



# BASALT CREEK CONCEPT PLAN

Attachment 15: Basalt Creek Concept Plan  
Citizen Input Submitted to  
City of Tualatin



*City of Tualatin*

## **Attachment H:**

Public Comment Record Index





Year	Date	Last	First	format	Link to oral testimony video where available
<b>2013</b>					
2013	7/17/2013	Lucini	Grace	written	
2013	11/4/2013	Lucini	Grace	written	
<b>2014</b>					
2014	1/6/2014	Lucini	Grace	written	
2014	1/12/2014	Koss	Herb	written	
2014	1/13/2014	Lucini	Grace	Council Meeting Oral Testimony	<a href="mms://video.tualatinoregon.gov/TualatinOnDemand/CouncilMeeting01132014.asf">mms://video.tualatinoregon.gov/TualatinOnDemand/CouncilMeeting01132014.asf</a>
2014	1/13/2014	Lucini	Grace	Council Meeting Oral Testimony	<a href="mms://video.tualatinoregon.gov/TualatinOnDemand/CouncilMeeting01132014.asf">mms://video.tualatinoregon.gov/TualatinOnDemand/CouncilMeeting01132014.asf</a>
2014	1/27/2014	Lucini	Grace	written	
2014	4/21/2014	Lucini	Grace	written	
2014	4/24/2014	Lucini	Grace	written	
2014	6/19/2014	Lucini	Grace	TPC Oral Testimony	
2014	6/19/2014	Lucini	Grace	written	
2014	6/25/2014	Lucini	Grace	written	
2014	7/9/2014	Davis	Tim	written	
2014	7/14/2014	Lucini	Grace	Council Meeting Oral Testimony	<a href="http://tualatinoregon.pegcentral.com/player.php?video=926baa198321219c51b7ae176adf33cd">http://tualatinoregon.pegcentral.com/player.php?video=926baa198321219c51b7ae176adf33cd</a>
2014	7/14/2014	Lucini	Grace	written	
2014	7/14/2014	Lucini	Grace	Council Meeting Oral Testimony	<a href="http://tualatinoregon.pegcentral.com/player.php?video=926baa198321219c51b7ae176adf33cd">http://tualatinoregon.pegcentral.com/player.php?video=926baa198321219c51b7ae176adf33cd</a>
2014	8/25/2014	Root	Gordon	Council Meeting Oral Testimony	<a href="http://tualatinoregon.pegcentral.com/player.php?video=c60c9a5935c4b6eed9498606a831108f">http://tualatinoregon.pegcentral.com/player.php?video=c60c9a5935c4b6eed9498606a831108f</a>
2014	8/25/2014	Root	Gordon	Council Meeting Oral Testimony	<a href="http://tualatinoregon.pegcentral.com/player.php?video=c60c9a5935c4b6eed9498606a831108f">http://tualatinoregon.pegcentral.com/player.php?video=c60c9a5935c4b6eed9498606a831108f</a>
2014	12/7/2014	Lucini	Grace	written	
<b>2015</b>					
2015	4/17/2015	Lucini	Grace	written	
2015	6/15/2015	Lucini	Grace	written	
2015	7/8/2015	Koss	Herb	written	
2015	8/4/2015	Koss	Herb	written	
2015	8/20/2015	Lucini	Grace	written	
2015	8/20/2015	Lucini	Grace	written	
2015	8/21/2015	Koss	Herb	written	
2015	9/10/2015	Lucini	Grace	written	
2015	9/11/2015	Koss	Herb	written	
2015	10/3/2015	Koss	Herb	written	
2015	10/21/2015	Lucini	Grace and John	written	
2015	12/7/2015	Lucini	Grace	written	
2015	12/14/2015	Lucini	Grace	written	
<b>2016</b>					
2016	2/7/2016	Lucini	Grace	written	
2016	3/9/2016	Lucini	Grace	written	
2016	4/7/2016	Lucini	Grace	written	
2016	5/19/2016	Leitgeb	Sherman	TPC Oral Testimony	
2016	5/19/2016	Lucini	Grace	TPC Oral Testimony	
2016	5/20/2016	Lucini	Grace	written	
2016	6/1/2016	<i>Combined comment log</i>		written	
2016	6/8/2016	Lucini	Grace	written	
2016	8/24/2016	Koss	Herb	written	
2016	9/9/2016	Lucini	Grace	written	
2016	9/9/2016	Lucini	Grace	written	
2016	9/19/2016	Lucini	Grace	written	
2016	9/27/2016	<i>Combined comment log</i>		written	
2016	10/4/2016	Koss	Herb	written	
2016	10/5/2016	Koss	Herb	written	
2016	10/5/2016	Koss	Herb	written	
2016	10/10/2016	Koss	Herb	written	
2016	10/10/2016	Koss	Herb	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=13856">http://208.71.205.11/cablecastapi/embed?show_id=13856</a>
2016	10/10/2016	Leitgeb	Sherman	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=13856">http://208.71.205.11/cablecastapi/embed?show_id=13856</a>
2016	10/10/2016	Lucini	Grace	written	

2016	10/10/2016	Morrison	Paul	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=13856">http://208.71.205.11/cablecastapi/embed?show_id=13856</a>
2016	10/11/2016	Koss	Herb	written	
2016	10/17/2016	A-Sanaei	Mehdi	written	
2016	10/17/2016	Lucini	John and Grace	written	
2016	10/17/2016	Mast	Marvin and Carlene	written	
2016	11/23/2016	Lucini	Grace	written	
2016	11/28/2016	Alvstad	Randy	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14010">http://208.71.205.11/cablecastapi/embed?show_id=14010</a>
2016	11/28/2016	Childs	Hannah	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14010">http://208.71.205.11/cablecastapi/embed?show_id=14010</a>
2016	11/28/2016	Fox	Lois	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14010">http://208.71.205.11/cablecastapi/embed?show_id=14010</a>
2016	11/28/2016	Hanson	Don	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14010">http://208.71.205.11/cablecastapi/embed?show_id=14010</a>
2016	11/28/2016	Hutchinson	Heather	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14010">http://208.71.205.11/cablecastapi/embed?show_id=14010</a>
2016	11/28/2016	Koss	Herb	written	
2016	11/28/2016	Leitgeb	Lark	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14010">http://208.71.205.11/cablecastapi/embed?show_id=14010</a>
2016	11/28/2016	Leitgeb	Sherman	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14010">http://208.71.205.11/cablecastapi/embed?show_id=14010</a>
2016	11/28/2016	Morrison	Paul	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14010">http://208.71.205.11/cablecastapi/embed?show_id=14010</a>
2016	11/28/2016	Powell	Scott	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14010">http://208.71.205.11/cablecastapi/embed?show_id=14010</a>
2016	11/29/2016	Re	Tom	written	
2016	11/30/2016	Koss	Herb	written	
<b>2017</b>					
2017	1/12/2017	Lucini	Grace	written	
2017	1/17/2017	Koss	Herb	written	
2017	1/19/2017	Childs	Tom	TPC Oral Testimony	
2017	1/19/2017	Fox	Lois	TPC Oral Testimony	
2017	1/19/2017	Koss	Herb	written	
2017	1/19/2017	Leitgeb	Sherman	TPC Oral Testimony	
2017	1/19/2017	Lucini	Grace	written	
2017	1/19/2017	Lucini	Grace	TPC Oral Testimony	
2017	1/19/2017	Odams	Jim	TPC Oral Testimony	
2017	1/30/2017	Lucini	Grace	written	
2017	2/12/2017	Koss	Herb	written	
2017	2/12/2017	Watts	Peter	written	
2017	2/12/2017	Watts	Peter	written	
2017	2/13/2017	Koss	Herb	written	
2017	2/13/2017	Yurecko	Steve	written	
2017	3/27/2017	Lucini	Grace	written	
2017	4/15/2017	Koss	Herb	written	
2017	4/17/2017	Koss	Herb	written	
2017	4/18/2017	Koss	Herb	written	
2017	4/26/2017	Lucini	Grace	written	
2017	5/2/2017	Koss	Herb	written	
2017	5/19/2017	Koss	Herb	written	
2017	5/23/2017	Koss	Herb	written	
2017	5/31/2017	Koss	Herb	written	
2017	6/1/2017	Koss	Herb	written	
2017	6/6/2017	Koss	Herb	written	
2017	6/28/2017	Koss	Herb	written	
2017	7/20/2017	Weller	Tony	written	
2017	7/21/2017	Hanson	Don	written	
2017	7/24/2017	Childs	Hannah	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14847">http://208.71.205.11/cablecastapi/embed?show_id=14847</a>

2017	7/24/2017	Childs	Tom	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14847">http://208.71.205.11/cablecastapi/embed?show_id=14847</a>
2017	7/24/2017	Knapp	Tim	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14847">http://208.71.205.11/cablecastapi/embed?show_id=14847</a>
2017	7/24/2017	Koss	Herb	written	
2017	7/24/2017	Koss	Herb	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14847">http://208.71.205.11/cablecastapi/embed?show_id=14847</a>
2017	7/24/2017	Leigh	Ashley	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14847">http://208.71.205.11/cablecastapi/embed?show_id=14847</a>
2017	7/24/2017	Leitgeb	Sherman	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14847">http://208.71.205.11/cablecastapi/embed?show_id=14847</a>
2017	7/24/2017	Luster	Debbie	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14847">http://208.71.205.11/cablecastapi/embed?show_id=14847</a>
2017	7/24/2017	Powell	Scott	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14847">http://208.71.205.11/cablecastapi/embed?show_id=14847</a>
2017	7/24/2017	Root	Gordon	Council Meeting Oral Testimony	<a href="http://208.71.205.11/cablecastapi/embed?show_id=14847">http://208.71.205.11/cablecastapi/embed?show_id=14847</a>
2017	8/29/2017	Koss	Herb	written	
2017	8/30/2017	Koss	Herb	written	
2017	9/18/2017	Re	Tom	written	
2017	10/20/2017	Lucini	Grace	TPC Oral Testimony	
2017	11/15/2017	Lucini	Grace	written	
2017	11/15/2017	Re	Tom	written	
2017	11/19/2017	Koss	Herb	written	
2017	12/6/2017	Root	Gordon	written	
2017	12/7/2017	Re	Tom	written	
2017	12/9/2017	Koss	Herb	written	
2017	12/11/2017	Chamburg	Scott	Council Meeting Oral Testimony	<a href="http://208.71.205.11/vod/15310-TUCC-121117-Medium-v1.mp4">http://208.71.205.11/vod/15310-TUCC-121117-Medium-v1.mp4</a>
2017	12/12/2017	Re	Tom	written	
<b>2018</b>					
2018	2/7/2018	Re	Tom	written	
2018	2/23/2018	Koss	Herb	written	
2018	2/24/2018	Koss	Herb	written	
2018	2/27/2018	Koss	Herb	written	
2018	2/27/2018	Koss	Herb	written	
2018	2/27/2018	Koss	Herb	written	
2018	2/27/2018	Re	Tom	written	
2018	2/28/2018	Watts	Peter	written	
2018	3/8/2018	Koss	Herb	written	
2018	4/3/2018	Koss	Herb	written	
2018	4/5/2018	Lucini	Grace	written	
2018	4/5/2018	Lucini	Grace	written	
2018	4/5/2018	Lucini	Grace	written	
2018	4/9/2018	Re	Tom	written	
2018	4/9/2018	Root	Gordon	written	
2018	4/12/2018	Koss	Herb	written	
2018	4/17/2018	Koss	Herb	written	
2018	4/20/2018	Koss	Herb	written	
2018	4/20/2018	Koss	Herb	written	
2018	4/22/2018	Koss	Herb	written	
2018	6/4/2018	Lucini	Grace	written	
2018	6/11/2018	Lucini	Grace	written	
2018	6/11/2018	Lucini	Grace	written	
2018	6/11/2018	Lucini	Grace	written	
2018	6/21/2018	Lucini	Grace	written	
2018	6/22/2018	Lucini	Grace	written	
2018	6/22/2018	Lucini	Grace	written	
2018	6/25/2018	Lucini	Grace	Council Meeting Oral Testimony	<a href="http://208.71.205.11/vod/15962-TUCC-062518-Medium-v1.mp4">http://208.71.205.11/vod/15962-TUCC-062518-Medium-v1.mp4</a>
2018	6/26/2018	Lucini	Grace	written	
2018	6/26/2018	Re	Tom	written	
2018	7/11/2018	Lucini	Grace	written	



*City of Tualatin*

## **Attachment H1:**

Public Comment Record 2013-2014



GRACE LUCINI  
23677 SW Boones Ferry Road  
Tualatin Oregon, 97062  
503 692-9890

Wednesday, July 17, 2013

Tualatin City Council  
18880 SW Martinazzi Ave  
Tualatin, OR 97062-7092

RE: Letter and Attachments for Public Record  
For City Council Meeting July 22, 2013 Informational Packet  
Agenda Item #D4- Addendum to Basalt Creek Inter-Governmental Agreement

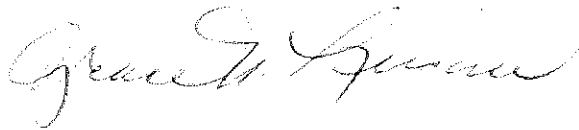
Please include for Public Record the following letter and 9 attachments-- in the informational packet for the Tualatin City Council Meeting scheduled for Monday July 22, 2013.

The attached letter relates to and provides additional information on agenda item #D4- Authorization for the Mayor to Sign an Addendum to the Basalt Creek Inter-Governmental Agreement (IGA).

This letter was written to the Washington County Board of Commissioners in opposition of proposed Washington County Ordinance 767.

A flash drive with digital copies of the letter and attachments is provided as well.

Respectfully submitted,



Grace Lucini

Hand delivered 7-17-2013

FOR THE RECORD---PUBLIC COMMENT LETTER

**PROPOSED WASHINGTON COUNTY ORDINANCE 767**

**---PORTION RELATING TO - BASALT CREEK TRANSPORTATION REFINEMENT PLAN**

**July 15, 2013**

The proposed Ordinance 767 fails to achieve the goals of the Basalt Creek Transportation Refinement Plan.

The location of the Proposed Arterial Through-Truck Route as identified in proposed Ordinance 767 (Exhibit 1, Pages 1-6) does not provide direct access from, "Tualatin – Sherwood Road to I- 5 in North Wilsonville through the Basalt Creek Planning Area which is currently between the cities of Tualatin to the north, and Wilsonville to the south" Introduction Basalt Creek Transportation Refinement Plan Recommendations- Final Draft (Please See Attachment #7)

Additionally there was not sufficient due diligence in the analysis evaluating the proposed location of the Arterial Through-Truck Route as opposed to other locations with regards to:

1. Environmental Impact to Identified Significant Natural Areas in the proposed location
2. Topographical/Road Grade Limitations in the proposed location
3. Ability to integrate multi-modal forms of transportation in the proposed location
4. Estimated Cost and Integration with other Basalt Creek Projects with the proposed location
5. Actual inclusion of Public Outreach into the decision making process
6. Compatibility and Integration with Clackamas County TSP– Stafford Basin

**BACKGROUND**

The stated goal of the 2035 RTP Project List Basalt Creek Planning Area City-County-Metro IGA (Exhibit 4) Metro Project ID #11342 was to "Improve access to and from the Southern Arterial and I-5".

The selected route alternative (also known as the Basalt Creek East-West Connector; or Grahams Ferry to Boones Ferry Road Connector) is identified in Ordinance 767, and delineated in the Basalt Creek Transportation Refinement Plan. While project staff had the flexibility inherent in designing a new route, while doing so did not address, or provide adequate information for public discussion, regarding significant factors which exist along the proposed Major Arterial 5 Lane Regional Freight Route.

The Grahams Ferry Road to Boones Ferry Road Connector was the only location of the four alternatives proposed to the Policy Advisory Group, which requires a bridge with a 6% grade, and the only alternative of the four which is located in an area with the highest valued environmental habitat.

## **1. NEGATIVE ENVIRONMENTAL IMPACT of Selected Freight Route in proposed Ordinance 767**

Washington County knows or should have known the specific location of the proposed freight route is through several environmentally significant natural resources and disclosed such during public meetings for proper vetting of the alternatives:

- Wetlands identified on the National Wetland Inventory *(Please see Attachment #1)*
- Near or including Potentially Jurisdictional Wetlands of the State or US – Letter to Washington County from Oregon Department of State Lands 6-3-2013, regarding SW Boones Ferry Road Improvement Project *(Please see Attachment #2)*
- Near or including Potentially Jurisdictional Waters of the State or US – Letter to Washington County from Oregon Department of State Lands 6-3-2013, regarding SW Boones Ferry Road Improvement Project *(Please see Attachment #2)*
- Tapman Creek which lies between Grahams Ferry Road and Boones Ferry Road in the location of the proposed freight route, is part of the Willamette Watershed and tributary to the Willamette River. The City of Wilsonville is required to file a TMDL report because of the pollution with the local waters. Tapman Creek is a contributory to that drainage system.
- Metro- Tier II Tonquin Geologic Target Area – Resolution #07-3850 *(Please see Attachment #3)*
- Metro Upland Class A Habitat *(Please see Attachment #4)*
- Metro Riparian Class I *(Please see Attachment #4)*
- Metro Wetland *(Please see Attachment #4)*
- Washington County Goal 5 – Significant Natural Area- Ordinance 671 *(Please see Attachment #5)*
- Washington County Goal 5 – Water Area, Wetlands & Fish and Wildlife Habitat - Ordinance 671 *(Please see Attachment #5)*

Preliminary project design plans *(Please see Attachment # 6 )* show a significantly large cut and fill into the identified wetlands will be necessary to be able to lower the grade of the required bridge through the wetlands to a 6% grade.

However, the project staff/consultants have commented the level of environmental evaluation utilized in the site selection process provided to the Basalt Creek Policy Advisory Group, did not go past the preliminary level of evaluation (i.e. presence of wetlands or not).

Upon being questioned at a Tualatin City Council Work Session, project staff commented the location of the East-West Connector had not undergone a CETAS evaluation; adding, a CETAS evaluation had been done at another location relating to the Highway 99 to I- 5 selection process.

It is not known if this proposed project has been submitted for evaluation under ODOTS Major Transportation Projects Agreement...

“Objectives of the Agreement for Environmental Streamlining of Major Transportation Projects (Agreement)

The signatory agencies to this Agreement wish to ensure full communication, participation, and early involvement in the Oregon Department of Transportation’s (ODOT’s) major transportation projects: those processed with an Environmental Impact Statement (EIS) or Environmental Assessment (EA) that are likely to impact cultural or natural resources. The anticipated benefits are:

- Improved cooperation and efficiency among agencies;
- Greater environmental protections; and
- Projects completed in budget and on time.”

### Potential Conflict of Interest

Local governments are given the authority to implement and oversee Title 13 and Goal 5 measures. Does a conflict of interest regarding Title 13 and Goal 5 measures develop when the local government is also the applicant/developer?

On another Basalt Creek Project, the SW Boones Ferry Road Improvement Project, Oregon DLS confirmed the existence of wetlands within the scope of the project (*Please see Attachment #2*). Washington County was the applicant for the Land Use Category B application.

In the Notice of Decision and Staff Report on the project’s Land Use application it was stated,

“Washington County Department of Land Use and Transportation is the holder of a NPDES 1200CA permit issued by the Oregon Department of Environmental Quality. County staff includes certified erosion control inspectors, and the project must only notify DEQ of the project to perform construction under the issued permit. A separate 12000C permit is not required from any other agency”.

The self-governing relationship Washington County enjoys with itself, causes one to question if environmental concerns are given unbiased oversight evaluation. Has the negative impact upon the various significant natural resources identified at the proposed location of Ordinance 767 in the Basalt Creek Area, be given the appropriate level of evaluation by unbiased agencies?

The location of the proposed route is also outside the boundaries of Clear Water Services, which again limits the oversight of this project with regard to potential negative impact to and protection of natural resources.

Additional factors which should also have been considered and disclosed as part of analysis of the proposed freight arterial is the compounding impact of the 6% grade bridge and resulting:

- Pollution from Road Run-off into wetlands
- De-icing solution run-off into wetlands acerbated due to the steep bridge grade
- Noise pollution- The noise factor from freight truck compression brakes (Jake Brakes) used on the 6% grade bridge will be amplified by the elevation of the bridge, and by the topography of the surrounding ravine.
  - Will remedy be provided for local residences prohibiting the use of Jake Brakes along this section of the arterial as part of the Ordinance?
  - If use of Jake Brakes is prohibited, what effect will this have on freight trucks descending the 6% grade which will be a required feature of this route selection.
  - This this issue should have been discussed as part of the public analysis of the site selection.



## **2. TOPOGRAPHICAL IMPACTS OF SELECTED ROUTE UPON FLOW OF FREIGHT TRAFFIC**

The proposed routing of the Regional Arterial Freight Route includes several design factors known to increase freight congestion and bottlenecks:

- **6% Grade Bridge**-County staff has stated the arterial location identified in Ordinance 767 will require a connector bridge between Grahams Ferry Road and SW Boones Ferry Road. Project staff has said the bridge grade can be reduced to approximately a 6% grade by requiring cut and fill in the Basalt Creek Ravine. *(Please see Attachments #6 and #7)*

**This was the only alternative of the four alternative routes presented by the Washington County staff which requires a 6% grade bridge**

Although Washington County allows construction of roads greater than 6% grade, the Federal Department of Transportation recommends a maximum grade of 6% for Highways.

- Steep Grades negatively impacts flow of freight trucks
  - Steep Grade Bottlenecks for Trucks (for roadway sections with grades greater than 4.5 percent and more than a mile long) increases costs associated with freight shipping... "the total delay associated nationally with this type of bottleneck in 2006 was about 26 million truck hours or 12 percent of the total truck hours of delay. At a delay cost of \$32.15 per hour, the direct user cost of the bottlenecks is about \$836 million per year" Estimated Cost of Freight Involved in Highway Bottlenecks by Cambridge Systematics, Inc. for US Department of Transportation.
  - "As a vehicle's weight increases, its ability to accelerate quickly for merging with freeway traffic and to maintain speed (especially when climbing hills) is degraded, unless larger engines or different gearing arrangements are used. These concerns may also be addressed by screening routes to ensure they are suitable for use by any vehicle at its proposed weight and dimensions...  
As with congestion, the speed (a function of weight, engine power, and roadway grade) and length of a vehicle are the major factors of concern, although vehicle speed is more important than length in assessing congestion effects." US Department of Transportation- Comprehensive Truck Size and Weight Study Volume 3 Chapter 9
- A 6 % grade bridge increases safety concerns...
  - "Speed differential on highways with steep grades can contribute to safety and operational problems. Trucks and other heavy vehicles lose speed on steep, ascending grades and may be unable to reach full highway speed until they have passed the crest of the steep grade. Vehicles behind them are slowed degrading operations at the least, and contributing to rear-end conflicts and in some cases risk passing maneuvers at the worst. Truck drivers may also choose to descend grades at slower speeds to maintain better control of their vehicles. Operations may be degraded for faster-moving vehicles from behind, creating an increased risk of rear-end crashes and risky passing maneuvers". "Mitigation Strategies-Grade" Federal Highway Administration,

- “All of the studies that address vertical grade estimate that increasing steepness is positively associated with crash frequency” Analysis of Design Attributes and Crashes on the Oregon Highway System –Final Report, ODOT 2001
- “Bridges. When the temperature drops, bridges will freeze before the road will.” Oregon Commercial Driver License Manual 2012-2013
- Tire traction on icy roads decreases with increased road grade and cross slopes
- Knowledgeable truck drivers will elect to use and congest other local roads rather than use a steep bridge when ice or frost threatens
- Roads with steep grades reduce drivers’ visual sight distance- decreasing driver reaction time.
- Bridges by their nature- provide limited points of access for emergency vehicles and may increase emergency response time- which would be a safety issue especially in cold weather due to the grade of the bridge
- Sun glare may cause visual impairment on drivers ascending the 6% grade when driving east on the proposed route. This is an issue of which I have personal knowledge due to the location of my driveway which is parallel to the proposed route.
- **Signaled Intersections at top and bottom of a steep grade-increase freight bottle neck congestion**
  - Only this selected alternative route includes this bottleneck design factor- due to the 6% grade bridge intersecting at Grahams Ferry and Boones Ferry Road
  - Freight Truck transit time through intersections at the top and the bottom of 6% will increase- slowing flow of freight traffic
  - Washington County staff acknowledged an additional acceleration lane may be needed to address truck acceleration limits ascending the 6% Grade bridge. This will add to construction costs.
  - Freight trucks require greater time and distance for deceleration when descending steep grades than private vehicles – slowing flow of traffic descending the grade nearing Grahams Ferry Road Intersection
- **“Major arterials connecting at a “T” Intersection increases bottleneck congestion.** To address this bottle neck design, the County staff acknowledged additional design factors would be needed, potentially including additional turn lanes at the top of bridge at the “T” intersection to Boones Ferry Road to accommodate flow and speed of freight traffic. This will require additional costs to remedy.

### **3. MULTI-MODAL USE-- LIMITATIONS OF SELECTED FREIGHT ROUTE**

The East-West Connector was presented by project staff as being able to connect to the Tonquin Ice Age Trail. However, the Federal Government and ADA recommendations for sidewalks and pathways include a maximum grade of 5%, which is exceeded by the stated anticipated grade of the Grahams Ferry to Boones Ferry Road Connection Bridge.

“Public rights-of-way and facilities are required to be accessible to persons with disabilities through the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164). The laws work together to achieve this goal. (9-12-06)” US Department of Transportation Federal Highway Administration- Civil Rights-Questions and Answers About ADA/Section 504

While design allowances/ mitigation is permitted to allow a sidewalk adjacent to roads to be the same grade as the road-

- This was the only route of the alternatives which exceeded the 5% grade maximum grade.
- Some design mitigators which can address the steep grade for pedestrians, include the addition of horizontal resting platforms at frequent locations along the grade. This may increase the length of the bridge, or increase the grade between the rest areas.
- If resting platforms are included in the pedestrian portion of the bridge design, then it is recommended the width of the pedestrian sidewalk be enlarged to allow free flow of pedestrian traffic unobstructed by other pedestrians who are using the resting areas. This will increase construction costs.
- The 6% grade may cause health and safety issues for
  - Pedestrians of any age with limited mobility
  - Novice bicyclists
  - People in wheelchairs or other mobility devices
  - These factors decrease the effective utilization of this route by multiple means of transportation due to location and design of the proposed route.

#### **4. COST FACTORS**

##### **Construction Costs-Additional Phasing Costs- Integration with other Basalt Creek Projects**

In addition to costs relating to the steep grade of the bridge (i.e. costs for additional acceleration lanes , freight turn lanes, and costs for design mitigators which may be added to reach ADA recommended 5% grade or less), the East-West Connector Route was the only alternative selection which requires the demolition of a part of another Basalt Creek Refinement Project.

- The arterial route identified in Ordinance 767 will intersect SW Boones Ferry Road at a point which requires the demolition of the main access to, and a significant portion of, the frontage road to be created as part of the Basalt Creek SW Boones Ferry Road Improvement Project. The SW Boones Ferry Road Improvement Project is currently under construction and not yet completed.

##### **Costs to Community**

- This Connector Route was the only selection alternative which requires the destruction of a development community of 5 single family homes.

## **5. PUBLIC OUTREACH -EQUITY**

The location of the proposed Freight Arterial is within CPO 5. At this time CPO 5 is not active, which removed an established mechanism for local residents to express their concerns regarding the proposed freight route.

While the residents of the Cities of Wilsonville and Tualatin had local representation in the Policy Advisory Group in addition to the representation by a Washington County Commissioner, the residents directly within the path of the proposed freight arterial did not have local representatives on the PAG committee.

This small portion of incorporated Washington County has been subjected to a disproportionately high number of actions having negative impacts upon the existing local residents -

- Coffee Creek Correctional Center
- SW Boones Ferry Road Improvement Project
- 124<sup>th</sup> To Grahams Ferry Road Connector
- Proposed location of East-West Connector as identified in Washington County Ordinance 767

Local residents have made significant efforts to obtain information on the proposed project over the last few years. Many of their comments were not quantified in the presentations to the various PAG member groups.

While it appeared that while some Public Outreach efforts were made, it is apparent that the information gained was not utilized. An example of this lack of concern for the voice of residents can be found in the MSTIP 3D Public Outreach of which this project was to be evaluated for inclusion for funding. While the long list of projects were posted for public input in March 2012, the short list of projects to be funded was posted the prior day.

## **6. COMPATIBILITY AND INTEGRATION WITH CLACKAMAS COUNTY TSP--and STAFFORD BASIN**

Project staff and consultants stated the advantage of this location over the other alternative locations for the freight arterial would be the ability to extend Greenhill Lane over Interstate 5 to connect to Frobese Road.

- With the proposed Ordinance, the Greenhill Lane extension will be a dead end road without use as a freight route until and if an I-5 overpass is created.
- The west end of Frobese Road is currently outside the UGB
- It was stated the estimated timeframe for the Frobese Road Overpass was 2035, or when and if development occurs in the Stafford Basin.
- The Greenhill Lane road extension, even when the overpass is completed, will not directly connect to Interstate 5

In Public Outreach presentations project staff did not elaborate upon where freight traffic would flow once Interstate 5 was crossed from the Greenhill Lane extension proposed with this Ordinance.

- The Basalt Creek Agreement and this proposed ordinance do not indicate coordination and/or integration with Clackamas County regarding the anticipated flow of freight traffic from Frobese Road into Stafford Basin and Clackamas County to the east or the City of Wilsonville to the south.
- Should the various governments not reach agreement and commitment to integrate their transportation plans regarding the Stafford Basin and the flow of freight traffic through their districts, then the advantage of locating the proposed freight route as presented in Ordinance 767 is lost.

In summary, it is intended public outreach be done, the information obtained, and the information be included as a part the decision making process.

In submitting this comment letter as part of the public record prior to the first reading on the proposed Ordinance 767, I hope the Washington Board of Commissioners will take time to consider the information provided prior to voting upon the Ordinance. The multiple facets of this ordinance seem to necessitate more than a few days being taken to obtain the answers to questions posed – to allow for an informed vote.

**Additional Questions to be Resolved:**

1. Should Ordinance 767 be passed at this time and without further answers regarding the feasibility of the route location?
  - Should the expenditure of monies for Right- of Way acquisitions begin without obtaining additional answers and information regarding Ordinance 767
2. Considering all of the identified significant natural resources through which the proposed route is located, has an environmental impact evaluation been obtained for this specific routing of the proposed freight route through the Basalt Creek Area?
  - Has an application for a CETAS analysis been submitted for this project?
  - Has the Army Corp of Engineers, Oregon Department of Land Services, or DEQ been consulted about the impact of the proposed route on the environment/ significant natural resources?
  - Was an economic, social, environmental and energy (ESEE) analysis obtained? If so, were the results discussed in public meetings as part of the public process?
3. The proposed freight arterial route in the Basalt Creek Area, was the only alternative location which included a bridge close to 6% grade. Considering this route is to be used by local gravel trucks from the local quarries, is a 6% grade reasonable and conducive to free flowing freight traffic?
4. Was the ability of the route to accommodate multi-modal forms of transportation (including pedestrians of all abilities) given a sufficient weight factor in determining the location of the arterial?

As stated by Federal Department of Transportation Office of Operations 21<sup>st</sup> Century Operations Using 21<sup>st</sup> Century Technology- Traffic Bottlenecks, "Engineering judgment may be called into play when certain geometrics (e.g., grades, curves, sun angle, etc.) can't be analyzed by the micro simulation tool(s)."

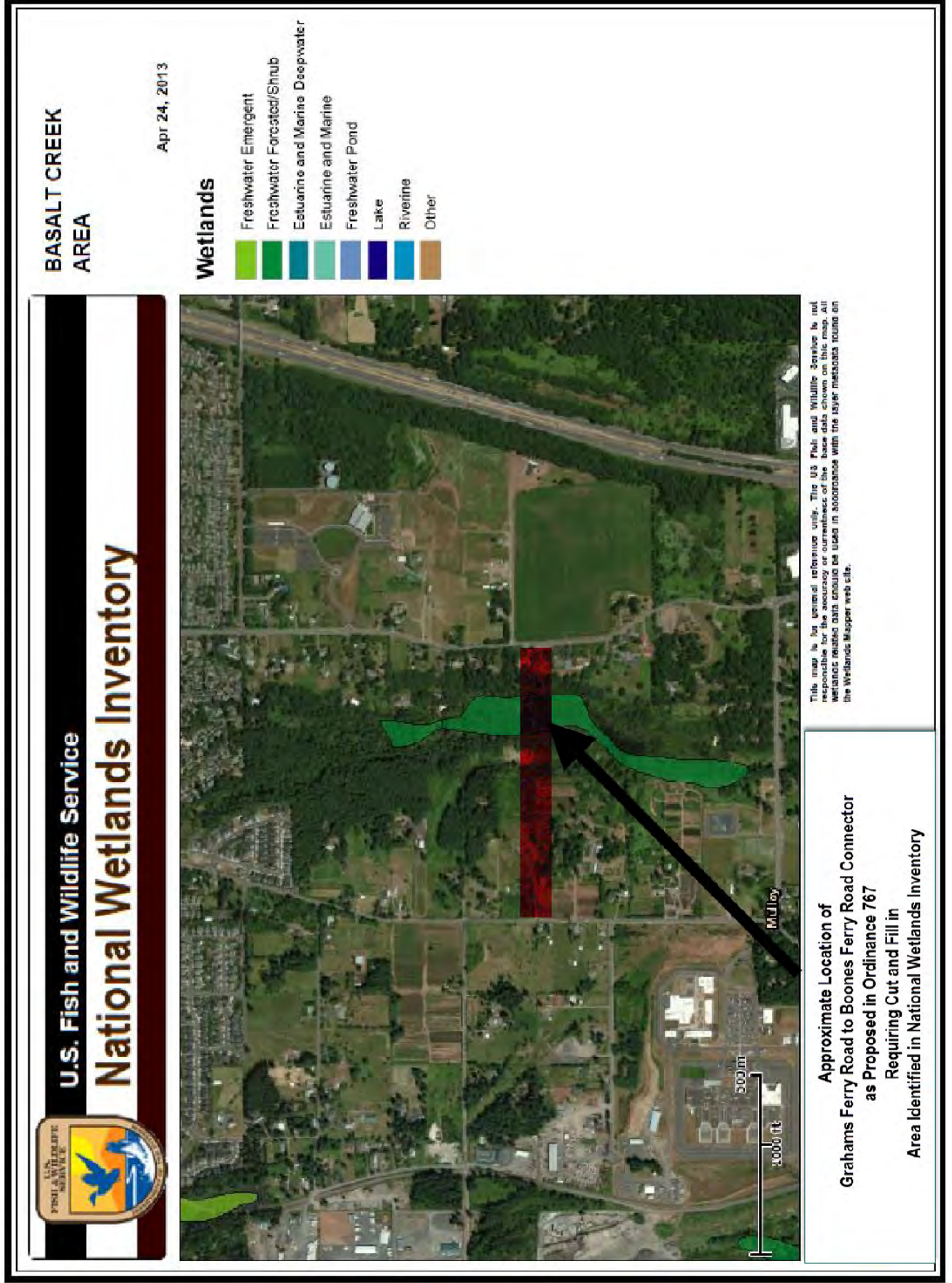
It is time to take a realistic look at this proposal and evaluate if it is the best solution in meeting the stated goal, and if the most logical placement of a regional freight arterial was found.

Respectfully submitted,

Grace Lucini  
23677 SW Boones Ferry Road  
Tualatin, OR 97062  
503 692 9890

# ATTACHMENT #1

## NATIONAL WETLANDS INVENTORY- BASALT CREEK AREA Global View- Basalt Creek Area-Without Smaller Identified Wetlands Indicated





# ATTACHMENT # 2



# Oregon

John A. Kitzhaber, MD, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregonstatelands.us

June 3, 2013

Washington County  
Attn: Abe Turki  
1400 SW Walnut Street, MS 18  
Hillsboro, OR 97123

State Land Board

John A. Kitzhaber, MD  
Governor

Re: Wetland Delineation Report for the Proposed SW Boones Ferry Road Widening Project – SW Norwood Road to SW Day Road (#15315), Washington County; T 2S R 1W S 35CA, 35CD and 35D portions of multiple tax lots; T 3S R 1W S2A, 2AB and 2B portions of multiple tax lots; WD #2013-0002; APP #53166

Kate Brown  
Secretary of State

Ted Wheeler  
State Treasurer

Dear Mr. Turki:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services for the site referenced above. Based upon the information presented in the report, a site visit on May 10, 2013, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in revised Figures 6, 6A and 6B of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps. Within the study area, five wetlands (totaling approximately 0.34 acres) and three waterways, including an intermittent tributary to Tapman Creek, a roadside ditch identified as Ditch A on Figure 6A, and an ephemeral headwater drainage, were identified. The five wetlands and one of the three waterways are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high water line (OHWL) of a waterway (or the 2 year recurrence interval flood elevation if OHWL cannot be determined). The remaining two waterways, the ephemeral headwater and Ditch A, are exempt per OAR 141-085-0515 (3) and (10); therefore, they are not subject to these state permit requirements.

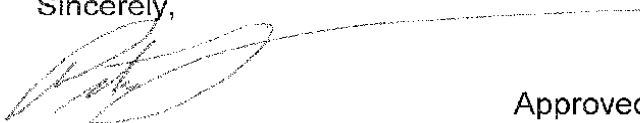
In addition, the Department was informed during the site visit that a small portion of Wetland D was accidentally impacted by a tree removal operation prior to the permit being issued. However, the actual area and volume of the impact was later determined to be nominal (totaling approximately 160 square feet; 1 cubic yard of fill), and therefore, no further action is required.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter, unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045

(available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity, or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. Please phone me at 503-986-5232 if you have any questions.

Sincerely,



Peter Ryan, PWS  
Wetland Specialist

Approved by

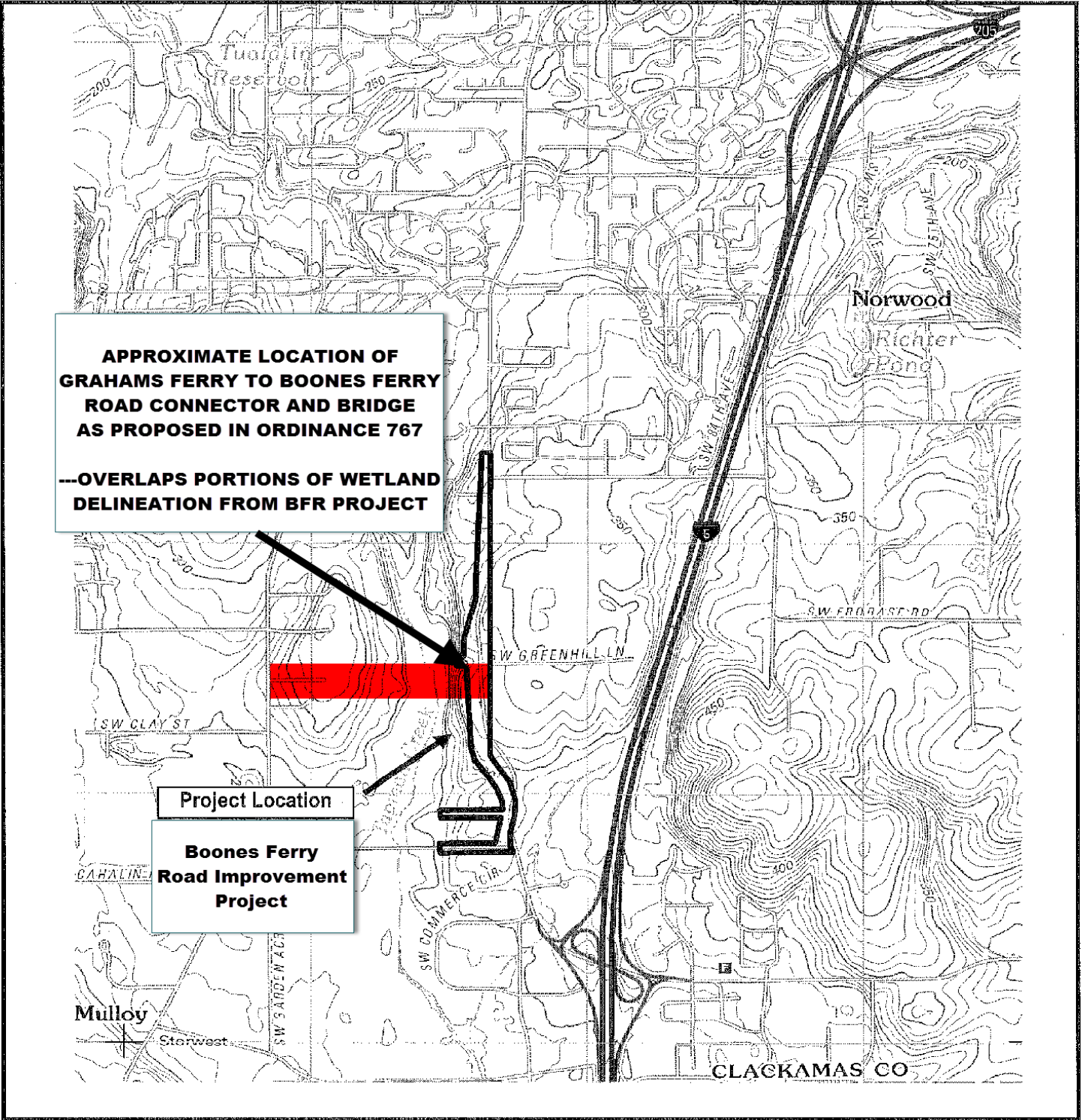


Kathy Verble, CPSS  
Acting Wetlands Program Manager

Enclosures

ec: Amy Hawkins, Pacific Habitat Services  
Washington County Planning Department  
Michael Ladouceur, Corps of Engineers  
Mike McCabe, DSL  
Amber Wierck, Clean Water Services

WD# 13-0002




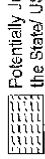
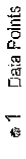
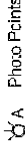
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11/15/12

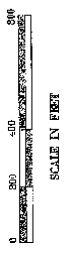
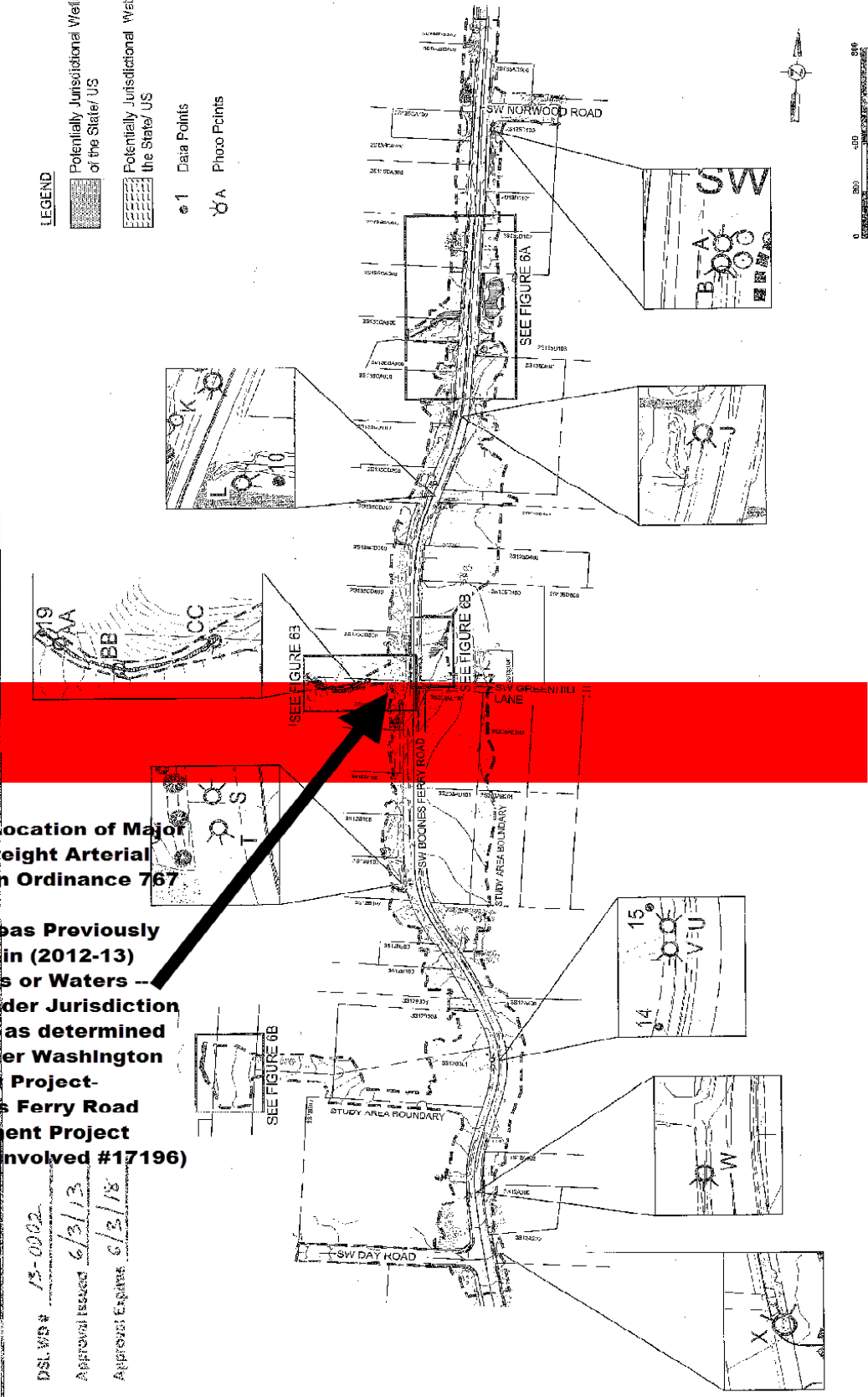
Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070

Location and general topography  
SW Boones Ferry Road Widening project in Washington County, Oregon  
(USGS Sherwood, OR quadrangle, 2011).

FIGURE  
1

**LEGEND**

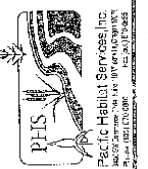
-  Potentially Jurisdictional Wetlands of the State/ US
-  Potentially Jurisdictional Waters of the State/ US
-  1 Data Points
-  Photo Points



**FIGURE 6**

Wetland Delineation Overall Site Context and Sheet Index Plan  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

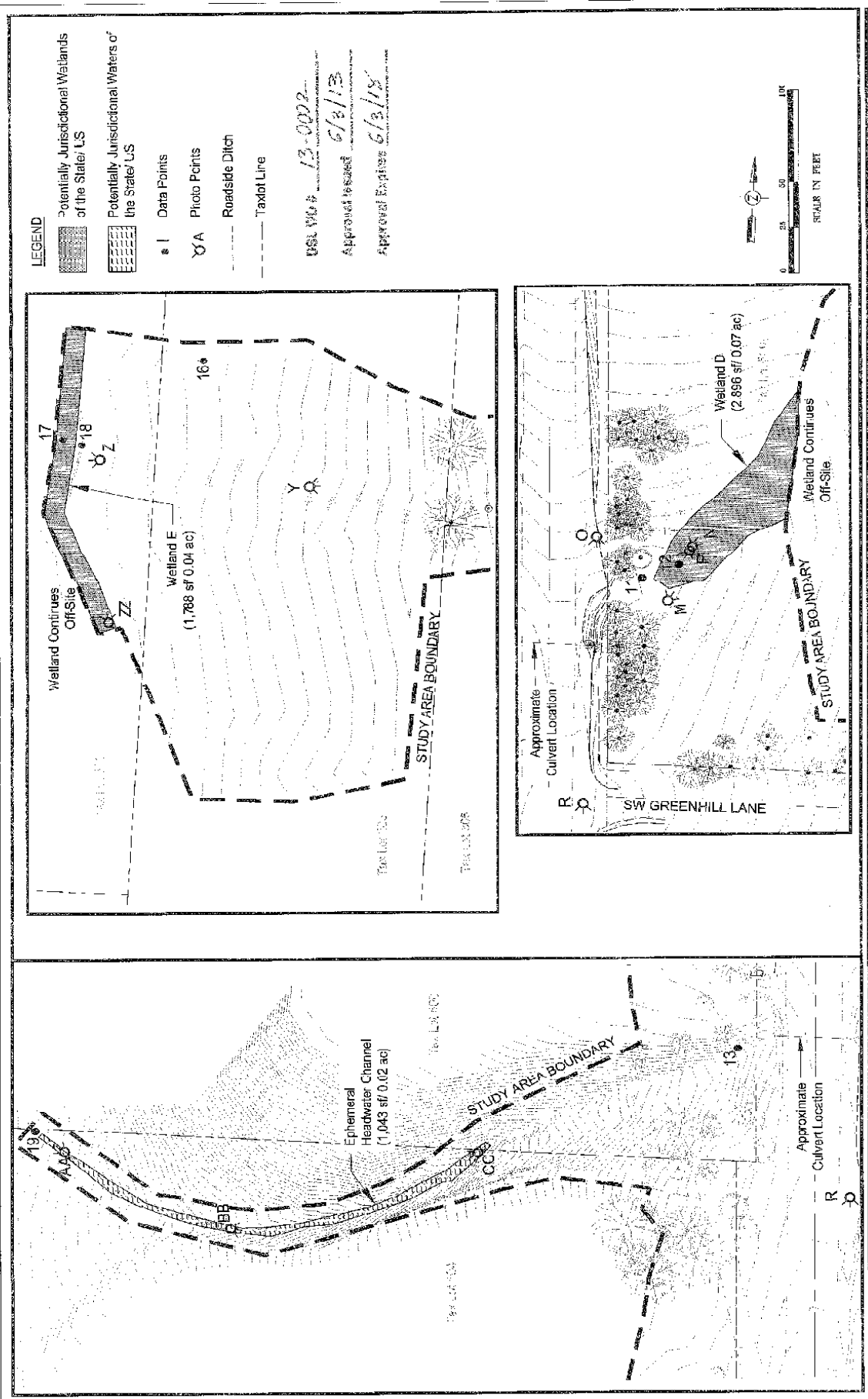
Note:  
 Survey provided by Mackey & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/- 3 feet.







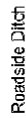
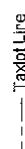
**Approximate Location of Major Regional Freight Arterial as Proposed in Ordinance 767**

**Adjacent Areas Previously Identified in (2012-13) as Wetlands or Waters -- Potentially Under Jurisdiction of State / US as determined during another Washington County Project - SW Boones Ferry Road Improvement Project (STIP Funding involved #17196)**

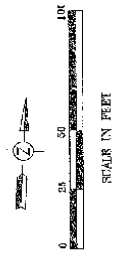
DSL WD# 15-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18



**LEGEND**

-  Potentially Jurisdictional Wetlands of the State/ US
-  Potentially Jurisdictional Waters of the State/ US
-  Data Points
-  Photo Points
-  Roadside Ditch
-  Taxlot Line

USL No. 13-0002  
 Approved Issued 6/3/13  
 Approval Expires 6/3/18



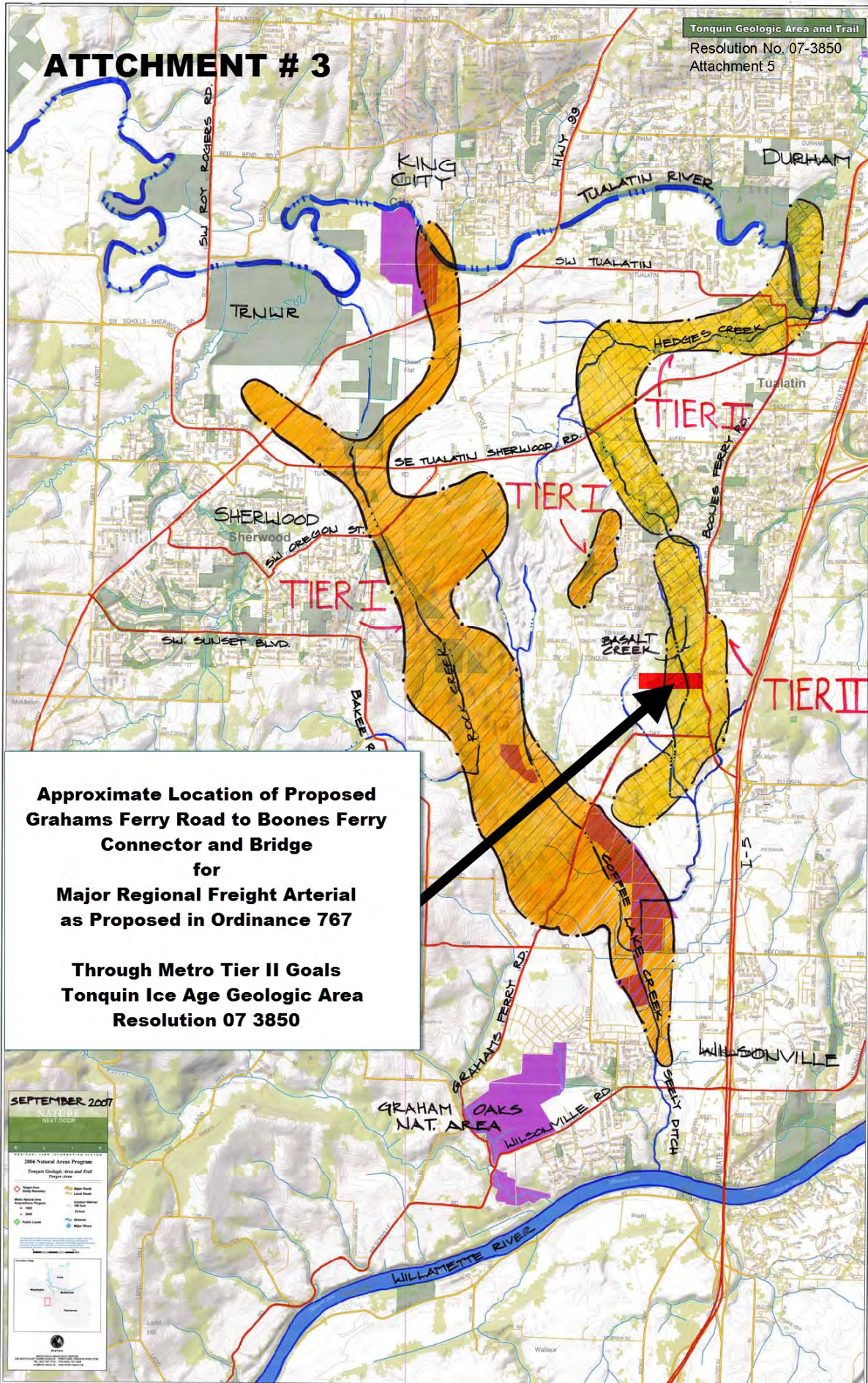
Note:  
 Survey provided by Mackay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for case points 4, 13, 14 and 15 is +/- 3 feet.



# ATTACHMENT # 3

Tonquin Geologic Area and Trail

Resolution No. 07-3850  
Attachment 5



**Approximate Location of Proposed  
Grahams Ferry Road to Boones Ferry  
Connector and Bridge  
for  
Major Regional Freight Arterial  
as Proposed in Ordinance 767**

**Through Metro Tier II Goals  
Tonquin Ice Age Geologic Area  
Resolution 07 3850**

SEPTEMBER 2007

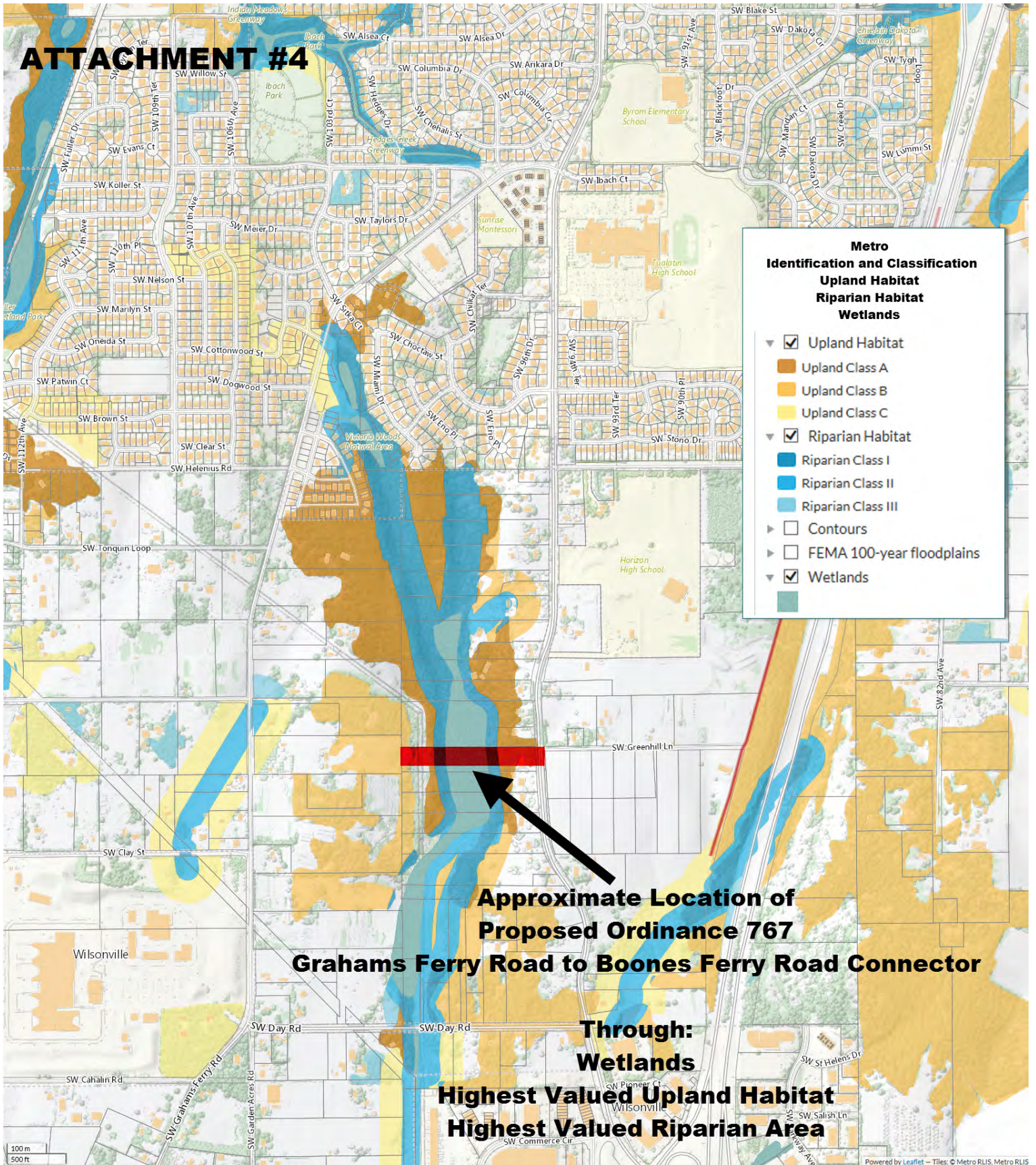
**NATURE  
NEXT DOOR**

2006 Natural Areas Program  
Tonquin Geologic Area and Trail  
Finger area

- Orange Area: Major Road
- Yellow Area: Major Road
- Green Area: Major Road
- Blue Area: Major Road
- Red Area: Major Road
- Black Area: Major Road
- White Area: Major Road
- Grey Area: Major Road
- Light Blue Area: Major Road
- Dark Blue Area: Major Road
- Light Green Area: Major Road
- Dark Green Area: Major Road
- Light Purple Area: Major Road
- Dark Purple Area: Major Road
- Light Yellow Area: Major Road
- Dark Yellow Area: Major Road
- Light Orange Area: Major Road
- Dark Orange Area: Major Road
- Light Red Area: Major Road
- Dark Red Area: Major Road
- Light Grey Area: Major Road
- Dark Grey Area: Major Road
- Light Blue-Grey Area: Major Road
- Dark Blue-Grey Area: Major Road
- Light Green-Grey Area: Major Road
- Dark Green-Grey Area: Major Road
- Light Purple-Grey Area: Major Road
- Dark Purple-Grey Area: Major Road
- Light Yellow-Grey Area: Major Road
- Dark Yellow-Grey Area: Major Road
- Light Orange-Grey Area: Major Road
- Dark Orange-Grey Area: Major Road
- Light Red-Grey Area: Major Road
- Dark Red-Grey Area: Major Road
- Light Grey-Grey Area: Major Road
- Dark Grey-Grey Area: Major Road
- Light Blue-Grey-Grey Area: Major Road
- Dark Blue-Grey-Grey Area: Major Road
- Light Green-Grey-Grey Area: Major Road
- Dark Green-Grey-Grey Area: Major Road
- Light Purple-Grey-Grey Area: Major Road
- Dark Purple-Grey-Grey Area: Major Road
- Light Yellow-Grey-Grey Area: Major Road
- Dark Yellow-Grey-Grey Area: Major Road
- Light Orange-Grey-Grey Area: Major Road
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- Dark Red-Grey-Grey Area: Major Road
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- Dark Grey-Grey-Grey Area: Major Road
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- Light Red-Grey-Grey-Grey Area: Major Road
- Dark Red-Grey-Grey-Grey Area: Major Road
- Light Grey-Grey-Grey-Grey Area: Major Road
- Dark Grey-Grey-Grey-Grey Area: Major Road



# ATTACHMENT #4

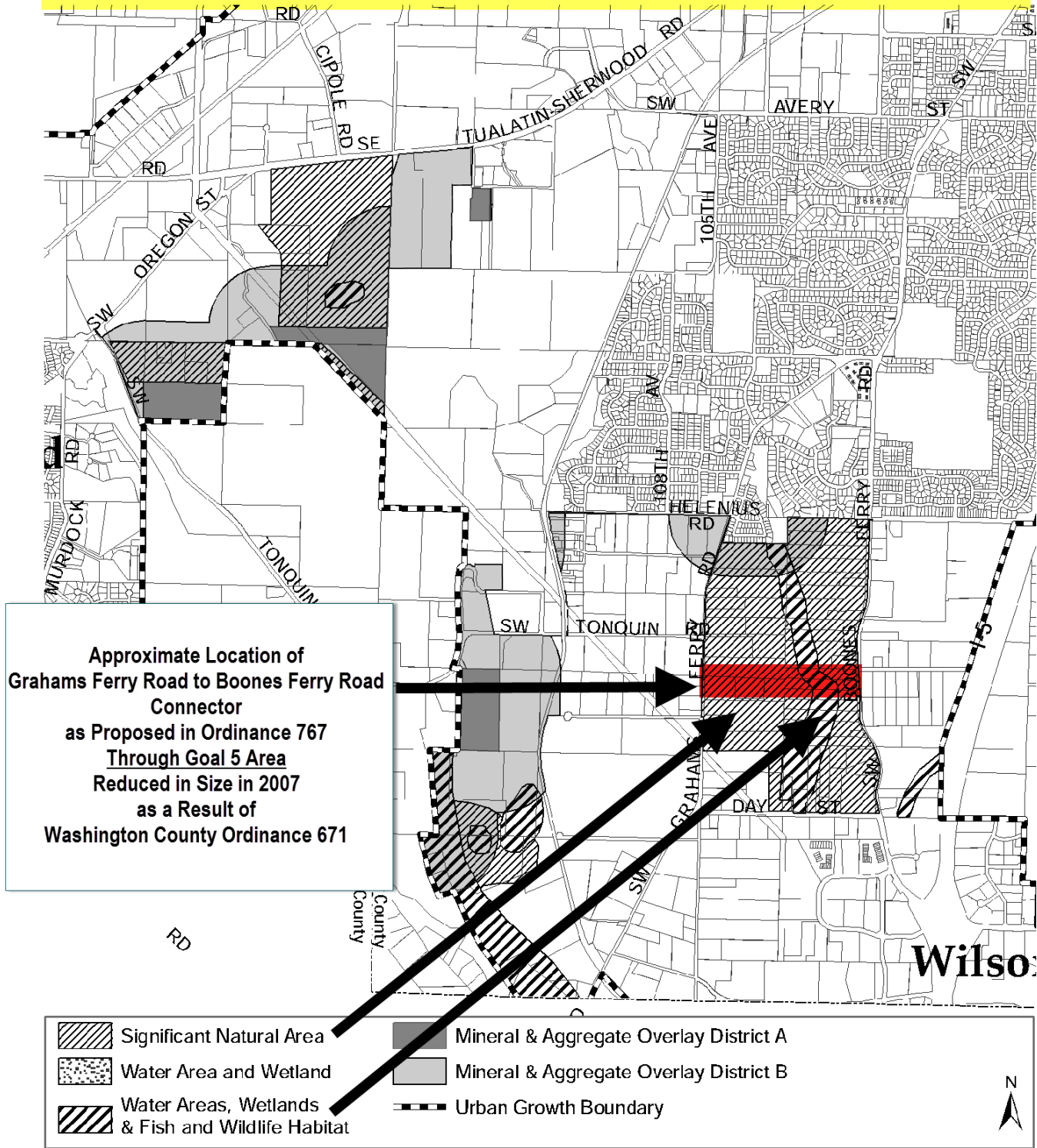




# ATTACHMENT #5

Ordinance 671  
 Exhibit 2  
 Page 3 of 9  
 January 18, 2007

Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:

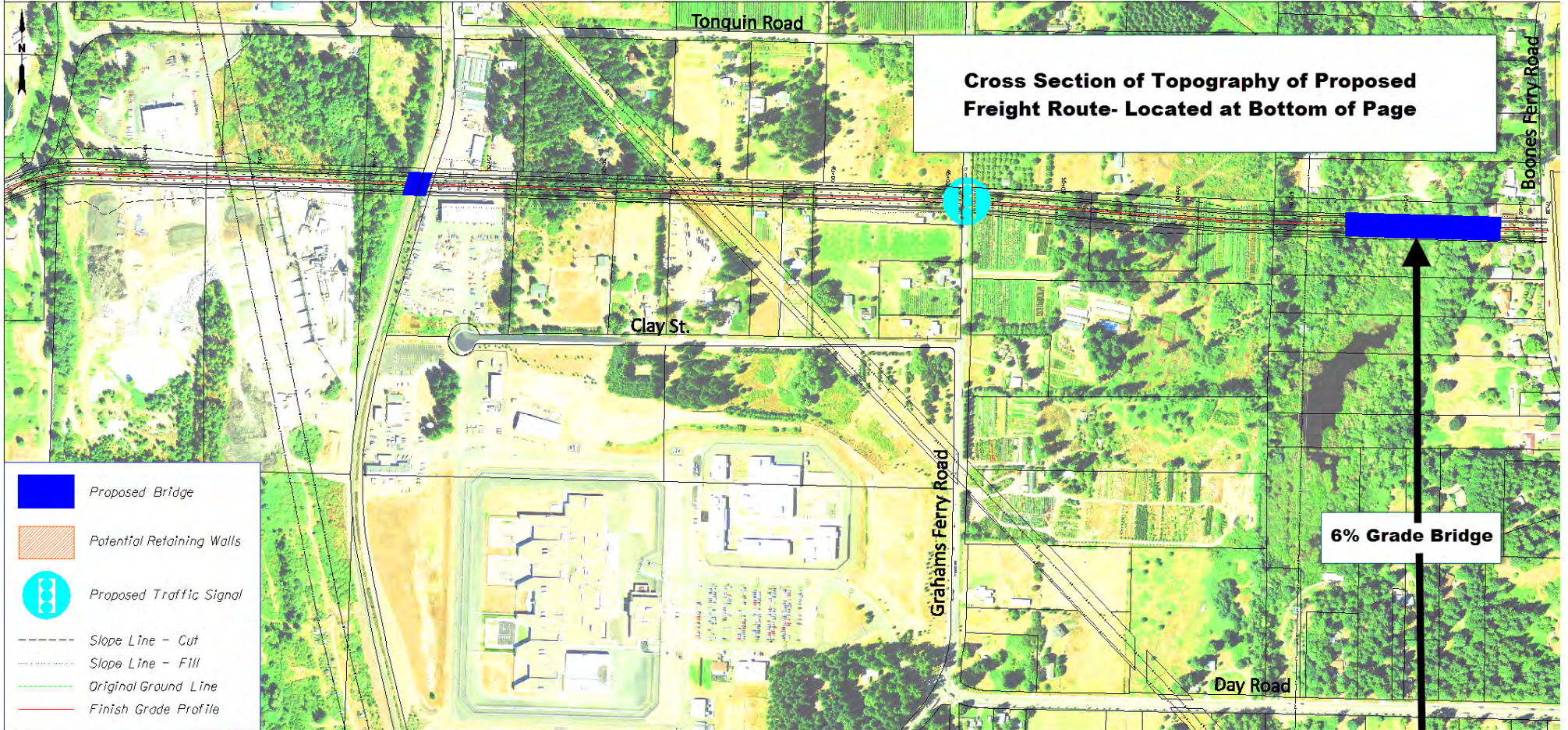
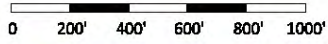




# ATTACHMENT # 6

## Basalt Creek Preliminary Design - East-West Connector

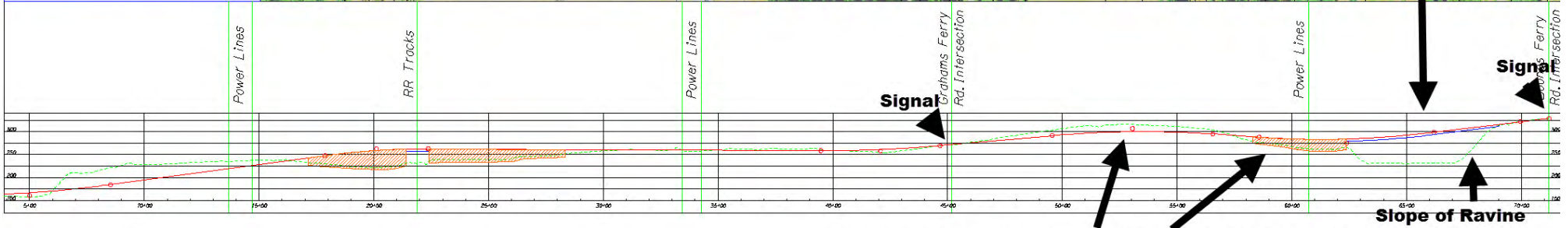
January 2012



**Cross Section of Topography of Proposed Freight Route- Located at Bottom of Page**

- Proposed Bridge
- Potential Retaining Walls
- Proposed Traffic Signal
- Slope Line - Cut
- Slope Line - Fill
- Original Ground Line
- Finish Grade Profile

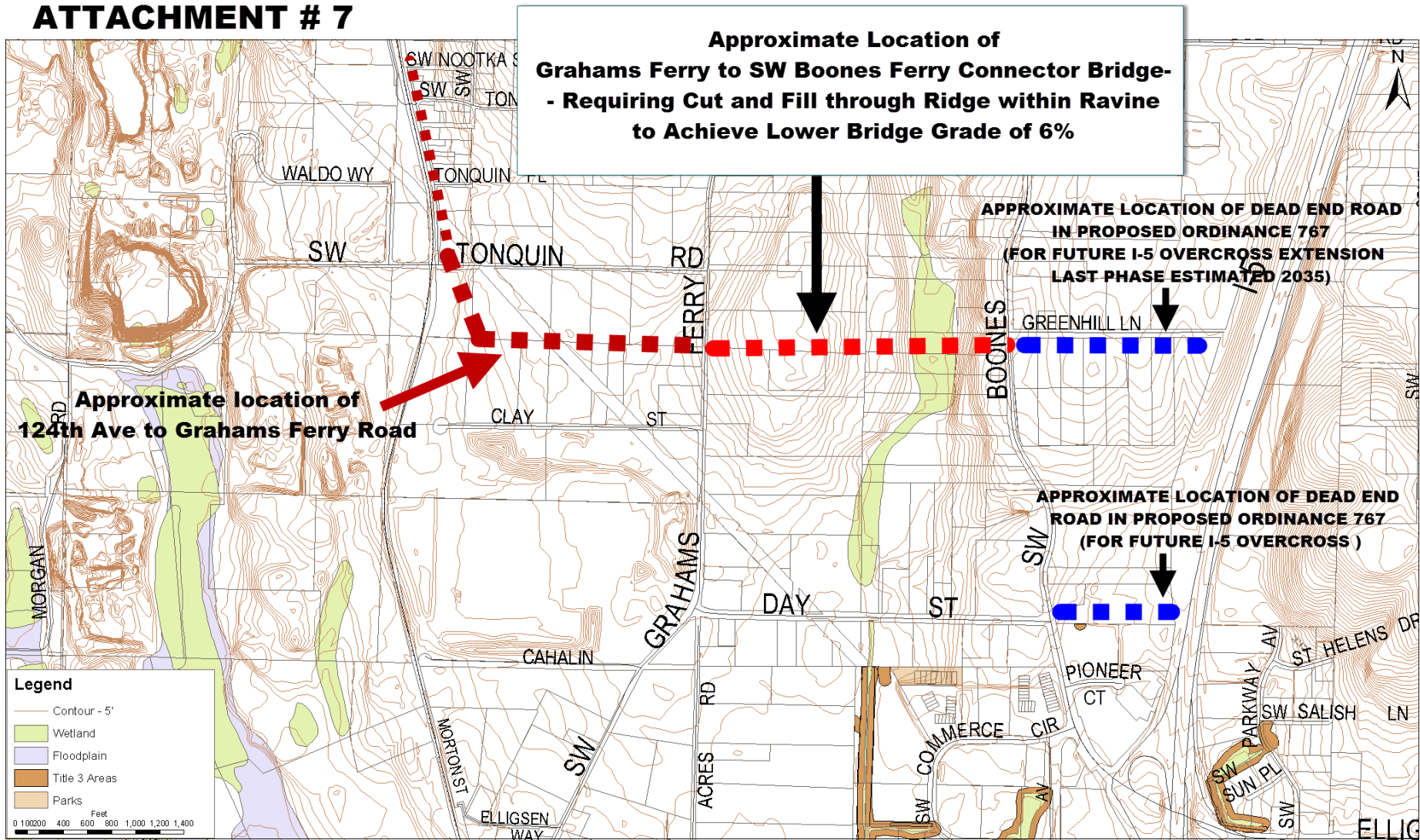
**6% Grade Bridge**



**Note- Cross Section of Cut and Fill Needed to Reduce Grade of Bridge**

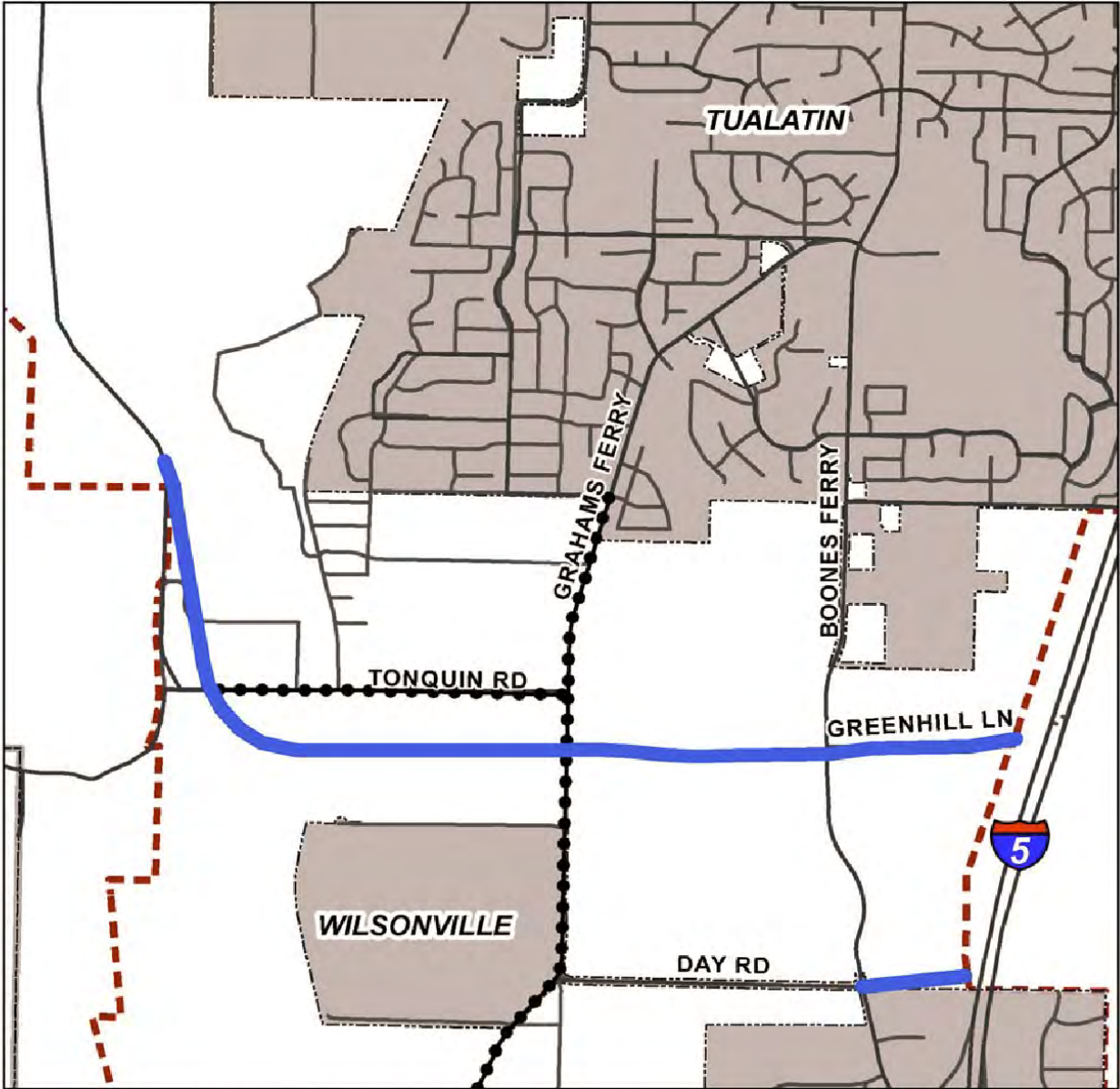


# ATTACHMENT # 7



**NO DIRECT CONNECTION  
TO INTERSTATE 5  
CREATED WITH PROPOSED ORDINANCE 767**

Figure 5 – Washington County Lane Numbers map, is amended as follows:



Path: J:\Users\DoriaM\GIS\_maps\_temp\STAFF\SteveL\_trans\2013\Besa\1\Creek\LaneNumbers\_2color.mxd 4/30/2013

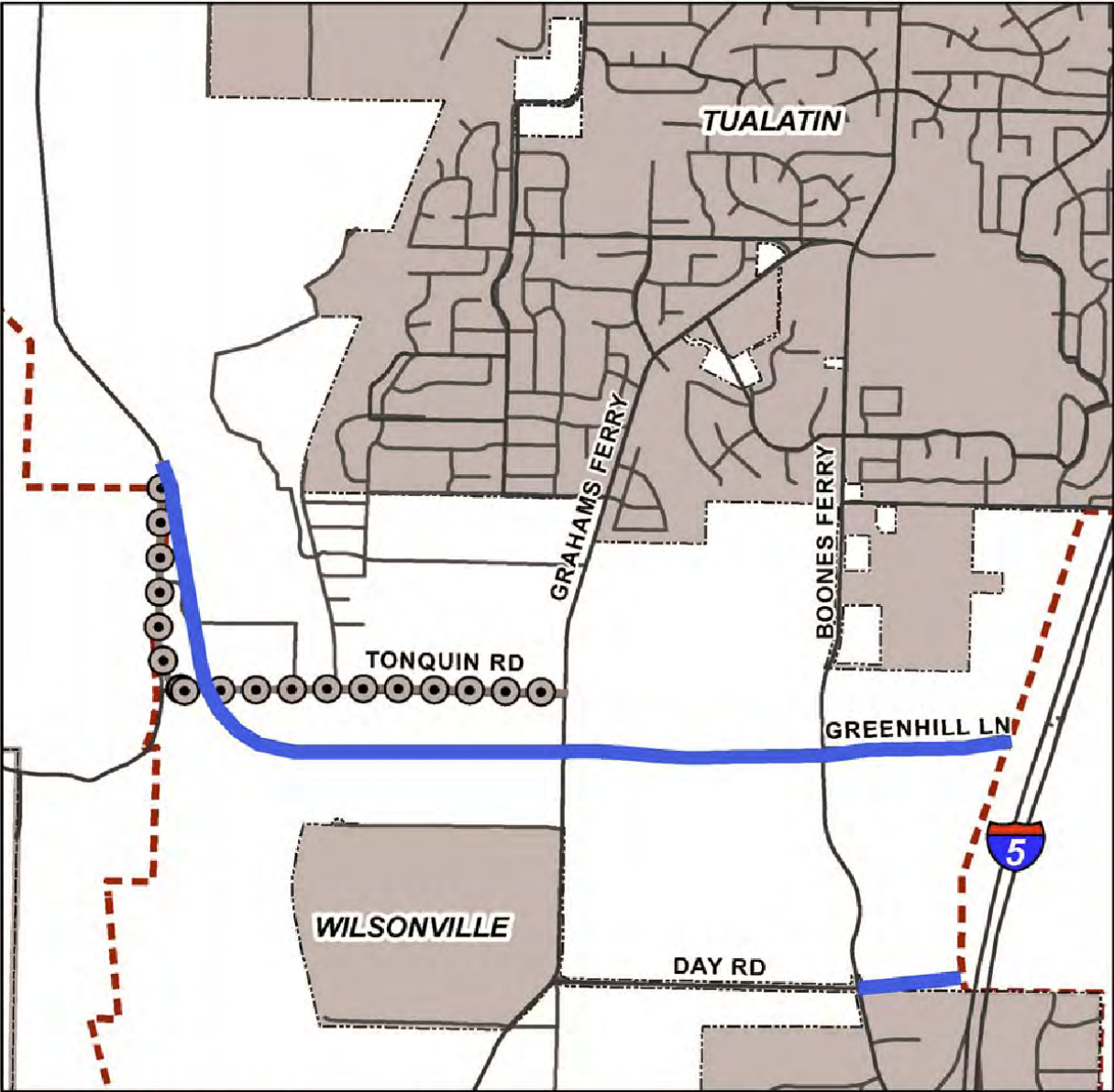
-  Add as 4-5 Lanes
-  Add as 2-3 Lanes
-  Cities
-  Urban Growth Boundary
-  County Boundary



abcdef Proposed additions  
~~abcdef~~ Proposed deletions



Figure 10 – Washington County Countywide Road System map, is amended as follows:



Path: J:\Users\DoriaM\GIS\_maps\_temp\STAFF\SteveL\_trans\2013\BasaltCreek\Countywide\_2color.mxd 4/30/2013

-  Add as Washington County
-  Remove Segment
-  Cities
-  Urban Growth Boundary
-  County Boundary

abcdef Proposed additions  
~~abcdef~~ Proposed deletions

**From:** [G Lucini](#)  
**To:** [Mangle, Katie](#)  
**Cc:** [Rappold, Kerry](#); [Cosgrove, Bryan](#); [Mayor Tim Knapp](#); [CINDY HAHN](#); [AQUILLA HURD-RAVICH](#); [Neamtzu, Chris](#)  
**Subject:** Re: Follow-up Joint Meeting Basalt Creek Planning - Topography & Natural Resources  
**Date:** Monday, November 04, 2013 6:49:12 PM

---

Katie,

Thank you for your follow up note.

I will look forward to hearing from either Cindy Hahn or yourself, when the consulting team is established within the next few months, as to participating in the planning process for Basalt Creek.

The offer for a first hand viewing experience of the significant natural resources and topography which lies to the west side of SW Boones Ferry Road definitely remains open.

Regards,  
Grace

On Mon, Nov 4, 2013 at 10:54 AM, Mangle, Katie <[mangle@ci.wilsonville.or.us](mailto:mangle@ci.wilsonville.or.us)> wrote:

Greetings Mr. and Mrs. Lucini,

Mayor Knapp shared your email and resource documents with me, and I just wanted to get in touch and thank you for sharing this information.

Also, be assured that you are on our list of people who want to be involved in the project and we will be in touch as opportunities arise to contribute to the project. One Tualatin approves the contract with the consulting team, one of the first tasks will be to outline the plan for involving affected property owners and other interested folks in the project.

Another one of the early tasks will be to ensure that the designers have a solid understanding of the land - reviewing information just like the documents you've shared. Thank you for your generous invitation to visit your property. I would love to take you up on that offer, and suggest that we set up an appointment in a few months, once the consulting team's work is underway. I know they will benefit from seeing and understanding the land first-hand in this way as well. Either Cindy Hahn (with Tualatin) or I will be in touch with you as we move forward.

I look forward to working with you.

Best regards,

Katie

Katie Mangle

*Long Range Planning Manager*

*City of Wilsonville*

*29799 SW Town Center Loop East*

*Wilsonville, OR 97070*

*503-570-1581*

*[mangle@ci.wilsonville.or.us](mailto:mangle@ci.wilsonville.or.us)*

*Visit our website: [City of Wilsonville : Planning](#)*

---

**From:** Mayor Tim Knapp

**Sent:** Wednesday, October 30, 2013 3:25 PM

**To:** Cosgrove, Bryan

**Cc:** Mangle, Katie; Rappold, Kerry; [grluci@gmail.com](mailto:grluci@gmail.com)

**Subject:** Fw: Follow-up Joint Meeting Basalt Creek Planning - Topography & Natural Resources

Hi All- Mr & Mrs Lucini were at the Basalt Creek meeting last night. They feel they have worthwhile input on Natural Resource considerations, which I agree we all will need to understand before we are done. I am not sure how we best fold this in, but invite Staff to take a look into it and make suggestions. The Lucini's indicate they would very much appreciate being included in the discussion, and would welcome a visit on site by Staff. Thx/TK

*Sent from my Verizon Wireless Droid*

-----Original message-----

**From:** G Lucini <[grluci@gmail.com](mailto:grluci@gmail.com)>

**To:** Mayor Tim Knapp <[knapp@ci.wilsonville.or.us](mailto:knapp@ci.wilsonville.or.us)>

**Sent:** Wed, Oct 30, 2013 22:10:16 GMT+00:00

**Subject:** Follow-up Joint Meeting Basalt Creek Planning - Topography & Natural Resources

Thank you for the time you spent talking with my husband and me after the Joint Meeting on the Basalt Creek Area Planning- discussing the need for representation in the planning process for Washington County residents within the affected area.

We also discussed the significant natural resources and topography within the Basalt Creek Area which will cause limitations upon utilization-especially industrial development.

You mentioned the City of Wilsonville has a Natural Resource Program and a staff member who oversees these issues for the city.

I have attached copies of a few documents which validate the existence of significant topography and natural resources within the Basalt Creek Area which should be considered when planning zoning and development:

- Metro maps showing slopes greater than 10% in Basalt Creek Area
- Metro maps showing topography of Basalt Creek Area
- Metro maps showing Highest Valued Habitat in Basalt Creek Area
- Oregon DSL & Army Corps Identification Wetlands from Boones Ferry Rd Project
- Goal 5 Significant Resources west of SW Boones Ferry Rd
- National Wetlands Inventory- Basalt Creek Area
- Tonquin Geologic Area- Tier 2 Designation within Basalt Creek Area
- City of Wilsonville - Willamette River TMDL - Overview of Wilsonville's Watershed- including Seely Ditch Watershed

I cordially extend an invitation to you, the other members of the Wilsonville City Council, and/or your staff, to visit my home which is located within ravine of the Basalt Creek- Seely Ditch.

I think this first hand experience would provide a unique visual perspective to the various natural resources and constraints which need to be understood when planning for zoning and development of this area.

Grace Lucini

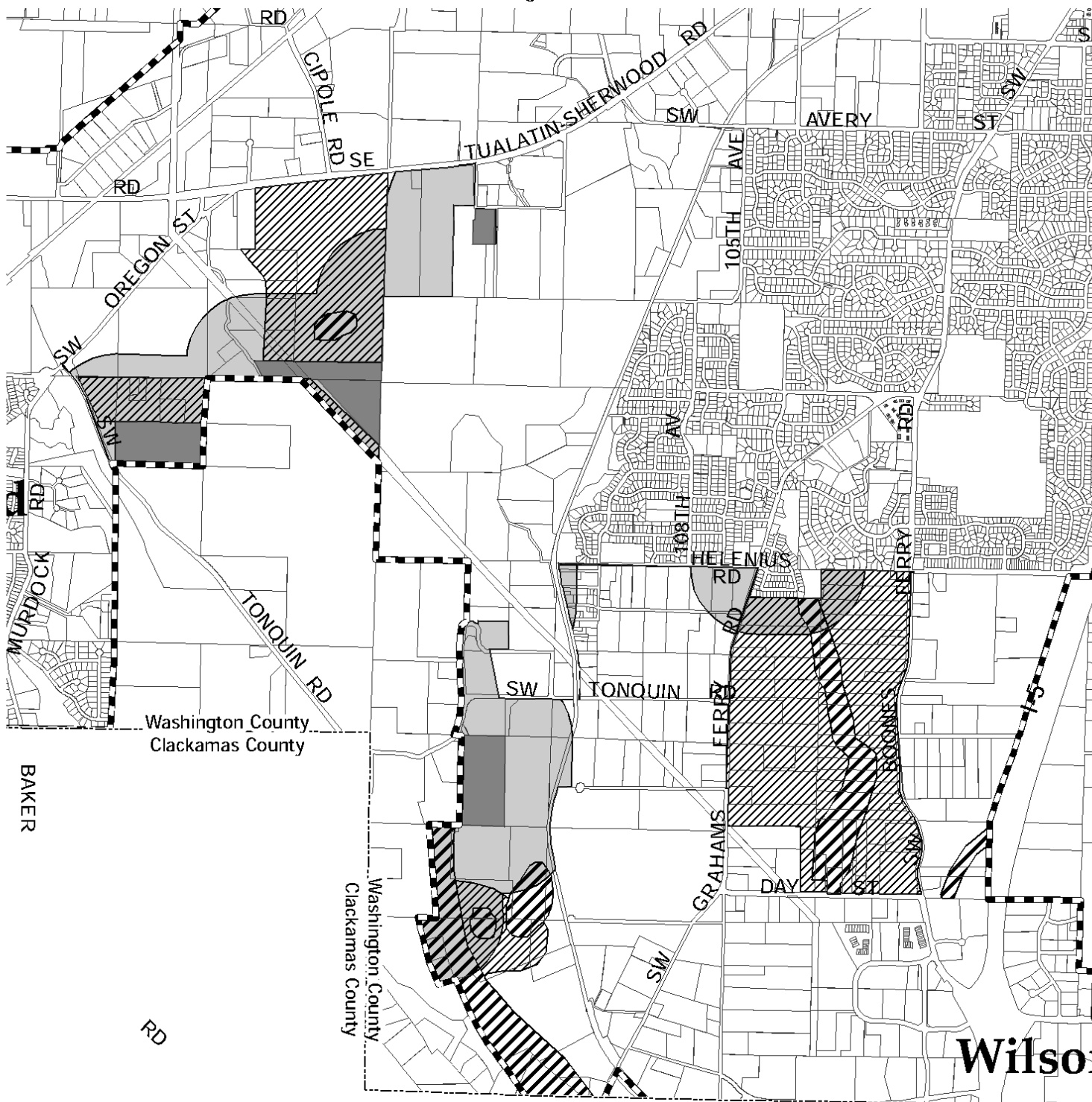
23677 SW Boones Ferry Road







Tualatin Oregon


503 692 9890



Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:



	Significant Natural Area		Mineral & Aggregate Overlay District A
	Water Area and Wetland		Mineral & Aggregate Overlay District B
	Water Areas, Wetlands & Fish and Wildlife Habitat		Urban Growth Boundary





# Oregon

John A. Kitzhaber, MD, Governor

## Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

[www.oregonstatelands.us](http://www.oregonstatelands.us)

June 3, 2013

Washington County  
Attn: Abe Turki  
1400 SW Walnut Street, MS 18  
Hillsboro, OR 97123

State Land Board

John A. Kitzhaber, MD  
Governor

Re: Wetland Delineation Report for the Proposed SW Boones Ferry Road Widening Project – SW Norwood Road to SW Day Road (#15315), Washington County; T 2S R 1W S 35CA, 35CD and 35D portions of multiple tax lots; T 3S R 1W S2A, 2AB and 2B portions of multiple tax lots; WD #2013-0002; APP #53166

Kate Brown  
Secretary of State

Ted Wheeler  
State Treasurer

Dear Mr. Turki:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services for the site referenced above. Based upon the information presented in the report, a site visit on May 10, 2013, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in revised Figures 6, 6A and 6B of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps. Within the study area, five wetlands (totaling approximately 0.34 acres) and three waterways, including an intermittent tributary to Tapman Creek, a roadside ditch identified as Ditch A on Figure 6A, and an ephemeral headwater drainage, were identified. The five wetlands and one of the three waterways are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high water line (OHWL) of a waterway (or the 2 year recurrence interval flood elevation if OHWL cannot be determined). The remaining two waterways, the ephemeral headwater and Ditch A, are exempt per OAR 141-085-0515 (3) and (10); therefore, they are not subject to these state permit requirements.


In addition, the Department was informed during the site visit that a small portion of Wetland D was accidentally impacted by a tree removal operation prior to the permit being issued. However, the actual area and volume of the impact was later determined to be nominal (totaling approximately 160 square feet; 1 cubic yard of fill), and therefore, no further action is required.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter, unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045

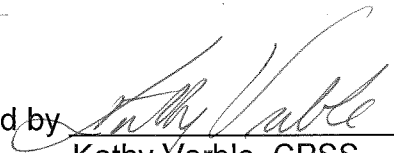
(available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity, or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. Please phone me at 503-986-5232 if you have any questions.

Sincerely,

  
Peter Ryan, PWS  
Wetland Specialist

Approved by

  
Kathy Verble, CPSS  
Acting Wetlands Program Manager

Enclosures

ec: Amy Hawkins, Pacific Habitat Services  
Washington County Planning Department  
Michael Ladouceur, Corps of Engineers  
Mike McCabe, DSL  
Amber Wierck, Clean Water Services

V#2695

14741-8475

WD

**WE LAND DELINEATION / DETERMINATION REPORT COVER FORM**

This form must be included with any wetland delineation report submitted to the Department of State Lands for review and approval. A wetland delineation report submittal is not "complete" unless the fully completed and signed report cover form and the required fee are submitted. Attach the form to the front of an unbound report and submit to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279

Mail a copy of the completed form with payment of the required report review fee to: Oregon Department of State Lands, P.O. Box 4395, Unit 18, Portland, OR 97208-4395. For new credit card payment option, see DSL web site.

Applicant  Owner Name, Firm and Address: Business phone # 503-846-7800  
 Washington County Mobile phone # (optional)  
 Altn: Abe Turki FAX #  
 1400 SW Walnut Street, MS 18 E-mail: abraham\_turki@co.washington.or.us  
 Hillsboro, Oregon 97123

Authorized Legal Agent, Name and Address: Business phone #  
 FAX #  
 Mobile phone #  
 E-mail: [REDACTED]

I either own the property described below or I have legal authority to allow access to the [REDACTED] access the property for the purpose of confirming the information in the report, after prior notification.

Typed/Printed Name: Abe Turki Signature: [REDACTED]  
 Date: Special instructions regarding site access:

**Project and Site Information** (for latitude & longitude, use centroid of site or start & end points of linear project)

Project Name: **SW Boones Ferry Road widening project** Latitude: **45.753668** Longitude: **-122.447413** *WYONG*

Proposed Use: **Widen SW Boones Ferry Road from SW Norwood Road to SW Day Road** Tax Map # **45.349223** *✓* **-122.775066** *✓*  
 2S 1 35CA; 2S 1 35CD; 2S 1 35D; 3S 1 2A; 3S 1 2AB; 3S 1 2B

Project Street Address (or other descriptive location): **See Proposed Use**

Township	Range	Section	QQ
2S	1W	35	CA;CD;D;
3S	1W	2	A;AB;B

Portions of SW Boones Ferry Rd ROW and portions of the following tax lots:  
 35CA: 100, 200, 300, 400, 500, 600, 700, 800  
 35CD: 100, 200, 300, 302, 400, 500  
 35D: 101, 102, 106, 109, 303, 400, 401, and 500  
 2A: 200, 300, 400, and 402  
 2AB: 100, 101, 900, 1000  
 2B: 100, 102, 103, 104, 105, 106, 107, 200, 300, 301, 303, 306, 307, 308, 309, and 311

City: **Wilsonville** County: **Washington** NWI Quad(s): **Sherwood**

Tax Lots: See left  
 Waterway: River Mile: N/A  
 Wetland/Tributary to Coffee Lake Creek

25 1W  
35 1W

**Wetland Delineation Information**

Wetland Consultant Name, Firm and Address: Phone # 503-570-0800  
 Pacific Habitat Services Mobile phone #  
 Attn: Amy Hawkins FAX # 503-570-0855  
 9450 SW Commerce Circle, Suite 160 E-mail: ah@pacifichabitat.com  
 Wilsonville, OR 97070

The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.  
 Cons: [REDACTED] Date: **1/31/13**

Primary Contact for report review and site access is  Consultant  Applicant/Owner  Authorized Agent

Wetland/Waters Present?  Yes  No Study Area size: **~35 Acres** Total Wetland Acreage: **0.38**

RECEIVED

FEB 01 2013

DEPARTMENT OF STATE LANDS  
REMITTANCE **388.00**

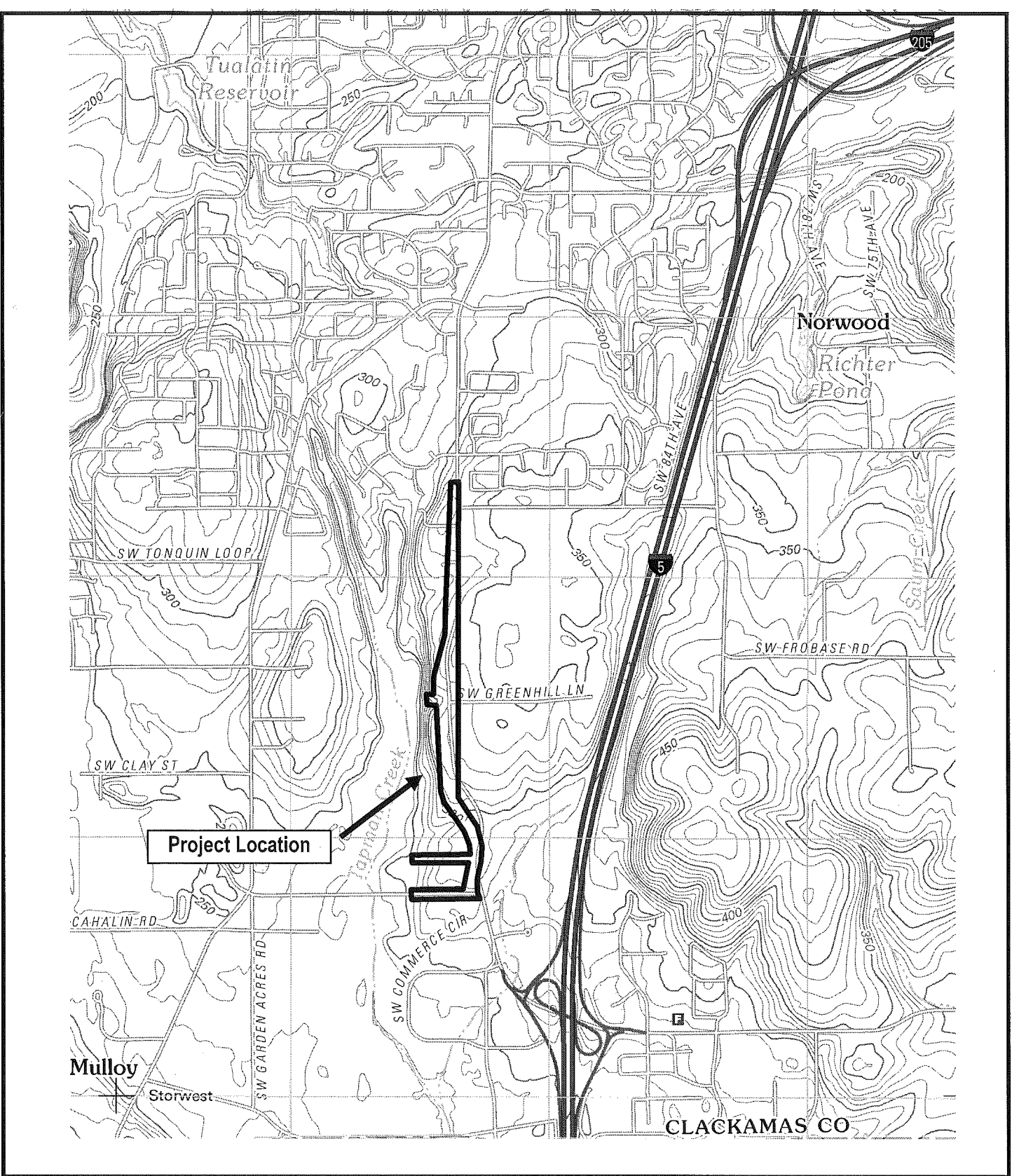
**Check Box Below if Applicable:** Fees:

R-F permit application submitted  Fee payment submitted \$ ~~378.00~~ **388**  
 Mitigation bank site  Fee (\$100) for resubmittal of rejected report  
 Wetland restoration/enhancement project (not mitigation) Name of Payor: **Washington County**  
 Industrial Land Certification Program Site **Pacific Habitat Services**

**Other Information:** Y N  
 Has previous delineation/application been made on parcel?   If known, previous DSL #  
 Does LWI, if any, show wetland or waters on parcel?

**For Office Use Only**

DSL Reviewer: PR Fee Paid Date: 2/1/13 DSL WD # 2013-0002  
 Date Delineation Received: 2/1/13 DSL Project # 54037 DSL Site # \_\_\_\_\_  
 Scanned:  Final Scan:  DSL WN # \_\_\_\_\_ DSL App. # 53166



4788  
11/15/12



Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070

Location and general topography  
SW Boones Ferry Road Widening project in Washington County, Oregon  
(USGS Sherwood, OR quadrangle, 2011).


FIGURE  
1


DSL WD # 13-0002

Approval Issued 6/3/13

Approval Expires 6/3/18

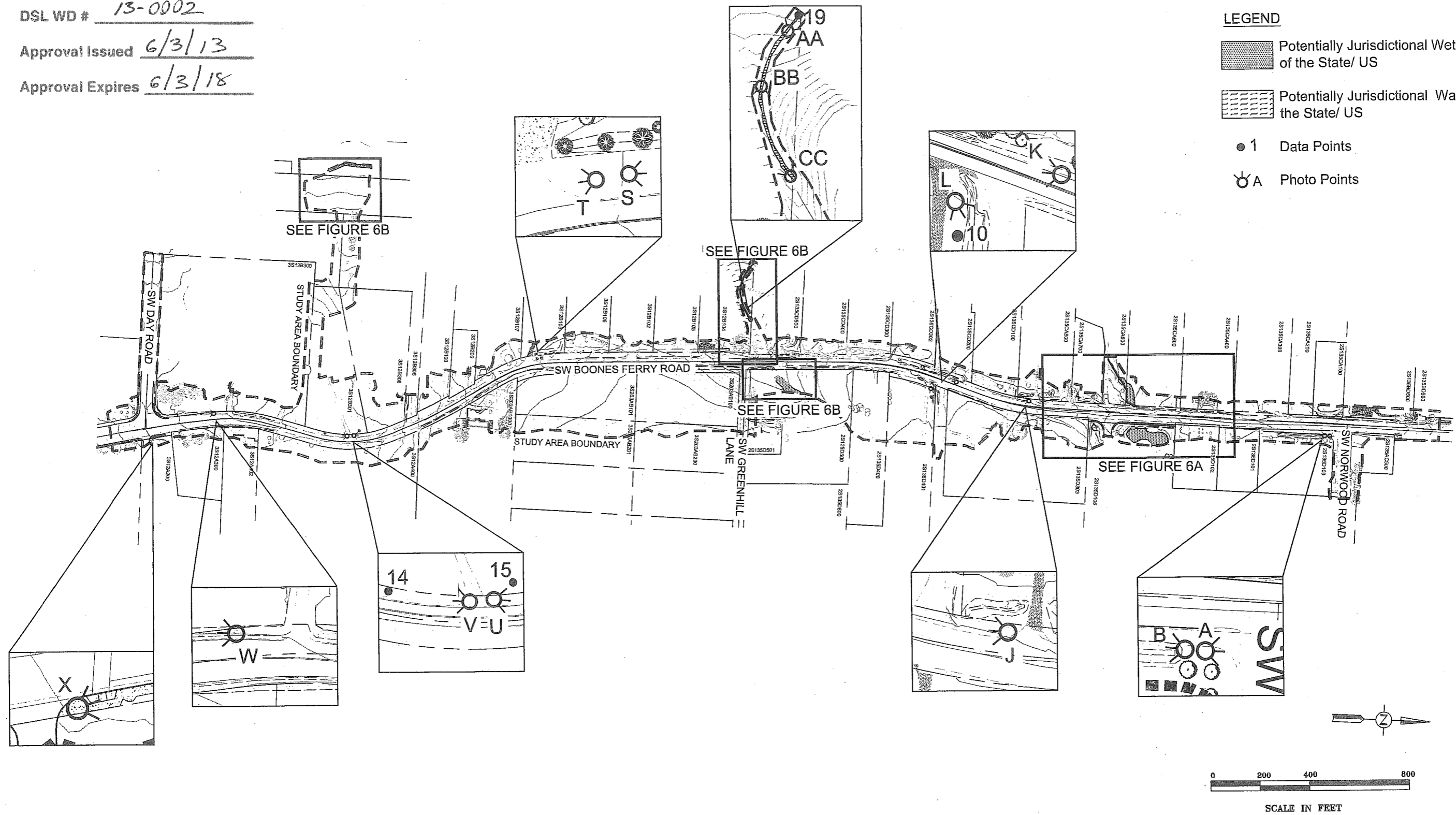
LEGEND

 Potentially Jurisdictional Wetlands of the State/ US

 Potentially Jurisdictional Waters of the State/ US

● 1 Data Points

⊙ A Photo Points



Note:  
Survey provided by MacKay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/- 3 feet.

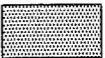
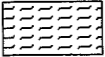




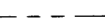
Wetland Delineation Overall Site Context and Sheet Index Plan  
SW Boones Ferry Road Widening Project - Washington County, Oregon

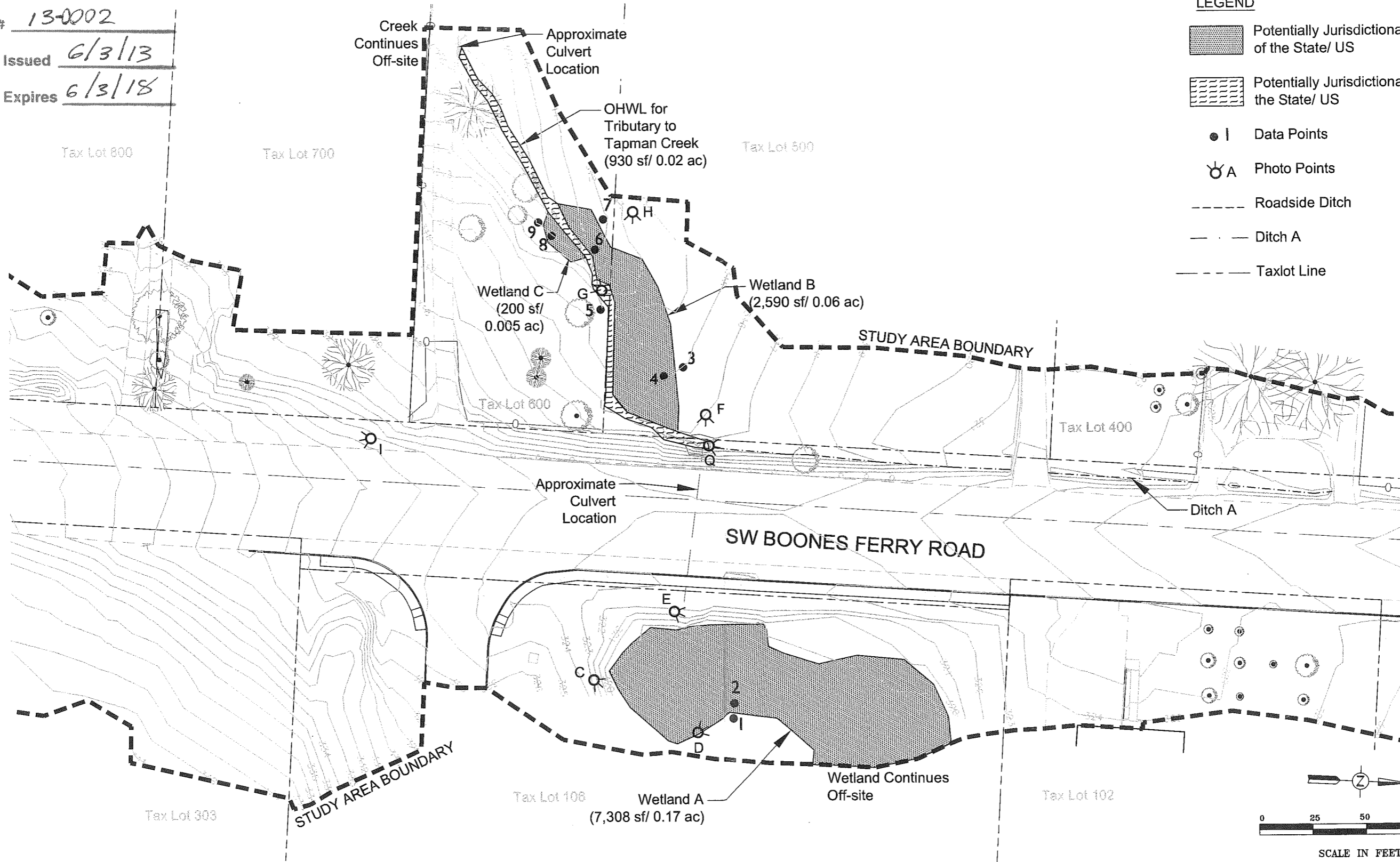
FIGURE  
6

01/15/13

DSL WD # 13-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18

**LEGEND**

-  Potentially Jurisdictional Wetlands of the State/ US
-  Potentially Jurisdictional Waters of the State/ US
-  Data Points
-  Photo Points
-  Roadside Ditch
-  Ditch A
-  Taxlot Line

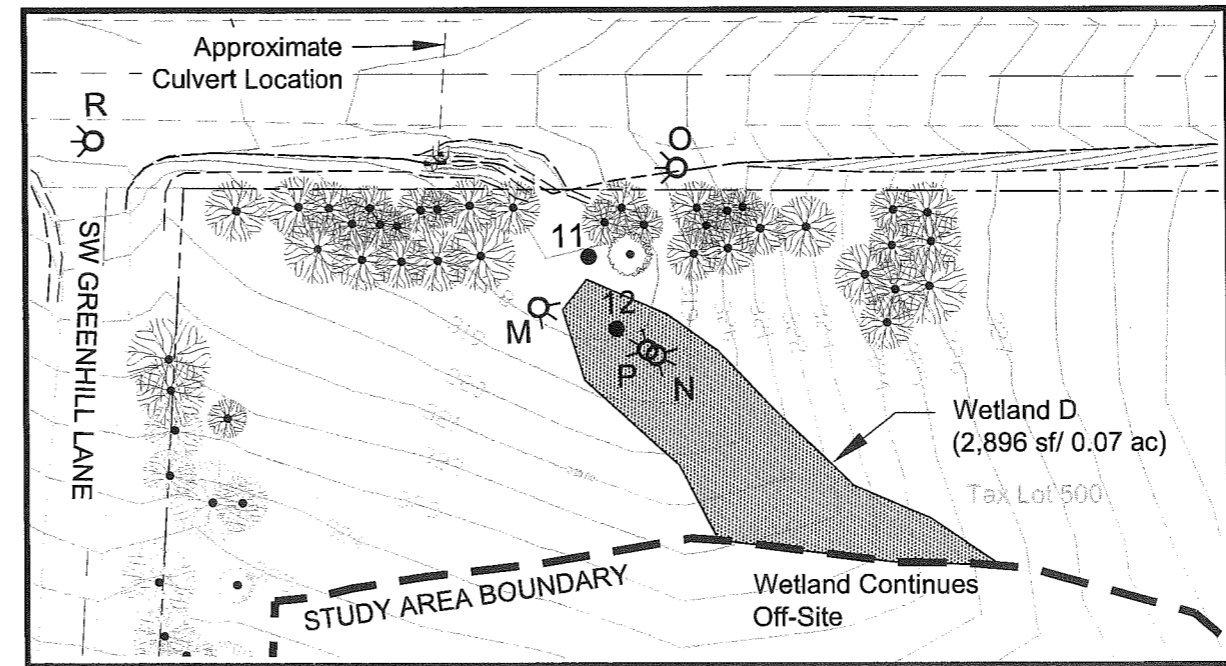
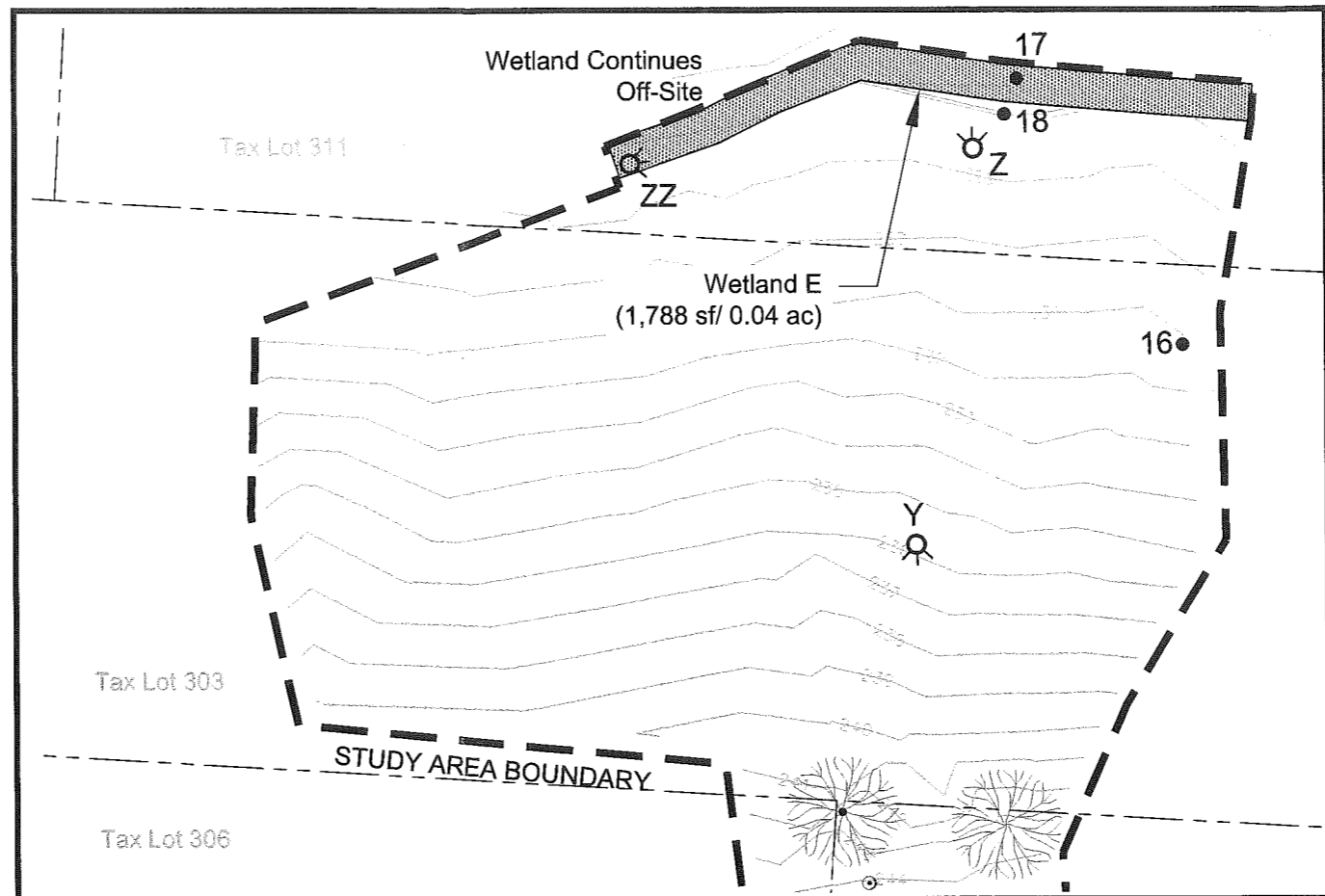
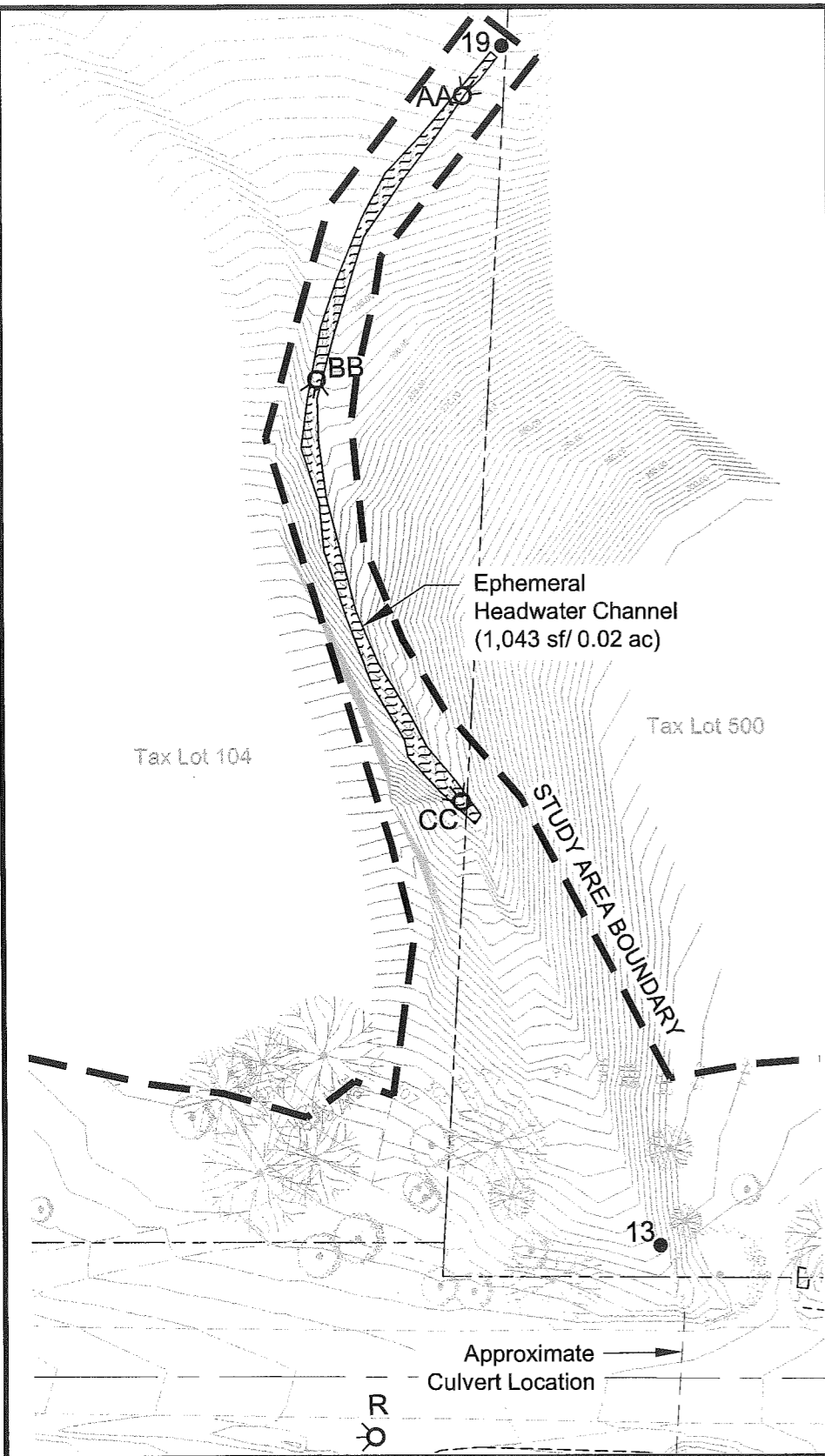


Note:  
 Survey provided by MacKay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/-3 feet.

Wetland Delineation  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE  
**6A**





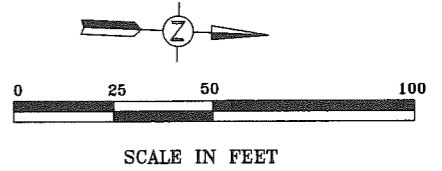
**LEGEND**

- Potentially Jurisdictional Wetlands of the State/ US
- Potentially Jurisdictional Waters of the State/ US
- | Data Points
- ⊙ A Photo Points
- - - - Roadside Ditch
- - - - Taxlot Line

DSL WD # 13-0002

Approval Issued 6/3/13

Approval Expires 6/3/18







Note:  
 Survey provided by Mackay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/-3 feet.

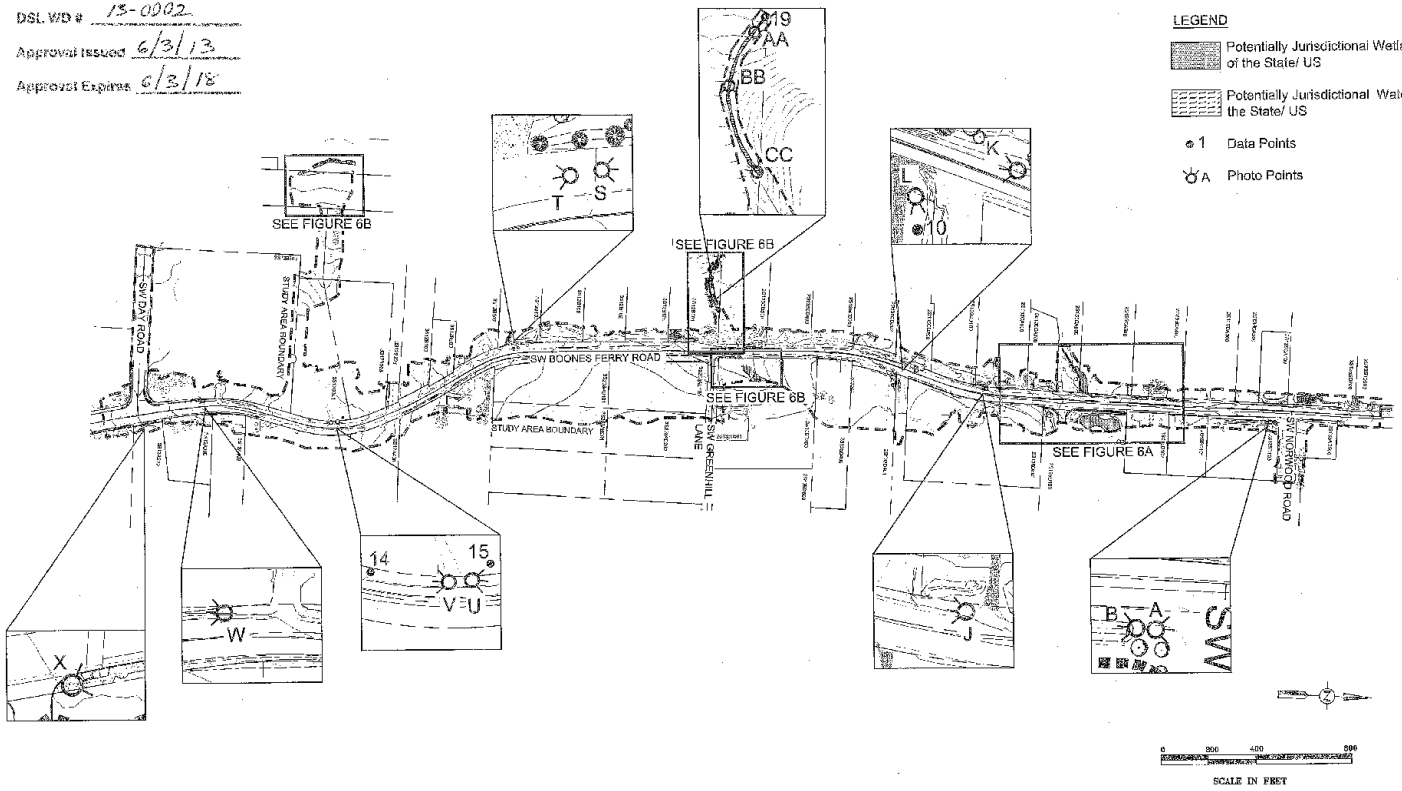
Wetland Delineation  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE  
**6B**



DSL WD # 13-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18

- LEGEND**
-  Potentially Jurisdictional Wetlands of the State/ US
  -  Potentially Jurisdictional Waters of the State/ US
  -  1 Data Points
  -  A Photo Points



Note:  
 Survey provided by Mackey & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/- 3 feet.

Wetland Delineation Overall Site Context and Sheet Index Plan  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE  
 6

01/2/13

# NATIONAL WETLANDS INVENTORY- BASALT CREEK AREA

## Global View- Basalt Creek Area-Without Smaller Identified Wetlands Indicated



**From:** [G Lucini](#)  
**To:** [BEN BRYANT](#)  
**Cc:** [Alice Rouyer](#); [AQUILLA HURD-RAVICH](#); [CINDY HAHN](#)  
**Subject:** Re: Basalt Creek Area Planning  
**Date:** Monday, January 06, 2014 7:53:27 PM

---

Hi Ben,

Hope you had a good New Year.

I am following up on the planning of the Basalt Creek area by the Cities of Tualatin and Wilsonville. I see there is an agenda item on Basalt Creek Planning on the Jan. 13, 2014 Tualatin Council Work Session.

Since my neighbors and I do not have any elected representation within the Tualatin-Wilsonville Joint Planning Project, it is extremely important to us that we hear discussion which is held on all phases of the planning for this area.

I attended the Basalt Creek Joint City meeting on October 29, as did my husband and some of my other neighbors who live within the area being discussed.

It appears that there were two subsequent meetings on December 12 and on December 30, 2013 of a Joint Council subcommittee comprised of two elected officials from the City of Tualatin and two elected officials from the City of Wilsonville (as well as staff and consultants) where a decision making framework was discussed, as was community engagement techniques for the Basalt Creek Area.

Although I previously requested to be included in any public notification regarding any planning for the Basalt Creek Area, I did not see any posting of either of these two meetings.

Would you let me know where and how I will be able to find in the future - the posting for any other public meetings relating to the planning of the Basalt Creek area-especially those involving 2 or more elected officials-prior to the date of the meetings.

Since the residents of this area do not have an elected official participating in these meetings, would it be reasonable to at least provide a list serve to the potentially affected residents, to provide us some enlightenment as to what the future may hold.

Looking forward to hearing from you.

Grace Lucini  
503 692 9890

On Thu, Sep 26, 2013 at 8:29 AM, BEN BRYANT <[BBRYANT@ci.tualatin.or.us](mailto:BBRYANT@ci.tualatin.or.us)> wrote:  
Hi Grace,

Thanks as always for your interest. We haven't quite started the outreach meetings yet, but we definitely will make sure you are involved. The next meeting for the Basalt Creek

Concept Planning (land use phase) is October 29 at Wilsonville City Hall. That meeting is scheduled as a joint Council meeting with both City of Tualatin and Wilsonville Councils. It should mark the kick-off of concept planning work. Once we are closer to that date, we will post an announcement on our website.

In the meantime, we are developing our staff team and getting ready for the next phase of this project.

Thanks, Ben

Sent from my iPhone

On Sep 25, 2013, at 3:23 PM, "G Lucini" <[grluci@gmail.com](mailto:grluci@gmail.com)> wrote:

Hi Ben,

I remember the last time we discussed Basalt Creek Planning, it was mentioned formation of public input groups would start around September 2013.

Can you tell me how the process is going?

Let me know if there someone I should contact, or any action I should take, to become involved in any meetings/ groupings / planning--- involving the Basalt Creek area.

I am interested in all aspects of planning for the area-- including (but not limited to) transportation, zoning, environmental impact etc.

Thanks,  
Grace Lucini  
503 692 9890

**From:** [BEN BRYANT](#)  
**To:** [Herb Koss](#)  
**Cc:** [Doug Seely](#); [CINDY HAHN](#); [Mangle, Katie](#); [AQUILLA HURD-RAVICH](#); [Neamtzu, Chris](#)  
**Subject:** RE: Basalt Creek Open House  
**Date:** Thursday, January 16, 2014 11:24:45 AM

---

Hi Herb,

My apologies for not responding sooner. Here is a quick response to your e-mail.

This last October, the City Councils of Wilsonville and Tualatin met to discuss and provide direction to staff regarding the process for moving forward with the planning of Basalt Creek. Based the direction we received from the Council, staff members from Tualatin and Wilsonville met to formalize a public planning process. Last Monday, we presented that information to the Tualatin City Council. On January 23<sup>rd</sup>, the Wilsonville City Council is also planning to receive an update and discuss. The links to both meeting materials are available on the [Basalt Creek website](#).

On January 27<sup>th</sup>, the Tualatin City Council will consider approval of a contract for a firm to assist with the planning process. If approved, this will signify continued progress to begin the much anticipated planning process.

Regarding the work on SW 124<sup>th</sup>, the County is still in the process of finalizing the engineering design and acquiring property. The hope is to begin construction within the next couple of years.

Thanks for your continued involvement. Let us know if you have additional questions.

Regards,

**Ben Bryant**

Management Analyst

City of Tualatin | Community Development

503.691.3049 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

---

**From:** Herb Koss [mailto:[herb@kossred.com](mailto:herb@kossred.com)]  
**Sent:** Sunday, January 12, 2014 8:19 AM  
**To:** BEN BRYANT  
**Cc:** Doug Seely  
**Subject:** RE: Basalt Creek Open House

Hello Ben

I just checked the Basalt Creek Website. Appears to me nothing much is happening.

I have been contacted by Washington County and I know they are doing some survey work on the future road Right of Ways.

Any update on the zoning of our land that is right the north of the 124<sup>th</sup> extension

I am going to report to our LLC members in Feb and don't want to miss out in sharing any current information.

Any update would be appreciated. I will be in Calif for most of the winter months and sometimes miss updated emails.

Would appreciate any updates.

Sincerely

Herb Koss 503 730 2431

---

**From:** BEN BRYANT [<mailto:BBRYANT@ci.tualatin.or.us>]  
**Sent:** Monday, December 05, 2011 3:46 PM  
**To:** BEN BRYANT  
**Subject:** Basalt Creek Open House

Dear Basalt Creek Interested Parties:

Below is an opportunity to learn more about a few transportation projects in and around the Basalt Creek Planning Area between Tualatin and Wilsonville.

### **Open House**

-

*What:* Washing County invites the public to an Open House to learn about, discuss, and provide feedback on the following three projects:

- 124th Avenue Project (Tualatin-Sherwood to Tonquin Road);
- Boones Ferry Road Improvement Project (Norwood to Day Street); and
- Basalt Creek Area Transportation Refinement Planning Efforts.

*When:* Wednesday, December 14, 2011 from 5:30 p.m. to 8:00 p.m. (No formal presentation is planned, but you are invited to drop in any time.)

*Where:* Tualatin Valley Fire & Rescue Training Center at 12400 SW Tonquin Road, Sherwood.

### **More Information**

-

As always, for more information, visit [www.basaltcreek.com](http://www.basaltcreek.com).

Thanks!

**Ben Bryant**

Management Analyst | Community Development Department | City of Tualatin





**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR  
JANUARY 13, 2013**

---

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Councilor Wade Brooksby

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Assistant City Manager Alice Cannon; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Program Coordinator Becky Savino; Teen Program Specialist Julie Ludemann; Police Captain Mark Gardner; Human Resources Manager Janet Newport; Public Works Director Jerry Postema

**A. CALL TO ORDER**

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:05 p.m.

**B. ANNOUNCEMENTS**

**1. Honor Eagle Scout Justin Metschan-Baertlein**

Human Resource Manager Janet Newport introduced Justin Metschan-Baertlein. Justin was awarded the honor of Eagle Scout in November for completing a bench restoration project at Ibach Park. He contributed 163 hours to the bench project and involved 20 volunteers from Troop 846 and the community.

Mayor Ogden congratulated Justin on receiving the honor of Eagle Scout and presented him with a plaque.

**2. Tualatin Youth Advisory Council Update for January 2014**

Member of the Youth Advisory Council (YAC) presented a PowerPoint on their latest activities and upcoming events. YAC held their annual holiday party in December which included a potluck and gingerbread house building competition. They have begun work on the annual Project FRIENDS workshop. The curriculum is currently being revised with plans to hold the workshop in April or May.

**3. Centennial Public Art at Tualatin Public Library**



Councilor Bubenik announced the installation of a new piece of centennial art. A reception was held earlier in the day accepting the art piece into the collection. The piece "Dynamic Continuum" is located in the entry way of the Library.

Tualatin Arts Advisory Committee Chair Buck Braden introduced artist Lynn Adamo who created this piece. Ms. Adamo explained the concept of the piece.

Chair Braden noted the committee has commissioned a 20ft steel sculpture that will be installed at the Tualatin Commons Park in March.

Mayor Ogden and Councilor Bubenik thanked that Centennial Art Committee for their work on selecting these pieces.

### **C. CITIZEN COMMENTS**

*This section of the agenda allows citizens to address the Council regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

Julie Rogers shared her concerns over the change in the speed limit along Martinazzi Avenue. She noted the speed was reduced from 35mph to 25mph. She requested more information on why the speed was reduced.

Grace Lucini requested she be notified directly of meetings and discussions around the Basalt Creek Concept Plan as this directly affects her residence.

Brett Hamilton urged Council to move forward with the construction of the Seneca Street extension. He stated it will improve pedestrian safety, traffic flow, increase commerce, and provide better access to the library.

### **D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will first ask staff, the public and Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, 1) Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to approve the consent agenda.

**Vote:** 6 - 0 MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of December 9, 2013.
2. Consideration of the Parks System Development Charge (SDC) Annual Report for Fiscal Year 2012/2013
3. Recommendations from the Council Committee on Advisory Appointments

### **E. SPECIAL REPORTS**

## 1. Vision Action Network Update

City Manager Lombos introduced Vision Action Network Executive Director Karin Kelley-Torregroza. Ms. Kelley-Torregroza recapped the mission of Vision Action Network (VAN) and its work on issues that impact the citizens of Washington County. She noted VAN grew out of the Vision West process. The mission of VAN is to identify critical issues and support the development of collaborative community based solutions. Their role is to act as a neutral convener to bring leaders together to help address challenging issues. Their goals include strengthening economic security, support diversity and inclusion, build sustainability, and promote a compassionate community. Some of their current projects include the Aging Initiative, Washington County Thrives, and a homeless cost study.

Councilor Davis asked to hear more about what VAN is doing in relation to primary care. Ms. Kelley-Torregroza stated that VAN is focusing on capacity and access in primary care for uninsured citizens. VAN is in the early stage of planning on this project.

## F. ITEMS REMOVED FROM CONSENT AGENDA

*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

## G. COMMUNICATIONS FROM COUNCILORS

### BASALT CREEK CONCEPT PLAN UPDATE

Planning Manager Aquilla Hurd-Ravich and Assistant City Manager Alice Cannon gave an update on the Basalt Creek Concept Plan. Manager Hurd-Ravich stated the joint City of Tualatin and City of Wilsonville sub-committee met in December to discuss a decision making structure and the public engagement process for this concept plan.

Council President Beikman discussed the decision making structure. She noted meetings and workshops will be held and information will be reported back to each Council and Planning Commission individually. Joint meetings will be held throughout the process for both Councils to come together and make decisions.

Manager Hurd-Ravich shared the process diagram showing key milestones and deliverables. The first task will include making a detailed schedule and public involvement plan with the consultant team.

Assistant City Manager Cannon noted that the consultant team will be working on updating and making the website more interactive. They will be responsible for keeping the information on the site up to date.

Councilor Davis asked that a email update feature be added to the site.

## COMMUNICATIONS FROM COUNCILORS

Councilor Davis thanked the Peace County/Washington County Democrats for inviting her and the Mayor to the Public Transit Forum they hosted.

Councilor Bubenik announced Tualatin Tomorrow will be hosting the State of the City Event . Tualatin Tomorrow will present the draft Vision Action Plan followed by the Mayor's State of the City speech. The event will be held on January 29, 5pm, at the Bridgeport Grand Hotel. Mayor Ogden invited all citizens to attend.

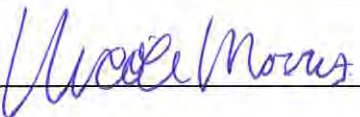
Councilor Bubenik noted Washington County is updating their Cooperative Plan for 2015-2020 and will kick this off by screening the movie American Winter. The screening will take place on February 26, 6pm, at the Venetian Theater and will be followed by a panel discussion on poverty in Oregon.

## H. ADJOURNMENT

Mayor Ogden adjourned the meeting at 8:02 p.m.

Sherilyn Lombos, City Manager

  
\_\_\_\_\_/ Nicole Morris, Recording Secretary

  
\_\_\_\_\_/ Lou Ogden, Mayor



**From:** G Lucini [<mailto:grluci@gmail.com>]

**Sent:** Monday, January 27, 2014 12:26 AM

**To:** COUNCIL

**Cc:** Lou Ogden; Monique Beikman; Frank Bubenik; Ed Truax; Nancy Grimes; Joelle Davis; Wade Brooksby

**Subject:** PLEASE INCLUDE AS PART OF PUBLIC RECORD-For Tualatin City Council Meeting 1-27-14- Basalt Creek Planning

**FOR INCLUSION AS PART OF PUBLIC RECORDED**

**TUALATIN CITY COUNCIL MEETING 1-27-14 ---**

**CONSENT AGENDA ITEM D-3 ---Resolution No. 5178-14 ----Fregonese Contract Basalt Creek Concept Planning--**

**Basalt Creek Concept Planning- Natural Resources- Water Quality**

**Dated: 1-26-14**

Resolution No. 5178-14 is included on a Tualatin City Council Meeting agenda for the first time---for the 1-27-14 Meeting. This resolution is to authorize a Personal Services Agreement for Concept Planning for the Basalt Creek / West Railroad Areas.

Resolution No. 5178-14 is scheduled as a consent agenda item.

The City staff is requesting acceptance and authorization to execute a Contract with Fregonese Associates during this initial presentation on a Tualatin City Council Meeting Agenda.

The Fregonese Contract is the main framework for the entire decision making process on Basalt Creek Concept planning. The Contract Scope of Work provides specific services will be provided from creation of a Public Involvement Plan; the depth of the initial evaluation of existing conditions; how alternative scenarios will be determined; how the alternatives will be compared; how the Concept Plan will be selected; and recommendations as to how to implement the plan- from changes to jurisdictional boundaries, infrastructure and transportation. This is the governing tool for the entire planning process.

There are two issues I wish to bring to the attention of the Tualatin City Council regarding Resolution No. 5178-14, the Fregonese Contract, and the actions of the Basalt Creek Concept Planning staff.

1. There are already important administrative problems relating to the public notification and governmental transparency of the planning process and compliance with the laws of the State of Oregon
2. A related issue involves content within the Fregonese Contract. The stated scope of services to be provided in the Fregonese Contract does not provide for the appropriate level of due diligence of the Significant Natural Resources which exist

within the Basalt Creek Area- starting from the very initial Existing Conditions Assessment. The Fregonese Contract needs to be modified to provide a higher level of assessment.

### **BASALT CREEK CONCEPT PLANNING PROCESS- ISSUES WITH GOVERNMENTAL TRANSPARENCY AND COMPLIANCE WITH OREGON'S PUBLIC MEETINGS LAW**

The Basalt Creek Concept Planning Project staff has taken several actions which have already clouded the public's perceptions of governmental transparency with the Basalt Creek Concept Planning process. Oregon's Public Meetings Law provides legal requirements which provide for citizens to have access to the exchange of information as part of a decision making within a governmental process.

Oregon Public Meetings Law (ORS 192.610 -192.690) have been interpreted and explained in State of Oregon Department of Justice Attorney Generals Public Records and Meeting Manual January 2011

*"The key requirements of the Public Meetings Law are to hold meetings that are open to the public unless an executive session is authorized, to give notice of meetings and to take minutes or otherwise record the meeting. In addition there are requirements regarding location, voting and accessibility for disabled persons."...*

*"Subject of Meetings and Social Gatherings- Even if a meeting is for the sole purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the governing body, the meetings law will apply. This requirement serves the policy expressed at ORS 192.620 that an informed public must be aware not only of the decisions of government but also of "the information upon which such decisions were made"..."*

*..."It does not matter that the discussion is "informal" or that no decision is made; it is still a meeting for the purposes of the Public Meetings Law"..."*

*"...If two or more members of any public body have "the authority to make decisions for or recommendations to a public body on policy of administration" , they are a "governing body" for the purposes of the meetings law. ORS 192.610(3)"..."*

*..."The public notice requirements apply to any "meeting" of a "governing body" subject to the law, including committees, subcommittees and advisory groups"..."*

*..."Governing bodies are cautioned not to misuse the committee appointment process or decision making process to subvert the policy of the Public Meetings Law"..."*

*...We have acknowledged that strict compliance with the substantive requirements of the Public Meetings Law frequently may "sacrifice speed and spontaneity for more process and formality." Nonetheless, we believe that the law's requirements generally will not interfere with a public body's administration"..."*



## THE PUBLIC HAS DEMONSTRATED THEIR DESIRE TO WITNESS THE DECISION MAKING PROCESS

Project staff has knowledge of existing public interest in monitoring the Basalt Planning Process.

- Citizens have previously established their interest in receiving information about the Basalt Creek Concept Planning process.
  - o Local citizens and residents attended the only Joint Cities Basalt Creek Concept Planning meeting held to date -on 10-29-13.
  - o Citizens expressed their desire to project staff to be informed of meetings on the Basalt Creek Planning both verbally and in writing - qualifying as "Interested Persons"*(Please see attached email chain September 2013 to January 2014)*.
- A review of the video tape of the Citizen Comment portion of the Tualatin City Council Meeting of 1-13-14, documents a citizen request for governmental transparency within the Basalt Creek planning -especially due the affect upon the residents of the area who are not residents of either the City of Wilsonville or the City of Tualatin.

## PROBLEMS IN GOVERNMENTAL TRANSPARENCY HAVE ALREADY BEEN DEMONSTRATED, AND CONTINUE TO EXIST

The City of Tualatin previously demonstrated compliance problems with public notification of public meetings as part of the Water Master Plan revision process in January 2013.

During the first and only meeting of the Joint Cities Basalt Creek Concept Planning Project on 10-29-13, the City Councils voted to authorize and direct a subcommittee consisting of two City Council members from each of the two cities and staff to “establishing a decision-making framework and identifying community engagement techniques to be used throughout the project”. The Subcommittee was directed to bring back a “robust” report back to their respective City Councils.

Apparently during the Subcommittee Meetings in December 2013, Council Representatives either generated, discussed, or directives were given to Project staff on to topics be included within the Fregonese Contract. The importance and significance of this document generated/vetted by the Subcommittee and being presented to the Councils for acceptance and execution cannot be understated.

1. There was no Public Notification of the December 2013 Councils' Subcommittee. This lack of public notification prevented public attendance and prevented public access to the discussions on this document which will direct the entire decision process- which prohibited citizen attendance due to lack of notice.
  - The Project staff was contacted 1-6-14 regarding the lack of and Public Notification of the Subcommittee December 2013 meetings. *(Please see attached email chain September 2013 to January 2014)*
  - On 1-7-14 the Project Manager stated the Subcommittee Meetings were "informal working meetings, therefore, no public notification was made". *(Please see attached email chain September 2013 to January 2014)*
  - After discussion, the Project Manager on 1-7-14 agreed to take actions to rectify previous problems with public notification on planning meetings – *(Please see attached email chain September 2013 to January 2014)*
    - including future postings of public meetings regarding Basalt Creek planning on BasaltCreek.com-which is administered by the Project Manager/ City of Tualatin.
    - Public Meetings for the Tualatin City Council and for the Wilsonville City Council -relating to Basalt Creek Planning -would be also be posted to the BasaltCreek.com website
2. The minutes of the Joint Council's December 2013 Subcommittee meetings:
  - Have not been posted to either of the cities' official websites (as are other minutes of Council Subcommittees, Commissions, or Advisory Groups), or
  - Have not been posted to the BasaltCreek.com website. *(Please see 1-21-14 BasaltCreek.com screenshot)*
  - The lack of written documentation of the Subcommittee minutes prevented citizens from access to written information about any discussion which occurred on Basalt Creek planning which occurred during the Subcommittee meetings
3. The "robust" report which the Joint City Councils directed the Subcommittee to provide on their meetings- did not include any documentation of the minutes of the meeting, content on all issues or documents discussed, or actions to be taken.
  - Tualatin Council meeting on 1-13-14- Agenda included the initial presentation of the Basalt Creek Process Diagram and the Partnering Agreement- which were apparently generated or vetted by the Council Subcommittee

- There were no minutes from Joint Councils' Subcommittee attached to the City Council Meeting informational packet providing information on the discussions or deliberations from which these documents apparently generated.
  - During the Wilsonville Council Meeting on 1-23-14 the Partnering Agreement and the Fregonese Contract were presented by the Project staff for endorsement
    - There were no minutes from Joint Councils' Subcommittee attached to the City Council Meeting informational packet providing information on the discussions or deliberations from which these documents apparently generated
  - Tualatin Council meeting for 1-27-14 will be the first presentation of the Fregonese Contract draft to a Tualatin City Council Meeting
    - There were again no minutes from Joint Councils' Subcommittee, or other documents of public meetings attached to this agenda informational packet- providing background on the discussions or the deliberations which generated the Fregonese Contract
4. During the Tualatin City Council Meeting on 1-13-14,
- Project staff presented the Project Process Diagram, and the Partnering Agreement which were apparently part of the results of the deliberations of the Joint Councils' Subcommittee
  - Although there were references made to the Fregonese Contract during the Tualatin Council Meeting on 1-13-14- a copy of the contract draft was not provided as part of the Council Meeting's informational pack, nor was a copy of the Fregonese contract draft available on City of Tualatin Website, or on the BasaltCreek.com website at the time.
  - The Tualatin Joint Council Subcommittee members – reported upon their comments/ recommendations made to the Project staff during the Subcommittee meetings- These comments emphasized their intentions to involve the public in the planning process- especially those residents within the planning area.,
  - At the 1-13-14 meeting Council President Beikman restated the comments she made to the December Subcommittee meetings-- of her intention the public be given notification of meetings on Basalt Creek planning

- Contrary to the comments / directives given by the Council Members Subcommittee members -- there are no statements- or goals- indicating the need or requirement for Public Notification of public meetings within the draft of Partnering Agreement .
- As previously stated, the minutes of the Joint Councils' Subcommittee meetings are not included within the informational pack for the agenda item
  - There is no record of any directives made by the Subcommittee to the Project staff provided –
  - Lack of this information hinders clarification on possible omissions or conflicting information in the resulting documents generated as a result of the Council's Subcommittee Meetings.
- The transparency and integrity of the decision making process was compromised

5. Project staff scheduled Resolution No. 5178-14 Authorizing a Personal Services Agreement for Concept Planning for the Basalt Creek/Wets Railroad Areas on the consent agenda for the City of Tualatin City Council Meeting for -27-14

- This Tualatin City Council Meeting- a public meeting on the Basalt Creek Concept planning was not posted on the BasaltCreek.com website until after 1-21-14 (Please see 1-21-14 BasaltCreek.com screenshot). The BasaltCreek.com was later updated to include a reference to a Tualatin City Council Meeting with a link to the Tualatin City- website for the Council Meeting for 1-27-14.
- Resolution No. 5178-14 and the Fregonese Contract were only posted to the City of Tualatin Website the week of 1-20-14
- This is the first time Resolution No. 5178-14 will be presented to the Council as part of a Tualatin City Council meeting
- This is the first time the Fregonese Contract draft will be presented to the Council as part of a Tualatin City Council Meeting
- The Fregonese Contract is a significant document of large scope and impact- involving multiple agencies and jurisdictions
  - The Fregonese Contract is the governing tool for the entire Basalt Creek Planning process

- The Fregonese Contract will develop a Concept Plan and make recommendation to change the governance , infrastructure and transportation of multiple jurisdictions
- The Fregonese Contract when implemented will affect a large geographic area of hundreds of acres including residential and industrial land
- The Fregonese Contract was posted on the City website the week of 1-20-14 for the first time-

6. Due to lack of compliance to the Oregon Public Meetings Law- citizens have not been given appropriate public notice, or access to the discussions or deliberations during public meetings which generated the Fregonese Contract and placement of Resolution No. 5178-14 on the Consent agenda for the Tualatin City Council Meeting 1-27-14.

- It is unclear when the following discussions were held as part of a Tualatin City Council Work Session or Meeting Agenda Item –listing Basalt Creek Concept Planning as a topic –

- The method of concept planning to be selected for Basalt Creek Concept Planning

- i. The rationale for selecting the proposed method of concept planning utilizing only one consultant who creates the entire framework for decision making, facilitates and then implements the entire plan

- ii. Versus other methods of concept planning which are primarily directed by the Governing body utilizing various consultants

- The goals, scope, requirements or specifications needed as part of the Basalt Creek Concept Planning process

- If the Fregonese Contract actually meets the goals, requirements and/or specifications needed to develop and execute the Concept Planning for the Basalt Creek Area.

- Project staff elected to place of Resolution No. 5178-14 and the Fregonese Contract on the Consent agenda for the Tualatin City Council Meeting on 1-27-14.

- Project staff are aware this is the first time the draft of the Fregonese Contract has been presented at a Tualatin City Council Meeting



- The City of Tualatin, as the fiduciary partner within the Joint Cities Partnering Agreement –Basalt Creek Concept Planning –should require that appropriate public due-diligence of the Fregonese Contract is done.
- Project staff is aware the City of Wilsonville is a partner with the City of Tualatin in the concept planning
  - Project staff is aware the draft of the Fregonese Contract was to be presented for the first time to the Wilsonville City Council Meeting on 1-23-14
  - Project staff's placement of Resolution No. 5178-14 and the Fregonese Contract on the Consent agenda for the Tualatin City Council meeting on 1-27-14 did not provide for public discussion by the Tualatin Council of any feedback from generated either verbally or in writing from the Wilsonville Council.
    - i. Project staff placement of Resolution No. 5178-14 and the Fregonese Contract on the consent agenda – limits Tualatin Council members from discussion of any issues, concerns or modifications requested by the Wilsonville Council on the Basalt Creek planning process
    - ii. Due to the encompassing scope of the Fregonese Contract, any concerns with the process, services, or implementation relating to Basalt Creek Planning perceived by the City of Wilsonville should be fully explored- as to any potential need for modification of the Fregonese Contract draft.
    - iii. As part of their fiduciary responsibilities, Tualatin Council members should discuss if Wilsonville has any concerns with the any phase of the planning process, or services provided by the Contract, and if any modifications to the contract are necessary or appropriate to make prior to giving authorization to execute the Contract.
    - iv. Citizens should have knowledge of these discussions- even if no action is taken- or if modifications to the contract will be made.

The transparency of the governmental process in the development and implementation of the Basalt Creek Concept Planning process has been greatly damaged. The spirit and the letter of Oregon Public Meetings Law have been compromised.

Based upon numerous examples of actions taken by the Project staff clouding the transparency of the decision making process- from virtually the start of the planning process- I request a critical look be taken at the Project administration.

Even after a citizen approached the Project staff as to concerns about transparency and public notification issues- there are continuing problems with compliance with the requirements of the Public Meetings Law

The explanations provided by the staff as to the reasons for non-compliance with the requirements for Public Notification of Public Meetings, are without legal merit.

The actions, discussions and deliberations of public meetings on Basalt Creek Concept Planning have not been documented to include the minimum information as delineated in State of Oregon Department of Justice Attorney Generals Public Records and Meeting Manual January 2011.

Due to the actions of the Project staff, and the lack of acknowledgement of the requirements of the Public Meetings Law within the drafts of the Projects governing documents, it is also requested the City Council evaluate if the Partnering Agreement and the Fregonese Contract clearly indicate the intentions and services to be provided comply with the Public Meetings Law.

The size and professionalism of the governments of the City of Tualatin and of Wilsonville should not be tainted by the inability to conform and provide the basic service of providing public access to the discussions, and deliberations which will occur as part of this decision making process.

The City Council should provide clear direction to the project staff, resolve previous record keeping omissions, and take corrective actions to avoid future occurrences.

I request the City Council to include in their actions:

1. Review if the staff actions are in accordance with the spirit and/or letter of Oregon's Public Meetings Law.
2. Take actions to gain compliance with Oregon Public Meetings Law – including
  - a rectify existing issues including omissions in documentation of public meeting minutes and record keeping , and
  - b Immediately enforcing public notification (as specified by the law) of future public meetings on the planning process.

3. The Project staff should be provided additional education as to what constitutes a public meeting and the actions which are required by law- and provide support as necessary
4. Prior to acceptance of the governing documents for the Basalt Creek Concept Plan ---evaluate if the Partnering Agreement; and the documents which constitutes Resolution 5178-14 clearly indicate intentions to comply with the Oregon Public Meetings Law during the Basalt Creek Concept planning process.
5. Provide a clear statement within the two governing documents of intent to provide governmental transparency- including specific actions to be taken to comply with Oregon Public Meetings Law.
  - a Identify a person to be accountable for monitoring compliance issues during the planning process.
  - b develop a procedure to assist the public as to whom to contact when compliance concerns arise

These actions may help provide clarification of expectations for staff, the Consultant, and the public regarding governmental transparency and intention to comply with Public Meetings Law.

*Due to the factors identified above, the following comments are provided - that they are given consideration prior to the acceptance and execution of the Fregonese Contract as posted to the Tualatin City website the week of 1-20-14.*

**LACK OF APPROPRIATE LEVEL OF DUE-DILIGENCE IN THE INITIAL ASSESSMENT AND FOLLOWING ANALYSIS OF SIGNIFICANT NATURAL RESOURCES FOR BASALT CREEK AREA PLANNING.**

In the review of Fregonese Contract it is apparent there is a lack in the appropriate level of due-diligence relating to assessment and evaluation of impact to the Significant Natural Resources and/or water quality with the Basalt Creek Area within the planning process.

Additionally, State and Federal agencies involved with the monitoring, protection and/ or enforcement of statues relating to Water Quality and/or Natural Resources are

absent from the "Invited Agencies List" of participating agencies within the Partnering Agreement. These agencies should be included in the same "Invited Agencies List"- as is Clean Water Services.

Based the decision making process utilized with the Grahams Ferry – Boones Ferry Road Connector Location Project- it is apparent there is a need for a change in the method natural resources within the Basalt Creek area are evaluated and information gained used in the analysis process. Appropriate level of assessment of the known Significant Natural Resources, needs to be included in the decision making process.

To have the sole determinant of “environmental impact” based solely upon the square footage of the wetlands impacted – as was previously done- will produce misleading information. This method of natural resource assessment should not be considered the appropriate level of due-diligence in this planning process if a meaningful outcome of the evaluation process is to be expected.

The Fregonese Contract needs to be modified to achieve a reasonable level of due-diligence as to existing Significant Natural Resources and water quality.

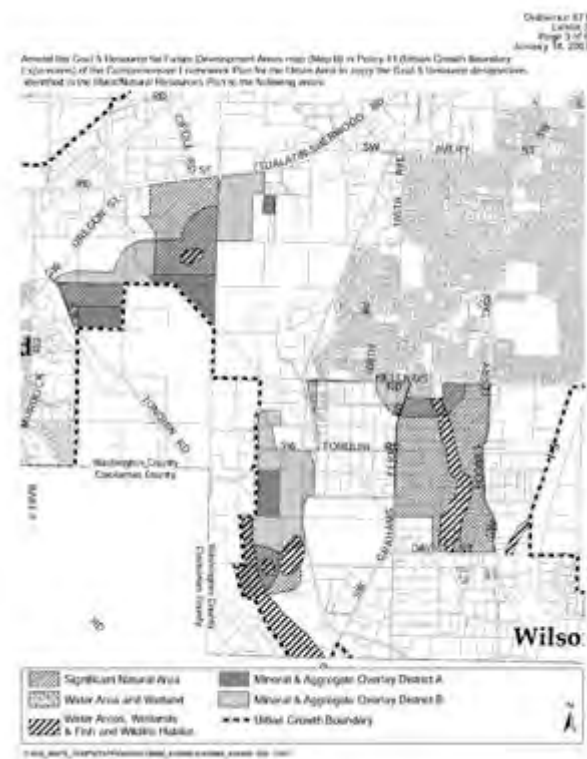
Specific data collection, quantification, and qualification of the various known resources- including impact to water quality locally and downstream-is necessary to be able to establish a hierarchy of importance, protection requirements and potential future utilization. The assistance and expertise of State and National agencies need to be included as participants in the Partnering Agreement and added as resources for assessment and analysis in the Fregonese Contract.

Assessment of the known wetlands which cover a large area of the Basalt Creek Area specifically needs to be completed to be able to provide some qualified estimate of the various levels of wetland mitigation which will become a factor in planning and future development.

All of this type of information needs to be compiled to allow a definable and consistent criterion to be developed as part of the comparative analysis with the alternatives.

It is already known and documented the Basalt Creek area contains large areas of Goal 5 Resources. When the Basalt Creek area was brought into the Urban Growth Boundary, a large portion of the area was identified as containing “Significant Natural Areas”, as well as “Water Areas, Wetland & Fish and Wildlife Habitat”. Please see the attached map:

Washington County, Ordinance 671, Exhibit 2 Page 3 of 9 January 18, 2007



The scope of any development or construction constraints placed upon portions of the area due to the potential impact upon natural resources or water quality should be quantified and included within the decision making matrix. Any of these construction or development limitations should also be quantified and utilized as part of the comparison of proposed alternative scenarios. At any stage along the decision making process, the lack of accurate quantifiable information on the impact on water quality and natural resource, or resulting development limitations and/or the lack of the appropriate level of alternative analysis of this information ---may produce inaccurate results.

The Fregonese Contract identifies a subcontractor who will obtain and review “published or ready to use natural resource inventories and mapping”, and interviews of staff from Wilsonville, Tualatin, and Clean Water Services, and Metro to identify “important areas of special consideration, especially in and near existing receiving waters”. This assessment is very limited as to subject matter, scope of study and quality/source of information to be obtained.

It is important to point out---many of the entities which the Fregonese Contract has identified as the source of information on “natural resources” do not currently have jurisdiction, or provide limited service to the area being evaluated. The Basalt Creek area is outside the city limits of Wilsonville and of Tualatin---and are actually the



entities requesting the information and review. Clean Water Services does not currently provide services to all the Basalt Creek Area.

The Fregonese Contract does not specify State or Federal Agencies who have pertinent information; conducted studies; or who have jurisdictional authority or other monitoring/protection responsibilities over water quality or other natural resources in the Basalt Creek Area ---are to be included as sources of information, or consultation within the decision making process.

The Partnering Agreement lists numerous "Required" and "Invited" agencies to be included in the decision making process. This list also lacks State or Federal agencies that have jurisdiction, authority or responsibility for monitoring or protecting water quality or other natural resources within the Basalt Creek area as participating agencies.

The inclusion of these State or Federal agencies as part of the decision making process, would provide a wealth of information, expertise, and advice directly related to statutory constraints limiting development, and could provide recommendations on actions which may advert negative impact to the existing resources.

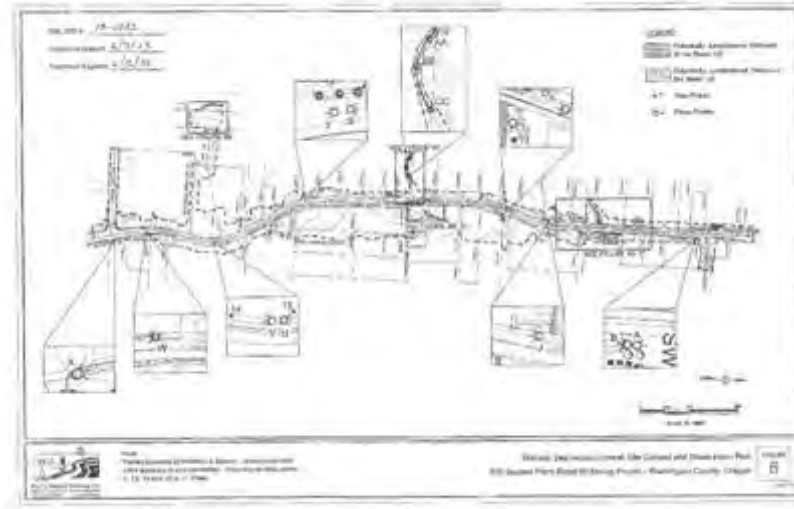
The attached documents provide evidence of portions of the Basalt Creek area have already been identified as having Significant Natural Resources and/or may be under the jurisdiction of State and Federal agencies responsible for protection of natural resources.

- US Department of Fish and Wildlife Service- National Wetlands Inventory- Map of Identified Wetlands

NATIONAL WETLANDS INVENTORY- BASALT CREEK AREA  
Global View- Basalt Creek Area-Without Smaller Identified Wetlands Indicated



- Oregon Dept. of State Lands/US Army Corp Engineers- Wetland Delineation SW Boones Ferry Road Improvement Project



In addition to Metro, additional agencies should be utilized by the Consultant and Subcontractor to obtain accurate data collection on Significant Natural Resources in the Basalt Creek area as well as during the decision making process:

- US Department of Fish and Wildlife- National Wetland Inventory
- Oregon Department of Fish and Wildlife

- US Army Corp of Engineers-Portland District
- Oregon Department of Land Services
- CETAS (Oregon's Collaborative Environmental and Transportation Agreement for Streamlining)
- DEQ (State of Oregon Department of Environmental Quality)
- Other Agencies as necessary (i.e. United States Environmental Protection Agency)

For consistency, agencies from this list should be included within the list of "Invited" agencies within the Partnering Agreement to provide input and to participate in the planning process

An important aspect of community planning and development is the health of its natural resources. The lack of appropriate evaluation of the potential effects of future development upon the natural resources – and potential constraints upon development - within this planning process may lead to the selection of an alternative which may not be able to meet the needs of the citizens or eventually become detrimental to the community.

It would an unfortunate expenditure of time and taxpayer money if the entire planning process lacked an important determinant in the decision making process which needed to be included from the start.

Respectively Submitted,  
Grace Lucini  
23677 SW Boones Ferry Road  
Tualatin, Oregon 97062



G Lucini &lt;grluci@gmail.com&gt;

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## Basalt Creek Area Planning

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G Lucini <grluci@gmail.com>  
To: Grace Lucini <grluci@gmail.com>

Wed, Jan 8, 2014 at 1:09 PM

Hi Cindy,

Thank you for your follow-up phone call yesterday --to the email below.

I appreciated the opportunity to discuss the merits of informing citizens of public meetings-- which can be beneficial to the goal of the Basalt Creek -Joint Cities Planning.

Residents of the Basalt Creek area have proven their interest in the planning of the area by attendance at meetings which have been posted publicly, as well as having requested notification either directly or through the BasaltCreek.com website over the past years.

Providing potentially affected citizens an opportunity to hear the discussions and limitations on this project now that the Joint Cities is refining the planning allows a greater understanding of the constraints and limitations within the decision making process.

By encouraging public involvement within the process, providing ample opportunities for public input and most importantly utilizing and incorporating the wealth of information and feedback which the citizens of the area are willing to share into the plans which will ultimately develop from this process---- will most likely promote and encourage community support and buy-in.

And, by providing the notification on meetings where two or more members, with the authority to make decisions for or recommendations to their respective City Councils on policy or administration, will assist in addressing the publics' need for transparency as the Basalt Creek planning progresses.

As I understand from yesterday's conversation, future public meetings on Basalt Creek planning will be posted on the BasaltCreek.com website.

These notifications will include City Council meetings (including work sessions) for both Tualatin and Wilsonville, as well as other public meetings (ORS 192.610 to 192.690) relating to the Basalt Creek- Joint Cities Planning.

As we discussed, I forwarded your email from yesterday to many of my neighbors - to provide them access to the information on the additional public meetings scheduled regarding the Basalt Creek-Joint Cities Planning which had not yet been posted to the BasaltCreek.com website.

A suggestion I poised in my email to Ben Bryant (but we did not discuss in yesterday's call) is the creation of a ListServe

specifically for the Basalt Creek Planning. I bring this suggestion up again, as you mentioned during our conversation--the citizen comment and request for notification from BasaltCreek.com is apparently co-mingled with a much larger generic community transportation database.

Since the scope and impact of the Basalt Creek Planning spans multiple jurisdictions, zoning issues, development codes, and affects property owners outside the city limits of Tualatin and Wilsonville, it may warrant a separate ListServe.

While I do not know the limitations of how the current database is structured and the difficulties involved in creating a separate list for Basalt Creek, I do know the benefits would include improved direct communication to interested citizens- as they will not be bombarded with extraneous notifications on transportation projects relating to other communities.

An additional benefit of a separate ListServe will be the ability to document early stage community outreach specifically for Basalt Creek when necessary for all stages of development and implementation.

I appreciate the time you took to call me and your offer to call you should I have future questions or concerns.

Please let me know if I miss-understood any parts of our conversation.

Thanks again for your phone call.

Grace  
503 692 9890

On Tue, Jan 7, 2014 at 2:22 PM, CINDY HAHN <CHAHN@ci.tualatin.or.us> wrote:

> Hi Grace,

>

>

>

> You are correct that there were two Joint Council Subcommittee meetings, on  
> December 12 and 30, 2013, to discuss a decision making framework and  
> community engagement for the Basalt Creek Concept Planning process. These  
> were informal working meetings, therefore, no public notification was made.

>

>

>

> Tualatin staff and Subcommittee members will be providing an update on the  
> Basalt Creek Concept Plan process to the Tualatin City Council at work  
> session on January 13, 2014. An agenda and packet for this presentation can  
> be found here:

> <http://www.tualatinoregon.gov/citycouncil/city-council-work-session-44>.

> Scroll to page 91 of the packet to read the staff memorandum and  
> attachments. The draft Partnering Agreement and a process diagram are  
> included as attachments and I encourage you to review these at your  
> convenience.

>

>

>

> Tualatin staff will be taking the consultant contract, scope of work, and  
> budget to City Council at the meeting on January 27, 2014. This agenda and  
> packet will be posted on January 17, 2014, at this location:

> <http://www.tualatinoregon.gov/citycouncil/city-council-meeting-140>.

>



>  
>  
> Wilsonville staff will be providing an update to the Wilsonville City  
> Council at work session on January 23, 2014. Please check the Wilsonville  
> website for the staff report and attachments.  
>  
>  
>  
> You are on the contact list to receive email updates on the Basalt Creek  
> Concept Planning project in the future once the process is underway. Updates  
> also will be posted to the Basalt Creek website:  
> <http://www.basaltcreek.com/>.

> Thank you for your interest in this project. Please let me know if you have  
> any other questions.

> Best regards,

> Cindy

> Cindy L. Hahn, AICP

> Associate Planner

> City of Tualatin | Community Development Department, Planning Division

> 18880 SW Martinazzi Avenue, Tualatin, OR 97062

> 503-691-3029 | [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us) | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

> From: G Lucini [<mailto:grluci@gmail.com>]

> Sent: Monday, January 06, 2014 7:53 PM

> To: BEN BRYANT

> Cc: Alice Cannon; AQUILLA HURD-RAVICH; CINDY HAHN

> Subject: Re: Basalt Creek Area Planning

> Hi Ben,

> Hope you had a good New Year.

> I am following up on the planning of the Basalt Creek area by the Cities of  
> Tualatin and Wilsonville. I see there is an agenda item on Basalt Creek  
> Planning on the Jan. 13, 2014 Tualatin Council Work Session.

> Since my neighbors and I do not have any elected representation within the

> Tualatin-Wilsonville Joint Planning Project, it is extremely important to us  
> that we hear discussion which is held on all phases of the planning for this  
> area.

> I attended the Basalt Creek Joint City meeting on October 29, as did my  
> husband and some of my other neighbors who live within the area being  
> discussed.

> It appears that there were two subsequent meetings on December 12 and on  
> December 30, 2013 of a Joint Council subcommittee comprised of two elected  
> officials from the City of Tualatin and two elected officials from the City  
> of Wilsonville (as well as staff and consultants) where a decision making  
> framework was discussed, as was community engagement techniques for the  
> Basalt Creek Area.

> Although I previously requested to be included in any public notification  
> regarding any planning for the Basalt Creek Area, I did not see any posting  
> of either of these two meetings.

> Would you let me know where and how I will be able to find in the future -  
> the posting for any other public meetings relating to the planning of the  
> Basalt Creek area-especially those involving 2 or more elected  
> officials-prior to the date of the meetings.

> Since the residents of this area do not have an elected official  
> participating in these meetings, would it be reasonable to at least provide  
> a list serve to the potentially affected residents, to provide us some  
> enlightenment as to what the future may hold.

> Looking forward to hearing from you.

> Grace Lucini  
> 503 692 9890

> On Thu, Sep 26, 2013 at 8:29 AM, BEN BRYANT <[BBRYANT@ci.tualatin.or.us](mailto:BBRYANT@ci.tualatin.or.us)>  
> wrote:

> Hi Grace,

> Thanks as always for your interest. We haven't quite started the outreach

> meetings yet, but we definitely will make sure you are involved. The next  
> meeting for the Basalt Creek Concept Planning (land use phase) is October 29  
> at Wilsonville City Hall. That meeting is scheduled as a joint Council  
> meeting with both City of Tualatin and Wilsonville Councils. It should mark  
> the kick-off of concept planning work. Once we are closer to that date, we  
> will post an announcement on our website.

>  
>  
>  
> In the meantime, we are developing our staff team and getting ready for the  
> next phase if this project.

>  
>  
>  
> Thanks, Ben

>  
> Sent from my iPhone

>  
> On Sep 25, 2013, at 3:23 PM, "G Lucini" <[grlucini@gmail.com](mailto:grlucini@gmail.com)> wrote:

>  
> Hi Ben,

>  
> I remember the last time we discussed Basalt Creek Planning, it was  
> mentioned formation of public input groups would start around September  
> 2013.

>  
>  
>  
> Can you tell me how the process is going?

>  
>  
>  
> Let me know if there someone I should contact, or any action I should take,  
> to become involved in any meetings/ groupings / planning--- involving the  
> Basalt Creek area.

>  
>  
>  
> I am interested in all aspects of planning for the area-- including (but not  
> limited to) transportation, zoning, environmental impact etc.

>  
>  
>  
> Thanks,

>  
> Grace Lucini

>  
> 503 692 9890

[Home](#)[Project Description](#)[Transportation Refinement Plan](#)[Citizen Involvement](#)[Highlights & Updates](#)[Documents & Resources](#)[Contact Us](#)

## The Cities of Tualatin & Wilsonville

### Project Highlights/Updates

#### Draft Partnering Agreement

A subcommittee of the Tualatin and Wilsonville City Councils has worked with staff to develop a Basalt Creek Concept Plan Partnering Agreement and Process Diagram. The Agreement outlines how the cities of Tualatin and Wilsonville will generally approach decision-making and public involvement for the project. Each Council will discuss the draft Agreement during worksessions in January 2014:

- City of Tualatin work session: January 13, 2014. Meeting packet is available at:  
\* [Tualatin Jan. 13 Meeting Documents](#).
- City of Wilsonville work session: January 23, 2014. Meeting packet will be available at:  
\* [Wilsonville Jan. 23 Meeting Materials](#).

On October 29, 2013, Wilsonville and Tualatin City Councils held a joint work session to kickoff the Basalt Creek / West Railroad Concept Plan project. The discussion informed the scope of work for the project, and framed the collaboration on the process to come.

- \* [October 29 Meeting Documents](#)
- \* [October 29 Meeting Notes](#)

#### Boones Ferry Road Improvements:

Washington County is improving safety and capacity for all modes of travel along Boones Ferry Road between Norwood Road and Day Street. For more information on this project please visit: [Washington County Boones Ferry Road Project Website](#).

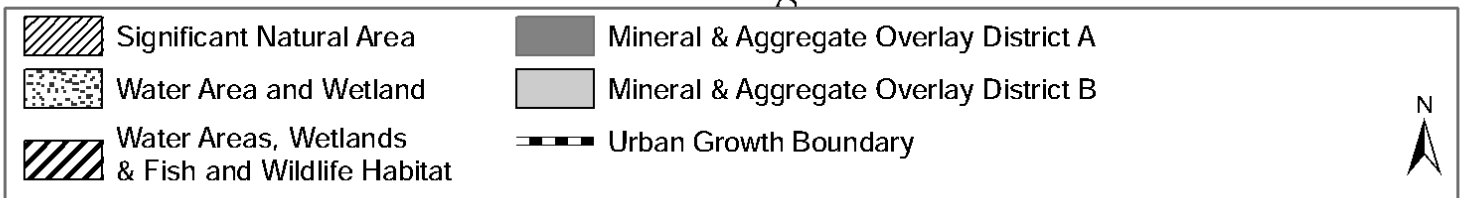
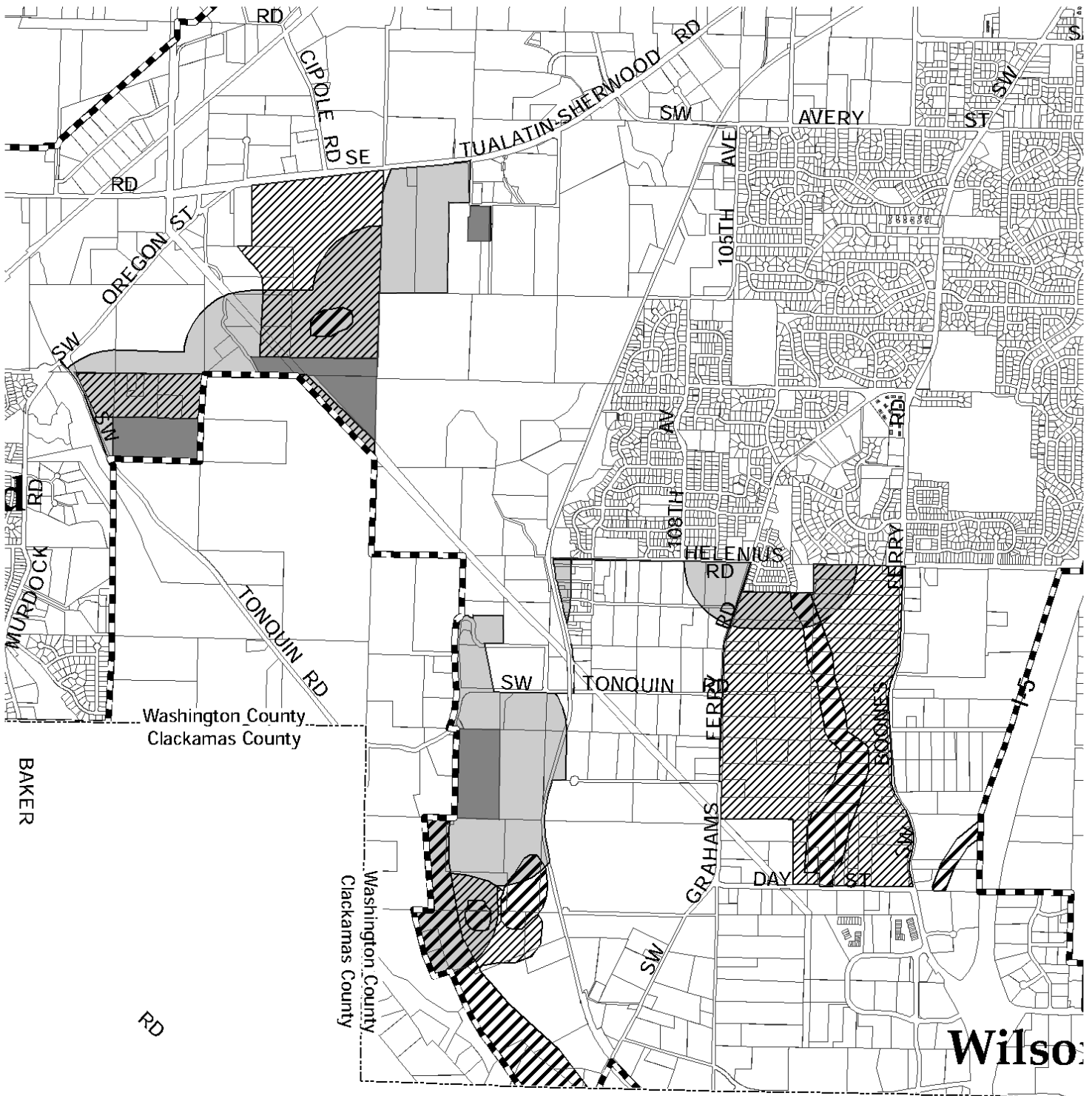
#### SW 124th Avenue Extension:

The 124th Avenue Project will construct an extension of SW 124th Avenue from Tualatin-Sherwood Road to Tonquin Road. Construction is anticipated to begin in 2013 depending on the availability of funding. Design and construction of this project is funded through the county [Major Streets](#) and [Transportation Improvement Program \(MSTIP\)](#). For more information, visit <http://124thproject.com>, or send an e-mail to [comment@124thproject.com](mailto:comment@124thproject.com).

#### Future Council Updates

N/A

Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:







# NATIONAL WETLANDS INVENTORY- BASALT CREEK AREA

## Global View- Basalt Creek Area-Without Smaller Identified Wetlands Indicated



**From:** [G Lucini](#)  
**To:** [Katie Mangle](#); [Wilsonville Council President Scott Starr](#); [Wilsonville Councilor Susie Stevens](#); [Wilsonville Councilor Richard Goddard](#); [Wilsonville Councilor Julie Fitzgerald](#); [Wilsonville Mayor Tim Knapp](#)  
**Cc:** [AQUILLA HURD-RAVICH](#); [CINDY HAHN](#)  
**Subject:** Council Work Session 4-21-14 - Basalt Creek Concept Plan Update  
**Date:** Monday, April 21, 2014 2:10:45 PM

---

The Council will be reviewing the amended Basalt Creek Concept Planning Partnering Agreement as part of this work session's update on the topic.

I wish to extend my appreciation of the work and effort taken to add within the Partnering Agreement- the confirmation and endorsement of the provisions of the Oregon Public Meetings Law- which is to be implemented as a stated component of the Decision-Making Structure of the Basalt Creek Concept Plan Project.

For the clarification of all interested parties-

1. Will the Project staff provide **Notice -of Public Meetings of Public Bodies** (as defined in ORS 192.610-192.690) containing agenda items on **Basalt Creek Concept Planning** held by:

- Council Meetings &/or Work Sessions ,
- Join Council Meetings
- Council Sub Committees Meetings,
- City Commission Meetings,
- Agency Review Team (ART) Meetings,
- Project Management Team (PMT)Meetings
- And/or meetings involving other various groups when they meet the qualifications under Oregon Public Meetings Law –such as:
  - Project Consultants, Contractors and sub-contractors
  - Cooperating agencies- including Essential Agencies, and Invited Agencies
- Including meetings which
  - are primarily informational, or
  - for which no decision or conclusion is reached, but
  - may later provide advisement or result in recommendation to either City Council in their deliberations on Basalt Creek Concept Planning.

2. Will Notice of these Public Meetings consist of **Actual Notice** (as identified and recommended within the “State Of Oregon Department Of Justice Attorney General’s Public Records And Meetings Manual 2011” to **Interested Parties who have provided prior written request---** in addition to the various methods of **Public Notice** identified within the **Basalt Creek Concept Plan Public Involvement Plan (PIP) of April 2014?**

Respectfully,

Grace Lucini



**From:** [G Lucini](#)  
**To:** [CINDY HAHN](#)  
**Cc:** [AQUILLA HURD-RAVICH](#)  
**Subject:** Basalt Creek- Wetlands Delineation Report from Boones Ferry Rd Improvement Project  
**Date:** Thursday, April 24, 2014 2:01:20 PM  
**Attachments:** [WD2013-0002final.pdf](#)

---

Cindy,

During our meeting on February 21, part of our discussion on Basalt Creek Concept Planning included the discussions about the unique significant natural resources in the area. I mentioned the existing Wetland Delineation Report Created due to the SW Boones Ferry Road Improvement Project -which is within the Basalt Creek Concept Planning Area.

