

MINUTES OF THE METRO COUNCIL PUBLIC HEARING

November 16, 1998

City of Gresham Chamber

Councilors Present: Jon Kvistad (Presiding Officer) Ruth McFarland, Susan McLain, Rod Monroe

Councilors Absent: Patricia McCaig, Don Morissette, Ed Washington

Deputy Presiding Officer McFarland convened the Regular Council Public Hearing at 6:40 P.M.

Elaine Wilkerson, Growth Management Services Director, reviewed the areas that would be considered: **urban reserves #4, 5, 14, and 15**, which lie within the Metro boundary, in First Tier lands. She referred to a map of areas 4 and 5, addressed in proposed **Ordinance 98-781A**. She said these reserves include about 1500 acres, which would produce about 6500 dwelling units, according to the productivity analysis. The area has been discussed at great length, including the Pleasant Valley study on governance. The conclusion was that urban reserve 4 would be governed by Portland and reserve 5 by Gresham. Those have not yet been formalized by an Intergovernmental Agreement (IGA), but will be soon. A letter from Gresham received today indicates a commitment to proceed with governance on reserve 5 and acknowledges the \$50,000 grant awarded to do the urban reserve plan.

There are two alternative time schedules for proceeding. One depends on obtaining about \$200,000 in addition to the \$50,000 grant, which would allow the city to hire consultants and complete the plan in two years. If no additional money can be found, the city would do the planning using existing staff, which would take about five years. (The letter has been included as part of the meeting record.)

Regarding urban reserves #14 and 15, those would be governed by Clackamas. These include about 676 acres, which could produce about 3200 units, according to the productivity analysis. The whole area totals about 10,000 units.

All the areas in question lie in First Tier. They are all eligible to be brought in as UGB amendments as long as a commitment is in place to do an urban reserve plan. The plan does not have to be completed at this time, but the governing jurisdiction must commit to doing one if insufficient land is available for which plans have been approved. Under those conditions, the Metro Council can proceed. Scott Pemble from Clackamas County will address areas #14 and #15 further.

She noted that Metro's Executive Officer had just sent a letter of intent on a grant application under TEA-21 for \$300,000 to complete the plans for these four urban reserves. The letter was submitted too recently to have gotten any results, but it does indicate other funding mechanisms being pursued.

Presiding Officer Kvistad opened a public hearing.

Councilor McLain noted that many people received notice of this hearing in mid-October. Others did not receive notice until this week or at all. The reason for that is there were some

amendments to the ordinance that took place only recently, which required that additional notices go out. She said state law has been met, because notice was mailed 20 days before the decision will be made, which will not take place until later in December. However, she apologized to any who did not receive the letter or found out about the hearing late. Second, she wanted the audience to know that notice was sent to people who live in the area of the amendments, as well as people who are as much as 500 feet away from the area of the amendments. Finally, she noted some letters would be forthcoming from the City of Portland. She said people had called her wanting to know more about the TGM grant. She said Mark Turpel, from the Growth Management Department, would be able to provide more information on that.

Presiding Officer Kvistad reminded the audience that Metro is required by state law to put in place a 20-year land supply; 50% of that need must be met by the end of this year. The purpose of this hearing is to discuss that issue with regard to the parcels chosen for consideration. He said everywhere these hearings have been heard, the sentiment has reflected an acceptance of expanding the UGB, but not near there. The other sentiment has been do not expand the UGB but do not allow density, either. People have asked for new roads and that no new roads be built. He said he realizes that these decisions touch people's lives closely. He said these decisions are difficult, but the Council is committed to making the best decisions it can.

Councilor Monroe commented that the same legislature that passed 27-09, which requires expansion of the UGB, defeated the attempt of Senator Baker and others to provide money for highway and road infrastructure that is absolutely necessary if those expansions in the UGB are to be workable. He said he understands that Senator Baker is very frustrated by that, as is the Council, but they have to proceed as required regardless. He said he hoped that the citizens will support legislation in the next legislative session to provide the money necessary to provide for the highway and road infrastructure, so gridlock will not worsen further.

2. PUBLIC HEARING

2.1 **Ordinance No. 98-779A**, For the Purpose of Amending Metro Urban Growth Boundary and the 2040 Growth Concept Map in Ordinance 95-625A in Urban Reserve Areas 43 and 47 of Washington County.

2.2 **Ordinance No. 98-788A**, For the Purpose of Amending Metro Urban Growth Boundary and the 2040 Growth Concept Map in Ordinance 95-625A in Urban Reserve Area 55 of Washington County.

