



MEMORANDUM

TO: City Council

FROM: Lauren Russell, Associate Planner

DATE: September 7, 2021

SUBJECT: APP2021-0002 Appeal of Herzog Meier Expansion Design Review Three (DR2020-0079) and APP2021-0003 Appeal of Herzog Meier Expansion Sidewalk Design Modification (SDM2020-0007) Supplemental Memorandum

This supplemental memorandum provides the City Council with an additional appellant exhibit received after the staff memorandum dated August 31, 2021, was published and submitted with the Agenda Bill packet. Staff addresses the information submitted by the appellants on September 3, 2021, and provides the Council with additional background on the regional planning context for SW Tualatin Valley Highway. Lastly, staff clarifies two issues raised by the appellants' presentation.

New Appellant Testimony

The appellants submitted one item of new testimony, attached, on behalf of Chris Meier, an owner of the subject dealership. The document provides information about typical customer service visits to the service center at the dealership, and concludes that the number of trips generated will be very low compared to the trips estimated to be generated by the Traffic Impact Analysis that the applicant's licensed transportation engineer submitted during the land use process.

While business-specific records like these potentially could have been included in the creation of an alternative TIA methodology at the time the TIA was scoped, additional technical information would certainly have been needed, including traffic counts and data from multiple similar businesses in similar locations. That alternative methodology would have been rigorously evaluated by the City Transportation Engineer in discussion with the applicant's transportation engineer.

City staff provided detailed findings starting on page 9 of the staff memorandum dated August 31, 2021, as to how trip generation assumptions are determined for development proposals. The customer counts submitted by the appellant in the new testimony was not previously made available to staff.

The ITE Trip Generation Manual is a transportation industry standard and is the preferred method within the BDC to calculate trip generation. The manual offers a standardized way to project expected vehicle traffic that is applied to nearly all Type 2 and 3 land use applications at the City. While staff do not dispute the customer numbers provided in the new testimony, customer counts leave out other types of vehicle trips that would reasonably be expected to increase with such a sizeable expansion such as increased employees and increased deliveries for parts. Additionally, the customer counts do not incorporate vehicles serviced that utilize their valet service which would increase trips to and from the site, nor do they account for customers who may rely on a friend or hire rideshare services to be picked up and dropped off. Lastly, ITE trip generation methodology that is applied to square footage is an accepted "reasonable worst case scenario" in which it assumes operations and interior layout may change. For example, hours of operation can change, or the interior of the building can be modified to change the number of bays. These operational type changes could affect traffic travelling to and from the site, but would not require a traffic impact analysis since these traffic-generator assumptions have already been assumed.

TV Highway Transit and Pedestrian Safety Planning Context

A lack of multi-modal and transit infrastructure on TV Highway creates multiple barriers to access and travel options within the corridor as well as significant safety concerns. There were 204 serious injuries and fatalities on this corridor between 2007 and 2017. Needs assessments and road safety assessments produced by jurisdictional stakeholders have produced consistent recommendations for implementing coordinated safety, transit, and multi-modal improvements throughout the corridor. These include the Tualatin Valley Corridor Plan (2013), the Aloha-Reedville Study and Community Livability Plan (2014), the Aloha Tomorrow project (2017), and Moving Forward TV Highway (2019).

More recently, Washington County has renewed efforts to address multiple deficiencies within the SW Tualatin Valley Highway Corridor and develop a complete multi-modal SW Tualatin Valley Highway Development project. Within the needs analysis for project elements, delay of Tri-Met Bus Line 57 and a decline in reliability caused by congestion, traffic signal deficiencies, and roadway geometry were identified as significant areas of need. Metro's Transportation Funding Task Force designated SW Tualatin Valley Highway as a Tier 1 priority in their 2019 Recommendation for Corridor Investments and underscored the need to complete corridor planning in order to facilitate longer term corridor investments.

SW Tualatin Valley Highway Transit and Development Project

Supported by a Federal Transit Administration HOPE (Helping Obtain Prosperity for Everyone) grant, this Metro-led project will complete planning and design for public transit improvements on SW Tualatin Valley Highway. Plans will build upon the bus rapid transit component of the SW Tualatin Valley Highway project proposed in the 2020 Get Moving transportation funding measure and connect Forest Grove, Cornelius, Hillsboro, Aloha, Beaverton, and Portland. The 2018 Regional Transportation Plan identified this corridor for future high-capacity transit. This project will move that vision forward by designing a new bus rapid transit system for SW Tualatin Valley Highway. The project will identify the location of bus stops and stop amenities, as well as roadway, signal, and sidewalk improvements for pedestrian and bicycle access. The project will be launching this fall, and is expected to be concluded in two years.