I promised to forward a copy of the delineation report. My computer hard drive problem is resolved, and I have reconnected to my digital copy of the report.

Attached is a copy of the report which provides information as to jurisdictional involvement of the US Army Corps of Engineers (the delineation report was submitted as part of the joint application process to the Corps and DSL).

I've also attached a copy of a letter regarding the Wetland Delineation Report by the Oregon Department of State Lands which also identifies their existing role in monitoring water quality within the Basalt Creek Area and Tapman Creek which runs through the area.

Sorry for the delay in forwarding this information to you. I understand the Project is currently assessing existing conditions within the area and hope this will assist in those efforts.

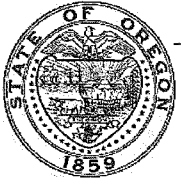
I am assuming Katie has access to the various Willamette River TMDL Implementation Plans submitted by the City of Wilsonville which identifies Tapman Creek (AKA as Seely Ditch), as part of the largest watersheds within the study area.

Regards,

Grace



[APP0053166-New Application-342013.pdf](#)



# Oregon

John A. Kitzhaber, MD, Governor

## Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

[www.oregonstatelands.us](http://www.oregonstatelands.us)

June 3, 2013

Washington County  
Attn: Abe Turki  
1400 SW Walnut Street, MS 18  
Hillsboro, OR 97123

State Land Board

John A. Kitzhaber, MD  
Governor

Re: Wetland Delineation Report for the Proposed SW Boones Ferry Road Widening Project – SW Norwood Road to SW Day Road (#15315), Washington County; T 2S R 1W S 35CA, 35CD and 35D portions of multiple tax lots; T 3S R 1W S2A, 2AB and 2B portions of multiple tax lots; WD #2013-0002; APP #53166

Kate Brown  
Secretary of State

Ted Wheeler  
State Treasurer

Dear Mr. Turki:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services for the site referenced above. Based upon the information presented in the report, a site visit on May 10, 2013, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in revised Figures 6, 6A and 6B of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps. Within the study area, five wetlands (totaling approximately 0.34 acres) and three waterways, including an intermittent tributary to Tapman Creek, a roadside ditch identified as Ditch A on Figure 6A, and an ephemeral headwater drainage, were identified. The five wetlands and one of the three waterways are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high water line (OHWL) of a waterway (or the 2 year recurrence interval flood elevation if OHWL cannot be determined). The remaining two waterways, the ephemeral headwater and Ditch A, are exempt per OAR 141-085-0515 (3) and (10); therefore, they are not subject to these state permit requirements.


In addition, the Department was informed during the site visit that a small portion of Wetland D was accidentally impacted by a tree removal operation prior to the permit being issued. However, the actual area and volume of the impact was later determined to be nominal (totaling approximately 160 square feet; 1 cubic yard of fill), and therefore, no further action is required.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter, unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045

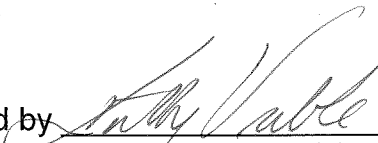
(available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity, or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. Please phone me at 503-986-5232 if you have any questions.

Sincerely,

  
Peter Ryan, PWS  
Wetland Specialist

Approved by

  
Kathy Verble, CPSS  
Acting Wetlands Program Manager

Enclosures

ec: Amy Hawkins, Pacific Habitat Services  
Washington County Planning Department  
Michael Ladouceur, Corps of Engineers  
Mike McCabe, DSL  
Amber Wierck, Clean Water Services



V#2695

14741-8475

WD

**WE LAND DELINEATION / DETERMINATION REPORT COVER FORM**

This form must be included with any wetland delineation report submitted to the Department of State Lands for review and approval. A wetland delineation report submittal is not "complete" unless the fully completed and signed report cover form and the required fee are submitted. Attach the form to the front of an unbound report and submit to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279

Mail a copy of the completed form with payment of the required report review fee to: Oregon Department of State Lands, P.O. Box 4395, Unit 18, Portland, OR 97208-4395. For new credit card payment option, see DSL web site.

<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address:		Business phone # 503-846-7800
Washington County		Mobile phone # (optional)
Altn: Abe Turki		FAX #
1400 SW Walnut Street, MS 18		E-mail: abraham_turki@co.washington.or.us
Hillsboro, Oregon 97123		
<input type="checkbox"/> Authorized Legal Agent, Name and Address:		Business phone #
		FAX #
		Mobile phone #
		E-mail:
I either own the property described below or I have legal authority to allow access to the property for the purpose of confirming the information in the report, after prior notification		
Typed/Printed Name: Abe Turki		Signature: [Redacted]
Date:		Special instructions regarding site access:

**Project and Site Information** (for latitude & longitude, use centroid of site or start & end points of linear project)

Project Name: <b>SW Boones Ferry Road widening project</b>	Latitude: <b>45.753668</b>	Longitude: <b>-122.447413</b>
Proposed Use: <b>Widen SW Boones Ferry Road from SW Norwood Road to SW Day Road</b>	Tax Map # <b>45.349223</b> ✓ 2S 1 35CA; 2S 1 35CD; 2S 1 35D; 3S 1 2A; 3S 1 2AB; 3S 1 2B	
Project Street Address (or other descriptive location): <b>See Proposed Use</b>	Township	Range
	2S	1W
	3S	1W
Portions of SW Boones Ferry Rd ROW and portions of the following tax lots:	Section	QQ
35CA: 100, 200, 300, 400, 500, 600, 700, 800	35	CA;CD;D;
35CD: 100, 200, 300, 302, 400, 500		
35D: 101, 102, 106, 109, 303, 400, 401, and 500	2	A;AB;B
2A: 200, 300, 400, and 402	Tax Lots: See left	
2AB: 100, 101, 900, 1000	Waterway: River Mile: N/A	
2B: 100, 102, 103, 104, 105, 106, 107, 200, 300, 301, 303, 306, 307, 308, 309, and 311	Wetland/Tributary to Coffee Lake Creek	
City: Wilsonville	County: Washington	
	NWI Quad(s): Sherwood	

25 IW  
35 IW

**Wetland Delineation Information**

Wetland Consultant Name, Firm and Address:		Phone # 503-570-0800
Pacific Habitat Services		Mobile phone #
Attn: Amy Hawkins		FAX # 503-570-0855
9450 SW Commerce Circle, Suite 160		E-mail: ah@pacifichabitat.com
Wilsonville, OR 97070		
The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.		
Cons: [Redacted]	Date: 1/31/13	
Primary Contact for report review and site access is <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Applicant/Owner <input type="checkbox"/> Authorized Agent		
Wetland/Waters Present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Study Area size: ~35 Acres	Total Wetland Acreage: 0.38

RECEIVED

FEB 01 2013

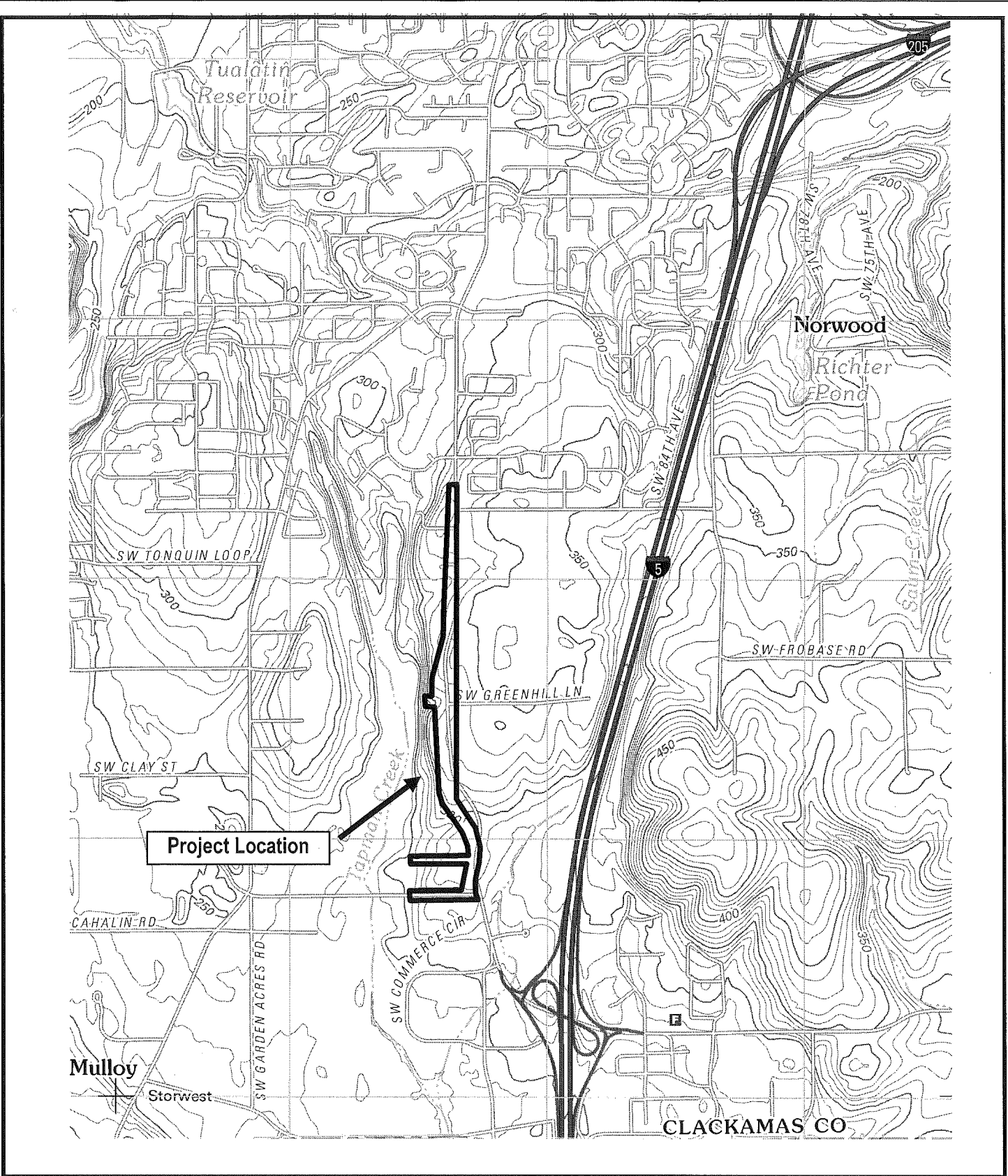
DEPARTMENT OF STATE LANDS  
REMITTANCE 388.00

**Check Box Below if Applicable:**

<input type="checkbox"/> R-F permit application submitted	<input checked="" type="checkbox"/> Fee payment submitted \$ <del>378.00</del> 388
<input type="checkbox"/> Mitigation bank site	<input type="checkbox"/> Fee (\$100) for resubmittal of rejected report
<input type="checkbox"/> Wetland restoration/enhancement project (not mitigation)	Name of Payor: Washington County
<input type="checkbox"/> Industrial Land Certification Program Site	Pacific Habitat Services
<b>Other Information:</b>	
Has previous delineation/application been made on parcel? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	If known, previous DSL #
Does LWI, if any, show wetland or waters on parcel? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	

**For Office Use Only**

DSL Reviewer: PR	Fee Paid Date: 2/1/13	DSL WD # 2013-0002
Date Delineation Received: 2/1/13	DSL Project # 54037	DSL Site #
Scanned: <input checked="" type="checkbox"/> Final Scan: <input type="checkbox"/>	DSL WN #	DSL App. # 53166



4788  
11/15/12



Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070

Location and general topography  
SW Boones Ferry Road Widening project in Washington County, Oregon  
(USGS Sherwood, OR quadrangle, 2011).


FIGURE  
1


DSL WD # 13-0002

Approval Issued 6/3/13

Approval Expires 6/3/18

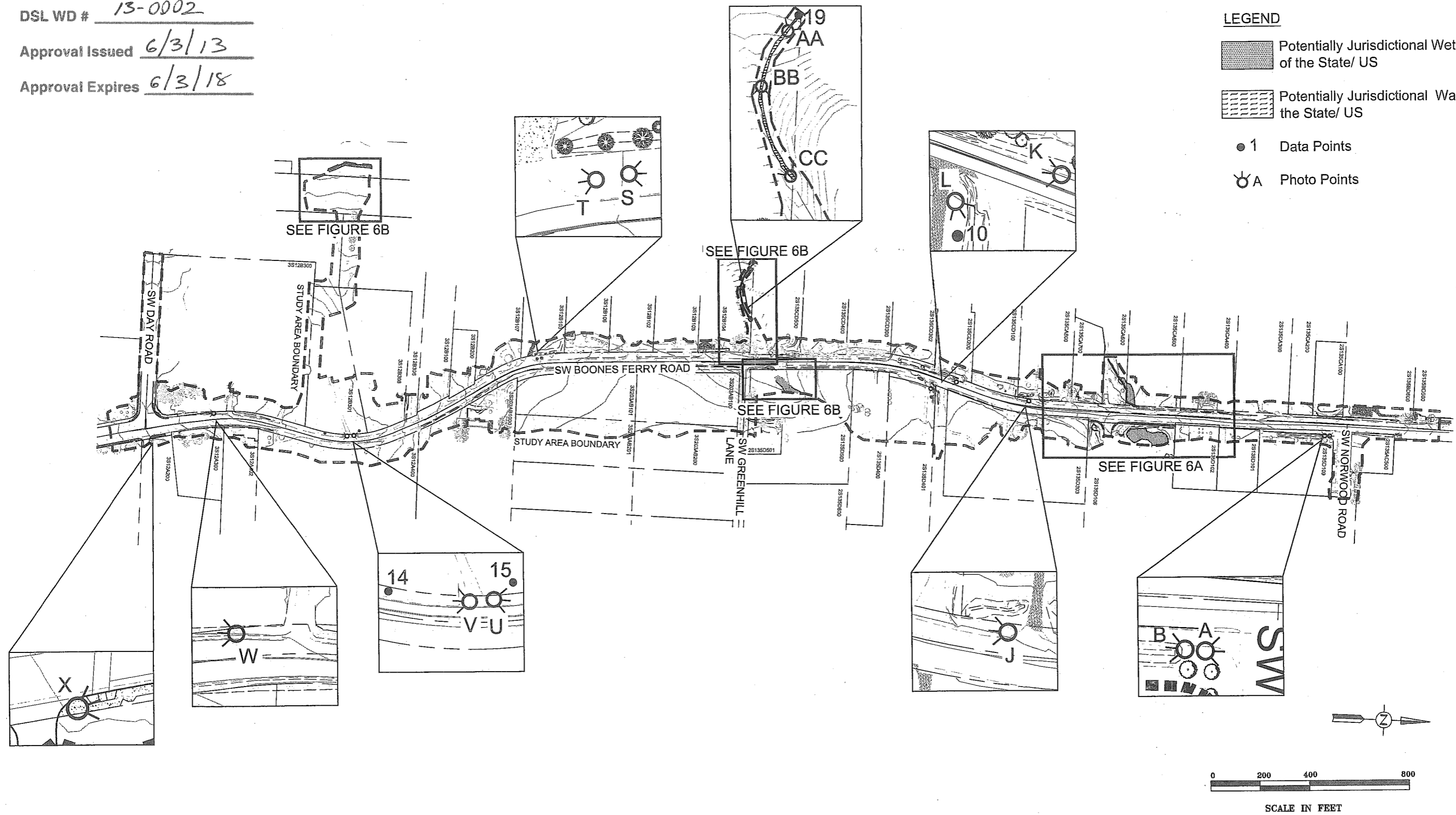
LEGEND

 Potentially Jurisdictional Wetlands of the State/ US

 Potentially Jurisdictional Waters of the State/ US

● 1 Data Points

⊙ A Photo Points



Note:  
Survey provided by MacKay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/- 3 feet.







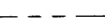
Wetland Delineation Overall Site Context and Sheet Index Plan  
SW Boones Ferry Road Widening Project - Washington County, Oregon

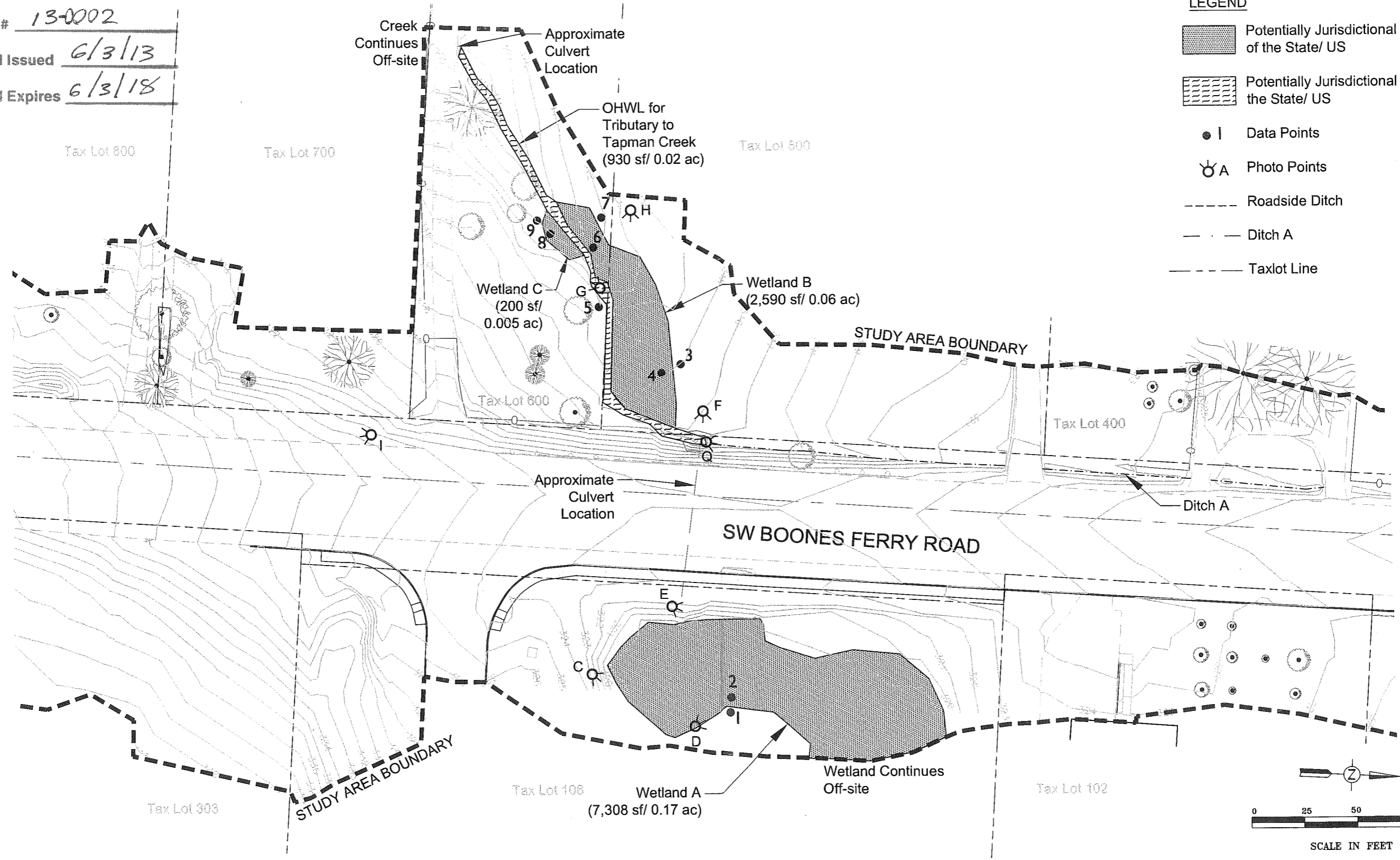
FIGURE  
6

01/15/13

DSL WD # 13-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18

**LEGEND**

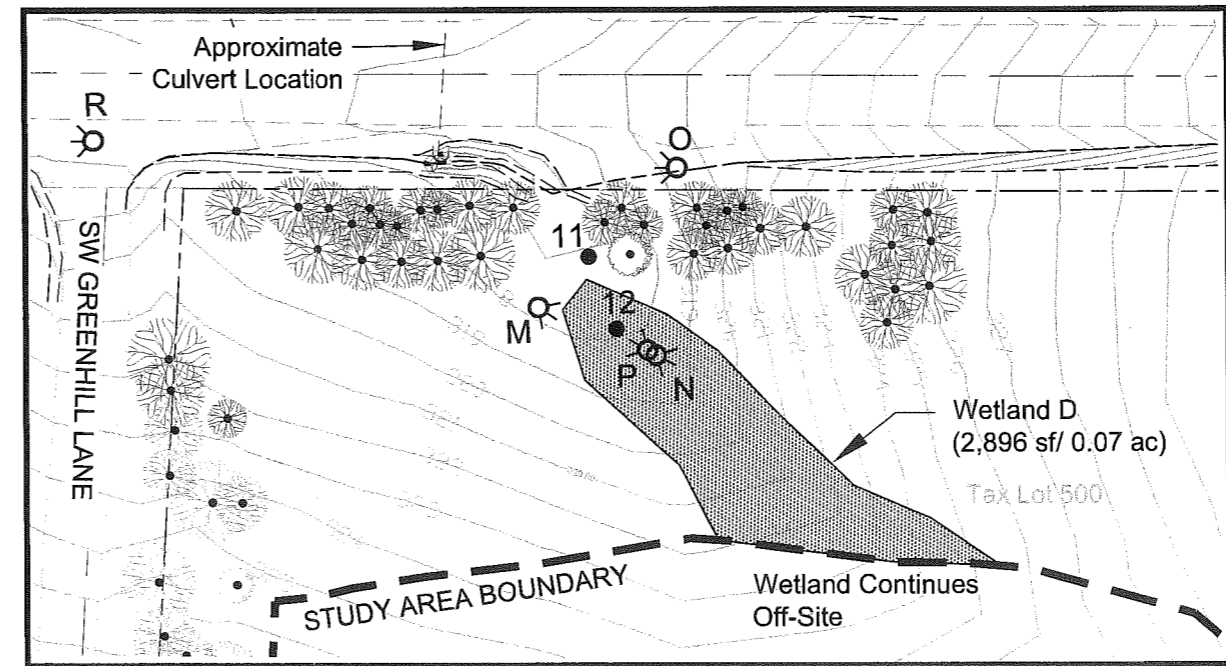
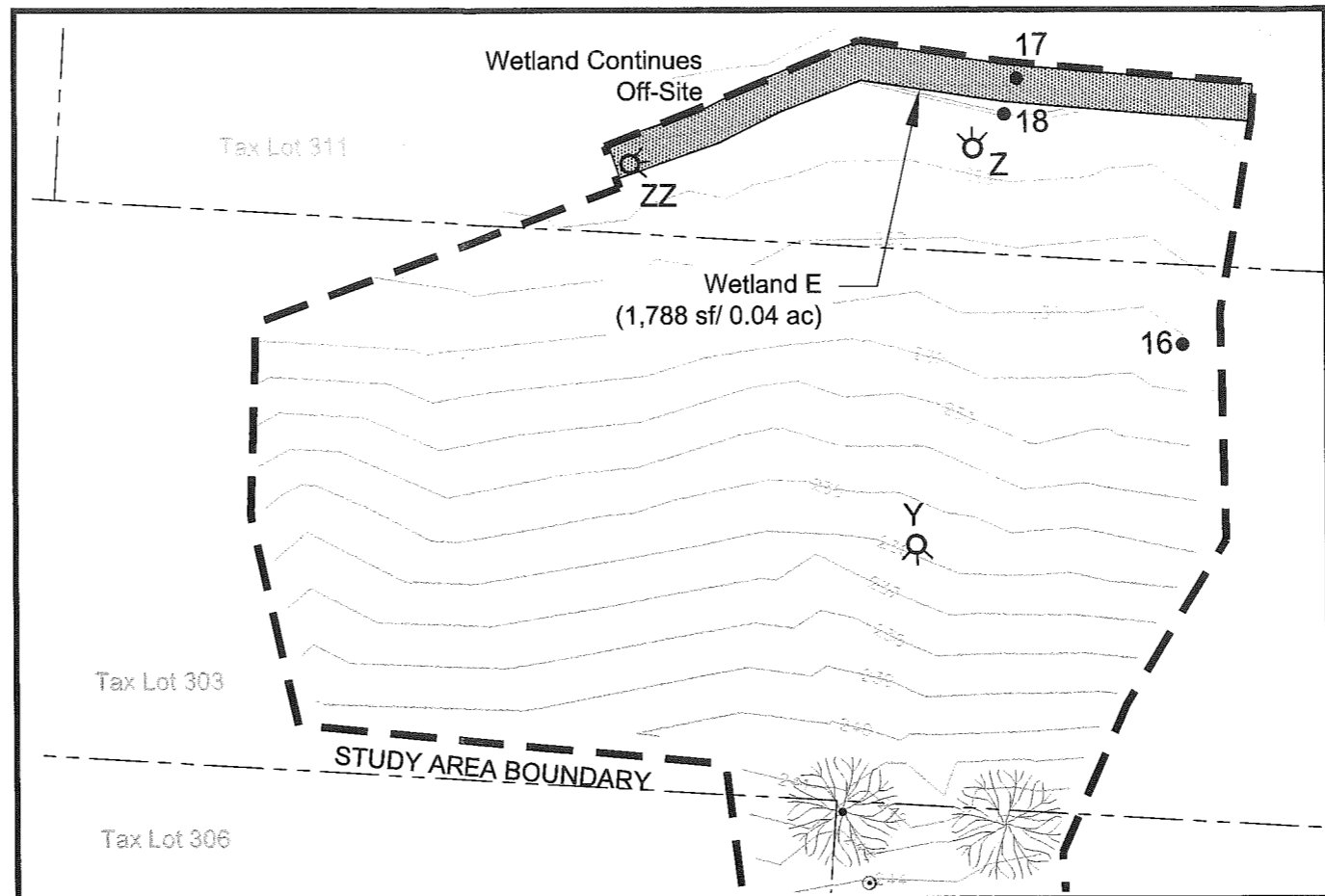
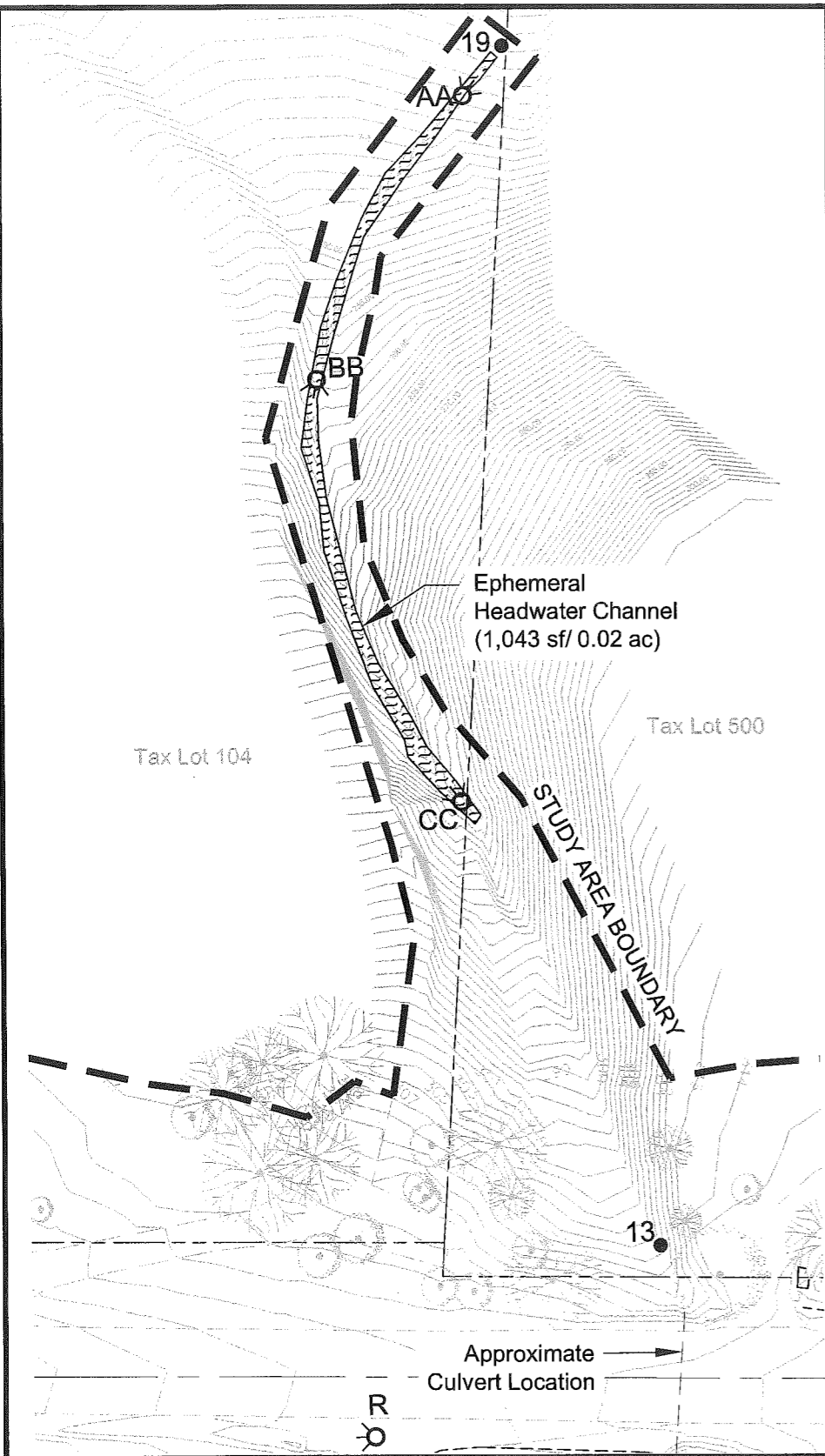
-  Potentially Jurisdictional Wetlands of the State/ US
-  Potentially Jurisdictional Waters of the State/ US
-  Data Points
-  Photo Points
-  Roadside Ditch
-  Ditch A
-  Taxlot Line



Note:  
 Survey provided by MacKay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/-3 feet.

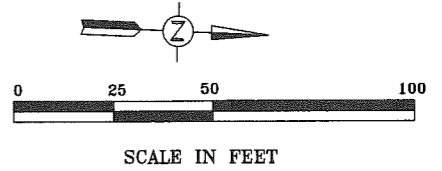
Wetland Delineation  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE  
**6A**



- LEGEND**
- Potentially Jurisdictional Wetlands of the State/ US
  - Potentially Jurisdictional Waters of the State/ US
  - | Data Points
  - ⊙ A Photo Points
  - - - Roadside Ditch
  - - - Taxlot Line

DSL WD # 13-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18



Note:  
 Survey provided by Mackay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/-3 feet.

Wetland Delineation  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE  
**6B**



# City of Tualatin

www.tualatinoregon.gov

**OFFICIAL**

**TUALATIN PLANNING COMMISSION -**

**MINUTES OF June 19, 2014**

**TPC MEMBERS PRESENT:**

Alan Aplin  
Adam Butts  
Jeff DeHaan  
Bill Beers  
Cameron Grile  
Jan Giunta

**STAFF PRESENT**

Aquilla Hurd-Ravich  
Cindy Hahn  
Ben Bryant  
Lynette Sanford

**TPC MEMBER ABSENT:** Nic Herriges

**GUESTS:** Grace Lucini

**1. CALL TO ORDER AND ROLL CALL:**

Alan Aplin, Chair, called the meeting to order at 6:30 pm and reviewed the agenda. Roll call was taken.

**2. APPROVAL OF MINUTES:**

Mr. Aplin asked for review and approval of the May 15, 2014 TPC minutes. Ms. Hurd-Ravich, Planning Manager, stated that there was communication from Grace Lucini to amend the minutes to include additional information regarding notices. After discussion, it was agreed to keep the minutes as written, but add the materials submitted by Ms. Lucini at the May 15, 2014 TPC meeting as an attachment. MOTION by Giunta SECONDED by Butts to approve the minutes with the amendment. MOTION PASSED 6-0.

**3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):**

None

**4. ACTION ITEMS:**

**A. Basalt Creek Concept Plan Project – Update and Review of Draft Guiding Principles and Existing Conditions Information**

Cindy Hahn, Associate Planner, presented an update on the Basalt Creek Concept Plan Project, including draft guiding principles and preliminary information about existing

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.



conditions, which included a PowerPoint presentation.

Ms. Hahn went through the schedule which begins with the public involvement plan and guiding principles and will continue through the end of 2015 with public hearings and adoption. Development and construction could begin in 2017. A Community Workshop was held on June 17 to gather input that will be used to create several alternative concepts for future development in the Basalt Creek area.

The next steps in this process include a joint Council meeting on July 16 at 6:00 pm in the Tualatin Police Training Room. This meeting will focus on guiding principles, evaluation measures, and existing conditions information gathered to date. The next joint meeting is anticipated for December. The next steps in the planning process include creating alternative development concepts, evaluate and test alternative scenarios, and choose a preferred alternative. The Planning Commissions and City Councils of both Tualatin and Wilsonville will receive regular updates throughout the planning process.

Mr. DeHaan asked who was responsible for writing the draft guiding principles. Ms. Hahn responded that the draft came from the consultants and staff members. Mr. DeHaan acknowledged that the changes increased readability. Ms. Giunta asked if Wilsonville is planning additional residential development or if they're solely focusing on commercial and industrial. Ms. Hurd-Ravich responded that the focus is on commercial and industrial. Ms. Giunta asked if there is a way to increase the residential component and to incorporate livability of residential neighborhoods. Ms. Hurd-Ravich answered that she will make note of that. Mr. Aplin mentioned that the word "commercial" has been omitted from the fourth Guiding Principles. Ms. Hahn will make note of that.

Ms. Hahn continued to discuss the demographic and environmental differences between Tualatin and Wilsonville. Ms. Giunta mentioned that there are wonderful wildlife areas in Basalt Creek and she is hoping that corridors are established to facilitate the movement of wildlife and the preservation of our ice age heritage.

Ms. Hahn stated that an instant polling system was conducted at the workshop and the results will be forthcoming. The focus was on the different land uses and whether they're appropriate in this area. The results of this polling and the on-line survey will be incorporated into a report for the development. Mr. DeHaan asked how many people attended the workshop. Ms. Hahn answered there were 40-50, and consisted of mostly land owners. Ms. Hurd-Ravich added that a map exercise was conducted at the meeting and these results will be digitized and put on our website.

*Grace Lucini, 23677 SW Boones Ferry Rd.*

Ms. Lucini stated she is following up on a comment made at our last meeting regarding the compliance with public notification. She stated that her comments are on behalf of herself and the other citizens directly or indirectly affected by the Basalt Creek planning area. She stated the public meetings law 192.610 and 192.690 and the Oregon Department of Justice manual, January 2011, states an important issue regarding

public notice. Ms. Hurd-Ravich acknowledged that we are in agreement that property owners and interested parties will be advised about upcoming meetings by email and a monthly hard copy will be mailed.

### **B. Metro's Climate Smart Communities Project**

Ms. Hurd-Ravich, Planning Manager, presented the Metro's Climate Smart Communities Project, which included a PowerPoint presentation. This project was enacted in 2009 as part of a statewide transportation funding bill to develop an approach for reducing greenhouse gas (GHG) emissions from small trucks and cars. The plan must seek to reduce emissions 20% below 2005 levels by 2035. The plan must be completed by 2014.

Ms. Hurd-Ravich went through the slides which detailed the elements of each scenario. The desired outcomes will include building vibrant communities, equity, economic prosperity, transportation choices, clean air and water, and climate leadership. What Metro has found so far, based on the local and regional plans, is that we can accomplish this 20% reduction except that these plans are not fully funded.

On May 30, the Metro Policy Advisory Committee (MPAC) and the Joint Policy Advisory Committee on Transportation (JPACT) made a joint recommendation to the Metro Council on a draft approach for testing. There are nine recommendations that are intended to provide Metro staff with sufficient direction to move forward with testing a draft approach that will be subject to further discussion and potential refinement after analysis.

Ms. Giunta asked where in the policy choices does it include fuel efficient vehicles. Ben Bryant, Economic Development Manager, answered that in the previous slide it detailed that in 2010 vehicles averaged 29.2 miles per gallon and in 2035, the goal is 68.5 mpg. Ms. Giunta asked why they didn't include heavy trucks. She stated that in CA and WA they have restrictive emission standards and the greenhouse gas levels are dropping. Ms. Hurd-Ravich responded that she will ask the question and get back to her. Mr. Bryant continued with the presentation that covered the straw poll results and what this means for communities.

Ms. Hurd-Ravich added that the immediate next steps in this process include Metro staff evaluating the draft preferred and develop implementation recommendations. In September, they report back results to the regional advisory committees. From September through November, public and local government reviews results and draft preferred approach and in November and December final refinements and adoption will occur.

Ms. Giunta asked about the implications for Tualatin and why it's important to us. Mr. Bryant stated that Metro recognizes that local cities are already implementing plans to increase vibrancy and town centers, but what's left are the regional issues which include transit and parking management that will influence future regional transportation

plans and urban growth boundaries. Discussion followed regarding different transit options and the limitations.

5. **COMMUNICATION FROM CITY STAFF:**

None

6. **FUTURE ACTION ITEMS**

Ms. Hurd-Ravich stated we are lacking agenda items for the July meeting and it may be canceled. In August, there is a full agenda with a Basalt Creek update and an update from Tom Mills at Trimet regarding the SW Enhancement Study. There will also be information regarding the Plan Text Amendment on Mohave Court which is the area behind Applebees. In addition, there may be information regarding the Tigard ballot initiative that was passed in March. Mr. Grile asked about additional sign variances for Nyberg Rivers. Ms. Hurd-Ravich responded that we have not received any recently. Mr. DeHaan asked about the Espedal site. Ms. Hurd-Ravich answered that they recently submitted an architectural review. The project has been scaled back and did not need a variance.

7. **ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

None.

8. **ADJOURNMENT**

MOTION by Beers SECONDED by Aplin to adjourn the meeting at 7:57 pm. MOTION PASSED 6-0.



\_\_\_\_\_  
Lynette Sanford, Office Coordinator

**From:** [G Lucini](#)  
**To:** [AQUILLA HURD-RAVICH](#)  
**Cc:** [Katie Mangle](#); [CINDY HAHN](#)  
**Subject:** Re: Basalt Creek Planning -Follow Up on Phone Call Regarding Notice  
**Date:** Thursday, June 19, 2014 8:18:56 PM

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Thanks for your reply.

Hopefully when all interested parties have an opportunity to hear what each other have to say, some meaningful outcomes may follow.

Grace

On Thu, Jun 19, 2014 at 3:19 PM, AQUILLA HURD-RAVICH <[AHURD-RAVICH@ci.tualatin.or.us](mailto:AHURD-RAVICH@ci.tualatin.or.us)> wrote:

Hi Grace,

Thank you for following up. My responses are below in the body of your email.

**Aquilla Hurd-Ravich, AICP**

Planning Manager

City of Tualatin | Community Development Department

503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

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**From:** G Lucini [mailto:[grluci@gmail.com](mailto:grluci@gmail.com)]  
**Sent:** Thursday, June 19, 2014 2:00 PM  
**To:** AQUILLA HURD-RAVICH

**Subject:** Basalt Creek Planning -Follow Up on Phone Call Regarding Notice

Aquilla,

Thank you for your phone call today and your intent to resolve concerns I presented regarding compliance with appropriate Notice on Basalt Creek Concept Planning.

I would like to summarize my understanding of our discussion. Please correct or clarify any misunderstandings I may have.

The focus of our discussion was the provision of appropriate Notice regarding Basalt Creek Concept Planning.

- To improve General Notice ---More specific information will be added on the BasaltCreek.com website to including
  - date,
  - time,
  - location and
  - agenda topic on Public Meetings-
  - to be done by Consultant in approximately a week.

Yes I agree this is what we spoke about and I will confirm with the Project Management Team (Tualatin Staff and Wilsonville Staff) that this information can be added.

- Actual Notice is being provided by a email list email list includes 100+ contacts and will include:
  - Subject line in email notifications will include specific/identifiable information regarding Basalt Creek Planning Public Meetings
  - date,
  - time,
  - location and
  - agenda topic on Public Meetings
- We discussed traditional mail for Actual Notice as a possible alternative for those who do not use email.

Yes I agree this is what we spoke about and again I will confirm with the rest of the Project Management Team that this is doable.

A couple of questions I did not ask during the phone call, but was included in yesterday's email-

- Will everyone who submitted their contact information to the BasaltCreek.com website be included in the "Actual Notice" emails?
  - If so- does this include website submissions prior to Tualatin assuming administration of the website?

Yes, everyone who submitted their contact information via the Basalt website is included on the

email distribution list for Actual Notice. This list does include submissions prior to Tualatin assuming administration of the email distribution list via the website. Just to clarify the consultant team is now administering the website. Requests from the public to be on an interested parties list prior to the website update and the consultant taking over administration were sent to Tualatin staff.

- Will both the City of Wilsonville and the City of Tualatin (or other Basalt Creek Consultant/Contractor/Agency) holding a Public Meeting on Basalt Creek Planning-
  - be providing Actual Notice as described above, and/or
  - posting Public Meetings on the BasaltCreek.com website

Yes, I believe what will happen is that Tualatin staff will send a mail (via US Postal Service) notice to all property owners in the Basalt Creek Area listing meetings in the upcoming month. For example next week City of Tualatin will send a notice of public meetings (**not public hearings which is something different and will occur near adoption**) next week informing property owners of public meetings in July. This same content will be sent via email to the email distribution list informing the interested parties of public meetings in the month of July.

The website will change as described above under General Notice and it will list all public meetings for both Wilsonville and Tualatin.

Again, I need to confirm both of my above statements with the Project Management Team this afternoon.

- Are you in agreement with those groups/bodies listed in the email of 4-22-14 from Katie Mangle (Wilsonville Project Manager) for which Notice will be provide- and should the public expect both General and Actual Notice regarding Public Meetings on Basalt Creek planning of these bodies?

Project staff will follow public meeting law by providing Actual Notice to those who have timely requested they be notified and provided correct mail or e-mail addresses for all **City Council meetings, joint Council meetings, Planning Commission meetings, and any sub-committee or other meetings that meet the definition of Public Meetings of Public Bodies.**

The Agency Review Team, which will not have recommending or decision-making authority, and will be comprised of agency technical staff, is not a public body. Though Team meetings may be advertised, no actual notice will be provided. The Project Management Team, which is tasked with running the project, is also not a public body, and meetings of that group are not public.

Yes I am in agreement with the above statements.



Again thanks for taking the effort to contact me.

I think we both agree public interest and involvement in this project will be beneficial in the decision making process and in achieving a viable solution to the concept planning.

Grace

**From:** [G Lucini](#)  
**To:** [Katie Mangle](#); [CINDY HAHN](#)  
**Subject:** Follow Up Focus Group 6-24-14 10AM Property Owner- Basalt Creek Concept Planning  
**Date:** Wednesday, June 25, 2014 1:02:50 PM  
**Attachments:** [Metro Legislation Acquisition Refinement Plan For the Tonquin Geologic Area Resolution 07-3850.pdf](#)

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Katie, Cindy, and FA Consultant Team,

Thank you for the opportunity for discussion on issues relating to the Basalt Creek Concept Planning.

Resident/ property owners who live in the area have a unique perspective on the area and of the many of the Basalt Creek Projects which have been proposed and are being implemented by the various local governments. Unfortunately in the past many of our comments were not heard, were under documented or were not given credibility or merit.

Your efforts to seek input is appreciated, and will hopefully result in creating reasonable and thoughtful options.

--Due to the varied topography and natural resources within the 800+ acres under concept planning, one resident's perspective maybe different than another's.

It is hoped the input of Local Property Owners in the focus groups will include a proportionally representative number of single family resident property owners from the area--among non-resident property owners and multi-lot property owners (some of whom could also be equally qualified to be included within the Residential or Commercial Developers Focus Groups- and who may have different short or long term goals or perspectives).

--During the focus group meeting on Tuesday 6-24-14 at 10AM, a question was raised about the importance of the Basalt Creek Area with regards to Metro's identification of Natural Geologic Areas for acquisition.

To help shed light on this, I've attached Metro Resolution 07-3850 which identified portions of the Basalt Creek Area (described as Area 1A- Basalt Creek on the original map) as a Tier 1 Objective for the Tonquin Geological Acquisition which were later lowered to be included as Tier 2 Goals.

--I have extended an invitation and look forward to having a site visit during the assessment of existing conditions phase of the concept planning process- to assist in obtaining appropriate level of due diligence.

--I have also extended an invitation for a site visit -to the City Councils of both Tualatin and Wilsonville - that they may also obtain first hand understanding of the area under examination for concept planning- prior to the start of their deliberations.

I look forward to when these visits can be scheduled.

Again, thank you for the opportunity to participate in one of the focus groups.  
Regards,

Grace Lucini

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**From:** Mayor Tim Knapp <[knapp@ci.wilsonville.or.us](mailto:knapp@ci.wilsonville.or.us)>  
**Date:** July 9, 2014 at 3:46:36 PM PDT  
**To:** "Kraushaar, Nancy" <[kraushaar@ci.wilsonville.or.us](mailto:kraushaar@ci.wilsonville.or.us)>, "[Scottstarr97070@gmail.com](mailto:Scottstarr97070@gmail.com)" <[Scottstarr97070@gmail.com](mailto:Scottstarr97070@gmail.com)>  
**Subject:** Fw: Basalt Creek Concept Plan

FYI, citizen input. Thx/TK

*Sent from my Verizon Wireless Droid*

-----Original message-----

**From:** Tim Davis <[pdxfan@gmail.com](mailto:pdxfan@gmail.com)>  
**To:** [logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us), [mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us), [council@ci.tualatin.or.us](mailto:council@ci.tualatin.or.us)  
**Sent:** Wed, Jul 9, 2014 20:19:53 GMT+00:00  
**Subject:** Basalt Creek Concept Plan

Dear Mayor Lou Ogden, Tualatin City Council, and Mayor Tim Knapp,

This is Tim Davis, and below is a letter that I wrote to Cindy Hahn about the incredibly important and sensitive Basalt Creek area. It's written in a blunt style that's meant to challenge us to do real placemaking in our outer suburban areas. I meant to mention the mistakes made in Damascus and the beautiful counterexample of Villebois as something we should emulate and improve upon to the greatest extent possible.

As you can see, the letter I wrote is quite long, but it could have easily been triple the length. For example, I skipped one of the most important mathematically proven arguments that developing existing shopping areas ALWAYS presents a far, far greater return on investment than developing new areas. Every single elected official in the U.S. should really listen to this amazing "Strong Towns" podcast episode called "Moneyhall" that's based somewhat on the wonderful "Moneyball" movie that showed an entirely new way to get high value for minimum investment on a baseball team. It proves that our current suburban model cannot work in the long run, but our metro area at least has some hope of turning it around. Here's the critically important (and highly entertaining!) podcast episode:

<http://www.strongtowns.org/strong-towns-podcast/2013/8/29/show-149-moneyhall.html>

Anyway, below is my letter to Ms. Hahn; I hope that you enjoy my suggestions and don't mind the occasional bluntness in trying to get some points across!! :)

Thank you so much for everything you do; I know that your jobs are NOT at all easy!! I really can't thank you enough!

Cheers,  
Tim

This is Tim Davis, and I closely follow every single development in the entire Portland area; it's admittedly incredibly time-consuming. :)

My main worry is that Basalt Creek will turn into another unbelievably awful suburban wasteland, to put it perhaps too bluntly. :) There's really no way that this area should have been included by Metro in 2004 into the UGB; we still have an unbelievable amount of undeveloped and very, very low-density housing everywhere you look, including throughout Portland. We have WAY more than enough room to accommodate growth within our existing UGB for at least 50 years.

Plus, Basalt Creek is the very definition of exurban: exceedingly far from both downtown Portland and any kind of decent transit. Plus, probably half of the area is in a floodplain and should be preserved as parks and farmland. It's also just north of an incredibly important wetland (Coffee Lake), the last remaining wetland of any decent size for many miles.

If we really, REALLY need to develop Basalt Creek at all, it has GOT to be with the highest-density, most attractive mixed-use development possible. Bethany did a decent job with the 15325 NW Central Drive area, for example, and Orenco Station is fascinating both to live in and visit.

We simply have way, way, way more than enough hideous big-box, character-less, soul-less development (not to mention countless miles of lookalike oversized homes) in the area. We just cannot afford to keep doing this. It's a Ponzi scheme, and the infrastructure will collapse under the weight of debts due to a failure to plan for maintenance costs 30-40 years out. We're already seeing the suburban model starting to fail miserably in many places.

Basalt Creek could be one of the last chances the metro area gets to preserve the beauty of an exurban-but-still-not-too-far-out area. I LOVE driving and biking down pastoral roads like SW Frobase Road or SW Day Road, and we must not lose the character of places like this, even though (or maybe because) they're super remote from almost any job location.

We have to think holistically. I really like that Tualatin and Wilsonville are approaching this development carefully and very collaboratively, but we need to consider the much bigger picture of the metro area as a whole. Our biggest mistake has been our failure to develop holistically, and now we have countless suburbs that have almost zero character. Fortunately we still have a tiny bit of time before we start looking like almost every other large metro area in the U.S. Portland is truly THE last hope for a semi-decent metro area left in this country; all other cities have completely sold out to giant corporations and Anytown, USA cookie-cutter looks.

This area really needs to be a recreational corridor, with its great proximity to beautiful rivers and vistas in all directions. The Banks-Vernonia corridor has (at last) discovered this, and now eco-minded cycling visitors are greatly improving the economy there--and supporting the LOCAL economy rather than some fat cat's pockets back in New York or Dallas.

We need to always, always be thinking about growing a LOCALLY based economy. The Willamette Valley can grow 32 types of edible greens in January alone! That's more than anywhere else on Earth without irrigation. We need to take advantage of our unparalleled access to food and natural beauty!

We have \*way\* more than enough multi-national big-box chain stores and beige, covenant-controlled huge family homes. We don't need any more. Besides, once the next economic crash occurs, those large homes will be subdivided--and people will be completely screwed because there will be zero sources of food, jobs or outside entertainment to WALK or BIKE to because everything was built around the single-occupancy or family car.

Instead, let's do the only thing that makes sense in the long term: growing companies that are based right in Tualatin and Wilsonville and keeping the money as local as possible. And build an amazing bike trail network through the Basalt Creek area--and include educational signs about wetlands, rivers, animals and other wonderful things people will see while improving both their health and their quality of life!

And if we have to pave over paradise, then make it incredible dense development (preferably with permeable concrete, as well). Rather than yet another Walmart or Supertarget that's surrounded by 20 acres of mostly empty concrete (with no stormwater mitigation at all), encourage local businesses to set up shop in a beautiful, walkable little area with housing above the shops (like they do in all great neighborhoods throughout the world!).

I'll end (for now LOL!) with a question that I always propose to city planners: what is the ONE common trait that every single great neighborhood or public space has in common? It's not great architecture, historical features, high density, low density, parks or anything like that. Rather, the ONE common trait that absolutely all great places have in common throughout the world is: pedestrian-friendliness!! Simply put, if you're approaching an area containing numerous pedestrians, you are \*always\* naturally drawn to that area. If instead (like in nearly every suburb) you just see cars or empty pavement, you're inclined to skip the area and just keep moving along.

So, the real solution for Basalt Creek is to make the area as pedestrian-friendly as possible; really attract people to get OUT of their cars, walk around, support the businesses, smell the air, walk a trail, and enjoy the place!!

Thank you so very much for your consideration, Cindy and everyone involved with the exciting Basalt Creek planning process!! I'll be keeping close track of what happens with this beautiful area, as you can no doubt imagine! :)

Cheers,  
Tim





**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JULY  
14, 2014**

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Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby;  
Councilor Frank Bubenik; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Councilor Joelle Davis

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker;  
Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy  
City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City  
Recorder Nicole Morris; Teen Program Specialist Julie Ludemann; Maintenance  
Services Division Manager Clayton Reynolds; Economic Development Manager Ben  
Bryant; Assistant City Manager Alice Cannon

**A. CALL TO ORDER**

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:03 p.m.

**B. ANNOUNCEMENTS**

**1. Tualatin Youth Advisory Council Update for July 2014**

Members of the Tualatin Youth Advisory Committee (YAC) presented a PowerPoint on their latest activities and upcoming events. The YAC hosted a 5K Kaleidoscope run to kick-off summer for students in grades 6-12. The committee continues to participate in Movies on the Commons every Saturday night by selling concessions for the event. The committee is planning a Youth/Elected Leader Social to be held early next year.

**2. ArtSplash Art Show and Sale 2014**

Recreation Program Specialist Julie Ludemann announced ArtSplash Art Show and Sale to be held July 18-20, 2014.

**3. New Employee Introduction- Kelsey Lewis, Program Coordinator**

Community Services Director Paul Hennon introduced Program Coordinator Kelsey Lewis. The Council welcomed her.

**C. CITIZEN COMMENTS**

*This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

Grace Lucini presented concerns regarding the guiding principles put in place for the Basalt Creek Planning area.

Margi Peterson spoke in regards to traffic concerns on Boones Ferry Road. She requested to have trees trimmed which are obstructing views of signage in the area and have an additional flashing speed sign installed.

Gunnar Olson asked Council to continue to move forward with the process to have parking permits put into place in the Fox Hills area.

Linda Moholt made comments on TriMet's presentation during the work session. She stated TriMet needs to continue to work on scheduling and service to outside areas.

Loyce Martinazzi and Art Sasaki presented the Council with photo books of Tualatin's history. These books are available for purchase at the Tualatin Historical Society.

**D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to approve the consent agenda.

**Vote: 6 - 0 MOTION CARRIED**

1. Consideration of Approval of the Minutes for the City Council Regular Meeting of June 23, 2014
2. Consideration of an Amendment to the Intergovernmental Agreement with Washington County Consolidated Communications Agency

**E. GENERAL BUSINESS**

*If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

1. Consideration of Acceptance of the Economic Development Strategic Plan

Economic Development Manager Ben Bryant presented the Economic Development Strategic Plan. Manager Bryant shared the updated brochure with the Council. Members of the Economic Development Strategy Committee spoke to the process of developing the plan.

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to accept the Economic Development Strategic Plan.

**Vote:** 6 - 0 MOTION CARRIED

**F. ITEMS REMOVED FROM CONSENT AGENDA**

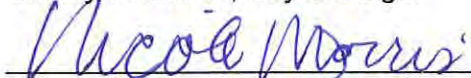
*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

**G. COMMUNICATIONS FROM COUNCILORS**

**H. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 7:48 p.m.

Sherilyn Lombos, City Manager

 / Nicole Morris, Recording Secretary

 / Lou Ogden, Mayor

CITIZEN COMMENTS REGARDING-

GUIDING PRINCIPLES TO DETERMINE THE FUNCTION AND DIRECTION OF BASALT CREEK CONCEPT PLANNING- AN AREA OF OVER 800 ACRES IN UNINCORPORATED WASHINGTON COUNTY

At the Wilsonville Council Work Session on July 7<sup>th</sup> as part of their discussion on the Guiding Principles for Basalt Creek Concept Planning, comments were made regarding their goal to increase the amount of industrial use and questioning residential use for concept planning within the Basalt Creek area.

I am seeking understanding or clarification on the wording on some of the Guiding Principles being presented for evaluation at tonight's work session- which is scheduled for discussion, acceptance and/or negotiation with the City Council of Wilsonville in 2 days- during the Wednesday Joint Cities Meeting on July 16th.

**1. Guiding Principle #6 --Protect *existing city* neighborhoods and employment areas from impacts created by growth.**

I request the Council to realize:

- The existing homes and neighborhoods within the Basalt Creek Area were permitted and built under the State and local laws in existence at the time of their construction.
- Most of these homes were built prior to being brought into the UBG.
- Most of the residences along SW Boones Ferry road between Day Road and the Tualatin City Limits to the north- are located on the west side of the road for a reason:
  - As I presented during discussions on the Tualatin Water Master Plan, and also the planned location of the Grahams Ferry --to Boones Ferry Connector and Bridge- now referred to as the East-West Connector
    - The area includes extreme topography and Significant Natural Resources
    - The ravine on the west side of Boones Ferry Road- also known as Seeley Ditch includes steep slopes and large Basalt Cliffs- which are not conducive to industrial use due to the grade
  - Most of the existing homes along Seeley Ditch are
    - single family
    - owner occupied homes
  - Most of these people have lived in these homes for 5, 10 or 15 years.
  - Their homes -- *and the future use of their home and property* ---are as important to them as your home and neighborhood is to you.
  - Zoning changes will have a significant impact upon their future livability within their home and neighborhood
  - These home and property owners within the Basalt Creek Area do not have an elected representative within this planning process to speak on their behalf.
- I request the Council to examine the wording of Principle #6 with regards to the wording "protection of city neighborhoods"- to be clarified

- I request the wording to provide-
  - The same respect and equal consideration be given to those homeowners and neighborhoods who have long term legally established and existing homes and neighborhoods within the Basalt Creek area--- which are being extended to existing city neighborhoods.

2. I also request additional clarification regarding the **Guiding Principles #7 & 8-** which deal with Natural resources within the Basalt Creek Area:

**Principle # 7** -Ensure natural resource areas are incorporated into the plan as **community amenities and assets.**

**Principle # 8** -**Increase equitable access** to nature and active recreation opportunities”

- While the quality and quantity of the Significant Natural Resources – particularly along the west side of Boones Ferry Road was not quantified as part of the decision making matrix on the location of the East-West Connector; almost all of the maps identifying various Environmental Constraints being presented for the upcoming Joint Cities Meeting, clearly demonstrate the wealth of high quality natural resources within this unique area- including the existence of:
  - highest valued riparian areas;
  - highest valued upland wildlife habitat;
  - And large wetlands.
  - This is the same area which Metro has identified and qualified under Title 3 and Title 13 regulations
  - all of this exists within the deep ravine west of Boones Ferry Road within Seeley Ditch
- There are several individual property lots along Seeley Ditch which are long and narrow – extending from west from Boones Ferry Road and bracketing both the east and west sides of the wetlands – with extremely limited vehicular access to the wetland solely from Boones Ferry Road.
- There are homeowners such as myself, who recognized these unique and beautiful natural resources, and gone to various lengths to be good stewards of the land and its wildlife.
  - Just for an example- On two different occasions within the last year,
    - I have had to remove a large live animal trap from my property placed there by unknown persons, and
    - I also stop a hunter from shooting either a shotgun or rifle while wading through the wetlands approximately 100 feet from the back of my house (he did not have permission)
- I request the Council to be thoughtful of the wording of their stated goals for the areas - especially with regard to the area west of Boones Ferry Road within Seeley Ditch.
  - What does “increase equitable access to nature and active recreation opportunities” mean?
    - Does “equitable access” refer to equal partitioning between the Cities of Wilsonville and Tualatin---- or
    - Does “equitable access” refer to public access to private land?
  - Will “Natural Areas” be preserved and not developed?
  - Are large **un-fragmented** Natural Areas which current wildlife requires for their existence- being included as “community amenities and assets” – as stated in Principle #7?
  - How much loss of local Significant Natural Resources including wetlands and known High Quality Natural Wildlife Habitat will the Council allow to be purchased *in remote counties* to mitigate and offset local land infill and construction resulting from changes in zoning land use in this unique area.

The Council has been given an opportunity to create a plan which can incorporate residential needs along with the need for employment opportunities while still respecting the homes and neighborhoods of existing families.

A distinct part of this planning should also include preservation of areas which are known to be unique Significant Natural Resources – including un-fragmented Natural Areas large enough to maintain and preserve existing wildlife. If this is not done it will be an opportunity forever missed by future generations.

Please be clear in the directions given to project staff as they further develop the Guiding Principles in conjunction with the City of Wilsonville ---as to the implications created by the Guiding Principles and the long term impact upon various parts of the Basalt Creek Area.

Thank you for your time and consideration.

I hope I will hear further discussion and clarification on the points I presented.

Respectfully submitted,

Grace Lucini





**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING  
FOR AUGUST 25, 2014**

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Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Community Services Director Paul Hennon; Deputy City Manager Sara Singer; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Police Captain Larry Braaksma; Assistant City Manager Alice Cannon

**A. CALL TO ORDER**

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:02 p.m.

**B. ANNOUNCEMENTS**

**1. New Employee Introduction: Zoe Monahan, Management Analyst**

Assistant City Manager Alice Cannon introduced Management Analyst Zoe Monahan. The Council welcomed her.

**2. New Employee Introduction: Rich Mueller, Park & Recreation Manager**

Community Services Director Paul Hennon introduced Park and Recreation Manager Rich Mueller. The Council welcomed him.

**3. Tualatin Riverpark Greenway Gap Project Update**

Community Services Director Paul Hennon announced the grant award of \$1.585 million from the Connect Oregon V grant for the completion of the Tualatin River Greenway project. More information on the grant acceptance and the project will be presented at a future Council work session.

**C. CITIZEN COMMENTS**

*This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

Tualatin Chamber of Commerce Director Linda Moholt spoke on behalf of C&E Rentals regarding overgrown vegetation at the corner of Tualatin-Sherwood Road and Teton Avenue. She stated the vegetation in the area is unsightly to have located in front of their business. Assistant City Manager Alice Cannon stated staff has been in contact with the company and they are working towards a resolution.

Tualatin Historical Society Member Larry McClure announced the 4th Annual Wine Tasting Auction to be held at the Tualatin Heritage Center on September 12. He invited all citizens to attend.

Gordon Rute presented issues regarding the Basalt Creek area. He spoke to the lack of buildable residential development in Tualatin and concerns with water, sewer and stormwater service to the area.

**D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to approve the consent agenda.

**Vote: 7 - 0 MOTION CARRIED**

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of July 28, 2014
2. Consideration of an Updated Washington County Master Interagency Teams Intergovernmental Agreement
3. Consideration of Approval of a New Liquor License Application for The Growler Guys
4. Consideration of Approval of a New Liquor License Application for New Seasons Market - Nyberg Rivers

**E. ITEMS REMOVED FROM CONSENT AGENDA**

*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

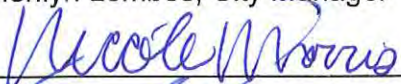
**F. COMMUNICATIONS FROM COUNCILORS**

Councilor Bubenik participated in the Tualatin Riverkeepers Paddle Event this past weekend. He encouraged everyone to participate next year.

**G. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 7:30 p.m.

Sherilyn Lombos, City Manager

 / Nicole Morris, Recording Secretary

 / Lou Ogden, Mayor

**From:** [G Lucini](#)  
**To:** [COUNCIL](#); [Lou Ogden](#); [Monique Beikman](#); [Wade Brooksby](#); [Frank Bubenik](#); [Ed Truax](#); [Joelle Davis](#); [Nancy Grimes](#)  
**Cc:** [Cindy Hahn](#); [Aquilla Hurd-Ravich](#)  
**Subject:** Letter for Public Record- Basalt Creek Concept Planning Process- Tualatin City Council  
**Date:** Sunday, December 07, 2014 6:52:09 PM  
**Attachments:** [2014 12-7Letter Tualatin Wilsonville -Councils- Planning Com Dec 2014.pdf](#)

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I would appreciate your consideration of the information contained in the attached PDF file.

The comments relate to the Basalt Creek Concept Planning process and the Public Meeting presentations to the Tualatin City Council on November 24 and on December 2, 2014.

I request the contents of the file become part of the Public Record for the Basalt Creek Joint Cities Public Meeting which was held on December 2, 2014.

Regards,

Grace Lucini  
503 692 9890

GRACE LUCINI  
23677 SW Boones Ferry Road  
Tualatin, Oregon 97062  
December 7, 2014

To: All Tualatin City Council Members and Wilsonville City Council Members -Joint Cities Basalt Creek Concept Planning Meeting -**Meeting December 2, 2014**  
All Wilsonville Planning Commission Members -Commission Meeting -**December 10, 2014**  
All Tualatin Planning Commission Members -Commission Meeting - **December 18, 2014**

Re: Basalt Creek Area Concept Planning

Please Include this communication as part of the public record for the Basalt Creek Area Concept Planning-- to be associated with the Public Meetings listed above.

I have been observing the Basalt Creek Concept Planning process. Several unaddressed issues become apparent as the Basalt Creek Area Base Case Scenario is presented. These issues are created when the comments and presentations on the concept planning process are compared to the stated intent of Metro Ordinance 04-1040B----which is the basis for the entire concept planning process.

Unaddressed issues are:

1. The entire Basalt Creek Concept Planning process is based upon the current designated location of the East West Connector
2. The utility, safety, feasibility, and cost of the East-West Connector has not been established due to the lack of the appropriate level of due diligence
3. Due to lack of appropriate level of due diligence, if the location or design of the East-West Connector needs to be revised-planning based upon the current location will be of questionable use---- at the expense of the taxpayers.
4. Current presentations on conceptual planning for the Basalt Creek Area do not appear to conform to statements which are specific to the future development of the Tualatin Study Area within Metro Ordinance 04-1040B, which is the basis and authorizing tool for the Basalt Creek planning process.
5. The Base Case presentation – the first of three alternative scenarios to be presented for consideration-includes road and infrastructure detail which will need to accommodate the stated primary purpose of the 124<sup>th</sup>-East West Connector – which is to have limited local access /cross traffic to increase the volume and flow of regional freight traffic from Highway 99 to Interstate 5 unless overpasses are constructed for local roads across the 5-6 lane 6% grade East-West Connector –adding significant design and construction costs.
6. The Base Case Scenario presentation provides an extremely high level magnitude discrepancy factor for anticipated cost factors on construction through known masses of large basalt rock formations and mountain

ridges and steep grades. Topographical maps and onsite inspection of the location of the proposed concept plan (as presented) - easily suggests cost factors will weigh significantly towards the upper end of construction costs.

An update on the Basalt Creek Concept Planning Project is being presented on the progress on the staff and consultants' findings and to present their Base Case primary Base Case scenario for Concept Planning. Two additional scenarios are to be developed within the next month based upon the feedback provided by the City Councils, and their respective Planning Commissions.

When Metro authorized the process of the concept planning for the Basalt Creek Area in 2004, Metro Ordinance 04-1040B included remarks specific to the Basalt Creek Concept Planning process including:

- Establishment of a Highway 99-I-5 Regional Freight Transportation Connection
- Utilizing the Connection as a basis for jurisdictional boundaries
- Zoning on the north side of the Connector to be "Outside Residential Neighborhoods"
- Zoning on the south side of the Connector to be "Industrial"
- Acknowledged and Identified over ½ of the acreage within the Tualatin Study area and the Coffee Creek Study area was not conducive for Industrial Development
- And provided for the Evaluation and Protection of the Natural Resources within the Basalt Creek Area as part of the process

## **METRO ORDINANCE 04-1040B**

### **II. Specific Findings for Particular Areas Added To UGB in Task 2 Remand Decision - Metro Ordinance 04-1040B**

#### **E. Tualatin**

*"The City of Tualatin and many residents of the area expressed concern about compatibility between industrial use and residential neighborhoods at the south end of the city. They have also worried about preserving an opportunity to choose an alignment between Tualatin and Wilsonville for the I-5/99W Connector; the south alignment for this facility passes through the northern portion of the Tualatin Study Area."*

*"In response to these concerns, the Council placed several conditions upon addition of this area to the UGB. First, the Council extended the normal time for Title 11 planning for the area: two years following the identification of a final alignment for the Connector, or seven years after the effective date of Ordinance No. 04-1040B, whichever comes sooner. This allows Title 11 planning by Washington County, the cities of Tualatin and Wilsonville and Metro to accommodate planning for the Connector alignment. "*

**"Second, the Council states that, so long as the alignment for the Connector falls close to the South Alignment shown on the 2040 Growth Concept Map, it will serve as the buffer between residential development to the north (the portion least suitable for industrial uses) and industrial development to the south (the portion of the area most suitable for industrial use)"**

### **II. SPECIFIC CONDITIONS FOR PARTICULAR AREAS - Metro Ordinance 04-1040B**

#### **C. Tualatin Area**

*"Washington County or, upon annexation to the Cities of Tualatin or Wilsonville, the cities, in conjunction with Metro, shall complete Title 11 planning within two years following the selection of the right-of-way alignment for*



the I-5/99W Connector, or within seven years of the effective date of Ordinance No. 04-1040, whichever occurs earlier.

Title 11 planning shall incorporate the general location of the projected right of way alignment for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan. If the selected right-of-way for the connector follows the approximate course of the "South Alignment," as shown on the Region 2040 Growth Concept Map, as amended by Ordinance No. 03-1014, October 15, 2003, **the portion of the Tualatin Area that lies north of the right-of-way shall be designated "Outer Neighborhood" on the Growth Concept Map; the portion that lies south shall be designated "Industrial."**

**The governments responsible for Title 11 planning shall consider using the I-5/99W connector as a boundary between the city limits of the City of Tualatin and the City of Wilsonville in this area."**

**Staff Report Suitability for Industrial Development- Metro Ordinance 04-1040B**

**Table 2. Chief Operating Officer's Recommendation**

EXPANSION AREAS	Total Acres	Net Acres	Dominant Earthquake Zone <sup>4</sup>	SUITABILITY FACTORS		
				Access	Proximity	Slope less 10%
<i>Damascus West</i>	102	69	D	✓	✓	✓
<i>Tualatin (MPAC-partial)</i>	646	339	D	✓	✓	✓
<i>Quarry (partial)</i>	354	236	D	✓	✓	✓
<i>Borland Rd N. (partial)</i>	575	164	A	✓	✓	✓
<i>Beavercreek (partial)</i>	63	30	D	--	✓	✓
<i>Coffee Creek (partial)</i>	264	97	D	✓	✓	✓

(Indicates approximately ½ of the Tualatin Study Area and less than ½ of the Coffee Creek Study Area was appropriate and/or anticipated to be Industrial Development)

**Condition IG of Exhibit F - Metro Ordinance 04-1040B**

*"Requires the county or city to consider Metro's inventory of Goal 5 resources in their application of Goal 5 to the Tualatin Study Area. Title 3 (Water Quality, Flood Management and Fish and Wildlife Conservation) of the UGMFP requires the county or city to protect water quality and floodplains in the area. Title 11 of the UGMFP, section 3.07.1120G, requires the county or city to protect fish and wildlife habitat and water quality."*

**Entire Concept Planning process based upon location on East West Connector**

It has been stated the location of the East West Connector as adopted by the Basalt Creek Concept Planning PAG Group in December 2012, and then adopted by Washington County Ordinance 767 in 2013, is to be incorporated and included as an existing factor within the Basalt Creek Concept Plan.

This is an important factor, as the East-West Connector is geographically located in the middle of the Basalt Creek Area, and includes a bridge which will tower approximately 100 feet into the air at the eastern end where it is anticipated the width of the bridge will be 5-6 lanes wide (to make accommodations for slow acceleration of freight trucks due to the steep grade).

**(Please see attached Preliminary Design for East West Connector including topographical cross-section)**

- A. It should be noted, the 124<sup>th</sup> East West connector does not in fact terminate at Interstate 5, nor do plans include any direct connection onto Interstate 5. All of the Interstate 5 regional freight traffic will be directed onto surface arterials and collectors which will then feed into an already compromised Elligsen/ Interstate-5 Interchange, competing with other local commercial and residential traffic.
- B. Preliminary design of the East West Connector indicates cut and fill of large amounts of land in order to achieve a minimum 6% road grade for regional freight traffic (which is within Washington County standards, but exceeds Federal Highway recommendations for design of highways for freight traffic).
- C. Preliminary design of the East West Connector indicates the East West Connector requires traffic stop lights at the top and bottom of a 6% grade bridge --- a known significant factor which will decrease speed and flow of freight traffic through the intersections and surrounding area.
- D. The steep expressway grade of the East West Connector will significantly and negatively impact local traffic when the 6% grade bridge over the wetlands becomes icy and the East-West Connector becomes slick and unsafe. Due to the above and below ground-level design of the East-West Connector (road cut and lengthy 100 foot bridge elevation); timely emergency vehicle access to attend accidents will be reduced due to limited access roads or off road access.
- E. The 6% grade of the Connector exceeds Federal ADA Recommendations may limit multimodality use of the East West Connector which is contrary to the current emphasis of State, Regional and local transportation goals. Design changes to accommodate ADA recommendations may increase design and construction costs which were not included during East-West Connector location discussions.
- F. Due to the need to cut and fill large amounts of land to construct the East-West Connector (which may also include an additional cross traffic proposed local road) in this area of known and identified - wetlands, high value riparian, and high value uplands habitat---- Have the appropriate State and Federal agencies been consulted and these projects properly vetted as to impact on known wetlands and Significant Natural Resources identified within Goal 5, 3 and 13 standards?
- G. Was the specific location and design of the East-West Connector as identified in Washington County Ordinance 767 reviewed or vetted by those agencies responsible for protection of local, state and federal natural resources- as addressed in Metro 04- 1040B.

If the appropriate reviews by the appropriate State and Federal agencies was not done during and as part of the Tualatin –Wilsonville IGA and/or PAG evaluation process (as to the specific location and design of the East West Connector within the Basalt Creek Area) and its impact upon identified Significant Natural Resources has not been determined-- it is not known if the present location of the Connector will require changes in location or design to comply with water quality standards or other environmental constraints.

If there are additional design features which are needed to reduce the 6% grade of the East-West Connector, or significant bridge design accommodations needed to increase multi-modal use- the ability and cost to achieve these changes---this information needs to be identified and included in the Concept Planning process for purpose of funding and to ensure compatibility with future planning.

Has the integrity and stability of the one basalt rock formation within the known wetlands upon which Washington County plans to use as the center footing for large 5-6 lane regional freight bridge ---has the appropriate level of due diligence been done to determine its feasibility for its intended use?

It seems appropriate these basic feasibility issues should be addressed and resolved immediately if the entire concept design process for the Basalt Creek Area revolves upon the viability of the specific location of this 5-6 lane connector and bridge before any concept scenario is presented for evaluation to the Cities or public.

Based upon the above, the design and location of the East-West Connector seems extremely counter intuitive for an expressway whose main purpose is to increase the flow of regional freight through this area- especially when other alternative scenarios did not pose such problems.

Spending time, effort and costs in concept planning based upon the location of the East-West Connector when appropriate feasibility studies specific to the connector's planned location may not have been obtained ---may be a significant oversight in the planning process. This may eventually cause a significant and unnecessary expense to taxpayers and may cause an unnecessary delay in resolution and implementation of the plan--- should the present location of the East West Connector be deemed inappropriate for construction.

### **Boundary and Zoning Issues**

1. Comments continue to be raised regarding the utilization of the East-West Connector as a basis for jurisdictional boundaries (as suggested in Metro Ordinance 04-1040B)--due to concerns about different types of zoning on the north and south sides of the Connector.

If the current location of the East-West Connector remains as indicated- a significant portion bisects land with known wetlands, and Significant Natural Resources which pose constraints upon development limiting development on approximately ½ of either side of the East-West Connector. And, due to the topography of the area, the eastern bridge portion of the East West Connector is anticipated to rise 100 feet above the ground. Consequently there will not be development at face to face street level on a large portion of the East-West Connector. Both of these issues should ease some concerns expressed about driving along the East West Connector and seeing different types of development abutting the expressway at street level and should be able to remove this concern as a limiting factor in the decision making process.

2. Those preparing concept zoning plans within the Basalt Creek Area should be cognizant and respectful of the numerous existing homes and neighborhoods which were built under the zoning, the laws and the regulations in place at time. It is these people and families who will bear significant impact by changes in governance or zoning implemented by this process. It is again important to recognize the residents and property owners within the Basalt Creek Area have no elected representation within the Basalt Creek Concept Planning process.

### **Issues which should be addressed regarding the proposed Basalt Creek Base Case Scenario:**

If the entire basis of the 124<sup>th</sup> East-West Connector is predicated on increasing the flow of Regional Freight Traffic from Highway 99 to Interstate 5 –in part by limiting the number of local access points interrupting the speed and flow of truck

traffic—then questions should be asked regarding the Base Case Scenario proposing a local road which intersect the East-West Connector and not included within the preliminary design plan for the East West Connector

- What type of traffic control is intended at the intersection of the 5 lane East-West Connector and the Base Case proposed local road which runs north and south parallel and between SW Boones Ferry Road and SW Grahams Ferry Road (as identified in the December 2014 Basalt Creek Concept Plan Base Case Scenario)?
- is a less expensive traffic light sufficient to meet the local traffic needs without significantly interrupting truck east-west truck traffic (which is estimated by Washington County Staff will be twice the volume of current Tualatin Sherwood Highway traffic)?
- will an overpass/s be required for proposed local north south roads, and
- who will pay for significant design and construction upgrade improvements to the East-West Connector plans, as well as the additional design & construction costs for the local road for any overpass across the 6% grade 5-6 lane Expressway through undulating topography?

**Please see the attached topographical map –Indicating the approximate locations of the East-West Connector and the proposed Base Case north-south local road which intersects the Connector in the middle of a steep ridge.**

**A Recommendation for future Basalt Creek Concept Planning discussions and presentations:**

As the topography of this area presents important constraints to the entire concept planning due to an extremely wide range of topographical features including steep grades and natural wetlands, it seems reasonable future concept plans should be presented with topographical overlays when making presentations to city officials and to the public-- to provide greater understanding and visual conceptualization of this complex project.

I appreciate your consideration of these issues when you forward your comments, recommendations or suggestions to the Basalt Creek Concept Planning staff and consultants as they make their revisions and create the next- and last- two alternative scenarios to be presented in February 2015.

Respectfully submitted,

Grace Lucini

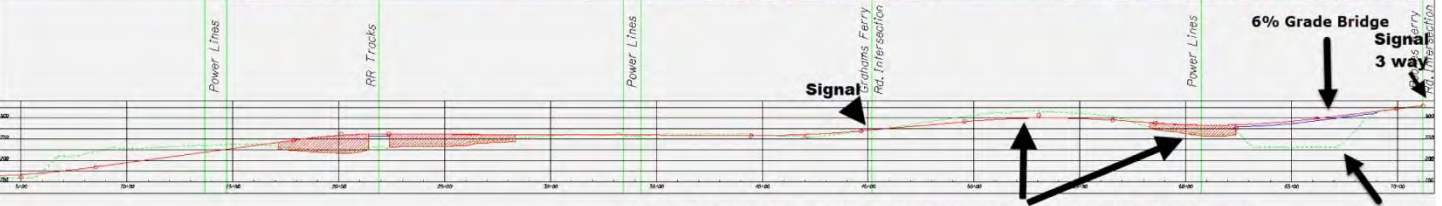
Attachments:

Preliminary Design for East West Connector-Washington County  
Topographical Map East West Connector with Base Case Local Road Overlay

CC: Cindy Hahn, City of Tualatin  
Aquilla Hurd-Ravich, City of Tualatin  
Chris Neamtzu, City of Wilsonville

# Basalt Creek Preliminary Design - East-West Connector

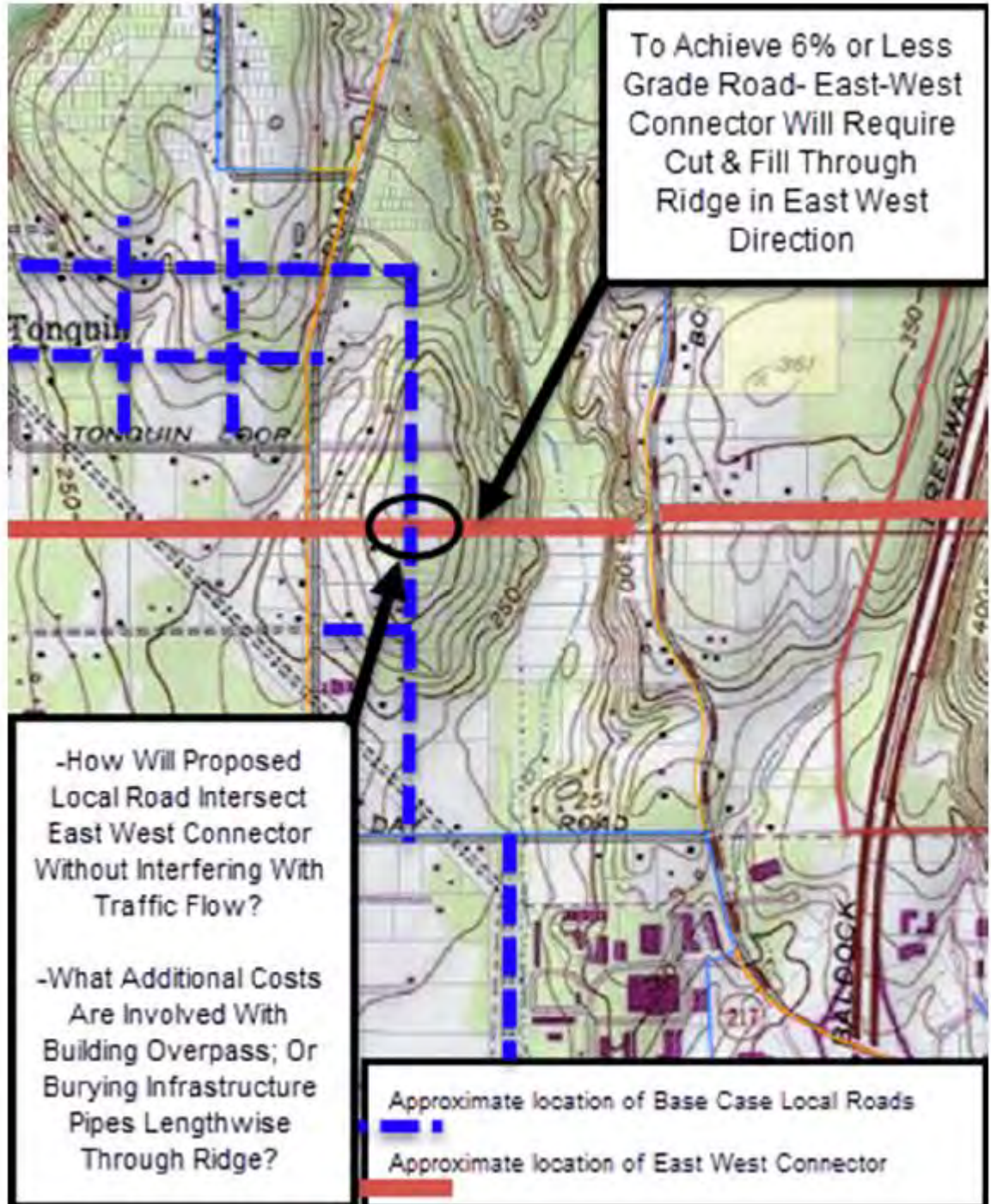
January 2012



**Note- Cross Section of Cut and Fill Needed to Reduce Grade of Bridge**

**Slope of Ravine**







*City of Tualatin*

## **Attachment H2:**

Public Comment Record 2015





**From:** [G. Lucini](#)  
**To:** [Councilor Susie Stevens](#); [Councilor Charlotte Lehan](#); [Councilor Julie Fitzgerald](#); [Councilor Starr Scott](#); [Knapp@ci.wilsonville.or.us](mailto:Knapp@ci.wilsonville.or.us)  
**Cc:** [council@ci.wilsonville.or.us](mailto:council@ci.wilsonville.or.us); [Bateschell, Miranda](#); [JoelleDavis](#); [Cindy Hahn](#)  
**Subject:** PLEASE INCLUDE AS PART OF PUBLIC RECORD -Basalt Creek and Compliance with ADA within Public ROW and Public Trails-- for City of Wilsonville Council Work Session 4-20-15  
**Date:** Friday, April 17, 2015 6:11:45 PM  
**Attachments:** [2015-04-16 Proposed Basalt Creek Trail Map Comments.pdf](#)

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As residents of the Basalt Creek Area, and without elected representation within the decision making Basalt Creek Concept Planning IGA, we request the City Council of Wilsonville to take into consideration the following information when the Council convenes on April 20, 2015.

During the Council Work Session on 4-20-15, information will be presented on Basalt Creek Concept Planning – as well as on Wilsonville’s’ ADA Transition Plan. It is somewhat ironic and yet helpful that information on both of these issues will be presented during the same Council Work Session.

**1. GRAHAMS FERRY ROAD- BOONES FERRY ROAD CONNECTOR-**

The issue of the grade on proposed East West Connector between Grahams Ferry Road and SW Boones Ferry Road has been brought to the Council previously, but should be brought to the Council’s attention again.

- The current design of the Connector will be approximately 1/2 of a mile in length and includes a bridge which will be 100 feet above ground at the east end. According to the presentation by Washington County Engineer Russell Knoeble at the Tualatin City Council Work Session on 4-13-15, the County is attempting to “not exceed a 6% grade on this bridge” by raising the level of the proposed intersection at Grahams Ferry Road and the planned Boones Ferry Connector.
- While implementing the goal of increasing the flow and volume of regional freight traffic through this specific location, what protections will be provided to pedestrians and bicyclists from this planned regional freight traffic- on the bridge and at the intersections at the top and the bottom of the 6% grade?
- What was not discussed during the Tualatin Council 4-13-15 meeting was the additional costs involved to build the bridge (which is part of the public ROW system) to be ADA compliant considering the anticipated 6% grade.
- These issues are in addition to other grade and safety issues for a bridge constructed over wetlands; a bridge which will be more prone to freezing and ice than the surrounding surface streets; and a design/ location problem which will delay timely emergency services response due to the height of the bridge and the two limited street access point along the 124<sup>th</sup> –Boones Ferry Expressway.
- Knowledgeable truckers will not voluntarily use routes which slow their speed (i.e. a 6% grade with intersections at the top and bottom) or which increase fuel costs (i.e. accelerating up a 6% grade) when other local options are available.
- The current plan will continue to increase the flow and volume of regional freight traffic along SW Boones Ferry Road to the intersections at Day Road and the I-5 Interchange all the way up until the year 2035- and only when the Frobase Road Overcrossing is authorized, and issues surrounding the UBG in the area, are resolved.
- All of these factors again question the feasibility and utility of the planned location of the Grahams Ferry –Boones Ferry Connector as a regional freight route for year round use.
- Yet, all efforts of the current Concept Planning for the Basalt Creek Area are all predicated on the location of the East West Connector as currently planned. Should

the location of the bridge be found to be inappropriate due to wetland instability, negative impact upon significant natural resources and wetland /water quality, increased safety issues, lack of AGA compliance, or lack of use by knowledgeable truckers due to increased fuel costs and increased then the time, effort and taxpayer expense of most of the current concept planning will have been wasted.

## **2. APPARENT LACK OF THE APPROPRIATE DUE DILIGENCE AND THE INTEGRATION OF THIS INFORMATION DURING THE DEVELOPMENT AND PRESENTATION PHASE OF PROPOSED SCENARIOS**

At the Wilsonville Council Work Session on 4-20-15, information on the current concept planning will be provided.

Maps which are included within the informational packet include proposed suggestions which are contrary to normal construction practice or not in compliance with local or Federal laws.

- o Sanitary System Map places CWS line across multiple privately owned properties without ROW access available by road.

On page 158 "Attachment B Sanitary System Alternative Maps: BASE CASE," indicates a proposed CWS Service System west of SW Boones Ferry Road and running in a North-South direction.

- The location of the southern portion of this proposed line is not along a current or proposed future street and through the middle of several privately owned lots--which makes obtaining ROW, access, and maintenance of the line extremely problematic and therefore outside the usual and customary placement.
- The location of the southern portion of this proposed line is either through the existing wetlands, through a basalt cliff, through our home, or through our septic drain field/ or reserve drain field.
- All of these are previously known limiting factors which are problematic in placing this CWS line in the location as indicated on the map on page 158.

- o Public Trail Included in Basalt Creek Concept Planning Maps-Through Numerous Parcels Of Privately Owned Property.

Maps on pages 157, 159, 160, and 161 indicate a proposed public trail west of SW Boones Ferry Road which fragments our property as well as several other property owners. The proposed public trail runs north along the wetlands and into our backyard. The public trail then turns east through our barn and either through our home (or next to our home) and then up our driveway to connect to SW Boones Ferry Road.

*(Please see the attached PDF file which provides a copy of the proposed public trail through the wetlands and up, into and through a significant portion of our homestead and property. This map was obtained from the City of Wilsonville City Council Work Session Information Packet 4-20-15, page 161 "Attachment B. Sanitary System-Alternatives Maps: Hybrid")*

- Our driveway rises approximately 100 feet to reach Boones Ferry Road within approximately a 300 foot span----- with grades reaching 10-20%.
- This grade would cause the trail to exceed Federal ADA Standards- as well as Wilsonville's own ADA Transition Plan for public trails.
- Costs to come into ADA compliance would need to be critically evaluated due

- to the constraints of the topography.
- The driveway where the proposed trail is located- is the only vehicular access to our home. Because of the topography, there is limited room for expansion on either side of the driveway to accommodate a public trail as well as vehicles.
- The proposed trail also limits free access to a large section of our property in addition to removing our use and the enjoyment of our home and all our property.
- There are also obvious trespassing issues with the proposed location of the trail through our property and other privately owned lots.
- Are the Cities of Wilsonville and Tualatin as part of the Basalt Creek Concept Planning IGA proposing to purchase our home (in good condition and built in 2002) and all of our property of 4.8 acres?
  - Is any funding available to be utilized for the purchase- with a reasonable belief that funding will be readily available for such a purchase?
  - If so, what timeframe would this purchase be envisioned?
  - Would it be reasonable and respectful to discuss a proposal of this nature with a property owner prior to public distribution of plans which significantly impact their property?

### **3. INCONSISTENT APPLICATION OF MAJOR DESIGN/PLANNING PRINCIPLES.**

It has been stated by project staff members- A primary determination in the selection of the present location of the east-west connector over the hybrid alternative was due to the fewer number of property owners affected and need to obtain fewer numbers of ROW.

- Yet, as evidenced by the Base Case Scenario Maps, and the various maps contained within the Wilsonville City Council Informational Packet for Council Meeting 4-20-15- there appears to be a total disregard to the number of property owners impacted by the location of various pipe lines and/or other public infrastructure and trails fragmenting private property.
- Due to the planned location of the East-West Connector an entire neighborhood/residential development will be destroyed at the proposed intersection of the East West Connector and Boones Ferry Road- without apparent concern for the property owners involved.

While we realize the concept planning process is still developing alternative scenarios- interim maps which are placed within the public domain and disseminated can have significant negative impact upon property owners- even if the proposed plans are not adopted.

The Basalt Creek Area consists of over 800 acres. Therefore planning for the area will affect many property owners. Out of consideration and respect for the many local property owners we are requesting the development and drafting of plans be reviewed for reasonable feasibility, and evaluated for known limitations--- *prior to moving to a formal public presentation to prevent undue hardship on local property owners.*

We have already been affected by other Basalt Creek Planning projects, and are very interested in seeing that property owners within the Basalt Creek Area are not subjected to impractical or unfeasible public presentation of plans and/or maps which may then inadvertently cause undue negative financial impact upon the property owners (i.e. clouding the property title, limiting salability of property due to potential public use etc.)

**4. WOULD THIS BE AN APPROPRIATE TIME TO LOOK FORWARD AND INTEGRATE WITH OTHER NEWLY DEVELOPING MAJOR PUBLIC WORKS PROJECTS WHICH ARE BEING PLANNED WITHIN THE AREA?**

- o The location and route of the Willamette Water Supply Program Pipeline from Wilsonville to Hillsboro and Beaverton was not yet identified when the East-West Connector was voted upon in December 2012.
- o Tualatin City Council Member Joelle Davis suggested at their 4-13-15 City Council Work Session that a consideration be given for placing the regional freight connection between 124<sup>th</sup> towards Interstate 5 along the same route as the Willamette Water Supply Program Pipeline---- at a cost savings which affects fewer residential properties. This location would also eliminate the need to construct a 6% grade bridge through known significant natural resources and wetlands and associated problems.

After the informational packet for the Wilsonville Council Meeting of 4-20-15 was posted on Tuesday 4-14-15 we submitted our concerns after business hours on 4-16-15, to the Wilsonville project manager for Basalt Creek Concept Planning, but have not yet received a response.

We are asking those who are involved in proposing various scenarios to come to our home to see first-hand the significant changes in topography of the area west of Boones Ferry Road and of the wetlands.

The ability to see the large basalt cliffs and steep slopes on the north end of the ravine (including our property) may help in the development of realistic and feasible alternatives.

We are yet again inviting the City Councilors to also do a site visit – that they may also understand the unique natural constraints within this specific section of the Basalt Creek Area. These constraints are difficult to visualize on a 2 dimensional map and cannot be seen from Boones Ferry Road above.

Respectfully submitted,

John and Grace Lucini  
23677 SW Boones Ferry Road  
Tualatin, OR 97062  
503 692 9890

**From:** [G. Lucini](#)  
**To:** [Knapp@ci.wilsonville.or.us](mailto:Knapp@ci.wilsonville.or.us); [Councilor Starr Scott](#); [Councilor Julie Fitzgerald](#); [Councilor Charlotte Lehan](#); [Councilor Susie Stevens](#); [Lou Ogden](#); [Monique Beikman](#); [Nancy Grimes](#); [Wade Brooksby](#); [Joelle Davis](#); [Frank Bubenik](#); [Ed Truax](#); [Council](#); [Sandra King, City Recorder](#)  
**Cc:** [Alice Cannon](#); [Cindy Hahn](#); [Aquila Hurd-Ravich](#); [Chris Neamtzu](#); [Karushaar, Nancy](#); [Bateschell, Miranda](#)  
**Subject:** City Council Work Session-May 2015---Basalt Creek Land Use Scenarios-Impact on Property Owners West Side of SW Boones Ferry Road  
**Date:** Monday, June 15, 2015 1:47:56 PM  
**Attachments:** [2015 6-15- Land Use Options- Impact SW Boones Ferry Property Owners.pdf](#)

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As the cities of Wilsonville and Tualatin discuss the two proposed Land Use Options for the Basalt Creek Concept Planning, as local property owners without elected representation within the decision making process, and who will be directly affected by this process- we wish to bring to your attention an important issue which may affect us and some other property owners along SW Boones Ferry Road.

We direct your attention to one of many differences ---between proposed Land Use Option 1 and Land Use Option 2.

**Land Use Scenario for Option 1** provides a consistent land use of Residential Neighborhood for our home which is on a parcel of 4.81 acers.

- The proposed land use is consistent on both sides of the Basalt Creek Canyon
- Both the east and the west portions of our property is indicted as Residential Neighborhood
- The center portion of our property includes wetlands designation.

**Land Use Scenario for Option 2** indicates two different land uses for our property in addition to the wetlands.

- The east end of our property as proposed in Option 2 is the same as for Option 1- Residential Neighborhood.
- The west end of our property in this scenario differs from Option 1, and changes the land use to Employment Transition – and may also include a triangle of Neighborhood Residential.
- The center portion of our property remains designated as wetlands.

It is apparent in the development of Option 2 – use of existing parcel lot lines was not considered when creating this part of the land use scenario. Multiple land uses and/or the recommendation of arbitrary diagonal use lines within existing parcels----- places additional burdens on existing individual property owners.

Please see the attached copy of proposed maps for Option1 and Option 2 with identification of the issues and properties in discussion.

We would appreciate your consideration of these issues when evaluating land use options for the property owners on the west side of SW Boones Ferry Road.

Respectfully submitted,  
John and Grace Lucini  
23677 SW Boones Ferry Road  
Tualatin, Oregon 97062

**From:** [Herb Koss](#)  
**To:** [Aquilla Hurd-Ravich](#); [Cindy Hahn](#); [LouOgden](#); [Lou.ogden@juno.com](#)  
**Subject:** RE: Basalt Creek  
**Date:** Wednesday, July 08, 2015 3:44:11 PM

---

Aquilla

Would it be helpful if I had a planner draw up some options for our land?

Herb

---

**From:** Aquilla Hurd-Ravich [mailto:[AHURD-RAVICH@ci.tualatin.or.us](mailto:AHURD-RAVICH@ci.tualatin.or.us)]  
**Sent:** Wednesday, July 08, 2015 9:48 AM  
**To:** Herb Koss; Cindy Hahn; LouOgden; Lou.ogden@juno.com  
**Subject:** RE: Basalt Creek

Dear Mr. Koss,

We appreciate you coming by yesterday to share your input on the future of your property. We will take these comments into consideration as we move forward.

Thank you,

**Aquilla Hurd-Ravich, AICP**

Planning Manager

City of Tualatin | Community Development Department

503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

---

**From:** Herb Koss [mailto:[herb@kossred.com](mailto:herb@kossred.com)]  
**Sent:** Wednesday, July 08, 2015 7:38 AM  
**To:** Aquilla Hurd-Ravich; Cindy Hahn; LouOgden; [Lou.ogden@juno.com](#)  
**Subject:** FW: Basalt Creek

Dear Cindy and Aquilla

Thank you for taking your time to meet with me today. First of all I sincerely hope that the land that my LLC owns is annexed into Tualatin vs Wilsonville. As I pointed out the 10 acres that our LLC owns is the corner of 124<sup>th</sup> and Grahams Ferry ( the north east corner ). I have highlighted it on the attached map. My preference would be a boundary a shown on Option 1 or a boundary that I would call option 3.

I have always thought that a natural boundary line would be 124<sup>th</sup>, however I have not taken into consideration the sewer service that may alter that desire.

I did drive by the proposed commercial site and looked at the grades. If the commercial was located on our property it would necessitate a cut . The one site next to Tonquin Road would need to be filled.



My personal desire is to have most of our land designated residential with the potential of our corner being commercial although a commercial designation is not important to me.

As we discussed I believe that with a parkway road ( 124<sup>th</sup> ) a higher density residential zone would be a good transition from 124<sup>th</sup> and allow for a lower density as development occurs to the North. The commercial activity to the south of our land can be buffered with appropriate landscaping.

Is their time for me to have a planner draw up some more detailed plans for our 10 acres and how it would work in concert with the property to our north. I would be happy to do so if time permits.

Again thanks for meeting with me on such a short notice.

Sincerely  
Herb Koss

**Herb Koss | Owner & Broker**  
**Koss Real Estate Development and Investment Co.**  
**22400 Salamo Rd. Suite 106, West Linn, OR 97068**  
[herb@kossred.com](mailto:herb@kossred.com) | (503)730-2431

**From:** [Zander Prideaux](#)  
**To:** "[Bateschell, Miranda](#)"  
**Cc:** [Cindy Hahn](#); [molly.prideaux@gmail.com](mailto:molly.prideaux@gmail.com)  
**Subject:** RE: Basalt Creek follow-up  
**Date:** Wednesday, July 29, 2015 8:32:56 AM

---

Miranda,

Thank you for the update. I will do my best to participate in the upcoming meetings and open house. Time is always a factor in my level of participation. It is a constant challenge running my own business, raising our kids, and trying to enjoy some free time. So I am including a letter with my official request.

Please let me know if you have any questions.

Thanks,

Zander

503.702.2507

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**From:** Bateschell, Miranda [mailto:[bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)]  
**Sent:** Tuesday, July 21, 2015 6:56 PM  
**To:** [zprideaux@gmail.com](mailto:zprideaux@gmail.com)  
**Cc:** 'Cindy Hahn'  
**Subject:** Basalt Creek follow-up

Xander,

Nice chatting with you on the phone last Friday. Sorry it has taken a while to follow-up with you. As I mentioned, the two Councils moved for staff to revisit the proposed boundary and make some edits. We are currently in the process of conducting an alternative boundary and land use scenario based on that input, which will go back to another Joint Council meeting anticipated for September 8, 6-8pm, City of Wilsonville City Hall (keep in tune on the project page for any updates and materials: [www.basaltcreek.com](http://www.basaltcreek.com)). I am currently scheduled to go to Wilsonville City Council work session on 8/17 in preparation for that Joint Council meeting. I will also be at the 8/12 Wilsonville Planning Commission meeting to provide an update on the overall project.

As I mentioned on the phone there was not a recording of the June Joint Council. However, in response to your questions about the boundary near Boones Ferry Road, the Tualatin City Council expressed significant interest in maintaining the residential parcels to the west of Boones Ferry Road as residential parcels, keeping that residential community whole. City of Wilsonville Councilors acknowledged that position. The next scenario will be presented at the upcoming meetings described above and will likely reflect this discussion with the residential parcels spanning across the Basalt Creek Canyon proposed to be designated as future City of Tualatin. However, this will be under further discussion by the Councils.

In terms of public participation and input: You are welcome to testify at any City Council or Planning Commission meeting under general business. You are also welcome to submit written testimony for us to provide to Council at either the upcoming work sessions or for the Joint Council meeting where Basalt Creek is on the agenda (you can submit written testimony to me or Cindy (cc:d). The other avenue, which I encourage, is to participate in the upcoming public open house. It is not scheduled yet but we anticipate it will occur late September or October and will be posted on the website and an e-mail notification sent.

Thank you again for your interest in the project. Let me know if I can answer any more questions.

Best regards,  
Miranda

**Miranda Bateschell**

Long Range Planning Manager  
City of Wilsonville | Community Development Department  
503-570-1581 | [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)



7-29-15

Basalt Creek Planning Area:

To whom it may concern,

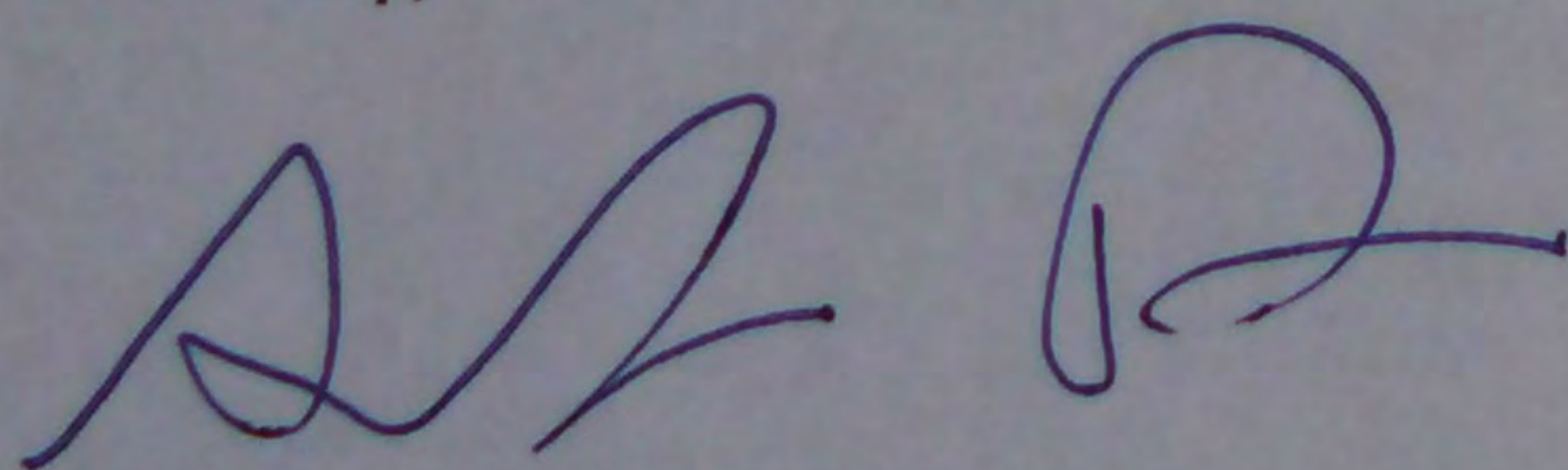
I am writing for a request to reconsider the decision to include our property in the City of Tualatin jurisdiction.

If a map is studied closely you will notice a natural division in property type on our northern border. Most houses to the North of us have a very nice residential layout to them. Our property and the ones to the south are much more organic in nature. It is our preference that our property be included in the Wilsonville jurisdiction. We feel our property would not be conducive to residential, due to the geography and proximity to the road.

Also we have strived over the years to maintain a native landscape surrounding the wetland that dominates our lower property, and would like to see it maintained long into the future.

I welcome any feedback.

Sincerely,

A handwritten signature in blue ink, consisting of two distinct parts. The first part is a stylized, cursive 'A' followed by a horizontal line. The second part is a cursive 'M' with a long, sweeping tail that extends to the right.

Arthur and Molly Prideaux

24305 SW Boones Ferry Rd

Tualatin, Or 97062

503.702.2507



**From:** [Herb Koss](#)  
**To:** [Cindy Hahn](#)  
**Cc:** [Aquilla Hurd-Ravich](#); [Alice Cannon](#); [Sherilyn Lombos](#); [Bateschell, Miranda](#)  
**Subject:** RE: Basalt Creek  
**Date:** Tuesday, August 04, 2015 10:39:24 AM

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Cindy

Thank you for your email. I happened to run into Lou Ogden this am and he confirmed that I have some time on the actual zoning issues.

When we spoke yesterday I suggested that I provide a tour of Stafford along with a side trip to the land I own in the Basalt Creek area. Most are probably very familiar with Basalt Creek, but not Stafford.

The County and Metro have now retained the services of a mediator to help resolve the remand on Stafford. As I mentioned to you I think crossing the Tualatin River would offer some opportunities for more housing for employers and their employees working in Tualatin, retirement communities, 55+ housing ( single Level ), etc.

Again I would like to know who would be interested in a Stafford Tour and a side trip to Grahams Ferry where 124<sup>th</sup> ends?

The Stafford tour takes 1.5 hours.

My time is fairly flexible.

Sincerely  
Herb Koss 503 730 2431

---

**From:** Cindy Hahn [<mailto:CHAHN@ci.tualatin.or.us>]  
**Sent:** Monday, August 03, 2015 5:07 PM  
**To:** Herb Koss  
**Cc:** [Aquilla Hurd-Ravich](#); [Alice Cannon](#); [Sherilyn Lombos](#); [Bateschell, Miranda](#)  
**Subject:** RE: Basalt Creek

Hi Herb,

As we discussed, I have copied Aquilla Hurd-Ravich, Planning Manager, and Alice Cannon, Assistant City Manager, on this email so they are aware that you called about Basalt Creek. Aquilla's phone is 503-691-3028 and Alice's is 503-691-3018. If you arrange a site visit of your property as you discussed with Sherilyn Lombos, City Manager, either Aquilla or Alice may be interested in participating.

I have also copied Miranda Bateschell, Long Range Planning Manager, at the City of Wilsonville who is managing the Basalt Creek project on their end so she is aware of your interest.

Our City Council will receive a briefing on the latest alternative for a jurisdictional boundary and potential land uses at work session on August 24. The public is welcome to attend, however, Council does not take public comment during the meeting. Materials will post on the City website one week before the meeting (on August 17). Work session usually starts at 5:00 pm at the Juanita Pohl Center. Please check the agenda in advance to see if there is a change to the start time as occurs occasionally.

Thank you for your interest in this project and please let me know if I can be of further assistance.

Cindy

*Cindy Luxhoj Hahn, AICP*

Associate Planner

City of Tualatin | Community Development Dept | Planning Division

Phone: 503-691-3029 | Email: [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us)

---

**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Wednesday, July 08, 2015 3:44 PM  
**To:** Aquilla Hurd-Ravich; Cindy Hahn; LouOgden; [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com)  
**Subject:** RE: Basalt Creek

Aquilla

Would it be helpful if I had a planner draw up some options for our land?

Herb

---

**From:** Aquilla Hurd-Ravich [<mailto:AHURD-RAVICH@ci.tualatin.or.us>]  
**Sent:** Wednesday, July 08, 2015 9:48 AM  
**To:** Herb Koss; Cindy Hahn; LouOgden; [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com)  
**Subject:** RE: Basalt Creek

Dear Mr. Koss,

We appreciate you coming by yesterday to share your input on the future of your property. We will take these comments into consideration as we move forward.

Thank you,

**Aquilla Hurd-Ravich, AICP**

Planning Manager

City of Tualatin | Community Development Department

503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

---

**From:** Herb Koss [<mailto:herb@kossred.com>]

**Sent:** Wednesday, July 08, 2015 7:38 AM  
**To:** Aquilla Hurd-Ravich; Cindy Hahn; LouOgden; [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com)  
**Subject:** FW: Basalt Creek

Dear Cindy and Aquilla

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I have always thought that a natural boundary line would be 124<sup>th</sup>, however I have not taken into consideration the sewer service that may alter that desire.

I did drive by the proposed commercial site and looked at the grades. If the commercial was located on our property it would necessitate a cut . The one site next to Tonquin Road would need to be filled.

My personal desire is to have most of our land designated residential with the potential of our corner being commercial although a commercial designation is not important to me.

As we discussed I believe that with a parkway road ( 124<sup>th</sup> ) a higher density residential zone would be a good transition from 124<sup>th</sup> and allow for a lower density as development occurs to the North. The commercial activity to the south of our land can be buffered with appropriate landscaping.

Is their time for me to have a planner draw up some more detailed plans for our 10 acres and how it would work in concert with the property to our north. I would be happy to do so if time permits.

Again thanks for meeting with me on such a short notice.

Sincerely  
Herb Koss

**Herb Koss | Owner & Broker**  
**Koss Real Estate Development and Investment Co.**  
**22400 Salamo Rd. Suite 106, West Linn, OR 97068**  
[herb@kossred.com](mailto:herb@kossred.com) | (503)730-2431



**From:** [Aquilla Hurd-Ravich](#)  
**To:** [Herb Koss](#); [Cindy Hahn](#); [LouOgden](#); [Lou.ogden@juno.com](#); [John Fregonese](#)  
**Cc:** [Don & Barb Hanson \(don.hanson@otak.com\)](#); [Bateschell, Miranda](#)  
**Subject:** RE: Basalt Creek  
**Date:** Friday, August 21, 2015 8:34:46 AM

---

Mr. Koss,

Thank you for forwarding this concept drawing and cross section. The Project Management Team will include your ideas with other public comment that will be presented to both Councils later this fall.

Thanks again,

**Aquilla Hurd-Ravich, AICP**

Planning Manager

City of Tualatin | Community Development Department

503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

---

**From:** Herb Koss [mailto:[herb@kossred.com](mailto:herb@kossred.com)]  
**Sent:** Wednesday, August 19, 2015 4:40 PM  
**To:** Aquilla Hurd-Ravich; Cindy Hahn; LouOgden; [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com); John Fregonese  
**Cc:** Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com))  
**Subject:** RE: Basalt Creek

Good Afternoon Aquilla, Cindy, Lou and John

After our meeting I decided to hire Otak to draw up a plan that I had described to tie into the Tualatin existing residential housing from 124<sup>th</sup> North.

Note that the power line corridor is now a lineal parkway that links to the existing proposed open space. **This land is far better suited for housing since there is considerable slopes on some of the land that do not make light industrial very feasible.**

I know this maybe a bit ahead of the zoning process, but I wanted to send this to you now so you had a better idea of my suggested plan.

The Multifamily is a good use across from the light industrial use shown south of 124<sup>th</sup>.

Please let me know if you have any questions or suggestions.

Sincerely  
Herb Koss

PS: Otak may be making some small changes to the plan, but I wanted to get this to you asap.

---

**From:** Herb Koss

**Sent:** Wednesday, July 08, 2015 7:38 AM

**To:** 'ahurd-ravich@ci.tualatin.or.us'; [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us); Louogden; [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com)

**Subject:** FW: Basalt Creek

Dear Cindy and Aquilla

Thank you for taking your time to meet with me today. First of all I sincerely hope that the land that my LLC owns is annexed into Tualatin vs Wilsonville. As I pointed out the 10 acres that our LLC owns is the corner of 124<sup>th</sup> and Grahams Ferry ( the north east corner ). I have highlighted it on the attached map. My preference would be a boundary a shown on Option 1 or a boundary that I would call option 3.

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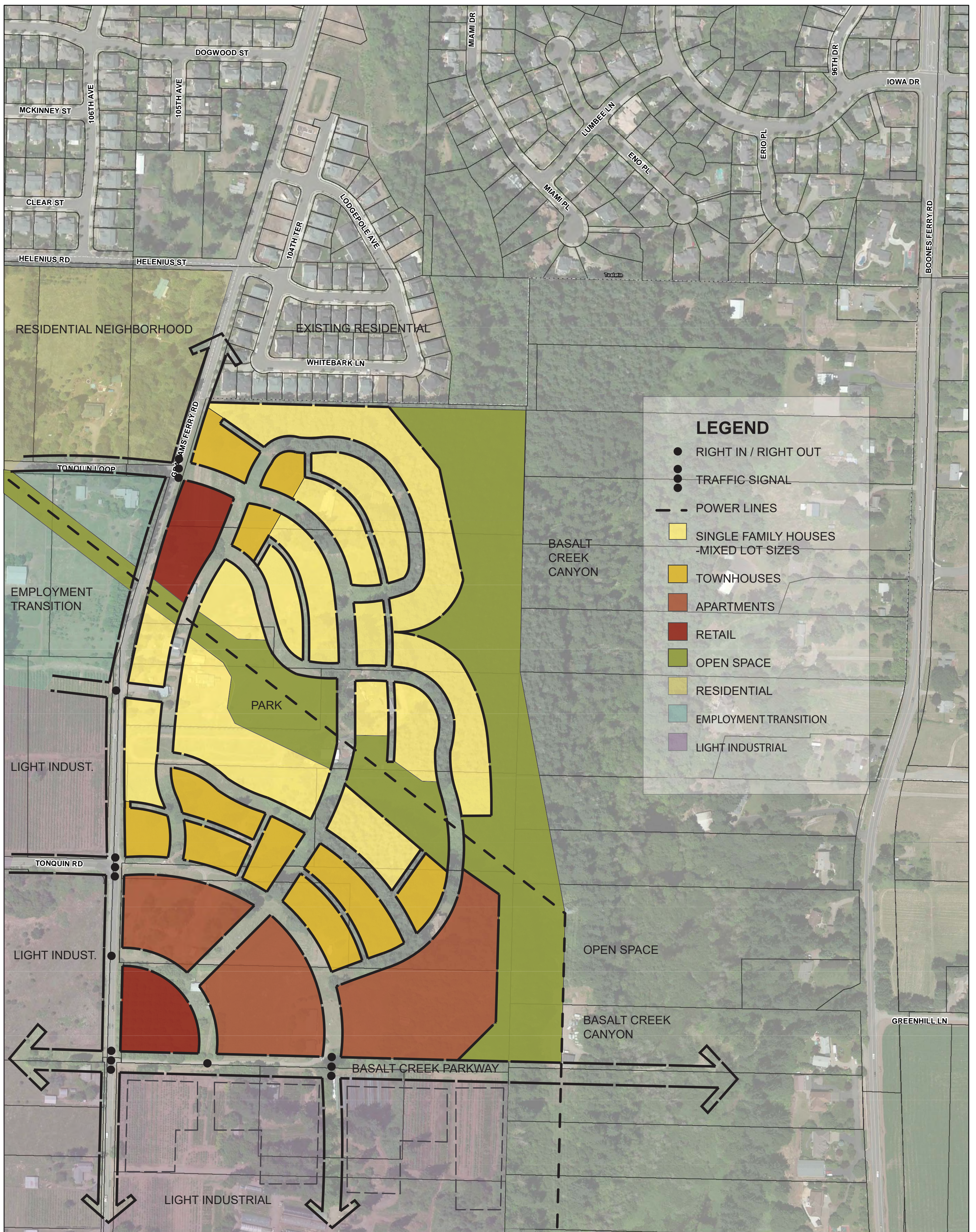
Is their time for me to have a planner draw up some more detailed plans for our 10 acres and how it would work in concert with the property to our north. I would be happy to do so if time permits.

Again thanks for meeting with me on such a short notice.

Sincerely  
Herb Koss

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**Koss Real Estate Development and Investment Co.**  
22400 Salamo Rd. Suite 106, West Linn, OR 97068  
[herb@kossred.com](mailto:herb@kossred.com) | (503)730-2431





**LEGEND**

- RIGHT IN / RIGHT OUT
- TRAFFIC SIGNAL
- - - POWER LINES
- SINGLE FAMILY HOUSES - MIXED LOT SIZES
- TOWNHOUSES
- APARTMENTS
- RETAIL
- OPEN SPACE
- RESIDENTIAL
- EMPLOYMENT TRANSITION
- LIGHT INDUSTRIAL





**From:** [Bateschell, Miranda](#)  
**To:** [Cindy Hahn](#)  
**Subject:** FW: Follow up on Basalt Creek Concept Planning conversation- after Wilsonville Council WS 8-17-15  
**Date:** Thursday, August 20, 2015 2:14:07 PM

---

fyi

**Miranda Bateschell**

Long Range Planning Manager  
City of Wilsonville | Community Development Department  
503-570-1581 | [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)

---

**From:** G. Lucini [<mailto:grluci@gmail.com>]  
**Sent:** Thursday, August 20, 2015 2:10 PM  
**To:** Bateschell, Miranda  
**Subject:** Re: Follow up on Basalt Creek Concept Planning conversation- after Wilsonville Council WS 8-17-15

Thanks Miranda for your prompt reply. It is appreciated.

Looking forward to giving the public access and understanding of the information and dynamics which goes into the selection of the final option.

Grace

Sent from my iPhone

On Aug 20, 2015, at 1:47 PM, Bateschell, Miranda <[bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)> wrote:

Ms. Lucini,

Thank you for your e-mail. I want you to know that Tualatin and Wilsonville staff are working with the consultant to have the right public meeting information posted on the website. We apologize for the oversight and understand the potential implications. The meetings are already posted on our individual city websites, but should be corrected on the project website very soon.

Thanks,  
Miranda

**Miranda Bateschell**

Long Range Planning Manager  
City of Wilsonville | Community Development Department  
503-570-1581 | [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)

---

**From:** G. Lucini [<mailto:grluci@gmail.com>]  
**Sent:** Thursday, August 20, 2015 1:29 PM

**To:** Kraushaar, Nancy; Bateschell, Miranda; Cindy Hahn; Aquilla Hurd-Ravich  
**Cc:** Sean Brady; Kohlhoff, Mike  
**Subject:** Follow up on Basalt Creek Concept Planning conversation- after Wilsonville Council WS 8-17-15

I'm following up on a conversation I had with Nancy and Miranda following the Wilsonville City Council Work Session on 8-17-15.

Part of our conversation centered upon the lack of notice of recent Public Meetings on Basalt Creek Concept Planning on its official website - [BasaltCreek.com](http://BasaltCreek.com).

While actual notice was provided to some subscribed interested persons- General Public Notice via the official website for the project -has lacked posting of several important Public Meetings held by either Tualatin or Wilsonville in recent months. This omission of General Public Notice of Public Meetings on Basalt Creek Concept Planning on the official project website continues regarding future Public Meetings which have already been scheduled for concept planning.

According to the [BasaltCreek.com](http://BasaltCreek.com) website no Public Meetings on concept planning were scheduled for the month of August 2015 or September 2015.

Please see webshots of the three pages taken today (8-20-15) from [BasaltCreek.com](http://BasaltCreek.com) which are attached.

Absent are notices of recent Wilsonville City Planning Commission, Wilsonville City Council Work Session (which already occurred this month), Tualatin City Council Work Session (8-24-15), the Joint City Councils of Tualatin and Wilsonville Meeting (9-8-15); and the Tualatin City Planning Commission (9-10-15)- all which had/have Basalt Creek Concept Planning as an agenda item to be discussed.

The [BasaltCreek.com](http://BasaltCreek.com) website actually provides misinformation for General Notice of Public Meetings on Basalt Creek Concept Planning- stating "No Events Scheduled" for the months of August 2015 and September 2015.

Since it is anticipated the selection of the recommended Concept Planning Option will be occurring within the months and voting by the City Councils will follow, it is increasingly important that the public have information on discussions and information exchanged on the decision making process by the governing bodies involved- as well as committees or commissions making recommendations to the governing bodies.

The Basalt Creek Concept Planning will affect over 800 acers- a very large geographical area. The ramifications of the concept planning will affect jurisdictional boundaries, and impact transportation and other significant governmental infrastructure with related impact on most taxpayers, and property owners.



As lack of appropriate Public Notice on Basalt Creek Concept Planning has been a concern of the past, and members of the Tualatin City Council have made assurances during City Council Meetings that the public would be notified of Public Meetings on the Concept Planning for Basalt Creek, I am requesting every effort be made to comply and exceed minimum requirements for Public Notice on Basalt Creek Concept Planning.

I hope these oversights or perhaps technical problems on the [BasaltCreek.com](http://BasaltCreek.com) website will be corrected as soon as possible- recognizing another Public Meeting on Basalt Creek Concept Planning is scheduled for the Tualatin City Council Work Session on Monday August 24, 2015.

Regards,  
Grace Lucini

## Get Involved

We value and encourage your input. **Public involvement opportunities will be posted on the calendar of events below.** You can also **sign up to receive updates and meeting notices** about the Concept Plan on the right-hand side of the page.

## Contact Us

Visit the Basalt Creek [Contact Us](#) page and submit your questions, comments, or suggestions.

## Calendar of Events

For event documents and materials, please go to [Documents & Resources](#)

◀ Aug 2015 ▶ Today August 2015 Month Week						
MON	TUE	WED	THU	FRI	SAT	SUN
27	28	29	30	31	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1	2	3	4	5	6

### Concept Plan Updates

- [Project Team Presents Alternative Options for Future Land Uses and a Jurisdictional Boundary. Open House to Occur in Late Summer](#)
- [Consultant Team Studies Sewer System Options and Costs in-depth. Open House shifted to Early Summer](#)
- [Workshop and Online Survey Results](#)
- [June 17th, 2014 Community Workshop](#)
- [Partnering Agreement](#)

### Sign up to receive email updates about the Basalt Creek Concept Plan!

Email address:

[SIGN UP](#)

### Upcoming Events

View the monthly calendar of events [here](#).

- No upcoming events

### Watch a Video About Basalt Creek



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◀ Sep 2015 ▶ Today <span style="margin-left: 20px;">September 2015</span> <span style="float: right;">Month Week</span>						
MON	TUE	WED	THU	FRI	SAT	SUN
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	1	2	3	4

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Email address:

Your email address

[SIGN UP](#)

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- No upcoming events

### Watch a Video About Basalt Creek



**City of Tualatin**  
 18880 SW Martinazzi Ave.  
 Tualatin, OR 97062  
 (503) 691-3026



**City of Wilsonville**  
 29799 SW Town Center Loop E  
 Wilsonville, OR 97070  
 (503) 682-1011



## Basalt Creek Concept Plan

**6.25.15 Update:** Project Team Presents Alternative Options for Future Land Uses and Jurisdictional Boundary; Open House to Occur in Late Summer

The Basalt Creek Concept Plan project team presented alternative options for future land uses and a jurisdictional boundary, as well as refined infrastructure cost estimates to individual City Councils and the Tualatin and Wilsonville Joint City Council in June 2015. Planning is underway for a Public Open House in August/September. See the [News & Updates Page](#) for more information.

To ensure you are receiving the most current project information, please subscribe to email updates [here](#).

The Basalt Creek Concept Plan project will develop a plan for future development of the Basalt Creek and West Railroad Planning Areas. In 2004, Metro included this land within the urban growth boundary to accommodate increased development in the region for the next 20 years. Specifically, the Concept Plan will address a variety of factors including:

- Future city limit lines between the Cities of Tualatin and Wilsonville
- Land uses including industrial, commercial, residential, parks, trails, and green ways
- Transportation network and system of connections for automobiles and pedestrians
- Provision of urban services such as water, sanitary sewer, and stormwater



### Concept Plan Updates

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Email address:

Your email address

[SIGN UP](#)

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- No upcoming events

### Watch a Video About Basalt Creek



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 18880 SW Martinazzi Ave.  
 Tualatin, OR 97062  
 (503) 691-3026



City of Wilsonville  
 29799 SW Town Center Loop E  
 Wilsonville, OR 97070  
 (503) 682-1011

**From:** [G. Lucini](#)  
**To:** [Bateschell, Miranda](#); [Nancy Karushaar](#); [Cindy Hahn](#); [Aquilla Hurd-Ravich](#)  
**Subject:** Re: Follow up on Basalt Creek Concept Planning conversation- after Wilsonville Council WS 8-17-15  
**Date:** Thursday, August 20, 2015 3:30:58 PM

---

Thank you for your action regarding the accuracy of information posted on the [BasaltCreek.com](#) website.

In checking after my previous email- I notice the website has now been updated to reflect scheduled public meetings on concept planning for the area for the months of Aug and Sept 2015.

I hope the website will receive routine monitoring in the future as any new public meeting/s are scheduled.

Thanks,

Grace

Sent from my iPhone

On Aug 20, 2015, at 2:09 PM, G. Lucini <[grluci@gmail.com](mailto:grluci@gmail.com)> wrote:

Thanks Miranda for your prompt reply. It is appreciated.

Looking forward to giving the public access and understanding of the information and dynamics which goes into the selection of the final option.

Grace

Sent from my iPhone

On Aug 20, 2015, at 1:47 PM, Bateschell, Miranda  
<[bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)> wrote:

Ms. Lucini,

Thank you for your e-mail. I want you to know that Tualatin and Wilsonville staff are working with the consultant to have the right public meeting information posted on the website. We apologize for the oversight and understand the potential implications. The meetings are already posted on our individual city websites, but should be corrected on the project website very soon.

Thanks,  
Miranda

**Miranda Bateschell**



Long Range Planning Manager  
City of Wilsonville | Community Development Department  
503-570-1581 | [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)

---

**From:** G. Lucini [<mailto:grluci@gmail.com>]  
**Sent:** Thursday, August 20, 2015 1:29 PM  
**To:** Kraushaar, Nancy; Bateschell, Miranda; Cindy Hahn; Aquilla Hurd-Ravich  
**Cc:** Sean Brady; Kohlhoff, Mike  
**Subject:** Follow up on Basalt Creek Concept Planning conversation- after Wilsonville Council WS 8-17-15

I'm following up on a conversation I had with Nancy and Miranda following the Wilsonville City Council Work Session on 8-17-15.

Part of our conversation centered upon the lack of notice of recent Public Meetings on Basalt Creek Concept Planning on its official website - [BasaltCreek.com](http://BasaltCreek.com).

While actual notice was provided to some subscribed interested persons- General Public Notice via the official website for the project -has lacked posting of several important Public Meetings held by either Tualatin or Wilsonville in recent months. This omission of General Public Notice of Public Meetings on Basalt Creek Concept Planning on the official project website continues regarding future Public Meetings which have already been scheduled for concept planning.

According to the [BasaltCreek.com](http://BasaltCreek.com) website no Public Meetings on concept planning were scheduled for the month of August 2015 or September 2015.

Please see webshots of the three pages taken today (8-20-15) from [BasaltCreek.com](http://BasaltCreek.com) which are attached.

Absent are notices of recent Wilsonville City Planning Commission, Wilsonville City Council Work Session (which already occurred this month), Tualatin City Council Work Session (8-24-15), the Joint City Councils of Tualatin and Wilsonville Meeting (9-8-15); and the Tualatin City Planning Commission (9-10-15)- all which had/have Basalt Creek Concept Planning as an agenda item to be discussed.

The [BasaltCreek.com](http://BasaltCreek.com) website actually provides misinformation for General Notice of Public Meetings on Basalt Creek Concept Planning- stating "No Events Scheduled" for the months of August 2015 and September 2015.

Since it is anticipated the selection of the recommended Concept Planning Option will be occurring within the months and voting by the City Councils will follow, it is increasingly important that the public have information on discussions and information exchanged on the decision making process by the governing bodies involved- as well as committees or commissions making recommendations to the governing bodies.

The Basalt Creek Concept Planning will affect over 800 acres- a very large geographical area. The ramifications of the concept planning will affect jurisdictional boundaries, and impact transportation and other significant governmental infrastructure with related impact on most taxpayers, and property owners.

As lack of appropriate Public Notice on Basalt Creek Concept Planning has been a concern of the past, and members of the Tualatin City Council have made assurances during City Council Meetings that the public would be notified of Public Meetings on the Concept Planning for Basalt Creek, I am requesting every effort be made to comply and exceed minimum requirements for Public Notice on Basalt Creek Concept Planning.

I hope these oversights or perhaps technical problems on the [BasaltCreek.com](http://BasaltCreek.com) website will be corrected as soon as possible- recognizing another Public Meeting on Basalt Creek Concept Planning is scheduled for the Tualatin City Council Work Session on Monday August 24, 2015.

Regards,  
Grace Lucini

**From:** [LouOgden](#)  
**To:** "[Herb Koss](#)"  
**Cc:** [Aquilla Hurd-Ravich](#); [Cindy Hahn](#); [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com); "[John Fregonese](#)"; "[Don & Barb Hanson](#)"  
**Subject:** RE: Basalt Creek  
**Date:** Thursday, August 20, 2015 10:41:40 PM  
**Attachments:** [image003.png](#)

---

That's exactly how I understand it. It's just that your previous email said the intersection of Grahams and 124<sup>th</sup>. As you point out below, it is the intersection of Grahams and the Basalt Parkway, not 124<sup>th</sup>. I get it.

Thanks,



Lou Ogden  
Resource Strategies Planning Group  
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for Businesses and Individuals  
21040 SW 90<sup>th</sup> Ave. Tualatin, OR 97062  
Phone 503.692.0163; Fax 503.385.0320  
[lou@louogden.com](mailto:lou@louogden.com)

---

**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Thursday, August 20, 2015 8:51 AM  
**To:** Louogden  
**Cc:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us); [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com); [John Fregonese](#); [Don & Barb Hanson \(don.hanson@otak.com\)](#)  
**Subject:** RE: Basalt Creek

Good Morning Lou

The land that my LLC owns is the NE Corner of the Proposed Basalt Creek Parkway and Grahams' Ferry. I have had calls from the Washington County transportation people about ROW on our frontage on Graham's Ferry and future ROW acquisition from our southern Property line when the New Basalt Creek Parkway is constructed.

It is my understanding the until the new Parkway is built that Tonquin Road will be the connector to Graham's Ferry, but when the Parkway is built it alinement will be along our southern boundary.

The plan that Otak produced for me shows a small retail center at both the intersection of Tonquin and Graham's Ferry and the intersection of Graham's Ferry and the new Parkway ( the extension of 124<sup>th</sup> ).

Otak's plan connects to the existing housing in Tualatin with a parkway in the power line corridor. As I mentioned in the email, with the plan attachments, the land shown in Otak's plan is better suited for housing than light industrial because of the existing grades. If I have misunderstood the transportation plan I would appreciate staff commenting on this.

Thanks  
Herb

---

**From:** Louogden [<mailto:lou@louogden.com>]  
**Sent:** Wednesday, August 19, 2015 7:51 PM  
**To:** Herb Koss  
**Cc:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us); [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com); John Fregonese; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com))  
**Subject:** Re: Basalt Creek

Hi Herb. Where you say your land is the NE Corner of Graham's Ferry and 124th I am confused. As I understand the plan is for 124th to extend south and intersect Tonquin in phase 1. In phase 2 124th will extend a bit farther south the new "Basalt Creek Pkwy". I don't know that 124th intersects Graham's Ferry??

Thanks,



Lou Ogden  
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21040 SW 90th Ave. Tualatin, OR 97062  
Phone 503.692.0163; Fax 503.385.0320  
[lou@louogden.com](mailto:lou@louogden.com)

On Aug 19, 2015, at 4:39 PM, Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)> wrote:

Good Afternoon Aquilla, Cindy, Lou and John

After our meeting I decided to hire Otak to draw up a plan that I had described to tie into the Tualatin existing residential housing from 124<sup>th</sup> North.

Note that the power line corridor is now a lineal parkway that links to the existing proposed open space. **This land is far better suited for housing since there is considerable slopes on some of the land that do not make light industrial very feasible.**

I know this maybe a bit ahead of the zoning process, but I wanted to send this to you now so you had a better idea of my suggested plan.

The Multifamily is a good use across from the light industrial use shown south of 124<sup>th</sup>.

Please let me know if you have any questions or suggestions.

Sincerely  
Herb Koss

PS: Otak may be making some small changes to the plan, but I wanted to get this to you asap.

---

**From:** Herb Koss  
**Sent:** Wednesday, July 08, 2015 7:38 AM  
**To:** '[ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)'; [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us); Louogden; [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com)  
**Subject:** FW: Basalt Creek

Dear Cindy and Aquilla

Thank you for taking your time to meet with me today. First of all I sincerely hope that the land that my LLC owns is annexed into Tualatin vs Wilsonville. As I pointed out the 10 acres that our LLC owns is the corner of 124<sup>th</sup> and Grahams Ferry ( the north east corner ). I have highlighted it on the attached map. My preference would be a boundary a shown on Option 1 or a boundary that I would call option 3.

I have always thought that a natural boundary line would be 124<sup>th</sup>, however I have not taken into consideration the sewer service that may alter that desire.

I did drive by the proposed commercial site and looked at the grades. If the commercial was located on our property it would necessitate a cut . The one site next to Tonquin Road would need to be filled.

My personal desire is to have most of our land designated residential with the potential of



our corner being commercial although a commercial designation is not important to me.

As we discussed I believe that with a parkway road ( 124<sup>th</sup> ) a higher density residential zone would be a good transition from 124<sup>th</sup> and allow for a lower density as development occurs to the North. The commercial activity to the south of our land can be buffered with appropriate landscaping.

Is their time for me to have a planner draw up some more detailed plans for our 10 acres and how it would work in concert with the property to our north. I would be happy to do so if time permits.

Again thanks for meeting with me on such a short notice.

Sincerely  
Herb Koss

**Herb Koss | Owner & Broker**  
**Koss Real Estate Development and Investment Co.**  
**22400 Salamo Rd. Suite 106, West Linn, OR 97068**  
[herb@kossred.com](mailto:herb@kossred.com) | (503)730-2431

<17713 - South Tualatin Neighborhood Diagram\_08-18.pdf>

<17713 - Basalt Creek Parkway - Cross Section.pdf>

**From:** [Herb Koss](#)  
**To:** [LouOgden](#)  
**Cc:** [Aquilla Hurd-Ravich](#); [Cindy Hahn](#); [Lou.ogden@juno.com](#); "John Fregonese"; "Don & Barb Hanson"  
**Subject:** RE: Basalt Creek  
**Date:** Friday, August 21, 2015 7:44:30 AM  
**Attachments:** [image001.png](#)

---

Thanks for the email Lou. As you are aware I really hope that Tualatin is the city that will annex the land that we own and the plan that I submitted is utilized. Thanks for sending me the email which allowed me to clarify the location.

Sincerely  
Herb

---

**From:** Lou Ogden [<mailto:lou@louogden.com>]  
**Sent:** Thursday, August 20, 2015 10:42 PM  
**To:** Herb Koss  
**Cc:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us); [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com); 'John Fregonese'; 'Don & Barb Hanson'  
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Resource Strategies Planning Group  
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Phone 503.692.0163; Fax 503.385.0320  
[lou@louogden.com](mailto:lou@louogden.com)

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**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Thursday, August 20, 2015 8:51 AM  
**To:** Louogden  
**Cc:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us); [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com); John Fregonese; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com))  
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PS: Otak may be making some small changes to the plan, but I wanted to get this to you asap.

---

**From:** Herb Koss  
**Sent:** Wednesday, July 08, 2015 7:38 AM  
**To:** '[ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)'; [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us); Louogden; [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com)  
**Subject:** FW: Basalt Creek

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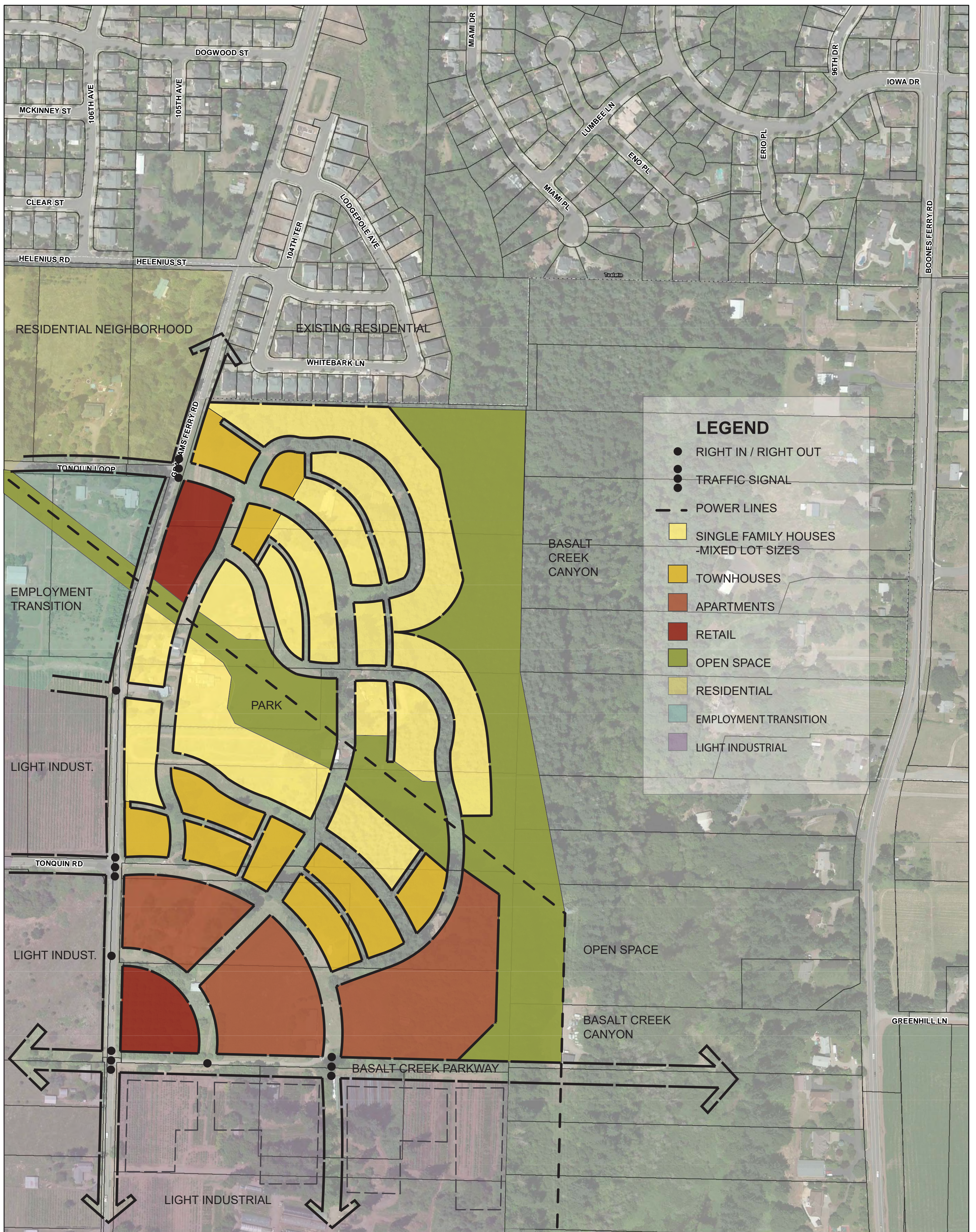
Sincerely  
Herb Koss

**Herb Koss | Owner & Broker**  
**Koss Real Estate Development and Investment Co.**  
**22400 Salamo Rd. Suite 106, West Linn, OR 97068**  
[herb@kossred.com](mailto:herb@kossred.com) | (503)730-2431

<17713 - South Tualatin Neighborhood Diagram\_08-18.pdf>

<17713 - Basalt Creek Parkway - Cross Section.pdf>





**LEGEND**

- RIGHT IN / RIGHT OUT
- TRAFFIC SIGNAL
- POWER LINES
- SINGLE FAMILY HOUSES - MIXED LOT SIZES
- TOWNHOUSES
- APARTMENTS
- RETAIL
- OPEN SPACE
- RESIDENTIAL
- EMPLOYMENT TRANSITION
- LIGHT INDUSTRIAL





**From:** [Herb Koss](#)  
**To:** [Cindy Hahn](#)  
**Cc:** [Peter Watts](#); [Ed Trompke \(Ed.Trompke@jordanramis.com\)](#); [Don & Barb Hanson \(don.hanson@otak.com\)](#)  
**Subject:** RE: Basalt Creek Concept Plan Project - September Notice of Upcoming Public Meetings  
**Date:** Monday, August 31, 2015 2:36:22 PM  
**Attachments:** [image001.png](#)

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Thank you Cindy.

I am having Otak do some more work for us. As you know the LLC that I manage is affected big time by this plan.

More information from our planner – Don Hanson with Otak will be coming.

Thanks  
Herb Koss

---

**From:** Cindy Hahn [mailto:[CHAHN@ci.tualatin.or.us](mailto:CHAHN@ci.tualatin.or.us)]  
**Sent:** Monday, August 31, 2015 2:26 PM  
**Subject:** Basalt Creek Concept Plan Project - September Notice of Upcoming Public Meetings



Greetings,

The Basalt Creek project team has decided to delay the Joint Council meeting, previously scheduled for September 8, 2015, due to several Councilors from each city being unable to attend. This schedule change also allows more time for analysis of boundary and land use options in the Basalt Creek Planning Area. A new meeting date will be posted as soon as it is confirmed.

Prior to this rescheduling, a boundary option was developed based on direction received from both City Councils in June. On August 17, 2015, that boundary option was presented to Wilsonville Council – materials are posted [here](#). Tualatin Council reviewed the same material on August 24, 2015 - materials are available [here](#). The presentation from the June 17, 2015, Joint Council meeting is available [here](#).

Upcoming Presentations:

- **CANCELLED** Joint Tualatin and Wilsonville City Council Meeting: September 8, 6:00-8:00 pm, Wilsonville City Hall
- **Tualatin Planning Commission:** September 17, 6:30 pm, Juanita Pohl

## Center (meeting materials posted September 10) – Project Update

### Underway:

- **Public Open House** – A Public Open House is planned for Fall, where you will be asked to give input on the preferred alternative. More detailed information will be available in future email updates.

Thank you for your continued interest in this project. If you haven't already, please sign up for email updates [here](#). For upcoming meetings, please view the project [calendar](#).

If you have questions or desire more information, please feel free to contact:

### **Cindy Luxhoj Hahn, AICP**

Associate Planner

City of Tualatin | Community Development Dept | Planning Division

Phone: 503-691-3029 | Email: [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us)

**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#); [Cindy Hahn](#)  
**Cc:** [Aquilla Hurd-Ravich](#); [Sherilyn Lombos](#); [Bateschell, Miranda](#)  
**Subject:** RE: Basalt Creek  
**Date:** Monday, September 07, 2015 8:33:56 AM

---

Alice

I saved this email and thought I should contact you to see what your schedules may be. My Sept is filling up, but if I know the best day and if am or pm works best I would be happy to try and accommodate your schedules.

I am sure you will find the Stafford tour interesting. If you have not visited the Basalt area that is interesting too.

Herb Koss

---

**From:** Alice Cannon [mailto:[Acannon@ci.tualatin.or.us](mailto:Acannon@ci.tualatin.or.us)]  
**Sent:** Friday, August 14, 2015 2:16 PM  
**To:** Herb Koss; Cindy Hahn  
**Cc:** Aquilla Hurd-Ravich; Sherilyn Lombos; Bateschell, Miranda  
**Subject:** RE: Basalt Creek

Mr. Koss:

Thanks for the note. Sorry for the delayed response. August is a tough month to schedule something like this with so many people out enjoying vacations with their families before school begins.

I am out for a few days myself beginning next week but will be back the week of August 24. Perhaps we can visit the two areas in September. I will be back in about 10 days.

Thanks again for the invitation.

Alice

**Alice Cannon**  
Assistant City Manager  
City of Tualatin | Community Development  
503.691.3018 | [acannon@ci.tualatin.or.us](mailto:acannon@ci.tualatin.or.us) | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

---

**From:** Herb Koss [mailto:[herb@kossred.com](mailto:herb@kossred.com)]  
**Sent:** Tuesday, August 04, 2015 10:39 AM  
**To:** Cindy Hahn  
**Cc:** Aquilla Hurd-Ravich; Alice Cannon; Sherilyn Lombos; Bateschell, Miranda  
**Subject:** RE: Basalt Creek



Cindy

Thank you for your email. I happened to run into Lou Ogden this am and he confirmed that I have some time on the actual zoning issues.

When we spoke yesterday I suggested that I provide a tour of Stafford along with a side trip to the land I own in the Basalt Creek area. Most are probably very familiar with Basalt Creek, but not Stafford.

The County and Metro have now retained the services of a mediator to help resolve the remand on Stafford. As I mentioned to you I think crossing the Tualatin River would offer some opportunities for more housing for employers and their employees working in Tualatin, retirement communities, 55+ housing ( single Level ), etc.

Again I would like to know who would be interested in a Stafford Tour and a side trip to Grahams Ferry where 124<sup>th</sup> ends?

The Stafford tour takes 1.5 hours.

My time is fairly flexible.

Sincerely  
Herb Koss 503 730 2431

---

**From:** Cindy Hahn [<mailto:CHAHN@ci.tualatin.or.us>]  
**Sent:** Monday, August 03, 2015 5:07 PM  
**To:** Herb Koss  
**Cc:** Aquilla Hurd-Ravich; Alice Cannon; Sherilyn Lombos; Bateschell, Miranda  
**Subject:** RE: Basalt Creek

Hi Herb,

As we discussed, I have copied Aquilla Hurd-Ravich, Planning Manager, and Alice Cannon, Assistant City Manager, on this email so they are aware that you called about Basalt Creek. Aquilla's phone is 503-691-3028 and Alice's is 503-691-3018. If you arrange a site visit of your property as you discussed with Sherilyn Lombos, City Manager, either Aquilla or Alice may be interested in participating.

I have also copied Miranda Bateschell, Long Range Planning Manager, at the City of Wilsonville who is managing the Basalt Creek project on their end so she is aware of your interest.

Our City Council will receive a briefing on the latest alternative for a jurisdictional boundary and potential land uses at work session on August 24. The public is welcome to attend, however, Council

does not take public comment during the meeting. Materials will post on the City website one week before the meeting (on August 17). Work session usually starts at 5:00 pm at the Juanita Pohl Center. Please check the agenda in advance to see if there is a change to the start time as occurs occasionally.

Thank you for your interest in this project and please let me know if I can be of further assistance.

Cindy

*Cindy Luxhoj Hahn, AICP*

Associate Planner

City of Tualatin | Community Development Dept | Planning Division

Phone: 503-691-3029 | Email: [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us)

---

**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Wednesday, July 08, 2015 3:44 PM  
**To:** Aquilla Hurd-Ravich; Cindy Hahn; LouOgden; [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com)  
**Subject:** RE: Basalt Creek

Aquilla

Would it be helpful if I had a planner draw up some options for our land?

Herb

---

**From:** Aquilla Hurd-Ravich [<mailto:AHURD-RAVICH@ci.tualatin.or.us>]  
**Sent:** Wednesday, July 08, 2015 9:48 AM  
**To:** Herb Koss; Cindy Hahn; LouOgden; [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com)  
**Subject:** RE: Basalt Creek

Dear Mr. Koss,

We appreciate you coming by yesterday to share your input on the future of your property. We will take these comments into consideration as we move forward.

Thank you,

**Aquilla Hurd-Ravich, AICP**

Planning Manager

City of Tualatin | Community Development Department

503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

---

**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Wednesday, July 08, 2015 7:38 AM  
**To:** Aquilla Hurd-Ravich; Cindy Hahn; LouOgden; [Lou.ogden@juno.com](mailto:Lou.ogden@juno.com)  
**Subject:** FW: Basalt Creek

Dear Cindy and Aquilla

Thank you for taking your time to meet with me today. First of all I sincerely hope that the land that my LLC owns is annexed into Tualatin vs Wilsonville. As I pointed out the 10 acres that our LLC owns is the corner of 124<sup>th</sup> and Grahams Ferry ( the north east corner ). I have highlighted it on the attached map. My preference would be a boundary a shown on Option 1 or a boundary that I would call option 3.

I have always thought that a natural boundary line would be 124<sup>th</sup>, however I have not taken into consideration the sewer service that may alter that desire.

I did drive by the proposed commercial site and looked at the grades. If the commercial was located on our property it would necessitate a cut . The one site next to Tonquin Road would need to be filled.

My personal desire is to have most of our land designated residential with the potential of our corner being commercial although a commercial designation is not important to me.

As we discussed I believe that with a parkway road ( 124<sup>th</sup> ) a higher density residential zone would be a good transition from 124<sup>th</sup> and allow for a lower density as development occurs to the North. The commercial activity to the south of our land can be buffered with appropriate landscaping.

Is their time for me to have a planner draw up some more detailed plans for our 10 acres and how it would work in concert with the property to our north. I would be happy to do so if time permits.

Again thanks for meeting with me on such a short notice.

Sincerely  
Herb Koss

**Herb Koss | Owner & Broker**  
**Koss Real Estate Development and Investment Co.**  
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[herb@kossred.com](mailto:herb@kossred.com) | (503)730-2431

**From:** [Aquilla Hurd-Ravich](#)  
**To:** [G. Lucini](#)  
**Cc:** [Cindy Hahn](#); [Bateschell, Miranda](#)  
**Subject:** RE: Basalt Creek Concept Planning  
**Date:** Thursday, September 10, 2015 9:53:17 AM

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Grace,

Thank you so much for help spreading the word about the work session on Monday night.

Going forward we will strive to present information in a way that clearly communicates what land uses are envisioned on individual lots. As I mentioned during our phone call, after a boundary is decided and each begins working on adoption we will develop more detailed information about land uses on individual lots. I appreciate the points you made below and we will take all those into consideration as we move forward.

Thanks again,

**Aquilla Hurd-Ravich, AICP**

Planning Manager

City of Tualatin | Community Development Department

503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

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**From:** G. Lucini [mailto:[grluci@gmail.com](mailto:grluci@gmail.com)]  
**Sent:** Wednesday, September 09, 2015 8:03 PM  
**To:** Aquilla Hurd-Ravich  
**Subject:** Basalt Creek Concept Planning  
**Importance:** Low

Hi Aquilla,

As you asked, I sent out a group email to notify my neighbors of the Public Meeting on Basalt Creek Concept Planning which was just placed on the Tualatin City Council Work Session for Monday September 14<sup>th</sup>. Thank you for your interest in attempting to notify the public of this newly scheduled meeting.

We also discussed my request to have property lines placed on the proposed Concept Planning Maps to assist property owners as well as City Councilors understand the potential implications of suggested land use planning.

This need for more specific information on lot lines and land use recommendations comes into play as exemplified by properties located between SW Boones Ferry Road and Grahams Ferry Road. Many of us have our homes on the eastern portion of our lots, and currently undeveloped but potentially useable property on the west side of the wetlands of Basalt Creek.

The City Councils have stated concerns about tax lots having one land use zoning throughout an entire tax lot.

It is unclear if this goal of one land use zoning will be applied to my property tax lot and those of my neighbors on SW Boones Ferry Road.

Pervious concept plans which have been presented to both City Councils appear to have:

1. Either mixed land use zoning on my property- residential on the east side; transitional

industrial on the west side and natural area in the middle, or

2. Land use of residential on the east, natural area in the middle, and residential on the west? On the west side- Would residential back directly up to transitional industrial? Will there be vehicular access to the west side of the lot?

3. The combined aggregate of useable property on the west side of the natural area from multiple property owners adds up to multiple acers.

4. This aggregate of properties on the west side of the Natural Area contains lush forested habitat some of which is relatively level.

Having easily defined property lots included in the proposed Concept Plans would assist in identifying what issues we have to address when the plans are presented for discussion.

If there is more specific information the project staff has--- as to how the west side of the Basalt Creek Canyon natural area will be zoned within the Concept Planning (i.e. the west side of my property) - can it be forwarded to me.

Thank you again for today's phone call.

Grace



**From:** [Herb Koss](#)  
**To:** [Cindy Hahn](#)  
**Subject:** RE: Basalt Creek Concept Planning Project - Updated September Notice of Upcoming Public Meetings  
**Date:** Friday, September 11, 2015 3:00:09 PM  
**Attachments:** [image001.png](#)

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Thank you letting me know Cindy. I was planning on attending.

Herb Koss

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**From:** Cindy Hahn [mailto:[CHAHN@ci.tualatin.or.us](mailto:CHAHN@ci.tualatin.or.us)]

**Sent:** Friday, September 11, 2015 2:48 PM

**To:** [JWLuci@gmail.com](mailto:JWLuci@gmail.com); [Balfour.Linfield@gmail.com](mailto:Balfour.Linfield@gmail.com); [donherbstpainting@hotmail.com](mailto:donherbstpainting@hotmail.com); [jmolen@hotmail.com](mailto:jmolen@hotmail.com); [lloyd@meiselrockproducts.com](mailto:lloyd@meiselrockproducts.com); [rdwa2014@yahoo.com](mailto:rdwa2014@yahoo.com); [AbeTurki@abooloori@outlook.com](mailto:AbeTurki@abooloori@outlook.com); [acharris1972@yahoo.com](mailto:acharris1972@yahoo.com); [AdamButts \(adameb77@gmail.com\)](mailto:AdamButts@adameb77@gmail.com); [akilstrom@pamplinmedia.com](mailto:akilstrom@pamplinmedia.com); [Alan Aplin \(aaplin@kerrcontractors.com\)](mailto:AlanAplin@aaplin@kerrcontractors.com); [Albert Levit \(levitrehberg@frontier.com\)](mailto:AlbertLevit@levitrehberg@frontier.com); [Alice Cannon; Andrew Young \(andrew.young@nwnatural.com\)](mailto:AliceCannon@andrew.young@nwnatural.com); [andrew\\_hagman@hotmail.com](mailto:andrew_hagman@hotmail.com); [Anne Kennedy \(annekennedy604@gmail.com\)](mailto:AnneKennedy@annekennedy604@gmail.com); [Aquilla Hurd-Ravich; arrowjc@comcast.net](mailto:AquillaHurd-Ravich@arrowjc@comcast.net); [Art Sasaki \(Art\\_Sasaki@msn.com\)](mailto:ArtSasaki@art_sasaki@msn.com); [arva41@gmail.com](mailto:arva41@gmail.com); [Barry Leeuwen; bastinado@e-z.net](mailto:BarryLeeuwen@bastinado@e-z.net); [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us); [bberger22@hotmail.com](mailto:bberger22@hotmail.com); [bbierwagen@parametrix.com](mailto:bbierwagen@parametrix.com); [bburns@burnsbros.com](mailto:bburns@burnsbros.com); [Ben Altman \(baltman@sfdag.com\)](mailto:BenAltman@baltman@sfdag.com); [Ben Bryant; BerBruk@aol.com](mailto:BenBryant@berbruk@aol.com); [Bob Galati; bob.kanyer@sterling.net](mailto:BobGalati@bob.kanyer@sterling.net); [bob\\_bramel@hotmail.com](mailto:bob_bramel@hotmail.com); [Brian Barker; Brian Clopton \(brian@cloptonexcavating.com\)](mailto:BrianBarker@brian.clopton@cloptonexcavating.com); [Brian Harper; Brian Kelley \(brian.kelley@nwnatural.com\)](mailto:BrianHarper@brian.kelley@nwnatural.com); 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**Subject:** Basalt Creek Concept Planning Project - Updated September Notice of Upcoming Public Meetings

**Importance:** High



Greetings,

Continued discussion by the Tualatin City Council about boundary and land use options has been **postponed** from the September 14, 2015 work session to the October 12, 2015 work session. This is a follow up conversation to the discussion held during the August 24, 2015 work session.

Upcoming Presentations:

- **Tualatin Planning Commission:** September 17, 6:30 pm, Juanita Pohl Center (meeting materials posted September 10) – Project Update
- **POSTPONED Tualatin City Council (Work Session):** October 12 (postponed from September 14), 5:00pm, Juanita Pohl Center (*You will be notified if this date changes.*)

Underway:

- **Public Open House** – A Public Open House is planned for Fall, where you will be asked to give input on the preferred alternative. More detailed information will be available in future email updates.

Thank you for your continued interest in this project. If you haven't already, please sign up for email updates [here](#). For upcoming meetings, please view the project [calendar](#).

If you have questions or desire more information, please feel free to contact:

**Cindy Luxhoj Hahn, AICP**

Associate Planner

City of Tualatin | Community Development Dept | Planning Division

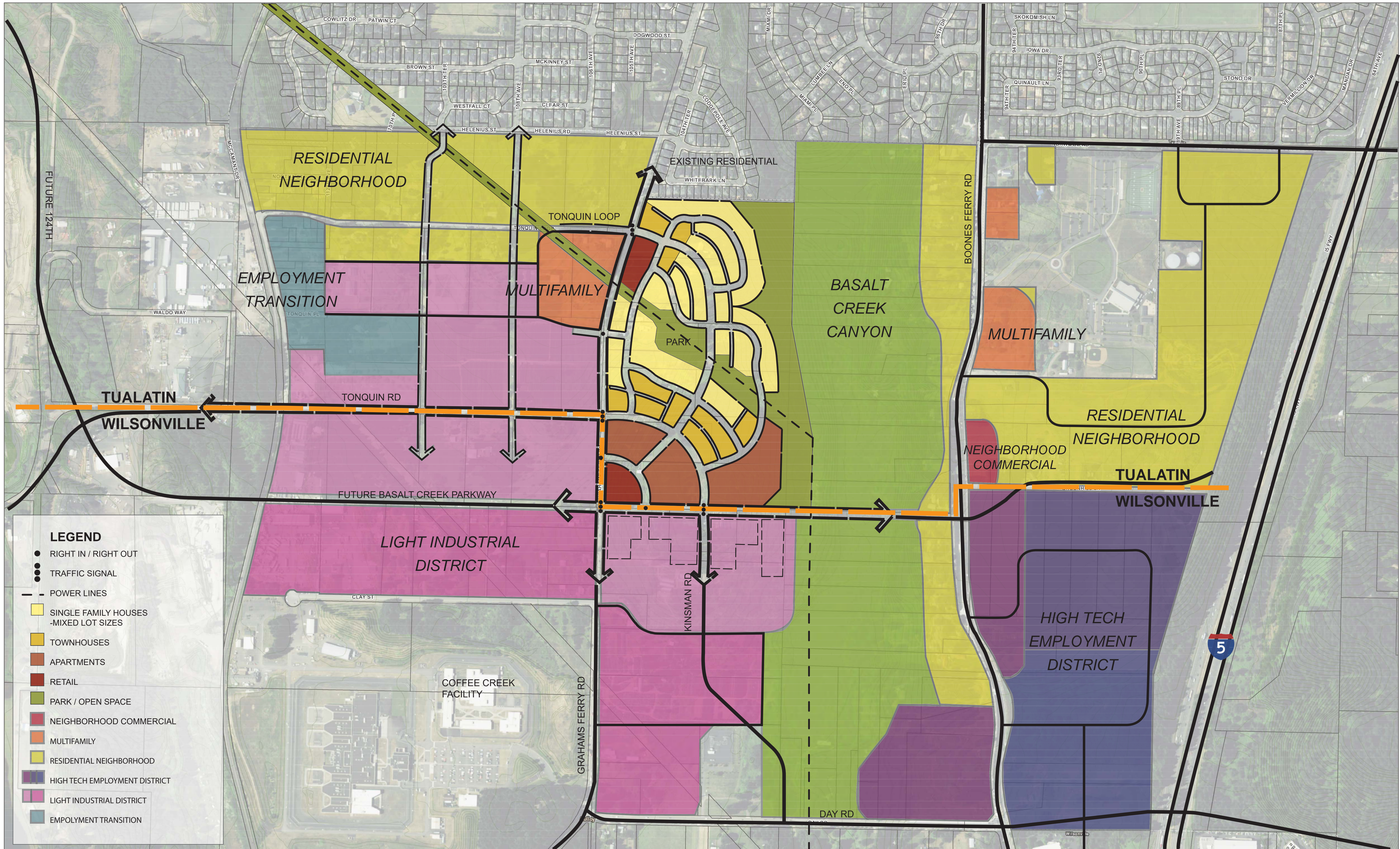
Phone: 503-691-3029 | Email: [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us)

**From:** [Herb Koss](#)  
**To:** [Cindy Hahn](#)  
**Date:** Friday, September 11, 2015 3:25:15 PM  
**Attachments:** [17713 - South Tualatin Neighborhood -Option 4 09-09-15.pdf](#)

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**LEGEND**

- RIGHT IN / RIGHT OUT
- TRAFFIC SIGNAL
- POWER LINES
- SINGLE FAMILY HOUSES - MIXED LOT SIZES
- TOWNHOUSES
- APARTMENTS
- RETAIL
- PARK / OPEN SPACE
- NEIGHBORHOOD COMMERCIAL
- MULTIFAMILY
- RESIDENTIAL NEIGHBORHOOD
- HIGH TECH EMPLOYMENT DISTRICT
- LIGHT INDUSTRIAL DISTRICT
- EMPLOYMENT TRANSITION





**From:** [Herb Koss](#)  
**To:** [Cindy Hahn](#)  
**Subject:** FW: BASALT CREEK PLANING DISTRICT  
**Date:** Friday, September 11, 2015 3:28:43 PM  
**Attachments:** [17713 - Basalt Creek Parkway - Cross Section.pdf](#)  
[17713 - South Tualatin Neighborhood -Option 4 09-09-15.pdf](#)

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**THE FIRST MESSAGE WAS TOO LARGE AND BOUNCED BACK TO ME. I AM SENDING THE BASALT CREEK PARKWAY CROSS SECTION VIA SEPARATE EMAIL. I am assuming that the attachments were the problem.**

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**From:** Herb Koss  
**Sent:** Friday, September 11, 2015 2:47 PM  
**To:** Louogden; [council@ci.tualatin.or.us](mailto:council@ci.tualatin.or.us); [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us); [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); Sherilyn Lombos; Bateschell, Miranda ([bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)); 'mayor@ci.wilsonville.or.us'  
**Cc:** 'John Fregonese'  
**Subject:** FW: BASALT CREEK PLANING DISTRICT

**I you feel that I have missed anyone that this should be forwarded to I would appreciate your assistance. I believe that I have copied all of the council members. I also did not know who I should forward to in Wilsonville. I did send this to Miranda Bateschell and Mayor Knapp**

**PLEASE LET ME KNOW IF THE ATTACHMENTS DO NOT OPEN**

**Subject:** FW: BASALT CREEK PLANING DISTRICT

Dear Mayor Ogden, Council Members and Tualatin Staff:

Please find attached a modified plan that was prepared by Mr. Don Hanson a senior planner with Otak. After several site visits I decided that I would retain the services of a professional planner to help prepare a 4<sup>th</sup> option for the Basalt Creek planning area. I realize that the plan that Otak has prepared is a step above the general planning done on most of the Basalt Creek area, but we felt the opportunity to create a great neighborhood was an important element to show on the plan and how it fits into the remainder of the planning area.

I am the managing member of the LLC that owns the land on the Northeast Corner of Grahams Ferry and the proposed Basalt Creek Parkway. One of the attachments with this email illustrates the potential transition between the light industrial use and a residential zone. Other buffers including setbacks and landscaping are often used, but in this case the parkway is a great buffer and transition between land uses.

The option 4, which we call South Tualatin Neighborhood shows the ability to create a great neighborhood. The plan demonstrates how housing densities can transition from the lower densities that match existing neighborhoods to the north to higher densities at the south end where there is an interface with employment lands.

The topography of the site illustrated by the Otak plan utilizes the sloped topography. A visit to the Basalt Creek Planning area and viewing the land from Tonquin Road from West to the East clearly shows that a housing zone is a much better use of the land. Residential land uses are shown on the Otak plan where there is more varied topography because a residential use can be easily adapted to the slopes. Employment/Light Industrial Land uses require fairly level ground to accommodate large flat buildings and site improvements that can accommodate truck loading and circulation.

Two retail pockets are shown in locations that are easy to walk to for both residents and workers in the district.

The power line happens to be an amenity for pedestrians and bikers and is connected to the Basalt Creek Canyon, which will include bike and pedestrian trails.

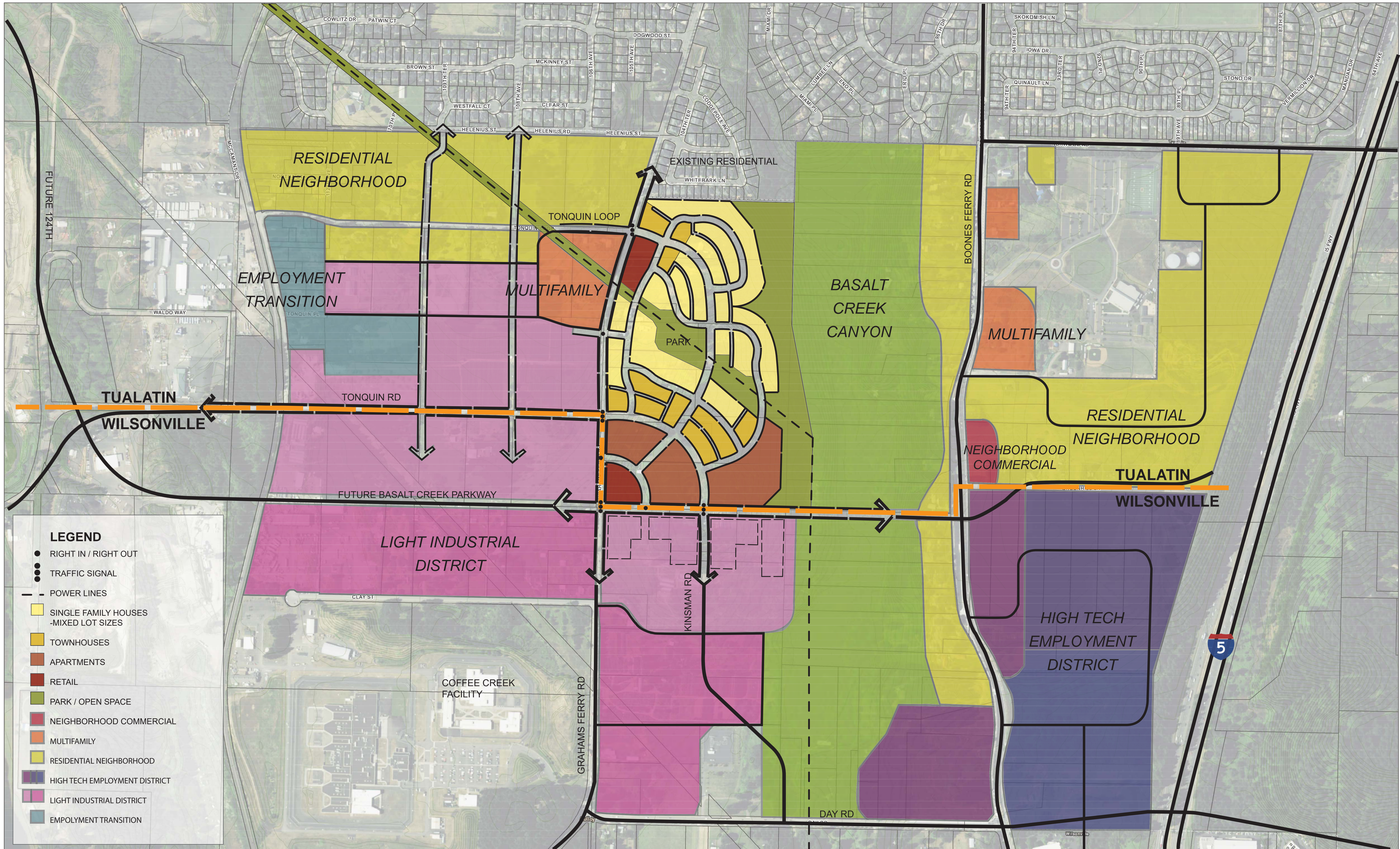
I believe that the city boundaries shown are logical--- along collector streets with a clear delineation. Both cities get a fair balance of land. Wilsonville benefits from the High Tech Zoning and Tualatin benefits from a modest increase in Light Industrial Zoning to Tonquin Road.

I sincerely hope that the plan is modified to include what I consider to be an opportunity to create a great neighborhood as illustrated by the attached plan.

Sincerely

Herb Koss  
Managing Member of Sherwood Grahams Ferry LLC  
503 730 2431





**LEGEND**

- RIGHT IN / RIGHT OUT
- TRAFFIC SIGNAL
- POWER LINES
- SINGLE FAMILY HOUSES - MIXED LOT SIZES
- TOWNHOUSES
- APARTMENTS
- RETAIL
- PARK / OPEN SPACE
- NEIGHBORHOOD COMMERCIAL
- MULTIFAMILY
- RESIDENTIAL NEIGHBORHOOD
- HIGH TECH EMPLOYMENT DISTRICT
- LIGHT INDUSTRIAL DISTRICT
- EMPLOYMENT TRANSITION







**From:** [Herb Koss](#)  
**Subject:** FW: Map for Lou and TCC Staff  
**Date:** Saturday, October 03, 2015 8:26:17 PM  
**Attachments:** [17713 - South Tualatin Neighborhood -Option 4 09-09-15.pdf](#)  
[17713 - Basalt Creek Parkway - Cross Section.pdf](#)

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I apologize if this email is a duplicate. I had some bounce back when the first email was sent.

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**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Thursday, September 10, 2015 5:21 PM  
**To:** Herb Koss  
**Subject:** FW: Map for Lou and TCC Staff

Dear Mayor Ogden, Tualatin City Council Members and Planning Staff

As you are aware I have been concerned with the both the boundary decisions and the land use on the property that I am the managing member of the LLC that owns the Land on the Northeast Corner of Grahams Ferry Road and the new Basalt Creek Parkway.

When the first Boundary Options came out known as Option 1 and Option 2 the land that we own was in the City Limits of Tualatin. **That is our desire.** Boundary option 3 altered the line and now our land would be in the City of Wilsonville.

I decided to retain the use of a land use planning firm whom I had worked with for many years. The firm is Otak and the head planner is Don Hanson. Don and I have worked together for many years and I wanted someone to assist us with a plan that we felt would be the most successful for all stakeholders. I have attached the plan which we call the South Tualatin Option 4 plan along with a cross section of the Basalt Creek Parkway as an illustration of a buffer between light industrial and a residential use.

The plan that Otak has prepared is an opportunity to create a great neighborhood. Housing densities can transition from lower densities that match the existing neighborhoods to the north to higher densities at the south end where there is an interface with employment lands. The edge between the two uses can be specifically designed to minimize the impacts.

The attached plan takes advantage of the more varied topography because the residential zoning is easily adapted to slopes. A visit to the site viewing the area from the west to the east on Tonquin Road identifies the slope issues.

Employment/Light Industrial land uses require even slopes for large flat buildings

and site improvements that accommodate truck loading and circulation.

The Otak plan includes two pockets of retail locations that are easy to walk to for both residents and workers in the district.

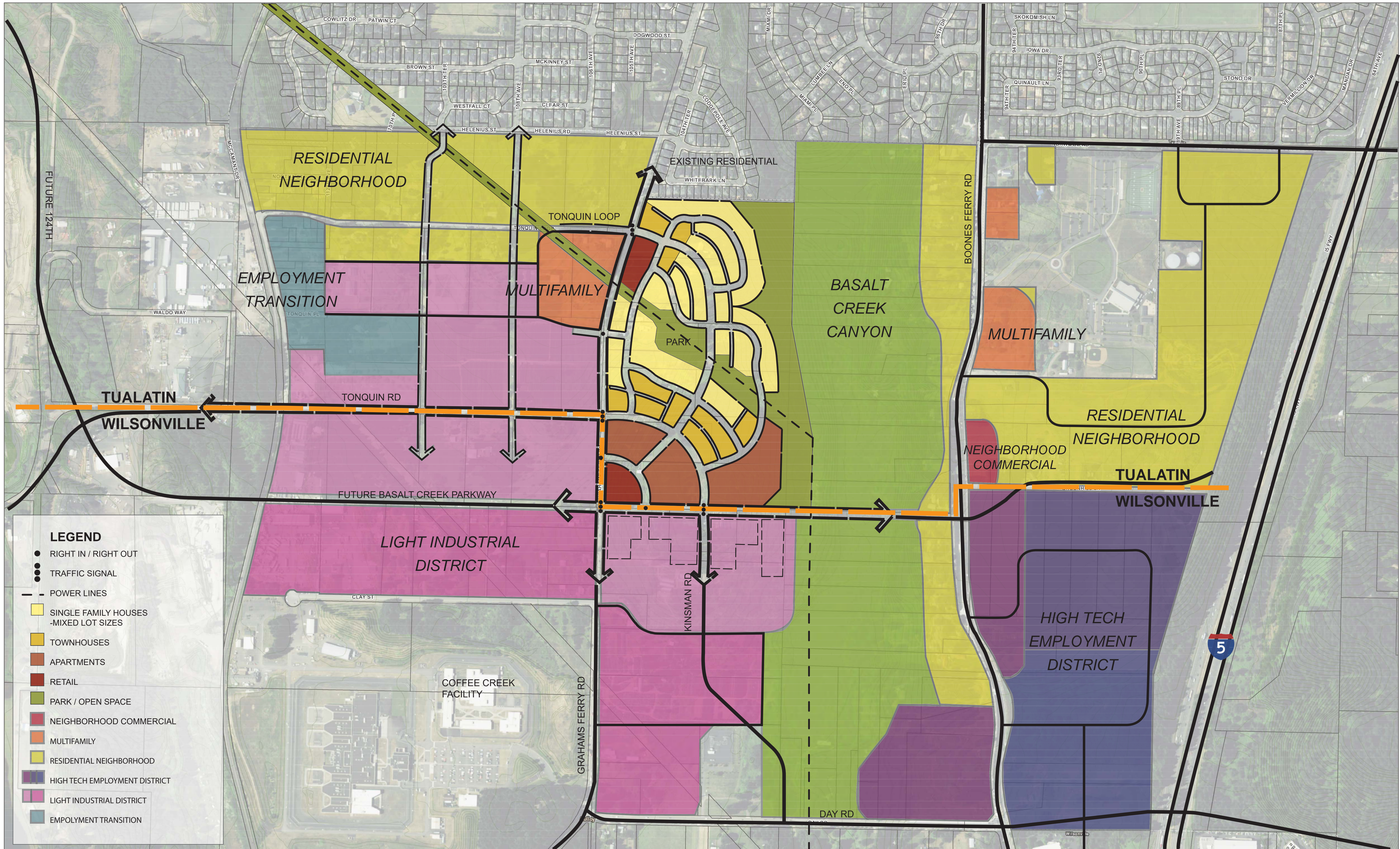
It is also interesting that the Power Line is an amenity for pedestrians and bikers and flows well into the Basalt Creek Canyon area which will no doubt have a trail system within its boundaries.

Finally the City Boundary is logical, along collector streets with a clear delineation. Both cities get the right balance of land uses. Wilsonville benefits from the High Tech zone and Tualatin obtains a slight edge on Light Industrial uses.

My hope are that these points are helpful in determining the final planning map for the Basalt Creek area. If you have any questions of me or our land planner from Otak Mr. Don Hanson please let me know.

Sincerely  
Herb Koss





**LEGEND**

- RIGHT IN / RIGHT OUT
- TRAFFIC SIGNAL
- POWER LINES
- SINGLE FAMILY HOUSES - MIXED LOT SIZES
- TOWNHOUSES
- APARTMENTS
- RETAIL
- PARK / OPEN SPACE
- NEIGHBORHOOD COMMERCIAL
- MULTIFAMILY
- RESIDENTIAL NEIGHBORHOOD
- HIGH TECH EMPLOYMENT DISTRICT
- LIGHT INDUSTRIAL DISTRICT
- EMPLOYMENT TRANSITION





**JOHN W. LUCINI**  
**GRACE N. LUCINI**  
23677 SW Boones Ferry Road Tualatin, OR 97062  
503 692 9890  
GrLuci@gmail.com

CITY OF TUALATIN  
RECEIVED  
OCT 26 2015  
ENGINEERING &  
BUILDING DEPARTMENT

Wednesday, October 21, 2015

**VIA ELECTRONIC MAIL AND REGULAR MAIL**

**BASALT CREEK CONCEPT PLANNING IGA**

**City of Wilsonville**  
29799 SW Town Center Loop E  
Wilsonville, OR 97070

**City of Tualatin**  
18880 SW Martinazzi Ave.  
Tualatin, OR 97062

**RE: Basalt Creek Concept Planning – Water Run-off/ Storm Drainage**

To Whom It May Concern:

As the Basalt Creek Concept Planning process continues to develop a Fourth Option for proposal to the City Councils of both Wilsonville and Tualatin, we would like to take this opportunity to provide to the cities and project staff additional information regarding water runoff problems which have negatively impacted our property.

While members of the Basalt Creek Concept Planning project staff were performing an on-site inspection of the area and our property on June 3, 2015, we commented upon the recent flooding which occurred during a rain storm on May 18, 2015 which significantly affected us and our property. During the meeting we provided project members copies of photos taken at the time of the flooding- some of which are included with this letter.







In order to gain more information about the flooding which we experienced on May 18th, we obtained the services of Liberte Environmental Associates, Inc.. After a great deal of research and investigation, Dave La Liberte P.E., produced a report, *"Review of SW Boones Ferry Road Drainage Report- Recent Related Design and Construction from about 2009 into 2015 in Washington County, Oregon"*. A copy of this report is attached.

It appears the genesis of most of the water which caused the flooding does not originate from our property.

We have also retained the services of attorney Karl G. Anuta to assist us in navigating a resolution of these drainage issues.

We bring this information to you -as you continue to do concept planning for this area. It is important that project staff, and those who will ultimately be making the final decisions as to development, zoning and necessary infrastructure, be aware of a condition which now exists regarding water runoff within the area ---and the potential for significant future drainage problems onto our property. It is hoped project staff will consider and include within their plans provisions for the reduction of peak flows and for the retention of drainage flow upstream (which will assist with the rehydration of the local aquifers as well as reduction of drainage volume off site).

We hope this information will be of assistance to you in the Basalt Creek Concept Planning process.

Regards,

*John Lucini*  
John Lucini

*Grace M. Lucini*  
Grace Lucini

Attachments:

*"Review of SW Boones Ferry Road Drainage Report- Recent Related Design and Construction from about 2009 into 2015 in Washington County, Oregon"* by Liberte Environmental Associates, Inc., August 2015

Letter- Karl G. Anuta- October 2015, "Basalt Creek Planning Area Storm Water Run Off Issues"

CC: Cindy Hahn, City of Tualatin (via Electronic Mail)  
Aquilla Hurd-Ravich, City of Tualatin (via Electronic Mail)  
Alice Cannon, City of Tualatin (via Electronic Mail)  
Jeff Fuchs, PE, City of Tualatin (via Electronic Mail)

Miranda Bateschell, City of Wilsonville (via Electronic Mail)  
Nancy Karushaar, City of Wilsonville (via Electronic Mail)  
Chris Neamtzu, City of Wilsonville (via Electronic Mail)  
Steve R. Adams P.E., City of Wilsonville (via Electronic Mail)

**KARL G. ANUTA**

LAW OFFICE OF KARL G. ANUTA, P.C.  
735 SW FIRST AVENUE, 2<sup>ND</sup> FLOOR  
PORTLAND, OREGON 97204  
(503) 827-0320  
FACSIMILE (503) 228-6551

TRIAL ATTORNEY  
LICENSED IN  
OREGON & WASHINGTON

E-MAIL  
KGA@INTEGRA.NET

October 20, 2015

**VIA REGULAR MAIL**

City of Wilsonville  
297997 SW Town Center Loop E  
Wilsonville, Oregon 97070

City of Tualatin  
18880 SW Martinazzi Ave  
Tualatin, Oregon 97062

**Re: Basalt Creek Planning Area  
Storm Water Run Off Issues**

To Whom It May Concern:

This office has been retained by John and Grace Lucini to assist them with drainage and water run off issues at their residence located in unincorporated Washington County at 23677 SW Boones Ferry Rd, Tualatin, Oregon 97062. The property is within the Basalt Creek concept planning area.

I write just to advise (or in some cases remind) you that the Lucinis have earlier this year had significant storm water flooding or drainage issues on their property. As the City of Wilsonville and the City of Tualatin proceed with planning for the surrounding area, you should keep in mind that further development upslope from the Lucini's will most likely produce further compacted or impervious surfaces. That will likely increase the stormwater run off in the vicinity. That will potentially affect the Lucini's property.