2.3 **Ordinance No. 98-786A**, For the Purpose of Amending Metro Urban Growth Boundary and the 2040 Growth Concept Map in Ordinance 95-625A in the Sunnyside Area of Clackamas County.

2.4 **Ordinance No. 98-781A**, For the Purpose of Amending Metro Urban Growth Boundary and the 2040 Growth Concept Map in Ordinance 95-625A in the Pleasant Valley Area of Clackamas County.

2.5 **Ordinance No. 98-782**, For the Purpose of Amending Metro Urban Growth Boundary and the 2040 Growth Concept Map in Ordinance 95-625A in the Stafford Area of Clackamas County.

2.6 **Resolution No. 98-2726A**, For the Purpose of Expressing Council Intent to Amend the Urban Growth Boundary to Add Urban Reserve Areas 62, 63 and 65 in Washington County.

2.7 **Resolution No. 98-2728A**, For the Purpose of Expressing Council Intent to Amend the Urban Growth Boundary to Add Urban Reserve Areas 53, 54 and 55 to the Hillsboro Regional Center Area.

2.8 **Resolution No. 98-2729A**, For the Purpose of Expressing Council Intent to Amend the Urban Growth Boundary to Add Urban Reserve Areas 39, 41, and 42 in the Vicinity of Wilsonville.

Senator Ken Baker, State Senator, 15458 SE Green Hills Rd, Portland, OR 97236 read his letter into the record, which supports inclusion of URA #15 but strongly opposes the proposed amendment to include 54 acres of exception land along with area #15. (A copy of this letter may be found in the permanent record of the urban growth boundary amendment record.)

Brad Crement, CNF Consulting, Inc., 6222 SW Virginia Ave #1, Portland, OR 97201 spoke on URA #5. His firm has been working on behalf of a client who owns a parcel in URA #5, bounded by 172nd and Foster Road. He said he has talked with Scott Weddle of Metro's Growth Management Department and Richard Ross of the City of Gresham's planning department. Mr. Ross stated that the city of Gresham will do the planning for URA #5 to the county line. The county line lies just north of the parcel's boundary. The city would annex this parcel if CNF does the planning and engineering. He said discussions would need to continue with the city of Portland and with Clackamas County. He referred to a map on which color-coding shows mixed-use development, single family homes, open spaces, parks or pathways, higher-density townhouses, multi-family housing, and commercial.

Bob Roth, Johnson Creek Watershed Council, PO Box 82584, Portland, OR 97282 read his letter into the record (a copy of which may be found in the permanent record of the urban growth boundary amendment record).

Bill Willmes, 1825 SW Royal Ave, Gresham, OR 97080, spoke on URA #5. He expressed concern over development charges. If the area is annexed to Gresham, using figures shown in the newspaper, the development charges would be \$23,000 per house, not including roads and sewers. A city planner in Eugene uses a figure of \$33,000 per house. He asked if the planners had come up with a figure of what a development charge should be and whether there might be some other way of paying for them other than property taxes and bonds. He asked where the money would come from. He also cited concerns about providing schools and roads.

Nina Stanton, 17320 SE McKinley Rd, Portland, OR 97236 said she fears that development will drive her out of her home. She asked when will all this happen? She said her husband is 85 years old, well into retirement. She wondered when they would have to pay for water, sewer, and everything else that goes along with development. She said they did not buy their property to develop. They don't need more money. She opposes the development.

Presiding Officer Kvistad reassured Ms. Stanton that even if the area is brought into the boundary, it likely won't be developed for another 20 years.

Joyce Hansen, 17030 SW McKinley, Portland, OR 97236 indicated that others had iterated her thoughts and she had decided not to testify.

Meg Fernekees, Department of Land Conservation and Development (DLCD), 800 NE Oregon St, Portland, OR spoke to URA #4 and 5. She noted that at the Growth Management

Committee meeting on November 3, an amendment was proposed to Ordinance No. 98-781A, to include a portion of unincorporated Clackamas County consisting of a current mobile home park named "Happy Valley Mobile Home Park." She submitted a packet last week for the record explaining the background and history of the park. She also provided maps and correspondences from the sewer treatment plant and from the Department of Environmental Quality (DEQ). She said the idea behind incorporating this area in the UGB would be to relieve a drastic environmental health situation. There is a package plant that is currently over capacity, especially during winter peak flows. There are some serious environmental impacts on Mitchell Creek, which flows into Kelly Creek, which flows into Johnson Creek. Moving the boundary would allow sewer connections to the City of Portland, which has indicated it could serve this site, depending on the feasibility of the engineering design generated by Otak.

