians:

- ◆ On 113th/111th from Cornell Road to McDaniel -- build a bike path on one side and a pedestrian walkway on the other.
- ◆ Use standard 3-lane design [with bike paths on shoulders and with sidewalks] with the provision that this recommendation may change, based on development of a comprehensive circulation plan for bikes and pedestrians.

Right of Way:

- ◆ Reserve right of way for a possible right turn lane on 113th Avenue southbound to Cornell Road westbound.
- ◆ When purchasing right-of-way, Washington County should, where legally possible, include the following:
 - Purchase the whole property when touched by construction [if owner requests]
 - Provide displaced residents the first right of refusal on county purchased properties
 - Begin immediate purchase of those displaced [if owner requests]
 - Provide continued occupancy until removal/construction

Future Planning:

- ◆ Work with Tri Met for bus access in the Cedar Mill area.
- ◆ Establish a community task force, including members of the CAC and representatives from the community (including a representative from the north end of 114th Avenue), to be involved as liaisons to Washington County and the engineering team for final design recommendations.

WHAT IS THE CURRENT DESIGN?

- LINEAR PARK ADJACENT TO NEW ROADWAY
- RESERVED OPEN SPACES
- PEDESTRIAN PATH IN LINEAR PARK
- PEDESTRIAN OVERCROSSING NEAR CORNELL ROAD
- PEDESTRIAN UNDERCROSSING AT JOHNSON CREEK
- 35 M.P.H. DESIGN SPEED ON NEW ROAD ALIGNMENT
- 25 M.P.H. DESIGN SPEED ON 113th AVENUE
- REDUCED 1350 FEET OF NEW ROAD TO 2 LANES
- BIKELANES ON ROADWAYS
- SIDEWALKS ON CORNELL ROAD, NW 113th
AND PORTIONS OF NEW ROADWAY
- RETAINING WALLS TO REDUCE PROPERTY IMPACTS
BOTH SIDES NEAR WETLANDS
BOTH SIDES SOUTH OF CORNELL ROAD

WHAT DID THE CITIZENS ADVISORY COMMITTEE DO?

- ESTABLISHED GOALS AND OBJECTIVES FOR SELECTION OF A N.W. 112th AVENUE ALIGNMENT
- HELD 10 MEETINGS AND 2 OPEN HOUSES
- WALKED THE ALIGNMENT CORRIDOR
- REVIEWED 6 DIFFERENT ALTERNATIVES
- ATTENDED NEIGHBORHOOD MEETINGS
- CONDUCTED A NEIGHBORHOOD SURVEY
- SUGGESTED DESIGN REFINEMENTS
- FORWARDED THE B1 ALIGNMENT TO THE COUNTY AS THE LEAST OBJECTIONABLE

WHAT'S NEXT?

- CONTINUE DEVELOPMENT OF LINEAR PARK PROPOSAL WITH TUALATIN HILLS PARK AND RECREATION DISTRICT AND COMMUNITY.

- SUBMIT PROJECT PROPOSAL FOR LAND USE REVIEW IN FALL 1993.

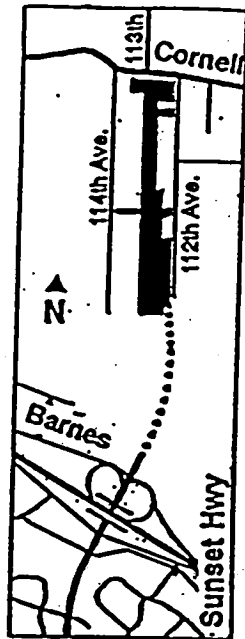
- HOLD PUBLIC HEARING ON PROJECT WITH WASHINGTON COUNTY HEARINGS OFFICER IN LATE 1993 OR EARLY 1994.

- PENDING LAND USE APPROVAL, PURCHASE REQUIRED PROPERTY IN 1994.



- PENDING LAND USE APPROVAL, CONSTRUCT PROJECT IN 1995-1996.