When you develop concept plans, or consider development approvals, be sure that those plans fully address the handling of drainage and storm water run off so that the stormwater flows do not harm or burden down slope and downstream neighbors (which includes but is not limited to the Lucini's). It would not be fair, appropriate, or lawful for either City to allow or approve development that causes additional storm water flows to run onto or over Lucini (or any down slope/stream neighboring) property in a way that causes or potentially causes damage.

The Lucinis have obtained the services of LaLiberte Environmental Associates Inc., to investigate the cause of the most recent flooding of their property, that occurred during a rain storm on May 18, 2015. Enclosed is a report from LEA, Inc., addressing the causes of that flooding, which appear to be associated with the recent re-development and movement of Boons Ferry Road in Washington County.

City of Wilsonville  
City of Tualatin  
October 20, 2015

We provide copies of this report simply as a reminder to the Cities that there needs to be **careful** planning and **careful and accurate** analysis, before any development is approved or undertaken. Failure to do so can create significant problems, both for neighboring landowners and taxpayers, and for any local government that does not properly take into account the potential effects on those neighbors/taxpayers.

We trust you will take these concerns into account, when doing your future planning in and around this same area. If you have any questions, or you wish to tour the Lucini property, please feel free to contact them directly.

Sincerely,



Karl G. Anuta

KGA/ev  
Enclosures



**Review of SW Boones Ferry Road Drainage Report**  
Recent Related Design and Construction from about 2009 into 2015  
in Washington County, Oregon

Prepared for  
**John and Grace Lucini**  
23677 SW Boones Ferry Road  
Washington County  
Postal Address: Tualatin, Oregon

Prepared by  
**Dave LaLiberte**  
Principal Engineer  
**Liberte Environmental Associates, Inc.**  
Wilsonville, Oregon



**August 3, 2015**

## 1. Summary

This review shows that Washington County's Drainage Report<sup>1</sup> for the Boones Ferry Road widening project does not substantially follow the Clean Water Services (CWS 2007)<sup>2</sup> standards for storm and surface water discharges. However, the Drainage Report states that it is adhering to CWS 2007.<sup>3</sup>

- not in CWS Boundary

Significant changes to the road culvert and basin upstream of the Lucini property<sup>4</sup> have been conducted and supported by Washington County as part of its Boones Ferry Road Improvement Project construction. These changes have caused increased downstream flooding and erosion impacting the Lucini property, other properties and the Basalt Creek wetlands that drain to the Coffee Lake Creek wetlands. Flooding and erosion on the Lucini property, from a post construction rainfall on May 18, 2015, can be seen in Photos A1 through A7 contained in Appendix A of this review.

It is of great concern that flooding was caused by a storm much less in total volume than the critical 25-year design storm used in the Drainage Report for conveyance facilities. It is alarming that future full build-out conditions, which are conditions in the Concept Plan phase for the Cities of Wilsonville and Tualatin<sup>5</sup>, have received no evaluation in the Drainage Report. More flooding and erosion on the Lucini property are the likely outcomes of increased discharges from upstream.

Erosion control measures, required in the CWS&COW 2008 planning document<sup>6</sup>, are neglected for the Lucini property and other affected downstream properties including receiving wetlands. Drainage basin areas significantly impacted by the Road Improvement construction equipment activity and material storage are associated with vegetation removal, grading, leveling, soil compaction, gravel roads and pads, and other factors affecting the road project. These basin alterations were not restored to pre-construction drainage conditions. The degradation of the upstream watershed, above the Lucini property and draining to the road culvert, was not identified in the Drainage Report.

<sup>1</sup> Drainage Report (2013), Storm Drainage Report – SW Boones Ferry Road (SW Day Road to SW Norwood Road), by MacKay Sposito for Washington County, Capital Project Management (CPM), Final January 31, 2013.

<sup>2</sup> CWS (2007), *Design and Construction Standards for Sanitary Sewer and Surface Water Management*, for Clean Water Services (CWS), Hillsboro, Oregon, June 2007.

<sup>3</sup> CWS 2007, Page 2, Sec. 2.0 - Design Criteria, Subsection 2.1 – Stormwater Management Requirements.

<sup>4</sup> John and Grace Lucini property, 23677 SW Boones Ferry Road, Washington County, Postal Address: Tualatin, OR.

<sup>5</sup> COW&COT (2015), *Basalt Creek Concept Plan*, City of Wilsonville (COW) and City of Tualatin (COT), on-going as of June 2015.

<sup>6</sup> CWS&COW (2008), *Erosion Prevention and Sediment Control – Planning and Design Manual*, by CWS, City of Wilsonville (COW) and other jurisdictions.

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This review has focused necessarily on CWS 2007 storm and surface water standards. When requirements of the adjacent and downstream jurisdiction of the City of Wilsonville (COW 2014) are compared, the discrepancies of the Drainage Report and the constructed outfall to the Lucini property raise still more issues.<sup>7,8</sup> For example, both CWS 2007 and COW 2014 require a Downstream System that is lacking in the evaluation for stormwater discharging from the County's outfall. Moreover, the proposed and now constructed 83-foot long culvert is over twice the length of the original pipe because it must pass through fill area that once provided stormwater storage above the Lucini property. Two new inlet catchbasins, rather than the one old original catchbasin, are used to collect more stormwater to send to the extended culvert.

The COW 2014 standards cannot be met because the Drainage Report performed no downstream system drainage analysis for the Lucini property. As discussed in this review, other failures exist for the County's road culvert when it is compared to potential COW 2014 requirements.

By not practicing due diligence, the County has failed to accurately evaluate existing and future conditions for the basin above the road culvert, which drains to the Lucini property causing flooding and erosion. This review concludes that the problems of flooding and erosion on the Lucini property can only be resolved by stormwater storage and detention upstream of the County's road culvert, which is the primary cause of the problem.

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<sup>7</sup> City, of Wilsonville (COW 2014), Stormwater & Surface Water Design and Construction Standards, Section 3 – Public Works Standards, Community Development Department, as revised September 2014.

<sup>8</sup> City of Wilsonville (COW 2015), Stormwater Retrofit Plan, NPDES MS4 Support, June 2015.

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## 1. Problem Statement

This report provides a review of the Drainage Report related to recent design and construction of the SW Boones Ferry Road widening project that dates from approximately 2009 into 2015 as conducted by Washington County, Oregon.

The recent Boones Ferry Road widening has significantly disrupted and altered the drainage areas above the Lucini property.<sup>9</sup> This has resulted in increased flooding on the property because the local drainage is overwhelmed by increased storm flows emanating from the Boones Ferry Road project. Photos of the May 18, 2015 storm flood event can be seen in Appendix A – Photos A1 through A7.<sup>10</sup>

The County did not perform the required downstream system analysis of the conveyance elements receiving flow, and passing through the property, from the project. Nor did the Drainage Report evaluate full build-out conditions upstream of the road culvert, which will cause future increased flooding and erosion on the property.

Alterations in the drainage occurred when portions of the adjacent subbasins to the road construction were filled, blocking storm flows from entering the road alignment. Excess flows are now sent directly to increased capacity inlets draining the subbasin (see Appendix B – Photos B1 and B2).<sup>11</sup> This drainage from pre-development areas is now being routed to new and expanded stormwater inlets discharging excess stormwater directly onto the property. As shown in Photo B3, the culvert outlet capacity is also enlarged and lower-friction plastic pipe used. Compare the newly cleared and expanded outlet area with that of the old pipe outlet area in Appendix C – Photo C2.<sup>12</sup>

The analysis used to evaluate drainage in the project basin did not take into account the degradation of historical and natural stormwater storage in the subbasins above the property. Nor did the drainage evaluation perform a hydraulic analysis of the culvert that drains a portion of the Boones Ferry Road project onto the property.

The precipitation data that was relied upon in the Drainage Report, which includes the CWS design storm distribution chart, is based on a weather stations that did not record the storm event that flooded the property.

Storm water quality conditions for storm discharges from the road widening project onto the Lucini property were degraded with apparent high suspended solids (see Appendix A - Photos A1 and A7). Flood waters from the road project caused deposition of large amounts of sediment onto the property's lawn, walkways, lower driveway and other areas (see Photos A4 through A7).

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<sup>9</sup> Herein, the "Lucini property" is known as the "property".

<sup>10</sup> Appendix A photos taken by John and Grace Lucini, May 18, 2015.

<sup>11</sup> Appendix B photos by Dave LaLiberte (LEA) on May 26, 2015.

<sup>12</sup> Appendix C photos by Grace Lucini on December 20, 2012.



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### 3. Background

This report provides a review of the Drainage Report related to recent design and construction of the Boones Ferry Road Improvement Project that dates from approximately 2009 into 2015 as conducted by Washington County, Oregon.<sup>13</sup> The road alignment from Day Road on the south to Norwood Road on the north is characterized as the Boones Ferry Road project throughout this document.<sup>14</sup>

For estimating storm flow rates emanating from the project, the Drainage Report follows the primary document, *Design and Construction Standards for Sanitary Sewer and Surface Water Management* for Clean Water Services (CWS 2007).<sup>15</sup> The Drainage Report cites the *Low Impact Development Approaches Handbook* (CWS 2009) for storm water quality design issues.<sup>16</sup>

The *Stormwater & Surface Water Design and Construction Standards*<sup>17</sup> for the City of Wilsonville (COW 2014) is referenced herein. Being downstream, Wilsonville subsequently receives the uncontrolled stormflows from the Boones Ferry Road project via the Lucini property. Wilsonville's stormwater and surface water requirements are very similar to the CWS 2007 standards, which were intended for use by the County in the Drainage Report. Consequently, the problems inherent in the Drainage Report, disregarding key elements of the CWS 2007, have their corresponding defects in Wilsonville's storm and surface water standards as contained in COW 2014.

Problems relate to the lack of a Downstream System evaluation for the property, hydraulic design criteria omissions, discharge of uncontrolled stormflows into sensitive wetland areas, failure to implement Low Impact Development Approaches (LIDA) and potentially other problems.

The *Stormwater Retrofit Plan* (COW 2015) relating to the City of Wilsonville NPDES Municipal Separate Storm Sewer System (MS4) permit is also referenced herein.<sup>18</sup> A number of significant issues arise when the Boones Ferry Road drainage impact is compared to potential Wilsonville storm permit requirements. Issues include the need to use regional facilities and Low Impact Development (LID) practices to achieve pollutant reduction, implementation of peak flow reduction controls, instream erosion and potential future erosion issues, target erosion problems at culvert outfalls and other stormwater permit related concerns.

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<sup>13</sup> Drainage Report (2013).

<sup>14</sup> Herein, the "SW Boones Ferry Road project" refers to the road alignment from SW Day Road on the south to SW Norwood Road on the north.

<sup>15</sup> CWS 2007, *Design and Construction Standards for Sanitary Sewer and Surface Water Management*, for Clean Water Services (CWS), Hillsboro, Oregon, June 2007.

<sup>16</sup> CWS 2009, *Low Impact Development Approaches Handbook*, for Clean Water Services (CWS), Hillsboro, Oregon, July 2009.

<sup>17</sup> City of Wilsonville (COW 2014), *Stormwater & Surface Water Design and Construction Standards*, Section 3 – Public Works Standards, Community Development Department, as revised September 2014.

<sup>18</sup> City of Wilsonville (COW 2015), *Stormwater Retrofit Plan*, NPDES MS4 Support, June 2015.

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## 4. Synopsis of Significant Issues

Significant issues related to the Drainage Report include:

a) *Inconsistent Drainage Report* – The report indicates it is relying upon CWS 2007 for storm flow evaluation methodology which requires a “Review of Downstream System”.<sup>19</sup> However, no Downstream System review exists in the Drainage Report for the County’s storm water culvert flow across the Lucini property. Despite supposed lower stormflows being reported in the Drainage Report<sup>20</sup>, the storm inlet capacity for the culvert has been substantially increased. Stormflows are now conveyed to the storm inlets, and hence onto the property, much more rapidly than prior to the Boones Ferry Road widening project. This problem will worsen in the future because the Drainage Report and construction design did not take into account the future effects of full build-out conditions.

In addition, the culvert storm flow capacity is increased from about 1.5 cubic-feet-per-second before the project to about 6.6 cfs after the project.<sup>21</sup> This is an increase in stormflow capacity of 440 percent from the old drainage system to the new. Moreover, the drainage design results in a headwater to culvert pipe diameter (HW/D) ratio of 5, which is substantially greater than the ratio of 2 called out in the CWS 2007 standards. This produces very active stormflows with high velocity discharge from the culvert pipe. These stormflows are highly erosive to the downstream drainage system. With increased stormflows, degradation of water quality from intensified erosion and increased suspended solids is a high risk factor (see Photos A1 and A7).

The CWS 2007 rainfall depths for the design storms used in the Drainage Report rely upon data from the *Precipitation-Frequency Atlas of the Western United States*.<sup>22</sup> Four (4) close National Weather Service (NWS) stations reporting rainfall depths used for the design storms are at Hillsboro, McMinnville, Portland and Salem. Three of these stations recorded no more than a trace amount of precipitation for May 18, 2015 although flooding was caused in the Boones Ferry Road vicinity. The remaining station at McMinnville recorded only a small amount of precipitation at 0.13 inches over two hours. This precipitation data comparison shows that the drainage design of the road project is inadequate to protect the property because it lacks buffering benefits of stormwater storage and detention.

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<sup>19</sup> CWS 2007, see Chapter 2, Page 12 under the 2.04.2 subsection heading “3. Review of Downstream System”, i.e., this is subsection 2.04.2.3.

<sup>20</sup> See Drainage Report on Page 11, Table under heading 5.5 - Hydrologic Analysis Results. Specifically, see the table results for Discharge Location 15L that indicates a reduction in stormflows.

<sup>21</sup> Manning’s equation is used to calculate the storm flow capacity. See Linsley and Franzini, *Water Resources Engineering* (1979). See also White, *Fluid Mechanics* (1986). Note that “cfs” is cubic-feet-per-second.

<sup>22</sup> NOAA 1973, *Precipitation-Frequency Atlas of the Western United States*, National Oceanic and Atmospheric Administration (NOAA) and National Weather Service (NWS), NOAA Atlas 2, Volume X – Oregon, 1973.

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There is significant risk that the much greater duration and rainfall volume design storms, e.g., the 24-hour storms for the 10- 25- and 100-year recurring events, will cause still more dangerous flooding. Without the buffering effects of stormflow control using detention storage, the road project cannot protect properties from storms substantially less than the design storm volumes. Recall that the Design Report is theoretically based on the CWS 2007 surface and stormwater standards. Photos of flooding on the property, for an actual storm comprising far less total rainfall volume than the design storms in the Drainage Report, are shown in Appendix A – Photos A1 through A7.

b) *Loss of Natural and Previously Existing Upstream Detention.* This can be seen when comparing previously existing ground elevations with final ground elevations shown in County's 100 percent complete Drawing Sheet 24A in Appendix D.<sup>23</sup> Natural and historical storm water detention and storage in the upstream subbasin have been substantially reduced by about 72 percent in this profile section alone.

Road widening construction extends north and south of the County's culvert on the upstream (east) side. This has the effect of filling storage depressions, increasing impervious areas through construction activities, blocking stormflows and rapidly funneling increased discharges into the culvert emptying onto the property.

c) *Effects of Increased Stormflows Disregarded.* Washington County altered subbasins upstream of the property causing more flow to be directed into the culvert discharging to the property from the widened road project. Compare existing and proposed hydrology maps from the Drainage Report excerpted in Appendix E.<sup>24</sup>

It can be seen in Appendix E – Drawing HYD1 that the stormwater subbasin 17S, upstream of the culvert 15L discharging to the property, has been significantly altered. This is apparent when comparing the constructed project as proposed with its new subbasin 56S consisting significantly of road widening fill. This new subbasin blocks and funnels increased storm flows from the altered subbasin 17S, which is now called 59S.

The County is required to evaluate future full build-out conditions in the subbasin above the property but the effects of these increased flows is completely neglected in the Drainage Report.

d) *Stormwater Requirements are not Applied with Due Diligence.* Washington County's approach to drainage requirements was intended to be based on design standards identified in CWS 2007. However, the County did not practice due diligence and did not perform a Downstream System evaluation as necessary for consistency with CWS 2007.<sup>25</sup> No complete assessment of the drainage through the property was undertaken for the culvert discharge emanating from the Boones Ferry Road widening project.

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<sup>23</sup> See also Sheet No. 24 (Construction Notes for Sheet No. 24A).

<sup>24</sup> See Drawing Sheet Title HYD1 (existing conditions hydrology) on PDF Page 35 of 152; and Sheet Title HYD2 (proposed conditions hydrology) on PDF Page 36 of 152.

<sup>25</sup> CWS 2007, see Chapter 2, Page 12 under the 2.04.2 subsection heading "3. Review of Downstream System", i.e., this is subsection 2.04.2.3.

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Comparisons between CWS 2007 and potential COW 2014 stormwater standards are provided in Section 5 –Detailed Issues as they are significant.

The criteria cited in CWS 2007, states that “Peak runoff rates shall not exceed pre-development rates”<sup>26</sup> but the County did not carry out an accurate comparison of historical, existing and proposed stormflows to make this determination for the discharge passing through its road culvert.

The Drainage Report did not assess the flood impact on stormwater quality for sensitive wetlands downstream of the culvert including the property, the wetlands surrounding Basalt Creek and the Coffee Lake Creek wetlands. These sensitive areas lie in unincorporated Washington County and the City of Wilsonville.

The Drainage Report did not employ LIDA in relation to the road culvert discharging onto the property. The catchment above the culvert was substantially altered as part of the road widening project resulting in elimination of existing and natural stormwater storage, enlarged impervious area and increased peak runoff. Stormflow inlet capacity to the culvert was substantially increased, which is inconsistent with the LIDA priority in CWS 2007 to “minimize stormwater runoff”.<sup>27</sup>

A number of significant issues arise when the Boones Ferry Road drainage impact is compared to potential Wilsonville stormwater permit requirements. For this comparison, the *Stormwater Retrofit Plan* (COW 2015) that relates to the City of Wilsonville NPDES Municipal Separate Storm Sewer System (MS4) permit is referenced herein.<sup>28</sup>

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<sup>26</sup> CWS 2007, see Chapter 4, Page 6, subsection 4.03.3, under item “b”.

<sup>27</sup> CWS 2007, Chapter 4, Page 17, subsection 4.07.1, “Low Impact Development Approaches (LIDA)” 2<sup>nd</sup> sentence under “Purpose”.

<sup>28</sup> COW 2015, *Stormwater Retrofit Plan*, NPDES MS4 Support.



## 5. Detailed Issues

There are a number of significant problems affecting the Lucini property because of the road widening project. These issues follow from the previous Section 4 - Synopsis of Significant Issues and are discussed in detail below.

### *a.) Inconsistent Drainage Report*

Important causes of Drainage Report inconsistencies are discussed in this section. Under the Drainage Report assumptions that storm runoff flows are reduced<sup>29</sup>, the culvert storm flow capacity is inconsistently increased by about 440 percent. Moreover, the storm inlet capacity in the altered subbasin above the property is substantially increased. Natural and historical storm water detention and storage in the upstream subbasin have been extensively reduced by about 72 percent in the stormwater inlet section alone.<sup>30</sup> This elimination of stormwater storage is also carried out throughout the subbasin. Flows are now conveyed to the storm inlets, and hence onto the property, much more rapidly than prior to the widening project. Moreover, although CWS 2007 standards require evaluation of full build-out conditions for the subbasin above the property, this condition has been alarmingly omitted in the Drainage Report.

### Review of Downstream System was Not Performed by the County

No downstream system review was performed for the property receiving County stormflows. The Drainage report indicates it is relying upon CWS 2007 for storm flow evaluation methodology which requires a "Review of Downstream System". However, no Downstream System review exists in the Drainage Report for the County's storm water culvert flow across the property.

### Stormflows to the Lucini Property are Increased, not Decreased

The Drainage Report assumes that, because some acreage above the Lucini property is reduced, the stormflow rates to the property are also reduced. Flow rates are actually increased over those reported, however. This is because the Drainage Report disregards basic hydrologic components, such as increased storm water conveyance and loss of storm water storage, that increase peak storm water flow rates. The report also neglects the effects of increased runoff from future development. The Drainage Report fails to acknowledge these defects increasing the risk of flooding on the property.

### New Road Culvert has Increased Capacity Inconsistent with Supposed Reduced Flows

The culvert storm flow capacity is increased from about 1.5 cubic-feet-per-second to about 6.6 cfs.<sup>31</sup> This is an increase in stormflow capacity of 440 percent from the old drainage system to the new. This is a contradictory condition because, storm flows are

<sup>29</sup> See Drainage Report on Page 11, Table under heading 5.5 - Hydrologic Analysis Results. Specifically, see the table results for Discharge Location 15L that indicates a reduction in stormflows.

<sup>30</sup> For the road widening project, see the County's 100 percent complete Drawing Sheet 24A. See also Sheet No. 24 (Construction Notes for Sheet No. 24A). These drawing sheets are also contained in Appendix D of this review.

<sup>31</sup> Manning's equation is used to calculate the storm flow capacity of the old concrete pipe ( $n=0.013$ , pipe flowing half full) and the new plastic pipe ( $n=0.009$ , pipe flowing full). See Linsley and Franzini, Water Resources Engineering (1979). Note that "cfs" is cubic-feet-per-second.

claimed to be reduced, but the County is increasing storm flow capacity of the culvert draining the upstream subbasin.

CWS 2007 limits the height of water (headwater) above the culvert invert elevation:<sup>32</sup>

b. Hydraulic Design

1. Culverts will be designed to safely pass the 25-year flow.

2. Headwater [HW]

A) For new culverts 18 inches in diameter or less, the maximum allowable design storm event **headwater elevation (measured from the inlet invert) shall not exceed two times the pipe diameter [D]** or three times the pipe diameter with a seepage collar unless an exception is approved by the District or City. [Bold by LEA]

The “two [2] times the pipe diameter” CWS 2007 requirement is because greater ratios bring about very high flow velocities discharging from the culvert. This results in supercritical stormflows, which cause adverse conditions including hydraulic jump and excessive erosion.

The 100 percent design drawing<sup>33</sup> shows that the HW/D ratio is over 5 to 1, which is substantially greater than the 2 to 1 ratio identified in CWS 2007.

Flooding problems at the Lucini property are additionally aggravated because existing and future development conditions were disregarded in the Drainage Report. As CWS 2007 standards require:<sup>34</sup>

5.05 Storm Conveyance Design Considerations

5.05.1 Design for Full Build Out

Storm drainage facilities shall be designed and constructed to accommodate all future full build-out flows generated from upstream property.

The Drainage Report made no attempt to evaluate the full build-out stormflow conditions that will affect the property. Increased discharges from future development, through the County’s road culvert, will result in worse flooding than presently exists.

New Storm Inlet Capacity has been Increased Inconsistent with Supposed Reduced Flows

The storm inlet capacity has been substantially increased. Stormflows are now conveyed to the storm inlets, and hence onto the property, much more rapidly than prior to the Boones Ferry Road widening project. This is a contradictory condition setup in the Drainage Report because, storm flows are claimed to be reduced, but the County is increasing the storm flow capacity of the inlets draining the upstream subbasin.

<sup>32</sup> CWS 2007, Page 18 in Chapter 5, Section 5.07.6 – Culverts (Storm Only), see item b. Hydraulic Design.

<sup>33</sup> See Sheet No.179 of 274 of the 100 percent drawings, this is drawing labeled 24A – Storm Outfall #5: Plan and Profile. The headwater (HW) for the new culvert design is top of catch basin (CB) elevation 335.62 feet minus the culvert pipe invert elevation of 330.61, which equals 5.01 feet. Thus, the HW/D ratio is 5.01 for the 1-foot diameter (D) culvert pipe. That is a 5 to 1 ratio.

<sup>34</sup> CWS 2007, Chapter 5, Page7, see 1<sup>st</sup> paragraph in section 5.05.

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### Stormwater Quality is Reduced

The Drainage Report inaccurately estimates stormflows draining to the property and hence under-predicts suspended solids loadings. This is inconsistent with the report's claim that stormwater quality conditions and concentrations are in compliance with standards. With increased stormflows, degradation of water quality from increased suspended solids is a high risk factor (see Photos A1 and A7).

### Design Storm Precipitation Data versus Actual Rainfall

The Drainage Report used the CWS 2007 design storm for designing the Boones Ferry Road drainage. The CWS 2007 relies upon precipitation data from regional NWS stations at Hillsboro, McMinnville, Portland and Salem. However, while the NWS stations showed only trace amounts of precipitation, the amount of rainfall causing flooding in the Boones Ferry Road vicinity was significant. Other nearby areas such as Tualatin and King City reported flooding.<sup>35</sup> Reports of rainfall amounts as part of the storm included Sherwood at 0.7 inches.<sup>36</sup> This amount characterizes instantaneous and hourly rainfall intensity for periods corresponding to the peak rainfall. At the time of the flooding on the property, the NWS stations reported only trace amounts with the exception that McMinnville recorded a small amount at 0.13 over a two hour period.

#### *b.) Loss of Natural and Previously Existing Upstream Detention*

Natural and historical storm water detention and storage in the upstream subbasin have been drastically reduced. Storm water flows that once slowly found their way from the adjacent subbasin onto the Boones Ferry Road alignment are now excluded, by the fill from the widened roadway, and are routed directly into the culvert draining to the property. Comparing the previously existing ground elevations with the final ground elevations. See Drawing Sheet 24A that is the Plan and Profile for Storm Outfall #5.<sup>37</sup>

Erosion control measures, required in the CWS&COW 2008 planning document<sup>38</sup>, are neglected for the Lucini property and other affected downstream properties including receiving wetlands. Drainage basin areas significantly impacted by the Road Improvement construction equipment activity and material storage are associated with vegetation removal, grading, leveling, soil compaction, gravel roads and pads, and other factors affecting the road project. These basin alterations were not restored to pre-construction drainage conditions. The degradation of the upstream watershed, above the Lucini property and draining to the road culvert, was not identified in the Drainage Report.

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<sup>35</sup> KPTV, Thousands Lose Power as Storm Brings Thunder, Lightning to Metro Area, FOX 12 Meteorologists, May 18, 2015

<sup>36</sup> FOX12 Weather Blog, 11 pm: Storms in SW Metro Only, from Meteorological Assimilation Data Ingest System (MADIS), for May 18, 2015.

<sup>37</sup> For Sheet No. 24A, see also Sheet No. 24. These drawings are Sheet Nos. 178 and 179 (of 274 total drawings) contained in the County's 100% plan submittal.

<sup>38</sup> CWS&COW (2008), *Erosion Prevention and Sediment Control – Planning and Design Manual*.

*c.) Effects of Increased Stormflows Disregarded*

Washington County altered subbasins upstream of the Lucini property causing more flow to be directed into the culvert discharging to the property from the widened road project. Compare existing and proposed hydrology maps from the Drainage Report excerpted in Appendix E.<sup>39</sup>

It can be seen in Appendix E – Drawing HYD1 that the stormwater subbasin 17S, upstream of the culvert 15L discharging to the property, has been significantly altered. This is apparent when comparing the constructed project as proposed with its new subbasin 56S consisting of road widening fill. This new subbasin blocks and funnels increased storm flows from the altered subbasin 17S, which is now called 59S.

For the existing condition subbasin 17S shown on Sheet HYD1, the original 40-foot long 12-inch diameter culvert drains through the property to the wetlands surrounding Basalt Creek. This culvert is identified as Discharge Location 15L on Sheet HYD1 for the original condition hydrology. Subbasin 17S and adjacent subbasins have seen notable development in the form of retaining walls, road fill, construction activity, extensive gravel pads, driveways and access roads, and other activities that increase impervious surfaces.

For the proposed condition subbasin 59S shown on Sheet HYD2, the proposed and now constructed 83-foot long 12-inch diameter culvert is over twice the length of the original pipe intended to drain through the property. The altered culvert (55L in Sheet HYD2) that drains subbasin 59S has expanded inlet flow capacity as exhibited by the two new catch basins identified and shown on Drawing Sheet 24A in Appendix D.<sup>40</sup>

*d.) Stormwater Requirements are not Applied with Due Diligence*

Washington County's approach to drainage requirements was intended to be based on design standards identified in CWS 2007. However, the County did not perform a Downstream System evaluation as necessary for consistency with CWS 2007.<sup>41</sup> No complete assessment of the drainage through the property was undertaken for the culvert discharge emanating from the Boones Ferry Road widening project.

Stormwater Standards are Similar for Clean Water Services and Wilsonville

Wilsonville's stormwater management standards are very similar to CWS 2007. Both CWS and Wilsonville stormwater standards have comparable requirements for Downstream System evaluation for areas receiving drainage from the road project (see COW 2014 standards in Section 301.11.02 under "5. Review of Downstream System"). Additional comparisons between CWS 2007 and COW 2014 stormwater standards are provided throughout this subsection.

<sup>39</sup> See Drawing Sheet Title HYD1 (existing conditions hydrology) on PDF Page 35 of 152; and Sheet Title HYD2 (proposed conditions hydrology) on PDF Page 36 of 152.

<sup>40</sup> For Sheet No. 24A, see also Sheet No. 24. These drawings are Sheet Nos. 178 and 179 (of 274 total drawings) contained in the County's 100% plan submittal.

<sup>41</sup> CWS 2007, see Chapter 2, Page 12 under the 2.04.2 subsection heading "3. Review of Downstream System", i.e., this is subsection 2.04.2.3.



### Hydraulic Design Criteria

The criteria cited in CWS 2007, states that “Peak runoff rates shall not exceed pre-development rates”<sup>42</sup> but the County did not carry out an accurate comparison of historical, existing and proposed stormflows to make this determination for the discharge passing through its road culvert. The COW 2014 design standards in Section 301.11.02 also limit peak flow rates between pre and post development:<sup>43</sup>

10. Flow Control Requirement: The duration of peak flow rates from post-development conditions shall be less than or equal to the duration of peak flow rates from pre-development conditions for all peak flows between 42% of the 2-year storm peak flow rate up to the 25-year peak flow rate, based on a 2- through 25-year, 24-hour return storm. Specifically, the 2-year post-development runoff rates shall not exceed 42% of the 2-year predevelopment runoff rates; the 10- and 25-year post-development runoff rates shall not exceed the respective 10- and 25-year predevelopment runoff rates.

### Discharges to Sensitive Areas

The Drainage Report did not assess the flood impact on stormwater quality for sensitive wetlands downstream of the culvert including the Lucini property, the wetlands surrounding Basalt Creek and the Coffee Lake Creek wetlands. These sensitive areas lie in unincorporated Washington County and the City of Wilsonville.

Flood conditions, as identified in this review, adversely affect storm water quality on the property as well as the downstream drainage comprised of sensitive areas. Storm flood flows, laden with suspended solids and potentially other associated chemical concentrations, reduce water quality entering the sensitive wetland areas surrounding Basalt Creek. This wetland complex subsequently drains into the Coffee Lake Wetlands and Coffee Lake Creek<sup>44</sup> in the City of Wilsonville. The CWS 2007 standards require:<sup>45</sup>

c. Discharges to sensitive areas shall maintain the hydro period and flows of pre-development site conditions to the extent necessary to protect the characteristic functions of the sensitive area.

The Drainage Report does not allow for protecting sensitive areas downstream of the road culvert and Lucini property. No Downstream System evaluation was conducted.

The COW 2014 in Section 301.11.02 - Stormwater Management Facility Design Standards under “a. Purpose” also indicates conditions where stormwater management facilities are required because of increased stormwater runoff and pollution:<sup>46</sup>

a. Purpose

New development and other activities that create new impervious surfaces or increase the amount of stormwater runoff or pollution leaving the site are required to construct or fund

<sup>42</sup> CWS 2007, see Chapter 4, Page 6, subsection 4.03.3, under item “b”.

<sup>43</sup> COW 2014, see Section 301.11.02 - Stormwater Management Facility Design Standards, Page 68, paragraph under “10. Flow Control Requirement”.

<sup>44</sup> Sections of Coffee Lake Creek in Wilsonville are also known as Seely Ditch.

<sup>45</sup> CWS 2007, see Chapter 4, Page 9, subsection 4.05.4 for Water Quality Treatment Requirements, under “Design Considerations” item c.

<sup>46</sup> COW 2014, see Section 301.11.02 - Stormwater Management Facility Design Standards, Page 62, paragraph under “a. Purpose”

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permanent stormwater management facilities to reduce contaminants entering the stormwater and surface water system.

#### Omission of Low Impact Development Approaches

The Drainage Report claims to follow CWS 2007 that recommends Low Impact Development Approaches (LIDA).<sup>47</sup>

Generally, the first priority for LIDA is to minimize stormwater runoff generated from urban development to reduce hydrologic impacts.

The County did not employ LIDA in relation to the road culvert discharging onto the property. The catchment above the culvert was substantially altered as part of the road widening project resulting in elimination of existing and natural stormwater storage, enlarged impervious area and increased peak runoff. Stormflow inlet capacity to the culvert was substantially increased inconsistent with the LIDA priority in CWS 2007 to “minimize stormwater runoff”. Channel area downstream of the road culvert was opened up and vegetation removed increasing the reducing time to peak flows and increasing stormflow capacity onto the property.

Similarly, COW 2014 in Section 301.11.02 under “d. Design Criteria” indicates stormwater conditions for Low Impact Development (LID) under item “2”:<sup>48</sup>

2. The goal is to prioritize the use of LID facilities to the MEP [Maximum Extent Practicable] to mimic the natural stormwater runoff conditions of the pre-developed site and recharge the groundwater. The City’s strategy to meet this goal is to incorporate LID principles in site planning and facility design.

#### Potential Impact of Wilsonville’s Retrofit Plan

A number of significant issues arise when the Boones Ferry Road drainage impact is compared to potential Wilsonville stormwater permit requirements. For this comparison, the *Stormwater Retrofit Plan* (COW 2015) that relates to the City of Wilsonville NPDES Municipal Separate Storm Sewer System (MS4) permit is referenced herein.<sup>49</sup>

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<sup>47</sup> CWS 2007, Chapter 4, Page 17, subsection 4.07.1, “Low Impact Development Approaches (LIDA)” 2<sup>nd</sup> sentence under “Purpose”.

<sup>48</sup> COW 2014, Section 301.11.02 - Stormwater Management Facility Design Standards, Page 64, under “d. Design Criteria” see item “2”.

<sup>49</sup>COW 2015, *Stormwater Retrofit Plan*, NPDES MS4 Support.

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**Regional Facility Needed.** Issues include the need to use regional facilities and LID practices to achieve pollutant reduction. As stated in the retrofit plan (bold by LEA):<sup>50</sup>

The City's SMP [Stormwater Master Plan, May 2012] references stormwater policies that comprise the **major objectives for the City's stormwater retrofit strategy**. The stormwater policies help support the selection, prioritization, and installation of CPs for improved water quality. Relevant policies and implementation measures are listed below.

- EXP-5: The City of Wilsonville shall use a combination of regional and onsite facilities to achieve the recommended pollution reduction outlined in this Stormwater Master Plan.
  - Implementation Measure EXP-5a: **Locate regional facilities downstream of existing development where suitable to protect existing wetland and riparian areas.**
- LID-1: The City shall **prioritize the implementation of Low Impact Development (LID) techniques and habitat-friendly development practices throughout the City for new development, redevelopment, and retrofitting of existing development.**

The lack of upstream detention to reduce peak storm flows discharging to the property is a significant problem with the constructed road widening project. A regional facility intended to rectify historical errors in stormflow control affecting the property is supported by the retrofit plan.

**Peak Stormflow Reduction Controls.** The retrofit plan states the need to:<sup>51</sup>

Implement recently adopted stormwater design standards [COW 2014] for new and redevelopment projects that promote infiltration of stormwater and address peak flow control, volume reduction, and flow duration.

Peak stormflow controls were not implemented for the culvert discharging onto the Lucini property.

**Stormflow Erosion Assessment.** Instream erosion and potential future erosion issues are another concern of the retrofit plan, which identifies the need to:<sup>52</sup>

- Complete the hydromodification assessment for Boeckman Creek, Coffee Lake Creek, and applicable tributaries. The assessment will include verification of current instream erosion issues, areas with high future erosion potential, and evaluation of the feasibility of retrofit projects (including those identified in the SMP).

Because of the lack of stormflow control upstream of the property, and the likelihood of substantial development in the catchment areas draining to the road culvert, a high future erosion potential exists downstream of the road project into the wetlands surrounding Basalt Creek and draining subsequently into Coffee Lake Creek.

**Erosion Prevention and Control.** The retrofit plan calls for targeting erosion problems at culvert outfalls:<sup>53</sup>

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<sup>50</sup>Ibid, Page 2, subsection 2.1 Stormwater Policies, 1<sup>st</sup> and 2<sup>nd</sup> bulleted items.

<sup>51</sup> Ibid, Page 3, subsection 2.3 Water Quality Programs, 2<sup>nd</sup> bulleted item.

<sup>52</sup> Ibid, Page 4, last bulleted item in subsection 2.3 Water Quality Programs.

<sup>53</sup> Ibid, Page 6, 1<sup>st</sup> and 3<sup>rd</sup> paragraphs in subsection 3.4 Erosion Prevention and Control.

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The City's SMP includes a number of projects that target erosion problems at outfalls and along the stream corridors. Areas of active erosion are assumed to be, in part, due to the increase or excess stormwater runoff volumes discharging through the outfall or in the stream channel. Active erosion areas result in the transport of excess sediment loads into the stream channel, increasing turbidity and reducing instream water quality. Sediment loads can occlude stream beds and impact fish and other stream habitats. Erosion at outfalls can also lead to site and slope stability issues.

Also,

**Preferred Stormwater Retrofit Strategy**

The preferred strategy to prevent erosion is to retrofit outfalls with known and active erosion problems. For instream erosion issues, targeted channel excavation and restoration activities, including planting and vegetation enhancement to reduce scour potential, shall be conducted. The project identification efforts (see Section 4.1) and the project prioritization efforts (see Section 4.2) include water quality retrofit projects that incorporate erosion prevention.

The culvert that outfalls onto the Lucini property from the road widening project has caused significant flooding and erosion on the property as shown in the Photos A1 through A7 in Appendix A of the review.



# Appendices

# **Appendix A**

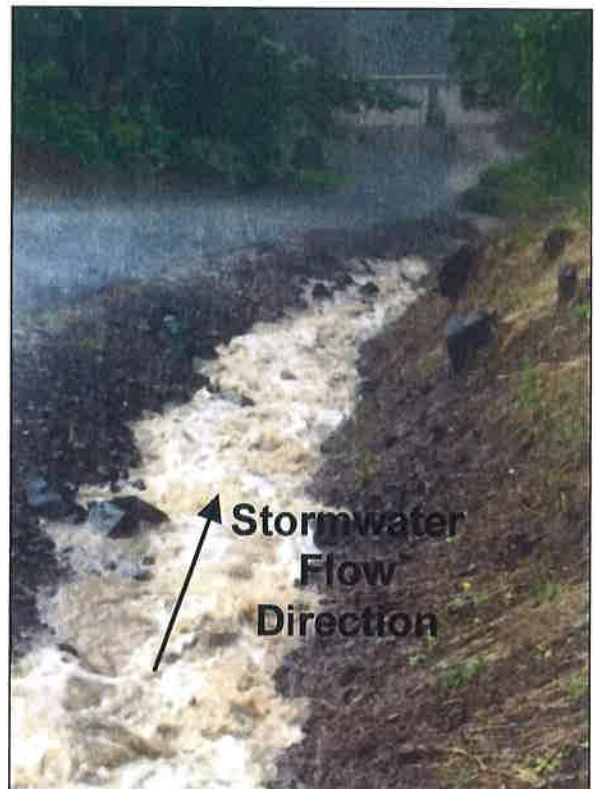
Flood Photos of the Lucini Property Taken During May 18, 2015 Storm Event

**Appendix A: Downstream System Carrying Stormflows from the SW Boones Ferry Road Widening Project (Photos by John and Grace Lucini)**  
*Excessive flood flows on May 18, 2015 overwhelm the Lucini property*

**Photo A1.** Storm flood waters directed to the Lucini property from Boones Ferry Road.



**Photo A2.** Channel conveying Boones Ferry Road drainage across the Lucini property.



**Photo A3.** The junction for the channel and driveway pipe are overwhelmed and flood waters drain into the front yard toward the house.



**Photo A4.** Flooding storm water ultimately found its way into the lower driveway area.





**Photo A5.** The front lawn drained its flood waters into the walkway and porch in front of the house.



**Photo A6.** The front walkway steps drain into the lower driveway and garage area.

**Photo A7.** Flooding stormwater ultimately found its way into the lower driveway and garage area.



## **Appendix B**

Photos of the Road Widening Project Inlets and Outlet Taken May 26, 2015  
Affecting the Lucini Property

**Appendix B: New Storm Drainage Facilities Upstream of the Property**  
(Photos taken by Dave LaLiberte of LEA on May 26, 2015)  
*Drains Adjacent Subbasins to the East of the Widened Road Alignment*

**Photo B1.** New Stormwater Inlet #1 (North).



**Photo B2.** New Stormwater Inlet #2 (South).

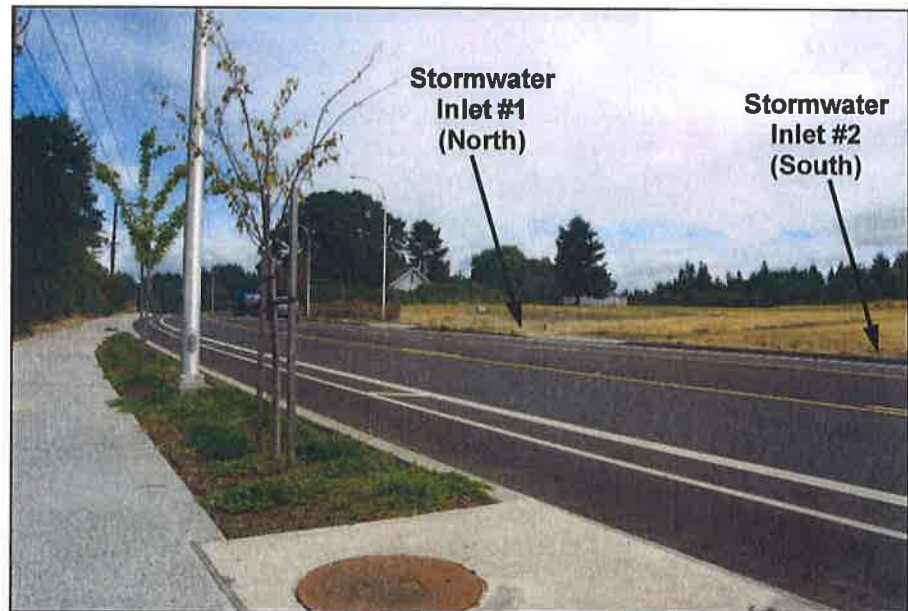




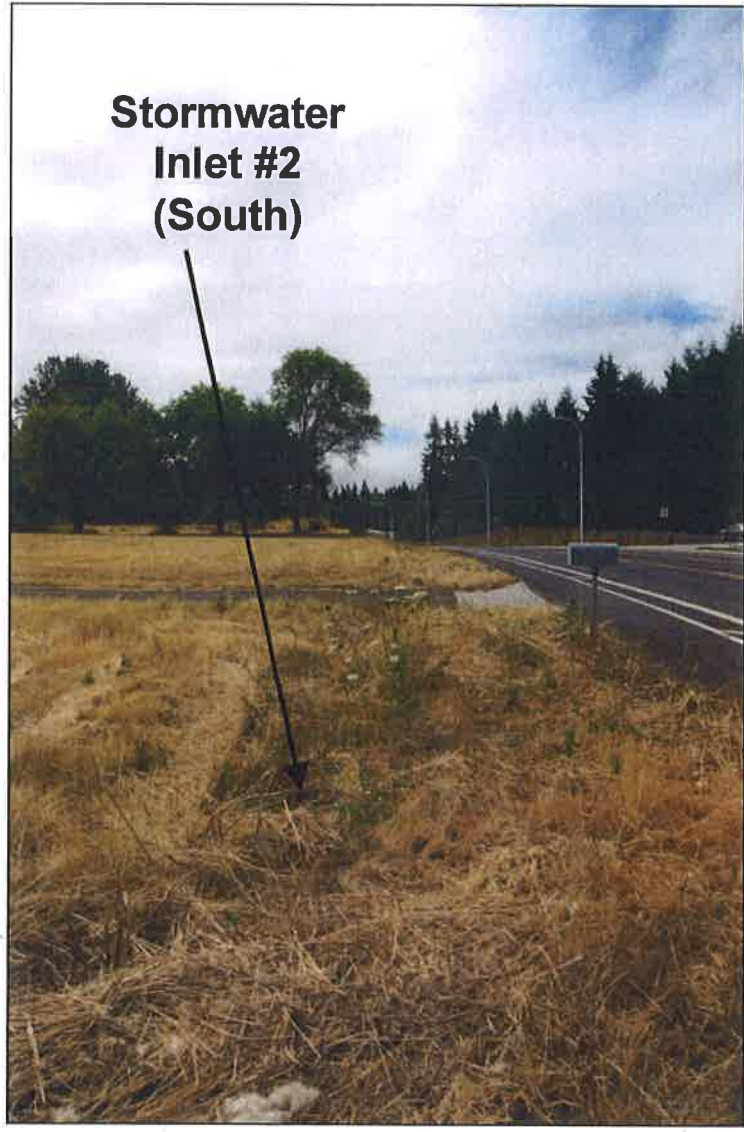
**Photo B3.** New culvert outlet upstream of the Lucini property. This view looks east toward Boones Ferry Road.



**Photo B4.** Looking northerly at the widened road. Note the retaining wall and raised gravel areas draining to the culvert. The curb on the east edge of the road (on right) now blocks the adjacent catchment stormflow. This photo was taken by LEA on July 16, 2015.



**Photo B5.** Looking southerly at widened road. The new stormwater Inlet #2 (South) is in the foreground. The curbing on the east edge of the road (on left) now blocks the adjacent catchment stormflow and redirects it to the culvert discharging to the Lucini property. This photo was taken by LEA on July 16, 2015.



# **Appendix C**

Photos Prior to Road Widening Project Taken December 20, 2012



**Appendix C: Original Drainage of Storm Water from SW Boones Ferry Road (Photos taken by John & Grace Lucini on Dec. 20, 2012)**  
*Adjacent Subbasins to the East Drain into the Road Alignment*

**Photo C1.** Drainage from the original Boones Ferry Road (December 2012). Looking northerly with ponding on the eastern (right) portion of the road. The white fence line of the Lucini property can be seen in the distance in the upper left of the photo, i.e., looking to the northwest.



**Photo C2.** At top of photo is the original Washington County culvert outlet under Boones Ferry Road discharging to the west (December 2012). This is an old concrete pipe. The pipe at the lower-left portion of the photo is the plastic pipe draining onto the Lucini property.





## **Appendix D**

Drawing Profile of Boones Ferry Road Culvert Affecting the Lucini Property  
From 100% Plan Submittal by Washington County



**CONSTRUCTION NOTES**

**THIS SHEET TO FACE SHT. 24A**

- 1 EX 12" CMP STM IE=328.92
- 2 ODOT CLASS 50 RIPRAP PAD  
8' LONG x 7' WIDE x 1.5' DEEP  
PLUS 1" ABOVE PIPE CROWN
- 3 EX 12" CONC PIPE L=40' S=0.0166
- 4 12" STM SEWER L=63' S= 0.0162
- 5 EX OB  
TOG 334.21  
IE 329.94-12" OUT (W)
- 6 STM CB #32 (DITCH INLET)  
@ STA 41+24 (24' RT)  
TC 335.62  
IE 330.81 - 12" IN (W)  
IE 330.61 - 12" OUT (W)
- 7 12" STM L=77' S= 0.0101



DEPARTMENT OF  
LAND USE &  
TRANSPORTATION  
ENGINEERING

PLAT STAMP: 01/31/13 12:18A BRANCO	
GAD: 15-15, 23-24, 26A, 27, DET. OMO, 1M3: 24	
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**SW BOONES FERRY RD.**  
WASHINGTON COUNTY  
CONSTRUCTION NOTES

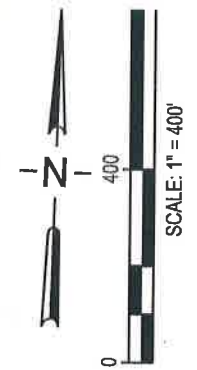
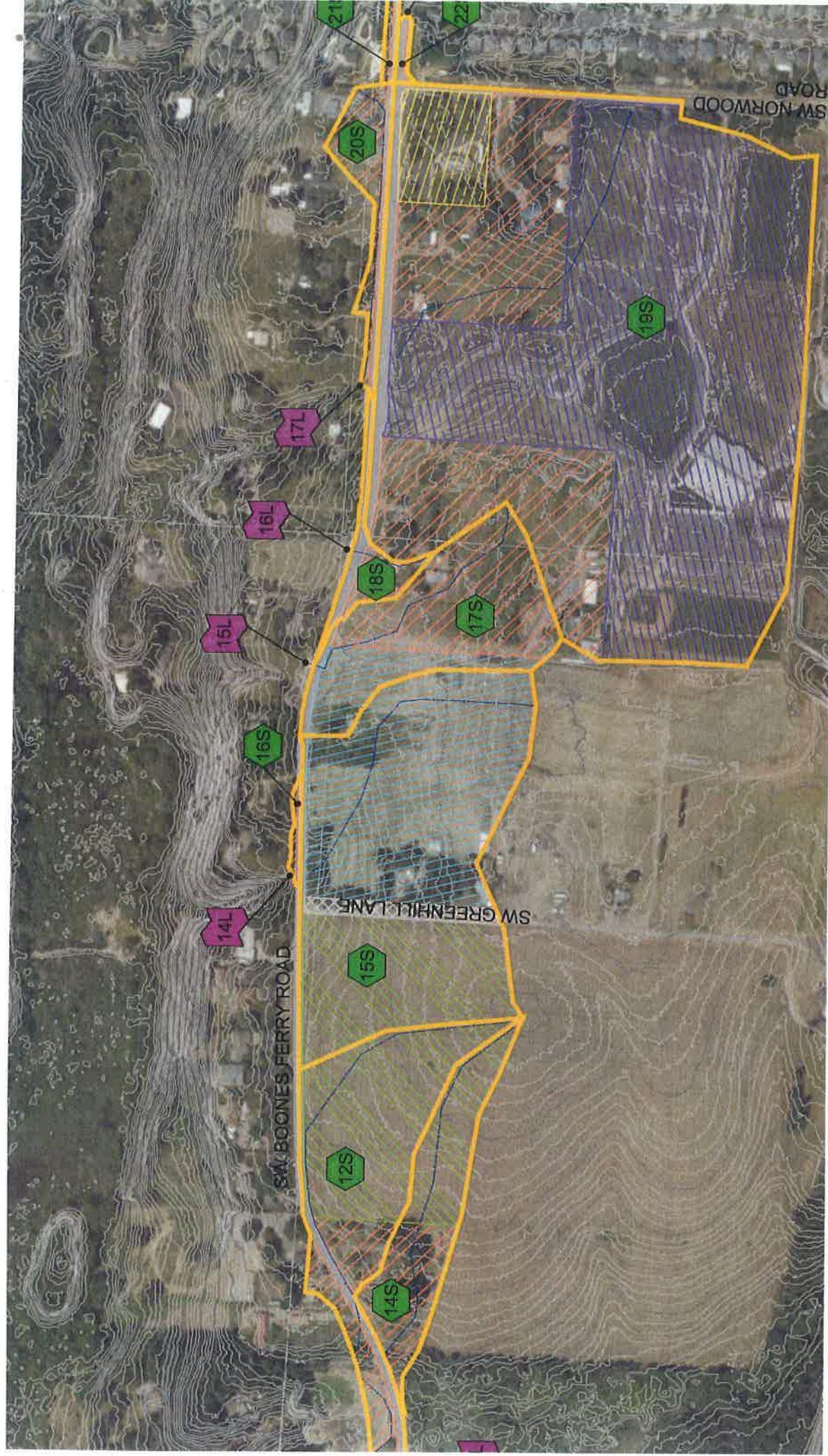
PROJECT NUMBER  
**100096**  
SHEET NO.  
**178 of 274**  
SHEET REC.  
**24**

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## **Appendix E**

Hydrologic Maps from the Drainage Report  
Drawings HYD1 (existing, PDF page 35/152) and HYD2 (proposed, PDF page 36/152)





ARGE TION	PRIMARY SITE CONVEYANCE	DOWNSTREAM RECEIVING ENTITY	CONTRIBUTING SUBBASINS
	GUTTER FLOW	EXISTING STORM DRAIN (CITY OF WILSONVILLE)	10S
	GUTTER FLOW	EXISTING STORM DRAIN (CITY OF WILSONVILLE)	11S
	MISC SURFACE FLOW	EXISTING DRAW, WEST	12S
	MISC SURFACE FLOW	EXISTING DRAW, SOUTHEAST	13S, 14S
	CULVERT(S)	EXISTING RAVINE, WEST	15S, 16S
	CULVERT(S)	EXISTING PIPE CONVEYANCE WEST	17S

**From:** [G Lucini](#)  
**To:** [Aquilla Hurd-Ravich](#); [Cindy Hahn](#); [Bateschell, Miranda](#)  
**Subject:** Basalt Creek Concept Planning - Questions  
**Date:** Monday, December 07, 2015 6:02:07 PM

---

Hi Aquilla, Cindy, and Miranda,

Hope you all had a good Thanksgiving,

I am trying to keep up to date on to the Basalt Creek Projects.

I thought there was going to be a Joint Cities Meeting for the Basalt Creek Concept Planning scheduled for Dec. 16<sup>th</sup>. Since I don't see this listed on either Council's calendar, nor posted on the BasaltCreek.com website- has it been postponed?

Either way- it might be helpful if the appropriate information was posted on BasaltCreek.com—since this is a very busy time of year for many people. It would also help avoid confusion between the November Basalt Creek Concept Plan Information Update Letter which announced the Dec. 16<sup>th</sup> meeting--- and the lack of any mention on the BasaltCreek.com website- or either City's website.

I also wanted to let you know about the environmental studies which are beginning for evaluating the Grahams Ferry to Boones Ferry Connector.

As you may know, ODOT received funding for studies, and started to do preliminary on site evaluations.

On 11-23-15 Russell Knoebel brought a group by the house. According to Russell,  
"The County is scheduled to hire a consultant in the next few months to start environmental work on this project.  
At this point ODOT would like to have their environmental experts take a look at the area to determine the environmental concerns for the area"

In addition to Russell there were the following people who attended the onsite:

Renus Kelfkens WA County Project Manager [renus\\_kelfkens@co.washington.or.us](mailto:renus_kelfkens@co.washington.or.us) 503 846 7808

Michele Thom, Region 1 Local Agency Liaison – [Michele.R.THOM@odot.state.or.us](mailto:Michele.R.THOM@odot.state.or.us)

Melissa Hogan, Regional Environmental Coordinator – [Melissa.J.HOGAN@odot.state.or.us](mailto:Melissa.J.HOGAN@odot.state.or.us)

Thomas McConnell, Environmental Project Manager -  
[Thomas.E.MCCONNELL@odot.state.or.us](mailto:Thomas.E.MCCONNELL@odot.state.or.us)

This causes me to ask:

- Should the environmental evaluation indicate difficulties with the location of the Grahams Ferry Road and Boones Ferry Road Connector (as currently situated near the Greenhill Lane intersection) how will this impact the Basalt Creek Concept Planning being done by Wilsonville and Tualatin?
- Hasn't the location of the Connector been an assumed criteria and a basis upon which most



of the concept planning pivots upon?

- Will agreements made within the next couple of months between Tualatin and Wilsonville and prior to the findings of the environmental assessment be reasonable? Appropriate?
- Will the same situation exist regarding the location of the connector ---prior to the receipt of basic geotechnical assessments?

Looking forward to hearing from you.

Grace

**From:** [G Lucini](#)  
**To:** [Aquilla Hurd-Ravich](#)  
**Subject:** Storm Water on Lucini Property # 1st of 3  
**Date:** Monday, December 14, 2015 10:49:14 PM  
**Attachments:** [2015 12-7 Outfall #5 Looking west towards Lucini-email.mp4](#)  
[2015 12-7 North side of driveway-downstream conduit- Labled.jpg](#)  
[2015 12-13 Water Level Behind House After Rains.JPG](#)

---

Hi Aquilla,

Received your phone message when we returned home this evening.

We appreciate your concern in checking on the conditions of the water runoff coming on to our property after the rain storms this last week.

We weren't flooded this week, but there is a significant volume and velocity of water coming onto our property.

I attempted to send a batch of photos and videos in an email, but due to size limitations at Tualatin City email addresses the email bounced back. I will send 3 smaller batches.

Photos may provide one of the best methods to share the drainage flows which come onto our property. John took a few photos and videos on Monday 12-7-5 which are attached.

I think you can understand our continued concerns.

Thanks for your concern.

John and I plan to attend the Joint Cities Meeting on Basalt Creek Concept Planning on Wed. It sounds from your last email that we will not see you there. Hopefully we will see you next time. Hope you have an enjoyable holiday.

Grace







**North side driveway-  
downstream from conduit**

**12-7-2015**







*City of Tualatin*

## **Attachment H3:**

Public Comment Record 2016





**From:** [Karen](#)  
**To:** [Aquilla Hurd-Ravich](#)  
**Subject:** Re: Contact Form Submission from Karen Alvstad  
**Date:** Tuesday, January 12, 2016 8:42:23 AM

---

Aquilla,

I do appreciate the complexity of such a project. My husband and I have attended numerous city council and public meetings including the last one where the the councils could not vote on the boundary due to a parliamentary detail where the meeting hadn't been correctly "labeled". Have the councils now voted? Again I ask if there is any sort of deadline for submission of the plan to Metro?

Thank you,

Karen Alvstad

Sent from my iPad

> On Jan 7, 2016, at 1:14 PM, Aquilla Hurd-Ravich <AHURD-RAVICH@ci.tualatin.or.us> wrote:

>

> Hi Karen,

> Thank you for the comment and for following the Basalt Creek project. The project team is diligently working on the next steps and a timeline which will include the public meeting. Now that we have clear direction on where the boundary should go we can continue putting together information for the public meeting.

>

> Thanks for contacting us,

>

> Aquilla Hurd-Ravich, AICP

> Planning Manager

> City of Tualatin | Community Development Department

> 503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

>

> -----Original Message-----

> From: Karen Alvstad [<mailto:kalvstad@hotmail.com>]

> Sent: Wednesday, January 06, 2016 1:40 PM

> To: Cindy Hahn

> Subject: Contact Form Submission from Karen Alvstad

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> Name: Karen Alvstad

>

> Email: [kalvstad@hotmail.com](mailto:kalvstad@hotmail.com)

>

> Comments: Has Metro issued a deadline for Tualatin/Wilsonville councils to present a plan for Basalt Creek? If so, when? If not, do the cities have an idea of when it will be finished? When will landowners no longer be bound by the 20 acre minimum? Also, what is the holdup on the public meeting? Thank you, Karen Alvstad

**From:** [G Lucini](#)  
**To:** [Aquilla Hurd-Ravich](#); [Bateschell, Miranda](#)  
**Subject:** Upcoming Meetings on Basalt Creek Planning?  
**Date:** Sunday, February 07, 2016 12:17:15 PM

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Hi Aquilla and Miranda,

Are there any meetings scheduled for Basalt Creek Concept Planning?

Looking at the BasaltCreek.com website I don't see anything scheduled for Feb or Mar, and we didn't receive any letters via snail mail as to the status of the project. A couple of people have asked me if I had heard anything as they had also check the website.....

Thanks,  
Grace Lucini

**From:** [Stephen Anderson](#)  
**To:** "[Cindy Hahn](#)"  
**Subject:** RE: Basalt Creek Concept Plan Project - November Notice of Upcoming Public Meetings  
**Date:** Wednesday, March 09, 2016 9:49:22 AM  
**Attachments:** [image003.png](#)

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Good morning, Cindy,

I have been following the Basalt Creek Concept development, but I have not been able to find a detailed map of the current 'Base Plan' on the web site. Is it available to look over? Would it be possible to have you send me a copy?

Since the planning work seems to have extended beyond the 24 month schedule, is there a new schedule of events (actual decisions, not planning sessions) for the Basalt creek area? This would be very helpful for landowners as well.

Thanks!

*Steve*

**Stephen F. Anderson, P.E.**



*Sustainable and Efficient Power Production*  
[Stephen.Anderson@Frontier.com](mailto:Stephen.Anderson@Frontier.com)  
503.297.8263

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**From:** Cindy Hahn [<mailto:CHAHN@ci.tualatin.or.us>]  
**Sent:** Friday, November 13, 2015 4:56 PM  
**To:** Stephen Anderson  
**Cc:** Aquilla Hurd-Ravich; Alice Cannon; Bateschell, Miranda; Neamtzu, Chris; Kraushaar, Nancy  
**Subject:** RE: Basalt Creek Concept Plan Project - November Notice of Upcoming Public Meetings

Hi Steve,

Thank you for your comments and for your interest in the Basalt Creek Concept Plan project.

The information about wells in the area going dry is interesting. If you are able to share any details about which properties are experiencing this problem, it would be helpful as we continue planning for the area.

Please do not hesitate to contact me if you have any other questions or need more information.

Cordially,

*Cindy Luxhoj Hahn, AICP*

Associate Planner

City of Tualatin | Community Development Dept | Planning Division

Phone: 503-691-3029 | Email: [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us)

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**From:** Stephen Anderson [<mailto:Stephen.Anderson@Frontier.com>]

**Sent:** Wednesday, November 11, 2015 1:05 PM

**To:** Cindy Hahn

**Subject:** RE: Basalt Creek Concept Plan Project - November Notice of Upcoming Public Meetings

Hi Cindy,

Thanks for sending this along. It is helpful to know where we are on the progress of the study.

But it is also frustrating for the many landowners in the area that need to know what will happen with their land. And many others are anxious to get water and sewer services because their wells have gone dry. Those that are immediately south of Tualatin in the area near Knife River are especially harmed by the delay in decision making.

Is there any chance that Tualatin could move forward immediately to annex parcels piecemeal until the 'study' is completed? This would be a great help to many who have been kept in limbo for many years.

*Steve*

**Stephen F. Anderson**

03.297.8263

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**From:** Cindy Hahn [<mailto:CHAHN@ci.tualatin.or.us>]

**Sent:** Tuesday, November 10, 2015 9:54 AM

**Subject:** Basalt Creek Concept Plan Project - November Notice of Upcoming Public Meetings





Greetings,

Thank you for your continued interest in the Basalt Creek Concept Plan project.

At the June 17, 2015 Joint City Council meeting, the Councils reviewed two options for a jurisdictional boundary and land uses in the Basalt Creek planning area. Since that meeting, the Cities of Tualatin and Wilsonville have considered alternative options with the goal of identifying a preferred alternative that satisfies the aspirations of both Cities and provides the best solution for the local community while meeting regional government requirements for concept planning. A meeting has been scheduled for the Tualatin and Wilsonville City Councils to continue the discussion of jurisdictional boundary and land use options for the planning area.

Upcoming Presentations:

- **Joint Tualatin and Wilsonville City Council Meeting:** December 16, 6:00-8:00 pm, Wilsonville City Hall (meeting materials posted December 9).

Future Engagement Opportunities:

- **Public Open House:** A Public Open House is still being planned; however, a date has not yet been determined for this event. More information will be available in future email updates.

Please stay current on concept planning news by signing up for email updates on the project website at [www.BasaltCreek.com](http://www.BasaltCreek.com). Information about upcoming meetings will be included in future email updates as well as on the website project calendar. If you have questions or desire more information, please feel free to contact:

**Cindy Luxhoj Hahn, AICP**

Associate Planner

City of Tualatin | Community Development Dept | Planning Division

Phone: 503-691-3029 | Email: [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us)

**From:** [G. Lucini](#)  
**To:** [Jeff Fuchs](#)  
**Cc:** [Dominique Huffman](#); [Aquila Hurd-Ravich](#); [Alice Cannon](#); [Sherilyn Lombos](#); [John Lucini](#)  
**Subject:** Re: Concerns-- Resolution 5272-16 Implications Regarding Basalt Creek Area  
**Date:** Thursday, April 07, 2016 7:16:10 PM

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Hi Jeff,

Thank you for taking the time for your thoughtful response to my email.

As you are aware (as you have done an on site visitation to my property--- and have seen the manner in which storm water drainage flows on to my property)--- my husband and I are acutely concerned about the current storm water drainage system and will be particularly interested in any future plans for addressing storm water drainage in the future.

Thanks again,  
Grace Lucini

Sent from my iPhone

On Apr 7, 2016, at 1:29 PM, Jeff Fuchs <[jfuchs@ci.tualatin.or.us](mailto:jfuchs@ci.tualatin.or.us)> wrote:

Grace,

Thank you for your questions regarding our upcoming storm water master plan. I will try to answer your questions concisely and as clearly as possible, but please feel free to call me or send me an email if you need a better explanation or if you have other questions.

- <!--[if !supportLists]-->1. <!--[endif]-->**Is it appropriate at this time for the Basalt Creek area to be included within the City of Tualatin Storm Water Master Plan?** We believe this is the appropriate time to included the Basalt Creek Planning Area in the Storm Water Master Plan (SWMP). We included the Planning Area in the SWMP so we can evaluate existing and future drainage conditions for an area that will likely be annexed into Tualatin in the future. Evaluating storm water hydrology and hydraulics in the Basalt Creek Planning area will allow us to better plan for future infrastructure needs by understanding how much runoff to expect and anticipating where the runoff will flow based on existing topography and possible future land uses. Including this work in this contract will allow us to save money versus creating a future separate document just for the Planning Area.
- <!--[if !supportLists]-->2. <!--[endif]-->**If it is appropriate to include the unincorporated area of Washington County into the Master Planning of the City of Tualatin, will property owners within the Basalt Creek area be given the same opportunities for exchanging information and concerns regarding storm water drainage as the stakeholders /CIOs in Tualatin?** Yes.
- <!--[if !supportLists]-->3. <!--[endif]-->**If so, will the same contractual requirements be provided for the inclusion of Basalt Creek Area property owners in the development of the Storm Water Drainage Master Plan- as currently provided the stakeholders/CIOs within Tualatin?** The Public Involvement and Outreach plan for the SWMP has not yet been developed. Once the Consultant is under contract, we will work with them to develop a plan that includes all impacted neighborhoods including the Basalt Creek Planning Area. I expect this to be covered within the existing scope of work and fee.

As we move forward with the SWMP, we will keep you informed about meetings that affect the Basalt Creek Planning Area. Please feel free to call e or email me with any concerns or questions you have about this project or other engineering related items within the City or future annexation areas.

Thank you,

**Jeff Fuchs, PE**  
City Engineer  
City of Tualatin | Community Development  
18880 SW Martinazzi Avenue  
Tualatin, Oregon 97062-7092  
o) 503.691.3034 | c) 541-788-6621  
[jfuchs@ci.tualatin.or.us](mailto:jfuchs@ci.tualatin.or.us) | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

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**From:** G Lucini [<mailto:grluci@gmail.com>]  
**Sent:** Tuesday, April 05, 2016 9:04 PM  
**To:** Jeff Fuchs  
**Cc:** Dominique Huffman; Aquilla Hurd-Ravich; Alice Cannon; John Lucini  
**Subject:** Concerns-- Resolution 5272-16 Implications Regarding Basalt Creek Area

Hi Jeff,

I saw that you and Dominique Huffman have presented a Services Contract proposal to the Tualatin City Council to revise the city's Master Plan for Storm Water Drainage.

On the April 11, 2016 Tualatin City Council meeting agenda (posted 4-4-16), Resolution No. 5272-16 has been placed on the Council's Consent Agenda Item D # 3:

“Consideration of Resolution No. 5272-16 Authorizing the City Manager to Sign a Professional Services Agreement with Brown and Caldwell for the Development of Tualatin's Storm Water Master Plan”

Included within the scope of this contract are aspects which include the Basalt Creek Area:

- “drainage basin delineations for the Basalt Creek Planning Area and the SW Industrial Planning Area will be included. Development of drainage basins in these (undeveloped) areas will be based on existing concept planning documentation, proposed transportation corridors and existing topography”.
- “Verification of areas with future development potential, including the Basalt Creek Planning Area and the SW Industrial Planning Area.”
- “Calculate fees and surcharge: ...A designated surcharge will be developed for the Basalt Creek Planning Area”

The contract also includes provisions for soliciting input/ questionnaires from the City of Tualatin's local CIOs and other stakeholders within the City of Tualatin, as well as specifying meetings with CIO leaders. The contract also identifies other additional meetings with stakeholders and/or CIOs.

Currently property owners within the Basalt Creek Area are not within the City Limits of Tualatin. We do not have elected representation within the Tualatin City government and we have no official standing or voting rights within Tualatin's CIOs.

It is understood that in the future, with the completion and the eventual

implementation of Basalt Creek Concept planning, portions of the Basalt Creek Area will come under the jurisdiction of the City of Tualatin. However, at this time the exact areas to be annexed into the City have not yet been formally identified, nor has the annexation process been delineated.

It is unclear to me at this time if the property I own within the Basalt Creek Area will be under the jurisdiction of the City of Tualatin, or when/if it will be annexed into the City of Tualatin.

I therefore ask the following questions:

- <!--[if !supportLists]-->1) <!--[endif]-->Is it appropriate at this time for the Basalt Creek area to be included within the City of Tualatin Storm Water Master Plan?
- <!--[if !supportLists]-->2) <!--[endif]-->If it is appropriate to include the unincorporated area of Washington County into the Master Planning of the City of Tualatin-
  - <!--[if !supportLists]-->a. <!--[endif]-->Will property owners within the Basalt Creek area be given the same opportunities for exchanging information and concerns regarding storm water drainage as the stakeholders /CIOs in Tualatin?
  - <!--[if !supportLists]-->b. <!--[endif]-->If so, will the same contractual requirements be provided for the inclusion of Basalt Creek Area property owners in the development of the Storm Water Drainage Master Plan- as currently provided the stakeholders/CIOs within Tualatin?

Additionally, as a property owner in the Basalt Creek Area- an area specifically identified within the proposed contract for the development/revision of the City of Tualatin Storm Water Master Plan, my husband and I, as "interested persons" are---*specifically requesting to be provided Notice of any public meeting regarding the development, modification or inclusion of any plans for the Basalt Creek Area- including Storm Water Drainage under the State of Oregon Public Meeting Laws including ORS 192.60-690.*

I look forward to hearing from you prior to the City Council Meeting on April 11, 2016 as to the concerns I have presented regarding the proposed services contract for revision/development of Tualatin's Storm Water Master Plan.

I am also looking forward to being provided Notice with the identification of the principal subjects to be covered of each and all Public Meetings regarding planning and/or development within the Basalt Creek Area- as I and my husband have requested in the past.

Regards,

Grace and John Lucini



**From:** [Cynthia Ray](#)  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)  
**Subject:** Basalt Creek - Norwood Trees  
**Date:** Sunday, May 01, 2016 7:36:53 AM

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Dear Ms. Hurd-Ravich

I was unfortunately not able to attend the Basalt Creek meeting last week due to a scheduling conflict. I do however want to be sure to put my name on the list of those who do NOT want the trees removed and who want to do whatever it takes to keep the huge majestic evergreen fir/pine trees that parallel Norwood from the Horizon School campus to I-5 from being removed.

Not only to these trees provide a beautiful visual addition to the area, they also provide filtering of three huge pollutants; the dust, exhaust and noise from the I-5 traffic, something that in our day and age is priceless. Even if removed and "replaced" it would take decades to replace the environmental benefits they are now providing for free.

Please keep me on the list for all future events/information releases, etc., regarding these trees and the surrounding area.

Thank you  
Cynthia Ray

**From:** [Diana Pompe](#)  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); [bateschell@ci.Wilsonville.or.us](mailto:bateschell@ci.Wilsonville.or.us)  
**Subject:** Compliments to all  
**Date:** Tuesday, May 03, 2016 11:41:34 PM

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Hi there, I had a home listed on Day Road when your project started, so I signed up to receive your updates. I want to commend you both and the staff who sends out the informational updates. I have never been as well-informed for a project as you are keeping the Basalt Creek area informed. I have been extremely impressed by your updates. I've done a lot in Wilsonville and Sherwood since we came here in 1976. I used to write for the Wilsonville Times (prior to the Spokesman) and one of the tasks I had was to sit at city council on Mondays nights usually until 11 p.m. Then I wrote until 2 a.m., slept a few hours and headed into a business on Tigard's Main Street, the drop off spot for articles. I hope you aren't having to do that to keep us informed. But good job to all!! I've appreciated your reports.

Diana Pompe, Broker with MORE Realty, Inc.  
14945 sw Sequoia Pkwy, #150, Portland, OR 97224  
Dir: 503-625-5743 or [dianapompe@gmail.com](mailto:dianapompe@gmail.com)  
[www.HomesByMORE.com](http://www.HomesByMORE.com): 503-353-6673 or MORE

**From:** [Tom Re](#)  
**To:** [Karen Perl Fox](#)  
**Cc:** [Aquilla Hurd-Ravich](#)  
**Subject:** RE: Basalt Creek Concept Plan - Notice of Upcoming Meetings  
**Date:** Friday, May 06, 2016 4:12:36 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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Karen –  
Thank you very much for taking your time to respond to me.

Actually, either I'm very confused or missing something but either one is very frustrating to me. I'm hearing from the Fregonese Group annexation process could / should begin by end of this year (2016). My wife, who was able to attend the Open House, heard that realistically annexation application process will occur in February (2017).

Now, it sounds like summer of 2017? - Over a year from now?

And, a side note, not sure of the legality of annexation (and I will look into) but it seems a lot more efficient and logical to annex all the properties that want to be included at one time, not individually.

Thank you,  
Tom Re

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**From:** Karen Perl Fox [mailto:kperlfox@ci.tualatin.or.us]  
**Sent:** Friday, May 6, 2016 2:52 PM  
**To:** Tom.re@comcast.net  
**Cc:** Aquilla Hurd-Ravich  
**Subject:** RE: Basalt Creek Concept Plan - Notice of Upcoming Meetings

Tom:

Thank you for your inquiry. At this point, the beginning of annexation process for Basalt Creek area looks like it would start around Summer 2017. The annexation application timeframe is roughly about 6 months.

Following an approved annexation application, then the development application process can begin.

Does this provide you with the information you need?

**Karen Perl Fox**  
Senior Planner  
City of Tualatin | Community Development Department  
503.691.3027 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

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**From:** Tom Re [<mailto:tom.re@comcast.net>]  
**Sent:** Thursday, May 05, 2016 2:35 PM  
**To:** Lynette Sanford  
**Cc:** Aquilla Hurd-Ravich  
**Subject:** RE: Basalt Creek Concept Plan - Notice of Upcoming Meetings

Hello Lynette & Aquilla: Thank you for the update.

I had to miss the Open House but my wife Kathy said it went well with some light at the end of the tunnel regarding annexation.

My understanding (I hope I got it correctly), from info from Fregonese and Assoc., is that application for annexation looks like the end / 1<sup>st</sup> of next year with application to develop soon to follow. Does that sound like a fair time frame?

Thank you, Tom Re

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**From:** Lynette Sanford [<mailto:LSanford@ci.tualatin.or.us>]  
**Sent:** Thursday, May 5, 2016 10:45 AM  
**To:** Brian Harper; Brian Sherrard ([brian.sherrard@tvfr.com](mailto:brian.sherrard@tvfr.com)); Jim Clark ([jlclark@bpa.gov](mailto:jlclark@bpa.gov)); Karen Savage ([Karen\\_savage@co.washington.or.us](mailto:Karen_savage@co.washington.or.us)); Paul Hennon; Rappold, Kerry; Renus Kelfkens; Rich Mueller; Russell Knoebel; Stephan Lashbrook ([lashbrook@ridesmart.com](mailto:lashbrook@ridesmart.com)); Steve Adams ([adams@ci.wilsonville.or.us](mailto:adams@ci.wilsonville.or.us)); Timothy Wilson ([timothy.j.wilson@odot.state.or.us](mailto:timothy.j.wilson@odot.state.or.us)); ([Balfour.Linfield@gmail.com](mailto:Balfour.Linfield@gmail.com)); ([donherbstpainting@hotmail.com](mailto:donherbstpainting@hotmail.com)); ([jmolen@hotmail.com](mailto:jmolen@hotmail.com)); ([lloyd@meiselrockproducts.com](mailto:lloyd@meiselrockproducts.com)); Abe Turki; [aboloori@outlook.com](mailto:aboloori@outlook.com); [acharris1972@yahoo.com](mailto:acharris1972@yahoo.com); Adam Butts ([adameb77@gmail.com](mailto:adameb77@gmail.com)); [afk@nwnatural.com](mailto:afk@nwnatural.com); [akilstrom@pamplinmedia.com](mailto:akilstrom@pamplinmedia.com); [al@ventureprop.com](mailto:al@ventureprop.com); Alan Aplin ([aaplin@kerrcontractors.com](mailto:aaplin@kerrcontractors.com)); Albert Levit ([levitrehberg@frontier.com](mailto:levitrehberg@frontier.com)); Alice Cannon; Andrew Young ([andrew.young@nwnatural.com](mailto:andrew.young@nwnatural.com)); [andrew\\_hagman@hotmail.com](mailto:andrew_hagman@hotmail.com); Andy Braun; Anne Kennedy ([annekennedy604@gmail.com](mailto:annekennedy604@gmail.com)); Aquilla Hurd-Ravich; [arrowjc@comcast.net](mailto:arrowjc@comcast.net); Art Sasaki ([Art\\_Sasaki@msn.com](mailto:Art_Sasaki@msn.com)); [arva41@gmail.com](mailto:arva41@gmail.com); [ballarche@frontier.com](mailto:ballarche@frontier.com); Barry Leeuwen; 'bateschell@ci.wilsonville.or.us'; [bberger22@hotmail.com](mailto:bberger22@hotmail.com); [bbierwagen@parametrix.com](mailto:bbierwagen@parametrix.com); [bburns@burnsbros.com](mailto:bburns@burnsbros.com); Ben Altman; Ben Altman ([baltman@sfadg.com](mailto:baltman@sfadg.com)); Ben Bryant; [BerBruk@aol.com](mailto:BerBruk@aol.com); Bob Galati; [bob.kanyer@sterling.net](mailto:bob.kanyer@sterling.net); [bob\\_bramel@hotmail.com](mailto:bob_bramel@hotmail.com); [bowen\\_aggie@yahoo.com](mailto:bowen_aggie@yahoo.com); Brian Clopton ([brian@cloptonexcavating.com](mailto:brian@cloptonexcavating.com)); Brian Kelley ([brian.kelley@nwnatural.com](mailto:brian.kelley@nwnatural.com)); Brian May ([bmay@republicservices.com](mailto:bmay@republicservices.com)); Brick Obye ([brick@brixpaving.com](mailto:brick@brixpaving.com)); Bryan Cosgrove; [bt\\_247@msn.com](mailto:bt_247@msn.com); Cameron Grile; carolynmayer; Carrie Pak ([PakC@CleanWaterServices.org](mailto:PakC@CleanWaterServices.org)); Cassandra Ulven; Catherine Holland; [cathysnyder@frontier.com](mailto:cathysnyder@frontier.com); [cbchrisphiladelphia@gmail.com](mailto:cbchrisphiladelphia@gmail.com); [cenloe@msn.com](mailto:cenloe@msn.com); [chad@creeksidebiblechurch.org](mailto:chad@creeksidebiblechurch.org); chaserd2003; Cheryl Dorman; Christine Bazant; [christinebazant@gmail.com](mailto:christinebazant@gmail.com); Cindy Hahn; [cindy\\_luczkow@co.washington.or.us](mailto:cindy_luczkow@co.washington.or.us); Clark & Steph Eisert; [clrask@me.com](mailto:clrask@me.com); Colin Cortes; Connie Randall; [coreyz@newdoorrealty.net](mailto:coreyz@newdoorrealty.net); [corie\\_peterson@hotmail.com](mailto:corie_peterson@hotmail.com); [courgette55@hotmail.com](mailto:courgette55@hotmail.com); Craig Smith; [csbrune@yahoo.com](mailto:csbrune@yahoo.com); [cynthia\\_ray@comcast.net](mailto:cynthia_ray@comcast.net); [d.deelee@frontier.com](mailto:d.deelee@frontier.com); Dan Nebergall ([citywidedan@gmail.com](mailto:citywidedan@gmail.com)); [danielwebb@canby.com](mailto:danielwebb@canby.com); [danretz@gmail.com](mailto:danretz@gmail.com); Dave Selby ([dave@shawwest.com](mailto:dave@shawwest.com)); [david@marksmetal.com](mailto:david@marksmetal.com); [david@rpherman.com](mailto:david@rpherman.com); [dbg71@yahoo.com](mailto:dbg71@yahoo.com); 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Gail, Jon; Gary Nebergall ([citywts@comcast.net](mailto:citywts@comcast.net)); [gary\\_johansen@yahoo.com](mailto:gary_johansen@yahoo.com); [gcwalbert@gmail.com](mailto:gcwalbert@gmail.com); [gdaa@aol.com](mailto:gdaa@aol.com); [george.ledoux1@frontier.com](mailto:george.ledoux1@frontier.com); Ginger Aarons-Garrison; Gordon Root ([gordon@staffordlandcompany.com](mailto:gordon@staffordlandcompany.com)); Gordon Root ([gordonroot@aol.com](mailto:gordonroot@aol.com)); Grace Lucini; Greg Anderson; Hannah Childs ([HannahChildsVoice@gmail.com](mailto:HannahChildsVoice@gmail.com)); Hartzog, Brenda; [heisburtonc@yahoo.com](mailto:heisburtonc@yahoo.com); Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); [herbk43@comcast.net](mailto:herbk43@comcast.net); [icecreamkid49@comcast.net](mailto:icecreamkid49@comcast.net); [j\\_guerra\\_sr@hotmail.com](mailto:j_guerra_sr@hotmail.com); [jackie\\_brin@comcast.net](mailto:jackie_brin@comcast.net); Jake Bartman; James Jensen



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Cc: Zoe Monahan; 'Tami Bergeron'

Subject: Basalt Creek Concept Plan - Notice of Upcoming Meetings

Greetings,

Thank you for your continued interest in the Basalt Creek Concept Plan project.

The Basalt Creek open house was held on April 28<sup>th</sup> and it was a huge success. Thank you to everyone who attended the event. If you were unable to attend the event, you can review the open house materials on the project website at [www.basaltcreek.com](http://www.basaltcreek.com).

Future Engagement Opportunities:

- **Tualatin City Council Work Session:** Fall 2016
- **Wilsonville City Council Work Session:** Fall 2016

Please stay current on concept planning news by signing up for email updates on the project website at [www.BasaltCreek.com](http://www.BasaltCreek.com). Information about upcoming meetings will be included in future email updates as well as on the website project calendar. If you have questions or desire more information, please feel free to contact:

**Karen Perl Fox**

Senior Planner

City of Tualatin | Community Development Dept | Planning Division

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**Miranda Bateschell**

Long Range Planning Manager

City of Wilsonville | Community Development Dept | Planning Division

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**From:** [Nate Seymour](#)  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)  
**Subject:** Basalt Creek Concept Plan - 11150 SW Tonquin Loop  
**Date:** Friday, March 18, 2016 4:13:59 PM

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Hey Aquilla,

I am looking at purchasing a property at 11150 SW Tonquin Loop and I just became aware that it is within the Basalt Creek Concept Plan. I do not know much about this plan and how it could impact this property and am hoping to do so before making an offer. It is a very nice home, on 5 acres with a barn and riding arena.

What are the plans for this area? Is it supposed to be built up with neighborhoods? Would I still be able to have horses on the property or will zoning change and prevent me from this?

I am very curious about this plan and was hoping to make an offer on this property soon but am now a bit hesitant until I better understand the concept plan.

Thanks,

Nate Seymour  
503-830-5464

## **PUBLIC COMMENTS –**

### **Hard Copy sent to City of Tualatin 5-20-16**

5-19-16 TUALATIN PLANNING COMMISSION MEETING

Grace Lucini

23677 SW Boones Ferry Road, Tualatin OR 97062

I am a resident of unincorporated Washington County within the Basalt Creek Concept Planning Area.

My neighbors and I have no elected representation within the concept planning process- no one to advocate for our homes and property rights.

Since 2011, I have attended or viewed almost all of the public meetings held on the Basalt Creek Transportation Refinement Planning by Washington County, the City of Wilsonville, and the City of Tualatin. I have done the same for the Basalt Creek Concept Planning meetings by the City of Wilsonville and the City of Tualatin.

## **COMMENTS**

I appreciate the current efforts to keep the public and interested persons notified as to public meetings on Concept planning. It took a lot of time to constantly have to monitor websites to learn about these public meetings for all three governmental agencies. I request the Notices of Public meetings on this subject continue as the staff prepares to present their final Concept Plan later this year.

In the Future -I request ...

1. When the Basalt Creek area is described in the media and in meetings- it is usually referred to as 800+ acers of undeveloped land.
2. There are many people who have long standing existing homes within the area. In fact, one development with very nice homes – homes which would make any city proud- was built before many of the neighborhoods in the City of Tualatin.
  - a. We bought homes built in this area which were appropriately zoned for our homes at the time.
  - b. Many of us have lived in these homes for 10 or 20+ years.
  - c. I take a very high interest in my home and the property it sits on. I am working to restore the wetlands on my property.
  - d. We have the attributes of a neighborhood, but have not been given the same consideration or protections from negative impacts or requirements for “buffering” from the Basalt Creek Transportation plans or Concept Planning ---as have the residents currently within the city limits of Tualatin.



- e. To continually have project staff refer to my home and those of my neighbors as “undeveloped land” paints an inaccurate picture of the area being planned. It is somewhat disrespectful as well as inaccurate in implying that all 800+ acers are an empty canvas needing to be planned for development.
- f. Ironically, some of us will eventually become citizens of Tualatin.
- g. Yet- with the construction of the Grahams Ferry Road Boones Ferry Connector- a majority of this neighborhood I mentioned -will be demolished or significantly and negatively impacted with the building of the connector bridge. This neighborhood was not given the same considerations as neighborhoods in Tualatin.

## **NATURAL AREAS-PARKS**

The Planning Commission is being asked about planning for Natural Areas within the Basalt Creek Area.

1. As the Planning Commission considers this request- please keep in mind- the wetlands between Grahams Ferry Road and Boones Ferry Road are privately owned. The wetlands are in the middle of my property- with useable property on the east and west sides of the wetlands.
  - a. To envision a walking trail along the wetlands will require the public acquisition of privately owned land from many different property owners.
  - b. If the trails are planned along the wetlands, the trail would cut my property in half and reduce my use and enjoyment of my property.
2. The current map presented at the Open House indicates a public trail along the western edge of my property. In light of the recent news articles regarding the Spring Water Trail, I am not overly interested in creating a similar situation on or along my property.

## **QUESTIONS WITHIN SCOPE OF PLANNING COMMISSION:**

**I am requesting these questions be included within the minutes of this Planning Commission Meeting.**

Many of these questions should not be a surprise to the project staff, as they have been previously presented in writing or previously asked in person- and yet do not appear to be addressed in the subsequent reiterations of the proposed maps.

## **TRANSPORTATION**

1. Grahams Ferry Boones Ferry Connector
  - a. *A major premise of the Basalt Creek Concept Planning-- including changes in jurisdiction as well as changes framework for the transportation system ----is based upon the location of the future connector between Grahams Ferry Road and Boones Ferry Road*

- b. At what point in time will geo technical testing be done on the basalt 100' island in the middle of the wetland which is the planned footing for the connector bridge? This island the primary basis upon which WA County determined the location of the future bridge.
- c. It is my understanding that basalt rock and basalt rock formations have varying degrees of density and strength- and not all basalt rock used from nearby quarries can be used in road construction.
- d. What happens should the testing of the basalt island prove not to be desirable with regard to transportation plans- zoning etc.

## 2. Kinsman Road Extension

- a. At the last Basalt Creek Joint Cities Meeting of both Tualatin and Wilsonville City Councils Meeting- it was discussed and agreed upon that the Kinsman extension north of Day Road would be tabled.
- b. Why is the extension still on the current maps?
- c. If there are still plans for the extension- how will the extension cross the Grahams Ferry -Boones Ferry Connector- since the connector will require a significant V cut into the ridge running north to south. Is it anticipated Kinsman extension will be a fly over or be dug under the 5-6 lane expressway?
- d. To facilitate better understanding of the impact of proposed roads and the ability to actually implement- I have previously requested the staff provide a topographical overlay in their presentations. I again request this additional information be provided to those who may not be aware of the mountain ridges and a significantly deep ravine which exists within the area- through which roads have been planned.

## 3. Access to I-5 at Exit 286- Day Road & Boones Ferry Road Intersection

- a. The intersection and interchange is already congested at peak hours.
- b. During a WA County presentation to the Tualatin City Council on their recommended location for the Grahams Ferry Road/ Boones Ferry Rd Connector-the project engineer acknowledged the anticipated volume of traffic at the Day Road Boones Ferry intersection will be 2 ½ times the volume on the Tualatin Sherwood Highway.
  - i. When asked about the existing and anticipated congestion- the comment that ***we have to get use to waiting for more than one signal change*** does not seem to understand the importance of local knowledge and the magnitude of the current problem
  - ii. Waiting more than one signal rotation is not a generally accepted standard by most municipalities
  - iii. And not an appropriate response by a facilitator/planner of a multi-governmental group whose goal is to address future transportation needs in planning future growth and development.

## ZONING

1. Requesting clarification of the level of importance being given to what is being designated as Natural Area west of Boones Ferry Road
  - a. During the discussions between WA County, Wilsonville and Tualatin- it was decided a 5-6 lane bridge (with additional bike and pedestrian lanes) would be built which will bisect this natural area
    - i. Design plans for the bridge and expressway show significant cut and fill into the wetlands and through Class 1 Riparian areas and also Class A Upland areas
    - ii. Construction of the bridge will greatly impact the natural area; wetlands and surrounding habitat and wildlife
    - iii. Upon completion there will be negative influences by
      1. Night time light pollution
      2. 24 hour a day ---noise; air pollution; and wetland environmental pollution from freight trucks and other vehicles attempting ascent or decent down a 6% grade with signaled intersections at the top and at the bottom of the segment between Grahams Ferry and Boones Ferry
  - b. But the proposed zoning for the same area only indicates natural area and no development
  - c. Why is there a discrepancy in use of this area? Which pollutes more ----the construction of the bridge and the thousands of trucks and vehicles 24 hours a day using the bridge; or single family homes?
2. Zoning east of SW Boones Ferry Road north of Greenhill Lane
  - a. Is it reasonable to plan for neighborhood/commercial development across from existing single family homes?
  - b. Current Tualatin residents get significant consideration in the planning process for buffering between existing residences and other zone uses
  - c. Should existing residents within the Basalt Creek be given the same considerations for buffering as Tualatin residents receive?
  - d. Can the location of the neighborhood-commercial development be relocated from what is already going to be a high volume road- Boones Ferry Road?
  - e. If the location of the proposed neighborhood-commercial area cannot be relocated,
    - i. can requirements for neighborhood-commercial construction be designated for retail on the ground floor and residential above (to blend into the existing community and the planned community) or some other method which will enhance and blend with the residential neighborhood environment--and

- ii. can architectural considerations be applied as to the view from SW Boones Ferry Road- as this will be the entrance to Tualatin and well as the view from the local residents who already live in the area.

## **STORM WATER DRAINAGE**

1. The area within the natural area west of Boones Ferry Road is within the Willamette Watershed.
  - i. Maps presented at the Open House indicate water runoff from east of Boones Ferry Road will be diverted to drain west.
  - ii. How will contaminated water from streets and sediment which flows into the ravine on the west side of Boones Ferry Road be treated prior to flowing to the Willamette?

I ask that the Planning Commission consider these questions now and in the future as you review the information presented, and ask for further clarification as needed.

After the presentation of my comments, I appreciated the request by Aquilla Hurd-Ravich, Planning Manager for the City of Tualatin for a copy of my comments that my concerns could receive further evaluation and provide response.

Respectfully submitted,

Grace Lucini



**From:** [G Lucini](#)  
**To:** [Aquilla Hurd-Ravich](#); [Lynette Sanford](#)  
**Cc:** ["Jeff Fuchs"](#); [Karen Fox](#)  
**Subject:** Public Comments-Tualatin Planning Com 5-19-16- Basalt Creek; Storm Water Planning -Basalt Creek  
**Date:** Friday, May 20, 2016 12:39:33 PM  
**Attachments:** [2016 5-19 Public Comments to Tualatin Planning Com.docx](#)

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Hi Aquilla,

Thank you for your request for a copy of my comments made to the Tualatin Planning Commission at their meeting last night.

I have attached a clean hard copy of my comments. I request this copy be included with the Planning Commission minutes for 5-19-16, as well as within the public comments for the Basalt Creek Concept Planning documents.

I have extended an invitation to Karen to visit my home and be able to see the wetlands, and surrounding area as she acclimates to her new role.

The wetlands in this portion of the Basalt Creek AKA Seeley Ditch apparently differ from the area less than a half mile north where Mr. Sherman lives (who also provided public comment at last night's meeting). The area behind my home contains water year round some years. Last year we were able to walk across to the western half for a few weeks during the summer.

#### STORM WATER MANAGEMENT

When appropriate, I would like to discuss the proposed storm water drainage plan. After viewing the storm water map at the Basalt Creek Open House I have concerns as to where the storm water flow will be directed east of my property on the east side of SW Boones Ferry Road.

As you may remember during an onsite visit with Jeff Fuchs, we discussed the fact we experienced high peak water flow from this area. Our property was flooded from the flow of water from the discharge outlet under SW Boones Ferry Road in May 2015.

I did not see any areas within the storm water map set aside for areas 1) up stream- on site retention and reabsorption, or 2) for water runoff treatment prior to discharge west ---towards the wetlands on the west side of SW Boones Ferry Road. Planned on site reabsorption will assist in refilling our local aquifers and also reduce the need for handling of water run off by municipalities prior to discharge into the wetlands and eventually the Willamette River.

These elements should be required as part of the concept planning especially when large tracks of currently undeveloped land are being blocked out for zoning and development.

The size and scope of proposed developments will require incrementally larger areas set aside for storm water management and by their size may influence how parcels of land can be utilized.

I appreciate your willingness to hear our concerns.

Regards,  
Grace



# City of Tualatin

www.tualatinoregon.gov

**OFFICIAL**

**TUALATIN PLANNING COMMISSION -**

**MINUTES OF May 19, 2016**

**TPC MEMBERS PRESENT:**

Alan Aplin  
Jeff DeHaan  
Angela Demeo  
Cameron Grile  
Mona St. Claire  
Janelle Thompson

**STAFF PRESENT**

Aquilla Hurd-Ravich  
Zoe Monahan  
Alice Cannon  
Karen Perl Fox  
Charles Benson III  
Erin Engman  
Lynette Sanford

**TPC MEMBER ABSENT:** Bill Beers

**GUESTS:** Sara Singer, Joe Lipscomb, Sherman Leitjeb, Grace Lucini

**1. CALL TO ORDER AND ROLL CALL:**

Alan Aplin, Chair, called the meeting to order at 6:32 pm and reviewed the agenda. Roll call was taken.

**2. APPROVAL OF MINUTES:**

Mr. Aplin asked for review and approval of the March 17, 2016 TPC minutes. MOTION by St. Clair SECONDED by Thompson to approve the minutes as written. MOTION PASSED 6-0.

**3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):**

Joe Lipscomb, a member of the Tualatin Area Aging Task Force, gave an update on the group and expressed concerns of the members. Mr. Lipscomb stated that the Aging Task Force has become involved with transportation mobility, the SW Corridor Plan, and accessibility to transit centers. Mr. Lipscomb noted that they are interested in safe sidewalks and pedestrian paths, which currently do not meet the needs of the aging population. The group is also looking at housing issues and is working with AARP. Mr. Lipscomb acknowledged that adding light rail will not help the aging population and other issues of concern are sidewalk width, crosswalk location, and traffic signal timing.

Mr. Aplin stated that he received a Service Enhancement Plan update from TriMet that addresses some of these issues.

Alice Cannon, Assistant City Manager, stated that TriMet adopted a Service

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.

Enhancement Plan that maps out the investments for the next 20 years. She added that Tualatin will open a new transit line between Sherwood and Tualatin on May 31, which will run during the commuting hours.

4. **ACTION ITEMS:**

None.

5. **COMMUNICATION FROM CITY STAFF:**

Ms. Cannon announced that the Planning Division has new staff members. Erin Engman is the new Assistant Planner who most recently worked for HDR Consulting. She has 5-8 years of experience in planning, and is also a talented graphic designer. Charles Benson is the new Associate Planner. He has experience in the private and public sector and has worked in Massachusetts and New York. Karen Fox is our new Senior Planner. She has an extensive background and will be working on long-range projects including Basalt Creek and updating the Development Code.

Ms. Cannon also announced that Melinda Anderson is the new Economic Development Manager and Chris Ragland is the new Building Official.

**A. Civic Center Outreach.**

Sara Singer, a former employee of the City Manager's office, is a consultant for the Civic Center Outreach project. Ms. Singer noted that she has been working on this project since 2013 and is here this evening to present an update.

Ms. Singer stated that during the months of May and June, she is working with the City to gauge public support for a new City Hall and expanded library. The City of Tualatin has never had a City Hall or "Civic Center" and the staff members are currently working out of seven different buildings around town. In 2014 the Council Building was torn down to make way for the Nyberg street expansion. This displaced some City staff members along with the Municipal Court and Council Chambers. Following that, the City conducted a long range facilities study and collected hundreds of ideas from the community on locations for a future Civic Center. Nine different sites were studied, which was narrowed down to two feasible options: the site next to the Tualatin Police Department and a site on the Tualatin Commons.

Ms. Singer explained that the site on the Tualatin Commons would house a three-story structure with 30,450 square feet of office space. 13,220 square feet could be leased, which would generate revenue for the City and create opportunity for expansion. By adding a new building here, it could revitalize the commons with the retail space and civic presence. The traffic study for this location was favorable over the Police site.

Ms. Singer stated that the Police Department site would be a two-story building with



30,290 square feet of office space, but no leasable space. Ms. Singer explained that by consolidating services in either of these locations, the City would create additional space for the Library to expand at its current location.

Ms. Singer noted that the cost of the Tualatin Commons site is \$32.1 million which would include the cost of purchasing the site. The cost of the Police site is \$24 million. Both of these options include the Library expansion. Outreach for these options has included an on-line survey and the Bridgeport Farmers Market. Council is seeking input as they consider adding this to the November 2016 ballot for the voters to decide.

Ms. St. Clair inquired about parking at the Commons site. Ms. Singer replied that there would be underground parking that would need to be raised above the flood plain and there will be surface parking at the back of the building. Ms. Demeo asked about the impact of displacing the businesses in the strip mall at the Commons site. Ms. Singer replied that conversations have been made with the property owner and the leases would need to be negotiated. Mr. Aplin asked if the Commons cost included the tenant space revenue. Ms. Singer replied that it does not. Ms. Thompson asked why the Commons site is higher in price. Ms. Singer replied that the City will have to purchase the space and the construction will take longer. Ms. Demeo asked how long construction will take. Ms. Singer replied it would be roughly 18 months for the Police Site and the Commons site would take approximately 21 months. Mr. Aplin asked when a decision will be made to put this on the ballot. Ms. Singer replied that Council will make a decision on July 11.

Mr. DeHaan acknowledged that he liked the options and supports putting them on the ballot, but was disappointed that the Council Chambers had to be demolished. He added that he believes the Commons needs revitalization, but traffic is an issue.

Mr. Aplin inquired about encroaching on the water with landscaping. Ms. Singer replied that it would have a plaza along the water with the retail space. Ms. St. Clair asked if having City employees in that location will make it more likely for a retail tenant to survive. Ms. Singer replied that the belief is that the City offices would create an anchor for the space and also increase activity by the lake.

Ms. Hurd-Ravich asked about other jurisdictions using the rental space. Ms. Singer replied that Washington County is currently looking for additional office space and depending on the timing; this could be a great opportunity for County services in the City.

Mr. Grile asked if there are other examples of City offices with ground floor retail space. Ms. Singer replied that Hillsboro and Beaverton have similar situations and that the Beaverton office generates a million dollars of revenue income per year. Mr. Grile asked if their offices are approximately the same size as to what we're proposing. Ms. Singer replied that both of their buildings are larger.

## B. Southwest Corridor – Shared Investment Strategy

Zoe Monahan, Management Analyst, gave an update on the SW Corridor. Ms. Monahan stated that the project is moving forward. The Steering Committee recently selected light rail as the mode and decided not to continue to study a direct tunnel to PCC. The project team is getting ready for a Draft Environmental Impact Study (DEIS) process to study the proposed alignment which will likely extend from Portland to Tigard and terminating at Bridgeport Village.

Ms. Monahan stated that this is a multi-modal project for bicycle, pedestrian, and roadway projects along with the transit line. In 2013 the Steering Committee accepted a large list of projects that go along the alignment. Ms. Monahan presented a diagram that showed the links and stated there will be a public involvement process that will begin in August and September. Ms. Monahan added that there is still time for input from the Commission members.

Ms. Cannon added that one idea was to extend the Tualatin River Greenway Trail north along the freeway and ending at a park and ride near the new station. Ms. Cannon stated that this could cost as much as 25 million and asked if it was worth addressing. She added that we cannot fund locally and may need transit funds.

Mr. Aplin asked if the light rail was the most expensive option. Ms. Monahan replied that it is more expensive initially, but it allows additional capacity in the long term over rapid bus transit.

Mr. DeHaan asked if they have a name for the new light rail line and he proposed the purple line. He also mentioned that he was disappointed that the Tualatin option was dropped from the potential routing and asked if it was dropped due to expense or public comment. Ms. Monahan said there are constraints in the landscape and it would have been expensive. She added that serving downtown Tualatin is important and the new 97 bus line is a way to provide service. This will eventually link to the new light rail in Bridgeport.

Ms. Demeo expressed concern about the extra traffic at Bridgeport Village and noted that it's already extremely busy beginning at 3 pm. She wondered if a traffic study has been conducted. Ms. Monahan replied that in the impact study, a traffic analysis will be added. Ms. Cannon added that traffic usually improves with light rail.

Ms. Thompson stated that linking our existing pathways is a good idea because one constraint we have is crossing the river and easier access across the river would be beneficial.

Mr. Aplin inquired about the cost. Ms. Monahan replied that the estimate is around 2.4 billion and the estimate for reaching the downtown area was 3 billion. Mr. Grile asked if there was discussion about how much federal funding would be involved.

Ms. Monahan replied that hopefully half of it would be funded by federal funds. Ms. Cannon added that the main reason Tualatin was dropped was due to funding and the expense involved. Mr. DeHaan reiterated that it could have really impacted Tualatin in a good way.

### **C. Basalt Creek Open House Update**

Karen Perl Fox, Senior Planner, gave an update on Basalt Creek which included a Power Point presentation. Ms. Perl Fox stated that we are in the early stages of the Basalt Creek plan. On April 28, 2016 an Open House was held which included conceptual land uses, infrastructure design and other elements to engage and inform citizens about the project.

Ms. Perl Fox noted that this engagement event included an informative presentation by Consultant John Fregonese. The presentation included an overview of the concept planning progress to date and the timeline going forward to complete it. There was also an interactive polling event, an open question and answer session and small group discussions with staff from Tualatin and Wilsonville organized around a series of topics presented on large posters.

Ms. Hurd-Ravich stated that in January the two Councils decided on a preferred boundary which will follow the Basalt Creek Parkway. Also identified were ten considerations for success which included items such as sewer, storm, and water. Following that meeting, an Agency Review Team meeting was held which included interested agencies such as Metro, Washington County, Clean Water Services, TriMet, Smart, and the Tigard-Tualatin School District. The information gathered at this meeting will be combined with the open house information.

Ms. Perl Fox stated that the themes from the Joint Council session included capitalizing on the area's assets, protect existing neighborhoods, integration of employment and housing, and high quality design and amenities for employment.

Ms. Perl Fox went through the slides which detailed maps of the road network concept, land use concept, bikes, trails and pedestrian network, transit network, and the parks and natural areas. She also presented the results from the interactive polling that was conducted.

The next steps in this process are working on the Draft Concept Plan, presenting the draft for Council feedback, and then finalizing the plan. This Concept Plan will include:

- The planning process
- Considerations for success
- Land use plan
- Service plan for water, stormwater and sewer
- Transportation plan

- Implementation strategies

The additional documents that will be developed are:

- Metro Regional Framework Plan Memo
- Draft Comprehensive Plan Amendment for Wilsonville
- Draft Comprehensive Plan Amendment for Tualatin
- Intergovernmental Agreements for a variety of topics

Ms. Perl Fox noted stated that the tentative review process will be presented at the Wilsonville City Council meeting on June 6 and a Tualatin City Council meeting on June 13.

Mr. Aplin inquired about the intergovernmental agreement and if we will serve our own jurisdiction or share. Ms. Hurd-Ravich replied that each City will serve its own jurisdiction. There are some areas in Basalt Creek that may be more efficiently served by one jurisdiction over the other.

Mr. DeHaan asked if Planning Commission will have an action item regarding the Basalt Creek Plan. Ms. Hurd-Ravich replied that they will be making a recommendation that will go to Council and when it comes time to implement the comprehensive plan amendments, the Planning Commission will be involved in making recommendations on legislative items.

Mr. Aplin asked about how the SW Concept Plan will affect the Basalt Creek area. Ms. Hurd-Ravich replied that they looked at the SW Concept Plan and will determine what type of land use would be assigned there. They have looked at efficiencies by combining these two planning areas.

Mr. DeHaan inquired how this would be funded. Ms. Hurd-Ravich noted that this will be paid for with development fees, but there will have to be some investment by developers to capture that funding. The other piece is to put these improvements into the Capital Improvement Plan. A market analysis was conducted and there is a high demand for residential.

Ms. Demeo asked about the reasoning for the crossover to I-5 and Day Rd. Ms. Hurd-Ravich responded that the crossover came from the Transportation Refinement Plan and the counties are responsible for the funding.

*Grace Lucini, 23677 SW Boones Ferry Rd, Tualatin, OR*

Ms. Lucini is a resident of the unincorporated area of Washington County within the Basalt Creek Concept Planning Area. She had questions and concerns that she brought to the Planning Commission, which have been added to the minutes as an attachment.



*Sherman Leitjeb, 23200 SW Grahams Ferry Rd, Tualatin, OR*

Mr. Leitjeb has lived in the Basalt Creek Planning Area for approximately 26 years and is in the real estate business. He had a few concerns to bring to the Commission. The first concern he noted was that the area in the canyon is being described as a creek, but in reality has very little water and is a breeding ground for mosquitoes.

Mr. Leitjeb expressed apprehension regarding the Kinsman Rd extension. He believes a large road is undesirable in the canyon and is financially irresponsible. He does support the Boones Ferry Rd and Grahams Ferry Rd expansion.

Mr. Leitjeb also noted that he did not appreciate how the questions were being phrased to the public. For example, the public is in support of parks but he feels the parks will not be utilized because the residents are being forced out. The residents in that area bought their homes hoping for future residential, not industrial or multi-family. He requested a buffer area for the existing homeowners as a transition.

## **6. FUTURE ACTION ITEMS**

Ms. Hurd-Ravich stated that we will bring back the discussion on food carts later in the summer. There will also be additional discussion on the draft of the Basalt Creek Concept Plan.

## **7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

Ms. Demeo inquired about openings on the Planning Commission. Ms. Hurd-Ravich responded that when a three year term is up, the members have to reapply. Mr. Grile stated that he will not be reapplying due to family commitments.

## **8. ADJOURNMENT**

MOTION by Aplin to adjourn the meeting at 8:20 pm.



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Lynette Sanford, Office Coordinator

## **PUBLIC COMMENTS –**

### **Hard Copy sent to City of Tualatin 5-20-16**

5-19-16 TUALATIN PLANNING COMMISSION MEETING

Grace Lucini

23677 SW Boones Ferry Road, Tualatin OR 97062

I am a resident of unincorporated Washington County within the Basalt Creek Concept Planning Area.

My neighbors and I have no elected representation within the concept planning process- no one to advocate for our homes and property rights.

Since 2011, I have attended or viewed almost all of the public meetings held on the Basalt Creek Transportation Refinement Planning by Washington County, the City of Wilsonville, and the City of Tualatin. I have done the same for the Basalt Creek Concept Planning meetings by the City of Wilsonville and the City of Tualatin.

## **COMMENTS**

I appreciate the current efforts to keep the public and interested persons notified as to public meetings on Concept planning. It took a lot of time to constantly have to monitor websites to learn about these public meetings for all three governmental agencies. I request the Notices of Public meetings on this subject continue as the staff prepares to present their final Concept Plan later this year.

In the Future -I request ...

1. When the Basalt Creek area is described in the media and in meetings- it is usually referred to as 800+ acres of undeveloped land.
2. There are many people who have long standing existing homes within the area. In fact, one development with very nice homes – homes which would make any city proud- was built before many of the neighborhoods in the City of Tualatin.
  - a. We bought homes built in this area which were appropriately zoned for our homes at the time.
  - b. Many of us have lived in these homes for 10 or 20+ years.
  - c. I take a very high interest in my home and the property it sits on. I am working to restore the wetlands on my property.
  - d. We have the attributes of a neighborhood, but have not been given the same consideration or protections from negative impacts or requirements for “buffering” from the Basalt Creek Transportation plans or Concept Planning ---as have the residents currently within the city limits of Tualatin.

- e. To continually have project staff refer to my home and those of my neighbors as “undeveloped land” paints an inaccurate picture of the area being planned. It is somewhat disrespectful as well as inaccurate in implying that all 800+ acers are an empty canvas needing to be planned for development.
- f. Ironically, some of us will eventually become citizens of Tualatin.
- g. Yet- with the construction of the Grahams Ferry Road Boones Ferry Connector- a majority of this neighborhood I mentioned -will be demolished or significantly and negatively impacted with the building of the connector bridge. This neighborhood was not given the same considerations as neighborhoods in Tualatin.

## NATURAL AREAS-PARKS

The Planning Commission is being asked about planning for Natural Areas within the Basalt Creek Area.

1. As the Planning Commission considers this request- please keep in mind- the wetlands between Grahams Ferry Road and Boones Ferry Road are privately owned. The wetlands are in the middle of my property- with useable property on the east and west sides of the wetlands.
  - a. To envision a walking trail along the wetlands will require the public acquisition of privately owned land from many different property owners.
  - b. If the trails are planned along the wetlands, the trail would cut my property in half and reduce my use and enjoyment of my property.
2. The current map presented at the Open House indicates a public trail along the western edge of my property. In light of the recent news articles regarding the Spring Water Trail, I am not overly interested in creating a similar situation on or along my property.

## QUESTIONS WITHIN SCOPE OF PLANNING COMMISSION:

**I am requesting these questions be included within the minutes of this Planning Commission Meeting.**

Many of these questions should not be a surprise to the project staff, as they have been previously presented in writing or previously asked in person- and yet do not appear to be addressed in the subsequent reiterations of the proposed maps.

## TRANSPORTATION

1. Grahams Ferry Boones Ferry Connector
  - a. *A major premise of the Basalt Creek Concept Planning-- including changes in jurisdiction as well as changes framework for the transportation system ----is based upon the location of the future connector between Grahams Ferry Road and Boones Ferry Road*

- b. At what point in time will geo technical testing be done on the basalt 100' island in the middle of the wetland which is the planned footing for the connector bridge? This island the primary basis upon which WA County determined the location of the future bridge.
- c. It is my understanding that basalt rock and basalt rock formations have varying degrees of density and strength- and not all basalt rock used from nearby quarries can be used in road construction.
- d. What happens should the testing of the basalt island prove not to be desirable with regard to transportation plans- zoning etc.

## 2. Kinsman Road Extension

- a. At the last Basalt Creek Joint Cities Meeting of both Tualatin and Wilsonville City Councils Meeting- it was discussed and agreed upon that the Kinsman extension north of Day Road would be tabled.
- b. Why is the extension still on the current maps?
- c. If there are still plans for the extension- how will the extension cross the Grahams Ferry -Boones Ferry Connector- since the connector will require a significant V cut into the ridge running north to south. Is it anticipated Kinsman extension will be a fly over or be dug under the 5-6 lane expressway?
- d. To facilitate better understanding of the impact of proposed roads and the ability to actually implement- I have previously requested the staff provide a topographical overlay in their presentations. I again request this additional information be provided to those who may not be aware of the mountain ridges and a significantly deep ravine which exists within the area- through which roads have been planned.

## 3. Access to I-5 at Exit 286- Day Road & Boones Ferry Road Intersection

- a. The intersection and interchange is already congested at peak hours.
- b. During a WA County presentation to the Tualatin City Council on their recommended location for the Grahams Ferry Road/ Boones Ferry Rd Connector-the project engineer acknowledged the anticipated volume of traffic at the Day Road Boones Ferry intersection will be 2 ½ times the volume on the Tualatin Sherwood Highway.
  - i. When asked about the existing and anticipated congestion- the comment that ***we have to get use to waiting for more than one signal change*** does not seem to understand the importance of local knowledge and the magnitude of the current problem
  - ii. Waiting more than one signal rotation is not a generally accepted standard by most municipalities
  - iii. And not an appropriate response by a facilitator/planner of a multi-governmental group whose goal is to address future transportation needs in planning future growth and development.



## ZONING

1. Requesting clarification of the level of importance being given to what is being designated as Natural Area west of Boones Ferry Road
  - a. During the discussions between WA County, Wilsonville and Tualatin- it was decided a 5-6 lane bridge (with additional bike and pedestrian lanes) would be built which will bisect this natural area
    - i. Design plans for the bridge and expressway show significant cut and fill into the wetlands and through Class 1 Riparian areas and also Class A Upland areas
    - ii. Construction of the bridge will greatly impact the natural area; wetlands and surrounding habitat and wildlife
    - iii. Upon completion there will be negative influences by
      1. Night time light pollution
      2. 24 hour a day ---noise; air pollution; and wetland environmental pollution from freight trucks and other vehicles attempting ascent or decent down a 6% grade with signaled intersections at the top and at the bottom of the segment between Grahams Ferry and Boones Ferry
  - b. But the proposed zoning for the same area only indicates natural area and no development
  - c. Why is there a discrepancy in use of this area? Which pollutes more ----the construction of the bridge and the thousands of trucks and vehicles 24 hours a day using the bridge; or single family homes?
2. Zoning east of SW Boones Ferry Road north of Greenhill Lane
  - a. Is it reasonable to plan for neighborhood/commercial development across from existing single family homes?
  - b. Current Tualatin residents get significant consideration in the planning process for buffering between existing residences and other zone uses
  - c. Should existing residents within the Basalt Creek be given the same considerations for buffering as Tualatin residents receive?
  - d. Can the location of the neighborhood-commercial development be relocated from what is already going to be a high volume road- Boones Ferry Road?
  - e. If the location of the proposed neighborhood-commercial area cannot be relocated,
    - i. can requirements for neighborhood-commercial construction be designated for retail on the ground floor and residential above (to blend into the existing community and the planned community) or some other method which will enhance and blend with the residential neighborhood environment--and

- ii. can architectural considerations be applied as to the view from SW Boones Ferry Road- as this will be the entrance to Tualatin and well as the view from the local residents who already live in the area.

## **STORM WATER DRAINAGE**

1. The area within the natural area west of Boones Ferry Road is within the Willamette Watershed.
  - i. Maps presented at the Open House indicate water runoff from east of Boones Ferry Road will be diverted to drain west.
  - ii. How will contaminated water from streets and sediment which flows into the ravine on the west side of Boones Ferry Road be treated prior to flowing to the Willamette?

I ask that the Planning Commission consider these questions now and in the future as you review the information presented, and ask for further clarification as needed.

After the presentation of my comments, I appreciated the request by Aquilla Hurd-Ravich, Planning Manager for the City of Tualatin for a copy of my comments that my concerns could receive further evaluation and provide response.

Respectfully submitted,

Grace Lucini

**Tualatin's Basalt Creek Land Use Comment Log: June 1, 2016 to September 26, 2016**

Date	Name	Comment*
9/19/2016	Victoria Gardens Home Owner's Association (represented by Dan Greenspan, President, Paul Morrison, Treasurer)	<p><b>From:</b> Paul Morrison [<a href="mailto:paul@pmorrison.com">mailto:paul@pmorrison.com</a>]  <b>Sent:</b> Monday, September 19, 2016 12:40 PM  <b>To:</b> Aquilla Hurd-Ravich  <b>Cc:</b> Sherilyn Lombos  <b>Subject:</b> Basalt Creek Zoning Request Change</p> <p>Aquilla, as promised attached is a letter from the Victoria Gardens HOA requesting a zoning change in the planned Basalt Creek Concept plan. I have also attached a copy of the proposed map with the recommended changes. If you have any questions please give me a call. Thanks again for your patience in listening to our communities concerns over some of the zoning proposals.</p> <p>Letter dated September 15, 2016 (below)</p> <p>We are writing to you to express our concerns with the current zoning of the property directly south of Victoria Gardens. The Basalt Creek Concept Plan currently shows the eleven acres that borders directly south of Victoria Gardens (Whitebark Ave.) planned for multiple housing. Our concern is the area directly north (Victoria Gardens) is currently all single family development, the property across the street from the area (directly west on Grahams Ferry Road) is proposed to be zoned single family, and the area directly east of the property is also currently planned as zoned for single family use.</p> <p>On August 10, 2016 the Victoria Gardens Homeowners Association held a community meeting and the residents attending unanimously approved a resolution asking the city of Tualatin to change the zoning of these eleven acres to Single Family Residential in order to conform with the surrounding area already developed, and planned for development.</p> <p>Also at our community meeting, the owner of the property, Sherman Leitgeb, spoke to the community and was supportive of the change in zoning. If you have any questions, please do not hesitate to contact us.  Sincerely,  Dan Greenspan, President Paul Morrison, Treasurer  Victoria Gardens Homeowners Association  Attachment: Zoning Request Map</p>
8/29/2016 (rev. from 6/16/16)	Don Hanson/OTAK	<p>Re: Basalt Creek Plan NE Corner (Letter dated 8/23/16 revised 8/24/16)  Introduction  Otak represents a group of owners who hold 10 acres in the northeast quadrant of the overall district. The property is located near the northeast corner of Grahams</p>

		<p>Ferry Road and extends over to the Basalt Creek Canyon along the proposed new east-west arterial road. Project Concerns Otak’s concern is that the northeast quadrant area is not well suited to industrial zoning proposed by the concept plan.</p> <ul style="list-style-type: none"> <li>• Topography. Much of the site contains slopes in excess of 10% and 25%. It would be extremely difficult to flatten it out to accommodate industrial site development requirements.</li> <li>• Access. Vehicular access will be limited to Grahams Ferry Road and extending Tonquin Loop into the site No access will be permitted on the proposed new east-west arterial road.</li> <li>• Basalt Creek Canyon. The industrial land abuts the Basalt Creek Canyon with no transition.</li> </ul> <p>Amended Plan Options</p> <ul style="list-style-type: none"> <li>• The attached concept plan options summarize the requested amendment for proposed land uses that fit the site.</li> <li>• The plans both show building Tonquin Loop as an actual loop with two access points on Grahams Ferry Road, This road extension will provide complete access to the properties.</li> <li>• Two densities of residential are shown as transition to the neighborhood to the north and canyon to the east and also along the new east-west arterial, which is down 25 feet from the site area.</li> <li>• A center core area of retail, industrial transition and open space serve as a walkable destination in the neighborhood.</li> <li>• Property uses can be molded to fit actual site conditions yet still provide ample “jobs” land with the employment transition (ET). Option As is preferred; it best fits the existing topography.</li> </ul> <p>Benefits</p> <ul style="list-style-type: none"> <li>• A walkable neighborhood with appropriate transitions and destinations</li> <li>• Land Uses that are adaptable to actual site conditions. The mix of uses will act as a catalyst to create activity in the district. The HDR land provides an excellent opportunity for workforce housing next to employment lands.</li> <li>• A quality neighborhood for Tualatin</li> </ul> <p>Attachments:  Basalt Creek –Site Constraints Diagram  Basalt Creek Concept Plan A  Basalt Creek Concept Plan B</p>
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**Tualatin's Basalt Creek Land Use Comment Log: June 1, 2016 to September 26, 2016**

8/24/2016	Daniel & Suzanne Greenspan	We are residents of the Victoria Gardens Developments. Please reconsider changing the zoning of the property (south, Grahms Ferry Road) south of Victoria Gardens to single family dwelling from multi-family dwellings. Thank you for your consideration. Sincerely, Daniel & Suzanne Greenspan.
7/22/2016	Paul Morrison	Map image with proposed draft Concept Map changes south of Victoria Gardens
6/8/2016	Grace Lucini	<p>Slide presentation excerpts on land use components:</p> <p>Slide 3 - Portions of the Canyon Contains Significant Natural Resources: Wetlands, Highest Value Riparian Habitat, Highest Value Upland Habitat. Some slopes within the middle of the canon are greater than 10% grade –others may exceed 25% grade. Due to vast changes in topography along with other factors-causes significant differences in the quality of wetlands, the riparian habitats, and the upland habitats within just a short span of land.</p> <p>Slides 20-24 –Please keep in mind –the canyon and the wetlands between Grahams Ferry Road and Boones Ferry Road are privately owned by several different property owners. The map presented at the April 28<sup>th</sup> Open House indicates a public trail along the western edge of my property. The location is not adjacent to the wetlands, nor on the same level of the wetlands. Wetlands are in the middle of my property –with useable property on the east and west sides of the wetlands. a. If a walking trial is envisioned along the wetlands-it will require the public acquisition of privately owned land from many different property owners. B. If the trails are planned along the wetland, the trail would cut my property in half, infringe upon my backyard and reduce the private use and enjoyment of my property. As I am actively working to restore the wetlands on my property---how would the restored area be protected from misuse or residual pollution from public access? One rereads Consideration 9... It is very unclear what rights the multiple property owners and homeowners along the canyon will have in the future regarding the private and exclusive use of their own property. Ile it might be a desirable marketing too-providing unlimited public access and trails into sensitive lands may not be in the best interest of this significant natural resource.</p>

**Tualatin's Basalt Creek Land Use Comment Log: June 1, 2016 to September 26, 2016**

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		<p>Lucini Comments continued.</p> <p>Slides 26-28: Please keep in mind, while some of the area being discussed within the Basalt Creek Area is undeveloped land, there are many preexisting homes already established within the area being discussed. Basalt Creek Area is not a blank canvas. While broad stroke conceptual planning is necessary to plan for future development, substantial consideration should also be given as to how these plans may impact existing home owners and environment.</p>
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# Basalt Creek Concept Planning

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CITIZEN CONCERNS-COMMENTS

TUALATIN CITY COUNCIL MEETING

WORK SESSION AGENDA ITEM 6-13-2016

SUBMITTED ON 6-8-16 TO THE TUALATIN CITY COUNCIL FOR CONSIDERATION

Please include this information in the minutes for the Tualatin City Council Work Session for 6-13-2016 and within the Basalt Creek Concept Planning file.

I am a resident of unincorporated Washington County within the Basalt Creek Concept Planning Area. Since 2011, I have attended or viewed almost all of the public meetings held on the Basalt Creek Transportation Refinement Planning by Washington County, the City of Wilsonville, and the City of Tualatin.

I have done the same for the Basalt Creek Concept Planning meetings by the City of Wilsonville and the City of Tualatin.

The majority of the concerns provided within this presentation were previously presented to the Tualatin Planning Commission on May 19<sup>th</sup> 2016.



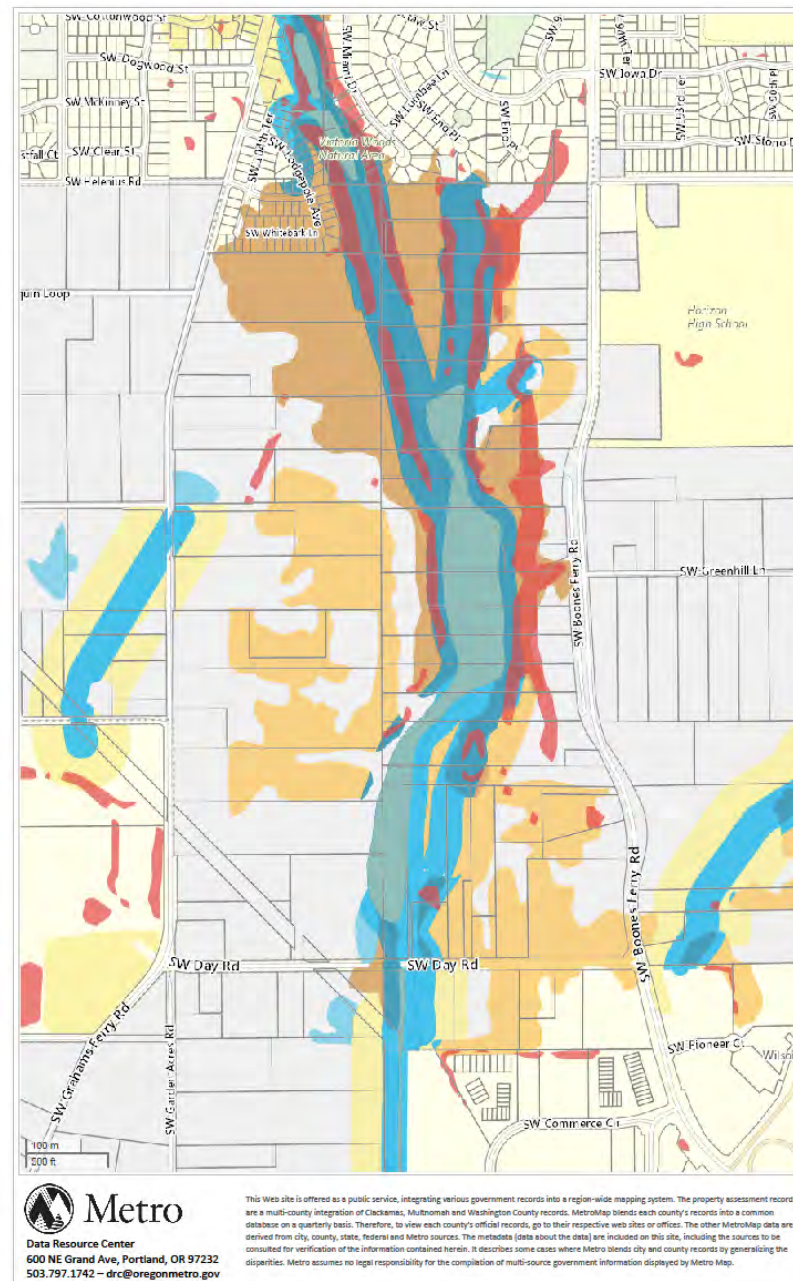
# Basalt Creek Area

Portions of the Canyon  
Contains Significant Natural  
Resources

Wetlands  
Highest Value Riparian Habitat  
Highest Value Upland Habitat

Some slopes within the middle of the  
canyon are greater than 10% grade-  
others may exceed 25% grade.

Due to vast changes in topography  
along with other factors—causes  
significant differences in the quality  
of wetlands, the riparian habitats,  
and the upland habitats within just a  
short span of land.



- Upland Habitat
  - Upland Class A
  - Upland Class B
  - Upland Class C
  - Riparian Habitat
  - Riparian Class I
  - Riparian Class II
  - Riparian Class III
  - Multifamily Housing
  - Trails
  - Slopes > 10%
  - Slopes > 25%
  - Contours
  - Major Contour
  - Minor Contour
  - FEMA 100-year floodplains
  - Wetlands
- 
- Slopes > 10%
  - >10 percent slope
  - Slopes > 25%
  - >25 percent slope
  - Contours
  - Major Contour
  - Minor Contour

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600 NE Grand Ave, Portland, OR 97232  
503.797.1742 – drc@oregonmetro.gov

This Web site is offered as a public service, integrating various government records into a region-wide mapping system. The property assessment records are a multi-county integration of Clackamas, Multnomah and Washington County records. MetroMap blends each county's records into a common database on a quarterly basis. Therefore, to view each county's official records, go to their respective web sites or offices. The other MetroMap data are derived from city, county, state, federal and Metro sources. The metadata (data about the data) are included on this site, including the sources to be consulted for verification of the information contained herein. It describes some cases where Metro blends city and county records by generalizing the discrepancies. Metro assumes no legal responsibility for the compilation of multi-source government information displayed by Metro Map.

# Basalt Creek Concept Area

Within this area are many people who have long standing existing homes.

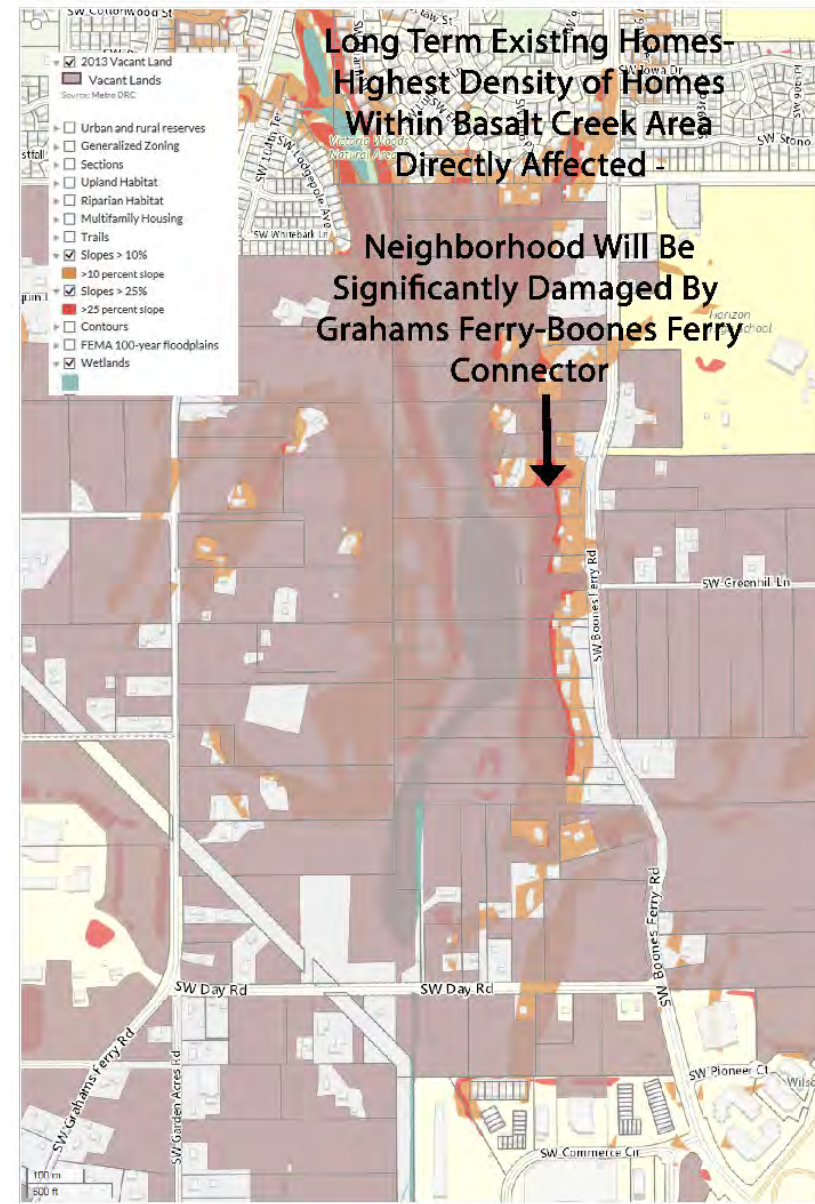
When our homes were built-- they were appropriately zoned for residential use at that time.

Many of us have lived in these homes for 10 or 20+ years.

I take a very high interest in my home and the property it sits on. I am working to restore the wetlands on my property.

We have the attributes of a neighborhood, but have not been given the same consideration or protections from negative impacts or requirements for “buffering” from the Basalt Creek Transportation plans or Concept Planning.

With the construction of the Grahams Ferry Road- Boones Ferry Connector- a majority of this neighborhood -will be demolished or significantly and negatively impacted with the building of the connector bridge.



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## Existing Homes and Neighborhood Within Basalt Creek Area

One development/ neighborhood with several very nice homes

– homes which would make any city proud

- was built before many of the neighborhoods in Tualatin, including Victoria Gardens or other similar neighborhood.

Yet, the house pictured on this page and 1-2 other houses that are within the path of the Grahams Ferry –Boones Ferry Connector will be demolished. The remaining homes in the neighborhood will not be compensated for the change of value or use of their homes or property resulting from the construction of the connector.



My neighbors and I have no elected representation within the concept planning process- no one to advocate for our homes or our property rights.



After attending the Basalt Creek Concept Planning Open House on April 28, 2016, and reading the “10 CONSIDERATIONS FOR SUCCESS FOR THE BASALT CREEK CONCEPT PLAN”,

I request the Tualatin City Council consider the following concerns I have with a few of the “10 Considerations for Success” being presented to this Council.

Consideration 2- Storm Water Drainage

Considerations 4, 5, 6, 7, And 8 – Transportation Issues

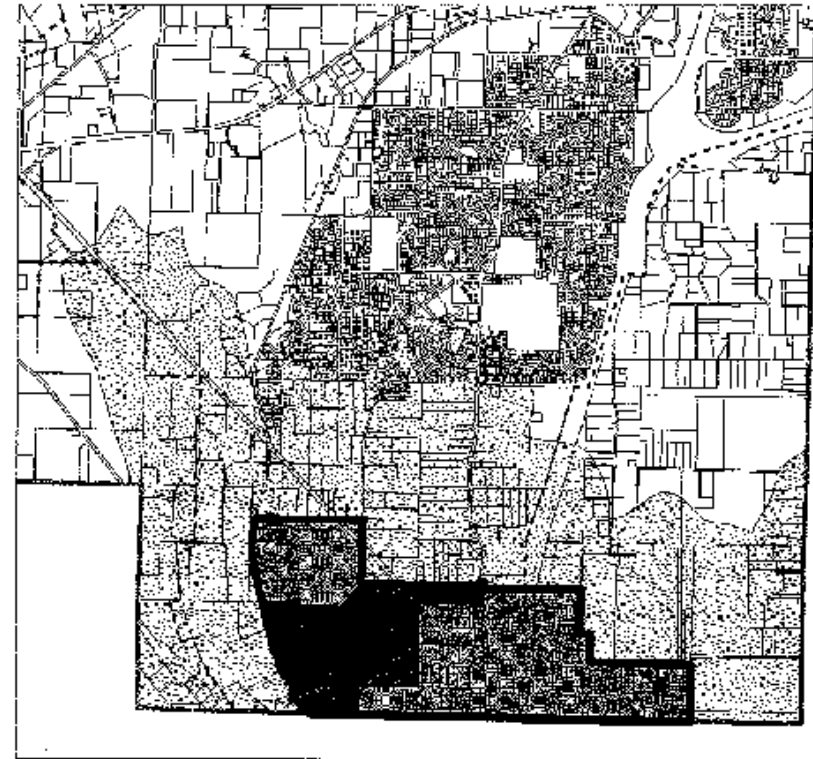
Consideration 9 - Basalt Creek Canyon

# CONSIDERATION NUMBER 2






## -STORM WATER DRAINAGE

Most of the Basalt Creek area is within the Willamette Watershed.

Add new Exhibit A - City of Wilsonville Urban Planning Area as shown below to the Washington County - City of Wilsonville Urban Planning Area Agreement.





### Legend

-  Willamette River Drainage Basin
-  Coffee Creek Master Plan Area
-  Urban Growth Boundary
-  County Boundary
-  City of Wilsonville



0 1,500 3,000 Feet  
| | | |

 Proposed additions  
 Proposed deletions



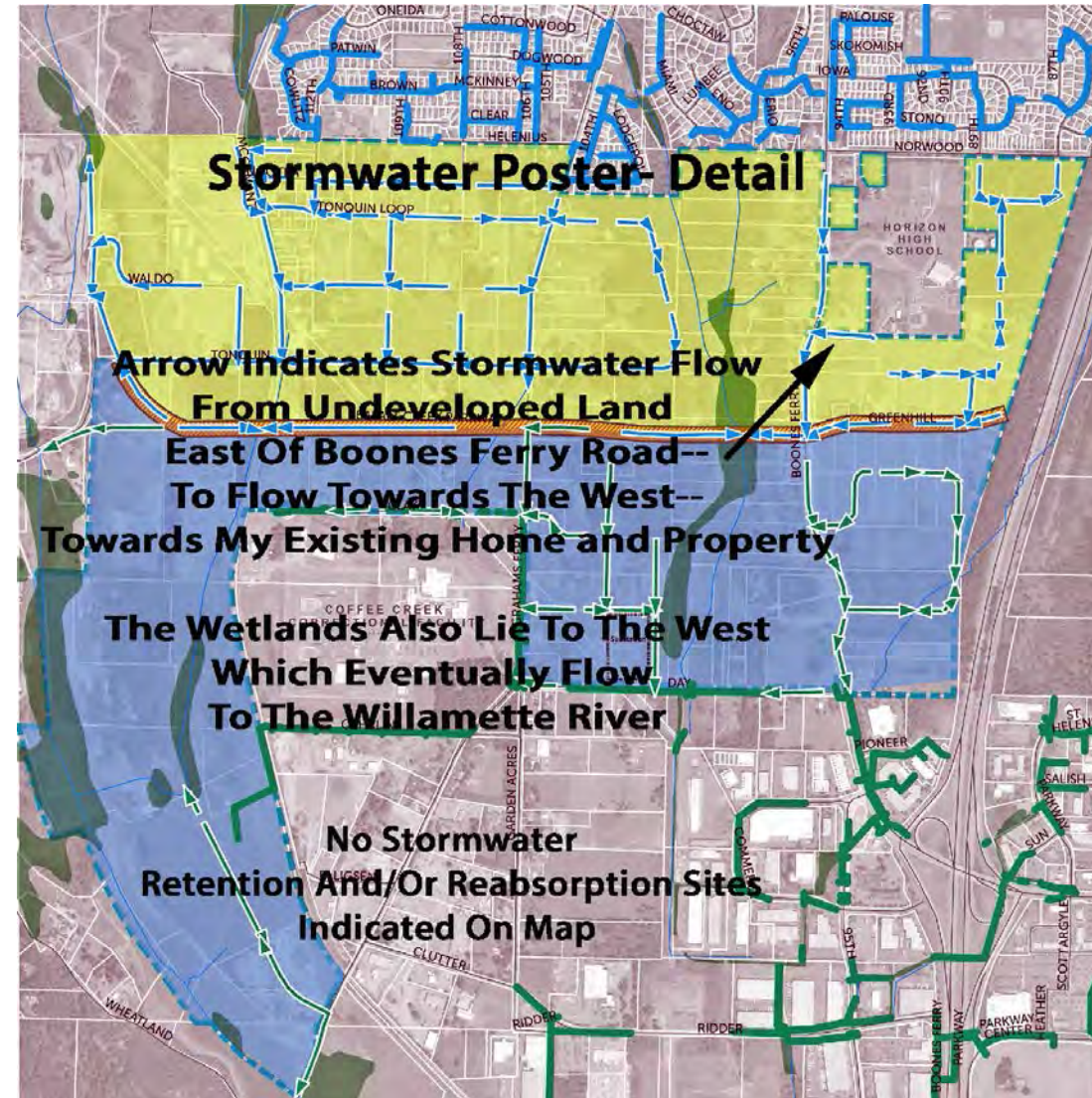


# CONSIDERATION NUMBER 2 -STORM WATER DRAINAGE

## Basalt Creek Open House Storm water Poster Detail

After viewing the storm water map presented at the Basalt Creek Open House, I have concerns as to where the storm water flow will be directed east of my property on the east side of SW Boones Ferry Road.

The map presented at the Open House indicates the flow would be west-towards my property





# CONSIDERATION NUMBER 2 -STORM WATER DRAINAGE

As project staff may remember during an onsite visit, we discussed the fact my property experienced high peak storm water flow.

Our property was flooded from the flow of water from the discharge outlet under SW Boones Ferry Road in May 2015.

**Flooding Lucini Property  
May 18, 2015  
Storm Water Runoff**



At the Basalt Creek Concept Open House on April 28th, I did not see any areas within the storm water map designated for:

- upstream and on-site retention with reabsorption, or
- water runoff treatment sites prior to discharge west---where the runoff flows towards the wetlands on the west side of SW Boones Ferry Road.

Planned on site reabsorption will assist in refilling our local aquifers and also reduce the need for handling of water run off by municipalities prior to discharge into the wetlands and eventually the Willamette River.

These elements should be required as part of the concept planning especially when large tracks of currently undeveloped land are being blocked out for zoning and development.

The size and scope of proposed developments will require incrementally larger areas set aside for storm water management and by their size may influence how parcels of land can be utilized.

# CONSIDERATIONS

## 4,5, 6, 7, and 8 --

### TRANSPORTATION ISSUES

#### Grahams Ferry- Boones Ferry Connector

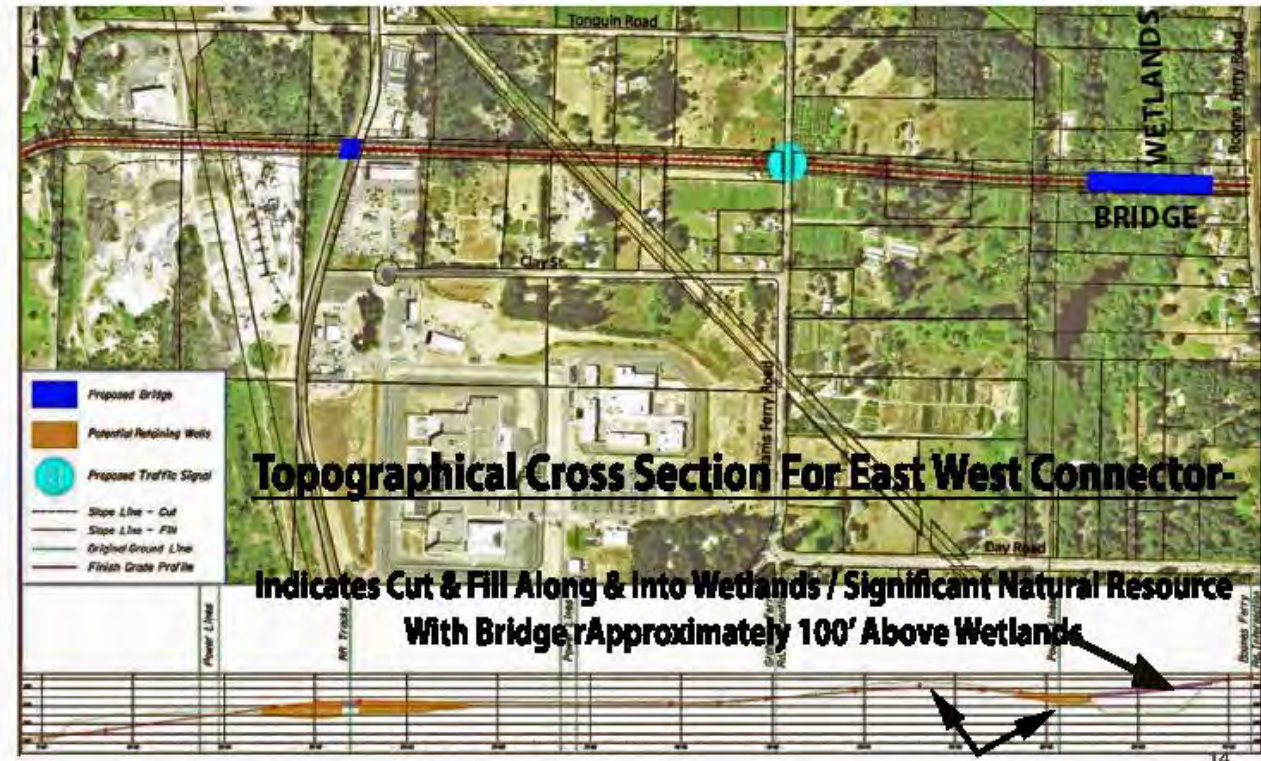
*A major premise of the Basalt Creek Concept Planning-- is based upon the location of the future connector between Grahams Ferry Road and Boones Ferry Road*

At what point in time will geo technical testing be done on the “basalt 100’ island” in the middle of the wetland which is the planned footing for the connector bridge? This island is the primary basis upon which WA County determined the location of the future connector bridge.

It is my understanding that basalt rock and basalt rock formations have varying degrees of density and strength- and not all basalt rock used from nearby quarries can be used in road construction due to internal strength issues or seismologic considerations

What happens should the testing of the basalt island prove to be less than suitable for use as the footing for the bridge? If the bridge cannot be built with reasonable cost at the proposed (untested) location – what impact will this have on all aspects of the concept planning?

## East-West Alignment Detail





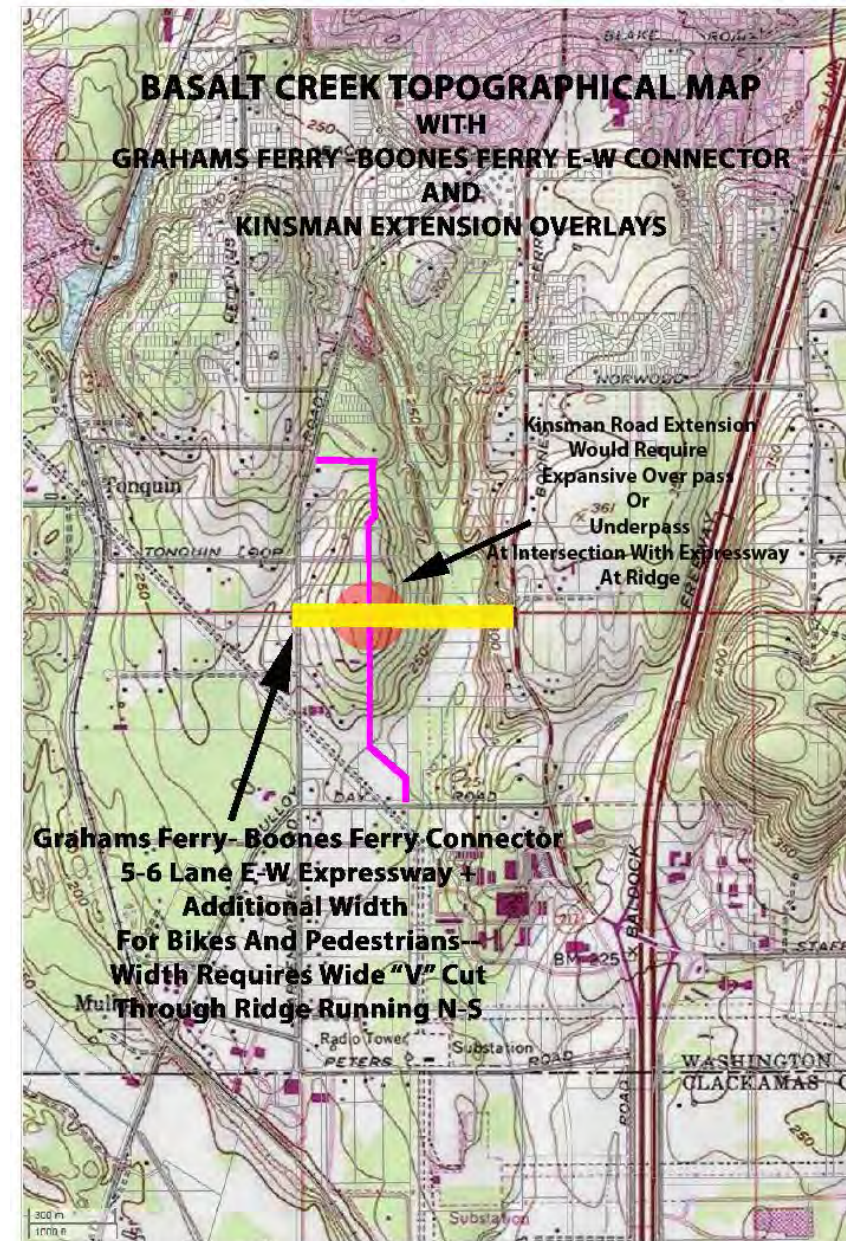
# CONSIDERATIONS 4,5, 6, 7, and 8 -- TRANSPORTATION ISSUES

## Kinsman Extension

At the last Basalt Creek Joint Cities Meeting of both Tualatin and Wilsonville City Councils Meeting- it was discussed and agreed upon that the Kinsman extension north of Day Road would be tabled.

- Why is the extension still on the April 28<sup>th</sup> Open House maps?
- If there are still plans for the extension how will the extension cross the Grahams Ferry - Boones Ferry Connector?
- Proposed design for the connector will require a significantly large V cut into the ridge running north to south.
- The width of the "V" cut would be wide enough to accommodate a 5-6 lane expressway with bike and pedestrian lanes with all of the supportive infrastructure.

The Kinsman extension would have to cross the entire 5-6 lane expressway V cut- either above or below- at a significant cost.



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To facilitate better understanding of the impact of proposed roads and the ability to actually implement the proposal- I have previously requested the staff provide a topographical overlay in their presentations.

I again request this additional topographical information be provided during presentations so that truly informed decisions can be made with respect to future road locations and other infrastructure changes within the Basalt Creek Area.

CONSIDERATIONS  
4, 5, 6, 7, and 8 --  
TRANSPORTATION ISSUES

I-5 at Exit 286

Day Road & Boones Ferry Rd  
Intersection

**Access to I-5 at Exit 286- Day Road & Boones Ferry Road  
Intersection**

The intersection and interchange is already congested at peak hours.

During a WA County presentation to the Tualatin City Council in 2012, (on the WA County recommended location for the Grahams Ferry Road/ Boones Ferry Rd Connector)

--the project engineer acknowledged the anticipated volume of traffic at the Day Road- Boones Ferry intersection, will be 2 ½ times the volume currently seen on the Tualatin Sherwood Highway when the proposed Grahams Ferry-Boones Ferry Connector is built.

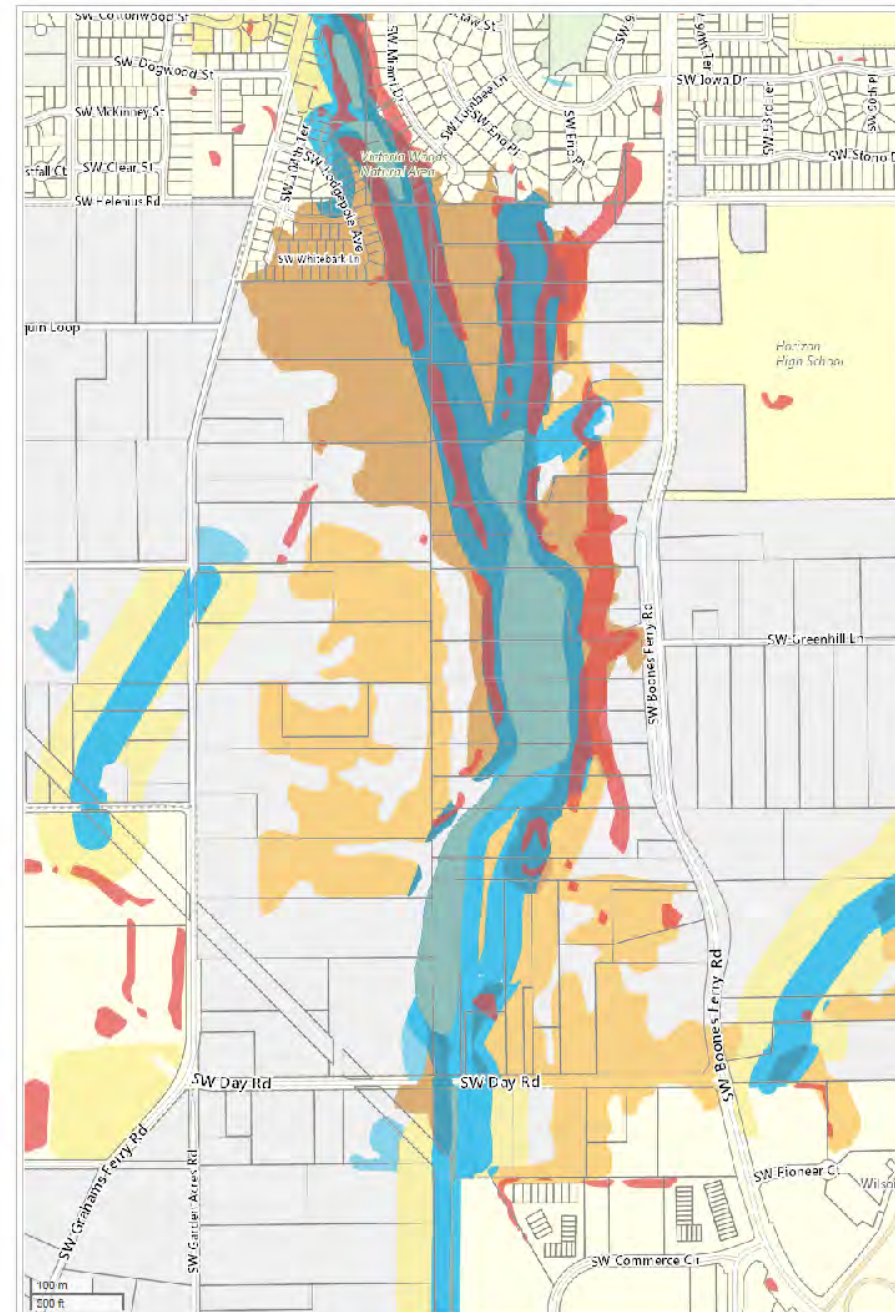
- During the April 28<sup>th</sup> Open House, when there were multiple questions asked by the public about the existing and anticipated congestion at this intersection- the comment that *we **have to get use to waiting for more than one signal change*** does not seem to understand the importance of local knowledge and the magnitude of the current problem.
- Waiting more than one signal rotation is not a generally accepted standard by most municipalities
- Does the City of Tualatin accept waiting more than one signal rotation at an intersection as an acceptable standard now, and/or planned goal in future planning decisions?

# CONSIDERATION 9 - BASALT CREEK CANYON

“The Cities recognize the Basalt Creek Canyon natural resource value

and will work together to reach agreement on joint management practices for the canyon....”

The actions taken by the municipalities in the past and being considered for the future do not support the sediments within Consideration 9, and are inconsistent in promoting the future health and management of this natural resource.



- Upland Habitat
  - Upland Class A
  - Upland Class B
  - Upland Class C
  - Riparian Habitat
  - Riparian Class I
  - Riparian Class II
  - Riparian Class III
  - Multifamily Housing
  - Trails
  - Slopes > 10%
  - Slopes > 25%
  - Contours
  - Major Contour
  - Minor Contour
  - FEMA 100-year floodplains
  - Wetlands
- 
- Slopes > 10%
  - >10 percent slope
  - Slopes > 25%
  - >25 percent slope
  - Contours
  - Major Contour
  - Minor Contour





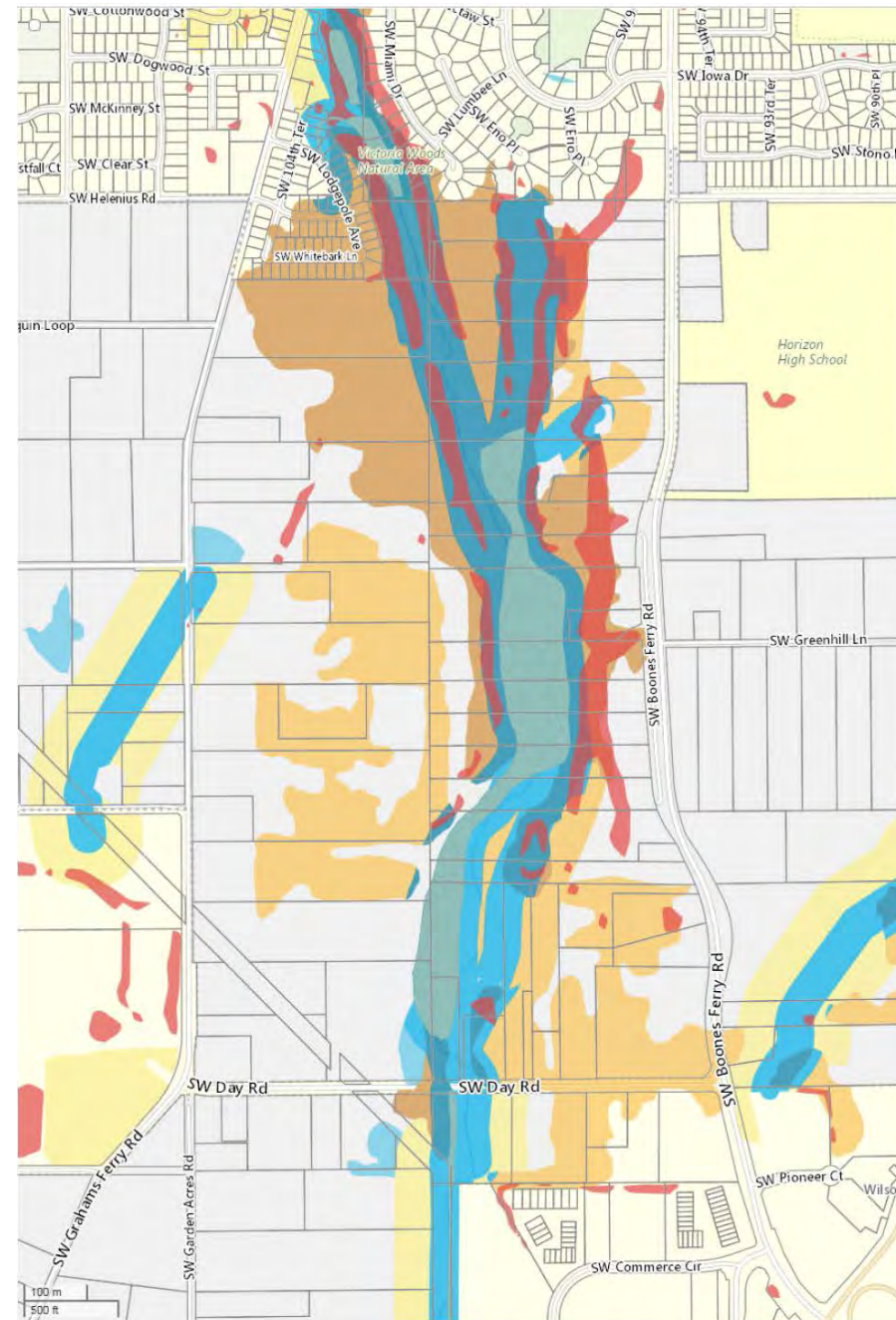
## CONSIDERATION 9 – BASALT CREEK CANYON cont.

“...The Cities also recognize the benefits of locating north to south trails near the Basalt Creek Canyon and bicycle connections that would connect the cities and other trail systems and be an asset for both residents and employees in the area “

Please keep in mind- the canyon and the wetlands between Grahams Ferry Road and Boones Ferry Road are privately owned by several different property owners.

The current tax lots are long and narrow-running east – west.

The canyon and wetlands run north and south and are located within the middle of the tax lots.



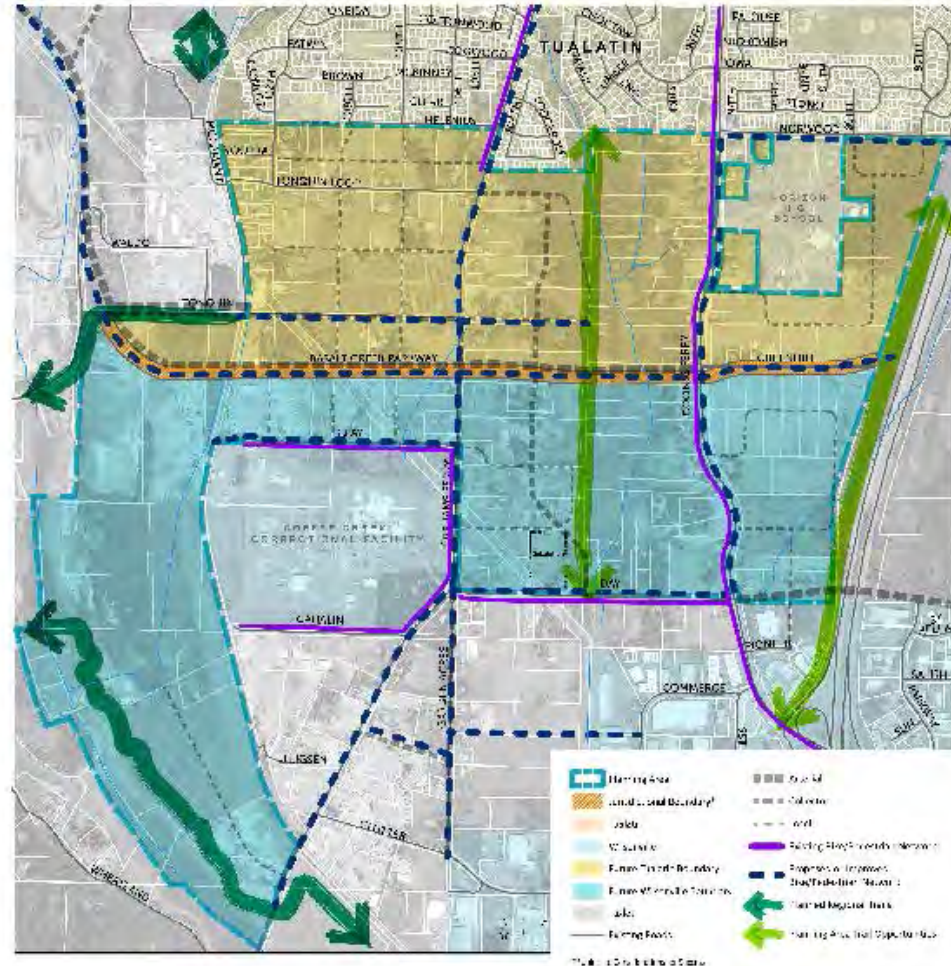


CONSIDERATION 9  
-BASALT CREEK CANYON

The map presented at the April 28<sup>th</sup> Open House indicates a public trail along the western edge of my property.

This location is not adjacent to the wetlands, nor on the same level as the wetlands.

In light of the recent news articles regarding the Spring Water Trail, I am not extremely interested in creating a similar situation on or along my property unless actions and funding would be provided to monitor the trail at all times of the day- 7 days a week.



The wetlands are in the middle of my property- with useable property on the east and west sides of the wetlands.

- a. If a walking trail is envisioned along the wetlands – it will require the public acquisition of privately owned land from many different property owners.
- b. If the trails are planned along the wetlands, the trail would cut my property in half, infringe upon my backyard and reduce the private use and enjoyment of my property.

As I am actively working to restore the wetlands on my property--- how would the restored area be protected from misuse or residual pollution from public access?



## CONSIDERATION 9 -BASALT CREEK CANYON

“The Cities recognize the Basalt Creek Canyon natural resource value and will work together to reach agreement on joint management practices for the canyon. The Cities also recognize the benefits of locating north to south trails near the Basalt Creek Canyon and bicycle connections that would connect the cities and other trail systems and be an asset for both residents and employees in the area.”

If one re-reads Consideration 9 Basalt Creek Canyon.....

.....It is very unclear what rights the multiple property owners and homeowners along the canyon will have in the future regarding the private and exclusive use of their own property.

While it might be a desirable marketing tool-

Providing unlimited public access and trails into sensitive wetlands may not be in the best interest of this significant natural resource.

## CONSIDERATION 9 -BASALT CREEK CANYON

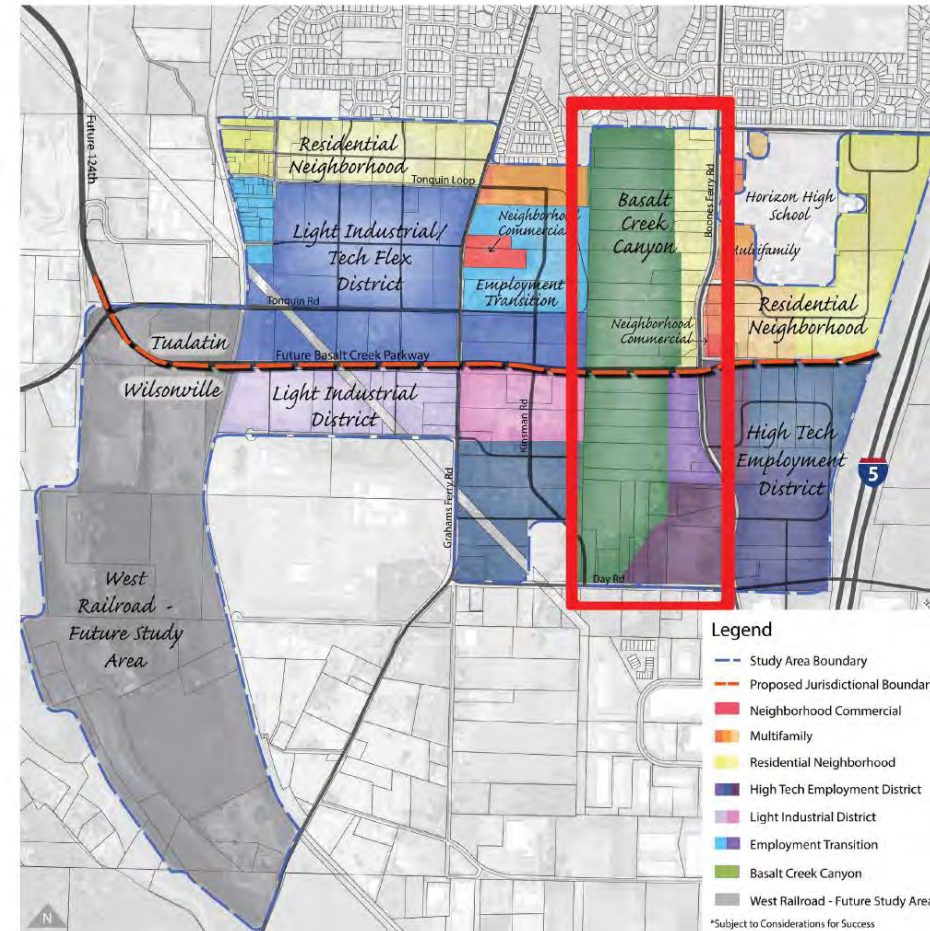
While it appears proposals are being presented to utilize the privately owned wetlands and natural areas for public use and enjoyment-

This poster presented at the Basalt Creek Concept Planning Open House, and also to the Tualatin Planning Commission appears to have two land use concepts for several individual tax lots which contain portions of the Basalt Creek Canyon.

The poster can also be interrupted to imply -those same individual tax lots which contain the canyon--- will have a vast portion of the property (over 50%) to become protected natural areas- without any additional land use indicated.

# Basalt Creek Concept Plan

## THE LAND USE CONCEPT







Please keep in mind, while some of the area being discussed within the Basalt Creek Area is undeveloped land, there are many preexisting homes already established within the area being discussed.

The Basalt Creek Area is not a blank canvas.

While broad stroke conceptual planning is necessary to plan for future development, substantial consideration should also be given as to how these plans may impact the existing home owners and environment.

I appreciate your consideration of the issues I have presented as you listen to the Basalt Creek Concept Planning Update.

Many of these issues have been presented to the project staff on multiple occasions- and yet the issues remain without resolution.

Respectfully submitted,

Grace Lucini  
23677 SW Boones Ferry Road  
Tualatin, Oregon 97062

**From:** [G Lucini](#)  
**To:** [Ed Truax](#); [Monique Beikman](#); [Wade Brooksby](#); [Nancy Grimes](#); [Lou Ogden](#); [Joelle Davis](#); [Frank Bubenik](#); [Council](#)  
**Cc:** [Karen Perl Fox](#); [Aquila Hurd-Ravich](#); [Jeff Fuchs](#)  
**Subject:** Citizen Comment Information For Tualatin City Council Work Sessions & Council Meeting 6-13-16  
**Date:** Wednesday, June 08, 2016 9:44:11 AM  
**Attachments:** [2016 6-8 Citizen Comments-Tualatin CC 6-13 Basalt Creek- PP.pdf](#)

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The concept planning for the Basalt Creek Area is understandably very complex.

As a citizen, it would be very difficult to present my concerns regarding the “10 Considerations for Success” for the Basalt Creek Planning process within a 3 minute Citizen Comment period during the Tualatin City Council Meeting on 6-13-16.

Therefore, I am submitting a presentation which will also provide supporting documents for my concerns.

I request this presentation be included within the information for the 6-13-16 Tualatin City Council Meeting- Work Session-Basalt Creek Update, the 6-13-16 Tualatin City Council under Citizen Comment Section of the agenda, and within the Basalt Creek Concept Planning file.

I am willing to provide additional information if requested.

Your willingness to review this information is greatly appreciated.

Regards,  
Grace Lucini

**From:** tom.re@comcast.net  
**Sent:** Tuesday, June 21, 2016 4:31 PM  
**To:** Karen Perl Fox  
**Cc:** Aquilla Hurd-Ravich  
**Subject:** RE: Basalt Creek

Karen & Aquilla:

Respec. uly, thank you again for your reply but now back in my office looking your note over again – it really surprises me.

Basic Concept Plan not completed?

Ci. zen involvement? A public workshop 2 years ago at Horizon School. Public meeting at Tualatin High School? Open house? I've been on property owner focus groups. More citizen input is needed?

Is there a property owner meeting scheduled?

Is there another citizen open house scheduled?

Are we on Concept Time Line target for "hearings and adoption" summer of 2016?

Honestly, I have to say – this process has been very frustrating.

Tom Re

---

**From:** Karen Perl Fox [<mailto:kperlfox@ci.tualatin.or.us>]  
**Sent:** Tuesday, June 21, 2016 11:44 AM  
**To:** [tom.re@comcast.net](mailto:tom.re@comcast.net)  
**Cc:** Aquilla Hurd-Ravich  
**Subject:** RE: Basalt Creek

No, the Basalt Creek Concept Plan is not finalized yet, therefore the Comp Plan Amendment is not completed. The Land Use Concept Map shows land use in concept only, not zoning.

We are not at a point yet where specific zoning has been mapped or determined. Both the Concept Plan and the Comp Plan Amendment involve public process where citizens are encouraged to provide their input – that includes you as a property owner as well as others.

Thank you,

Karen

**Karen Perl Fox**  
Senior Planner  
City of Tualatin | Community Development Department  
503.691.3027 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

---

**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net) [<mailto:tom.re@comcast.net>]  
**Sent:** Tuesday, June 21, 2016 10:01 AM  
**To:** Karen Perl Fox  
**Subject:** RE: Basalt Creek

Hello Karen: Thank you very much for taking the time to reply to me.

Re: 23500 and 23550 SW Boones Ferry Rd.



Is the Comprehensive Plan Map Amendment completed? On the Concept Map our property is designated Multi-Family – would that specifically be one of the options below i.e. RH 16-20 DU/acre?

After the property has been designated as multi-family does the actual developer and City together decide on best use (meaning which option / density of multi-family)?

I'm sorry for the questions – just trying to stay tuned in.

Thank you for helping me,  
Tom Re

---

**From:** Karen Perl Fox [<mailto:kperlfox@ci.tualatin.or.us>]  
**Sent:** Monday, June 20, 2016 5:21 PM  
**To:** Tom Re  
**Cc:** Aquilla Hurd-Ravich  
**Subject:** RE: Basalt Creek

Tom:

Thank you for your inquiry. The Tualatin zones that include multifamily are listed below followed by the Section of the Tualatin Development Code (TDC):

RML –Medium- Low Density 7- 10 Dwelling Units (DU)/acre – Section 41 of the TDC  
RMH-Medium-High Density 11-15 DU/acre - Section 42 of the TDC  
RH-High Density 16-25 DU/acre-Section 43 of the TDC  
RH/HR High Density/High Rise 26-30 DU/acre-Section 44 of the TDC

The entire Tualatin Development Code can be found at <http://www.tualatinoregon.gov/planning/comp-plan-development-code>.

Does this give you what you were looking for?

Karen

**Karen Perl Fox**  
Senior Planner  
City of Tualatin | Community Development Department  
503.691.3027 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

---

**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net) [<mailto:tom.re@comcast.net>]  
**Sent:** Monday, June 20, 2016 3:27 PM  
**To:** Aquilla Hurd-Ravich  
**Subject:** Basalt Creek

Hello Aquilla:

Sorry to bother you in your busy day.

Just checking in to see if our Basalt Creek Concept Plan Timeline is still on target – and wondering if you would lead me in the right direction please?

My understanding is “multi family” could be interpreted a little differently by different city planning departments. Would you please let me know where I may be able to find Tualatin’s planning codes / Multifamily units per acre info?

6/29/2018

RE Basalt Creek. Email with Tom Re.6.21. 16 on process.htm

Thank you Aquilla,  
Tom Re

**From:** [Stephen Anderson](#)  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)  
**Subject:** Basalt Creek Concept Plan  
**Date:** Monday, July 11, 2016 11:05:37 AM

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Good morning, Aquilla,

We have been following the progress of the Basalt Creek Concept planning Activities. We are a small landowner in the area, and have been looking forward to the opportunity to make improvements to our property. We have been waiting patiently to learn what others might decide is appropriate for our property, and would like to know when utilities might be installed.

Can you provide any prediction as to when this process might be completed, zoning established and annexation activity beginning? It has been a rather protracted process, and the expectation had been that it would be a two year process.

We would appreciate any guidance you can provide regarding the schedule going forward, especially in regard to the city of Tualatin process.

*Steve*

**Stephen F. Anderson**  
[Stephen.Anderson@Frontier.com](mailto:Stephen.Anderson@Frontier.com)  
503.297.8263

From: [bob.wallington](mailto:bob.wallington)  
To: Lynette Sanford; Brian Harper; Brian Sherrard ([brian.sherrard@lvfr.com](mailto:brian.sherrard@lvfr.com)); Jim Clark ([jjclark@boa.gov](mailto:jjclark@boa.gov)); Karen Savage ([karen.savage@co.washington.or.us](mailto:karen.savage@co.washington.or.us)); Paul Hennon; Rappold, Kerry; Renuis Kelfkens; Rich Mueller; Russell Knoebel; Stephan Lashbrook ([lashbrook@ridemart.com](mailto:lashbrook@ridemart.com)); Steve Adams ([adams@ci.wilsonville.or.us](mailto:adams@ci.wilsonville.or.us)); Timothy Wilson ([timothy.j.wilson@odot.state.or.us](mailto:timothy.j.wilson@odot.state.or.us)); Alice Cannon; Aquilla Hurd-Ravich; [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us); Jeff Furhs; Kraushaar, Nancy; Neamtau, Chris; [Ralfour.Linfeld@gmail.com](mailto:Ralfour.Linfeld@gmail.com); [docherbetpainting@hotmail.com](mailto:docherbetpainting@hotmail.com); [lmolen@hotmail.com](mailto:lmolen@hotmail.com); [lloyd@meiselrockproducts.com](mailto:lloyd@meiselrockproducts.com); Aaron Waiser ([aaron.waiser@gmail.com](mailto:aaron.waiser@gmail.com)); Abe Turki; [abolon@outlook.com](mailto:abolon@outlook.com); [acharis1972@yahoo.com](mailto:acharis1972@yahoo.com); Adam Butts ([adameb77@gmail.com](mailto:adameb77@gmail.com)); [aldense012@gmail.com](mailto:aldense012@gmail.com); [alk@nwnatural.com](mailto:alk@nwnatural.com); [alixstrom@nwnaturalmedia.com](mailto:alixstrom@nwnaturalmedia.com); [al@venturespro.com](mailto:al@venturespro.com); Alan Aspin ([aspin@hironcontractors.com](mailto:aspin@hironcontractors.com)); [alibet.Levit@evlshere@frontier.com](mailto:alibet.Levit@evlshere@frontier.com); [alibet12@gmail.com](mailto:alibet12@gmail.com); [alidrew.Young@ndrew.young@nwnatural.com](mailto:alidrew.Young@ndrew.young@nwnatural.com); [andrew\\_bagman@hotmail.com](mailto:andrew_bagman@hotmail.com); Andy Braun; Anne Kennedy ([annekennedy604@gmail.com](mailto:annekennedy604@gmail.com)); [arrowj@comcast.net](mailto:arrowj@comcast.net); Art Sasaki ([Art\\_Sasaki@msn.com](mailto:Art_Sasaki@msn.com)); [arv41@gmail.com](mailto:arv41@gmail.com); [ballarche@frontier.com](mailto:ballarche@frontier.com); Barry Leeuwen; [bberger22@hotmail.com](mailto:bberger22@hotmail.com); [bbierwagen@parametrix.com](mailto:bbierwagen@parametrix.com); [bburns@burnsbros.com](mailto:bburns@burnsbros.com); [bburns@burnsbros.com](mailto:bburns@burnsbros.com); Ben Altman; Ben Altman ([altman@sfadq.com](mailto:altman@sfadq.com)); Ben Brvant; [BenBruk@aol.com](mailto:BenBruk@aol.com); [bmi7737@gmail.com](mailto:bmi7737@gmail.com); Bob Galati; [bob.kanver@sterling.net](mailto:bob.kanver@sterling.net); [bob\\_bramel@hotmail.com](mailto:bob_bramel@hotmail.com); [bowen\\_aagie@yahoo.com](mailto:bowen_aagie@yahoo.com); Brian Barker; Brian Karen Perl Fox  
Cc: [Clayton.Daniels@claytonexcavating.com](mailto:Clayton.Daniels@claytonexcavating.com); Brian Kelley ([brian.kelley@nwnatural.com](mailto:brian.kelley@nwnatural.com))  
Subject: Re: Basalt Creek Concept Plan - July Notice  
Date: Monday, July 11, 2016 10:37:34 AM

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Dear Lynette,

I attended the meeting on April 28th at the Juanita Pohl Center and talked with Aquilla Hurd-Ravich about this subject. I am particularly concerned with saving the beautiful 125 to 150++ year old Fir Trees lining the south side of Norwood Rd. between the I-5 overpass and the Horizon Church/School property. The trees make our neighborhood and the walking/bike path along Norwood Rd. beautiful. They also help with buffering the I-5 noise and filtering I-5 pollutants from our neighborhood. I believe the latest plan calls for a residential subdivision to go into the property just south of Norwood Rd. and potentially could cause the end of these trees. I know that the Horizon Church listened to the neighbors across Norwood Rd. and saved about 90 feet for the trees to buffer their football field from the residential neighborhood across Norwood Rd. to the north of their property. I would like to see the same consideration given to the residential neighborhoods across from the new development that is planned in the Basalt Creek Concept Plan.

Tualatin prides itself on being a Tree City and trying to be a very good livable city. I believe that saving these beautiful trees would go a long way of making many people happy here in this area. I am attaching a picture of the Trees in question. Please take this in consideration when making your final plans. It would benefit the neighborhood just north across Norwood Rd. of this property and also the new homes to be built just south of Norwood Rd.

Thanks for your consideration on this matter.

Bob Wallington  
22995 SW Vermillion Dr.  
Tualatin, OR 97062  
503-697-5903

On Monday, July 11, 2016 9:32 AM, Lynette Sanford <[LSanford@ci.tualatin.or.us](mailto:LSanford@ci.tualatin.or.us)> wrote:



Greetings,

Thank you for your continued interest in the Basalt Creek Concept Plan project. Wilsonville and Tualatin each met with their City Councils in June 2016 regarding the land use we are working on and final modifications to the model to reflect the visions and to finalize the land use concept.

Please stay current on concept planning news by signing up for email updates on the project website at [www.BasaltCreek.com](http://www.BasaltCreek.com). Information about upcoming meetings will be included in future email updates as well as on the website project calendar. If you have questions or desire more information, please feel free to contact:

**Karen Perl Fox**

Senior Planner  
City of Tualatin | Community Development Dept | Planning Division  
Phone: 503-691-3027 | Email: [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)

**Miranda Bateschell**

Long Range Planning Manager  
City of Wilsonville | Community Development Dept | Planning Division  
Phone: 503-570-1581 | Email: [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)



**From:** [Keegan Lucas](#)  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)  
**Subject:** Basalt Creek Property Question  
**Date:** Tuesday, July 19, 2016 2:56:27 PM

---

Good Afternoon, Aquilla -

We are appraising a property that spans a few parcels across Washington County and Clackamas County, in an unincorporated area within the UGB. The address is 26045 SW Grahams Ferry Road. As best as I can tell, it's included within the Basalt Creek planning area. I'm trying to summarize what the general time frame of the planning process is - how long it might be before areas are incorporated into either Wilsonville or Tualatin (I would assume the property I'm talking about is more likely to go over to Wilsonville?) along with any major infrastructure improvements that are central to implementing the plan, and preliminary zoning/land use concepts. I apologize if the answers to these questions are already on the website - I have spent some time looking at documentation already, but so far haven't come across these answers. I do see the timeline about this initial planning process, with proposed adoption of a plan intended this summer.

