

**From:** <ParkRD@aol.com>  
**To:** <barker@metro.dst.or.us>  
**Date:** 6/11/01 12:31PM  
**Subject:** Re: Thane Jinson

Thane's client, Joe Hanover is an important person. However important or not, the key question is on policy. I have looked over the property too from the air. As I said, if he wants to discuss the process, fine. I would love to talk with him. If he wants to lobby me though that is not so okay unless there is something so special about the property that the process will not address.

I hope this helps.

Call 6/12  
June 19  
11:00 if  
Transp. is  
came.

Hanover also wants to also talk to the nurserymen  
him about the (you)

**From:** <ParkRD@aol.com>  
**To:** <barker@metro.dst.or.us>  
**Date:** 6/11/01 9:48AM  
**Subject:** Re: Forgot one thing

In a message dated 6/11/2001 8:40:47 AM Pacific Daylight Time, barker@metro.dst.or.us writes:

> Forgot. While I was working on the previous e-mail, Thane Jinson called to  
> ask if you would be available to tour the Hanover Stump Farm property (he  
> said you'd know what he meant) next Monday or Tuesday.  
>  
> Monday looks feasible . . . in fact, you'll be in Hillsboro with David from  
> 9:30 to 10:30 a.m. This property is off 209th and TV Highway.  
>  
> What say you? I have Thane's office # (503-224-4100). I'll call if you'll  
> give me a yes or no. If you call, let me know that you did, okay? I told  
> him I'll try to let him know today. Okay? Okay. Thx.  
>

Please ask Thane if he has a policy issue he would like to discuss that will be illustrated by his client's property or is it he wants to specifically discuss his client's property? If it is a policy issue, I would be happy to meet and discuss what the process is. (ie., Metroscope modeling and other things) (This by the way is my standard response to these requests I would like you to use when these requests come in)

If he wants to show me a plan or the like for the project, then I am not as interested. State law criteria for lands to include into the UGB do not take into account project design.

I know you will handle this in your normal diplomatic fashion.

Thanks, Rod

*Bragdon's been to it  
Joe Hanover  
incl. in UGB*

**From:** Rooney Barker  
**To:** lssedan@saturncarclub.com  
**Date:** 7/11/01 9:23AM  
**Subject:** Sherwood UGB

Mr. Sullivan, thank you for your e-mail regarding the Sherwood West Urban Growth Boundary. Your comments have been placed in the record.

For your information, I'd like to refer you to Metro's Web site ([www.metro-region.org](http://www.metro-region.org)). Please scroll to the bottom of the main page, and select Growth Management (under Metro Departments and Details). Then scroll down to the Features, and select What's happening with Metro's Urban Growth Boundary? That should give you all the information you need.

Please let me know if you'd like more information.

Rooney Barker  
Council Assistant  
Metro Council Office  
503-797-1941

**From:** "LSSEDAN" <lssedan@saturncarclub.com>  
**To:** <metro council@metro.dst.or.us>  
**Date:** 7/8/01 11:03PM  
**Subject:** Fw: Sherwood West Urban Growth Boundry

F4I

----- Original Message -----

**From:** LSSEDAN  
**To:** 2040@metro-region.org  
**Sent:** Sunday, July 08, 2001 10:53 PM  
**Subject:** Sherwood West Urban Growth Boundry

Hello I am very concerned about the possible change in the UGB for West Sherwood as it is in my backyard, this is not just a figure of speach it is marked by my back fence and I would object very strongly to its demise!

I have heard that the Sherwood School District is requesting the change to allow for a school to be located on FARM LAND, South of Edy road and one mile West of highway 99.

We moved here from Tigard to avoid urban sprawl not become part of it !

Please give me any information you have on this matter so I can do my part to keep my back fence the UGB.

Thank you and best regards  
Mark Sullivan

Please send him an update of the UGB process - It is on the ~~web~~ web-  
e-mail resp. 7-11-01 9:25a

Red

July 23, 2001, 9:37 a.m.

Voice mail to Rod Park from Linda Bauer - - calling about the Genteman property and the Michaels property. I know you didn't know anything about it on Friday, and hopefully your staff has had a chance to fill you in.

The Genteman property and 162<sup>nd</sup> (152<sup>nd</sup>?) and Clatsop actually has confirmed fish spawning on that property.

The Michaels property, above Foster near 152<sup>nd</sup>, is a densely forested corridor between a couple of properties that the City of Portland just bought and Powell Butte Park. It is a forested link between the two and it would be a shame if it got developed with houses, and broke the corridor between Powell Butte Park and the other two pieces of property that the city just acquired not too long ago.

If you have any questions of me, I'm at 503-761-2941.