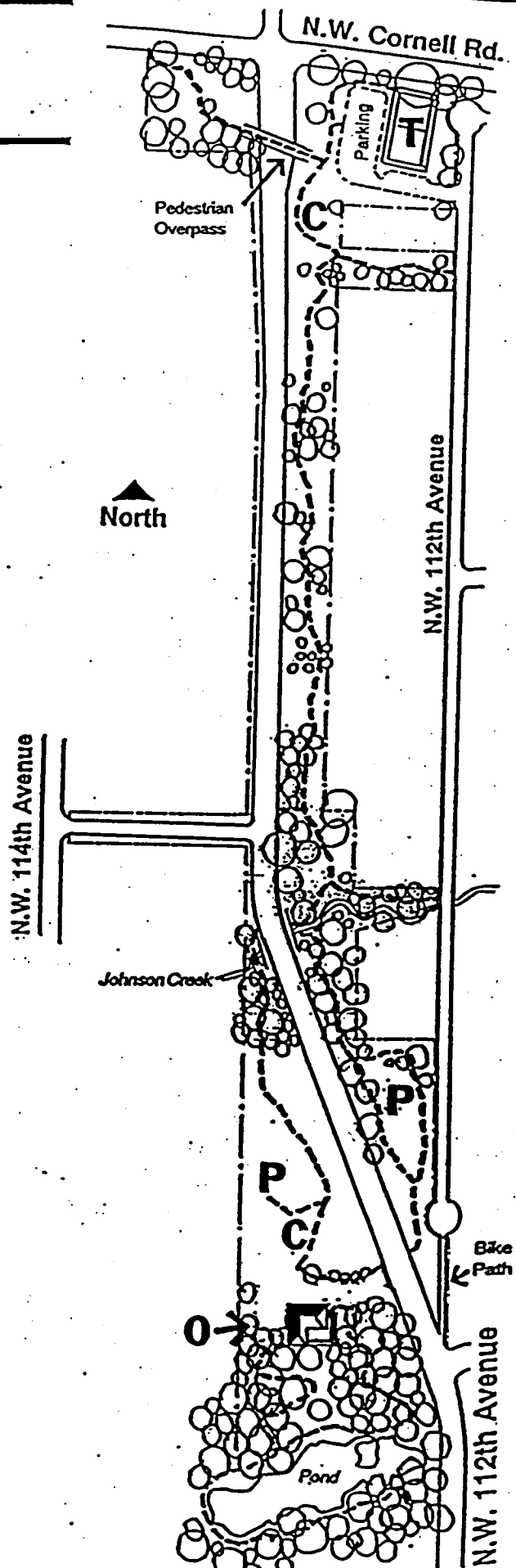
112th Avenue Linear Park

Project Area



Park Detail Map

-  Trail
-  Existing Trees
- C** Children's Play Area
- O** Overlook
- P** Picnic Area
- T** Tennis Court





METRO

4 November 1993

Memorandum

To: Mike Hoglund
TPAC Members
George VanBergen, Chair, JPACT
Roger Buchanan
Jon Kvistad
Rod Monroe, alternate
JPACT Members

From: Terry Moore, Councilor, District 13 *Terry*

Subject: ISTEA Enhancement Grants: Review of Ranking of Project #37

On October 28th, the Metro Council voted to ask that you further review one of the projects recommended for ISTEA enhancement funding (years 1995-1998) by an ODOT staff sub-committee. That project (#37) would provide \$308,000 for a bicycle/pedestrian pathway through a proposed linear park along a proposed new alignment for the unbuilt portion of NW 112th Avenue in the Cedar Mill area.

Because of the public comments I received before and during the hearing held by the Metro Planning Committee on these grants, I submitted the request for further review of the project rankings and of the 112th linear park project in particular. In your consideration, I ask that you respond to the following concerns that were raised and review the sub-committee's ranking rationale for all projects which received between 69.71 points and 59.43 points. I would appreciate another look at how well each of those projects technically meets the criteria developed for project ranking.

1. There are already funds committed by Washington County for construction of bicycle lanes within the 112th/113th Avenue right-of-way. (See attachments. These committed funds were used as justification for CMAQ funding of a bike lane on Cedar Hills Blvd. south of Sunset Highway.)
2. Bike lanes are included within the 112th/113th roadway in the design submitted by county staff, and the park pathway would duplicate those bike lanes. The reason given for bike lanes on the street is that commuting bicycle riders would not want to use the meandering pathway in the park area because it is about twice as long as the roadway.

3. The project is not really "intermodal" because of its distance from the Sunset//217 light rail station of approximately 1.3 miles. The project justification also portrayed the existence of "a bicycle pedestrian pathway" on NW Cornell Road linking to the proposed linear park; however, no such pathway currently exists.
4. The project is not currently in the adopted Transportation Element of the Washington County comprehensive plan. The alignment for 112th that is in the adopted plan calls for a five-lane, 90-foot right-of-way without bike lanes. The amendment to the comprehensive plan that would provide a three-lane 112th alignment with bike lanes is included as a "map error" in the county's ordinance 419 adopted in 1992 and on appeal at LUBA. The linear park is not included as part of the "map error" amendment.