Thanks for your time and any information you can pass along!

--

Keegan Lucas  
Cassinelli Valuation LLC  
11720 SW 72nd Avenue  
Tigard, Oregon 97223

**From:** [Eric Rouse](#)  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)  
**Subject:** Basalt Creek Concept Plan- 10480 SW Helenius  
**Date:** Tuesday, August 09, 2016 10:08:46 AM  
**Attachments:** [image001.png](#)

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Greetings Aquilla,

I am the Development Manager for Summit Development Group. The owner of Summit is Chris Marsh, who owns the subject property. I attended the last open house on April 18, 2016. At that time I understood the schedule for the annexation to be:

- The plan is to be presented to both City Council's by the end of summer 2016.
- Application will be made for an Urban Planning Boundary Change through Washington County (expected Oct. 2016).
- The Comp Plans go to the City for approval (Expected Spring of 2017).
- Then Annexation at the Property Owners initiation expected to be ready by Spring 2017.

Can you please confirm that my understanding of the process and the dates are still correct. Where possible, specific dates would be great to have (like the day the plan is going in front of Council, or the date the application will be made through Washington County).

I would like to give my boss an update on this process as soon as possible.

Thanks Aquilla!

Regards,

Eric

**Eric Rouse**  
Phone 503.572.0295 | Fax: 503.214.4281  
CCB #204140 • WA #SUMMIDG856KA

**SUMMIT**  
DEVELOPMENT GROUP  
[www.summitdevelopmentgroup.com](http://www.summitdevelopmentgroup.com)



HanmiGlobal Partner

808 sw third avenue, suite 300 • portland, oregon 97204

503.287-6825 • fax 503.415-2304

[www.otak.com](http://www.otak.com)

## BASALT CREEK/TUALATIN CONCEPT PLAN

### Amendment Request to the Concept Plan

Tualatin, Oregon

August 23, 2016 *Revised August 24, 2016*

## Introduction

- Otak represents a group of owners who hold 10 acres in the northeast quadrant of the overall district. The property is located near the northeast corner of Grahams Ferry Road and extends over to the Basalt Creek Canyon along the proposed new east-west arterial road.

## Project Concerns

- Otak's concern is that the northeast quadrant area is not well suited to industrial zoning proposed by the concept plan.
  - Topography. Much of the site contains slopes in excess of 10% and 25%. It would be extremely difficult to flatten it out to accommodate industrial site development requirements.
  - Access. Vehicular access will be limited to Grahams Ferry Road and extending Tonquin Loop into the site. No access will be permitted on the proposed new east-west arterial road.
  - Basalt Creek Canyon. The industrial land abuts the Basalt Creek Canyon with no transition.

## Amended Plan Options

- The attached concept plan options summarize the requested amendment for proposed land uses that fit the site.
- The plans both show building Tonquin Loop as an actual loop with two access points on Grahams Ferry Road. This road extension will provide complete access to the properties.
- Two densities of residential are shown as transition to the neighborhood to the north and canyon to the east and also along the new east-west arterial, which is down 25 feet from the site area.
- A center core area of retail, industrial transition and open space serve as a walkable destination in the neighborhood.
- Property uses can be molded to fit actual site conditions yet still provide ample "jobs" land with the employment transition (ET) designation. Option A is preferred; it best fits the existing topography.

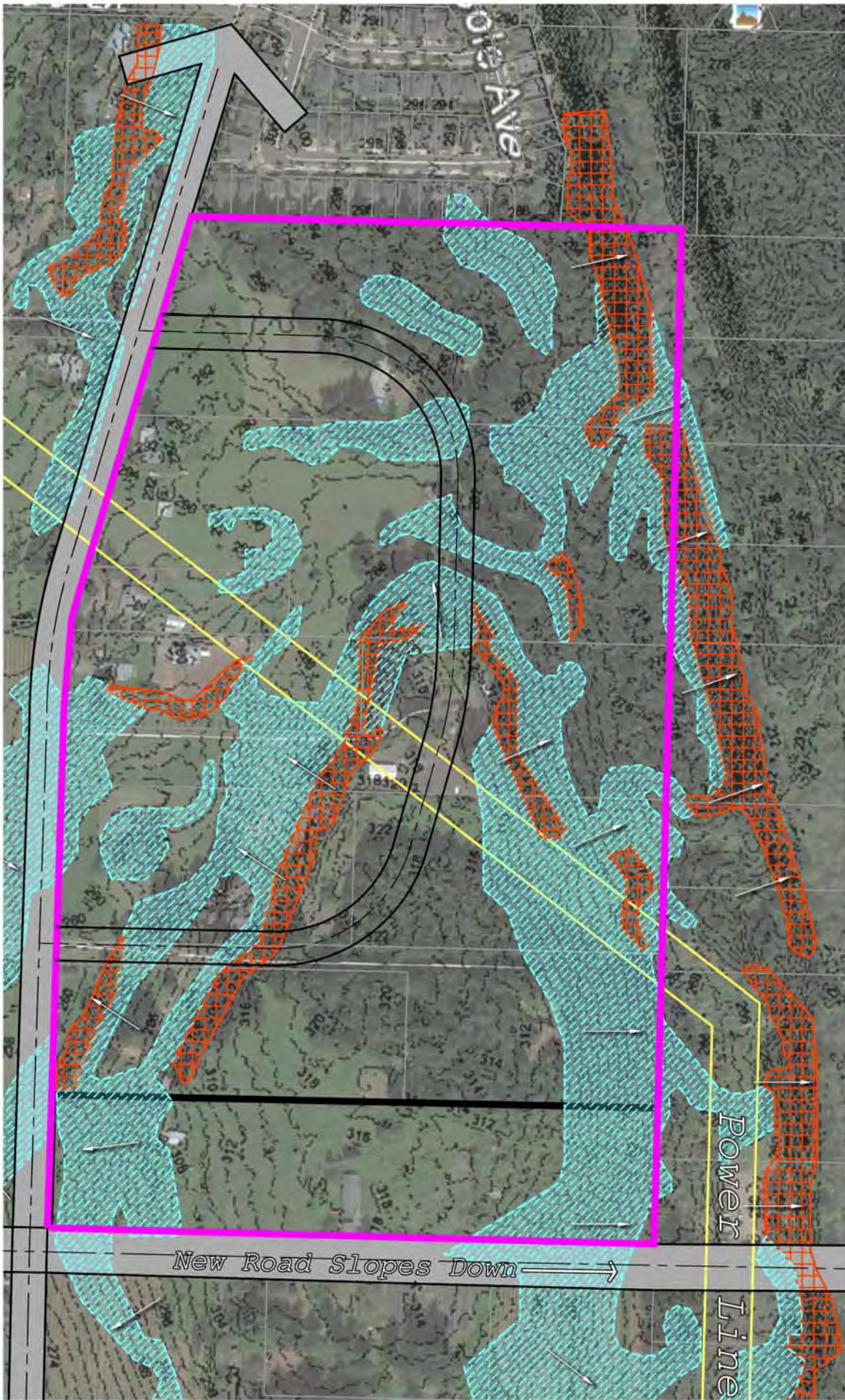
**integrated design = smart solutions**

## Benefits

- A walkable neighborhood with appropriate transitions and destinations
- Land uses that are adaptable to actual site conditions. The mix of uses will act as a **catalyst to create activity in the district**. The HDR land provides an excellent opportunity for workforce housing next to employment lands.
- A quality neighborhood for Tualatin

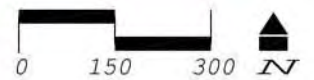
Attachments: Basalt Creek – Site Constraints Diagram  
Basalt Creek Concept Plan A  
Basalt Creek Concept Plan B





-  Greater than 25% slope area
-  Greater than 10% slope area
-  Slope Direction

Site Constraints Diagram








Basalt Creek

6-13-2016



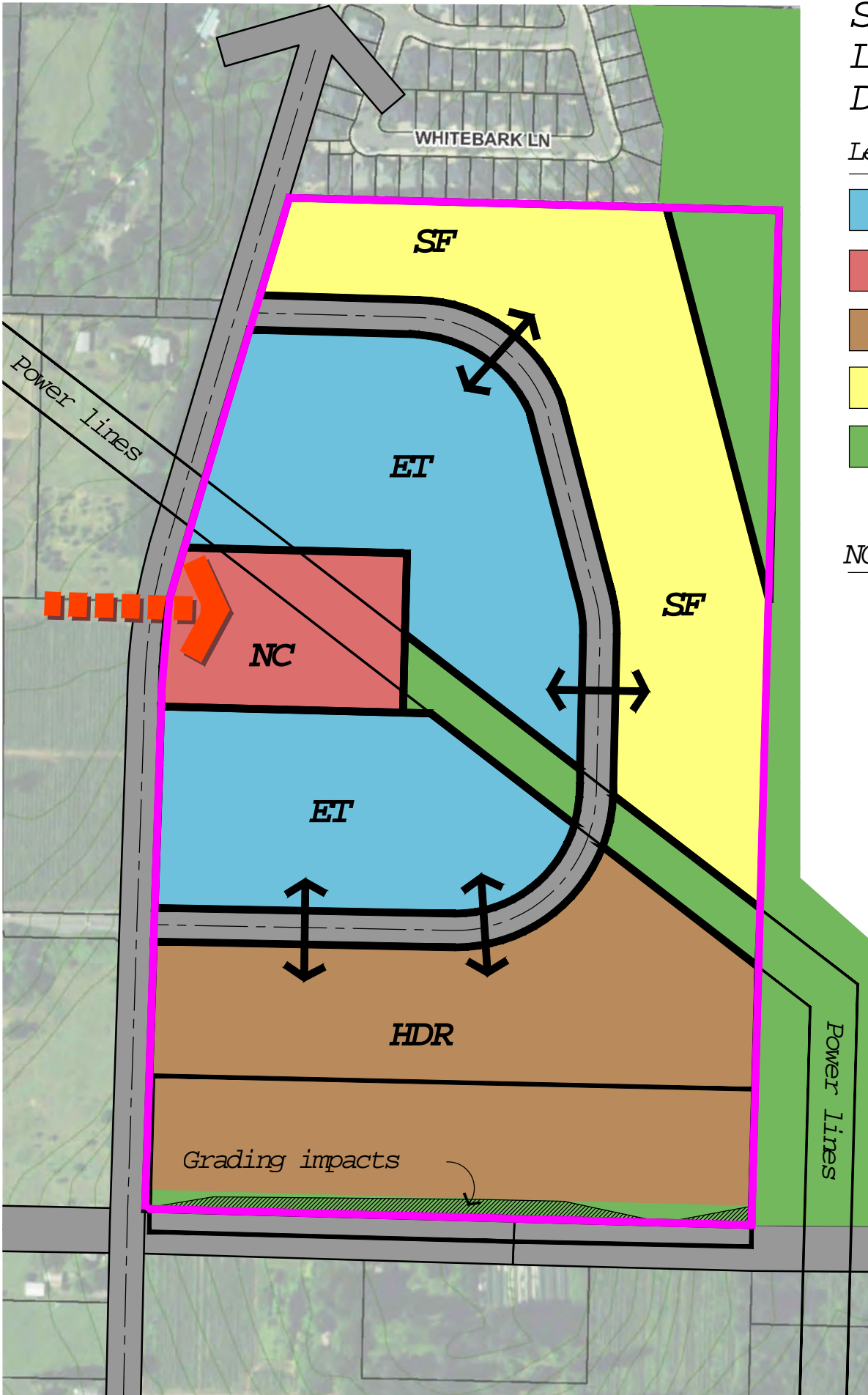
# Subdistrict Land Use Diagram

## Legend

	Employment transition 17.45 ac
	Neighborhood commercial 3.96 ac
	High density residential 16.98 ac
	Single family residential 13.26 ac
	Open space 5.54 ac

## NOTES

- Residential serves as transition against ex. homes and canyon
- Housing is walkable to retail center and jobs
- Employment Transition mixes with the residential sub-district
- Employment Transition maintains on-grade relationship with streets








8-23-2016



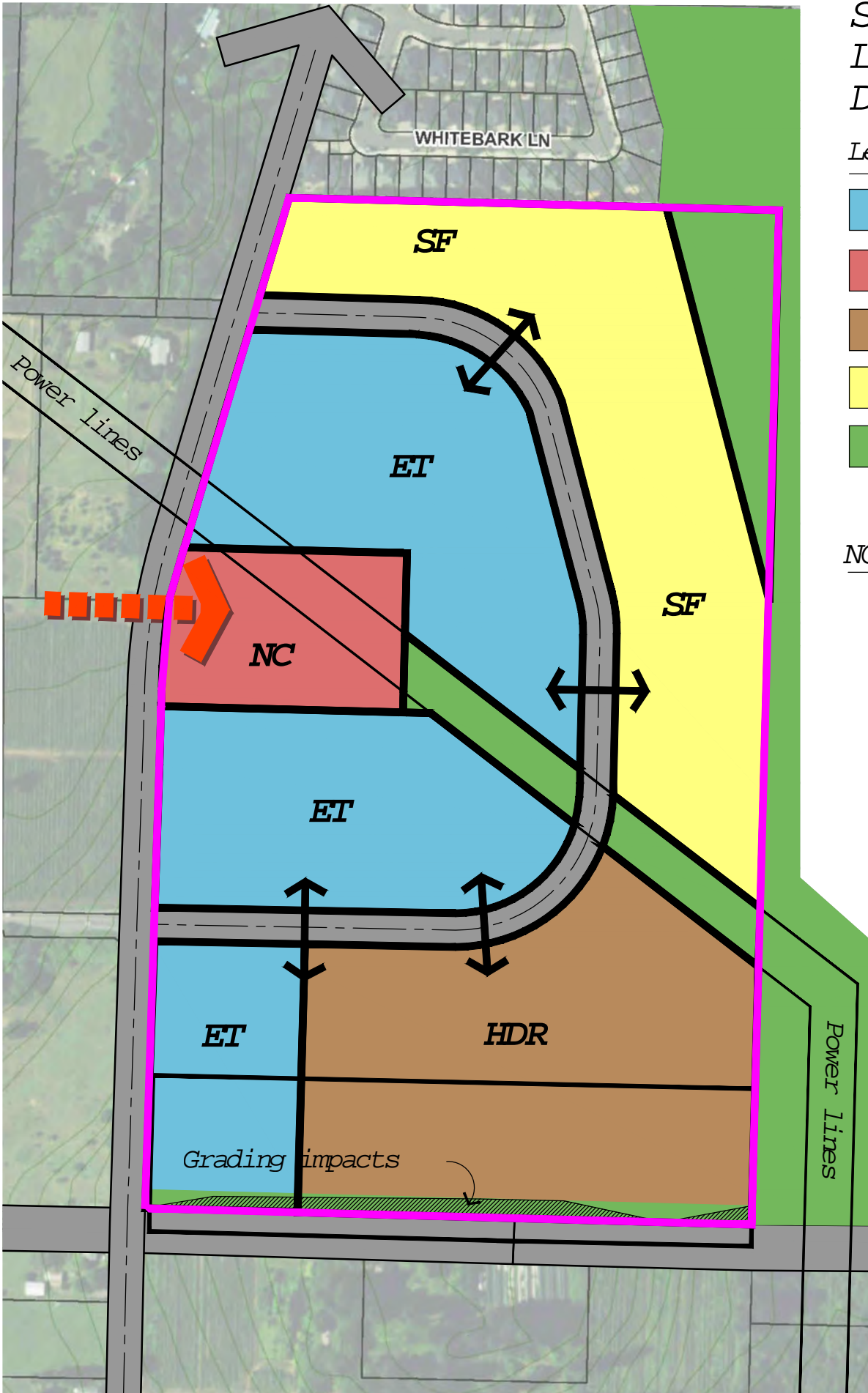
# Subdistrict Land Use Diagram

## Legend

	Employment transition 21.40 ac
	Neighborhood commercial 3.96 ac
	High density residential 13.09 ac
	Single family residential 13.26 ac
	Open space 5.54 ac

## NOTES

- Residential serves as transition against ex. homes and canyon
- Housing is walkable to retail center and jobs
- Employment Transition mixes with the residential sub-district
- Employment Transition maintains on-grade relationship with streets



8-23-2016



**From:** [Steve Zimmerman](#)  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)  
**Subject:** Basalt Creek Development  
**Date:** Friday, August 26, 2016 11:15:22 AM

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Hi,

My wife and I are considering buying a property that will probably be affected by the changes proposed at:

[www.basaltcreek.com](http://www.basaltcreek.com)

The property we're considering, which is currently available for sale, is:

<https://www.google.com/maps/place/24305+SW+Boones+Ferry+Rd,+Tualatin,+OR+97062>

The address is:

24305 SW Boones Ferry Rd  
Tualatin, OR 97062

In looking through the documents, it would appear that not only would the zoning in that area change enough to allow for businesses to develop (and are there limits to the size/height of buildings built in that area?) but also it looked like (in one map) that the back 2/3rds or so of the property would become part of the Basalt Creek Park, with public access and pathways/trails. Is that correct?

Could you please let me know if I'm reading this correctly and if we're at risk of being surrounded by business parks and losing most of the property we're about to purchase?  
Thanks.

Steve Zimmerman  
503-706-4153  
Currently a Tualatin resident at:  
22752 SW Cowlitz Dr  
Tualatin, OR 97062



**From:** [G Lucini](#)  
**To:** "[Beikman Monique](#)"; "[Lou Ogden](#)"; "[Nancy Grimes](#)"; "[Frank Bubenik](#)"; "[Joelle Davis](#)"; "[Wade Brooksby](#)"; "[Ed Truax](#)"; [council@ci.tualatin.or.us](mailto:council@ci.tualatin.or.us)  
**Cc:** "[Aquilla Hurd-Ravich](#)"; [kperfox@ci.tualatin.or.us](mailto:kperfox@ci.tualatin.or.us); [Bateschell, Miranda](#)  
**Subject:** Consent Agenda Item #D3-Reinstatement Basalt Creek Concept Planning IGA- Request change to Council Agenda Item for Review  
**Date:** Friday, September 09, 2016 3:10:34 PM  
**Attachments:** [image009.png](#)  
[image017.png](#)

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On the Tualatin CC Meeting Consent agenda for next Monday 9-12-16, is the authorizing of the Reinstatement of the Basalt Creek IGA.

**Consent Agenda Item:**

**D 3. Consideration of Resolution No. 5298-16 Authorizing the Reinstatement of an Intergovernmental Agreement for the Basalt Creek Planning Area**

I recognize the IGA needs to be renewed to be able to continue the concept planning for the area. However, several years have passed since the original IGA was signed in 2011. Metro and Washington County have taken several actions in forwarding their respective interests since 2011. An open discussion/evaluation of the status and progress of the previous 5 years needs to be provided to the Council members and to the public prior to extending the IGA for another 3 years without any review or discussion.

At this time it would be prudent- prior to authorizing without any discussion via the consent agenda -to provide the City Council members the ability to make a truly informed vote on the proposed Resolution No. 5298-16 for a project of this large scope -both financially and geographically.

The Council members, and the public, should be provided an opportunity to receive a summary on relevant information and actions by the IGA participants on the progress over the last 5 years relating to the implementation and purpose of the IGA. There should be a summarization of how these actions may impact, influence, or forward the goals of the City of Tualatin, before the Council members are asked to vote to renew the agreement. This type of summarization on the actions taken by the IGA partners relating to the purpose of the IGA, or a summarization of the current status on meeting the goals of this IGA was not provided within the informational packet posted on the City of Tualatin website for the Tualatin City Council Meeting on 9-12-16.

There have been numerous actions over the last 5 years already instituted by other members of the IGA- affecting the Basalt Creek Concept planning. For example, just within the last 3 months, Washington County and Metro have taken actions affecting the Basalt Creek Area. There are many other actions, ordinances and resolutions which IGA participants have initiated and/or passed affecting the Basalt Creek Area since the original IGA was signed.

**WASHINGTON COUNTY BOARD OF COMMISSIONERS MINUTES July 19, 2016**

2.i.  
MO 16-218  
Approve Agreement with Oregon Department of Transportation for the Basalt Creek Parkway Extension Project (CPO 5) (Approved Under Consent Agenda)

**WASHINGTON COUNTY BOARD OF COMMISSIONERS - CONSENT AGENDA AUGUST 16, 2016**

**WASHINGTON COUNTY BOARD OF COMMISSIONERS**

**Agenda Category:** Consent – Land Use and Transportation (All CPOs)  
**Agenda Title:** AUTHORIZE GRANT APPLICATIONS TO METRO FOR REGIONAL FLEXIBLE FUNDS  
**Presented by:** Andrew Singelakis, Director of Land Use and Transportation

**SUMMARY:**

Washington County Department of Land Use and Transportation is seeking Board authorization to submit grant applications for three active transportation/complete streets projects and one freight/green economy project to Metro for Regional Flexible Funds and to accept the grant funds if awarded. The Regional Flexible Funds are allocated by Metro and the Joint Policy Advisory Committee on Transportation and would be available for the 2019-21 grant cycle.

The grant applications seek funding for the following projects:

- Right-of-way acquisition for the Basalt Creek Parkway Extension between Grahams Ferry Road and Boones Ferry Road.

**METRO- Metro website-**

[http://www.oregonmetro.gov/news/new-acquisition-tonquin-geologic-area-protects-unique-features-missoula-floods?utm\\_source=Metro+contacts&utm\\_campaign=612960db63-EMAIL\\_DIGEST\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_e7c2405cf5-612960db63-278887138&mc\\_cid=612960db63&mc\\_eid=9f15596fb4](http://www.oregonmetro.gov/news/new-acquisition-tonquin-geologic-area-protects-unique-features-missoula-floods?utm_source=Metro+contacts&utm_campaign=612960db63-EMAIL_DIGEST_CAMPAIGN&utm_medium=email&utm_term=0_e7c2405cf5-612960db63-278887138&mc_cid=612960db63&mc_eid=9f15596fb4)

Metro has acquired a 50-acre site just north of Wilsonville that protects unique features of the Missoula floods, which shaped the region's landscape near the end of the last Ice Age.

Part of the new acquisition is adjacent to Metro's Coffee Lake Creek Wetlands, a 233-acre natural area. Metro's North Coffee Lake Creek Wetlands, a 27-acre natural area, sits a short distance north.

Combined, the area helps connect an important swath of habitat between the Tualatin and Willamette Rivers that native plants and wildlife rely on to safely move between different areas to access food and shelter and to breed.

I request **Consent Agenda Item: 3. Consideration of Resolution No. 5298-16 Authorizing the Reinstatement of an Intergovernmental Agreement for the Basalt Creek Planning Area**, be removed from the consent agenda and placed on the Tualatin City Council Meeting Agenda on 9-12-2016 as an agenda item, to allow the members of the Tualatin City Council:

1. Be provided relevant past and current information -- on the status of the actions of the IGA partners affecting the Basalt Creek Concept planning, prior to authorization of Resolution No. 5298-16 which renews this significant IGA.
  - a. It has been 5 years since the original IGA was signed.
  - b. Within the 5 years, a great amount of information has been obtained and analyzed relating to the concept planning for Basalt Creek which was not previously available.
  - c. Within the 5 years IGA partners have taken actions which may affect or influence the outcome of concept planning for Basalt Creek.
2. Placing Resolution No. 5298-16 as an agenda item would provide an appropriate opportunity for evaluation by members of the council to review the concept planning process and implications for the City of Tualatin, now that 5 years have passed since the original IGA was passed and additional information gained.
3. The Tualatin City Council should be able to hear how the extension of the IGA will lead to successful completion of the concept planning for the Basalt Creek Area, and what steps will be taken to insure completion of the goals of the IGA within the timeframe of the 3 year extension.
4. The geographic scope and purpose of this IGA has a substantial jurisdictional, financial, transportation and other infrastructure ramifications upon the government of the City of Tualatin, as well the citizens of Tualatin, and the citizens of the Basalt Creek area. Efforts should be made by the City of Tualatin (as an IGA partner and one of the IGA partners responsible for primary project management for concept planning) to provide the opportunity for the public to hear the information on the current status of achieving the goals of the current IGA, and justification and ramifications of extending this significant IGA with three other governmental agencies for another 3 years.

Excerpt from the recitals Basalt Creek IGA 2011, page 2 of 10:

Whereas, Oregon Statewide Planning Goal 1 requires public involvement and Goal 2 requires intergovernmental coordination, this IGA is intended to indicate to private property owners in the area, METRO, the State of Oregon, and all other interested parties the cooperative nature of the planning effort being undertaken by the CITIES and COUNTY for the Basalt Creek Planning Area; and

I request this communication be included within the Basalt Creek Concept Planning IGA file.

Respectfully submitted,

Grace Lucini

23677 SW Boones Ferry Road, Tualatin Oregon 97062

**From:** [Karen Perl Fox](#)  
**To:** [Alice Cannon](#)  
**Cc:** [Aquilla Hurd-Ravich](#)  
**Subject:** FW: Consent Agenda Item #D3-Reinstatement Basalt Creek Concept Planning IGA- Request change to Council Agenda Item for Review  
**Date:** Friday, September 09, 2016 3:16:16 PM  
**Attachments:** [image002.jpg](#)  
[image008.jpg](#)  
[image009.png](#)  
[image011.jpg](#)  
[image015.jpg](#)  
[image017.png](#)

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FYI - see below comments from Grace Lucini regarding the Basalt IGA.

Karen

**Karen Perl Fox**

Senior Planner

City of Tualatin | Community Development Department

503.691.3027 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

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**From:** G Lucini [mailto:grluci@gmail.com]  
**Sent:** Friday, September 09, 2016 3:10 PM  
**To:** Monique Beikman; Lou Ogden; Nancy Grimes; Frank Bubenik; Joelle Davis; Wade Brooksby; Ed Truax; Council  
**Cc:** Aquilla Hurd-Ravich; Karen Perl Fox; Bateschell, Miranda  
**Subject:** Consent Agenda Item #D3-Reinstatement Basalt Creek Concept Planning IGA- Request change to Council Agenda Item for Review

On the Tualatin CC Meeting Consent agenda for next Monday 9-12-16, is the authorizing of the Reinstatement of the Basalt Creek IGA.

**Consent Agenda Item:**

**D 3. Consideration of Resolution No. 5298-16 Authorizing the Reinstatement of an Intergovernmental Agreement for the Basalt Creek Planning Area**

I recognize the IGA needs to be renewed to be able to continue the concept planning for the area. However, several years have passed since the original IGA was signed in 2011. Metro and Washington County have taken several actions in forwarding their respective interests since 2011. An open discussion/evaluation of the status and progress of the previous 5 years needs to be provided to the Council members and to the public prior to extending the IGA for another 3 years without any review or discussion.

At this time it would be prudent- prior to authorizing without any discussion via the consent agenda -to provide the City Council members the ability to make a truly informed vote on the proposed Resolution No. 5298-16 for a project of this large scope -both financially and geographically.

The Council members, and the public, should be provided an opportunity to receive a summary on relevant information and actions by the IGA participants on the progress over the last 5 years relating to the implementation and purpose of the IGA. There should be a summarization of how these actions may impact, influence, or forward the goals of the City of Tualatin, before the Council members are asked to vote to renew the agreement. This type of summarization on the actions taken by the IGA partners relating to the purpose of the IGA, or a summarization of the current status on meeting the goals of this IGA was not provided within the informational packet posted on the City of Tualatin website for the Tualatin City Council Meeting on 9-12-16.

There have been numerous actions over the last 5 years already instituted by other members of the IGA- affecting the Basalt Creek Concept planning. For example, just within the last 3 months, Washington County and Metro have taken actions affecting the Basalt Creek Area. There are many other actions, ordinances and resolutions which IGA participants have initiated and/or passed affecting the Basalt Creek Area since the original IGA was signed.

**WASHINGTON COUNTY BOARD OF COMMISSIONERS MINUTES July 19, 2016**

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**WASHINGTON COUNTY BOARD OF COMMISSIONERS - CONSENT AGENDA AUGUST 16, 2016**

cid:image008.jpg@01D20AAB.11CA4640



cid:image009.png@01D20AAB.11CA4640



**METRO- Metro website-**

[http://www.oregonmetro.gov/news/new-acquisition-tonquin-geologic-area-protects-unique-features-missoula-floods?utm\\_source=Metro+contacts&utm\\_campaign=612960db63-EMAIL\\_DIGEST\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_e7c2405cf5-612960db63-278887138&mc\\_cid=612960db63&mc\\_eid=9f15596fb4](http://www.oregonmetro.gov/news/new-acquisition-tonquin-geologic-area-protects-unique-features-missoula-floods?utm_source=Metro+contacts&utm_campaign=612960db63-EMAIL_DIGEST_CAMPAIGN&utm_medium=email&utm_term=0_e7c2405cf5-612960db63-278887138&mc_cid=612960db63&mc_eid=9f15596fb4)

cid:image011.jpg@01D20AAB.11CA4640



cid:image015.jpg@01D20AAB.11CA4640



I request **Consent Agenda Item: 3. Consideration of Resolution No. 5298-16 Authorizing the Reinstatement of an Intergovernmental Agreement for the Basalt Creek Planning Area**, be removed from the consent agenda and placed on the Tualatin City Council Meeting Agenda on 9-12-2016 as an agenda item, to allow the members of the Tualatin City Council:

1. Be provided relevant past and current information -- on the status of the actions of the IGA partners affecting the Basalt Creek Concept planning, prior to authorization of Resolution No. 5298-16 which renews this significant IGA.
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Excerpt from the recitals Basalt Creek IGA 2011, page 2 of 10:

cid:image017.png@01D20AAB.11CA4640



I request this communication be included within the Basalt Creek Concept Planning IGA file.

Respectfully submitted,

Grace Lucini

23677 SW Boones Ferry Road, Tualatin Oregon 97062

September 15, 2016

Aquilla Hurd-Ravich, AICP  
Planning Manager  
City of Tualatin  
18880 SW Martinazzi Avenue  
Tualatin, OR 97062-7092

Dear Aquilla:

We are writing to you to express our concerns with the current zoning of the property directly south of Victoria Gardens. The Basalt Creek Concept Plan currently shows the eleven acres that borders directly south of Victoria Gardens (Whitebark Ave.) planned for multiple housing. Our concern is the area directly north (Victoria Gardens) is currently all single family development, the property across the street from the area (directly west on Grahams Ferry Road) is proposed to be zoned single family, and the area directly east of the property is also currently planned as zoned for single family use.

On August 10, 2016 the Victoria Gardens Homeowners Association held a community meeting and the residents attending unanimously approved a resolution asking the city of Tualatin to change the zoning of these eleven acres to Single Family Residential in order to conform with the surrounding area already developed, and planned for development.

Also at our community meeting, the owner of the property, Sherman Leitgeb, spoke to the community and was supportive of the change in zoning.

If you have any questions, please do not hesitate to contact us.

Sincerely,

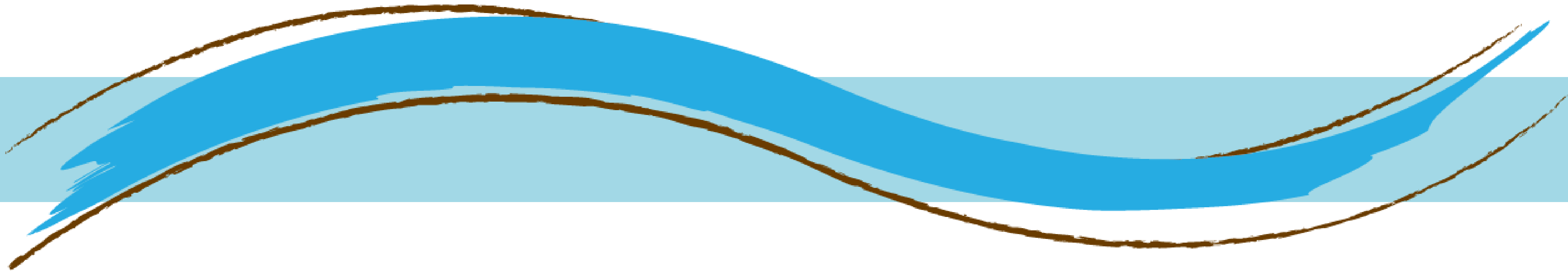
Dan Greenspan, President                      Paul Morrison, Treasurer  
Victoria Gardens Homeowners Association



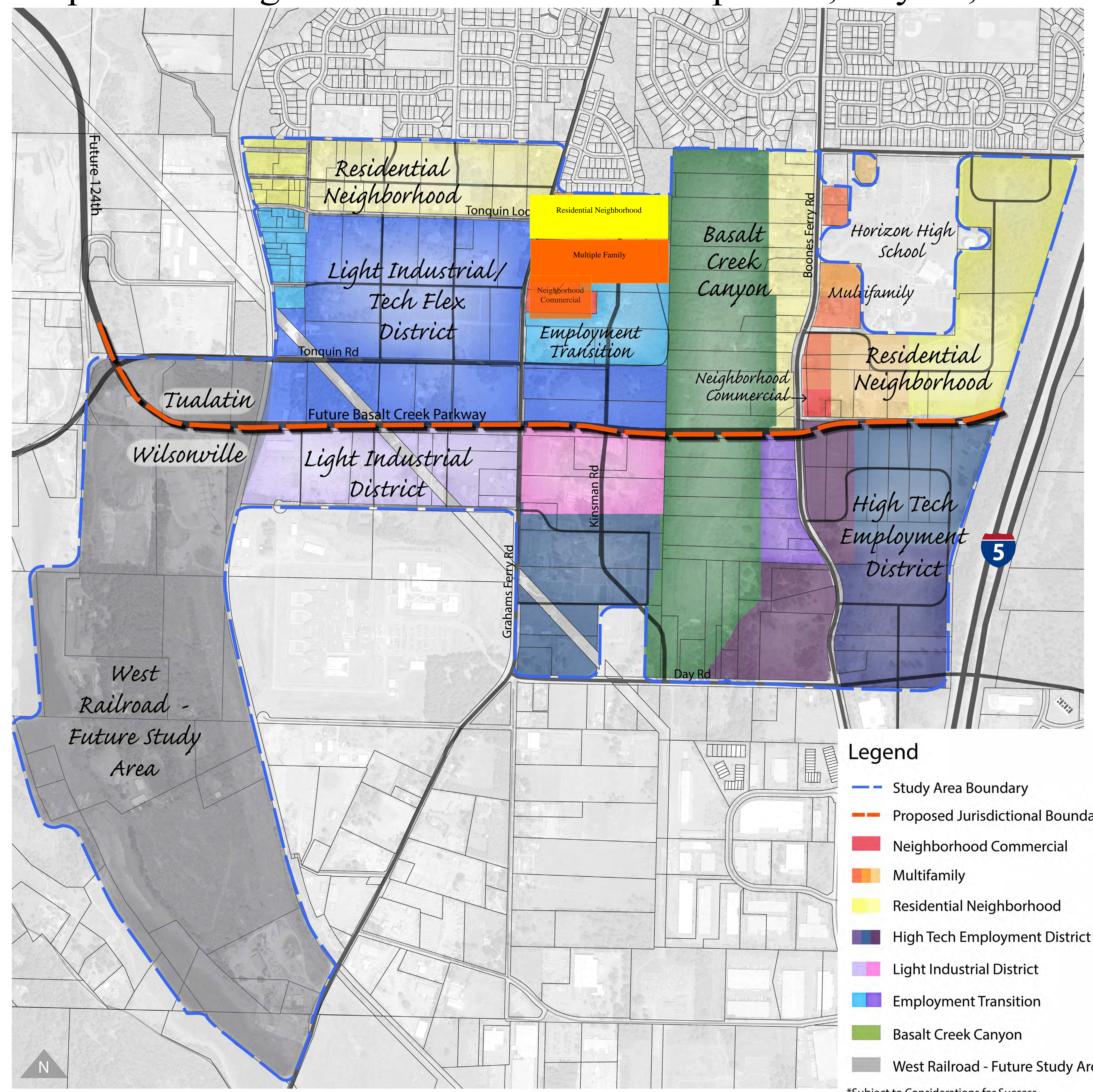
# Basalt Creek

Concept Plan

# THE LAND USE CONCEPT



Proposed Changes to The Land Use Concept Plan, July 22, 2016.



- Legend**
- Study Area Boundary
  - Proposed Jurisdictional Boundary\*
  - Neighborhood Commercial
  - Multifamily
  - Residential Neighborhood
  - High Tech Employment District
  - Light Industrial District
  - Employment Transition
  - Basalt Creek Canyon
  - West Railroad - Future Study Area
- \*Subject to Considerations for Success



**From:** [G Lucini](#)  
**To:** ["Bateschell, Miranda"](#); ["Cosgrove, Bryan"](#)  
**Cc:** [scottstarr97070@gmail.com](mailto:scottstarr97070@gmail.com); ["Jacobson, Barbara"](#); ["Neamtzu, Chris"](#); ["Kraushaar, Nancy"](#); ["Aquila Hurd-Ravich"](#)  
**Subject:** RE: Basalt Creek  
**Date:** Monday, September 19, 2016 1:57:18 PM

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Hi Miranda,

I appreciate the fact you took time to respond to my concern regarding transparency within the Basalt Creek Concept Planning process. I know you are also working on concept planning for Frog Pond, so your efforts did not go unnoticed.

The Concept Planning for the Basalt Creek Area is solely the responsibility of the cities of Wilsonville and Tualatin, with Tualatin assuming the administrative and fiduciary duties.

However, both cities are responsible and accountable for work towards a common goal. The original agreement between the two cities provided for completion of the concept plans within a 5-year period, ending this year. It is appropriate to have an accounting of the process and why the planning was not completed prior to the end of the grant and the terms of the current IGA- prior to a vote to renew an agreement of this large of scope and expense.

The vote on the IGA renewal directly affects the viability and therefore outcome of jurisdictional, zoning, transportation and infrastructure of over 800 acers- directly affecting large numbers of property owners and citizens on a project which has already had significant cost to taxpayers through various governmental funds.

Open discussion of ramifications related to renewal of the agreement is necessary for Councilors to make a truly informed decision to renew the IGA prior to voting.

Information which needs to be exchanged---should include:

- Any additional expenses related to extending the IGA---including but not limited to contractors or sub-contractor costs; additional staff time; or costs for the acquisition of additional funding to replace the funding of the current grant.
- A list of factors which caused delays in the current IGA; how these factors might impact the proposed renewal and how they will be addressed.
- A discussion on actions which can be taken to help ensure the completion of the project within the terms of the renewal.

I agree the Basalt Creek Concept Planning needs to be continued and completed in a timely manner.

At the same time, the inability of the two cities to reach an accord within the 5 year term of the current IGA, does not constitute an unknown deadline or an emergency situation. Expediency for times sake should not negate the need for transparency when there should be an accounting for the failure of completion of the first agreement; an understanding of any additional costs/ ramifications relating to the proposed renewal; and discussion of factors necessary for successful completion within terms and timeframe of the proposed renewal--- in a public forum.



The transparency of the process in a Public Meeting is particularly important- especially when there are the governments of two city involved in the process; and the property owners directly affected by the concept planning do not have elected representation within the process.

A modification to the Partnering Agreement for this IGA was specifically included to convey the intent of both cities to comply with the Oregon Public Meetings Law. I do not see a reason this information exchange should not be carried out in a Public Meeting ----prior to a vote by an informed City Council.

Grace

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**From:** Bateschell, Miranda [mailto:bateschell@ci.wilsonville.or.us]  
**Sent:** Friday, September 16, 2016 5:13 PM  
**To:** G. Lucini <glucini@gmail.com>; Cosgrove, Bryan <cosgrove@ci.wilsonville.or.us>  
**Cc:** scottstarr97070@gmail.com; Jacobson, Barbara <jacobson@ci.wilsonville.or.us>; Neamtzu, Chris <neamtzu@ci.wilsonville.or.us>; Kraushaar, Nancy <kraushaar@ci.wilsonville.or.us>; Aquilla Hurd-Ravich <AHURD-RAVICH@ci.tualatin.or.us>  
**Subject:** RE: Basalt Creek

Ms. Lucini,

I am sorry it has taken me until this late in the week to respond, but it has been a very meeting heavy week for me. I wanted to respond to your questions and hopefully clarify the Basalt Creek agenda item as it relates to your concerns.

While the specific question of whether to renew the IGA or not has not been discussed as a separate agenda item, the need for the IGA in order to complete concept planning for Basalt Creek has been discussed since the beginning of the project. The IGA binds the agencies together in this effort and is the conduit for the planning work and fulfilling the grant obligations with Metro. The IGA is needed to bring the Basalt Creek Concept Plan to completion and for the cities to take action to implement the concept plan with the County.

As you noted, significant work has been done through this partnership to bring investment to Basalt Creek (completion of the Transportation Refinement Plan, construction of the Parkway, etc.). We need to finish the land use plan to support all of that investment. We need to be fiscally responsible and extend the IGA and the commitment of all the agencies involved to honor those investments and get us to a point of implementation on the land use side of the project. The financial obligation of the agencies to complete the plan is the same. The renewal does not add costs but rather adds time. While the County recommended adding three years to be on the safe side, it is important to note, that all agencies hope to have all the work completed by next spring (concept plan approved by the end of the year, and amendments adopted in spring). We are in the home stretch.

I hope you have a lovely weekend. Let me know if you have additional questions.

Best,  
Miranda

**Miranda Bateschell**

Long Range Planning Manager  
City of Wilsonville | Community Development Department  
503-570-1581 | [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)

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**From:** G. Lucini [<mailto:grluci@gmail.com>]  
**Sent:** Tuesday, September 13, 2016 1:33 PM  
**To:** Cosgrove, Bryan  
**Cc:** [scottstarr97070@gmail.com](mailto:scottstarr97070@gmail.com); Jacobson, Barbara; Neamtzu, Chris; Bateschell, Miranda; Kraushaar, Nancy  
**Subject:** Re: Basalt Creek

Bryan,  
Thank you for your email.

Would you be able to provide me the public meeting where the renewal of the Basalt Creek IGA was an agenda item for a work session or during a Wilsonville CC meeting?

Are there minutes on discussion on the additional costs relating to the renewal, or discussion of what factors lead to the need to renew, or what actions would assist in completing the concept planning to avoid the need of an additional renewal?

As the concept planning process is multifaceted and involves multiple participants - transparency of the process becomes important for all involved.

I appreciate your assistance.

Thanks,  
Grace

Sent from my iPhone

On Sep 13, 2016, at 12:52 PM, Cosgrove, Bryan <[cosgrove@ci.wilsonville.or.us](mailto:cosgrove@ci.wilsonville.or.us)> wrote:

Ms. Lucini,

Councilor Starr asked that I contact you regarding the Basalt Creek item that is on our consent agenda for the September 19<sup>th</sup> Council meeting. I'm sure you are aware that consent items are not discussed individually, but there is nothing that prohibits you from speaking under public comment. We view this as a procedural matter as the items in the staff report merely reflect the

agreements both cities made at a prior work session that was open to the public.

Bryan Cosgrove,  
City Manager

503.570.1504 (office)  
[cosgrove@ci.wilsonville.or.us](mailto:cosgrove@ci.wilsonville.or.us)  
29799 SW Town Center Loop  
Wilsonville, Oregon 97070

**DISCLOSURE NOTICE:** Messages to and from this E-mail address may be subject to the Oregon Public Records Law.

There is little difference in people, but that little difference makes a big difference. The little difference is attitude. The big difference is whether it is positive or negative.

- **W. Clement Stone**

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

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<b>Date</b>	<b>Name</b>	<b>Comment*</b>
9/27/2016	Sean & Kelly Slater	<p>Sean &amp; Kelly Slater live at Tualatin, OR 97062 inside of Victoria Gardens development. Our backyard backs directly up to the Basalt Creek Concept Plan. We look over the fence at the first 11 acres that will be developed. That 11 acres is currently set to be zoned as Multi Family Housing. The acres to the West will be Single Family, the acres to the West will be single Family, but what is set to be in between all of us is Multi Family. This does not make sense to us. We feel that to keep continuity, the 11 acres that is currently owned by Sherman Leitgeb should be rezoned Single Family to conform with the surrounding area already developed.</p> <p>I was at our Victoria Gardens Homeowners Association meeting where we unanimously approved a resolution asking for this 11 acres to be rezoned Single Family.</p> <p>The current home owner Sherman Leitgeb said that he agrees himself that it should be rezoned Single Family to conform to the current developments surrounding it. Please consider rezoning this 11 acres to Single Family.</p> <p>Please let me know if you have any questions.</p>
9/27/2016	Yigal Accad	<p>This letter is with respect to Basalt Creek Concept Plan documents of 4/28/2016, as related to the South end of Grahams Ferry Road. According to this plan, zoning assignment is extremely unfair with respect to present homeowners of Victoria Gardens Community, in particular on the South side of Whitebark Avenue.</p> <p>Single family homes and multifamily homes represent completely different lifestyles in many aspects (social, cultural, congestion and more). Hence, the corresponding different zonings should be separated by a wide margin rather than by merely a 6 feet backyard fence.</p> <p>Please consider my recommendations which will hopefully make justice to all parties involved (including the City of Tualatin).</p> <p>Extend the single family residential neighborhood from the South end of Victoria Gardens Community to at least the Eastward extension of Tonquin Loop. This will create single family homes on both sides of Grahams Ferry Road all the way to Tonquin Loop. To maintain the balance of multifamily homes in the Concept Plan, extend multifamily homes zoning between Boones Ferry Road and I-5 (South and East of Horizon High School). Moreover, I believe multifamily homes should be on the</p>



**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

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		<p>East side toward I-5 while single family homes toward Boones Ferry Road (see similar development in Wilsonville, East of I-5).</p> <p>It is never late to make the right and fair decision and I am looking forward to the Planning Committee to do so.</p> <p>Thank you for your attention to my letter.</p>
9/29/2016	Jake VanderZanden	<p>I am writing to you to express my concern and opposition to the current zoning of the 11-acres of property directly south of Victoria Gardens. This is my viewpoint and also that of the Victoria Gardens HOA/neighborhood.</p> <p>Your Basalt Creek Concept Plan currently shows the acreage that directly borders Victoria Gardens – south of Whitebark Ln – as planned for multiple housing. This simply does not fit with zoning plans directly north, west and east of this neighborhood. While I may not understand the rationale, this needs modification. It is also my understanding that the current property owner desires and supports this zoning plan change.</p> <p>The Victoria Gardens Homeowners Association held a community meeting and the residents unanimously support a change to Single Family Residential in order to conform to the surrounding area already developed.</p> <p>Please reconsider current plans. Let's keep Tualatin great.</p>
10/3/2016	Charles and Danielle Cline	<p>We are 4 year residents of Victoria Gardens in Tualatin. Recently it was brought to our attention that the 11 acres adjacent to our neighborhood, related to Basalt Creek project, is zoned for multiple housing.</p> <p>All other adjacent neighborhoods in our area are single family dwellings and we urge you to reconsider the current plan. The tiny lots on which most houses are built already contribute to high density and zoning for multiple housing would greatly enhance this density.</p> <p>Please change the zoning for those 11 acres to single family homes.</p>
10/3/16	Carrie and Aaron Walser	<p>Short Version: Please, reconsider the zoning south of Victoria Gardens. We would very much like it to be Single Family Residential rather than Multi-Family Residential.</p> <p>Long Version: We are writing to you to express some of</p>

**Tualatin’s Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

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		<p>our thoughts and feelings about the proposed zoning of the property right behind our home in Victoria Gardens. First off thank you for taking the time to read our letter, we hope it is helpful with the difficult decision you face on this matter.</p> <p>We moved to Tualatin with our three children in 2010. We fell in love with the city and the community at first sight. Never have we felt more “at home” in any community we have lived in before. Which is quite a feat if you consider that, when combined, we have lived in over 20 different cities in the United States, Mexico, and Argentina. Our home is on Whitebark Lane so that means our backyard is right up against Sherman’s property. He has taken good care of his property and it has been lovely these past six years. Looking out from our bedroom windows and seeing just the pines, it feels like we live in some sort of awesome treehouse. We knew when we bought the house that our view wouldn’t last forever. We knew that someday our neighbor would sell his property. Yet, we never imagined that our “backyard” would possibly become multifamily residential area.</p> <p>We believe that a city should have zones for apartments and condos and the like. We have lived in those areas before so we realize the pros and cons such developments have. We also recognize that some so called arguments against multifamily housing have no basis in fact and are unfortunately biased and sometimes bigoted. As an experienced Planning Manager I am sure you are aware of far more studies on the issue than we are. We know there are strategies to make multifamily housing successful endeavors.</p> <p>However, we are deeply concerned because in real life there are no guarantees that the common strategies used to make multifamily housing developments succeed-and not become their typical stereotypes-will be implemented.</p> <p>Although it may sound trite, our first concern is aesthetics. We all like to think we are rational humans, and all our decisions are based on rational thoughts. The truth is, we make many decisions based on emotion. Good design-along with poor design-can affect our emotions during the decision making process. Given the circumstances, and the lovely area where we live, we believe that the architecture of these multifamily dwellings would need to be even more exceptional than the single family homes in the area. Pleasure derived from beauty of environment is functional beauty in</p>
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**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

		<p>several ways. Yet, from my experience, the sad truth is that many developers wanting to build a multifamily dwelling are not interested in spending money on creating something special; something that will enhance the living experience here in our city. It's usually all about the short game, and the quick dollars.</p> <p>We know that many arguments about lowered property values are not validated by research. Yet, the question of management is one that has been shown to affect surrounding areas. Whether privately owned or subsidized poorly maintained housing has shown to diminish the value of surrounding properties. Obviously we have no say over how well managed or maintained these multifamily dwellings will be. (Granted we have no real control over our current neighborhood either but the HOA does help keep us all pointed in the same direction at least. We once let the lawn get rather long-aka neighborhood kids were getting lost on safari in the jungle we had growing out front-before we got a nice reminder letter.:)</p> <p>Recently, at our Victoria Gardens Homeowners meeting, a point was made that north of us is single family zone, we are single family zone, and the areas east and west of us are planned for single family zones. It seems a bit odd that right south of us, right behind our fence, isn't zoned for single family.</p> <p>May we suggest one possible alternative. Studies have shown that multifamily zoning is likely to be more successful when-along with good design and good management-you place it in an area that is in need of revitalization. In no way do we mean this to come across like us telling you how to do your work. It is simply my hope that you might be aware of a couple of areas in Tualatin that would benefit from such an opportunity for revitalization.</p> <p>Finally, we want to thank you for your time and your efforts on behalf of the city. We recognize this is not an easy job and that you can't make everybody happy but we hope our letter has helped in some way with these difficult decisions.</p>
10/3/2016	Jim Switzer	<p>I hope you are having a good day!</p> <p>As you recall, we spoke by phone about our concerns relating to the zoning issue of the property directly south of Victoria Gardens.</p>

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

		<p>The Basalt Creek Concept plan currently shows the eleven acres that borders south of Victoria Gardens (Whitebark Ave.) is planned for multiple houses.</p> <p>As you know, the zoning to the north of Victoria Gardens as well as to the west are all zoned for single family use.</p> <p>It would only seem right, that the land directly south of Victoria Gardens would also be zoned as single family homes as well.</p> <p>As such, we are asking the Concept Plan be changed in light of this request.</p> <p>I have been a Tualatin resident since 1990. I love the city and respect the desire of the City to expand in the Basalt Creek area.</p> <p>However it is unreasonable to exclusively penalize our small (73 home) subdivision in the Concept Plan.</p> <p>It would make more sense to continue the single family home environment just south of Victoria Gardens.</p> <p>Thank you for your understanding and consideration of our request.</p>
10/3/2016	Cristina & Sherrard Watson	<p>My husband and I are homeowners in the Victoria Gardens neighborhood in Tualatin, OR. I was recently informed that the 11 acres just south of our neighborhood has been planned as multiple housing residences, rather than single family residences. This is concerning to us, as the neighborhood that we live in, as well as all the adjacent areas, are either zoned as single family or are planned as single family residences.</p> <p>I am writing to ask you to reconsider this decision, as we would all love for our neighborhood, and surrounding areas to stay in the same type of development format. We love Tualatin and love our neighborhood, and would just like to have the area conform to the areas that we already live in, or are being developed.</p> <p>Thank you very much for your time and consideration.</p>
10/3/2016	Michael & Julie Madrid	<p>We are writing with concerns about the current zoning of the property directly south of Victoria Gardens. It would appear that the Basalt Creek Concept Plan shows that the eleven acres located on the southern border of Victoria Gardens is zoned multi-family housing and the remaining acreage to the south of that eleven acre parcel are</p>



**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

		<p>currently zoned for single family use. We would like to request that these zones be switched so that the single family use zone is the zone closest to Victoria Gardens.</p> <p>On August 10, 2016 Sherman Leitgeb, the owner of the two parcels in question addressed our homeowners association and was supportive of the change of the current zoning. The Victoria Gardens Homeowners association held a community meeting about the current zoning and with unanimous consensus we are asking the City of Tualatin to change the zoning of the eleven acres on our southern border to be changed to single family residential. This change would be better suited to a continuous flow of single family residences without the insertion of multi-family use zoning splitting single family neighborhoods. We also believe that the flow of traffic would be better suited as multi-family use properties have more vehicles per acre Since the multi-family zone would be closer to the 124<sup>th</sup> street extension and to I-5 via Day Road, we believe that the flow of traffic would flow better.</p> <p>We appreciate your time and I hope you will consider our request to change the zoning.</p>
10/3/2016	Bonnie Ford	<p>I am writing with the sincere hope that you will consider and understand my concern regarding the current zoning of the area just south of my neighborhood.</p> <p>I've lived in Victoria Gardens for just over four years. When I moved into my new home in 2012, it was as a single mother with a full time career raising a 9-year old daughter. I am fortunate enough to have the financial means to buy a home rather than renting a house or apartment. I considered moving to other communities like Lake Oswego, Forest Heights, or Multnomah Village. I chose to stay in Tualatin, moving only a few blocks from my previous home in the Canterwood subdivision. The overriding reasons were the quality of life, sense of community, and the safety of the Victoria Gardens neighborhood for myself and my daughter. That decision has always lived up to my expectations until now.</p> <p>The Basalt Creek Concept Plan proposes to turn the eleven acres directly south of Victoria Gardens into multiple family housing. This concerns me deeply as I believe it is inconsistent with the purpose and feel of the neighboring communities. The bordering areas are currently or proposed to be zoned as single family residential. A multiple family housing development in</p>

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

		<p>this area will impact traffic, aesthetic, and population density negatively and change the character of our local community.</p> <p>On August 10<sup>th</sup>, the Victoria Gardens HOA held a community meeting to discuss this issue. The residents in attendance unanimously approved a resolution asking the city of Tualatin to change the zoning of these eleven acres to Single Family Residential in order to conform with the surrounding area, both existing and planned for development.</p> <p>Sherman Leitgeb, the owner of the property, has also expressed his support of our community to change the zoning to Single Family Residential.</p> <p>I appreciate the opportunity to express my concerns and sincerely hope that you will consider the impact of this decision on my family, my neighbors, and our wonderful community.</p>
10/4/2016	Herb Koss	<p>I have attached a hand drawn sketch that Don Hanson of Otak prepared. A more detailed map will be forthcoming.</p> <p>I have been speaking with Mayor Ogden about the zoning issues in Basalt Creek and my concerns with trying to include Employment Transition Zoning on the land identified in the attachments to this email.</p> <p>The property that I have ownership in is the 10 acre parcel on Basalt Creek Parkway and Grahams Ferry Road ( east side of Grahams Ferry). In speaking to the Washington County Engineering dept. , I was told that we will have an 18 foot cut on our southern boundary. With no access allowed from frontage on Grahams Ferry Road I retained the services of Otak to assist with what I would consider a better plan for not only our land but for the City of Tualatin.</p> <p>The first plan that Otak prepared was directed by input from the city staff that Employment Transition land had to be a part of the plan. After examining the topography of the land it just does not make sense for any of the land in the area described to be zoned employment. The site constraints are just not conducive to employment zoning. I asked Don Hanson to prepare a sketch of a plan that did take site topography into consideration. The plan is also attached to this email --- <b>Basalt Creek Sketch.</b></p> <p>I have been in the development business for many years</p>

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

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		<p>and in planning any land purchased I always retained the services of professional land planners to assist me in creating a well thought out plan. Topography is a very important factor in preparing any land plan.</p> <p>It is my sincere hope that the City consult with John Fregonese on the issues that I have identified.</p> <p>Attachment: 1- 17713A Basalt Creek Amend Concept Plan Revised 08-24-16 Attachment: 2- Basalt Creek Sketch</p>
10/5/2016	Michael Ward	<p>I am writing to you to express my concerns regarding the zoning of the property directly South of my home in Victoria Gardens.</p> <p>This plan shows that the property directly south of my location is planned to have multi-family housing. Currently the area is all single family development.</p> <p>The Victoria Gardens Homeowners Association held a meeting and all the residents attending approved a resolution asking that the City of Tualatin change the zoning of the eleven acres to Single family Residential in order to conform with the surrounding area that is already developed and planned for development.</p> <p>If you have any questions, please feel free to contact me. My contact information is below.</p>
10/5/2016	Herb Koss	<p>I have attached a more detailed plan that Otak has prepared. Since my first plan was submitted I had Otak take a closer look at the slopes and topography of the entire land area from Basalt Creek Parkway north to the present residential Neighborhood and between Grahams Ferry Road and the Canyon. It was apparent, after consulting with Otak and Fregonese and Asso. that not only our land, but the entire area described had constraints that were not conducive to Employment Land uses.</p> <p>John Fregonese provided me with a copy of the mapping that his firm provided and this map was the basis for the work done by Otak.</p> <p>The attached refined plan has been drawn taking into consideration the existing topography and access points as well as a needed transition to existing homes to the north and the canyon to the east.</p> <p>There is a centralized retail center that is easy and safe to</p>

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

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		<p>walk to from all of the housing proposed on the site.</p> <p>A diverse mix of housing is proposed from single family to townhomes to apartments.</p> <p>This approach supports the workforce housing close to jobs. Severe slopes are protected by open space. This combined with a parkway under the existing power lines creates open space that connects land uses.</p> <p>Access to the Grahams Ferry road is limited to three points. The development parcels are served by an internal loop road. No access is proposed to the Basalt Creek Blvd. since there is a 18 to 20 foot cut in line with the plans as proposed by Washington County.</p> <p>I would like to suggest that Fregonese and Asso be invited to a workshop along with Don Hanson a principle with Otak who has prepared our suggested zoning map.</p> <p>Thank you for your including our first planning maps for the upcoming workshop. The attached map has been prepared after looking at the entire area described above. I would appreciate if you included the attached map and this email too.</p> <p>Sincerely Herb Koss</p> <p>Attachment: Basalt Map</p>
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**From:** [Alan Alexander](#)  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)  
**Cc:** [aalexander@rshughes.com](mailto:aalexander@rshughes.com); [alsg@earthlink.net](mailto:alsg@earthlink.net)  
**Subject:** Basalt Creek Concept Plan  
**Date:** Tuesday, October 04, 2016 1:59:22 PM  
**Importance:** High

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Aquilla,

I am reaching out to you on behalf of my wife and myself to express our concerns over zoning of the Basalt Creek project. We live in the Victoria Gardens neighborhood just north of where the eleven acre project is supposed to be developed. We are requesting that consideration be given to change the zoning from multi-family to single family homes that are proposed to be constructed. There also seems to be unanimous opposition in the surrounding area to having multi-family homes so close to single family homes. Multi-family homes could have a detrimental effect on the surrounding home values and traffic, just to name some of the concerns that current homeowners share.

At our Homeowners Association meeting on August 10<sup>th</sup> the current owner of the property, Sherman Leitgeb, also spoke and was supportive of the change in the zoning back to single family residence.

We thank you for your consideration of these requests and are looking forward to receiving your reply.

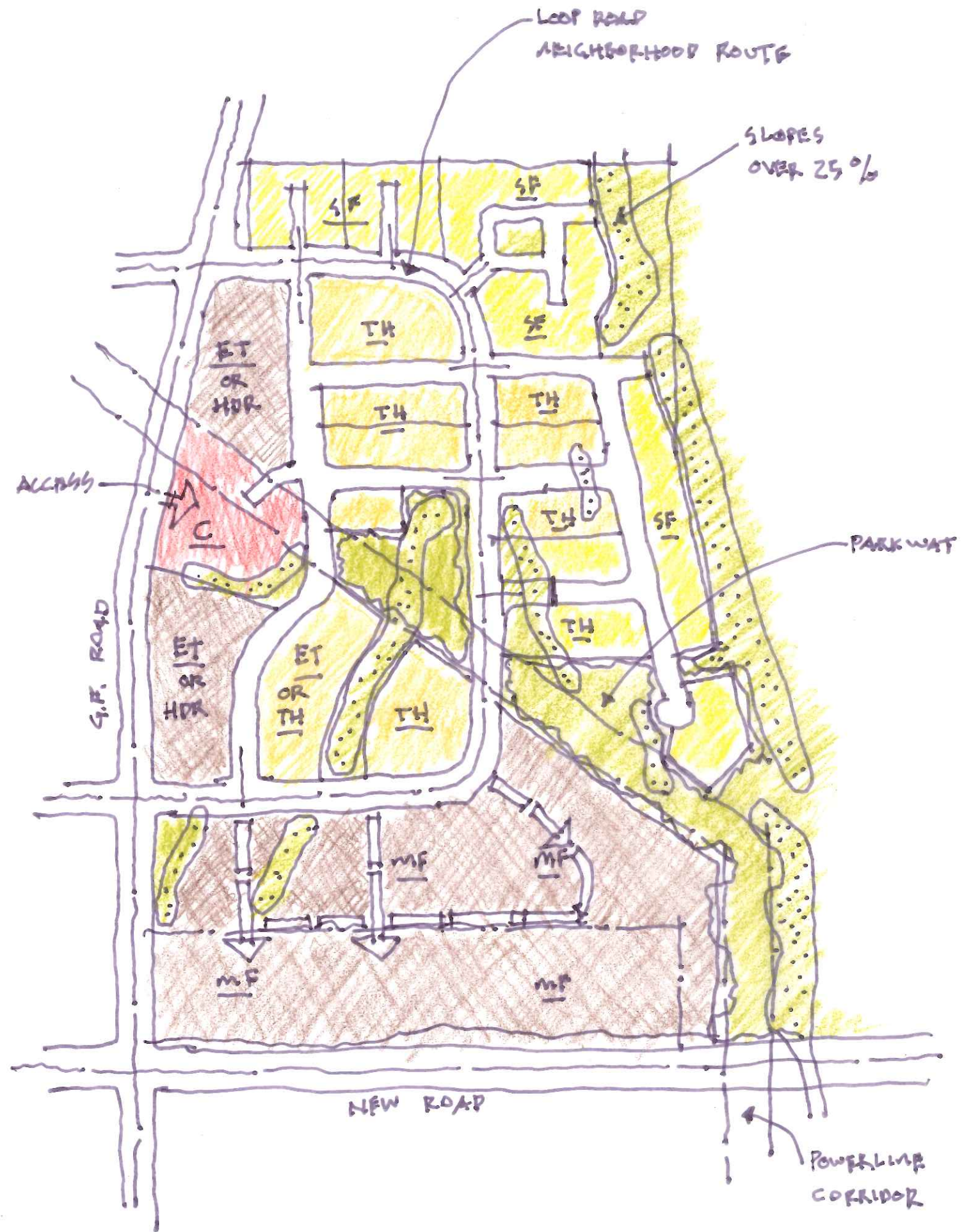
Sincerely,

**Alan Alexander**  
Safety/Government Specialist  
R.S. Hughes Co., Inc.

Office 503-251-0494  
Cell 503-319-9269  
[aalexander@rshughes.com](mailto:aalexander@rshughes.com)

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SKETCH PLAN  
 1" = 300'      9.30.16



**From:** [Herb Koss](mailto:Herb.Koss)  
**To:** [slobos@ci.tualatin.or.us](mailto:slobos@ci.tualatin.or.us); [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); [acannon@ci.tualatin.or.us](mailto:acannon@ci.tualatin.or.us); [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)  
**Subject:** FW: Basalt Creek Plan NE Corner  
**Date:** Tuesday, October 04, 2016 10:44:56 AM  
**Attachments:** [17713A BasaltCreek AmendConceptPlan Revised 08-24-16.pdf](#)  
[Basalt Creek sketch.pdf](#)

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Good Morning Sherilyn, Aquilla, Alice and Karen:

I have attached a hand drawn sketch that Don Hanson of Otak prepared. A more detailed Map will be forthcoming.

I have been speaking with Mayor Ogden about the zoning issues in Basalt Creek and my concerns with trying to include Employment Transition Zoning on the land identified in the attachments to this email.

The property that I have ownership in is the 10 acre parcel on Basalt Creek Parkway and Grahams Ferry Road ( east side of Grahams Ferry). In speaking to the Washington County Engineering dept. , I was told that we will have an 18 foot cut on our southern boundary. With no access allowed from frontage on Grahams Ferry Road I retained the services of Otak to assist with what I would consider a better plan for not only our land but for the City of Tualatin.

The first plan that Otak prepared was directed by input from the city staff that Employment Transition land had to be a part of the plan. After examining the topography of the land it just does not make sense for any of the land in the area described to be zoned employment. The site constraints are just not conducive to employment zoning. I asked Don Hanson to Prepare a sketch of a plan that did take site topography into consideration. The plan is also attached to this email --- **Basalt Creek Sketch.**

I have been in the development business for many years and in planning any land purchased I always retained the services of professional land planners to assist me in creating a well thought out plan. Topography is a very important factor in preparing any land plan.

It is my sincere hope that the City consult with John Fregonese on the issues that I have Identified.

Sincerely  
Herb Koss 503 730 2431

---

**From:** Don Hanson [mailto:[don.hanson@otak.com](mailto:don.hanson@otak.com)]  
**Sent:** Friday, September 2, 2016 1:35 PM

**To:** Herb Koss  
**Subject:** FW: Basalt Creek Plan NE Corner

Here's a smaller size version of the package. This will be easier to transmit out to folks.  
Don

Don Hanson | Principal  
v. 503.415.2317 | f. 503.415.2304  
[www.otak.com](http://www.otak.com)



at Otak, we consider the environment before printing emails.

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**From:** Gabriel Kruse  
**Sent:** Monday, August 29, 2016 11:24 AM  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)  
**Cc:** Don Hanson  
**Subject:** Basalt Creek Plan NE Corner

Aquilla,

Don Hanson asked me to forward on the Basalt Creek Tualatin Concept Plan because the previous file size was too large for your email. I have reduced the file size for your use. Please let us know if you have any questions or concerns.

Thanks,  
Gabriel



Gabriel Kruse, PLA, ASLA  
808 SW Third Avenue, Suite 300 | Portland, OR 97204  
v: 503.415.2402 | f: 503.415.2304  
[www.otak.com](http://www.otak.com)

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**From:** [Herb Koss](mailto:Herb.Koss)  
**To:** [slobos@ci.tualatin.or.us](mailto:slobos@ci.tualatin.or.us); [Aquilla Hurd-Ravich](mailto:Aquilla.Hurd-Ravich); [acannon@ci.tualatin.or.us](mailto:acannon@ci.tualatin.or.us); [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)  
**Cc:** [JOHN FREGONESE \(john@frego.com\)](mailto:JOHN.FREGONESE@john@frego.com); [Don Hanson](mailto:Don.Hanson); [Lou Ogden](mailto:Lou.Ogden)  
**Subject:** FW: Basalt map  
**Date:** Wednesday, October 05, 2016 4:25:38 PM  
**Attachments:** [20161005103316990.pdf](#)

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Dear Sherilyn, Aquilla, Alice and Karen

I have attached a more detailed plan that Otak has prepared. Since my first plan was submitted I had Otak take a closer look at the slopes and topography of the entire land area from Basalt Creek Parkway north to the present residential Neighborhood and between Grahams Ferry Road and the Canyon. It was apparent, after consulting with Otak and Fregonese and Asso. that not only our land, but the entire area described had constraints that were not conducive to Employment Land Uses.

John Fregonese provided me with a copy of the mapping that his firm provided and this map was the basis for the work done by Otak.

The attached refined plan has been drawn taking into consideration the existing topography and access points as well as a needed transition to existing homes to the north and the canyon to the east.

There is a centralized retail center that is easy and safe to walk to from all of the Housing proposed on the site.

A diverse mix of housing is proposed from single family to townhomes to apartments.

This approach supports the workforce housing close to jobs. Severe slopes are protected by open space. This combined with a parkway under the existing power lines creates open space the connects land uses.

Access to the Grahams Ferry road is limited to three points. The development parcels are served by an internal loop road. No access is proposed to the Basalt Creek Blvd. since there is a 18 to 20 foot cut in line with the plans as proposed by Washington County.

I would like to suggest that Fregonese and Asso be invited to a workshop along with Don Hanson a principle with Otak who has prepared our suggested zoning map.

Please call me at 503 730 2431 or email me at [herb@kossred.com](mailto:herb@kossred.com) if you have any Further questions.

Thank you for your including our first planning maps for the upcoming workshop. The attached map has been prepared after looking at the entire area described above. I would appreciate if you included the attached map and this email too.

Sincerely  
Herb Koss

---

**From:** Don Hanson [mailto:don.hanson@otak.com]  
**Sent:** Wednesday, October 5, 2016 10:56 AM  
**To:** Herb Koss  
**Subject:** Basalt map

Herb

I've attached the map with rough acreage numbers per land use.

The commercial site is 2.4 acres including the space under the power lines where surface parking can be placed.

I would figure densities as follows :

Single family. 5-7 units/acre. This matches the subdivision to the north.

Townhome. 10-15 units/acre. This could also combine small lot detached housing.

HDR . 20-25 units/acre. This could be a mixture of 2 and 3 story buildings. It could also incorporate tuck under parking on one side of buildings to take up slope where needed.

Don



Don Hanson | Principal  
808 SW Third Ave., Suite 300 | Portland, OR 97204  
v. 503.415.2317 | f. 503.415.2304  
[www.otak.com](http://www.otak.com)



at Otak, we consider the environment before printing emails.

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PROPOSED LAND USES

	COMMERCIAL	2.4 AC
	HDR. HIGH DENSITY RES.	17.2 AC
	TH. TOWNHOME/ SMALL LOT RES.	11.4 AC
	SINGLE FAMILY RES.	11.0 AC
	>25% SLOPES OPEN SPACE	

BASALT SKETCH PLAN

1" = 300' 10.4.16



NORTH

OTAK

CH

**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#)  
**Subject:** FW: Emailing - SGF FINAL PLAN OTAK.pdf  
**Date:** Monday, October 10, 2016 3:31:15 PM  
**Attachments:** [image003.jpg](#)  
[Address list for Herb.dbf.xlsx](#)

---

Alice this is a list of Property owners – attached.

I will send you another map with larger fonts.

Herb

---

**From:** Julia Reisemann [mailto:julia@frego.com]  
**Sent:** Monday, October 10, 2016 11:45 AM  
**To:** John Fregonese; Herb Koss  
**Subject:** RE: Emailing - SGF FINAL PLAN OTAK.pdf

Herb,

I highlighted the properties and added labels for the owners. Find the owners with addresses in the attached spreadsheet.

Julia





**From:** John Fregonese  
**Sent:** Monday, October 10, 2016 11:23 AM  
**To:** Julia Reisemann <[julia@frego.com](mailto:julia@frego.com)>  
**Subject:** Fwd: Emailing - SGF FINAL PLAN OTAK.pdf

Sent via the Samsung Galaxy Note® 4, an AT&T 4G LTE smartphone

----- Original message -----

**From:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>  
**Date:** 10/10/16 11:13 AM (GMT-08:00)  
**To:** John Fregonese <[john@frego.com](mailto:john@frego.com)>  
**Subject:** FW: Emailing - SGF FINAL PLAN OTAK.pdf

John

Please call me to make sure Alice has the plan for tonight's meeting.

**THE GREAT COMPROMISE**

HK

---

**From:** Herb Koss  
**Sent:** Friday, October 7, 2016 4:29 PM  
**To:** Herb Koss  
**Subject:** Emailing - SGF FINAL PLAN OTAK.pdf

AREA	TLD	RNO	OWNER1	OWNER2	OWNERADDR	OWNERCITY	OWN	OWNERZIP	SITEADDR	SITECITY	SITEZIP	GIS Acres
478234.57522000000	2S135CB00300	R560137	LEITGEB SHERMAN W & LARK L		23200 SW GRAHAM'S FERRY RD	SHERWOOD	OR	97140-9529	23200 SW GRAHAM'S FERRY RD	Tualatin	97062	10.97875517000
508669.43086000000	2S135CB00400	R560128	LEITGEB SHERMAN W & LARK L		23200 SW GRAHAM'S FERRY RD	SHERWOOD	OR	97140-9529	23340 SW GRAHAM'S FERRY RD	Tualatin	97062	11.67744331000
62607.41423000000	2S135CB00500	R560119	CHILDS THOMAS L/HANNAH J &	POWELL SCOTT D/CYNTHIA M	23470 SW GRAHAM'S FERRY RD	SHERWOOD	OR	97140-9529	23470 SW GRAHAM'S FERRY RD	Tualatin	97062	1.43726846000
293861.02374000000	2S135CC00100	R560093	HOUSTON HOWARD W JR		14390 UPLANDS DR	LAKE OSWEGO	OR	97034-2748	23600 SW GRAHAM'S FERRY RD	Tualatin	97062	6.74612083000
126731.29854000000	2S135CC00300	R560100	FOX LOIS C REV TRUST	LOIS C FOX TR	PO BOX 3745	TUALATIN	OR	97062-3745	23550 SW GRAHAM'S FERRY RD	Sherwood	97140	2.90935028000
215797.38764000000	2S135CC00500	R560066	FELLERS RICHARD R &	FELLERS MICHELLE E	PO BOX 790	WILSONVILLE	OR	97070-0790	23750 SW GRAHAM'S FERRY RD	Sherwood	97140	4.95402634000
211184.29325000000	2S135CC00600	R560075	SUMMERS STEVEN J		23880 SW GRAHAM'S FERRY RD	SHERWOOD	OR	97140-9028	23880 SW GRAHAM'S FERRY RD	Tualatin	97062	4.84812427000
428566.02114000000	2S135CC00700	R560057	SHERWOOD GRAHAM'S FERRY INVESTORS		22400 SALAMDO RD STE #106	WEST LINN	OR	97068-8269	23970 SW GRAHAM'S FERRY RD	Tualatin	97062	9.83851206000
205730.64030000000	2S135CC00800	R2121476	JOHANSEN MATTHEW &	GUERRA KRISTIN	23740 SW GRAHAM'S FERRY RD	SHERWOOD	OR	97140-9028	23740 SW GRAHAM'S FERRY RD	Tualatin	97062	4.72292562000
217799.27084000000	2S135CC00900	R2121477	JOHANSEN GARY C & RITA K		120 GLENWOOD CIR	ROSEVILLE	CA	95678-7024		Tualatin	97062	4.99998326000

**From:** [G Lucini](#)  
**To:** [Aquilla Hurd-Ravich](#); [Karen Perl Fox](#)  
**Subject:** Question on Basalt Creek Concept Planning- 4-6 story buildings - across from Tualatin residential?  
**Date:** Monday, October 10, 2016 2:07:06 PM  
**Attachments:** [Draft Basalt Crk Map- Wilsonville 2016 10-17 Work Session.pdf](#)

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Hi Aquilla and Karen,

I haven't heard Tualatin Council discussing if there will be any implications for Tualatin should Wilsonville go ahead with their goal of 4-6 story buildings within the Basalt Creek area along I-5. Is any buffering/transition planned?

The 4-6 story buildings would butt against Tualatin at the future Greenhill Lane/Frobase Road Overpass.

Tualatin has medium/low density residential housing identified adjacent to this on the north.

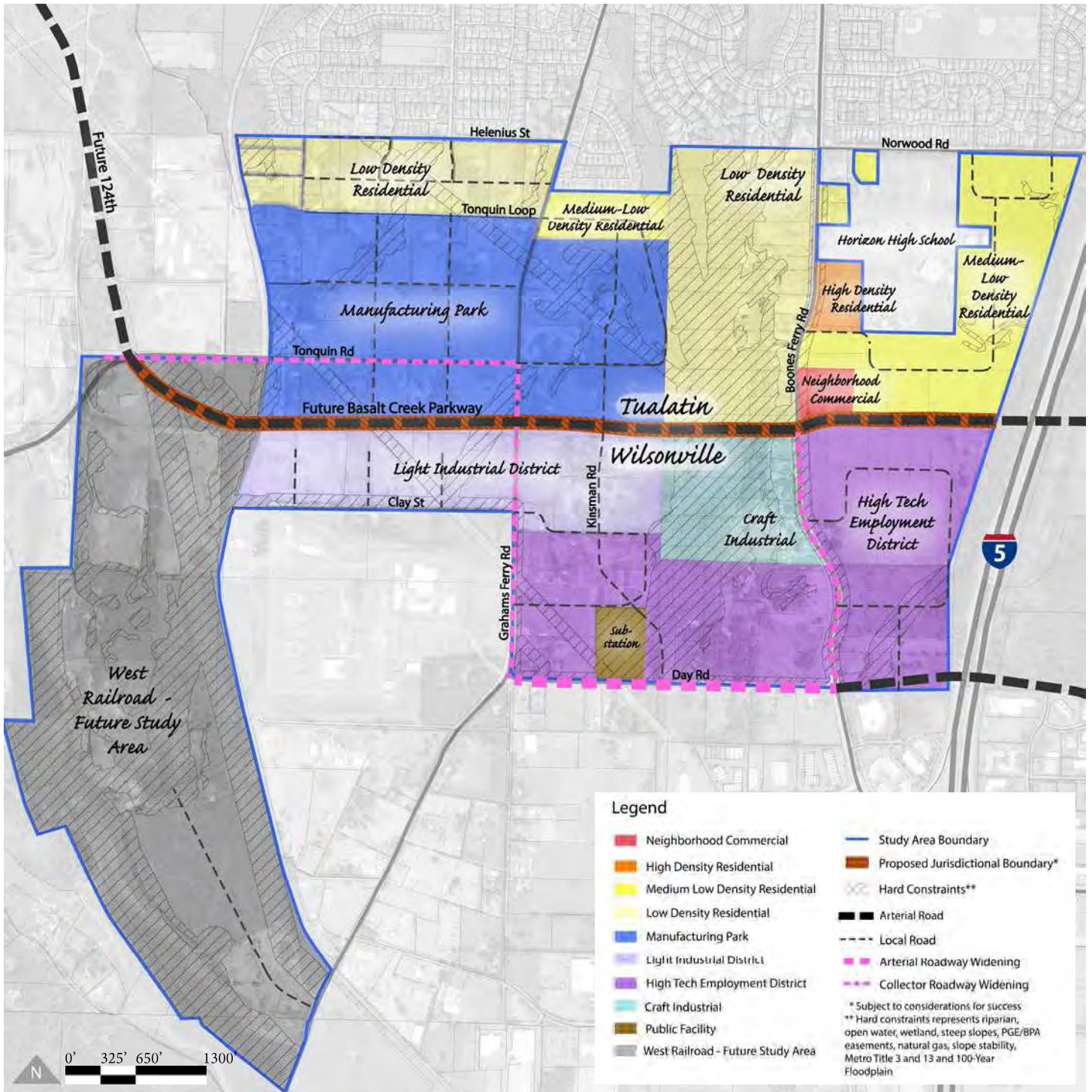
I've copied an excerpt from the [Wilsonville CC Work Session Agenda for next week 10-17-16](#) regarding their update of Basalt Creek. This information was posted today.

From Wilsonville 10-17-16 CC Work Session Agenda:

**EXECUTIVE SUMMARY:**

At the June 6, 2016 City Council Work Session, Council provided feedback for final revisions to the land uses proposed on the Basalt Creek Land Use Concept Map. Specifically, City Council advised staff to reduce the amount of land designated specifically for warehouse uses and instead, extend the High Tech Employment District along Day Road. Council also wanted to ensure four-to-six story office buildings could locate in the High Tech Employment District given its location adjacent to I-5. The updated Basalt Creek Land Use Concept Map is included as Attachment A.

Thanks,  
Grace Lucini



# Basalt Creek Land Use Concept Plan

DRAFT September 16, 2016



**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#); [Karen Perl Fox](#); [Aquila Hurd-Ravich](#); [Sherilyn Lombos](#)  
**Cc:** [JOHN FREGONESE \(john@frego.com\)](mailto:JOHN.FREGONESE@frego.com)  
**Subject:** Basalt Creek  
**Date:** Tuesday, October 11, 2016 9:04:25 AM

---

Good Morning

Needless to say I was very pleased that the meeting went the direction it did last night. I also want to thank you for your support and desire to meet as soon as possible.

As you probably know Don Hanson of Otak and I planned the development in West Linn – Cascade Summit, where City Hall is located. I did not get into specifics last night, but it is very possible to properly buffer different land uses as proven by the Cascade Summit project. I personally think there is more of a market for a small retail element then Office, but it may be a small mixed use retail/office would be the answer. I am not familiar with the Tualatin Development to know if this zoning exists, but it may appropriate in this area of Basalt Creek. The power lines Restrict some development, but parking and open space can be utilized under the power line corridor. There are A few areas of steep slopes that also drive and restrict the development that can occur.

On a slightly difference subject. In West Linn property owners were given SDC's for open space in the Cascade Summit Tanner Basin plan. This was in lieu of Density Bonus's. In many cases developers are given density bonus's for park land and Open space, but in the case of the area we are talking about more residential density will not be needed. Just something to think about in the planning process ---- how to treat property owners fairly to assure a well- planned and successful project.

I will check with Don Hanson's office for his schedule and get back to you as soon as we can determine his Availability. John Fregonese travels a lot and we need to coordinate his schedule too.

Sincerely  
Herb Koss

**From:** [Eric Rouse](#)  
**To:** [Aquilla Hurd-Ravich](#)  
**Cc:** [Karen Perl Fox](#)  
**Subject:** RE: Basalt Creek Concept Plan- 10480 SW Helenius  
**Date:** Thursday, October 13, 2016 10:24:34 AM  
**Attachments:** [image001.png](#)

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Hi Aquilla,

I wanted to follow-up with the voicemail I left for you... I would like to check in on the status of the Basalt Creek Concept Plan. Do you have any updates for me with regards to the Cities timeline and ultimately when we can apply for annexation? Last we conferred, the timeline had been pushed back a few months and you were expecting to present in front of City Council this winter. Do you have a date for that meeting yet? What are some updates for the timeline on the process? The way I understand the process it looks somewhat like this (can you fill in the dates for me), am I missing anything?

Process Milestone	Date to Occur
The plan is to be presented to both City Council's	
Application will be made for an Urban Planning Boundary Change through Washington County	
The Comp Plans go to the City for approval	
Then Annexation at the Property Owners initiation	

Thanks,

Eric

**Eric Rouse**  
Phone 503.572.0295 | Fax: 503.214.4281  
CCB #204140 • WA #SUMMIDG856KA



---

**From:** Aquilla Hurd-Ravich [mailto:AHURD-RAVICH@ci.tualatin.or.us]  
**Sent:** Tuesday, August 9, 2016 4:03 PM  
**To:** Eric Rouse <erouse@summitdevelopmentgroup.com>  
**Cc:** Karen Perl Fox <kperlfox@ci.tualatin.or.us>  
**Subject:** RE: Basalt Creek Concept Plan- 10480 SW Helenius

Yes that is correct.

**Aquilla Hurd-Ravich, AICP**

Planning Manager

City of Tualatin | Community Development Department

503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

---

**From:** Eric Rouse [<mailto:erouse@summitdevelopmentgroup.com>]**Sent:** Tuesday, August 09, 2016 3:41 PM**To:** Aquilla Hurd-Ravich**Cc:** Karen Perl Fox**Subject:** RE: Basalt Creek Concept Plan- 10480 SW Helenius

Aquilla,

Thanks for you reply! Just so I make sure and understand... the first step (presented to both City Council's) is pushed out from Summer 2016 to Winter of 2016?

Regards,

Eric Rouse  
Summit Development Group  
503-572-0295

Sent via the Samsung Galaxy Note5, an AT&T 4G LTE smartphone

----- Original message -----

**From:** Aquilla Hurd-Ravich <[AHURD-RAVICH@ci.tualatin.or.us](mailto:AHURD-RAVICH@ci.tualatin.or.us)>**Date:** 8/9/16 2:45 PM (GMT-08:00)**To:** Eric Rouse <[erouse@summitdevelopmentgroup.com](mailto:erouse@summitdevelopmentgroup.com)>**Cc:** Karen Perl Fox <[kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)>**Subject:** RE: Basalt Creek Concept Plan- 10480 SW Helenius

Hi Eric,

The order of events you have listed are correct and still the same. The timing has changed a bit. We now expect to complete the concept plan in Winter of 2016. The remaining steps will occur after that.

Thanks for your inquiry.

**Aquilla Hurd-Ravich, AICP**

Planning Manager

City of Tualatin | Community Development Department

503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

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**From:** Eric Rouse [<mailto:erouse@summitdevelopmentgroup.com>]**Sent:** Tuesday, August 09, 2016 10:09 AM**To:** Aquilla Hurd-Ravich**Subject:** Basalt Creek Concept Plan- 10480 SW Helenius

Greetings Aquilla,

I am the Development Manager for Summit Development Group. The owner of Summit is Chris Marsh, who owns the subject property. I attended the last open house on April 18, 2016. At that time I understood the schedule for the annexation to be:

The plan is to be presented to both City Council's by the end of summer 2016.

Application will be made for an Urban Planning Boundary Change through Washington County (expected Oct. 2016).

The Comp Plans go to the City for approval (Expected Spring of 2017).

Then Annexation at the Property Owners initiation expected to be ready by Spring 2017.

Can you please confirm that my understanding of the process and the dates are still correct. Where possible, specific dates would be great to have (like the day the plan is going in front of Council, or the date the application will be made through Washington County).

I would like to give my boss an update on this process as soon as possible.

Thanks Aquilla!

Regards,

Eric

**Eric Rouse**

Phone 503.572.0295 | Fax: 503.214.4281

CCB #204140 • WA #SUMMIDG856KA

**SUMMIT**  
DEVELOPMENT GROUP  
[www.summitdevelopmentgroup.com](http://www.summitdevelopmentgroup.com)



**Date: 10-17-2016**

**To: Tualatin Planning Commission for Meeting 10-20-16**

**Topic: Basalt Creek Concept Planning Update- Otak Proposal "C"**

**CC: Aquilla Hurd-Ravich, Planning Manager & Tualatin Basalt Creek Concept Planning Staff  
Karen Fox, Senior Planner & Tualatin Basalt Creek Concept Planning Staff  
Alice Cannon, Assistant City Manager**

**Submitted By:**

**John & Grace Lucini (Property Owners SW Boones Ferry Road)  
Mehdi A-Sanaei (Property Owner SW Boones Ferry Road)  
Marvin & Carlene Mast (Property Owners SW Boones Ferry Road)**

The following comments are presented to the Tualatin Planning Commission for their consideration during the presentation on Basalt Creek Concept Planning Update during the 10-20-2016 Tualatin Planning Commission Meeting.

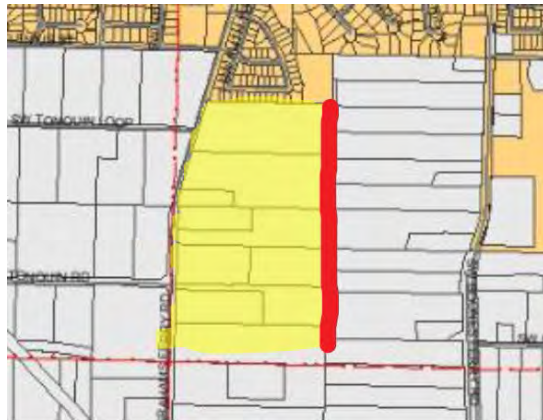
Having attended most Public Meetings on the Basalt Creek Concept planning for the last several years, I was interested and yet surprised to see three versions of a proposal by Otak (on behalf of property owner and developer Herb Koss) for "Area South of Victoria Woods" presented and discussed for the first time in a public forum at the Tualatin City Council Meeting Work Session last week, on 10-10-2016.

The three Otak Proposals A, B, & C are titled "Area South of Victoria Gardens" delineate specific land use for specific locations on private property, encompassing a large amount of acreage with parameters extending:

- South from the current development Victoria Gardens (on the Tualatin City limits) to the proposed Basalt Creek Parkway (within unincorporated Washington County)– Approximately ½ mile
- East from Grahams Ferry Road to an unidentified point (approximately mid-point) from SW Boones Ferry Road – (all within unincorporated Washington County)– Approximately 1/3 mile

The Otak proposals directly affects roughly 49 acers

- The Otak proposals directly affects 10 large tax lots with numerous property owners (including Mr. Koss)
- The Otak proposals share property lines with 8-9 different property owners directly adjacent to the east.



- For the Otak proposals to be implemented as presented in its detail, makes the basic assumption that all property owners within the entire 49 acres want to participate in the development and land use to the level and detail as proposed.
- For the implementation of the proposal, most- if not all- property owners would have to agree to the concept and to the development, virtually at the same time in order for annexation and then the installation of infrastructure for the development of this proposal to proceed as designed. It would be challenging to phase the construction of this proposed development due to its complexity of land use, access to existing infrastructure, and environmental constraints- especially when there are multiple property owners involved.

Since Mr. Koss's development proposal exceeds the limitations of the property he owns, it is unknown if he and/or Otak has contacted all of the property owners affected by Mr. Koss's land use proposal and development plans, to ascertain if these plans match the goals and needs of all of the current property owners.

- My property shares a common property line on the east side of the Otak proposal.
- I only learned of Otak Proposals A-B when the Agenda for the Tualatin City Council Work Session for 10-10-16 was originally posted on the City website on 10-3-16.
- I only learned of **Otak Proposal C** during the 10-10-16 Council Work Session discussion.

My husband and I contacted Mr. Koss by email after the Council meeting, to introduce ourselves and request to be included in further discussions regarding his proposals, as we are neighbors and may be affected by his land use and development proposal.

Mr. Koss responded ...

“For your information I have arranged a meeting with the Tualatin Planners at Fregonese and Asso. Office per the request from Alice Cannon the assistant City Mgr. This after the direction from the Council was to follow more closely the Otak Plan C.”

As it appears from Mr. Koss's comment, the City of Tualatin is actively considering Mr. Koss's **Otak Proposal C** for inclusion into the Basalt Creek Concept Land Use plan.

As the City of Tualatin is aware, the property owners within the Basalt Creek area under Concept Planning, have no elected representation within the Concept Planning process. Only the City Councils of Wilsonville and Tualatin will be voting on which Concept Plan and land use will be adopted.

As the area under discussion will most likely come under the jurisdiction of the City of Tualatin and since this proposal varies significantly from previous public discussions and presentations exhibited by the City of Tualatin regarding this area, and to this detail-- it would seem appropriate at this time, that the many property owners within and adjacent to the land identified within the proposal be notified that the City of Tualatin is considering changes in Conceptual Land Use within this specific area.

As previously mentioned, apparently there have been 3 proposals presented to the City of Tualatin by Mr. Koss and Otak over an unknown period of time. However, these three proposals were not posted or provided to the public until last week, and the third proposal has already been directed to be considered for inclusion into the Concept Land Use Plan, after discussions with City staff and consultants.

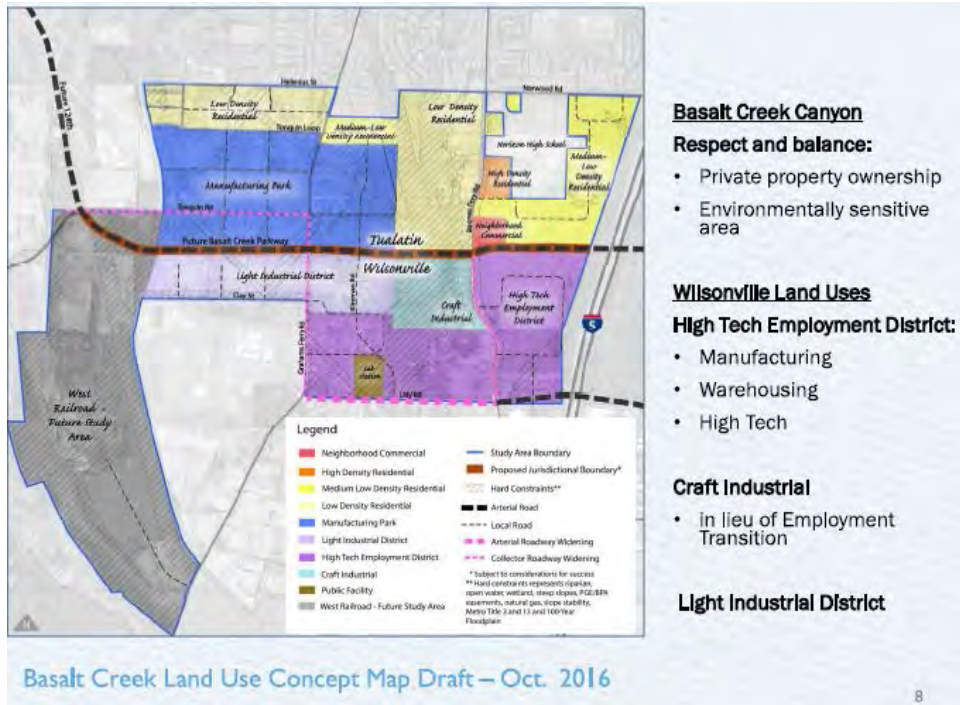
As previously mentioned, since the development plans exceed the property Mr. Koss owns, any willingness to notify and include affected property owners in the future, regarding proposed significant changes in conceptual land use, transportation, or infrastructure for this area, would greatly add to transparency of the decision making process, especially since the person instigating the proposal identifies himself as a person who has been in the development business for many years, and is also represented by a well-known established multifaceted design and development company, Otak.

### **Otak "C" Proposal- Comments**

The **Otak C Proposal** (as now posted on the City of Tualatin website) at first appears to be a rough sketch (the current rendition does not identify property lines)---- yet the proposal provides significantly more detail as to specific land use at specific locations, provides detailed street locations, and denotes open space and parks at specific locations.

This level of detail exceeds the previous as well as the current level of public documents from the City of Tualatin on concept planning for this area. It appears to be the beginnings of a development plan, not a broad stroke concept plan.

**The Most Current Version of the Basalt Creek Concept Land Use Map –**  
**As posted to the City of Tualatin website for the 10-10-16 City Council Work Session- Below**  
**Please note the level of land use per identified section- the labels are very general.**

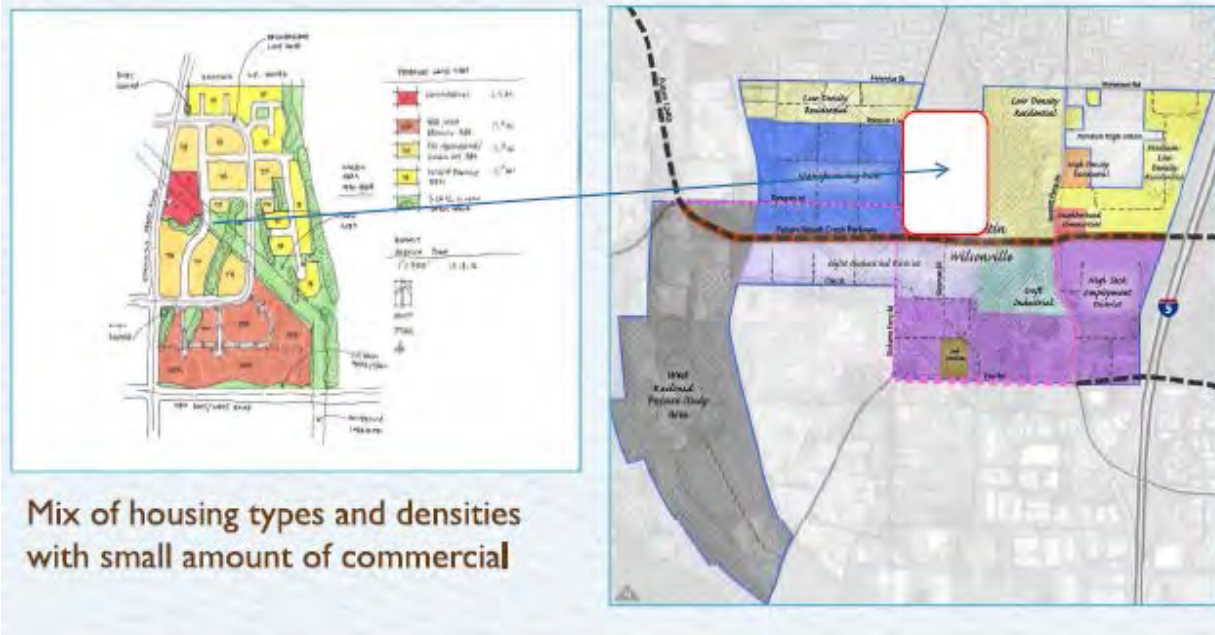


**Otak Proposal C - Area South of Victoria Gardens**  
**as Presented during Tualatin City Council Work Session 10-10-16- Below**

Please note the level of detail within the proposal-  
**Specific types of housing on specific property locations is listed - as opposed to generalized density of housing**  
**Open Space is located on specific pieces of property**  
**Multiple local roads on specific locations are identified**



# Public Comments Specific to Land Uses: Otak Proposal C for Area South of Victoria Gardens



I see many benefits to the proposals by Otak for the “Area South of Victoria Woods”, which addresses land use buffering issues ---which are a concern to many residents of the local neighborhoods of Victoria Woods and Victoria Gardens (both of which are within current Tualatin City Limits).

As the Otak proposals moved through three apparent iterations, the third proposal “C” became more sensitive to the numerous constraints within the area, including long standing and considerable variations of topography as well as the existing significant natural resources including wetlands etc., which significantly affects land use and development within this area.

However, the lack of identification of property lines within the Otak proposals makes it difficult to compare the direct effects of the higher level of land use designations as noted within the Otak proposal, as compared to the more generalized land use areas within the Basalt Creek October 2016 draft.

This is an important issue, as the finite level of detail of specific types of Land Use within the Otak C Proposal at specific locations of property may inadvertently accelerate the land use process in the future as to how the various property owners may eventually utilize or develop their property.

Consequently, the following five issues are presented with a request for clarification prior to the City adopting or including the **Otak Proposal C** as currently presented.

**The Basalt Creek October 2016 Concept Draft (Below)**

and previous drafts presented to the public-  
Indicated a local road extending east from Tonquin and looping north and then back to the west.



This road provided access to buildable land between Grahams Ferry Road and the west side of the wetlands while also taking into consideration the topography of the land.

**Otak Proposal C (Detail) Below –**



**1. Otak Proposal C Changes Location of Local Roads within the area of discussion**

- a. Alters the configuration and location of the local road within the area--apparently decreasing the depth and flow of the local road to the east.
- b. With reduction of vehicular access to the eastern portion of this proposed area-- potential development of multiple buildable acers west of the wetlands, and east of **Otak Proposal C** ---will be permanently eliminated from any future development due to lack of accessibility.

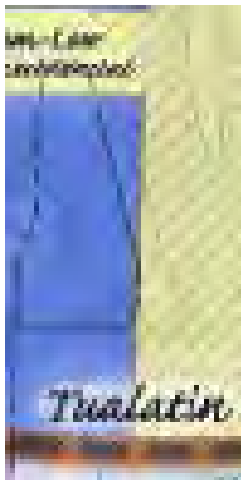
**2. Otak Proposal C -Safety of Residents and Traffic Along Grahams Ferry Road.**

- a. Although **Otak Proposal C** provides a very detailed road system within the interior of the proposal, there is little consideration indicated as to any safety concerns for the residents of the townhouses which back up to Grahams Ferry Road, and the High Density Residential Housing to the south, which also backs up to Grahams Ferry Road.
- b. Both of these housing areas are directly across from an area currently being considered for designation as a Manufacturing Park which would have a higher volume of freight traffic than a residential neighborhood.

- c. This section of Grahams Ferry Road will become the beginning of a major northern collector/arterial from the newly created 124<sup>th</sup>- Basalt Creek Regional Freight Expressway.
- d. The southern High Density Residential Housing would abut the anticipated high volume SE Corner of the eventual 5 Lane Regional Freight Traffic Expressway at Grahams Ferry and Basalt Creek Expressway.

**3. Otak Proposal C -Places of Open Space Along Entire Length of the East Side of 49 acer Proposal**

- a. The placement of Open Space along the entire East side of **Otak Proposal C** appears to prohibit any access and therefore any development on the acers of land which is buildable east of Otak **Proposal C** and west of the wetlands. Due to the lack of property lines within **Otak Proposal C**, it is difficult to determine how far east the development proposal extends.

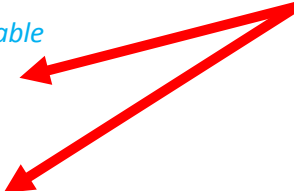


*Buildable land as identified within the current Concept Draft of October 2016.*

*Access to this area is not addressed within **Otak Proposal C**.*

*Due to the layout of **Otak Proposal C** these acers*

*would become undevelopable*

*if **Otak Proposal C** is*  *implemented as presented.*

- b. Purposeful planning and design for all for buildable land for the area west of the wetlands and east **Otak Proposal C** (including planning for future infrastructure and vehicular access) best conforms to the intent of concept planning for the entire Basalt Creek Area.

Plans which ignore the potential for future development of all of the buildable acreage would be a disservice to all of the concept planning on this project which has taken place over the past several years- especially when parity of the number of buildable acers was considered an important factor between the cities of Wilsonville and Tualatin by some Council members of both cities.



4. **Otak Proposal C ---Land Use Under High Tension Power Lines**

**(Please see Otak Proposal C (Detail)- Below)**



- Otak Proposal C** indicates parallel lines running from the bottom right and then diagonally to the left- which is identified as mostly Open Space. These parallel lines continue from Open Space to the north, clips a corner of an area designated as Townhouses, then bisects an area designated as Commercial Use. Although these parallel lines are not labeled, I assume they indicate the location of high tension high voltage power lines which currently exist in the area.
- If these parallel lines denote the High Voltage Power lines, then **Otak Proposal C** indicates the land beneath the electrical high power lines would be utilized as Open Space. Within the Open Space indicated in **Otak Proposal C** and directly under the High Tension Power Lines ---are two areas with the designation of "Park Sites". It should be realized the quality of the Open Space and especially the areas designated as Park Sites---will be affected by the constant presence of the visual and auditory impact of the high power lines directly overhead which may impinge upon enjoyment of the proposed Open Space and of the two parks.
- It is unclear how the existing area under the high power lines and the proposed Commercial area would merge together at the same location.
- It is unclear how the existing area under the high power lines and the proposed Town Houses area would merge together at the same location.

- e. Health and Safety concerns should be considered in placement of buildings and parks under or near High Tension Power Lines.

5. **Otak Proposal C- Storm Water Drainage**

- a. It has been documented that there are significant natural resources including nationally identified wetlands near the proposed development. The existing topography causes storm water and road runoff to drain from the area of the proposed development to the wetlands.
- b. While the proposal is very detailed as to types of land use on specific pieces of property, there is no indication of any space identified for storm water containment and treatment prior to discharge into local wetlands. With a development of this scope and land use, the size of storm water collection and treatment areas would be notable and should be indicated to be consistent with the level of land use detail provided in **Otak Proposal C**.
- c. There are no indications of any space identified for storm water reabsorption to reduce the amount of water which the city must process, while also providing a method to refill the local aquifers. With a development of this scope and land use, the amount of land required to provide re-absorption ponds for storm water and road runoff would be notable and should be indicated to be consistent with the level of land use detail provided in **Otak Proposal C**.

I thank you for your time and consideration of my comments regarding ***Otak Proposal C***.

As this apparent development plan affects a great number of property owners, it is hoped the Planning Commission will request the project staff to provide all potentially affected property owner's information on this proposal--- prior to incorporation the proposal as it now exists, or future renditions---into any following draft of the City of Tualatin's Concept Planning Map.

This request is based upon ***Otak Proposal C***:

- Is significantly different than any previous Concept Plan Draft for the area under discussion,
- Provides a very high level of specificity of detail within the proposal-identifying specific land uses on specific locations on private property- than had previously been presented to the public. This proposal might be considered as the future development plan for this particular area, and may consequently unfairly accelerate future land use issues for individual property owners within the area.
- While three versions of this proposal have been presented to the City, the public nor the affected property owners have never had an opportunity to vet the proposal until this last week.

In the future, project staff should encourage collaborative communication between affected property owners when significant changes to concept planning are being proposed.

All directly and indirectly affected property owners within the Basalt Creek Concept Planning Area should be informed of significant changes in proposed land use and transportation within the Basalt Creek area, and be encouraged to

provide their input so that existing property owners concerns could be reflected within subsequent drafts of land use for Basalt Creek Concept Planning.

Respectfully submitted,

John & Grace Lucini

23677 SW Boones Ferry Road, Tualatin Oregon 97062

[GrLuci@gmail.com](mailto:GrLuci@gmail.com)

JWLuci@gmail.com

**I/we have read the comments made in this communication to the City of Tualatin Planning Commission and Basalt Creek Concept Planning staff, and agree with the concerns expressed within.**

Mehdi A-Sanaei

23745 SW Boones Ferry Road

Tualatin, OR

(mehdiasanaei@yahoo.com);

Marvin & Carlene Mast

23845 SW Boones Ferry Road

Tualatin, OR

([MarvinMast@gmail.com](mailto:MarvinMast@gmail.com))



# City of Tualatin

www.tualatinoregon.gov

**OFFICIAL**

**TUALATIN PLANNING COMMISSION -**

**MINUTES OF October 20, 2016**

**TPC MEMBERS PRESENT:**

Alan Aplin  
Kenneth Ball  
Angela Demeo  
Travis Stout  
Mona St. Clair  
Janelle Thompson

**STAFF PRESENT**

Aquilla Hurd-Ravich  
Karen Perl Fox  
Charles Benson  
Lynette Sanford

**TPC MEMBER ABSENT:** Bill Beers

**GUESTS:** Herb Koss, Linda Moholt, Levi Levasa, Grace Lucini, Mehdi A. Sanaei

**1. CALL TO ORDER AND ROLL CALL:**

Alan Aplin, Chair, called the meeting to order at 6:30 pm and reviewed the agenda. Roll call was taken.

**2. APPROVAL OF MINUTES:**

Mr. Aplin asked for review and approval of the September 15, 2016 TPC minutes. MOTION by Demeo SECONDED by Thompson to approve the minutes as written. MOTION PASSED 6-0.

**3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):**

None.

**4. ACTION ITEMS:**

None.

**5. COMMUNICATION FROM CITY STAFF:**

**A. Basalt Creek Land Use Concept Map and Project Update.**

Aquilla Hurd-Ravich, Planning Manager and Karen Perl-Fox, Sr. Planner updated the Commission members on the Basalt Creek Concept Plan. Ms. Hurd-Ravich

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.



mentioned that the presentation is the same one that was brought to Council on October 10<sup>th</sup>. The presentation will include review and affirmation of conceptual land uses, review progress on Ten Considerations for Success, and the next steps to conclude the Concept Plan.

Ms. Hurd-Ravich stated that the Draft Basalt Creek Land Use Concept Map was presented at the April 2016 open house. After Council review and input at the June 2016 Work Session and ongoing community involvement, feedback included refining employment land uses, refining residential land uses, and to consider both private ownership and environmental constraints in Basalt Creek Canyon.

Ms. Hurd-Ravich presented a map that detailed the changes from the April 2016 draft to the October 2016 draft. The updated map slightly refined where low and medium residential density is, and a balance between employment and residential areas.

Ms. Perl Fox went through the slide that detailed the Summary of Acres and Trips between June 2016 and October 2016 for Tualatin and Wilsonville.

Ms. Hurd-Ravich stated that there are Ten Considerations for Success. These include:

- Sewer
- Storm Water
- Industrial Lands
- Transportation Funding
- Future Regional Transportation Projects-Basalt creek
- Trips
- Basalt Creek Parkway and I-5 Crossings
- North-South Collector (Kinsman Rd)
- Basalt Creek Canyon
- Public Transportation

Ms. Perl Fox noted that other recent activities included:

- Basalt IGA Reinstatement approved
- Concept Plan draft underway
- Ongoing community involvement
- Public feedback on the process
- Public feedback on the Land Use Concept Map

Ms. Demeo asked if the existing land owners in Basalt Creek are spread throughout the entire area or clustered around the canyon. Ms. Perl Fox answered that they are spread throughout the area and some are near the industrial park zone. Ms. Demeo asked how this will affect the current residents. Ms. Hurd-Ravich replied that they will not become non-conforming until they're annexed in.

Ms. Hurd-Ravich noted that the City has heard from homeowners in the Victoria Gardens subdivision who were concerned about the area to the south and wanted continuity regarding the zoning. It is proposed to be zoned Medium-Low Density which is the current zoning of Victoria Gardens.

Mr. Ball asked if there are any plans for the existing homeowners to claim eminent domain. Ms. Hurd-Ravich said that there were not.

Ms. Hurd-Ravich went through the slides that detailed the proposal from Otak. This proposes a mix of low and high density residential to serve as transition to employment and the canyon. Council has asked us to research whether this proposal with work and to look at the land and how it can support jobs.

Mr. Aplin noted that a lot of the topography is not suitable for employment; it would be helpful to have elevation maps. Mr. Ball asked about the impact of traffic to the rural areas and if an impact study was conducted. Ms. Hurd-Ravich answered affirmatively. There are plans to improve Tonquin Rd and the County is in the process of studying Grahams Ferry, Boones Ferry, and Day Rd.

Ms. Hurd-Ravich noted that the next steps include meetings with the Agency Review Team, individual Council meetings, and a joint City Council meeting.

Mr. Aplin asked if Wilsonville is also refining their maps. Ms. Hurd-Ravich answered that they have had their own work sessions and staff will be working with them. Ms. Thompson asked how Otak got involved. Ms. Hurd-Ravich responded that a property owner contact them. Ms. Demeo asked if there is consideration for additional schools in the area. Ms. Hurd-Ravich answered that the entire area is in the Sherwood School District and they will continue to be part of the discussion along with the Tigard-Tualatin School District. Ms. Demeo asked where the schools can be located. Ms. Hurd-Ravich responded that they can be built in any residential zone.

Mr. Ball asked if Council considered the possibility of declining home values of the existing properties, especially if they are adjacent to commercial areas. Ms. Hurd-Ravich responded that there has been discussion regarding buffer and transition zones between residential and employment zones and how to maintain home values.

*Herb Koss, Sherwood Grahams Ferry Inv. LL, Koss Real Estate*

Herb Koss stated that he has been in the development business for 40 years. He brought Otak into this because he managed the LLC of the 10 acres south of Basalt Creek. He's been in contact with Washington County and was told that there will be an 18-20 foot cut in his property where the road will go through. From an access standpoint, an industrial zone would not work. After meeting with Don Hansen from

Otak, they decided that residential zoning seemed the most appropriate. Traffic has to balance out and multi-family housing will need to be reduced. He also noted that he didn't think there was a market for retail space in that area. There is also a concern about the power lines in the area, which would be better suited for an RV storage type facility. Mr. Koss added that they will be meeting with Otak and Fregonese to continue discussion and consider traffic counts.

*Grace Lucini, 23677 SW Boones Ferry Rd, Tualatin, OR*

Ms. Lucini is a resident of the unincorporated area of Washington County within the Basalt Creek Concept Planning Area. She has questions and concerns that she brought to the Planning Commission, which have been added to the minutes as an attachment.

Mr. Aplin asked Ms. Lucini where the proposed road would be located on her property. Ms. Lucini responded that it is unclear at this time where the road will go but there is a five to six lane bridge proposed south of her property. Ms. Lucini wants individual property owners to decide what to do with their property.

*Mehdi A-Sanaei, 23845 SW Boones Ferry Rd*

Mr. A-Sanaei asked Ms. Hurd-Ravich to define medium-low density zoning. Ms. Hurd-Ravich responded that it's defined as dwelling units' per acre. For low-density it's 1 to 6.4 dwelling units per acre and lot sizes average 6500 square feet; medium-low density is up to 10 dwelling units per acre. Mr. A-Sanaei asked for a copy of the zoning code. Ms. Hurd-Ravich responded that she will email him a copy.

Mr. A-Sanaei inquired about the maps on the PowerPoint presentation and wanted clarification on the Basalt Creek Canyon area and residential areas. He also wanted clarification about the access on the west side of his property and who proposed it. Ms. Hurd-Ravich responded that this particular concept was proposed by other property owners in the area but has not yet been accepted by the Council.

Mr. Koss wanted to clarify that the plan submitted by Otak is a concept and additional planning is forthcoming.

*Levi Levasa, Autumn Sunrise LLC, 485 S State St, Lake Oswego, OR*

Mr. Levasa wanted to give credit to City staff members for their work over the past three years he's been involved and for accepting input from property owners and developers. He's excited about the future and hopes the concept plan will get approved quickly.

Ms. Demeo asked what the next steps are for the Commission members. Ms. Hurd-Ravich replied that they've been tasked to refine and bring back to Council. It will be brought to the Commission members in December. Ms. Demeo asked if there is

additional outreach planned. Ms. Hurd-Ravich responded that there will be additional outreach, but not until the first of the year.

## **B. Mobile Food Unit (Food Cart) Ordinance: Public Outreach and Code Component Update**

Ms. Hurd-Ravich stated that a year ago last fall, the Council directed staff to research food cart ordinances in the metro area. In August, project framing was presented to the Council. Staff also presented a timeline with milestones for consideration, which included an outline of suggested public engagement/involvement with stakeholders and continued research and monitoring of food cart operations in Tualatin. Ms. Hurd-Ravich added that this ordinance will not affect the special events in the Commons or parks.

Charles Benson, Associate Planner, presented the update which included a PowerPoint presentation. Mr. Benson stated that previously data was unavailable regarding the public's opinions regarding food carts. We came up with a seven question survey, which was open from September 1-30, 2016. This survey link was emailed to the Tualatin Chamber of Commerce, industrial and restaurant business license holders, and to the Citizen Involvement Organizations. Mr. Benson noted that we had a total of 415 responses in all.

Mr. Benson went through the slides which detailed the survey results. Overall, the results from this survey show public support for the idea of allowing an increased presence of food carts in Tualatin. When business and property owners were asked whether they would support a food cart on their parking lot or on their property respectively, support dropped noticeably.

Ms. Hurd-Ravich stated that the City's Community Development Department was invited to a Special CCIO Membership Feedback Meeting on September 7, 2016 to provide an update on the proposed food cart regulations and to solicit feedback from CCIO membership. The CCIO members in attendance were generally opposed to the idea of allowing food trucks in Tualatin. Seventy percent of the respondents of the seven-question CCIO survey were from the restaurant industry, with a large majority (90 percent) of those stating that they viewed food carts as bad for their individual businesses. The only somewhat positive view of food trucks involved operations in the City's industrial/manufacturing areas. Ms. Hurd-Ravich added that the same presentation was presented to the Tualatin Chamber of Commerce on September 26, 2016. The Chamber stated that they would continue internal discussions on the proposed food cart ordinance.

Mr. Benson acknowledged that we revised our suggestions based on the feedback received. These suggestions include:

- Add food cart/pod regulations to the Tualatin Municipal Code
- Food Cart/pod site review at staff-level



- To obtain a Tualatin business license
- Require a food cart/truck permit any time a mobile unit is parked on a site longer than four consecutive hours.
- Require food carts/pods to be responsible for their own trash/recycling collection and removal
- Require food cart/pod operators to follow all applicable Washington County and Clean Water Services sanitary/health provisions
- Require connection to City's water and sewer infrastructure
- Prohibit operations on vacant/unimproved sites
- Restrict signage to vehicle itself

Ms. Hurd-Ravich noted that the next steps include coming back to the Commission for a recommendation and a City Council hearing in December.

Mr. Aplin asked if the food carts would have to leave every day. Ms. Hurd-Ravich replied that overnight stays are not allowed. Mr. Ball noted that the last survey omitted the question of permanent or non-permanent status. He suggested to bring the survey back and ask the question prior to City Council. Ms. Hurd-Ravich replied that they could consider it if there is a need for broader input.

Ms. Demeo asked if the existing mobile cart businesses operating in the industrial areas will have to change their operation. Ms. Hurd-Ravich responded that they will be required to obtain a business license.

*Linda Moholt, Tualatin Chamber of Commerce*

Ms. Moholt stated that there is acceptance from the public for food carts as an alternative dining experience and these carts can lead to a regular brick and mortar business. Ms. Moholt acknowledged that at the CCIO meeting, 100 percent of the chamber members were opposed to food carts except for special event occasions. It's hard for businesses to compete with the food carts due to cost of producing, pricing, staffing with the minimum wage laws, electricity, and taxation. There is also concern that food carts do not follow health codes.

Ms. Moholt noted that in the City of Tualatin, 50 percent of our tax base is from businesses. Furthermore, food carts do not give anything back to our community, sports teams, local non-profits, and they do not create jobs. Ms. Muholt added that if they are allowed, they should only be located in the industrial/manufacturing areas and at special events.

## **6. FUTURE ACTION ITEMS**

Ms. Hurd-Ravich stated that there will be a Capital Improvement Plan update in November or December. In November, there will be an update on food carts. In December, the Basalt Creek land use item will be brought back, where we will discuss the frame work and a code update.

**7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

Ms. Thompson inquired about the RV Park of Portland site. Ms. Hurd-Ravich responded that it is currently an incomplete application and the project has been on hold. It will come before the Commission members as a Plan Map Amendment at some point.

**8. ADJOURNMENT**

MOTION by Aplin to adjourn the meeting at 8:28 pm.



\_\_\_\_\_  
Lynette Sanford, Office Coordinator

## TUALATIN PLANNING COMMISSION MEETING

10-20-2016

### Basalt Creek Update- Koss/Otak Proposal "C"

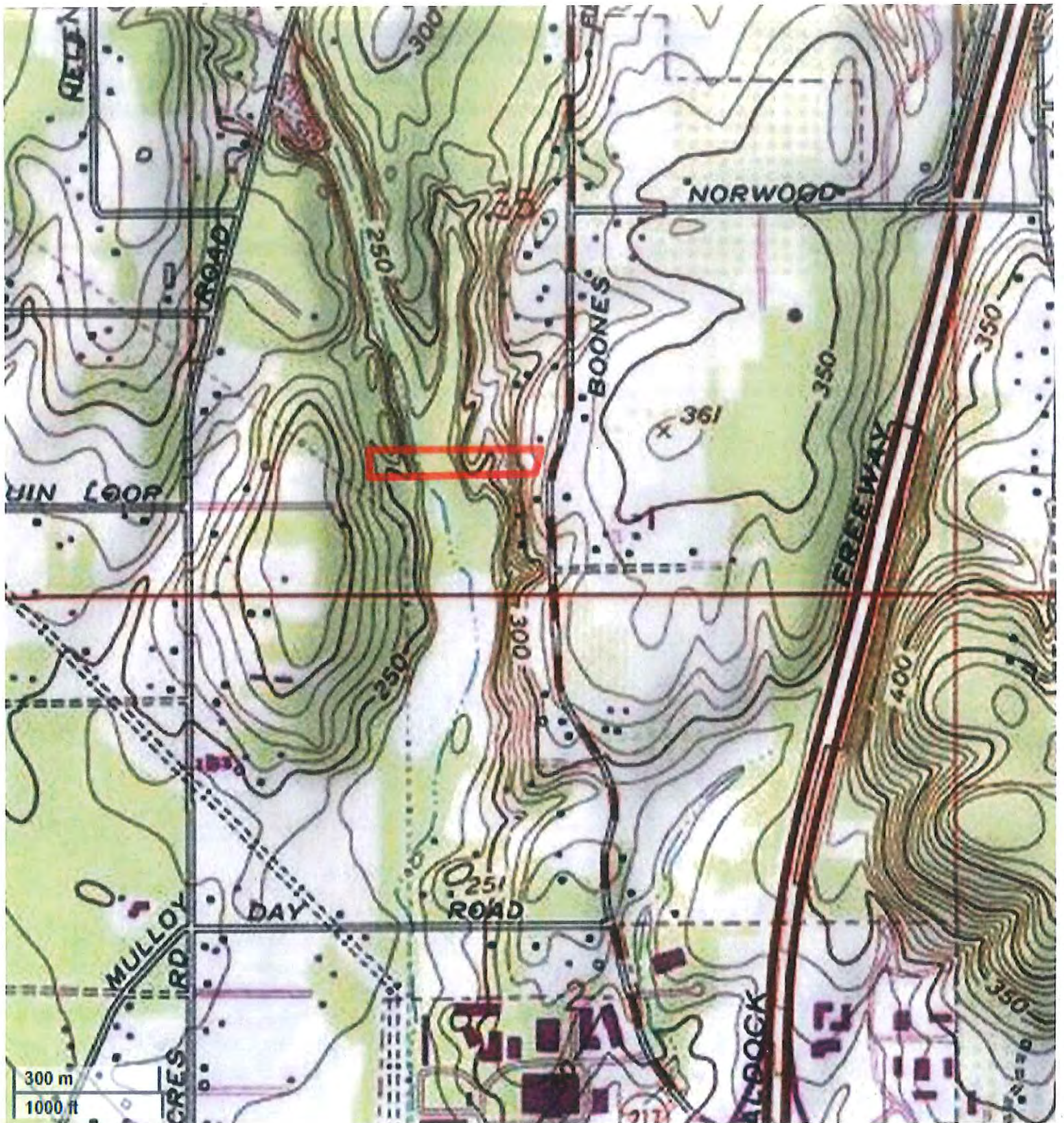
Citizen Comments- Grace Lucini

1. Give consideration to gradient residential housing from the NE to the SW to buffer existing neighborhoods.
2. Include future concept planning for--- local road access and infrastructure for all buildable land west of wetlands- please see maps attached.
3. Recognize that major constraints within the area for development
  - a. Topography
  - b. Wetlands and Storm/Road Drainage
  - c. BPA power lines
  - d. Volume, Speed, Type (freight vs residential), and potential destination of traffic adjacent to residential area
  - e. Size and Scope of Area with multiple property owners
4. Develop recommendation as to how to incorporate health and safety concerns into Concept Plan for residential areas for Items 2a through 2d
5. Do not limit ideas for future development plans to one plan (Proposal "C") at this time
  - a. Allow ONLY Concept planning at the appropriate level at this time
  - b. Provide a level playing field for all property owners and/or developers once Concept Planning is established.
    - i. Allow individual property owners to decide when they and how they want to develop their property.
    - ii. Allow property owners to present their vision for their property for development either individually/ in groups/ or through a developer- through existing due process.
    - iii. Many developers are beginning to contact existing property owners-
      1. Why should only one property owner/developer be able to forward his business proposal at this time?
      2. Several viable development ideas may arise once the Concept Plan is established.
6. Due to the fact the area under consideration is not currently within the jurisdiction of the City of Tualatin, but is within the Concept Planning stage, a greater responsibility is placed on the City to be cognizant of the various claimant groups within the area, which requires a continuing need to provide transparency of the process.

It is requested the all members of the Basalt Creek Concept Planning staff, their consultants and the City of Tualatin (now and in the future) encourage collaborative communication between affected property owners and potential developers prior to presenting development proposals to the city. This may help avoid existing property owners from being blindsided by a development proposal which directly impacts their property-being prematurely presented for consideration to the City Council.

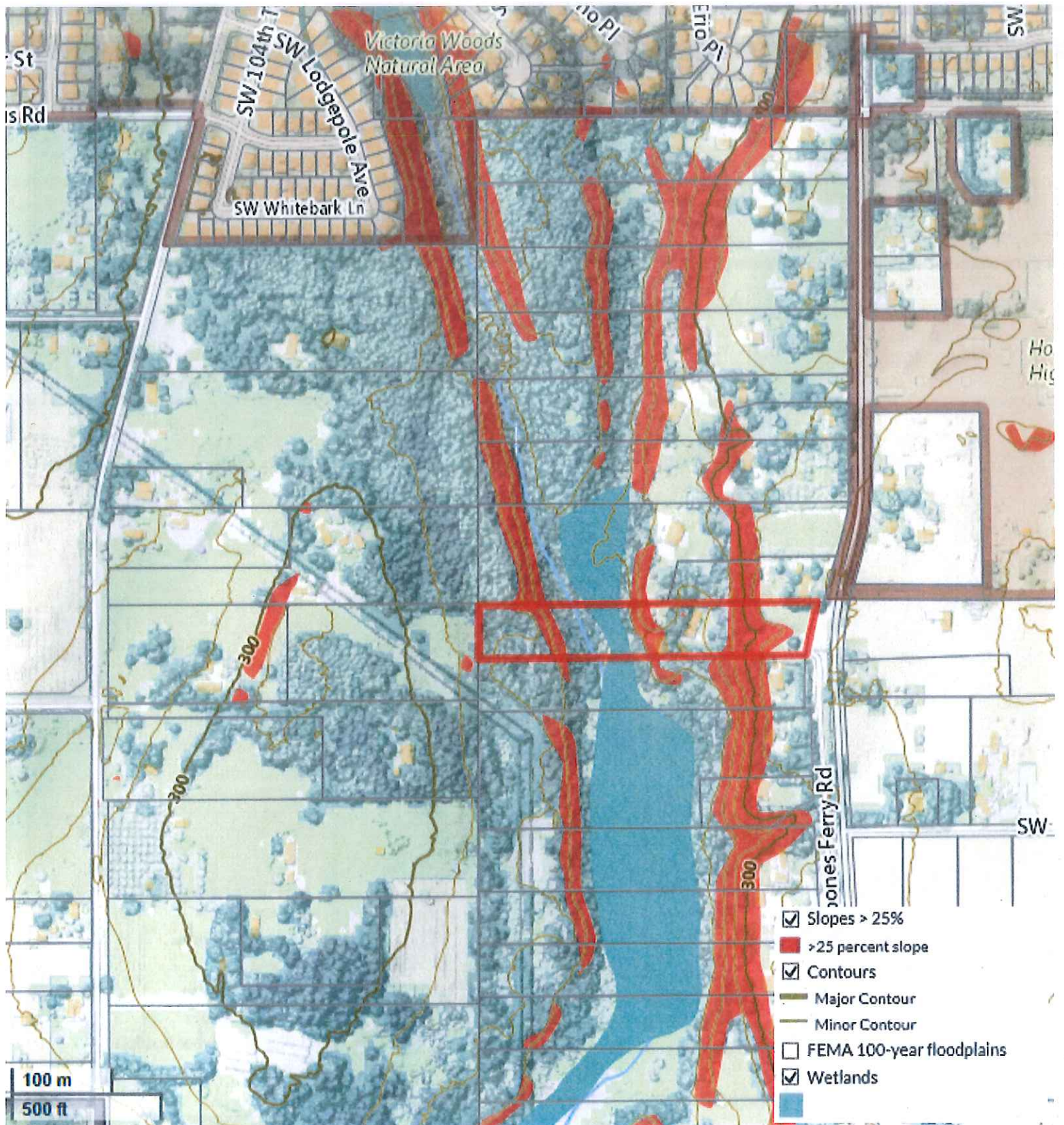
Attachments- Maps (5)





LOCATION OF LUCINI PROPERTY WITHIN BASALT CREEK AREA  
Topographical View (Same Perspective As Road Identification & BPA Lines Map)





CLOSER VIEW OF LUCINI PROPERTY WITHIN BASALT CREEK AREA

Development

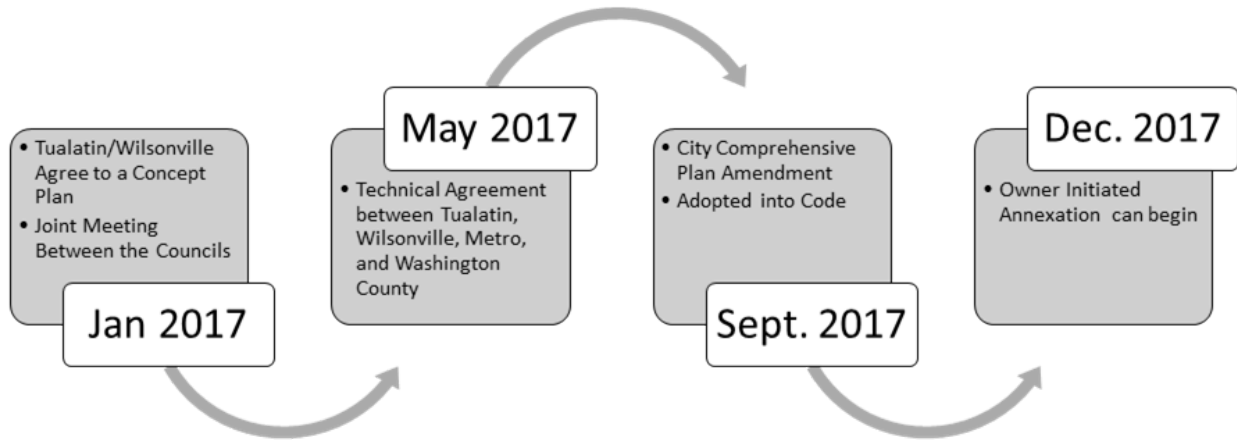
Same Perspective as Property Lines –Contours- Slopes Greater than 25%- Wetlands

**From:** [Eric Rouse](#)  
**To:** [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)  
**Cc:** [Aquilla Hurd-Ravich; bateschell@ci.wilsonville.or.us](mailto:Aquilla_Hurd-Ravich_bateschell@ci.wilsonville.or.us)  
**Subject:** Basalt Creek Concept Plan  
**Date:** Monday, October 24, 2016 9:20:20 AM  
**Attachments:** [image005.png](#)  
[image003.png](#)

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Hi Karen,

I noticed that there were several meetings this month on the Basalt Creek Concept Plan Calendar (two Planning Commission and One Council meeting), I'm wondering if our path forward and associated timelines have become any clearer? The way I understand the process and some "penciled-in" dates include the following:



Do I clearly understand the process and expected dates?

This schedule has changed since the open house in April. At that time we anticipated the Joint Council Session in the Summer of 2016, Technical Agreement in Oct. 2016, Comp Plan adopted Spring of 2017, and Annexation to commence Spring of 2017.

I've signed up for the e-mail updates. I'd appreciate a heads up on any public meeting where the Concept Plan is discussed.

Thanks,

Eric

**Eric Rouse**  
Phone 503.572.0295 | Fax: 503.214.4281  
CCB #204140 • WA #SUMMIDG856KA

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DEVELOPMENT GROUP  
[www.summitdevelopmentgroup.com](http://www.summitdevelopmentgroup.com)

**From:** [Wendy Martin](#)  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)  
**Subject:** Basalt Creek  
**Date:** Thursday, November 10, 2016 5:52:03 PM

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Good afternoon,

I was asked to do some research on this particular project of over 700 acres. I understand originally, this was brought into the Urban Growth Boundary as industrial. Has it been decided what portion of the land has been designated residential?

Any updated information is greatly appreciated.

Kindly,  
Wendy

***Wendy Martin***  
**OR Licensed Broker**  
**License number 201107012**  
***HomeStar Brokers***  
***License number 200906111***  
***Proudly Serving ~***  
***Portland \* Tigard \* Beaverton \* Sherwood \* Wilsonville***  
**(503) 740-1285**



**From:** [Herb Koss](#)  
**To:** [Lou Ogden](#); [LouOgden](#); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Karen Perl Fox](#); [EdTruax](#); [Monique Beikman](#); [wbrooksby@ci.tualatin.or.us](#); [Frank Bubenik](#); [Joelle Davis](#); [Nancy Grimes](#)  
**Cc:** [robertkellogg@yahoo.com](#); [paul@paulmorrison.com](#)  
**Subject:** FW: Basalt Creek  
**Date:** Monday, November 28, 2016 4:12:10 PM  
**Attachments:** [Zoning for 41 AcresLtr\\_HerbKoss\\_11-28-2016.pdf](#)

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Dear Mayor Ogden, City Councilors and City Planning Staff

Please see attached letter regarding the zone of part of the Basalt Creek area.

I am out of town and Don Hanson of Otak will be at the meeting this evening.

Sincerely  
Herb Koss



Herb Koss  
22400 Salamo Road, Suite 106  
West Linn, OR 97068

November 28, 2016

City of Tualatin  
18880 SW Martinazzi Avenue  
Tualatin, OR 97062

***Subject: Zoning for 41 acres (Southern Border – Basalt Creek Parkway / Northern Border Victoria Gardens, West Border Grahams Ferry Road)***

Dear Mayor Ogden, City Councilors, and Planning Staff:

I am the managing member of the LLC that owns the southernmost 10 acre parcel within the 41 acres described above. During my career I have been a banker, builder, real estate broker, and developer. Having been involved in many land purchases and developments, I never moved forward to either purchase or develop a parcel without obtaining other professional opinions before acquiring or developing a parcel of land.

As you are aware, I have retained the services of Don Hanson a senior planner with Otak, a well known planning and engineering firm. With Don's assistance we planned and developed a project in the city of West Linn named Cascade Summit. As a part of this project a shopping center and small office park was incorporated into the design. This was my first experience of grading costs and what it took to meet the American with Disabilities Act (ADA) standards. The good news was there was no rock on the site and the site was graded by cuts and fills from dirt within the 100-acre development. The result of the mass grading was successful, but costly since a lot of dirt had to be moved in order to level the site. Fortunately, we did not have to deal with basalt rock on the site. The development known as Cascade Summit is the location of the West Linn City Hall.

In response to the Washington County Road Department we have granted access to our land in order for them to survey and determine the future road grades for the extension of Basalt Creek Parkway. To our surprise I was informed that it will be necessary to lower the grade of the road along a good portion of our southern boundary 18 to 20 feet.

As the Basalt Creek study process has moved forward I have been working with Otak in order to determine the best plan for not only our 10 acres, but the remaining 41 acres, keeping in mind the that our land owners to east will need access to service any development potential of their land. In speaking with Don we decided it would be a good idea to get the opinion of other developers and contractors who have developed business centers.

I then contacted Peter Bechen the CEO of PacTrust, Brian Clopton of Clopton Excavation, and Mike Diamond a commercial broker in the Portland area with extensive experience. Mr. Bechen assigned one a PacTrust vice president to visit the 41 acres and determine if they may be interested in developing the site. PacTrust as well the other letters pertaining to the 41 acres have been submitted to you and I understand are in your council packets.

Sherman Lietgeb, the property owner on the north end of the 41 acre site, and I have been in contact with all nine of the other owners of land within the 41 acres as well as many of the property owners to the east of the 41 acres. Every one of the land owners do not want an employment zone designation. The site is not in the right location for a professional office business park like Kruse Way or Center Point. Flex warehouse development requires expansive truck turning radius and fairly level topography. The 41 acre site does not meet these requirements. Staff points to the South Center development in Tualatin as an example. Don Hanson designed this site and the topography had far less slope, no basalt rock to deal with, and was built before the current ADA rules were in effect. Don has said that this project would not meet the ADA standards if a development application was applied for today.

In summary a residential zone, which will supply needed housing supply for the surrounding employment land is the highest and best use of this land. A residential zone will also allow for good access for the land owners to the east who need good access to their land. The current concept plan that Otak has prepared more closely meets Metro's job and housing goals and the trip count is neutral.

With all of the property owners desiring a residential zone, the site not conducive to employment zoning due to too many constraints and too much basalt rock a residential zone with a mix of low and high density is the best use of the land.

I would like your support to zone the 41 acres to a residential zone for the reasons that I have listed below:

- Topography- Slopes too steep for employment land
- Basalt rock, which will affect any mass grading- cost and feasibility
- Limited or no market for employment land on this site
- ADA requirements difficult to adhere too
- Provides good access through a residential neighborhood for land owners to the east
- **Metro Ordinance 04 -1040B --- states land north of the bypass should be residential**  
*"Council states that , so long as the alignment for the Connector falls close to the South Alignment shown on the 2040 Growth Concept map, it will serve as the buffer between residential development to the north (the portion least suitable for industrial uses) and industrial development to the south (the portion of the area most suitable for industrial use)"*
- 18 to 20 foot cut on the south end will greatly restrict any land for employment use
- Professionals in the business have stated the 41 acres are not suited for employment
- Transition between residential and existing neighborhoods to the north are far more compatible
- The land owners are 100% in favor of a residential zone versus employment zone
- Metro goals for housing and jobs are in balance more with a residential zone
- Tualatin is , as is the region, very short of land for housing

- 329 acres (within one mile) of employment land is already available for development without the land proposed within the Basalt Creek Study area. Supportive land for housing is needed for this employment base.
- The request for a residential zone versus the staff recommendation is only a 3 to 5% change in the overall land use mix

Your designation of a residential zone for the 41 acres, which will provide good access for the land owners to the east, is requested for the reasons as outlined above.

Sincerely,

A handwritten signature in black ink, appearing to read "Herb Koss". The signature is written in a cursive style with a large, prominent initial "H".

On behalf of Herb Koss

**From:** [Don Hanson](#)  
**To:** [Karen Perl Fox](#)  
**Cc:** [Herb Koss](#); [Tanya Williams](#)  
**Subject:** Basalt plan amendment request.  
**Date:** Monday, November 21, 2016 4:46:20 PM  
**Attachments:** [image001.jpg](#)  
[17713A BasaltCreek AmendConceptPlan Revised 11-21-16.pdf](#)

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Hello Karen.

Please find attached our materials supporting an amendment to the concept plan for Basalt. Please provide this material to city council for review prior to the work session on November 28<sup>th</sup>, 2016. I reviewed the agenda today and surmise there is no time allotted to provide testimony during the work session or during the actual council hearing.

I imagine there will be an actual council public hearing scheduled to take testimony and make a decision. Please let me know when that will occur. Also please confirm that you have received this email.

Enjoy thanksgiving.

Thanks Karen

Don



Don Hanson | Principal  
808 SW Third Ave., Suite 300 | Portland, OR 97204  
v. 503.415.2317 | f. 503.415.2304  
[www.otak.com](http://www.otak.com)

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HanmiGlobal Partner

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www.otak.com

# BASALT CREEK/TUALATIN CONCEPT PLAN

## Amendment Request to the Concept Plan

Tualatin, Oregon  
August 23, 2016, Revised November 21, 2016

### Introduction

- Otak Inc. (Otak) represents The Sherwood Grahams Ferry Investors LLC, headed by Herb Koss, who hold 10 acres in the 41 acre northeast quadrant of the overall district. The property is located near the northeast corner of Grahams Ferry Road and extends over to the Basalt Creek Canyon along the proposed new east-west arterial road. This summary of concerns and the amended concept plan lay out our intended direction moving forward.

### Project Concerns

- Otak’s concern is that the northeast quadrant area is not well suited to industrial zoning or employment transition proposed by the concept plan.
  - **Topography.** Much of the site contains slopes in excess of 10 percent (10%) and 25 percent (25%). The site would be extremely difficult to flatten out to accommodate industrial or employment transition site development requirements. Attached is a topographic map of the South Center project provided to City of Tualatin (City) staff. Otak designed this flex-space project. The topography is half as severe as portions of the 41 acres site. The site would be extremely difficult to develop given today’s American with Disabilities Act (ADA) requirements.
  - **Access.** Vehicular access will be limited to Grahams Ferry Road and extending Tonquin Loop into the site. No access will be permitted on the proposed new east-west arterial road.
  - **Basalt Creek Canyon.** The industrial land abuts the Basalt Creek Canyon with no transition.
  - This is not a big change but rather a refinement to the concept plan. It is a defined site area that makes up about 3 to 5 percent (3-5%) of the total Basalt Creek Study Area. Also there are currently 329 acres of undeveloped industrial land within a one mile radius of the study area.

### Land Use Context

- The following shows a comparison of Metro’s initial goal for the district, the City’s current plan, and the proposed amended plan.

Metro	2500 Jobs	1200 Households
City Plan	4500 Jobs	600 Households
Amended Plan	4070 Jobs	1194 Households

The amended plan proposes a more balanced approach that is well within the intended mix proposed by Metro when the land came into the Urban Growth Boundary (UGB).

A group of mayors in our region have gone to Metro and asked Metro for flexibility related to UGB expansions. They have asked Metro to look at lands and appropriate zoning designations on a sub-regional basis. They have asked that Metro consider factors such as slope, and proximity to infrastructure, to help avoid situation like Damascus. We are asking you to do the same. We recognize that the region anticipated that the Basalt Creek area would primarily be zoned employment uses.

It is certainly anticipated that the vast majority of the land will be used for that purpose. But, within the Basalt Creek Planning Area, there are sub-areas that cannot reasonably be developed as employment land because of topographic and other issues. The 41 acres that we have asked the City to zone for residential purposes is one of those sub-areas. There is land to the west and south of this land that is zoned employment, that land is flatter than the subject 41 acres, and it is closer to transportation infrastructure than the subject 41 acres. Neither PacTrust Pacific Realty Associates, LP nor Brian Clopton Excavating believed that an employment designation was possible given the slope and soil quality. Instead of designating the property with a designation that will result in it never developing, we ask that you give it a designation that will make development feasible. If you do not do so, it will sit vacant; counting as developable employment land, just as Damascus has sat vacant, counting as available housing stock. Its designation will prevent further necessary expansions.

There is a housing crisis in our region and the latest modeling has demonstrated the importance of having residential land and employment land in close proximity. This is an opportunity to provide housing, on land which cannot be feasibly developed as employment land.

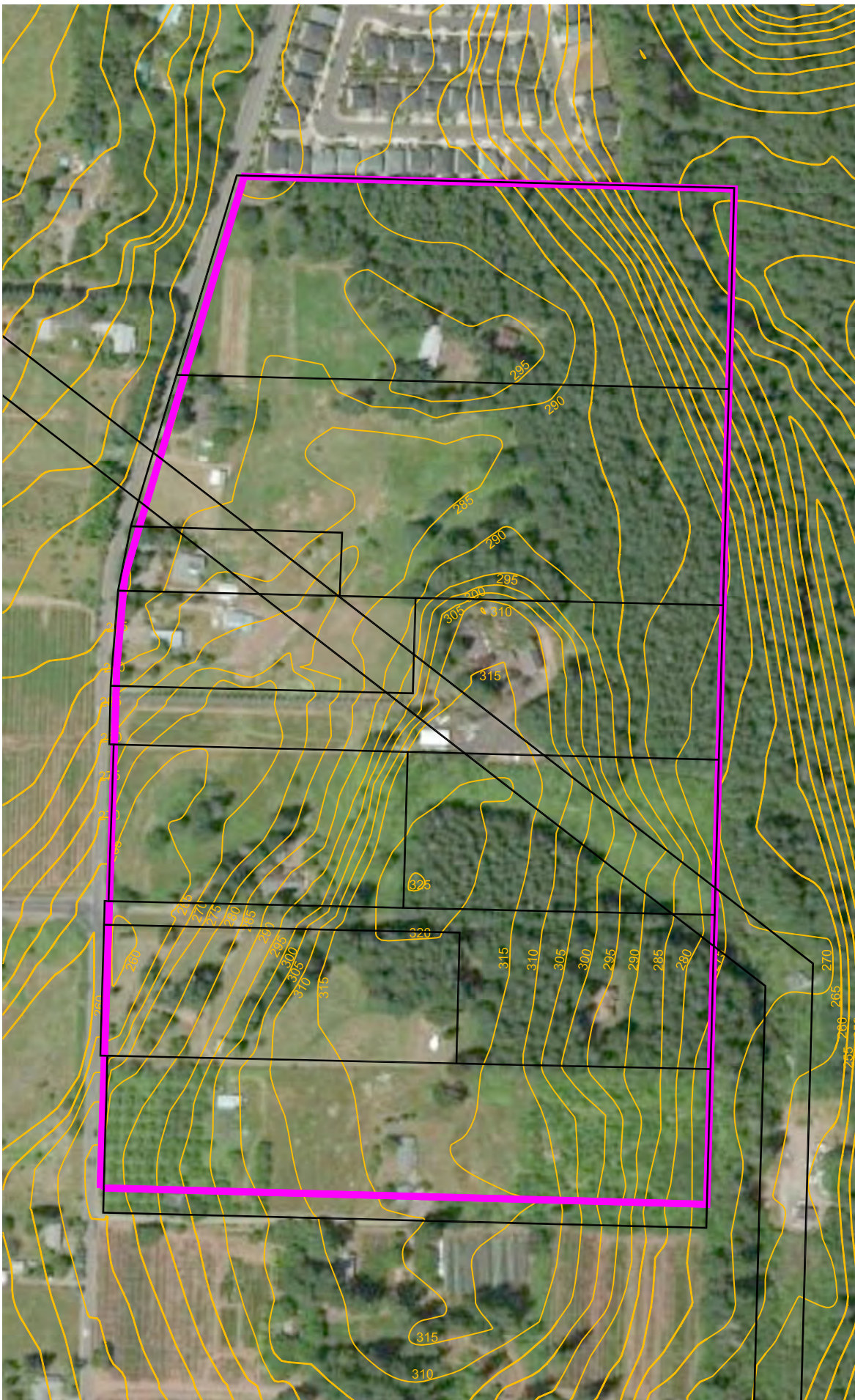
## **Amended Plan Options**

- The attached concept plan option summarizes the requested amendment for proposed land uses that fit the site and its unique conditions.
- The plan anticipates building Tonquin Loop as an actual loop with two access points on Grahams Ferry Road. This road extension will provide complete access to the properties and also access to property owners east of the site.
- Three densities of residential are shown as transition to the neighborhood to the north and canyon to the east and also along the new east-west arterial, which is down 25 vertical feet from the site area. A center core area of potential retail, high density residential, and open space could serve as a walkable destination in the neighborhood. Also secondary access can be provided to the developable lands to the east above the canyon.
- Property uses can be molded to fit actual site conditions and provide a mix of housing (including workforce housing) close to jobs anticipated to the south and west.
- The programmed development will “be trip cap neutral” compared to the current city concept plan.

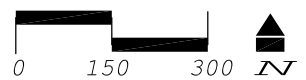
## **Benefits**

- A walkable neighborhood with appropriate transitions and destinations
- Land uses that are adaptable to actual site conditions. The mix of uses will act as a **catalyst to create activity in the district**. The high-density residential (HDR) land provides the best opportunity for workforce housing next to employment lands. Residents won't need a car to commute.
- A plan that meets Metro's initial objectives when the land was brought into the UGB.
- A more complete quality neighborhood for the City of Tualatin.

Attachments: Basalt Creek Site Topo  
Basalt Creek Slope Analysis  
South Center Site Topo (Comparison)  
Basalt Creek Land Use Concept  
Letter from PacTrust Pacific Realty Associates, L.P.  
Letter from Brian Clopton Excavating  
Letter from Micheal Diamond, Real Estate Investment Group  
Basalt Creek nearby Job Lands Map

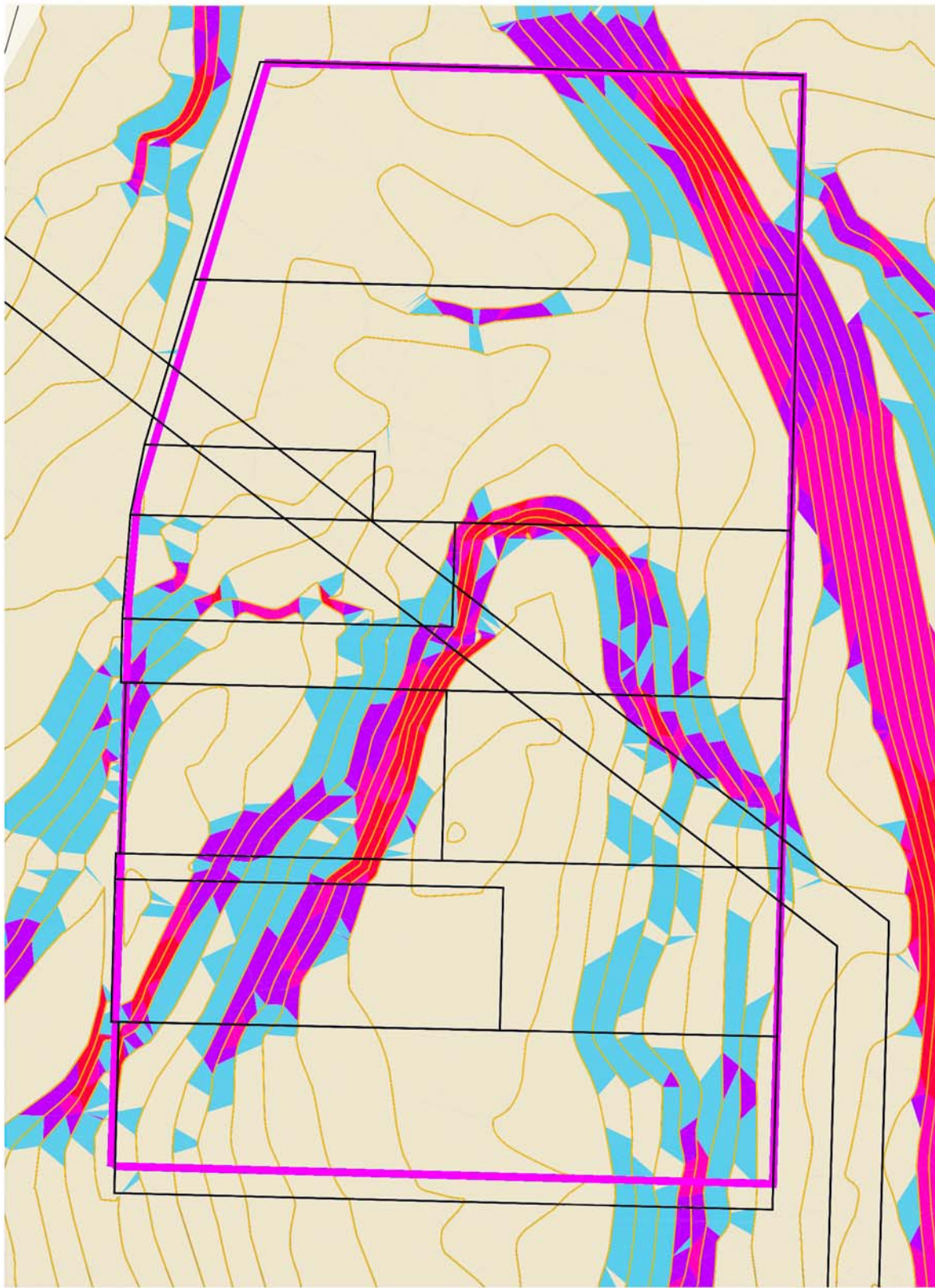


11-16-2016



# BASALT CREEK SITE TOPO





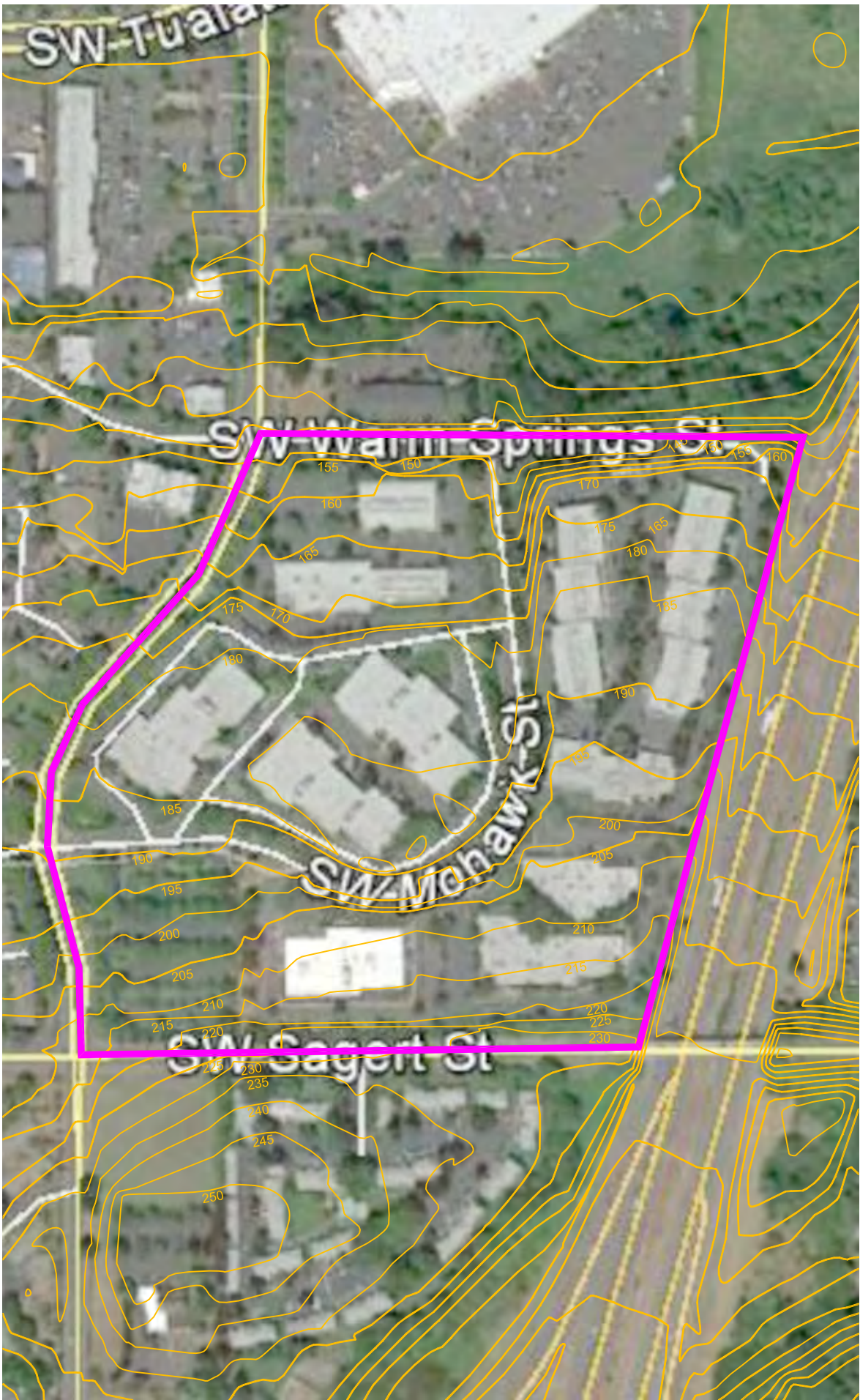
11-16-2016



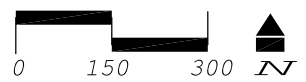
Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	tan
2	10.00%	15.00%	light blue
3	15.00%	20.00%	purple
4	20.00%	25.00%	pink
5	25.00%	357.23%	red

# BASALT CREEK SLOPES ANALYSIS



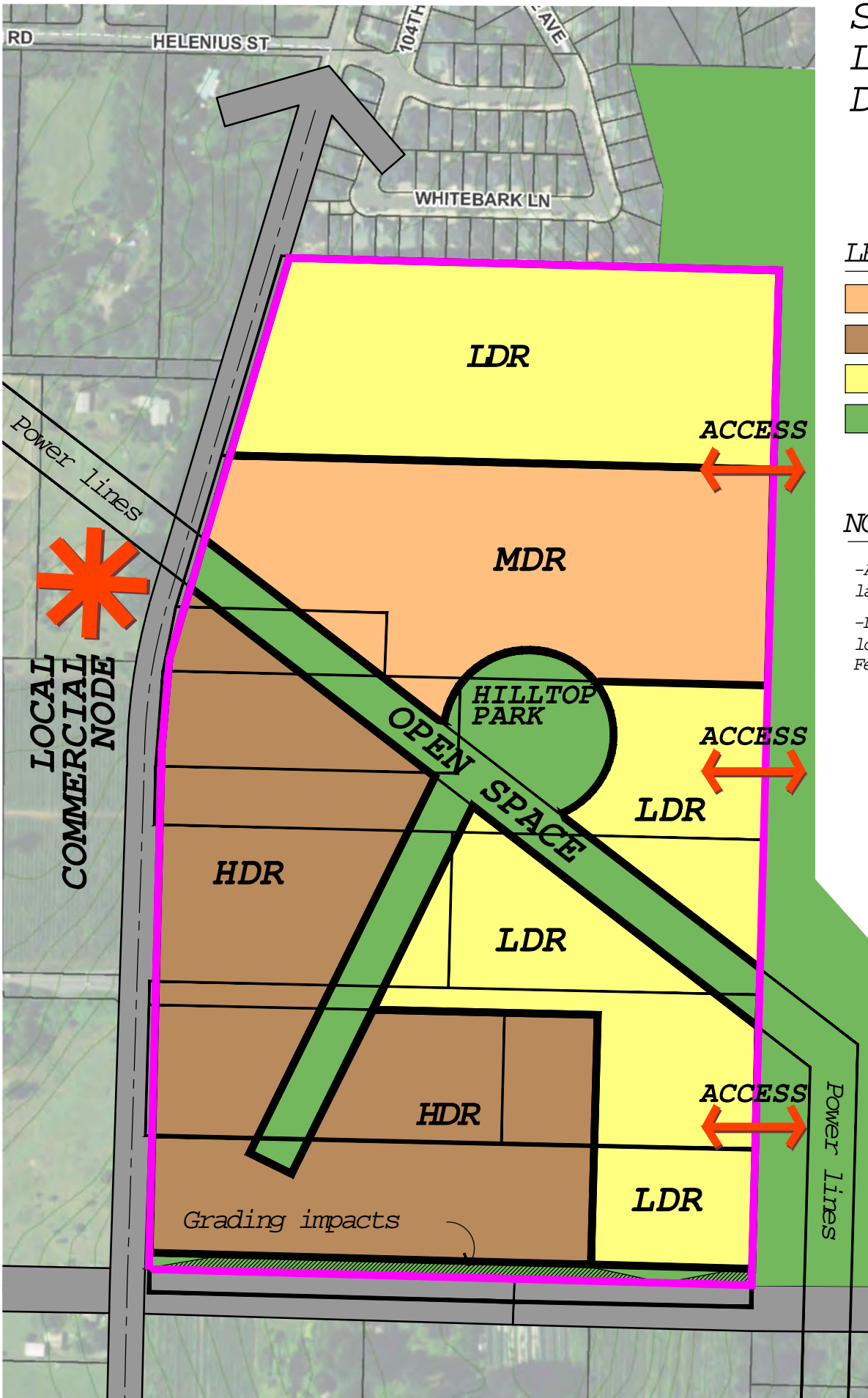


11-16-2016



# SOUTH CENTER SITE TOPO

# Subdistrict Land Use Diagram



## LEGEND

- Mid Density Residential
- High Density Residential
- Low Density Residential
- Open space

## NOTES

- Access provided for landowners to East
- Local commercial node located across Graham's Ferry Road



11-21-2016







**BRIAN CLOPTON**  
**EXCAVATING**

PO Box 509  
Wilsonville, OR 97070  
P: 503-682-0420  
F: 503-570-3235  
[www.cloptonexcavating.com](http://www.cloptonexcavating.com)

November 18, 2016

Dear Mr. Koss

You have asked me to visit the 41 acre site located in the Basalt Creek Planning area. Your question was the feasibility of grading this site for employment land vs. a residential zone.

For your information my company has just purchased another four acres next to our Clay Street property. With this acquisition we now have 16 acres of land on Clay Street. I am very familiar with this area and as you know my company has mass graded many sites in the Portland Metro Area. I have been asked many times to inspect potential projects in order to determine problems that may be associated with a developer's site plans --- slopes, access and feasibility.

Thank you for providing me with topography of the site. It was very helpful and to be honest the slopes on the site were more severe then I first thought. The other big issue is the amount of rock that would be encountered with any grading necessary to accommodate any development on this site. This site is far better suited for Residential use since grading for this does not require the same topographic grading in comparison to employment uses. The Basalt Creek area does feature other land that is suited for employment; however the 41 acres you have asked me to visit is not in that category. I was also surprised by the 18 to 20 foot cut in order to accommodate the extension of Basalt Creek Parkway.

If you require any additional information please let me know.

Sincerely

Brian Clopton

President/Owner





November 21, 2016

Herb Koss  
2643 South Shore Blvd.  
Lake Oswego, Or 97034

VIA: EMAIL

RE: 41-acre Basalt Creek southern boarder 23960 SW Grahams Ferry Rd.

Dear Herb,

I visited the site and spent a considerable amount of time driving the area. It is an exciting development area especially when the Basalt Creek Parkway is completed.

The topography of the site is such that developing an industrial project would be very difficult and if done would be at best marginal and very inefficient. Industrial, flex buildings require large foot prints, large drive areas for loading and turning radius. There are better sites in the area for this type of use.

I also looked at the site for office park use and concluded that due to the steep topography of the site it could have a negative impact on the proximity of the parking that may pose an issue with ADA requirements. I also believe that the extraordinary site cost and small office footprints would not be cost effective and competitive in the office market. Furthermore, the location does not readily lend itself to that use.

This site lends itself to smaller foot print buildings such as housing and multifamily that can be planned around the steep grades and terraced into the topography. It is my opinion that the highest and best use for this site are single family homes buffered along the frontage with multifamily housing.

Our office has forty years of experience in commercial real estate and have procured sites for commercial developers such as Gramor, Holland Development LLC and West Hills.

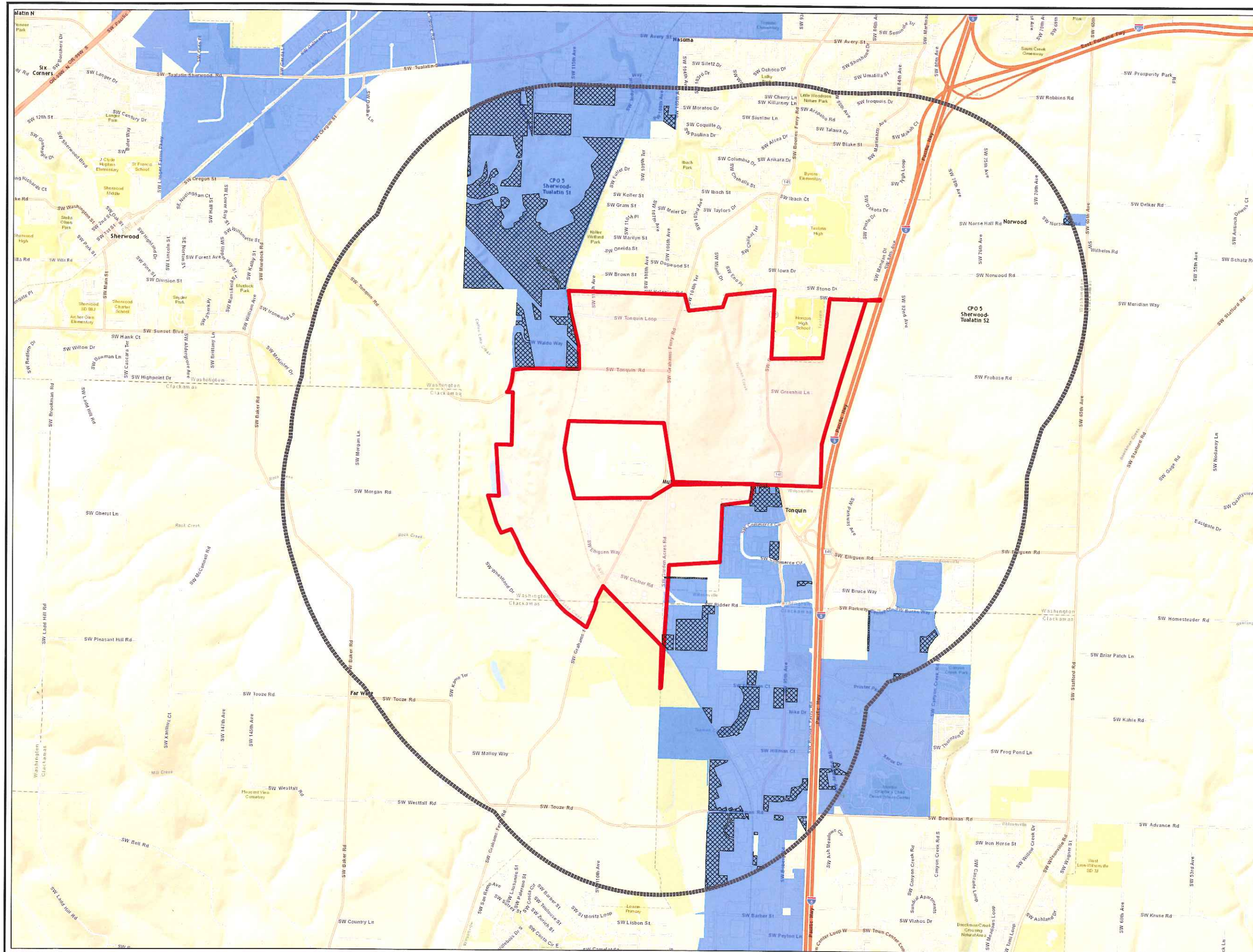
Let me know if you have any questions.

A handwritten signature in black ink, appearing to read "Michael N Diamond", enclosed in a thin black rectangular border.

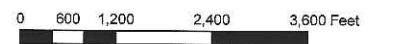
Michael N Diamond  
Principal Broker



# Basalt Creek Nearby Job Lands



- Basalt General Area
- 1-Mile Buffer
- Vacant Industrial Land (329 acres within 1-mile buffer)
- Industrial Land





**From:** [G Lucini](#)  
**To:** [Council](#); [Ed Truax](#); [Frank Bubenik](#); [Joelle Davis](#); [Lou Ogden](#); [Monique Beikman](#); [Nancy Grimes](#)  
**Cc:** [Aquilla Hurd-Ravich](#); [Karen Perl Fox](#)  
**Subject:** Citizen Comments-Tualatin City Council-Work Session-11-28-2016 Basalt Creek "Central Sub-Area"  
**Date:** Wednesday, November 23, 2016 7:27:02 PM  
**Attachments:** [2016 11-28 Tualatin CC Work Sess-Basalt Creek-Central Sub Area.pdf](#)

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Please find attached a letter to the Tualatin City Council.

I am requesting inclusion of my Citizen Comments into the Basalt Creek Concept Planning file, and also into the informational packet provided to the Tualatin City Council members ---prior to their meeting on November 28, 2016 for their Work Session Topic -Basalt Creek Land Use Map.

I have added Aquilla Hurd-Ravich and Karen Fox to the distribution of the letter, as representatives of the Basalt Creek Concept Planning staff.

Regards,  
Grace Lucini

FOR THE RECORD

November 23, 2016

Citizen Comments- Tualatin City Council Work Session 11-28-16

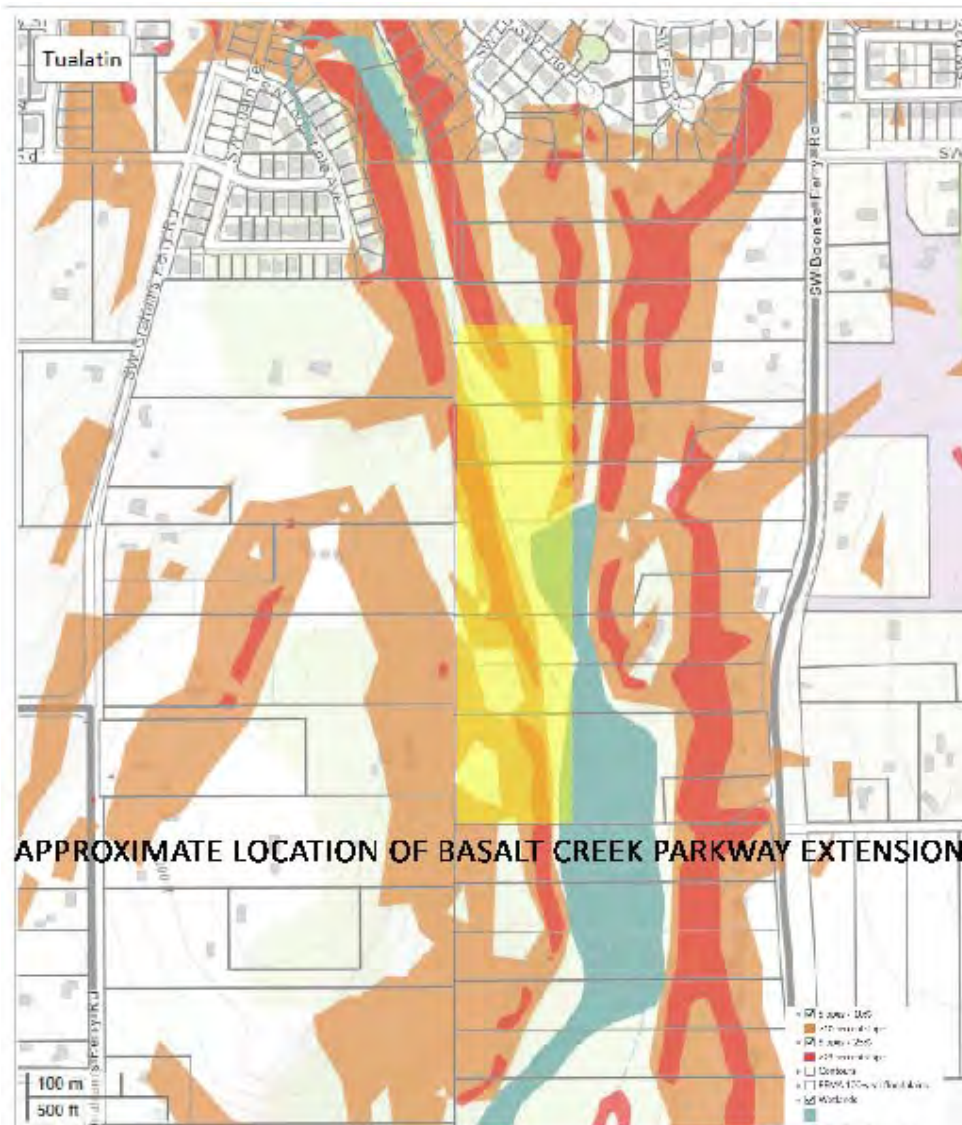
Topic: Concept Planning- Basalt Creek "Tualatin Central Sub Area"

Discussion on concept planning for Basalt Creek- Tualatin-Central Area Land Use is scheduled as an agenda item for the Tualatin City Council Work Session for November 28, 2016.

As was presented to the Tualatin City Planning Commission on October 20, 2016, property owners directly adjacent to the east side of the Tualatin Central Sub Area, wish to remind the Council and staff of the existence of buildable acreage west of the wetlands, and east of the Central Sub Area (the area under discussion during the November 28, 2016 Council Work Session).

**MAP- BUILDABLE ACERAGE (highlighted in yellow)**

**DIRECTLY EAST OF "TUALATIN CENTRAL SUB-AREA"**

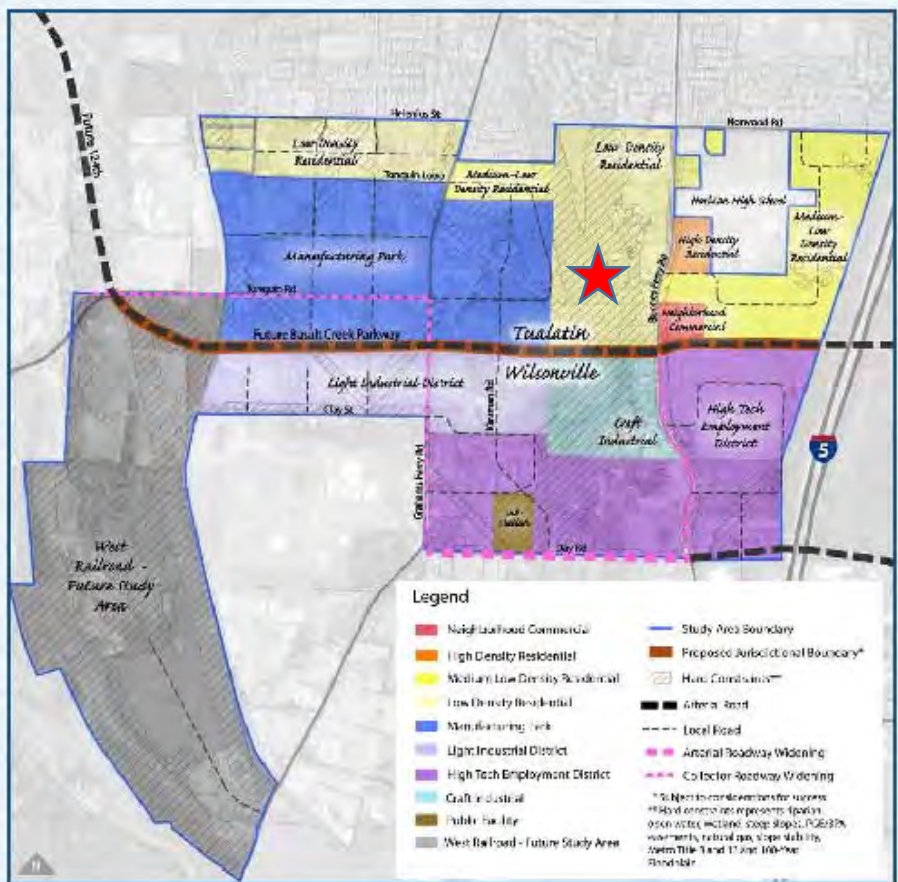




Most recent concept planning maps have the properties within the Basalt Creek Concept Planning area--- which face Boones Ferry Road and extend west ---- identified for land use as ----Low Density Residential.

The mid portions of these properties include natural resources/wetlands (identified with hash markings). These properties are directly east and adjacent to the Central Sub Area under discussion at the Work Session.

**BASALT CREEK LAND USE CONCEPT MAP 10-2016  
INDICATES LOW DENSITY RESIDENTIAL LAND USE DIRECTLY EAST OF CENTRAL SUB AREA**



**Basalt Creek Canyon**

**Respect and balance:**

- Private property ownership
- Environmentally sensitive area

**Wilsonville Land Uses**

**High Tech Employment District:**

- Manufacturing
- Warehousing
- High Tech

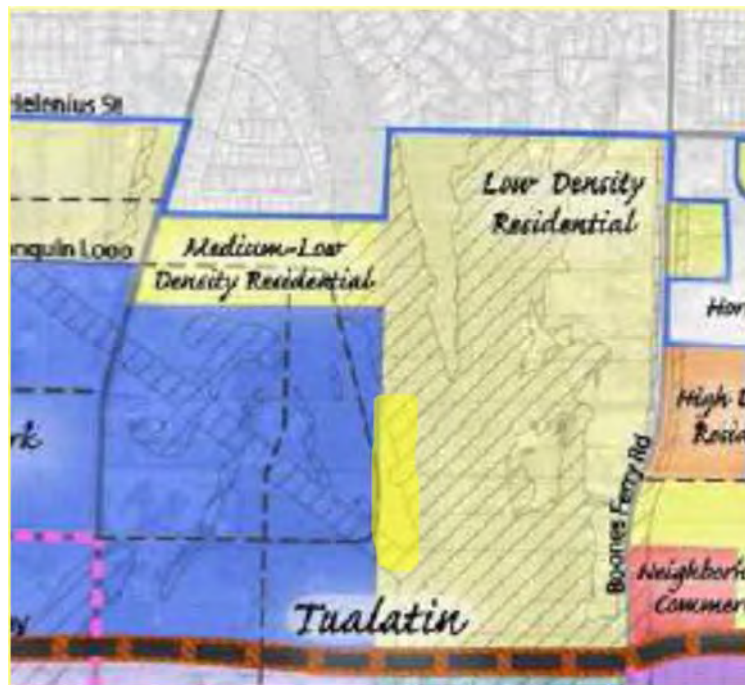
**Craft Industrial**

- In lieu of Employment Transition

**Light Industrial District**

**Basalt Creek Land Use Concept Map Draft – Oct. 2016**

**A CLOSE-UP DETAIL OF THE MOST CURRENT MAPS  
INDICATE A LOCAL ROAD WITHIN CENTRAL SUB AREA-  
EXTENDING FROM GRAHAMS FERRY ROAD  
EAST TO THE COMMON PROPERTY LINES WITH THE BOONES FERRY NEIGHBORS  
-PROVIDING DIRECT CONNECTION AND ACCESS TO THE WESTERN PORTION OF THE BOONES FERRY ROAD PROPERTIES**



The need to provide a local road from Grahams Ferry Road, extending east entirely through the Central Sub Area, is extremely important for any future development of the buildable acreage directly east of the Central Sub Area and west of the wetlands.

- Any change which alters a direct road connection to the western portion of the Boones Ferry Road properties will cause difficulties when attempting to implement the concept planning for that area.
  - Land use (Low Density Residential development) has already been identified within the concept plan for the properties east of the Central Sub Area and west of the wetlands
  - Direct road access to the western portion of the Boones Ferry road properties - from the south is not permitted due to the planned limited access Basalt Creek Parkway Extension running the entire width of the southern portion of the area-which is a primary and guiding Concept Planning factor.
  - Any development for this area will require utilities from the west- as access through the wetlands on the east would be problematic.
  - Most utilities are located along local roads- which also heightens the need for a direct local road from Grahams Ferry Road extending to the west side of the Boones Ferry properties.

Future land use for the Central Sub Area should include requirements for primary, not secondary, direct road access from Grahams Ferry Road ----east to the buildable land on the west side of the Boones Ferry Road properties.

- Additional Considerations for land use of the Central Sub Area should include:
  - Compatibility with the topography
  - Compatibility with known significant natural resources-
  - Surface/Storm water management considerations-
    - proximity to known wetlands within the National Wetlands Inventory.
    - impact upon down-stream property owners
  - Compatibility with BPA power lines – health and safety concerns
  - Compatibility of land use with existing property owners (or those anticipated in future concept plans).  
Boones Ferry Road property owners should be extended the same considerations as given current Tualatin residents with regard to buffering issues and other quality of life concerns for development adjacent to their existing properties.

Respectfully submitted,

Grace Lucini  
23677 SW Boones Ferry Road  
Tualatin, Oregon 97062

**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net)  
**To:** ["logden@ci.tualatin.or.us";](mailto:logden@ci.tualatin.or.us) [slombos@ci.tualatin.or.us;](mailto:slombos@ci.tualatin.or.us) [acannon@ci.tualatin.or.us;](mailto:acannon@ci.tualatin.or.us) ["Aquilla Hurd-Ravich";](#) ["Karen Perl Fox";](#) [jfuchs@ci.tualatin.or.us;](mailto:jfuchs@ci.tualatin.or.us) [mbeikman@ci.tualatin.or.us;](mailto:mbeikman@ci.tualatin.or.us) [ngrimes@tualatinoregon.gov;](mailto:ngrimes@tualatinoregon.gov) [fbubenik@tualatinoregon.gov;](mailto:fbubenik@tualatinoregon.gov) [jdavis@tualatinoregon.gov;](mailto:jdavis@tualatinoregon.gov) [etruax@tualatinoregon.gov;](mailto:etruax@tualatinoregon.gov) ["Craig Dirksen";](#) [brian.harper@oregonmetro.gov;](mailto:brian.harper@oregonmetro.gov) [andy\\_duyck@co.washington.or.us;](mailto:andy_duyck@co.washington.or.us) [andrew\\_singelakis@co.washington.or.us;](mailto:andrew_singelakis@co.washington.or.us) ["John Fregonese"](#)  
**Subject:** Basalt Creek  
**Date:** Tuesday, November 29, 2016 11:41:12 AM

---

Lou Ogden / Mayor of Tualatin  
Sherilyn Lombos / Tualatin City Manager  
Alice Cannon / Tualatin Asst. Manager  
Aquilla Hurd-Ravich / Tualatin Planning Manager  
Karen Perl Fox / Tualatin Senior Planner  
Jeff Fuchs / Tualatin Engineer  
Monique Beikman Tualatin Council President  
Nancy Grimes / Tualatin Councilor Position 5  
Frank Bubenik / Tualatin Councilor Position 1  
Joelle Davis / Tualatin Councilor / Position 6  
Ed Truax / Tualatin Councilor Position 4  
Craig Dirksen / Metro Councilor District 3  
Brain Harper / Metro Planning  
Andy Duyck / Chairman Wa. County Board of Commissioners  
Andrew Singelakis / Director Land Use and Transportation  
John Fregonese / Basalt Concept Planner

Everyone:

I'm going to cut to the chase.