**From:** Michael Morrissey  
**To:** Rod Park  
**Date:** 7/25/01 11:21AM  
**Subject:** Speer Property

Speer phone #'s:

→ Pat (503) 708-0303

Mike (503) 848-2475

*reschedule  
call 8/8*

*8/2 stet  
S.A.M.*

Here's what I know, mostly from Brenda. (I also have a site map if you want to see it again.)

the property in question is a 40 acre parcel on the east end of Cornelius. It is just south of highway 8 and has a railroad abutting the north end of the property. It is EFU, that has been used for nursery. It has water, but the water has to be piped over other properties. Owner's claim is that is either difficult or unprofitable to farm, due to development to the north and west. Evidently there was an opportunity to be in the UGB when the boundary was drawn, but owner preferred to be outside and continue nursery business.

Burton and Bernards toured the site. McLain reportedly is strongly opposed to it coming into UGB. This would make sense since it is in that area that would be considered separation of communities between Hillsboro and Cornelius. Owner reports that Cornelius is interested in this property for Commercial purposes, but that is not down on paper, I think.

Since this land is within 1 mi. of ugb it could, remotely, be a candidate for phase 2 study. The soil type is type II. It was never in an urban reserve.

So. Staff explained difficulty of bringing in efu, and explained the major amendment process should they wish to take that up.

MM

**CC:** Rooney Barker

**From:** Rooney Barker  
**To:** "ParkRD@aol.com".GWIA.MetCen  
**Date:** 7/10/01 8:27AM  
**Subject:** Re: Voice Mail

Good idea. August 2, 9:00 a.m., there. I'll see if I can work that out with Mr. Spear.

Rooney Barker  
Council Assistant  
Metro Council Office  
503-797-1941

10:30

*it will be  
his brother, Joel.*

>>> <ParkRD@aol.com> 07/09/01 11:20PM >>>

In a message dated 7/9/2001 12:53:38 PM Pacific Daylight Time,  
[barker@metro.dst.or.us](mailto:barker@metro.dst.or.us) writes:

> 9:37 a.m. Again, Mike Spear. He really wants you to look at this property  
> and he really wants to talk to you about it. Listen to his voice mail. I  
> believe he's message #6.  
>

Please check to see when I am supposed to do a 2040 reengagement meeting with  
the Mayor of Cornelius. Let's see if we can combine these meetings to save  
me a trip out west.

COUNCILOR ROD PARK

600 NORTHEAST GRAND AVENUE  
TEL 503 797-1547

PORTLAND, OREGON 97232 2736  
FAX 503 797-1793



METRO

November 19, 2001

Mr. Daniel H. Kearns  
803 Oregon National Building  
610 SW Alder Street  
Portland, OR 97205

Dear Mr. Kearns:

Thank you for your letter of October 30, 2001, on behalf of the Clay Street Neighborhood Association. The Metro Council adopted Ordinance No. 01-924 on November 8<sup>th</sup>, agreeing to annex the site described in Proposal AN-0201 into the Metro jurisdictional boundary.

I believe the Council did hear all the relevant information in this case, including your presentation, according to the rules of quasi-judicial proceedings, and made the correct decision to annex. Ordinance No. 01-927, moving the Urban Growth Boundary to include this annexed area, was first read at Council on November 15<sup>th</sup>.

The Council will continue to fulfill the requirements of periodic review, towards a fall 2002 decision concerning possible expansion of the Urban Growth Boundary. Steps towards that decision may include study and recommendations regarding land in your client's area and we will keep you informed of these steps along the way.

Sincerely,



Rod Park  
Metro Council  
District One

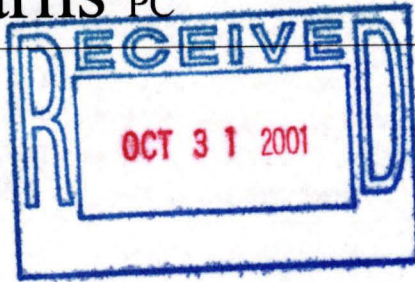
RP:rmb

I:\RodPark\Park\Kearns111901.doc



# Reeve Kearns PC

Attorneys at Law



803 Oregon National Building  
610 S.W. Alder Street  
Portland, Oregon 97205  
Telephone: 503-225-0713  
Facsimile: 503-225-0276  
e-mail: dan@reevekearns.com

Daniel H. Kearns  
Direct Dial: 503-225-1127

October 30, 2001

The Honorable Rod Park  
Metro Council  
600 NE Grand  
Portland, OR 97232

## **RE: Proposal No. AN-0201 – Annexation to Metro**

Dear Councilor Park:

I represent the Clay Street Neighborhood Association – a group of residents who live near the area proposed for annexation into Metro's jurisdictional boundary in Proposal No. AN-0201, which is set for hearing on November 8, 2001. This proposal is a prelude to UGB Case No. 01-3, which has already come before Metro and was approved on October 4, 2001. The ultimate objective of these actions is to bring the new Woman's' prison site – and only the prison properties – inside Metro's jurisdictional boundary, inside the Metro UGB and eventually annex just these properties into the City Wilsonville. My clients' objective, on the other hand, is to obtain a slightly larger annexation area that results in a more logical City boundary and UGB. In this letter, I explain more precisely what my clients need and why their proposal is more consistent with Metro's rules than is the current Wilsonville proposal. In the final analysis, we ask that Metro expand the territory it annexes into its jurisdictional boundary (not necessarily the UGB) to include my clients' properties north of Clay Street.