The property qualifies as developed urban land under Statewide Planning Goal 14, without counting this land area toward Metro's estimate of land needed to accommodate growth, so it is different from other considerations that would accommodate future growth. This site is already developed at urban densities.

DEQ has been involved with mediation efforts, and the property owner is very willing at this point to pay for sewer extension to the city of Portland. The LCDC recommends inclusion of this property into the UGB.

Councilor Monroe asked staff to point out on a map where the land in question is located, which Ms. Fernekees did.

Scott Ashcom, Oregon Association of Nurserymen, PO Box 4323, Portland, OR 97208 summarized his written testimony (a copy of which may be found in the permanent record of the urban growth boundary amendment record). He added that any expansion of the UGB should be done onto exception lands and not farmlands. If Metro expands the UGB onto farmland, then a Goal 14 exception to Goal 3 is required, and they would support Metro's exercising its legal responsibilities under that law.

R. Scott Pemble, representing Clackamas County, summarized a letter from Commissioner Judie Hammerstad on the county's position on **URA # 5, 14, and 15** (a copy of which may be found in the permanent record of the urban growth boundary amendment record).

Mike Collins, 16020 SE Monner Rd, Portland, OR 97236, spoke of traffic congestion in **URA #14 and 15**. He said his family has lived in this area for some time and seen the area grow. He expressed concern about the attitude that development should not occur in his area. He said that is not so much the case, but he did not want to be forced to sell his home as a result of development. He said he would support development the citizens of Clackamas county would be able to pay for. He described the dangers of driving on Monner Road, which has a 15% slope. He expressed concern for safety as traffic increases on that already too-crowded road, and said the road is too narrow and poorly lit to support more traffic. The roads could not support new development there. He urged a no vote on URAs #14 and 15 at this time. He said perhaps in the future they could be brought in.

Sandy Van Bommel, 14753 SE Monner Rd, Portland, OR 97236 spoke on **URA #15** and read her letter into the record challenging the need for more growth in face of finite resources. She particularly opposes Amendment #1, proposed by Councilor Morissette, to add 54 acres to the Sunnyside (URA #15). (A copy of this letter may be found in the permanent record of the urban growth boundary amendment record.)

Joclyn Howell, 11870 SE 154th Ct, Portland, OR 97236 spoke on **URA #15** and read her letter opposing Amendment #1 and urging preservation of natural areas. (A copy of this letter may be found in the permanent record of the urban growth boundary amendment record.)

Joseph Hintz, 15680 SE Monner Rd, Portland, OR 97236 talked about **URA #14 and 15**. He noted two letters, one from Happy Valley dated August 4, and one he and his neighbors received, dated November 12, concerning adding 54 acres to the Urban Reserve in URSA #15. He said the citizens found out about the amendment through a fluke and after making several requests of Metro. He received the letter on November 13. He said he did not have sufficient time to prepare for this meeting. He said the county had stated during its planning meetings that accessory dwellings and the Mt. Scott area were not needed to achieve density goals. This suggests this additional 54 acres are not needed, either. The job figures appear to be pulled out of the hat. He said Councilor Morissette will soon be leaving the Council, and he should not be allowed to destroy Metro's credibility and future by passing this amendment. The UGB should not be moved at all, and what is most important, this amendment should be tossed out.

Bill Pendarvis, Rock Creek Community Association, 11781 SE 162nd, Clackamas, OR 97015 spoke on **URA #14 and 15**. He said he has lived in this area for more than 30 years, and lives between Monner Road and 172nd. He said 162nd has become a speedway, because there are no speed limit signs in that area. He said Sunnyside Acres was built without considering the infrastructure. He said he understood that Sunnyside Road would not be widened for another seven to ten years. He said adding another 54 acres would make the traffic situation intolerable. He said this amendment seemed sneaky to him. He challenged the jobs figures included with the amendment.

Kat Hanneck, 12250 SE 162nd, Clackamas, OR, 97015 spoke to **URA #14 and 15**. She said that in addition to traffic problems, flooding and erosion also present significant hazards. She said the addition of 54 acres would drive traffic onto Monner and 162nd, whereas the areas of URAs #14 and 15 would put most of the traffic onto Sunnyside Road. She does not understand the need for the more acreage on top of those already designated.

