

REGULAR MEETING

October 18, 1999

CALL TO ORDER:

A regular meeting of the Beaverton City Council was called to order by Mayor Rob Drake in the Council Chambers, 4755 SW Griffith Drive, Beaverton, Oregon, on Monday October 18, 1999 at 6:15 p.m.

ROLL CALL:

Present were Mayor Drake, Couns. Wes Yuen, Evelyn Brzezinski, Dennis Doyle, and Forrest Soth. Also present were City Attorney Mark Pilliod, Assistant City Attorney Bill Scheiderich, and Deputy City Recorder Sue Nelson. Coun. Stanton arrived at 6:25 p.m.

EXECUTIVE SESSION:

Coun. Soth MOVED, SECONDED by Coun. Doyle that the Council move into executive session in accordance with ORS 192.660 (1)(d), to conduct deliberations with persons designated by the governing body to carry on labor negotiations. Couns. Yuen, Brzezinski, Doyle, and Soth, voting AYE, the motion CARRIED. (Coun. Cathy Stanton arrived at the end of the executive session but did not participate in the discussion.)

The executive session adjourned at 6:20 p.m.

The regular meeting reconvened at 6:45 p.m.

Also present at the regular meeting were Finance Director Patrick O'Claire, Community Development Director Joe Grillo, Engineering Director Tom Ramisch, Operations/Maintenance Director Steve Baker, Library Director Shirley George, and Human Resources Director Sandra Miller. Also Present Randy Wooley, City Transportation Engineer, and Barbara Fryer, Senior Planner.

CITIZEN COMMUNICATION:

There was no one to testify.

COUNCIL ITEMS:

Coun Stanton said she really enjoyed the Heritage Celebration; and urged everyone to attend next year. She said there were varied ethnic groups from Eskimos to East Indians.

Coun. Stanton reminded everyone that the Library Foundation dinner was Saturday night, October 23, 1999, at the Greenwood Inn. She said tickets were available from the Library Foundation.

Coun. Yuen asked if the Foundation had sent out individual invitations.

Coun. Stanton said she was on the Library Board and she had not received an invitation, so she did not think so.

Shirley George, Library Director, said the Foundation did not send out individual invitations, but it was a good idea. She said the dinner was advertised on posters and in the newspaper.

STAFF ITEMS:

Mark Pilliod, City Attorney, said that prior to the meeting tonight the City Recorder received a document from Henry Kane on an issue that the Council had decided orally two weeks earlier. He explained that the current meeting was the first regular meeting after that hearing, and was the only appropriate time for the Council to consider a motion of reconsideration. He clarified that since it was a unanimous vote of the Councilors present, the only person that could raise such a vote was the person that was absent from the meeting. He reported that Kane had included considerable argument and evidence that was not presented during the course of the hearing itself. He said he had advised the City Recorder not to distribute the document to the City Council based on the fact that it might cause confusion about whether it was part of the record or not. He stated that in the event of an appeal to LUBA it would be made part of the LUBA record; but clarified that it was not part of the Council record for purposes of a hearing. He said it was impossible to separate out the material that was a restatement of evidence and argument in the record.

Coun. Stanton said she was not present at the October 4, 1999, meeting when the Magnolia Green issue came before the Council. She said for the record; the vote was 4-0 by the Councilors and she did not see a need to look at the issue again.

Coun Yuen asked for clarification if it was those on the prevailing end of the vote, who could vote for reconsideration, not those that voted against. He said he was not aware that someone who was not present at the hearing could bring it back.

Pilliod quoted Robert's Rules of Law "a person who was absent could raise the motion."

PROCLAMATION:

October 23, 1999 as Make a Difference Day

PRESENTATION:

99-324 Washington Square Regional Center

Coun. Soth introduced the Washington Square Regional Task Force Committee: Barbara Fryer, Technical Committee, Elaine Cogan (Cogan and Associates) facilitator, John Spencer, Lloyd Lindley, Beth Wemple, and former Beaverton employees, Jim Hendricks Community Development Director, City of Tigard, and Nadine Smith Tigard staff person.