Conditions of Approval Clarifications

The presentation materials submitted by the appellants last week revealed a misunderstanding regarding the right of way required to be provided with this project. Specifically, the Planning Commission decision was not intended to require donation of right of way directly adjacent to the Volvo entrance plaza on SW Tualatin Valley Highway. The Sidewalk Design Modification approval reduced the planter strip width in that area to allow for both the ODOT requested widening of the bike lane and right turn lane to be accommodated in the future, and for the existing plaza with stormwater planters to remain in place. Staff proposes the two updated conditions of approval below to make it clear that dedication is not required where the Sidewalk Design Modification is granted on SW Tualatin Valley Highway. In addition, an updated calculation of total land donation is provided below to inform the nexus and proportionality findings.

In the previous staff memorandum dated August 31, 2021, Table 1 (page 15) provided an estimated percentage of the site's land area to be donated to ODOT along the site's frontage to SW Tualatin Valley Highway. The revised table below reflects the amount of right of way donation without the portion of the SW Tualatin Valley Highway frontage subject to the Sidewalk Design Modification application where donation is not required. In summary, the required right of way donation is reduced to roughly 0.6% of the site area, rather than staff's previous estimate of the donation to be 0.9% of the total site area.

Table 1: Revised Percentage of Site's Land Area¹ to Be Dedicated for SW Tualatin Valley Highway Public Right of Way

Site Frontage	Dedication Width	Length of Frontage	Area of Dedication	Percentage of Site's Area to Be Dedicated
SW Tualatin Valley Highway	4 feet	305 feet	1,220 square feet	0.6%

¹ The total land area is 196,891.2 square feet, which was converted from 4.52 acres pulled from Washington County's Assessment & Taxation database.

Staff provides the following revised condition language and recommends that Council adopt the revised condition language:

Design Review (DR2020-0079) Condition of Approval #27: Deed approximately four feet of right of way to the Oregon Department of Transportation along the site's frontage to SW Tualatin Valley Highway as necessary to accommodate the planned cross-section, except in the portion of the frontage that immediately abuts the Volvo entrance plaza, which is the location of the Sidewalk Design Modification. The deeded right of way shall be sufficient for the required six-foot bike lane, 13-foot right turn lane, 7'-6" planter strip including standard six-inch curb, six-foot sidewalk, and one-foot maintenance buffer behind the sidewalk, except as modified by the Sidewalk Design Modification. The deed must be to the State of Oregon, Oregon Department of Transportation. The ODOT District contact will assist in coordinating the transfer. ODOT staff shall provide verification to the local jurisdiction that this requirement has been fulfilled. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site prior to transfer of property to the Department. Note: it may take up to three months to transfer ownership of property to ODOT.

Design Review (DR2020-0079) Condition of Approval #28: Submit plans demonstrating that the required right of way donation of four feet, except in the portion of the frontage that immediately abuts the Volvo entrance plaza, which is the location of the Sidewalk Design Modification, and required sidewalk improvements along the site's SW Tualatin Valley Highway can be accommodated on the site. The following frontage improvements are required to be consistent with the Oregon Department of Transportation's Highway Design Manual: six-foot bike lane, 13-foot right turn lane, 7'-6" planter strip including standard six-inch curb, six-foot sidewalk, one-foot maintenance buffer behind the sidewalk, and ADA ramps brought up to current ODOT standards, except as modified by the Sidewalk Design Modification application (BDC 60.55.10.1, 2, and 4).

Exhibits:

Exhibit APP 1 – Appellant Materials:

APP 1.2 Daily Trip Count for Herzog Meier Volvo and VW Service Center Based on 2021 Data, received September 3, 2021

Exhibit APP 2 – Staff Materials:

No additional staff materials are provided with this memorandum

Exhibit APP 3 – Public Comment:

None received

Exhibit APP 4 – Agency Comment:

No additional agency comment received to date.

Daily Trip Count for Herzog Meier Volvo and VW Service Center Based on 2021 Data

	Total Servicing Customers	Average Service Visits per year	Annual Trips (1 visit = 2 trips)	Daily Trip count (308 day year, 6 days per week, 5 holidays)
Volvo	1185	2.3	5451	18
Volkswagen	4810	2.1	20202	66
Combined	5995	2.1	25653	84

Currently our 2021 numbers show that our VW/Volvo service department generates an average of 84 total trips per day.

There is no reason to believe that the new service center will add materially to these numbers, even though we are increasing the number of service bays from 24 to 34.

As the Volvo and VW fleets become more and more electric, the average service visits per year per customer is projected to decrease.

The staff calculated an increase in daily trips to 536, far above the current 84 trips and an order of magnitude outside of the realm of possibility.

Even if one were to project that by increasing the number of service bays by 42%, we could have a commensurate increase in daily trip count that would be an increase of 36 trips, from 84 to 120.

Submitted By Chris Meier