Jim Callantine, 12322 SE 147th Portland, OR 97236 spoke on **URA #14 and 15**. He said he lives 154 feet from the proposed 54-acre addition, but he had not received notice. This makes the amendment seem underhanded. He did not understand the reason for bringing this acreage in. He said 79 homes were build as part of Happy Valley Heights, but only 20 have sold. Many of the houses have been put up for rent. He said renters do not take care of the property the way homeowners do. He said if you cannot sell what is there, why put more houses in? He said he is on Transportation Plans #1 and #2 and the Urban Forestry Committee. He attends 90% of the council meetings and is in the Rock Creek group. He said he is as involved as a citizen can get, but still did not receive information on Councilor Morissette's proposed amendment. He asked how it could be considered without due process. He said he does not oppose development, but he does not think the planned "neo-traditional" approach has worked. He said he particularly objects to the lack of citizen involvement and notification.

Councilor Monroe clarified two points. First, he said the citizens should not blame Metro's planning staff. He said they received the proposal from Councilor Morissette very late. Because he is a councilor and this is part of his district, they were required to prepare the information as quickly as they could and give notice as quickly as possible. Second, he had heard comments from citizens that suggested this is done deal. It is absolutely not. He said the council was

listening. He emphasized that no decision has been made and much deliberation remains before a decision will be made.

Presiding Officer Kvistad added that Senator Baker is a long-time personal and political friend, and when he says a situation should be reviewed, it will be reviewed.

Councilor McLain further added that 1) the Growth Management Committee had received testimony from Clackamas County and from the planners who have been working on the master planning and the urban reserve planning on sites #14 and #15. At that time, they initiated bringing up this issue of 54 acres. Councilor Morissette took the initiative of putting it before the council for consideration in response to that. She emphasized that this amendment was not initiated by Councilor Morissette; rather he was acting out of respect of the suggestions of Clackamas County and the consultants. She also added that 85 people spoke on the Stafford Triangle and 54 spoke in Hillsboro. She emphasized that the reason the Council was meeting out there was to be as accessible as possible to those in the area affected. But she said the Council also has an obligation to listen to requests from the jurisdictions involved.

Donald Doot, 16342 SE Hagen Rd, Boring, OR spoke about Morissette Amendment #1 concerning **URA #14 and 15** by reading his letter into the record (a copy of which may be found in the permanent record of the urban growth boundary amendment record). He added that to bypass the four-way stop at Sunnyside and 172nd, people drive down 162nd and scream around the corner and down Hagen Road. It has become quite dangerous.

Samuel Tse, 15032 SE Monner Rd, Portland, OR 97236 was called but chose not to speak.

Stan Turel, 8813 SE 190th, Portland, OR spoke about **URA #4 and 5**. He said he has lived in that area for a number of years. He said his property is divided between the two URAs. He asked that he be included in only one, preferably URSA #5. He asked that before new subdivision are added, to please use any kind of power they have to put a streetlight in at Ginny Road and Foster Road. He also said he realized not everyone would be happy with any decision, but he urged preservation of as many trees as possible. He urged that jurisdictions and people work together. He requested that hiking trails be preserved. He expressed concern about putting in ten houses per acre, and said he thought density did not need to be that high everywhere. He said that if development must come, he would like to see it be done without fighting and as aesthetically as possible.

Councilor McLain told Mr. Turel that Metro strongly supports greenspaces and water quality. She said that Title 3 of the Framework Plan had not been passed when this URSA was chosen. Title 3 will help take care of some of the environmental concerns.

Councilor Monroe said he has been lobbying the city of Portland for a light at the Foster Road intersection for years. He said it is the most dangerous intersection imaginable.

Ty Wyman, Bogle and Gates, 200 SW Market, Suite 600, Portland, OR 97201. He summarized the history of URSA #15. He said Albertson's intervened in the urban reserve case for two reasons: 1) to defend the First Tier designation of area #15, and 2) to defend a challenge directly to the placement of area #15 within the boundary. The First Tier issue has been resolved through subsequent code amendments; the direct challenge to area #15 remains. As they assess the situation and as has been discussed with the county, they find themselves not averse to the Erakers and Hoffmans, who had filed the petition for review. Many appeals have been filed on Metro's urban reserve decisions. In this case, a dismissal of the petition for review was

successfully negotiated. Albertson's is already in at Sunnyside Road. He said that obviously he has an interest in this issue or he would not be present. However, he said he has no intention of building on area #15. His concern has been the status of SE 147th Avenue. In addition, this is all exception land. He said there are too many positives to let the opportunity slip by.