Jim Hendricks said they were present to introduce the Washington Square Regional Center Plan (Plan), and noted that the effort was between Beaverton, Washington County, and Tigard. He said the Plan would go before the Tigard Planning Commission at the end of November and to the Tigard City Council in December. He said there was a 27-member task force; and they worked for over one year to develop the Plan. He said their recommendation to Beaverton was to adopt the recommendations contained in the Plan. He said there were some land use and zoning recommendations in the plan.

Elaine Cogan reported that they had 18 meetings, some with long hours, since their style was to not leave an issue until they had a consensus. She noted that the process involved four public events. She said they held an event in the middle of the Washington Square Mall (Mall) and captured the opinions of people that were shopping at the Mall who might not ever go to a public meeting. She said they asked people what they thought the Regional Center should be like.

Cogan said they dealt with policy issues on land use, transportation, open space, recreation, and commercial areas. She noted that the people they spoke with could be characterized in three different groups: (1) the realists who accept the conditions, accept the growth and how to accommodate it; (2) the deniers who say "maybe if we don't encourage growth it won't come;" and (3) the skeptics who don't believe in the power of government to do anything about growth.

John Spencer said he would talk about the big picture and some major findings, and noted that the boundaries were expanded due to transportation issues. He pointed out that the study area included: to the north a grammar school and the Progress Downs Golf Course to Hall Blvd. to 217, follows Ash Creek to Fanno Creek, Fanno Creek the west side of 217 back to Scholls. He said it was about 1200 acres, most in the City of Tigard, and some unincorporated areas, as well as the area of Metzger. He reported that there were about 18,000 people employed in

that area, with 5,000 people who reside there in about 2500 housing units. He noted that they concluded there would be about 10,000 new jobs in the district and 1500 to 2000 new housing units. He clarified that that would be about a 55% increase in jobs and about 65% increase in people living in the district. He explained that they had to look hard to find places where development and redevelopment could occur, and half the area targeted for development had existing buildings that would be torn down and surface parking lots that would be redeveloped. He said that was significant in the Nimbus area; one-story buildings would be redeveloped for office space. He reported that there were about 200 acres that would be available for growth within the next twenty years. He said the largest issue was transportation in the area and across 217, since there was a lot of employment on the west side of 217 and a regional shopping center on the east side. He noted that an issue was how people could get back and forth without using a car.

Spencer said the area had a retail core, a finance district, employment district, residential neighborhoods, and the opportunity to create a greenbelt all around the regional center. He noted that the vision for the area was a dense concentration of employment, off-site and residential uses, tied together by some innovative transportation, new crossings of 217, and open space greenbelt, to tie the whole region together. He said within the City of Beaverton, they had developed Comprehensive Plan amendments that included a new zoning code for some mixed-use zones that Tigard did not have. He said they would be taking that concept to the Tigard Planning Commission. He reported that what they were recommending for the area within Beaverton (Nimbus) was something comparable to Tigard's Mixed Use Employment Zone (MUE). He said that Employment Zone would be appropriate for both the City of Beaverton and Tigard on the west side of 217. He pointed out that the drawings indicated the lowest density Employment District would allow sixty foot tall buildings, minimum FAR .6 (FAR was the ratio between the land area and the square footage of buildings on the land). He explained that FAR .6 meant 6,000 square feet of building on a 10,000 square foot lot, and most of the development was .3 FAR. He said the higher area density Employment District in the City of Beaverton would result in about 4,000 new jobs. He said the lower density would be about 1,500 new jobs.

Coun, Stanton pointed out that the region had a separate level of government that no one else in the United States had and that was Metro and noted that Metro had decided that the area around Washington Square would be a Regional Center. She clarified that the Regional Center would have to provide employment and housing for the regional area. She said the regional counties had to figure how to add more people onto the ground they already had and more jobs for the next twenty years. She reiterated that the Regional Center was a Metro requirement and what they were hearing that night was how it may or may not impact Beaverton in the portion that was west of 217.