Additionally, it has been brought to my attention on several occasions that there is a very real need for bicycle and pedestrian connections to the Sunset/217 light rail station from the Cedar Mill and Raleigh Hills neighborhoods surrounding the station. Those connections have been identified by CPO 1 (the Cedar Mill neighborhood organization) and are within the one-half mile intermodal distance used in regional transportation planning. Those connections, as well as other projects submitted for ISTEА enhancement funding (and ranking within 10 points of the 112th linear park project on a 100 point scale), led me to believe your further review was warranted. The merits of completing the 112th/Cedar Hills Blvd. extension road link between the Sunset Highway and Cornell Road is an issue with no relevance to my request and should have no relevance to your review.

c Gail Ryder
Andy Cotugno

attachments (4)

tshm

COMMITTED WASHINGTON COUNTY ROAD PROJECTS
~~BIKE LANES ENCLOSED~~
 1993-1996

PROJECT	LENGTH	*ESTIMATED COST	FUNDING	**SCHEDULE
Cornell Road: 179th-185th	.27	\$ 46,959	RF	1993
185th Ave: Rock Creek-Tamarack	1.31	\$265,224	MSTIP2	construct 1993-1994
Durham Rd: Hall Blvd.-Upper Boones Ferry	1.28	\$222,622	MSTIP2	construct 1994
Baseline Rd: Brookwood-231st Avenue	2.16	\$440,628	MSTIP2	construct 1995
Main Avenue: 10th Avenue-Brookwood	4.00	\$816,077	MSTIP2	construct 1995-1996
Baseline Rd: 158th-185th	2.90	\$504,378	MSTIP2	construct 1994-1995
Cornell Rd: Sunset Highway-Barnes Road	3.22	\$560,032	MSTIP2	construct 1994
Farmington Road: Murray Blvd.-209th Avenue	7.28	\$1,266,160	MSTIP1	unknown
_____	1.89	\$328,714	TIF	construct 1994
_____	.38	\$100,000	TIF	construct 1994
Cedar Hills: Berkshire-Parkway	.03	\$ 6,588	MSTIP2	construct 1996(?)
TOTAL	24.92	\$4,550,795		

*Costs are based on estimated material and labor costs for bike lane portion.
 **These schedules are subject to change
 ***This project is currently under design. STP funds are being sought.

PLANNING COMMITTEE MINORITY REPORT

**CONSIDERATION OF RESOLUTION NO. 93-1858A FOR THE
PURPOSE OF ENDORSING ODOT REGION 1 PRIORITY FY 95, FY 96,
AND FY 97 TRANSPORTATION ENHANCEMENT PROJECTS FOR
INCLUSION IN THE 1995-1998 TRANSPORTATION IMPROVEMENT
PROGRAM**

Date: October 20, 1993

Presented By: Councilor Moore

Recommendation: The Metro Council adopts this minority report which substitutes Resolution 93-1858A for the original Resolution 93-1858 that has been forwarded for approval by the Council Planning Committee.

Issues/Discussion: The following points support this recommendation:

1. The initial ranking process used by an ODOT subcommittee was inadequate and did not provide sufficient information for TPAC, Planning Committee or JPACT review.

2. The Intermodal Surface Transportation Efficiency Act (ISTEA) requirements for broad public involvement in development of the project list appear not to have been followed.

3. Project 37, 112th Linear Park, Washington County, does not merit funding from this source and should be deleted from the projects listed in Exhibit A for the following reasons:

A. There are already committed Traffic Impact Fees (TIF) dedicated to this project (see attached Exhibit A from JPACT packet, "Highway 217 Corridor Bike Lanes", prepared by the Washington County Planning Division). The 112/113th project would also appear to be eligible for funding from state gas tax monies (see Washington County Ten Year Transportation Improvement Plan).

B. The project is not in the Transportation Element of the adopted Washington County Comprehensive Plan. (NOTE: The 112th alignment that is included is a five lane, 90 foot right-of-way, without bike paths.)