Tom Firth, 15000 SE Monner Rd, Portland, OR 97236 testified on his concern about lack of notification. He also discussed the fact that this whole area has a number of natural springs. He said an intermittent creek runs through his property and is permanent where it reaches 147th. He said this is part of the Rock Creek system, and the water table is quite high. He questioned how homesites could be built in that area.. He also noted that Hoffman's land was sold because it was not thought to be buildable. Finally, he said 147th has been closed in the past because several serious accidents occurred there. He said every accident involved a cement truck, a dump truck, or a gravel truck, all of which are forbidden to use that road because of the slope. The authorities said they lacked the manpower to enforce that law.

Jeff Kleinman, represented Hoffman and Eraker, 11908 SE Southern Lite Dr, Clackamas, OR 97015. He commented briefly on why these properties should be included and why the Growth Management Committee decided it should be included: 1) Clackamas County endorsed it for inclusion in the UGB and included it in the Metro-funded urban reserve study process now underway; 2) it is exception land and been found to be necessary for laying the sewer line for the rest of URSA #15 without the need for a pump station to be installed. In the course of the initial appeal on the exclusion of these properties, he found in reviewing Metro's records that the primary concerns raised were for the area north of the so-called drainage way and Monner Road. As Councilor McLain pointed out, this occurred before Title 3 took effect. Now Title 3 can provide protection of the drainage way. He referred to the site map and pointed out that Tax Lot 200 was included on the map in error. He said that leaves as access to Monner Road a 30-foot-wide "dog leg" from the Eraker property and a 50-foot dog leg from the Hoffman property. He said no development would therefore occur right on Monner road. Only these access ways would exist. He said he also understood that the slopes to the north of the drainage way are too steep for development. He said he preferred that all the tax lots be included, subject to the constraints of Title 3. He said if it would help resolve some of the concerns expressed, he would be satisfied with including only those areas south of the drainage way, which would be accessed from elsewhere, not on Monner Road. Finally, he said because the developable areas are only those south of the drainage way, and the visual impacts would be minimal to those living north of the drainage way.

Gary Sargent, Foster Road Business and Rock Creek CPO, 14252 SE King Rd, Portland, OR 97236 said he had received no notice. He said his home is located adjacent to the current UGB and his business is located downstream on Johnson Creek. He has been a victim of flooding three times in the past two years, sometimes as high as three feet deep in his business. His concern is that if URAs #14 and #15 are brought in, that water detention will not be properly done, thereby increasing the flow into Johnson Creek. He said after the third flooding incident, he learned that flooding has been exacerbated by the cumulative effects of development upstream. He said that when Albertson's was put in on 147th, the road was closed and the store knew it. He said he believed that the decision to develop the intersection had been made behind closed doors. He objected to that approach. He said Councilor Morissette should have attended the meeting tonight to defend his amendment. He opposes development even though he could prosper from it. He did not receive notification from Metro, but through the Johnson Creek Watershed summit.

Chris Cocker, David Evans and Associates, 2828 SW Corbett Ave, Portland, OR 97201, represented George and Bruce Beall, who own approximately 190 acres in both the Tier 1 and

Tier 2 lands of **URAs #14 and #6**. He provided the Council with a package of information, including a map (a copy of which may be found in the permanent record of the urban growth boundary amendment record). He said they are not involved with any of the 54 acres discussed earlier nor are they involved with the actual 80 acres being proposed up off of Monner Road; they are below the hillside on lands that are about 4-12% slope, and they have been working with Clackamas County for over a year. He said they became involved when they learned the Bealls' property was split by URAs #14 and #6 by the low spot in the drainage basin. He said it does not make sense to try to provide services to only one side of the drainage basin. He supports the county recommendation to add 82 of the 162 acres, which are not located in the steep, forested butte area because the development can be coordinated using both sides of the subbasin. He said the sewer trunk, as it is extended up, can end at 172nd Avenue, which is a logical dividing point to stop before Tier 2 lands. It will keep single-family ownership together and provide an opportunity to address some of the failed leach fields in the single-family properties surrounding the golf course, which are all having issues related to the current soils and the sand filter systems. He said concerns about the implementation of Title 3 and contamination of their water source should be address here. In addition to the areas proposed by the county in the lower area, the 82 acres, it makes sense to add an expansion of the map as indicated in his written testimony. Primary concern relates to the splitting of the Beall property at the low point in the basin. They support growth to a limit that can be easily serviced as the sewer main comes on-line in Rock Creek in the near future. He said this would add approximately 189 acres to the county recommendation, of which about 51 acres would not be developable due to Title 3 concerns and natural resources constraints. The expansion north of Hagen Road would fill in an area that could be easily serviced with the sewer trunk in Rock Creek and would encompass a logical portion of the subbasin that backs up against the steep farm/forested area that is outside the urban reserve areas. There is also existing water and gas service in the area. He said they support the county recommendation for the 82 acre portion of the 162 acres and they would like to have that included in URA #14. The county amendment in the subbasin area that they are encouraging will promote a logical growth pattern and result in better sewer stub and storm drainage utilization.