Coun. Stanton said if there were a proposed 8,000 new jobs and 1,000 new housing units, she wondered what the number was currently.

Spencer clarified that the 8,000 jobs and 1,000 new housing units were the City of Tigard's requirements to accommodate growth in the area. He said employment in the area now was about 18,000, there were 2,600 units of housing and about 5,000 people.

Coun. Stanton noted that MUE-2 west of 217, crossed Fanno Creek into Tualatin Hills Park and Recreation District (THPRD) territory and asked how that could happen. She said that was part of the Greenway Park.

Spencer said there were lots of layers of regulations that applied to those areas.

Coun. Stanton asked how much of the 1200 acres was off limits because it was greenspace.

Spencer said the amount of land for development was 200 acres.

Lloyd Lindley, Urban Designer, explained that they had determined that the Washington Square area was a small city itself, with 18,000 employees and 5,000 residents. He said there were three roads that served the area: Hall Blvd., Scholls Ferry Road, Greenberg Road, and neighborhood collectors. He said their observation was there needed to be better north-south transportation through the district and better connectivity between the east side and the west side of 217. He noted that the employment base was the Nimbus area with 17,000 employees, and there was as strong desire to get people from the Nimbus area to Washington Square without having to use 217 or Hall Blvd. He reported that they had looked at an extension to Nimbus as a south access, as well as an extension of Locust to across 217 into Nimbus to connect to a computer rail or possibly a people-mover system throughout the area. He said they talked about a people-mover as possibly a streetcar, rubber tire vehicle, a bus, or a rail car.

Coun. Stanton asked if Tri-Met had a representative on the committee.

Wemple said they did not have a representative on the committee but a staff person attended the meetings on a regular basis. She reported that Metro had seen the plan and were a part of the Technical Advisory Committee.

Coun. Stanton asked if all transportation would have to be self-funded if Tri-Met was not going to fund it.

Wemple replied that the people-mover would have to be self-funded. She said the improvements to the transit system would come out of Tri-Met's pocket.

Coun. Soth said Tri-Met people did attend the meetings and provided input; their comments were not restricted in any way.

Lindley said the other modes of transportation they were trying to enhance were bicycle and pedestrian transportation throughout the district, and they looked at creating pedestrian streets with east/west access. He said the greenbelt concept using Fanno Creek and Ash Creek to Metzger Park would provide an all around greenbelt area. He reported that the City of Portland was amenable to walking trails through the golf course; he said they proposed a pedestrian crossing over 217 at the north and south ends.

Coun. Stanton asked if the crossing would be at Denney or a new crossing.

Lindley said it would be a new pedestrian crossing that would go past Whitford School. He noted that the cemetery was not considered in the open space plans, and would remain the same. He reported that they formulated some recommendations as follows: 1) seek to purchase the lands to complete the greenbelt, 2) purchase or request dedications of park lands adjacent to significant new development which would be a bonus for those who improve the wetlands or flood plain areas, 3) begin discussions and acquire the rights to construct pedestrian bridges over 217, 4) investigate the feasibility of forming a public/private partnership with the Mall to develop a central plaza, 5) cooperate with private land owners and commuter rail representatives to encourage the operation of commuter rail, and 6) study the feasibility of alignment for a people mover.

Spencer said the commuter rail station in discussion would be in Beaverton, north of Scholls.

Coun. Stanton asked about the extension of Nimbus and Locust. She wondered if the pedestrian crossings over 217, would be separate from Locust.

Wemple replied there would be a multi-modal structure for bicycles, pedestrians and cars, and the pedestrian crossing would be separate.

Coun. Stanton stated that Locust looked good to her, and asked if they got comments from the people that live on Locust.

Wemple reported that they got a lot of feedback, and one of the recommendations was to develop Locust and Oak as collector roads, traffic calmed, to carry cars at low rates of speed.

Spencer said in response to the Metzger neighborhood, they recommended that the emphasis of access be on Oak, and complete the street between Locust and Oak to preserve the neighborhood.

Coun. Doyle asked about the expansion of Hall Blvd. to five lanes. He noted that the task force endorsed the expansion to three lanes and he wondered why three lanes were more appropriate than five.