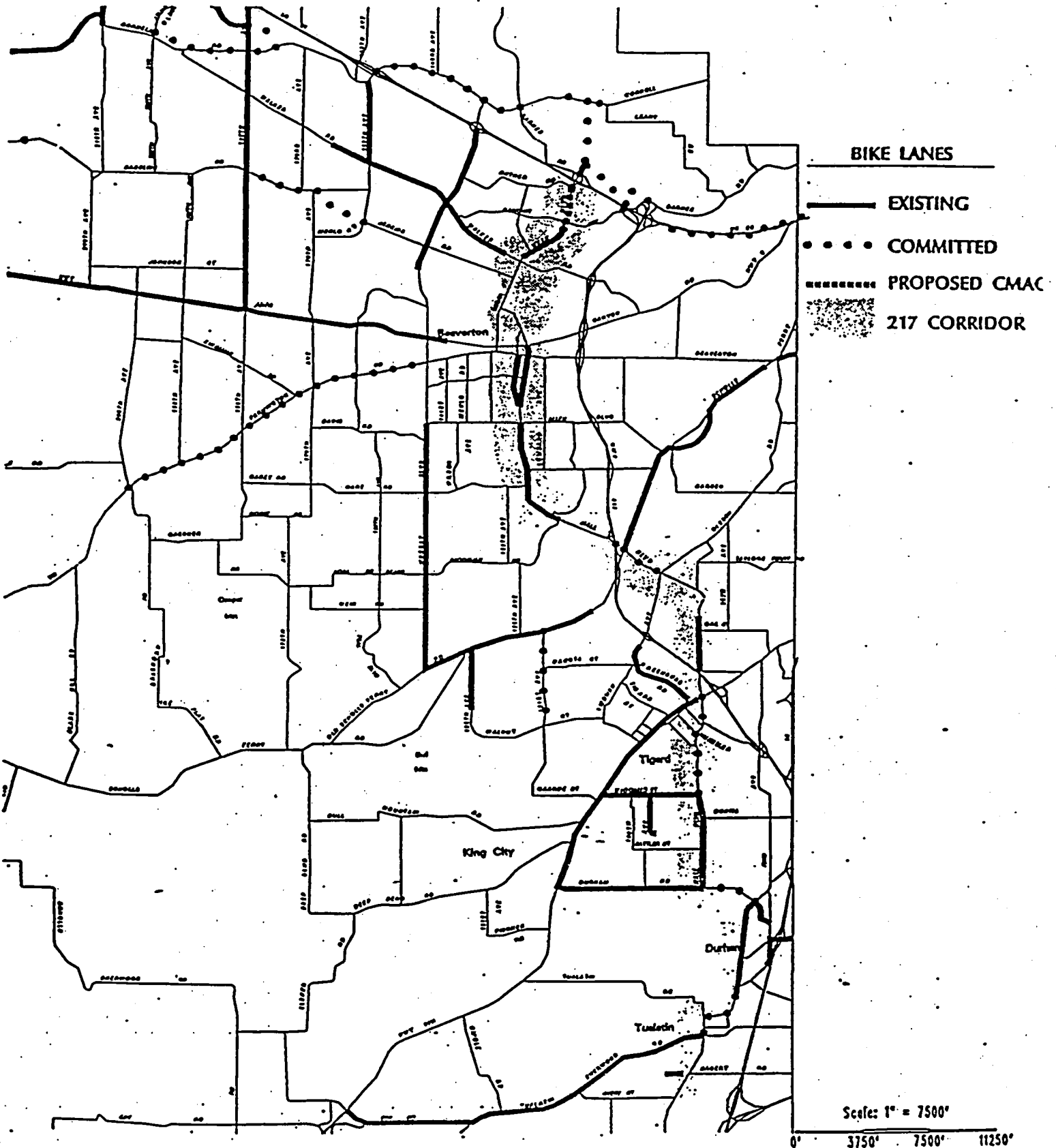
C. The Washington County Comprehensive Plan amendment that would provide for a three-lane 112/113th project with bike lanes, is included as a "map error" in Washington County Ordinance 419. Ordinance 419 is currently on appeal before the Land Use Board of Appeals. A linear park is not included as part of the "map error" amendment.

4. Project justification as supportive of the pedestrian/bicycle connection to the Sunset/217 light rail transit station is misleading. The location of the 112/113th project is 1.3 miles from the Sunset LRT Station and there is no current commitment to provide a pedestrian link from 112th to the station. (NOTE: County staff indicated construction of both pedestrian and bike links would be tied to unspecified future development of the Peterkort property.)
5. The project description of the facility on Cornell Road leading to this project erroneously indicated existence of bike/pedestrian facilities on that road.
6. There is a demonstrated need for pedestrian/bicycle access to the Sunset LRT station from the neighborhoods to its north that should be constructed in time for LRT start-up. This access would not be within an existing roadway right-of-way and would qualify for funding under ISTEA. (A Cedar Hills/Cedar Mill CPO April, 1993 Transportation Report identified preferable alternatives and has been submitted to ODOT, Metro and Washington County.)
7. There was strong public objection to inclusion of Project 37, 112th Linear Park, Washington County.

HIGHWAY 217 CORRIDOR BIKE LANES

THIS MAP IS COMPILED FROM ORIGINAL MATERIALS AT DIFFERENT SCALES. FOR MORE DETAIL, PLEASE REFER TO THE SOURCE MATERIALS OR THE WASHINGTON COUNTY DEPARTMENT OF LAND USE AND TRANSPORTATION.

PREPARED BY THE WASHINGTON COUNTY PLANNING DIVISION





METRO

ATTACHMENT G

Date: December 8, 1993

To: JPACT

mt for GVB
From: George Van Bergen, JPACT Chair

Re: 112th Avenue Linear Park - Transportation Enhancement Project

After further discussions with staff, I have concluded that JPACT should not conduct a public hearing regarding the 112th Avenue Linear Park Transportation Enhancement Project in Washington County. I feel that such a hearing would be an unnecessary burden on the concerned citizens who have already testified numerous times at the local level, at JPACT, at the Metro Planning Committee, and at the Metro Council. Further testimony would not, in my judgment, produce new information that we are not already familiar with.

Rather than conduct a hearing, I have directed staff to summarize the relevant testimony on both sides of the issue from all levels of public meetings, summarize the process Metro and ODOT followed to rank the projects under consideration, and discuss the implications of proceeding with or withdrawing this project from further consideration for funding under ODOT's Transportation Enhancement Program. This staff report will be available for your consideration at the January JPACT meeting.