Gail Achterman, Stoel Rives and Associates, 900 SW 5th Portland, OR 97204 represented the Bealls and spoke to the amendment for **URA #14**. She said the Bealls have lived in this area for almost 30 years, since the Pleasant Valley Golf Course was developed. As Mr. Cocker indicated, the Bealls own 190 acres and in spite of their best effort in the urban reserve area designations to get the boundaries adjusted to match property lines, they do not. Therefore, the 190 acres which the Bealls own and manage as a unit are split between **urban reserve #14 and #6**. They have been working with the county diligently over the last year to make sure that logical planning for urban expansion, if these are in the urban reserve areas, occurred on the 190 acres owned by the Bealls. This is not steep land nor on the hill; it is in a groundwater limited area: 162nd is the north/south line and everything east of 162nd is a groundwater limited area designated by the Water Resources Department. The well for the golf course has a 5-year term limit with a permit re-opener, and it is not at all clear that non-potable irrigation water is going to continue to be available for the golf course after that 5 year period. The Bealls are faced with critical decisions in terms of whether the golf course will be operable depending on the groundwater drawdown. There is no possibility to obtain new groundwater rights for the nursery and golf course use that has historically occurred on the Beall's property. Therefore, it is very important to receive logical planning direction on whether the land will remain designated for recreation and farmland, or if it will be developed. If the land is developed, they will be able to logically invest in the water needs, either by coming into urban service levels or terminating the use. Coming into urban service levels would probably allow the golf course irrigation well to continue to operate because it would relieve drawdown pressures on the groundwater aquifer.

Joe Hughes, 2700 SW Butler Rd, Gresham, OR said he came to the meeting to listen to the different viewpoints. He said he has been a builder in the area for 7 years, and he has had no problem finding lots and properties to build in the past two years. He said in the last year to 6 months, it has been so easy realtors are calling him on a weekly basis. He said a slow down in home building will not affect him and other native builders who build 10 quality homes a year; it will eliminate the builders who build 100 homes at a time and leave the area. He said he has built in Lexington Hills, an area mentioned by Mr. Turel in regard to the traffic problem on Foster Road. When he bought his first lot there, he paid a \$2600 service fee to have a light put in on that corner. Just a week ago, he sat with the developers and they instructed him the reason there is no light there is because of the salmon. They are afraid that if they straighten out the road and build a funnel because the salmon will not be able to see their way through the dark funnel. He said he is not building any more homes in Lexington Hills because there are 300 lots there; there are only about 10 houses, he already sees people sitting on those, and the residents have problems getting in and out of there. He said **urban reserve 5**, which he lives right on, would probably be the most logical, from what he heard tonight. He said he is not against development, but he wants it done smartly and appropriately.

Greg DeWhitt, 15974 SE Monner Rd, Portland, OR 97236 said most of what he has heard tonight makes sense. He said it does not make sense, however, that Mr. Hoffman and Councilor Morissette did not attend the public hearing, knowing that they would be key players. He said Mr. Hoffman's attorney indicated some characteristics of the land and not being able for the neighbors to view it a certain way, and he is partially correct. One of the neighbors' main concerns is that 147th was closed over 3 years ago and there does not seem to be a plan to mitigate the traffic and reopen the road. Not too much has been said about the wildlife that currently enjoys the area. He said his wife has documented 55 species of bird, which he submitted into the permanent record of the urban growth boundary amendment record. Mr. DeWhitt said the infrastructure is not handling current growth, and the planning for the infrastructure is not necessarily in place to keep pace with proposed development. He said he hopes growth in Oregon is slowing down and people quit hitting the panic button and start realizing that the current infrastructure is bursting at the seams. He thanked the Council for the opportunity to meet and voice some of the many unanswered questions. He sees some conflict of interest, people who have the knowledge to get things done secretly, and self-serving actions. He asked the council to open its eyes and realize there is some back-scratching occurring and keep track of what is right.