Wemple replied that the committee focused on the connections across Nimbus and Locust and the five-lane road right-of-way (ROW) might be acquired at some point; but it would be designed to three lane standards with multi-modal bike paths and pedestrian sidewalks to occur outside of the five-lane ROW.

Coun. Soth explained that the concept was a three-lane road within a five-lane ROW to preserve the ultimate widening to five lanes when and if that might be necessary.

Coun. Doyle pointed out that said Hall Blvd. was an adventure at 2:00 p.m., and wondered if there was any hope.

Cogan said what Coun. Doyle was referring to was bigger than transportation. She reported that the 5,000 that lived in the area resided in Metzger, which was an old established area that had three representatives on the Task Force, where as every other jurisdiction had one. She said the three-lane Hall Blvd. compromise was due to the influence from the Metzger area. She said Metzger was preserved on the Plan.

Coun. Doyle clarified that he meant Hall Blvd. on the Beaverton side of 217; he didn't see how that could be fixed. He said he hoped that the other passes over the road from the east and west would ease the traffic.

Lindley explained that they proposed to use Nimbus to connect to Greenberg, and they were also looking at Cascade so it would go underneath Scholls Ferry.

Coun. Stanton said a Regional Center was a magnet per Metro definition and would draw people. She said that the 2040 Plan was for 10,000 more jobs and 1500 plus housing units and wondered what would happen in 2010 with the Regional Center. She said the Plan was great for internal circulation but would not help the clogs on Pacific Highway where people cut through streets to get back to Washington Square.

Wemple explained that they wanted to get the through trips on the major roadway (217), and local trips on lower order roads (Greenberg, Locust), with the widening of 217 to six lanes and 99W also as a wider facility.

Coun. Stanton asked about the two scenarios. She asked if the map referred to the preferred scenario.

Lindley said that was correct, the lower density MUE-2 zone would be used for the Nimbus area.

Coun. Stanton asked if, years from now, on the Beaverton side of 217 and Nimbus, would Beaverton have to adapt the Plan and density.

Spencer said they were offering a vision for the whole District; it would be up to the City of Beaverton to determine what to do about it.

Mayor Drake pointed out that staff had provided the committee the view from the Beaverton side of the map. He said in their functional numbers to Metro they came up with about 85% of their target on jobs and 92% on housing.

Coun. Doyle asked what the likelihood was that the dollars could be developed locally regionally or by the state, or would that be the next step.

Cogan explained that the very nature of creating a Regional Center would put the area in a different category for funding for transportation improvements. She said ODOT and Metro would look at the Regional Center area differently, and the Plan would carry out Metro's mandates. She stated that Metro could not deliver a million-dollar check for it, but it would get closer to the top of the list.

Coun. Soth pointed out that they were not talking about tomorrow or next year, it would be spread over a multi-year scenario of at least twenty years and possibly more. He said some of it would happen as a result of development, and some of it would result from when the situation got bad enough the people would do something about it. He stated that it was his pleasure to have worked on the project.

CONSENT AGENDA:

Coun. Soth said the Council would pull AB 99-316 the Traffic Control Board 418 issue to be discussed at the next regularly scheduled Council meeting.

Coun. Soth MOVED, SECONDED, by Coun. Brzezinski that the consent agenda be approved as follows:

Minutes of the Joint Meeting of June 7, 1999, and June 14, 1999

- 99-314 Liquor License - New Outlet: Pyung Yang Myunoak
- 99-315 VAR 99-00018 Rose Biggi and Henry Street
- 99-316 Traffic Control Board Issues 414 and 416-419 (418 pulled)
- 99-317 Boards and Commissions Appointments
- 99-325 Authorize Funds for Beaver Creek Apartments Settlement for Extension of

Lombard Street

Contract Review Board:

99-318 Waiver of Sealed Bidding – Purchase 11 Vehicles From the State of Oregon Price Agreement

99-319 Contract Award for In-House Computer Training

Coun. Brzezinski said she would abstain from voting on the Minutes of the meeting of June 7, 1999, since she was not at that meeting.