As a starting point, even though my clients opposed the Coffee Creek Correctional Facility on Day Road, they lost that battle, and the prison is now constructed and operating. As you know, the prison was supersited at the direction of the Oregon Legislature. However, neither the Legislature nor the supersiting law said anything about also expediting the expansion of Metro's jurisdictional boundary, expanding the UGB or Wilsonville's corporate limits to bring in the prison site. One thing everyone agrees upon is that the prison was built and can operate perfectly well under the supersiting legislation without it also being inside Metro's UGB or the City of Wilsonville. If Wilsonville wishes to annex the property for municipal financial reasons, as appears to be the case, the supersiting legislation does not address that issue,<sup>1</sup> nor does it

1 The supersiting legislation for the Coffee Creek Correctional Facility was enacted as Chapter 982, Oregon



October 30, 2001

Page 2

contemplate an expedited UGB amendment. Instead, the City and Metro were, and still are, required to follow the current law in evaluating proposals to expand Metro's jurisdictional boundary, expand the Metro UGB and annex territory into Wilsonville.

Having said that, however, the remaining policy issue is whether Metro and Wilsonville should incorporate into their respective jurisdictional boundaries just the prison properties or a somewhat larger but more logical area. My clients do not necessarily oppose the expansion of Metro's jurisdictional boundary nor Wilsonville's annexation; however, those expansions should be logical and balanced, which necessarily means they cannot be limited to just the prison properties (14 tax lots). Instead, my clients and other near-by residents wish their properties – all of which are located north of Clay Street in an existing exception area – be brought within Metro's jurisdictional boundary, and eventually into Metro's UGB and Wilsonville's city limits.

The only issue before the Metro Council on November 8, 2001 is the expansion of Metro's jurisdictional boundary – the UGB decision has already been made in principal and awaits only adoption of a final ordinance. My clients ask that the Metro Council expand the area proposed for inclusion in Metro's jurisdictional boundary to also include their properties located north of Clay Street. At the November 8<sup>th</sup> hearing, they will present a petition showing that these property owners consent to such an expansion. The expansion makes good policy sense as well. The properties in question are already within an exception area, the lots are each relatively small, *i.e.*, urban, and collectively are approximately 37 acres. The boundary that would result is more uniform and would avoid an approximately 300-foot long finger oddly jutting into Metro's boundary. Finally, Metro could also use this opportunity to bring within its boundary the Tonquin Geologic Area – one of Metro's Openspace preserves that is currently outside, but near, its jurisdiction boundary. Thank you for your consideration.

Sincerely,



Daniel H. Kearns

cc: All Metro Councilors  
Clay Street Neighbors  
Dick Benner, Esq.

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Laws 1999 (ORS 421.628) and provides in pertinent part that "Affected state agencies, counties, cities and political subdivisions shall issue the appropriate permits, licenses and certificates and enter into any intergovernmental agreements as necessary for construction and operation of the facilities, subject only to the conditions of the siting decisions." (emphasis added). A UGB amendment is not a permit, license or certificate and is not needed to construct or operate this Facility.

December 5, 2001

METRO COUNCIL  
600 NE Grand Avenue  
Portland, OR 97220

Dear Council Members:

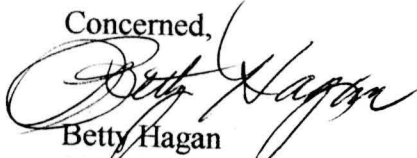
I read with dismay the article in The Oregonian, December 3, that Metro is to start land evaluations. It seems the Council has decided the Urban Growth Boundary MUST be expanded no matter what many of its constituents think. If indeed you were going to expand it, it might have been wise to do it before infill had become excessive.

Think about it – we who live in suburban areas – Tigard, Tualatin, Lake Oswego, Beaverton, Sherwood are sick of shoddy developers filling every empty lot with second-rate homes. BUT, we were willing to live with that if it meant maintaining the Urban Growth Boundary.

Most significant is the fact that Oregon is obviously in a depressed financial state, jobs are not forthcoming hence people are not flocking to this state to work and buy homes. Why expand the boundary to build homes when the economy doesn't allow for buyers. A miserable little development has sprung up in a Tigard neighborhood – inexpensive homes – buyers are not falling over themselves to purchase them. If the homes and business properties that have increased within the limits aren't being leased or selling, WHY are you so anxious to expand the boundary and have more unsold properties cluttering the landscape.

Metro is not doing enough to maintain the lovely quality of Portland that was available just a few short years ago. It would seem the Council is determined to create Los Angeles or Seattle in a city and state that has appealed to its residents because it was just plain Portland.

Concerned,

A handwritten signature in cursive script, appearing to read "Betty Hagan".

Betty Hagan  
8020 SW Bond Street  
Tigard, OR 97224