David Tiley, 8820 SE 162nd, Portland, OR spoke to **URAs #4 and 5**, Pleasant Valley. He said the city of Portland does have plans and money in place to install stoplights at 162nd and at Jenny Road simultaneously. He said they just finished three major meetings with the jurisdictions in Pleasant Valley, and the conclusion was that transportation is going to be a major problem. He thanked Councilor-elect Atherton and Councilor-elect Park for attending the hearing, and said he does not miss Councilor Morissette. He thinks they need time to put together a master plan; he has not seen a concept plan for Pleasant Valley, public facility costs have not been determined, and the school budget to rebuild Centennial High School and build a new elementary school failed. He said there is no apparent talk of a balanced 2040 plan that would include both residential and industrial use to establish a balance of housing and jobs in the area. He said the plan seems to be to make areas 4 and 5 part of the cities of Gresham and Portland rather than create a community. In the long term, he thinks they should take the dome-area of Pleasant Valley and create a community with a town center, which would include not only areas 4 and 5 but also the areas of Portland and Gresham that look down onto the valley floor. He said otherwise, Pleasant Valley will lose its individual identity. They have the potential to create something unique and set a national standard to maintain the rurality of the current community,

do balanced growth, and possibly grow vertically rather than horizontally. He said whatever is done in Pleasant Valley will have tremendous downstream impact. He said a master plan needs to be put together first.

Jim Allred, President, Advanced Treatment Systems, 10600 SE McLoughlin Blvd, Milwaukie, OR 97222 said he is a certified contract operator for waste water treatment plants by the State of Oregon DEQ. He said he is morally and legally obligated to attend the hearing. He is morally obligated because he is a native Oregonian and he loves the streams, creeks, rivers, mountains, and beaches. He is legally obligated because as an operator of the waste water treatment plant in the Happy Valley Mobile Home Park, he is doing all he can do to try to meet the water quality standards in the permit limits set down by DEQ. The treatment plant is old, has been in place since 1964, and has outlived its usefulness. The park is owned by a conscientious owner who is financially willing to support the construction costs to eliminate further discharges into Mitchell Creek and to connect to the city of Portland's sewer system. He would like the Council to strongly consider supporting the owner in that endeavor to eliminate further discharges into the creek.

Rod Beattcher, Centennial School Board, 8037 SE 162nd Ave, Portland, OR said he is here to speak on schools. Taking the figures given to him and converting them into students, even at .5 student per dwelling, the proposed development adds 3300 students to the school district. He said the student growth would all be within an area about 15% of the school district's size. As he did the math and looked at the current mix in the school district of high school, middle school, and grade school students, development of the Pleasant Valley area would require three additional schools to be built. He said schools also need particular types of land to be built on: they cannot be built on hillsides, rolling lands, or in wetlands. He asked the Council to consider that schools need good, flat land and land that is in the right places. He said the school district needs to work closely with planners to determine where the schools should go. He said school bond did not pass this year which would have filled the need anticipated by the inclusion of the **URAs #4 and 5** in the UGB. He said developmental fees do not work out either because they would amount to \$5000 per house. He asked the Council to work closely with the school districts so that land for schools can be purchased before the price of land goes up and school districts have to compete with developers.

Councilor Monroe thanked Mr. Beattcher for his testimony and said he is a member of the David Douglas School Board, in addition to a Metro Councilor. He said Councilor McLain is a public school teacher as he was once, and they both serve on a Metro subcommittee on school siting. They are aware that school siting is a critical part of any infrastructure needs for new UGB expansion, and they are puzzling with how to meet that need.

Linda Bauer, 6237 SE 158th, Portland, OR 97236 said there has been some confusion about improvements to Foster Road so she felt compelled to testify. She said it is not the problem of the salmon. The city has considered 9 options; six of which do not include a culvert for the creek and moving the stream into that creek. The City then submitted an application to the Corps of Engineers and Division of State Lands (DSL) for permission to moved the creek into a culvert. The Corps of Engineers and DSL will look at the city's application over the next 30-60 days and approve or deny the request. She said hopefully the city will be able to make the right decision and use one of the other six options.

Councilor Monroe asked Ms. Bauer if she had any idea of the timeline for the stoplights.

Ms. Bauer said if the Corps of Engineers and DSL grant permission to culvert the creek and ruin the habitat, the traffic light should go in this spring. If not, she is concerned that the city will be able to get the design and permitting out before the following spring.