Coun. Stanton said she would abstain from voting on AB 99-325.

Coun. Doyle commended staff for reviewing the in-house computer piece.

Coun. Soth asked if the City was still only purchasing Ford vehicles.

Steve Baker, Operations Director, replied they were purchasing some vehicles off the State Price Agreement, which allowed them to buy Dodges, Chevy's, and GMC's.

Question called on the motion. Couns. Soth, Yuen, Stanton, Brzezinski, and Doyle, voting AYE, Motion carried (5-0). (Coun. Stanton abstained from voting on AB 99-315, and Coun. Brzezinski abstained from voting on the minutes of 6/7/99.)

ORDINANCES:

Suspend Rules:

Coun. Soth MOVED, SECONDED by Coun. Yuen that the rules be suspended and that the ordinances embodied in AB 99-320, 99-321, 99-322, 99-323 be read for the first time by title only at this meeting, and for the second time by title only at the next regular meeting of the Council. Couns. Yuen, Brzezinski, Doyle, Stanton and Doyle voting AYE, the motion CARRIED unanimously (5:0).

Pilliod read the ordinances for the first time by title only:

First Reading:

99-320 An Ordinance Amending Ordinance No. 2050, the Development Code, by Adding New Provisions for Regional Center Zoning Districts and Modifying the Existing Town Center Commercial Zoning Text to Assure Internal Consistency throughout the Code; TA 980005 (Appeal)

An Ordinance Amending Ordinance No. 2050, the Zoning Map, from Town Center (TC) to Regional Center – Transit Oriented (RC-TO), Regional Center – East (RC-E) and Regional Center – Old Town (RC-OT), RZ 980015

Mayor Drake said AB 99-320 and AB 99-321 would be tabled and brought before the Council on November 1, 1999.

99-322

An Ordinance Amending Ordinance No. 2050, the Development Code, By Cleaning Up Awkward Phrasing, Correcting Grammatical and Syntax Errors and Codifying Previous Planning Director Interpretations and City Council Actions; TA 990001 (1999 Omnibus)

99-323

An Ordinance Amending Ordinance No. 1800, the Comprehensive Plan Map and Ordinance No 2050, The Zoning Map, to Reassign the County R-6 Designation to City Urban Standard Residential Comprehensive Plan Map Designation and City R-5 Zoning District for 28 Acres of Property and Granting Flexible Setbacks; CPA 98003, RZ 980004 and FS 9900012 (Satterberg West/Deer Creek)

Second Reading and Passage:

Pilliod read the following ordinance for the second time by title only:

99-312

An Ordinance Annexing 0.02 Acres of Land Lying Generally Outside of the Existing City Limits to the City of Beaverton; ANX 99-00006, (Edgewood Downs)

Coun. Soth MOVED, SECONDED, by Coun. Doyle that the ordinance embodied in AB 99-312 now pass. Roll call vote. Couns. Yuen, Brzezinski, Doyle, Soth and Stanton voting AYE, the motion CARRIED unanimously (5:0)

RECESS:

The regular meeting was recessed at 7:55 p.m.

EXECUTIVE SESSION:

Coun. Soth MOVED, SECONDED by Coun. Doyle that Council move into executive session in accordance with ORS 192.660 (1)(h), to conduct deliberations with persons designated by the governing body to carry on legal counsel. Pursuant to ORS 192.660 (3), it is Council's wish that the items to be discussed not be disclosed by media representatives or others.

The executive session reconvened at 8:05 p.m.

The executive session adjourned at 9:15 p.m.

RECONVENED:

The regular meeting reconvened at 9:16 p.m.

Mayor Drake invited the Councilors to attend the Halloween employee lunch on October 29, from 11:30 a.m. to 2:00 p.m.

ADJOURNMENT:

There being no further business to come before the Council at this time, the meeting was adjourned at 9:20 p.m.

Sue Nelson, Deputy City Recorder

APPROVAL:

Approved this 15th day of November, 1999

Rob Drake, Mayor