GVB/bc

PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 94-1900 ENDORSING THE NW 112TH LINEAR PARK FOR FUNDING AS PART OF ODOT REGION 1 PRIORITIES FOR TRANSPORTATION ENHANCEMENT FUNDING IN THE 1995-1998 TRANSPORTATION IMPROVEMENT PROGRAM

Date: February 22, 1994

Presented By: Councilor McLain

Committee Recommendation: At the February 17 meeting, the Planning Committee voted 4-2 to recommend Council adoption of Resolution No. 94-1900. Voting in favor: Councilors Kvistad Gates, McLain, and Monroe. Voting no: Councilors Gardner and Moore. Absent: Councilors Devlin and Washington.

Committee Issues/Discussion: The committee reviewed this issue twice since the 112th Linear Park project was remanded to JPACT. On February 3 the committee was briefed by Council staff on procedural concerns and TPAC discussion. On February Mr. Cotugno and Mr. Hoglund presented the final staff report and Larry Shaw, Senior Assistant Counsel, summarized actions before the Land Use Board of Appeals related to this resolution.

Council staff concerns related to insufficient communication between the Council and JPACT and inappropriate procedures at JPACT and TPAC. Specific concerns related to the promise of a public hearing at JPACT that did not occur and comments at TPAC that without the hearing this decision looks like a "back room deal". These concerns are outlined in a memorandum to the Planning Committee dated February 3, 1994.

In explaining the LUBA decision, Mr Shaw said there was no appeal of the 112th Street functional classification and no change in classification from the previously adopted and acknowledged plan. Also, a claimed violation of the Bike Bill was not upheld by LUBA but the decision did seem to require a 14 foot outside lane or shoulder area for bikes if an exception of the Bike Bill is not properly invoked. In response to a question from Councilor Moore, Mr. Shaw agreed that bikeways in rural and urban areas did differ but that the issue was not raised at LUBA.

Mr. Cotugno clarified that the linear park project must be included in or consistent with comprehensive plans prior to constructions. He stated this action would hold funds available for construction for the park only if the project was proven to be included in or consistent with the comprehensive plan. Councilor Moore noted that Washington

County staff contended the project was consistent with the comprehensive plan and the ordinance to include the project was in appeal. Mr. Shaw stated his understanding was that Washington County considers any alignment within the identified corridor in compliance with requirements for citing the project. LUBA will address the issue.

Mike Hoglund, Transportation Planning Manager, explained that State requirements do not require the project to be in a comprehensive plan to request funding but that additional planning would need to be approved prior to the allocation of funds.

Public Hearing: Charlotte Corkran, a Portland resident expressed concern that the ranking of the project was high based solely on information provided by Washington County. She stated the proposal by Washington County contained incorrect information that prejudiced the ranking, would be difficult for people using the park trails to connect to nearby roads, and is not a scenic area, but rather continuous backyards.

Patricia Miller, a Portland resident, discussed the history of the area and public involvement process. She expressed concerns about the elevations in the park, stated no North/South connection was established in the plan for connection to the Westside LRT, and related concerns for the proposed project.

Irma Trommlitz, a Portland resident, stated none of the projects submitted by Washington County had public involvement. She is in favor of the park, but does not necessarily agree with the road construction. The road will be a busy road in a residential area and the linear park would provide the only method to make the area pedestrian friendly. She advocated examining the cost of the project but stated the park would provide the only way to cross between Miller-Barnes and Saltzman Roads. She reiterated there was support for the project in the affected area and expressed concern about the number of hearings held on this issue.

Mike Borresen, Washington County Department of Land Use and Transportation, explained the existing plan would eliminate 28 homes and that the proposed park could exist regardless of the location of the road. The Northwest Subarea Study included the 112th component to reduce traffic on Cornell Road and the park ties into the Metro Greenspaces Master plan on a portion of the Peterkort Property. He stated that Washington County assures that there will be pedestrian access to the Sunset light rail station.

Councilor Moore expressed concerns over the distances for an intermodal connection. She asked him to clarify Washington County position regarding their commitment to

build the pedestrian and bike connection. Mr. Borresen reiterated the county's commitment to constructing a sidewalk connection to the Sunset Light Rail Station. The facility would be a minimum of five feet.

Councilor Gardner questioned the bicycle connections in the project. Mr. Borresen clarified the locations of each connection relative to the elevations of land. Councilor Gardner stated he saw no need for the pedestrian overpass and foresaw the project being used more for recreation than transportation. His preference is for bike paths adjacent to the road, rather than separated as in this project. Mr. Borresen agreed that most bicyclists would use the road, while pedestrians would use the park paths. He stated bike lanes would exist on both sides of 113th and the park paths were not intended to replace those lanes.

Councilor Moore expressed concerns that the interchange would be zoned for no pedestrian crossing. Mr. Borresen stated the intent at this time was to allow pedestrian crossing at all four crossings but that this could change in the future.