Last evening (11/28) I attended both the City of Tualatin's work session and Council Meeting and listened in utter amazement.

After years of discussions and private meetings and public meetings the Basalt Creek area was brought into the UGB in 2004 for an expansion of Industrial lands (that Tualatin lobbied for). And – just now (end of 2016) we are just finding out the newly named “Tualatin's Central Sub Area” is “scab lands” that are unbuildable and unwanted for industrial uses? Really? Seriously? As Mayor Ogden put it “... a square peg and a round hole”.

I think we all need to look at ourselves in the mirror both individually and collectively as a group working together and that includes land owners and residents. When I hear directly from the Mayor “... well that's what they want but what are they going to do?” I think that in itself is a problem. When I hear from a Tualatin Councilor that because this is a public meeting he can't say what he thinks of Wilsonville – I think that is a problem as well. How could Planning (countless hours and money spent) get this far then find a letter dated October 27, 2016 from Andy Duyck Wa. County Chairman of Commissioners reminding Tualatin that there is an IGA agreement that is not being followed. Does the IGA agreement mean anything? If so what and what are the ramifications?

I feel for the Tualatin Planning Staff and Tualatin Council Members (are they being giving all the



information to succeed making the right decision?)— I could not do their jobs either paid or volunteer – it has to frustrating to keep rehashing things (food carts anyone?). If this were a privately run business either this project would have easily been under construction by now or people fired.

Our Metro Councilor Dirksen gave us a nice update on the Convention Hotel (that no private developer was interested in), on the Zoo Holiday Lights and polar bears and extra monies that were found and needed to be spent. Then left before the Basalt Project Meetings began?

No representation from Washington County? Why?

As property owners, my wife and I have been graciously invited by Aquilla and Karen to discuss what we felt would be best suited development for our property. My wife and I both know the property will be there a lot longer than we will – we want what is best for the area and there are a lot smarter people than us to decide what that would be best for the long run. We did not lobby for a multi family designation but now I wonder if we should hire a lawyer and a concept planner and decide what is best for US because that's what I'm hearing from everyone.

Tom Re

Tualatin resident since January 1987

**From:** [Herb Koss](#)  
**To:** [Sherilyn Lombos](#); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Karen Perl Fox](#)  
**Cc:** [Lou Ogden](#); [LouOgden](#); [Don Hanson](#)  
**Subject:** FW: Basalt Creek Analysis and Response  
**Date:** Wednesday, November 30, 2016 10:54:51 PM  
**Attachments:** [PacTrust Letter to Herb Koss 11-14-2016.pdf](#)

---

To: Alice Cannon and Tualatin Staff

Subject: Letter from PacTrust that was shown as an exhibit in the Otak package

The attached letter from PacTrust was left out of the package that Otak had prepared for the council.

Mayor Ogden asked me to forward the letter so it can be entered into the record and distributed to the council.

Please confirm that you have received the letter and it will be entered into the record.

Thank you.

Herb Koss 503 730 2431

November 14, 2016

VIA EMAIL

Herb Koss  
2643 South Shore Boulevard  
Lake Oswego, OR 97034

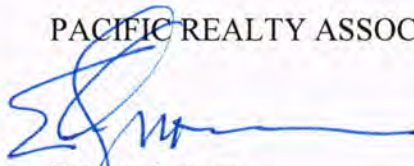
Dear Herb,

At the request of Peter Bechen, I toured your site north of the future Basalt Creek Parkway last week. PacTrust is developing an industrial park several miles north at 115<sup>th</sup> Avenue and Tualatin-Sherwood Road in Tualatin known as Koch Corporate Center. We are interested in locating a site to develop in the Coffee Creek area for light industrial uses. Unfortunately, the topography of your site makes development of industrial or flex buildings uneconomic. We believe housing would be a more appropriate use for the site. The smaller floor plates for housing enable it to work with slope conditions present on your property. Industrial/employment land requires sites to be much more flat due to dramatically larger floor plates, parking requirements, loading areas for trucks and ingress/egress concerns for trucks. There are several sites in the area that are more appropriate for industrial/employment development.

Let me know if you would like to discuss this further.

Yours very truly,

PACIFIC REALTY ASSOCIATES, L.P.



Eric A. Sporre  
*Vice President*



*City of Tualatin*

## **Attachment H4:**

Public Comment Record 2017





Tualatin Plan Com Meeting 1-19-17

Hi Grace,

This line should not be on this map and I am sorry I didn't catch it before it went out. I have asked multiple time for this line to be removed and it keeps showing up. I'll ask our consultant again to take this line off as I do not know where it came from or what it represents.

My apologies.

**Aquilla Hurd-Ravich, AICP**

Planning Manager

City of Tualatin | Community Development Department

503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

---

**From:** G Lucini [<mailto:grluci@gmail.com>]

**Sent:** Thursday, January 12, 2017 4:43 PM

**To:** Karen Perl Fox; Aquilla Hurd-Ravich; Bateschell, Miranda; Karushaar, Nancy

**Subject:** Trail or Road Markings on Basalt Creek Concept Plan Map-Posted Tualatin Plan Com Meeting 1-19-17

Karen, Aquilla, Miranda, and Nancy,

I know we have previously discussed maps which have indicated various public (or other) access through existing residential properties within the Basalt Creek Concept Area.

My understanding of these discussions was that no trail or other public access-- were anticipated or intended to be placed through my property.

I have included a copy of a map which is being presented to the Tualatin Planning Commission on Jan. 19, 2017 as part of the Basalt Creek Concept Planning Update Agenda Item. I have drawn a red circle around a broken grey line which meanders in a general north-south direction either through or next to my property.

<image001.jpg>

Would you provide me information as to what this line is to indicate-a proposed road, trail, utility?

Has there been a change in anticipated use/ access to this area of privately owned property, as part of the Basalt Creek Concept Planning?

If the broken grey line does not have any anticipated use, I request that it be removed from this and any future maps produced for public dissemination.

I also ask that contractors and subcontractors of the Basalt Creek Concept Planning process be informed of this and previous requests pertaining to the removal of unnecessary and/or unapproved markings on Basalt Creek Concept Planning maps produced for public dissemination.

I look forward to hearing back from you.

Thanks,  
Grace Lucini

**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#); [Aquila Hurd-Ravich](#); [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)  
**Cc:** [Lou Ogden](#); [logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us); [fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us); [jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us); [ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us); [Paul Morrison](#); [Jeff Dehaan](#); [Robert Kellogg](#); [Lois Fox](#); [Heather Hutchinson](#); [Matthew Johansen](#); [Lark Leitgeb](#); [Hannah Childs](#); [DonHanson](#); [Sherman Leitgeb](#); [Grace Lucini](#); [Herb Koss](#); [John andGrace Lucini](#); [Marvin Mast \(marvinmast@gmail.com\)](mailto:marvinmast@gmail.com); [Mehdi A-Sanaei \(mehdiasanaei@yahoo.com\)](mailto:mehdiasanaei@yahoo.com); [nicksummersfs00@gmail.com](mailto:nicksummersfs00@gmail.com); [r.alvstad@comcast.net](mailto:r.alvstad@comcast.net); [srcs6914@aol.com](mailto:srcs6914@aol.com)  
**Subject:** FW: Basalt Creek  
**Date:** Tuesday, January 17, 2017 1:01:46 PM

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Alice, Aquilla, or Karen

Could you please make sure that the Planning Commission receives this memo.  
Thank you  
Herb Koss 503 730 2431

Subject: Zoning of land not suited for an employment zone

### **Memo to the Tualatin Planning Commission Chair and Members of the Commission**

CC : Mayor Ogden, Tualatin City Council, Alice Cannon, Aquila Hurd- Ravich, Karen Fox, Property owners affected by a proposed Employment Zone.

Testimony submitted by Herb Koss the managing member of the 10 acres just north of Basalt Creek Parkway.

Property location:

Property located between Victoria Gardens on the North, Basalt Creek Parkway on the South, Grahams Ferry on the West and Basalt Creek on the East.

I am unable to attend the Planning Commission meeting on January 19<sup>th</sup>. Don Hanson, a principle at Otak will be attending the meeting weather permitting. Don was hired to assist in helping to plan the property described above for a zone that was conducive to the topography and the factor of limited access to the property. The site grading for an employment use would not be feasible due to the vast amounts of Basalt Rock. Access from Basalt Creek Parkway will be limited and Washington County plans a 18 to 20 foot cut on the south end of the property owned by the LLC that I manage and represent.

A month has almost passed since I was informed that Washington County was going to retain the services of EcoNW to visit the site and provide their opinion as to whether the property was suited for an employment zone. As of Jan 13<sup>th</sup> according to the administrative director of EcoNW the County had not retained the services of EcoNW to visit the site. **This is troublesome, because all of us want to make sure that Washington County understands the challenges associated with the site, so that it is zoned properly.**

I was informed that Tualatin Staff had a tour of the site arranged by Lois Fox a property owner. A site visit is certainly the best way to determine and experience what property owners have been stating about the problems with an employment zone. The elevation from the low to the high

Point is 60 feet and the access to the South from Basalt Creek Parkway is not feasible.

I would also like to point out that in order to ensure an employment zone was not the correct zone, a well-known office park developer was contacted. PacTrust is well known and a quality developer. A senior VP visited the site and reviewed topography and the feasibility of mass grading the site. His comment upon visiting the site was mass grading of the site was not feasible because of the vast amounts of Basalt Rock and the 60 foot elevation. Mayor Ogden has had conversations with Tony Weller of CES engineering and a past Council Member, Ken Leahey a site development contractor, and John Fregonese of Fregonese and Associates. After these conversations Mayor Ogden contacted Andy Dyck at Washington County. Mayor Ogden told me the conversation was why does everyone he has talked to not support an employment zone and the county still maintained the land was well suited for employment. This is a very good question and we were encouraged that EcoNW was being retained. The disappointment is to our knowledge no contract has been entered into and time continues to pass by.

It would be very unfair to property owners to improperly place a zone land that will never be developed and restrict the use of the land to the property owners presently living on the land. The County Loses, The City Loses and the land owners are treated unfairly after many months of planning, public meetings, and a large financial commitment to pay for the planning.

The property can be developed into supportive housing and become as asset to the City and the County.

A residential zone is adaptable to elevation changes and access is not as restricted compared to the access requirements needed for truck traffic. All of the property owners within the acreage described and the land owners to the east of this land support a residential zone.

I realize that a formal vote is not taking place on Jan 19<sup>th</sup>, 2017, however I wanted to enter our concerns into the record.

Sincerely

Herb D Koss



**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#)  
**Cc:** [Sherman Leitgeb](#); [Don Hanson](#); [Ed Trompke \(Ed.Trompke@jordanramis.com\)](#)  
**Subject:** RE: Mackenzie Study of Basalt Creek/Grahams Ferry Site  
**Date:** Thursday, January 19, 2017 1:49:21 PM

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Alice

Thank you for emailing me the information. Like I said it was disappointing to have Andy Duyck tell Ed Trompke one thing and then have signed a letter like he did.

If you really read the detail in the GM letter some data that they assumed is incorrect. First of all no residential zone on the North was taken into consideration. The North South Road connecting to Basalt Creek Parkway is not feasible --- 20 foot cut will be made to accommodate Basalt Creek Parkway. Basalt Creek Parkway is shown in the wrong location – It is on the south property line of Our 10 acres.

Don Hanson will attend tonight’s PC meeting as well as Sherman Leitgeb. Don will present our Concerns and recommendations at the PC meeting.

Again thank you for forwarding me the information.

Sincerely  
Herb Koss

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**From:** Alice Cannon [mailto:[acannon@tualatin.gov](mailto:acannon@tualatin.gov)]  
**Sent:** Thursday, January 19, 2017 12:21 PM  
**To:** Herb Koss  
**Subject:** Mackenzie Study of Basalt Creek/Grahams Ferry Site

Herb,

Here is the latest information from information from Washington County.

Thanks for the conversation just now.

Kind regards,

Alice

**Alice Cannon**  
Assistant City Manager  
City of Tualatin | Community Development  
503.691.3018 | [acannon@ci.tualatin.or.us](mailto:acannon@ci.tualatin.or.us) | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

**Citizen Comments to Tualatin Planning Commission 1-19-2017**

**Agenda Item 5 B-Basalt Creek Concept Planning -Update**

Grace Lucini

23677 SW Boones Ferry Road, Tualatin Oregon

My home is within the Basalt Creek Concept Planning area. I do not have elected representation within the Basalt Creek Concept Planning process, as I am not a resident of either the cities of Tualatin or Wilsonville- which are the governmental entities determining the process.

I appreciate that additional reviews of the Central Sub-Area continues- but evaluations for use need to be done within the context of the plan --for the successful health of the entire concept plan area.

I understand members of the City staff did an on-site visit to the area- which is necessary to understand the topography and uniqueness of the area. Let me express my appreciation of this action.

I also appreciate the actions the staff, stated they will take action to remove unnecessary or out dated markings on Concept Planning Maps which are disseminated to the public.

In this case the removal of some markings which overlay and potentially indicate actions to private properties west of SW Boones Ferry Road and north of the proposed Parkway. A map with these markings was included within the informational packet provided to this Commission, and was available for public review.

**1-11-17 Mackenzie Report Evaluation of Central Sub Area- Analysis for Industrial Use- commissioned by Washington County**

However, I question the usefulness of an evaluation commissioned by Washington County which resulted in the 1-11-17 Report by Mackenzie.

1. The Mackenzie Report did very little to address the actual question this Commission is discussing-which is: ***what is the most appropriate land use for the land in question.***
  
2. The Mackenzie Report specifically states the topic of the report is ---for "planning and design for development of industrial and employment lands in the Portland region".

These are two very distinctly different questions and issues- and any information gained from the Mackenzie Report should be utilized only within the context of the question it addresses... that question is simply if any of the land COULD be used for employment ---The answer to that question is yes, but very little land is appropriate for industrial use.

- A. The report did not address what should happen to the balance of the land not appropriate for industrial use.
  - Will this land become waste land?
  - An eye sore- who will be responsible for maintaining so many acers of land which is zoned for industrial use, but cannot be developed?

In addition, there are several factual problems which are presented within the Mackenzie Report as it is written...

- B. A major issue is the location of the limited access Parkway--- which is a major focal point of the entire Basalt Creek Concept Planning Process.
- C. The potential concept planning maps created and provided by Mackenzie indicate road access north from the Parkway – which is again contrary to previous primary planning concepts.
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  - does not indicate or state any attempt to provide buffering of existing neighborhoods- which was another primary guiding principle of the planning process
  - There is no indication of roads to the developable acreage east of the site being examined. As utilities are preferably laid along roads the proposed use maps within the Mackenzie Report effectively blocks any development west of the wetlands and east of the area due to the lack of any road to the area east of the study area.
  - There is little comment within the Mackenzie Report on the cost involved in resolving the topography and solid basalt rock benches which are found within this area--- to make it compatible for grading for industrial use. Cost is a significant factor when planning any development. If the cost is too high, the land will be the last to be developed -if ever
- E. Consequently, the information gained from this report should only be used within the context of the question it addresses.
- F. The ability to use this report for determining the best use of the land is extremely limited.

#### EXISTING PROPERTY OWNERS WITHIN BASALT CREEK AREA

1. Existing property owners directly affected by the planning process should be heard as to their goals, and should be respected for the knowledge they provide about the limitations of the land they own.
2. Existing neighbors within the Tualatin City limits, and those existing outside the current limits should be heard and their comments incorporated into the concept plans as a basic livability issue.

I request that the Planning Commission acknowledges the extensive limitations of the Mackenzie Report when considering what is the best land use for this area- within the context of the entire Tualatin area and forward these concerns to the Tualatin City Council.

Respectfully,

Grace Lucini



# City of Tualatin

www.tualatinoregon.gov

**OFFICIAL**

**TUALATIN PLANNING COMMISSION -**

**MINUTES OF January 19, 2017**

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**TPC MEMBERS PRESENT:**

Alan Aplin  
Bill Beers  
Angela Demeo  
Travis Stout  
Mona St. Clair  
Janelle Thompson  
Kenneth Ball

**STAFF PRESENT**

Aquilla Hurd-Ravich  
Karen Perl Fox  
Jeff Fuchs  
Lynette Sanford

**TPC MEMBER ABSENT:**

**GUESTS:** Don Hanson, Grace Lucini, Sherman Leitjab, Tom Childs, Lois Fox, Jim Odams, George DeDoux, and Marrin Mast.

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**1. CALL TO ORDER AND ROLL CALL:**

Alan Aplin, Chair, called the meeting to order at 6:30 pm and reviewed the agenda. Roll call was taken.

**2. APPROVAL OF MINUTES:**

Mr. Aplin asked for review and approval of the October 20, 2016 TPC minutes.  
MOTION by Thompson SECONDED by St.Clair to approve the minutes as written.  
MOTION PASSED 7-0.

**3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):**

None

**4. ACTION ITEMS:**

**A. Elect a Chair and Vice Chair to Represent the Tualatin Planning Commission**

Mr. Aplin asked the Commission members if they would like to become the Chairman and Vice Chairman of the Planning Commission. Bill Beers offered to be the Chairman and Kenneth Ball volunteered to be the Vice Chairman. MOTION PASSED 7-0.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.



**5. COMMUNICATION FROM CITY STAFF:****A. Capital Improvement Plan 2018-2027**

Jeff Fuchs, City Engineer, presented the Capital Improvement Plan (CIP) which included a PowerPoint presentation. Mr. Fuchs stated that he is filling in for Kelsey Lewis who was unable to attend the meeting. Mr. Fuchs noted that the CIP is a ten year project roadmap and is more of a planning tool than a schedule. This plan is reviewed and revised annually.

The project categories of the CIP are Facilities and Equipment, Parks and Recreation, Technology, Transportation and Utilities. Mr. Fuchs noted that Ms. Lewis programmed the Transportation System Plan (TSP) into the CIP to balance revenue against planned expenditures.

Mr. Fuchs stated that the priorities are Council goals, health and safety, regulatory requirements, master plans, and service delivery needs. Funding sources include system development charges, water, sewer and storm rates, gas taxes, general fund, and grants and donations. The summary total is \$6,029,000.

Mr. Fuchs went through the slides that detailed the project categories and the costs for each. The CIP schedule includes presenting to the various Committees in January and it goes to Council for approval in February.

Mr. Aplin asked if the new City Hall is part of this plan. Mr. Fuchs replied that it does not fall within a 10 year window so it was not included.

Mr. Stout asked how the five year portion compares to last year. Mr. Fuchs replied that the projects shift around depending on the delivery. The general fund is the category that changes the most. Mr. Fuchs added that the majority of the transportation projects are on a sliding schedule.

Ms. Thompson asked if the developer was supporting the project on 65<sup>th</sup> & Sagert or if it is derived from City funds. Mr. Fuchs replied that the Sagert project is a System Development Charge (SDC) reimbursement expense - they will pay for the impact of their development and we will reimburse them for the portion above and beyond their development. Mr. Fuchs added that the traffic signal in that area should be installed by early summer.

Ms. Demeo asked if the Sagert and Martinazzi intersection project will surface next year. Mr. Fuchs responded that they will take a midterm look at the traffic study and reexamine the high traffic areas.

## B. Update on Basalt Creek Land Use Concept Plan Map

Karen Perl Fox, Senior Planner, and Aquilla Hurd-Ravich, Planning Manager, presented an update on the Basalt Creek Land Use Concept Map. This includes an overview of the work staff carried out on the exploration of the central subarea as directed by City Council at their October 10, 2016 work session. This update will also include Council's confirmation on the Concept Map at the November 28, 2016 work session.

Ms. Hurd-Ravich stated that Metro brought the Basalt Creek Planning area into the Urban Growth Boundary in 2004 as employment land and Metro was awarded the CET Grant to fund the concept planning. In 2011-2013 Tualatin worked with partners Washington County, Metro and Wilsonville, and ODOT to define the transportation spine. This resulted in a transportation refinement plan and two intergovernmental agreements (IGAs) at the beginning and towards the end of the project. In 2013, the concept planning kicked off with a joint meeting with Wilsonville.

In 2014 staff worked through the guiding principles list which included:

- Maintain and complement the cities unique identities
- Meet regional responsibility for jobs and housing
- Design cohesive and efficient transportation and utility systems
- Maximize assessed property value
- Capitalize on the area's unique assets and natural location
- Explore creative approaches to integrate jobs and housing
- Create a uniquely attractive business community unmatched in the metro region
- Ensure appropriate transitions between land uses
- Incorporate natural resource areas and provide recreational opportunities as community amenities and assets

Ms. Hurd-Ravich presented the maps which detailed the progression and the revisions from the feedback received. This proposed jurisdictional boundary was discussed at a joint council work session in December 2015 and both councils agreed on the proposed jurisdictional boundary following Basalt Creek Parkway. Ms. Hurd-Ravich added that this information was presented to Council on June 13, 2016. Council feedback posed the question of how this concept could support campus industrial and how the trip cap would be managed.

Ms. Perl Fox stated that feedback from the public, Council, and the intergovernmental partners led to minor refinements. These include 93 acres of Manufacturing Park, 3 acres of neighborhood commercial, and 88 acres of residential – which represents a balance between employment and residential land.

Ms. Perl Fox added that public input prompted questions on the Basalt Creek central subarea – the area immediately south of Victoria Gardens to the jurisdictional

boundary. This represents approximately 42 buildable acres. Council directed the land to match the same planning district as Victoria Gardens, which is RML (Medium low density). For the central subarea on the Tualatin side, Council directed exploration of the OTAK proposal to determine if the land is suitable for employment uses.

Ms. Perl Fox noted that staff met with OTAK to explore the property owner's proposal, consider opportunities for employment and constraints in the area, and consider infrastructure needed for different proposed uses. Ms. Perl Fox emphasized that we are in partnership with other agencies and they do not want to reduce employment land for more residential. We received a letter from Washington County in October emphasizing that the land is prime for industrial and employment uses.

Ms. Perl Fox continued presenting the slides that detailed the summary of acres and trips, and the most recent land use concept map. Ms. Hurd-Ravich added that based on all the information, staff's position is to recommend that Council accept the land use map as presented.

Ms. St. Clair asked about the area designated for high density and how many homes are expected. Ms. Perl Fox responded that it's approximately 2-3 acres of land, so it would be around 100 units. Ms. St. Clair asked if there will be enough housing for the people who will be working in the industrial/employment area. Ms. Hurd-Ravich responded that the group didn't plan on a housing unit for each employee. Ms. St. Clair stated that the people in the employment area will expect to live where they work. Mr. Aplin asked if we are limited on high density zoning areas. Ms. Hurd-Ravich responded that we are constrained by trip numbers.

Mr. Beers asked if the trip model took into account the different business sectors in the area. He was concerned about the high price of housing in the area and as a result, many employees may have to commute in from other areas. Ms. Hurd-Ravich added that the models accounted for bike and pedestrian transportation as well as public transportation, but doesn't narrow down trip times.

*Don Hanson, OTAK, 808 SW 3<sup>rd</sup>, Portland, OR 97204*

Mr. Hanson works for OTAK and was hired to assist the property owners in the ten acres in the southern portion of the study area, north of Basalt Parkway. He has been tracking this process and is concerned about this area being zoned employment land due to the vast amount of Basalt rock. Mr. Hanson distributed a map which detailed the topography concerns. This map has been added as an attachment to the minutes.

Mr. Hanson stated that they consulted an excavator and a broker to obtain their opinion on the area and both expressed concern about the conditions. Mr. Hanson noted that Washington County and the engineering firm Mackenzie viewed the

property. They submitted a map and evaluated the property strictly for employment uses; they did not take into account the residential transition area. Mr. Hanson stated that they were unaware that there is no access road and the access points are limited to Grahams Ferry Rd and Tonquin Rd. Mr. Hanson acknowledged that there should be additional residential land in this area which would be more adaptable to the difficult topography.

*Grace Lucini, 23677 SW Boones Ferry Rd*

Ms. Lucini is a resident of the unincorporated area of Washington County directly adjacent to the east of the study area. Ms. Lucini has questions and concerns regarding the report evaluation of the central subarea that she bought to the Planning Commission. The handout has been added to the minutes as an attachment.

*Sherman Leitgeb, 23200 SW Grahams Ferry Rd*

Mr. Leitgeb noted that he is concerned about the subarea because he lives there. Mr. Leitgeb stated that 329 acres is already zoned industrial which has not been built on. He's concerned that the land will not be developed. Mr. Leitgeb noted that experts from Pactrust and excavation companies have stated that they are not interested in the land due to the amount of rock and slope.

*Tom Childs, 23470 SW Grahams Ferry Rd*

Mr. Childs stated that the people living in the Basalt area need to be acknowledged and if the land is designated industrial, it will not be built upon. Mr. Childs mentioned that there is not enough housing to support retail or small businesses. If this land is developed into industrial property, he will not be able to sell his home for a profit and find another place to live. Mr. Childs believes that the decisions considered should benefit the current homeowners, not Metro, Wilsonville, or Washington County.

*Lois Fox, 23550 SW Grahams Ferry Rd*

Ms. Fox stated that she toured the property with City staff and acknowledged that there is rock throughout her property which makes it unsuitable to build on. Ms. Fox mentioned that she was taken aback when the City Council mentioned that they will revisit the zoning if it doesn't work out or is not saleable. She has not heard from anyone other than a government official who thinks this is a good use for this property. She added that she would like to invite Washington County staff to tour her property.

Mr. Hanson added that moving forward, it makes sense to have a peer review or workshop for everyone to get together to express ideas clearly and have comments.



*Jim Odams, 24005 SW Boones Ferry Rd*

Mr. Odams lives in unincorporated Washington County and is not a resident of Wilsonville or Tualatin. He stated that he has not been approached by anyone for permission to tour his property even though the proposed bridge and alignment go through his property. Mr. Odams commented that it is frustrating to be a property owner in the proposed development area without representation.

Ms. Hurd-Ravich added that the alignment is through Washington County and the City can point out to them that the property owners have not been approached. The cities have not been involved in the geotechnical study, but will bring it up with the other agencies.

Ms. Demeo stated that Metro brought the Basalt area in as employment land and asked if the intent was to zone the entire area for employment. Ms. Hurd-Ravich replied that the Council fought back and the City didn't want the land at all. There was a concession to allow some residential to provide transition between employment and residential. Ms. Demeo asked if there was a dictated amount of acreage or percentage for residential and employment in the whole area, including Wilsonville. Ms. Hurd-Ravich replied that it is 70-30 percentage split. Ms. Lucini added that there is a Metro ordinance (04-1040B) which recommends the dividing line at Basalt Creek Parkway should be zoned residential to the north. Mr. Leitgeb added that Tualatin is the only City which stated they need additional housing.

Mr. Ball asked if the land has been surveyed by geotechnical engineers. Ms. Hurd-Ravich said at a concept plan level, they don't go into that detail – this happens in future steps.

Mr. Beers inquired about the jobs goal for the Basalt area and if there is a target to reach. Ms. Hurd-Ravich responded that Metro completes the analysis of population employment growth and projects the numbers. The jobs numbers are reflective of the scenario modeling and employment types, and jobs per acre. Tualatin met the Metro target in terms of employment. Ms. Thompson asked if the targets have to be met for jobs per residence. Ms. Hurd-Ravich responded that Metro has design types, but they don't have an employee per acre type.

Mr. Leitgeb mentioned that he met with a Wilsonville council member and the council member stated that Wilsonville only cares about the trip counts and not receiving Tualatin's sewage. The projected jobs is based on all of the land being developed into employment, if it doesn't get developed because of unsuitable conditions of slope and rock, you will need to take the jobs out of the equation for that section of the property. Ms. Perl Fox stated that she heard from the City of Wilsonville that they are concerned with the clustering of employment as well as the trip counts.

Mr. Childs stated that if the land is designated commercial and doesn't get developed, there will be no SDC fees or taxes collected. If it's developed residential, there will be sewer, water, taxes, and revenue generated. There will also be less land annexed into the City.

Mr. Aplin asked what the next steps were. Ms. Hurd-Ravich responded that this will return to Council on February 13. There are new Council members so there may be different views regarding this process. The concept plan cannot be completed until the land use map is agreed upon.

Ms. Lucini asked the Planning Commission what their thoughts are regarding moving forward. Mr. Aplin responded that the Council will hear feedback from the Commission members, but it is up to them to decide. Ms. Hurd-Ravich added that the minutes will be available to the Council members regarding the comments received.

Mr. Hanson asked if the Planning Commission will make a recommendation to Council. Ms. Hurd-Ravich said that they will eventually do so. Once the draft is complete it will return to the Planning Commission. When it's adopted into the Comprehensive Plan, the recommendation will be made.

### **C. Framing for Priority Project: Update the Tualatin Development Code**

Ms. Perl Fox presented the Framing for Priority Project: Update the Tualatin Development Code, which included a PowerPoint presentation. Ms. Perl Fox stated that at the 2014 Council Advance, the Council identified the Tualatin Development Code (TDC) update as a priority project. This is focused on the TDC - not the Municipal Code or other City requirements.

Ms. Perl Fox provided background information about the Tualatin Community Plan (Comprehensive Plan). This covers Chapters 1-30 of the TDC and provides land use goals and policies for the City. This was adopted in 1979; some chapters were updated in 2012.

Ms. Perl Fox stated that the Development Code (Land Use Regulations) covers Chapters 31-80 of the TDC. These chapters include planning districts (zoning), natural resource and floodplain requirements, community design standards, procedures and application requirements, subdivisions and partitions, and sign regulations.

Ms. Perl Fox noted that there are three phases of approach. These include:

- Phase 1: Code Clean up (Audit and Amendments)
- Phase 2: Outreach and Policy Review
- Phase 3: Writing a Work Program

Mr. Ball asked if the code is written and amended by a committee. Ms. Perl-Fox responded that consultants are involved as well as input from the Planning Commission.

Ms. Perl Fox noted that the amendment process can be a complicated process. The current code has many errors that need to be corrected, as well as it being confusing to read. This process may require several years to implement in total.

Ms. Perl Fox stated that the schedule includes:

- Quarter 1 – Audit
- Quarters 2 and 3 – Draft Code
- Quarter 4 – Hearing
- Quarters 5 and 6 – Outreach
- Quarter 7 – Policy Review
- Quarter 8 – Work program

Ms. Hurd-Ravich added that the Commissioners have an active role in this project and that their advice and comments will be taken to Council. We are almost ready to sign a contract with Angelo Planning Group. They will complete the bulk of the work, but the Planning staff will be working with them directly.

Ms. St. Clair asked if the consultant is an attorney firm. Ms. Hurd-Ravich responded that they are land use planners, but we will be working closely with our City Attorney. Ms. Demeo asked when Quarter 1 will kick off; Ms. Hurd-Ravich answered February 1, 2017.

Mr. Beers asked if the end product will be in printed form or on the web. Ms. Hurd-Ravich responded that it used to be in printed form, but is now exclusively web based. Ms. Demeo asked who our main customer is – business or residents. Ms. Hurd-Ravich responded that our customer is a good cross section of developers, businesses, and residents.

## **6. FUTURE ACTION ITEMS**

Ms. Hurd-Ravich stated that future action items include review of the Annual Report, which will be presented to Council. There will also be a Basalt Creek update.

Mr. Ball asked if there is a plan for the development off SW Nyberg Street - the former RV Park of Portland site. Ms. Hurd-Ravich responded that the application for the Plan Map Amendment is incomplete. Once deemed complete, it will come to the Planning Commission.

## **7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

Mr. Beers asked what is going in next to Cabela's. Ms. Hurd-Ravich responded that Cracker Barrel Restaurant is currently under construction, as well as a retail shell which

will house a bank and a mattress store. Mr. Aplin asked if Cabela's is changing to Bass Pro Shops. Ms. Hurd-Ravich replied that she has not heard anything regarding that.

8. **ADJOURNMENT**

MOTION by Aplin to adjourn the meeting at 8:39 pm.



\_\_\_\_\_  
Lynette Sanford, Office Coordinator



**Citizen Comments to Tualatin Planning Commission 1-19-2017**

**Agenda Item 5 B-Basalt Creek Concept Planning -Update**

Grace Lucini

23677 SW Boones Ferry Road, Tualatin Oregon

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<b>EXISTING PROPERTY OWNERS WITHIN BASALT CREEK AREA</b>
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Respectfully,

Grace Lucini

**From:** [G Lucini](#)  
**To:** [Aquilla Hurd-Ravich](#); [Karen Fox \(City of Tualatin\)](#)  
**Cc:** ["Lou Ogden"](#); [Joelle Davis](#); [Frank Bubenik](#); [pmorrison@tualatin.gov](#); [jdehaan@tualatin.gov](#); [rkellogg@tualatin.gov](#); [ngrimes@tualatin.gov](#)  
**Subject:** Questions -Basalt Creek Parkway Ext- WA County 2019-2021 RFFA Project Evaluation  
**Date:** Monday, January 30, 2017 3:52:45 PM  
**Attachments:** [2016 11-7 WCCC -BC Parkway Ext - Evaluation- Freight Access-Air-Economic.pdf](#)

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Aquilla, and Karen,

I saw in the Informational Packet for the **11-7-2016 WCCC Meeting** an Evaluation Matrix for Washington County 2019-2021 RFFA Projects- please see the attachment.

The second item on the matrix, under Regional Freight Initiatives, includes a listing for:

**Basalt Creek Extension- Grahams Ferry Road to Boones Ferry Road (ROW)-**

The project received a ranking of #3 by Washington County

While looking at the evaluating criteria within this document, I am at a quandary as to how this project ranked as high as it did using the stated criteria, and was also extremely interested in the stated evaluation statements specific to the Basalt Creek Extension-Grahams Ferry Road to Boones Ferry Road Project.

A few of the evaluating factors provided in the document are listed below – with associated comments listed for the Basalt Creek Extension-Grahams Ferry Road to Boones Ferry Road Project:

**Freight Delay:**

- I gave this score based on the criteria, but would score higher as this provides a new route with safer turn movements.
- Doesn't address delay specifically (focus on reliability)
- Future delay anticipated

**Freight Access:**

- Not much data given
- Difficult to full assess project impact

**EJ Economic Opportunity**

- The answer seems speculative
- I also know that lower-income, EJ communities have a hard time accessing Tualatin jog centers. If they had provided specific benefit numbers/strategies to bring people to this area for jobs, my score would be higher.
- Not much data given
- Difficult to full access project impact

**Air Toxics**

- Project reduces freight VMT; but adds new connection introducing pollutants into project area

**Multiple Freight Modes**

- Project does not directly improve freight mode connectivity.

This report does not appear to substantiate the effectiveness or utility of the Basalt Creek Parkway Extension project in meeting the stated purpose of the entire project – which was to facilitate the flow of regional freight traffic. The report specifically states, "Project does not directly improve freight mode connectivity."

The document did not substantiate or provide conclusive information of improvement of Economic Opportunities resulting from the Basalt Creek Parkway Extension.

However, the document does identify the Basalt Creek Parkway Extension may introduce pollutants into the project area- although the type and amount are not quantified. Residential properties directly abut the Parkway Extension, and a school yard and day care facility and an anticipated residential development will be in very close proximity along Greenhill Lane.

- Did the City of Tualatin receive this report?
- Is the City of Tualatin satisfied with the information contained in the document- and the ramifications/impact the Basalt Creek Parkway Extension may have upon the local residents?
- Is the City of Tualatin satisfied with the level of Freight Delay anticipated with the Basalt Creek Parkway Extension- in relationship to the stated purpose to improve the flow of regional freight traffic?
- When new information becomes available (which may possibly negate previous assumptions)- is there a process in place for reassessing the proposed location of the Basalt Creek Parkway Extension?

For reference, the following link accesses the entire 11-7-2016 WCCC informational packet.

[http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/PlanningPrograms/TransportationPlanning/upload/WCCC\\_Packet\\_110716.pdf](http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/PlanningPrograms/TransportationPlanning/upload/WCCC_Packet_110716.pdf)

I look forward to hearing your response.

Regards,

Grace

**From:** [Lynette Sanford](#)  
**To:** [G Lucini](#)  
**Subject:** RE: Copy of My Citizen Comments to Tualatin Planning Commission Meeting 1-19-2017  
**Date:** Friday, January 20, 2017 8:15:52 AM

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Thank you – I'll include it with my minutes.

***Lynette Sanford***

Office Coordinator  
City of Tualatin | Planning Division  
503.691.3026 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

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**From:** G Lucini [mailto:grluci@gmail.com]  
**Sent:** Thursday, January 19, 2017 9:26 PM  
**To:** Lynette Sanford  
**Subject:** Copy of My Citizen Comments to Tualatin Planning Commission Meeting 1-19-2017

Hi Lynette,

Attached is a copy of the Citizen Comments I read to the Tualatin Planning Commission this evening.

Thanks,  
Grace





# City of Tualatin

www.tualatinoregon.gov

UNOFFICIAL

TUALATIN PLANNING COMMISSION -

MINUTES OF January 19, 2017

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**TPC MEMBERS PRESENT:**

Alan Aplin  
Bill Beers  
Angela Demeo  
Travis Stout  
Mona St. Clair  
Janelle Thompson  
Kenneth Ball

**STAFF PRESENT**

Aquilla Hurd-Ravich  
Karen Perl Fox  
Jeff Fuchs  
Lynette Sanford

**TPC MEMBER ABSENT:**

**GUESTS:** Don Hanson, Grace Lucini, Sherman Leitjab, Tom Childs, Lois Fox, Jim Odams, George DeDoux, and Marrin Mast.

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**1. CALL TO ORDER AND ROLL CALL:**

Alan Aplin, Chair, called the meeting to order at 6:30 pm and reviewed the agenda. Roll call was taken.

**2. APPROVAL OF MINUTES:**

Mr. Aplin asked for review and approval of the October 20, 2016 TPC minutes.  
MOTION by Thompson SECONDED by St.Clair to approve the minutes as written.  
MOTION PASSED 7-0.

**3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):**

None

**4. ACTION ITEMS:**

**A. Elect a Chair and Vice Chair to Represent the Tualatin Planning Commission**

Mr. Aplin asked the Commission members if they would like to become the Chairman and Vice Chairman of the Planning Commission. Bill Beers offered to be the Chairman and Kenneth Ball volunteered to be the Vice Chairman. MOTION PASSED 7-0.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.

**5. COMMUNICATION FROM CITY STAFF:****A. Capital Improvement Plan 2018-2027**

Jeff Fuchs, City Engineer, presented the Capital Improvement Plan (CIP) which included a PowerPoint presentation. Mr. Fuchs stated that he is filling in for Kelsey Lewis who was unable to attend the meeting. Mr. Fuchs noted that the CIP is a ten year project roadmap and is more of a planning tool than a schedule. This plan is reviewed and revised annually.

The project categories of the CIP are Facilities and Equipment, Parks and Recreation, Technology, Transportation and Utilities. Mr. Fuchs noted that Ms. Lewis programmed the Transportation System Plan (TSP) into the CIP to balance revenue against planned expenditures.

Mr. Fuchs stated that the priorities are Council goals, health and safety, regulatory requirements, master plans, and service delivery needs. Funding sources include system development charges, water, sewer and storm rates, gas taxes, general fund, and grants and donations. The summary total is \$6,029,000.

Mr. Fuchs went through the slides that detailed the project categories and the costs for each. The CIP schedule includes presenting to the various Committees in January and it goes to Council for approval in February.

Mr. Aplin asked if the new City Hall is part of this plan. Mr. Fuchs replied that it does not fall within a 10 year window so it was not included.

Mr. Stout asked how the five year portion compares to last year. Mr. Fuchs replied that the projects shift around depending on the delivery. The general fund is the category that changes the most. Mr. Fuchs added that the majority of the transportation projects are on a sliding schedule.

Ms. Thompson asked if the developer was supporting the project on 65<sup>th</sup> & Sagert or if it is derived from City funds. Mr. Fuchs replied that the Sagert project is a System Development Charge (SDC) reimbursement expense - they will pay for the impact of their development and we will reimburse them for the portion above and beyond their development. Mr. Fuchs added that the traffic signal in that area should be installed by early summer.

Ms. Demeo asked if the Sagert and Martinazzi intersection project will surface next year. Mr. Fuchs responded that they will take a midterm look at the traffic study and reexamine the high traffic areas.

## B. Update on Basalt Creek Land Use Concept Plan Map

Karen Perl Fox, Senior Planner, and Aquilla Hurd-Ravich, Planning Manager, presented an update on the Basalt Creek Land Use Concept Map. This includes an overview of the work staff carried out on the exploration of the central subarea as directed by City Council at their October 10, 2016 work session. This update will also include Council's confirmation on the Concept Map at the November 28, 2016 work session.

Ms. Hurd-Ravich stated that Metro brought the Basalt Creek Planning area into the Urban Growth Boundary in 2004 as employment land and Metro was awarded the CET Grant to fund the concept planning. In 2011-2013 Tualatin worked with partners Washington County, Metro and Wilsonville, and ODOT to define the transportation spine. This resulted in a transportation refinement plan and two intergovernmental agreements (IGAs) at the beginning and towards the end of the project. In 2013, the concept planning kicked off with a joint meeting with Wilsonville.

In 2014 staff worked through the guiding principles list which included:

- Maintain and complement the cities unique identities
- Meet regional responsibility for jobs and housing
- Design cohesive and efficient transportation and utility systems
- Maximize assessed property value
- Capitalize on the area's unique assets and natural location
- Explore creative approaches to integrate jobs and housing
- Create a uniquely attractive business community unmatched in the metro region
- Ensure appropriate transitions between land uses
- Incorporate natural resource areas and provide recreational opportunities as community amenities and assets

Ms. Hurd-Ravich presented the maps which detailed the progression and the revisions from the feedback received. This proposed jurisdictional boundary was discussed at a joint council work session in December 2015 and both councils agreed on the proposed jurisdictional boundary following Basalt Creek Parkway. Ms. Hurd-Ravich added that this information was presented to Council on June 13, 2016. Council feedback posed the question of how this concept could support campus industrial and how the trip cap would be managed.

Ms. Perl Fox stated that feedback from the public, Council, and the intergovernmental partners led to minor refinements. These include 93 acres of Manufacturing Park, 3 acres of neighborhood commercial, and 88 acres of residential – which represents a balance between employment and residential land.

Ms. Perl Fox added that public input prompted questions on the Basalt Creek central subarea – the area immediately south of Victoria Gardens to the jurisdictional

boundary. This represents approximately 42 buildable acres. Council directed the land to match the same planning district as Victoria Gardens, which is RML (Medium low density). For the central subarea on the Tualatin side, Council directed exploration of the OTAK proposal to determine if the land is suitable for employment uses.

Ms. Perl Fox noted that staff met with OTAK to explore the property owner's proposal, consider opportunities for employment and constraints in the area, and consider infrastructure needed for different proposed uses. Ms. Perl Fox emphasized that we are in partnership with other agencies and they do not want to reduce employment land for more residential. We received a letter from Washington County in October emphasizing that the land is prime for industrial and employment uses.

Ms. Perl Fox continued presenting the slides that detailed the summary of acres and trips, and the most recent land use concept map. Ms. Hurd-Ravich added that based on all the information, staff's position is to recommend that Council accept the land use map as presented.

Ms. St. Clair asked about the area designated for high density and how many homes are expected. Ms. Perl Fox responded that it's approximately 2-3 acres of land, so it would be around 100 units. Ms. St. Clair asked if there will be enough housing for the people who will be working in the industrial/employment area. Ms. Hurd-Ravich responded that the group didn't plan on a housing unit for each employee. Ms. St. Clair stated that the people in the employment area will expect to live where they work. Mr. Aplin asked if we are limited on high density zoning areas. Ms. Hurd-Ravich responded that we are constrained by trip numbers.

Mr. Beers asked if the trip model took into account the different business sectors in the area. He was concerned about the high price of housing in the area and as a result, many employees may have to commute in from other areas. Ms. Hurd-Ravich added that the models accounted for bike and pedestrian transportation as well as public transportation, but doesn't narrow down trip times.

*Don Hanson, OTAK, 808 SW 3<sup>rd</sup>, Portland, OR 97204*

Mr. Hanson works for OTAK and was hired to assist the property owners in the ten acres in the southern portion of the study area, north of Basalt Parkway. He has been tracking this process and is concerned about this area being zoned employment land due to the vast amount of Basalt rock. Mr. Hanson distributed a map which detailed the topography concerns. This map has been added as an attachment to the minutes.

Mr. Hanson stated that they consulted an excavator and a broker to obtain their opinion on the area and both expressed concern about the conditions. Mr. Hanson noted that Washington County and the engineering firm Mackenzie viewed the



property. They submitted a map and evaluated the property strictly for employment uses; they did not take into account the residential transition area. Mr. Hanson stated that they were unaware that there is no access road and the access points are limited to Grahams Ferry Rd and Tonquin Rd. Mr. Hanson acknowledged that there should be additional residential land in this area which would be more adaptable to the difficult topography.

*Grace Lucini, 23677 SW Boones Ferry Rd*

Ms. Lucini is a resident of the unincorporated area of Washington County directly adjacent to the east of the study area. Ms. Lucini has questions and concerns regarding the report evaluation of the central subarea that she bought to the Planning Commission. The handout has been added to the minutes as an attachment.

*Sherman Leitgeb, 23200 SW Grahams Ferry Rd*

Mr. Leitgeb noted that he is concerned about the subarea because he lives there. Mr. Leitgeb stated that 329 acres is already zoned industrial which has not been built on. He's concerned that the land will not be developed. Mr. Leitgeb noted that experts from Pactrust and excavation companies have stated that they are not interested in the land due to the amount of rock and slope.

*Tom Childs, 23470 SW Grahams Ferry Rd*

Mr. Childs stated that the people living in the Basalt area need to be acknowledged and if the land is designated industrial, it will not be built upon. Mr. Childs mentioned that there is not enough housing to support retail or small businesses. If this land is developed into industrial property, he will not be able to sell his home for a profit and find another place to live. Mr. Childs believes that the decisions considered should benefit the current homeowners, not Metro, Wilsonville, or Washington County.

*Lois Fox, 23550 SW Grahams Ferry Rd*

Ms. Fox stated that she toured the property with City staff and acknowledged that there is rock throughout her property which makes it unsuitable to build on. Ms. Fox mentioned that she was taken aback when the City Council mentioned that they will revisit the zoning if it doesn't work out or is not saleable. She has not heard from anyone other than a government official who thinks this is a good use for this property. She added that she would like to invite Washington County staff to tour her property.

Mr. Hanson added that moving forward, it makes sense to have a peer review or workshop for everyone to get together to express ideas clearly and have comments.

*Jim Odams, 24005 SW Boones Ferry Rd*

Mr. Odams lives in unincorporated Washington County and is not a resident of Wilsonville or Tualatin. He stated that he has not been approached by anyone for permission to tour his property even though the proposed bridge and alignment go through his property. Mr. Odams commented that it is frustrating to be a property owner in the proposed development area without representation.

Ms. Hurd-Ravich added that the alignment is through Washington County and the City can point out to them that the property owners have not been approached. The cities have not been involved in the geotechnical study, but will bring it up with the other agencies.

Ms. Demeo stated that Metro brought the Basalt area in as employment land and asked if the intent was to zone the entire area for employment. Ms. Hurd-Ravich replied that the Council fought back and the City didn't want the land at all. There was a concession to allow some residential to provide transition between employment and residential. Ms. Demeo asked if there was a dictated amount of acreage or percentage for residential and employment in the whole area, including Wilsonville. Ms. Hurd-Ravich replied that it is 70-30 percentage split. Ms. Lucini added that there is a Metro ordinance (04-1040B) which recommends the dividing line at Basalt Creek Parkway should be zoned residential to the north. Mr. Leitgeb added that Tualatin is the only City which stated they need additional housing.

Mr. Ball asked if the land has been surveyed by geotechnical engineers. Ms. Hurd-Ravich said at a concept plan level, they don't go into that detail – this happens in future steps.

Mr. Beers inquired about the jobs goal for the Basalt area and if there is a target to reach. Ms. Hurd-Ravich responded that Metro completes the analysis of population employment growth and projects the numbers. The jobs numbers are reflective of the scenario modeling and employment types, and jobs per acre. Tualatin met the Metro target in terms of employment. Ms. Thompson asked if the targets have to be met for jobs per residence. Ms. Hurd-Ravich responded that Metro has design types, but they don't have an employee per acre type.

Mr. Leitgeb mentioned that he met with a Wilsonville council member and the council member stated that Wilsonville only cares about the trip counts and not receiving Tualatin's sewage. The projected jobs is based on all of the land being developed into employment, if it doesn't get developed because of unsuitable conditions of slope and rock, you will need to take the jobs out of the equation for that section of the property. Ms. Perl Fox stated that she heard from the City of Wilsonville that they are concerned with the clustering of employment as well as the trip counts.

Mr. Childs stated that if the land is designated commercial and doesn't get developed, there will be no SDC fees or taxes collected. If it's developed residential, there will be sewer, water, taxes, and revenue generated. There will also be less land annexed into the City.

Mr. Aplin asked what the next steps were. Ms. Hurd-Ravich responded that this will return to Council on February 13. There are new Council members so there may be different views regarding this process. The concept plan cannot be completed until the land use map is agreed upon.

Ms. Lucini asked the Planning Commission what their thoughts are regarding moving forward. Mr. Aplin responded that the Council will hear feedback from the Commission members, but it is up to them to decide. Ms. Hurd-Ravich added that the minutes will be available to the Council members regarding the comments received.

Mr. Hanson asked if the Planning Commission will make a recommendation to Council. Ms. Hurd-Ravich said that they will eventually do so. Once the draft is complete it will return to the Planning Commission. When it's adopted into the Comprehensive Plan, the recommendation will be made.

### **C. Framing for Priority Project: Update the Tualatin Development Code**

Ms. Perl Fox presented the Framing for Priority Project: Update the Tualatin Development Code, which included a PowerPoint presentation. Ms. Perl Fox stated that at the 2014 Council Advance, the Council identified the Tualatin Development Code (TDC) update as a priority project. This is focused on the TDC - not the Municipal Code or other City requirements.

Ms. Perl Fox provided background information about the Tualatin Community Plan (Comprehensive Plan). This covers Chapters 1-30 of the TDC and provides land use goals and policies for the City. This was adopted in 1979; some chapters were updated in 2012.

Ms. Perl Fox stated that the Development Code (Land Use Regulations) covers Chapters 31-80 of the TDC. These chapters include planning districts (zoning), natural resource and floodplain requirements, community design standards, procedures and application requirements, subdivisions and partitions, and sign regulations.

Ms. Perl Fox noted that there are three phases of approach. These include:

- Phase 1: Code Clean up (Audit and Amendments)
- Phase 2: Outreach and Policy Review
- Phase 3: Writing a Work Program

Mr. Ball asked if the code is written and amended by a committee. Ms. Perl-Fox responded that consultants are involved as well as input from the Planning Commission.

Ms. Perl Fox noted that the amendment process can be a complicated process. The current code has many errors that need to be corrected, as well as it being confusing to read. This process may require several years to implement in total.

Ms. Perl Fox stated that the schedule includes:

- Quarter 1 – Audit
- Quarters 2 and 3 – Draft Code
- Quarter 4 – Hearing
- Quarters 5 and 6 – Outreach
- Quarter 7 – Policy Review
- Quarter 8 – Work program

Ms. Hurd-Ravich added that the Commissioners have an active role in this project and that their advice and comments will be taken to Council. We are almost ready to sign a contract with Angelo Planning Group. They will complete the bulk of the work, but the Planning staff will be working with them directly.

Ms. St. Clair asked if the consultant is an attorney firm. Ms. Hurd-Ravich responded that they are land use planners, but we will be working closely with our City Attorney. Ms. Demeo asked when Quarter 1 will kick off; Ms. Hurd-Ravich answered February 1, 2017.

Mr. Beers asked if the end product will be in printed form or on the web. Ms. Hurd-Ravich responded that it used to be in printed form, but is now exclusively web based. Ms. Demeo asked who our main customer is – business or residents. Ms. Hurd-Ravich responded that our customer is a good cross section of developers, businesses, and residents.

## **6. FUTURE ACTION ITEMS**

Ms. Hurd-Ravich stated that future action items include review of the Annual Report, which will be presented to Council. There will also be a Basalt Creek update.

Mr. Ball asked if there is a plan for the development off SW Nyberg Street - the former RV Park of Portland site. Ms. Hurd-Ravich responded that the application for the Plan Map Amendment is incomplete. Once deemed complete, it will come to the Planning Commission.

## **7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

Mr. Beers asked what is going in next to Cabela's. Ms. Hurd-Ravich responded that Cracker Barrel Restaurant is currently under construction, as well as a retail shell which



will house a bank and a mattress store. Mr. Aplin asked if Cabela's is changing to Bass Pro Shops. Ms. Hurd-Ravich replied that she has not heard anything regarding that.

8. **ADJOURNMENT**

MOTION by Aplin to adjourn the meeting at 8:39 pm.

\_\_\_\_\_ Lynette Sanford, Office Coordinator

**Citizen Comments to Tualatin Planning Commission 1-19-2017**

**Agenda Item 5 B-Basalt Creek Concept Planning -Update**

Grace Lucini

23677 SW Boones Ferry Road, Tualatin Oregon

My home is within the Basalt Creek Concept Planning area. I do not have elected representation within the Basalt Creek Concept Planning process, as I am not a resident of either the cities of Tualatin or Wilsonville- which are the governmental entities determining the process.

I appreciate that additional reviews of the Central Sub-Area continues- but evaluations for use need to be done within the context of the plan --for the successful health of the entire concept plan area.

I understand members of the City staff did an on-site visit to the area- which is necessary to understand the topography and uniqueness of the area. Let me express my appreciation of this action.

I also appreciate the actions the staff, stated they will take action to remove unnecessary or out dated markings on Concept Planning Maps which are disseminated to the public.

In this case the removal of some markings which overlay and potentially indicate actions to private properties west of SW Boones Ferry Road and north of the proposed Parkway. A map with these markings was included within the informational packet provided to this Commission, and was available for public review.

**1-11-17 Mackenzie Report Evaluation of Central Sub Area- Analysis for Industrial Use- commissioned by Washington County**

However, I question the usefulness of an evaluation commissioned by Washington County which resulted in the 1-11-17 Report by Mackenzie.

1. The Mackenzie Report did very little to address the actual question this Commission is discussing-which is: ***what is the most appropriate land use for the land in question.***
  
2. The Mackenzie Report specifically states the topic of the report is ---for "planning and design for development of industrial and employment lands in the Portland region".

These are two very distinctly different questions and issues- and any information gained from the Mackenzie Report should be utilized only within the context of the question it addresses... that question is simply if any of the land COULD be used for employment ---The answer to that question is yes, but very little land is appropriate for industrial use.

- A. The report did not address what should happen to the balance of the land not appropriate for industrial use.
  - Will this land become waste land?
  - An eye sore- who will be responsible for maintaining so many acers of land which is zoned for industrial use, but cannot be developed?

In addition, there are several factual problems which are presented within the Mackenzie Report as it is written...

- B. A major issue is the location of the limited access Parkway--- which is a major focal point of the entire Basalt Creek Concept Planning Process.
- C. The potential concept planning maps created and provided by Mackenzie indicate road access north from the Parkway – which is again contrary to previous primary planning concepts.
- D. There is no indication of any effort to co-exist with existing neighborhoods or adjacent properties the Mackenzie Report:
  - does not indicate or state any attempt to have compatible of zoning with adjacent residential properties
  - does not indicate or state any attempt to provide buffering of existing neighborhoods- which was another primary guiding principle of the planning process
  - There is no indication of roads to the developable acreage east of the site being examined. As utilities are preferably laid along roads the proposed use maps within the Mackenzie Report effectively blocks any development west of the wetlands and east of the area due to the lack of any road to the area east of the study area.
  - There is little comment within the Mackenzie Report on the cost involved in resolving the topography and solid basalt rock benches which are found within this area--- to make it compatible for grading for industrial use. Cost is a significant factor when planning any development. If the cost is too high, the land will be the last to be developed -if ever
- E. Consequently, the information gained from this report should only be used within the context of the question it addresses.
- F. The ability to use this report for determining the best use of the land is extremely limited.

#### EXISTING PROPERTY OWNERS WITHIN BASALT CREEK AREA

1. Existing property owners directly affected by the planning process should be heard as to their goals, and should be respected for the knowledge they provide about the limitations of the land they own.
2. Existing neighbors within the Tualatin City limits, and those existing outside the current limits should be heard and their comments incorporated into the concept plans as a basic livability issue.

I request that the Planning Commission acknowledges the extensive limitations of the Mackenzie Report when considering what is the best land use for this area- within the context of the entire Tualatin area and forward these concerns to the Tualatin City Council.

Respectfully,

Grace Lucini

**From:** [G Lucini](#)  
**To:** [Aquila Hurd-Ravich](#); [Karen Fox](#)  
**Subject:** FW: Copy of My Citizen Comments to Tualatin Planning Commission Meeting 1-19-2017  
**Date:** Tuesday, February 07, 2017 1:41:44 PM  
**Attachments:** [RE Copy of My Citizen Comments to Tualatin Planning Commission Meeting ... \(4.92 KB\).msg](#)  
[2017 1-19 Tual Plan Com Minutes Draft.pdf](#)  
[2017 1-19 Citizen Comments to Tualatin Planning Com.docx](#)

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Aquila and Karen,

The informational packet provided to the Tualatin City Council, to prepare prior to their discussion on Basalt Creek Concept Planning during the Work Session on 2-13-17, includes Plan “Attachment E: DRAFT Planning Commission Minutes 01.19.17”.

Within the draft of these minutes of the Tualatin Planning Commission 1-19-17 meeting, it states my comments to the Planning Commission is attached as part of the minutes. However I do not see a copy of my comments attached – nor are my comments summarized in lieu of attaching a copy of the comments from which I read.

To provide for accuracy and ease of transcription, I forwarded by email, in a very timely manner, a copy of my Citizen Comments to the Planning Commission (on Basalt Creek Concept Planning)---- to the City of Tualatin. That email was acknowledged and included within.

As the minutes of the 1-19-17 Planning Commission (as Attachment E) are included within the informational packet- thereby being considered relevant to the City Council for preparation prior to their discussions during the 2-13-17 Council Work Session on Basalt Creek Concept Planning --- I request the Planning Commission 1-19-17 minutes be fully reflective of the discussion held during the meeting- including an accurate reflection of all issues presented from all of the citizens who spoke. This request is in accordance with the rules and laws pertaining to Public Records and Public Meetings.

I request the City of Tualatin correct this apparent oversight by including/attaching a summary or a copy of the comments I read at the 1-19-17 Tualatin Planning Commission- as part of the minutes of that meeting, and update “Attachment E: DRAFT Planning Commission Minutes 01.19.17” to fully and accurately reflect the discussion held and information provided during that meeting.

Once Attachment E is updated, I request “Attachment E” be as identified as “Revised”--- and posted as such:

- As a revised correspondence to be sent to the Council ----in a timely manner, prior to the 2-13-17 Work Session-
- And updated on the City’s website informational packet link for the meeting.

Please contact me should you have questions, or if there are difficulties in fulfilling my request.

I have also attached Attachment E, and separate copy of the Citizen Comments from which I read at the Tualatin Planning Commission Meeting on 1-19-17 for your use.



I appreciate your assistance,  
Grace

503 629 9890

**From:** [Herb Koss](#)  
**To:** [Lou Ogden](#); [Sherilyn Lombos](#); [Alice Cannon](#); [Aquila Hurd-Ravich](#); [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us); [Frank Bubenik](#) ([fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)); [jeff DeHaan](#); [Joelle Davis](#) ([jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)); [lou ogden](#) ([logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)); [nancy grimes](#) ([ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)); [paul morrison](#); [robert kellogg](#)  
**Cc:** [Peter Watts](#); [Herb Koss](#); [Don Hanson](#); [tweller@cesnw.com](mailto:tweller@cesnw.com)  
**Subject:** FW: Basalt Creek Zoning for land Between Victoria Gardens south to Basalt Creek Parkway  
**Date:** Sunday, February 12, 2017 1:57:25 PM  
**Attachments:** [CESNW ltr..pdf](#)  
[FW Basalt Creek Renus \(13.0 KB\).msg](#)

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Dear Mayor Ogden, Tualatin City Councilors, and City Staff

Washington County retained the services of McKenzie in order to determine if the land described above was feasible for employment zoning. I received a copy of the report and immediately saw an error that I am confident would have changed the end conclusion. The exhibit that Washington County sent to McKenzie showed a road connection know as Kinsman Rd connecting the Basalt Creek Parkway. This is incorrect as verified by the attached memo from Renus Kelkens, which confirms no access to Basalt Creek Parkway or the 18 to 20 foot road cut making the connection shown impossible.

The frustration of the study was further disappointing when Todd Johnson with McKenzie informed me that the County did not want to pay for McKenzie to make a site visit. I am confident that a site visit would have greatly modified the conclusion made on the McKenzie Report.

Mr. Tony Weller – CESNW was retained in order to have an engineering firm review the access and topographic issues. I have included it in this email as an attachment since it really summarizes the issues relating zoning and grades.

I would also like to add and enter into the record that I know the John Fregonese – Fregonese and Associates has had conversations with both Mayor Ogden, the staff, and me stating that in his

opinion the land described above should be zoned supportive housing with a density that does not increase trip counts.

I will be attending both the upcoming workshop and council meeting on Feb 13<sup>th</sup>, 2017 and will be happy to answer any questions that you may have.

Herb Koss

Attachments:

1. Email from County verifying the lack of a road connection to Basalt Creek Parkway
2. Letter from Tony Weller – CES dated 2/10/17



February 10, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

**RE: BASALT CREEK CONCEPT PLAN – (CENTRAL AREA)**

Dear Mr. Koss:

In response to your request I have reviewed the Basalt Creek Concept Plan materials with regards to the suitability of employment/light industrial development on the 63 acres north and east of the intersection of Grahams Ferry road and Basalt Creek Parkway. These materials included:

1. Tualatin Staff Reports
2. Mackenzie Study
3. Email from Washington County Basalt Creek Parkway project manager Renus Kelfkens regarding access to Basalt Creek Parkway.
4. DKS preliminary profile of the extension Basalt.
5. OTAK Basalt Creek Concept Plan.

We understand that the City, Metro and Washington County's desire is to zone this area for employment land. Development potential of land for employment uses, as stated in the MacKenzie report, is generally assumed to have less than 5% slopes. This is to allow for larger building footprints, parking, loading areas and truck access.

The two areas that meet that criteria for this property is the northerly 1/3 adjacent Victoria Gardens and the top of the plateau area in the lower middle of the site. The northerly area would be well served with access from Grahams Ferry Road at Tonquin Loop and potentially a secondary access from Tonquin Road at Grahams Ferry Road. These to access points would appear to have good separation and sight distance on Grahams Ferry. The northerly area is very developable as employment land, however the City has set aside approximately 10 acres (almost half) as residential to buffer the Victoria Gardens lots.

The southerly plateau area's best access would come from the southerly property line and Grahams Ferry. However, this is the location of Basalt Creek Parkway which the County will not allow access. We also understand that the County has deleted the proposed Kinsman Road crossing of Basalt Creek Parkway shown on the Tualatin Concept and MacKenzie plans thereby eliminating the only at grade potential access coming from the southerly portion of the site. Therefore any access to the plateau area must come from the north (Tonquin Road or Tonquin



Mr. Herb Koss

**BASALT CREEK CONCEPT PLAN – (CENTRAL AREA)**

Page 2 of 2

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Road Loop). The plateau area is almost completely surrounded by steeply sloped land. The slopes range from over 10% to over 20%. The over 40 vertical rise needed to get from Tonquin Road to the top of the plateau area will take 800 feet at 5% not accounting for access to the lower property on either side or the potential impacts to wetlands.

There is slightly over 25 feet vertical rise from Tonquin Loop to the top of the plateau. This does not account for the low area just north of the plateau that drops down another 15 feet that this road would have to cross. While the grading is more manageable the result would be truck traffic routed through a residential area.

Neither access point can provide a secondary access to the plateau area. This is a negative for both traffic flow patterns and emergency access. In addition as these roads are raised to provide access to the plateau area, the access to land on either side of the road becomes more difficult.

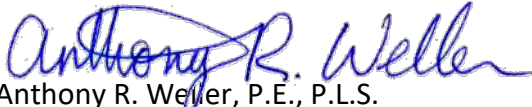
This area is also well known for the hard rock that is very near the surface. We were the design engineers for Victoria Gardens where we had about 2-feet of fill brought into the site to reduce the rock excavation costs. Unfortunately, filling the area does not provide better access.

Employment land requires flatter slopes to serve larger building footprints and then adjacent parking/loading areas. Providing for truck access and typical development footprint will severely limit the development efficiency for this portion of the property. Residential uses are more flexible with access grades and smaller footprints however the site will still be difficult to development without access to the south.

In summary, the northerly one third of the property is well suited to employment land. However, contrary to the MacKenzie report, Tualatin's current plan reserves the northerly 10 acres or so (almost half) of the northerly area for residential to buffer the Victoria Gardens lots. The southerly plateau area is not well suited for employment land. This is due to access constraints, surrounding steep slopes, lack of secondary access and grading costs.

It has also been our experience that if property is forced into a development pattern it is not well suited for, it will end up being one of the last parcels developed and the quality of that development is usually below expectations. If you have any questions in regards to our analysis, please don't hesitate to contact us.

Sincerely,

  
Anthony R. Weller, P.E., P.L.S.  
President



February 10, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

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Mr. Herb Koss

**BASALT CREEK CONCEPT PLAN – (CENTRAL AREA)**

Page 2 of 2

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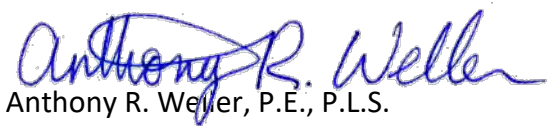
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Sincerely,



Anthony R. Weller, P.E., P.L.S.

President

## Peter Watts

---

**From:** Peter Watts  
**Sent:** Sunday, February 12, 2017 12:42 PM  
**To:** 'council@ci.tualatin.or.us'; 'council@tualatin.gov'  
**Cc:** 'slombos@ci.tualatin.or.us'  
**Subject:** Testimony for Monday's Work Session  
**Attachments:** POW-20170211-183942.pdf; POW-20170211-184052.pdf

Dear Mayor Ogden, Members of the Tualatin City Council, and City Staff,

I, along with others, own land North of the planned Basalt Creek Parkway, and East of Grahams Ferry Drive. I am writing this letter solely on my own behalf, specifically to provide background information, address the report provided to Washington County by McKenzie, and also provide information from local experts who have walked the site, so that you can make the best possible determination regarding the most appropriate designation of the land.

### Executive Summary

Don Hanson of OTAK, and Tony Weller of CES NW, have both provided letters stating significant reservations with the feasibility of developing this site as employment land, and provided detailed analysis of topographic and access limitations associated with the site, for your review. The letter from Tony Weller succinctly describes the issues with the McKenzie Report and the site in two pages.

Ken Leahy of Ken Leahy Construction, and Brian Clopton of Brian Clopton Excavating, both who have significant experience providing site preparation in the region, have walked the property, and believe that site preparation for the large building footprints required by employment designations, will be cost prohibitive due to the site slope and basalt rock soil.

Eric Sporre of PacTrust believes that there is an inability to develop industrial or flex buildings based on the site topography and soil conditions. Mike Diamond of the Real Estate Investment Group opined that the site was unlikely to develop as industrial or flex space because of the inability to provide large drive access for truck loading and turning radius. He also determined that office park use was not feasible, because the steep topography would have a negative impact on the proximity of parking and could pose an issue with American's Disabilities Act requirements. In short, all of the experts, were in agreement that there were significant issues with ever developing the property as employment land.

Although, McKenzie provided a report to Washington County, that the land could be feasibly developed as employment land, that report was based on a series of assumptions regarding site access, road construction, and zoning on the northern portion of the property, that will not occur under the current plan. Washington County staff has confirmed that the access off Basalt Creek Parkway, and the north south Kinsman road, will not be built. Both, Don Hanson and Tony Weller, have provided letters based on the most recent Washington County data, that contradict the conclusions reached in the McKenzie report.

Despite that the Basalt Creek planning area was brought into the UGB for the primary purpose of providing employment land, Metro has confirmed that there is no prohibition in the findings for non-employment designations. John Fregonese has confirmed that even if the subject property was zoned residential, the employment capacity for the planning area, will still far exceed Metro's estimates by 1,000, or more.

### Background Information And Why We Are Here Today



Although, I have significant experience representing both jurisdictions and developers in land use matters, I have never previously experienced the process from the perspective of a land owner, so this has been an eye opening experience. At the time that I decided to invest as a part owner in one of the subject properties, I did due diligence by looking at satellite images, reviewing the plans prepared by the cities and John Fregonese, and driving to the site. I didn't, however, walk the site, because of extremely bad weather.

I believed based on my review of the planning materials that the site would develop as employment land, and am very familiar with the regional needs analysis. In short, I did what everyone else did which was look at it from a bird's eye view, instead of on the ground.

At the time of my ownership, the most pressing issue was the boundary between the two cities. There seemed to be a logical boundary between Tualatin and Wilsonville, at Basalt Creek Parkway. I met with staff from Wilsonville to discuss the boundary, as well as Wilsonville's vision for mirror image zoning, which I believed, at the time, was feasible, and would work.

It was only when winter turned to summer, that I actually walked the property. What was not obvious from satellite imagery, or from the road, was immediately apparent, when I was on the ground. There are significant slope issues with the property and the adjacent properties, and there was very little topsoil, and a lot of rock. I am familiar with the impact of topography and soil conditions through my past representation of the former city of Damascus, and this property did not seem well suited for the large footprints necessary for an employment designation.

After discussions with Herb Koss, we contacted adjacent property owners, and received their permission to have experts look at the parcels of property as a whole, to help determine feasibility. At that time, concerned whether there was a prohibition on non-employment land zoning, I had preliminary discussions with Metro staff regarding whether there had been a requirement that the land be zoned employment, when it was brought into the UGB.

Metro's land use attorney, Roger Alfred, and I, both reviewed the findings and determined that although there was a strong desire for employment land, an orderly transition from residential to employment was contemplated at all times during the process. There is nothing in the findings that prevents a residential designation. This is particularly true if the factors on the ground do not support an employment designation. With that information and the consent of adjacent land owners we moved forward with the process of bringing in experts for site suitability analysis.

#### **Preliminary Analysis From Experts And Washington County's Letter Opinion From McKenzie**

Herb Koss arranged for Don Hanson from OTAK to analyze the site for slope issues and potential zoning, and he has previously submitted materials regarding his findings. (*See attachment 1*) Brian Clopton, of Brian Clopton Excavating submitted a letter on November 18, 2016 regarding the soil conditions and topography. (*See attachment 2*) Eric Sporre of PacTrust submitted a letter on November 14, 2016 regarding the inability to develop industrial or flex buildings based on the topography. (*See attachment 3*)

Mike Diamond of the Real Estate Investment Group submitted a letter on November 21, 2016 opining that the site was unlikely to develop as industrial or flex space because of the inability to provide large drive access for truck loading and turning radius. (*See attachment 4*) He also determined that office park use was not feasible because the steep topography would have a negative impact on the proximity of parking and could pose an issue with American's Disabilities Act requirements. In short, all of the experts, were in agreement that there were significant issues with ever developing the property as employment land.

Don Hanson shared Mike Diamond's concerns regarding compliance with ADA standards. He noted that the site that Washington County used as a comp, South Center, which was designed by OTAK had half the slope of the subject site, and could not be built under current ADA standards. (See page 1 of attachment 1)

At the same time, Mayor Ogden, and staff, asked John Fregonese for his opinion. He expressed reservations regarding the employment designation, and believed that it would be better suited as residential land. This, and other data, prompted Washington County to hire McKenzie to provide a letter opinion.

Upon receiving a copy of the McKenzie Letter, I had significant concerns that their report regarding feasibility was predicated on four inaccurate assumptions. Specifically:

1. The McKenzie letter contemplated access off of Basalt Creek Parkway, and did not take into account the 18-20 foot curb cut off of Basalt Creek Parkway (Washington County Project Manager, Renus Kelfkens, confirmed via email on 2/1/17 that the only access onto Basalt Creek Rd., will be from Grahams Ferry Rd., and Boones Ferry Rd., and that there will likely be an 18-20 foot curb cut); (See Attachment 5)
2. The McKenzie letter contemplated Kingsman Rd., as a North South connector, allowing truck access to the southern portion of the site (Washington County Planner Erin Wardell confirmed via a phone call to Herb Koss on 2/9/17 that this road had been deleted over a year ago);
3. The McKenzie letter contemplated an Employment designation in the northern quadrant of the property, despite the fact that it has been designated by the city as residential transition;
4. The McKenzie letter did not rely on site specific geotechnical conditions or topography, relying on regional mapping instead (Todd Johnson confirmed that they had not used site specific data via email on 2/10/17) (See Attachment 6)

I have had discussions with Gabriela Frask, who prepared the McKenzie report, and learned that she was not provided with the site transportation access information, nor was she aware that the northern portion of the property, which is relatively flat, was planned as residential transition. She was also unaware that Kinsman Rd., was deleted from the area planning approximately a year ago. Additionally, Washington County did not authorize a site visit, within her scope of work, which I believe negatively impacted her ability consider other factors impacting feasibility. Regardless of the skill of an individual planner or agency, their work can only be as accurate as the information that they rely upon, and in this case I believe that Gabriela and McKenzie did not receive sufficiently detailed information to assess the property as accurately as possible.

#### **Expert Opinions and Assessment of the McKenzie Letter**

We asked Tony Weller of CES NW, to consider the Tualatin staff reports, McKenzie Study, email from Washington Co., regarding access, the DKS preliminary profile of the extension of Basalt Creek Parkway, and the OTAK Basalt Creek Concept Plan. In a comprehensive letter dated February 10, 2017, he opined that while the northerly third of the site is very developable as employment land, almost half of that property is reserved for residential use. And, that the deletion of the planned Kinsman Road, eliminates the only at grade potential access coming from the southerly portion of the site. The plateau portion of the property is surrounded by steep slopes of over 10% and over 20%. He further opined that neither access point can provide a secondary access to the plateau area which is a negative for both traffic flows and emergency access. (See Attachment 7)

Ken Leahy of Ken Leahy Construction Inc., was asked to provide a more comprehensive look at site preparation costs. He provided his opinion, in a letter dated February 10, 2017 that the cost of site preparation will exceed \$5.00 per foot. (See Attachment 8)

Don Hanson, of OTAK has provided a letter, and marked-up the McKenzie map based on the actual location of Basalt Creek Parkway, the lack of access off of Basalt Creek, the elimination of Kinsman road, and the residential designation at the top of the property. The result of those additional facts, eliminates a significant portion of the property that McKenzie deemed developable. (See Attachment 9)

Additionally, I have included a map that combines the McKenzie Plan with the residential zone and topographic map. (See Attachment 10)

Their letters are attached for your review.

## **A Summary of Relevant Data**

With so many different letters from various experts, and communications from owners, neighbors, and other jurisdictions, over the last six months, it can be hard to keep track of the relevant information. So, I would offer the following:

1. Metro's own benchmark for employment land contemplates a slope of less than 10%, with less than 5% preferred. This site has slope in excess of 20% throughout;
2. PacTrust has provided a written opinion that the topography and basalt soil of the site mean it can't be feasibly developed for employment purposes;
3. OTAK has indicated in writing that the comparable property that Washington County used in their analysis, had half as much slope as this site, and could not be built under current American's with Disabilities Act rules/regulations;
4. Site preparation specialists in the area confirm the high cost of site preparation, due to soil conditions. The amount of blasting that can occur on this site is compromised by the high capacity power lines that bisect the site;
5. There is no access off of Basalt Creek road, and the deletion of Kinsman Road directly, and negatively impacts truck circulation on the southern portion of the site;
6. The northern portion of the site, adjacent to the existing neighborhood is currently planned to be zoned residential, contrary to what McKenzie's renderings show, and that designation has a major impact on the large footprint, employment, buildings that can/cannot be constructed. OTAK believes that only 11% of the site can be feasibly constructed as employment;
7. A residential designation and orderly transition to employment/industrial was always contemplated adjacent to the existing residential neighborhood, and is allowed under the findings that brought the Basalt Creek area into the UGB.
8. The county believes that an 18-20 foot curb cut, will be necessary on Basalt Creek Parkway. That curb cut means that the mirror image view that Wilsonville contemplated cannot occur. The view will either be of a graded slope or a 20 foot retaining wall.

## **Conclusion**

Although, the primary purpose of the Basalt Creek UGB expansion was to bring in employment land, the on ground conditions on this property don't support that designation. During the thirteen year period since this land was brought into the UGB, there has been a trend of locating workforce housing close to employment lands to lessen commute time to work, and there are other lands in the Basalt Creek Planning Area that are zoned residential.

John Fregonese was asked if this property was needed for employment capacity. His response was that if the subject property was zoned residential, the employment capacity for the planning area, will still far exceed Metro's estimates by 1,000, or more. In short, this land does not need to be zoned employment in order for the planning area as a whole to exceed Metro's employment capacity estimates.

Thank you for your time and consideration.

Peter

**Peter O. Watts** |  
**Jordan Ramis PC** | Attorneys at Law  
Direct: 503-598-5547 Main: 503-598-7070





HanmiGlobal Partner

808 sw third avenue, suite 300 • portland, oregon 97204  
503.287-6825 • fax 503.415-2304  
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1

# BASALT CREEK/TUALATIN CONCEPT PLAN

## Amendment Request to the Concept Plan

### Tualatin, Oregon

August 23, 2016, Revised November 21, 2016

### Introduction

- Otak Inc. (Otak) represents The Sherwood Grahams Ferry Investors LLC, headed by Herb Koss, who hold 10 acres in the 41 acre northeast quadrant of the overall district. The property is located near the northeast corner of Grahams Ferry Road and extends over to the Basalt Creek Canyon along the proposed new east-west arterial road. This summary of concerns and the amended concept plan lay out our intended direction moving forward.

### Project Concerns

- Otak's concern is that the northeast quadrant area is not well suited to industrial zoning or employment transition proposed by the concept plan.
  - **Topography.** Much of the site contains slopes in excess of 10 percent (10%) and 25 percent (25%). The site would be extremely difficult to flatten out to accommodate industrial or employment transition site development requirements. Attached is a topographic map of the South Center project provided to City of Tualatin (City) staff. Otak designed this flex-space project. The topography is half as severe as portions of the 41 acres site. The site would be extremely difficult to develop given today's American with Disabilities Act (ADA) requirements. \*
  - **Access.** Vehicular access will be limited to Grahams Ferry Road and extending Tonquin Loop into the site. No access will be permitted on the proposed new east-west arterial road.
  - **Basalt Creek Canyon.** The industrial land abuts the Basalt Creek Canyon with no transition.
  - This is not a big change but rather a refinement to the concept plan. It is a defined site area that makes up about 3 to 5 percent (3-5%) of the total Basalt Creek Study Area. Also there are currently 329 acres of undeveloped industrial land within a one mile radius of the study area.

### Land Use Context

- The following shows a comparison of Metro's initial goal for the district, the City's current plan, and the proposed amended plan.

Metro	2500 Jobs	1200 Households
City Plan	4500 Jobs	600 Households
Amended Plan	4070 Jobs	1194 Households



The amended plan proposes a more balanced approach that is well within the intended mix proposed by Metro when the land came into the Urban Growth Boundary (UGB).

A group of mayors in our region have gone to Metro and asked Metro for flexibility related to UGB expansions. They have asked Metro to look at lands and appropriate zoning designations on a sub-regional basis. They have asked that Metro consider factors such as slope, and proximity to infrastructure, to help avoid situation like Damascus. We are asking you to do the same. We recognize that the region anticipated that the Basalt Creek area would primarily be zoned employment uses.

It is certainly anticipated that the vast majority of the land will be used for that purpose. But, within the Basalt Creek Planning Area, there are sub-areas that cannot reasonably be developed as employment land because of topographic and other issues. The 41 acres that we have asked the City to zone for residential purposes is one of those sub-areas. There is land to the west and south of this land that is zoned employment, that land is flatter than the subject 41 acres, and it is closer to transportation infrastructure than the subject 41 acres. Neither PacTrust Pacific Realty Associates, LP nor Brian Clopton Excavating believed that an employment designation was possible given the slope and soil quality. Instead of designating the property with a designation that will result in it never developing, we ask that you give it a designation that will make development feasible. If you do not do so, it will sit vacant; counting as developable employment land, just as Damascus has sat vacant, counting as available housing stock. Its designation will prevent further necessary expansions.

There is a housing crisis in our region and the latest modeling has demonstrated the importance of having residential land and employment land in close proximity. This is an opportunity to provide housing, on land which cannot be feasibly developed as employment land.

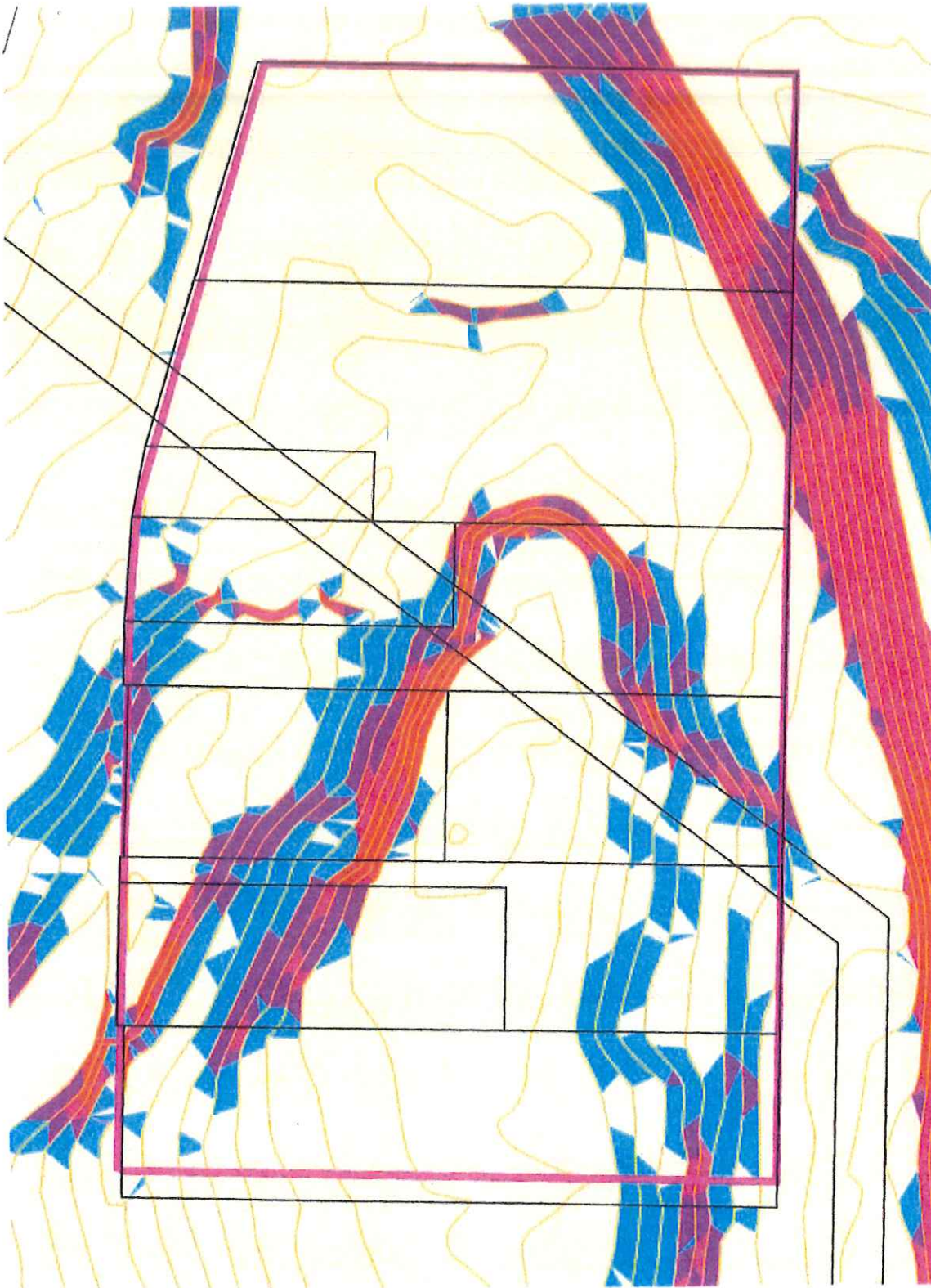
## Amended Plan Options

- The attached concept plan option summarizes the requested amendment for proposed land uses that fit the site and its unique conditions.
- The plan anticipates building Tonquin Loop as an actual loop with two access points on Grahams Ferry Road. This road extension will provide complete access to the properties and also access to property owners east of the site.
- Three densities of residential are shown as transition to the neighborhood to the north and canyon to the east and also along the new east-west arterial, which is down 25 vertical feet from the site area. A center core area of potential retail, high density residential, and open space could serve as a walkable destination in the neighborhood. Also secondary access can be provided to the developable lands to the east above the canyon.
- Property uses can be molded to fit actual site conditions and provide a mix of housing (including workforce housing) close to jobs anticipated to the south and west.
- The programmed development will “be trip cap neutral” compared to the current city concept plan.

## **Benefits**

- A walkable neighborhood with appropriate transitions and destinations
- Land uses that are adaptable to actual site conditions. The mix of uses will act as a **catalyst to create activity in the district**. The high-density residential (HDR) land provides the best opportunity for workforce housing next to employment lands. Residents won't need a car to commute.
- A plan that meets Metro's initial objectives when the land was brought into the UGB.
- A more complete quality neighborhood for the City of Tualatin.

Attachments: Basalt Creek Site Topo  
Basalt Creek Slope Analysis  
South Center Site Topo (Comparison)  
Basalt Creek Land Use Concept  
Letter from PacTrust Pacific Realty Associates, L.P.  
Letter from Brian Clopton Excavating  
Letter from Micheal Diamond, Real Estate Investment Group  
Basalt Creek nearby Job Lands Map



11-16-2016



Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	
2	10.00%	15.00%	■
3	15.00%	20.00%	■
4	20.00%	25.00%	■
5	25.00%	357.23%	■

# BASALT CREEK SLOPES ANALYSIS





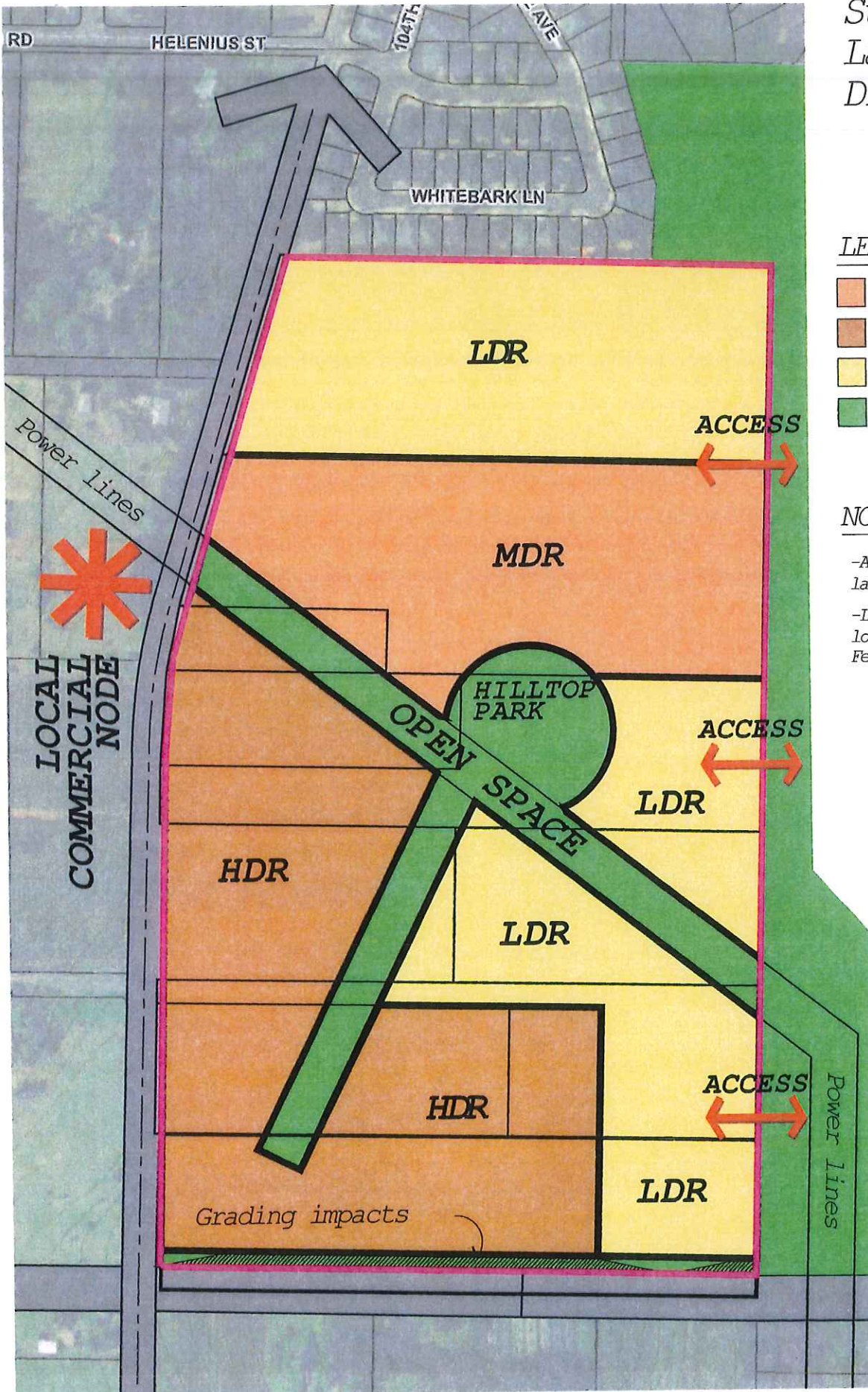
11-16-2016



# SOUTH CENTER SITE TOPO



# Subdistrict Land Use Diagram



## LEGEND

- Mid Density Residential
- High Density Residential
- Low Density Residential
- Open space

## NOTES

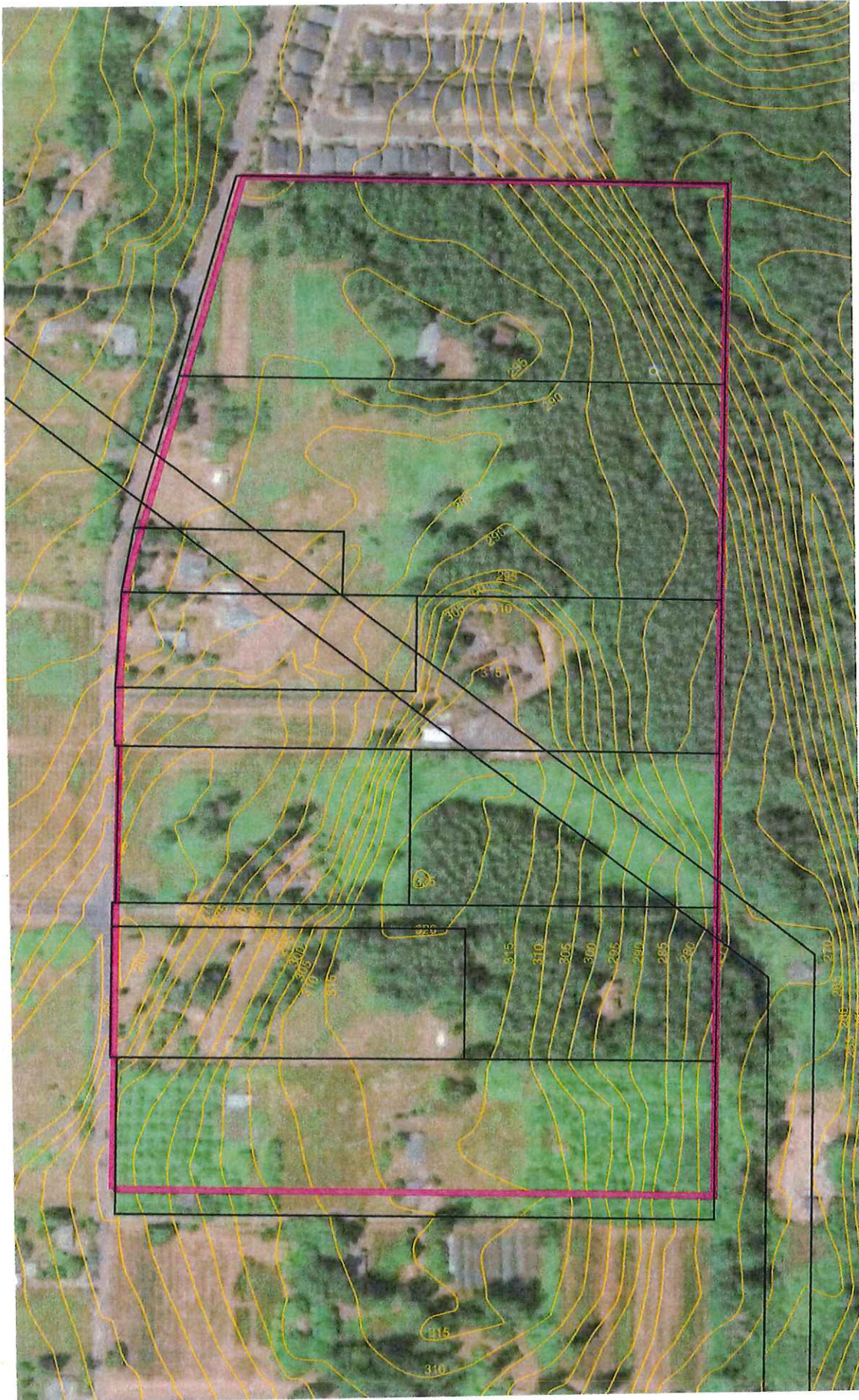
- Access provided for landowners to East
- Local commercial node located across Graham's Ferry Road



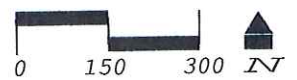
11-21-2016







11-16-2016



# BASALT CREEK SITE TOPO





PO Box 509  
Wilsonville, OR 97070  
P: 503-682-0420  
F: 503-570-3235  
www.cloptonexcavating.com

2

November 18, 2016

Dear Mr. Koss

You have asked me to visit the 41 acre site located in the Basalt Creek Planning area. Your question was the feasibility of grading this site for employment land vs. a residential zone.

For your information my company has just purchased another four acres next to our Clay Street property. With this acquisition we now have 16 acres of land on Clay Street. I am very familiar with this area and as you know my company has mass graded many sites in the Portland Metro Area. I have been asked many times to inspect potential projects in order to determine problems that may be associated with a developer's site plans --- slopes, access and feasibility.

Thank you for providing me with topography of the site. It was very helpful and to be honest the slopes on the site were more severe then I first thought. The other big issue is the amount of rock that would be encountered with any grading necessary to accommodate any development on this site. This site is far better suited for Residential use since grading for this does not require the same topographic grading in comparison to employment uses. The Basalt Creek area does feature other land that is suited for employment; however the 41 acres you have asked me to visit is not in that category. I was also surprised by the 18 to 20 foot cut in order to accommodate the extension of Basalt Creek Parkway.

If you require any additional information please let me know.

Sincerely

Brian Clopton

President/Owner

**PACTRUST**  
Pacific Realty Associates, L.P.

15350 S.W. Sequoia Pkwy., Suite 300  
Portland, Oregon 97224  
503/624-6300 • Facsimile: 503/624-7755

3

November 14, 2016

VIA EMAIL

Herb Koss  
2643 South Shore Boulevard  
Lake Oswego, OR 97034

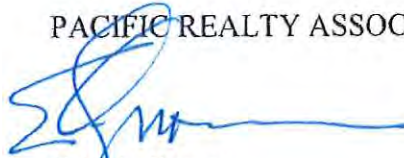
Dear Herb,

At the request of Peter Bechen, I toured your site north of the future Basalt Creek Parkway last week. PacTrust is developing an industrial park several miles north at 115<sup>th</sup> Avenue and Tualatin-Sherwood Road in Tualatin known as Koch Corporate Center. We are interested in locating a site to develop in the Coffee Creek area for light industrial uses. Unfortunately, the topography of your site makes development of industrial or flex buildings uneconomic. We believe housing would be a more appropriate use for the site. The smaller floor plates for housing enable it to work with slope conditions present on your property. Industrial/employment land requires sites to be much more flat due to dramatically larger floor plates, parking requirements, loading areas for trucks and ingress/egress concerns for trucks. There are several sites in the area that are more appropriate for industrial/employment development.

Let me know if you would like to discuss this further.

Yours very truly,

PACIFIC REALTY ASSOCIATES, L.P.



Eric A. Sporre  
*Vice President*





4

November 21, 2016

Herb Koss  
2643 South Shore Blvd.  
Lake Oswego, Or 97034

VIA: EMAIL

RE: 41-acre Basalt Creek southern boarder 23960 SW Grahams Ferry Rd.

Dear Herb,

I visited the site and spent a considerable amount of time driving the area. It is an exciting development area especially when the Basalt Creek Parkway is completed.

The topography of the site is such that developing an industrial project would be very difficult and if done would be at best marginal and very inefficient. Industrial, flex buildings require large foot prints, large drive areas for loading and turning radius. There are better sites in the area for this type of use.

I also looked at the site for office park use and concluded that due to the steep topography of the site it could have a negative impact on the proximity of the parking that may pose an issue with ADA requirements. I also believe that the extraordinary site cost and small office footprints would not be cost effective and competitive in the office market. Furthermore, the location does not readily lend itself to that use.

This site lends itself to smaller foot print buildings such as housing and multifamily that can be planned around the steep grades and terraced into the topography. It is my opinion that the highest and best use for this site are single family homes buffered along the frontage with multifamily housing.

Our office has forty years of experience in commercial real estate and have procured sites for commercial developers such as Gramor, Holland Development LLC and West Hills.

Let me know if you have any questions.

Michael N Diamond  
Principal Broker

## Peter Watts

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**From:** Herb Koss <herb@kossred.com>  
**Sent:** Saturday, February 11, 2017 5:56 PM  
**To:** Peter Watts  
**Subject:** FW: Basalt Creek Renus



### Thanks Herb Koss

Begin forwarded message:

**From:** Renus Kelfkens <[Renus\\_Kelfkens@co.washington.or.us](mailto:Renus_Kelfkens@co.washington.or.us)>  
**Date:** February 1, 2017 at 12:02:54 PM PST  
**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>  
**Subject:** RE: Basalt Creek

Hi Herb,

Yes, Basalt Creek Parkway is a limited access road. The only access will be from Grahams Ferry Rd, and Boones Ferry Rd. Currently we have not done any topographic survey, or design but it is reasonable to expect an 18-FT to 20-FT cut. This will be investigated during the design phase of the project.

Sorry for the delayed response. Please let me know if there are any other questions or comments.

Thanks,

**Renus Kelfkens | Project Manager**  
503-846-7808 [renus\\_kelfkens@co.washington.or.us](mailto:renus_kelfkens@co.washington.or.us)

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**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Friday, January 27, 2017 12:40 PM  
**To:** Renus Kelfkens  
**Subject:** Basalt Creek

Dear Renus

I wanted to pass along the employment site evaluation prepared by Mackenzie. After our conversation earlier this week it seems clear to me that some of the assumptions that Mackenzie made, are not consistent with the transportation plan for the area. Although, the site evaluation shows access off of Basalt Creek Parkway, my understanding is that the county will not allow access. Additionally, the evaluation has Basalt Parkway in the wrong area, does not reflect the 18-20 foot curb cut, onto the property, nor does it show the residential that is planned on the northern portion of the site to transition from the existing neighborhood. I spoke to Mackenzie this week, and they indicated that they had not contacted the county regarding the transportation access, or the residential at the northern portion of the site.

Would you be willing to confirm that there is no planned access off of Basalt Creek Parkway, and that the curb cut is expected to be 18-20 feet? I think that that information will be enough for Mackenzie to retract their site evaluation. Please correct me, if anything that I have indicated isn't

accurate. My goal is to make sure that everyone is working off of the same assumptions, so that we can properly assess the site suitability. Thanks for all of your help, and taking the time to talk.

Herb



**Peter Watts**

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**From:** Herb Koss <herb@kossred.com>  
**Sent:** Saturday, February 11, 2017 5:49 PM  
**To:** Peter Watts  
**Subject:** FW: Proposal - Basalt Creek McKenzie  
**Attachments:** PRO-Koss Real Estate-Scope and Fee-170209.pdf



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**From:** Todd Johnson [mailto:TJohnson@mcknze.com]  
**Sent:** Friday, February 10, 2017 12:04 PM  
**To:** Herb Koss  
**Cc:** Dennis Woods; Gabriela Frask  
**Subject:** FW: Proposal - Basalt Creek McKenzie

Hi Herb-

I've been in meetings all morning. Sorry for the delay in getting this to you.

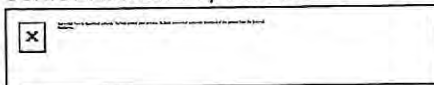
Attached is a scope and budget letter to further develop the work we did previously for Washington County. As we discussed, the letter report we prepared for Washington County relied on data available at the time we prepared the letter, and also relied on regional mapping, not site specific mapping for resource lands, geotechnical conditions, and topography. This scope includes developing site specific data to allow cost feasibility analysis to our previous study. By improving the accuracy of the data we have through onsite study and mapping, we will be able to determine if the site is economically viable for employment use, or also look at residential uses as alternates for economic viability.

It's my understanding that you have new information for the road connections and locations that we did not use in our previous report. That type of data would be collected as part of our work and would be incorporated into the scope we propose in the attached scope and budget letter.

Let me know if you have any questions about the attached scope, or if you would like us to change the proposal in any way. If the scope we outlined in the attached letter is satisfactory, I'd suggest we have a meeting with you and the project team to refine the tasks we identify prior to us commencing work.

Thanks for the opportunity to present this scope of work. I'll call you to discuss it.

Todd Johnson  
Senior Associate / Director of Planning



Architecture · Interiors · Engineering · Planning

P 503.224.9560 W [mcknze.com](http://mcknze.com) C [vcard](#)

RiverEast Center, 1515 SE Water Ave., Suite 100, Portland OR 97214

This email is confidential, may be legally privileged, and is intended solely for the addressee. If you are not the intended recipient, access is prohibited. As email can be altered, its integrity is not guaranteed.





February 10, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

**RE: BASALT CREEK CONCEPT PLAN – (CENTRAL AREA)**

Dear Mr. Koss:

In response to your request I have reviewed the Basalt Creek Concept Plan materials with regards to the suitability of employment/light industrial development on the 63 acres north and east of the intersection of Grahams Ferry road and Basalt Creek Parkway. These materials included:

1. Tualatin Staff Reports
2. Mackenzie Study
3. Email from Washington County Basalt Creek Parkway project manager Renus Kelfkens regarding access to Basalt Creek Parkway.
4. DKS preliminary profile of the extension Basalt.
5. OTAK Basalt Creek Concept Plan.

We understand that the City, Metro and Washington County's desire is to zone this area for employment land. Development potential of land for employment uses, as stated in the MacKenzie report, is generally assumed to have less than 5% slopes. This is to allow for larger building footprints, parking, loading areas and truck access.

The two areas that meet that criteria for this property is the northerly 1/3 adjacent Victoria Gardens and the top of the plateau area in the lower middle of the site. The northerly area would be well served with access from Grahams Ferry Road at Tonquin Loop and potentially a secondary access from Tonquin Road at Grahams Ferry Road. These to access points would appear to have good separation and sight distance on Grahams Ferry. The northerly area is very developable as employment land, however the City has set aside approximately 10 acres (almost half) as residential to buffer the Victoria Gardens lots.

The southerly plateau area's best access would come from the southerly property line and Grahams Ferry. However, this is the location of Basalt Creek Parkway which the County will not allow access. We also understand that the County has deleted the proposed Kinsman Road crossing of Basalt Creek Parkway shown on the Tualatin Concept and MacKenzie plans thereby eliminating the only at grade potential access coming from the southerly portion of the site. Therefore any access to the plateau area must come from the north (Tonquin Road or Tonquin

Mr. Herb Koss

**BASALT CREEK CONCEPT PLAN – (CENTRAL AREA)**

Page 2 of 2

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Road Loop). The plateau area is almost completely surrounded by steeply sloped land. The slopes range from over 10% to over 20%. The over 40 vertical rise needed to get from Tonquin Road to the top of the plateau area will take 800 feet at 5% not accounting for access to the lower property on either side or the potential impacts to wetlands.

There is slightly over 25 feet vertical rise from Tonquin Loop to the top of the plateau. This does not account for the low area just north of the plateau that drops down another 15 feet that this road would have to cross. While the grading is more manageable the result would be truck traffic routed through a residential area.

Neither access point can provide a secondary access to the plateau area. This is a negative for both traffic flow patterns and emergency access. In addition as these roads are raised to provide access to the plateau area, the access to land on either side of the road becomes more difficult.


This area is also well known for the hard rock that is very near the surface. We were the design engineers for Victoria Gardens where we had about 2-feet of fill brought into the site to reduce the rock excavation costs. Unfortunately, filling the area does not provide better access.

Employment land requires flatter slopes to serve larger building footprints and then adjacent parking/loading areas. Providing for truck access and typical development footprint will severely limit the development efficiency for this portion of the property. Residential uses are more flexible with access grades and smaller footprints however the site will still be difficult to development without access to the south.

In summary, the northerly one third of the property is well suited to employment land. However, contrary to the MacKenzie report, Tualatin's current plan reserves the northerly 10 acres or so (almost half) of the northerly area for residential to buffer the Victoria Gardens lots. The southerly plateau area is not well suited for employment land. This is due to access constraints, surrounding steep slopes, lack of secondary access and grading costs.

It has also been our experience that if property is forced into a development pattern it is not well suited for, it will end up being one of the last parcels developed and the quality of that development is usually below expectations. If you have any questions in regards to our analysis, please don't hesitate to contact us.

Sincerely,

  
Anthony R. Weller, P.E., P.L.S.  
President





Construction, Inc.

P.O. Box 489 • 915 S 12th Ave • Cornelius, Oregon 97113 • (503) 357-2193 • FAX (503) 357-3649



2/10/17

Subject: The Land South of Victoria Gardens to Basalt Creek Parkway

Dear Mayor Ogden and Tualatin City Councilors:

I am the owner of Ken Leahy Construction Inc., our firm specializes in all aspects of site preparation projects including full site development that require erosion control, clearing, grubbing, stripping, earthwork, cement soil stabilization, storm water detention facilities, bio swales, underground utilities (storm sewer, sanitary sewer, water distribution and franchise utilities), sanitary sewer lift stations and force mains. Our firm is celebrating its 50<sup>th</sup> year in the business and has been involved in many developments in the Portland Metro area.

At the request of Herb Koss and I toured the site on 2/10/17, to give him an idea of the feasibility of full site development for employment use. I also was given topography site maps detailing the slopes and grades on the property.

I personally have developed sites that contain large volumes of rock. Based on my personal experience I estimate that the cost of land preparation for the land described above would surpass the \$5.00 per foot range.

I looked at site access, and am basing my opinion about access on the understanding that no access will be allowed onto Basalt Creek Parkway. If there is no access from Basalt Creek Parkway, traffic will have to come from the intersection of Tonquin Road and Grahams Ferry Road. There is approximately 50 feet of elevation rise, from that access point, which creates major issues for truck traffic.

Limited access, topography, and the large quantity of basalt rock are all major issues. A single one of them might not prevent the site from being developed as employment land, but the combination of all three cannot be overcome. Mass grading of Basalt Rock is not financially feasible.

Sincerely

Ken Leahy



HanmiGlobal Partner

808 sw third avenue, suite 300 • portland, oregon 97204  
503.287-6825 • fax 503.415-2304  
www.otak.com



The following summarizes Don Hanson's testimony for the City Council meeting on Monday, February 13, 2017.

### Comments on MacKenzie Study

- **Items/information not made available to MacKenzie**
  - Residential transition land at north end.
  - Correct location for the future Basalt Creek Parkway road.
  - No road connection/access onto the future Basalt Creek Parkway road.
  - No access is shown to properties to the southeast.
  
- **Plan Comments**
  - The comments on slope suitability are well stated for employment uses. Less than 5% slopes are best, 5-10% present challenges, and greater than 10% slopes are not feasible.
  - Sites A, B and C are somewhat feasible but would need a second access for emergency vehicles.
  - Sites D, E and F are not feasible for employment.
  - Sites G and H are in the proposed residential zone.
  - Sites L and K are workable.
  - There are about 18-20 acres of feasible land for employment development, but without good access a successful employment development is not feasible.
  - No consideration for costs of grading the site.
  - What about ADA?





OPTION ONE  
 DEC. 21, 2016  
 318,500 SF "EMPLOYMENT BUILDINGS"

Portland, Oregon  
 503.241.1562  
 www.hackenzie.com

LEGEND  
 SITE BOUNDARY  
 INDICATED 1:5%  
 ELEVATION CONTOUR 10'  
 SPURWAY AREAS

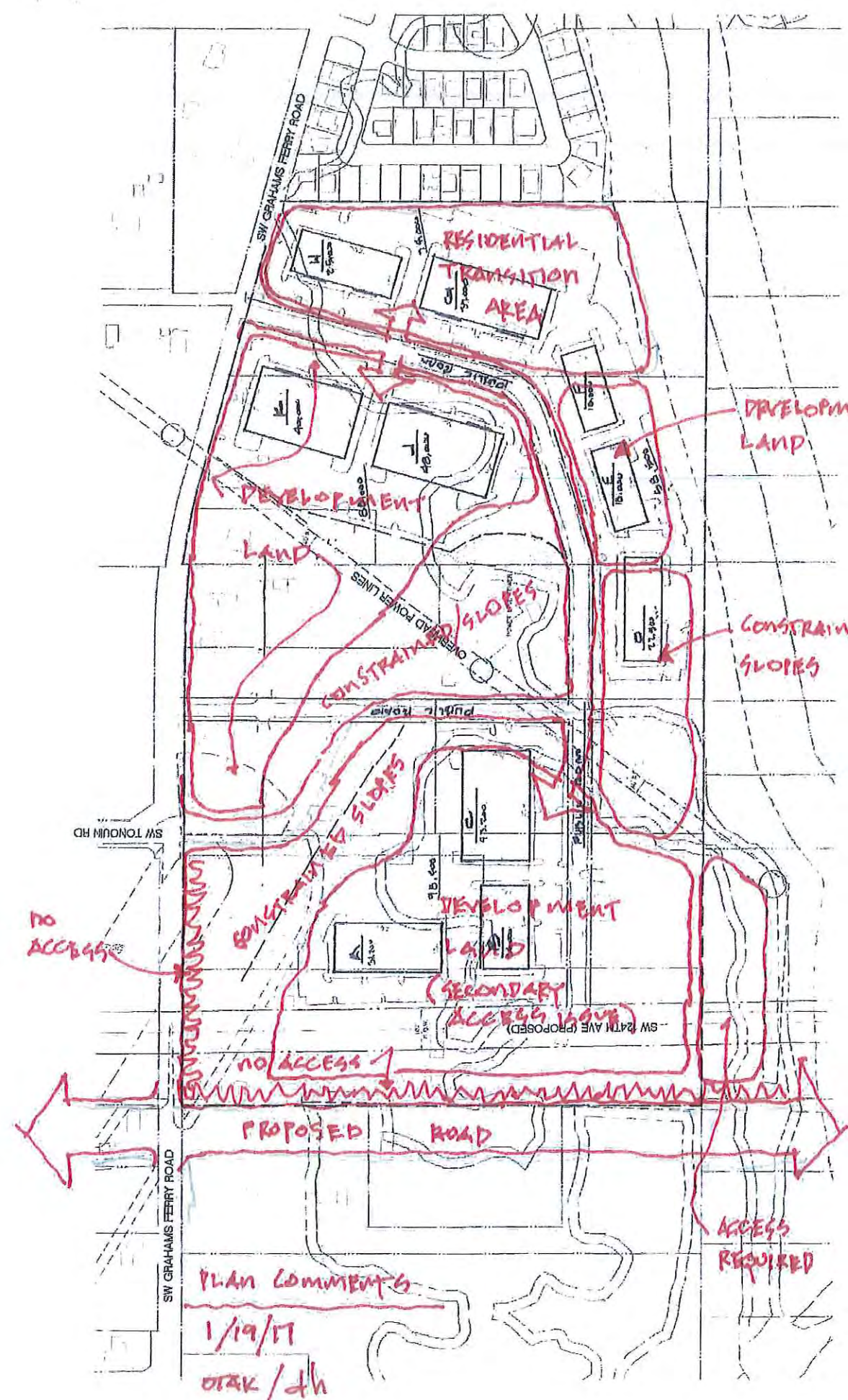
SITE AREA	BUILDING AREA	PARKING SPACES	PARKING RATIO	NET DEVELOPABLE AREA AND % (net = abt. 10000 sq. ft.)
PROPOSED BUILDINGS	318,500 SF	1,000	1:318.5	318,500 SF
PROPOSED BUILDINGS	100,000 SF	1,000	1:100	100,000 SF
PROPOSED BUILDINGS	100,000 SF	1,000	1:100	100,000 SF
PROPOSED BUILDINGS	100,000 SF	1,000	1:100	100,000 SF

SITE DATA	
BUILDINGS	318,500 SF

SITE XX  
 BASALT CREEK SITE  
 SW 124TH AVE  
 WASHINGTON COUNTY, OREGON



NOTE: DIMENSIONS SHOWN AT 1/4"=10' INTERVALS  
 1/2"=20' - 1/8"=10'



PLAN COMMENTS  
 1/19/17  
 ORAK/dh



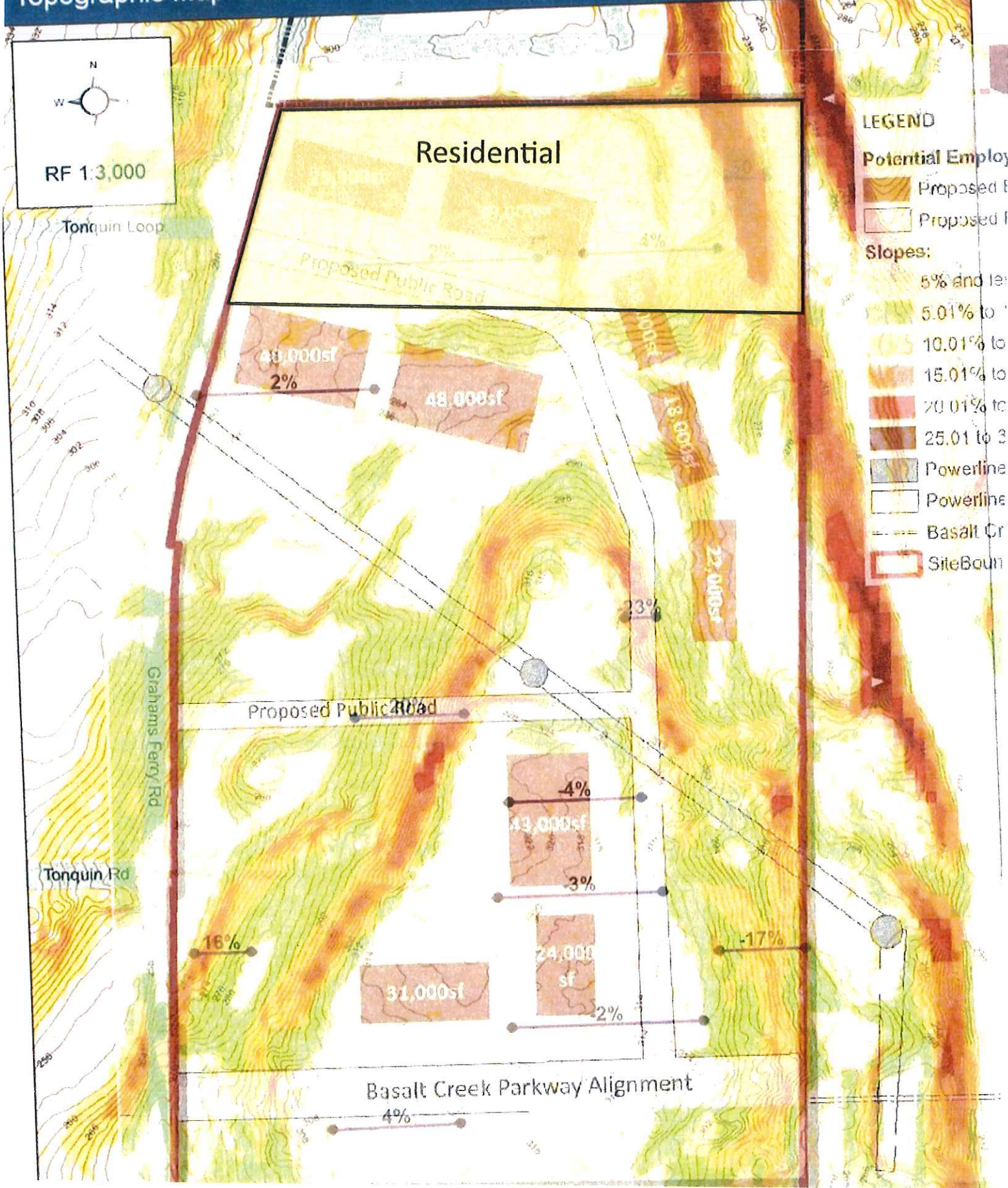
10

# Topographic Map: Central Subarea on Tualatin side of Basalt



N  
W

RF 1:3,000



- LEGEND**
- Potential Employ**
- Proposed F
  - Proposed I
- Slopes:**
- 5% and less
  - 5.01% to 10%
  - 10.01% to 15%
  - 15.01% to 20%
  - 20.01% to 25%
  - 25.01% to 30%
- Powerline
- Powerline
- Basalt Cr
- Site Bound

RE: Project number 2150111.01  
63 acre parcel with extreme topography

Mayor Ogden, City Council and Staff

I have read the Mackenzie report regarding the above site, looked at on Google earth and examined the topo map. As a Commercial Real Estate Broker of 35 years the bulk of it spent in Southwest Portland, I can unequivocally say this is a poor site for industrial development and would be better suited as a residential development site.

My experience with sites like this is extensive. I represented the Robbins Sharp property on 115<sup>th</sup> in Tualatin and the ORR property at the Southwest Corner of 124<sup>th</sup> and Tualatin Sherwood Rd in Sherwood. Both properties had extensive site development costs due to topography, but probably not as dramatic as the subject parcel.

Industrial development requires sites to be nearly flat to achieve the large contiguous floor plates suitable for single story utilization for warehouses, manufacturing assembly etc. Residential sites can utilize the subject property much more efficiently, cheaper and develop a higher tax base in a much shorter time frame than the site would if left as an industrial development.

Those sites languished on the market for years while other sites sold. Their eventual sales prices were far below other similarly zoned parcels in the same area to overcome their substantial development costs. For years their cost to cure the slope issues exceeded the market value of Industrial property thereby rendering them economically infeasible for development.

These sites will be the last sites to develop in the new Basalt Creek region if left zoned as industrial and even then it will require an abnormal purchaser/developer as the sites will take years to ready for development due to the extensive and time consuming development process. Developing land like this takes invasive and disruptive methods to ready the site for large industrial floor plates. These methods will include years of heavy equipment, likely "cut and shoot" (blasting), methods of overcoming underground rock and will still result in inefficient use of the site.

To highlight this please consider Figure 3 "Conceptual employment use Concept Plan" this plan shows multiple small buildings that are prohibitively expensive to construct and results in approx.. 300,000 SF of development on a 63 acre site or approx.. 11% site coverage. Most industrial sites result in coverage 3.5 to 4 times

that ratio. Further, the small buildings and their shape, (long rectangular), will be expensive and will attract low employment ratio uses. To create job density in industrial regions large buildings with deeper bays are required. The job density on a site with this low of site coverage, this amount of buildings will defeat many of the objectives of Goal 5.

Further rendering the site ineffective is the natural resource areas on the site which are much more compatible with residential uses than they are with industrial. Another question I have is whether or not there will be direct access to Basalt Creek Parkway as it shows in the study. I have always heard this street was meant to be an expressway with limited direct accessibility.

In short It appears to me this study was conscripted with the intent to answer a question "if the site could be developed as an Industrial site" and not whether its highest and best and most practical use is as an industrial site. My 35 years experience in this type of development leads me to the inescapable conclusion it is not. I have attached my biography describing my qualifications to render this type of opinion.

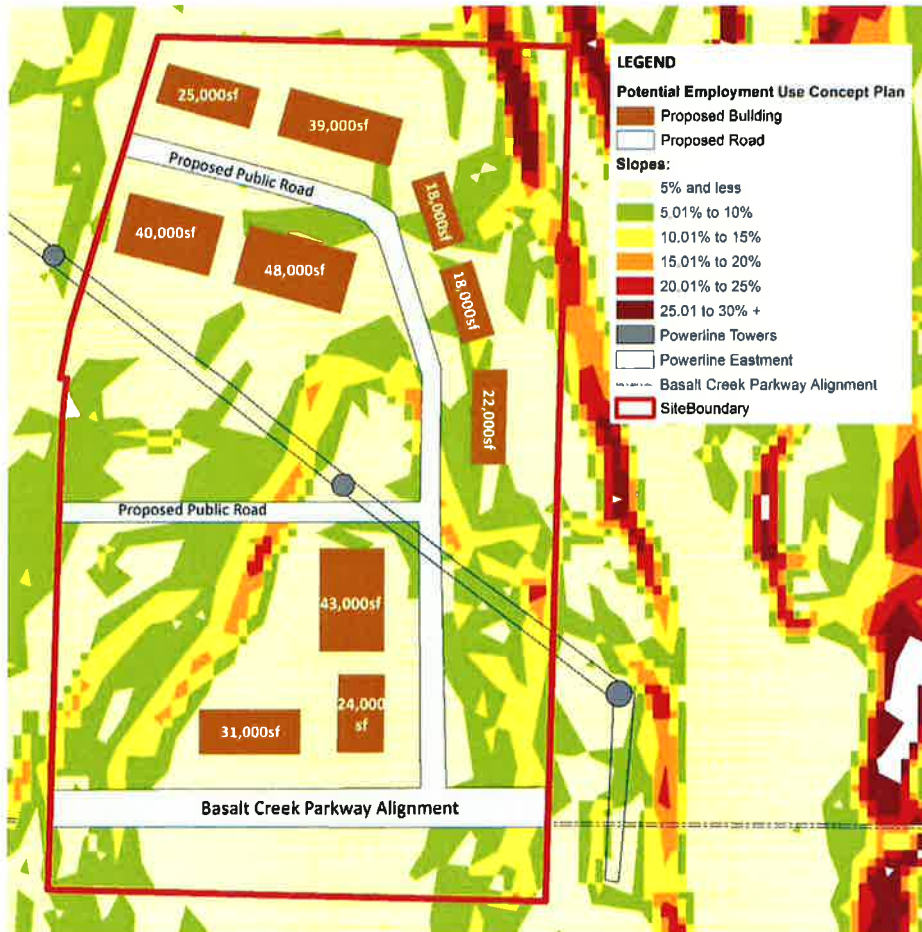
For the record I have no economic interest in any adjacent properties, I do not even have any listings for sale near this property. In fact, given my particular expertise most people would think that I would be all for zoning this property for industrial use. However, it is clearly not an efficient use of this site and it would be best left to residential use.

Stu Peterson SIOR  
Partner  
Macadam Forbes Commercial Real Estate



industrial/employment uses in 10 buildings, ranging in size from 18,000 sf to 43,000 sf. The conceptual plan below results in approximately 40% developable area, which includes the public roads, buildings, and associated parking areas, and is based on a building coverage factor that would result in the potential for approximately 315,000 sf of building area. This conceptual plan is shown in Figure 3 below and Exhibit B.

**Figure 3: Conceptual employment use concept plan**



**OTHER CONSIDERATIONS**

When comparing the land use concept of Basalt Creek, as shown on the Basalt Creek Concept Plan website<sup>1</sup> as of April 2016, the plan identifies the majority of the subject site as Employment with some Light Industrial/ Tech Flex and the northern taxlot as Multi-Family Residential. The property directly to the east is identified as the Basalt Creek Canyon, to the south is identified as a Light Industrial District, to the west is identified as Light Industrial/Tech Flex District, and

<sup>1</sup> [http://www.basaltcreek.com/wp-content/uploads/2016/04/Basalt-Posters\\_042816\\_small.pdf](http://www.basaltcreek.com/wp-content/uploads/2016/04/Basalt-Posters_042816_small.pdf)



**From:** [Herb Koss](#)  
**To:** [LouOgden](#); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Frank Bubenik](#); [Jeff Dehaan](#); [Joelle Davis](#); [Lou Ogden](#); [Nancy Grimes](#); [Paul Morrison](#); [Robert Kellogg](#); [Sherilyn Lombos](#)  
**Cc:** [Peter Watts](#); [Ed Trompke \(Ed.Trompke@jordanramis.com\)](#)  
**Subject:** FW: Basalt Creek Land --- Victoria Gardens to the north to Basalt Creek Parkway to the south.  
**Date:** Monday, February 13, 2017 10:08:14 AM  
**Attachments:** [Koss letter.docx](#)  
[JRUTILITY01\\_Dino\\_0179\\_001\\_EXH 3.pdf](#)

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Mayor Ogden brought to my attention that I had not included Figure 3, which Mr. Peterson referred to in his letter.

I have included the Map with this email.

I apologize for missing including the Exhibit.

Herb Koss

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**From:** Herb Koss  
**Sent:** Sunday, February 12, 2017 2:49 PM  
**To:** 'Lou Ogden'; 'Sherilyn Lombos'; Alice Cannon; 'Aquilla Hurd-Ravich'; Frank Bubenik (fbubenik@ci.tualatin.or.us); jeff DeHaan; Joelle Davis (jdavis@ci.tualatin.or.us); lou ogden (logden@ci.tualatin.or.us); nancy grimes (ngrimes@ci.tualatin.or.us); paul morrison; robert kellogg  
**Cc:** Peter Watts; 'Don Hanson'; JOHN FREGONESE (john@frego.com); tweller@cesnw.com; Sherman Leitgeb  
**Subject:** Basalt Creek Land --- Victoria Gardens to the north to Basalt Creek Parkway to the south.

Mayor Ogden, Tualatin City Councilors, and Tualatin Staff

I have attached a letter from a very seasoned Commerical Real Estate broker concerning the zoning for the land described above.

Mr. Peterson will be attending the work session if you have any questions.

Thank You

Herb Koss

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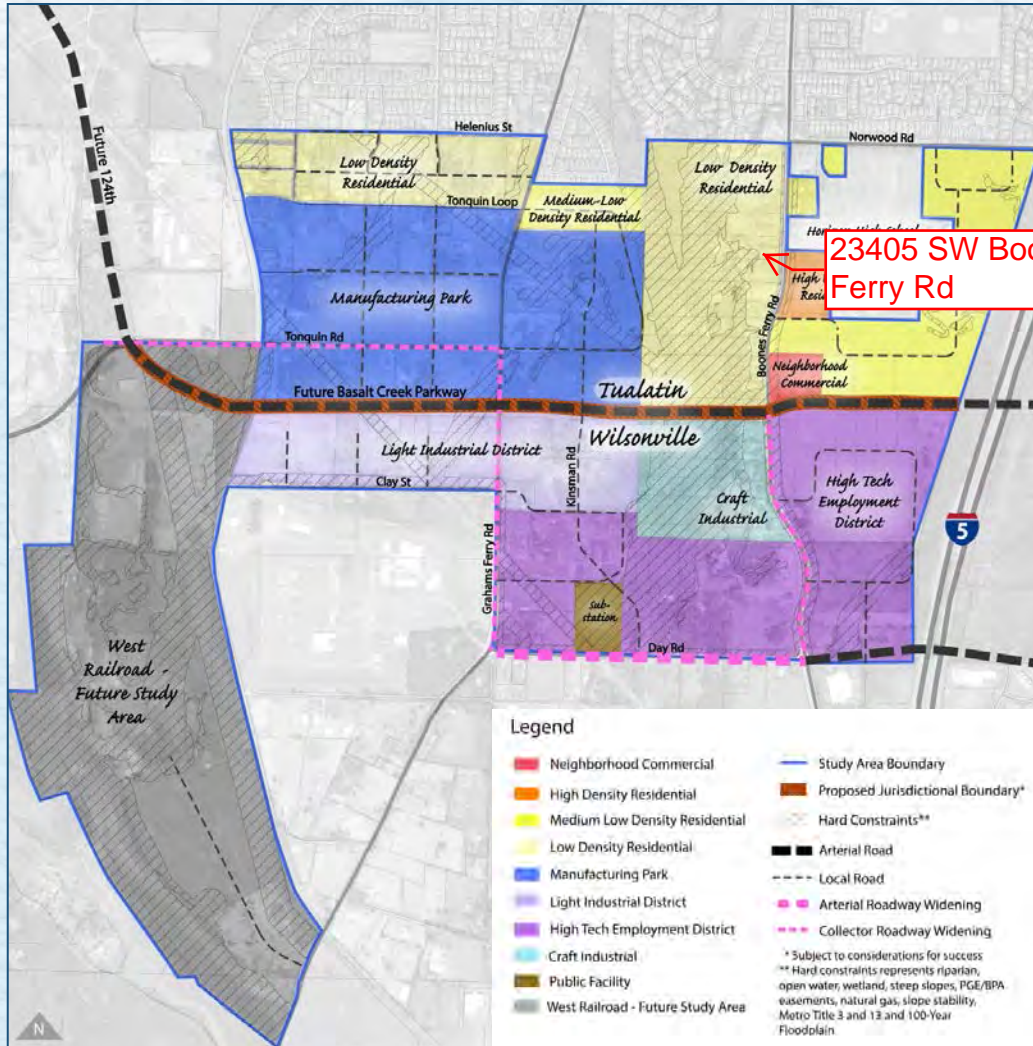
**From:** Stu Peterson [<mailto:stu@macadamforbes.com>]  
**Sent:** Sunday, February 12, 2017 2:18 PM  
**To:** Herb Koss  
**Subject:** Re: Email with Exhibits

Stu Peterson SIOR

Macadam Forbes  
1800 SW First Suite 650  
Portland OR 97201  
503 972 7288 direct  
503 227 2500 switchboard  
503 730 2875 cell



# Option 6 – October 2016



Aligned with Planning Districts and reflective of direction from August 2015 through June 2016:

## Manuf. Park (Light Ind./Tech Flex)

- Manufacturing
- Warehousing
- Allows limited office and retail

## Residential

- Low-medium residential density just south of Victoria Gardens
- Slightly decreased multifamily

## Neighborhood Commercial

- Concentrated in one easily accessible location

## Council direction:

- Explore Tualatin central subarea further including OTAK Proposal C

Basalt Creek Land Use Concept Map presented at Council work session October 10, 2016



**From:** [G Lucini](#)  
**To:** ["Alice Cannon"](#); [Aquila Hurd-Ravich](#); [Karen Fox](#)  
**Subject:** Basalt Creek Parkway Extension Project (Washington County Project #100272) NEPA Classification  
**Date:** Monday, March 27, 2017 2:58:54 PM  
**Attachments:** [2017 3-10 Citizen Comments.pdf](#)

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Alice, Aquilla and Karen,

I have attached a copy of my Citizen Comments sent on 3-10-17, to ODOT and FHWA, requesting a NEPA Environmental Impact (EI) classification be determined for the Basalt Creek Parkway Extension Project (Washington County Project #100272).

As there are requirements and responsibilities identified for the City of Tualatin regarding the protection of the Natural Resources within the Basalt Creek Area, I hope the City of Tualatin will also advocate for an Environmental Impact Assessment (EI) NEPA Classification to be required for the Basalt Creek Parkway Extension Project.

An assessment during the initial assessment and design phase of this project will assist in the identification of negative effects caused by the location, design, construction and continued use, of this regional freight expressway directly through known Significant Natural Resources.

The information gained from this full assessment would assist the City in the development of a framework for future protection of this area, without having to duplicate assessment data when the City assumes jurisdiction.

Please feel free to contact me, should you have questions.

Regards,  
Grace Lucini

**From:** [Herb Koss](#)  
**To:** [mayor@ci.wilsonville.or.us](#); [scottstarr97070@gmail.com](#); [stevens@ci.wilsonville.or.us](#); [lehan@ci.wilsonville.or.us](#); [akervall@ci.wilsonville.or.us](#); [LouOgden](#); [kraushaar@ci.wilsonville.or.us](#); [Alice Cannon](#); [Aquila Hurd-Ravich](#); [Frank Bubenik](#); [Jeff Dehaan](#); [Joelle Davis](#); [Lou Ogden](#); [Nancy Grimes](#); [Paul Morrison](#); [Robert Kellogg](#); [Sherilyn Lombos](#)  
**Cc:** [Don Hanson](#); [Gordon Root \(gordonroot@aol.com\) \(gordonroot@aol.com\)](#); [Peter Watts](#); [Ed Trompke \(Ed.Trompke@jordanramis.com\)](#); [Grace Lucini](#); [Hannah Childs](#); [Heather Hutchinson](#); [Herb Koss](#); [Howard Houston](#); [John and Grace Lucini](#); [Lark Leitgeb](#); [Lois Fox](#); [Marvin Mast \(marvinmast@gmail.com\)](#); [Matthew Johansen](#); [Mehdi A-Sanaei \(mehdiasanaei@yahoo.com\)](#); [Peter Shames](#); [r.alvstad@comcast.net](#); [Sherman Leitgeb](#); [srcs6914@aol.com](#); [Steve Summers \(Nickstevensfs00@gmail.com\)](#)  
**Subject:** FW: Basalt Creek - Traffic analysis  
**Date:** Saturday, April 15, 2017 10:26:39 AM  
**Attachments:** [17713A Memo BasaltCreekPlanningArea\\_04.14.17.pdf](#)

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Dear Mayor Knapp and Wilsonville City Councilors and Staff

The owners of the 41 + acres that desire a residential zone for the land that is North of Basalt Creek Parkway and East of Graham Ferry retained the services of Otak to provide a trip count study comparing an employment zone to a residential zone. The results of this study are attached. It is our understanding that traffic issues are a concern of the Wilsonville Council. The attached study shows that a reduction of up to 37.5% can be accomplished.

The Tualatin City Council voted 7 – 0 In favor of a residential zone for this land. They made their decision based upon facts that greatly affected the 41 acres. You have been provided the documents and testimony that was also provided to the Tualatin City Council and Staff via separate email. This information was forwarded to each council member and staff via separate emails.

In looking at our request and the approval by the City Council of Tualatin it was stated that the trip count would result in a neutral number, therefore no additional trip counts would result from a change to a residential zone. Since there seems to be so much concern over trip counts I retained the services of Otak. Data from Fregonese and Asso. was used in the preparation of the attached study. The results of the study shows that there is a reduction of trips counts both under Scenario A or B. Metro would prefer the higher density under Scenario A, but if the city of Wilsonville prefers Scenario B our land owners will accept a lower density for our site. The Scenario B will result in a 37.5% reduction in trip counts vs the land being zoned for employment.

So much time effort and money has been spent on the Basalt Creek Study. Our request for support of a residential zone for our land has been approved by the City of Tualatin. The Basalt Creek Parkway has been constructed to the South end of the land described in this Otak document. The road will result in an 18 to 20 cut on our southern border resulting in no access to Basalt Creek Parkway. The land is constrained with Basalt Rock ridges and there is a Basalt layer under much of the 41 acres making it financially not feasible to grade for employment uses. This is the reason that the city of Tualatin supported a residential zone for our land – limited access, grades, and needed buffers to the present neighborhood to the north.

We believe it is time to move on and allow for an orderly development of the Basalt Creek area. The total targeted jobs numbers for the Basalt Creek Study area exceed the Metro targeted number, therefore a residential Zone for the 41 acres has no negative effect on the targeted employment Goal. The 41 acres should be developed for the badly needed supportive housing.

If you have any questions pertaining to the Otak study I can be contacted at [herb@kossred.com](mailto:herb@kossred.com) or 503 730 2431.

Thank you.

Herb Koss  
Land Owner

cc: Metro, Wilsonville Staff, Mayor Ogden, Tualatin City Council, Tualatin Planning Staff  
Don Hanson – Otak

# Memorandum



808 SW 3<sup>rd</sup> Avenue  
Suite 300  
Portland, OR 97204  
Phone (503) 287-6825  
Fax (503) 415-2304

**To:** Herb Koss  
**From:** Don Hanson  
**Copies:** Glen Bolen, AICP  
Kate Rogers  
**Date:** April 14, 2017  
**Subject:** Basalt Creek Planning Area Projected Traffic  
**Project No.:** 17713A

This memorandum presents analysis in support of the residential land use designation for a portion of the Basalt Creek Planning Area: a roughly 41<sup>1</sup> acre site at northeast corner of Grahams Ferry Road and the proposed Basalt Creek Parkway.

One of the tenets of the Basalt Creek Planning Area has been to limit traffic generation that results from new development to a level commensurate with the existing and planned infrastructure's capacity. For the site in question, the City of Tualatin provided direction to designate roughly 33 acres of land for residential use, differing from the Concept Plan's recommendation of tech/flex employment. This memo quantifies the changes to traffic generation that could result from this change. The data support our supposition that designating the properties for residential uses would not result in more traffic than if the land is designated for employment.

In addition to the 33 acres initially slated for tech/flex employment, the northern 7 acres of the site was considered for residential use. We created a trip generation comparison for this combined 41 acre area based on several land use scenarios for the site, utilizing the same per-unit trip factors and housing densities as those utilized by the Concept Plan team in their traffic and Envision Tomorrow models. Using these data, we were able to compare expected PM peak hour traffic counts for the existing Concept Plan and for two alternative scenarios with only residential land uses. The results are summarized in the table and chart below.

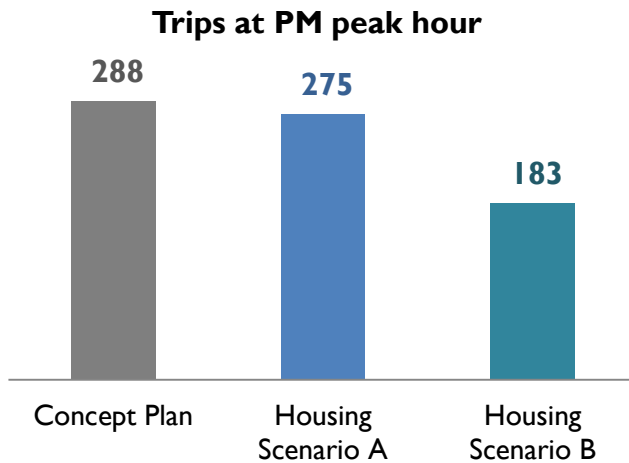
The existing concept plan calls for 33.2 acres of light industrial / low-density tech flex land and 7.4 acres of residential land with a mix of small- and medium-lot single-family housing. Under this scenario, 288 trips are generated at PM peak.

Alternative Housing Scenario A includes a mix of higher-and lower-density housing types (2-story garden apartments, townhomes, small-lot single-family, and medium-lot single-family), with an



average net density of 15 units per net residential acre<sup>2</sup>. Under this scenario, 275 trips are generated at PM peak. At 18 fewer trips, this represents a small reduction in PM peak trips. Housing Scenario B includes a lower-density mix of housing types (townhomes, small- and medium-lot single-family) that result in an average net density of 10 units per net acre. Scenario B results in only 183 trips during PM peak.

	Concept Plan	Housing Scenario A	Housing Scenario B
<b>Developable Acres</b>	41	41	41
<b>Households</b>	46	436	290
<b>Jobs</b>	678	-	-
<b>Average Net Density (units/acre)</b>	9	15	10
<b>Trips at PM peak hour</b>	288	275	183



<sup>1</sup> We have used 41 acres in our analysis – this is the City of Tualatin’s base acreage for the site in the study presented. If more acres are used, the trip counts are reduced even further.

<sup>2</sup> Assumes 25% reduction of land to accommodate roads, utilities, and other public facilities.

**From:** [Herb Koss](#)  
**To:** [Don Hanson](#); [C Lehan](#); [Council Akervall](#); [Mayor Knapp](#); [Scott Starr](#); [stevens council member](#); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Frank Bubenik \(fbubenik@ci.tualatin.or.us\)](#); [jeff DeHaan](#); [Joelle Davis \(jdavis@ci.tualatin.or.us\)](#); [lou ogden \(logden@ci.tualatin.or.us\)](#); [Louogden](#); [nancy grimes \(ngrimes@ci.tualatin.or.us\)](#); [paul morrison](#); [robert kellogg](#); [Sherilyn Lombos](#)  
**Cc:** [Gordon Root \(gordonroot@aol.com\) \(gordonroot@aol.com\)](#); [Peter Watts](#); [Ed Trompke \(Ed.Trompke@jordanramis.com\)](#)  
**Subject:** FW: Basalt traffic/trip counts.  
**Date:** Monday, April 17, 2017 1:44:35 PM

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Mayor Knapp and Wilsonville city Council members

Trip counts: Please read the mail dated 4/17 1:05 PM from Otak below my comments.

I was advised earlier today that Otak's report on trip counts was not done by a certified Traffic Engineer. In speaking to Don Hanson of Otak he advised me that the traffic trip counts were based upon DKS data. The reason for a range is the fact that different housing mixes result in different trip counts. Our suggestion is that the land in question can reduce trip counts 37.5%.

Mr. Hanson will be at the work session this evening and will be available to answer any of the Council's questions.

Herb Koss  
Land Owner

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**From:** Don Hanson [mailto:don.hanson@otak.com]  
**Sent:** Monday, April 17, 2017 1:05 PM  
**To:** Herb Koss  
**Cc:** Kate Rogers; Glen Bolen  
**Subject:** Basalt traffic/trip counts.

Hello Herb

As I understand questions have arisen over the trip counts used for the April 14<sup>th</sup>, 2017 memo that I sent you on Basalt Creek Planning Area Projected Traffic.

We derived our numbers from the Basalt Creek Area plan prepared by Tualatin and their consultant team headed up by Fregonese associates. In particular we referenced an "Envision Tomorrow" spread sheet that defined proposed land use mix for the entire study area. It also included traffic generation numbers by land use type. It is also important to note that DKS traffic engineers are part of the consultant team. DKS serves as the on call traffic engineer for the city of Wilsonville, so they certainly have detailed knowledge of the study area and entire region.

Let me know if further questions arise that we can help with.

Don



Don Hanson | Principal  
808 SW Third Ave., Suite 300 | Portland, OR 97204  
v. 503.415.2317 | f. 503.415.2304  
[www.otak.com](http://www.otak.com)



at Otak, we consider the environment before printing emails.

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**From:** Herb Koss <herb@kossred.com>  
**Sent:** Tuesday, April 18, 2017 9:19 AM  
**To:** tom.hughes@oregonmetro.gov; Jim Bernard (jbernard@co.clackamas.or.us); Lou Ogden; LouOgden; kstudebaker@ci.oswego.or.us; raxelrod@westlinnoregon.gov; bernardjim@ymail.com; Fischer, Sonya; Ken Humberston (khumberston@co.clackamas.or.us); Martha Schrader; Paul Savas; Bob Stacey; Carlotta.Collette@oregonmetro.gov; Craig Dirksen; Kathryn.Harrington@oregonmetro.gov; METRO; Sam Chase; Shirley.Craddick@oregonmetro.gov  
**Cc:** CouncilDistribution@ci.oswego.or.us; citycouncil@westlinnoregon.gov; jeff.condit@millernash.com; Peter Watts; Ed Trompke (Ed.Trompke@jordanramis.com); Fritzie, Martha; mikem@co.clackamas.or.us; dkrupp@co.clackamas.or.us; Jay Minor (jayminor2@gmail.com); Dave Adams Dave; Walt Gamble; Alice Cannon; Aquilla Hurd-Ravich; Frank Bubenik; Jeff Dehaan; Joelle Davis; Nancy Grimes; Paul Morrison; Robert Kellogg; Sherilyn Lombos  
**Subject:** FW: Dave Adams: Metro's secret density for Stafford?

President Hughes, Metro Councilors, Chair Bernard and Clackamas County Commissioners, Mayor Ogden, Mayor Studebaker, Mayor Axelrod

**Subject:** FW: Dave Adams: Metro's secret density for Stafford?

I am writing this to respond to Dave Adams email. I'm out of state, not returning for a month. All of my papers are in Oregon. It's been over ten years. My recollection is that Brian Newman and David Bragdon were both in conversations about a reduced density for Stafford. I am quite sure that Dave Adams was involved with the discussions about lower density, but after 10 years my memory is not good enough to recall the time and place.

I called Brian Newman today. He remembered discussing a lower density, he couldn't remember if the number was eight. I called David Bragdon today. He too remembered the discussions about a lower density for Stafford and he too did not remember if the number was 8, but said that was a logical number. Remerging the exact dates and where the discussions were held is way beyond my memory bank. It is my honest recollection that the number 8 was discussed and over the 10 years that is the number I have always thought was the right number. One thing for sure is we were not talking about RRF5 zone for all of Stafford.

Brian has been gone from Metro for almost 10 years, David has been gone for close to 7. I appreciate that both of them are willing to pick up the phone. Ten years later, Dave Adams is still calling us the Stafford Land Speculators Association. Staff retires, Metro Councilors retire. I remember eight, and I remember the discussions as outlined above. It is possible that Dave Adams remembers something different, but I know five acre zoning was never discussed for all of Stafford as being the target. I guess I am confused is he saying it should be 10 to 12 to the acre?



I do not understand why Mr. Adams does not get behind the concept of a density transfer agreement that would allow a much lower density next to the present city limits of Lake Oswego, Tualatin and West Linn. If a density transfer agreement is not in place before each city completes their plan the result would be that each city would have to meet the Metro Target of 8 10 12 or ?. Bringing up who said what and when about 8 units to the acre and who was at a meeting is a waste of time.

Upon my return I was search my files, but will not spend a lot of time doing so when as explained about there are other priorities.

Herb Koss  
Chair of the SLOA

**Peter O. Watts | Attorney**  
**Jordan Ramis PC | Attorneys at Law**  
Direct: 503-598-5547 Main: 503-598-7070

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**From:** Roger Alfred [<mailto:Roger.Alfred@oregonmetro.gov>]  
**Sent:** Monday, April 17, 2017 11:30 AM  
**To:** Peter Watts  
**Subject:** FW: Dave Adams: Metro's secret density for Stafford?

FYI re alleged agreement on density.

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**From:** Adams Family [<mailto:aadamsfam4@gmail.com>]  
**Sent:** Friday, April 14, 2017 11:53 AM  
**To:** [Tom.Hughes@oregonmetro.gov](mailto:Tom.Hughes@oregonmetro.gov); [RAxelrod@westlinnoregon.gov](mailto:RAxelrod@westlinnoregon.gov); [kestude@comcast.net](mailto:kestude@comcast.net); [metro council@oregonmetro.gov](mailto:metro council@oregonmetro.gov); [logden@tualatin.gov](mailto:logden@tualatin.gov); [jeff.condit@millernash.com](mailto:jeff.condit@millernash.com)  
**Cc:** Bernard, Jim <[JBernard@co.clackamas.or.us](mailto:JBernard@co.clackamas.or.us)>; BCCMail <[BCCMail@co.clackamas.or.us](mailto:BCCMail@co.clackamas.or.us)>; [CouncilDistribution@ci.oswego.or.us](mailto:CouncilDistribution@ci.oswego.or.us); [citycouncil@westlinnoregon.gov](mailto:citycouncil@westlinnoregon.gov); [council@ci.tualatin.or.us](mailto:council@ci.tualatin.or.us)  
**Subject:** Metro's secret density for Stafford?

President Hughes,

Has Metro engaged in housing density negotiations with The Stafford Land Speculators Association and established a target density of 8 units per acre for the Stafford Triangle?

Mr. Herb Koss, chair of SLSA, makes this claim in written testimony submitted to Clackamas County and on the record of the Stafford Reserves Remand hearing ZDO-265?

I have provided a screen shot of the exact paragraph and a link to the county exhibit file where you can read his comment. His letter is exhibit 36, these remarks are on page 2.

Mr. Koss claims that I was present and participated in these negotiations. I have to admit that at my age I do not have the best of memories, but I have absolutely no memory of any such

meeting. Hopefully you, or someone on Metro staff that has a better memory than I, can confirm or deny Mr. Koss's claim. If indeed such meetings did take place, Metro will no doubt have record of those in attendance and a copy of any density agreement reached in these negotiations.

If Mr. Koss's claim is true, this housing density agreement needs to be brought to the attention of every stakeholder in the Stafford Reserves Remand debate and entered in the ZDO-265 record immediately before the record on this matter closes next week. It seems to me that if the claim is not true Metro needs to enter a comment to that effect on the ZDO-265 record as well.

Having observed Metro's operations for many years I find his claim highly unlikely. However, I can not dismiss his claim that he and Metro have secretly negotiated a housing density of 8 units per acre for the Stafford triangle as false as I have no knowledge or memory of these negotiations.

I am sure you are aware I have become a favorite target of Mr. Koss's frequent nasty-grams. For the record, I have never once mentioned crime, gangs or that people will be forced out of the homes at any time during 25 years of debate on Stafford Hamlet's future. In these days of "Alternative Facts" it's hard to know how one should respond to false allegations. Mr Koss makes these allegations in his testimony. These allegations, I can assure, you flat out lies.

Looking forward to your response, hopefully we can clarify this issue asap.

Respectfully  
Dave Adams  
Stafford Hamlet vice chair.

<http://www.clackamas.us/planning/documents/meetings/landuse/lu20170412pac ketb.pdf>

their homes, is provably false  
a missed opportunity. I believe  
with Metro to get eight units  
in agreement. Given his role  
the acre are inexcusable.

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**From:** [G Lucini](#)  
**To:** ["Bateschell, Miranda"](#); ["Kraushaar, Nancy"](#); ["Aquilla Hurd-Ravich "](#); ["Karen Fox"](#)  
**Subject:** RE: Questions on Notice regarding Public Meetings -Basalt Creek  
**Date:** Wednesday, April 26, 2017 2:49:26 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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*Hi Miranda,*

*It appears presentation on Basalt Creek Concept Planning has been placed on next Monday's ( May 1<sup>st</sup>) Wilsonville City Council Work Session agenda.*

- 30 Minutes of information/discussion has been allocated for the topic. I don't see an information packet included within the posting on the City's website.*
- Will there be any supporting documents provided to the public via the City's posting?*

*Has Actual Notice provided to Interested Persons regarding this Public Meeting on May 1<sup>st</sup>.*

- I've included a screenshot of calendar from the BasaltCreek.com website taken today (Wednesday May 26<sup>th</sup>)- and there is no public meeting listed for Monday May 1<sup>st</sup>.*
- This scheduled meeting was not included on the hard copy mailed April 2017 Notice of Upcoming Public Meetings Basalt Creek Concept Plan (received 4-14-17)*
- Nor have I received any notice via the group email regarding the May 1, 2017 meeting. The last group email I received regarding a Public Meeting on Basalt Creek Concept Planning was sent on 4-13-17 providing Notice for the 4-17-17 Public Meeting.*

*As there has been significant public interest in this project- as demonstrated by citizen attendance at the last City of Wilsonville Council Work Session when this topic is discussed, as well as recent Citizen Comments made during the Council Meeting- is there a solution which can be found to provide the public appropriate advanced notice of planned Public Meetings on Basalt Creek Concept Planning--- on an ongoing basis--- especially to those who have provided their contact information via the BasaltCreek.com website, or who have provided written request to receive Notice on this topic.*

*Thanks,  
Grace Lucini*

**AGENDA**

**WILSONVILLE CITY COUNCIL MEETING  
MAY 1, 2017  
7:30 P.M.**

**CITY HALL  
29799 SW TOWN CENTER LOOP  
WILSONVILLE, OREGON**

Mayor Tim Knapp  
Council President Scott Starr  
Councilor Susie Stevens  
Councilor Kristin Akervall  
Councilor Charlotte Lehman

**CITY COUNCIL MISSION STATEMENT**

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

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**Executive Session is held in the Willamette River Room, City Hall, 2<sup>nd</sup> Floor**

- 5:00 P.M. EXECUTIVE SESSION** [60 min.]  
A. Pursuant to ORS 192.660 (2)(e) Real Property Transactions  
ORS 192.660(2)(f) Exempt Public Records  
ORS 192.660(2)(h) Litigation
- 6:05 P.M. REVIEW OF AGENDA** [5 min.]
- 6:10 P.M. COUNCILORS' CONCERNS** [5 min.]
- 6:15 P.M. PRE-COUNCIL WORK SESSION**
- A. Judge Weinhouse – Red-light Camera and Adult Diversion Program (Cole) [15 min.] Page 1  
B. Basalt Creek Concept Plan (Bateschell) [30 min.] Oral Report  
C. Transit Funding (Brashear/Cole) [20 min.] Page 21  
D. French Prairie Bridge Evaluation Criteria (Weigel) [20 min.] Oral Report

**7:25 P.M. ADJOURN**

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**Basalt Creek Concept Plan**

News & Updates | Documents & Resources | Contact Us

### Get Involved

We value and encourage your input. **Public Involvement opportunities will be posted on the calendar of events below.** You can also **sign up to receive updates and meeting notices** about the Concept Plan on the right-hand side of the page.

### Contact Us

Visit the Basalt Creek [Contact Us](#) page and submit your questions, comments, or suggestions.

### Calendar of Events

For event documents and materials, please go to [Documents & Resources](#).

May 2017 | Today | Month | Week

MON	TUE	WED	THU	FRI	SAT	SUN
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

### Concept Plan Updates

- [April 28, 2016 Public Open House](#)
- [Joint Councils Settle on Proposed Amendment Boundary](#)
- [Upcoming Planning Committee Briefings](#)
- [Joint Council Meeting Dec. 10th](#)
- [Postponed – Tualatin City Council Work Session](#)

Sign up to receive email updates about the Basalt Creek Concept Plan!

Email address:

[Sign Up](#)

### Upcoming Events

View the monthly calendar of events [here](#).

- No upcoming events

### Watch a Video About Basalt Creek

**From:** Bateschell, Miranda [mailto:bateschell@ci.wilsonville.or.us]

**Sent:** Thursday, April 13, 2017 1:03 PM

**To:** G Lucini <grluci@gmail.com>; Kraushaar, Nancy <kraushaar@ci.wilsonville.or.us>; Aquilla Hurd-Ravich <ahurd-ravich@ci.tualatin.or.us>; Karen Fox <kperlfox@ci.tualatin.or.us>

**Subject:** RE: Questions on Notice regarding Public Meetings -Basalt Creek

Grace,

Thanks for reaching out. It slipped my mind as I originally thought I would be going back for the May 1<sup>st</sup> work session. We added it last Friday as a quick agenda item to provide the Council with an update on the next steps. You should see an e-mail shortly going out to the Interested Parties list and being posted on our website informing every one of the upcoming meeting.

The other meeting is not among elected officials and primarily for coordination between the four

agencies. It will not be a public meeting.

Thank you again.

Regards,  
Miranda

**Miranda Bateschell**  
*Long Range Planning Manager*  
City of Wilsonville  
503.570.1581

*Disclosure Notice: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.*

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**From:** G Lucini [<mailto:grluci@gmail.com>]  
**Sent:** Thursday, April 13, 2017 9:19 AM  
**To:** Kraushaar, Nancy; Bateschell, Miranda; Aquilla Hurd-Ravich ; Karen Fox  
**Subject:** Questions on Notice regarding Public Meetings -Basalt Creek

Hi Nancy, Miranda, Aquilla, and Karen,

Will Actual Notice be sent notifying Interested Persons about the Basalt Creek Concept Planning public meeting to be held by the City of Wilsonville, during their City Council Work Session next Monday evening, 4-17-17? Discussion appears to be on the agenda as Pre Council Work Session Item E "Basalt Creek Concept Plan".

It appears another meeting has been arranged by the City of Wilsonville, "In addition, a meeting is scheduled between the city managers and staff, director of land use and transportation at the county, and chief operating officer of Metro". Is this a Public Meeting, and will Notice be provided to Interested Persons?

Look forward to hearing from you.

Regards,  
Grace Lucini



**From:** [Herb Koss](#)  
**To:** [LouOgden](#)  
**Cc:** [Sherilyn Lombos](#); [Alice Cannon](#); [Peter Watts](#); [Don Hanson](#)  
**Subject:** FW: Basalt Creek 5/01/17 Recap Novel.  
**Date:** Tuesday, May 02, 2017 1:34:03 PM

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Lou

I was not at the Wilsonville Council Meeting last night. Peter Watts and Don Hanson attended to represent our interests.

Lou I was so upset after reading the summary of the meeting I had to take another blood pressure Pill – my second of the day. The city hired KPFF giving them one mission. Can the site be developed into an employment site---- Yes it could by spending more money on the site then it would sell for. In fact it would have a negative value.

Lou I would like to talk to you about our options including annexing this land to Tualatin. We know where the utilities are ---- water and sewer is available.

Maybe Tualatin should consider taking the land down to Day Road. The bypass is built to Grahams Ferry ---- Washington County is not going to move the road. My respect for the Wilsonville staff and council is at an all-time low --- but do they care?

Please let me know when we could talk.

Thanks  
Herb

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**From:** Sherman Leitgeb [mailto:[sherman@equityoregon.com](mailto:sherman@equityoregon.com)]  
**Sent:** Tuesday, May 2, 2017 8:47 AM  
**To:** [cgreen@pamplinmedia.com](mailto:cgreen@pamplinmedia.com)  
**Cc:** Herb Koss; [don.hanson@otak.com](mailto:don.hanson@otak.com); [Peter.Watts@jordanramis.com](mailto:Peter.Watts@jordanramis.com); [gordonroot@aol.com](mailto:gordonroot@aol.com)  
**Subject:** Basalt Creek 5/01/17 Recap Novel.

Claire,

We missed you at the Wilsonville City Council Meeting last night. Quite interesting. Miranda from Wilsonville made a presentation on the findings of their "new" Basalt Creek Central Sub Area study. The study/presentation was done by Matt Dolan with KPFF Consulting Engineers in Portland ([503-542-3860/matt.dolan@kpff.com](http://503-542-3860/matt.dolan@kpff.com)). Matt seemed like a good man and very capable. Gordon Root and I were outside before they would let the public into the work session and had a chance to ask Matt a few questions. Gordon asked him "did Miranda or anyone ask you for your opinion on the properties highest and best use?". To that Matt said "absolutely not". I then asked Matt "did Miranda ask you for any kind of a cost analysis or did you do any kind of a cost analysis of what it would take to level the property and do what is in this report?" Matt said "no, absolutely not". He kind of chuckled at the time. He knows it will be incredibly expensive and not economically feasible to develop. Matt told us "I was just specifically asked if it was at all possible to develop this land into

employment." We all know that anything is "possible" but this is not the least bit "practical" which is why development of this land is completely economically impractical.

When they finally let us into the work session, Miranda started her presentation by admitting that Matt had not been asked about highest and best use, nor had he been asked about cost analysis.

Matt had only been asked if it was at all possible to develop into employment. Now, unless you don't want to hear the answer from the "expert", why on earth wouldn't Miranda or anyone in Wilsonville ask the specific questions? "What's the lands highest and best use?" And "Is it economically feasible to develop into employment land?" Miranda was quite specific that they purposely did not ask Matt those two questions although Gordon Root and I did ask him right outside the Council Room. Obviously Miranda and Wilsonville do not want to know the answers.

Matt did note in his report on Page 7 that there are major site constraints with many slopes in the 15-25% grade (most employment land is less than 5%). Also on page 7 of his report he noted that "the rock in the area is basalt per GRI's findings and it is decomposed rock that is soft to very soft. However, the boring equipment did experience drill chatter while excavating the 2 deep boring holes within the feasibility limits, suggesting the rock does provide resistance to excavation and may require heavier construction equipment to remove or blasting. Rock excavation can be a costly undertaking." Matt's words, not mine. You should get a copy of this report. I believe it's supposed to be up on Wilsonville website today. I could make you a copy if you would like although it's on like 14x17 sized paper.

Then in talking between the Council Members, Mayor Knapp was steering the Council with language like "doesn't this report give you the information you need to make a decision on a resolution?" This entire deal is very clear, this is Wilsonville's way of doing a jurisdictional land grab of land that is supposed to be in Tualatin. Even the 2004 Metro Ordinance says specifically that all land north of the parkway will be Tualatin and Residential and all land south will be Wilsonville and employment.

The Wilsonville Council talked about moving the dividing line from the current Basalt Creek Parkway and moving it way north since "Tualatin obviously doesn't know how to do employment land and we do so maybe that land should be Wilsonville." They really aren't thinking about this at all. Years ago there were upwards of 7 different "options" on where to put the Basalt Parkway. Several of the options were north of its current location and several were south. The entire reason Washington County and ODOT sited the bypass exactly where it is is because they did site specific cost analysis of each route. Where it has been sited was by far the cheapest place to build it. And here Wilsonville won't listen to experts and won't do a cost analysis of this property to see if it really is feasible to do employment land. They won't do the cost feasibility analysis because they know it's not economically feasible but they don't want to admit it and they certainly don't want an "experts" report saying such.

At one point the Wilsonville Council started talking about how they should take over all the land and show Tualatin how to do it. That's hysterical but I'm not sure they realize how hysterical. You see, in Oregon a property owner must ask a city to be brought into it. A city cannot simply say now this land is Wilsonville. It's State Law. Wilsonville couldn't bring our land in and do anything with it unless we all formally ask for annexation. I can tell you right now that myself and most if not all of the other property owners dislike Wilsonville and will not ask to be part of it. We still all remember

16-18 years ago when the then Wilsonville Mayor Charlotte Lehan made back room deals with the Crooked Governor John Kitzhauber and they put a Prison in our back yards. We do not want to be part of Wilsonville and will never ask. I personally know property owners just south of the Basalt Parkway that are sick to their stomachs about being in Wilsonville and they wish they were not. And the Wilsonville Council thinks everyone will just flock to them and we are all jumping at the chance to be in Wilsonville? What have they been smoking? Nothing could be further from the truth. Only problem is that most of the Wilsonville Council including Mayor Knapp is ignorant on this point. The only one around from back then is Councilor Lehan and she's not going to bring up the topic.

Then came the 3 minute public input period. Don Hansen with OTAK made his points and Peter Watts made a good presentation as well. It was quite obviously that the Council wasn't listening. Then I got my 3 minutes. I stated my name and said my address was on the card just like everyone else. Mayor Knapp stopped me and said "what city do you live in?" and I said Sherwood just like on the card but depending on what happens with this entire process, I don't know which city I will be in." I found Mayor Knapp to be his usual arrogant, condescending self. Just like always and I'm not surprised. He's done that to me before. It's like he wants to point out that since I'm in Sherwood, what I say doesn't matter. I would urge you to get the taped version of the meeting so you can see for yourself what was said.

Obviously there was a lot more said but in consideration of your time, I will end it here. If I can answer any question, please don't hesitate to contact me. I would urge you to get a hold of the recordings of last night's meetings and listen for yourself. I've left out more than I've written here. Sorry for the novel.

Have a great day!

**SHERMAN LEITGEB**

Principal Broker/ Owner

[Sherman@EquityOregon.com](mailto:Sherman@EquityOregon.com)

503-704-9280

Equity Oregon Real Estate  
16325 SW Boones Ferry RD.  
Lake Oswego, OR 97035

[www.JoinEquityOregon.com](http://www.JoinEquityOregon.com)

On Apr 21, 2017, at 8:34 AM, <[cgreen@pamplinmedia.com](mailto:cgreen@pamplinmedia.com)> <[cgreen@pamplinmedia.com](mailto:cgreen@pamplinmedia.com)> wrote:

Good morning Sherman,

Looks like it's going to be a great day for walking the land and getting some photos.

Do you have the address at which I should park with my photographer? He has a session right before our meeting so I'm hoping to give him the address before he leaves the office this morning.

Thanks so much,

Claire Green

*Reporter*

*Wilsonville Spokesman*

T: 503-636-1281 ext. 113

C: 971-998-7509

[cgreen@pamplinmedia.com](mailto:cgreen@pamplinmedia.com)



5/1/17

*The Stafford Land Owners Association (SLOA) represents the owners of the majority of acreage within the Stafford Basin. SLOA has been an active participant in the planning process in Stafford for years, and has retained expert consultants to assist in creating a vision for the area that will preserve the character of Stafford while allowing a reasonable amount of growth.*

*We support the adoption of an Intergovernmental Agreement (IGA) for the basin and welcome the efforts of all the parties to resolve the status of Stafford and include it within the Urban Reserve area.*

*SLOA has reviewed the proposed IGA and have underlined the sentences that we are commenting on and our comments are in bold italic.*

*We appreciate the opportunity to provide comments to the Cities, Clackamas County and Metro.*

## **INTERGOVERNMENTAL AGREEMENT STAFFORD URBAN RESERVE AREAS**

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") is made this \_\_\_\_ day of April 2017, by Clackamas County ("County"), Metro, the City of Lake Oswego, the City of Tualatin, and the City of West Linn (individually a "City", collectively the "Cities") (together the "Parties"). This is an addendum to the Intergovernmental Agreement between Metro and Clackamas County to Adopt Urban and Rural Reserves entered into pursuant to ORS 195.141 and ORS 190.010 to 190.110 and dated March 3, 2010 ("Reserves IGA").

### **RECITALS**

1. The Metro Council and the Clackamas County Commission are working together to finalize the designation of urban and rural reserves by adopting findings in support of the decisions made by the Metro, Clackamas County, Multnomah County, and Washington County in 2010;
2. Under state law, Metro and the three counties in the region are tasked with identifying those areas adjacent to the existing urban growth boundary (UGB) that are best suited for providing land to accommodate urban growth in the region over the next 40 to 50 years;
3. The Cities have long opposed the designation of Metro study areas 4A, 4B, 4C and 4D ("Stafford") as urban reserve because of concerns with regard to efficient use of existing and currently planned future public infrastructure investments and whether urban level public services can be efficiently and cost-effectively provide by appropriate and financially capable service providers;

4. The Parties recognize that resolving the dispute over the designation of Stafford will enable the parties to focus collaboratively on planning for and providing urban services and prioritizing the needed regional improvements to the transportation system, such the widening of I-205 from Oregon City to Stafford Road;
5. The Parties enter into this IGA in order to alleviate the concerns of the Cities and better support the designation of Stafford under the Factors by ensuring an orderly process for the urbanization of Stafford where the Cities will have control over the planning, process and timing for the urbanization of Stafford, that the Parties will coordinate with one another, and that Stafford will not be urbanized before appropriate urban services will be available; and

***SLOA Comments: No IGA or agreement can “alleviate” all concerns. The more appropriate word should be “address” the concerns. Second, Metro and Clackamas County should not turn over all control of the planning process and in particular the urbanization of Stafford. This allows each city a veto over all regional and county concerns with development in Stafford, and the impacts of non-action by the Cities on other areas of the region will be unfair to other cities, and the region as a whole. This language could result in prime farmland being brought into the UGB because of the lack of action by the Cities.***

***The Basalt Creek Study Area is a prime example of what can happen when two or more cities are given shared responsibility for planning an area. Basalt Creek was brought into the UGB in 2004 and there is still not an agreement between Wilsonville and Tualatin, even after over \$800,000 has been spent on planning.***

6. The Parties also desire to recognize that the Stafford Hamlet and surrounding area is a unique enclave in Clackamas County that has a long standing agricultural heritage, significant environmental assets, and valued open space that should be preserved through the concept planning process;

***SLOA Comments: The tree canopies, riparian and wildlife corridors should be protected. The language in this IGA may result in a legal challenge to development in open areas where development should occur due to the vague standard of “valued”.***

NOW, THEREFORE, it is mutually agreed that the Parties voluntarily enter into this Intergovernmental Agreement addressing issues and concerns raised by the Cities regarding the designation of Stafford as an urban reserve. Specifically, the Parties agree as follows:

1. **City Governance.** The Parties agree that Stafford will be governed by one or more the Cities upon expansion of the urban growth boundary and annexation. The governing City will have the authority to decide what land uses should be planned for, and when and how municipal services will be provided. Notwithstanding anything to the contrary in the Reserves IGA, Exhibit B, Section 4, or Metro Code Sections 3.07.1105 to 3.07.1130 ("Title 11"), Metro and the County will oppose any future effort to incorporate a new city or create service districts to provide water or sanitary sewer services in Stafford outside of a city.

***SLOA Comments: This language gives the Cities a veto power over all development with no penalty if they take no action. The only way Clackamas County or Metro can encourage planning by the Cities is if there is the threat of a potential new city for Stafford. This sentence should read “ Metro and the County will oppose any future effort to incorporate a new city of create service districts as long as the Cities make reasonable progress in planning for the urbanization of Stafford.” The current language relies totally on the good will of three cities that have consistently opposed the inclusion of Stafford as an Urban Reserve in the past.***

***This language may well violate the Oregon constitution, Article XI section 2, which gives the residents of any area the constitutional right to organize a city and enact a charter. State laws also pre-empt and govern local governments in this regard.***

## **2. Completion of a City Concept Plan.**

- a. The Cities will have exclusive local control over any future urbanization of Stafford. Prior to adding any part of Stafford to the UGB, the City that will be responsible for annexing that part of Stafford must first have developed a concept plan for the area describing how the area will be planned and developed after inclusion in the UGB. The timing for commencement and completion of a concept plan will be up to the City.

***SLOA Comments: Again, this gives the three Cities unfettered control without any penalty for not planning Stafford. The paragraph in fact, states that the timing of the planning work is totally up to the Cities. Are Metro and Clackamas County willing to accept that the Stafford area will never develop? If so, Stafford should simply be taken off the table and farmland in Washington County should be added to the UGB, as that is the result of this language.***

- b. The Cities will coordinate concept planning with one another and with the County to determine which City is the appropriate urban services provider for each part of Stafford. The Parties agree to develop a preliminary concept plan to address transportation, density, community character, and infrastructure issues to help ensure that future, more detailed sub-area "concept plans" can be developed and coordinated. The parties agree to participate in good faith in future planning efforts for the Stafford Basin, in coordination with each other and other public, private, and community stakeholders.

***SLOA Comments: If the Cities do not “act in good faith” what is the recourse for Clackamas County and Metro? Another lawsuit? Appeal to the LCDC?***

- c. Concept plans will plan for:
  - i. The appropriate distribution of various land uses;

- ii. The protection of desired community character in the Stafford Hamlet area, other Stafford communities, and adjacent neighborhoods currently within the Cities;
- iii. Transportation improvements;
- iii. Preservation of open space and park acquisition;
- iv. Clustering of housing/density transfers to protect natural resources and community character; and
- v. Protections of environmentally sensitive areas, such as riparian areas, habitat corridors, steep slopes, wetlands, and the Tualatin River and its tributaries.

***SLOA Comments: Sewer is needed now for the Mossy Brea and Shadow Woods areas of Stafford. With the prohibition on service districts included in the IGA, there may be no practicable manner to alleviate this environmental issue within a reasonable time period.***

- d. Each governing City will be responsible for determining the pace and timing of future development within an area to be incorporated into the UGB. The form and character of development will be determined through the concept planning process under Title 11 and Section 2 of this Agreement, and will be consistent with community values and environmental requirements.

***SLOA Comments: Consistency with environmental requirements is an obvious requirement for future development. How can any development be “consistent with community values” when almost everyone in Stafford has a different idea of what development should look like? If the currently leadership of the Stafford Hamlet is asked, the answer will be no development except for five to ten acre sites north of the Tualatin River and limited development along I 205, which, besides not being the practicable in order to fund infrastructure, is also inconsistent with the LCDC Goals which discourage development of freeway interchanges unless part of an overall developed area.***

- e. The County shall not amend the Comprehensive Plan or Zoning and Development Ordinance or the Comprehensive Plan Map or zoning designations:
  - i. To allow within Urban Reserve areas, new uses that were not allowed on the date the Urban Reserve areas were designated, except those uses mandated by amendments to the Oregon Revised Statutes or Oregon Administrative Rules enacted after designation of Urban Reserves.
  - ii. To allow within Urban Reserve areas, the creation of new lots or parcels smaller than allowed on the date Urban Reserve areas were



designated, except as mandated by amendments to the Oregon Revised Statutes or Oregon Administrative Rules enacted after designation of Urban Reserves. The purpose of the designation is to preserve lands for potential future urban development, not to facilitate or expedite their development under County zoning.

- f. Notwithstanding anything to the contrary in Metro Code 3.07.1110(d), Metro agrees that the concept plan or plans developed pursuant to Section 2 of this Agreement will be used to designate 2040 design types for Stafford and to develop conditions in the Metro ordinance that adds any Stafford territory to the UGB. The Parties agree that the concept plans will govern amendments to the Cities and County comprehensive plans and land use regulations following addition of the area to the UGB.
3. **Citizen Involvement.** The Parties agree that future decision-making regarding the timing and content of concept planning and the expansion of the UGB must involve the participation of citizens from the Stafford community, as well as other stakeholders, and will take into account public testimony when developing the concept plans.
4. **Grant Funding for Transportation Planning.** Metro and the County will undertake a transportation planning project using the \$170,000 Community Planning and Development Grant from Metro to the County to study and plan for transportation and other public infrastructure in the Stafford area. Work on this planning project will begin once Metro and the County have finalized the decision on urban reserves.

*SLOA Comments: This is a positive part of the IGA, as we strongly support the planning work to begin as soon as the urban reserves are finalized, and we appreciate Metro committing to this grant.*

5. **Support for Widening I-205.** The Parties agree to continue to support the Joint Policy Advisory Committee on Transportation's decision to make widening I-205 from Oregon City to Stafford Road a top priority for regional transportation projects in order to help address the significant transportation infrastructure issues related to future urbanization of Stafford as well as other regional transportation needs.
6. **Transportation and Infrastructure Improvements.** Urbanization and urban development will be planned to coincide with transportation and infrastructure improvement necessary to serve such development.
7. **The Findings.** This IGA will be entered into the record of the Metro and Clackamas County proceedings on the remand of the 2010 Stafford urban reserve designation. The Metro and County remand findings will cite this IGA as evidence necessary to meet the designation requirement under ORS 195.145(5)(c) and OAR 660-027-0050(3) that the Stafford area can be served by urban level public facilities and

services efficiently and cost-effectively by appropriate and financially capable service providers.

**8. No Appeal by the Cities.** In consideration for the promises and commitments made herein, the Cities agree that the Cities will not challenge the designation of Stafford as Urban Reserve either before the State of Oregon Land Conservation and Development Commission or by appeal to the Oregon Court of Appeals.

**9. Governing Law.** The laws of the State of Oregon will govern this Agreement and the Parties will submit to the jurisdiction of the courts of the State of Oregon. .

*SLOA Comments: Courts should not be necessary to resolve disputes among governments, if they arise. We recommend mediation and arbitration, on a timely basis.*

**10. Amendments.** This Agreement may be amended at any time with the written consent of all Parties.

**11. Severability.** If any covenant or provision of this Agreement is adjudged void, such adjudication will not affect the validity, obligation, or performance of any other covenant or provision which in itself is valid if such remainder would then continue to conform with the terms and requirements of applicable law and the intent of this Agreement.

**12. Term.** This Agreement will terminate on the same date as the Reserves IGA, December 31, 2060, unless terminated earlier by agreement of the Parties. If during the term of this Agreement there is a change in applicable law or other circumstance that materially affects compliance with one or more provisions of this Agreement, the Parties agree to negotiate in a good faith a revision to this Agreement to address such law or circumstance in manner consistent with the intent of this Agreement.

City of West Linn

*Comments/Summary:*

*First, SLOA strongly supports the adoption of an IGA with all the parties. However, , given the contentious history of planning in Stafford, the agreement must include language that allows Metro and Clackamas County to retain the ability to take action if the agreement is not followed.*

*Second, the Cities, Metro and Clackamas County should include in the IGA language support for a density transfer that will allow for clustering of development. SLOA supports the development of 1,008 acres of the 4,200 acres in Stafford. Our plan, with density transfer, can*

*support the cost of necessary infrastructure and still leave the majority of Stafford in open space and low density development. We ask that the IGA include language that Metro agrees to the use of density transfers in the planning for Stafford.*

***Herb Koss***  
***Chair of the SLOA***

IN WITNESS WHEREOF, each party has caused this Intergovernmental Agreement to be executed by its duly authorized representative on the date first mentioned above.

\_\_\_\_\_  
Metro Council

Dated: April \_\_, 2017

\_\_\_\_\_  
Clackamas County

Dated: April \_\_, 2017

\_\_\_\_\_  
City of Lake Oswego

Dated: April \_\_, 2017

\_\_\_\_\_  
City of Tualatin

Dated: April \_\_, 2017

\_\_\_\_\_

Dated: April \_\_, 2017

**From:** [Herb Koss](#)  
**To:** [LouOgden](#); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Frank Bubenik](#); [Jeff Dehaan](#); [Joelle Davis](#); [Lou Ogden](#); [Nancy Grimes](#); [Paul Morrison](#); [Robert Kellogg](#); [Sherilyn Lombos](#)  
**Subject:** Stafford IGA  
**Date:** Tuesday, May 02, 2017 2:40:51 PM  
**Attachments:** [SLOA Stafford Comments Final.docx](#)

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Dear Mayor Ogden, Tualatin City Council and Staff

The Stafford Land Owners Association (SLOA) has reviewed the proposed IGA for the Stafford area.

The SLOA is not against an IGA, but feels some changes and additions need to be made per the attached.

Some of you may have received a draft of the SLOA comments. Please accept the Attached Final IGA comments for the public record pertaining to the Stafford IGA.

Thank you.

Herb Koss



**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#); [Aquila Hurd-Ravich](#); [Frank Bubenik \(fbubenik@ci.tualatin.or.us\)](#); [jeff DeHaan](#); [Joelle Davis \(jdavis@ci.tualatin.or.us\)](#); [lou ogden \(logden@ci.tualatin.or.us\)](#); [Louogden](#); [nancy grimes \(ngrimes@ci.tualatin.or.us\)](#); [paul morrison](#); [robert kellogg](#); [Sherilyn Lombos kraushaar@ci.wilsonville.or.us](#); [Gordon Root \(gordonroot@aol.com\) \(gordonroot@aol.com\)](#); [roger.alfred@oregonmetro.gov](#); [C Lehan](#); [Council Akervall](#); [Mayor Knapp](#); [Scott Starr](#); [stevens council member](#); [Bob Stacey](#); [Carlotta.Collette@oregonmetro.gov](#); [Craig Dirksen](#); [Kathryn.Harrington@oregonmetro.gov](#); [METRO](#); [Sam Chase](#); [Shirley.Craddick@oregonmetro.gov](#); [Tom.Hughes@oregonmetro.gov](#)  
**Cc:**  
**Subject:** FW: Basalt site development costs. CESNW letter.  
**Date:** Friday, May 19, 2017 5:09:00 PM  
**Attachments:** [CESNW Letter.pdf](#)  
[2017-05-19 Herb Koss Basalt Creek - KPFF Concept Plan.pdf](#)

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Re: Wilsonville's Study for the Basalt Central Property

Dear Mayor Ogden and Tualatin City Councilors

The landowners of the above captioned property have appreciated Tualatin's fair and objective consideration, regarding our property, and ultimate directive to staff that it be zoned residential, due to site constraints.

We have asked Don Hanson to prepare trip count data, to insure that the residential density results in less trips than the employment designation.