Harry Moffitt, 9595 SE Vradenburg Rd, Portland, OR 97236 spoke of **URA #5**; his property borders Happy Valley Mobile Home Park on the south. He said it is a dead-end road and they have a lot of problem with vandalism, car theft and drug deals. He would like to see the area developed to the end of the road; there is only about 1500 feet between the mobile home park and the road. He said the police are out there on a regular basis, and if the area was developed as low-density residential, it might help the problem. He commented on the water quality and said when subdivisions go in, developers put in retention systems for the water. He is an excavating contractor and has worked for the city of Gresham rectifying water problems. He said a piece of land can easily be dried up with a little bit of common sense, knowledge, and engineering. He said retention systems can work well.

Ruth Barber, 14754 S Quail Crest Lane, Oregon City, OR 97045 spoke on **URA #25**. She lives on the corner of Quail Crest Lane and "Blood Alley" (Highway 213). She said contrary to other people's desire for no growth, she and her husband want growth. She said it is significant that so many people with ownership of properties responded in such a short time reflecting 210 acres are available for urban growth expansion and planning. Many of those wishing to sign, but absent, would have brought the total to 251 acres in 7 days. She clarified that she was speaking about **URA #25**, not Pleasant Valley or Happy Valley. Many expressed gratitude to have been made aware of the status of **URA #25**, but also expressed disappointment the Oregon City Commission voted unanimously on a decision affecting them without their prior notice on November 4, 1998. Every signer adamantly opposed any tie with the proposed city of Beavercreek. The petition signers represent 210 acres ranging from a 1.5 acre lot to a parcel of 3900 and 4000 acres. She met some wonderful, thinking people beyond her immediate neighborhood. She read the petition aloud, a copy of which may be found in the permanent record of the urban growth boundary amendment record. She also submitted a picture with the parcels in question darkened. She said that for 20 plus years, she and her husband have been subject to Clackamas County manipulation of land use laws that were made to protect the people and enhance the environment. She and her husband thought it may be better to come into the UGB where there would be a better plan, possibly carried out, and hopefully enforced.

Doug Albeke, 16107 S Wilson Rd, Oregon City, OR 97045 owns a family dairy farm and spoke on **URA #25**. He said his family has lived on their farm since 1968; at that time about 2 cars a day drove down the road, and one car was the mail carrier. Now they have a housing development of approximately 60 houses on .5 acre lots across the road. He talked to Ms. Barber a few nights ago and it was the first he had heard of the proponents of the city of Beavercreek's success in convincing the Oregon City Commission not to try and annex **URA #25**. He supports Ms. Barber in saying that not everyone in Beavercreek is aligned with that group, and he believes that Oregon City has the facilities, people, and planners to provide the urban services required for the development of his parcel. He supports annexation into Oregon City.

Doug Ausmus, 20551 S Molalla Ave, Oregon City OR 97045 spoke in agreement with Ms. Barber on **URA #25**. He said the Beavercreek Association does not speak for their property. He said he and his family own 6.28 acres and have lived there about 3 years. They have talked to both the county and Oregon City and both seem interested in their offer to give them additional right of way so a stoplight can be installed on Henrici Road, alleviating a lot of the traffic hazard and allowing better access to traffic to and from Highway 213. They are also willing to donate a right of way through their property to help alleviate the problems of a housing development that

is located in a dip. He said the development has been after the county to fill in the dip because it is a severe traffic problem. He and Ms. Barber are forming a plan to solve that problem which they will submit to the council as soon as it is complete. He said there are people like them who are willing to make sacrifices to solve all of the objections listed by a number of people, as long as everyone can cooperate. He said inclusion in the UGB would help the property neighboring his: a church that wants to build but cannot because there is no access without crossing those lanes of traffic. By adding a stoplight and a path through his property, the problem is eliminated.

Presiding Officer Kvistad closed the public hearing. He thanked everyone for taking the time to attend. He said this is a very difficult and contentious decision. He said he wished Metro had more control over local traffic lights because it would be a positive action. He thanked everyone for being pleasant, working within the allotted time frame, and bringing forward information. He said it is very helpful to the council when the public talks with the council about its needs and concerns because it helps the council make a better decision.

Councilor McLain said the council needs the type of information brought forward tonight to make the necessary findings for land use decisions. She stressed the importance of public input in this process, which is very different from the urban reserves decision. She thanked everyone for coming and testifying.

Councilor Monroe thanked everyone for their testimony and politeness.

3. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Kvistad adjourned the meeting at 9:30 P.M.

Prepared by,

Chris Billington
Clerk of the Council