Councilor Discussion: Councilor Monroe explained the amendment he sponsored at JPACT would ensure a pedestrian bike path but did not approve road construction. This project is tied to construction of the road but Metro does not approve the road by approving this resolution. He stated Metro needed to trust the efforts of Washington County, that to deny funding would be a jeopardize our regional partnership.

Councilor Moore suggested an amendment restating in writing the commitment of Washington County commits to construct the connection of the sidewalk to the Sunset Light Rail Station. This commitment was again confirmed by the Washington County representative. She withdrew her motion with the caveat that the record clearly indicate the commitment. She stated, however that she would not support the resolution because the additional technical review she had requested and her concerns to that effect had not been addressed by JPACT or the department.

Councilor Gardner expressed concerns about the inability to separate the issue between approving the funding of the project and approving the road construction. He stated the park was a "carrot" for the residents in the affected area and stated the road should have a lane for bicycle transportation. The path through the park was more recreation than transportation oriented and he would not support the project.

Councilor McLain stated she would support the resolution as amended by JPACT. She understood the project met the standards established by Metro and that the project received review. The review process needs improvement and plans for improving that

review are underway. The contingency list also needs improvement and standards for citizen involvement should be developed for partnership projects.

Councilor Gates spoke in favor of pathways away from roadways for bicycles. He stated the paths provided for enjoyment for bicyclists and a break for motorists in dealing with bicyclists being next to the road. He favored mixed use development such as this project.



M E T R O

To: Planning Committee

From: Gail Ryder, Senior Council Analyst

Date: February 3, 1994

Re: Resolution 94-1900, For the Purpose of Endorsing the NW 112th Linear Park for Funding as Part of the ODOT Region 1 Priorities for Transportation Enhancement Funding in the 1995-1998 Transportation Improvement Program (TIP)

PREVIOUS COMMITTEE/COUNCIL ACTION:

Resolution 93-1858, endorsing the ODOT Region 1 priority 1995 - 1998 Transportation Enhancement Projects was reviewed last October by the Transportation Policy Alternatives Committee (TPAC), the Joint Policy Advisory Committee on Transportation (JPACT), the Planning Committee and Metro Council. Following TPAC and JPACT review, the Planning Committee approved the resolution 5-1. The Metro Council, however, by an 8-3 vote chose to approve a minority report submitted by Councilor Moore that severed project 37, the 112th Linear Park in Washington County and remanded the project to JPACT and TPAC for further review.

This action by the Council was based upon significant testimony at JPACT, TPAC and the Planning Committee in opposition to inclusion of the project. This objection was based on what was believed to be:

- an inadequacy of the initial ranking procedure;
- the apparent lack of adherence to the public involvement process required under the Intermodal Surface Transportation Efficiency Act (ISTEA) for development of the project list; and
- failure to meet the criteria for funding.

Testimony before the Metro Council, however, was mixed. One witness provided an endorsement letter signed by 40 Cedar Mills citizens with residences bordering the proposed park. What was clear from all testimony was the fact that approval of this project is irrevocably linked to the NW 112th Extension Project; a controversial action by Washington County to link their northeast county transportation system between Cornell and Barnes Road. Further complicating the issue was the appeal that was then before the Land Use Board of Appeals (LUBA).

JPACT ACTION: On November 10, JPACT was informed of the Metro Council action. JPACT's response was to set up a subcommittee to "give ample time for all sides, and a summary of comments received will be brought before JPACT for further consideration. . . ." Beaverton Mayor Rob Drake agreed to serve as chair of the hearing, assisted by Metro staff."

On December 8, then JPACT Chair George Van Bergen sent a memo to JPACT that was entered for the record but never discussed verbally or voted on. In his memo he concluding that JPACT should not conduct a public hearing citing the hearing to be "an unnecessary burden on the concerned citizens who have already testified numerous times. . ." "Further testimony would not, in my judgment, produce new information that we are not already familiar with." Instead, he directed the staff to summarize both sides of the issue as represented by all testimony, summarize the process followed at Metro and by ODOT, and discuss implications of proceeding or withdrawing this project from further consideration.

STAFF RECOMMENDATION: Department staff reviewed the project and concluded the project should be resubmitted to JPACT and Metro Council with the same recommendation. They prepared a more complete staff report that more fully clarified issues arising from the first round of discussions before the Planning Committee and Metro Council. Their complete rationale for this recommendation is found in the staff report, but basically this recommendation was based on the following:

- The project meets federal guidelines by having a relationship to the intermodal transportation system through function, proximity, and impact.
- The project will provide a quality bicycle and pedestrian connection from area neighborhoods through Peterkort to the Sunset Transit Center.
- A Washington County public process resulted in project support by

residents in the NW 112th area as mitigation above and beyond the norm for transportation projects.

- The project is consistent with the Washington County Comprehensive Plan and must be included to receive funding.