We had not anticipated that Wilsonville would take issue with the residential designation, since they have repeatedly pointed to a shortage of residential land in the Tualatin Wilsonville sub-area, and asked for Urban Growth Boundary expansions to add residential land. However, Wilsonville has strongly objected to the designation and retained the firm of KPFF to provide a site plan based upon an employment use. The site plan prepared by KPFF did not include an estimate of site costs associated with preparing the site for an employment use. To make sure that the Tualatin City Council had the most accurate information possible, we have asked both CES and Otak, to calculate the site costs associated with KPFF's plan. Both, Tony Weller of CES and Don Hanson of Otak have analyzed the costs involved for grading and the required retaining walls. I have included their cost evaluations in the letter and email attached to this email. Their work, once again, confirms that the steep topography and basalt ridges make it unfeasible to develop the land in the way envisioned by KPFF.

Brian Clopton and Ken Leahey provided the per yard costs, which were confirmed by both Tony Weller and Don Hanson. We feel that the \$30.00 per yard estimate is on the low side, but we are trying to be as conservative

as possible, given the amount of scrutiny that this has received. The costs of the necessary retaining walls envisioned by KPFF, are also conservatively calculated at \$1,200,000.

We believe that the total site costs for the KPFF plan are \$11,700,000, which results in a negative value based on the rates that employment land are currently achieving in the market. We firmly believe that Tualatin arrived at the right result with the residential designation. Throughout this process we have been committed to transparency. We plan on sending our data and analysis to KPFF, so that they can peer review it, in advance of the meeting.

We would very much like to move forward, and are willing to take any steps necessary, including a mediated process. If necessary our professionals will be available to answer any additional questions.

Sincerely  
Herb Koss

cc: Mayor Knapp and Wilsonville City Council  
Wilsonville City Staff  
Tualatin City Staff  
Washington Planning Staff  
Washington County Commission  
Metro Attorney



808 sw third avenue, suite 300 • portland, oregon 97204  
503.287-6825 • fax 503.415-2304  
www.otak.com

May 19, 2017

Herb Koss  
2643 South Shore Blvd  
Lake Oswego, OR 97034

**RE: Basalt Creek Central Area - KPFF Concept Plan**

Hello Herb,

I've read Tony Weller's letter regarding the extra costs required to develop the subject property with employment uses. Tony is a very experienced and capable engineer. He also has very relevant experience in the area.

I agree with Tony's letter and believe it summarizes the situation quite well. The hard costs are actually on the low side for grading the site based on my recent experience on similar sites.

The other concern both Tony and I share is access for cars, trucks and emergency vehicles. A second access point will be extremely difficult to provide.

Please feel free to call with any questions or comments.

Thanks,

A handwritten signature in black ink, appearing to read "Don Hanson". The signature is fluid and cursive, with a large initial "D" and "H".

Don Hanson  
Principal  
Otak, Inc.



May 18, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

**RE: BASALT CREEK CENTRAL AREA – KPFF CONCEPT PLAN**

Dear Mr. Koss:

In response to your request we have reviewed the Basalt Creek Concept Plans prepared by KPFF with regards to the approximately 50 acres north and east of the intersection of Grahams Ferry road and Basalt Creek Parkway.

The KPFF study outlines three potential development schemes that share similarities between each scheme. Each scheme includes a single access point on Grahams Ferry Road at Tonquin Loop and no secondary or emergency access provided. The study also provides concept finish floor elevations and access road grades for each scheme. The summary shows either Scheme A or B as the higher rated concepts. We chose Scheme B to evaluate as the most highly ranked scheme.

Using the proposed grading plan for Scheme B, we calculated rough grading quantities and costs. Our estimate shows estimated grading totaling about 350,000 cubic yards. We also looked at the existing grades around the proposed parking and building areas for the potential need of retaining walls. The grading plan for this scheme showed some retaining walls but we believe additional walls would be required along the parking areas adjacent to the easterly property line and the downhill sides of Building B and Building D. We estimated the need for approximately 2400 lineal feet of retaining walls for these walls and the ones shown on the plan. We also believe additional smaller walls will likely be required for this plan as it is further developed. We did not provide any allowance for the smaller walls.

Our experience in this area on the site to the north, leads us to expect a significant amount of rock that is very near the surface. The proposed grading plan also includes significant depths of cut and fill. The fill in the south east corner of the site would be about 20-feet and cuts on the site that could be over 10-feet. Rock excavation is not very efficient and therefore more costly. Also to use the excavated rock materials as fill, will require additional processing or it may need to be supplemented with imported materials to accomplish the grading as proposed.



Mr. Herb Koss

**BASALT CREEK CENTRAL AREA – KPFF CONCEPT PLAN**

Page 2 of 2

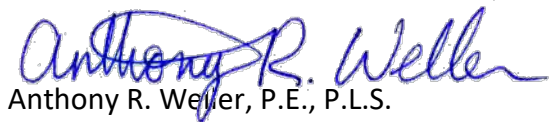
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For budgetary purposes, we would estimate \$30 per cubic yard for grading to reflect the rock excavation and potential imported fill needs for this site. This results in an estimated grading cost of \$10,500,000. At the anticipated wall heights, we have estimated \$1,200,000 for the retaining walls.

In summary, we feel the proposed grading plan is possible but it puts parking lot and access way slopes at the near maximums for industrial development. If you were to the reduce slopes to improve the usability, it would require even more excavation and the costs would be even higher.

If you have any questions in regards to our analysis, please don't hesitate to contact us.

Sincerely,



Anthony R. Weller, P.E., P.L.S.

President

\3273\_CESNW\_KPFF

**From:** [Herb Koss](#)  
**To:** [Sherilyn Lombos](#); [AliceCannon \(acannon@tualatin.gov\)](mailto:AliceCannon@tualatin.gov); [Aquilla Hurd-Ravich](mailto:kperlfox@ci.tualatin.or.us); [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)  
**Cc:** [Lou Ogden](#); [Peter Watts](#); [Ed Trompke \(Ed.Trompke@jordanramis.com\)](mailto:Ed.Trompke@jordanramis.com)  
**Subject:** Basalt Creek  
**Date:** Tuesday, May 23, 2017 10:19:51 AM

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Good Morning

Last night at the council work shop Lou asked me to contact staff Regarding the Wilsonville Situation. As you are aware KPFF has prepared a site plan that for lack of better terms is way too costly and not financially feasible.

I do not think that KPFF was given the task of calculating the costs to grade the site nor calculate the cost of the retaining walls and extra foundations. Grading dirt and basalt rock is very expensive.

Now that we have their plan and our professionals have calculated the costs to grade and prepare the site. Now it is up to them to prove us wrong.

Peter Watts is going to reach out to the HBA and meet with Washington County. Peter has been in contact with Metro Council.

Is there a time that we could meet? I prefer early AM if possible.

Thanks  
Herb Koss

**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Karen Perl Fox](#)  
**Cc:** [LouOgden](#); [Gordon Root \(gordonroot@aol.com\)](#) ([gordonroot@aol.com](#)); [Sherilyn Lombos](#)  
**Subject:** FW: Basalt Creek  
**Date:** Wednesday, May 31, 2017 9:45:42 AM

---

Good Morning,

I sent the email below on May 23<sup>rd</sup> per Mayor Ogden's suggestion. I have not had any reply.

I realize that the entire Basalt Creek Study plan cannot be finalized until the zoning issues are agreed upon.

Wilsonville had even challenged the dividing line at one point in their last council session. This was a totally uncalled for remark.

Our land basically has no economic value if zoned employment, which is grossly unfair to the land owners.

The KPFF report gave our professionals the information that they needed to prove that our land, as well

as our neighbors land, would have no economic value if zoned employment. Land with no value does not benefit the city or county on their tax roles either.

It is difficult for us to believe why Wilsonville has not accepted the facts as were presented to the Tualatin Council and Staff. The Metro target for jobs has been exceeded without our land being zoned for employment.

This process has been very frustrating to our land owners and any assistance that the City of Tualatin can provide should be provided.

I will willing to meeting asap.

Sincerely  
Herb Koss

---

**From:** Herb Koss  
**Sent:** Tuesday, May 23, 2017 10:19 AM  
**To:** Sherilyn Lombos ([slombos@tualatin.gov](mailto:slombos@tualatin.gov)); Alice Cannon ([acannon@tualatin.gov](mailto:acannon@tualatin.gov)); 'Aquilla Hurd-Ravich'; [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)  
**Cc:** 'Lou Ogden'; Peter Watts; Ed Trompke ([Ed.Trompke@jordanramis.com](mailto:Ed.Trompke@jordanramis.com))

**Subject: Basalt Creek**

Good Morning

Last night at the council work shop Lou asked me to contact staff Regarding the Wilsonville Situation. As you are aware KPFF has prepared a site plan that for lack of better terms is way too costly and not financially feasible.

I do not think that KPFF was given the task of calculating the costs to grade the site nor calculate the cost of the retaining walls and extra foundations. Grading dirt and basalt rock is very expensive.

Now that we have their plan and our professionals have calculated the costs to grade and prepare the site. Now it is up to them to prove us wrong.

Peter Watts is going to reach out to the HBA and meet with Washington County. Peter has been in contact with Metro Council.

Is there a time that we could meet? I prefer early AM if possible.

Thanks

Herb Koss



**From:** [Herb Koss](#)  
**To:** [LouOgden](#)  
**Cc:** [Sherilyn Lombos](#); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Karen Perl Fox](#); [Gordon Root \(gordonroot@aol.com\)](#) ([gordonroot@aol.com](#)); [Peter.Watts@jordanramis.com](#); [Ed Trompke](#); [Don & Barb Hanson](#); [tweller@cesnw.com](#)  
**Subject:** RE: Basalt Creek  
**Date:** Thursday, June 01, 2017 7:20:47 PM

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Lou

The bottom line to your analysis is the costs involved to make this site employment land. Isn't the simple approach to have Wilsonville, since they retained KPFF, ask this firm to review CES numbers? CES used their layout and came up with the costs. The costs were at the bottom of the scale not the top.

A presentation of the KPFF plan to the Tualatin Council is not the answer. Who is the right person to contact Wilsonville to make that suggestion?

Herb

---

**From:** Lou Ogden [<mailto:lou@louogden.com>]  
**Sent:** Thursday, June 1, 2017 11:54 AM  
**To:** Herb Koss  
**Cc:** [Sherilyn Lombos](#); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Karen Perl Fox](#); [Gordon Root \(gordonroot@aol.com\)](#) ([gordonroot@aol.com](#)); [Peter.Watts@jordanramis.com](#); [Ed Trompke](#); [Don & Barb Hanson](#); [tweller@cesnw.com](#)  
**Subject:** Re: Basalt Creek

I wanted to make the point that land use designation isn't always about highest and best use. If that were the case perhaps every acre would be retail in a hot area like Tualatin. Rather, it is about long term vision for a community and functional relationships such as jobs, housing, transportation, services, etc. That said, there is, in my mind, the issue of viable uses. A designated area may not be highest or best use but it must be an economically viable use. That is what I believe breaks down on this site; not so much highest and best use, but viable or non viable. Finally I don't equate feasible with viable. Most anything is feasible given enough \$\$ but that doesn't mean it is necessarily viable. If not viable then the land languishes indefinitely until some extraneous use perhaps becomes the ultimate waste of land like a construction materials storage site or similar

Thanks,



Lou Ogden  
Resource Strategies Planning Group  
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for  
Businesses and Individuals  
21040 SW 90th Ave. Tualatin, OR 97062  
Phone 503.692.0163; Fax 503.385.0320  
[lou@louogden.com](mailto:lou@louogden.com)

On May 31, 2017, at 11:23 AM, Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)> wrote:

Sherilyn

Thank you for your response

Two things--First of all you need to ask KPFF what is their estimate of the costs to prepare the site with their plan including retaining walls. CES and Otak prepared our cost estimates

This should not even require a presentation.

Second -- Their thought on Highest and Best Use

The process has taken long time and at a great deal of expense. Gordon Root as other property owners have been very patient with the process probably too patient

I would think asking KPFF for the costs would answer the question of Highest and Best Use and costs affecting economic value of the acreage involved

For Wilsonville to hold up the process without all of the facts is ridiculous

Sent from my iPhone

On May 31, 2017, at 10:50 AM, Sherilyn Lombos <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)> wrote:

Hi Herb,

Please forgive me; it was on my to-do list to respond back.

Our next step is to get the KPFF folks to come present their report to the Tualatin Council. We all think it would be a good thing for the Tualatin Council to get the skinny on the work they did and what they came up with. So before any other meetings are scheduled or discussions occur regarding jurisdiction lines or really any other areas of agreement or disagreement, we're going to get that scheduled. We're currently looking at July 10, but I don't have that confirmed quite yet.

***Sherilyn Lombos***

Tualatin City Manager

Desk: 503.691.3010 | Mobile: 971-998-4127

[slombos@tualatin.gov](mailto:slombos@tualatin.gov)

[www.tualatinoregon.gov](http://www.tualatinoregon.gov)

---

**From:** Herb Koss [<mailto:herb@kossred.com>]

**Sent:** Wednesday, May 31, 2017 9:46 AM  
**To:** Alice Cannon; Aquilla Hurd-Ravich; Karen Perl Fox  
**Cc:** LouOgden; Gordon Root ([gordonroot@aol.com](mailto:gordonroot@aol.com)) ([gordonroot@aol.com](mailto:gordonroot@aol.com));  
Sherilyn Lombos  
**Subject:** FW: Basalt Creek

Good Morning,

I sent the email below on May 23<sup>rd</sup> per Mayor Ogden's suggestion. I have not had any reply.

I realize that the entire Basalt Creek Study plan cannot be finalized until the zoning issues are agreed upon. Wilsonville had even challenged the dividing line at one point in their last council session. This was a totally uncalled for remark.

Our land basically has no economic value if zoned employment, which is grossly unfair to the land owners. The KPFF report gave our professionals the information that they needed to prove that our land, as well as our neighbors land, would have no economic value if zoned employment. Land with no value does not benefit the city or county on their tax roles either.

It is difficult for us to believe why Wilsonville has not accepted the facts as were presented to the Tualatin Council and Staff. The Metro target for jobs has been exceeded without our land being zoned for employment.

This process has been very frustrating to our land owners and any assistance that the City of Tualatin can provide should be provided.

I will willing to meeting asap.

Sincerely  
Herb Koss

---

**From:** Herb Koss  
**Sent:** Tuesday, May 23, 2017 10:19 AM  
**To:** Sherilyn Lombos ([slombos@tualatin.gov](mailto:slombos@tualatin.gov)); Alice Cannon ([acannon@tualatin.gov](mailto:acannon@tualatin.gov)); 'Aquilla Hurd-Ravich'; [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)

**Cc:** 'Lou Ogden'; Peter Watts; Ed Trompke ([Ed.Trompke@jordanramis.com](mailto:Ed.Trompke@jordanramis.com))  
**Subject:** Basalt Creek

Good Morning

Last night at the council work shop Lou asked me to contact staff Regarding the Wilsonville Situation. As you are aware KPFF has prepared a site plan that for lack of better terms is way too costly and not financially feasible.

I do not think that KPFF was given the task of calculating the costs to grade the site nor calculate the cost of the retaining walls and extra foundations. Grading dirt and basalt rock is very expensive.

Now that we have their plan and our professionals have calculated the costs to grade and prepare the site. Now it is up to them to prove us wrong.

Peter Watts is going to reach out to the HBA and meet with Washington County. Peter has been in contact with Metro Council.

Is there a time that we could meet? I prefer early AM if possible.

Thanks  
Herb Koss



**From:** [Herb Koss](#)  
**To:** [matt.dolan@kpff.com](mailto:matt.dolan@kpff.com)  
**Cc:** [Lou Ogden](#); [Don & Barb Hanson](#); [Peter Watts](#); [Ed Trompke \(Ed.Trompke@jordanramis.com\)](mailto:Ed.Trompke@jordanramis.com); [Gordon Root \(gordonroot@aol.com\)](#) ([gordonroot@aol.com](mailto:gordonroot@aol.com)); [Grace Lucini](#); [Hannah Childs](#); [Heather Hutchinson](#); [Herb Koss](#); [Howard Houston](#); [John and Grace Lucini](#); [Lark Leitgeb](#); [Lois Fox](#); [Marvin Mast \(marvinmast@gmail.com\)](mailto:MarvinMast@gmail.com); [Matthew Johansen](#); [Mehdi A-Sanaei \(mehdiasanaei@yahoo.com\)](mailto:mehdiasanaei@yahoo.com); [Peter Shames](#); [r.alvstad@comcast.net](mailto:r.alvstad@comcast.net); [Sherman Leitgeb](#); [srcs6914@aol.com](mailto:srcs6914@aol.com); [Steve Summers \(Nickstevensfs00@gmail.com\)](#); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Frank Bubenik \(fbubenik@ci.tualatin.or.us\)](mailto:Frank.Bubenik@ci.tualatin.or.us); [jeff DeHaan](mailto:jeff.DeHaan); [Joelle Davis \(jdavis@ci.tualatin.or.us\)](mailto:Joelle.Davis@ci.tualatin.or.us); [lou ogden \(logden@ci.tualatin.or.us\)](#); [nancy grimes \(ngrimes@ci.tualatin.or.us\)](mailto:nancy.grimes@ci.tualatin.or.us); [paul morrison](#); [robert kellogg](#); [Sherilyn Lombos](#); [C Lehan](#); [Council Akervall](#); [Mayor Knapp](#); [Scott Starr](#); [stevens council member](#)  
**Subject:** FW: Basalt  
**Date:** Tuesday, June 06, 2017 12:23:59 PM  
**Attachments:** [3273\\_CESNW\\_KPFF..pdf](#)  
[Otak CES.pdf](#)

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Dear Matt:

Thank you for taking my call today. Per our conversation I have attached the letter from CESNW that analyzes the costs involved in grading the site for employment land. I also have attached a memo from Don Hanson at Otak.

As I informed you today after I found that our land and the land to the north was being considered for an employment zone I first contacted Peter Bechen the CEO of PacTrust. He sent his VP to the site whose name is Eric Sporre. Eric has extensive Development experience in the development of industrial parks. Both Eric and Peter confirmed that our land was of no interest to them and in fact Peter Bechen told me you could give us your land and we would not be interested because of the grading Issues and limited access. I do not like to spend money on challenging a city's or county's plan unless I confirm that my feelings are correct. Brian Clopton of Clopton Excavation, Ken Leahey, Stu Peterson a seasoned industrial Broker, Tony Weller – CESNW and Don Hanson – Otak all confirmed my opinion and reasons for opposing an employment land designation. John Fregonese who was the lead planner of the Basalt Creek Study also agreed that a supportive housing zone was the proper zoning as long as there was no increase in the trip counts.

My hope is that Wilsonville will pay your firm to analyze and determine if the costs to grade our site for employment is accurate. As we discussed the land on the south end has no access to Basalt Creek Parkway, which is a huge negative for zoning our land for employment. Lou Ogden referred to our land as the base of the arrowhead with no good access.

Matt I know your firm was just asked ----can you prepare a layout for employment on the acreage in

question

with no consideration for costs or highest and best use. The cost factor is of course our major concern as our land would have no value and no marketability if zoned for employment.

McKenzie was involved in the process earlier than your firm was. Washington County asked them the same question and McKenzie provided a layout that again was cost prohibitive. The Tualatin Council voted 7 – 0 in favor of a residential zone. Tualatin's decision was based on facts that were provided by use from professionals in the business. In correctly zoning land so it will never be developed is unfair to the land owners, the city and the county.

After the Tualatin City council meeting our land owners thought that the process to complete the Basalt Study could be completed. Your firm was hired by the City of Wilsonville-----again to lay out a plan for employment use without any consideration for costs of blasting, grading or the required retaining walls.

In summary I am hopeful that the City of Wilsonville will pay your firm to analyze the costs involved with your site plan. If you concur the question of zoning should be easy to determine. Since the CESNW letter was written Ken Leahey told me that the \$30.00 per yard was low and in his opinion the grading costs could be closer to \$40.00 per yard. This of course really affects the grading costs in the wrong direction.

If Wilsonville approves our suggested course of action please feel free to contact Tony Weller at CESNW for any information. We will pay for his time. I have copied all stakeholders with this email.

My phone number is 503 730 2431 email: [herb@kossred.com](mailto:herb@kossred.com)

Again thanks for taking my call.

Sincerely

Herb Koss

Cell 503 730 2431 email: [herb@kossred.com](mailto:herb@kossred.com)

**From:** [Tony Weller](#)  
**To:** [Alice Cannon](#)  
**Cc:** [Herb Koss \(herb@kossred.com\)](#); [Don Hanson](#); [Aquilla Hurd-Ravich](#); [Sherilyn Lombos](#)  
**Subject:** RE: Basalt Creek Planning Area  
**Date:** Thursday, July 20, 2017 3:53:00 PM

---

Hi Alice –

Currently there isn't a proposed residential plan. The approach to this site will be to respect the existing topography. This approach (not product) would be very similar to how Forest Rim Apartments was able to accommodate the rock outcrop into the site plan. Smaller buildings and more flexible access grades will be used to reduce the grading and retaining walls.

Our purpose in providing the grading and wall costs (which I realize we really didn't explain) was not compare development costs between the two uses but to show that with about 40 usable acres, the \$11,000,000 (for only grading and walls and not all the other costs and land) equates to about \$6/sf. What we understand is \$6 to \$6.50/sf is the market value of a finished employment/industrial lot. This cost makes it impossible to deliver a finished product at market value.

Regards – Tony

Tony Weller, P.E., P.L.S.  
President  
**CESNW, INC.**  
13190 SW 68<sup>th</sup> Parkway, Suite 150  
Tigard, OR 97223  
503.968.6655 p  
503.968.2595 f  
503.866.6550 c  
[tweller@cesnw.com](mailto:tweller@cesnw.com)  
[www.cesnw.com](http://www.cesnw.com)

---

**From:** Alice Cannon [<mailto:acannon@tualatin.gov>]  
**Sent:** Thursday, July 20, 2017 11:58 AM  
**To:** Tony Weller  
**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Don Hanson; Aquilla Hurd-Ravich; Sherilyn Lombos  
**Subject:** RE: Basalt Creek Planning Area

Tony,

Thanks for this summary.

I noticed that you have given a grading and retaining wall cost estimate for employment land. I'm wondering if you can revise this memo to give a grading and retaining wall cost estimate for one of Herb's development concepts. That way the Council can see the delta between the two costs. This will be an important consideration to Council.

Let me know if this is possible and when you may be able to make that adjustment to the memo.

Thank you,

Alice

**Alice Cannon**

Assistant City Manager

City of Tualatin | Community Development

503.691.3018 | [acannon@tualatin.gov](mailto:acannon@tualatin.gov) | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

---

**From:** Tony Weller [<mailto:tweller@cesnw.com>]

**Sent:** Thursday, July 20, 2017 10:50 AM

**To:** Alice Cannon

**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Don Hanson

**Subject:** Basalt Creek Planning Area

Hi Alice –

Don Hanson asked me to prepare and forward this letter to you regarding our work on the central Basalt Creek Planning area and the upcoming Council Work Session. Let me know if you have questions.

Regards – Tony

Tony Weller, P.E., P.L.S.

President

**CESNW, INC.**

13190 SW 68<sup>th</sup> Parkway, Suite 150

Tigard, OR 97223

503.968.6655 p

503.968.2595 f

503.866.6550 c

[tweller@cesnw.com](mailto:tweller@cesnw.com)

[www.cesnw.com](http://www.cesnw.com)



**From:** [Don Hanson](#)  
**To:** [Alice Cannon](#); [Tony Weller](#)  
**Cc:** [Herb Koss \(herb@kossred.com\)](#); [Aquilla Hurd-Ravich](#); [Sherilyn Lombos](#)  
**Subject:** RE: Basalt Creek Planning Area  
**Date:** Friday, July 21, 2017 1:04:21 PM  
**Attachments:** [20170721123442487.pdf](#)

---

Hello Alice.

I've attached a land use diagram that summarizes our residential approach in a simplistic manner. The plan avoids site constraints and results in density that fits within the trip cap limits agreed upon between the cities. It also proposes relatively low densities which again will reduce conflicts with site constraints and costly construction.

It shows 25 acres of land at 6du/ac for townhome and single family residential .150 units.

It shows 15 acres of land for multi family residential at 15 du/ac.270 units.

These numbers are approximate at this point but it's easy to recognize that this can be implemented in a feasible manner.

I will be there with Tony Weller Monday evening and can certainly explain this further and respond to any questions from council. Please include this land use diagram in a power point if one is being prepared. I believe Tony may also have a few images to include.

Thanks Alice

Don

Don Hanson | Principal  
v. 503.415.2317 | f. 503.415.2304  
[www.otak.com](http://www.otak.com)



at Otak, we consider the environment before printing emails.

---

**From:** Alice Cannon [mailto:[acannon@tualatin.gov](mailto:acannon@tualatin.gov)]  
**Sent:** Friday, July 21, 2017 8:35 AM  
**To:** Tony Weller; Alice Cannon  
**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Don Hanson; Aquilla Hurd-Ravich; Sherilyn Lombos  
**Subject:** Re: Basalt Creek Planning Area

Thank you. Sorry for the typos in my last message. Mr. Koss and Don Hanson produced several development concepts. 😊

----- Original message -----

**From:** Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>  
**Date:** 7/21/17 8:29 AM (GMT-08:00)  
**To:** Alice Cannon <[acannon@tualatin.gov](mailto:acannon@tualatin.gov)>  
**Cc:** "Herb Koss ([herb@kossred.com](mailto:herb@kossred.com))" <[herb@kossred.com](mailto:herb@kossred.com)>, Don Hanson <[don.hanson@otak.com](mailto:don.hanson@otak.com)>, Aquilla Hurd-Ravich <[AHURD-RAVICH@tualatin.gov](mailto:AHURD-RAVICH@tualatin.gov)>, Sherilyn Lombos <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)>  
**Subject:** RE: Basalt Creek Planning Area

Thank you Alice - I will check with Don and Herb and see what we can do.

Have a great weekend! – Tony

Tony Weller, P.E., P.L.S.  
President  
**CESNW, INC.**  
13190 SW 68<sup>th</sup> Parkway, Suite 150  
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[www.cesnw.com](http://www.cesnw.com)

---

**From:** Alice Cannon [<mailto:acannon@tualatin.gov>]  
**Sent:** Friday, July 21, 2017 8:25 AM  
**To:** Tony Weller; Alice Cannon  
**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Don Hanson; Aquilla Hurd-Ravich; Sherilyn Lombos  
**Subject:** Re: Basalt Creek Planning Area

Thank you, Tony.

I still think Council will want to compare employment vs residential development costs. Mr. Koss and Hanson several development concepts. I think it would be good to pick one and present some comparative grading and retaining wall costs so Council can see the cost differences more concretely. Without this, the concepts you are discussing are bit more abstract. You can present your point much more clearly with this comparison. Don and I spoke by phone about this last Friday.

Let me know what you might be able to do. Thanks for being thoughtful about this.

Alice

----- Original message -----

**From:** Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>  
**Date:** 7/20/17 3:52 PM (GMT-08:00)  
**To:** Alice Cannon <[acannon@tualatin.gov](mailto:acannon@tualatin.gov)>  
**Cc:** "Herb Koss ([herb@kossred.com](mailto:herb@kossred.com))" <[herb@kossred.com](mailto:herb@kossred.com)>, Don Hanson <[don.hanson@otak.com](mailto:don.hanson@otak.com)>, Aquilla Hurd-Ravich <[AHURD-RAVICH@tualatin.gov](mailto:AHURD-RAVICH@tualatin.gov)>, Sherilyn Lombos <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)>  
**Subject:** RE: Basalt Creek Planning Area

Hi Alice –

Currently there isn't a proposed residential plan. The approach to this site will be to respect the existing topography. This approach (not product) would be very similar to how Forest Rim Apartments was able to accommodate the rock outcrop into the site plan. Smaller buildings and more flexible access grades will be used to reduce the grading and retaining walls.

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Regards – Tony

Tony Weller, P.E., P.L.S.

President

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**From:** Alice Cannon [<mailto:acannon@tualatin.gov>]

**Sent:** Thursday, July 20, 2017 11:58 AM

**To:** Tony Weller

**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Don Hanson; Aquilla Hurd-Ravich; Sherilyn Lombos

**Subject:** RE: Basalt Creek Planning Area

Tony,

Thanks for this summary.

I noticed that you have given a grading and retaining wall cost estimate for employment land. I'm wondering if you can revise this memo to give a grading and retaining wall cost estimate for one of Herb's development concepts. That way the Council can see the delta between the two costs. This will be an important consideration to Council.

Let me know if this is possible and when you may be able to make that adjustment to the memo.

Thank you,

Alice

**Alice Cannon**

Assistant City Manager

City of Tualatin | Community Development

503.691.3018 | [acannon@tualatin.gov](mailto:acannon@tualatin.gov) | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

---

**From:** Tony Weller [<mailto:tweller@cesnw.com>]  
**Sent:** Thursday, July 20, 2017 10:50 AM  
**To:** Alice Cannon  
**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Don Hanson  
**Subject:** Basalt Creek Planning Area

Hi Alice –

Don Hanson asked me to prepare and forward this letter to you regarding our work on the central Basalt Creek Planning area and the upcoming Council Work Session. Let me know if you have questions.

Regards – Tony

Tony Weller, P.E., P.L.S.  
President

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LAND USE DIAGRAM

1" = 300'

ETAK  
JULY '17





## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JULY 24, 2017

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Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Assistant City Manager Alice Cannon; City Engineer Jeff Fuchs; IS Director Bates Russell; Associate Planner Charles Benson; Economic Development Manager Melinda Anderson

### A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:15 p.m.

### B. ANNOUNCEMENTS

#### 1. New Employee Introduction- Terrance Leahy, Water Division Manager

Public Works Director Jeff Fuchs introduced Water Division Manager Terrance Leahy. The Council congratulated him on his promotion.

### C. CITIZEN COMMENTS

*This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

City of Wilsonville Mayor Tim Knapp shared insight from their City Council regarding the Basalt Creek project. He stated the original intent of the plan was to preserve and encourage the use of employment land over the next 20 years. They believe this land can serve the cities in the future as high quality employment lands. He stated places to build employment are constrained in the Metro and this land needs to be preserved for employment.

Tom Childs expressed he would like to see the Basalt Creek parcel in question designated residential.

Debbie Luster stated there has been increased noise in the industrial park off of 105<sup>th</sup>. She would like the City to address the noise concerns.



Herb Koss stated the cost to keep the parcel of land in question industrial is not financially feasible as the land can't be developed as employment land.

Gordon Root referenced Metro's original ordinance for the Basalt Creek area. He stated the parcel in question needs to be deemed residential because Tualatin does not have any more developable residential land. He added the demand for residential land in Tualatin is high.

Ashley Leigh, owner of Whole Babies Preschool, addressed concerns that had been raised by her neighbors. She assured the Council the school is doing everything they can to ease neighborhood concerns.

Scott Powell spoke in favor of a residential designation for the parcel in Basalt Creek.

Sherman Leitgeb spoke in opposition of the City of Wilsonville's proposal. He would like to see the area deemed residential.

Hannah Childs spoke in favor of the Basalt Creek parcel in question being deemed residential.

#### **D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Councilor Frank Bubenik, SECONDED by Council President Joelle Davis to approve the consent agenda.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of July 10, 2017

#### **E. PUBLIC HEARINGS – Quasi-Judicial**

1. Consideration of a Conditional Use Permit for MITCH Charter School to Expand the Campus and Operations of a Kindergarten through Grade 12 School in the Light Manufacturing (ML) Planning District at 19430 SW 90th Court (Tax Map 2S1 23DB, Tax Lot 00200) (CUP-17-0001).

**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#); [Tony Weller](#)  
**Cc:** [Don Hanson](#)  
**Subject:** RE: Basalt Creek Planning Area  
**Date:** Monday, July 24, 2017 10:30:05 AM

---

Alice

Don and Tony both can address the any cost question verbally tonight.

Grading costs for a residential zone will be much less and we will design to avoid constraints as much as possible. In other words work with the existing grades and use some rock ridges as open space.

Please feel free to contact either Tony or Don before the meeting although Don is headed back from the Oregon Coast.

Herb

---

**From:** Alice Cannon [mailto:[acannon@tualatin.gov](mailto:acannon@tualatin.gov)]  
**Sent:** Monday, July 24, 2017 9:24 AM  
**To:** Tony Weller  
**Cc:** Herb Koss; Don Hanson  
**Subject:** RE: Basalt Creek Planning Area

Tony,

Thanks for the note.

So I'm reading into this that you won't have a grading and retaining wall cost estimate for Mr. Koss's development concept for the sake of comparison.

I think the Council may ask about that. It certainly isn't required to provide it but I think it is always good to anticipate and prep for Council questions. If you have provided estimates for the KPFF study, Council will likely want estimates for Mr. Koss's proposal for the sake of comparison.

I won't raise this again because I've repeated this message a few times. Ultimately, Council has to make decisions about the data they receive.

I know we're all hoping we can reach resolution on this Concept Plan.

Thanks!

Alice

**Alice Cannon**  
Assistant City Manager



**From:** Tony Weller [<mailto:tweller@cesnw.com>]  
**Sent:** Monday, July 24, 2017 9:17 AM  
**To:** Alice Cannon; Don Hanson; Herb Koss ([herb@kossred.com](mailto:herb@kossred.com))  
**Subject:** RE: Basalt Creek Planning Area

Hi Alice –

Don is currently at the coast and will be making his way back for the meeting tonight. Here are the slides we would like to be available for us tonight. Let me know if you have any questions or need anything else.

Thank you – Tony

Tony Weller, P.E., P.L.S.  
President  
**CESNW, INC.**  
13190 SW 68<sup>th</sup> Parkway, Suite 150  
Tigard, OR 97223  
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[www.cesnw.com](http://www.cesnw.com)

---

**From:** Alice Cannon [<mailto:acannon@tualatin.gov>]  
**Sent:** Monday, July 24, 2017 8:49 AM  
**To:** Don Hanson; Tony Weller; Herb Koss ([herb@kossred.com](mailto:herb@kossred.com))  
**Subject:** FW: Basalt Creek Planning Area

Don,

Thanks for your note this morning.

Here you go. Let us know if we can expect a PowerPoint by noon today. If so, we will make sure it is available on our laptop and also post it online.

Happy Monday to you all!

Thank you.

Alice

**Alice Cannon**  
Assistant City Manager

**From:** Alice Cannon  
**Sent:** Friday, July 21, 2017 1:18 PM  
**To:** Don Hanson; Alice Cannon; Tony Weller  
**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Aquilla Hurd-Ravich; Sherilyn Lombos  
**Subject:** Re: Basalt Creek Planning Area

Thank you, Don. You and Tony are welcome to prepare thought own Powerpoint and supply it to us by noon Monday. We will make sure it is availae on our computer for your use and also post it online too.

I assume this convept plan becomes tge basis for the grading and retsining wall cost estimates for this plan? Maybe Tony will supply that next?

Thank you.

Alice

----- Original message -----

**From:** Don Hanson <[don.hanson@otak.com](mailto:don.hanson@otak.com)>  
**Date:** 7/21/17 1:04 PM (GMT-08:00)  
**To:** Alice Cannon <[acannon@tualatin.gov](mailto:acannon@tualatin.gov)>, Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>  
**Cc:** "Herb Koss ([herb@kossred.com](mailto:herb@kossred.com))" <[herb@kossred.com](mailto:herb@kossred.com)>, Aquilla Hurd-Ravich <[AHURD-RAVICH@tualatin.gov](mailto:AHURD-RAVICH@tualatin.gov)>, Sherilyn Lombos <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)>  
**Subject:** RE: Basalt Creek Planning Area

Hello Alice.

I've attached a land use diagram that summarizes our residential approach in a simplistic manner. The plan avoids site constraints and results in density that fits within the trip cap limits agreed upon between the cities. It also proposes relatively low densities which again will reduce conflicts with site constraints and costly construction.

It shows 25 acres of land at 6du/ac for townhome and single family residential .150 units.

It shows 15 acres of land for multi family residential at 15 du/ac.270 units.

These numbers are approximate at this point but it's easy to recognize that this can be implemented in a feasible manner.

I will be there with Tony Weller Monday evening and can certainly explain this further and respond to any questions from council. Please include this land use diagram in a power point if one is being prepared. I believe Tony may also have a few images to include.

Thanks Alice

Don

Don Hanson | Principal  
v. 503.415.2317 | f. 503.415.2304  
[www.otak.com](http://www.otak.com)



at Otak, we consider the environment before printing emails.

---

**From:** Alice Cannon [<mailto:acannon@tualatin.gov>]  
**Sent:** Friday, July 21, 2017 8:35 AM  
**To:** Tony Weller; Alice Cannon  
**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Don Hanson; Aquilla Hurd-Ravich; Sherilyn Lombos  
**Subject:** Re: Basalt Creek Planning Area

Thank you. Sorry for the typos in my last message. Mr. Koss and Don Hanson produced several development concepts. ☺

----- Original message -----

**From:** Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>  
**Date:** 7/21/17 8:29 AM (GMT-08:00)  
**To:** Alice Cannon <[acannon@tualatin.gov](mailto:acannon@tualatin.gov)>  
**Cc:** "Herb Koss ([herb@kossred.com](mailto:herb@kossred.com))" <[herb@kossred.com](mailto:herb@kossred.com)>, Don Hanson <[don.hanson@otak.com](mailto:don.hanson@otak.com)>, Aquilla Hurd-Ravich <[AHURD-RAVICH@tualatin.gov](mailto:AHURD-RAVICH@tualatin.gov)>, Sherilyn Lombos <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)>  
**Subject:** RE: Basalt Creek Planning Area

Thank you Alice - I will check with Don and Herb and see what we can do.

Have a great weekend! – Tony

Tony Weller, P.E., P.L.S.  
President  
**CESNW, INC.**  
13190 SW 68<sup>th</sup> Parkway, Suite 150  
Tigard, OR 97223  
503.968.6655 p  
503.968.2595 f  
503.866.6550 c  
[tweller@cesnw.com](mailto:tweller@cesnw.com)  
[www.cesnw.com](http://www.cesnw.com)

---

**From:** Alice Cannon [<mailto:acannon@tualatin.gov>]  
**Sent:** Friday, July 21, 2017 8:25 AM  
**To:** Tony Weller; Alice Cannon  
**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Don Hanson; Aquilla Hurd-Ravich; Sherilyn Lombos  
**Subject:** Re: Basalt Creek Planning Area

Thank you, Tony.

I still think Council will want to compare employment vs residential development costs. Mr. Koss and Hanson several development concepts. I think it would be good to pick one and present some comparative grading and retaining wall costs so Council can see the cost differences more concretely. Without this, the concepts you are discussing are bit more abstract. You can present your point much more clearly with this comparison. Don and I spoke by phone about this last Friday.

Let me know what you might be able to do. Thanks for being thoughtful about this.

Alice

----- Original message -----

From: Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>

Date: 7/20/17 3:52 PM (GMT-08:00)

To: Alice Cannon <[acannon@tualatin.gov](mailto:acannon@tualatin.gov)>

Cc: "Herb Koss ([herb@kossred.com](mailto:herb@kossred.com))" <[herb@kossred.com](mailto:herb@kossred.com)>, Don Hanson

<[don.hanson@otak.com](mailto:don.hanson@otak.com)>, Aquilla Hurd-Ravich <[AHURD-RAVICH@tualatin.gov](mailto:AHURD-RAVICH@tualatin.gov)>, Sherilyn

Lombos <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)>

Subject: RE: Basalt Creek Planning Area

Hi Alice –

Currently there isn't a proposed residential plan. The approach to this site will be to respect the existing topography. This approach (not product) would be very similar to how Forest Rim Apartments was able to accommodate the rock outcrop into the site plan. Smaller buildings and more flexible access grades will be used to reduce the grading and retaining walls.

Our purpose in providing the grading and wall costs (which I realize we really didn't explain) was not compare development costs between the two uses but to show that with about 40 usable acres, the \$11,000,000 (for only grading and walls and not all the other costs and land) equates to about \$6/sf.

What we understand is \$6 to \$6.50/sf is the market value of a finished employment/industrial lot. This cost makes it impossible to deliver a finished product at market value.

Regards – Tony

Tony Weller, P.E., P.L.S.

President

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[tweller@cesnw.com](mailto:tweller@cesnw.com)

[www.cesnw.com](http://www.cesnw.com)

---

**From:** Alice Cannon [<mailto:acannon@tualatin.gov>]

**Sent:** Thursday, July 20, 2017 11:58 AM

**To:** Tony Weller

**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Don Hanson; Aquilla Hurd-Ravich; Sherilyn Lombos

**Subject:** RE: Basalt Creek Planning Area



Tony,

Thanks for this summary.

I noticed that you have given a grading and retaining wall cost estimate for employment land. I'm wondering if you can revise this memo to give a grading and retaining wall cost estimate for one of Herb's development concepts. That way the Council can see the delta between the two costs. This will be an important consideration to Council.

Let me know if this is possible and when you may be able to make that adjustment to the memo.

Thank you,

Alice

**Alice Cannon**

Assistant City Manager

City of Tualatin | Community Development

503.691.3018 | [acannon@tualatin.gov](mailto:acannon@tualatin.gov) | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

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**From:** Tony Weller [<mailto:tweller@cesnw.com>]

**Sent:** Thursday, July 20, 2017 10:50 AM

**To:** Alice Cannon

**Cc:** Herb Koss ([herb@kossred.com](mailto:herb@kossred.com)); Don Hanson

**Subject:** Basalt Creek Planning Area

Hi Alice –

Don Hanson asked me to prepare and forward this letter to you regarding our work on the central Basalt Creek Planning area and the upcoming Council Work Session. Let me know if you have questions.

Regards – Tony

Tony Weller, P.E., P.L.S.

President

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[tweller@cesnw.com](mailto:tweller@cesnw.com)

[www.cesnw.com](http://www.cesnw.com)

**The following information has been provided to the staffs and councils at both the City of Tualatin and the City of Wilsonville. Washington County has been provided the information as well as Metro. Since the process at both the city of Tualatin and Wilsonville at times limits public input at the work sessions the land owners felt that a summary package of information would be helpful.**

Chair Duyck and Commissioners

Subject: Basalt Creek Study (41 acres North of Basalt Creek Parkway to Victoria Gardens)

Dear Chair Duyck and Commissioners

I am a property owner within the Basalt Creek area, with an interest in the 10 acres just north of the extension of 124<sup>th</sup> (Basalt Creek Parkway). I wanted to first compliment the work of Renus Kelfkens, a project manager for the Basalt Creek extension of Basalt Creek Parkway. He's been incredibly responsive and just great to work with, as have many others on your staff.

Throughout this process, I've been in touch with the Mr. Kelfkens to understand the impacts of the transportation system on our property. I was told that no access to Basalt Creek Parkway would be allowed and an 18 to 20 foot vertical cut was necessary in to minimize the height of the bridge needed to cross Basalt Creek when connecting the section between Grahams Ferry Road and Boones Ferry Road. I completely understand the lack of access to our property, but the transportation issues as well as other factors impact how the 41 acres north of Basalt Creek Parkway can be developed.

In the 40 years that I've spent as a developer, I've learned that elected officials can only make a decision that is as good as the information that they have in front of them. When I looked at the amount of basalt on our parcel and the adjoining parcels, I began to question whether it was feasible to develop the site with an employment designation. I reached out to firms/professionals that I knew had excellent reputations in Tualatin and our region including PacTrust – Eric Sporre / Peter Bechen, Macadam Forbes – Stu Peterson, Leahy Construction – Ken Leahy, Clopton Excavation – Brian Clopton, Real Estate Investment Group – Mike Diamond, CESNW – Tony Weller, Otak – Don Hanson. These people are all experts in their fields and universally they concluded that the land could not be feasibly developed with an employment designation.

Mr. John Fregonese who was hired to assist with the Basalt Creek Study also concluded that our land would not support an employment use. While McKenzie and KPFF have provided analysis, that analysis did not include the costs associated with site grading and retaining walls. The cost per square foot of grading and retaining walls exceed the list price of Tualatin area employment property currently being marketed.

After receiving our data and expert letters, the Tualatin City Council unanimously supported our land would be zoned for a residential use with one condition ---no additional trip counts. It was not long after the City of Tualatin's council meeting that the Wilsonville Council and staff decided that Tualatin was wrong. To make a long story short the City of Wilsonville retained the services of KPFF – Matt Dolan to design a site plan for employment.

We then retained the engineering services of Tony Weller of CESNW and Don Hanson – Otak to provide us with the costs to prepare the site for the plan prepared by KPFF. **The results of the study confirmed that the cost of preparing the site --- grading and retaining walls would exceed the value of the land.** The results of the analysis are included with



this letter. At the last Tualatin City council meeting Mayor Ogden asked Matt Dolan if the CESNW costs were correct. The answer was he "did not believe the cost analysis was out of line." Mayor Knapp has stated that over time our land will be financially feasible for an employment site. That statement, ignores that the American's with Disabilities Act, and other federal, state, and local regulations have increased the cost of site preparation, and those regulations have increased over time not decreased. He uses OHSU as an example of what can be built, but that facility could never be feasibly built today. The access issues with our site will never go away. We have provided all of the materials from our engineers regarding site prep costs to Wilsonville. Our numbers were purposefully conservative, because we expected Wilsonville to comprehensively review. Mr. Dolan did not disagree with any of our site preparation numbers. Our comps regarding what the site would be worth, after site prep were done in tandem with a broker with multiple active listings in the Tualatin. Those current listings are without the added Basalt Creek lands on the market. Given supply and demand, adding Basalt Creek is unlikely to result in a higher overall price per square foot. Our property is upside down by nearly \$1,000,000.

Commissioner Rogers mentioned in conversations with me that the county had invested millions in the extension of 124<sup>th</sup> (Basalt Creek Parkway) and they wanted a return on their investment sooner than later. If our land was improperly zoned employment it would not be developed for many years or ever if zoned for employment. On the other hand if our land was zoned for supportive housing and the Basalt Creek Study could be completed just the residential System Development Charges between our 41 acres Gordon Root Property and his neighbor that has a 10 acre Multifamily parcel would be estimated to be \$7,500,000. **This amount is only for the transportation fee, which in Tualatin goes directly to Washington County.** I am sure that you will concur that this is a substantial number and this revenue along with a substantial increase in the property tax base cannot and should not be ignored. Commissioner Rogers informed me that the county wanted a return on their investment from the 124<sup>th</sup>/Basalt Creek Road improvement. The SDC revenue resulting from a residential zone for the 120 acres outlined above is certainly a good start.

When I am having a difficult time deciding a business or personal decision I use the base analysis of the Pros and Cons. I have also attached an abbreviated list which demonstrates in simple terms why our land should be zoned for a residential use.

I have attached a topographic map and notes regarding the access issues. Our request is to zone the 41 acres for supportive residential housing. Our 41 acres represent only 4.8% of the Basalt Creek Study area. The Metro jobs numbers have been exceeded even without our neighborhood through an industrial park.

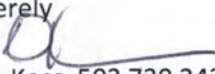
The land east of the property, and the northern portion of the property are both zoned residential, and both require site access through the remainder of the property. These owners will not be able to develop their property without access through the site. The lack of access off of Basalt Creek Parkway, and lack of ability to develop the 41 acres, will make site access incredibly difficult and expensive. There are a myriad of reasons why this land should be zoned residential, and almost no reason for it to be zoned employment. Whether it is because of common sense, need for SDC's, future property tax revenue, or simply to help alleviate what has been termed a housing crisis, all reasons point to a residential designation.

Unfortunately the Basalt Creek Study has no mediation or arbitration section. The agreement expires in September of 2019, but until then there is no way to get resolution between the two cities. We have kept Metro in the loop throughout this process. We believe there is a critical need for Multifamily housing in the Tualatin sub-region, as well as the region overall. We are willing to accept a condition that our 10 acres be high density residential. The density will have to taper down across the site in order to keep the trip counts at a net neutral.



We will agree to any reasonable conditions including trip counts. We simply ask for your help in coming to a reasonable solution. Tualatin can wait out the IGA, but the only effect of that will be to delay housing that is badly needed as well as SDC's that would really benefit the county. Thank you for your consideration.

Sincerely

  
Herb Koss 503 730 2431 email: [herb@kossred.com](mailto:herb@kossred.com)

Attachments and/ or Enclosures:

Basalt Creek Study-Summary of the Process

Letter from CESNW – Tony Weller analyzing the costs of preparing the site per the KPFF plan. Letter dated 5/18/17

Otak Letter 5/19/17

Testimony from professionals provided for the Feb. 2017 Tualatin Council meeting:  
PacTrust – Peter Bechan/Eric Sporre, Macadam Forbes- Stu Peterson,  
CESNW – Tony Weller, Otak- Don Hanson, Clopton Excavation- Brian Clopton,  
Leahy Excavation – Ken Leahy, Real Estate Investment Group- Mike Diamond

Letter to Mayor Odgen, Tualatin Staff and Tualatin City Council From Peter Watts 2/13/17

Pro and Con list

Map – Topo and Access issues

Memo from County regarding Road cut for Basalt Creek Parkway 2/1/17  
Verifies the cut to be 18 to 20 with no access





May 18, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

**RE: BASALT CREEK CENTRAL AREA – KPFF CONCEPT PLAN**

Dear Mr. Koss:

In response to your request we have reviewed the Basalt Creek Concept Plans prepared by KPFF with regards to the approximately 50 acres north and east of the intersection of Grahams Ferry road and Basalt Creek Parkway.

The KPFF study outlines three potential development schemes that share similarities between each scheme. Each scheme includes a single access point on Grahams Ferry Road at Tonquin Loop and no secondary or emergency access provided. The study also provides concept finish floor elevations and access road grades for each scheme. The summary shows either Scheme A or B as the higher rated concepts. We chose Scheme B to evaluate as the most highly ranked scheme.

Using the proposed grading plan for Scheme B, we calculated rough grading quantities and costs. Our estimate shows estimated grading totaling about 350,000 cubic yards. We also looked at the existing grades around the proposed parking and building areas for the potential need of retaining walls. The grading plan for this scheme showed some retaining walls but we believe additional walls would be required along the parking areas adjacent to the easterly property line and the downhill sides of Building B and Building D. We estimated the need for approximately 2400 lineal feet of retaining walls for these walls and the ones shown on the plan. We also believe additional smaller walls will likely be required for this plan as it is further developed. We did not provide any allowance for the smaller walls.

Our experience in this area on the site to the north, leads us to expect a significant amount of rock that is very near the surface. The proposed grading plan also includes significant depths of cut and fill. The fill in the south east corner of the site would be about 20-feet and cuts on the site that could be over 10-feet. Rock excavation is not very efficient and therefore more costly. Also to use the excavated rock materials as fill, will require additional processing or it may need to be supplemented with imported materials to accomplish the grading as proposed.

Mr. Herb Koss

**BASALT CREEK CENTRAL AREA – KPFF CONCEPT PLAN**

Page 2 of 2

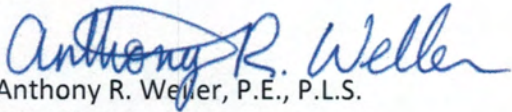
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For budgetary purposes, we would estimate \$30 per cubic yard for grading to reflect the rock excavation and potential imported fill needs for this site. This results in an estimated grading cost of \$10,500,000. At the anticipated wall heights, we have estimated \$1,200,000 for the retaining walls.

In summary, we feel the proposed grading plan is possible but it puts parking lot and access way slopes at the near maximums for industrial development. If you were to reduce slopes to improve the usability, it would require even more excavation and the costs would be even higher.

If you have any questions in regards to our analysis, please don't hesitate to contact us.

Sincerely,

A handwritten signature in blue ink that reads "Anthony R. Weller". The signature is fluid and cursive, with the first name being the most prominent.

Anthony R. Weller, P.E., P.L.S.

President

\3273\_CESNW\_KPFF



**PACTRUST**  
Pacific Realty Associates, L.P.

15350 S.W. Sequoia Pkwy., Suite 300  
Portland, Oregon 97224  
503/624-6300 • Facsimile: 503/624-7755

November 14, 2016

VIA EMAIL

Herb Koss  
2643 South Shore Boulevard  
Lake Oswego, OR 97034

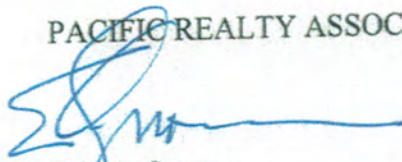
Dear Herb,

At the request of Peter Bechen, I toured your site north of the future Basalt Creek Parkway last week. PacTrust is developing an industrial park several miles north at 115<sup>th</sup> Avenue and Tualatin-Sherwood Road in Tualatin known as Koch Corporate Center. We are interested in locating a site to develop in the Coffee Creek area for light industrial uses. Unfortunately, the topography of your site makes development of industrial or flex buildings uneconomic. We believe housing would be a more appropriate use for the site. The smaller floor plates for housing enable it to work with slope conditions present on your property. Industrial/employment land requires sites to be much more flat due to dramatically larger floor plates, parking requirements, loading areas for trucks and ingress/egress concerns for trucks. There are several sites in the area that are more appropriate for industrial/employment development.

Let me know if you would like to discuss this further.

Yours very truly,

PACIFIC REALTY ASSOCIATES, L.P.



Eric A. Sporre  
*Vice President*

7/27/17

## **Pros and Cons for Residential Zoning for 41+ acres in Basalt Creek**

### **Pros:**

Land Originally brought into the UGB for employment land over 10 years ago. It should be noted that no specific site analysis was made at that time. No housing crisis existed when the land was brought in.

The current study already includes residential land. 4.8% of the land is only in question and being fought by Wilsonville.

### **Cons:**

Land is not suited for employment since the site preparation costs and needed retaining walls exceed the value of the land.

Poor access for employment since no access will be allowed from Basalt Creek Parkway.

Land is needed for supportive housing.

The land in question is only 4.8% of the land in the Basalt Creek Study area.

All of the land owners support a residential zone.

All of the neighboring land owners to the east support a residential zone.

The land owners to the east deserve good access to their land that can be developed between the 41 acres and Basalt Creek. Access through an industrial park is not an answer to this needed access.

Minimum grading would be needed if the land is zoned residential, which is not the case for an employment use.

The Metro jobs target has not only been met, but exceeded without the 41 acres being zoned for employment.

Fregonese and Asso. the lead land planning firm has stated that this land is not suited for Employment in his direct conversations with Mayor Ogden

Land that is zoned incorrectly will never be sold for development. Therefore no Property Tax revenue, no collections of SDC's, Some of the land is in Farm and Forest deferral which if developed would generate property tax revenues. It should be noted that Washington County has invested millions of dollars in this project with the intention of generating an employment based land supply --- problem is this 41 acres will never be developed for employment, but would generate tax revenue and SDC income if zoned for a residential use. Improper zoning generates no increase in property tax revenue and no income from SDC revenue.

\$7,500,000 in Transportation fee revenue is being held up by delaying the final zoning for the Basalt Creek area.



**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#); [Aquila Hurd-Ravich](#); [Frank Bubenik\(fbubenik@ci.tualatin.or.us\)](#); [Jeff Dehaan](#); [Joelle Davis \(jdavis@ci.tualatin.or.us\)](#); [lou ogden \(logden@ci.tualatin.or.us\)](#); [Louogden](#); [nancy grimes\(ngrimes@ci.tualatin.or.us\)](#); [Paul Morrison](#); [Robert Kellogg](#); [SherilynLombos](#)  
**Subject:** FW: Basalt Creek  
**Date:** Wednesday, August 30, 2017 8:41:58 AM  
**Attachments:** [CCE08292017.pdf](#)

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Dear Council and Tualatin Staff

I sent an email with a large amount of data so in some cases the servers will not Deliver the email.

I have prepared an abbreviated package, which is attached.

After sending Chair Duyck and the Washington County commissioners the full package I received an email, which stated that the County would not oppose a residential zone for the land in question, but since the IGA required all parties to concur it was too bad that no arbitration or mediation Clause was not in the agreement.

This process is and continues to be very frustrating. As I understand it the IGA expires in 9/2019.

It is still our hope that a resolution can be made. I had our professionals look at other options pertaining to our land, but the access issues, topography, buffers and extreme costs just cannot be overcome.

Sincerely  
Herb Koss -

**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net)  
**To:** [LouOgden](#); [Frank Bubenik](#); [Paul Morrison](#); [Jeff Dehaan](#); [Robert Kellogg](#); [Nancy Grimes](#); [Joelle Davis](#); [Sherilyn Lombos](#); [Alice Cannon](#); [Aquila Hurd-Ravich](#); [Karen Perl Fox](#); ["Andy Duyck"](#); [cao@co.washington.or.us](mailto:cao@co.washington.or.us); [Craig.Dirksen@oregonmetro.gov](mailto:Craig.Dirksen@oregonmetro.gov); [mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us); [scottstarr97070@gmail.com](mailto:scottstarr97070@gmail.com); [stevens@ci.wilsonville.or.us](mailto:stevens@ci.wilsonville.or.us); [lehan@ci.wilsonville.or.us](mailto:lehan@ci.wilsonville.or.us); [akervall@ci.wilsonville.or.us](mailto:akervall@ci.wilsonville.or.us); [cosgrove@ci.wilsonville.or.us](mailto:cosgrove@ci.wilsonville.or.us); ["Bateschell, Miranda"](#); [kraushaar@ci.wilsonville.or.us](mailto:kraushaar@ci.wilsonville.or.us)  
**Cc:** ["Kathy Re"](#); [GORDONROOT@aol.com](mailto:GORDONROOT@aol.com); [gordon@staffordlandcompany.com](mailto:gordon@staffordlandcompany.com)  
**Subject:** The Times 9/13/2017 "Metro could arbitrate Basalt Creek Dispute"  
**Date:** Monday, September 18, 2017 8:43:10 PM

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Tualatin Mayor Ogden, Council President Davis, Councilors Bubenik, Morrison, DeHaan, Kellogg, Grimes, City Manager Lombos, Asst. City Manager Cannon, Planning Manager Hurd-Ravich, Senior Planner Perl Fox, Wa. County Commission Chairman Duyck, Vice Chair District 3 Representative Rogers,  
Metro District 3 Councilor Dirksen, Wilsonville Mayor Knapp, Councilors Starr, Stevens, Lehan, Akervall, City Manager Cosgrove, Long Range Planning Manager Bateschell, City Engineer Kraushaar:

First, I sincerely thank you all for your service and dedication to the common goal – the betterment of our region, our great cities and our citizens – I respect you all – I could not do your job.

After many years of Basalt Creek Project meetings, planning, consultants, hashing and rehashing that due to the fact that everyone wanting the best for the area and to “do it right”- we find ourselves at a roadblock - a stalemate - (“the Central Sub Area **CAN** feasibly be developed for jobs” – “the Central Sub Area **CANNOT** feasibly be developed for jobs” thus holding up the entire Basalt Creek Project with virtually no end in sight. As mayor Ogden summed it up “... we’re good friends and we just haven’t been able to come to the same comprehension of this ink blot...”).

We have followed this area since before it was voted into the UGB – attended many meetings and ideas may differ but there is always one common thread – everyone wants to do what is best for the area.

So we can do nothing and wait until the extended IGA runs out in September of 2019 – but then what – we are still at an impasse or – but we have thoughtful alternatives.

- **Change the Boundary Line** - Wilsonville has done independent studies to show this area can be developed into jobs and are ready and willing and able to absorb the property.
- **Adopt the Concept Plan AS IS with the exclusion of the Sub Area** – the sub area is out of the discussion until further exhaustive / independent studies can done to see if the land can or cannot be feasibly developed for jobs (“make sure we get it right”) and this is the alternative we feel is best and we absolutely fully support.

Everybody has spent countless hours and efforts to make this project successful and it’s a great Concept Plan - it’s time to make a decision and move forward with The Basalt Creek Project.

Thank you very much,  
Tom & Kathy Re  
23500 SW Boones Ferry Rd.  
Tualatin, OR. 97062

503-482-5157

**From:** [G Lucini](#)  
**To:** [Aquilla Hurd-Ravich](#); [Karen Perl Fox](#); [Bateschell, Miranda](#)  
**Subject:** RE: Basalt Creek - Notice of Upcoming Meetings for November  
**Date:** Wednesday, November 15, 2017 6:35:43 PM  
**Attachments:** [image006.png](#)  
[image002.png](#)  
[image004.jpg](#)  
[image009.jpg](#)

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*Aquilla, Karen and Miranda,*

*It became apparent at the end of the Tualatin Council Work Session and the beginning of the Tualatin Council Meeting on Monday 11-13-17, that the Basalt Creek IGA Agenda topic had been removed from the Council agenda. The Mayor of Tualatin made an announcement indicating the Basalt Creek IGA agenda item had been removed from the evening's agenda, and would be placed back on the Tualatin Council and the Wilsonville Council agendas in December.*

*In the interest of encouraging transparency, of improving public involvement, and for the inclusion of the "Interested Persons regarding Basalt Creek Concept Planning", it should be noted that timely and accurate communication with the public via the previously publicized means of communication, are diminished or not functional.*

*A Notice of two Public Meetings on Basalt Creek Concept Planning scheduled for November 2017 was sent via email and snail mail at the beginning of the month.*

An Intergovernmental Agreement (IGA) between the Cities of Tualatin and Wilsonville, Metro and Washington County is proposed for consideration by the two City Councils. The IGA provides a process to determine the land use designation for the Central Subarea of the Basalt Creek Planning Area:

**Tualatin City Council Meeting: November 13, 2017 at 7PM at the Juanita Pohl Center**, 8513 SW Tualatin Road, Tualatin, OR 97062 (materials will be posted one week in advance on the City's website at <https://www.tualatinoregon.gov>).

**Wilsonville City Council Meeting: November 20, 2017, 7PM at City Hall**, 29799 SW Town Center Loop E, Wilsonville, OR 97070 (materials will be posted one week in advance of the meeting on the City's website at <http://www.ci.wilsonville.or.us>).

*This Notice was followed by a General Notice as part the Tualatin City Council 11-13-17 Meeting Agenda on the City of Tualatin website. On Monday 11-6-2017 the City of Tualatin posted the Council 11-13-17 Agenda with Topic F3 "**Consideration of Basalt Creek Intergovernmental Agreement**".*

*It is questionable if either of these Notices regarding Basalt Creek Concept Planning, meet the intent of the Oregon Public Meeting Laws as to the depth of information to be provided in Notice- per the Oregon Public Meetings Manual 2014. The Notice and the Tualatin agenda topic did not provide information about the important issues within the IGA being presented for discussion—what was the anticipated action, change or*



*issue up for clarification?*

*The agenda topic as presented was extremely broad regarding a long term planning process which involves hundreds of acres of land, changes in jurisdiction, changes in land use and has significant expenses associated with the project .*

The Public Meetings Law requires that the notice of any meeting “include a list of the principal subjects anticipated to be considered at the meeting.” ORS 192.640(1). This list should be specific enough to permit members of the public to recognize the matters in which they are interested. This requirement ordinarily would be met by dissemination of an agenda. The agenda need not go into detail about subjects scheduled for discussion or action, but it should be sufficiently descriptive so that interested persons will get an accurate picture of the agenda topics.

For example, “public works contract” probably is not a sufficient description when the governing body intends to let a contract for demolition of a landmark building.

The Public Meetings Law does not require that every proposed item of business be described in the notice.

The law requires a reasonable effort to inform the public and interested persons, including news media, of the nature of the more important issues (“principal subjects”) coming before the body

*While it is understandable that adjustments might be made to agenda items--due to the unforeseen events, it would be helpful to citizens who might attend Public Meetings on this topic ---to have been provided advance notice of a change in the Tualatin City Council 11-13-17 agenda- when the Basalt Creek IGA topic was removed from the agenda. The decision to remove the topic from that night’s Council meeting had already been made prior to close of business that day.*

*Apparently, Tualatin City staff notified only some members of the public by email at 4:44Pm about the change in that night’s Council agenda.*

*However, the email was never distributed to the entire Basalt Creek Interested Persons list, as neither I nor my husband received a copy directly from the City of Tualatin and both of us have submitted written request for Notice, and we have been included on previous distribution lists for Basalt Creek Concept Planning. A copy of the email below was forwarded to me by another citizen.*

*Two days later, neither my husband nor I have received a copy of the email below from the City of Tualatin--nor have we been provided the dates for the re-scheduled Public Meetings----directly from either city. This may be the case for many other Interested Persons.*

*Out of respect for all citizens, and as a method for improving communication- it would have been reasonable for all members of the Interested Persons list to have received this email prior to the Tualatin Council Meeting on 11-13-17 and prior to the upcoming Wilsonville Council Meeting on 11-20-17.*

**From:** Lynette Sanford [<mailto:LSanford@tualatin.gov>]

**Sent:** Monday, November 13, 2017 4:44 PM

**Subject:** Second November Basalt Creek Notice

November 13, 2017

Greetings,

Thank you for your continued interest in the Basalt Creek Concept Plan project.

An Intergovernmental Agreement (IGA) between the Cities of Tualatin and Wilsonville, Metro and Washington County is proposed for consideration by the two City Councils. The IGA provides a process to determine the land use designation for the Central Subarea of the Basalt Creek Planning Area:

***The Tualatin City Council agenda item below has been postponed from tonight's City Council meeting, and will be rescheduled to the December 11, 2017 Tualatin City Council meeting. Tualatin City Council Meeting: November 13, 2017 at 7PM at the Juanita Pohl Center, 8513 SW Tualatin Road, Tualatin, OR 97062 (materials will be posted one week in advance on the City's website at <https://www.tualatinoregon.gov>).***

***The Wilsonville City Council agenda item listed below will also be postponed and will be rescheduled to the December 18, 2017 Wilsonville City Council meeting. Wilsonville City Council Meeting: November 20, 2017, 7PM at City Hall, 29799 SW Town Center Loop E, Wilsonville, OR 97070 (materials will be posted one week in advance of the meeting on the City's website at <http://www.ci.wilsonville.or.us>).***

Please stay current on concept planning news by signing up for email updates on the project website at [www.BasaltCreek.com](http://www.BasaltCreek.com). Information about upcoming meetings will be included in future email updates as well as on the website project calendar. If you have questions or desire more information, please feel free to contact:

**Karen Perl Fox**

Senior Long-Range Planner

City of Tualatin | Community Development Dept | Planning Division

Phone: 503-691-3027 | Email: [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)

**Miranda Bateschell**

Planning Manager

City of Wilsonville | Community Development Dept | Planning Division

Phone: 503-570-1581 | Email: [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)

*Another vehicle which had been publicized by both cities as a method to provide General Notice on Basalt Creek Concept planning events and information, was the BasaltCreek.com website.*

*However, the BasaltCreek.com website never posted any Public Meetings for the month of November 2017 within the website Calendar of Events, nor does it indicate any Public Meetings for the*

*upcoming month of December. It is apparent the website is not being updated.*

*By the lack of current information within the Events Calendar, the public is not being provided proper Notice. In fact, if one were to look at the website, the lack of any posted Public Meetings, implies there are no Public Meetings on Basalt Creek Concept Planning happening- when the opposite is actually the case.*



*As a property owner within the Basalt Creek Area, as a person directly affected by Basalt Creek Concept Planning, and as a citizen who is not represented by an elected official within the negotiations of the cities of Tualatin and Wilsonville Concept Planning process, I have to rely upon the cities of Tualatin and Wilsonville to provide adequate communication regarding Public Meetings, and of any significant changes in documents or anticipated changes in the process stated for Basalt Creek concept planning. For transparency, this type of information should be updated, handled and distributed in a timely manner, to all who have provided written request for Notice, and to the public sites which have been identified by the cities in the past.*

*As I have requested previously, the methods of communication with the citizens of the area need to be done in spirit of providing and improving governmental transparency of the Concept Planning process- in an effort to promote better understanding of the issues which may affect local citizens.*

*This concept was stated as the only inclusion in the Partnership Agreement Revision of April 2014.*

DATE: 04/28/2014

SUBJECT: Basalt Creek Concept Plan Project - Update and Presentation of Partnering Agreement and Public Involvement Plan

PARTNERING AGREEMENT The Partnering Agreement (Attachment A) presented tonight is substantially the same as that presented to City Council at the January 13, 2014 work session; however, it has been revised to include a statement about compliance with Oregon Public Meetings Law (ORS 192.610-192.690) in notice and conduct of all public meetings for the project.

*“Staff members will follow Oregon Public Meetings Law (ORS 192.610 -192.690) in notice and conduct of public meetings for the project.”*

*Consequently I am submitting a list of actions which I hope may improve communication, transparency, and Notice with citizens- including Interested Persons- regarding Basalt Creek Concept Planning:*

1. **General Notice -BasaltCreek.com website- Options available for consideration:**

- a. *Remove the website- to remove the possibility the public will assume the information on the website is timely or accurate- **OR***
- b. *Boldly and clearly post on the BasaltCreek.com – that it is no longer a reliable source of current information, that it is not being maintained nor updated-**OR***
- c. *Maintain the website:*
  - I. *Assign responsibility to a staff member to post accurate updated information which provides citizens pertinent of all data/reports/ documents reflective of all points of view which have been presented in Public Meetings- to allow for fully informed citizens*
  - II. *Assign responsibility to a staff member to make timely updates the Calendar of Events in order to provide General Notice of all known future Public Meetings on Basalt Creek Concept Planning.*

2. **Notice to known and identified Interested Persons**

- a) *Distribute Notice to ALL identified Interested Persons- of changes &/or new postings of ALL known Public Meetings on Basalt Creek Concept Planning*
  - I. *The distribution list should be checked for accuracy and updated in a timely manner with revisions or additions to the list*
  - III. *Effort should be made to ensure ALL members of the distribution list receive Notice*
  - IV. *All known Public Meetings- including meetings held by the cities of Tualatin, Wilsonville, Washington County, Metro- or other agencies where Basalt Creek Concept Planning will be an agenda item should be included within the Notice- as*



*an identified responsibility of the project administrator.*

- *Basalt Creek Project staff retain the main distribution list of Interested Persons who have provided written request for individual Notice of Public Meetings on Basalt Creek Concept Planning.*
- *Basalt Creek Project staff will most likely be aware of Public Meetings of various governmental agencies on the topic- when information is requested of them from outside agencies, or when staff members present information to those agencies.*

*b) Distribution of Notice in a timely manner*

- I. *Notice should be distributed in a timely manner when ALL Public Meetings on Basalt Creek Concept Planning are scheduled (see also 2-a-iv above)*
- II. *It would be respectful to citizens- as time allows- for distribution of changes to a previous Notice - be provided when Basalt Creek Concept Planning discussion topic is removed or reschedule from an agenda of a Public Meeting.*
  - *Apparently the decision to remove the topic from the 11-13-17 Tualatin agenda was made the day of the Council meeting, yet some citizens were informed of the change prior to the meeting- and other Interested Persons were not notified.*

*c) Include specific links to or embed critical documents pertinent to the Public Meeting within Notice, City websites, and/or BasaltCreek.com website.*

- I. *If available--- including easily assessable links to specific documents will assist in making an informed public-*
- II. *A significant change in Basalt Creek concept planning is apparently being proposed and/or a revision to the existing IGA is to be presented to the Councils.*
  - *It would improve transparency and improve public understanding- if the proposed document was distributed to Interested Persons and posted to the BasaltCreek.com website-- --- as soon as it is available.*
  - *The public would be assisted by receiving access to the proposed document in a sufficient amount of time to review the proposed IGA revision prior to a Public Meeting*

*There are other actions which can be taken to improve communication and transparency of process- these are just a few suggestions.*

*Let me know should you have any questions.*

*Regards,  
Grace Lucini*

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**From:** G. Lucini [mailto:grluci@gmail.com]  
**Sent:** Monday, November 6, 2017 6:22 PM  
**To:** Aquilla Hurd-Ravich <AHURD-RAVICH@tualatin.gov>

**Subject:** Re: Basalt Creek - Notice of Upcoming Meetings for November

Thanks- I would appreciate receiving any updates.

Hope all is well with you.

Will I see you at the meeting on the 13th?

Grace

Sent from my iPhone

On Nov 6, 2017, at 4:54 PM, Aquilla Hurd-Ravich <[AHURD-RAVICH@tualatin.gov](mailto:AHURD-RAVICH@tualatin.gov)> wrote:

Hi Grace,

Good to hear from you. Yes there should be more information prior to the meeting. We can send you a link when the information is added.

Thanks,

**Aquilla Hurd-Ravich**

503.691.3028

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**From:** G Lucini [<mailto:grluci@gmail.com>]

**Sent:** Monday, November 06, 2017 4:44 PM

**To:** Karen Perl Fox; Aquilla Hurd-Ravich

**Subject:** FW: Basalt Creek - Notice of Upcoming Meetings for November

Hi Karen and Aquilla,

I saw the minutes for the Council Meeting for 11-13-2017 have been posted, as indicated would be done, in the Basalt Creek Update Notice for November 2017.

Is it anticipated there will be an informational packet or *any* supporting documents/information posted for the 11-13-17 Tualatin City Council Meeting Agenda Item – F- GENERAL BUSINESS #3 Consideration of Basalt Creek Intergovernmental Agreement, prior to 11-13-17?

Thanks,

Grace Lucini



**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net)  
**To:** [LouOgden](mailto:LouOgden); [mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us); [Aquilla Hurd-Ravich](mailto:Aquilla Hurd-Ravich); [Alice Cannon](mailto:Alice Cannon); [Karen Perl Fox](mailto:Karen Perl Fox); "Andy Duyck"; [Craig.Dirksen@oregonmetro.gov](mailto:Craig.Dirksen@oregonmetro.gov); [cao@co.washington.or.us](mailto:cao@co.washington.or.us); "Bateschell, Miranda"  
**Cc:** [gordonroot@aol.com](mailto:gordonroot@aol.com); [gordon@staffordlandcompany.com](mailto:gordon@staffordlandcompany.com); [levi@staffordlandcompany.com](mailto:levi@staffordlandcompany.com)  
**Subject:** Basalt Creek Project / Dispute Resolution  
**Date:** Wednesday, November 15, 2017 11:28:32 AM

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Good Morning / Afternoon all:

1<sup>st</sup> – thank you for all your diligence with this project – seemingly everyone has the same goal:

- To get Basalt Creek right.
- To get Basalt Creek adopted and moving forward.

That said, I am extremely disappointed once again to be getting somewhere then take a step (or two backward). Case in point – Metro arbitrating the Sub Area with City meetings scheduled ... then the Basalt Agenda removed from City meeting day of(?).

If my understanding is correct that to go forward with Basalt Creek Project all parties must agree with land use plan (with Metro arbitrating the Sub Area) – if that is correct my absolute concern is that we did not learn from the original (and then extended) IGA agreement that did not include disagreement resolution arbitration issues.

Regarding Sub Area – I do not know what the area is suitable for or actually feasible for (residential or employment) I just listen to both Wilsonville and Tualatin's consultant's findings but it is absolutely as crystal clear as crystal clear could possibly be that if the Sub Area is not designated Residential that an ownership group will litigate it until it is designated to their satisfaction – thus holding up the ENTIRE Basalt Creek Project – all of the other properties and owners.

Please, strongly consider adopting the Concept Land Use Plan as stated – with Metro arbitrating the sub Area, that includes a Disagreement Resolution that **Does Not** include holding up the entire area until a group of owners are happy with your decision.

Thank you for your time,

Tom Re  
23500 SW Boones Ferry Rd.  
503-482-5157



**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#)  
**Cc:** [peter.watts@jordanramis.com](mailto:peter.watts@jordanramis.com); [LouOgden](#)  
**Subject:** FW: Basalt Creek - Notice of Upcoming Meetings for November  
**Date:** Thursday, November 09, 2017 1:27:01 PM  
**Attachments:** [image002.png](#)

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Hello Alice

I have had some text messages from Mayor Ogden and he has said that Metro will be making the decision on our Land Zoning for the land North of Basalt Creek Parkway on the East side of Grahams Ferry Road.

Can you provide some additional details on this please? Is the Basalt Creek Plan going to be completed without the zone being determined? Is Metro going to have a hearings process? Who at Metro should we be in contact with?

Some additional information would be appreciated.

Thank you.

Herb Koss

Begin forwarded message:

**From:** Lynette Sanford <[LSanford@tualatin.gov](mailto:LSanford@tualatin.gov)>  
**Date:** November 3, 2017 at 8:15:34 AM PDT  
**To:** Undisclosed recipients;;  
**Subject: Basalt Creek - Notice of Upcoming Meetings for November**

Greetings,

Thank you for your continued interest in the Basalt Creek Concept Plan project.

An Intergovernmental Agreement (IGA) between the Cities of Tualatin and Wilsonville, Metro and Washington County is proposed for consideration by the two City Councils. The IGA provides a process to determine the land use designation for the Central Subarea of the Basalt Creek Planning Area:

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**Karen Perl Fox**

Senior Long-Range Planner

City of Tualatin | Community Development Dept | Planning Division

Phone: 503-691-3027 | Email: [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)

**Miranda Bateschell**

Planning Manager

City of Wilsonville | Community Development Dept | Planning Division

Phone: 503-570-1581 | Email: [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)

**From:** [gordonroot@aol.com](mailto:gordonroot@aol.com)  
**To:** [lou@louogden.com](mailto:lou@louogden.com); [slombos@ci.tualatin.or.us](mailto:slombos@ci.tualatin.or.us); [acannon@ci.tualatin.or.us](mailto:acannon@ci.tualatin.or.us); [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); [fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us); [jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us); [logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us); [ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us); [Paul Morrison](mailto:PaulMorrison@kellog@tualatin.gov); [lehan@ci.wilsonville.or.us](mailto:lehan@ci.wilsonville.or.us); [akervall@ci.wilsonville.or.us](mailto:akervall@ci.wilsonville.or.us); [mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us); [scottstarr97070@gmail.com](mailto:scottstarr97070@gmail.com); [stevens@ci.wilsonville.or.us](mailto:stevens@ci.wilsonville.or.us); [Jeff Dehaan](mailto:Jeff Dehaan)  
**Cc:** [grluci@gmail.com](mailto:grluci@gmail.com); [Tomreinc@aol.com](mailto:Tomreinc@aol.com)  
**Subject:** IGA  
**Date:** Wednesday, December 06, 2017 1:46:01 PM

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Hello All:

While I applaud the effort to come up with a solution to the current stalemate, I have had the opportunity to review the proposed IGA and have the following comments:

1. While the parties to this Agreement include Metro, Washington County, the City of Tualatin and the City of Wilsonville, it is noticeably missing the Property Owners.
2. Without the Property Owners as a Party to this Agreement, it is not really Binding or Non-Appealable. While the Agreement may be binding upon the parties to the Agreement, it is not on the Property Owners.
3. There is no time limit in here for Metro's decision. It is crucial that Metro commit to a schedule. The part of this paragraph this is most troubling to me is that Metro is tasked with establishing, among other things, "...a briefing schedule, whether or not to hear oral argument, and the ground rules that must be adhered to by the Cities and County throughout the process. Metro may require the Cities and County to sign ground rules and decision protocol, as determined by Metro."

Call be a cynic here, but I have been involved in this process since 2002. I have heard that Metro "would like to render a decision by the end of March", and if so, put it in the document!

Otherwise, the language referred to above sounds like a whole lot of government involvement, which does not move fast, and could take on a life of it's own...the crafting of the language and rules by Metro, if these have to be read and approved at City Council meetings, etc. Then add on top of that, a "briefing schedule", and possible oral arguments. This process is sure to protract without specific time periods.

4. The time periods once Metro arrives at a decision. 120 days to Adopt the Concept Plan, then one year to amend the City's Concept Plan. Really? Another 16 months after Metro reaches a decision.

5. If Metro determines the Central Sub Area should be designated as Employment Lands, I can say with absolute certainty that the property owners will appeal the decision by Metro, in the event that Metro designates this property as anything other than residential. In anticipation of such an event, I feel that language should be added that to this IGA, that anticipates this happening:

*"In the event of any appeal of the decision by Metro by others not party to this*

*Agreement, the balance of the Basalt Creek Plan shall be adopted and the Cities of Tualatin and Wilsonville are free and to move forward with the annexation of the properties outside of the Central Sub Area, consistent with the Plan".*

The addition of this language is paramount in my mind to move the properties not in the Central Sub Area, but which are included in the Basalt Creek Plan forward. There has been so much time pass, every deadline in the original Metro Ordinance has failed to be met and we need to have the freedom to not be held hostage by the property owners in the Central Sub Area. It was actually my understanding that this was going to be the case, but somehow that concept was derailed.

Thank you for you time and consideration,

Gordon Root | Principal

**STAFFORD**  
LAND COMPANY  
INC

[StaffordLandCompany.com](http://StaffordLandCompany.com)

[503.720.0914](tel:503.720.0914) | [Cell](tel:503.720.0914)

[gordon@staffordlandcompany.com](mailto:gordon@staffordlandcompany.com)

[485 South State Street, Lake Oswego, OR 97034](https://www.staffordlandcompany.com/485-South-State-Street-Lake-Oswego-OR-97034)

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**From:** [Tomreinc@aol.com](mailto:Tomreinc@aol.com)  
**To:** [gordonroot@aol.com](mailto:gordonroot@aol.com); [lou@louogden.com](mailto:lou@louogden.com); [slombos@ci.tualatin.or.us](mailto:slombos@ci.tualatin.or.us); [acannon@ci.tualatin.or.us](mailto:acannon@ci.tualatin.or.us); [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); [fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us); [jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us); [logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us); [ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us); [Paul Morrison](mailto:Paul.Morrison@tualatin.gov); [rkellog@tualatin.gov](mailto:rkellog@tualatin.gov); [lehan@ci.wilsonville.or.us](mailto:lehan@ci.wilsonville.or.us); [akervall@ci.wilsonville.or.us](mailto:akervall@ci.wilsonville.or.us); [mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us); [scottstarr97070@gmail.com](mailto:scottstarr97070@gmail.com); [stevens@ci.wilsonville.or.us](mailto:stevens@ci.wilsonville.or.us); [Jeff Dehaan](mailto:Jeff.Dehaan)  
**Cc:** [grluci@gmail.com](mailto:grluci@gmail.com)  
**Subject:** RE: IGA  
**Date:** Thursday, December 07, 2017 10:47:52 AM

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Great Morning Mayors / Council Presidents / Councilors / City Managers (Everybody ☺)

Gordon Root's message is concise and spot on. I do not know what designation is best or actually even feasible for the Central Sub Area and after listening to both Cities' paid outside consultants – interestingly, I still don't. I do know Tualatin needs more developed residential lands.

While I absolutely commend Metro for stepping in and resolving an impasse what our two great, neighboring Cities could not, I am more than concerned with the wording of the IGA that is being proposed. Based on past IGA agreements I think before anything is signed it is imperative to have at the absolute very least a very clear understanding of what information and facts that Metro will require to make a decision and how long it will take for Metro to render it and those specifics be included in the IGA.

Another large concern is that if Metro does not designate the Central Sub Area as a property owners group see fit, they will most certainly litigate and appeal until they are satisfied with the designation, thus holding up the entire Basalt Creek Project for both Cities, property owners and residents once again.

In this new IGA please consider these concerns. Please do not handcuff this entire Project. Please include (it has to be possible) a Dispute Resolution Claus that allows the Cities to go forward with this Project, without restriction, if Metro's Central Sub Area designation is protested. The Central Sub Area is specific and it can take a life on its own and may take years until further studies are completed to make a decision.

It's time to move forward.  
Thank you,

Tom Re  
23500 SW Boones Ferry Rd.  
Tualatin  
503-482-5157

---

**From:** [gordonroot@aol.com](mailto:gordonroot@aol.com) [mailto:[gordonroot@aol.com](mailto:gordonroot@aol.com)]  
**Sent:** Wednesday, December 6, 2017 1:46 PM  
**To:** [lou@louogden.com](mailto:lou@louogden.com); [slombos@ci.tualatin.or.us](mailto:slombos@ci.tualatin.or.us); [acannon@ci.tualatin.or.us](mailto:acannon@ci.tualatin.or.us); [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); [fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us); [jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us); [logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us); [ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us); [pmorrison@tualatin.gov](mailto:pmorrison@tualatin.gov); [rkellog@tualatin.gov](mailto:rkellog@tualatin.gov); [lehan@ci.wilsonville.or.us](mailto:lehan@ci.wilsonville.or.us); [akervall@ci.wilsonville.or.us](mailto:akervall@ci.wilsonville.or.us); [mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us); [scottstarr97070@gmail.com](mailto:scottstarr97070@gmail.com); [stevens@ci.wilsonville.or.us](mailto:stevens@ci.wilsonville.or.us); [jdehaan@tualatin.gov](mailto:jdehaan@tualatin.gov)

Cc: grluci@gmail.com; Tomreinc@aol.com

Subject: IGA

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Call be a cynic here, but I have been involved in this process since 2002. I have heard that Metro "would like to render a decision by the end of March", and if so, put it in the document!

Otherwise, the language referred to above sounds like a whole lot of government involvement, which *does not* move fast, and could take on a life of it's own...the crafting of the language and rules by Metro, if these have to be read and approved at City Council meetings, etc. Then add on top of that, a "briefing schedule", and possible oral arguments. This process is sure to protract without specific time periods.

4. The time periods once Metro arrives at a decision. 120 days to Adopt the Concept Plan, then one year to amend the City's Concept Plan. Really? Another 16 months after Metro reaches a decision.
5. If Metro determines the Central Sub Area should be designated as Employment Lands, I can say with absolute certainty that the property owners will appeal the decision by Metro, in the event that Metro designates this property as anything other than residential. In anticipation of such an event, I feel that language should be added that to this IGA, that anticipates this happening:

*"In the event of any appeal of the decision by Metro by others not party to this Agreement, the balance of the Basalt Creek Plan shall be adopted and the Cities of Tualatin and Wilsonville are free and to move forward with the annexation of the properties outside of the Central Sub Area, consistent with the Plan".*

The addition of this language is paramount in my mind to move the properties not in the Central Sub Area, but which are included in the Basalt Creek Plan forward. There has been so much time pass, every deadline in the original Metro Ordinance has failed to be met and we need to have the freedom to not be held hostage by the property owners in the Central Sub Area. It was actually my understanding that this was going to be the case, but somehow that concept was derailed.

Thank you for you time and consideration,

Gordon Root | Principal

**STAFFORD**  
LAND COMPANY  
INC

[StaffordLandCompany.com](http://StaffordLandCompany.com)

[503.720.0914](tel:503.720.0914) | [Cell](tel:503.720.0914)

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**From:** [Herb Koss](#)  
**To:** [logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Frank Bubenik \(fbubenik@ci.tualatin.or.us\)](mailto:fbubenik@ci.tualatin.or.us); [jeff DeHaan](#); [Joelle Davis \(jdavis@ci.tualatin.or.us\)](mailto:jdavis@ci.tualatin.or.us); [Louogden](#); [nancy grimes \(ngrimes@ci.tualatin.or.us\)](mailto:ngrimes@ci.tualatin.or.us); [paul morrison](#); [robert kellogg](#); [Sherilyn Lombos](#)  
**Subject:** FW: IGA Basalt Creek  
**Date:** Saturday, December 09, 2017 3:24:37 PM

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Regarding IGA on agenda 12/11/17

Dear Mayor Ogden and Council Members

All of the land owners involved in the disputed area (41 acres) are very appreciative of the Council support for our land being zoned residential.

Having Metro make the decision seems to be a good resolution to the present impasse created by the City of Wilsonville.

The IGA seems to be well written and I support the IGA being signed by the City of Tualatin.

Sincerely

Herb Koss – Property owner





**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR  
DECEMBER 11, 2017**

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Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Teen Program Specialist Julie Ludemann; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; Associate Planner Erin Engman; City Engineer Jeff Fuchs

**A. CALL TO ORDER**

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:02 p.m.

**B. ANNOUNCEMENTS**

**1. Update on the Tualatin Youth Advisory Council's Activities for December**

Members of the Youth Advisory Committee (YAC) presented a PowerPoint on their latest activities and upcoming events. YAC members participated in the Starry Nights and Holiday Lights event on December 1. Upcoming events include Park After Dark and preparations for Project FRIENDS.

**2. New Employee Introduction- Betsy Ruef, Community Engagement Coordinator**

Assistant to the City Manager Tanya Williams introduced Community Engagement Coordinator Betsy Ruef. The Council welcomed her.

**3. New Employee Introduction- Jonathan Taylor, Economic Development Program Manager**

Assistant City Manager Alice Cannon introduced Economic Development Program Manager Jonathan Taylor. The Council welcomed him.

**4. Proclamation Declaring December 10, 2017 as Human Rights Day in the City of Tualatin**

Council President Joelle Davis read the proclamation declaring December 10, 2017 as Human Rights Day in the City of Tualatin.

**C. CITIZEN COMMENTS**

*This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

Scott Chamburg spoke to concerns of the proposed location of the bridge in the basalt creek area. He spoke to the potential affects it could have on his property value.

Dorothy Cofield, legal representative for the Tualatin Professional Center, spoke to concerns they have regarding the IGA with Clackamas County on the consent agenda. They believe it will affect the north accesses to their properties. She requested the item be heard separately.

**D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Councilor Jeff DeHaan, SECONDED by Council President Joelle Davis to adopt the consent agenda.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Work Session and Regular Meeting of November 13, 2017
2. Consideration of Approval of a New Liquor License Application for Benza Vineyards
3. Consideration of the System Development Charge (SDC) Annual Reports on Sewer, Storm, Water, and Transportation Development Tax (TDT) for Fiscal Year 2016/2017
4. Consideration of the Parks System Development Charge (SDC) Annual Report for Fiscal Year 2016/2017

**E. PUBLIC HEARINGS – Quasi-Judicial**

1. Request for Review of MAR17-0041, Tualatin Professional Center Parking Lot Improvement Land Use Decision Located at 6464 SW Borland Road



**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net)  
**To:** [LouOgden](#); [mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us); [Aquila Hurd-Ravich](#); [Alice Cannon](#); [Karen Perl Fox](#); ["Andy Duyck"](#); [Craig.Dirksen@oregonmetro.gov](mailto:Craig.Dirksen@oregonmetro.gov); [cao@co.washington.or.us](mailto:cao@co.washington.or.us); ["Bateschell, Miranda"](#)  
**Cc:** [gordonroot@aol.com](mailto:gordonroot@aol.com); [gordon@staffordlandcompany.com](mailto:gordon@staffordlandcompany.com); [levi@staffordlandcompany.com](mailto:levi@staffordlandcompany.com); ["Kathy Re"](#)  
**Subject:** Thank You  
**Date:** Tuesday, December 12, 2017 9:43:43 AM  
**Attachments:** [image001.jpg](#)

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Mayor:

My thank you for your asking and to Councilor Dirksen for sticking around a bit longer and also for letting me ask a few questions (albeit not very eloquently). When my wife got home she asked me how many people I offended --- I don't think I did this time 😊.

After listening to Councilor Dirksen I trust a Basalt Creek Central Sub Area resolution will be under way promptly and decision rendered in early 2018. I also have trust and full faith that no matter what Metro decides - Tualatin will be moving forward unencumbered toward adopting the Concept Plan.

It's time to move forward.

Thank you,  
Tom Re  
23500 SW Boones Ferry Rd.  
Tualatin, OR. 97062  
503-482-5157

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**From:** Lou Ogden [<mailto:lou@louogden.com>]  
**Sent:** Wednesday, November 15, 2017 11:35 AM  
**To:** [tom.re@comcast.net](mailto:tom.re@comcast.net); [mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us); 'Aquila Hurd-Ravich'; [acannon@ci.tualatin.or.us](mailto:acannon@ci.tualatin.or.us); 'Karen Perl Fox'; 'Andy Duyck'; [Craig.Dirksen@oregonmetro.gov](mailto:Craig.Dirksen@oregonmetro.gov); [cao@co.washington.or.us](mailto:cao@co.washington.or.us); 'Bateschell, Miranda'  
**Cc:** [gordonroot@aol.com](mailto:gordonroot@aol.com); [gordon@staffordlandcompany.com](mailto:gordon@staffordlandcompany.com); [levi@staffordlandcompany.com](mailto:levi@staffordlandcompany.com)  
**Subject:** Re: Basalt Creek Project / Dispute Resolution

Thanks Tom, I have expressed that very point, that no matter what Metro decides, we are DONE! And we will be moving forward unencumbered toward adopting the c Concept Plan, updating our individual Comprehensive Plans, and begin annexing and issuing building permits, where the necessary infrastructure is in place or in the process of building

Thanks,

1473988944821\_RSP



Resource Strategies Planning Group

Group Benefits & Life, Health, Disability, & Long Term Care Insurance for  
Businesses and Individuals  
21040 SW 90th Ave. Tualatin, OR 97062  
Phone 503.692.0163; Fax 503.385.0320  
[lou@louogden.com](mailto:lou@louogden.com)

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**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net) <[tom.re@comcast.net](mailto:tom.re@comcast.net)>  
**Sent:** Wednesday, November 15, 2017 11:28 AM  
**To:** Lou Ogden; [mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us); 'Aquilla Hurd-Ravich'; [acannon@ci.tualatin.or.us](mailto:acannon@ci.tualatin.or.us); 'Karen Perl Fox'; 'Andy Duyck'; [Craig.Dirksen@oregonmetro.gov](mailto:Craig.Dirksen@oregonmetro.gov); [cao@co.washington.or.us](mailto:cao@co.washington.or.us); 'Bateschell, Miranda'  
**Cc:** [gordonroot@aol.com](mailto:gordonroot@aol.com); [gordon@staffordlandcompany.com](mailto:gordon@staffordlandcompany.com); [levi@staffordlandcompany.com](mailto:levi@staffordlandcompany.com)  
**Subject:** Basalt Creek Project / Dispute Resolution

Good Morning / Afternoon all:

1<sup>st</sup> – thank you for all your diligence with this project – seemingly everyone has the same goal:

To get Basalt Creek right.

To get Basalt Creek adopted and moving forward.

That said, I am extremely disappointed once again to be getting somewhere then take a step (or two backward). Case in point – Metro arbitrating the Sub Area with City meetings scheduled ... then the Basalt Agenda removed from City meeting day of(?).

If my understanding is correct that to go forward with Basalt Creek Project all parties must agree with land use plan (with Metro arbitrating the Sub Area) – if that is correct my absolute concern is that we did not learn from the original (and then extended) IGA agreement that did not include disagreement resolution arbitration issues.

Regarding Sub Area – I do not know what the area is suitable for or actually feasible for (residential or employment) I just listen to both Wilsonville and Tualatin's consultant's findings but it is absolutely as crystal clear as crystal clear could possibly be that if the Sub Area is not designated Residential that an ownership group will litigate it until it is designated to their satisfaction – thus holding up the ENTIRE Basalt Creek Project – all of the other properties and owners.

Please, strongly consider adopting the Concept Land Use Plan as stated – with Metro arbitrating the sub Area, that includes a Disagreement Resolution that **Does Not** include holding up the entire area until a group of owners are happy with your decision.

Thank you for your time,



Tom Re  
23500 SW Boones Ferry Rd.  
503-482-5157



*City of Tualatin*

## **Attachment H5:**

Public Comment Record 2018 (to July 11, 2018)





# City of Tualatin

www.tualatinoregon.gov

UNOFFICIAL

TUALATIN PLANNING COMMISSION -

MINUTES OF January 19, 2017

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**TPC MEMBERS PRESENT:**

Alan Aplin  
Bill Beers  
Angela Demeo  
Travis Stout  
Mona St. Clair  
Janelle Thompson  
Kenneth Ball

**STAFF PRESENT**

Aquilla Hurd-Ravich  
Karen Perl Fox  
Jeff Fuchs  
Lynette Sanford

**TPC MEMBER ABSENT:**

**GUESTS:** Don Hanson, Grace Lucini, Sherman Leitjab, Tom Childs, Lois Fox, Jim Odams, George DeDoux, and Marrin Mast.

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**1. CALL TO ORDER AND ROLL CALL:**

Alan Aplin, Chair, called the meeting to order at 6:30 pm and reviewed the agenda. Roll call was taken.

**2. APPROVAL OF MINUTES:**

Mr. Aplin asked for review and approval of the October 20, 2016 TPC minutes.  
MOTION by Thompson SECONDED by St.Clair to approve the minutes as written.  
MOTION PASSED 7-0.

**3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):**

None

**4. ACTION ITEMS:**

**A. Elect a Chair and Vice Chair to Represent the Tualatin Planning Commission**

Mr. Aplin asked the Commission members if they would like to become the Chairman and Vice Chairman of the Planning Commission. Bill Beers offered to be the Chairman and Kenneth Ball volunteered to be the Vice Chairman. MOTION PASSED 7-0.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.

**5. COMMUNICATION FROM CITY STAFF:****A. Capital Improvement Plan 2018-2027**

Jeff Fuchs, City Engineer, presented the Capital Improvement Plan (CIP) which included a PowerPoint presentation. Mr. Fuchs stated that he is filling in for Kelsey Lewis who was unable to attend the meeting. Mr. Fuchs noted that the CIP is a ten year project roadmap and is more of a planning tool than a schedule. This plan is reviewed and revised annually.

The project categories of the CIP are Facilities and Equipment, Parks and Recreation, Technology, Transportation and Utilities. Mr. Fuchs noted that Ms. Lewis programmed the Transportation System Plan (TSP) into the CIP to balance revenue against planned expenditures.

Mr. Fuchs stated that the priorities are Council goals, health and safety, regulatory requirements, master plans, and service delivery needs. Funding sources include system development charges, water, sewer and storm rates, gas taxes, general fund, and grants and donations. The summary total is \$6,029,000.

Mr. Fuchs went through the slides that detailed the project categories and the costs for each. The CIP schedule includes presenting to the various Committees in January and it goes to Council for approval in February.

Mr. Aplin asked if the new City Hall is part of this plan. Mr. Fuchs replied that it does not fall within a 10 year window so it was not included.

Mr. Stout asked how the five year portion compares to last year. Mr. Fuchs replied that the projects shift around depending on the delivery. The general fund is the category that changes the most. Mr. Fuchs added that the majority of the transportation projects are on a sliding schedule.

Ms. Thompson asked if the developer was supporting the project on 65<sup>th</sup> & Sagert or if it is derived from City funds. Mr. Fuchs replied that the Sagert project is a System Development Charge (SDC) reimbursement expense - they will pay for the impact of their development and we will reimburse them for the portion above and beyond their development. Mr. Fuchs added that the traffic signal in that area should be installed by early summer.

Ms. Demeo asked if the Sagert and Martinazzi intersection project will surface next year. Mr. Fuchs responded that they will take a midterm look at the traffic study and reexamine the high traffic areas.



## B. Update on Basalt Creek Land Use Concept Plan Map

Karen Perl Fox, Senior Planner, and Aquilla Hurd-Ravich, Planning Manager, presented an update on the Basalt Creek Land Use Concept Map. This includes an overview of the work staff carried out on the exploration of the central subarea as directed by City Council at their October 10, 2016 work session. This update will also include Council's confirmation on the Concept Map at the November 28, 2016 work session.

Ms. Hurd-Ravich stated that Metro brought the Basalt Creek Planning area into the Urban Growth Boundary in 2004 as employment land and Metro was awarded the CET Grant to fund the concept planning. In 2011-2013 Tualatin worked with partners Washington County, Metro and Wilsonville, and ODOT to define the transportation spine. This resulted in a transportation refinement plan and two intergovernmental agreements (IGAs) at the beginning and towards the end of the project. In 2013, the concept planning kicked off with a joint meeting with Wilsonville.

In 2014 staff worked through the guiding principles list which included:

- Maintain and complement the cities unique identities
- Meet regional responsibility for jobs and housing
- Design cohesive and efficient transportation and utility systems
- Maximize assessed property value
- Capitalize on the area's unique assets and natural location
- Explore creative approaches to integrate jobs and housing
- Create a uniquely attractive business community unmatched in the metro region
- Ensure appropriate transitions between land uses
- Incorporate natural resource areas and provide recreational opportunities as community amenities and assets

Ms. Hurd-Ravich presented the maps which detailed the progression and the revisions from the feedback received. This proposed jurisdictional boundary was discussed at a joint council work session in December 2015 and both councils agreed on the proposed jurisdictional boundary following Basalt Creek Parkway. Ms. Hurd-Ravich added that this information was presented to Council on June 13, 2016. Council feedback posed the question of how this concept could support campus industrial and how the trip cap would be managed.

Ms. Perl Fox stated that feedback from the public, Council, and the intergovernmental partners led to minor refinements. These include 93 acres of Manufacturing Park, 3 acres of neighborhood commercial, and 88 acres of residential – which represents a balance between employment and residential land.

Ms. Perl Fox added that public input prompted questions on the Basalt Creek central subarea – the area immediately south of Victoria Gardens to the jurisdictional

boundary. This represents approximately 42 buildable acres. Council directed the land to match the same planning district as Victoria Gardens, which is RML (Medium low density). For the central subarea on the Tualatin side, Council directed exploration of the OTAK proposal to determine if the land is suitable for employment uses.

Ms. Perl Fox noted that staff met with OTAK to explore the property owner's proposal, consider opportunities for employment and constraints in the area, and consider infrastructure needed for different proposed uses. Ms. Perl Fox emphasized that we are in partnership with other agencies and they do not want to reduce employment land for more residential. We received a letter from Washington County in October emphasizing that the land is prime for industrial and employment uses.

Ms. Perl Fox continued presenting the slides that detailed the summary of acres and trips, and the most recent land use concept map. Ms. Hurd-Ravich added that based on all the information, staff's position is to recommend that Council accept the land use map as presented.

Ms. St. Clair asked about the area designated for high density and how many homes are expected. Ms. Perl Fox responded that it's approximately 2-3 acres of land, so it would be around 100 units. Ms. St. Clair asked if there will be enough housing for the people who will be working in the industrial/employment area. Ms. Hurd-Ravich responded that the group didn't plan on a housing unit for each employee. Ms. St. Clair stated that the people in the employment area will expect to live where they work. Mr. Aplin asked if we are limited on high density zoning areas. Ms. Hurd-Ravich responded that we are constrained by trip numbers.

Mr. Beers asked if the trip model took into account the different business sectors in the area. He was concerned about the high price of housing in the area and as a result, many employees may have to commute in from other areas. Ms. Hurd-Ravich added that the models accounted for bike and pedestrian transportation as well as public transportation, but doesn't narrow down trip times.

*Don Hanson, OTAK, 808 SW 3<sup>rd</sup>, Portland, OR 97204*

Mr. Hanson works for OTAK and was hired to assist the property owners in the ten acres in the southern portion of the study area, north of Basalt Parkway. He has been tracking this process and is concerned about this area being zoned employment land due to the vast amount of Basalt rock. Mr. Hanson distributed a map which detailed the topography concerns. This map has been added as an attachment to the minutes.

Mr. Hanson stated that they consulted an excavator and a broker to obtain their opinion on the area and both expressed concern about the conditions. Mr. Hanson noted that Washington County and the engineering firm Mackenzie viewed the

property. They submitted a map and evaluated the property strictly for employment uses; they did not take into account the residential transition area. Mr. Hanson stated that they were unaware that there is no access road and the access points are limited to Grahams Ferry Rd and Tonquin Rd. Mr. Hanson acknowledged that there should be additional residential land in this area which would be more adaptable to the difficult topography.

*Grace Lucini, 23677 SW Boones Ferry Rd*

Ms. Lucini is a resident of the unincorporated area of Washington County directly adjacent to the east of the study area. Ms. Lucini has questions and concerns regarding the report evaluation of the central subarea that she bought to the Planning Commission. The handout has been added to the minutes as an attachment.

*Sherman Leitgeb, 23200 SW Grahams Ferry Rd*

Mr. Leitgeb noted that he is concerned about the subarea because he lives there. Mr. Leitgeb stated that 329 acres is already zoned industrial which has not been built on. He's concerned that the land will not be developed. Mr. Leitgeb noted that experts from Pactrust and excavation companies have stated that they are not interested in the land due to the amount of rock and slope.

*Tom Childs, 23470 SW Grahams Ferry Rd*

Mr. Childs stated that the people living in the Basalt area need to be acknowledged and if the land is designated industrial, it will not be built upon. Mr. Childs mentioned that there is not enough housing to support retail or small businesses. If this land is developed into industrial property, he will not be able to sell his home for a profit and find another place to live. Mr. Childs believes that the decisions considered should benefit the current homeowners, not Metro, Wilsonville, or Washington County.

*Lois Fox, 23550 SW Grahams Ferry Rd*

Ms. Fox stated that she toured the property with City staff and acknowledged that there is rock throughout her property which makes it unsuitable to build on. Ms. Fox mentioned that she was taken aback when the City Council mentioned that they will revisit the zoning if it doesn't work out or is not saleable. She has not heard from anyone other than a government official who thinks this is a good use for this property. She added that she would like to invite Washington County staff to tour her property.

Mr. Hanson added that moving forward, it makes sense to have a peer review or workshop for everyone to get together to express ideas clearly and have comments.

*Jim Odams, 24005 SW Boones Ferry Rd*

Mr. Odams lives in unincorporated Washington County and is not a resident of Wilsonville or Tualatin. He stated that he has not been approached by anyone for permission to tour his property even though the proposed bridge and alignment go through his property. Mr. Odams commented that it is frustrating to be a property owner in the proposed development area without representation.

Ms. Hurd-Ravich added that the alignment is through Washington County and the City can point out to them that the property owners have not been approached. The cities have not been involved in the geotechnical study, but will bring it up with the other agencies.

Ms. Demeo stated that Metro brought the Basalt area in as employment land and asked if the intent was to zone the entire area for employment. Ms. Hurd-Ravich replied that the Council fought back and the City didn't want the land at all. There was a concession to allow some residential to provide transition between employment and residential. Ms. Demeo asked if there was a dictated amount of acreage or percentage for residential and employment in the whole area, including Wilsonville. Ms. Hurd-Ravich replied that it is 70-30 percentage split. Ms. Lucini added that there is a Metro ordinance (04-1040B) which recommends the dividing line at Basalt Creek Parkway should be zoned residential to the north. Mr. Leitgeb added that Tualatin is the only City which stated they need additional housing.

Mr. Ball asked if the land has been surveyed by geotechnical engineers. Ms. Hurd-Ravich said at a concept plan level, they don't go into that detail – this happens in future steps.

Mr. Beers inquired about the jobs goal for the Basalt area and if there is a target to reach. Ms. Hurd-Ravich responded that Metro completes the analysis of population employment growth and projects the numbers. The jobs numbers are reflective of the scenario modeling and employment types, and jobs per acre. Tualatin met the Metro target in terms of employment. Ms. Thompson asked if the targets have to be met for jobs per residence. Ms. Hurd-Ravich responded that Metro has design types, but they don't have an employee per acre type.

Mr. Leitgeb mentioned that he met with a Wilsonville council member and the council member stated that Wilsonville only cares about the trip counts and not receiving Tualatin's sewage. The projected jobs is based on all of the land being developed into employment, if it doesn't get developed because of unsuitable conditions of slope and rock, you will need to take the jobs out of the equation for that section of the property. Ms. Perl Fox stated that she heard from the City of Wilsonville that they are concerned with the clustering of employment as well as the trip counts.



Mr. Childs stated that if the land is designated commercial and doesn't get developed, there will be no SDC fees or taxes collected. If it's developed residential, there will be sewer, water, taxes, and revenue generated. There will also be less land annexed into the City.

Mr. Aplin asked what the next steps were. Ms. Hurd-Ravich responded that this will return to Council on February 13. There are new Council members so there may be different views regarding this process. The concept plan cannot be completed until the land use map is agreed upon.

Ms. Lucini asked the Planning Commission what their thoughts are regarding moving forward. Mr. Aplin responded that the Council will hear feedback from the Commission members, but it is up to them to decide. Ms. Hurd-Ravich added that the minutes will be available to the Council members regarding the comments received.

Mr. Hanson asked if the Planning Commission will make a recommendation to Council. Ms. Hurd-Ravich said that they will eventually do so. Once the draft is complete it will return to the Planning Commission. When it's adopted into the Comprehensive Plan, the recommendation will be made.

### **C. Framing for Priority Project: Update the Tualatin Development Code**

Ms. Perl Fox presented the Framing for Priority Project: Update the Tualatin Development Code, which included a PowerPoint presentation. Ms. Perl Fox stated that at the 2014 Council Advance, the Council identified the Tualatin Development Code (TDC) update as a priority project. This is focused on the TDC - not the Municipal Code or other City requirements.

Ms. Perl Fox provided background information about the Tualatin Community Plan (Comprehensive Plan). This covers Chapters 1-30 of the TDC and provides land use goals and policies for the City. This was adopted in 1979; some chapters were updated in 2012.

Ms. Perl Fox stated that the Development Code (Land Use Regulations) covers Chapters 31-80 of the TDC. These chapters include planning districts (zoning), natural resource and floodplain requirements, community design standards, procedures and application requirements, subdivisions and partitions, and sign regulations.

Ms. Perl Fox noted that there are three phases of approach. These include:

- Phase 1: Code Clean up (Audit and Amendments)
- Phase 2: Outreach and Policy Review
- Phase 3: Writing a Work Program

Mr. Ball asked if the code is written and amended by a committee. Ms. Perl-Fox responded that consultants are involved as well as input from the Planning Commission.

Ms. Perl Fox noted that the amendment process can be a complicated process. The current code has many errors that need to be corrected, as well as it being confusing to read. This process may require several years to implement in total.

Ms. Perl Fox stated that the schedule includes:

- Quarter 1 – Audit
- Quarters 2 and 3 – Draft Code
- Quarter 4 – Hearing
- Quarters 5 and 6 – Outreach
- Quarter 7 – Policy Review
- Quarter 8 – Work program

Ms. Hurd-Ravich added that the Commissioners have an active role in this project and that their advice and comments will be taken to Council. We are almost ready to sign a contract with Angelo Planning Group. They will complete the bulk of the work, but the Planning staff will be working with them directly.

Ms. St. Clair asked if the consultant is an attorney firm. Ms. Hurd-Ravich responded that they are land use planners, but we will be working closely with our City Attorney. Ms. Demeo asked when Quarter 1 will kick off; Ms. Hurd-Ravich answered February 1, 2017.

Mr. Beers asked if the end product will be in printed form or on the web. Ms. Hurd-Ravich responded that it used to be in printed form, but is now exclusively web based. Ms. Demeo asked who our main customer is – business or residents. Ms. Hurd-Ravich responded that our customer is a good cross section of developers, businesses, and residents.

## **6. FUTURE ACTION ITEMS**

Ms. Hurd-Ravich stated that future action items include review of the Annual Report, which will be presented to Council. There will also be a Basalt Creek update.

Mr. Ball asked if there is a plan for the development off SW Nyberg Street - the former RV Park of Portland site. Ms. Hurd-Ravich responded that the application for the Plan Map Amendment is incomplete. Once deemed complete, it will come to the Planning Commission.

## **7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

Mr. Beers asked what is going in next to Cabela's. Ms. Hurd-Ravich responded that Cracker Barrel Restaurant is currently under construction, as well as a retail shell which

will house a bank and a mattress store. Mr. Aplin asked if Cabela's is changing to Bass Pro Shops. Ms. Hurd-Ravich replied that she has not heard anything regarding that.

8. **ADJOURNMENT**

MOTION by Aplin to adjourn the meeting at 8:39 pm.

\_\_\_\_\_ Lynette Sanford, Office Coordinator

**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net)  
**To:** [LouOgden](#); [Aquilla Hurd-Ravich](#); [Sherilyn Lombos](#)  
**Cc:** [Alice Cannon](#); [Sean Brady](#); [Karen Perl Fox](#); ["Brian Harper"](#); ["Tom Hughes"](#); ["Craig Dirksen"](#)  
**Subject:** RE: Metro  
**Date:** Wednesday, February 07, 2018 8:19:44 PM  
**Attachments:** [image001.jpg](#)

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Mayor Ogden – thank you for taking the time to respond to my inquiry.

I understand that it is still early in the process but I wanted to stay on top of things regarding Basalt Creek moving forward and if there may be any citizen or property owner input then I would like to be involved please.

Thank you very much,  
Tom Re  
23500 SW Boones Ferry Rd.  
Tualatin, OR. 97062

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**From:** Lou Ogden [mailto:[lou@louogden.com](mailto:lou@louogden.com)]  
**Sent:** Wednesday, February 7, 2018 6:07 PM  
**To:** [tom.re@comcast.net](mailto:tom.re@comcast.net); 'Aquilla Hurd-Ravich'; 'Sherilyn Lombos'  
**Cc:** 'Alice Cannon'; 'Sean Brady'; 'Karen Perl Fox'; 'Brian Harper'; Tom Hughes; Craig Dirksen  
**Subject:** Re: Metro

I had heard back in Dec that Metro would move quickly on this and perhaps done by March. I certainly hope they can do that. It really isn't all that complicated. There is a dispute about the facts but there really aren't any new facts to discover. I would hope Metro would look at what has been presented to the two City Councils and make their decision. That is essentially what we asked them to do

Thanks,

1473988944821\_RSP



Resource Strategies Planning Group  
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for  
Businesses and Individuals  
21040 SW 90th Ave. Tualatin, OR 97062  
Phone 503.692.0163; Fax 503.385.0320  
[lou@louogden.com](mailto:lou@louogden.com)

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**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net) <[tom.re@comcast.net](mailto:tom.re@comcast.net)>  
**Sent:** Wednesday, February 7, 2018 3:35 PM  
**To:** 'Aquilla Hurd-Ravich'; 'Sherilyn Lombos'; Lou Ogden  
**Cc:** 'Alice Cannon'; 'Sean Brady'; 'Karen Perl Fox'; 'Brian Harper'  
**Subject:** RE: Metro

Hi Aquilla - thank you for your response.

I know that you all are very busy with many more issues / projects than this one. It's early but I appreciate you reaching out to Metro and for Brian's contact info so I may stay involved in the process. I will be all ready when Brian calls me "begging" for all my input (just kidding ☺)

Thank you very much,  
Tom

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**From:** Aquilla Hurd-Ravich [<mailto:AHURD-RAVICH@tualatin.gov>]  
**Sent:** Wednesday, February 7, 2018 3:17 PM  
**To:** [tom.re@comcast.net](mailto:tom.re@comcast.net); Sherilyn Lombos; LouOgden  
**Cc:** Alice Cannon; Sean Brady; Karen Perl Fox; Brian Harper  
**Subject:** RE: Metro

Hi Tom,  
I wanted to let you know that I reached out to Metro to get some feedback on your question. Our contact Brian Harper, who is copied on this email, is happy to talk with you. Metro has not sorted out their process yet but in the meantime you can chat with Brian.

Brian's email:  
[Brian.harper@oregonmetro.gov](mailto:Brian.harper@oregonmetro.gov)

Thanks,

**Aquilla Hurd-Ravich**  
503.691.3028

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**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net) [<mailto:tom.re@comcast.net>]  
**Sent:** Wednesday, February 07, 2018 2:36 PM  
**To:** Sherilyn Lombos; LouOgden  
**Cc:** Alice Cannon; Sean Brady; Aquilla Hurd-Ravich  
**Subject:** RE: Metro

Thank You Sherilyn – I very much appreciate your reply and interested in staying involved.

Tom Re

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**From:** Sherilyn Lombos [<mailto:slombos@tualatin.gov>]  
**Sent:** Wednesday, February 7, 2018 2:11 PM  
**To:** [tom.re@comcast.net](mailto:tom.re@comcast.net); LouOgden  
**Cc:** Alice Cannon; Sean Brady; Aquilla Hurd-Ravich  
**Subject:** RE: Metro

Good afternoon Tom,

As far as I know, Metro has not made that decision yet; we are still waiting to hear what the process will be.



*Sherilyn Lombos*

Tualatin City Manager

Desk: 503.691.3010 | Mobile: 971.998.4127

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**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net) [<mailto:tom.re@comcast.net>]

**Sent:** Wednesday, February 07, 2018 10:02 AM

**To:** LouOgden <[lou@louogden.com](mailto:lou@louogden.com)>; Sherilyn Lombos <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)>

**Subject:** Metro

Good Morning Mayor / City Manager:

Hope this note finds you both doing great – seems amazing we are a week into February 2018!

Just a quick note please – if Metro decides (have they?) to take citizen / Basalt Creek property owner input regarding Central Sub Area how will we be notified?

Thank you for your time,  
Tom Re

23500 SW Boones Ferry Rd.  
503-482-5157

**From:** [Herb Koss](#)  
**To:** [Lou Ogden](#); [Alice Cannon](#); [Aquila Hurd-Ravich](#); [Frank Bubenik \(fbubenik@ci.tualatin.or.us\)](#); [jeff DeHaan](#); [Joelle Davis \(jdavis@ci.tualatin.or.us\)](#); [lou ogden \(logden@ci.tualatin.or.us\)](#); [nancy grimes \(ngrimes@ci.tualatin.or.us\)](#); [paul morrison](#); [robert kellogg](#); [Sherilyn Lombos](#)  
**Cc:** [Sherman Leitgeb](#); [Don & Barb Hanson \(don.hanson@otak.com\)](#); [Tony Weller](#); [Peter Watts](#); [Peter Watts](#)  
**Subject:** FW: Metro Staff Recommendations- Basalt Creek Central Sub Area  
**Date:** Friday, February 23, 2018 6:56:14 AM  
**Attachments:** [Scan0190.pdf](#)

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Good Morning Lou

Started saying good morning, but it certainly the property owners involved in the Wilsonville challenge are not having a good morning. Lou yesterday we received a copy of the Metro staff report, which is attached to this email. I just attached the staff report without the many exhibits since the file is so large the attachment may not open. I am confident the staff has the full report. Sherman Leitgeb after reading the report found errors in the report and it is obvious to me that the Wilsonville staff has worked diligently to direct the Metro Planning staff to slant the staff report in their favor. The real issue here is the process that the Planning Staff has recommended to the Metro Council. We as property owners have no idea what information was submitted to the Planning Staff at Metro. In reading the process suggested to Martha Bennett Metro will not consider evidence or argument presented by other parties. Only the cities will have the opportunity to submit information. Lou this is certainly not fair to us the owners of the land involved. Peter Watts is contacting Roger Alfred the Metro attorney and Martha Bennett on the process that the Planning staff has proposed. I have been in the development business for many years and never in my career has such a closed process occurred.

Our request to you is for the City of Tualatin to let us know what they are planning to submit or have submitted to Metro. We would like to make sure that our submittals and appropriate exhibits are sent to Metro, which based the Tualatin City Council's decision to recommend our land being zoned Residential. It would be appreciated if the Alice or Sherilyn would provide that information to us and make sure all of the record to sent to Metro. The staff report includes the KPFF report paid for by Wilsonville, but I am confident that the cost factors as analyzed by Tony Weller's firm CESNW was not. KPFF when testifying stated they did not analyze the costs of grading or the necessary retaining walls for their proposed site plan.

Of the many incorrect facts presented in the Staff Report they even state that a residential zone would negatively impact the traffic in the area. We have always stated that their will be no additional trips and the density approved will address that fact. They also mention the millions of dollars of infrastructure and planning - \$65,000,000. Yes a big number, but if our land is never developed the revenue is zero from SDC fees.

Lou I would appreciate your reviewing the staff report and directing staff per our request above. I am confident that the Metro Planning staff has not seen the facts that the Tualatin City Council based their decision on. Basalt Rock creating huge unfeasible grading costs., Lack of Access- 18 to 20 foot cut on the southern tip of what you referred to as the base of the Arrowhead, incorrect

assumption that our land is not presently next to residential product – two sides North and East are zoned residential and the Basalt Creek Parkway with a 18 to 20 cut with no access allowed is a great transition buffer.

I am going to contact Roy Rogers too. Washington County after speaking with you did not retract their letter, but Andy acknowledged the letter was sent without their consultant visiting the site. I will bet that no one from the Metro Planning staff has visited the site either. Zoning land that will never be developed is not in anyone's interest since it does not create tax base or create SDC revenue. Supportive housing is needed in this area and we are willing to allow our land to be zoned for more affordable product.

Lou your help on this would be appreciated. The city council voted 7 – 0 in favor of a residential zone and Tualatin's recommendation should be approved. We also believe that Metro should allow testimony from the property owners that are affected by this very important decision.

Sincerely  
Herb Koss

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**From:** Sherman Leitgeb [<mailto:sherman@equityoregon.com>]  
**Sent:** Thursday, February 22, 2018 1:40 PM  
**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>  
**Cc:** Ed Trompke <[Ed.Trompke@jordanramis.com](mailto:Ed.Trompke@jordanramis.com)>; Peter Watts <[Peter.Watts@jordanramis.com](mailto:Peter.Watts@jordanramis.com)>; Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>  
**Subject:** Re: Metro Staff Recommendations- Basalt Creek Central Sub Area

Herb and all,

The attached recommendation has errors that are very notable and quite important.

1). On Page 4, Item 2, Line #3, the 7th word should say "North". It currently says "South". This is critical to be corrected. It almost seems to me like it was an intentional error as nobody except those of us involved would know the difference.

2). Page 4/5, Item 3, the last sentence of that section is factually incorrect.

3). Page 4/5, item 4, the last 2 sentences are completely incorrect as well.

4). Page 17, Exhibit G, paragraph 3, clearly states that if the North South Connector falls "close" to the South alignment, land would be Residential to the North of the alignment and Industrial to the South of the alignment. It did fall "close" so it should be Residential.

Maybe I'm nit-picking this thing but aren't facts important? We need to remember that none of the people involved in writing any of this have ever been to the property. Metro Staff is completely uninformed on the facts and the lay of the land. Metro Staff simply looked at Wilsonville Staff info

and made a decision not based on facts. They even put in their recommendation that putting a neighborhood in the middle of an Industrial area would be an issue. It's not in the middle of an Industrial area! What are they thinking? And who would make such a glaring mistake? Only the uninformed. The Central Subarea borders Basalt Creek Canyon on the East and beyond the canyon is Residential. It borders an existing Tualatin neighborhood, Victoria Gardens, on the North. Victoria Gardens is Residential. It borders the Parkway on the South which is supposed to be the buffer between Residential and Industrial zoning according to their very own documents attached.

This is simply another opportunity for us to correct the uninformed who are not living in reality. We all know the enormous costs to develop the Central Subarea into Industrial, the lack of access, the rock, the elevation changes and the overhead Power Lines make this land un-developable for Industrial use. We all know it! I believe in our experts and their testimony. So we thought our fight was over. It was not. We need to make sure the process is fair and all of the facts are presented. Metro should allow additional testimony and we need to make sure that the evidence presented to the Tualatin City Council has been reviewed by the Metro Staff.

**SHERMAN LEITGEB**

Principal Broker/ Owner

[Sherman@EquityOregon.com](mailto:Sherman@EquityOregon.com)

503-704-9280



# Memo

Date: February 21, 2018  
To: Martha Bennett, Chief Operating Officer  
From: Brian Harper, Senior Regional Planner  
Subject: Staff Report Regarding Basalt Creek Planning Area

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This memorandum provides the staff report to the Metro Chief Operating Officer (COO) regarding resolution of the dispute between the City of Wilsonville and the City of Tualatin concerning the appropriate land use designation for the Central Subarea of the Basalt Creek Planning Area.

## PROCESS

In 2017 the cities of Wilsonville and Tualatin reached an impasse regarding concept planning for a 52-acre portion of the Basalt Creek Planning Area known as the “Central Subarea” and asked Metro to take on the role of mediating their dispute. To that end, the cities, Metro, and Washington County entered into an Intergovernmental Agreement (IGA) in January of 2018 that assigns Metro the task of making a final and non-appealable decision regarding the appropriate land use designation for the Central Subarea. The IGA provides:

“Metro will have sole discretion to determine what to call this decision making process, where and when to hold the process, who Metro will appoint to make the decision, a briefing schedule, whether or not to hear oral argument, and ground rules that must be adhered to by the cities and county throughout the process.”

The decision making process to be employed by Metro is initiated with the issuance of this staff report. The cities and the county will have 14 days from the date of this staff report to submit written evidence and argument in support of their positions to the Metro COO. Those materials must be received no later than 5:00 pm on March 7, 2018. The cities and county will then have seven additional days to submit written evidence and argument in rebuttal to the first round of submittals. Those materials must be received no later than 5:00 pm on March 14, 2018. The COO will prepare and issue a recommendation to the Metro Council by no later than March 23, 2018.

At the first available Metro Council hearing in April, the Council will review the COO recommendation and deliberate to a decision regarding whether to accept, reject, or modify the recommendation. The Metro Council’s review will be based on the record of written materials submitted by the cities, county, and Metro staff. The Council will adopt a resolution to memorialize its decision regarding the appropriate land use designation for the Central Subarea, and directing the cities to prepare concept plans consistent with Metro’s final decision and with Title 11 of the Urban Growth Management Functional Plan.

The scope of Metro’s review and decision in this process is limited to the issue described in the IGA: that is, whether the land use designation of the Central Subarea should be for housing or employment. Metro will not consider any other issues related to the Basalt Creek Planning Area. Metro’s review will be limited to materials submitted by the cities and the county. Metro will not consider evidence or argument presented by other parties.



## **BACKGROUND FACTS**

In 2002 Metro expanded the UGB to add 17,458 acres of land, with 15,047 acres added for residential purposes and 2,411 acres for employment. In that decision, Metro acknowledged that the amount of land being added for employment purposes was not sufficient to meet the identified 20-year need, and therefore requested that the Land Conservation and Development Commission (LCDC) assign a new work task that would allow Metro to complete its work and accommodate the region's need for industrial land. *See* Metro Ordinance 02-969B, Exhibit P. Accordingly, LCDC approved the majority of the decision, and returned the matter to Metro with instructions to satisfy the unmet 20-year need for industrial land.

Metro responded in 2004 by adopting Ordinance No. 04-1040B, the stated purpose of which is "to increase the capacity of the boundary to accommodate growth in industrial employment." (Exhibit A). That decision expanded the UGB to include 1,940 acres of land for industrial purposes, including the 646 acres now known as the Basalt Creek area between the cities of Tualatin and Wilsonville. The Metro Council adopted the following findings in support of adding the Basalt Creek area to the UGB:

"The Council chose this area because it is exception land (rural residential and rural industrial) with characteristics that make it suitable for industrial use. It lies within two miles of the I-5 corridor and within one mile of an existing industrial area, and portions of the area are relatively flat. These characteristics render it the most suitable exception area under consideration for warehousing and distribution, a significant industrial need facing the region." Metro Ordinance 04-1040B, Exhibit G, page 17.

During the Metro proceedings, the City of Tualatin and some of its residents expressed concerns about compatibility between future industrial uses in the Basalt Creek area and residential neighborhoods at the south end of the city, and about preserving the opportunity to choose an alignment between Tualatin and Wilsonville for the then-planned connector between Interstate 5 and Highway 99W. In response, the Metro Council adopted the following condition of approval:

"2. Title 11 planning shall incorporate the general location of the projected right of way alignment for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan. If the selected right-of-way for the connector follows the approximate course of the 'south alignment,' as shown on the Region 2040 Growth Concept Map, ... the portion of the Tualatin Area that lies north of the right-of-way shall be designated 'Outer Neighborhood' on the Growth Concept Map; the portion that lies south shall be designated 'Industrial.'" Metro Ordinance 04-1040B, Exhibit F, page 3.

A copy of the 2004 version of the 2040 Growth Concept Map showing the two proposed alignments for the I-5/99W connector is attached as Exhibit B. The connector concept was later abandoned based in part on the findings of the Basalt Creek Refinement Transportation Plan, which called for a focus on utilizing existing and planned arterials to move traffic. However, the location of the "south alignment" alternative for the proposed I-5/99W connector was in the vicinity of the northern boundary of the Central Subarea land that is the subject of this dispute. The Metro Council adopted the following findings describing the purpose of the condition:

"Second, the Council states that, so long as the alignment for the Connector falls close to the South Alignment shown on the 2040 Growth Concept Map, it will serve as the buffer



between residential development to the north (the portion least suitable for industrial uses) and industrial development to the south (the portion of the area most suitable for industrial use)." Metro Ordinance 04-1040B, Exhibit G, pages 17-18.

As stated in the findings, the intent of the Metro Council in 2004 was for the "south alignment" to create a separation between residential development to the north and industrial development to the south. The former "south alignment" was located at the north end of the Central Subarea.

In 2006, Metro awarded a \$365,000 CET Grant to the cities of Tualatin and Wilsonville to perform concept planning for the Basalt Creek area. After several stops and starts in the process, in 2011 the cities, Metro, and Washington County entered into an IGA that outlines the requirements and responsibilities of the parties regarding their coordinated efforts on the Basalt Creek concept plan. The IGA defines a decision-making process that requires all four parties to agree to the final decisions about the jurisdictional boundary between the two cities and the appropriate land use designations for the entire area.

The concept plan was put on hiatus from 2011 to 2013 while transportation planning issues for the larger South County Industrial Area were being resolved via the Basalt Creek Transportation Refinement Plan. The stakeholders concluded that it was important to address transportation issues for the area prior to any industrial development occurring. As part of that transportation planning effort, the Basalt Creek Parkway was one of several options identified as critical to the success of the transportation system. The Parkway was seen as one of the vital connectors for truck traffic from the Tonquin and Southwest Tualatin Industrial areas to the north down to Interstate 5, in order to mitigate the traffic impacts on Tualatin-Sherwood Road and the Tualatin Town Center.

Upon completion of the Basalt Creek Transportation Refinement Plan in 2013, the cities of Wilsonville and Tualatin resumed their concept planning efforts, utilizing Metro's CET grant funds. In December of 2015, the City Councils of Wilsonville and Tualatin reached an agreement regarding a jurisdictional boundary between the cities and general land use designations for the area that were agreeable to all four parties to the IGA. Following a public open house in April of 2016, the plan was ready for final edits and adoption by the two cities. At that time, both Metro and Washington County agreed that the plan was viable and could be adopted for Metro's Title 11 approval and for Washington County's transfer of urban planning authority to each city. The "Preferred Basalt Creek Land Use Map" that emerged from this process by September of 2016 designated the majority of the proposed industrial area north of the Basalt Creek Parkway, including the Central Subarea, with a Manufacturing Park zoning classification.

#### **CURRENT DISPUTE AND METRO STAFF RECOMMENDATION**

In October of 2016, a property owner presented the City of Tualatin with a proposal to change the designation of the Central Subarea from Industrial/Employment to Residential. The land is located at the NE intersection of Grahams Ferry Road and Basalt Creek Parkway. The property owner asserted that development of employment uses on the land would be cost prohibitive due to slopes and geologic conditions.

Based on testimony that occurred at a Tualatin City Council work session and a Planning Commission meeting in October of 2016, Washington County agreed to commission an independent study to determine the viability of employment uses in the Central Subarea. The study was completed in January of 2017 and concluded that employment uses are viable in that location, specifically for flex business park, office campus, manufacturing, and commercial support services. The county shared the results with the cities in January of 2017. In February of 2017, the Tualatin



City Council directed their staff to proceed with changing the Central Subarea to a residential designation. In July of 2017, the City of Wilsonville commissioned an independent study from the engineering firm KPFF to evaluate the feasibility of development for employment uses in the Central Subarea. The study showed several scenarios where employment uses were viable, taking into consideration the slope and geologic composition of the site.

Under the 2011 IGA regarding concept planning for the Basalt Creek area, all parties must agree regarding the jurisdictional boundary between the cities and the land use designations. Because the cities cannot agree, the area cannot be planned and annexed by either city. Accordingly, the cities asked Metro to resolve the dispute.

Metro planning staff believes that the change to residential being proposed by the City of Tualatin is problematic for the following reasons:

1. The Central Subarea was brought into the UGB in 2004 in order to satisfy a regional need for industrial and employment land; accordingly, it is designated as an employment area on Metro's Title 4 map. The findings adopted by the Metro Council in 2004 regarding this area being well suited for employment uses were not challenged by any party and still apply today.
2. The condition of approval included by the Metro Council regarding the location of the "south alignment" of the I-5/99W connector supports an industrial designation for the Central Subarea. The Central subarea is located immediately south of the proposed "south alignment," which is identified in the Metro Council findings as serving as a "buffer between residential development to the north (the portion least suitable for industrial uses) and industrial development to the south (the portion of the area most suitable for industrial use)."
3. The region has made a large infrastructure commitment for this area in the Basalt Creek Parkway. Metro and Washington County estimate that more than \$65 million has been spent on the planning and construction of this regionally important roadway. The purpose of this limited-access arterial is to provide a more fluid connection to I-5 from industrial and employment lands to the north, and to relieve much of the truck traffic burden that is currently placed on Tualatin-Sherwood Road and the Tualatin Town Center. The addition of increased residential trips on the Parkway from a housing development will negatively impact traffic operations in the area.
4. The insertion of a residential community in this area creates compatibility issues with the surrounding employment uses. Given the intended uses for the area, as well as the high volume of truck traffic planned for the Parkway, residents in the area would be faced with noise, traffic, and other livability issues. Similarly, the addition of a housing development in the middle of an employment district will negatively impact the viability of employment uses. It would be short sighted to insert housing in an area that will create compatibility issues with surrounding land uses and give rise to land use conflicts in the future.

**Staff Recommendation:**

Based on the project background and the findings stated above, staff recommends that the Central Subarea move forward with the previously agreed upon Manufacturing Park designation.

**From:** [Herb Koss](#)  
**To:** [LouOgden](#); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Frank Bubenik](#); [Jeff Dehaan](#); [Joelle Davis](#); [Lou Ogden](#); [Nancy Grimes](#); [Paul Morrison](#); [Robert Kellogg](#); [Sherilyn Lombos](#)  
**Cc:** [Sherman Leitgeb](#); [Don & Barb Hanson \(don.hanson@otak.com\)](#); [Tony Weller](#); [Peter Watts](#); [Peter Watts](#); [Roy Rogers](#)  
**Subject:** RE: Metro Staff Recommendations- Basalt Creek Central Sub Area  
**Date:** Saturday, February 24, 2018 4:02:27 PM  
**Attachments:** [image001.jpg](#)

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Lou

Thanks for getting back to me. The reason for my concern is if the Metro staff had the KPFF site plan and they did not have the cost analysis I believe this would have affected the Metro Planning staffs recommendation. Cost of the site development and lack of access has to be taken into consideration.

I also do not think any one from the Metro staff visited the site or they would have seen that the 41 acres is next to an adjacent residential area. A site visit and actually walking up the Tonquin road access to the top elevation would demonstrate the grade differential. Approximately 50 Feet. Another very important point is standing a three or four hundred feet east of the Basalt Creek Parkway and Grahams Ferry Road intersection and knowing there will be a 18 to 20 foot vertical cut eliminating any access onto Basalt Creek Parkway is something hard to visualize unless you are on the site. You referred to this as the base of the arrowhead.

Otak also brought up the current ADA requirements for an employment site and the 41 acre site would be a challenge to meet ADA requirements. By Metro's own slope standards our site does not meet what grades are acceptable for an employment site.

Lou for just the few issues that I listed above I do not think the CESNW, Otak, Stu Peterson – MaCadam Forbes, Ken Leahy data was in the Metro files when the staff recommendation was made.

Could you have staff let us know if the Metro Planning staff had this information and if not will the City of Tualatin be submitting the data that the council based their decision on to recommend a residential zone for our property? In looking at the Metro memo it appears that the Cities will have a specific time deadline to present the facts relevant to each of the city councils recommendation. Our property owners just want to make sure that the Metro Council has all of the available facts so they as the Tualatin City Council did make the correct decision seeing our site is not conducive for any employment site.

Thanks  
Herb Koss

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**From:** Lou Ogden [mailto:[lou@louogden.com](mailto:lou@louogden.com)]  
**Sent:** Saturday, February 24, 2018 3:17 PM  
**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>; Alice Cannon <[Acannon@ci.tualatin.or.us](mailto:Acannon@ci.tualatin.or.us)>; Aquilla Hurd-Ravich <[AHURD-RAVICH@ci.tualatin.or.us](mailto:AHURD-RAVICH@ci.tualatin.or.us)>; Frank Bubenik (<[fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)>)

<fbubenik@ci.tualatin.or.us>; jeff DeHaan <jdehaan@tualatin.gov>; Joelle Davis (jdavis@ci.tualatin.or.us) <jdavis@ci.tualatin.or.us>; lou ogden (logden@ci.tualatin.or.us) <logden@ci.tualatin.or.us>; nancy grimes (ngrimes@ci.tualatin.or.us) <ngrimes@ci.tualatin.or.us>; paul morrison <pmorrison@tualatin.gov>; robert kellogg <rkellogg@tualatin.gov>; Sherilyn Lombos <SLOMBOS@ci.tualatin.or.us>

**Cc:** Sherman Leitgeb <sherman@equityoregon.com>; Don & Barb Hanson (don.hanson@otak.com) <don.hanson@otak.com>; Tony Weller <tweller@cesnw.com>; Peter Watts <peterowatts02@gmail.com>; Peter Watts <Peter.Watts@jordanramis.com>; Roy Rogers <Roy\_Rogers@co.washington.or.us>

**Subject:** Re: Metro Staff Recommendations- Basalt Creek Central Sub Area

Thx for the email Herb, and I do appreciate your concerns. I believe we are best served by Metro only looking at the record that was submitted to both cities rather than starting the debate from ground zero. It appears to me that probably everything has been said and everyone has said it. That said (pardon the pun) I believe it is very important the Metro receive ALL the pertinent information of the record already established by the cities. To that end, I believe we will be diligent to be sure all the factors are presented to metro such that there will be little doubt of the facts as presented by both sides. From there they will have to decide, objectively, without bias, based upon their application of the facts toward their deliberations. It appears there may be other misconstruction in the Metro staff report but I have yet to be briefed by Tualatin staff so I'll not comment just yet. Our staff and our council will be on top of it.

Thanks,



Resource Strategies Planning Group  
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for  
Businesses and Individuals  
21040 SW 90th Ave. Tualatin, OR 97062  
Phone 503.692.0163; Fax 503.385.0320  
[lou@louogden.com](mailto:lou@louogden.com)

---

**From:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>

**Sent:** Friday, February 23, 2018 6:56 AM

**To:** Lou Ogden; Alice Cannon; Aquilla Hurd-Ravich; Frank Bubenik ([fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)); jeff



DeHaan; Joelle Davis ([jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)); lou ogden ([logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)); nancy grimes ([ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)); paul morrison; robert kellogg; Sherilyn Lombos

**Cc:** Sherman Leitgeb; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)); Tony Weller; Peter Watts; Peter Watts

**Subject:** FW: Metro Staff Recommendations- Basalt Creek Central Sub Area

Good Morning Lou

Started saying good morning, but it certainly the property owners involved in the Wilsonville challenge are not having a good morning. Lou yesterday we received a copy of the Metro staff report, which is attached to this email. I just attached the staff report without the many exhibits since the file is so large the attachment may not open. I am confident the staff has the full report. Sherman Leitgeb after reading the report found errors in the report and it is obvious to me that the Wilsonville staff has worked diligently to direct the Metro Planning staff to slant the staff report in their favor. The real issue here is the process that the Planning Staff has recommended to the Metro Council. We as property owners have no idea what information was submitted to the Planning Staff at Metro. In reading the process suggested to Martha Bennett Metro will not consider evidence or argument presented by other parties. Only the cities will have the opportunity to submit information. Lou this is certainly not fair to us the owners of the land involved. Peter Watts is contacting Roger Alfred the Metro attorney and Martha Bennett on the process that the Planning staff has proposed. I have been in the development business for many years and never in my career has such a closed process occurred.

Our request to you is for the City of Tualatin to let us know what they are planning to submit or have submitted to Metro. We would like to make sure that our submittals and appropriate exhibits are sent to Metro, which based the Tualatin City Council's decision to recommend our land being zoned Residential. It would be appreciated if the Alice or Sherilyn would provide that information to us and make sure all of the record to sent to Metro. The staff report includes the KPFF report paid for by Wilsonville, but I am confident that the cost factors as analyzed by Tony Weller's firm CESNW was not. KPFF when testifying stated they did not analyze the costs of grading or the necessary retaining walls for their proposed site plan.

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unfeasible grading costs., Lack of Access- 18 to 20 foot cut on the southern tip of what you referred to as the base of the Arrowhead, incorrect assumption that our land is not presently next to residential product – two sides North and East are zoned residential and the Basalt Creek Parkway with a 18 to 20 cut with no access allowed is a great transition buffer.

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Lou your help on this would be appreciated. The city council voted 7 – 0 in favor of a residential zone and Tualatin's recommendation should be approved. We also believe that Metro should allow testimony from the property owners that are affected by this very important decision.

Sincerely  
Herb Koss

---

**From:** Sherman Leitgeb [<mailto:sherman@equityoregon.com>]  
**Sent:** Thursday, February 22, 2018 1:40 PM  
**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>  
**Cc:** Ed Trompke <[Ed.Trompke@jordanramis.com](mailto:Ed.Trompke@jordanramis.com)>; Peter Watts <[Peter.Watts@jordanramis.com](mailto:Peter.Watts@jordanramis.com)>; Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>  
**Subject:** Re: Metro Staff Recommendations- Basalt Creek Central Sub Area

Herb and all,

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- 1). On Page 4, Item 2, Line #3, the 7th word should say "North". It currently says "South". This is critical to be corrected. It almost seems to me like it was an intentional error as nobody except those of us involved would know the difference.
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- 4). Page 17, Exhibit G, paragraph 3, clearly states that if the North South Connector falls "close" to the South alignment, land would be Residential to the North of the alignment and Industrial to the South of the alignment. It did fall "close" so it should be Residential.

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This is simply another opportunity for us to correct the uninformed who are not living in reality. We all know the enormous costs to develop the Central Subarea into Industrial, the lack of access, the rock, the elevation changes and the overhead Power Lines make this land un-developable for Industrial use. We all know it! I believe in our experts and their testimony. So we thought our fight was over. It was not. We need to make sure the process is fair and all of the facts are presented. Metro should allow additional testimony and we need to make sure that the evidence presented to the Tualatin City Council has been reviewed by the Metro Staff.

**SHERMAN LEITGEB**

Principal Broker/ Owner

[Sherman@EquityOregon.com](mailto:Sherman@EquityOregon.com)

503-704-9280

**From:** [Herb Koss](#)  
**To:** [Sherilyn Lombos](#); [Alice Cannon](#)  
**Cc:** [LouOgden](#); [Peter Watts](#)  
**Subject:** FW: Basalt Creek  
**Date:** Tuesday, February 27, 2018 3:22:56 PM  
**Attachments:** [CESNW Analysis.pdf](#)  
[Otak CES review.pdf](#)

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Good Afternoon

As you are aware the city of Wilsonville paid KPFF to prepare a site plan and this plan was presented to the Tualatin City Council.

Tony Weller of CESNW and Don Hanson – Otak were retained to prepare a cost estimate for the costs of grading and necessary retaining walls needed for the KPFF site plan. I have attached Mr. Weller’s analysis and the letter from Don Hanson - Otak.

The result of the analysis confirmed that the site development costs were not financially feasible. The costs to prepare the site using the KPFF plan exceeded the value of the property. This fact alone should have shown the Metro Planning staff the site was not suited for an employment use.

I just want to make sure that this information was forwarded to Metro and if not please make sure it is included in the information that you forward to Metro. At this point in time only the cities can submit information.

If you have any questions please let me know.

Sincerely

Herb Koss



May 18, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

**RE: BASALT CREEK CENTRAL AREA – KPFF CONCEPT PLAN**

Dear Mr. Koss:

In response to your request we have reviewed the Basalt Creek Concept Plans prepared by KPFF with regards to the approximately 50 acres north and east of the intersection of Grahams Ferry road and Basalt Creek Parkway.

The KPFF study outlines three potential development schemes that share similarities between each scheme. Each scheme includes a single access point on Grahams Ferry Road at Tonquin Loop and no secondary or emergency access provided. The study also provides concept finish floor elevations and access road grades for each scheme. The summary shows either Scheme A or B as the higher rated concepts. We chose Scheme B to evaluate as the most highly ranked scheme.

Using the proposed grading plan for Scheme B, we calculated rough grading quantities and costs. Our estimate shows estimated grading totaling about 350,000 cubic yards. We also looked at the existing grades around the proposed parking and building areas for the potential need of retaining walls. The grading plan for this scheme showed some retaining walls but we believe additional walls would be required along the parking areas adjacent to the easterly property line and the downhill sides of Building B and Building D. We estimated the need for approximately 2400 lineal feet of retaining walls for these walls and the ones shown on the plan. We also believe additional smaller walls will likely be required for this plan as it is further developed. We did not provide any allowance for the smaller walls.

Our experience in this area on the site to the north, leads us to expect a significant amount of rock that is very near the surface. The proposed grading plan also includes significant depths of cut and fill. The fill in the south east corner of the site would be about 20-feet and cuts on the site that could be over 10-feet. Rock excavation is not very efficient and therefore more costly. Also to use the excavated rock materials as fill, will require additional processing or it may need to be supplemented with imported materials to accomplish the grading as proposed.



Mr. Herb Koss

**BASALT CREEK CENTRAL AREA – KPFF CONCEPT PLAN**

Page 2 of 2

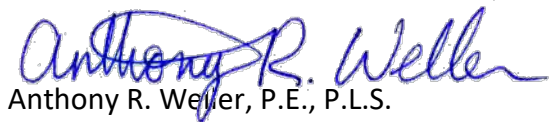
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For budgetary purposes, we would estimate \$30 per cubic yard for grading to reflect the rock excavation and potential imported fill needs for this site. This results in an estimated grading cost of \$10,500,000. At the anticipated wall heights, we have estimated \$1,200,000 for the retaining walls.

In summary, we feel the proposed grading plan is possible but it puts parking lot and access way slopes at the near maximums for industrial development. If you were to the reduce slopes to improve the usability, it would require even more excavation and the costs would be even higher.

If you have any questions in regards to our analysis, please don't hesitate to contact us.

Sincerely,



Anthony R. Weller, P.E., P.L.S.

President

\3273\_CESNW\_KPFF



808 sw third avenue, suite 300 • portland, oregon 97204  
503.287-6825 • fax 503.415-2304  
www.otak.com

May 19, 2017

Herb Koss  
2643 South Shore Blvd  
Lake Oswego, OR 97034

**RE: Basalt Creek Central Area - KPFF Concept Plan**

Hello Herb,

I've read Tony Weller's letter regarding the extra costs required to develop the subject property with employment uses. Tony is a very experienced and capable engineer. He also has very relevant experience in the area.

I agree with Tony's letter and believe it summarizes the situation quite well. The hard costs are actually on the low side for grading the site based on my recent experience on similar sites.

The other concern both Tony and I share is access for cars, trucks and emergency vehicles. A second access point will be extremely difficult to provide.

Please feel free to call with any questions or comments.

Thanks,

A handwritten signature in black ink, appearing to read "Don Hanson". The signature is fluid and cursive, with a large initial "D" and "H".

Don Hanson  
Principal  
Otak, Inc.

**From:** [Herb Koss](#)  
**To:** [Sherilyn Lombos](#); [Alice Cannon](#)  
**Cc:** [Peter Watts](#); [Don & Barb Hanson \(don.hanson@otak.com\)](#); [LouOgden](#)  
**Subject:** FW: Metro Staff Recommendations- Basalt Creek Central Sub Area  
**Date:** Tuesday, February 27, 2018 3:30:50 PM  
**Attachments:** [image001.jpg](#)  
[Basalt Creek CESNW 170720.pdf](#)

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Sherilyn and Alice

I am in California and some of my files are not in my laptop. Tony had sent the attached letter, which represents a clearer picture of the site development costs.

From my standpoint so much information has been submitted it is difficult to sort through our files so I can easily see how some of the record could be missed.

As I stated in my last email the CESNW analysis of the KPFF plan is critical to any decision on our land.

Herb Koss

---

**From:** Tony Weller [mailto:[tweller@cesnw.com](mailto:tweller@cesnw.com)]  
**Sent:** Tuesday, February 27, 2018 2:07 PM  
**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>  
**Subject:** RE: Metro Staff Recommendations- Basalt Creek Central Sub Area

Herb – See if this is the letter/package you were looking for.

Regards – Tony

Tony Weller, P.E., P.L.S.  
President  
**CESNW, INC.**  
13190 SW 68<sup>th</sup> Parkway, Suite 150  
Tigard, OR 97223  
503.968.6655 p  
503.968.2595 f  
503.866.6550 c  
[tweller@cesnw.com](mailto:tweller@cesnw.com)  
[www.cesnw.com](http://www.cesnw.com)

---

**From:** Herb Koss [mailto:[herb@kossred.com](mailto:herb@kossred.com)]  
**Sent:** Saturday, February 24, 2018 4:15 PM  
**To:** Lou Ogden <[lou@louogden.com](mailto:lou@louogden.com)>; Alice Cannon <[Acannon@ci.tualatin.or.us](mailto:Acannon@ci.tualatin.or.us)>; Aquilla Hurd-Ravich <[AHURD-RAVICH@ci.tualatin.or.us](mailto:AHURD-RAVICH@ci.tualatin.or.us)>; Frank Bubenik ([fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)) <[fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)>; jeff DeHaan <[jdehaan@tualatin.gov](mailto:jdehaan@tualatin.gov)>; Joelle Davis

([jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)) <[jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)>; lou ogden ([logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)) <[logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)>; nancy grimes ([ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)) <[ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)>; paul morrison <[pmorrison@tualatin.gov](mailto:pmorrison@tualatin.gov)>; robert kellogg <[rkellogg@tualatin.gov](mailto:rkellogg@tualatin.gov)>; Sherilyn Lombos <[SLOMBOS@ci.tualatin.or.us](mailto:SLOMBOS@ci.tualatin.or.us)>

**Cc:** Sherman Leitgeb <[sherman@equityoregon.com](mailto:sherman@equityoregon.com)>; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>; Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>; Peter Watts <[Peter.Watts@jordanramis.com](mailto:Peter.Watts@jordanramis.com)>; Roy Rogers <[Roy\\_Rogers@co.washington.or.us](mailto:Roy_Rogers@co.washington.or.us)>

**Subject:** RE: Metro Staff Recommendations- Basalt Creek Central Sub Area

Lou

I forgot to mention that we appreciate the fact that the Tualatin Staff and Council will be on top of the situation. The Tualatin residents living next to or near the property like us want Metro to make the right decision.

*Herb*

---

**From:** Lou Ogden [<mailto:lou@louogden.com>]

**Sent:** Saturday, February 24, 2018 3:17 PM

**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>; Alice Cannon <[Acannon@ci.tualatin.or.us](mailto:Acannon@ci.tualatin.or.us)>; Aquilla Hurd-Ravich <[AHURD-RAVICH@ci.tualatin.or.us](mailto:AHURD-RAVICH@ci.tualatin.or.us)>; Frank Bubenik ([fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)) <[fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)>; jeff DeHaan <[jdehaan@tualatin.gov](mailto:jdehaan@tualatin.gov)>; Joelle Davis ([jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)) <[jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)>; lou ogden ([logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)) <[logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)>; nancy grimes ([ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)) <[ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)>; paul morrison <[pmorrison@tualatin.gov](mailto:pmorrison@tualatin.gov)>; robert kellogg <[rkellogg@tualatin.gov](mailto:rkellogg@tualatin.gov)>; Sherilyn Lombos <[SLOMBOS@ci.tualatin.or.us](mailto:SLOMBOS@ci.tualatin.or.us)>

**Cc:** Sherman Leitgeb <[sherman@equityoregon.com](mailto:sherman@equityoregon.com)>; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>; Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>; Peter Watts <[Peter.Watts@jordanramis.com](mailto:Peter.Watts@jordanramis.com)>; Roy Rogers <[Roy\\_Rogers@co.washington.or.us](mailto:Roy_Rogers@co.washington.or.us)>

**Subject:** Re: Metro Staff Recommendations- Basalt Creek Central Sub Area

Thx for the email Herb, and I do appreciate your concerns. I believe we are best served by Metro only looking at the record that was submitted to both cities rather than starting the debate from ground zero. It appears to me that probably everything has been said and everyone has said it. That said (pardon the pun) I believe it is very important the Metro receive ALL the pertinent information of the record already established by the cities. To that end, I believe we will be diligent to be sure all the factors are presented to metro such that there will be little doubt of the facts as presented by both sides. From there they will have to decide, objectively, without bias, based upon their application of the facts toward their deliberations. It appears there may be other misconstruction in the Metro staff report but I have yet to be briefed by Tualatin staff so I'll not comment just yet. Our staff and our council will be on top of it.



Thanks,

1473988944821\_RSP



Resource Strategies Planning Group  
Group Benefits & Life, Health, Disability, & Long Term Care Insurance for  
Businesses and Individuals  
21040 SW 90th Ave. Tualatin, OR 97062  
Phone 503.692.0163; Fax 503.385.0320  
[lou@louogden.com](mailto:lou@louogden.com)

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**From:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>

**Sent:** Friday, February 23, 2018 6:56 AM

**To:** Lou Ogden; Alice Cannon; Aquilla Hurd-Ravich; Frank Bubenik ([fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)); jeff DeHaan; Joelle Davis ([jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)); lou ogden ([logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)); nancy grimes ([ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)); paul morrison; robert kellogg; Sherilyn Lombos

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Herb Koss

---

**From:** Sherman Leitgeb [<mailto:sherman@equityoregon.com>]

**Sent:** Thursday, February 22, 2018 1:40 PM

**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>

**Cc:** Ed Trompke <[Ed.Trompke@jordanramis.com](mailto:Ed.Trompke@jordanramis.com)>; Peter Watts <[Peter.Watts@jordanramis.com](mailto:Peter.Watts@jordanramis.com)>; Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>

**Subject:** Re: Metro Staff Recommendations- Basalt Creek Central Sub Area

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**SHERMAN LEITGEB**

Principal Broker/ Owner

[Sherman@EquityOregon.com](mailto:Sherman@EquityOregon.com)

503-704-9280



July 20, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

**RE: BASALT CREEK CENTRAL AREA – EMPLOYMENT VERSES RESIDENTIAL DEVELOPMENT**

Dear Mr. Koss:

In response to your request we have prepared a summary on the differences between development of employment type uses verses residential uses on the central area of Basalt Creek Concept Plans. When we evaluate property for development we look at zoning, transportation/access, utility service availability, topography, environmental constraints, soil conditions and adjacent uses.

The Basalt Creek Central Area faces development constraints that impact any development regardless of use (employment verses residential). These development constraints are:

- Limited access (only from Grahams Ferry Road).
- Wetlands
- Powerline easement that bisects the area
- Significant slope and topography to access the southerly portion.
- Shallow hard rock soil conditions.

The most significant differences between employment development and residential is how they can respond to these constraints. Residential development typically has smaller building footprints and can accept steeper grades for access. In addition attached residential buildings can have split floor elevations and parking underneath, both of which allow this type of building to be more responsive to the topographic and access issues.

Conversely, employment development has larger building footprints, must have flatter access grades for trucks, wider maneuvering areas for turning movements and parking. It is also undesirable to split building floor elevations as that can limit the use or size of tenant. **This flatter and wider footprint requires more grading and retaining walls on property like this than any competitive property without these constraints. Add rock excavation at six to ten times the normal cost of grading to the excessive amount of grading required, and this property may not be economically feasible to develop.**



Mr. Herb Koss

**BASALT CREEK CENTRAL AREA**

Page 2 of 2

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Two residential projects we have been involved in are examples of how residential development can be more responsive to site constraints. Forest Rim apartments on Nyberg Road in Tualatin had wetlands and large rock outcrop in the middle of the site. The access roads and buildings were able to be wrapped around these features that turned them into amenities rather than limitations. A condominium project in Happy Valley, Greystone at Altamont was able to be wrapped around the top of the knoll with parking underneath both the upper and lower side of the units.

Most of the competitive employment land along the I-5 corridor in Tigard and Wilsonville or western Tualatin is relatively flat and/or does not require the rock excavation for development. We prepared rough cost estimates for the grading and retaining walls this property based on the KPFF Option B plan for basic site prep. These costs are in addition to the paving and utility costs that will also be needed for this site. The rough grading and retaining wall costs are:

Grading	350,000 Cubic Yards	\$10,500,000.00 (assumes significant rock excavation)
Retaining Walls	2,400 Lineal Feet	\$ 1,200,000.00

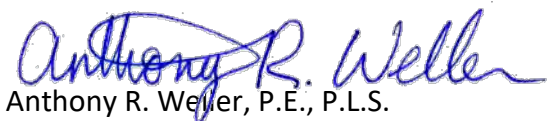
**It is important not to overlook the other constraint that impacts this area, Access.** The lack of access to the southerly and upper portion of the area increases the amount of grading and rock excavation required to develop the property. If Basalt Creek Parkway had been a local street that would provide at grade access to the upper portion of the area, employment uses could be feasible. Similar to variance criteria, this is not a self-imposed hardship but one that is unique to this portion of the planning area.

Another consideration is how this area relates to the adjacent uses (both existing and future). There is existing single family detached housing to the north. There is also underdeveloped property east of the planning area as well as the creek itself along the northeasterly portion of the area.

The City of Tualatin is proposing additional single family detached adjacent the existing single family housing to the north. Higher density residential provides an excellent transition between lower density residential, commercial and/or industrial uses. Basalt Creek Parkway with its deep cut and wide right of way provides additional transition area to the south.

Per your request, I will be present at the 7/24 work session and will be happy to answer any questions at that time.

Sincerely,



Anthony R. Weller, P.E., P.L.S.

President



May 18, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

**RE: BASALT CREEK CENTRAL AREA – KPFF CONCEPT PLAN**

Dear Mr. Koss:

In response to your request we have reviewed the Basalt Creek Concept Plans prepared by KPFF with regards to the approximately 50 acres north and east of the intersection of Grahams Ferry road and Basalt Creek Parkway.

The KPFF study outlines three potential development schemes that share similarities between each scheme. Each scheme includes a single access point on Grahams Ferry Road at Tonquin Loop and no secondary or emergency access provided. The study also provides concept finish floor elevations and access road grades for each scheme. The summary shows either Scheme A or B as the higher rated concepts. We chose Scheme B to evaluate as the most highly ranked scheme.

Using the proposed grading plan for Scheme B, we calculated rough grading quantities and costs. Our estimate shows estimated grading totaling about 350,000 cubic yards. We also looked at the existing grades around the proposed parking and building areas for the potential need of retaining walls. The grading plan for this scheme showed some retaining walls but we believe additional walls would be required along the parking areas adjacent to the easterly property line and the downhill sides of Building B and Building D. We estimated the need for approximately 2400 lineal feet of retaining walls for these walls and the ones shown on the plan. We also believe additional smaller walls will likely be required for this plan as it is further developed. We did not provide any allowance for the smaller walls.

Our experience in this area on the site to the north, leads us to expect a significant amount of rock that is very near the surface. The proposed grading plan also includes significant depths of cut and fill. The fill in the south east corner of the site would be about 20-feet and cuts on the site that could be over 10-feet. Rock excavation is not very efficient and therefore more costly. Also to use the excavated rock materials as fill, will require additional processing or it may need to be supplemented with imported materials to accomplish the grading as proposed.

Mr. Herb Koss

**BASALT CREEK CENTRAL AREA – KPFF CONCEPT PLAN**

Page 2 of 2

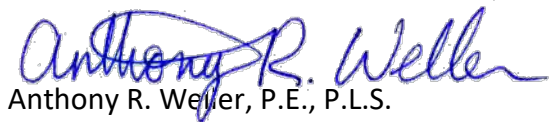
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For budgetary purposes, we would estimate \$30 per cubic yard for grading to reflect the rock excavation and potential imported fill needs for this site. This results in an estimated grading cost of \$10,500,000. At the anticipated wall heights, we have estimated \$1,200,000 for the retaining walls.

In summary, we feel the proposed grading plan is possible but it puts parking lot and access way slopes at the near maximums for industrial development. If you were to the reduce slopes to improve the usability, it would require even more excavation and the costs would be even higher.

If you have any questions in regards to our analysis, please don't hesitate to contact us.

Sincerely,



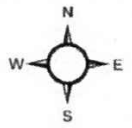
Anthony R. Weller, P.E., P.L.S.

President

\3273\_CESNW\_KPFF



# Topographic Map: Central Subarea on Tualatin side of Basalt



RF 1:3,000

Tonquin Loop

Graham's Ferry Rd

Tonquin Rd



This map is derived from various digital database sources. While an attempt has been made to provide an accurate map of the City of Tualatin, OR, as it appears on the ground, the City of Tualatin, OR, assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". TUALGIS

USGS, NGA, NASA, USIA, N  
Robinson, NCEAS, NLS, OS, NMA © data by Jensen and the GIS User Community

Source: ESRI 2016



**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#); [Sherilyn Lombos](#)  
**Cc:** [LouOgden](#)  
**Subject:** FW: Testimony for Monday's Work Session  
**Date:** Tuesday, February 27, 2018 1:34:17 PM  
**Attachments:** [Attachments 1-3.pdf](#)  
[Attachment 4-10.pdf](#)

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Dear Sherilyn and Alice

Mayor Ogden asked me to have Peter Watts forward the email that he sent to Roger Alfred at Metro. Peter just informed me that he just emailed that email to you.

I also would like for you to confirm that Metro was sent the email Peter wrote below along with the attachments included with this email. If you have any trouble opening the attachments please let me know.

At this point in time the Metro Planning staff has restricted any input from any body except the cities. This is very disturbing to the property owners involved in this dispute. We are still hopeful that Metro will allow testimony.

Please let me know if you have any questions.

Sincerely

Herb Koss 503 730 2431

---

**From:** Peter Watts [mailto:Peter.Watts@jordanramis.com]  
**Sent:** Tuesday, February 27, 2018 9:35 AM  
**To:** Herb Koss <herb@kossred.com>  
**Subject:** FW: Testimony for Monday's Work Session

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**From:** Peter Watts  
**Sent:** Sunday, February 12, 2017 12:42 PM  
**To:** 'council@ci.tualatin.or.us'; 'council@tualatin.gov'  
**Cc:** 'slombos@ci.tualatin.or.us'  
**Subject:** Testimony for Monday's Work Session

Dear Mayor Ogden, Members of the Tualatin City Council, and City Staff,

I, along with others, own land North of the planned Basalt Creek Parkway, and East of Grahams Ferry Drive. I am writing this letter solely on my own behalf, specifically to provide background information, address the report provided to Washington County by McKenzie, and also



provide information from local experts who have walked the site, so that you can make the best possible determination regarding the most appropriate designation of the land.

### **Executive Summary**

Don Hanson of OTAK, and Tony Weller of CES NW, have both provided letters stating significant reservations with the feasibility of developing this site as employment land, and provided detailed analysis of topographic and access limitations associated with the site, for your review. The letter from Tony Weller succinctly describes the issues with the McKenzie Report and the site in two pages.

Ken Leahy of Ken Leahy Construction, and Brian Clopton of Brian Clopton Excavating, both who have significant experience providing site preparation in the region, have walked the property, and believe that site preparation for the large building footprints required by employment designations, will be cost prohibitive due to the site slope and basalt rock soil.

Eric Sporre of PacTrust believes that there is an inability to develop industrial or flex buildings based on the site topography and soil conditions. Mike Diamond of the Real Estate Investment Group opined that the site was unlikely to develop as industrial or flex space because of the inability to provide large drive access for truck loading and turning radius. He also determined that office park use was not feasible, because the steep topography would have a negative impact on the proximity of parking and could pose an issue with American's Disabilities Act requirements. In short, all of the experts, were in agreement that there were significant issues with ever developing the property as employment land.

Although, McKenzie provided a report to Washington County, that the land could be feasibly developed as employment land, that report was based on a series of assumptions regarding site access, road construction, and zoning on the northern portion of the property, that will not occur under the current plan. Washington County staff has confirmed that the access off Basalt Creek Parkway, and the north south Kinsman road, will not be built. Both, Don Hanson and Tony Weller, have provided letters based on the most recent Washington County data, that contradict the conclusions reached in the McKenzie report.

Despite that the Basalt Creek planning area was brought into the UGB for the primary purpose of providing employment land, Metro has confirmed that there is no prohibition in the findings for non-employment designations. John Fregonese has confirmed that even if the subject property was zoned residential, the employment capacity for the planning area, will still far exceed Metro's estimates by 1,000, or more.

### **Background Information And Why We Are Here Today**

Although, I have significant experience representing both jurisdictions and developers in land use matters, I have never previously experienced the process from the perspective of a land owner, so this has been an eye opening experience. At the time that I decided to invest as a part owner in one of the subject properties, I did due diligence by looking at satellite images, reviewing

the plans prepared by the cities and John Fregonese, and driving to the site. I didn't, however, walk the site, because of extremely bad weather.

I believed based on my review of the planning materials that the site would develop as employment land, and am very familiar with the regional needs analysis. In short, I did what everyone else did which was look at it from a bird's eye view, instead of on the ground.

At the time of my ownership, the most pressing issue was the boundary between the two cities. There seemed to be a logical boundary between Tualatin and Wilsonville, at Basalt Creek Parkway. I met with staff from Wilsonville to discuss the boundary, as well as Wilsonville's vision for mirror image zoning, which I believed, at the time, was feasible, and would work.

It was only when winter turned to summer, that I actually walked the property. What was not obvious from satellite imagery, or from the road, was immediately apparent, when I was on the ground. There are significant slope issues with the property and the adjacent properties, and there was very little topsoil, and a lot of rock. I am familiar with the impact of topography and soil conditions through my past representation of the former city of Damascus, and this property did not seem well suited for the large footprints necessary for an employment designation.

After discussions with Herb Koss, we contacted adjacent property owners, and received their permission to have experts look at the parcels of property as a whole, to help determine feasibility. At that time, concerned whether there was a prohibition on non-employment land zoning, I had preliminary discussions with Metro staff regarding whether there had been a requirement that the land be zoned employment, when it was brought into the UGB.

Metro's land use attorney, Roger Alfred, and I, both reviewed the findings and determined that although there was a strong desire for employment land, an orderly transition from residential to employment was contemplated at all times during the process. There is nothing in the findings that prevents a residential designation. This is particularly true if the factors on the ground do not support an employment designation. With that information and the consent of adjacent land owners we moved forward with the process of bringing in experts for site suitability analysis.

### **Preliminary Analysis From Experts And Washington County's Letter Opinion From McKenzie**

Herb Koss arranged for Don Hanson from OTAK to analyze the site for slope issues and potential zoning, and he has previously submitted materials regarding his findings. (*See attachment 1*) Brian Clopton, of Brian Clopton Excavating submitted a letter on November 18, 2016 regarding the soil conditions and topography. (*See attachment 2*) Eric Sporre of PacTrust submitted a letter on November 14, 2016 regarding the inability to develop industrial or flex buildings based on the topography. (*See attachment 3*)

Mike Diamond of the Real Estate Investment Group submitted a letter on November 21, 2016 opining that the site was unlikely to develop as industrial or flex space because of the inability to provide large drive access for truck loading and turning radius. (*See attachment 4*) He also determined that office park use was not feasible because the steep topography would have a

negative impact on the proximity of parking and could pose an issue with American's Disabilities Act requirements. In short, all of the experts, were in agreement that there were significant issues with ever developing the property as employment land.

Don Hanson shared Mike Diamond's concerns regarding compliance with ADA standards. He noted that the site that Washington County used as a comp, South Center, which was designed by OTAK had half the slope of the subject site, and could not be built under current ADA standards. (See page 1 of attachment 1)

At the same time, Mayor Ogden, and staff, asked John Fregonese for his opinion. He expressed reservations regarding the employment designation, and believed that it would be better suited as residential land. This, and other data, prompted Washington County to hire McKenzie to provide a letter opinion.

Upon receiving a copy of the McKenzie Letter, I had significant concerns that their report regarding feasibility was predicated on four inaccurate assumptions. Specifically:

1. The McKenzie letter contemplated access off of Basalt Creek Parkway, and did not take into account the 18-20 foot curb cut off of Basalt Creek Parkway (Washington County Project Manager, Renus Kelfkens, confirmed via email on 2/1/17 that the only access onto Basalt Creek Rd., will be from Grahams Ferry Rd., and Boones Ferry Rd., and that there will likely be an 18-20 foot curb cut); (*See Attachment 5*)
2. The McKenzie letter contemplated Kingsman Rd., as a North South connector, allowing truck access to the southern portion of the site (Washington County Planner Erin Wardell confirmed via a phone call to Herb Koss on 2/9/17 that this road had been deleted over a year ago);
3. The McKenzie letter contemplated an Employment designation in the northern quadrant of the property, despite the fact that it has been designated by the city as residential transition;
4. The McKenzie letter did not rely on site specific geotechnical conditions or topography, relying on regional mapping instead (Todd Johnson confirmed that they had not used site specific data via email on 2/10/17) (*See Attachment 6*)

I have had discussions with Gabriela Frask, who prepared the McKenzie report, and learned that she was not provided with the site transportation access information, nor was she aware that the northern portion of the property, which is relatively flat, was planned as residential transition. She was also unaware that Kingsman Rd., was deleted from the area planning approximately a year ago. Additionally, Washington County did not authorize a site visit, within her scope of work, which I believe negatively impacted her ability consider other factors impacting feasibility. Regardless of the skill of an individual planner or agency, their work can only be as accurate as the information that they rely upon, and in this case I believe that Gabriela and McKenzie did not receive sufficiently detailed information to assess the property as accurately as possible.

### **Expert Opinions and Assessment of the McKenzie Letter**

We asked Tony Weller of CES NW, to consider the Tualatin staff reports, McKenzie Study, email from Washington Co., regarding access, the DKS preliminary profile of the extension of Basalt Creek Parkway, and the OTAK Basalt Creek Concept Plan. In a comprehensive letter dated February 10, 2017, he opined that while the northerly third of the site is very developable as employment land, almost half of that property is reserved for residential use. And, that the deletion of the planned Kinsman Road, eliminates the only at grade potential access coming from the southerly portion of the site. The plateau portion of the property is surrounded by steep slopes of over 10% and over 20%. He further opined that neither access point can provide a secondary access to the plateau area which is a negative for both traffic flows and emergency access. (*See Attachment 7*)

Ken Leahy of Ken Leahy Construction Inc., was asked to provide a more comprehensive look at site preparation costs. He provided his opinion, in a letter dated February 10, 2017 that the cost of site preparation will exceed \$5.00 per foot. (*See Attachment 8*)

Don Hanson, of OTAK has provided a letter, and marked-up the McKenzie map based on the actual location of Basalt Creek Parkway, the lack of access off of Basalt Creek, the elimination of Kinsman road, and the residential designation at the top of the property. The result of those additional facts, eliminates a significant portion of the property that McKenzie deemed developable. (*See Attachment 9*)

Additionally, I have included a map that combines the McKenzie Plan with the residential zone and topographic map. (*See Attachment 10*)

Their letters are attached for your review.

### **A Summary of Relevant Data**

With so many different letters from various experts, and communications from owners, neighbors, and other jurisdictions, over the last six months, it can be hard to keep track of the relevant information. So, I would offer the following:

1. Metro's own benchmark for employment land contemplates a slope of less than 10%, with less than 5% preferred. This site has slope in excess of 20% throughout;
2. PacTrust has provided a written opinion that the topography and basalt soil of the site mean it can't be feasibly developed for employment purposes;
3. OTAK has indicated in writing that the comparable property that Washington County used in their analysis, had half as much slope as this site, and could not be built under current American's with Disabilities Act rules/regulations;
4. Site preparation specialists in the area confirm the high cost of site preparation, due to soil conditions. The amount of blasting that can occur on this site is compromised by the high capacity power lines that bisect the site;
5. There is no access off of Basalt Creek road, and the deletion of Kinsman Road directly, and negatively impacts truck circulation on the southern portion of the site;
6. The northern portion of the site, adjacent to the existing neighborhood is currently planned to be zoned residential, contrary to what McKenzie's renderings show, and that designation

has a major impact on the large footprint, employment, buildings that can/cannot be constructed. OTAK believes that only 11% of the site can be feasibly constructed as employment;

7. A residential designation and orderly transition to employment/industrial was always contemplated adjacent to the existing residential neighborhood, and is allowed under the findings that brought the Basalt Creek area into the UGB.
8. The county believes that an 18-20 foot curb cut, will be necessary on Basalt Creek Parkway. That curb cut means that the mirror image view that Wilsonville contemplated cannot occur. The view will either be of a graded slope or a 20 foot retaining wall.

## Conclusion

Although, the primary purpose of the Basalt Creek UGB expansion was to bring in employment land, the on ground conditions on this property don't support that designation. During the thirteen year period since this land was brought into the UGB, there has been a trend of locating workforce housing close to employment lands to lessen commute time to work, and there are other lands in the Basalt Creek Planning Area that are zoned residential.

John Fregonese was asked if this property was needed for employment capacity. His response was that if the subject property was zoned residential, the employment capacity for the planning area, will still far exceed Metro's estimates by 1,000, or more. In short, this land does not need to be zoned employment in order for the planning area as a whole to exceed Metro's employment capacity estimates.

Thank you for your time and consideration.

Peter

**Peter O. Watts** |  
**Jordan Ramis PC** | Attorneys at Law  
Direct: 503-598-5547 Main: 503-598-7070

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1

# BASALT CREEK/TUALATIN CONCEPT PLAN

## Amendment Request to the Concept Plan

### Tualatin, Oregon

August 23, 2016, Revised November 21, 2016

### Introduction

- Otak Inc. (Otak) represents The Sherwood Grahams Ferry Investors LLC, headed by Herb Koss, who hold 10 acres in the 41 acre northeast quadrant of the overall district. The property is located near the northeast corner of Grahams Ferry Road and extends over to the Basalt Creek Canyon along the proposed new east-west arterial road. This summary of concerns and the amended concept plan lay out our intended direction moving forward.

### Project Concerns

- Otak’s concern is that the northeast quadrant area is not well suited to industrial zoning or employment transition proposed by the concept plan.
  - **Topography.** Much of the site contains slopes in excess of 10 percent (10%) and 25 percent (25%). The site would be extremely difficult to flatten out to accommodate industrial or employment transition site development requirements. Attached is a topographic map of the South Center project provided to City of Tualatin (City) staff. Otak designed this flex-space project. The topography is half as severe as portions of the 41 acres site. The site would be extremely difficult to develop given today’s American with Disabilities Act (ADA) requirements.
  - **Access.** Vehicular access will be limited to Grahams Ferry Road and extending Tonquin Loop into the site. No access will be permitted on the proposed new east-west arterial road.
  - **Basalt Creek Canyon.** The industrial land abuts the Basalt Creek Canyon with no transition.
  - This is not a big change but rather a refinement to the concept plan. It is a defined site area that makes up about 3 to 5 percent (3-5%) of the total Basalt Creek Study Area. Also there are currently 329 acres of undeveloped industrial land within a one mile radius of the study area.

### Land Use Context

- The following shows a comparison of Metro’s initial goal for the district, the City’s current plan, and the proposed amended plan.

Metro	2500 Jobs	1200 Households
City Plan	4500 Jobs	600 Households
Amended Plan	4070 Jobs	1194 Households

The amended plan proposes a more balanced approach that is well within the intended mix proposed by Metro when the land came into the Urban Growth Boundary (UGB).

A group of mayors in our region have gone to Metro and asked Metro for flexibility related to UGB expansions. They have asked Metro to look at lands and appropriate zoning designations on a sub-regional basis. They have asked that Metro consider factors such as slope, and proximity to infrastructure, to help avoid situation like Damascus. We are asking you to do the same. We recognize that the region anticipated that the Basalt Creek area would primarily be zoned employment uses.

It is certainly anticipated that the vast majority of the land will be used for that purpose. But, within the Basalt Creek Planning Area, there are sub-areas that cannot reasonably be developed as employment land because of topographic and other issues. The 41 acres that we have asked the City to zone for residential purposes is one of those sub-areas. There is land to the west and south of this land that is zoned employment, that land is flatter than the subject 41 acres, and it is closer to transportation infrastructure than the subject 41 acres. Neither PacTrust Pacific Realty Associates, LP nor Brian Clopton Excavating believed that an employment designation was possible given the slope and soil quality. Instead of designating the property with a designation that will result in it never developing, we ask that you give it a designation that will make development feasible. If you do not do so, it will sit vacant; counting as developable employment land, just as Damascus has sat vacant, counting as available housing stock. Its designation will prevent further necessary expansions.

There is a housing crisis in our region and the latest modeling has demonstrated the importance of having residential land and employment land in close proximity. This is an opportunity to provide housing, on land which cannot be feasibly developed as employment land.

## **Amended Plan Options**

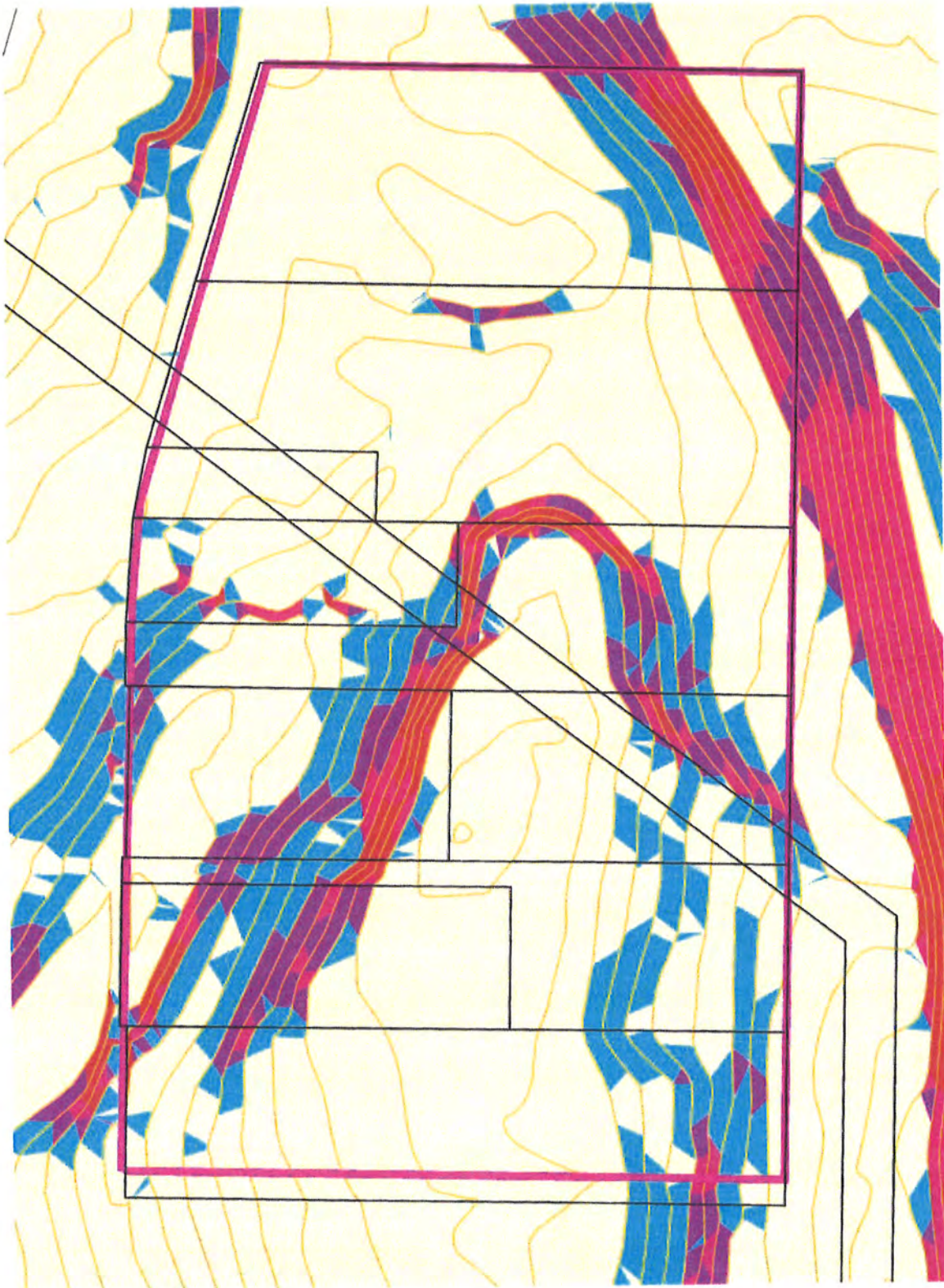
- The attached concept plan option summarizes the requested amendment for proposed land uses that fit the site and its unique conditions.
- The plan anticipates building Tonquin Loop as an actual loop with two access points on Grahams Ferry Road. This road extension will provide complete access to the properties and also access to property owners east of the site.
- Three densities of residential are shown as transition to the neighborhood to the north and canyon to the east and also along the new east-west arterial, which is down 25 vertical feet from the site area. A center core area of potential retail, high density residential, and open space could serve as a walkable destination in the neighborhood. Also secondary access can be provided to the developable lands to the east above the canyon.
- Property uses can be molded to fit actual site conditions and provide a mix of housing (including workforce housing) close to jobs anticipated to the south and west.
- The programmed development will “be trip cap neutral” compared to the current city concept plan.