TPAC ACTION: Last Friday, TPAC discussed the issue. The staff outlined TPAC's options as: 1) approving the staff recommendation; or 2) substituting the next prioritized project on the contingency list - the Barlow Road Corridor/Moss Hill Preservation project in Clackamas County. No additional information was provided regarding substitution of the Barlow Road project from the contingency list. Washington County submitted a letter again expressing support of the staff recommendation.

Mollie O'Reilly, TPAC citizen member, asked whether citizens had been contacted during the time since the Metro Council remanded this action to JPACT and TPAC. She cited JPACT's promise to hold a public hearing. Staff explained that they had recommended that JPACT not hold a public hearing in lieu of a staff summarization of all comments. Ms. O'Reilly argued that without additional opportunity for citizen comment, this decision looks like a "back room deal". She moved to table the resolution until there is further public involvement. Gordon Hunter, TPAC citizen member, agreed.

Debate on the issue of tabling continued for nearly an hour. The Chair was reminded that the motion to table was not open to debate but debate continued. Ms. O'Reilly asked whether she believed there would be new testimony brought out by such a public hearing. She responded, "how do we know unless we allow it?" There was a suggestion that JPACT hold the hearing at the next meeting. Staff offered to send personal letters to all witnesses who had previously testified. It was pointed out, though, that even this would not allow for more than a few days notice.

The committee discussed the impact of deferring the issue until JPACT could hold a hearing with adequate notice. Also discussed was whether it was possible or appropriate for TPAC to hold such a hearing. Finally it was suggested the hearing could take place at the Planning Committee level rather than at the TPAC/JPACT level.

I responded that both the Planning Committee and the Metro Council routinely provide opportunity for public comment on all resolutions, including the former Resolution 93-1858B and the present Resolution 94-1900. I explained the *tentative* schedule for

today's meeting, the February 17 Planning Committee meeting, and the February 24 Metro Council meeting. When asked whether the Council would consider their upcoming public process adequate for purposes of this discussion, I expressed doubt. To my understanding, the Council had not addressed the issue of whether a hearing was even necessary, but had asked TPAC and JPACT for "further review". It was JPACT that had promised a hearing. Having the Planning Committee or Metro Council public process take the place of this hearing seemed to negate the question of whether TPAC and JPACT had conducted "further review".

Following more discussion about the inadequacy of TPAC or JPACT holding hearings, Ms. O'Reilly reworded her motion to table the decision "until next month". This motion failed by a 5-9 vote with 2 abstentions.

LUBA: The LUBA appeal was discussed. Prior to approval of Resolution 93-1858B, the Bicycle Transportation Alliance (BTA) brought suit against Washington County on ten issues related to the latest adoption of their comprehensive plan. Brent Curtis, Washington County, told TPAC that the county had prevailed on all but one of the issues before LUBA.

The Court of Appeals will now hear remaining issues pertaining to Goal 5 on three county ordinances. Mr. Curtis felt that this appeal has no effect on this linear park project because of the need for additional hearings for land use and design issues relative to zoning that must take place before funds are forwarded. He said the road extension and the linear park project are linked, money could not be spent on the park project without the road being built. He described the project as "a discretionary land use decision that is consistent with our Comprehensive Plan".

Larry Shaw, Assistant General Counsel, later corroborated to me that this is accurate because Washington County's current zoning allows for such a conditional use. Such a change can be accomplished with permits without necessitating an amendment to their zoning and comprehensive plan at this time. This is all that is necessary for the project to be in the program. However, to actually receive the funds will need to be amended into the comprehensive plan. That process will require more hearings on the part of the County.

LUBA remanded another ordinance back to Washington County saying the county needed to work on the corridors portion of the plan. According to Mr. Shaw, the county is now cross appealing that decision to the Court of Appeals. The issue is over the county's ability to realign streets without a land use decision and findings.

According to Mr. Shaw, Washington County prevailed with LUBA on the issue the BTA raised about the timing and location of bike trails paid for from 1% of road monies. BTA felt the money must be used immediately for the specific project from which the money is derived. LUBA disagreed, thereby allowing the county to bank the funds for use at a later date or for bike projects not related to the reconstructed project.

COUNCIL STAFF COMMENTS:

1. **Metro Council Action:** The decision by the Metro Council to sever one project while approving the remaining list of Enhancement Projects, is not unprecedented but is unusual. While there is no restriction on the Council to take such an action, there are also no established procedures. The Council's only specific guidance to TPAC and JPACT regarding the remand can be found in the final version of the resolution in the last resolve, where the Council recommends that ODOT delete the project "until there is further review" by JPACT and TPAC. There is no clear description about the nature of this expected review. Clearly the department considers their summarization of existing information on this project to be adequate. But this may be arguable if the Council intended "further review" to go beyond a look at existing information on the project or if the Council expected the department to take their lead in conducting the review from questions raised by Councilor initiating the minority report.

2. **Department Staff Action:** In the staff report, the department references two options - either submit the linear park project or defer to the next project on the contingency list (Barlow Road Corridor/Moss Hill Preservation). Inadequate attention was given to this second option. No supplemental materials were included about this or any of the contingency projects except for four sentences about Barlow Road in the last staff report. If this or any other project from the contingency list is truly an option, more information is needed at each point in the process to fairly weigh this option in comparison to the linear park project.

2. **JPACT Action:** In November, JPACT agreed to hold a hearing on this issue but then failed to do so. This resulted in confusion at TPAC regarding the need for further hearings and whether such hearings were indeed appropriate at the JPACT/TPAC level. Regardless of whether Metro Council anticipated such a hearing or even believed it necessary, members of the public observing the formation of a subcommittee for this purpose had reason to believe that such a hearing would occur. The memo to JPACT effectively calling off the hearing was not discussed at JPACT, it was merely distributed as part of the many extra pieces of information they get routinely. There is no reference to the memo in the December meeting minutes of either JPACT or TPAC.

In fact, the memo probably never reached TPAC.

In addition to this, the minority report approved by the Council was not distributed to either JPACT or TPAC for these early meetings. It has been included in the most recent JPACT packet for next Thursday's meeting. Instead it was left to staff, both Planning Department and Council, to describe what the Council intended.

3. TPAC Action: When TPAC was first informed of the Council's decision there was concern about the citizen involvement process. This resulted in formation of a TPAC subcommittee to consider this subject in more depth within a "short time frame". This committee has met twice and will make a recommendation sometime in the future that should prove valuable. But it will be too late to effect this action as originally intended.

At that same meeting there was also a concern raised by the department relative to the level of initial review to be undertaken by JPACT/TPAC and Metro Council when dealing with review and prioritization of projects, under the final authority of another body. This appears to me to be a valid question. Given our short staffing resources, should there be a difference, between the amount of expected staff involvement based on whether Metro is the final authority or whether some other entity fills this role.

And, if in the process of prioritization of projects list for any purpose, it appears that there are problems with citizen involvement at the local level, what corrective role, if any, should Metro play.

TPAC members also indicated concern about being placed in the position of having to negotiate disagreements between members of the Metro Council regarding approval or rejection of projects within their individual districts.

Of primary concern though, was whether TPAC should be placed in the position of holding public hearings. The group is made up of staff persons, rather than elected or appointed policy makers. JPACT's ability to hold such hearings on a regular basis was also questioned. Their meeting schedule is at 7:30 AM, a time recently criticized for the Region 2040 Growth Panel. JPACT's agenda is considered by many to be already over burdened.

SUMMARY: I raise all of these points first to bring you up to date on the process to date but also to express some concerns I have about that process, which I find flawed. I'm concerned that the minority report was not furnished to either JPACT or TPAC

until yesterday. And, laying aside the issue of whether additional public hearings were needed, the fact remains that a public hearing was promised. What was proposed at that first JPACT meeting left the impression there would be an evening hearing in the Beaverton area held that would have plenty of notice to citizens. The best that can occur now is an opportunity for the public to observe the three remaining public actions at JPACT, Planning Committee and Council.

In addition, it appears that the staff has really only offered one option from their review - approval of the linear park. If projects from the contingency list (Barlow Road) are really an option why hasn't there been more information about them. I'm also concerned the TPAC action is being characterized by the staff as merely unanimous approval of the staff recommendation, when there were significant reservations at TPAC about our public involvement process.

Mostly, I am concerned that Ms. O'Reilly's comment about a "back-room deal" may well be the perception of members of the public observing this process.

In the past two days I've discussed these issues with the Committee Chair, several Councilors and members of the department staff. Collectively there are a number of suggestions to could aid in preventing this situation from occurring in the future and improve the communication between JPACT and the Council: Understanding that this relationship between JPACT and the Council is ever evolving, here are some suggestions:

- When the Council chooses to sent all or any part of a decision back to JPACT, add a procedural step of referring the issue to the Planning Committee, empowering them to draft an official response from the Council. This response could include the expectations the Council has for the level of review by JPACT and TPAC. It could also communicate whether it is the Council's intent for either of these groups to hold a public hearing. In any case, it allows the Council to speak for themselves and does not force the staff at all levels to interpret your full intent.
- When an issue of this magnitude is identified early on as needing two meetings of the Planning Committee, utilize the first hearing, which occurs just following TPAC but before JPACT under the new procedures, and invite JPACT to participate in the public hearing. They may not avail themselves of the opportunity but the hearing can be summarized for their benefit.

- Ask the department to finer tune their parliamentary procedure to remove inconsistencies in application. Issues such as cancelling an important hearing should be verbally placed on the record so that JPACT understands that they are effectively taking an official action. Also, motions to table, perhaps, should not be accepted by the Chair until needed debate has ceased.
- Step up efforts in developing a clearer citizen involvement process. This may include the need to form a data base or list of interested parties that travels with the proposed legislation to be used at each level of the process to provide enhanced and more timely notification. What matters most is that the process is clear to all so that unrealistic expectations from citizens are at least reduced.