## Benefits

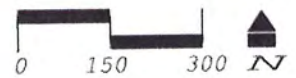
- A walkable neighborhood with appropriate transitions and destinations
- Land uses that are adaptable to actual site conditions. The mix of uses will act as a **catalyst to create activity in the district**. The high-density residential (HDR) land provides the best opportunity for workforce housing next to employment lands. Residents won't need a car to commute.
- A plan that meets Metro's initial objectives when the land was brought into the UGB.
- A more complete quality neighborhood for the City of Tualatin.

Attachments: Basalt Creek Site Topo  
Basalt Creek Slope Analysis  
South Center Site Topo (Comparison)  
Basalt Creek Land Use Concept  
Letter from PacTrust Pacific Realty Associates, L.P.  
Letter from Brian Clopton Excavating  
Letter from Micheal Diamond, Real Estate Investment Group  
Basalt Creek nearby Job Lands Map





11-16-2016



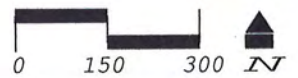
Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	
2	10.00%	15.00%	Blue
3	15.00%	20.00%	Purple
4	20.00%	25.00%	Pink
5	25.00%	357.23%	Red

# BASALT CREEK SLOPES ANALYSIS





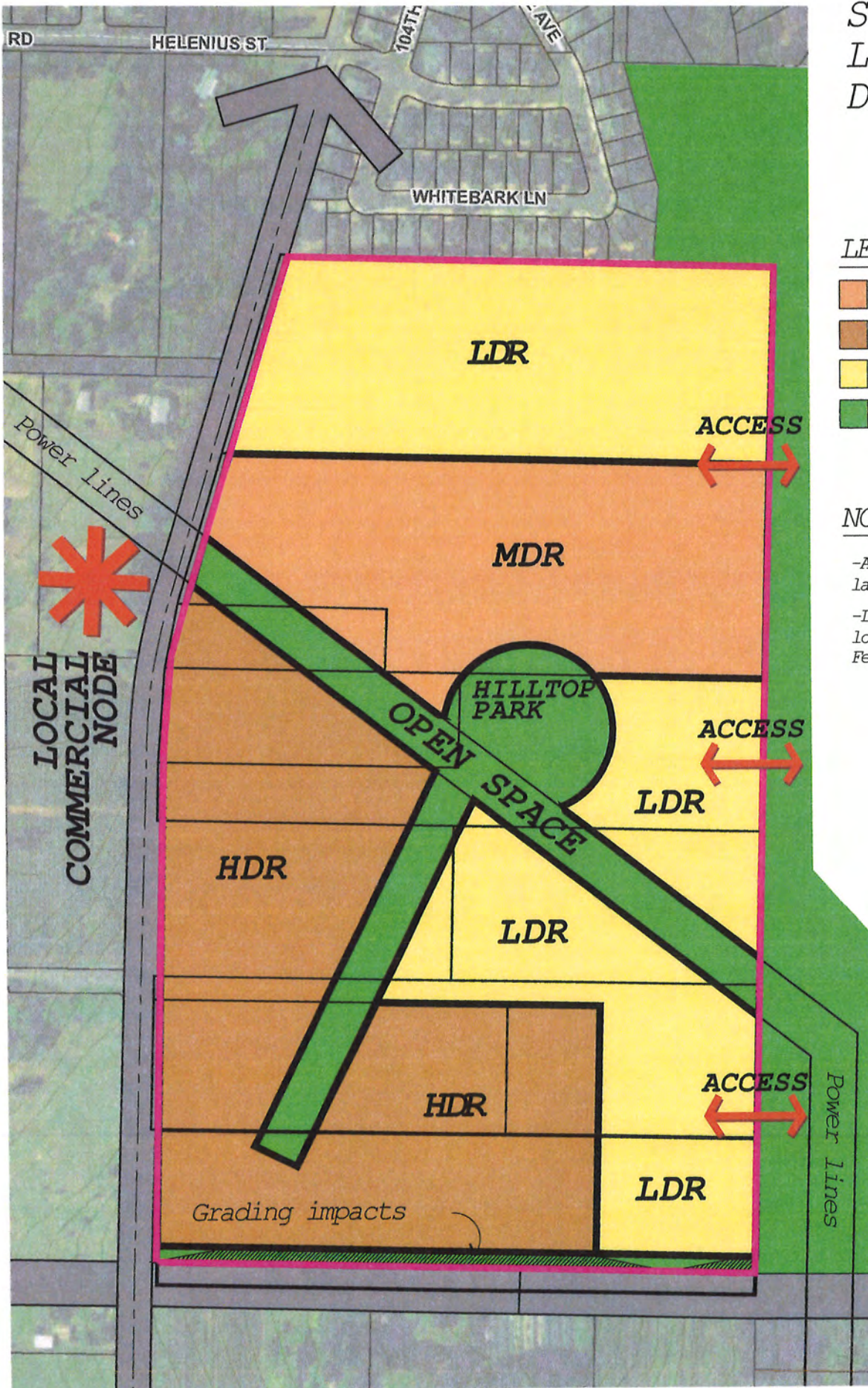
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# SOUTH CENTER SITE TOPO



# Subdistrict Land Use Diagram



## LEGEND

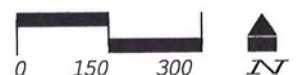
-  Mid Density Residential
-  High Density Residential
-  Low Density Residential
-  Open space

## NOTES

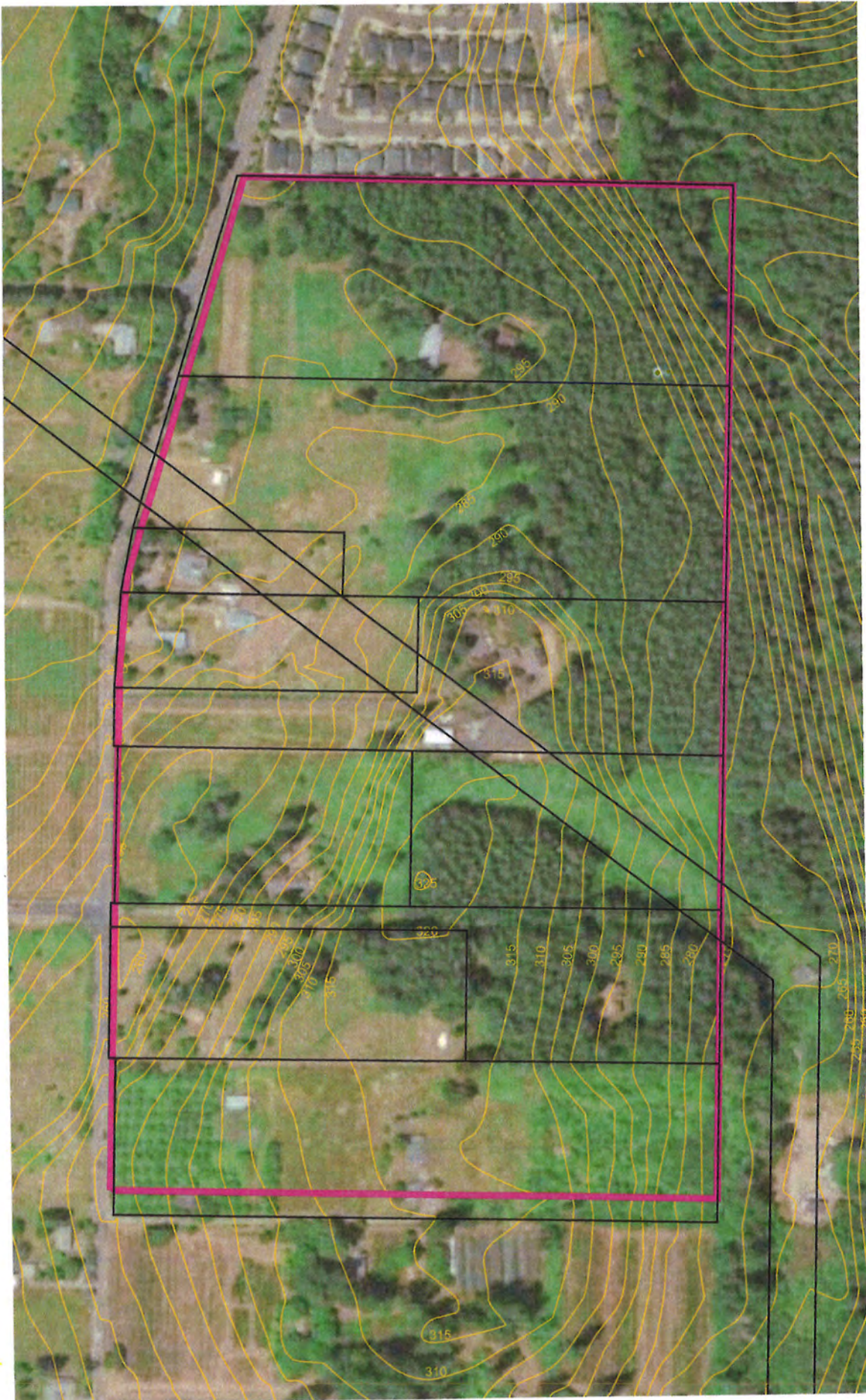
- Access provided for landowners to East
- Local commercial node located across Graham's Ferry Road



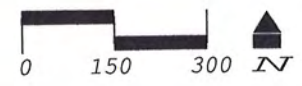
11-21-2016







11-16-2016



# BASALT CREEK SITE TOPO





PO Box 509  
Wilsonville, OR 97070  
P: 503-682-0420  
F: 503-570-3235  
www.cloptonexcavating.com

2

November 18, 2016

Dear Mr. Koss

You have asked me to visit the 41 acre site located in the Basalt Creek Planning area. Your question was the feasibility of grading this site for employment land vs. a residential zone.

For your information my company has just purchased another four acres next to our Clay Street property. With this acquisition we now have 16 acres of land on Clay Street. I am very familiar with this area and as you know my company has mass graded many sites in the Portland Metro Area. I have been asked many times to inspect potential projects in order to determine problems that may be associated with a developer's site plans --- slopes, access and feasibility.

Thank you for providing me with topography of the site. It was very helpful and to be honest the slopes on the site were more severe then I first thought. The other big issue is the amount of rock that would be encountered with any grading necessary to accommodate any development on this site. This site is far better suited for Residential use since grading for this does not require the same topographic grading in comparison to employment uses. The Basalt Creek area does feature other land that is suited for employment; however the 41 acres you have asked me to visit is not in that category. I was also surprised by the 18 to 20 foot cut in order to accommodate the extension of Basalt Creek Parkway.

If you require any additional information please let me know.

Sincerely

Brian Clopton

President/Owner

**PACTRUST**  
Pacific Realty Associates, L.P.

15350 S.W. Sequoia Pkwy., Suite 300  
Portland, Oregon 97224  
503/624-6300 • Facsimile: 503/624-7755

3

November 14, 2016

VIA EMAIL

Herb Koss  
2643 South Shore Boulevard  
Lake Oswego, OR 97034

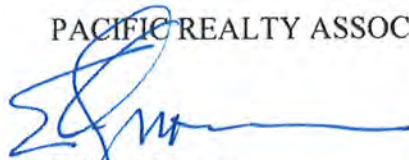
Dear Herb,

At the request of Peter Bechen, I toured your site north of the future Basalt Creek Parkway last week. PacTrust is developing an industrial park several miles north at 115<sup>th</sup> Avenue and Tualatin-Sherwood Road in Tualatin known as Koch Corporate Center. We are interested in locating a site to develop in the Coffee Creek area for light industrial uses. Unfortunately, the topography of your site makes development of industrial or flex buildings uneconomic. We believe housing would be a more appropriate use for the site. The smaller floor plates for housing enable it to work with slope conditions present on your property. Industrial/employment land requires sites to be much more flat due to dramatically larger floor plates, parking requirements, loading areas for trucks and ingress/egress concerns for trucks. There are several sites in the area that are more appropriate for industrial/employment development.

Let me know if you would like to discuss this further.

Yours very truly,

PACIFIC REALTY ASSOCIATES, L.P.



Eric A. Sporre  
*Vice President*



4

November 21, 2016

Herb Koss  
2643 South Shore Blvd.  
Lake Oswego, Or 97034

VIA: EMAIL

RE: 41-acre Basalt Creek southern boarder 23960 SW Grahams Ferry Rd.

Dear Herb,

I visited the site and spent a considerable amount of time driving the area. It is an exciting development area especially when the Basalt Creek Parkway is completed.

The topography of the site is such that developing an industrial project would be very difficult and if done would be at best marginal and very inefficient. Industrial, flex buildings require large foot prints, large drive areas for loading and turning radius. There are better sites in the area for this type of use.

I also looked at the site for office park use and concluded that due to the steep topography of the site it could have a negative impact on the proximity of the parking that may pose an issue with ADA requirements. I also believe that the extraordinary site cost and small office footprints would not be cost effective and competitive in the office market. Furthermore, the location does not readily lend itself to that use.

This site lends itself to smaller foot print buildings such as housing and multifamily that can be planned around the steep grades and terraced into the topography. It is my opinion that the highest and best use for this site are single family homes buffered along the frontage with multifamily housing.

Our office has forty years of experience in commercial real estate and have procured sites for commercial developers such as Gramor, Holland Development LLC and West Hills.

Let me know if you have any questions.

A handwritten signature in black ink, appearing to read "Michael N Diamond", written in a cursive style.

Michael N Diamond  
Principal Broker



## Peter Watts

---

**From:** Herb Koss <herb@kossred.com>  
**Sent:** Saturday, February 11, 2017 5:56 PM  
**To:** Peter Watts  
**Subject:** FW: Basalt Creek Renus



### Thanks Herb Koss

Begin forwarded message:

**From:** Renus Kelfkens <[Renus\\_Kelfkens@co.washington.or.us](mailto:Renus_Kelfkens@co.washington.or.us)>  
**Date:** February 1, 2017 at 12:02:54 PM PST  
**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>  
**Subject:** RE: Basalt Creek

Hi Herb,

Yes, Basalt Creek Parkway is a limited access road. The only access will be from Grahams Ferry Rd, and Boones Ferry Rd. Currently we have not done any topographic survey, or design but it is reasonable to expect an 18-FT to 20-FT cut. This will be investigated during the design phase of the project.

Sorry for the delayed response. Please let me know if there are any other questions or comments.

Thanks,

Renus Kelfkens | Project Manager  
503-846-7808 [renus\\_kelfkens@co.washington.or.us](mailto:renus_kelfkens@co.washington.or.us)

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**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Friday, January 27, 2017 12:40 PM  
**To:** Renus Kelfkens  
**Subject:** Basalt Creek

Dear Renus

I wanted to pass along the employment site evaluation prepared by Mackenzie. After our conversation earlier this week it seems clear to me that some of the assumptions that Mackenzie made, are not consistent with the transportation plan for the area. Although, the site evaluation shows access off of Basalt Creek Parkway, my understanding is that the county will not allow access. Additionally, the evaluation has Basalt Parkway in the wrong area, does not reflect the 18-20 foot curb cut, onto the property, nor does it show the residential that is planned on the northern portion of the site to transition from the existing neighborhood. I spoke to Mackenzie this week, and they indicated that they had not contacted the county regarding the transportation access, or the residential at the northern portion of the site.

Would you be willing to confirm that there is no planned access off of Basalt Creek Parkway, and that the curb cut is expected to be 18-20 feet? I think that that information will be enough for Mackenzie to retract their site evaluation. Please correct me, if anything that I have indicated isn't

accurate. My goal is to make sure that everyone is working off of the same assumptions, so that we can properly assess the site suitability. Thanks for all of your help, and taking the time to talk.

Herb

## Peter Watts

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**From:** Herb Koss <herb@kossred.com>  
**Sent:** Saturday, February 11, 2017 5:49 PM  
**To:** Peter Watts  
**Subject:** FW: Proposal - Basalt Creek McKenzie  
**Attachments:** PRO-Koss Real Estate-Scope and Fee-170209.pdf



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**From:** Todd Johnson [mailto:TJohnson@mcknze.com]  
**Sent:** Friday, February 10, 2017 12:04 PM  
**To:** Herb Koss  
**Cc:** Dennis Woods; Gabriela Frask  
**Subject:** FW: Proposal - Basalt Creek McKenzie

Hi Herb-

I've been in meetings all morning. Sorry for the delay in getting this to you.

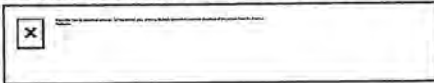
Attached is a scope and budget letter to further develop the work we did previously for Washington County. As we discussed, the letter report we prepared for Washington County relied on data available at the time we prepared the letter, and also relied on regional mapping, not site specific mapping for resource lands, geotechnical conditions, and topography. This scope includes developing site specific data to allow cost feasibility analysis to our previous study. By improving the accuracy of the data we have through onsite study and mapping, we will be able to determine if the site is economically viable for employment use, or also look at residential uses as alternates for economic viability.

It's my understanding that you have new information for the road connections and locations that we did not use in our previous report. That type of data would be collected as part of our work and would be incorporated into the scope we propose in the attached scope and budget letter.

Let me know if you have any questions about the attached scope, or if you would like us to change the proposal in any way. If the scope we outlined in the attached letter is satisfactory, I'd suggest we have a meeting with you and the project team to refine the tasks we identify prior to us commencing work.

Thanks for the opportunity to present this scope of work. I'll call you to discuss it.

Todd Johnson  
Senior Associate / Director of Planning



Architecture · Interiors · Engineering · Planning

P 503.224.9560 W [mcknze.com](http://mcknze.com) C [vcard](#)

RiverEast Center, 1515 SE Water Ave., Suite 100, Portland OR 97214

This email is confidential, may be legally privileged, and is intended solely for the addressee. If you are not the intended recipient, access is prohibited. As email can be altered, its integrity is not guaranteed.





February 10, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

**RE: BASALT CREEK CONCEPT PLAN – (CENTRAL AREA)**

Dear Mr. Koss:

In response to your request I have reviewed the Basalt Creek Concept Plan materials with regards to the suitability of employment/light industrial development on the 63 acres north and east of the intersection of Grahams Ferry road and Basalt Creek Parkway. These materials included:

1. Tualatin Staff Reports
2. Mackenzie Study
3. Email from Washington County Basalt Creek Parkway project manager Renus Kelfkens regarding access to Basalt Creek Parkway.
4. DKS preliminary profile of the extension Basalt.
5. OTAK Basalt Creek Concept Plan.

We understand that the City, Metro and Washington County's desire is to zone this area for employment land. Development potential of land for employment uses, as stated in the MacKenzie report, is generally assumed to have less than 5% slopes. This is to allow for larger building footprints, parking, loading areas and truck access.

The two areas that meet that criteria for this property is the northerly 1/3 adjacent Victoria Gardens and the top of the plateau area in the lower middle of the site. The northerly area would be well served with access from Grahams Ferry Road at Tonquin Loop and potentially a secondary access from Tonquin Road at Grahams Ferry Road. These to access points would appear to have good separation and sight distance on Grahams Ferry. The northerly area is very developable as employment land, however the City has set aside approximately 10 acres (almost half) as residential to buffer the Victoria Gardens lots.

The southerly plateau area's best access would come from the southerly property line and Grahams Ferry. However, this is the location of Basalt Creek Parkway which the County will not allow access. We also understand that the County has deleted the proposed Kinsman Road crossing of Basalt Creek Parkway shown on the Tualatin Concept and MacKenzie plans thereby eliminating the only at grade potential access coming from the southerly portion of the site. Therefore any access to the plateau area must come from the north (Tonquin Road or Tonquin

Mr. Herb Koss

**BASALT CREEK CONCEPT PLAN – (CENTRAL AREA)**

Page 2 of 2

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Road Loop). The plateau area is almost completely surrounded by steeply sloped land. The slopes range from over 10% to over 20%. The over 40 vertical rise needed to get from Tonquin Road to the top of the plateau area will take 800 feet at 5% not accounting for access to the lower property on either side or the potential impacts to wetlands.

There is slightly over 25 feet vertical rise from Tonquin Loop to the top of the plateau. This does not account for the low area just north of the plateau that drops down another 15 feet that this road would have to cross. While the grading is more manageable the result would be truck traffic routed through a residential area.

Neither access point can provide a secondary access to the plateau area. This is a negative for both traffic flow patterns and emergency access. In addition as these roads are raised to provide access to the plateau area, the access to land on either side of the road becomes more difficult.


This area is also well known for the hard rock that is very near the surface. We were the design engineers for Victoria Gardens where we had about 2-feet of fill brought into the site to reduce the rock excavation costs. Unfortunately, filling the area does not provide better access.

Employment land requires flatter slopes to serve larger building footprints and then adjacent parking/loading areas. Providing for truck access and typical development footprint will severely limit the development efficiency for this portion of the property. Residential uses are more flexible with access grades and smaller footprints however the site will still be difficult to development without access to the south.

In summary, the northerly one third of the property is well suited to employment land. However, contrary to the MacKenzie report, Tualatin's current plan reserves the northerly 10 acres or so (almost half) of the northerly area for residential to buffer the Victoria Gardens lots. The southerly plateau area is not well suited for employment land. This is due to access constraints, surrounding steep slopes, lack of secondary access and grading costs.

It has also been our experience that if property is forced into a development pattern it is not well suited for, it will end up being one of the last parcels developed and the quality of that development is usually below expectations. If you have any questions in regards to our analysis, please don't hesitate to contact us.

Sincerely,

  
Anthony R. Weller, P.E., P.L.S.  
President





Construction, Inc.

P.O. Box 489 • 915 S 12th Ave • Cornelius, Oregon 97113 • (503) 357-2193 • FAX (503) 357-3649

8

2/10/17

Subject: The Land South of Victoria Gardens to Basalt Creek Parkway

Dear Mayor Ogden and Tualatin City Councilors:

I am the owner of Ken Leahy Construction Inc., our firm specializes in all aspects of site preparation projects including full site development that require erosion control, clearing, grubbing, stripping, earthwork, cement soil stabilization, storm water detention facilities, bio swales, underground utilities (storm sewer, sanitary sewer, water distribution and franchise utilities), sanitary sewer lift stations and force mains. Our firm is celebrating its 50<sup>th</sup> year in the business and has been involved in many developments in the Portland Metro area.

At the request of Herb Koss and I toured the site on 2/10/17, to give him an idea of the feasibility of full site development for employment use. I also was given topography site maps detailing the slopes and grades on the property.

I personally have developed sites that contain large volumes of rock. Based on my personal experience I estimate that the cost of land preparation for the land described above would surpass the \$5.00 per foot range.

I looked at site access, and am basing my opinion about access on the understanding that no access will be allowed onto Basalt Creek Parkway. If there is no access from Basalt Creek Parkway, traffic will have to come from the intersection of Tonquin Road and Grahams Ferry Road. There is approximately 50 feet of elevation rise, from that access point, which creates major issues for truck traffic.

Limited access, topography, and the large quantity of basalt rock are all major issues. A single one of them might not prevent the site from being developed as employment land, but the combination of all three cannot be overcome. Mass grading of Basalt Rock is not financially feasible.

Sincerely

Ken Leahy



HanmiGlobal Partner

808 sw third avenue, suite 300 • portland, oregon 97204  
503.287-6825 • fax 503.415-2304  
www.otak.com

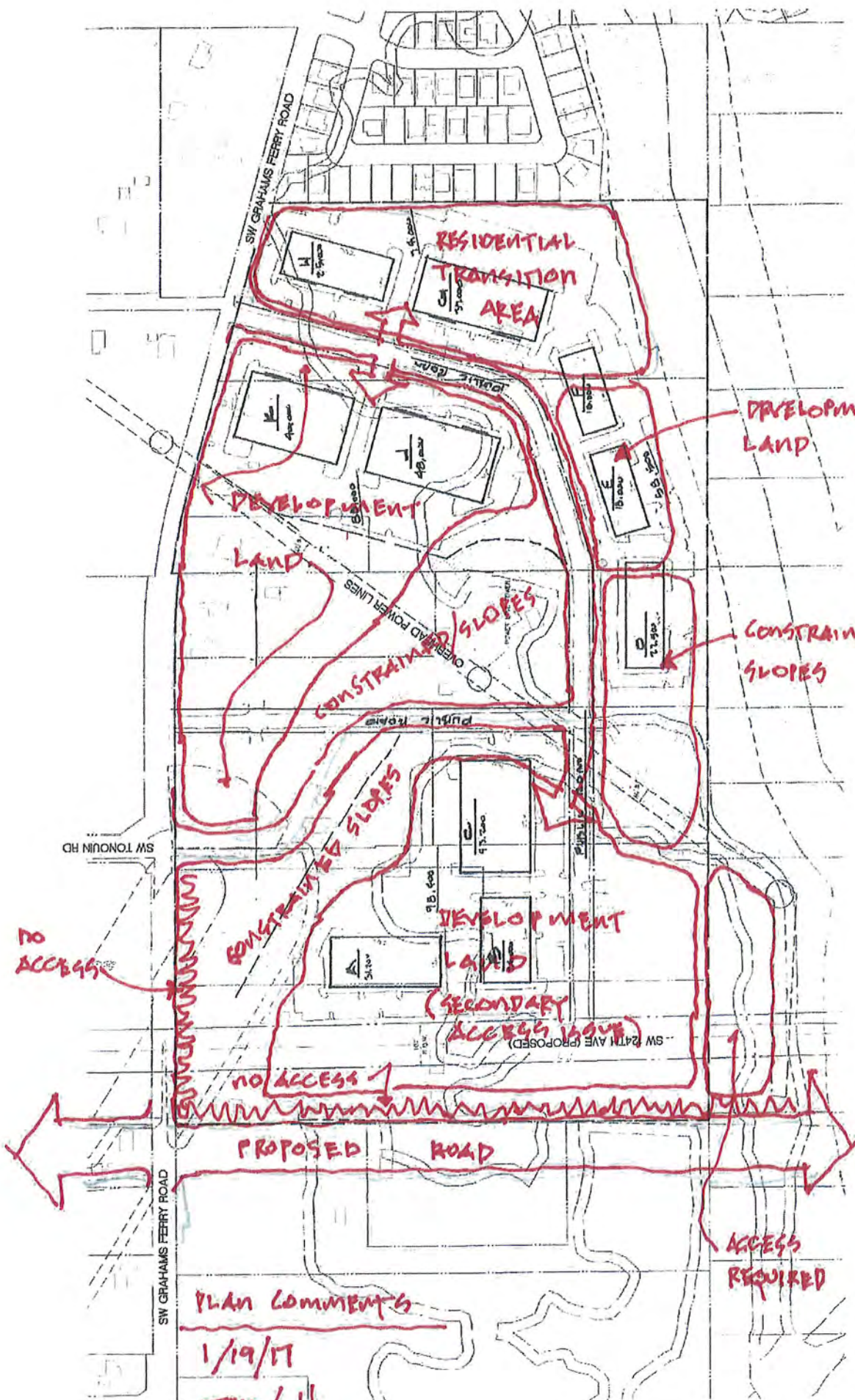


The following summarizes Don Hanson's testimony for the City Council meeting on Monday, February 13, 2017.

### Comments on MacKenzie Study

- **Items/information not made available to MacKenzie**
  - Residential transition land at north end.
  - Correct location for the future Basalt Creek Parkway road.
  - No road connection/access onto the future Basalt Creek Parkway road.
  - No access is shown to properties to the southeast.
  
- **Plan Comments**
  - The comments on slope suitability are well stated for employment uses. Less than 5% slopes are best, 5-10% present challenges, and greater than 10% slopes are not feasible.
  - Sites A, B and C are somewhat feasible but would need a second access for emergency vehicles.
  - Sites D, E and F are not feasible for employment.
  - Sites G and H are in the proposed residential zone.
  - Sites L and K are workable.
  - There are about 18-20 acres of feasible land for employment development, but without good access a successful employment development is not feasible.
  - No consideration for costs of grading the site.
  - What about ADA?





PLAN COMMENTS  
 1/19/17  
 ORK/dh

**OPTION ONE**  
 DEC. 21, 2016  
 318,500 SF "EMPLOYMENT BUILDINGS"

**LEGEND**

- SITE BOUNDARY
- PROPOSED 4' D.W.
- ELEVATION INTERVAL (10')
- SPANNAN AREAS

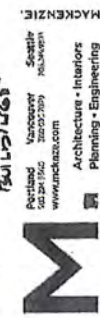
**SITE DATA**

BUILDING	SITE AREA	BUILDING AREA	PARKING SPACES	PARKING RATIO	NET DEVELOPABLE AREA (sq. ft.)
PROPOSED BUILDINGS A, D & L	100,000 SF	100,000 SF	100	1:1000	100,000 SF
PROPOSED BUILDINGS B, C & F	100,000 SF	100,000 SF	100	1:1000	100,000 SF
PROPOSED BUILDINGS G, H & I	100,000 SF	100,000 SF	100	1:1000	100,000 SF
PROPOSED BUILDINGS J, K & M	100,000 SF	100,000 SF	100	1:1000	100,000 SF
<b>TOTAL</b>	<b>400,000 SF</b>	<b>400,000 SF</b>	<b>400</b>	<b>1:1000</b>	<b>400,000 SF</b>

**SITE XX**  
 BASALT CREEK SITE  
 SW 124TH AVE  
 WASHINGTON COUNTY, OREGON

SCALE: 1" = 20'

NOTE: CONTOUR SHOWN AT 5' FT. INTERVALS  
 72, 82, 92, 102, 112, 122





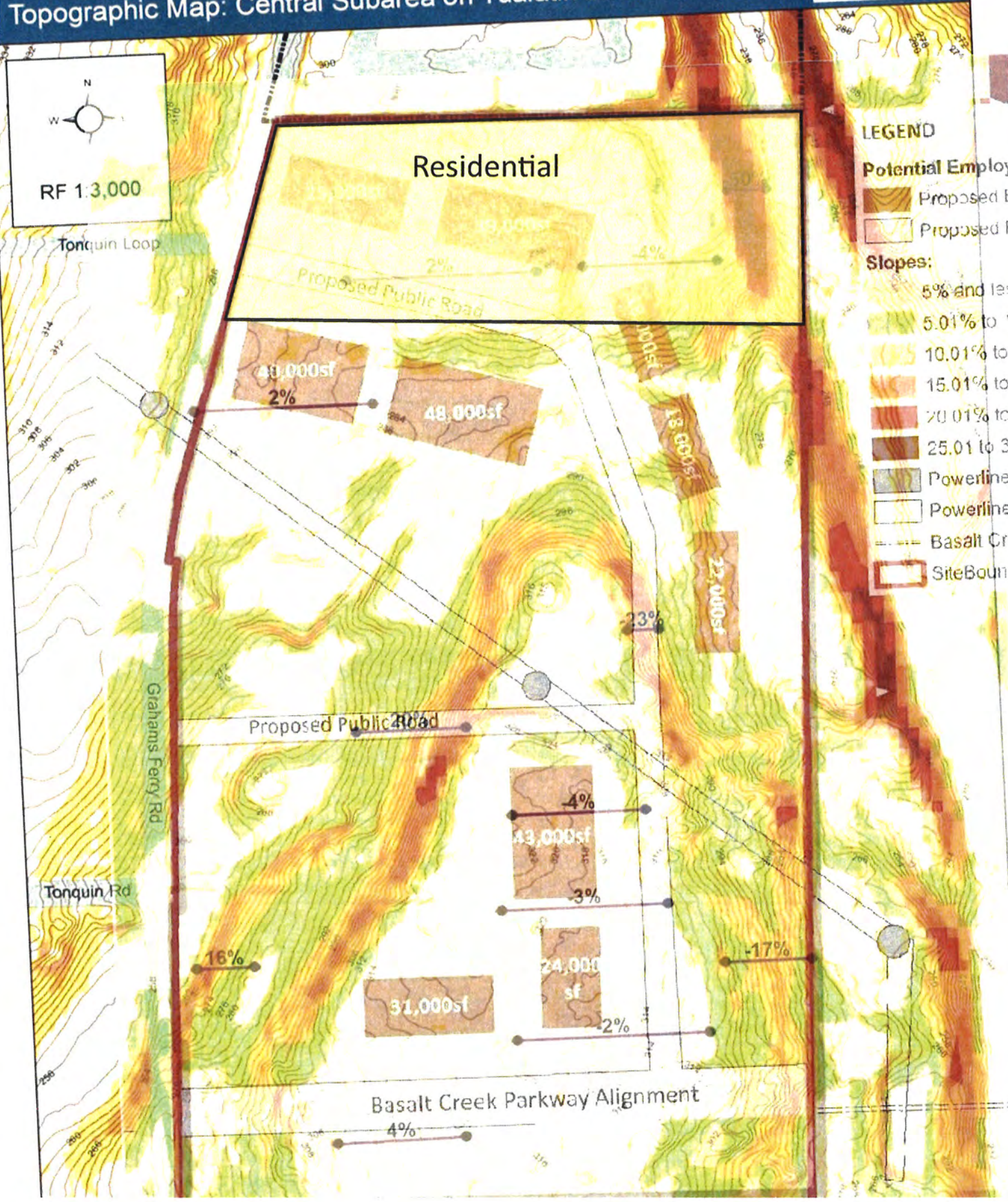
10

# Topographic Map: Central Subarea on Tualatin side of Basalt



N  
W

RF 1:3,000



## LEGEND

- Potential Employ**
- Proposed E
  - Proposed f
- Slopes:**
- 5% and less
  - 5.01% to
  - 10.01% to
  - 15.01% to
  - 20.01% to
  - 25.01 to 3
- Powerline
- Powerline
- Basalt Cr
- SiteBound



**From:** [Herb Koss](#)  
**To:** [Sherilyn Lombos](#); [Alice Cannon](#)  
**Cc:** [LouOgden](#)  
**Subject:** RE: Testimony for Monday's Work Session  
**Date:** Tuesday, February 27, 2018 3:06:24 PM

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Sorry for the poor communication. What I meant to say was we wanted to make sure that the email Peter sent along with the attachments had been forwarded to Metro as part of the record. This was the email dated 2/12/17 and is at the bottom of this email.

I also am forwarding another email with the analysis that Tony Weller and Don Hanson made for the site preparation costs for the site plan prepared by KPFF for Wilsonville. The Metro Planning staff if they had read this information I am certain their summary conclusion would have been different.

Thank you for your confirmation that you received the email and that the attachments opened.

Herb Koss

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**From:** Sherilyn Lombos [mailto:slombos@tualatin.gov]  
**Sent:** Tuesday, February 27, 2018 2:11 PM  
**To:** Herb Koss <herb@kossred.com>; Alice Cannon <acannon@tualatin.gov>  
**Cc:** LouOgden <lou@louogden.com>  
**Subject:** RE: Testimony for Monday's Work Session

Hi Herb,

I just received the email that Peter sent to Roger Alfred.  
I'm unclear what you mean when you say you would like confirmation that Metro was sent the email Peter wrote below along with the attachments. Do you mean that you sent the email to Metro?  
I did not have any trouble opening the attachments.

*Sherilyn Lombos*  
Tualatin City Manager  
Desk: 503.691.3010 | Mobile: 971.998.4127

---

**From:** Herb Koss [mailto:herb@kossred.com]  
**Sent:** Tuesday, February 27, 2018 1:34 PM  
**To:** Alice Cannon <acannon@tualatin.gov>; Sherilyn Lombos <slombos@tualatin.gov>  
**Cc:** LouOgden <lou@louogden.com>  
**Subject:** FW: Testimony for Monday's Work Session

Dear Sherilyn and Alice

Mayor Ogden asked me to have Peter Watts forward the email that he sent to Roger Alfred at

Metro. Peter just informed me that he just emailed that email to you.

I also would like for you to confirm that Metro was sent the email Peter wrote below along with the attachments included with this email. If you have any trouble opening the attachments please let me know.

At this point in time the Metro Planning staff has restricted any input from any body except the cities. This is very disturbing to the property owners involved in this dispute. We are still hopeful that Metro will allow testimony.

Please let me know if you have any questions.

Sincerely

Herb Koss 503 730 2431

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**From:** Peter Watts [<mailto:Peter.Watts@jordanramis.com>]

**Sent:** Tuesday, February 27, 2018 9:35 AM

**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>

**Subject:** FW: Testimony for Monday's Work Session

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**From:** Peter Watts

**Sent:** Sunday, February 12, 2017 12:42 PM

**To:** 'council@ci.tualatin.or.us'; 'council@tualatin.gov'

**Cc:** 'slombos@ci.tualatin.or.us'

**Subject:** Testimony for Monday's Work Session

Dear Mayor Ogden, Members of the Tualatin City Council, and City Staff,

I, along with others, own land North of the planned Basalt Creek Parkway, and East of Grahams Ferry Drive. I am writing this letter solely on my own behalf, specifically to provide background information, address the report provided to Washington County by McKenzie, and also provide information from local experts who have walked the site, so that you can make the best possible determination regarding the most appropriate designation of the land.

### **Executive Summary**

Don Hanson of OTAK, and Tony Weller of CES NW, have both provided letters stating significant reservations with the feasibility of developing this site as employment land, and provided detailed analysis of topographic and access limitations associated with the site, for your review. The letter from Tony Weller succinctly describes the issues with the McKenzie Report and the site in two

pages.

Ken Leahy of Ken Leahy Construction, and Brian Clopton of Brian Clopton Excavating, both who have significant experience providing site preparation in the region, have walked the property, and believe that site preparation for the large building footprints required by employment designations, will be cost prohibitive due to the site slope and basalt rock soil.

Eric Sporre of PacTrust believes that there is an inability to develop industrial or flex buildings based on the site topography and soil conditions. Mike Diamond of the Real Estate Investment Group opined that the site was unlikely to develop as industrial or flex space because of the inability to provide large drive access for truck loading and turning radius. He also determined that office park use was not feasible, because the steep topography would have a negative impact on the proximity of parking and could pose an issue with American's Disabilities Act requirements. In short, all of the experts, were in agreement that there were significant issues with ever developing the property as employment land.

Although, McKenzie provided a report to Washington County, that the land could be feasibly developed as employment land, that report was based on a series of assumptions regarding site access, road construction, and zoning on the northern portion of the property, that will not occur under the current plan. Washington County staff has confirmed that the access off Basalt Creek Parkway, and the north south Kinsman road, will not be built. Both, Don Hanson and Tony Weller, have provided letters based on the most recent Washington County data, that contradict the conclusions reached in the McKenzie report.

Despite that the Basalt Creek planning area was brought into the UGB for the primary purpose of providing employment land, Metro has confirmed that there is no prohibition in the findings for non-employment designations. John Fregonese has confirmed that even if the subject property was zoned residential, the employment capacity for the planning area, will still far exceed Metro's estimates by 1,000, or more.

### **Background Information And Why We Are Here Today**

Although, I have significant experience representing both jurisdictions and developers in land use matters, I have never previously experienced the process from the perspective of a land owner, so this has been an eye opening experience. At the time that I decided to invest as a part owner in one of the subject properties, I did due diligence by looking at satellite images, reviewing the plans prepared by the cities and John Fregonese, and driving to the site. I didn't, however, walk the site, because of extremely bad weather.

I believed based on my review of the planning materials that the site would develop as employment land, and am very familiar with the regional needs analysis. In short, I did what everyone else did which was look at it from a bird's eye view, instead of on the ground.

At the time of my ownership, the most pressing issue was the boundary between the two cities. There seemed to be a logical boundary between Tualatin and Wilsonville, at Basalt Creek

Parkway. I met with staff from Wilsonville to discuss the boundary, as well as Wilsonville's vision for mirror image zoning, which I believed, at the time, was feasible, and would work.

It was only when winter turned to summer, that I actually walked the property. What was not obvious from satellite imagery, or from the road, was immediately apparent, when I was on the ground. There are significant slope issues with the property and the adjacent properties, and there was very little topsoil, and a lot of rock. I am familiar with the impact of topography and soil conditions through my past representation of the former city of Damascus, and this property did not seem well suited for the large footprints necessary for an employment designation.

After discussions with Herb Koss, we contacted adjacent property owners, and received their permission to have experts look at the parcels of property as a whole, to help determine feasibility. At that time, concerned whether there was a prohibition on non-employment land zoning, I had preliminary discussions with Metro staff regarding whether there had been a requirement that the land be zoned employment, when it was brought into the UGB.

Metro's land use attorney, Roger Alfred, and I, both reviewed the findings and determined that although there was a strong desire for employment land, an orderly transition from residential to employment was contemplated at all times during the process. There is nothing in the findings that prevents a residential designation. This is particularly true if the factors on the ground do not support an employment designation. With that information and the consent of adjacent land owners we moved forward with the process of bringing in experts for site suitability analysis.

**Preliminary Analysis From Experts And Washington County's Letter Opinion From McKenzie**

Herb Koss arranged for Don Hanson from OTAK to analyze the site for slope issues and potential zoning, and he has previously submitted materials regarding his findings. (*See attachment 1*) Brian Clopton, of Brian Clopton Excavating submitted a letter on November 18, 2016 regarding the soil conditions and topography. (*See attachment 2*) Eric Sporre of PacTrust submitted a letter on November 14, 2016 regarding the inability to develop industrial or flex buildings based on the topography. (*See attachment 3*)

Mike Diamond of the Real Estate Investment Group submitted a letter on November 21, 2016 opining that the site was unlikely to develop as industrial or flex space because of the inability to provide large drive access for truck loading and turning radius. (*See attachment 4*) He also determined that office park use was not feasible because the steep topography would have a negative impact on the proximity of parking and could pose an issue with American's Disabilities Act requirements. In short, all of the experts, were in agreement that there were significant issues with ever developing the property as employment land.

Don Hanson shared Mike Diamond's concerns regarding compliance with ADA standards. He noted that the site that Washington County used as a comp, South Center, which was designed by OTAK had half the slope of the subject site, and could not be built under current ADA standards. (See page 1 of attachment 1)



At the same time, Mayor Ogden, and staff, asked John Fregonese for his opinion. He expressed reservations regarding the employment designation, and believed that it would be better suited as residential land. This, and other data, prompted Washington County to hire McKenzie to provide a letter opinion.

Upon receiving a copy of the McKenzie Letter, I had significant concerns that their report regarding feasibility was predicated on four inaccurate assumptions. Specifically:

1. The McKenzie letter contemplated access off of Basalt Creek Parkway, and did not take into account the 18-20 foot curb cut off of Basalt Creek Parkway (Washington County Project Manager, Renus Kelfkens, confirmed via email on 2/1/17 that the only access onto Basalt Creek Rd., will be from Grahams Ferry Rd., and Boones Ferry Rd., and that there will likely be an 18-20 foot curb cut); (*See Attachment 5*)
2. The McKenzie letter contemplated Kingsman Rd., as a North South connector, allowing truck access to the southern portion of the site (Washington County Planner Erin Wardell confirmed via a phone call to Herb Koss on 2/9/17 that this road had been deleted over a year ago);
3. The McKenzie letter contemplated an Employment designation in the northern quadrant of the property, despite the fact that it has been designated by the city as residential transition;
4. The McKenzie letter did not rely on site specific geotechnical conditions or topography, relying on regional mapping instead (Todd Johnson confirmed that they had not used site specific data via email on 2/10/17) (*See Attachment 6*)

I have had discussions with Gabriela Frask, who prepared the McKenzie report, and learned that she was not provided with the site transportation access information, nor was she aware that the northern portion of the property, which is relatively flat, was planned as residential transition. She was also unaware that Kingsman Rd., was deleted from the area planning approximately a year ago. Additionally, Washington County did not authorize a site visit, within her scope of work, which I believe negatively impacted her ability consider other factors impacting feasibility. Regardless of the skill of an individual planner or agency, their work can only be as accurate as the information that they rely upon, and in this case I believe that Gabriela and McKenzie did not receive sufficiently detailed information to assess the property as accurately as possible.

### **Expert Opinions and Assessment of the McKenzie Letter**

We asked Tony Weller of CES NW, to consider the Tualatin staff reports, McKenzie Study, email from Washington Co., regarding access, the DKS preliminary profile of the extension of Basalt Creek Parkway, and the OTAK Basalt Creek Concept Plan. In a comprehensive letter dated February 10, 2017, he opined that while the northerly third of the site is very developable as employment land, almost half of that property is reserved for residential use. And, that the deletion of the planned Kingsman Road, eliminates the only at grade potential access coming from the southerly portion of the site. The plateau portion of the property is surrounded by steep slopes of over 10% and over 20%. He further opined that neither access point can provide a secondary access to the plateau area which is a negative for both traffic flows and emergency access. (*See Attachment 7*)

Ken Leahy of Ken Leahy Construction Inc., was asked to provide a more comprehensive look at site preparation costs. He provided his opinion, in a letter dated February 10, 2017 that the cost of site preparation will exceed \$5.00 per foot. (*See Attachment 8*)

Don Hanson, of OTAK has provided a letter, and marked-up the McKenzie map based on the actual location of Basalt Creek Parkway, the lack of access off of Basalt Creek, the elimination of Kinsman road, and the residential designation at the top of the property. The result of those additional facts, eliminates a significant portion of the property that McKenzie deemed developable. (*See Attachment 9*)

Additionally, I have included a map that combines the McKenzie Plan with the residential zone and topographic map. (*See Attachment 10*)

Their letters are attached for your review.

### **A Summary of Relevant Data**

With so many different letters from various experts, and communications from owners, neighbors, and other jurisdictions, over the last six months, it can be hard to keep track of the relevant information. So, I would offer the following:

1. Metro's own benchmark for employment land contemplates a slope of less than 10%, with less than 5% preferred. This site has slope in excess of 20% throughout;
2. PacTrust has provided a written opinion that the topography and basalt soil of the site mean it can't be feasibly developed for employment purposes;
3. OTAK has indicated in writing that the comparable property that Washington County used in their analysis, had half as much slope as this site, and could not be built under current American's with Disabilities Act rules/regulations;
4. Site preparation specialists in the area confirm the high cost of site preparation, due to soil conditions. The amount of blasting that can occur on this site is compromised by the high capacity power lines that bisect the site;
5. There is no access off of Basalt Creek road, and the deletion of Kinsman Road directly, and negatively impacts truck circulation on the southern portion of the site;
6. The northern portion of the site, adjacent to the existing neighborhood is currently planned to be zoned residential, contrary to what McKenzie's renderings show, and that designation has a major impact on the large footprint, employment, buildings that can/cannot be constructed. OTAK believes that only 11% of the site can be feasibly constructed as employment;
7. A residential designation and orderly transition to employment/industrial was always contemplated adjacent to the existing residential neighborhood, and is allowed under the findings that brought the Basalt Creek area into the UGB.
8. The county believes that an 18-20 foot curb cut, will be necessary on Basalt Creek Parkway. That curb cut means that the mirror image view that Wilsonville contemplated cannot occur. The view will either be of a graded slope or a 20 foot retaining wall.

## Conclusion

Although, the primary purpose of the Basalt Creek UGB expansion was to bring in employment land, the on ground conditions on this property don't support that designation. During the thirteen year period since this land was brought into the UGB, there has been a trend of locating workforce housing close to employment lands to lessen commute time to work, and there are other lands in the Basalt Creek Planning Area that are zoned residential.

John Fregonese was asked if this property was needed for employment capacity. His response was that if the subject property was zoned residential, the employment capacity for the planning area, will still far exceed Metro's estimates by 1,000, or more. In short, this land does not need to be zoned employment in order for the planning area as a whole to exceed Metro's employment capacity estimates.

Thank you for your time and consideration.

Peter

**Peter O. Watts** |  
**Jordan Ramis PC** | Attorneys at Law  
Direct: 503-598-5547 Main: 503-598-7070

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**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net)  
**To:** "Brian Harper"  
**Cc:** [LouOgden](#); [Sherilyn Lombos](#); [Alice Cannon](#); [Sean Brady](#); [Karen Perl Fox](#); "Tom Hughes"; "Craig Dirksen"; "Andy Duyck"; [metro council@oregonmetro.gov](mailto:metro council@oregonmetro.gov)  
**Subject:** Basalt Creek Project  
**Date:** Tuesday, February 27, 2018 11:18:03 AM

---

2/27/18

Brian:

Thank you very much for your swift action rendering a very detailed recommendation for the land designation of the central sub area of Basalt Creek.

I strongly hope that upon completion of Metro's final decision of land designation of the central sub area, provisions are included to allow the Cities to proceed to adopt the Concept Plan as designated and move forward with their individual Comprehensive Plans without restraint so infrastructure, annexation and building permits may ensue regardless of any private appeal.

Thank you,

Tom & Kathy Re  
23500 SW Boones Ferry Rd.  
Tualatin, OR. 97062  
503-482-5157



**From:** [Peter Watts](#)  
**To:** [Sherilyn Lombos](#)  
**Cc:** [Herb Koss](#); [Don & Barb Hanson \(don.hanson@otak.com\)](#); [LouOgden](#); [Alice Cannon](#)  
**Subject:** Re: FW: Metro Staff Recommendations- Basalt Creek Central Sub Area  
**Date:** Wednesday, February 28, 2018 3:40:36 PM  
**Attachments:** [image001.jpg](#)

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Hi Sherilyn,

Thanks so much for all of the city's help! The last two sentences on page 1 of the staff report indicate that "Metro's review will only include materials submitted by the cities and the county. Metro will not consider evidence or argument presented by other parties."

I've asked Metro for clarification, since this seems the complete opposite of their, and Oregon's, public engagement process, but right now, it doesn't appear we can put anything in the record. And, we can't tell what's in the record. Only the cities and county are allowed to participate. Again, thanks for helping us correct the record.

Peter

On Tuesday, February 27, 2018, Sherilyn Lombos <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)> wrote:

Herb,

Thank you for making sure we have all of this information.

Sean Brady, our City Attorney is working diligently to prepare the City of Tualatin brief that will make our best case for residential in the sub-area according to Metro's outlined process.

I do want to point out that you, and anyone else, are free (and encouraged) to make your arguments directly to the Metro Council. The Metro Council will be making the ultimate decision at a public meeting in April. Attached is a document we put together for our Council (I know you are attuned to all of this information, but it puts it in one spot).

*Sherilyn Lombos*

Tualatin City Manager

Desk: 503.691.3010 | Mobile: 971.998.4127

---

**From:** Herb Koss [mailto:[herb@kossred.com](mailto:herb@kossred.com)]  
**Sent:** Tuesday, February 27, 2018 3:31 PM  
**To:** Sherilyn Lombos <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)>; Alice Cannon <[acannon@tualatin.gov](mailto:acannon@tualatin.gov)>  
**Cc:** Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>; Don & Barb Hanson

([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; LouOgden <[lou@louogden.com](mailto:lou@louogden.com)>  
**Subject:** FW: Metro Staff Recommendations- Basalt Creek Central Sub Area

Sherilyn and Alice

I am in California and some of my files are not in my laptop. Tony had sent the attached letter, which represents a clearer picture of the site development costs.

From my standpoint so much information has been submitted it is difficult to sort through our files so I can easily see how some of the record could be missed.

As I stated in my last email the CESNW analysis of the KPFF plan is critical to any decision on our land.

Herb Koss

---

**From:** Tony Weller [<mailto:tweller@cesnw.com>]  
**Sent:** Tuesday, February 27, 2018 2:07 PM  
**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>  
**Subject:** RE: Metro Staff Recommendations- Basalt Creek Central Sub Area

Herb – See if this is the letter/package you were looking for.

Regards – Tony

Tony Weller, P.E., P.L.S.

President

**CESNW, INC.**

13190 SW 68<sup>th</sup> Parkway, Suite 150

Tigard, OR 97223

503.968.6655 p

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503.866.6550 c

tweller@cesnw.com

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**From:** Herb Koss [<mailto:herb@kossred.com>]

**Sent:** Saturday, February 24, 2018 4:15 PM

**To:** Lou Ogden <[lou@louogden.com](mailto:lou@louogden.com)>; Alice Cannon <[Acannon@ci.tualatin.or.us](mailto:Acannon@ci.tualatin.or.us)>; Aquilla Hurd-Ravich <[AHURD-RAVICH@ci.tualatin.or.us](mailto:AHURD-RAVICH@ci.tualatin.or.us)>; Frank Bubenik ([fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)) <[fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)>; jeff DeHaan <[jdehaan@tualatin.gov](mailto:jdehaan@tualatin.gov)>; Joelle Davis ([jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)) <[jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)>; lou ogden ([logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)) <[logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)>; nancy grimes ([ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)) <[ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)>; paul morrison <[pmorrison@tualatin.gov](mailto:pmorrison@tualatin.gov)>; robert kellogg <[rkellogg@tualatin.gov](mailto:rkellogg@tualatin.gov)>; Sherilyn Lombos <[SLOMBOS@ci.tualatin.or.us](mailto:SLOMBOS@ci.tualatin.or.us)>

**Cc:** Sherman Leitgeb <[sherman@equityoregon.com](mailto:sherman@equityoregon.com)>; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>; Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>; Peter Watts <[Peter.Watts@jordanramis.com](mailto:Peter.Watts@jordanramis.com)>; Roy Rogers <[Roy\\_Rogers@co.washington.or.us](mailto:Roy_Rogers@co.washington.or.us)>

**Subject:** RE: Metro Staff Recommendations- Basalt Creek Central Sub Area

Lou

I forgot to mention that we appreciate the fact that the Tualatin Staff and Council will be on top of the situation. The Tualatin residents living next to or near the property like us want Metro to make the right decision.

*Herb*

---

**From:** Lou Ogden [<mailto:lou@louogden.com>]

**Sent:** Saturday, February 24, 2018 3:17 PM

**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>; Alice Cannon <[Acannon@ci.tualatin.or.us](mailto:Acannon@ci.tualatin.or.us)>; Aquilla Hurd-Ravich <[AHURD-RAVICH@ci.tualatin.or.us](mailto:AHURD-RAVICH@ci.tualatin.or.us)>; Frank Bubenik

([fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)) <[fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)>; jeff DeHaan <[jdehaan@tualatin.gov](mailto:jdehaan@tualatin.gov)>; Joelle Davis ([jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)) <[jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)>; lou ogden ([logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)) <[logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)>; nancy grimes ([ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)) <[ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)>; paul morrison <[pmorrison@tualatin.gov](mailto:pmorrison@tualatin.gov)>; robert kellogg <[rkellogg@tualatin.gov](mailto:rkellogg@tualatin.gov)>; Sherilyn Lombos <[SLOMBOS@ci.tualatin.or.us](mailto:SLOMBOS@ci.tualatin.or.us)>

**Cc:** Sherman Leitgeb <[sherman@equityoregon.com](mailto:sherman@equityoregon.com)>; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>; Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>; Peter Watts <[Peter.Watts@jordanramis.com](mailto:Peter.Watts@jordanramis.com)>; Roy Rogers <[Roy\\_Rogers@co.washington.or.us](mailto:Roy_Rogers@co.washington.or.us)>

**Subject:** Re: Metro Staff Recommendations- Basalt Creek Central Sub Area

Thx for the email Herb, and I do appreciate your concerns. I believe we are best served by Metro only looking at the record that was submitted to both cities rather than starting the debate from ground zero. It appears to me that probably everything has been said and everyone has said it. That said (pardon the pun) I believe it is very important the Metro receive ALL the pertinent information of the record already established by the cities. To that end, I believe we will be diligent to be sure all the factors are presented to metro such that there will be little doubt of the facts as presented by both sides. From there they will have to decide, objectively, without bias, based upon their application of the facts toward their deliberations. It appears there may be other misconstruction in the Metro staff report but I have yet to be briefed by Tualatin staff so I'll not comment just yet. Our staff and our council will be on top of it.

Thanks,

1473988944821\_RSP



Resource Strategies Planning Group

Group Benefits & Life, Health, Disability, & Long Term Care Insurance for

Businesses and Individuals

21040 SW 90th Ave. Tualatin, OR 97062

Phone 503.692.0163; Fax 503.385.0320

[lou@louogden.com](mailto:lou@louogden.com)



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**From:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>

**Sent:** Friday, February 23, 2018 6:56 AM

**To:** Lou Ogden; Alice Cannon; Aquilla Hurd-Ravich; Frank Bubenik ([fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)); jeff DeHaan; Joelle Davis ([jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)); lou ogden ([logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)); nancy grimes ([ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)); paul morrison; robert kellogg; Sherilyn Lombos

**Cc:** Sherman Leitgeb; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)); Tony Weller; Peter Watts; Peter Watts

**Subject:** FW: Metro Staff Recommendations- Basalt Creek Central Sub Area

Good Morning Lou

Started saying good morning, but it certainly the property owners involved in the Wilsonville challenge are not having a good morning. Lou yesterday we received a copy of the Metro staff report, which is attached to this email. I just attached the staff report without the many exhibits since the file is so large the attachment may not open. I am confident the staff has the full report. Sherman Leitgeb after reading the report found errors in the report and it is obvious to me that the Wilsonville staff has worked diligently to direct the Metro Planning staff to slant the staff report in their favor. The real issue here is the process that the Planning Staff has recommended to the Metro Council. We as property owners have no idea what information was submitted to the Planning Staff at Metro. In reading the process suggested to Martha Bennett Metro will not consider evidence or argument presented by other parties. Only the cities will have the opportunity to submit information. Lou this is certainly not fair to us the owners of the land involved. Peter Watts is contacting Roger Alfred the Metro attorney and Martha Bennett on the process that the Planning staff has proposed. I have been in the development business for many years and never in my career has such a closed process occurred.

Our request to you is for the City of Tualatin to let us know what they are planning to submit or have submitted to Metro. We would like to make sure that our submittals and appropriate exhibits are sent to Metro, which based the Tualatin City Council's decision to recommend our land being zoned Residential. It would be appreciated if the Alice or Sherilyn would provide that information to us and make sure all of the

record to sent to Metro. The staff report includes the KPFF report paid for by Wilsonville, but I am confident that the cost factors as analyzed by Tony Weller's firm CESNW was not. KPFF when testifying stated they did not analyze the costs of grading or the necessary retaining walls for their proposed site plan.

Of the many incorrect facts presented in the Staff Report they even state that a residential zone would negatively impact the traffic in the area. We have always stated that their will be no additional trips and the density approved will address that fact. They also mention the millions of dollars of infrastructure and planning - \$65,000,000. Yes a big number, but if our land is never developed the revenue is zero from SDC fees.

Lou I would appreciate your reviewing the staff report and directing staff per our request above. I am confident that the Metro Planning staff has not seen the facts that the Tualatin City Council based their decision on. Basalt Rock creating huge unfeasible grading costs., Lack of Access- 18 to 20 foot cut on the southern tip of what you referred to as the base of the Arrowhead, incorrect assumption that our land is not presently next to residential product – two sides North and East are zoned residential and the Basalt Creek Parkway with a 18 to 20 cut with no access allowed is a great transition buffer.

I am going to contact Roy Rogers too. Washington County after speaking with you did not retract their letter, but Andy acknowledged the letter was sent without their consultant visiting the site. I will bet that no one from the Metro Planning staff has visited the site either. Zoning land that will never be developed is not in anyone's interest since it does not create tax base or create SDC revenue. Supportive housing is needed in this area and we are willing to allow our land to be zoned for more affordable product.

Lou your help on this would be appreciated. The city council voted 7 – 0 in favor of a residential zone and Tualatin's recommendation should be approved. We also believe that Metro should allow testimony from the property owners that are affected by this very important decision.

Sincerely

Herb Koss

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**From:** Sherman Leitgeb [<mailto:sherman@equityoregon.com>]  
**Sent:** Thursday, February 22, 2018 1:40 PM  
**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>  
**Cc:** Ed Trompke <[Ed.Trompke@jordanramis.com](mailto:Ed.Trompke@jordanramis.com)>; Peter Watts <[Peter.Watts@jordanramis.com](mailto:Peter.Watts@jordanramis.com)>; Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>  
**Subject:** Re: Metro Staff Recommendations- Basalt Creek Central Sub Area

Herb and all,

The attached recommendation has errors that are very notable and quite important.

- 1). On Page 4, Item 2, Line #3, the 7th word should say "North". It currently says "South". This is critical to be corrected. It almost seems to me like it was an intentional error as nobody except those of us involved would know the difference.
- 2). Page 4/5, Item 3, the last sentence of that section is factually incorrect.
- 3). Page 4/5, item 4, the last 2 sentences are completely incorrect as well.
- 4). Page 17, Exhibit G, paragraph 3, clearly states that if the North South Connector falls "close" to the South alignment, land would be Residential to the North of the alignment and Industrial to the South of the alignment. It did fall "close" so it should be Residential.

Maybe I'm nit-picking this thing but aren't facts important? We need to remember that none of the people involved in writing any of this have ever been to the property. Metro Staff is completely uninformed on the facts and the lay of the land. Metro Staff simply looked at Wilsonville Staff info and made a decision not based on facts. They even put in their recommendation that putting a neighborhood in the middle of an Industrial area would be an issue. It's not in the middle of an Industrial area! What are they thinking? And who would make such a glaring mistake? Only the uninformed. The Central Subarea borders Basalt Creek Canyon on the East

and beyond the canyon is Residential. It borders an existing Tualatin neighborhood, Victoria Gardens, on the North. Victoria Gardens is Residential. It borders the Parkway on the South which is supposed to be the buffer between Residential and Industrial zoning according to their very own documents attached.

This is simply another opportunity for us to correct the uninformed who are not living in reality. We all know the enormous costs to develop the Central Subarea into Industrial, the lack of access, the rock, the elevation changes and the overhead Power Lines make this land un-developable for Industrial use. We all know it! I believe in our experts and their testimony. So we thought our fight was over. It was not. We need to make sure the process is fair and all of the facts are presented. Metro should allow additional testimony and we need to make sure that the evidence presented to the Tualatin City Council has been reviewed by the Metro Staff.

**SHERMAN LEITGEB**

Principal Broker/ Owner

[Sherman@EquityOregon.com](mailto:Sherman@EquityOregon.com)

503-704-9280



**From:** [Herb Koss](#)  
**To:** [Alice Cannon](#); [Aquila Hurd-Ravich](#); [Frank Bubenik \(fbubenik@ci.tualatin.or.us\)](#); [jeff DeHaan](#); [Joelle Davis \(jdavis@ci.tualatin.or.us\)](#); [lou ogden \(logden@ci.tualatin.or.us\)](#); [Louogden](#); [nancy grimes \(ngrimes@ci.tualatin.or.us\)](#); [paul morrison](#); [robert kellogg](#); [Sherilyn Lombos](#)  
**Subject:** FW: Testimony for Monday's Work Session BASALT CREEK  
**Date:** Thursday, March 08, 2018 9:06:26 AM  
**Attachments:** [Attachments 1-3.pdf](#)  
[Attachment 4-10.pdf](#)  
[CESNW Letter Analysis.pdf](#)

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**Subject:** *Pertinent data regarding the Basalt Creek Zoning – Important to read the email dated 2/12/17 from Peter Watts at the bottom of this email and the attachments. The CESNW attachment is Direct and to the point --- cost and access issues.*

### **Metro Council President Hughes and Metro Councilors**

I had a conversation with Councilor Harrington and during our conversation unrelated to my call Councilor Harrington told me that Mayor Knapp had sent her a packet of information late Dec 2017. The information was forwarded by Mayor Knapp I believe at the request of Councilor Harrington.

Recently I received a memo that included a Metro Planning Staff recommendation, which included the planning staff's recommendation for the council to zone the Basalt Creek land in question as Employment Land. First of all in reading the staff report there is no way the decision they reached would be recommended if the Planning Staff had made arrangements to visit the site or had reviewed the information that was presented to the Tualatin City Council when the city council voted 7 – 0 in favor of a residential zone. I have been assured that the Tualatin Staff will be providing all of the Testimony and professional data that our land owners presented. Please note the date of the memo below was 2/21/17.

In addition to the memo below and the attachments included with this email I have also attached the Cost Analysis prepared by CESNW- Mr. Tony Weller. This analysis was done after the city of Wilsonville retained the services of KPFF to provide a site plan for the land in question. As indicated the site not only has major access issues, but the cost to prepare the site for the plan provided by KPFF is more than the land is worth.

A residential zone can use the rock ridges and topography as open space, build some housing with garage under product and access to the site can be dealt with for a residential zone unlike what an

industrial/employment site

would require. A well thought out plan for supportive housing would be planned not to increase the trip counts.

My concern is the record for the testimony on this site has been years in the making and we as property owners have no idea what has been submitted or will be submitted. Mayor Ogden has assured us that the Tualatin Staff will provide their records and the reasons why a residential zone is warranted. With that said I find it unreasonable that the Metro Planning Staff is recommending what we consider a closed hearing. This is not in the spirit of what the Metro Council has supported in the past and should not be allowed.

I believe that the CESNW letter is the best summary of the facts involving our position of desiring a residential zone.

Mr. Weller is willing to attend the Metro hearing, but it appears no public testimony will be allowed. We are asking that the Metro Council alters the Metro Planners recommendation and allows a more open process. Property owners that will be greatly affected should be allowed to testify.

We can arrange site visits or if you have any other questions please contact me at 503 730 2431 or [herb@kossred.com](mailto:herb@kossred.com)

Sincerely

Herb Koss – Property owner Basalt Creek

cc: Mayor Ogden and Council  
Alice Cannon  
Sherilyn Lombos  
Aquilla Hurd- Ravich  
Karen Fox  
Martha Bennett COO Metro  
Roger Alfred

---

**From:** Peter Watts  
**Sent:** Sunday, February 12, 2017 12:42 PM  
**To:** 'council@ci.tualatin.or.us'; 'council@tualatin.gov'  
**Cc:** 'slombos@ci.tualatin.or.us'  
**Subject:** Testimony for Monday's Work Session

Dear Mayor Ogden, Members of the Tualatin City Council, and City Staff,

I, along with others, own land North of the planned Basalt Creek Parkway, and East of Grahams Ferry Drive. I am writing this letter solely on my own behalf, specifically to provide background information, address the report provided to Washington County by McKenzie, and also provide information from local experts who have walked the site, so that you can make the best possible determination regarding the most appropriate designation of the land.

### **Executive Summary**

Don Hanson of OTAK, and Tony Weller of CES NW, have both provided letters stating significant reservations with the feasibility of developing this site as employment land, and provided detailed analysis of topographic and access limitations associated with the site, for your review. The letter from Tony Weller succinctly describes the issues with the McKenzie Report and the site in two pages.

Ken Leahy of Ken Leahy Construction, and Brian Clopton of Brian Clopton Excavating, both who have significant experience providing site preparation in the region, have walked the property, and believe that site preparation for the large building footprints required by employment designations, will be cost prohibitive due to the site slope and basalt rock soil.

Eric Sporre of PacTrust believes that there is an inability to develop industrial or flex buildings based on the site topography and soil conditions. Mike Diamond of the Real Estate Investment Group opined that the site was unlikely to develop as industrial or flex space because of the inability to provide large drive access for truck loading and turning radius. He also determined that office park use was not feasible, because the steep topography would have a negative impact on the proximity of parking and could pose an issue with American's Disabilities Act requirements. In short, all of the experts, were in agreement that there were significant issues with ever developing the property as employment land.

Although, McKenzie provided a report to Washington County, that the land could be feasibly developed as employment land, that report was based on a series of assumptions regarding site access, road construction, and zoning on the northern portion of the property, that will not occur under the current plan. Washington County staff has confirmed that the access off Basalt Creek Parkway, and the north south Kinsman road, will not be built. Both, Don Hanson and Tony Weller, have provided letters based on the most recent Washington County data, that contradict the conclusions reached in the McKenzie report.

Despite that the Basalt Creek planning area was brought into the UGB for the primary purpose of providing employment land, Metro has confirmed that there is no prohibition in the findings for non-employment designations. John Fregonese has confirmed that even if the subject property was zoned residential, the employment capacity for the planning area, will still far exceed Metro's estimates by 1,000, or more.

### **Background Information And Why We Are Here Today**

Although, I have significant experience representing both jurisdictions and developers in land use matters, I have never previously experienced the process from the perspective of a land owner, so this has been an eye opening experience. At the time that I decided to invest as a part owner in one of the subject properties, I did due diligence by looking at satellite images, reviewing the plans prepared by the cities and John Fregonese, and driving to the site. I didn't, however, walk the site, because of extremely bad weather.

I believed based on my review of the planning materials that the site would develop as employment land, and am very familiar with the regional needs analysis. In short, I did what everyone else did which was look at it from a bird's eye view, instead of on the ground.

At the time of my ownership, the most pressing issue was the boundary between the two cities. There seemed to be a logical boundary between Tualatin and Wilsonville, at Basalt Creek Parkway. I met with staff from Wilsonville to discuss the boundary, as well as Wilsonville's vision for mirror image zoning, which I believed, at the time, was feasible, and would work.

It was only when winter turned to summer, that I actually walked the property. What was not obvious from satellite imagery, or from the road, was immediately apparent, when I was on the ground. There are significant slope issues with the property and the adjacent properties, and there was very little topsoil, and a lot of rock. I am familiar with the impact of topography and soil conditions through my past representation of the former city of Damascus, and this property did not seem well suited for the large footprints necessary for an employment designation.

After discussions with Herb Koss, we contacted adjacent property owners, and received their permission to have experts look at the parcels of property as a whole, to help determine feasibility. At that time, concerned whether there was a prohibition on non-employment land zoning, I had preliminary discussions with Metro staff regarding whether there had been a requirement that the land be zoned employment, when it was brought into the UGB.

Metro's land use attorney, Roger Alfred, and I, both reviewed the findings and determined that although there was a strong desire for employment land, an orderly transition from residential to employment was contemplated at all times during the process. There is nothing in the findings that prevents a residential designation. This is particularly true if the factors on the ground do not support an employment designation. With that information and the consent of adjacent land owners we moved forward with the process of bringing in experts for site suitability analysis.

### **Preliminary Analysis From Experts And Washington County's Letter Opinion From McKenzie**

Herb Koss arranged for Don Hanson from OTAK to analyze the site for slope issues and potential zoning, and he has previously submitted materials regarding his findings. (*See attachment 1*) Brian Clopton, of Brian Clopton Excavating submitted a letter on November 18, 2016 regarding the soil conditions and topography. (*See attachment 2*) Eric Sporre of PacTrust submitted a letter on November 14, 2016 regarding the inability to develop industrial or flex buildings based on the topography. (*See attachment 3*)



Mike Diamond of the Real Estate Investment Group submitted a letter on November 21, 2016 opining that the site was unlikely to develop as industrial or flex space because of the inability to provide large drive access for truck loading and turning radius. (*See attachment 4*) He also determined that office park use was not feasible because the steep topography would have a negative impact on the proximity of parking and could pose an issue with American's Disabilities Act requirements. In short, all of the experts, were in agreement that there were significant issues with ever developing the property as employment land.

Don Hanson shared Mike Diamond's concerns regarding compliance with ADA standards. He noted that the site that Washington County used as a comp, South Center, which was designed by OTAK had half the slope of the subject site, and could not be built under current ADA standards. (See page 1 of attachment 1)

At the same time, Mayor Ogden, and staff, asked John Fregonese for his opinion. He expressed reservations regarding the employment designation, and believed that it would be better suited as residential land. This, and other data, prompted Washington County to hire McKenzie to provide a letter opinion.

Upon receiving a copy of the McKenzie Letter, I had significant concerns that their report regarding feasibility was predicated on four inaccurate assumptions. Specifically:

1. The McKenzie letter contemplated access off of Basalt Creek Parkway, and did not take into account the 18-20 foot curb cut off of Basalt Creek Parkway (Washington County Project Manager, Renu Kelfkens, confirmed via email on 2/1/17 that the only access onto Basalt Creek Rd., will be from Grahams Ferry Rd., and Boones Ferry Rd., and that there will likely be an 18-20 foot curb cut); (*See Attachment 5*)
2. The McKenzie letter contemplated Kingsman Rd., as a North South connector, allowing truck access to the southern portion of the site (Washington County Planner Erin Wardell confirmed via a phone call to Herb Koss on 2/9/17 that this road had been deleted over a year ago);
3. The McKenzie letter contemplated an Employment designation in the northern quadrant of the property, despite the fact that it has been designated by the city as residential transition;
4. The McKenzie letter did not rely on site specific geotechnical conditions or topography, relying on regional mapping instead (Todd Johnson confirmed that they had not used site specific data via email on 2/10/17) (*See Attachment 6*)

I have had discussions with Gabriela Frask, who prepared the McKenzie report, and learned that she was not provided with the site transportation access information, nor was she aware that the northern portion of the property, which is relatively flat, was planned as residential transition. She was also unaware that Kingsman Rd., was deleted from the area planning approximately a year ago. Additionally, Washington County did not authorize a site visit, within her scope of work, which I believe negatively impacted her ability consider other factors impacting feasibility. Regardless of the skill of an individual planner or agency, their work can only be as accurate as the information

that they rely upon, and in this case I believe that Gabriela and McKenzie did not receive sufficiently detailed information to assess the property as accurately as possible.

### **Expert Opinions and Assessment of the McKenzie Letter**

We asked Tony Weller of CES NW, to consider the Tualatin staff reports, McKenzie Study, email from Washington Co., regarding access, the DKS preliminary profile of the extension of Basalt Creek Parkway, and the OTAK Basalt Creek Concept Plan. In a comprehensive letter dated February 10, 2017, he opined that while the northerly third of the site is very developable as employment land, almost half of that property is reserved for residential use. And, that the deletion of the planned Kinsman Road, eliminates the only at grade potential access coming from the southerly portion of the site. The plateau portion of the property is surrounded by steep slopes of over 10% and over 20%. He further opined that neither access point can provide a secondary access to the plateau area which is a negative for both traffic flows and emergency access. (*See Attachment 7*)

Ken Leahy of Ken Leahy Construction Inc., was asked to provide a more comprehensive look at site preparation costs. He provided his opinion, in a letter dated February 10, 2017 that the cost of site preparation will exceed \$5.00 per foot. (*See Attachment 8*)

Don Hanson, of OTAK has provided a letter, and marked-up the McKenzie map based on the actual location of Basalt Creek Parkway, the lack of access off of Basalt Creek, the elimination of Kinsman road, and the residential designation at the top of the property. The result of those additional facts, eliminates a significant portion of the property that McKenzie deemed developable. (*See Attachment 9*)

Additionally, I have included a map that combines the McKenzie Plan with the residential zone and topographic map. (*See Attachment 10*)

Their letters are attached for your review.

### **A Summary of Relevant Data**

With so many different letters from various experts, and communications from owners, neighbors, and other jurisdictions, over the last six months, it can be hard to keep track of the relevant information. So, I would offer the following:

1. Metro's own benchmark for employment land contemplates a slope of less than 10%, with less than 5% preferred. This site has slope in excess of 20% throughout;
2. PacTrust has provided a written opinion that the topography and basalt soil of the site mean it can't be feasibly developed for employment purposes;
3. OTAK has indicated in writing that the comparable property that Washington County used in their analysis, had half as much slope as this site, and could not be built under current American's with Disabilities Act rules/regulations;
4. Site preparation specialists in the area confirm the high cost of site preparation, due to soil conditions. The amount of blasting that can occur on this site is compromised by the high

- capacity power lines that bisect the site;
5. There is no access off of Basalt Creek road, and the deletion of Kinsman Road directly, and negatively impacts truck circulation on the southern portion of the site;
  6. The northern portion of the site, adjacent to the existing neighborhood is currently planned to be zoned residential, contrary to what McKenzie's renderings show, and that designation has a major impact on the large footprint, employment, buildings that can/cannot be constructed. OTAK believes that only 11% of the site can be feasibly constructed as employment;
  7. A residential designation and orderly transition to employment/industrial was always contemplated adjacent to the existing residential neighborhood, and is allowed under the findings that brought the Basalt Creek area into the UGB.
  8. The county believes that an 18-20 foot curb cut, will be necessary on Basalt Creek Parkway. That curb cut means that the mirror image view that Wilsonville contemplated cannot occur. The view will either be of a graded slope or a 20 foot retaining wall.

## **Conclusion**

Although, the primary purpose of the Basalt Creek UGB expansion was to bring in employment land, the on ground conditions on this property don't support that designation. During the thirteen year period since this land was brought into the UGB, there has been a trend of locating workforce housing close to employment lands to lessen commute time to work, and there are other lands in the Basalt Creek Planning Area that are zoned residential.

John Fregonese was asked if this property was needed for employment capacity. His response was that if the subject property was zoned residential, the employment capacity for the planning area, will still far exceed Metro's estimates by 1,000, or more. In short, this land does not need to be zoned employment in order for the planning area as a whole to exceed Metro's employment capacity estimates.

Thank you for your time and consideration.

Peter

**Peter O. Watts** |  
**Jordan Ramis PC** | Attorneys at Law  
Direct: 503-598-5547 Main: 503-598-7070

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4

November 21, 2016

Herb Koss  
2643 South Shore Blvd.  
Lake Oswego, Or 97034

VIA: EMAIL

RE: 41-acre Basalt Creek southern boarder 23960 SW Grahams Ferry Rd.

Dear Herb,

I visited the site and spent a considerable amount of time driving the area. It is an exciting development area especially when the Basalt Creek Parkway is completed.

The topography of the site is such that developing an industrial project would be very difficult and if done would be at best marginal and very inefficient. Industrial, flex buildings require large foot prints, large drive areas for loading and turning radius. There are better sites in the area for this type of use.

I also looked at the site for office park use and concluded that due to the steep topography of the site it could have a negative impact on the proximity of the parking that may pose an issue with ADA requirements. I also believe that the extraordinary site cost and small office footprints would not be cost effective and competitive in the office market. Furthermore, the location does not readily lend itself to that use.

This site lends itself to smaller foot print buildings such as housing and multifamily that can be planned around the steep grades and terraced into the topography. It is my opinion that the highest and best use for this site are single family homes buffered along the frontage with multifamily housing.

Our office has forty years of experience in commercial real estate and have procured sites for commercial developers such as Gramor, Holland Development LLC and West Hills.

Let me know if you have any questions.

A handwritten signature in black ink, appearing to read "Michael N Diamond", written in a cursive style.

Michael N Diamond  
Principal Broker



## Peter Watts

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**From:** Herb Koss <herb@kossred.com>  
**Sent:** Saturday, February 11, 2017 5:56 PM  
**To:** Peter Watts  
**Subject:** FW: Basalt Creek Renus



### Thanks Herb Koss

Begin forwarded message:

**From:** Renus Kelfkens <[Renus\\_Kelfkens@co.washington.or.us](mailto:Renus_Kelfkens@co.washington.or.us)>  
**Date:** February 1, 2017 at 12:02:54 PM PST  
**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>  
**Subject:** RE: Basalt Creek

Hi Herb,

Yes, Basalt Creek Parkway is a limited access road. The only access will be from Grahams Ferry Rd, and Boones Ferry Rd. Currently we have not done any topographic survey, or design but it is reasonable to expect an 18-FT to 20-FT cut. This will be investigated during the design phase of the project.

Sorry for the delayed response. Please let me know if there are any other questions or comments.

Thanks,

Renus Kelfkens | Project Manager  
503-846-7808 [renus\\_kelfkens@co.washington.or.us](mailto:renus_kelfkens@co.washington.or.us)

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**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Friday, January 27, 2017 12:40 PM  
**To:** Renus Kelfkens  
**Subject:** Basalt Creek

Dear Renus

I wanted to pass along the employment site evaluation prepared by Mackenzie. After our conversation earlier this week it seems clear to me that some of the assumptions that Mackenzie made, are not consistent with the transportation plan for the area. Although, the site evaluation shows access off of Basalt Creek Parkway, my understanding is that the county will not allow access. Additionally, the evaluation has Basalt Parkway in the wrong area, does not reflect the 18-20 foot curb cut, onto the property, nor does it show the residential that is planned on the northern portion of the site to transition from the existing neighborhood. I spoke to Mackenzie this week, and they indicated that they had not contacted the county regarding the transportation access, or the residential at the northern portion of the site.

Would you be willing to confirm that there is no planned access off of Basalt Creek Parkway, and that the curb cut is expected to be 18-20 feet? I think that that information will be enough for Mackenzie to retract their site evaluation. Please correct me, if anything that I have indicated isn't

accurate. My goal is to make sure that everyone is working off of the same assumptions, so that we can properly assess the site suitability. Thanks for all of your help, and taking the time to talk.

Herb

## Peter Watts

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**From:** Herb Koss <herb@kossred.com>  
**Sent:** Saturday, February 11, 2017 5:49 PM  
**To:** Peter Watts  
**Subject:** FW: Proposal - Basalt Creek McKenzie  
**Attachments:** PRO-Koss Real Estate-Scope and Fee-170209.pdf



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**From:** Todd Johnson [<mailto:TJohnson@mcknze.com>]  
**Sent:** Friday, February 10, 2017 12:04 PM  
**To:** Herb Koss  
**Cc:** Dennis Woods; Gabriela Frask  
**Subject:** FW: Proposal - Basalt Creek McKenzie

Hi Herb-

I've been in meetings all morning. Sorry for the delay in getting this to you.

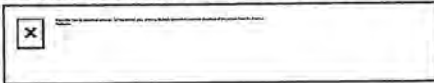
Attached is a scope and budget letter to further develop the work we did previously for Washington County. As we discussed, the letter report we prepared for Washington County relied on data available at the time we prepared the letter, and also relied on regional mapping, not site specific mapping for resource lands, geotechnical conditions, and topography. This scope includes developing site specific data to allow cost feasibility analysis to our previous study. By improving the accuracy of the data we have through onsite study and mapping, we will be able to determine if the site is economically viable for employment use, or also look at residential uses as alternates for economic viability.

It's my understanding that you have new information for the road connections and locations that we did not use in our previous report. That type of data would be collected as part of our work and would be incorporated into the scope we propose in the attached scope and budget letter.

Let me know if you have any questions about the attached scope, or if you would like us to change the proposal in any way. If the scope we outlined in the attached letter is satisfactory, I'd suggest we have a meeting with you and the project team to refine the tasks we identify prior to us commencing work.

Thanks for the opportunity to present this scope of work. I'll call you to discuss it.

Todd Johnson  
Senior Associate / Director of Planning



Architecture · Interiors · Engineering · Planning

P 503.224.9560 W [mcknze.com](http://mcknze.com) C [vcard](#)

RiverEast Center, 1515 SE Water Ave., Suite 100, Portland OR 97214

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February 10, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

**RE: BASALT CREEK CONCEPT PLAN – (CENTRAL AREA)**

Dear Mr. Koss:

In response to your request I have reviewed the Basalt Creek Concept Plan materials with regards to the suitability of employment/light industrial development on the 63 acres north and east of the intersection of Grahams Ferry road and Basalt Creek Parkway. These materials included:

1. Tualatin Staff Reports
2. Mackenzie Study
3. Email from Washington County Basalt Creek Parkway project manager Renus Kelfkens regarding access to Basalt Creek Parkway.
4. DKS preliminary profile of the extension Basalt.
5. OTAK Basalt Creek Concept Plan.

We understand that the City, Metro and Washington County's desire is to zone this area for employment land. Development potential of land for employment uses, as stated in the MacKenzie report, is generally assumed to have less than 5% slopes. This is to allow for larger building footprints, parking, loading areas and truck access.

The two areas that meet that criteria for this property is the northerly 1/3 adjacent Victoria Gardens and the top of the plateau area in the lower middle of the site. The northerly area would be well served with access from Grahams Ferry Road at Tonquin Loop and potentially a secondary access from Tonquin Road at Grahams Ferry Road. These to access points would appear to have good separation and sight distance on Grahams Ferry. The northerly area is very developable as employment land, however the City has set aside approximately 10 acres (almost half) as residential to buffer the Victoria Gardens lots.

The southerly plateau area's best access would come from the southerly property line and Grahams Ferry. However, this is the location of Basalt Creek Parkway which the County will not allow access. We also understand that the County has deleted the proposed Kinsman Road crossing of Basalt Creek Parkway shown on the Tualatin Concept and MacKenzie plans thereby eliminating the only at grade potential access coming from the southerly portion of the site. Therefore any access to the plateau area must come from the north (Tonquin Road or Tonquin



Mr. Herb Koss

**BASALT CREEK CONCEPT PLAN – (CENTRAL AREA)**

Page 2 of 2

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Road Loop). The plateau area is almost completely surrounded by steeply sloped land. The slopes range from over 10% to over 20%. The over 40 vertical rise needed to get from Tonquin Road to the top of the plateau area will take 800 feet at 5% not accounting for access to the lower property on either side or the potential impacts to wetlands.

There is slightly over 25 feet vertical rise from Tonquin Loop to the top of the plateau. This does not account for the low area just north of the plateau that drops down another 15 feet that this road would have to cross. While the grading is more manageable the result would be truck traffic routed through a residential area.

Neither access point can provide a secondary access to the plateau area. This is a negative for both traffic flow patterns and emergency access. In addition as these roads are raised to provide access to the plateau area, the access to land on either side of the road becomes more difficult.


This area is also well known for the hard rock that is very near the surface. We were the design engineers for Victoria Gardens where we had about 2-feet of fill brought into the site to reduce the rock excavation costs. Unfortunately, filling the area does not provide better access.

Employment land requires flatter slopes to serve larger building footprints and then adjacent parking/loading areas. Providing for truck access and typical development footprint will severely limit the development efficiency for this portion of the property. Residential uses are more flexible with access grades and smaller footprints however the site will still be difficult to development without access to the south.

In summary, the northerly one third of the property is well suited to employment land. However, contrary to the MacKenzie report, Tualatin's current plan reserves the northerly 10 acres or so (almost half) of the northerly area for residential to buffer the Victoria Gardens lots. The southerly plateau area is not well suited for employment land. This is due to access constraints, surrounding steep slopes, lack of secondary access and grading costs.

It has also been our experience that if property is forced into a development pattern it is not well suited for, it will end up being one of the last parcels developed and the quality of that development is usually below expectations. If you have any questions in regards to our analysis, please don't hesitate to contact us.

Sincerely,

  
Anthony R. Weller, P.E., P.L.S.  
President



Construction, Inc.

P.O. Box 489 • 915 S 12th Ave • Cornelius, Oregon 97113 • (503) 357-2193 • FAX (503) 357-3649

8

2/10/17

Subject: The Land South of Victoria Gardens to Basalt Creek Parkway

Dear Mayor Ogden and Tualatin City Councilors:

I am the owner of Ken Leahy Construction Inc., our firm specializes in all aspects of site preparation projects including full site development that require erosion control, clearing, grubbing, stripping, earthwork, cement soil stabilization, storm water detention facilities, bio swales, underground utilities (storm sewer, sanitary sewer, water distribution and franchise utilities), sanitary sewer lift stations and force mains. Our firm is celebrating its 50<sup>th</sup> year in the business and has been involved in many developments in the Portland Metro area.

At the request of Herb Koss and I toured the site on 2/10/17, to give him an idea of the feasibility of full site development for employment use. I also was given topography site maps detailing the slopes and grades on the property.

I personally have developed sites that contain large volumes of rock. Based on my personal experience I estimate that the cost of land preparation for the land described above would surpass the \$5.00 per foot range.

I looked at site access, and am basing my opinion about access on the understanding that no access will be allowed onto Basalt Creek Parkway. If there is no access from Basalt Creek Parkway, traffic will have to come from the intersection of Tonquin Road and Grahams Ferry Road. There is approximately 50 feet of elevation rise, from that access point, which creates major issues for truck traffic.

Limited access, topography, and the large quantity of basalt rock are all major issues. A single one of them might not prevent the site from being developed as employment land, but the combination of all three cannot be overcome. Mass grading of Basalt Rock is not financially feasible.

Sincerely

Ken Leahy





HanmiGlobal Partner

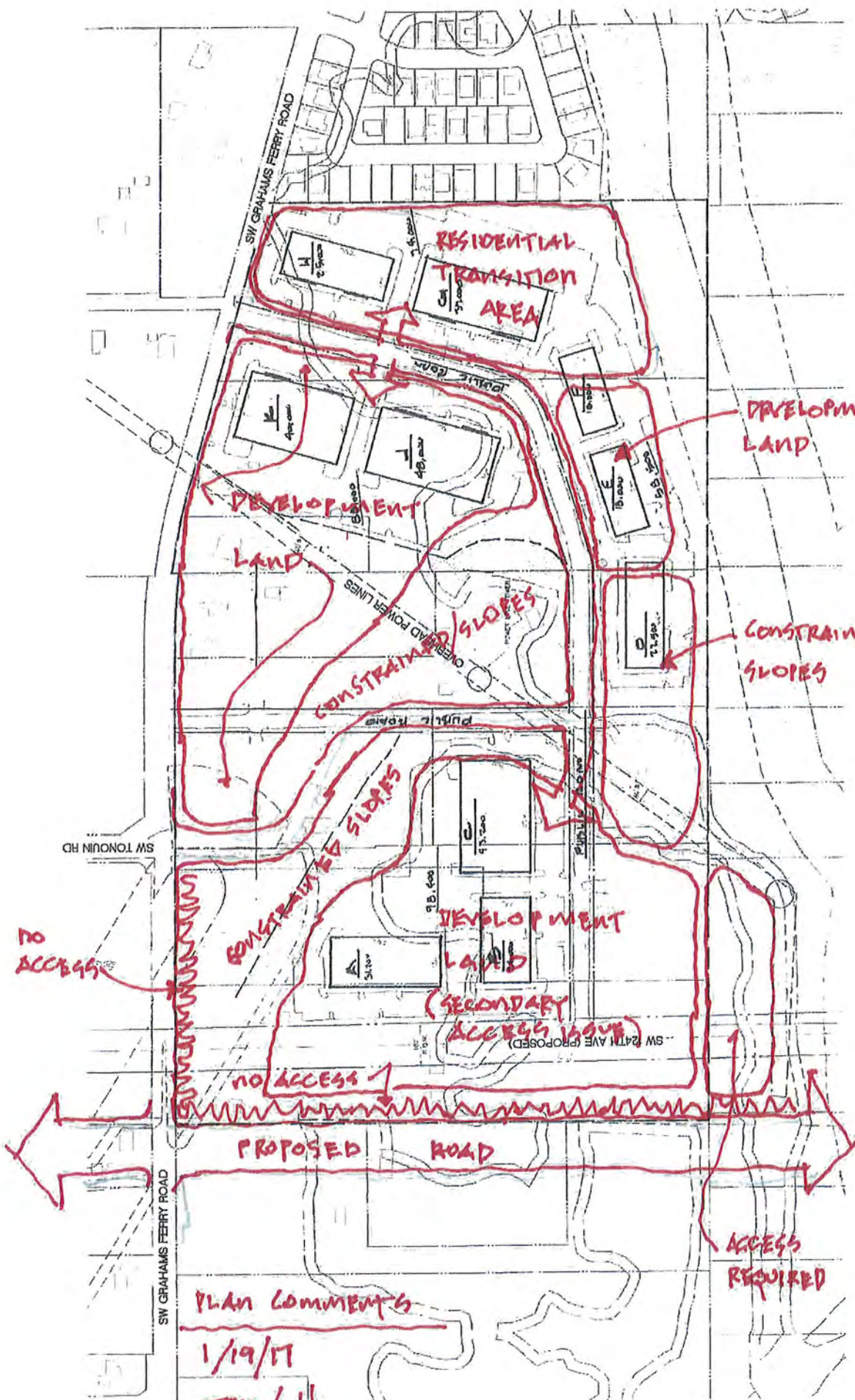
808 sw third avenue, suite 300 • portland, oregon 97204  
503.287-6825 • fax 503.415-2304  
www.otak.com



The following summarizes Don Hanson's testimony for the City Council meeting on Monday, February 13, 2017.

### Comments on MacKenzie Study

- **Items/information not made available to MacKenzie**
  - Residential transition land at north end.
  - Correct location for the future Basalt Creek Parkway road.
  - No road connection/access onto the future Basalt Creek Parkway road.
  - No access is shown to properties to the southeast.
  
- **Plan Comments**
  - The comments on slope suitability are well stated for employment uses. Less than 5% slopes are best, 5-10% present challenges, and greater than 10% slopes are not feasible.
  - Sites A, B and C are somewhat feasible but would need a second access for emergency vehicles.
  - Sites D, E and F are not feasible for employment.
  - Sites G and H are in the proposed residential zone.
  - Sites L and K are workable.
  - There are about 18-20 acres of feasible land for employment development, but without good access a successful employment development is not feasible.
  - No consideration for costs of grading the site.
  - What about ADA?



PLAN COMMENTS  
 1/19/17  
 ORK/dh

OPTION ONE  
 DEC. 21, 2016  
 318,500 SF "EMPLOYMENT BUILDINGS"

LEGEND

---	SITE BOUNDARY
---	PROPOSED 4' D.W.
---	ELEVATION INTERVAL (10')
---	SPANNAN AREAS

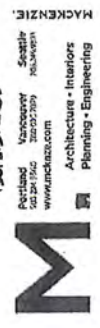
SITE DATA

BUILDING	SITE AREA	BUILDING AREA	PARKING SPACES	PARKING RATIO	NET DEVELOPABLE AREA (ACRES)	NET DEVELOPABLE AREA (SQ. FT.)
PROPOSED BUILDINGS A, D & L	100,000 SF	100,000 SF	100	1:1000	2.0	174,240 SF
PROPOSED BUILDINGS B, C & F	100,000 SF	100,000 SF	100	1:1000	2.0	174,240 SF
PROPOSED BUILDINGS G, H & I	100,000 SF	100,000 SF	100	1:1000	2.0	174,240 SF
PROPOSED BUILDINGS J, K & M	100,000 SF	100,000 SF	100	1:1000	2.0	174,240 SF
TOTAL	400,000 SF	400,000 SF	400	1:1000	8.0	697,000 SF

SITE XX  
 BASALT CREEK SITE  
 SW 124TH AVE  
 WASHINGTON COUNTY, OREGON

SCALE: 1" = 20'

NOTE: CONTOUR SHOWN AT 5' INTERVALS  
 72, 82, 92, 102, 112, 122



318,500 SF



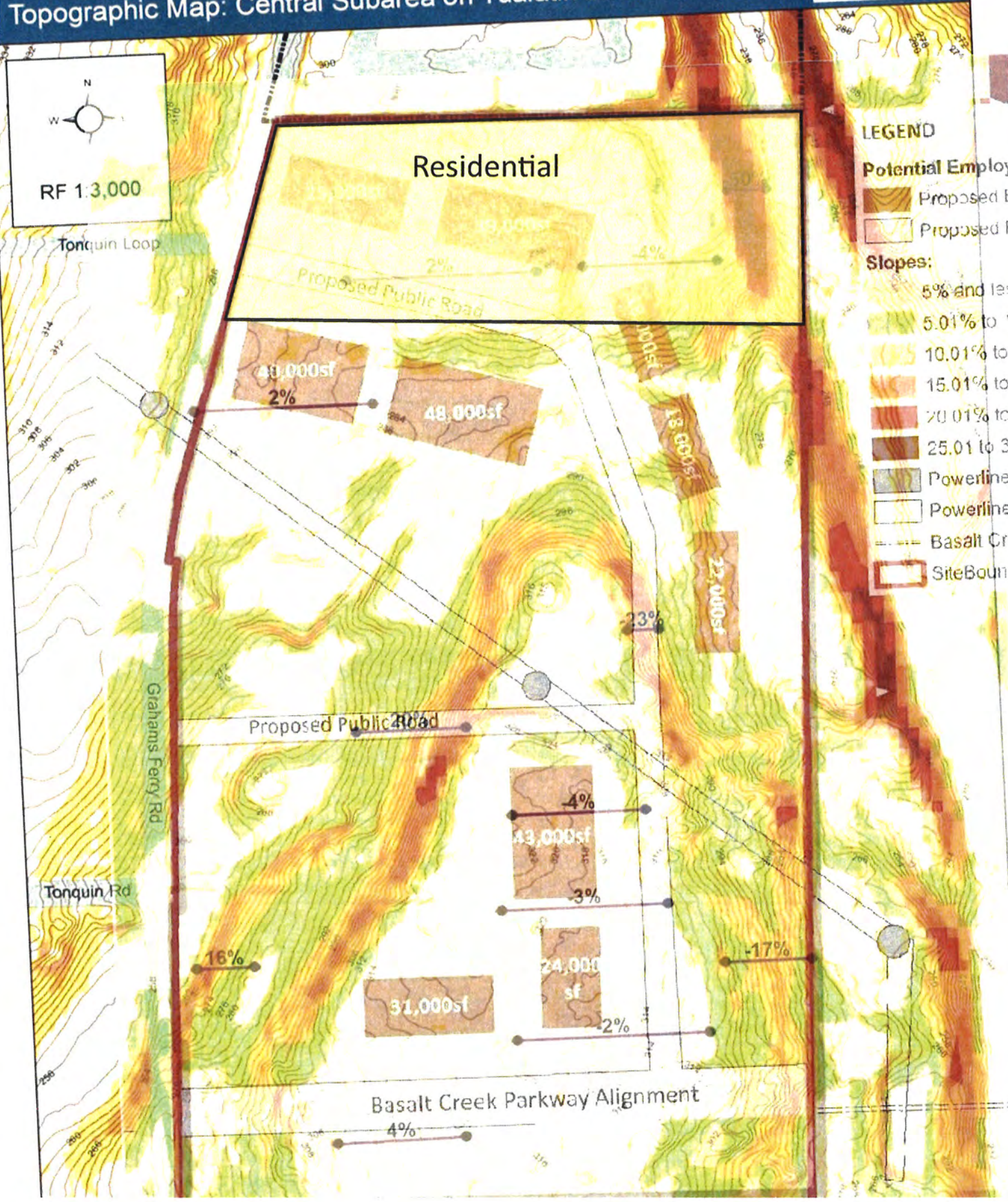
10

# Topographic Map: Central Subarea on Tualatin side of Basalt



N  
W

RF 1:3,000



## LEGEND

- Potential Employ**
- Proposed E
  - Proposed f
- Slopes:**
- 5% and less
  - 5.01% to
  - 10.01% to
  - 15.01% to
  - 20.01% to
  - 25.01 to 3
- Powerline  
Powerline  
Basalt Cr  
SiteBound





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1

# BASALT CREEK/TUALATIN CONCEPT PLAN

## Amendment Request to the Concept Plan

### Tualatin, Oregon

August 23, 2016, Revised November 21, 2016

### Introduction

- Otak Inc. (Otak) represents The Sherwood Grahams Ferry Investors LLC, headed by Herb Koss, who hold 10 acres in the 41 acre northeast quadrant of the overall district. The property is located near the northeast corner of Grahams Ferry Road and extends over to the Basalt Creek Canyon along the proposed new east-west arterial road. This summary of concerns and the amended concept plan lay out our intended direction moving forward.

### Project Concerns

- Otak’s concern is that the northeast quadrant area is not well suited to industrial zoning or employment transition proposed by the concept plan.
  - **Topography.** Much of the site contains slopes in excess of 10 percent (10%) and 25 percent (25%). The site would be extremely difficult to flatten out to accommodate industrial or employment transition site development requirements. Attached is a topographic map of the South Center project provided to City of Tualatin (City) staff. Otak designed this flex-space project. The topography is half as severe as portions of the 41 acres site. The site would be extremely difficult to develop given today’s American with Disabilities Act (ADA) requirements.
  - **Access.** Vehicular access will be limited to Grahams Ferry Road and extending Tonquin Loop into the site. No access will be permitted on the proposed new east-west arterial road.
  - **Basalt Creek Canyon.** The industrial land abuts the Basalt Creek Canyon with no transition.
  - This is not a big change but rather a refinement to the concept plan. It is a defined site area that makes up about 3 to 5 percent (3-5%) of the total Basalt Creek Study Area. Also there are currently 329 acres of undeveloped industrial land within a one mile radius of the study area.

### Land Use Context

- The following shows a comparison of Metro’s initial goal for the district, the City’s current plan, and the proposed amended plan.

Metro	2500 Jobs	1200 Households
City Plan	4500 Jobs	600 Households
Amended Plan	4070 Jobs	1194 Households

The amended plan proposes a more balanced approach that is well within the intended mix proposed by Metro when the land came into the Urban Growth Boundary (UGB).

A group of mayors in our region have gone to Metro and asked Metro for flexibility related to UGB expansions. They have asked Metro to look at lands and appropriate zoning designations on a sub-regional basis. They have asked that Metro consider factors such as slope, and proximity to infrastructure, to help avoid situation like Damascus. We are asking you to do the same. We recognize that the region anticipated that the Basalt Creek area would primarily be zoned employment uses.

It is certainly anticipated that the vast majority of the land will be used for that purpose. But, within the Basalt Creek Planning Area, there are sub-areas that cannot reasonably be developed as employment land because of topographic and other issues. The 41 acres that we have asked the City to zone for residential purposes is one of those sub-areas. There is land to the west and south of this land that is zoned employment, that land is flatter than the subject 41 acres, and it is closer to transportation infrastructure than the subject 41 acres. Neither PacTrust Pacific Realty Associates, LP nor Brian Clopton Excavating believed that an employment designation was possible given the slope and soil quality. Instead of designating the property with a designation that will result in it never developing, we ask that you give it a designation that will make development feasible. If you do not do so, it will sit vacant; counting as developable employment land, just as Damascus has sat vacant, counting as available housing stock. Its designation will prevent further necessary expansions.

There is a housing crisis in our region and the latest modeling has demonstrated the importance of having residential land and employment land in close proximity. This is an opportunity to provide housing, on land which cannot be feasibly developed as employment land.

## Amended Plan Options

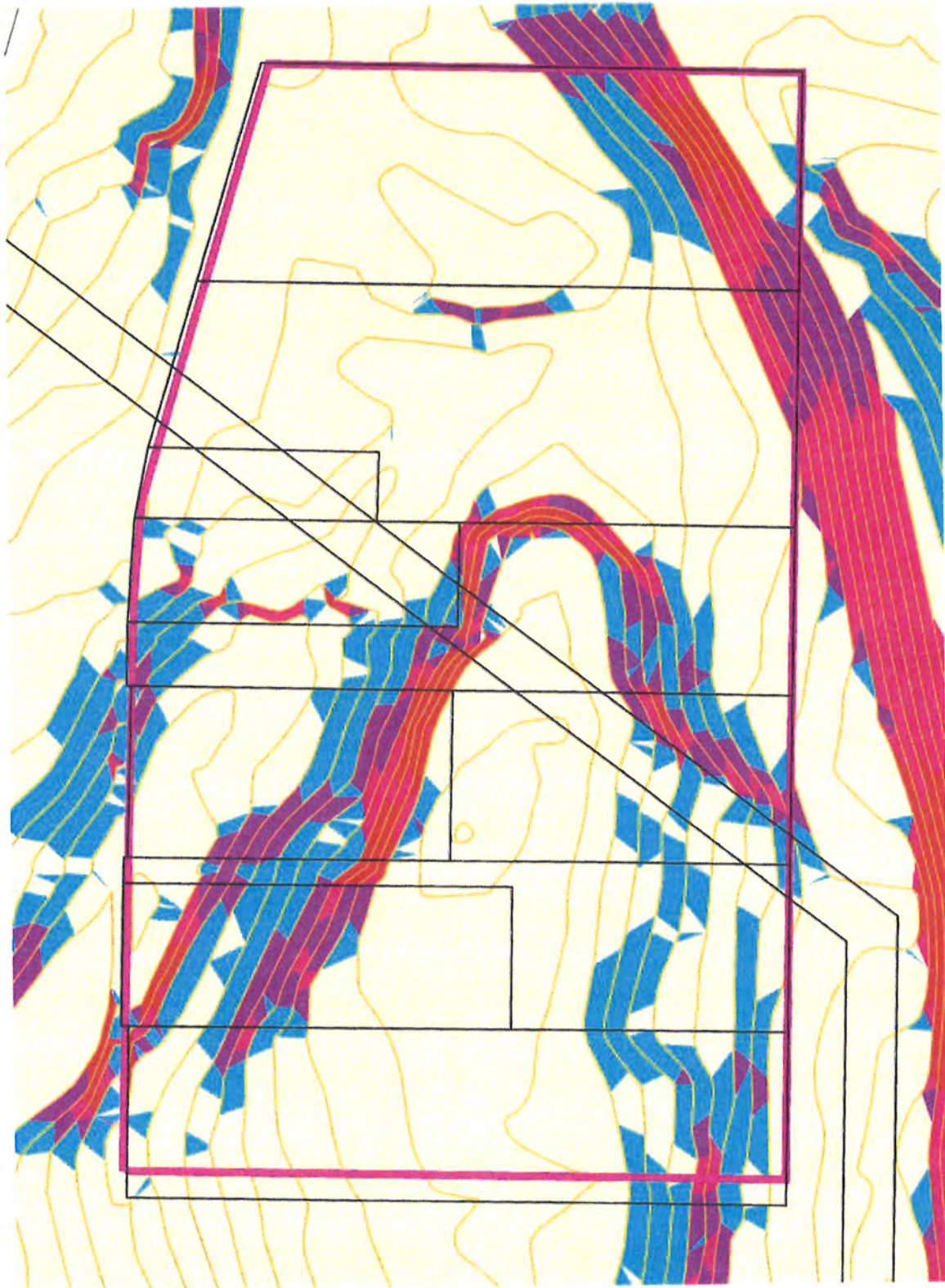
- The attached concept plan option summarizes the requested amendment for proposed land uses that fit the site and its unique conditions.
- The plan anticipates building Tonquin Loop as an actual loop with two access points on Grahams Ferry Road. This road extension will provide complete access to the properties and also access to property owners east of the site.
- Three densities of residential are shown as transition to the neighborhood to the north and canyon to the east and also along the new east-west arterial, which is down 25 vertical feet from the site area. A center core area of potential retail, high density residential, and open space could serve as a walkable destination in the neighborhood. Also secondary access can be provided to the developable lands to the east above the canyon.
- Property uses can be molded to fit actual site conditions and provide a mix of housing (including workforce housing) close to jobs anticipated to the south and west.
- The programmed development will “be trip cap neutral” compared to the current city concept plan.

## Benefits

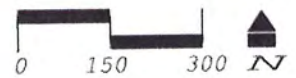
- A walkable neighborhood with appropriate transitions and destinations
- Land uses that are adaptable to actual site conditions. The mix of uses will act as a **catalyst to create activity in the district**. The high-density residential (HDR) land provides the best opportunity for workforce housing next to employment lands. Residents won't need a car to commute.
- A plan that meets Metro's initial objectives when the land was brought into the UGB.
- A more complete quality neighborhood for the City of Tualatin.

Attachments: Basalt Creek Site Topo  
Basalt Creek Slope Analysis  
South Center Site Topo (Comparison)  
Basalt Creek Land Use Concept  
Letter from PacTrust Pacific Realty Associates, L.P.  
Letter from Brian Clopton Excavating  
Letter from Micheal Diamond, Real Estate Investment Group  
Basalt Creek nearby Job Lands Map





11-16-2016



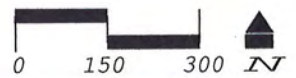
Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	
2	10.00%	15.00%	Blue
3	15.00%	20.00%	Purple
4	20.00%	25.00%	Pink
5	25.00%	357.23%	Red

# BASALT CREEK SLOPES ANALYSIS





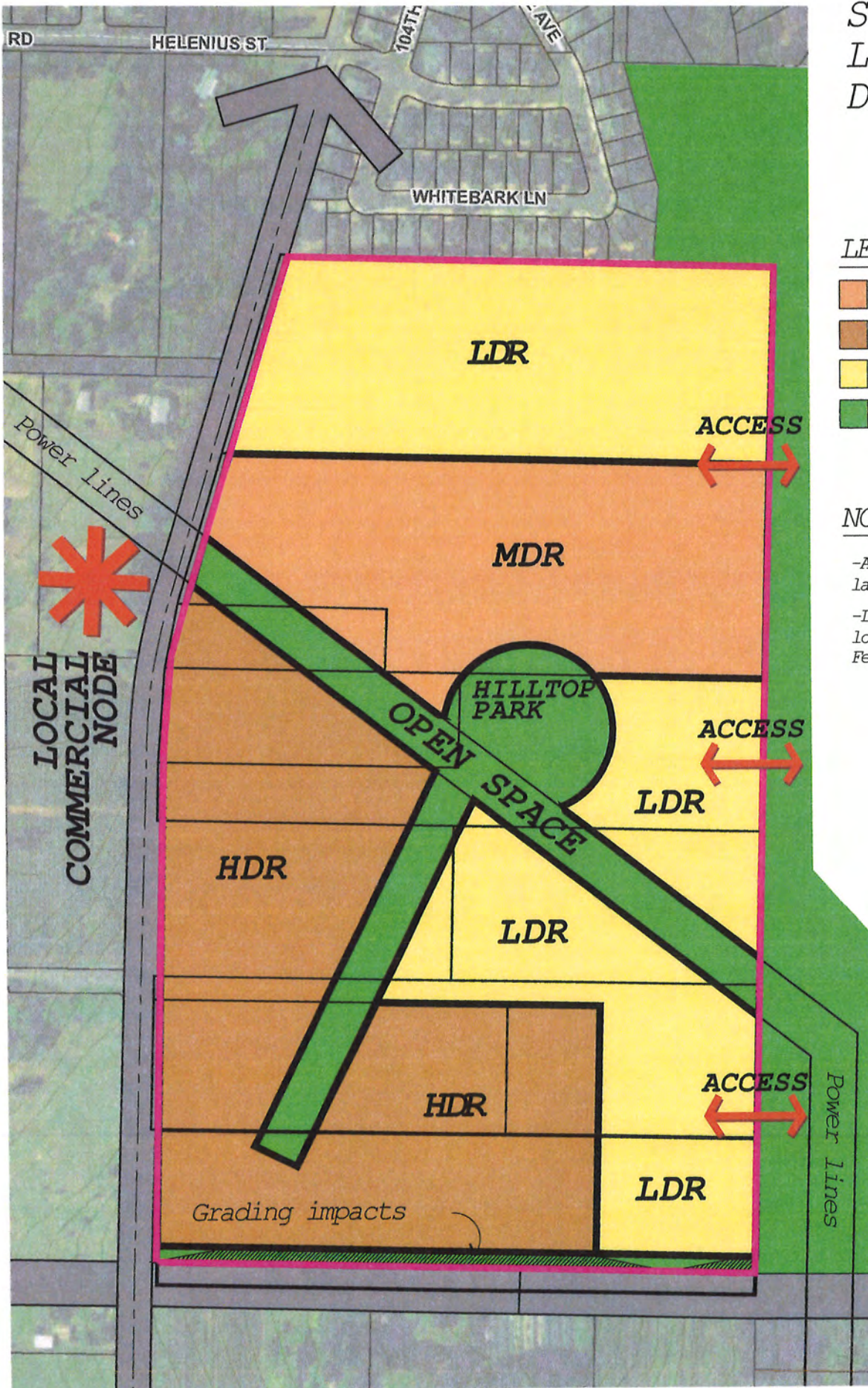
11-16-2016



# SOUTH CENTER SITE TOPO



# Subdistrict Land Use Diagram



## LEGEND

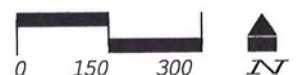
- Mid Density Residential
- High Density Residential
- Low Density Residential
- Open space

## NOTES

- Access provided for landowners to East
- Local commercial node located across Graham's Ferry Road

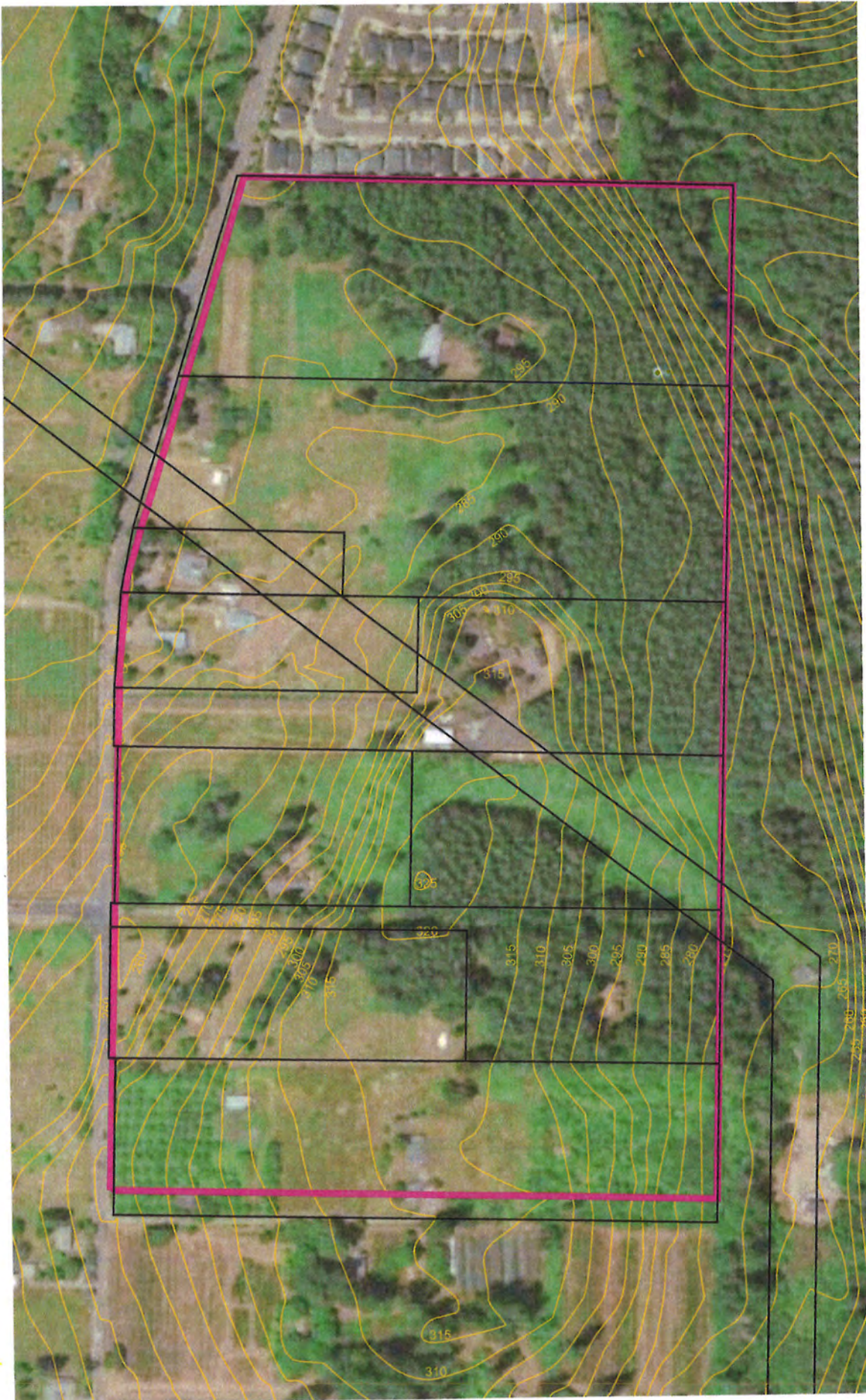


11-21-2016

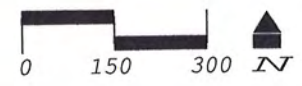


# Basalt Creek Concept Plan





11-16-2016



# BASALT CREEK SITE TOPO





PO Box 509  
Wilsonville, OR 97070  
P: 503-682-0420  
F: 503-570-3235  
www.cloptonexcavating.com

2

November 18, 2016

Dear Mr. Koss

You have asked me to visit the 41 acre site located in the Basalt Creek Planning area. Your question was the feasibility of grading this site for employment land vs. a residential zone.

For your information my company has just purchased another four acres next to our Clay Street property. With this acquisition we now have 16 acres of land on Clay Street. I am very familiar with this area and as you know my company has mass graded many sites in the Portland Metro Area. I have been asked many times to inspect potential projects in order to determine problems that may be associated with a developer's site plans --- slopes, access and feasibility.

Thank you for providing me with topography of the site. It was very helpful and to be honest the slopes on the site were more severe then I first thought. The other big issue is the amount of rock that would be encountered with any grading necessary to accommodate any development on this site. This site is far better suited for Residential use since grading for this does not require the same topographic grading in comparison to employment uses. The Basalt Creek area does feature other land that is suited for employment; however the 41 acres you have asked me to visit is not in that category. I was also surprised by the 18 to 20 foot cut in order to accommodate the extension of Basalt Creek Parkway.

If you require any additional information please let me know.

Sincerely

Brian Clopton

President/Owner

**PACTRUST**  
Pacific Realty Associates, L.P.

15350 S.W. Sequoia Pkwy., Suite 300  
Portland, Oregon 97224  
503/624-6300 • Facsimile: 503/624-7755

3

November 14, 2016

VIA EMAIL

Herb Koss  
2643 South Shore Boulevard  
Lake Oswego, OR 97034

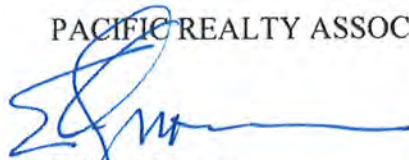
Dear Herb,

At the request of Peter Bechen, I toured your site north of the future Basalt Creek Parkway last week. PacTrust is developing an industrial park several miles north at 115<sup>th</sup> Avenue and Tualatin-Sherwood Road in Tualatin known as Koch Corporate Center. We are interested in locating a site to develop in the Coffee Creek area for light industrial uses. Unfortunately, the topography of your site makes development of industrial or flex buildings uneconomic. We believe housing would be a more appropriate use for the site. The smaller floor plates for housing enable it to work with slope conditions present on your property. Industrial/employment land requires sites to be much more flat due to dramatically larger floor plates, parking requirements, loading areas for trucks and ingress/egress concerns for trucks. There are several sites in the area that are more appropriate for industrial/employment development.

Let me know if you would like to discuss this further.

Yours very truly,

PACIFIC REALTY ASSOCIATES, L.P.



Eric A. Sporre  
*Vice President*



July 20, 2017

Mr. Herb Koss  
Sherwood Grahams Ferry LLC  
22400 Salamo Road, Suite 106  
West Linn, Oregon 97068

**RE: BASALT CREEK CENTRAL AREA – EMPLOYMENT VERSES RESIDENTIAL DEVELOPMENT**

Dear Mr. Koss:

In response to your request we have prepared a summary on the differences between development of employment type uses verses residential uses on the central area of Basalt Creek Concept Plans. When we evaluate property for development we look at zoning, transportation/access, utility service availability, topography, environmental constraints, soil conditions and adjacent uses.

The Basalt Creek Central Area faces development constraints that impact any development regardless of use (employment verses residential). These development constraints are:

- Limited access (only from Grahams Ferry Road).
- Wetlands
- Powerline easement that bisects the area
- Significant slope and topography to access the southerly portion.
- Shallow hard rock soil conditions.

The most significant differences between employment development and residential is how they can respond to these constraints. Residential development typically has smaller building footprints and can accept steeper grades for access. In addition attached residential buildings can have split floor elevations and parking underneath, both of which allow this type of building to be more responsive to the topographic and access issues.

Conversely, employment development has larger building footprints, must have flatter access grades for trucks, wider maneuvering areas for turning movements and parking. It is also undesirable to split building floor elevations as that can limit the use or size of tenant. **This flatter and wider footprint requires more grading and retaining walls on property like this than any competitive property without these constraints. Add rock excavation at six to ten times the normal cost of grading to the excessive amount of grading required, and this property may not be economically feasible to develop.**

Mr. Herb Koss

**BASALT CREEK CENTRAL AREA**

Page 2 of 2

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Two residential projects we have been involved in are examples of how residential development can be more responsive to site constraints. Forest Rim apartments on Nyberg Road in Tualatin had wetlands and large rock outcrop in the middle of the site. The access roads and buildings were able to be wrapped around these features that turned them into amenities rather than limitations. A condominium project in Happy Valley, Greystone at Altamont was able to be wrapped around the top of the knoll with parking underneath both the upper and lower side of the units.

Most of the competitive employment land along the I-5 corridor in Tigard and Wilsonville or western Tualatin is relatively flat and/or does not require the rock excavation for development. We prepared rough cost estimates for the grading and retaining walls this property based on the KPFF Option B plan for basic site prep. These costs are in addition to the paving and utility costs that will also be needed for this site. The rough grading and retaining wall costs are:

Grading	350,000 Cubic Yards	\$10,500,000.00 (assumes significant rock excavation)
Retaining Walls	2,400 Lineal Feet	\$ 1,200,000.00

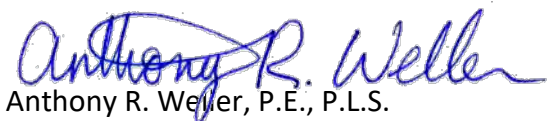
**It is important not to overlook the other constraint that impacts this area, Access.** The lack of access to the southerly and upper portion of the area increases the amount of grading and rock excavation required to develop the property. If Basalt Creek Parkway had been a local street that would provide at grade access to the upper portion of the area, employment uses could be feasible. Similar to variance criteria, this is not a self-imposed hardship but one that is unique to this portion of the planning area.

Another consideration is how this area relates to the adjacent uses (both existing and future). There is existing single family detached housing to the north. There is also underdeveloped property east of the planning area as well as the creek itself along the northeasterly portion of the area.

The City of Tualatin is proposing additional single family detached adjacent the existing single family housing to the north. Higher density residential provides an excellent transition between lower density residential, commercial and/or industrial uses. Basalt Creek Parkway with its deep cut and wide right of way provides additional transition area to the south.

Per your request, I will be present at the 7/24 work session and will be happy to answer any questions at that time.

Sincerely,



Anthony R. Weller, P.E., P.L.S.

President



**From:** [Herb Koss](#)  
**To:** [Aquilla Hurd-Ravich](#)  
**Subject:** FW: Basalt Creek - April Notice of Upcoming Meetings  
**Date:** Tuesday, April 03, 2018 1:09:57 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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I apologize I forgot and left you out of the message I sent below.  
Sincerely

Herb

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**From:** Herb Koss  
**Sent:** Tuesday, April 3, 2018 1:02 PM  
**To:** 'Sherilyn Lombos' <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)>  
**Cc:** Alice Cannon <[acannon@tualatin.gov](mailto:acannon@tualatin.gov)>; 'Lou Ogden' <[lou@louogden.com](mailto:lou@louogden.com)>; Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>  
**Subject:** FW: Basalt Creek - April Notice of Upcoming Meetings

Sherilyn

As I expected Metro has recommended against the 52 acres being zoned residential. Can you provide what information was forwarded to Metro by the City of Tualatin?

I am sure no site visits or real evaluation of the facts that were presented to the Tualatin City Council in making the recommendation.

In my entire career of developing and the financing of developments when I worked for US Bank have I ever witnessed such poor recommendations pertaining to the zoning of land.

We are going to work to provide additional exhibits and data, but knowing what Metro already has been sent by the City of Tualatin would be appreciated.

Thanks  
Herb Koss 503 730 2431

---

**From:** Lynette Sanford <[LSanford@tualatin.gov](mailto:LSanford@tualatin.gov)>  
**Sent:** Tuesday, April 3, 2018 11:09 AM  
**Subject:** Basalt Creek - April Notice of Upcoming Meetings

April 3, 2018

Greetings,

Thank you for your continued interest in the Basalt Creek Concept Plan project.

Metro's Chief Operating Officer issued a recommendation to the Metro Council on March 27, 2018 regarding the matter of the land use designation for the Central Subarea located within the Basalt Creek Planning Area. That recommendation is posted on the project website at [www.BasaltCreek.com](http://www.BasaltCreek.com).

A decision by the Metro Council on this issue is anticipated at their meeting on April 19, 2018 between 2 - 5PM. Meeting materials are anticipated to be available online from Metro by end of day April 12<sup>th</sup> at <https://oregonmetro.legistar.com/Calendar.aspx>.

Please stay current on concept planning news by signing up for email updates on the project website at [www.BasaltCreek.com](http://www.BasaltCreek.com). Information about upcoming meetings will be included in future email updates as well as on the website project calendar. If you have questions or desire more information, please feel free to contact:

**Karen Perl Fox**

Senior Long-Range Planner

City of Tualatin | Community Development Dept | Planning Division

Phone: 503-691-3027 | Email: [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)

**Miranda Bateschell**

Planning Manager

City of Wilsonville | Community Development Dept | Planning Division

Phone: 503-570-1581 | Email: [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)

**From:** [G Lucini](#)  
**To:** [Aquilla Hurd-Ravich](#); [Karen Fox \(City of Tualatin\)](#); [Nancy Karushaar](#); [Bateschell, Miranda](#)  
**Subject:** Identified Various Public Meetings with Basalt Creek Concept Planning as Agenda Item----Notice Provided ??  
**Date:** Thursday, April 05, 2018 11:25:01 AM  
**Attachments:** [2018 04-04 BasaltCreek.comwebsite- April 2018 Calendar- Missing Public Meetings in April.pdf](#)  
[2018 3-27 Wilsonville PlanCom-2018 Future Calender-Basalt Creek.pdf](#)

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 **2018 04-11 Wilsonville Plan Com Agenda- Basalt ...**

Hi Aquilla, Karen, Nancy, and Miranda,

I see that the Wilsonville Planning Commission will be having a Public Meeting on April 11 - where Basalt Creek Concept Planning will be an agenda item, yet this Public Meeting was not included in the Joint Cities April Notice of Public Meetings for Basalt Creek, which was mailed to the public earlier this month.

---Please see the attached Google Link of 40+ pages of information provided by staff to the Wilsonville Planning Commission for their 4-11-2018 Meeting---to support their Basalt Creek Concept Planning Update agenda item.

I also notice that the BasaltCreek.com website- (which has been identified as the resource for the public to use to learn about upcoming events regarding Basalt Creek Concept Planning Public Meetings):

- Does not include the 4-11-2018 -Wilsonville Planning Com. Public Meeting on the [BasaltCreek.com --- Calendar Page](#) (the April page actually states “No Up Coming Events”),
- Does not include the Metro Public Meeting scheduled for April 19, 2018 on the on the [BasaltCreek.com --- Calendar Page](#) (the April page actually states “No Up Coming Events”), and
- Does not include the Wilsonville Planning Com. Public meeting on Basalt Creek Concept Planning scheduled for their April 11, 2018 meeting within [the BasaltCreek.com--- Main Page Narrative – \(Updated on 4-3-2018\) --- yet the upcoming April 19, 2019 Metro Public Meeting is listed.](#)
- Please see the attached screenshots of the BasaltCreek.com website taken on 4-4-2018.

As Interested Persons – especially property owners within the affected area- have limited input into the decision-making process, it is extremely important that the public be notified of these Public Meetings.

The lack of accurate or current Notice of Public Meetings to Interested Persons who have provided in writing their desire to receive Notice is very concerning—especially when the Joint Cities have specifically stated the BasaltCreek.com website should be utilized by the Public for Notice on upcoming Public Meetings on Basalt Creek Concept Planning.

The same concern applies to the monthly newsletter sent by the Joint Cities on Basalt Creek Concept Planning regarding the lack of accurate or updated Notice of Public Meetings on Basalt Creek Concept Planning.

The last page of the informational packet for the 4-11-2018 Wilsonville Planning Commission agenda, lists various dates the Planning Commission has scheduled to discuss Basalt Creek Concept Planning during future Public Meetings.

I bring this document to your attention, to assist the Joint Cities --- in providing timely and accurate Notice of all future Public Meetings on Basalt Creek Concept Planning- to all Interested Persons- and especially those who have requested Notice per the Oregon Public Meeting Laws.

Please remember the Partnering Agreement between the Joint Cities of Wilsonville and Tualatin, was revised in April 2014. The only revision to the Partnering Agreement, was the addition of a statement of compliance to meet Oregon Public Meetings Law (ORS 192.610-192.690) in notice and conduct of all public meetings for the project. The inclusion of the statement was due in part to public comments which identified numerous previous instances where proper Notice had not been provided for Public Meetings on Basalt Creek Concept Planning. It was hoped the inclusion of the statement would remind and assist future Basalt Creek Concept Planning staff members of the need for proper Notice in the future, and the need for encouraging transparency during this lengthy decision making process affecting hundreds of acres of privately owned land.

Should the staff know of additional Public Meetings being held where Basalt Creek Concept Planning is a planned agenda item, it is hoped the specifics of the meeting be included in future Notice provided to the Public- and routinely updated to those informational outlets stated by the Joint Cities as being the resource for Notice of Public Meetings on the subject.

If the Monthly Basalt Creek Concept Planning Update Notices which are sent by USPS, and electronically; and/or if the BasaltCreek.com website---are no longer going to be updated in a timely manner to reflect future Public Meetings- please change the wording within these communications, and also notify the public of the change in provision of Notice.

Regards,  
Grace Lucini

Attachments:

- PDF 4-4-2018 screenshots BasaltCreek.com webpages -2 pages----Main page & Calendar page



PDF 4-11-2018 Wilsonville Planning Com Agenda Item- Basalt Creek Concept Planning Update (attached via google link)

- PDF Wilsonville Planning Com 2018 Work Schedule- Basalt Creek Concept Planning – multiple dates where Basalt Creek Concept Planning is listed as proposed agenda item during a Public Meeting on specific dates: April 2018; May 2018 & June 2018-(listed as a Public Hearing)

**From:** [G Lucini](#)  
**To:** "[Bateschell, Miranda](#)"; [Aquila Hurd-Ravich](#); [Karen Perl Fox](#); "[Kraushaar, Nancy](#)"  
**Subject:** RE: Identified Various Public Meetings with Basalt Creek Concept Planning as Agenda Item----Notice Provided ??  
**Date:** Thursday, April 05, 2018 4:10:52 PM  
**Attachments:** [~WRD001.jpg](#)  
[image001.png](#)  
[image003.jpg](#)

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Hi Miranda,

Thanks for your prompt reply. Yes, I do have continuing questions.

I guess I am still unclear as to why the specified public resource for the Basalt Creek Concept Plan decision making process-- [BasaltCreek.com](#) website is not current with the posting of a known Public Meeting.

Basalt Creek Concept Planning is an agenda item on the 4-11-2018 Wilsonville Planning Commission Meeting. Information on the topic is being disseminated to a public body who may eventually make recommendations to other public bodies on any one of various aspects of the Concept Plan.

As you mentioned, the multiple pages of information being provided to the Wilsonville Planning Commission is for preparation for their Work Program- which includes several additional future meetings on Basalt Creek Concept Planning.

- The **Wilsonville Planning Commission 2018 Work Program** document updated on 3-27-2018, lists Basalt Creek Concept Plan as an agenda item for several future meetings- including future Work Session May 9, 2018; and another under the heading of "Public Hearing" for June 13, 2018.
- The Wilsonville Planning Commission may eventually provide recommendations to the Wilsonville City Council on one or more aspects of the Basalt Creek Concept Plan, based upon the accumulative information provided to them during various Public Meetings on the topic.
- If the Wilsonville Planning Commission has the authority to make recommendations to a public body on policy or administration – then it is most likely a governing body and subject to the Public Meeting Laws ORS 192.610(3)
- As interpreted within the STATE OF OREGON DEPARTMENT OF JUSTICE- ATTORNEY GENERAL'S PUBLIC RECORDS AND MEETINGS MANUAL 2014 page 139 (highlight added)

**b. Subject of Meetings and Social Gatherings**

The Public Meetings Law applies to all meetings of a quorum of a governing body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. **Even if a meeting is for the sole purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the governing body, the meetings law will apply.**<sup>307</sup> This requirement serves the policy expressed at ORS 192.620 that

*an informed public must be aware not only of the decisions of government, but also of "the information upon which such decisions were made." Hence, except for on-site inspections, discussed below under Statutorily Exempt Public Meetings, information gathering and investigative activities of a governing body are subject to the law*

*Should there be any questions, or any discussion on the Basalt Creek Concept Plan (or on the decision-making process for the Concept Plan) during the April 11, 2018, the public should be given the opportunity to be informed of the Public Meeting and hear the questions or concerns of any of the Commission members- and the response/s provided.*

*An addition item which was not address within your response- was the inaccurate information stated on the BasaltCreek.com website. All 5 pages include the statement "No upcoming events"*



*This statement is posted on all 5 pages of BasaltCreek.com website:*

- <http://www.basaltcreek.com/contact-us/>
- <http://www.basaltcreek.com/get-involved/--->
  - the April 2018 calendar imbedded within this page is blank- and
  - does not include known Public Meetings on the topic
- <http://www.basaltcreek.com/category/news/>
- <http://www.basaltcreek.com/documents-resources/>
- <http://www.basaltcreek.com/contact-us/>

*The repeated statement of "No upcoming events" is contradictory to known facts.*

*This incorrect information being broadcast as part of the Public Notice for Basalt Creek Concept Planning-may unintentionally mis lead the Public about future Public Meetings on Basalt Creek Concept Planning which are already known and already scheduled as an agenda item during Public Meeting/s of one or more governmental bodies.*

*Members of the Public may consequently miss their opportunity to hear how determinations were made which may directly affect themselves and/or their property.*

*Grace*

---

**From:** Bateschell, Miranda <bateschell@ci.wilsonville.or.us>

**Sent:** Thursday, April 5, 2018 2:01 PM

**To:** G Lucini <grluci@gmail.com>; Aquilla Hurd-Ravich <AHURD-RAVICH@ci.tualatin.or.us>; Karen Fox (City of Tualatin) <KPerlFox@ci.tualatin.or.us>; Kraushaar, Nancy <kraushaar@ci.wilsonville.or.us>

**Subject:** RE: Identified Various Public Meetings with Basalt Creek Concept Planning as Agenda Item----Notice Provided ??

Dear Grace,

My sincere apologies for the lack of communication and clarity.

The next upcoming Wilsonville Planning Commission work session for Basalt Creek is currently anticipated to take place on May 9, 2018. However, the City of Tualatin, along with us, is working with the consultant team to outline a work schedule for adoption of the Basalt Creek Concept Plan. That schedule is not finalized / agreed to as of yet, but an outline we are working with which will meet the required schedule set by Metro. As soon as we confirm those dates, they will be noticed.

The item on the April 11 PC meeting is only informational. The Planning Commission packets are the means by which to provide our commissioners with updates related to their completed or upcoming work program. I have provided the Metro COO Recommendation in their packet, as we noticed and shared with all interested parties, and I will not be presenting anything at the meeting. A Commissioner may ask me a question about the upcoming process, but this is not a work session item and is not intended for discussion. It is merely a heads up to the Commission that Metro will be making a decision on April 19 and that we will then be working on adopting the Concept Plan and coming before them for their review over the summer.

As always, thank you for your attention to this project.  
Do not hesitate to contact me with any other questions.

Miranda

**Miranda Bateschell**

*Planning Manager*  
City of Wilsonville  
503.570.1581

*Disclosure Notice: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.*

**From:** G Lucini [mailto:grluci@gmail.com]

**Sent:** Thursday, April 05, 2018 11:25 AM

**To:** Aquilla Hurd-Ravich <AHURD-RAVICH@ci.tualatin.or.us>; Karen Fox (City of Tualatin) <KPerlFox@ci.tualatin.or.us>; Kraushaar, Nancy <kraushaar@ci.wilsonville.or.us>; Bateschell, Miranda <bateschell@ci.wilsonville.or.us>

**Subject:** Identified Various Public Meetings with Basalt Creek Concept Planning as Agenda Item----Notice Provided ??

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[2018 04-11 Wilsonville Plan Com Agenda- Basalt ...](#)

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Regards,

Grace Lucini

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- PDF Wilsonville Planning Com 2018 Work Schedule- Basalt Creek Concept Planning – multiple dates where Basalt Creek Concept Planning is listed as proposed agenda item during a Public Meeting on specific dates: April 2018; May 2018 & June 2018- (listed as a Public Hearing)

**From:** [Tomreinc@aol.com](mailto:Tomreinc@aol.com)  
**To:** [gordonroot@aol.com](mailto:gordonroot@aol.com); [Tom.Hughes@oregonmetro.gov](mailto:Tom.Hughes@oregonmetro.gov); [Craig.Dirksen@oregonmetro.gov](mailto:Craig.Dirksen@oregonmetro.gov); [Andy\\_Duyck@co.washington.or.us](mailto:Andy_Duyck@co.washington.or.us); [metrocouncil@oregonmetro.gov](mailto:metrocouncil@oregonmetro.gov); [LouOgden](mailto:LouOgden); [Brian.Harper@oregonmetro.gov](mailto:Brian.Harper@oregonmetro.gov)  
**Cc:** [LouOgden](mailto:LouOgden); [Sherilyn.Lombos](mailto:Sherilyn.Lombos); [Alice.Cannon](mailto:Alice.Cannon); [Sean.Brady](mailto:Sean.Brady); [Aquilla.Hurd-Ravich](mailto:Aquilla.Hurd-Ravich); [Karen.Perl.Fox](mailto:Karen.Perl.Fox)  
**Subject:** RE: Basalt Creek  
**Date:** Monday, April 09, 2018 5:08:04 PM  
**Attachments:** [image002.jpg](#)

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Greetings:

My wife and I are in 100% absolute agreement with Gordon Root's message of moving forward with Metro's decision (albeit not official until Council vote on 4/19) of land designation of the Basalt Creek central sub area, unencumbered by a few nuts *continuing* to hold Metro / Wa. County / the cities of Tualatin and Wilsonville and the vast majority of property owners hostage (really?) – until they are happy with your decision; absolutely no question it is unfair to the property owners. That area was brought into the UGB for employment lands - then after much, much time and much due diligence and multiple outside studies it still is deemed to be employment land suitable. Side note – interestingly enough I have never seen any of these few people nor heard of them at any of the countless Metro / WA County / Tualatin & Wilsonville meetings that my wife and I have attended until the very night of Tualatin's Council to vote on Tualatin Staff's recommendation of the sub area being designated as planned – Employment Lands.

It is (way) past time to move this project forward. We have been involved in this area since before it was brought into the UGB – the David Bragdon / Rod Park / Carl Hosticka days – anyone involved with this area then besides Lou Ogden? Very few if any.

Thank you for your consideration to this very important decision to include provisions to move Basalt Creek forward unencumbered by any private land owner appeals.

Respectfully,  
Tom & Kathy Re  
23500 SW Boones Ferry Rd.  
Tualatin, OR. 97062

---

**From:** [gordonroot@aol.com](mailto:gordonroot@aol.com) [mailto:[gordonroot@aol.com](mailto:gordonroot@aol.com)]  
**Sent:** Monday, April 9, 2018 3:45 PM  
**To:** [Tom.Hughes@oregonmetro.gov](mailto:Tom.Hughes@oregonmetro.gov); [Craig.Dirksen@oregonmetro.gov](mailto:Craig.Dirksen@oregonmetro.gov); [Andy\\_Duyck@co.washington.or.us](mailto:Andy_Duyck@co.washington.or.us); [metrocouncil@oregonmetro.gov](mailto:metrocouncil@oregonmetro.gov); [lou@louogden.com](mailto:lou@louogden.com); [Brian.Harper@oregonmetro.gov](mailto:Brian.Harper@oregonmetro.gov)  
**Cc:** [lou@louogden.com](mailto:lou@louogden.com); [slombos@tualatin.gov](mailto:slombos@tualatin.gov); [acannon@tualatin.gov](mailto:acannon@tualatin.gov); [sbrady@tualatin.gov](mailto:sbrady@tualatin.gov); [AHURD-RAVICH@tualatin.gov](mailto:AHURD-RAVICH@tualatin.gov); [kperlfox@tualatin.gov](mailto:kperlfox@tualatin.gov)  
**Subject:** Basalt Creek

Hello All:

I am writing with a very specific common sense request that I would urge the Metro Council to consider.

The Basalt Creek Concept Planning area was brought into the UGB in 2004 and was one of the first to be funded by the CET pool of funds. Yet, not a spade of dirt has been turned.



You now have the opportunity in front of you to make certain that the Cities of Tualatin and Wilsonville are able to move forward with the adoption of the Basalt Creek Plan and begin to process annexations of the property therein, even in the event of an appeal of the land use designation assigned to the Central Sub Area.

While the decision to be made is binding upon the Parties to the Agreement, the Property Owners of the Central Sub Area are not a Party to the Agreement.

Therefore, and in the event that the Metro Council adopts the Staff recommendation to assign an Employment Lands designation, there is little doubt in my mind that the property owners will appeal the decision.

Therefore, I request that you incorporate a provision in the Metro decision that directs the Cities of Tualatin and Wilsonville to adopt and move forward with the balance of the Basalt Creek Concept Plan, even if the designation for the Central Sub-Area is appealed.

Quite simply, this process has gone on far too long and it is unfair to allow a small group of property owners who, quite frankly, were a late comer to the entire concept planning effort, to hold up the entirety of the area. The land is needed and we property owners have exercised extraordinary patience.

Thank you for your time and consideration,

Gordon Root | Principal



[StaffordLandCompany.com](http://StaffordLandCompany.com)

[503.720.0914](tel:503.720.0914) | [Cell](#)

[gordon@staffordlandcompany.com](mailto:gordon@staffordlandcompany.com)

[485 South State Street, Lake Oswego, OR 97034](http://485SouthStateStreet,LakeOswego,OR97034)

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**From:** [gordonroot@aol.com](mailto:gordonroot@aol.com)  
**To:** [Tom.Hughes@oregonmetro.gov](mailto:Tom.Hughes@oregonmetro.gov); [Craig.Dirksen@oregonmetro.gov](mailto:Craig.Dirksen@oregonmetro.gov); [Andy.Duyck@co.washington.or.us](mailto:Andy.Duyck@co.washington.or.us); [metro council@oregonmetro.gov](mailto:metro council@oregonmetro.gov); [LouOgden](mailto:LouOgden); [Brian.Harper@oregonmetro.gov](mailto:Brian.Harper@oregonmetro.gov)  
**Cc:** [LouOgden](mailto:LouOgden); [Sheryl yn.Lombos](mailto:Sheryl yn.Lombos); [Alice.Cannon](mailto:Alice.Cannon); [Sean.Brady](mailto:Sean.Brady); [Aquilla.Hurd-Ravich](mailto:Aquilla.Hurd-Ravich); [Karen.Perl.Fox](mailto:Karen.Perl.Fox)  
**Subject:** Basalt Creek  
**Date:** Monday, April 09, 2018 3:44:43 PM  
**Attachments:** [stafford%20land%20company.jpg](#)

---

Hello All:

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Gordon Root | Principal



[StaffordLandCompany.com](http://StaffordLandCompany.com)  
[503.720.0914](tel:503.720.0914) | Cell  
[gordon@staffordlandcompany.com](mailto:gordon@staffordlandcompany.com)  
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**From:** [Herb Koss](#)  
**To:** [Aquilla Hurd-Ravich](#)  
**Subject:** RE:  
**Date:** Thursday, April 12, 2018 1:50:24 PM

---

I wish that Tualatin could testify at the hearing. It looks now like they may not have an open public hearing.

In order to do so they would have to notice the property owners surrounding the site.

Hope common sense prevails.

I am sending the Metro council the letter certified today.

Herb

---

**From:** Aquilla Hurd-Ravich <AHURD-RAVICH@tualatin.gov>  
**Sent:** Thursday, April 12, 2018 1:08 PM  
**To:** Herb Koss <herb@kossred.com>  
**Subject:** RE:

Thank you

**Aquilla Hurd-Ravich**

503.691.3018

Check out my new# !

---

**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Thursday, April 12, 2018 11:04 AM  
**To:** Aquilla Hurd-Ravich  
**Subject:** FW:

Aquilla

For your information.

Herb Koss

---

**From:** Herb Koss  
**Sent:** Thursday, April 12, 2018 10:28 AM  
**To:** [Tom.Hughes@oregonmetro.gov](mailto:Tom.Hughes@oregonmetro.gov); Lou Ogden <[lou@louogden.com](mailto:lou@louogden.com)>; [roger.alfred@oregonmetro.gov](mailto:roger.alfred@oregonmetro.gov); JOHN FREGONESE ([john@frego.com](mailto:john@frego.com)) <[john@frego.com](mailto:john@frego.com)>; Sherilyn Lombos <[slombos@tualatin.gov](mailto:slombos@tualatin.gov)>; Roy Rogers <[Roy\\_Rogers@co.washington.or.us](mailto:Roy_Rogers@co.washington.or.us)>; Roy Rogers <[royr@rascpas.com](mailto:royr@rascpas.com)>; 'andy\_ duyck@co.washington.or.us' <[andy\\_ duyck@co.washington.or.us](mailto:andy_ duyck@co.washington.or.us)>; Sherman Leitgeb <[sherman@equityoregon.com](mailto:sherman@equityoregon.com)>; Don & Barb Hanson ([don.hanson@otak.com](mailto:don.hanson@otak.com)) <[don.hanson@otak.com](mailto:don.hanson@otak.com)>; Tony Weller <[tweller@cesnw.com](mailto:tweller@cesnw.com)>; Mayor Knapp <[mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us)>; Bob Stacey <[Bob.Stacey@oregonmetro.gov](mailto:Bob.Stacey@oregonmetro.gov)>;



[Carlotta.Collette@oregonmetro.gov](mailto:Carlotta.Collette@oregonmetro.gov); Craig Dirksen <[craig.dirksen@oregonmetro.gov](mailto:craig.dirksen@oregonmetro.gov)>; Kathryn.Harrington@oregonmetro.gov; METRO <[Metrocouncil@oregonmetro.gov](mailto:Metrocouncil@oregonmetro.gov)>; Sam Chase <[Sam.Chase@oregonmetro.gov](mailto:Sam.Chase@oregonmetro.gov)>; [Shirley.Craddick@oregonmetro.gov](mailto:Shirley.Craddick@oregonmetro.gov)  
**Cc:** Dave Nielsen <[daven@hbapdx.org](mailto:daven@hbapdx.org)>; Paul Grove <[PaulG@hbapdx.org](mailto:PaulG@hbapdx.org)>; Ed Trompke ([Ed.Trompke@jordanramis.com](mailto:Ed.Trompke@jordanramis.com)) <[Ed.Trompke@jordanramis.com](mailto:Ed.Trompke@jordanramis.com)>; Grace Lucini <[Grluci@gmail.com](mailto:Grluci@gmail.com)>; Hannah Childs <[hannahchildsvoice@gmail.com](mailto:hannahchildsvoice@gmail.com)>; Heather Hutchinson <[heatherhutch286@gmail.com](mailto:heatherhutch286@gmail.com)>; Herb Koss <[Herb@kossred.com](mailto:Herb@kossred.com)>; Howard Houston <[hwhouston@comcast.net](mailto:hwhouston@comcast.net)>; John and Grace Lucini <[jwluci@gmail.com](mailto:jwluci@gmail.com)>; Lark Leitgeb <[lark@equityoregon.com](mailto:lark@equityoregon.com)>; Lois Fox <[lois@hosmerlake.com](mailto:lois@hosmerlake.com)>; Marvin Mast ([marvinmast@gmail.com](mailto:marvinmast@gmail.com)) <[marvinmast@gmail.com](mailto:marvinmast@gmail.com)>; Matthew Johansen <[matthew.johansen@yahoo.com](mailto:matthew.johansen@yahoo.com)>; Mehdi A-Sanaei ([mehdiasanaei@yahoo.com](mailto:mehdiasanaei@yahoo.com)) <[mehdiasanaei@yahoo.com](mailto:mehdiasanaei@yahoo.com)>; Peter Shames <[lcm@gorge.net](mailto:lcm@gorge.net)>; [r.alvstad@comcast.net](mailto:r.alvstad@comcast.net); [srcs6914@aol.com](mailto:srcs6914@aol.com); Steve Summers ([Nickstevensfs00@gmail.com](mailto:Nickstevensfs00@gmail.com)) <[Nickstevensfs00@gmail.com](mailto:Nickstevensfs00@gmail.com)>  
**Subject:** FW:

4/12/18jim

Dear Council President Hughes, Metro COO Martha Bennett, and Metro Councilors

Subject: Basalt Creek

I am a land owner who is an owner of the southernmost portion of the land involved in the zoning dispute. I also have extensive background in the land development business and financing of projects having worked for US Bank prior to my involvement in the building and development business. I have been to many public hearings in different cities around the region, I am familiar with the public process and how it is supposed to work. Having a financial interest in the land in question I along with many of the adjoining property owners have been involved in attending the public hearings for many years. To be honest I have never seen a process that seemed more designed to prevent meaningful public participation, or that seemed more designed to get a specific result, regardless of the actual facts. Hundreds of thousands of dollars have been spent, countless meetings at Wilsonville and Tualatin. What I found most interesting, is the fact that many work sessions were held, but no public input from property owners was allowed during the council work sessions. The input that the property owners had was mostly through being allowed three minutes at the city council sessions after the work sessions were held.

In order to better have a voice in the process, we retained the services of Tony Weller CESNW and Don Hanson a senior planner with Otak. Both well respected firms in the Portland region. The Planning Staff of the city of Tualatin initially recommended the same employment zoning as the Metro Planning staff. Our group of land owners finally were able to make the case that our land was not suited for an employment zone when the City Council of Tualatin held an open public hearing on the zoning issue. The result of the open hearing was a complete turnaround of the staff recommendation 7 - 0 vote in favor of a residential zone. This decision was based on solid facts presented by CESNW/Tony Weller, Don Hanson/Otak, Eric Sporre/PacTrust, Ken Leahey/Excavation, Brian Clopton/Clopton Excavation, Stu Peterson/McCadam Forbes, Mike Diamond/REIG Real Estate Group and others who have submitted testimony that is in the record. A very important fact should also be considered was the conversation between Mayor Ogden and John Fregonese the hired consultant for the Basalt Creek Planning Process. Mr. Fregonese told Mayor Ogden the site in question should be zoned for supportive residential housing because of the topography and access issues and it adjoined present residential zoning. The basis for the Tualatin Decision was the fact that the site development costs exceeded the land value and the lack of access for an employment site was not conducive to an employment zone. At that point in time we thought the issue was resolved when the Tualatin City Council voted 7 - 0 in favor of a residential zone.

The City of Wilsonville decided that the Tualatin decision was wrong. Their decision was based upon a plan prepared by KPFF. To be honest the presentation was well done, but excluded one very important factor ---- Costs to prepare the site for the plan that was presented. Our land owners retained the services of CESNW and Otak to calculate the site preparation costs for the KPFF plan. The results have been submitted by the City of Tualatin's submission to the Metro Planning Staff. In simple terms the costs to prepare the site were more than the land was worth. Facts about topography and infrastructure costs were also ignored when the land in Damascus was brought into the UGB, we all know the results of this incorrect decision. Why the Metro planning staff ignored cost factors by recommending our land being zoned for employment is beyond simple reasoning. When land for open space is acquired with the Metro bond funds costs and benefit is always a major consideration as it should be, so why were the costs for site preparation not taken into consideration and a recommendation for employment zoning made in the case of the Basalt Creek zoning?

John Fregonese and Associates was the lead planning consultant for the Basalt Creek Study process. Mr. Fregonese in

direct conversation with Mayor Ogden confirmed that his recommendation of a residential zone was based on lack of access to the site for an employment zone, steep grades, known Basalt Rock grading costs and as an experienced land planner the site was adjacent to present residential zoning. If the land in question was zoned for employment the property owners to the east of the land in question would have no access to their residential land except going through and industrial zone. Another issue that the city of Wilsonville has raised is buffering between a residential zone and an employment zone. I am in the process of having Otak prepare a cross-section of Basalt Creek Parkway showing the 18 to 20-foot vertical cut and the land to the south. Basalt Creek Parkway is the perfect buffer between the two land uses.

We as property owners are asking that we have the opportunity for an open hearing to be held by the Metro Council. I am quite certain that none of the Metro Planning staff took the time to visit the land in question. If they had visited the site, they would have had to asked permission to access the land in question and no property owner was contacted. The extreme vertical road cut on the southern portion of the land is not easy to relate too unless you visit the site and someone explains the vertical cut that is planned by Washington County Transportation dept. We have submitted data that confirms this vertical cut provided by Renu Kelfkens who is the Washington County project manager for the Basalt Creek Parkway road extension.

In summary it is not fair to the City of Tualatin or the property owners not to hold an open hearing. Many exhibits, memos, letters, planning site layouts, etc. are now part of the record, but I am confident as are our other property owners, that there has been limited site visits or understanding of all of the factors involved in this zoning issue. Land that is improperly zoned will never be sold for development therefor no increase in tax base and no revenue from System Development Charge Revenue. The result is everyone loses. I also believe that the first map in the COO's report is misleading, it shows the canyon which is going to be open space as low density residential, making it look like there is far more residential than actually exists.

Another major fact to consider is the housing crisis in the region. The land in question can be developed without major site costs since the Basalt Rock ridges and topographic can easily be utilized as assets to a residential zone. Access issues involving grades are far easier to deal with when planning for residential development vs employment land.

Just as a matter of additional common sense reasoning statements have been made as to the huge investment made by the county to construct the Basalt Creek Parkway extension. Common sense would come to the conclusion that if the land in question is zoned for employment no permits or traffic impact fees would be collected for many years. On the other hand if the land was zoned for supportive residential housing Transportation Fees along with other systems development charges would be collected within a few years. I confirmed that the County Transportation fee for a single family residence is \$8458.00 per single family dwelling, \$16,916.00 per duplex, and \$5533.00 per unit if multifamily. I also understand that as of July 1,2018 the fees will be increased. Using a conservative approach for the a residential development and including some multifamily units on the acreage in question the results are as follows: 40 acres developed one half or 20 units of single family detached and 20 acres of Multifamily at 20 units per acre equals:

20 acres at 10 units to the acre single family 200 units X \$8458.00 per unit = \$1,691,600

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**Total Traffic Impact Fees \$3,904,800**

Doesn't it make sense for these fees to be collected as soon as possible vs. maybe in the distant future or never? My example is only the transportation portion of the fees that will be collected.

I also believe that the adjoining property owners are confused as to the Basalt Creek Process. Some attended meetings, but few were given the opportunity at City Council Meetings or work sessions to be able to ask questions or more importantly voice their concerns to the City Councils. Works sessions were closed for questions from the public.

We are requesting that an **open public hearing** be held to ensure that all the facts involved in this zoning decision can be examined. The facts pertaining to the zoning were clearly presented when the Tualatin City Council voted 7 - 0 in favor of a residential zone. I would encourage a site visit hosted by one of our land owners be done before any decisions or hearings are held.

Sincerely

Herb D Koss - Property owner

cc: Mayor Ogden, Mayor Knapp, Roger Alfred, John Fregonese, Sherilyn Lombos, Roy Rogers, Andy Duyck, Sherman Leitgeb, Don Hanson, Tony Weller

This letter is also being sent via certified return receipt mail.



## Herb Koss

---

**From:** Herb Koss  
**Sent:** Thursday, April 12, 2018 10:17 AM  
**To:** Herb Koss  
**Subject:** FW:

4/12/18

Dear Council President Hughes, Metro COO Martha Bennett, and Metro Councilors

Subject: Basalt Creek

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Doesn't it make sense for these fees to be collected as soon as possible vs. maybe in the distant future or never? My example is only the transportation portion of the fees that will be collected.

I also believe that the adjoining property owners are confused as to the Basalt Creek Process. Some attended meetings, but few were given the opportunity at City Council Meetings or work sessions to be able to ask questions or more importantly voice their concerns to the City Councils. Works sessions were closed for questions from the public.

We are requesting that an open public hearing be held to ensure that all the facts involved in this zoning decision can be examined. The facts pertaining to the zoning were clearly presented when the Tualatin City Council voted 7 - 0 in favor of a residential zone. I would encourage a site visit hosted by one of our land owners be done before any decisions or hearings are held.

Sincerely

  
Herb D. Koss - Property owner

cc: Mayor Ogden, Mayor Knapp, Roger Alfred, John Fregonese, Sherilyn Lombos, Roy Rogers, Andy Duyck, Sherman Leitgeb, Don Hanson, Tony Weller

This letter is also being sent via certified return receipt mail.

--

**From:** [Herb Koss](#)  
**To:** [Aquila Hurd-Ravich](#)  
**Subject:** FW: Anticipated width of the Basalt Creek Parkway Extension (Grahams Ferry to Boones Ferry Roads)  
**Date:** Friday, April 20, 2018 4:04:21 PM  
**Attachments:** [2018-04-18 Basalt Creek Section 11x17.pdf](#)

---

Aquila

As promised attached is the exhibit prepared by Otak. Yesterday's meeting disappointing but not over  
Yet. Peter Watts is an excellent attorney.

Herb

---

**From:** Gabriel Kruse <Gabriel.Kruse@otak.com>  
**Sent:** Wednesday, April 18, 2018 9:52 AM  
**To:** Herb Koss <herb@kossred.com>  
**Subject:** RE: Anticipated width of the Basalt Creek Parkway Extension (Grahams Ferry to Boones Ferry Roads)

[Herb](#),

I've changed the direction to Southeast. Please find attached.

**Gabriel Kruse, PLA, ASLA** | Landscape Architect  
**Otak, Inc.**

Direct: 503.415.2402 | Main: 503.287.6825

---

**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Wednesday, April 18, 2018 8:47 AM  
**To:** Gabriel Kruse  
**Subject:** FW: Anticipated width of the Basalt Creek Parkway Extension (Grahams Ferry to Boones Ferry Roads)

Gabriel

I think the view is Southeast vs East. Only change I think we should make.

Herb

---

**From:** Gabriel Kruse <[Gabriel.Kruse@otak.com](mailto:Gabriel.Kruse@otak.com)>  
**Sent:** Tuesday, April 17, 2018 10:54 AM  
**To:** Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>  
**Cc:** Peter Watts <[peterowatts02@gmail.com](mailto:peterowatts02@gmail.com)>  
**Subject:** RE: Anticipated width of the Basalt Creek Parkway Extension (Grahams Ferry to Boones Ferry Roads)

Attachment this time...

**Gabriel Kruse, PLA, ASLA** | Landscape Architect  
**Otak, Inc.**

Direct: 503.415.2402 | Main: 503.287.6825

---

**From:** Gabriel Kruse  
**Sent:** Tuesday, April 17, 2018 10:52 AM  
**To:** 'Herb Koss'  
**Cc:** Peter Watts  
**Subject:** RE: Anticipated width of the Basalt Creek Parkway Extension (Grahams Ferry to Boones Ferry Roads)

Herb,

Attached is the section draft for the Basalt Creek Parkway. Please feel free to markup or comment.

Thanks,

**Gabriel Kruse, PLA, ASLA** | Landscape Architect  
**Otak, Inc.**

Direct: 503.415.2402 | Main: 503.287.6825

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**From:** Herb Koss [<mailto:herb@kossred.com>]  
**Sent:** Sunday, April 15, 2018 8:23 PM  
**To:** Gabriel Kruse  
**Cc:** Peter Watts  
**Subject:** FW: Anticipated width of the Basalt Creek Parkway Extension (Grahams Ferry to Boones Ferry Roads)

Gabriel

I have attached the cross section that Evans and Asso provided during one presentation.

Can you show this one and add the following:

1. On the south side show building height of 30 foot tall. This is the tallest tilt building normally used in industrial parks.
2. Leave a 60 foot buffer from the right of way. Since the drawing shows only 72 feet being used I would rather show a planter between the curb and sidewalk with street trees on both sides.
3. On the left side the county told me that there would be an 18 to 20 foot cut.

A couple of options exist including a path vs a sidewalk, but that gets into ADA requirements so I think we go curb, planter with

Trees, then a 4 foot wall, eight foot planter, then a 8 foot wall and then just a 3 to 1 slope to the top of the bank.

If you have a better idea let me know.

Ed Trompke is taking a picture of a vertical block wall that was built not far from our site on Basalt Creek Parkway. Large concrete

Block panels were used. Not as attractive, but we wanted to shoe the scale of the vertical cut.

**The purpose is to show the Metro Council how the transition from industrial to residential can be buffered.** From what I think the

Cross section will show is the two story building MF or TH will look over the 30 foot walls of the buildings across the buildings to the south.

Some screening of HVAC units may have to be used but for the purpose of this exercise not needed.

Call me if you have questions. I am golfing at 8:30 until about 1 PM on Monday, but I will watch my phone.

The metro meeting is Thurs at 2 PM. I fly into PDX at 12:15 and will head to the meeting.

Herb

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**From:** G Lucini <[grluci@gmail.com](mailto:grluci@gmail.com)>

**Sent:** Wednesday, July 26, 2017 1:13 PM

**To:** [gordonroot@aol.com](mailto:gordonroot@aol.com); Herb Koss <[herb@kossred.com](mailto:herb@kossred.com)>

**Subject:** Anticipated width of the Basalt Creek Parkway Extension (Grahams Ferry to Boones Ferry Roads)

Hi Gordon and Herb,

Attached is a rendering of the "Future Basalt Creek Parkway Bridge" by David Evans for the 124<sup>th</sup> Ave Project. This project is in construction, and almost completed to Grahams Ferry Road- the most eastern terminus.

It is most likely the width of the Basalt Creek Parkway Extension will exceed the width of the 124<sup>th</sup> Ave Project bridge:

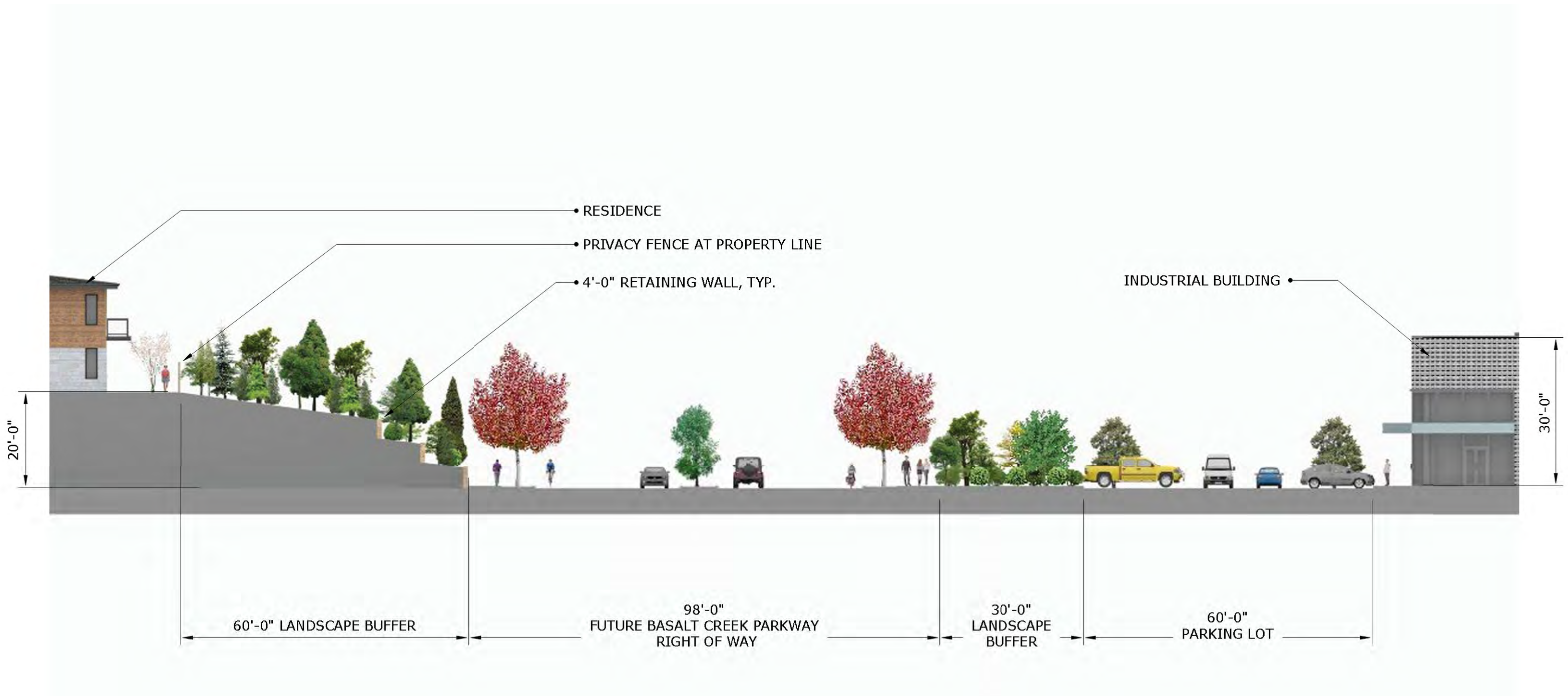
- The intersection at Grahams Ferry Road will most likely require additional turn lanes leading up to and including the intersection, which will enlarge the width of the road and ROW near and at the intersection.
- In 2012, during presentations by Washington County staff, it was stated the width of the bridge from Grahams Ferry Road to Boones Ferry Road may have additional lane/s added to accommodate the slower freight traffic attempting to ascend what was anticipated to be a 6% grade. (It should also be noted, the negative impact on the speed of regional freight traffic will be compounded due to the anticipated signaled intersection at Grahams Ferry Road- which requires trucks start an uphill ascent from a stopped position – without previous momentum). From this, it can be anticipated the width of the Basalt Creek Parkway Extension) would exceed the width of the 124<sup>th</sup> Ave bridge by at least one or more traffic lanes.
- Due to the 6% grade of the Basalt Creek Parkway Extension (as anticipated in 2102), I do not



know what design accommodations will be necessary for ADA compliance, and if this would increase the width of the sidewalks, and consequently impact and add to the overall width of the entire connection between Grahams Ferry and Boones Ferry Roads.

Just for visual orientation, I have also attached a very dated (2012) conceptual design and cross section of the East-West Connector- now known as the Basalt Creek Parkway Extension.

Grace



# BASALT CREEK PARKWAY SECTION | LOOKING SOUTHEAST |

**From:** [Herb Koss](#)  
**To:** [Aquilla Hurd-Ravich](#); [Alice Cannon](#); [Aquilla Hurd-Ravich](#); [Frank Bubenik \(fbubenik@ci.tualatin.or.us\)](#); [jeff DeHaan](#); [Joelle Davis \(jdavis@ci.tualatin.or.us\)](#); [lou ogden \(logden@ci.tualatin.or.us\)](#); [Louogden](#); [nancy grimes \(ngrimes@ci.tualatin.or.us\)](#); [paul morrison](#); [robert kellogg](#); [Sherilyn Lombos](#)  
**Cc:** [Eric Sporre](#); [Stu Peterson](#); [Don & Barb Hanson \(don.hanson@otak.com\)](#); [Tony Weller](#); [brianc1957@gmail.com](#); ["kenl@kenleahy.com"](#); [Michael Diamond \(mdiamond@reig.com\)](#); [Peter Watts](#); [wendy@gardnerteam.net](#); [Peter Shames](#)  
**Subject:** Metro Hearing  
**Date:** Friday, April 20, 2018 3:57:00 PM

---

To All regarding the Metro Circus held on 4/19

Needless to say we were disappointed in the Metro Vote yesterday. The Metro Planning Staff and no doubt with lots of input from the Wilsonville Planning staff had the meeting stacked and rigged so the Council would vote to make recommend our land be zoned for employment. The CCO Recommendation showed only the far north road alignment and no mention of the other alignments that were discussed.

Thank you to the councilors to who attended the meeting and testified for a residential zone. We really appreciate your taking the time to come to the Metro hearing even if they tried their best for no open hearing. **The Metro Planning staff is definitely running Metro with no guidance from the Metro Council.**

I understand it has been this way for years.

Peter Watts is going to pursue the next legal step. It is so frustrating to prepare for a meeting and you are limited to 3 minutes and it is impossible to get the full story told. My presentation would have taken 11 minutes. The Tualatin City Council gave the land owners the time to testify and submit well documented testimony. Not the case with Metro. Bob Stacey demonstrated what a total jerk he can be both to Peter Watts and Myself. I was amazed how well Peter kept his cool.

Peter has been in contact with Roger Alfred the Metro attorney. There has been no legal presentient for the situation that has been created. I do feel as does Peter that the property owners most directly affected were not treated fairly. He also believes that several state goals were not followed. To me is simple terms if the land is going to annexed to the City of Tualatin and all of the directly affected land owners and those land owners to the east all agree we have a good chance of victory. At this point in time we really do not know if a LUBA appeal will stop the closure of the Basalt Creek study or just the land in question would be subject to the LUBA appeal.

In reality and agreed to by both Roger Alfred and Peter Watts this case has never been tested or heard at LUBA.

Again thank you to the City of Tualatin and to the councilors who attended the Metro session yesterday.

The Majority of the property owners are behind the next legal steps and one fact for sure Peter

Watts is an excellent attorney.

Herb Koss



**From:** [Aquilla Hurd-Ravich](#)  
**To:** [Karen Perl Fox](#)  
**Subject:** FW: Basalt Creek  
**Date:** Monday, April 23, 2018 8:37:35 AM

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FYI...

**Aquilla Hurd-Ravich**

503.691.3018

Check out my new# !

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**From:** Herb Koss [mailto:[herb@kossred.com](mailto:herb@kossred.com)]  
**Sent:** Sunday, April 22, 2018 3:38 PM  
**To:** Aquilla Hurd-Ravich; Frank Bubenik; Jeff Dehaan; Joelle Davis; Lou Ogden; LouOgden; Nancy Grimes; Paul Morrison; Robert Kellogg; Sherilyn Lombos  
**Cc:** Peter Watts  
**Subject:** Basalt Creek

To the Tualatin City Council and Tualatin City Management

I just wanted to thank the City of Tualatin for supporting a residential zone for the contested area in the Basalt Creek Study area.

As we testified at Metro an incorrect zoning decision will result in no SDC revenue or tax base increase for a number of years if ever. It seems that Metro never cares about costs or for that manner common sense. A housing crisis is upon the Metro region and they fail to realize they are mostly to blame.

You gave the property owners and those adjacent land owners to the east time to present the real facts about the access issues and costs pertaining to site plan prepared by Wilsonville's consultant KPFF. Metro did not want to hear the real facts. They also did not to show the other Basalt Creek Parkway road alignments that were shown in previous Basalt Creek sessions. The Metro ordinance 04 1040B stated that the land north of Basalt Creek Parkway would be zoned residential. Only showing one alignment was very unfair.

It definitely was an unfair process and we plan to appeal this decision. According to what I have heard there has never been a situation like the one we are in now. How can another city control the zoning of a neighboring city. Why were the property owners most directly affected not part of the process?

In closing your city attorney did a great job in providing the record to Metro. What none of us counted on was a closed Metro process and a very unfair Metro Planning Staff report to the Metro COO.

Again thank you for the decision that you made in recommending the land in question be zone residential.

Sincerely  
Herb Koss  
Property Owner

**From:** [G Lucini](#)  
**To:** [Karen Perl Fox](#)  
**Cc:** [Aquilla Hurd-Ravich](#)  
**Subject:** RE: Requesting Clarification--- Basalt Creek Notice of Upcoming Meetings - June 2018  
**Date:** Monday, June 04, 2018 1:10:23 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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*Thanks for your prompt reply!  
I'll look forward to seeing you there.  
Grace*

---

**From:** Karen Perl Fox <kperlfox@tualatin.gov>  
**Sent:** Monday, June 4, 2018 12:54 PM  
**To:** G Lucini <grluci@gmail.com>  
**Cc:** Aquilla Hurd-Ravich <AHURD-RAVICH@tualatin.gov>  
**Subject:** RE: Requesting Clarification--- Basalt Creek Notice of Upcoming Meetings - June 2018

Grace:

Yes, a second Notice for the Basalt Creek Planning Area will be sent out promptly clarifying that the Tualatin City Council Work Session on June 25, 2018 will start at 5PM.

Thank you,

Karen

**Karen Perl Fox**  
Senior Long-Range Planner  
City of Tualatin | Community Development Department  
503.691.3027 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

---

**From:** G Lucini [<mailto:grluci@gmail.com>]  
**Sent:** Monday, June 04, 2018 11:26 AM  
**To:** Aquilla Hurd-Ravich; Karen Perl Fox  
**Subject:** Requesting Clarification--- Basalt Creek Notice of Upcoming Meetings - June 2018

*Hi Aquilla and Karen,*

*I wanted to check on the time being provided in the Notice of the Tualatin City Council Work Session on June 25, 2018- on the Basalt Creek Concept Planning- being forward with this email (please see below).*

*The Notice below states the time of the Work Session will be 7PM, yet previous postings listed the time of the meeting starting earlier. 7 PM has traditionally been the time the Tualatin City Council Meeting starts.*

*Would you be able to clarify if the Basalt Creek Concept Planning agenda item will be discussed during the City Council Work Session (usually convening at 5 or 5:50 PM); or during the City Council Meeting (which usually convenes at 7PM); or is the topic scheduled to be discussed during both Public meetings?*

*As an Interested person, who has requested Notice on this topic, it important for me (and the public) to know the correct time, and which type of Public Meeting the Basalt Creek Concept Plan is scheduled to be discussed- as there are significantly different rules for public involvement depending if the topic is scheduled for a Council Work Session vs a City Council Meeting.*

*Since there seems to be a slight discrepancy from previous postings- as to time and perhaps as to which Public Meeting the topic will be discussed, would it be possible for a clarification of the Notice be provided to the public.*

*Thanks,  
Grace Lucini*

---

**From:** Lynette Sanford <[LSanford@tualatin.gov](mailto:LSanford@tualatin.gov)>  
**Sent:** Monday, June 4, 2018 9:39 AM  
**To:** Aquilla Hurd-Ravich <[AHURD-RAVICH@tualatin.gov](mailto:AHURD-RAVICH@tualatin.gov)>; 'bateschell@ci.wilsonville.or.us' <[bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)>; Jeff Fuchs <[jfuchs@tualatin.gov](mailto:jfuchs@tualatin.gov)>; Kraushaar, Nancy <[kraushaar@ci.wilsonville.or.us](mailto:kraushaar@ci.wilsonville.or.us)>; Neamtzu, Chris <[neamtzu@ci.wilsonville.or.us](mailto:neamtzu@ci.wilsonville.or.us)>; Steve Adams <[adams@ci.wilsonville.or.us](mailto:adams@ci.wilsonville.or.us)>  
**Subject:** Basalt Creek Notice of Upcoming Meetings - June 2018

June 4, 2018

Greetings,



Thank you for your continued interest in the Basalt Creek Concept Plan project.

The project team is preparing a final draft concept plan for the Basalt Creek Planning Area for adoption by both Councils in August 2018. Please note upcoming meetings scheduled for this project:

**Wilsonville Planning Commission Work Session: June 13, 2018, 6PM at City Hall, 29799 SW Town Center Loop E.** (materials will be posted on the City website at <http://www.ci.wilsonville.or.us>).

**Wilsonville City Council Work Session: June 18, 2018, 5PM at City Hall, 29799 SW Town Center Loop E.** (materials will be posted on the City website at <http://www.ci.wilsonville.or.us>).

**Tualatin City Council Work Session: June 25, 2018 at 7PM at the Juanita Pohl Center, 8513 SW Tualatin Road, Tualatin, OR 97062** (materials will be posted one week in advance on the City's website at <https://www.tualatinoregon.gov>).

Please stay current on concept planning news by signing up for email updates on the project website at [www.BasaltCreek.com](http://www.BasaltCreek.com). Information about additional upcoming meetings will be included in future email updates as well as on the website project calendar. If you have questions or desire more information, please feel free to contact:

**Miranda Bateschell**

Planning Manager

City of Wilsonville | Community Development Dept | Planning Division

Phone: 503-570-1581 | Email: [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)

**Karen Perl Fox**

Senior Long-Range Planner

City of Tualatin | Community Development Dept | Planning Division

Phone: 503-691-3027 | Email: [kperlfox@ci.tualatin.or.us](mailto:kperlfox@ci.tualatin.or.us)



**From:** [G Lucini](mailto:G.Lucini@ci.wilsonville.or.us)  
**To:** [ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us); [KPerlFox@ci.tualatin.or.us](mailto:KPerlFox@ci.tualatin.or.us); [kraushaar@ci.wilsonville.or.us](mailto:kraushaar@ci.wilsonville.or.us); [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us); [veliz@ci.wilsonville.or.us](mailto:veliz@ci.wilsonville.or.us); [LSanford@ci.tualatin.or.us](mailto:LSanford@ci.tualatin.or.us)  
**Cc:** ["Tim Knapp"](mailto:Tim.Knapp@ci.wilsonville.or.us); ["Stevens Susie"](mailto:Stevens.Susie@ci.wilsonville.or.us); ["Starr Scott"](mailto:Starr.Scott@ci.wilsonville.or.us); ["Lehan Charlotte"](mailto:Lehan.Charlotte@ci.wilsonville.or.us); [akervall@ci.wilsonville.or.us](mailto:akervall@ci.wilsonville.or.us); [council@tualatin.gov](mailto:council@tualatin.gov); [logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us); [ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us); [pmorrison@tualatin.gov](mailto:pmorrison@tualatin.gov); [rkellogg@tualatin.gov](mailto:rkellogg@tualatin.gov); [jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us); [fbubenik@tualatin.gov](mailto:fbubenik@tualatin.gov); [jdehaan@tualatin.gov](mailto:jdehaan@tualatin.gov)  
**Subject:** Citizen Comments-Basalt Creek Concept Plans - As Being Presented to Wilsonville Planning Commission 6-13-2018  
**Date:** Monday, June 11, 2018 2:24:48 AM  
**Attachments:** [2018 6-11 Citizen Comments Wilsonville Plan Com- Basalt Creek 6-13-2018.pdf](#)

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The attached PDF Document are Citizen Comments regarding the Basalt Creek Concept Plan -as being presented within the Informational Packet for the Wilsonville Planning Commission Meeting scheduled for 6-13-2018.

Ms. Veliz, Would you kindly forward this email and attached document to the members of the City of Wilsonville Planning Commission members prior to the Wilsonville Planning Commission Meeting on 6-13-2018.

Should there be any difficulty in forwarding the document, I would appreciate being notified prior to 6-13-2018.

It is requested the attached document become part of the Record for the Wilsonville Planning Commission Meeting for 6-13-2018 Agenda Item II- Work Session – Basalt Creek Concept Plan

Ms. Sanford, Would you kindly forward this email and attached document to the members of the Tualatin Planning Commission.

It is requested the attached document become part of the Record for Basalt Creek Concept Planning file.

Your assistance is greatly appreciated.

Regards, Grace Lucini  
503 692 9890

6-11-2018

**Issues Regarding Information Provided Within**

**Wilsonville Planning Commission 6-13-2018 -Basalt Creek Concept Planning Update Informational Packet**

Aquilla Hurd-Ravich and Karen Fox- City of Tualatin, Tualatin Planning Commission  
Nancy Karushaar and Miranda Bateschell- City of Wilsonville, Wilsonville Planning Commission,  
Cc: Wilsonville City Council, and members  
Tualatin City Council, and members

There are several references within the 6-13-18 Wilsonville Planning Commission Informational Packet on the actions being taken by one- or both- cities regarding the Basalt Creek Concept Plans, which I am requesting your comments, and/or response.

**1. BACKGROUND**

At the current time, my property is within the Basalt Creek concept Area, but is not within the City limits of either city, and is outside the jurisdiction of either city. It is located on the western side of SW Boones Ferry Road and east of the Canyon and is one of many other single- family homes which were built prior to the adoption of Metro 04-1040b.

My property extends west of the wetlands and past the western edge of the Canyon -including both sides of the canyon, with additional land extending west of the canyon.

My husband and I spend many hours personally studying and working to restore the wetlands and surrounding area. It is my goal to leave for many generations to come---a healthy ecosystem which will support the various types of wild life which use the area to forage and for shelter.

Property owners and residents within the Basalt Creek Concept Area will most directly feel the effects of this concept planning. Yet we were not provided an elected representative to routinely represent us during Public discussions as part of the decision-making process being made by the City Councils of Tualatin and Wilsonville.

The Cities of Tualatin and Wilsonville have orchestrated most aspects as to how Basalt Creek Concept Planning would be determined, planned and implemented.

Formal Public Involvement has been minimal, and non- existent for over 2 years- after which time concept planning continued.

No formal Public Involvement Event has been held specifically for affected property owners (who as mentioned, had no elected representation within the Basalt Creek Joint Cities Governing Body). As Concept Planning details progressed with time, affected groups of property owners requested formal meetings with staff and/or Council but were rebuffed.

The property owners and residents within the Basalt Creek Concept Area were only allowed 3 minutes (as are all citizens) during the Citizens Comment Sections of Council Meetings, to present very complex and multi-faceted issues/concerns which were created by and during the concept planning process.

The determination of the future city limits of either city within the Basalt Creek Area has not yet come to fruition within the legal process.

It is unknown when this process will finally be completed, as an Appeal has been filed regarding the Concept Plan which has not yet been heard.



## 2. INFORMATIONAL PACKET BEING PROVIDED TO THE WILSONVILLE PLANNING COMMISSION

I understand the complexity many of the issues which need to be resolved. I appreciate the attempts of the staff to present many issues within the Informational Packet which were taken into consideration when developing this concept plan.

It is my understanding that the property owners within the Basalt Creek Area, will not be automatically be annexed into either of the two cities, but may request to be annexed in the future or-- may elect to forgo any annexation into their identified city.

***I request a response to this question:*** *I do not see any information within the Informational Packet which addresses possible impacts to the implementation of the Concept Plan, should one or more property owners within the Basalt Creek Area decline to annex their property into the City Limits--- What affect this may have upon the implementation of concept plans which include use of un annexed properties?*

### 3. IDENTIFICATION OF RECREATIONAL NEEDS/GOALS TO BE IMPLEMENTED WITHIN THE BASALT CREEK CONCEPT AREA

Many pages within the Informational Packet relate to plans for public recreational use of the land within the Basalt Creek Area. The Informational Packet includes the following statement:

At the time of this writing, Tualatin is going through a Park and Recreation Master Plan update. This update has considered the Basalt Creek area in the types of services and facilities that will be needed to serve residents and business in this area.

***I request a response to these issues:***

- Is the City of Tualatin in the process of updating the Park and Recreation Master Plan- and including portions of the Basalt Creek Concept Planning area within the update-as stated within the Information Packet?
  - If so, what type of recent outreach has the City taken to contact property owners within the Basalt Creek Concept Planning area to seek their involvement, or discuss potential impacts any proposed changes to the Parks and Recreation Master Plan might generate?
- Have there been any Public Meetings on any update changes to the Tualatin Park and Recreation Master Plan where Basalt Creek Concept Planning - or its inclusion into the Master Plan Update were an identified topic?
  - I have not seen any General Notice postings on the *BasaltCreek.com* regarding Public Meetings on updating the Tualatin Park and Recreation Master Plan which included the topic of the Basalt Creek Concept Area.
- As an Identified Interested Person who has provided numerous written requests to both cities, requesting to be Noticed on any Public Meeting relating to the Basalt Creek Concept Planning Area--- have I ***not*** received any communication or Actual Notice that several hundred acers within the Basalt Creek Concept Planning Area (including my property), were being actively included into an update to a City Recreation and Parks Master Plan.
  - Please provide me information as to the status of the Tualatin Parks and Recreation Master Plan Update, and when the next Public Meeting will be held regarding this.
- The Basalt Creek Concept Planning Partnering Agreement was amended to reaffirm a commitment to abide by Oregon Public Meetings Law to promote transparency of the process.
  - Historically throughout this entire concept process, there has been many instances where proper Notice has not been provided to the public, and/or to Interested Persons who have provided written request to be provided Notice on Public Meetings related to Basalt Creek Concept Planning.
  - The outcome of Basalt Creek Planning involves hundreds of acers, and directly affects hundreds of citizens, and is of importance to the general public.
  - The Basalt Creek Area is not yet within the jurisdiction of either city. Finalization of the Concept Plan has not been completed and is now under appeal.
  - Even after finalization and adoption, Individual Property owners may not wish to annex into a city. This may affect or influence Master Planning needs.
  - Consequently, the adoption of an Update to any of either city's various Master Plans to include any portion of the Basalt Creek Area seems premature at this time.
  - Any update to either city's Master Plans which to include portions of the Basalt Creek Area, can reasonably be assumed to be a component of (or implementation of) Basalt Creek Concept Planning which should had triggered Notice be given on Public Meetings regarding either city's Update to Master Plans to include portions of the Basalt Creek Area.

**It is therefore requested that in effort to promote transparency and uphold the only amendment to the Basalt Creek Concept Planning Partnering Agreement and Oregon Public Meeting Laws (ORS 192.610 to 192.710), efforts be redoubled to provide proper Notice on ALL Public Meetings regarding Basalt Creek Concept Planning, including city**

**Master Plan Updates -or any other actions which may involve current or future implementation of any portion of the Basalt Creek Concept Planning.**

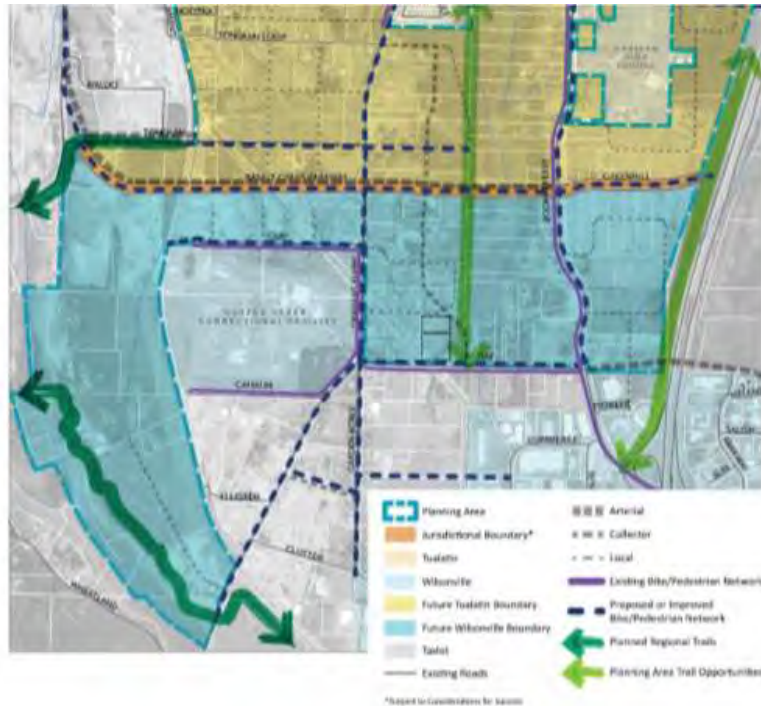
- **This should include, but not be limited to:**
  - **Posting these meetings in a timely manner on the identified website: BasaltCreek.com**
  - **Providing proper timely Actual Notice to identified Interested Persons- electronically and/or mail.**

**4. IDENTIFICATION AND SPECIFIC LOCATION/ PLACEMENT OF DESIRED PUBLIC TRAILS ON PROPERTY CURRENTLY OWNED BY PRIVATE CITIZENS.**

The narrative within the Informational Packet states a goal of the planners is to develop pedestrian and bike connectivity between the two cities.

The Informational Packet also provided the following statements:

- **“bike/pedestrian facilities will be integrated into new and updated road projects in accordance with State, County and City standards,**
- **“Identifying specific locations of parks and outdoor recreation was beyond the Scope of the Concept Plan.”**



While existing bike and pedestrian facilities run along Boones Ferry Road, Day Road, and sections of Basalt Creek Parkway, planned improvements will increase safety and completeness. The additional facilities will offer significant east/west connections along the new Basalt Creek Parkway and Tonquin

What is referred to within the Informational Packet as the Canyon Trail- currently placed North-South along the western side of the Canyon - runs entire western boundary of my property- and along the properties of approximately 29 other property owners.

I have not provided any indication of having interest in the locating Public Trails along or through my property. In fact, I have previously provided written objections to similar proposed takings of my property for Public Trails---I can provide upon request copies of these written communications –copies of which should also be available within your files.

It was therefore disconcerting to me to see another new document being disseminated to the Public in which the document labels a portion of my property being identified and listed as a “Public Trail Opportunity”.



I have not been approached by any staff member regarding this proposed new taking of my property. I have never received any indication if and how much I might be reimbursed for my property, if any funding is available, or when this proposed action might happen.

Yet as a direct consequence of the inclusion of this map with a specific Trail identified across privately-owned properties- immediately places a cloud over all of these properties, causing the owners immediately economic and legal impact.

My previous objections to providing Public Trails within the Basalt Creek Canyon and/or through my property centered around the protection of the natural resources within the area, and concerns of damage to the wetlands and other natural areas which I and my husband have been working to restore.

I also expressed concern as to the need for thoughtful planning of the location of any public pedestrian corridor due to the well documented news reports regarding a very similar Public Trail created for pedestrians and bikes to connect two cities- the Springwater Corridor. Unfortunately, the Springwater Corridor has developed into an unsafe public health and safety issue; has caused damage to previously identified sensitive natural areas; and requires routine monitoring for unplanned/anticipated types of public use.

The following statements are also included within the Informational Packet:

“Parks and Open Space One of the guiding principles of the Basalt Creek Concept Plan is to protect key natural resources and sensitive areas while making recreational opportunities accessible by integrating new parkland, open spaces, natural areas and trails in the planning area and connecting to existing regional networks.

This Canyon is very valuable to the area and it needs to be protected, while also having public access points in appropriate locations in order to connect to the bicycle, pedestrian and recreational facilities of the area and to serve the needs of residents and local employees.

If the planners truly believe in the statements they have included within the Informational Packet on upholding their goal to protect these natural resources, it would be noticeable in their efforts to reduce the number times and locations this natural area is being bisected and encroached upon by multiple roads; proposed over or under crossings, various utilities, and now in addition-- Public Trails not integrated along other proposed transportation routes.

***I request a response to these issues: There are numerous governing documents stating requirements to protect identified elements found within the Canyon Area including the protections of slopes, and other natural resources---***

***Would you explain why on the Public Trails Map above---the “Canyon Trail” does not run in proximity to local roads (which are also in concept planning), but instead--has been placed in a completely separate location -deeper into the natural areas which results in even a greater number of bifurcations of the natural areas, and increasing fragmentation of the existing habitats?***

***I request a response to these issues:***

- Are both cities in agreement with the information provided within the Public Trails map?
- Who authored/ generated the Public Trails indicating Public Trail “Opportunities” over multiple properties which are privately owned near the Basalt Creek Canyon?
- Which agency or government will be providing and funding for ongoing routine maintenance; police services; or emergency services to the “Canyon Trail”-a trail which runs through multiple jurisdictions, and possibly through islands of unannexed properties?
- And what provisions are being made to secure continuous sources of funding for these services over the entire length of the Trail?

I question how much due diligence was done prior to creating a Public Document which indicates only one location for the Public Trail within the Basalt Creek Canyon- without any alternative locations provided during its first public issuance, and without prior discussion with affected property owners.

- Just a minimal amount of research would show that the location of the proposed Public Trail within the Canyon is hampered by significant topographical constraints. The impact of these constraint seemed to be minimized within the Informational Packet. (Please see additional information provided in Section #5 regarding known significant natural constraints and limitations within the Basalt Creek Area which were authored and memorialized by various governments). The proposed location of the Canyon Trail encroaches through these natural resources.
- Construction and ongoing use of a Public Trail – open all day/year-round will create yet another bifurcation and fragmentation of the local eco system- which will directly and negatively affect the high valued riparian and upland habitats currently found in the area. These actions would be in direct conflict with the stated goals of protecting the existing natural resources within the area and within the canyon.
- Due to the current topographical location of the Public Canyon Trail, the land along the trail will most likely require leveling of the proposed pathway to be compliant with Federal ADA guidelines. This type of alteration of the area increases negative impact to surrounding habitats.
- The leveling of the trail would require high cost expenditures to minimize significant grade changes found along the proposed trail.
- Geological formations of Basalt rock along the proposed trail may require extensive construction equipment or blasting which increases negative impact to surrounding habitats and increases costs.
- The Public Trail runs along privately-owned land, with very little access to roads for construction of the path, which will also increase construction costs.
- It is also not clear how or what safety protections can be provided to a Public Trail which with very limited vehicular access, nor how the Trail would be monitored in the future to ensure appropriate use of the Trail or provide timely response to emergencies either police or medical.
- The stated location of the Trail along the Canyon is in direct conflict with another stated goal of maximizing assessed property value. The Trail on this map bisects and isolates buildable acreage located on the eastern side of the trail (on the western border of “SW Boones Ferry Rd” properties).

The inclusion of this detailed Trail map is in very sharp contrast to how information was presented for another much more significant and complex land acquisition-- future public school site locations within the Basalt Creek Area. The location of potential school sites require large acreage, complex and are highly constrained site-specific needs.

Whereas the staff elected to include a map with site specific land acquisition “locks” for the Public Trails in the Basalt Creek Area, the staff specifically stated a map which would identify potential school sites *would not be included* within the Information Packet- *thus eliminating any land “locks” which might improve land acquisition for future school sites in the area at this time.*

It is also unclear why Public Trail paths were so exactly identified as to site location within the Informational Packet at this phase of the concept planning process. A narrative of need, functional goals and general location should have been sufficient, as there are several other locations within the same area, which will provide the same connectivity; at less cost; more easily constructed; more accessible to emergency and safety and maintenance vehicles; can be more easily visually monitored; and significantly less negative impact upon the Natural Areas, - as well as being closer to the local roads which are also still in the concept stage of planning.

The Informational Packet states “identifying specific locations of parks and outdoor recreation was beyond the Scope of the Concept Plan.” If the Canyon Trail is considered a recreational use, then the planners have gone beyond the scope of the Concept Plan and exceeded their mandate.

If the Canyon Public Trail is considered a means of transportation, it would then seem appropriate the Public Trail would be more closely aligned with the proposed local roads, located on a more direct North South route between the two cities, with significant considerations given to costs relating to excessive numbers of land acquisition negotiations with approximately 30 individual property owners (over and above all other negotiations needed for road and other infrastructure negotiations), land acquisition costs, constructions costs, and ADA compliance issues.

Since we are still in the conceptual stages of this process- planners have the most flexibility to be able to incorporate the design of a Public Trail along separate paths--- but within proximity to the location of local roads (which are also being planned) --- and be able to also provide pleasant visual surroundings within the design.

In light of the extensive number of factors listed about, the only rationale I can determine which justifies the recommendation of the Canyon Public Trail at its current location is that the staff wanted to ensure they could implement a goal stated numerous times during Wilsonville Council Meetings.

During multiple Wilsonville Council meetings statements were made as to the desire to increase the marketability of their nearby future industrial area, by including unique enticements to potential developers/employers --such as providing access to the natural areas within the Canyon so that “employees will have somewhere to walk during lunch.” If this is the case---this one-sided self-serving goal with short term benefits, should not outweigh all the other considerations previously identified and the numerous governmental requirements to protect the natural resources of the area.

This supposition is supported by the statement within the Wilsonville Summary portion of the Information Packet (Attachment B page 4 of 6) ... “Locate north to south trails near the Basalt Creek Canyon and provide bicycle connections that would connect to other cities and trail systems, serving as an asset for both residents and employees in the area.”

Unfortunately, all of the comments listed within Sections #3 and #4 are just an example of the lack of concern, consideration and respect the Basalt Creek Concept planners have shown to the existing property owners and the natural resources within area.

5. REQUESTING FUTURE INFORMATION BE PROVIDED TO THE PUBLIC AND TO THE APPROPRIATE DECISION MAKERS--- TO GIVE CLEAR, REPRESENTATIVE, AND ACCURATE INFORMATION REGARDING THE EXISTING SIGNIFICANT NATURAL RESOURCES WHICH ARE LOCATED WITHIN THE BASALT CREEK AREA- AND SPECIFICALLY THE BASALT CREEK CANYON.

It is unclear to me why the following statement was included within the Informational Packet:

No land within the planning area is identified by the Washington County Comprehensive Plan as a Significant Natural Resource. The nearest Significant Natural Resource area is comprised of the Tonquin Scablands, to the west of Coffee Lake Creek.

Relationship of County significant natural resources and cities to be clarified.

The inclusion of this statement within the Informational Packet seems to only muddy information which has previously been documented and substantiated by **multiple governmental bodies - including Washington County-which have clearly identified Significant Natural Resources within the Basalt Creek Concept Area.**

There have been multiple documents provided to the Basalt Creek staff which details the unique resources located within the entire Basalt Creek Area- many which are located near or within the Basalt Creek Canyon.

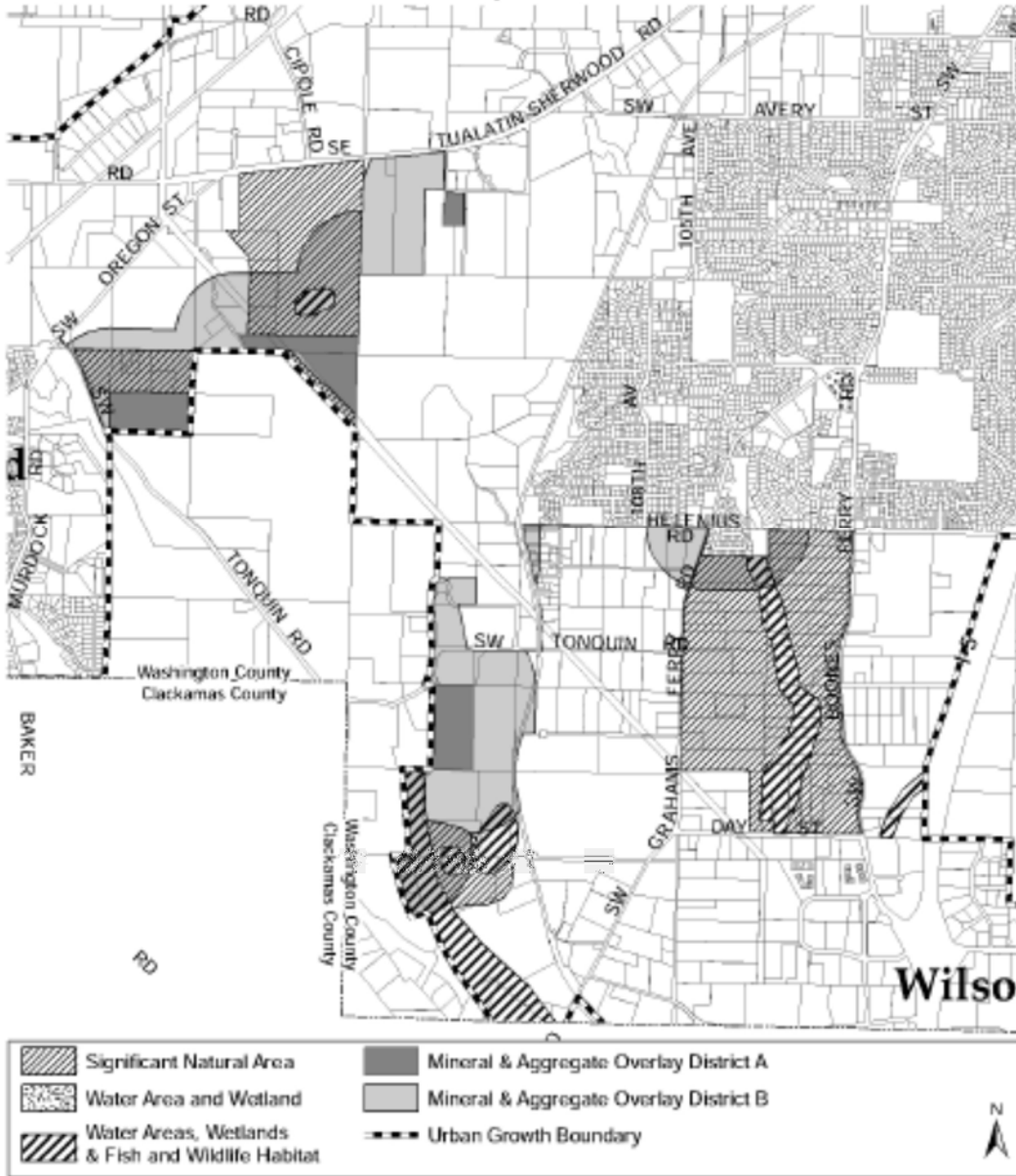
Copies of all of the following documents were provided the Basalt Creek Staff during the beginning of the Concept Planning process, and should be available within your files:



The Basalt Creek Canyon Area was clearly identified as a Significant Natural Resource by Washington County

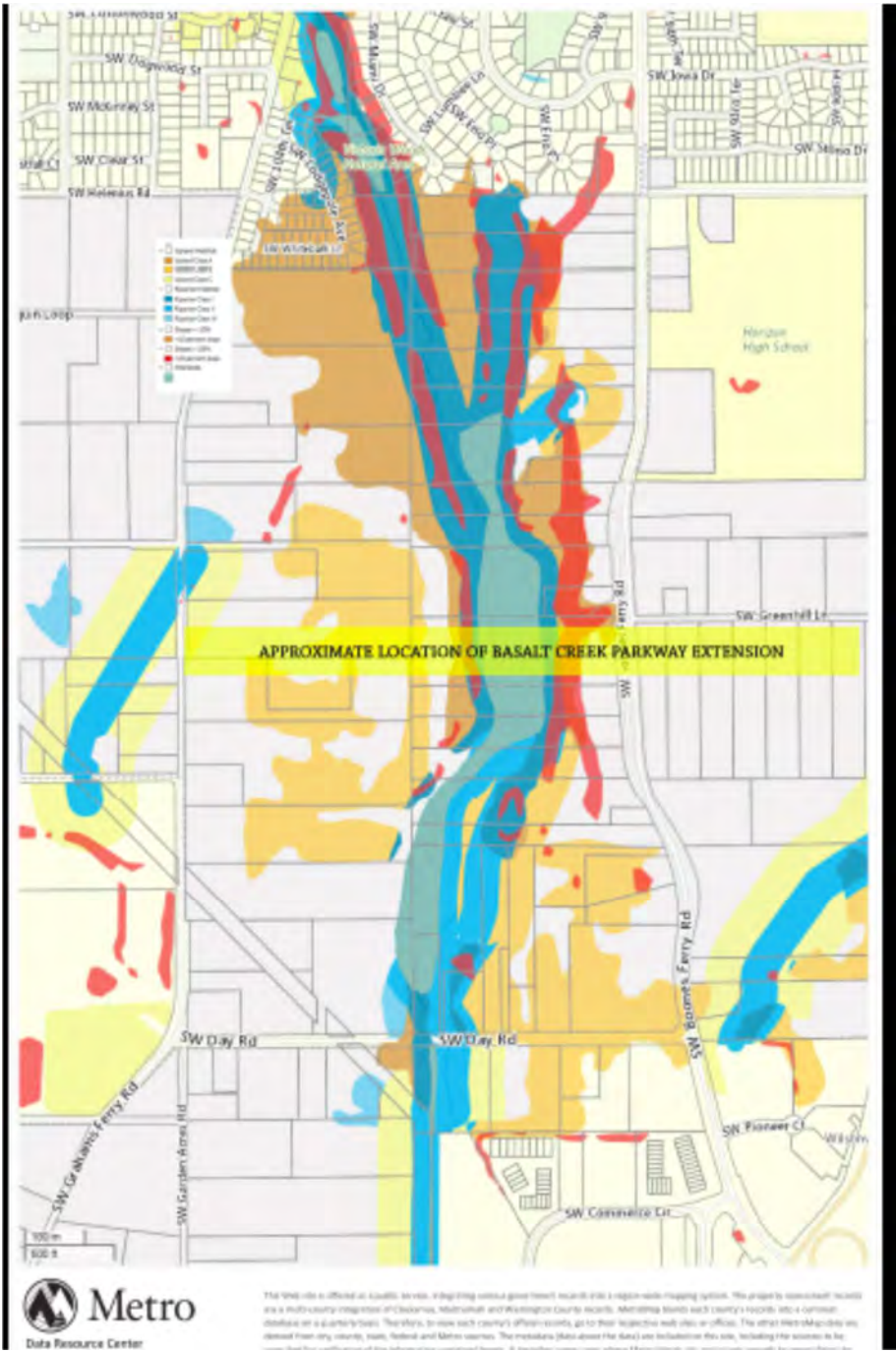
Ordinance 671  
 Exhibit 2  
 Page 3 of 9  
 January 18, 2007

Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:



C:\GIS\_MAPS\_TEMP\STAFF\paw\2007\8\64\_ashb64.mxd\6664\_ashb64 DW 1/17/07

**Metro has documented the existence of the highest valued Class 1 Riparian Habitat, and the highest valued Class A Upland Habitat within the Basalt Creek Area- Including a large portion of the Basalt Creek Canyon**



- ▼  Upland Habitat
- Upland Class A
- Upland Class B
- Upland Class C
- ▼  Riparian Habitat
- Riparian Class I
- Riparian Class II
- Riparian Class III
- ▼  Slopes > 10%
- >10 percent slope
- ▼  Slopes > 25%
- >25 percent slope
- ▼  Wetlands
- 

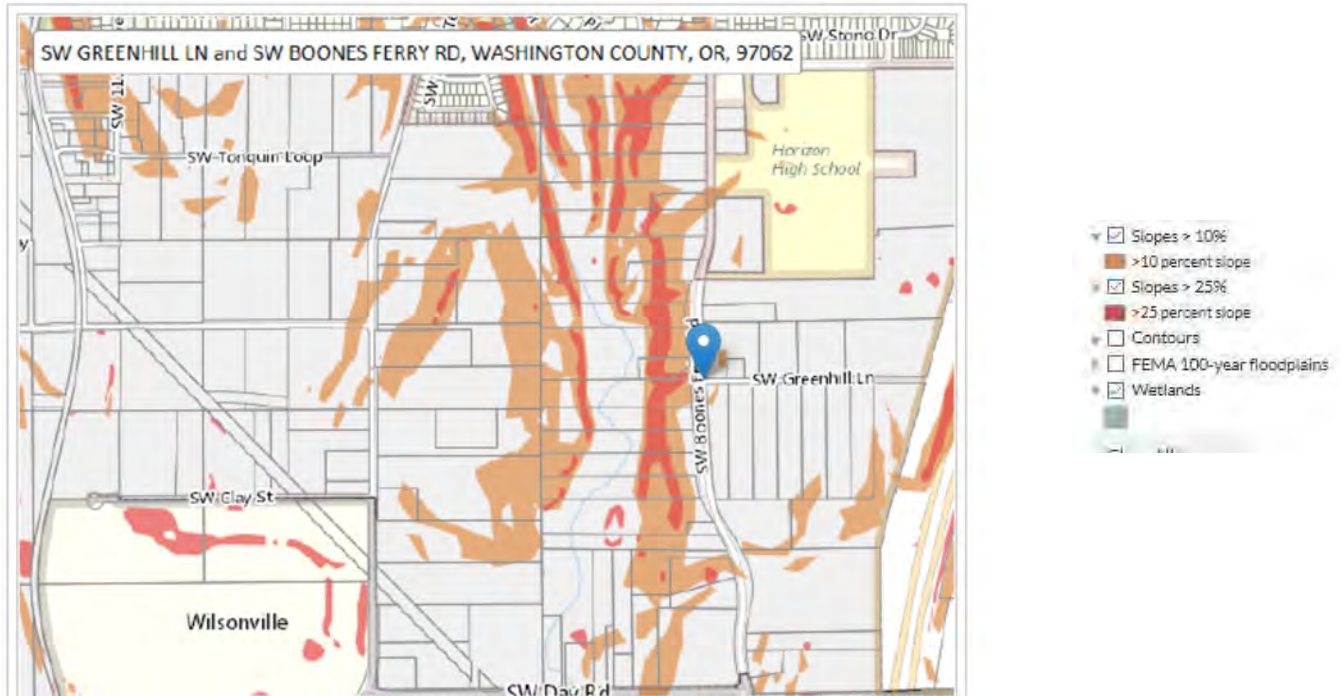


The Web site is offered as a public service. It displays certain government records that a region-wide mapping system. The shapes to represent records are a multi-county integration of Clatsop, Multnomah and Washington County records. MetroMap blends each county's records into a common database on a quarterly basis. Therefore, to view each county's official records, go to their respective web sites or offices. The other maps displayed are derived from city, county, state, federal and Metro sources. The metadata (file above the data) are inclusive of the site, including the sources to be used from the metadata of the individual records. © 2018 MetroMap. All rights reserved.

Metro has also provided data as to the significant slopes which are located within the Basalt Creek Area which in part creates the Basalt Creek Canyon.

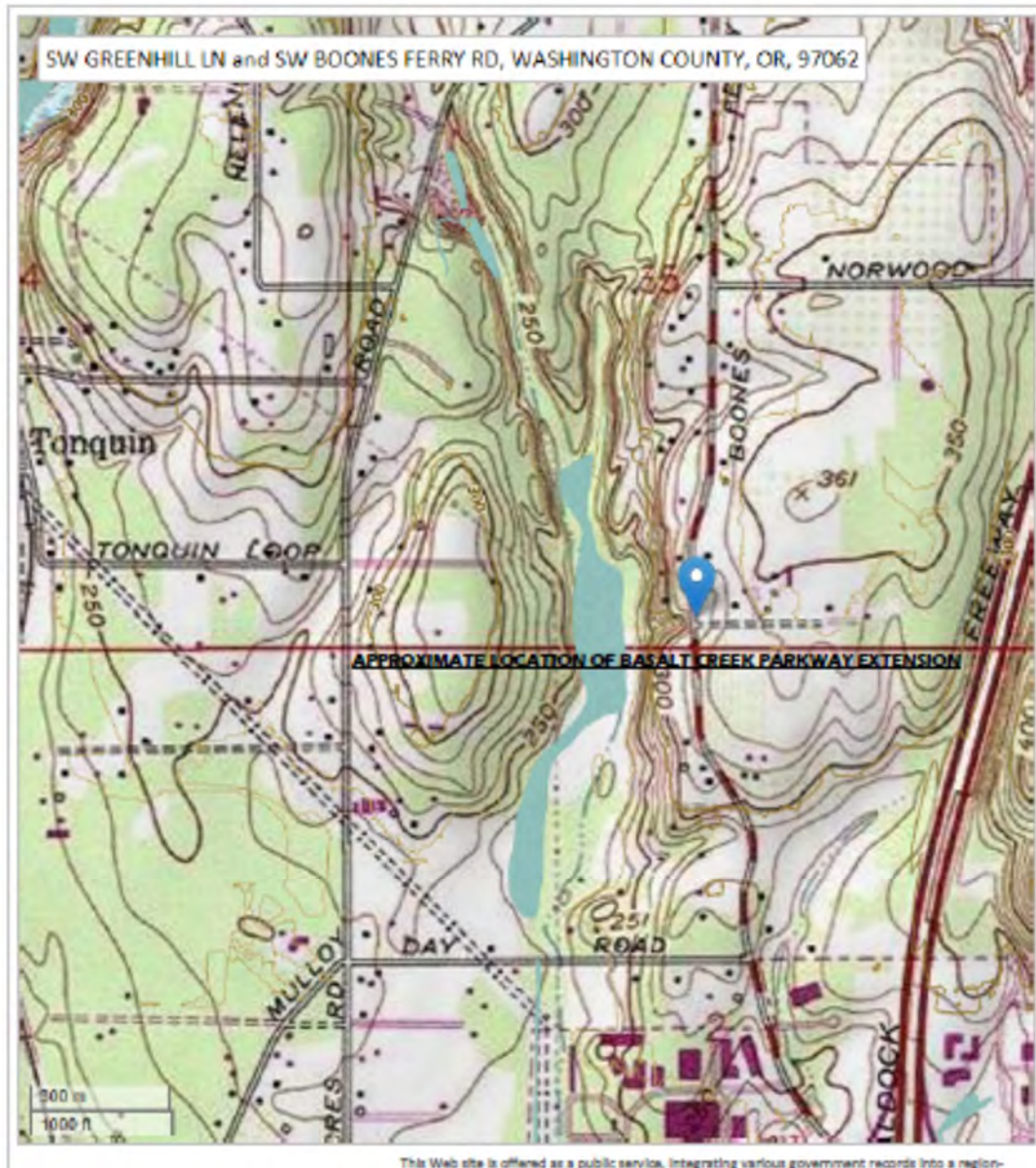
In 2004 Metro charged both Wilsonville and Tualatin with the requirement to protect the steep slopes found within what was referred to in Metro 04-2010B, as the “Tualatin Area” during concept Planning for the area.

From the following two maps, it can be easily determined there are significant topographical changes within the Basalt Creek Area, which result in dramatically steep slopes.





Metro has also provided a map of the significant grade changes within the Basalt Creek Area in relationship to the wetlands



As can be seen within these 2 maps- the rugged topography sheltered and protected the Basalt Canyon and its resources. There is a reason why this land has not been already been densely developed over the past years even though it is located close to many other attractive locations.

Care and thoughtful planning have to take place to protect this local resource for the future.

This fact was recognized when the governing tool (Metro 04-1040B) placed multiple requirements upon the cities of Wilsonville and Tualatin specifically addressing each city's responsibility to protect during Concept Planning and after – the various natural resources within the Basalt Creek Area.



The Federal government has identified and included the wetlands within the Basalt Canyon within the Federal Wetland Inventories.



The numerous plans for the construction of large expressways, arterials, collectors and local roads and, public trails within what is currently one confined natural area will now be permanently bisected at multiple locations-- causing fragmentation. This fragmentation will permanently damage the health of the existing habitats and ecosystem. .... *This issue cannot be emphasized enough.*

I remind the Basalt Creek Concept Area planners and their respective Councils of their responsibilities for the protection of the area's natural resources. It is hoped that short sighted economic goals to gain rapid development advantages will not cloud nor distort the need to protect fragile natural resources and ecosystems for future generations.

Respectfully submitted,  
Grace Lucini

**From:** [G Lucini](#)  
**To:** [Lou Ogden](#); [Joelle Davis](#); [Frank Bubenik](#); [Robert Kellogg](#); [Jeff Dehaan](#); [Paul Morrison](#); [Council](#); [Joelle Davis](#); [Nancy Grimes](#); [Nancy Grimes](#); [Frank Bubenik](#); [Lou Ogden](#)  
**Cc:** [Aquilla Hurd-Ravich](#); [Karen Perl Fox](#); [Lynette Sanford](#)  
**Subject:** #1 Citizen Comments-Tualatin Council Wrk Ses 6-27-2018-Agenda Item -Basalt Creek Concept Plan -Please Include as Part of Public Record  
**Date:** Friday, June 22, 2018 5:54:47 PM  
**Attachments:** [2018 6-22 Lucini Comments-Basalt Creek Concept Plan of 6-13-2018.pdf](#)

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Due to the email load limitations apparently in place within the City of Tualatin mail boxes, the following documents will be sent within 2 emails.

The first email will contain a PDF file with

The second email will contain a PDF file my Citizen Comments - dated 6-11-2018-- Basalt Creek Concept Plan previously submitted, but provided for reference.

It appears the email below was received by the City of Wilsonville recipients with both PDF files attached.

---

**From:** G Lucini <grluci@gmail.com>  
**Sent:** Friday, June 22, 2018 5:36 PM  
**To:** 'Lou Ogden' <logden@ci.tualatin.or.us>; 'Joelle Davis' <jdavis@ci.tualatin.or.us>; 'Frank Bubenik' <fbubenik@ci.tualatin.or.us>; 'Robert Kellogg' <rkellogg@tualatin.gov>; 'Jeff DeHaan' <jdehaan@tualatin.gov>; pmorrison@tualatin.gov; council@tualatin.gov; jdavis@tualatin.gov; ngrimes@tualatin.gov; 'Nancy Grimes' <ngrimes@ci.tualatin.or.us>; fbubenik@tualatin.gov; logden@tualatin.gov  
**Cc:** 'Hurd-Ravich Aquilla' <ahurd-ravich@ci.tualatin.or.us>; 'Karen Fox (City of Tualatin)' <KPerlFox@ci.tualatin.or.us>; kraushaar@ci.wilsonville.or.us; bateschell@ci.wilsonville.or.us; veliz@ci.wilsonville.or.us; 'Lynette Sanford' <LSanford@tualatin.gov>; 'Tim Knapp' <Knapp@ci.wilsonville.or.us>; 'Stevens Susie' <stevens@ci.wilsonville.or.us>; 'Starr Scott' <scottstarr97070@gmail.com>; 'Lehan Charlotte' <lehan@ci.wilsonville.or.us>; akervall@ci.wilsonville.or.us  
**Subject:** Citizen Comments-Tualatin Council Wrk Ses 6-27-2018-Agenda Item -Basalt Creek Concept Plan -Please Include as Part of Public Record

**Please include this email and the two attachments (Lucini Citizen Comments dated 6-22-18, and 6-11-2018) as part of the Public Record for Basalt Creek Concept Planning**

On 6-25-2018, The Tualatin City Council Work Session has the Basalt Creek Concept Plan as an agenda item. This will be the first public discussion by the Tualatin City Council, of the newly revised 6-13-2018 Draft of the Basalt Creek Concept Plan and implementation.

I request the members of the Tualatin City Council, to read the attached file - Lucini Citizen Comments dated 6-22-2018- which may provide the Council an understanding of the continuing issues which I have had to face as a property owner within the Basalt Creek Area.

Included are specific requests generated by the posting of the 6-13-2018 revision of the Basalt Creek Concept Plan, and by the recent comments and discussions of the Concept Plan during the recent Public Meetings of the Wilsonville Planning Commission, and the Wilsonville Council.

I previously submitted Citizen Comments on 6-11-2018 to both Cities, a copy of which is also attached.

Only the City of Tualatin has provided me a written response to a few of the issues I presented in my 6-11-2018 communication. I have not received substantial response to many of the remaining issues on which I requested a response.

The most recent iterations of the proposed Basalt Creek Concept Plan were only made public this month which included significantly greater levels of information than previously available from the previous revision- which was posted several months prior.

Yet, with much more specific information contained within these recent versions of the Plan, the BasaltCreek.com website does not indicate any Public Involvement Events scheduled to receive feedback from the Public, or formal outreach to the affected property owners, prior to the start of public hearings to adopt the Plan.

**CITIZEN COMMENTS -GRACE LUCINI**

**6-22-2018**

**TUALATIN CITY COUNCIL WORK SESSION 6-25-2018- Basalt Creek Concept Planning**

**Please Include as part of public record- Basalt Creek Concept Planning**

On 6-25-2018, The Tualatin City Council Work Session has the Basalt Creek Concept Plan as an agenda item. This will be the first public discussion by the Tualatin City Council, of the newly revised 6-13-2018 Draft of the Basalt Creek Concept Plan and implementation.

After 2 years without Concept Plan updates posted for public review, a draft revision of the document was posted for public access on 6-4-2018; with another revision posted 6-14-2018.

The adoption of the Basalt Creek Concept Plan must be completed by both cities prior to the end of August 2018 to be in compliance with the IGA.

The public, and particularly affected property owners have been given little time to respond to these revisions of the Concept Plan as we start to receive Notice of Public Hearings from the Cities to Adopt the Concept Plan.

*(Please see Attachments # 4A-B)*

I submitted written concerns to staff/s of both the City of Wilsonville and the City of Tualatin, to both Planning Commissions, and to both City Councils on 6-11-2018- requesting a response to my concerns.

*(Please see separate copy attachment- Lucini Citizen Comments 6-11-2018)*

I also presented oral testimony to the Wilsonville Planning Commission on 6-13-2018 with additional material supporting my previously stated concerns.

On 6-21-18 the City staff in Tualatin responded to some of the concerns I identified on pp.3-4 of my 6-11-18 comments but provided no substantive response to my concerns on pp.6-7 & 9 of that same communication.

*(Please see Attachment 1A)*

Yet both cities continue preparing for the adoption of the Basalt Creek Concept Plan deadline in August 2018.

I now request the Council to consider 3 issues as they review the most newly released draft of the Basalt Creek Concept.

**#1 Public Notice and Active Involvement of Affected Property Owners.**

Historically throughout the entire concept planning process, and continuing to the present, Interested Persons have not consistently received proper Notice of Public Meetings regarding the Basalt Creek Concept Plan as per the Oregon Public Meetings Law, as restated in the Wilsonville Tualatin Partnering Agreement- Addendum of April 2014, and as included within the Public Involvement Plan Basalt Creek Concept Plan 2014.

Various Public Meetings leading to the development of the Concept Plan, and Public Meetings including information/discussions leading to the implementation (i.e. Master Plan Updates to include Basalt Creek Area) of the Concept Plan have not been properly Noticed--- denying Interested Persons (many whom are affected



property owners) adequate access to understand how the decisions are being made which may directly affect them. Two of the more recent examples are provided as attachments.

*(Please see Attachments #1 A-B)*

Contrary to expressed comments of members of the Tualatin Council during Public Meetings- to include affected property owners within the development of the Concept Plan- the affected property owners have received minimal formal involvement other than that provided to the general public.

**I REQUEST THE COUNCIL:**

- A. Remind staff of the need to comply with Oregon Public Meetings Law, to assist with transparency of process, for proper Notice to be provided to include (but not limited to) any Public Meeting involved with Updates to Comprehensive Plans, Master Plans, or other similar municipal documents being revised which incorporates any portion of the Basalt Creek Area
- B. Direct their staff reach out throughout the remaining phases of the process to consistently seek open dialog and involvement of property owners within the Basalt Creek Concept Area as the Basalt Creek Concept Plan is being finalized, and strategies are being developed for implementation. Formal efforts to work collaboratively with affected property owners has been noticeably absent to this point.

**#2 Inclusion of a Public Trails Map Specifically Siting the “Canyon” Public Pedestrian and Bike Trail – Without the of Appropriate Level of Due Diligence and Evaluation of Impact on Effected Property Owners**

A map indicating the location of a Public Pedestrian and Bike Trail on the west side of the Basalt Creek Canyon was only publicly distributed within the last 30 days as part of the Informational Packet to the Wilsonville Planning Commission Meeting on 6-13-2018.

*(Please see Attachments # 2 A-C-MAPS)*

- This new map includes a proposed Public Pedestrian and Bike Trail as a “Trail Opportunity” located North-South centrally located referred to by staff as the “Canyon Trail”.

*(Pease see Attachment 2A)*

- Unlike the other “Trail Opportunity” delineated on the Trail Map ---the more eastern “Trail Opportunity” is sited on the ODOT ROW ---the potential “Canyon Trail” is sited through what appears to be almost entirely privately owned properties.
  - The location of the “Canyon Trail” has been drawn along the western edge of the lot lines of most property owners whose homes face SW Boones Ferry Road within the Basalt Creek Area.
  - Most of these properties include most of the Basalt Creek Canyon from SW Boones Ferry Road west including the Canyon and wetlands, and varying amounts of property west of the Canyon.

On 6-11-2018, I presented written concerns about the placement of the “Canyon Trail” to Wilsonville’s City Basalt Creek staff, Council and their Planning Commission; and to Tualatin’s Basalt Creek staff, and their City Council, and Planning Commission. My comments included concerns as to governance over a trail through multi-jurisdictional and privately owned land; construction constraints; environmental impact; development and

enforcement of unauthorized/ unintended trail use; lack of identified short and long term funding for-- trail maintenance; provision of monitoring and police services; and lack of visual and vehicular access for safety and emergencies. I questioned the level of due diligence done on locating a public trail through known significant natural resources- when the governing document Metro 04-1040b required protections of these resources.

In addition, I provided Public Testimony at the City of Wilsonville's Planning Commission on 6-13-2018. I substantiated my concerns by supplying the Commission information from the literature search published in 2017 by Metro on the negative effects of recreational ecology by pedestrians and bikes on Natural Areas.

During the Wilsonville Planning Commission Meeting on 6-13-2018, I listened to the staff and the Planning Commission discuss the location of the Canyon Trail and hear members reiterate their goal to provide the public visual and physical access into the natural area within the Canyon.

I also listened to the Wilsonville Council Work Session on 6-17-2018 discuss the Basalt Creek Concept Plan and the discussion of the newly proposed "Canyon Trail", with the Mayor asking how to preserve easements, or Right of Way access for the Trail - due to concerns expressed by property owners along Basalt Creek Canyon regarding the amenities of the bike or pedestrian Trail which the property owners might not be ready to accept or did not think appropriate. After additional discussion on methods to protect the Trail easement and use of Master Plans, the Mayor then asked if Wilsonville "will become the Master Plan developer within the whole Plan Concept".

I have not yet received a written response from either City to many of the concerns presented in my email of 6-11-2018 on which I specifically requested a reply-- including comments about the proposed "Canyon Trail". On 6-21-18, the City of Tualatin responded to a few of my Citizen Comments- but not to all of my concerns .

**(Please see separate copy attachment- Lucini Citizen Comments 6-11-2018)**

**(Please see Attachment 1A)**

The repeated discussion of providing and encouraging active/passive connection to the natural areas in and around the natural areas, and in the Canyon, does not address the impact on the natural areas. Nor does it address the impact to affected property owners, or the expense to the Cities of trying to obtain right of way agreements, complete, maintain, and police a Trail, where most, if not all, of the Basalt Creek Canyon and the wetlands at issue are within privately owned properties.

As mentioned previously, my property includes portions of the wetlands, the Canyon, and both ridges and sides of the Canyon. My husband and I spend unmeasurable amounts of time working on the restoration of the wetlands on our property. As has been discussed with staff of both Cities, and within my Citizen Comments of 6-11-2018, our goal is to preserve the natural areas on our property for future generations to enjoy.

While we try to be good stewards of our property, it is difficult to accept that the local governments are doing the same regarding the natural area and ecosystem within the Basalt Creek Area. Metro, Washington County, Wilsonville and Tualatin all voted to bisect the Basalt Creek Canyon with the placement of a 5-6 lane Basalt Creek Parkway Extension East-West through the entire canyon with a bridge through the wetlands.

The cities of Wilsonville and Tualatin as part of Concept Planning are also plotting additional north- south local roads; east-west local roads; and diagonal local roads--- with each one creating an additional linear bisection of what was once one cohesive ecosystem. The addition of yet another linear bisection of a public trail (which is not located in proximity to a planned road), would cause even more fragmentation.

The current Location of the contemplated "Canyon Trail" bisects portions of the Canyon which contain:

- Slopes in some places exceed 20%
- Wetlands and creeks with water depth which changes with the season and as to topography of the canyon floor.
- Highest valued riparian and upland habitats

IF the canyon and wetland property are ultimately purchased into public ownership, THEN my husband and I would certainly strongly support a path to or through that area – IF it was properly sited and properly policed to protect both the wetlands and the neighbors.

Until such time, the location of the proposed "Canyon Trail" has also been chosen so that it is on- or adjacent to -the entire western edge of my property, with the primary goal to encourage unlimited Public visual and/or physical access to of parts of the canyon and natural areas located **on my property**. Such an approach would place an undue burden on me, and on my property.

I am not a lawyer, but I wonder if the location of the proposed "Canyon Trail" might be viewed by some land owners as a veritable exaction, or as a cloud on their Title if they go to sell.

- The location of the "Canyon Trail" as currently mapped, will potentially contribute to trespass on and damage to my property
- Metro has identified multiple causes for degradation and damage to natural areas by creation of unauthorized trails, *"Unauthorized trails may comprise more than half of the trails in a natural area" .... "Users frequently create unauthorized trails to access special features such as view, streams and wetlands of for secret activities such as bathroom break hideouts"*. (Metro "Hiking, Mountain Biking and Equestrian Use in Natural Areas" A Recreation Ecology Literature Review," September 2017)
- In the same publication, Metro identified additional detrimental effects resulting from unauthorized trails by trampling- on vegetation; soil compaction; and erosion.

These factors lead to the conclusion that the Concept Plan now includes a plan to provide the public visual and/or public access on to my property- which could cause both my property and the natural resources of the canyon that the City is required to protect, to be degraded and/or damaged.

The location of the "Canyon Trail" on the western "ridge" of the canyon would also open safety and liability issues for adjacent property owners, and the City - especially in those areas with steep slopes or water on the property.

Location of the "Canyon Trail" in its currently proposed route, would potentially decrease privacy and of use/enjoyment of my property and my home- which is located within the Canyon.

All of these issues result in additional burdens and de-facto taking of my property, to which I object

**I REQUEST THE COUNCIL:**

- A. Remove from the Trails Map any siting of the “Canyon Trail” until the location of the trail integrates natural areas and high valued natural resources into the placement of the trail. On 6-13-2018, during the discussion of the Basalt Creek Concept Plan and the location of the “Canyon Trail”, a member of the Wilsonville Planning Commission requested more extensive evaluation of the natural areas as to the types of animals etc. found within the natural area. I do not see this action presented within the current Concept Plan narrative but obtaining this information would be of great assistance prior to proposing a public trail in to the area.
- B. Remove from the Trails Map any siting of the “Canyon Trail” until the purpose to the locating the trail and encouraging the public to use the trail to access views or other attributes located on private property can be more thoughtfully decided.
- C. Remove from the Trails Map any siting of the “Canyon Trail” until issues surrounding policing, maintenance and related issues are squarely evaluated and addressed.
- D. Remove from the Trails Map any siting of the “Canyon Trail” until funding and acquisition of the canyon and wetland property are in place for public ownership.
- E. Replace the Trails Map with a narrative within the Concept Plan, stating the desired goal of North-South Connectivity between the two cities and the goal of creating public access to natural areas in a way that does not harm either the natural area or adjoining land owners - without the inclusion of a map.

**#3. STORM DRAINAGE WITHIN BASALT CREEK CONCEPT AREA- IDENTIFIED FOR FUTURE INCLUSION INTO THE CITY OF TUALATIN**

- **Stormwater:** New stormwater infrastructure will be primarily integrated with the local road network. Tualatin, Wilsonville and CWS acknowledge they must follow requirements established for their respective stormwater MS4 permits. Much of the area is in a basin that drains toward Wilsonville. Each City will serve its own jurisdictional area.

(Slide 23 Tualatin Presentation 6-25-18 - Basalt Creek concept Plan)

**Stormwater**

Existing stormwater infrastructure consists of roadside drainage ditches and culverts. Culverts in the planning area are under the jurisdiction of Washington County and may not have capacity for future urban conditions. Culverts to the south of the planning area are part of the City of Wilsonville stormwater system. The City of Tualatin has jurisdiction over the stormwater conveyance system to the north of the planning area. Culverts may need to be upsized to provide adequate capacity for runoff from new impervious areas, unless onsite retention or infiltration is required.

Locations where stormwater runoff from the Basalt Creek plan area could connect to existing stormwater infrastructure will require evaluation of the conveyance systems at time of development.

(Page 23 Basalt Creek Concept Plan Draft 6-13-2018)



In light of the information stated within the current draft of the Basalt Creek concept Plan (copied above), I am reminding the City of Tualatin, as they are finalizing their portion of the Storm Water Drainage portion of the Basalt Creek Concept Plan, and during all phases of implementation of the Concept Plan – of a storm water flooding event which occurred on my property on May 18, 2015.

*(Please see Attachment #3 Letter from Karl Anuta dated 10-23-2015).*

Unfortunately, this matter resulted in a law suit being filed against Washington County (among others). That law suit ultimately resulted in a settlement that required the County (as well as others) to pay a substantial amount. As an outcome, we are in the process of implementing a project on our property to deal with the current peak storm water flows from the SW Boones Ferry Road Improvement Project Out Flow #5( a storm water system Outfall which discharges onto my property). Please be aware that the remedy being designed will only buffer the current peak flow drainage on to my property, based upon the current design and construction of the SW Boones Ferry Road Improvement Project. If the City were to allow any further addition to that storm water system, it will potentially harm or take a portion of my property, which might lead to even more litigation.

**I REQUEST THE COUNCIL:**

- A. Recognize formally that the storm water system as currently designed for Outflow #5, will not be able to handle any additional storm water being added to the catchment area or any increase of volume or flow to Outflow #5 without possible negative results.
- B. Direct staff, that when the Basalt Creek Concept Plan is adopted, and the City updates its Storm Water Master plan to incorporate portions of the Basalt Creek Area, the City of Tualatin will prohibit any changes to the storm water system at Outflow #5 which might increase the volume or flow of water as development of the area begins- with specific concern as to the main catchment area for Outflow #5 which is east of SW Boones Ferry Road.
- C. Direct staff that I be promptly notified of any proposal, design plan or permit submitted to the City which may affect the catchment area for Outflow #5, or of any potential changes to the system as it currently stands.

Respectfully Submitted,

Grace Lucini  
23677 SW Boones Ferry Road, Tualatin Oregon 97062

**ATTACHMENTS:**

**(# 1 A-B)** Copies of Chain Emails 6-21-2018 City of Tualatin (3 pages); 4-6-2018 City of Wilsonville (5 pages)

**(# 2 A-C)** Maps of Basalt Creek Area- Proposed Trails; Natural Resources; Proposed Trail Over Laying Metro Natural Resources; Proposed Transit Framework

**(# 3)** 10-25-2015 Letter Karl G. Anuta to City of Wilsonville and to City of Tualatin (2 Pages)

**(# 4 A-B)** Notice of Public Hearing on 7-11-2018 Wilsonville Planning Commission; Future Steps Toward Adoption of Basalt Creek Concept Plan (2 pages)

**SENT AS ATTACHMENT TO THIS EMAIL-** 6-11-2018 Citizen Comments- Grace Lucini- Basalt Creek Concept Plan as posted 6-4-2018

Attachment # 1 A

Email Chain 2018 6-21 City of Tualatin -Lucini-Notice (3 Pages)

**G Lucini**

---

**From:** G Lucini <grluci@gmail.com>  
**Sent:** Thursday, June 21, 2018 3:49 PM  
**To:** 'Aquilla Hurd-Ravich'; 'Karen Perl Fox'; kraushaar@ci.wilsonville.or.us; bateschell@ci.wilsonville.or.us; veliz@ci.wilsonville.or.us; 'Lynette Sanford'  
**Cc:** 'Tim Knapp'; 'Stevens Susie'; 'Starr Scott'; 'Lehan Charlotte'; akervall@ci.wilsonville.or.us; 'Council'; 'Lou Ogden'; 'Nancy Grimes'; 'Paul Morrison'; 'Robert Kellogg'; 'Joelle Davis'; 'Frank Bubenik'; 'Jeff Dehaan'  
**Subject:** RE: Citizen Comments-Basalt Creek Concept Plans - As Being Presented to Wilsonville Planning Commission 6-13-2018  
**Attachments:** 2014 1-7 Request for Notice all Meetings-Basalt Creek.pdf  
**Flag Status:** Flagged

Aquilla,  
Thank you for your email.

Unfortunately, it appears your records do not reflect the numerous times I have submitted written requests to be notified of any and all Public Meetings regarding planning of the Basalt Creek Area— dating back to 2013.

You may remember I started to submit my requests for Notice in 2013, when the City of Tualatin updated the Water Master Plan- which included the Basalt Creek Area with a proposed water main located through my home/property.

I have attached a copy of a written request which was submitted 1-7-2014 to both cities via the BasaltCreek.com website, which requests Notice...

*"for any and all Public Meetings relating to the planning, development, zoning, transportation, changes to infrastructure, and/or changes or potential impact to natural resources within the surrounding area."*

I can provide copies of other requests for Notice if this would be of assistance.

Please let me know if it is necessary for me to submit additional requests for Notice for any and all Public Meetings regarding Basalt Creek Planning- including and not limited to any updates to city Master Plans, Development Plans, Comprehensive Plans, etc.

I anticipate the future Actual Notices I receive as an Interested Person, will include all Public Meetings-( including but not limited to those which might be considered "informational" or might be "high level") as provided by the Oregon Public Meetings Law.

Regards,  
Grace

---

**From:** Aquilla Hurd-Ravich <AHURD-RAVICH@tualatin.gov>  
**Sent:** Thursday, June 21, 2018 12:30 PM  
**To:** G Lucini <grluci@gmail.com>; Karen Perl Fox <kperlfox@tualatin.gov>; kraushaar@ci.wilsonville.or.us; bateschell@ci.wilsonville.or.us; veliz@ci.wilsonville.or.us; Lynette Sanford <LSanford@tualatin.gov>  
**Cc:** 'Tim Knapp' <Knapp@ci.wilsonville.or.us>; 'Stevens Susie' <stevens@ci.wilsonville.or.us>; 'Starr Scott' <scottstarr97070@gmail.com>; 'Lehan Charlotte' <lehan@ci.wilsonville.or.us>; akervall@ci.wilsonville.or.us; Council <council@tualatin.gov>; Lou Ogden <logden@tualatin.gov>; Nancy Grimes <ngrimes@tualatin.gov>;

Paul Morrison <pmorrison@tualatin.gov>; Robert Kellogg <rkellogg@tualatin.gov>; Joelle Davis <jdavis@tualatin.gov>; Frank Bubenik <fbubenik@tualatin.gov>; Jeff Dehaan <jdehaan@tualatin.gov>  
**Subject:** RE: Citizen Comments-Basalt Creek Concept Plans - As Being Presented to Wilsonville Planning Commission 6-13-2018

Grace,

Thank you for submitting comments about Basalt Creek and Tualatin's Park and Recreation Master Plan. This response is specific to your questions posed on page 3 of 14.

A little background on concept planning first. One of the aspects a concept plan is required by Metro to address is Parks and Open Space. So in any new urban areas cities are required to at least think about how we might serve residents in these expansion areas. Tualatin did this by including the Basalt Creek Area in our Parks and Recreation Master Plan Update. The Parks and Recreation Master Plan is a system wide 20 year plan that identifies how to serve the needs of all of Tualatin's current and future residents. We recognize that all land in the Basalt Creek area is currently privately owned and any future identified facilities will require the City to work with property owners. We also recognize that the Basalt Creek Canyon is an important natural resource that needs protection.

Last summer there was a significant public involvement effort for the Parks and Recreation Master Plan and the project team continues to accept comments. You can sign up [here](#) to be on the interested parties list. (After you click on the link, scroll to the bottom of the page) There have not been meetings to specifically address Basalt Creek but rather the system as a whole given this is a system wide plan. That said at the last meeting a brief high level description for a potential new park in the Basalt Creek Area was presented to the Project Advisory Committee. You can read the materials from that meeting [here](#) (Scroll to the bottom of page 33). These meetings are public meetings and have all been properly noticed. There will be another opportunity to review the draft plan this coming fall and if you sign up as an interested party you will receive notice when that draft is available.

As you requested we forwarded your comments to the Tualatin Planning Commission.

Thank you,

Aquilla Hurd-Ravich  
503.691.3018  
Check out my new# !

---

**From:** G Lucini [<mailto:grluci@gmail.com>]  
**Sent:** Monday, June 11, 2018 2:24 AM  
**To:** Aquilla Hurd-Ravich; Karen Perl Fox; [kraushaar@ci.wilsonville.or.us](mailto:kraushaar@ci.wilsonville.or.us); [bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us); [veliz@ci.wilsonville.or.us](mailto:veliz@ci.wilsonville.or.us); Lynette Sanford  
**Cc:** 'Tim Knapp'; 'Stevens Susie'; 'Starr Scott'; 'Lehan Charlotte'; [akervall@ci.wilsonville.or.us](mailto:akervall@ci.wilsonville.or.us); Council; Lou Ogden; Nancy Grimes; Paul Morrison; Robert Kellogg; Joelle Davis; Frank Bubenik; Jeff Dehaan  
**Subject:** Citizen Comments-Basalt Creek Concept Plans - As Being Presented to Wilsonville Planning Commission 6-13-2018

The attached PDF Document are Citizen Comments regarding the Basalt Creek Concept Plan -as being presented within the Informational Packet for the Wilsonville Planning Commission Meeting scheduled for 6-13-2018.

Ms. Veliz, Would you kindly forward this email and attached document to the members of the City of Wilsonville Planning Commission members prior to the Wilsonville Planning Commission Meeting on 6-13-2018.

Should there be any difficulty in forwarding the document, I would appreciate being notified prior to 6-13-2018.

It is requested the attached document become part of the Record for the Wilsonville Planning Commission Meeting for 6-13-2018 Agenda Item II- Work Session – Basalt Creek Concept Plan

Ms. Sanford, Would you kindly forward this email and attached document to the members of the Tualatin Planning Commission.

It is requested the attached document become part of the Record for Basalt Creek Concept Planning file.

Your assistance is greatly appreciated.  
Regards, Grace Lucini  
503 692 9890



Attachment # 1 B

Email Chain 2018 4-6 City of Wilsonville -Lucini- Notice (5 Pages)

**G Lucini**

---

**From:** G Lucini <grluci@gmail.com>  
**Sent:** Friday, April 6, 2018 6:46 PM  
**To:** 'Bateschell, Miranda'; 'Aquilla Hurd-Ravich'; 'Karen Fox (City of Tualatin)'; 'Kraushaar, Nancy'  
**Subject:** RE: Identified Various Public Meetings with Basalt Creek Concept Planning as Agenda Item----Notice Provided ??  
  
**Flag Status:** Flagged

*Miranda,  
Thank you for your phone call today.*

*I have received an Updated electronic April Notice for the Basalt Concept Plan-- which now includes the upcoming 4-11-2018 Wilsonville Planning Com. Meeting.*

*The BasaltCreek.com website has also been updated to include the 4-11-18 meeting, and now also lists 7 additional Public Meetings to be held in the next few months by the City of Wilsonville on Basalt Creek Concept Planning. These meetings have been placed on the Calendar page of the website, and also listed individually - under Up Coming Events on the right side of each webpage*

*Your efforts are greatly appreciated.*

*I know that providing this information through these various modalities will greatly assist the public in obtaining access to current information, while we all try to understand and integrate the changes to come.*

*Grace*

---

**From:** G Lucini <grluci@gmail.com>  
**Sent:** Thursday, April 5, 2018 4:11 PM  
**To:** 'Bateschell, Miranda' <bateschell@ci.wilsonville.or.us>; 'Aquilla Hurd-Ravich' <AHURD-RAVICH@ci.tualatin.or.us>; 'Karen Fox (City of Tualatin)' <KPerlFox@ci.tualatin.or.us>; 'Kraushaar, Nancy' <kraushaar@ci.wilsonville.or.us>  
**Subject:** RE: Identified Various Public Meetings with Basalt Creek Concept Planning as Agenda Item----Notice Provided ??

*Hi Miranda,  
Thanks for your prompt reply. Yes, I do have continuing questions.*

*I guess I am still unclear as to why the specified public resource for the Basalt Creek Concept Plan decision making process-- BasaltCreek.com website is not current with the posting of a known Public Meeting.*

*Basalt Creek Concept Planning is an agenda item on the 4-11-2018 Wilsonville Planning Commission Meeting. Information on the topic is being disseminated to a public body who may eventually make recommendations to other public bodies on any one of various aspects of the Concept Plan.*

*As you mentioned, the multiple pages of information being provided to the Wilsonville Planning Commission is for preparation for their Work Program- which includes several additional future meetings on Basalt Creek Concept Planning.*



- The **Wilsonville Planning Commission 2018 Work Program** document updated on 3-27-2018, lists Basalt Creek Concept Plan as an agenda item for several future meetings- including future Work Session May 9, 2018; and another under the heading of "Public Hearing" for June 13, 2018.
- The Wilsonville Planning Commission may eventually provide recommendations to the Wilsonville City Council on one or more aspects of the Basalt Creek Concept Plan, based upon the accumulative information provided to them during various Public Meetings on the topic.
- If the Wilsonville Planning Commission has the authority to make recommendations to a public body on a policy or administration – then it is most likely a governing body and subject to the Public Meeting Laws ORS 192.610(3)
- As interpreted within the STATE OF OREGON DEPARTMENT OF JUSTICE- ATTORNEY GENERAL'S PUBLIC RECORDS AND MEETINGS MANUAL 2014 page 139 (highlight added)

**b. Subject of Meetings and Social Gatherings**

The Public Meetings Law applies to all meetings of a quorum of a governing body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. Even if a meeting is for the sole purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the governing body, the meetings law will apply. 307 This requirement serves the policy expressed at ORS 192.620 that an informed public must be aware not only of the decisions of government, but also of the information upon which such decisions were made. Hence, except for on-site inspections, discussed below under Statutorily Exempt Public Meetings, information gathering and investigative activities of a governing body are subject to the law

Should there be any questions, or any discussion on the Basalt Creek Concept Plan (or on the decision-making process for the Concept Plan) during the April 11, 2018, the public should be given the opportunity to be informed of the Public Meeting and hear the questions or concerns of any of the Commission members- and the response/s provided.

An addition item which was not address within your response- was the inaccurate information stated on the BasaltCreek.com website. All 5 pages include the statement "No upcoming events"

Upcoming Events

View the monthly calendar of events [here](#).

• No Upcoming events

This statement is posted on all 5 pages of BasaltCreek.com website:

- <http://www.basaltcreek.com/contact-us/>
- <http://www.basaltcreek.com/aet-involved/>

- the April 2018 calendar imbedded within this page is blank- and
- does not include known Public Meetings on the topic
- <http://www.basaltcreek.com/category/news/>
- <http://www.basaltcreek.com/documents-resources/>
- <http://www.basaltcreek.com/contact-us/>

The repeated statement of "No upcoming events" is contradictory to known facts.

This incorrect information being broadcast as part of the Public Notice for Basalt Creek Concept Planning-may unintentionally mis lead the Public about future Public Meetings on Basalt Creek Concept Planning which are already known and already scheduled as an agenda item during Public Meeting/s of one or more governmental bodies.

Members of the Public may consequently miss their opportunity to hear how determinations were made which may directly affect themselves and/or their property.

Grace

**From:** Bateschell, Miranda <[bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us)>  
**Sent:** Thursday, April 5, 2018 2:01 PM  
**To:** G Lucini <[grluci@gmail.com](mailto:grluci@gmail.com)>; Aquilla Hurd-Ravich <[AHURD-RAVICH@ci.tualatin.or.us](mailto:AHURD-RAVICH@ci.tualatin.or.us)>; Karen Fox (City of Tualatin) <[KPerlFox@ci.tualatin.or.us](mailto:KPerlFox@ci.tualatin.or.us)>; Kraushaar, Nancy <[kraushaar@ci.wilsonville.or.us](mailto:kraushaar@ci.wilsonville.or.us)>  
**Subject:** RE: Identified Various Public Meetings with Basalt Creek Concept Planning as Agenda Item----  
 Notice Provided ??

Dear Grace,

My sincere apologies for the lack of communication and clarity.

The next upcoming Wilsonville Planning Commission work session for Basalt Creek is currently anticipated to take place on May 9, 2018. However, the City of Tualatin, along with us, is working with the consultant team to outline a work schedule for adoption of the Basalt Creek Concept Plan. That schedule is not finalized / agreed to as of yet, but an outline we are working with which will meet the required schedule set by Metro. As soon as we confirm those dates, they will be noticed.

The item on the April 11 PC meeting is only informational. The Planning Commission packets are the means by which to provide our commissioners with updates related to their completed or upcoming work program. I have provided the Metro COO Recommendation in their packet, as we noticed and shared with all interested parties, and I will not be presenting anything at the meeting. A Commissioner may ask me a question about the upcoming process, but this is not a work session item and is not intended for discussion. It is merely a heads up to the Commission that Metro will be making a decision on April 19 and that we will then be working on adopting the Concept Plan and coming before them for their review over the summer.

As always, thank you for your attention to this project  
 Do not hesitate to contact me with any other questions.

Miranda

**Miranda Bateschell**  
 Planning Manager  
 City of Wilsonville  
 503.570.1581

*Disclosure Notice: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.*



**From:** G Lucini [mailto:grluci@gmail.com]

**Sent:** Thursday, April 05, 2018 11:25 AM

**To:** Aquilla Hurd-Ravich <AHURD-RAMCH@ci.tualatin.or.us>; Karen Fox (City of Tualatin) <KPerlFox@ci.tualatin.or.us>; Kraushaar, Nancy <kraushaar@ci.wilsonville.or.us>; Bateschell, Miranda <bateschell@ci.wilsonville.or.us>

**Subject:** Identified Various Public Meetings with Basalt Creek Concept Planning as Agenda Item----Notice Provided ??

**2018 04-11 Wilsonville Plan Com Agenda- Basalt ...**

Hi Aquilla, Karen, Nancy, and Miranda,

I see that the Wilsonville Planning Commission will be having a Public Meeting on April 11 -where Basalt Creek Concept Planning will be an agenda Item, yet this Public Meeting was not included in the Joint Cities April Notice of Public Meetings for Basalt Creek, which was mailed to the public earlier this month.

---Please see the attached Google Link of 40+ pages of information provided by staff to the Wilsonville Planning Commission for their 4-11-2018 Meeting---to support their Basalt Creek Concept Planning Update agenda item.

I also notice that the BasaltCreek.com website- (which has been identified as the resource for the public to use to learn about upcoming events regarding Basalt Creek Concept Planning Public Meetings):

- Does not include the 4-11-2018 -Wilsonville Planning Com. Public Meeting on the BasaltCreek.com --- Calendar Page (the April page actually states "No Up Coming Events"),
- Does not include the Metro Public Meeting scheduled for April 19, 2018 on the on the BasaltCreek.com --- Calendar Page (the April page actually states "No Up Coming Events"), and
- Does not include the Wilsonville Planning Com. Public meeting on Basalt Creek Concept Planning scheduled for their April 11, 2018 meeting within the BasaltCreek.com-- Main Page Narrative-- (Updated on 4-3-2018) --- yet the upcoming April 19, 2019 Metro Public Meeting is listed.
- Please see the attached screenshots of the BasaltCreek.com website taken on 4-4-2018.

As Interested Persons – especially property owners within the affected area- have limited input into the decision-making process, it is extremely important that the public be notified of these Public Meetings.

The lack of accurate or current Notice of Public Meetings to Interested Persons who have provided in writing their desire to receive Notice is very concerning—especially when the Joint Cities have specifically stated the BasaltCreek.com website should be utilized by the Public for Notice on upcoming Public Meetings on Basalt Creek Concept Planning.

The same concern applies to the monthly newsletter sent by the Joint Cities on Basalt Creek Concept Planning regarding the lack of accurate or updated Notice of Public Meetings on Basalt Creek Concept Planning.

The last page of the informational packet for the 4-11-2018 Wilsonville Planning Commission agenda, lists various dates the Planning Commission has scheduled to discuss Basalt Creek Concept Planning during future Public Meetings.

I bring this document to your attention, to assist the Joint Cities --- in providing timely and accurate Notice of all future Public Meetings on Basalt Creek Concept Planning- to all Interested Persons- and especially those who have requested Notice per the Oregon Public Meeting Laws.

Please remember the Partnering Agreement between the Joint Cities of Wilsonville and Tualatin, was revised in April 2014. The only revision to the Partnering Agreement, was the addition of a statement of compliance to meet Oregon Public Meetings Law (ORS 192.610-192.690) in notice and conduct of all public meetings for the project. The inclusion of the statement was due in part to public comments which identified numerous previous instances where proper Notice had not been provided for Public Meetings on Basalt Creek Concept Planning. It was hoped the inclusion of the statement would remind and assist future Basalt Creek Concept Planning staff members of the need for proper Notice in the future, and the need for encouraging transparency during this lengthy decision making process affecting hundreds of acres of privately owned land.

Should the staff know of additional Public Meetings being held where Basalt Creek Concept Planning is a planned agenda item, it is hoped the specifics of the meeting be included in future Notice provided to the Public- and routinely updated to those informational outlets stated by the Joint Cities as being the resource for Notice of Public Meetings on the subject.

If the Monthly Basalt Creek Concept Planning Update Notices which are sent by USPS, and electronically; and/or if the BasaltCreek.com website---are no longer going to be updated in a timely manner to reflect future Public Meetings- please change the wording within these communications, and also notify the public of the change in provision of Notice.

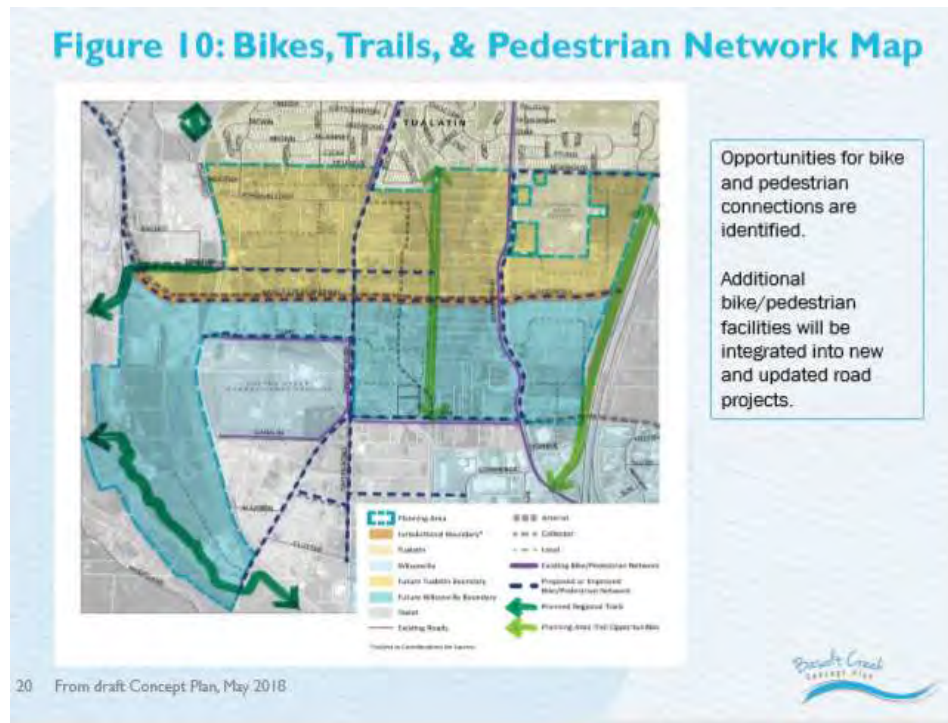
Regards,  
Grace Lucini

Attachments:

- PDF 4-4-2018 screenshots BasaltCreek.com webpages -2 pages----Main page & Calendar page
- PDF 4-11-2018 Wilsonville Planning Com Agenda Item- Basalt Creek Concept Planning Update (attached via google link)
- PDF Wilsonville Planning Com 2018 Work Schedule- Basalt Creek Concept Planning – multiple dates where Basalt Creek Concept Planning is listed as proposed agenda item during a Public Meeting on specific dates: April 2018; May 2018 & June 2018-(listed as a Public Hearing)

6-13-2018 Basalt Creek Concept Plan – MAP Public Trails- Pedestrians & Bike

- “Canyon” Public Trail – sited- North-South Green Arrow Center of Map- West Edge of Basalt Canyon



6-13-2018 Basalt Creek Concept Plan – Natural Resources Map

- Indicating Multiple significant Natural Resources along western edge of Basalt Canyon





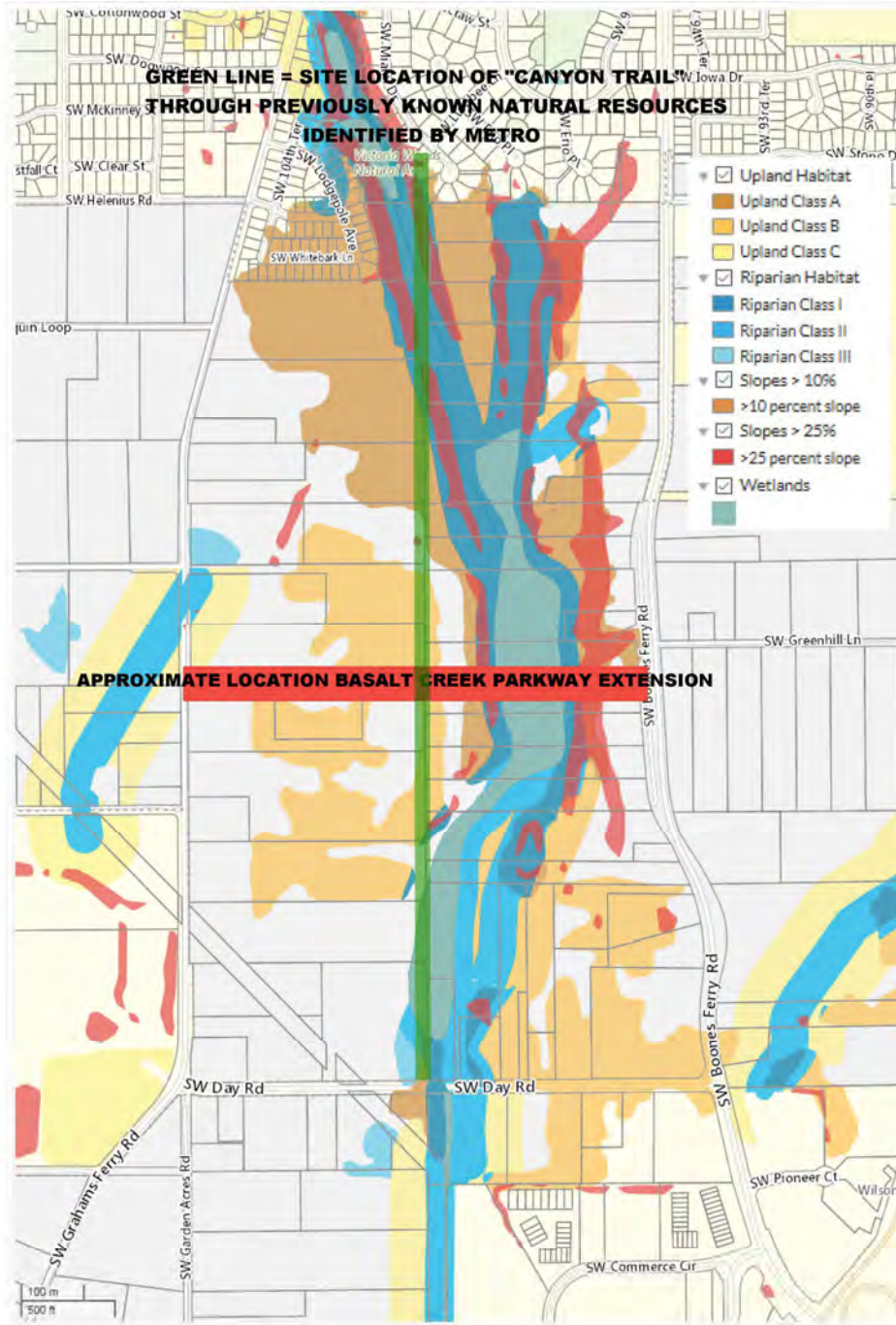
Attachment # 2B

The proposed location of the “Canyon Trail” when superimposed over a Metro Natural Resources Map- Proposed “Canyon Trail” bisects multiple known natural resources.

Metro 04-1040B requires both cities to protect the natural resources (including slopes) within the Basalt Creek Area

The location of the proposed “Canyon Trail” affects approximately 30 privately owned properties

The northern half of the proposed “Canyon Trail” is within the future jurisdiction of the City of Tualatin



 **Metro**  
Data Resource Center  
600 NE Grand Ave, Portland, OR 97232  
503.797.1742 – drc@oregonmetro.gov

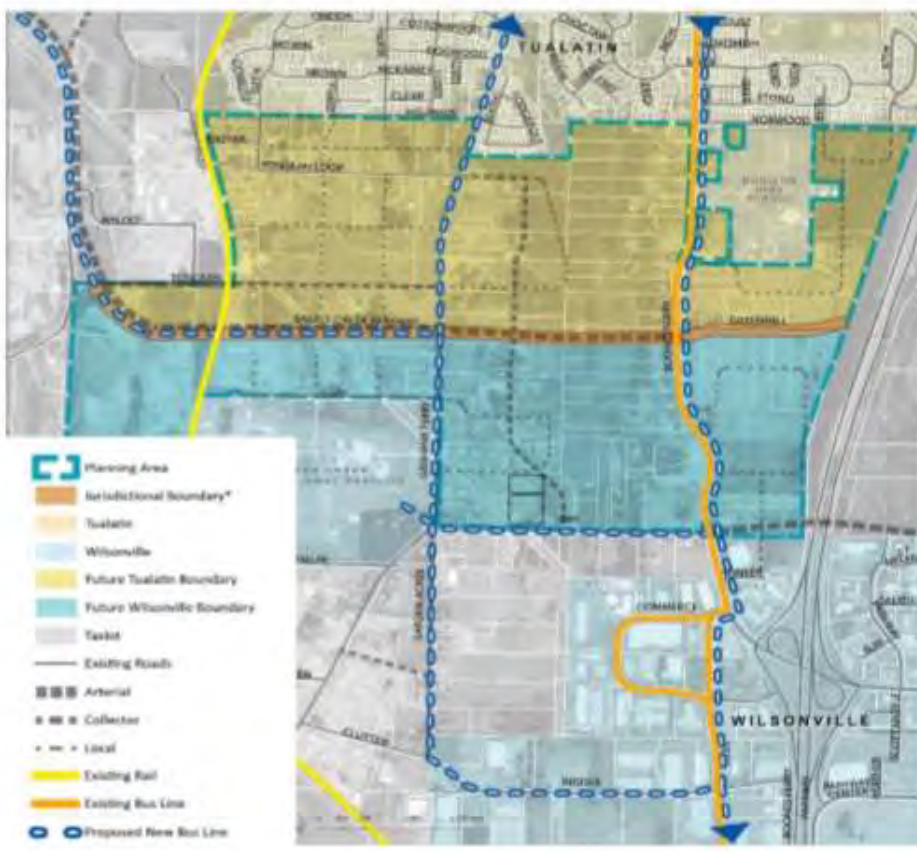
This Web site is offered as a public service, integrating various government records into a region-wide mapping system. The property assessment records are a multi-county integration of Clatsop, Multnomah and Washington County records. MetroMap blends each county's records into a common database on a quarterly basis. Therefore, to view each county's official records, go to their respective web sites or offices. The other MetroMap data are derived from city, county, state, federal and Metro sources. The metadata (data about the data) is included on this site, including the sources to be consulted for verification of the information contained herein. It describes some cases where Metro blends city and county records by generalizing the disparities. Metro assumes no legal responsibility for the compilation of multi-source government information displayed by Metro Map.

### 6-13-2018 Map Basalt Creek Future Transit Framework

The location of the “Canyon Trail” centrally located within the Basalt Creek Area, is not located along local North-South Roads planned for the Basalt Creek Area.

However, there are various North-South roads which are planned for the Basalt Creek area, which could easily accommodate the inclusion of a Pedestrian Bike Connection as part of the ROW land acquisition and design process, while also reducing additional linear bifurcation and impact upon the natural resources within the canyon area.

## Figure 11: Future Transit Framework



Transit service in area will be coordinated between TriMet and SMART.

Service will build on existing bus routes to enhance service and provide good connectivity both north-to-south and east-to-west through the planning area.

*Basalt Creek*



Attachment # 3

10-25-2015 Letter Karl G. Anuta to City of Wilsonville and to City of Tualatin (2 Pages)

Re: Basalt Creek Planning Area- Storm Water Run Off Issues

**KARL G. ANUTA**

LAW OFFICE OF KARL G. ANUTA, P.C.

735 SW FIRST AVENUE, 2<sup>ND</sup> FLOOR

PORTLAND, OREGON 97204

(503) 827-0320

FACSIMILE (503) 228-6551

TRIAL ATTORNEY  
LICENSED IN  
OREGON & WASHINGTON

E-MAIL  
KGA@INTEGRA.NET

October 23, 2015

**VIA REGULAR MAIL**

City of Wilsonville  
297997 SW Town Center Loop E  
Wilsonville, Oregon 97070

City of Tualatin  
18880 SW Martinazzi Ave  
Tualatin, Oregon 97062

**Re: Basalt Creek Planning Area  
Storm Water Run Off Issues**

To Whom It May Concern:

This office has been retained by John and Grace Lucini to assist them with drainage and water run off issues at their residence located in unincorporated Washington County at 23677 SW Boones Ferry Rd, Tualatin, Oregon 97062. The property is within the Basalt Creek concept planning area.

I write just to advise (or in some cases remind) you that the Lucinis have earlier this year had significant storm water flooding or drainage issues on their property. As the City of Wilsonville and the City of Tualatin proceed with planning for the surrounding area, you should keep in mind that further development upslope from the Lucini's will most likely produce further compacted or impervious surfaces. That will likely increase the stormwater run off in the vicinity. That will potentially affect the Lucini's property.

When you develop concept plans, or consider development approvals, be sure that those plans fully address the handling of drainage and storm water run off so that the stormwater flows do not harm or burden down slope and downstream neighbors (which includes but is not limited to the Lucini's). It would not be fair, appropriate, or lawful for either City to allow or approve development that causes additional storm water flows to run onto or over Lucini (or any down slope/stream neighboring) property in a way that causes or potentially causes damage.

The Lucinis have obtained the services of LaLiberte Environmental Associates Inc., to investigate the cause of the most recent flooding of their property, that occurred during a rain storm on May 18, 2015. Enclosed is a report from LEA, Inc., addressing the causes of that flooding, which appear to be associated with the recent re-development and movement of Boons Ferry Road in Washington County.

Page 1 of 2

We provide copies of this report simply as a reminder to the Cities that there needs to be **careful** planning and **careful and accurate** analysis, before any development is approved or undertaken. Failure to do so can create significant problems, both for neighboring landowners and taxpayers, and for any local government that does not properly take into account the potential effects on those neighbors/taxpayers.

We trust you will take these concerns into account, when doing your future planning in and around this same area. If you have any questions, or you wish to tour the Lucini property, please feel free to contact them directly.

Sincerely,

Karl G. Anuta

KGA/ev  
Enclosures



**ATTACHMENT # 4A**

Notice from City of Wilsonville Planning Commission  
Public Hearing Adoption of Basalt Creek Concept Plan



June 20, 2018

Greetings,

On **Wednesday, July 11, 2018, beginning at 6:00 p.m.**, the Wilsonville Planning Commission will hold a public hearing regarding adoption of the Basalt Creek Concept Plan (Case File #LP18-0005). The Planning Commission will consider whether to recommend adoption of the Plan to the City Council. No additional mailed notice will be sent to you unless you either:

- Submit testimony or sign in at the Planning Commission hearing, or
- Submit a request, in writing or by telephone, to the Planning Division.

The Wilsonville City Council is scheduled to hold a public hearing on the Basalt Creek Concept Plan (Case File #LP18-0005) on **August 6, 2018, at 7:00 p.m.** after which it may make the final decision.

The hearings will take place at **Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.** A complete copy of the relevant file information, including the staff report, findings, and recommendations, will be available for viewing seven days prior to each public hearing at Wilsonville City Hall and at the Wilsonville Public Library. The draft plan is also available **at the project website: [www.Basaltcreek.com](http://www.Basaltcreek.com).**

Oral or written testimony may be presented at the public hearing. Written comment on the proposal to be submitted into the public hearing record is welcome prior to the public hearings. To have your written comments or testimony distributed to the Planning Commission before the meeting, it must be received by 2 pm on Tuesday, July 10, 2018. Direct written comments or testimony and any questions you have to:

**Miranda Bateschell, Planning Manager**  
29799 SW Town Center Loop East, Wilsonville, Oregon, 97070  
[bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us), (503) 682-4960

## Next Steps

### To Conclude Adoption of Basalt Creek Concept Plan:

#### Tualatin Upcoming Meetings

- July 19, 2018 Tualatin Planning Commission: Informational
- July 23, 2018 Tualatin City Council Meeting: Adoption
- Aug 13, Tualatin City Council Meeting: Resolution

#### Wilsonville Upcoming Meetings

- July 11, 2018 Wilsonville Planning Commission (Hearing)
- Aug 6, 2018 Wilsonville City Council: Adoption



### After Concept Plan Adoption, each City completes:

- Comprehensive Plan Amendments and Adoption
  - by May 3, 2019/1 year from Metro decision on Central Subarea
- Urban Planning Area Agreement (UPAA) Amendment with Washington County
- Annexation process starts after the above completed
- Annexation into City of Tualatin will be at the option of property owner in Basalt Creek



**From:** [G Lucini](#)  
**To:** [Lou Ogden](#); [Joelle Davis](#); [Frank Bubenik](#); [Robert Kellogg](#); [Jeff Dehaan](#); [Paul Morrison](#); [Council](#); [Joelle Davis](#); [Nancy Grimes](#); [Nancy Grimes](#); [Frank Bubenik](#); [Lou Ogden](#)  
**Cc:** [Aquila Hurd-Ravich](#); [Karen Perl Fox](#); [Lynette Sanford](#)  
**Subject:** #2 Citizen Comments-Tualatin Council Wrk Ses 6-27-2018-Agenda Item -Basalt Creek Concept Plan -Please Include as Part of Public Record  
**Date:** Friday, June 22, 2018 5:56:23 PM  
**Attachments:** [2018 6-11 Citizen Comments Wilsonville Plan Com- Basalt Creek 6-13-2018.pdf](#)

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*File #2 of 2*

PDF file my Citizen Comments - dated 6-11-2018-- Basalt Creek Concept Plan previously submitted, but provided for reference.

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**From:** G Lucini <[grluci@gmail.com](mailto:grluci@gmail.com)>  
**Sent:** Friday, June 22, 2018 5:53 PM  
**To:** 'Lou Ogden' <[logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)>; 'Joelle Davis' <[jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)>; 'Frank Bubenik' <[fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)>; 'Robert Kellogg' <[rkellogg@tualatin.gov](mailto:rkellogg@tualatin.gov)>; 'Jeff DeHaan' <[jdehaan@tualatin.gov](mailto:jdehaan@tualatin.gov)>; [pmorrison@tualatin.gov](mailto:pmorrison@tualatin.gov); [council@tualatin.gov](mailto:council@tualatin.gov); [jdavis@tualatin.gov](mailto:jdavis@tualatin.gov); [ngrimes@tualatin.gov](mailto:ngrimes@tualatin.gov); 'Nancy Grimes' <[ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)>; [fbubenik@tualatin.gov](mailto:fbubenik@tualatin.gov); [logden@tualatin.gov](mailto:logden@tualatin.gov)  
**Cc:** 'Hurd-Ravich Aquilla' <[ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)>; 'Karen Fox (City of Tualatin)' <[KPerlFox@ci.tualatin.or.us](mailto:KPerlFox@ci.tualatin.or.us)>; 'Lynette Sanford' <[LSanford@tualatin.gov](mailto:LSanford@tualatin.gov)>  
**Subject:** #1 Citizen Comments-Tualatin Council Wrk Ses 6-27-2018-Agenda Item -Basalt Creek Concept Plan -Please Include as Part of Public Record

Due to the email load limitations apparently in place within the City of Tualatin mail boxes, the following documents will be sent within 2 emails.

The first email will contain a PDF file with

The second email will contain a PDF file my Citizen Comments - dated 6-11-2018-- Basalt Creek Concept Plan previously submitted, but provided for reference.

It appears the email below was received by the City of Wilsonville recipients with both PDF files attached.

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**From:** G Lucini <[grluci@gmail.com](mailto:grluci@gmail.com)>  
**Sent:** Friday, June 22, 2018 5:36 PM  
**To:** 'Lou Ogden' <[logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us)>; 'Joelle Davis' <[jdavis@ci.tualatin.or.us](mailto:jdavis@ci.tualatin.or.us)>; 'Frank Bubenik' <[fbubenik@ci.tualatin.or.us](mailto:fbubenik@ci.tualatin.or.us)>; 'Robert Kellogg' <[rkellogg@tualatin.gov](mailto:rkellogg@tualatin.gov)>; 'Jeff DeHaan' <[jdehaan@tualatin.gov](mailto:jdehaan@tualatin.gov)>; [pmorrison@tualatin.gov](mailto:pmorrison@tualatin.gov); [council@tualatin.gov](mailto:council@tualatin.gov); [jdavis@tualatin.gov](mailto:jdavis@tualatin.gov); [ngrimes@tualatin.gov](mailto:ngrimes@tualatin.gov); 'Nancy Grimes' <[ngrimes@ci.tualatin.or.us](mailto:ngrimes@ci.tualatin.or.us)>; [fbubenik@tualatin.gov](mailto:fbubenik@tualatin.gov); [logden@tualatin.gov](mailto:logden@tualatin.gov)  
**Cc:** 'Hurd-Ravich Aquilla' <[ahurd-ravich@ci.tualatin.or.us](mailto:ahurd-ravich@ci.tualatin.or.us)>; 'Karen Fox (City of Tualatin)' <[KPerlFox@ci.tualatin.or.us](mailto:KPerlFox@ci.tualatin.or.us)>; [kraushaar@ci.wilsonville.or.us](mailto:kraushaar@ci.wilsonville.or.us);

[bateschell@ci.wilsonville.or.us](mailto:bateschell@ci.wilsonville.or.us); [veliz@ci.wilsonville.or.us](mailto:veliz@ci.wilsonville.or.us); 'Lynette Sanford' <[LSanford@tualatin.gov](mailto:LSanford@tualatin.gov)>; 'Tim Knapp' <[Knapp@ci.wilsonville.or.us](mailto:Knapp@ci.wilsonville.or.us)>; 'Stevens Susie' <[stevens@ci.wilsonville.or.us](mailto:stevens@ci.wilsonville.or.us)>; 'Starr Scott' <[scottstarr97070@gmail.com](mailto:scottstarr97070@gmail.com)>; 'Lehan Charlotte' <[lehan@ci.wilsonville.or.us](mailto:lehan@ci.wilsonville.or.us)>; [akervall@ci.wilsonville.or.us](mailto:akervall@ci.wilsonville.or.us)

**Subject:** Citizen Comments-Tualatin Council Wrk Ses 6-27-2018-Agenda Item -Basalt Creek Concept Plan -Please Include as Part of Public Record

**Please include this email and the two attachments (Lucini Citizen Comments dated 6-22-18, and 6-11-2018) as part of the Public Record for Basalt Creek Concept Planning**

On 6-25-2018, The Tualatin City Council Work Session has the Basalt Creek Concept Plan as an agenda item. This will be the first public discussion by the Tualatin City Council, of the newly revised 6-13-2018 Draft of the Basalt Creek Concept Plan and implementation.

I request the members of the Tualatin City Council, to read the attached file - Lucini Citizen Comments dated 6-22-2018- which may provide the Council an understanding of the continuing issues which I have had to face as a property owner within the Basalt Creek Area.

Included are specific requests generated by the posting of the 6-13-2018 revision of the Basalt Creek Concept Plan, and by the recent comments and discussions of the Concept Plan during the recent Public Meetings of the Wilsonville Planning Commission, and the Wilsonville Council.

I previously submitted Citizen Comments on 6-11-2018 to both Cities, a copy of which is also attached.

Only the City of Tualatin has provided me a written response to a few of the issues I presented in my 6-11-2018 communication. I have not received substantial response to many of the remaining issues on which I requested a response.

The most recent iterations of the proposed Basalt Creek Concept Plan were only made public this month which included significantly greater levels of information than previously available from the previous revision- which was posted several months prior.

Yet, with much more specific information contained within these recent versions of the Plan, the BasaltCreek.com website does not indicate any Public Involvement Events scheduled to receive feedback from the Public, or formal outreach to the affected property owners, prior to the start of public hearings to adopt the Plan.



6-11-2018

**Issues Regarding Information Provided Within**

**Wilsonville Planning Commission 6-13-2018 -Basalt Creek Concept Planning Update Informational Packet**

Aquilla Hurd-Ravich and Karen Fox- City of Tualatin, Tualatin Planning Commission  
Nancy Karushaar and Miranda Bateschell- City of Wilsonville, Wilsonville Planning Commission,  
Cc: Wilsonville City Council, and members  
Tualatin City Council, and members

There are several references within the 6-13-18 Wilsonville Planning Commission Informational Packet on the actions being taken by one- or both- cities regarding the Basalt Creek Concept Plans, which I am requesting your comments, and/or response.

**1. BACKGROUND**

At the current time, my property is within the Basalt Creek concept Area, but is not within the City limits of either city, and is outside the jurisdiction of either city. It is located on the western side of SW Boones Ferry Road and east of the Canyon and is one of many other single- family homes which were built prior to the adoption of Metro 04-1040b.

My property extends west of the wetlands and past the western edge of the Canyon -including both sides of the canyon, with additional land extending west of the canyon.

My husband and I spend many hours personally studying and working to restore the wetlands and surrounding area. It is my goal to leave for many generations to come---a healthy ecosystem which will support the various types of wild life which use the area to forage and for shelter.

Property owners and residents within the Basalt Creek Concept Area will most directly feel the effects of this concept planning. Yet we were not provided an elected representative to routinely represent us during Public discussions as part of the decision-making process being made by the City Councils of Tualatin and Wilsonville.

The Cities of Tualatin and Wilsonville have orchestrated most aspects as to how Basalt Creek Concept Planning would be determined, planned and implemented.

Formal Public Involvement has been minimal, and non- existent for over 2 years- after which time concept planning continued.

No formal Public Involvement Event has been held specifically for affected property owners (who as mentioned, had no elected representation within the Basalt Creek Joint Cities Governing Body). As Concept Planning details progressed with time, affected groups of property owners requested formal meetings with staff and/or Council but were rebuffed.

The property owners and residents within the Basalt Creek Concept Area were only allowed 3 minutes (as are all citizens) during the Citizens Comment Sections of Council Meetings, to present very complex and multi-faceted issues/concerns which were created by and during the concept planning process.

The determination of the future city limits of either city within the Basalt Creek Area has not yet come to fruition within the legal process.

It is unknown when this process will finally be completed, as an Appeal has been filed regarding the Concept Plan which has not yet been heard.

## 2. INFORMATIONAL PACKET BEING PROVIDED TO THE WILSONVILLE PLANNING COMMISSION

I understand the complexity many of the issues which need to be resolved. I appreciate the attempts of the staff to present many issues within the Informational Packet which were taken into consideration when developing this concept plan.

It is my understanding that the property owners within the Basalt Creek Area, will not be automatically be annexed into either of the two cities, but may request to be annexed in the future or-- may elect to forgo any annexation into their identified city.

***I request a response to this question:*** *I do not see any information within the Informational Packet which addresses possible impacts to the implementation of the Concept Plan, should one or more property owners within the Basalt Creek Area decline to annex their property into the City Limits--- What affect this may have upon the implementation of concept plans which include use of un annexed properties?*

### 3. IDENTIFICATION OF RECREATIONAL NEEDS/GOALS TO BE IMPLEMENTED WITHIN THE BASALT CREEK CONCEPT AREA

Many pages within the Informational Packet relate to plans for public recreational use of the land within the Basalt Creek Area. The Informational Packet includes the following statement:

At the time of this writing, Tualatin is going through a Park and Recreation Master Plan update. This update has considered the Basalt Creek area in the types of services and facilities that will be needed to serve residents and business in this area.

***I request a response to these issues:***

- Is the City of Tualatin in the process of updating the Park and Recreation Master Plan- and including portions of the Basalt Creek Concept Planning area within the update-as stated within the Information Packet?
  - If so, what type of recent outreach has the City taken to contact property owners within the Basalt Creek Concept Planning area to seek their involvement, or discuss potential impacts any proposed changes to the Parks and Recreation Master Plan might generate?
- Have there been any Public Meetings on any update changes to the Tualatin Park and Recreation Master Plan where Basalt Creek Concept Planning - or its inclusion into the Master Plan Update were an identified topic?
  - I have not seen any General Notice postings on the *BasaltCreek.com* regarding Public Meetings on updating the Tualatin Park and Recreation Master Plan which included the topic of the Basalt Creek Concept Area.
- As an Identified Interested Person who has provided numerous written requests to both cities, requesting to be Noticed on any Public Meeting relating to the Basalt Creek Concept Planning Area--- have I ***not*** received any communication or Actual Notice that several hundred acers within the Basalt Creek Concept Planning Area (including my property), were being actively included into an update to a City Recreation and Parks Master Plan.
  - Please provide me information as to the status of the Tualatin Parks and Recreation Master Plan Update, and when the next Public Meeting will be held regarding this.
- The Basalt Creek Concept Planning Partnering Agreement was amended to reaffirm a commitment to abide by Oregon Public Meetings Law to promote transparency of the process.
  - Historically throughout this entire concept process, there has been many instances where proper Notice has not been provided to the public, and/or to Interested Persons who have provided written request to be provided Notice on Public Meetings related to Basalt Creek Concept Planning.
  - The outcome of Basalt Creek Planning involves hundreds of acers, and directly affects hundreds of citizens, and is of importance to the general public.
  - The Basalt Creek Area is not yet within the jurisdiction of either city. Finalization of the Concept Plan has not been completed and is now under appeal.
  - Even after finalization and adoption, Individual Property owners may not wish to annex into a city. This may affect or influence Master Planning needs.
  - Consequently, the adoption of an Update to any of either city's various Master Plans to include any portion of the Basalt Creek Area seems premature at this time.
  - Any update to either city's Master Plans which to include portions of the Basalt Creek Area, can reasonably be assumed to be a component of (or implementation of) Basalt Creek Concept Planning which should had triggered Notice be given on Public Meetings regarding either city's Update to Master Plans to include portions of the Basalt Creek Area.

**It is therefore requested that in effort to promote transparency and uphold the only amendment to the Basalt Creek Concept Planning Partnering Agreement and Oregon Public Meeting Laws (ORS 192.610 to 192.710), efforts be redoubled to provide proper Notice on ALL Public Meetings regarding Basalt Creek Concept Planning, including city**

**Master Plan Updates -or any other actions which may involve current or future implementation of any portion of the Basalt Creek Concept Planning.**

- **This should include, but not be limited to:**
  - **Posting these meetings in a timely manner on the identified website: BasaltCreek.com**
  - **Providing proper timely Actual Notice to identified Interested Persons- electronically and/or mail.**

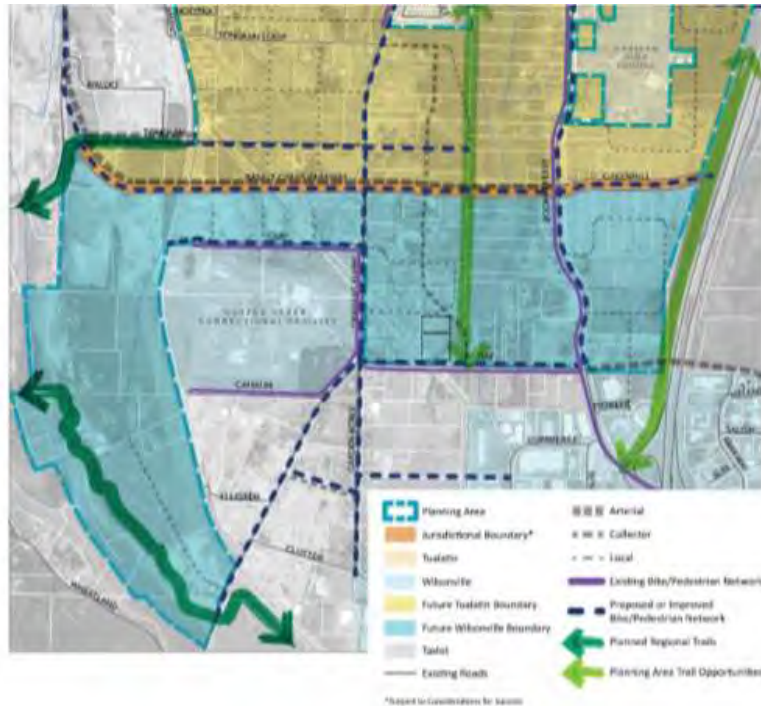


**4. IDENTIFICATION AND SPECIFIC LOCATION/ PLACEMENT OF DESIRED PUBLIC TRAILS ON PROPERTY CURRENTLY OWNED BY PRIVATE CITIZENS.**

The narrative within the Informational Packet states a goal of the planners is to develop pedestrian and bike connectivity between the two cities.

The Informational Packet also provided the following statements:

- **“bike/pedestrian facilities will be integrated into new and updated road projects in accordance with State, County and City standards,**
- **“Identifying specific locations of parks and outdoor recreation was beyond the Scope of the Concept Plan.”**



While existing bike and pedestrian facilities run along Boones Ferry Road, Day Road, and sections of Basalt Creek Parkway, planned improvements will increase safety and completeness. The additional facilities will offer significant east/west connections along the new Basalt Creek Parkway and Tonquin

What is referred to within the Informational Packet as the Canyon Trail- currently placed North-South along the western side of the Canyon - runs entire western boundary of my property- and along the properties of approximately 29 other property owners.

I have not provided any indication of having interest in the locating Public Trails along or through my property. In fact, I have previously provided written objections to similar proposed takings of my property for Public Trails---I can provide upon request copies of these written communications –copies of which should also be available within your files.

It was therefore disconcerting to me to see another new document being disseminated to the Public in which the document labels a portion of my property being identified and listed as a “Public Trail Opportunity”.

I have not been approached by any staff member regarding this proposed new taking of my property. I have never received any indication if and how much I might be reimbursed for my property, if any funding is available, or when this proposed action might happen.

Yet as a direct consequence of the inclusion of this map with a specific Trail identified across privately-owned properties- immediately places a cloud over all of these properties, causing the owners immediately economic and legal impact.

My previous objections to providing Public Trails within the Basalt Creek Canyon and/or through my property centered around the protection of the natural resources within the area, and concerns of damage to the wetlands and other natural areas which I and my husband have been working to restore.

I also expressed concern as to the need for thoughtful planning of the location of any public pedestrian corridor due to the well documented news reports regarding a very similar Public Trail created for pedestrians and bikes to connect two cities- the Springwater Corridor. Unfortunately, the Springwater Corridor has developed into an unsafe public health and safety issue; has caused damage to previously identified sensitive natural areas; and requires routine monitoring for unplanned/anticipated types of public use.

The following statements are also included within the Informational Packet:

“Parks and Open Space One of the guiding principles of the Basalt Creek Concept Plan is to protect key natural resources and sensitive areas while making recreational opportunities accessible by integrating new parkland, open spaces, natural areas and trails in the planning area and connecting to existing regional networks.

This Canyon is very valuable to the area and it needs to be protected, while also having public access points in appropriate locations in order to connect to the bicycle, pedestrian and recreational facilities of the area and to serve the needs of residents and local employees.

If the planners truly believe in the statements they have included within the Informational Packet on upholding their goal to protect these natural resources, it would be noticeable in their efforts to reduce the number times and locations this natural area is being bisected and encroached upon by multiple roads; proposed over or under crossings, various utilities, and now in addition-- Public Trails not integrated along other proposed transportation routes.

***I request a response to these issues: There are numerous governing documents stating requirements to protect identified elements found within the Canyon Area including the protections of slopes, and other natural resources---***

***Would you explain why on the Public Trails Map above---the “Canyon Trail” does not run in proximity to local roads (which are also in concept planning), but instead--has been placed in a completely separate location -deeper into the natural areas which results in even a greater number of bifurcations of the natural areas, and increasing fragmentation of the existing habitats?***

***I request a response to these issues:***

- Are both cities in agreement with the information provided within the Public Trails map?
- Who authored/ generated the Public Trails indicating Public Trail “Opportunities” over multiple properties which are privately owned near the Basalt Creek Canyon?
- Which agency or government will be providing and funding for ongoing routine maintenance; police services; or emergency services to the “Canyon Trail”-a trail which runs through multiple jurisdictions, and possibly through islands of unannexed properties?
- And what provisions are being made to secure continuous sources of funding for these services over the entire length of the Trail?

I question how much due diligence was done prior to creating a Public Document which indicates only one location for the Public Trail within the Basalt Creek Canyon- without any alternative locations provided during its first public issuance, and without prior discussion with affected property owners.

- Just a minimal amount of research would show that the location of the proposed Public Trail within the Canyon is hampered by significant topographical constraints. The impact of these constraint seemed to be minimized within the Informational Packet. (Please see additional information provided in Section #5 regarding known significant natural constraints and limitations within the Basalt Creek Area which were authored and memorialized by various governments). The proposed location of the Canyon Trail encroaches through these natural resources.
- Construction and ongoing use of a Public Trail – open all day/year-round will create yet another bifurcation and fragmentation of the local eco system- which will directly and negatively affect the high valued riparian and upland habitats currently found in the area. These actions would be in direct conflict with the stated goals of protecting the existing natural resources within the area and within the canyon.
- Due to the current topographical location of the Public Canyon Trail, the land along the trail will most likely require leveling of the proposed pathway to be compliant with Federal ADA guidelines. This type of alteration of the area increases negative impact to surrounding habitats.
- The leveling of the trail would require high cost expenditures to minimize significant grade changes found along the proposed trail.
- Geological formations of Basalt rock along the proposed trail may require extensive construction equipment or blasting which increases negative impact to surrounding habitats and increases costs.
- The Public Trail runs along privately-owned land, with very little access to roads for construction of the path, which will also increase construction costs.
- It is also not clear how or what safety protections can be provided to a Public Trail which with very limited vehicular access, nor how the Trail would be monitored in the future to ensure appropriate use of the Trail or provide timely response to emergencies either police or medical.
- The stated location of the Trail along the Canyon is in direct conflict with another stated goal of maximizing assessed property value. The Trail on this map bisects and isolates buildable acreage located on the eastern side of the trail (on the western border of “SW Boones Ferry Rd” properties).

The inclusion of this detailed Trail map is in very sharp contrast to how information was presented for another much more significant and complex land acquisition-- future public school site locations within the Basalt Creek Area. The location of potential school sites require large acreage, complex and are highly constrained site-specific needs.

Whereas the staff elected to include a map with site specific land acquisition “locks” for the Public Trails in the Basalt Creek Area, the staff specifically stated a map which would identify potential school sites *would not be included* within the Information Packet- *thus eliminating any land “locks” which might improve land acquisition for future school sites in the area at this time.*

It is also unclear why Public Trail paths were so exactly identified as to site location within the Informational Packet at this phase of the concept planning process. A narrative of need, functional goals and general location should have been sufficient, as there are several other locations within the same area, which will provide the same connectivity; at less cost; more easily constructed; more accessible to emergency and safety and maintenance vehicles; can be more easily visually monitored; and significantly less negative impact upon the Natural Areas, - as well as being closer to the local roads which are also still in the concept stage of planning.

The Informational Packet states “identifying specific locations of parks and outdoor recreation was beyond the Scope of the Concept Plan.” If the Canyon Trail is considered a recreational use, then the planners have gone beyond the scope of the Concept Plan and exceeded their mandate.

If the Canyon Public Trail is considered a means of transportation, it would then seem appropriate the Public Trail would be more closely aligned with the proposed local roads, located on a more direct North South route between the two cities, with significant considerations given to costs relating to excessive numbers of land acquisition negotiations with approximately 30 individual property owners (over and above all other negotiations needed for road and other infrastructure negotiations), land acquisition costs, constructions costs, and ADA compliance issues.

Since we are still in the conceptual stages of this process- planners have the most flexibility to be able to incorporate the design of a Public Trail along separate paths--- but within proximity to the location of local roads (which are also being planned) --- and be able to also provide pleasant visual surroundings within the design.

In light of the extensive number of factors listed about, the only rational I can determine which justifies the recommendation of the Canyon Public Trail at its current location is that the staff wanted to ensure they could implement a goal stated numerous times during Wilsonville Council Meetings.

During multiple Wilsonville Council meetings statements were made as to the desire to increase the marketability of their nearby future industrial area, by including unique enticements to potential developers/employers --such as providing access to the natural areas within the Canyon so that “employees will have somewhere to walk during lunch.” If this is the case---this one-sided self-serving goal with short term benefits, should not outweigh all the other considerations previously identified and the numerous governmental requirements to protect the natural resources of the area.

This supposition is supported by the statement within the Wilsonville Summary portion of the Information Packet (Attachment B page 4 of 6) ... “Locate north to south trails near the Basalt Creek Canyon and provide bicycle connections that would connect to other cities and trail systems, serving as an asset for both residents and employees in the area.”

Unfortunately, all of the comments listed within Sections #3 and #4 are just an example of the lack of concern, consideration and respect the Basalt Creek Concept planners have shown to the existing property owners and the natural resources within area.



**5. REQUESTING FUTURE INFORMATION BE PROVIDED TO THE PUBLIC AND TO THE APPROPRIATE DECISION MAKERS--- TO GIVE CLEAR, REPRESENTATIVE, AND ACCURATE INFORMATION REGARDING THE EXISTING SIGNIFICANT NATURAL RESOURCES WHICH ARE LOCATED WITHIN THE BASALT CREEK AREA- AND SPECIFICALLY THE BASALT CREEK CANYON.**

It is unclear to me why the following statement was included within the Informational Packet:

No land within the planning area is identified by the Washington County Comprehensive Plan as a Significant Natural Resource. The nearest Significant Natural Resource area is comprised of the Tonquin Scablands, to the west of Coffee Lake Creek.

Relationship of County significant natural resources and cities to be clarified.

The inclusion of this statement within the Informational Packet seems to only muddy information which has previously been documented and substantiated by **multiple governmental bodies - including Washington County-which have clearly identified Significant Natural Resources within the Basalt Creek Concept Area.**

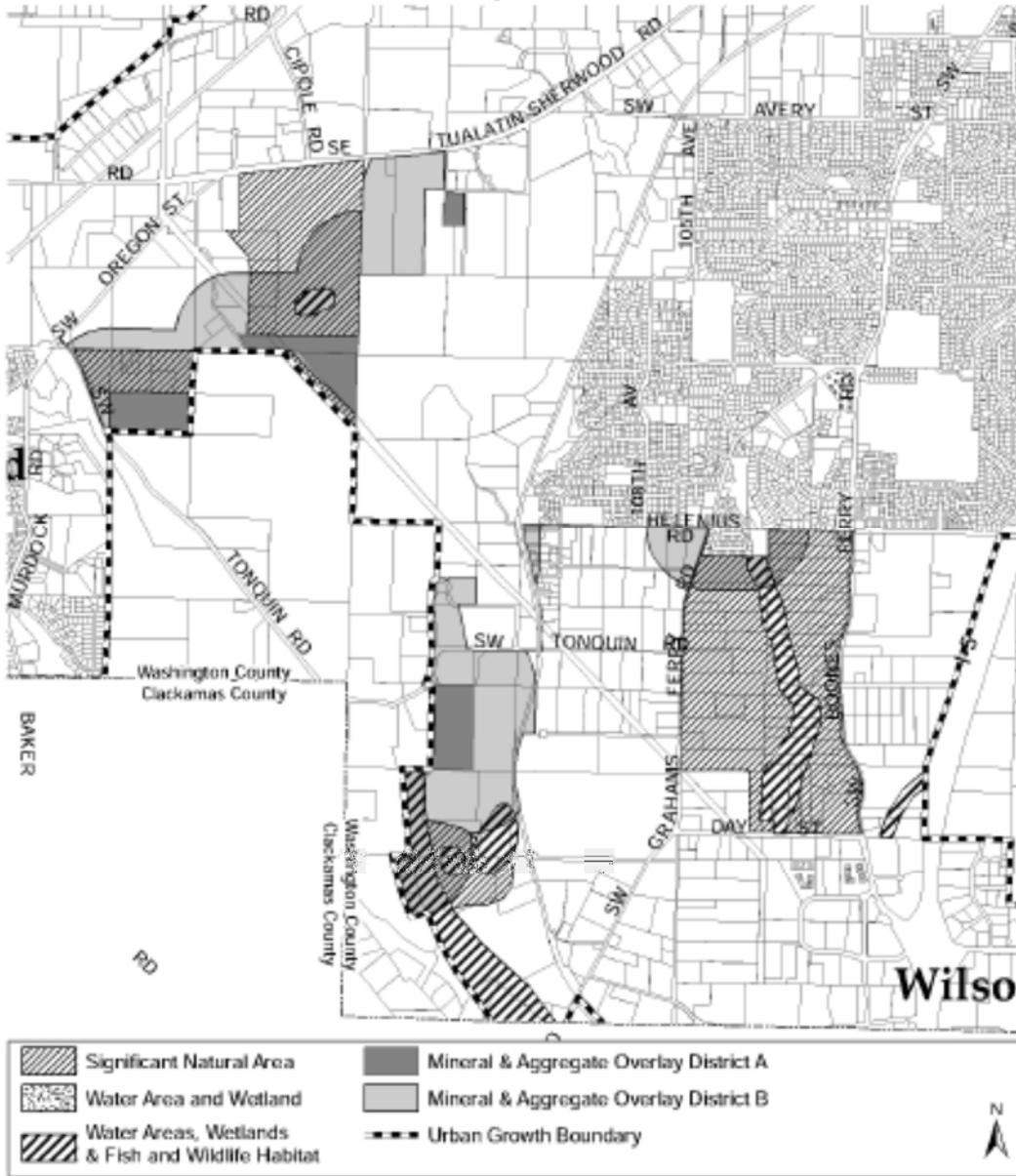
There have been multiple documents provided to the Basalt Creek staff which details the unique resources located within the entire Basalt Creek Area- many which are located near or within the Basalt Creek Canyon.

Copies of all of the following documents were provided the Basalt Creek Staff during the beginning of the Concept Planning process, and should be available within your files:

The Basalt Creek Canyon Area was clearly identified as a Significant Natural Resource by Washington County

Ordinance 671  
 Exhibit 2  
 Page 3 of 9  
 January 18, 2007

Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:



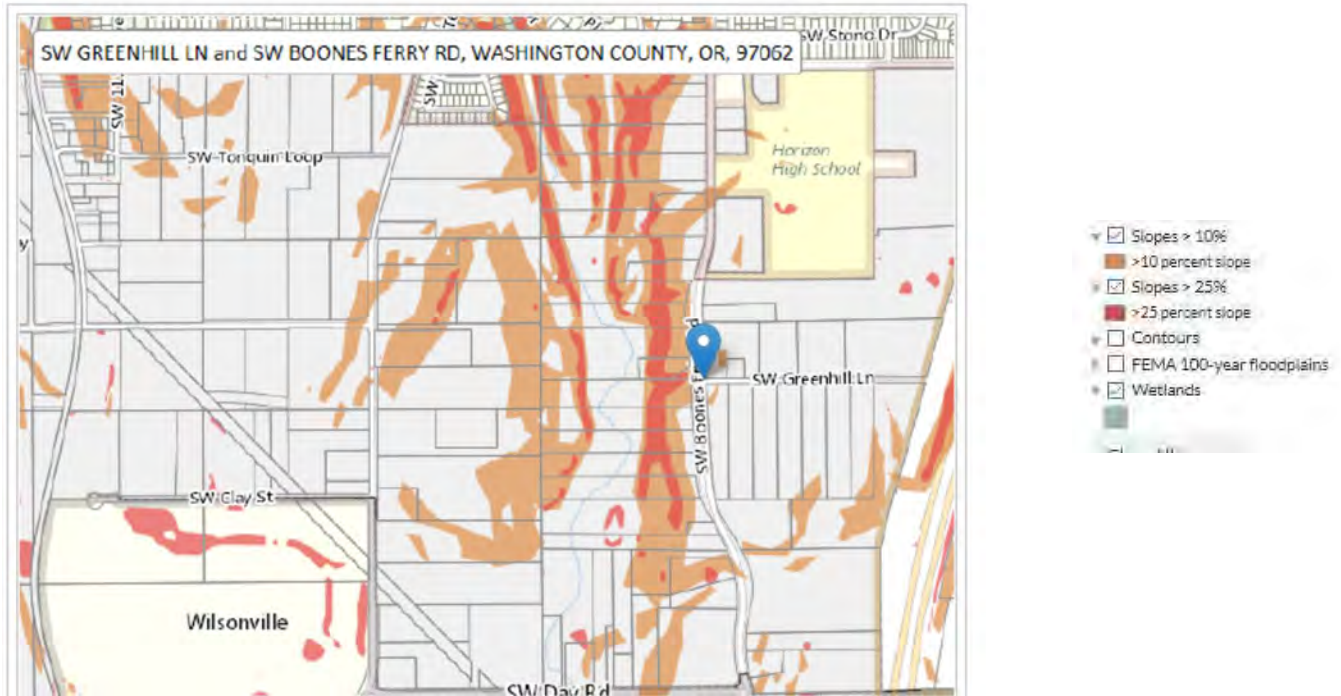
C:\GIS\_MAPS\_TEMP\STAFF\paw\2007\8664\_ashb64.mxd\8664\_ashb64 DW 1/17/07



Metro has also provided data as to the significant slopes which are located within the Basalt Creek Area which in part creates the Basalt Creek Canyon.

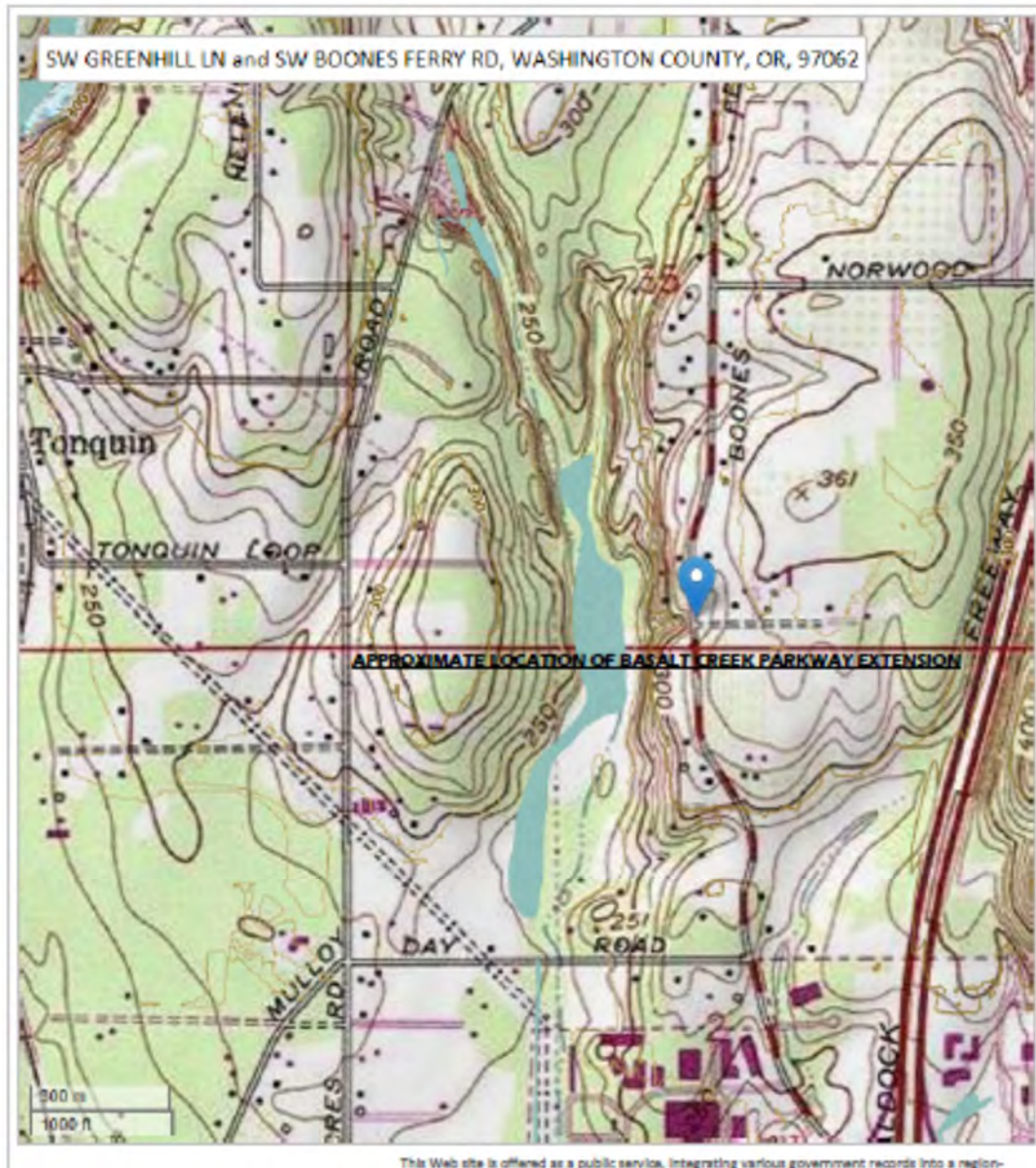
In 2004 Metro charged both Wilsonville and Tualatin with the requirement to protect the steep slopes found within what was referred to in Metro 04-2010B, as the “Tualatin Area” during concept Planning for the area.

From the following two maps, it can be easily determined there are significant topographical changes within the Basalt Creek Area, which result in dramatically steep slopes.





Metro has also provided a map of the significant grade changes within the Basalt Creek Area in relationship to the wetlands



As can be seen within these 2 maps- the rugged topography sheltered and protected the Basalt Canyon and its resources. There is a reason why this land has not been already been densely developed over the past years even though it is located close to many other attractive locations.

Care and thoughtful planning have to take place to protect this local resource for the future.

This fact was recognized when the governing tool (Metro 04-1040B) placed multiple requirements upon the cities of Wilsonville and Tualatin specifically addressing each city's responsibility to protect during Concept Planning and after – the various natural resources within the Basalt Creek Area.



The Federal government has identified and included the wetlands within the Basalt Canyon within the Federal Wetland Inventories.



The numerous plans for the construction of large expressways, arterials, collectors and local roads and, public trails within what is currently one confined natural area will now be permanently bisected at multiple locations-- causing fragmentation. This fragmentation will permanently damage the health of the existing habitats and ecosystem. .... *This issue cannot be emphasized enough.*

I remind the Basalt Creek Concept Area planners and their respective Councils of their responsibilities for the protection of the area's natural resources. It is hoped that short sighted economic goals to gain rapid development advantages will not cloud nor distort the need to protect fragile natural resources and ecosystems for future generations.

Respectfully submitted,  
Grace Lucini

**From:** [tom.re@comcast.net](mailto:tom.re@comcast.net)  
**To:** [LouOgden](#); [Council](#)  
**Cc:** [Aquilla Hurd-Ravich](#); [Karen Perl Fox](#); "[Bateschell, Miranda](#)"  
**Subject:** 6/25/18 Work Session  
**Date:** Tuesday, June 26, 2018 12:14:30 PM

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Tom Re / 503-482-5157  
23500 SW Boones Rd. Tualatin

Mayor / Tualatin Council:

There was a note of frustration coming from council during work session last night – well I am very frustrated. I have been involved with this area since BEFORE it was brought into the UGB so late comer I am not; I do have some background and knowledge of this area. Late comers are (now?) surprised that sub area was being planned for jobs? Really? I was on a property owner's focus groups with a sub area property owner and it was known to be slated for jobs then (4 years ago). The late comers that seemingly have no regard for Staff's recommendations is just totally disrespectful in my opinion.

I was absolutely taken back last night – hearing "is it possible to change the boundary line?" "what if we just don't vote to accept the concept plan?" Water? Sewer? Utilities? These are all issues that have been discussed and re-discussed by the Staff, community and the councils for both cities. Tualatin Council members jabbing at Wilsonville (and past Tualatin councils) / Wilsonville Council jabbing at Tualatin. I have attended numerous meetings for both cities (in addition to Metro and Wa County meetings) – why (and I have suggested this more than once) why is there not a representative from Tualatin at Wilsonville meetings and the same for Wilsonville? A lot of misunderstandings / misinterpretations could easily be eliminated.

Last night after the work session actually hearing a sub area property owner so happy that two Tualatin mayoral candidates are still advocating for a residential designation for the sub area and not supporting anything already agreed upon, that he (sub area property owner) is not sure who he will vote for but going to write a check to each candidate ... was very interesting to me.

Am I incorrect in understanding that both cities signed a contract with Metro and that a decision finally was made? If so, why is Tualatin council discussing "what happens if we just don't do that?".

It is way past time to move this project forward – adhering to the timeline and adopting the Concept Plan as is – is the right and correct thing to do. It is past time of holding this up for all the other property owners in both Tualatin and Wilsonville.

Thank you for your time.  
Very Sincerely,

Tom Re  
23500 SW Boones Ferry Rd.  
Tualatin, OR. 97062  
503-482-5157

-----  
**Frank Bubenik**

[fbubenik@hotmail.com](mailto:fbubenik@hotmail.com)



[Visit my campaign website](#)

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**From:** G Lucini <grluci@gmail.com>

**Sent:** Wednesday, July 11, 2018 12:55 AM

**To:** fbubenik@tualatin.gov

**Subject:** Question on Acceptance of Basalt Creek Concept Plan 7-2-2018 Trail Map- Implications for City of Tualatin

*Hi Frank,*

*I'm forwarding to you (below), an email I just sent to Ross Hoover, the new Tualatin Parks & Rec Director, regarding the newest revision of the Basalt Creek Concept Plan Draft dated 7-2-2018.*

*On 7-3-2018 I received a "Joint Response" email from Miranda Bateschell-Long Range Planning Director at Wilsonville, which referenced this 7-2-2018 Draft Plan as representing the most current desires of both the City of Tualatin, and of the City of Wilsonville.*

*However, many of the concerns I presented in my June emails to both Councils and the Planning Commissions, regarding the Trails Map within the June Drafts of the Plan--- continue to be of concern to me with the 7-2-2018 Draft. These concerns are for many of the same reasons previously identified--- centering around the siting of the north end of the Canyon Trail as depicted on the Trails Map --which is within the future jurisdiction of the City of Tualatin.*

*I would like to confirm with you-- if the revisions to the Trails Map within the 7-2-2018 Draft of the Plan (Copy of 7-2-2018 Concept Plan Draft- Trail Map -page 39- attached), accurately reflects the position, goals and future desires of the City of Tualatin and/or the Tualatin City Council.*

*Additionally, after my Citizen Comments to the Tualatin Council on June 25<sup>th</sup>--- regarding the*

*proposed Concept Plan Trails Map-- I had an opportunity to talk with Ross. I heard his perspective as to what level of detail/maps should or should not be included within a Concept Plan Map for Trails--verses what should be included in a City's Master Plan. This discussion caused me to generate the attached email to Ross.*

*Unfortunately, I will not be in town next week to attend to -and restate- the numerous concerns I have already presented in writing to the Tualatin Planning Commission- when they receive an Update on the new 7-2-2018 Draft of the Plan.*

*On July 23<sup>rd</sup> of the following week, the Tualatin City Council is scheduled for a Public Hearing on the most recent Concept Plan Draft.*

*The process to adopt a Concept Plan is obviously in full gear to meet a deadline. But, the plan should accurately reflect the goals and desires of both Cities and to provide meaningful guidance for each City when they develop their own Master Plans for implementation within their own jurisdictions.*

*I am available this week to discuss any questions you may have- either by phone or over coffee.*

*Regards,  
Grace Lucini  
503 692 9890*

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**From:** G Lucini <grluci@gmail.com>  
**Sent:** Tuesday, July 10, 2018 10:00 PM  
**To:** 'Ross Hoover Tualatin Parks & Rec-' <rhuover@tualatin.gov>  
**Cc:** jdavis@tualatin.gov  
**Subject:** RE: Basalt Creek (1 of 3)- Inclusion into Tualatin Parks & Rec Master Plan- Invite for Site Visit

*Hi Ross,  
I received a response to my emails regarding the Trails Maps within the previously proposed Basalt Creek Concept Plans from June. The attached joint response from the Cities of Wilsonville and Tualatin referenced changes made to the Trails Map within the most current version of the Basalt Creek Concept Plan Draft dated July 2, 2018. However, after reviewing this revision of the Concept Plan Draft, most of the concerns I stated in my emails of 6-11 and 6-22 continue to remain.*

*I bring this to your attention, as time is of the essence as both cities move towards finalizing and adopting the Plan. The Tualatin City Council will be holding their Hearing on Adoption of this version of the Concept Plan on 7-23-2018. The Tualatin Planning Commission is scheduled to receive an update on this draft during their meeting next week.*

***Specifics:***

*The 7-3-2018 email response from the Cities of Tualatin & Wilsonville provides more information than contained within the Trail Maps narrative in the current July 2<sup>nd</sup> Draft of the document:*

The public Trail Opportunity along the Basalt Creek Canyon is high level concept in the Concept Plan, and is described as an opportunity when moving forward with development in this area. This opportunity was identified by the project team, which includes the consultant and both Cities, in conjunction with what we heard during public outreach and working with both City Councils. The idea and opportunity highlighted in plan is to locate the trail up on the bluff, providing visual access, but not locating the trail down below in the creek/wetlands. The plan does not call for bifurcating or impacting the habitat – any trail built would balance public access with protections, restoration and enhancement of the Canyon – additional language is being added to the Concept Plan to clarify this. There are examples of successful projects throughout the region that provide access while also preserving a natural area and this same care will be adhered to in this area. In addition, the trail is not intended to serve as the primary non-vehicular transportation route – the Concept Plan provides primary non-vehicular transportation routes along the roadway system in the Planning Area - but rather an opportunity to increase connectivity and connect people to this valuable resource.

The Concept Plan does not provide a detailed trail alignment. Specific alignment based on additional analysis (including topography and reducing both environmental and development impacts), and funding and maintenance plans, would all be determined later during infrastructure master planning and project design work. Thus, no takings are proposed. Typically right of way would be dedicated as part of development when annexation and development is proposed for those properties, even if that happens incrementally.

Please see edits to the Concept Plan (on page 38 of the July 2, 2018 draft) to further clarify the conceptual level of the trail, including modifying the depiction of the trail on the Trail map. Language was also added regarding enhancement strategies, and to clarify trails will not take priority over enhancement and protection of natural resources.

*However, in the July 2, 2018 Draft of the Concept Plan Trails Map--there does not appear to be an appreciable change --the "Canyon Trail" (Centrally located on the Trails Map- running North-South) now appears as a dotted green line, as opposed to a solid green line. (ATTACHMENT)*

*The July 2<sup>nd</sup> Draft of the Basalt Creek Concept Plan page 38 Trail narrative (copied below)provides little guidance as to the goals or criteria or actual "strategies" to use in siting Trails within the Basalt Creek Area when each city develops their own Master Plans within their future jurisdictions.*

With the conservation of significant natural areas, the plan outlines opportunities to connect these spaces to pedestrian and bike facilities in key locations to create active and passive recreation, outdoor education, and public art amenities. The two main opportunities for trails within the Basalt Creek Planning Area are a Basalt Creek Canyon Ridge Trail and the I-5 easement Trail, which are shown in Figure 11 as Planning Area Trail Opportunities marked by large light green arrows. When trail alignments are considered in the future, access to the natural resource will not take priority over protection and enhancement.

Currently, Basalt Creek Canyon is a barrier to east/west movement through the Planning Area. A north/south connection to the west of the Canyon would further improve the network and make connections to east/west roads that run north and south of the Canyon. The Basalt Creek Canyon Ridge Trail opportunity would be located upland, not within Basalt Creek, near or along the ridge of the Basalt Creek Canyon. This trail could be connected to the regional trail network by extending Tonquin Road with bike/pedestrian facilities across Graham's Ferry to the new ridge trail. There is also opportunity to create a trail parallel to I-5 in the ODOT regional easement that would provide an additional north/south connection that would connect to existing bike and pedestrian facilities.

Decision-making on investments should prioritize connections that link pedestrian and bike networks to transit stops and near locations with higher planned density. Potential funding sources for improving the bike/pedestrian network include Washington County (MSTIP) and Metro (i.e. MTIP, RFFA, SW Corridor, Natural Area Bonds).



In fact, the narrative as stated in the July 2<sup>nd</sup> Draft for Trails does not provide support for locating the Canyon Trail as sited on the Trails Map in the 7-2-2018 Draft of the Basalt Creek Concept Plan:

1. The location of the Canyon Trail as currently identified makes minimal connection to future transit network, as it is located primarily through the backyards of privately owned land with minimal intersections with other proposed roads or Bike Networks.
2. The location of the Canyon Trail as currently sited (and contrary to what is stated in the joint Cities email of 7-3-2018) does bifurcate the steep slopes, wetlands and other natural resources at the north end of the propose Trail.
  - The July 2<sup>nd</sup> Draft of the Concept Plan actually includes multiple maps -on pages 28 and 42- which indicate currently known natural resources and lists the hard constraints of riparian, open water, wetland, steep slopes which exist at same location as the currently proposed site of the north end of the Canyon Trail on page 37 of the same document.
  - This is contrary to the stated goal of protection of natural resources in current proposed placement of the Trail.

As you heard in my Citizen Comments made during the Tualatin City Council Meeting on June 25, 2018, I requested the Trails Map be removed from the Basalt Creek Concept Plan and replaced with a narrative. This action would allow each city in which the Trail will be located ---to do the proper level of due diligence and to incorporate that information into their own Master Planning for the location of trails, which meets that City's goals and needs.

If it is deemed that a Trails Map is required to be included into the Basalt Creek Concept Plan, then I request:

- the proposed location of the "Canyon Trail" be indicated as a wide swath running North-South which would provide the City of Tualatin greater flexibility in siting the proposed trail- as opposed to a dotted green line.
- I would suggest the width of the swath to be extended west to Grahams Ferry Road
  - to allow for increased flexibility in siting for optimal physical and transit connectivity – and may allow for locating the trail closer to the proposed location of the north end of Kinsman Road – and increase the ability to actually meet the stated goal of connectivity at transit stops.
  - to allow for increased flexibility in locating the north end of the Trail outside of known natural resources --which the City is responsible for protecting.

If I understood your previous comments correctly- 1) that Concept Plans should include narrative of goals/needs, and not contain maps with trails identified at specific locations; and 2) that siting of trails etc. should be done during the City's Master Plan Update- then I ask you if would be able to discuss these issues with the Tualatin staff assigned to drafting the Basalt Creek Concept Plan and/or other appropriate departments within the City.

Please let me know if you have any questions. I will be out of town next week, and will not be able to testify at the Tualatin Planning Commission when they receive an update on the July 2 draft of the Concept Plan.

Grace  
503 692 9892

---

**From:** Ross Hoover <[rhoover@tualatin.gov](mailto:rhoover@tualatin.gov)>

**Sent:** Wednesday, June 27, 2018 11:47 AM

**To:** G Lucini <[grluci@gmail.com](mailto:grluci@gmail.com)>

**Subject:** RE: Basalt Creek (1 of 3)- Inclusion into Tualatin Parks & Rec Master Plan- Invite for Site Visit

Hello Grace,

Thank you very much for this information! It was great to get a chance to meet you and chat at the recent Council Meeting.

As we discussed at the meeting, concept or master plans are at a high-level and are conceptual in nature. These plans stay at the vision and overview level and typically don't get into much detail.

Details, design elements, and amenities are developed and discussed through public input and engagement during specific site planning processes. To my knowledge, none of this detail work has happened in the Basalt Creek area. What I am aware of is the draft Concept Plan that was presented at the City Council Meeting that you attended.

I will read and view the information you sent. I'll let you know if I have any thoughts or questions.

Please let me know if you have any questions.

Thanks Grace!

Ross Hoover

**From:** G Lucini <[grluci@gmail.com](mailto:grluci@gmail.com)>

**Sent:** Tuesday, June 26, 2018 4:37 PM

**To:** Ross Hoover <[rhuover@tualatin.gov](mailto:rhuover@tualatin.gov)>

**Subject:** Basalt Creek (1 of 3)- Inclusion into Tualatin Parks & Rec Master Plan- Invite for Site Visit

Hi Ross,

I was good to meet you last night during the Tualatin City Council Meeting. I appreciate you reaching out to me. Congratulations on your new job with the City, and welcome!

It looks like you are going to be stepping into a bit of a hornet's nest, with the Basalt Creek Concept Planning underway, and the multiple desires and needs of the two cities, the citizens, and the property owners within the Basalt Creek Area-- as we all look towards the future.

As I mentioned in my Citizen Comments last night during the Council Meeting, I have significant concerns regarding the two most recent drafts of the Concept Plan- (which were posted for the public this month--- after months without updates).

Of interest to you- are my concerns about the inclusion of a Trails Map with a specific location identified for what the City of Wilsonville is referring to as the “Canyon Trail”- located North-South on the western side of the Basalt Creek Canyon.

To provide you background of my concerns, I am forwarding three files. Due to their size, I will be sending you copies of the following documents- in 2 or 3 separate emails:

1) my most recent email of 6-22-2018 sent to the Councils and Staff of both Cities (PDF file)

(Page 2 start of #2 Inclusion of a Public Trails Map Specifically Siting the “Canyon” Public Pedestrian and Bike Trail – Without the of Appropriate Level of Due Diligence and Evaluation of Impact on Effected Property Owners)

2) my email of 6-11-2018 sent to the Councils, Planning Depts, and staff of both Cities (PDF file)

3) a copy of my Citizen Comments to the Wilsonville Planning Commission on 6-13-2018-a follow-up to my email of 6-11-2018, including their perspective and responses to my concerns regarding the location of the Canyon Trail- and requesting its removal from the map, and the map from the Concept Plan— being with a narrative. (Video from City of Wilsonville Planning Com. 6-13-18--- my comments start at minute 5).

Once you have had time to orient to your new position with the City, I invite you to come for an on-site visit to see my property- which includes portions of the deepest part of the Canyon and includes parts of the wetlands. Due to the significant changes of topography along the length of the Canyon – the conditions change--- as do the ecosystems throughout the area. Please feel free to email or call me when you would like to schedule a visit, or if you have questions.

As mentioned, in my verbal and written communications, I believe it is important for the affected property owners to be involved with the incorporation of the Basalt Creek Area in to the Master Plans, Development Plans, and Comprehensive Plans (and other similar documents) into the City of Tualatin.

One important step is providing Notice of all Public Meetings- to affected property owners -- when these documents are Updated to include the Basalt Creek Area. I would like to participate in the process to update the Parks and Rec Master Plan to include the Basalt Creek Area.

I look forward to working with you.

Regards,

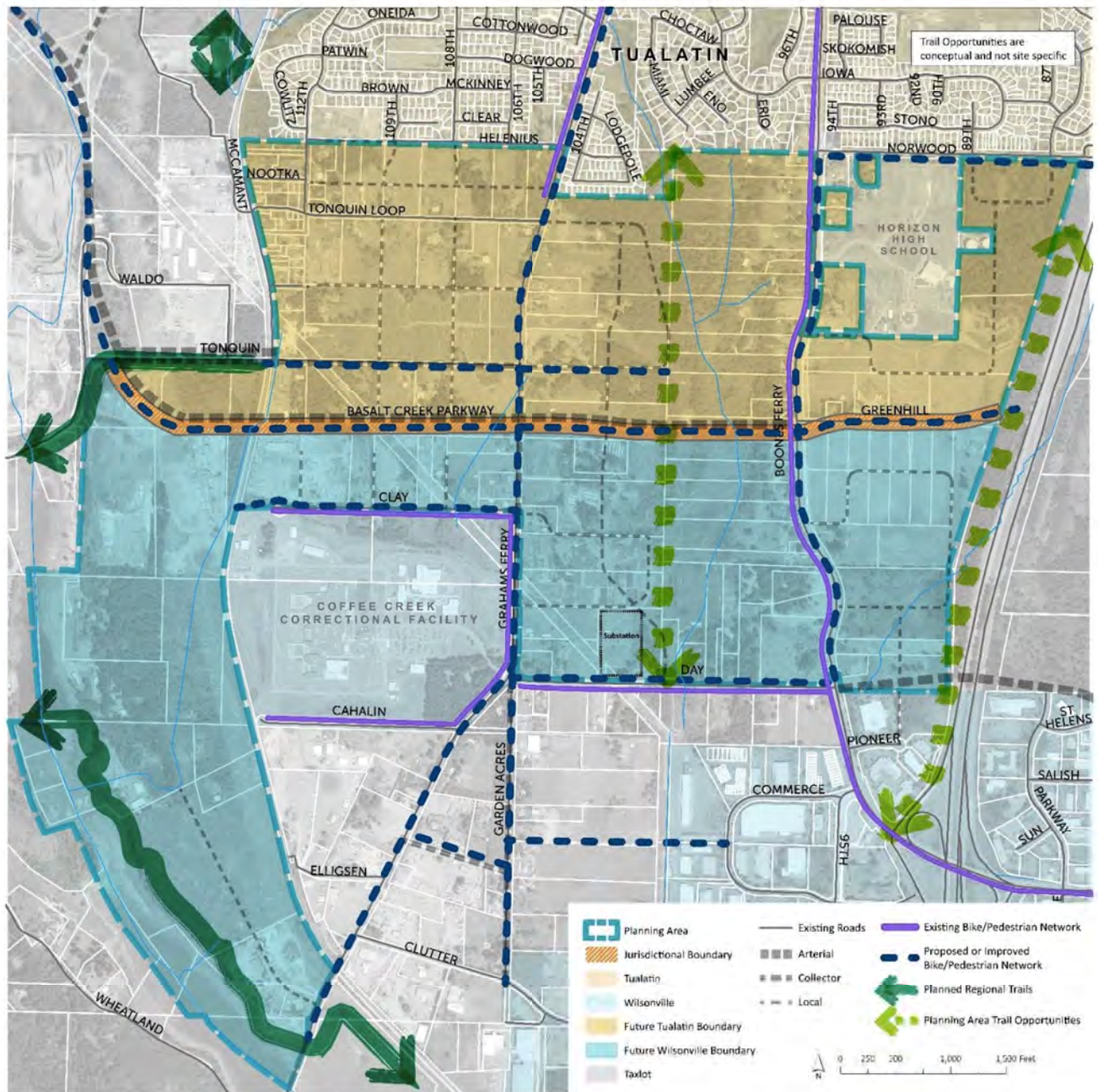
Grace Lucini

23677 SW Boones Ferry Road Tualatin OR 97062

503 692 9890

My email address is included with this email.

Figure 11 Bikes, Trails, and Pedestrian Network Map



While existing bike and pedestrian facilities run along Boones Ferry Road, Day Road, and sections of Grahams Ferry Road, planned improvements will increase safety and completeness. The additional facilities will offer significant east/west connections along the new Basalt Creek Parkway and Tonquin Road as well as an important north/south connection along the length of Graham’s Ferry Road within the Planning Area. These improvements will make connections between the proposed neighborhood commercial area on Boones Ferry Road with residential neighborhoods and employment areas as well as the future transit network. Given the nature of the Basalt Creek Parkway, an over or underpass may be preferred or necessary to make the best bike/pedestrian connections in the Planning Area.



6-11-2018

**Issues Regarding Information Provided Within**

**Wilsonville Planning Commission 6-13-2018 -Basalt Creek Concept Planning Update Informational Packet**

Aquilla Hurd-Ravich and Karen Fox- City of Tualatin, Tualatin Planning Commission

Nancy Karushaar and Miranda Bateschell- City of Wilsonville, Wilsonville Planning Commission,

Cc: Wilsonville City Council, and members

Tualatin City Council, and members

[This is a joint response from both cities \(Tualatin and Wilsonville\) to the June 11, 2018 comments sent by Grace Lucini to both City Councils and staff.](#)

There are several references within the 6-13-18 Wilsonville Planning Commission Informational Packet on the actions being taken by one- or both- cities regarding the Basalt Creek Concept Plans, which I am requesting your comments, and/or response.

**1. BACKGROUND**

At the current time, my property is within the Basalt Creek concept Area, but is not within the City limits of either city, and is outside the jurisdiction of either city. It is located on the western side of SW Boones Ferry Road and east of the Canyon and is one of many other single- family homes which were built prior to the adoption of Metro 04-1040b.

My property extends west of the wetlands and past the western edge of the Canyon -including both sides of the canyon, with additional land extending west of the canyon.

My husband and I spend many hours personally studying and working to restore the wetlands and surrounding area. It is my goal to leave for many generations to come---a healthy ecosystem which will support the various types of wild life which use the area to forage and for shelter.

Property owners and residents within the Basalt Creek Concept Area will most directly feel the effects of this concept planning. Yet we were not provided an elected representative to routinely represent us during Public discussions as part of the decision-making process being made by the City Councils of Tualatin and Wilsonville.

The Cities of Tualatin and Wilsonville have orchestrated most aspects as to how Basalt Creek Concept Planning would be determined, planned and implemented.

Formal Public Involvement has been minimal, and non- existent for over 2 years- after which time concept planning continued.

No formal Public Involvement Event has been held specifically for affected property owners (who as mentioned, had no elected representation within the Basalt Creek Joint Cities Governing Body). As Concept Planning details progressed with time, affected groups of property owners requested formal meetings with staff and/or Council but were rebuffed.

The property owners and residents within the Basalt Creek Concept Area were only allowed 3 minutes (as are all citizens) during the Citizens Comment Sections of Council Meetings, to present very complex and multi-faceted issues/concerns which were created by and during the concept planning process.

The determination of the future city limits of either city within the Basalt Creek Area has not yet come to fruition within the legal process.

It is unknown when this process will finally be completed, as an Appeal has been filed regarding the Concept Plan which has not yet been heard.

## Staff Response:

First and foremost, the project team would like to thank you [Ms. Lucini] for your commitment to this project. There have been a number of times staff have benefited from your local knowledge and attentiveness to the Basalt Creek Concept Plan. There is no doubt your participation and attention to detail have added value to the Concept Plan.

Staff would also like to respond to your comments and address the outreach that has been conducted to property owners. At the beginning of the project, the team created a Public Involvement Plan that was implemented throughout the project. The majority of outreach, and plan analysis, occurred between 2014 and 2016. Property owners were invited specifically to participate in a land use workshop at the beginning of the project as well as the April 2016 Open House where the draft Concept Plan was presented. Furthermore, the project team provided mailed and e-mailed notices to property owners and interested parties, nearly monthly throughout the life of the project, notifying and inviting them to attend and participate in Planning Commission, City Council, and Joint Council meetings. Public input provided to the Councils and the project team shaped the final recommendations in the Concept Plan.

City of Wilsonville staff also met with affected property owners, at their homes in Basalt Creek, on a number of occasions upon invitation. At least two occasions were specific to the Concept Plan and pertaining to Basalt rock formations and the wetland. Another visit focused on stormwater drainage and one other was coordinated with Washington County to discuss the next stages of the Basalt Creek Parkway. City of Tualatin staff also met with property owners who requested meetings on a number of occasions including with you and your husband at your home.

Staff recognize the public engagement has been minimal last two years while final land use designations were determined for the Central Subarea. However, the draft Concept Plan now being presented to both Councils picks up right where it left off in 2016, which had been previously shared with the public and provided property owners opportunities to comment. The public is still encouraged to comment through the hearings process for the Basalt Creek Concept Plan.

The project team followed the public involvement plan and has met all state and city public notice requirements. While the three-minute limit at public hearings can be limiting, it is often necessary in order to provide all parties an opportunity to comment on a busy agenda. When it is possible, extended comments are allowed, such as during the June 2018 Wilsonville Planning Commission when comments and discussion with you [Ms. Lucini] exceeded twenty minutes and where staff was able to answer a number of these questions.

## 2. INFORMATIONAL PACKET BEING PROVIDED TO THE WILSONVILLE PLANNING COMMISSION

I understand the complexity many of the issues which need to be resolved. I appreciate the attempts of the staff to present many issues within the Informational Packet which were taken into consideration when developing this concept plan.

It is my understanding that the property owners within the Basalt Creek Area, will not be automatically be annexed into either of the two cities, but may request to be annexed in the future or-- may elect to forgo any annexation into their identified city.

***I request a response to this question:*** *I do not see any information within the Informational Packet which addresses possible impacts to the implementation of the Concept Plan, should one or more property owners within the Basalt Creek Area decline to annex their property into the City Limits--- What affect this may have upon the implementation of concept plans which include use of un annexed properties?*

### Staff Response:

It is not unusual to have properties in a UGB expansion area annex into a city at different times. This can present challenges and delay full implementation of the concept plan, but is not unusual. The affects and how this is handled really differ from place to place and is addressed uniquely in each location and situation. The project team anticipates this could occur in Basalt Creek as development interest will be the driving force on the timing of implementation of the Concept Plan. As development occurs, the two Cities will work to address any issues that do arise, including cohesiveness of development and infrastructure systems as well as implementation of public projects such as the trails.

### 3. IDENTIFICATION OF RECREATIONAL NEEDS/GOALS TO BE IMPLEMENTED WITHIN THE BASALT CREEK CONCEPT AREA

Many pages within the Informational Packet relate to plans for public recreational use of the land within the Basalt Creek Area. The Informational Packet includes the following statement:

At the time of this writing, Tualatin is going through a Park and Recreation Master Plan update. This update has considered the Basalt Creek area in the types of services and facilities that will be needed to serve residents and business in this area.

***I request a response to these issues:***

- Is the City of Tualatin in the process of updating the Park and Recreation Master Plan- and including portions of the Basalt Creek Concept Planning area within the update-as stated within the Information Packet?
  - If so, what type of recent outreach has the City taken to contact property owners within the Basalt Creek Concept Planning area to seek their involvement, or discuss potential impacts any proposed changes to the Parks and Recreation Master Plan might generate?
- Have there been any Public Meetings on any update changes to the Tualatin Park and Recreation Master Plan where Basalt Creek Concept Planning - or its inclusion into the Master Plan Update were an identified topic?
  - I have not seen any General Notice postings on the *BasaltCreek.com* regarding Public Meetings on updating the Tualatin Park and Recreation Master Plan which included the topic of the Basalt Creek Concept Area.
- As an Identified Interested Person who has provided numerous written requests to both cities, requesting to be Noticed on any Public Meeting relating to the Basalt Creek Concept Planning Area--- have I ***not*** received any communication or Actual Notice that several hundred acers within the Basalt Creek Concept Planning Area (including my property), were being actively included into an update to a City Recreation and Parks Master Plan.
  - Please provide me information as to the status of the Tualatin Parks and Recreation Master Plan Update, and when the next Public Meeting will be held regarding this.
- The Basalt Creek Concept Planning Partnering Agreement was amended to reaffirm a commitment to abide by Oregon Public Meetings Law to promote transparency of the process.
  - Historically throughout this entire concept process, there has been many instances where proper Notice has not been provided to the public, and/or to Interested Persons who have provided written request to be provided Notice on Public Meetings related to Basalt Creek Concept Planning.
  - The outcome of Basalt Creek Planning involves hundreds of acers, and directly affects hundreds of citizens, and is of importance to the general public.
  - The Basalt Creek Area is not yet within the jurisdiction of either city. Finalization of the Concept Plan has not been completed and is now under appeal.
  - Even after finalization and adoption, Individual Property owners may not wish to annex into a city. This may affect or influence Master Planning needs.
  - Consequently, the adoption of an Update to any of either city's various Master Plans to include any portion of the Basalt Creek Area seems premature at this time.
  - Any update to either city's Master Plans which to include portions of the Basalt Creek Area, can reasonably be assumed to be a component of (or implementation of) Basalt Creek Concept Planning which should had triggered Notice be given on Public Meetings regarding either city's Update to Master Plans to include portions of the Basalt Creek Area.

**It is therefore requested that in effort to promote transparency and uphold the only amendment to the Basalt Creek Concept Planning Partnering Agreement and Oregon Public Meeting Laws (ORS 192.610 to 192.710), efforts be redoubled to provide proper Notice on ALL Public Meetings regarding Basalt Creek Concept Planning, including city**

**Master Plan Updates -or any other actions which may involve current or future implementation of any portion of the Basalt Creek Concept Planning.**

- **This should include, but not be limited to:**
  - **Posting these meetings in a timely manner on the identified website: BasaltCreek.com**
  - **Providing proper timely Actual Notice to identified Interested Persons- electronically and/or mail.**

**Staff Response:**

A little background on concept planning first. One of the aspects a concept plan is required by Metro to address is Parks and Open Space. So in any new urban areas cities are required to at least think about how we might serve residents in these expansion areas. Tualatin did this by including the Basalt Creek Area in our Parks and Recreation Master Plan Update. The Parks and Recreation Master Plan is a system wide 20 year plan that identifies how to serve the needs of all of Tualatin's current and future residents. We recognize that all land in the Basalt Creek area is currently privately owned and any future identified facilities will require the City to work with property owners. We also recognize that the Basalt Creek Canyon is an important natural resource that needs protection.

Last summer there was a significant public involvement effort for the Parks and Recreation Master Plan and the project team continues to accept comments. You can sign up to be on the interested parties list. ([tualatinoregon.gov/recreation/webforms/parks-recreation-master-plan-update](http://tualatinoregon.gov/recreation/webforms/parks-recreation-master-plan-update), scroll to the bottom of the page) There have not been meetings to specifically address Basalt Creek but rather the system as a whole given this is a system wide plan. That said at the last meeting a brief high level description for a potential new park in the Basalt Creek Area was presented to the Project Advisory Committee. These meetings are public meetings and have all been properly noticed. There will be another opportunity to review the draft plan this coming fall and if you sign up as an interested party you will receive notice when that draft is available.

The Basalt Creek Concept Plan, like other projects in the Cities, has its own specific interested parties mailing list, for those interested in this specific project, which includes the property owners in the Planning Area. Then project specific information is sent out to that list. It is not customary for someone from one project list to be automatically added to other projects happening in the city or to be indefinitely added to every project or plan happening in a city.

For citizens interested in receiving news about all projects and announcements (including citywide plans) from the City of Wilsonville, they can sign up at <https://www.ci.wilsonville.or.us/subscribe>.

For citizens interested in Tualatin activities, anyone can sign up at [www.tualatinoregon.gov/newsletter/subscriptions](http://www.tualatinoregon.gov/newsletter/subscriptions) to receive Council Agenda packets, newsletters, and more.

Meetings being held regarding Basalt Creek Concept Plan adoption are being notice in accordance with State law and being posted on the project website.

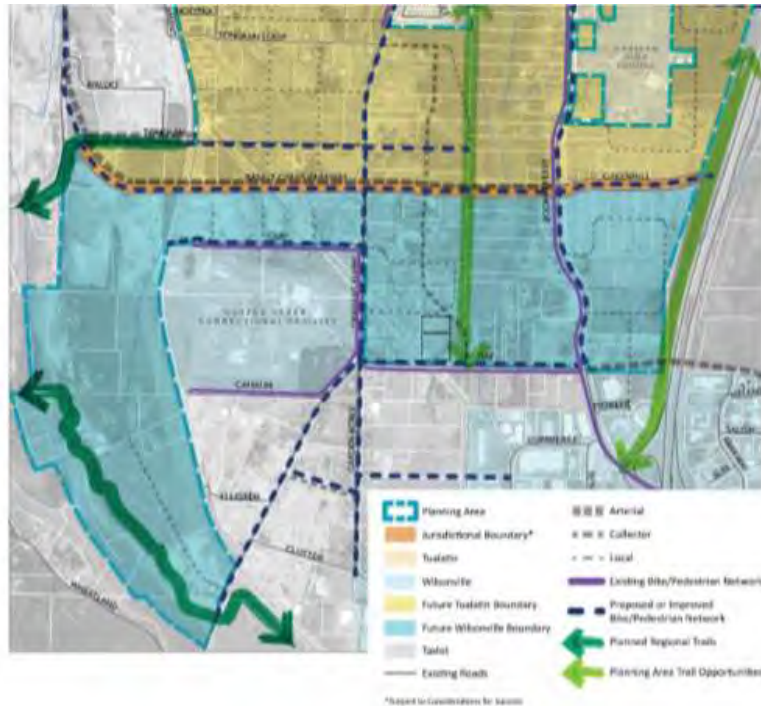


**4. IDENTIFICATION AND SPECIFIC LOCATION/ PLACEMENT OF DESIRED PUBLIC TRAILS ON PROPERTY CURRENTLY OWNED BY PRIVATE CITIZENS.**

The narrative within the Informational Packet states a goal of the planners is to develop pedestrian and bike connectivity between the two cities.

The Informational Packet also provided the following statements:

- **“bike/pedestrian facilities will be integrated into new and updated road projects in accordance with State, County and City standards,**
- **“Identifying specific locations of parks and outdoor recreation was beyond the Scope of the Concept Plan.”**



While existing bike and pedestrian facilities run along Boones Ferry Road, Day Road, and sections of Basalt Creek Parkway, planned improvements will increase safety and completeness. The additional facilities will offer significant east/west connections along the new Basalt Creek Parkway and Tonquin

What is referred to within the Informational Packet as the Canyon Trail- currently placed North-South along the western side of the Canyon - runs entire western boundary of my property- and along the properties of approximately 29 other property owners.

I have not provided any indication of having interest in the locating Public Trails along or through my property. In fact, I have previously provided written objections to similar proposed takings of my property for Public Trails---I can provide upon request copies of these written communications –copies of which should also be available within your files.

It was therefore disconcerting to me to see another new document being disseminated to the Public in which the document labels a portion of my property being identified and listed as a “Public Trail Opportunity”.

I have not been approached by any staff member regarding this proposed new taking of my property. I have never received any indication if and how much I might be reimbursed for my property, if any funding is available, or when this proposed action might happen.

Yet as a direct consequence of the inclusion of this map with a specific Trail identified across privately-owned properties- immediately places a cloud over all of these properties, causing the owners immediately economic and legal impact.

My previous objections to providing Public Trails within the Basalt Creek Canyon and/or through my property centered around the protection of the natural resources within the area, and concerns of damage to the wetlands and other natural areas which I and my husband have been working to restore.

I also expressed concern as to the need for thoughtful planning of the location of any public pedestrian corridor due to the well documented news reports regarding a very similar Public Trail created for pedestrians and bikes to connect two cities- the Springwater Corridor. Unfortunately, the Springwater Corridor has developed into an unsafe public health and safety issue; has caused damage to previously identified sensitive natural areas; and requires routine monitoring for unplanned/anticipated types of public use.

The following statements are also included within the Informational Packet:

“Parks and Open Space One of the guiding principles of the Basalt Creek Concept Plan is to protect key natural resources and sensitive areas while making recreational opportunities accessible by integrating new parkland, open spaces, natural areas and trails in the planning area and connecting to existing regional networks.

This Canyon is very valuable to the area and it needs to be protected, while also having public access points in appropriate locations in order to connect to the bicycle, pedestrian and recreational facilities of the area and to serve the needs of residents and local employees.

If the planners truly believe in the statements they have included within the Informational Packet on upholding their goal to protect these natural resources, it would be noticeable in their efforts to reduce the number times and locations this natural area is being bisected and encroached upon by multiple roads; proposed over or under crossings, various utilities, and now in addition-- Public Trails not integrated along other proposed transportation routes.

***I request a response to these issues: There are numerous governing documents stating requirements to protect identified elements found within the Canyon Area including the protections of slopes, and other natural resources---***

***Would you explain why on the Public Trails Map above---the “Canyon Trail” does not run in proximity to local roads (which are also in concept planning), but instead--has been placed in a completely separate location -deeper into the natural areas which results in even a greater number of bifurcations of the natural areas, and increasing fragmentation of the existing habitats?***

***I request a response to these issues:***

- Are both cities in agreement with the information provided within the Public Trails map?
- Who authored/ generated the Public Trails indicating Public Trail “Opportunities” over multiple properties which are privately owned near the Basalt Creek Canyon?
- Which agency or government will be providing and funding for ongoing routine maintenance; police services; or emergency services to the “Canyon Trail”-a trail which runs through multiple jurisdictions, and possibly through islands of unannexed properties?
- And what provisions are being made to secure continuous sources of funding for these services over the entire length of the Trail?

I question how much due diligence was done prior to creating a Public Document which indicates only one location for the Public Trail within the Basalt Creek Canyon- without any alternative locations provided during its first public issuance, and without prior discussion with affected property owners.

- Just a minimal amount of research would show that the location of the proposed Public Trail within the Canyon is hampered by significant topographical constraints. The impact of these constraint seemed to be minimized within the Informational Packet. (Please see additional information provided in Section #5 regarding known significant natural constraints and limitations within the Basalt Creek Area which were authored and memorialized by various governments). The proposed location of the Canyon Trail encroaches through these natural resources.
- Construction and ongoing use of a Public Trail – open all day/year-round will create yet another bifurcation and fragmentation of the local eco system- which will directly and negatively affect the high valued riparian and upland habitats currently found in the area. These actions would be in direct conflict with the stated goals of protecting the existing natural resources within the area and within the canyon.
- Due to the current topographical location of the Public Canyon Trail, the land along the trail will most likely require leveling of the proposed pathway to be compliant with Federal ADA guidelines. This type of alteration of the area increases negative impact to surrounding habitats.
- The leveling of the trail would require high cost expenditures to minimize significant grade changes found along the proposed trail.
- Geological formations of Basalt rock along the proposed trail may require extensive construction equipment or blasting which increases negative impact to surrounding habitats and increases costs.
- The Public Trail runs along privately-owned land, with very little access to roads for construction of the path, which will also increase construction costs.
- It is also not clear how or what safety protections can be provided to a Public Trail which with very limited vehicular access, nor how the Trail would be monitored in the future to ensure appropriate use of the Trail or provide timely response to emergencies either police or medical.
- The stated location of the Trail along the Canyon is in direct conflict with another stated goal of maximizing assessed property value. The Trail on this map bisects and isolates buildable acreage located on the eastern side of the trail (on the western border of “SW Boones Ferry Rd” properties).

The inclusion of this detailed Trail map is in very sharp contrast to how information was presented for another much more significant and complex land acquisition-- future public school site locations within the Basalt Creek Area. The location of potential school sites require large acreage, complex and are highly constrained site-specific needs.

Whereas the staff elected to include a map with site specific land acquisition “locks” for the Public Trails in the Basalt Creek Area, the staff specifically stated a map which would identify potential school sites *would not be included* within the Information Packet- *thus eliminating any land “locks” which might improve land acquisition for future school sites in the area at this time.*

It is also unclear why Public Trail paths were so exactly identified as to site location within the Informational Packet at this phase of the concept planning process. A narrative of need, functional goals and general location should have been sufficient, as there are several other locations within the same area, which will provide the same connectivity; at less cost; more easily constructed; more accessible to emergency and safety and maintenance vehicles; can be more easily visually monitored; and significantly less negative impact upon the Natural Areas, - as well as being closer to the local roads which are also still in the concept stage of planning.

The Informational Packet states “identifying specific locations of parks and outdoor recreation was beyond the Scope of the Concept Plan.” If the Canyon Trail is considered a recreational use, then the planners have gone beyond the scope of the Concept Plan and exceeded their mandate.

If the Canyon Public Trail is considered a means of transportation, it would then seem appropriate the Public Trail would be more closely aligned with the proposed local roads, located on a more direct North South route between the two cities, with significant considerations given to costs relating to excessive numbers of land acquisition negotiations with approximately 30 individual property owners (over and above all other negotiations needed for road and other infrastructure negotiations), land acquisition costs, constructions costs, and ADA compliance issues.

Since we are still in the conceptual stages of this process- planners have the most flexibility to be able to incorporate the design of a Public Trail along separate paths--- but within proximity to the location of local roads (which are also being planned) --- and be able to also provide pleasant visual surroundings within the design.

In light of the extensive number of factors listed about, the only rational I can determine which justifies the recommendation of the Canyon Public Trail at its current location is that the staff wanted to ensure they could implement a goal stated numerous times during Wilsonville Council Meetings.

During multiple Wilsonville Council meetings statements were made as to the desire to increase the marketability of their nearby future industrial area, by including unique enticements to potential developers/employers --such as providing access to the natural areas within the Canyon so that “employees will have somewhere to walk during lunch.” If this is the case---this one-sided self-serving goal with short term benefits, should not outweigh all the other considerations previously identified and the numerous governmental requirements to protect the natural resources of the area.

This supposition is supported by the statement within the Wilsonville Summary portion of the Information Packet (Attachment B page 4 of 6) ... “Locate north to south trails near the Basalt Creek Canyon and provide bicycle connections that would connect to other cities and trail systems, serving as an asset for both residents and employees in the area.”

Unfortunately, all of the comments listed within Sections #3 and #4 are just an example of the lack of concern, consideration and respect the Basalt Creek Concept planners have shown to the existing property owners and the natural resources within area.

The public Trail Opportunity along the Basalt Creek Canyon is high level concept in the Concept Plan, and is described as an opportunity when moving forward with development in this area. This opportunity was identified by the project team, which includes the consultant and both Cities, in conjunction with what we heard during public outreach and working with both City Councils. The idea and opportunity highlighted in plan is to locate the trail up on the bluff, providing visual access, but not locating the trail down below in the creek/wetlands. The plan does not call for bifurcating or impacting the habitat – any trail built would balance public access with protections, restoration and enhancement of the Canyon – additional language is being added to the Concept Plan to clarify this. There are examples of successful projects throughout the region that provide access while also preserving a natural area and this same care will be adhered to in this area. In addition, the trail is not intended to serve as the primary non-vehicular transportation route – the Concept Plan provides primary non-vehicular transportation routes along the roadway system in the Planning Area - but rather an opportunity to increase connectivity and connect people to this valuable resource.

The Concept Plan does not provide a detailed trail alignment. Specific alignment based on additional analysis (including topography and reducing both environmental and development impacts), and funding and maintenance plans, would all be determined later during infrastructure master planning and project design work. Thus, no takings are proposed. Typically right of way would be dedicated as part of development when annexation and development is proposed for those properties, even if that happens incrementally.

Please see edits to the Concept Plan (on page 38 of the July 2, 2018 draft) to further clarify the conceptual level of the trail, including modifying the depiction of the trail on the Trail map. Language was also added regarding enhancement strategies, and to clarify trails will not take priority over enhancement and protection of natural resources.

**5. REQUESTING FUTURE INFORMATION BE PROVIDED TO THE PUBLIC AND TO THE APPROPRIATE DECISION MAKERS--- TO GIVE CLEAR, REPRESENTATIVE, AND ACCURATE INFORMATION REGARDING THE EXISTING SIGNIFICANT NATURAL RESOURCES WHICH ARE LOCATED WITHIN THE BASALT CREEK AREA- AND SPECIFICALLY THE BASALT CREEK CANYON.**

It is unclear to me why the following statement was included within the Informational Packet:

No land within the planning area is identified by the Washington County Comprehensive Plan as a Significant Natural Resource. The nearest Significant Natural Resource area is comprised of the Tonquin Scablands, to the west of Coffee Lake Creek.

Relationship of County significant natural resources and cities to be clarified.

The inclusion of this statement within the Informational Packet seems to only muddy information which has previously been documented and substantiated by **multiple governmental bodies - including Washington County-which have clearly identified Significant Natural Resources within the Basalt Creek Concept Area.**

There have been multiple documents provided to the Basalt Creek staff which details the unique resources located within the entire Basalt Creek Area- many which are located near or within the Basalt Creek Canyon.

Copies of all of the following documents were provided the Basalt Creek Staff during the beginning of the Concept Planning process, and should be available within your files:

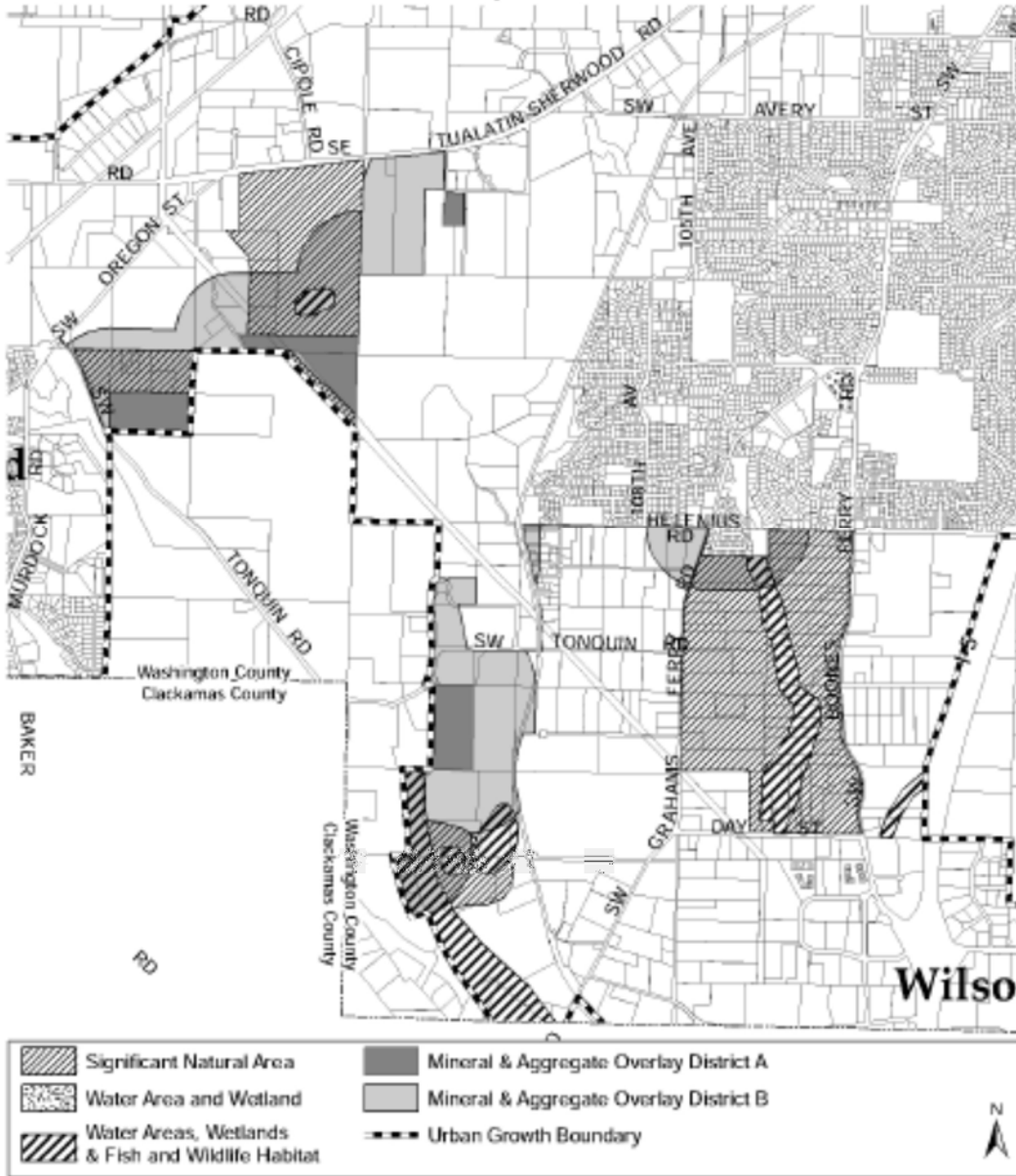
The Cities agree and the Basalt Creek Canyon is recognized as a Significant Natural Resource that will be protected and enhanced through implementation of the Basalt Creek Concept Plan. This language is draft and the Cities are still working with the consultant team to clarify this language. That is why it was highlighted in the draft included in the Wilsonville Planning Commission packet.



The Basalt Creek Canyon Area was clearly identified as a Significant Natural Resource by Washington County

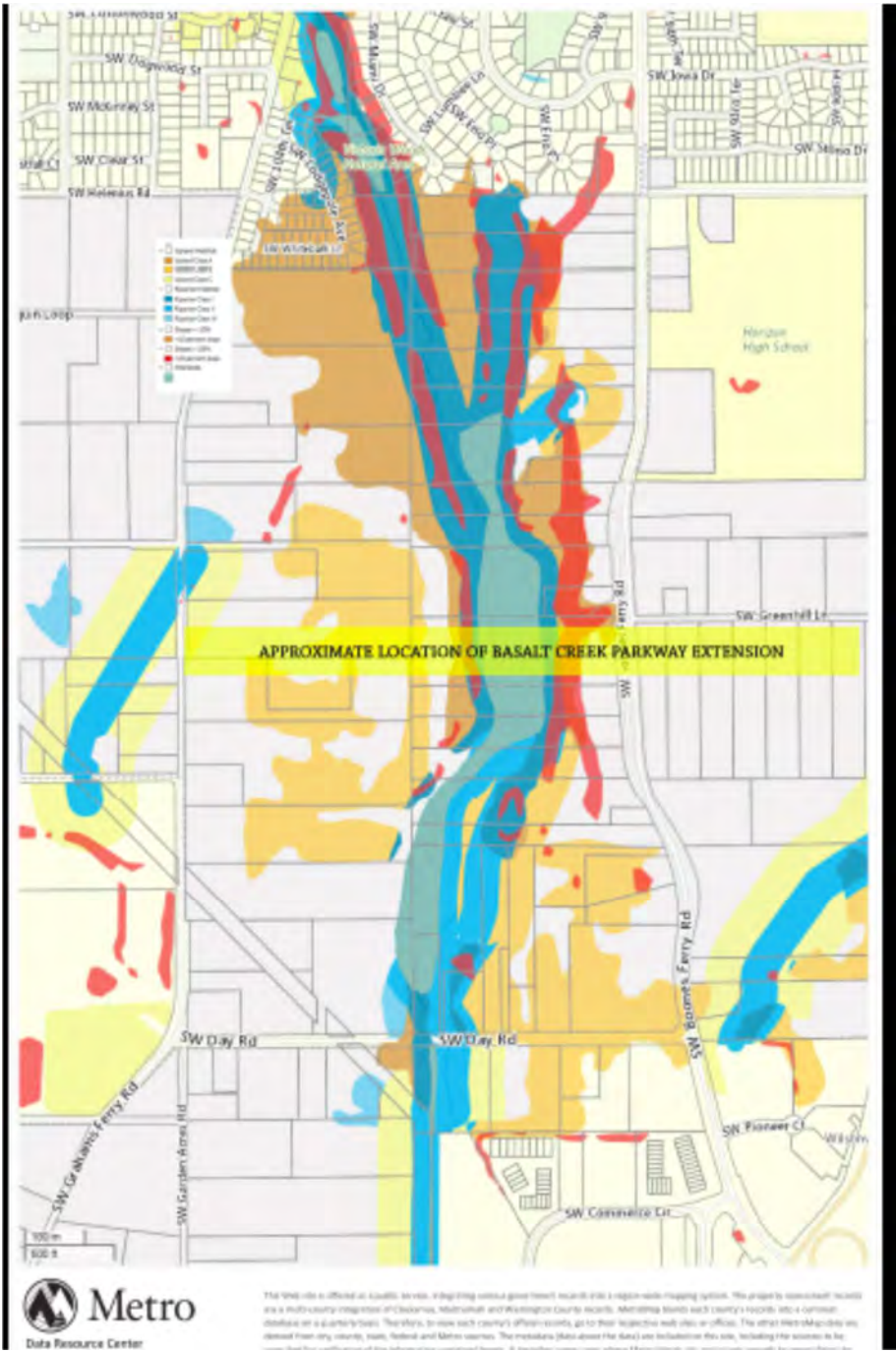
Ordinance 671  
 Exhibit 2  
 Page 3 of 9  
 January 18, 2007

Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:



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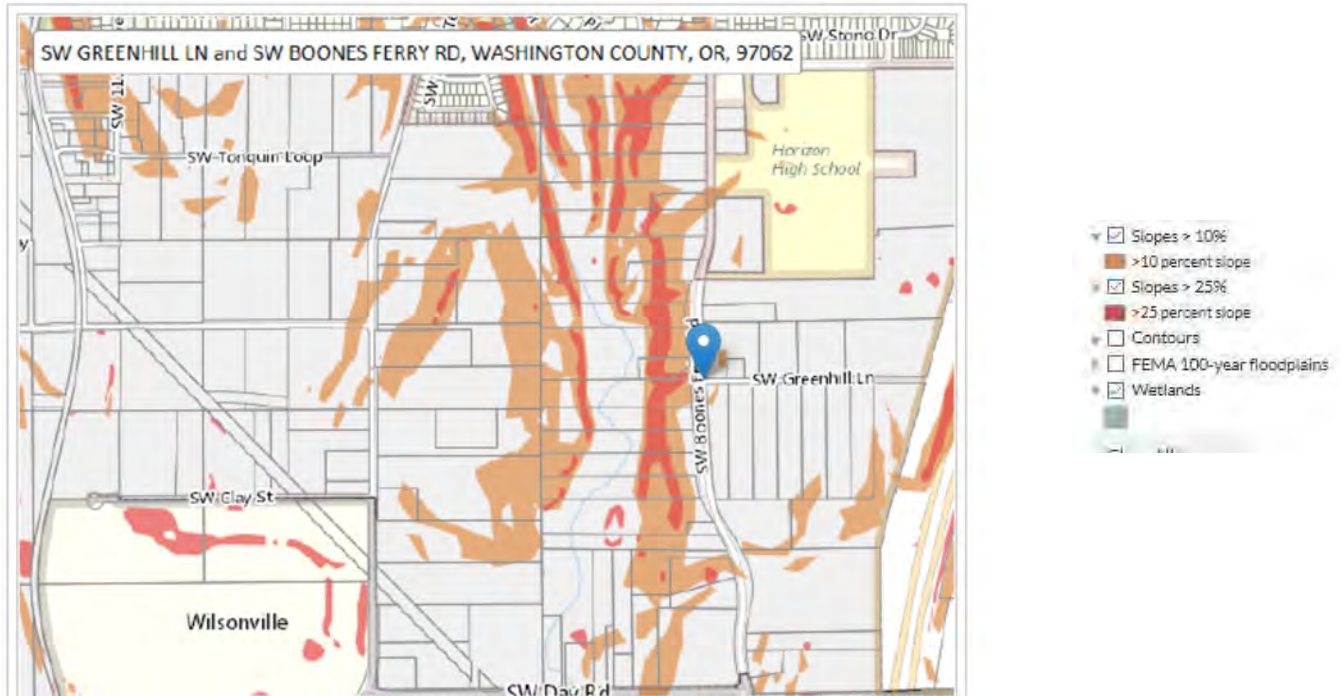
**Metro has documented the existence of the highest valued Class 1 Riparian Habitat, and the highest valued Class A Upland Habitat within the Basalt Creek Area- Including a large portion of the Basalt Creek Canyon**



Metro has also provided data as to the significant slopes which are located within the Basalt Creek Area which in part creates the Basalt Creek Canyon.

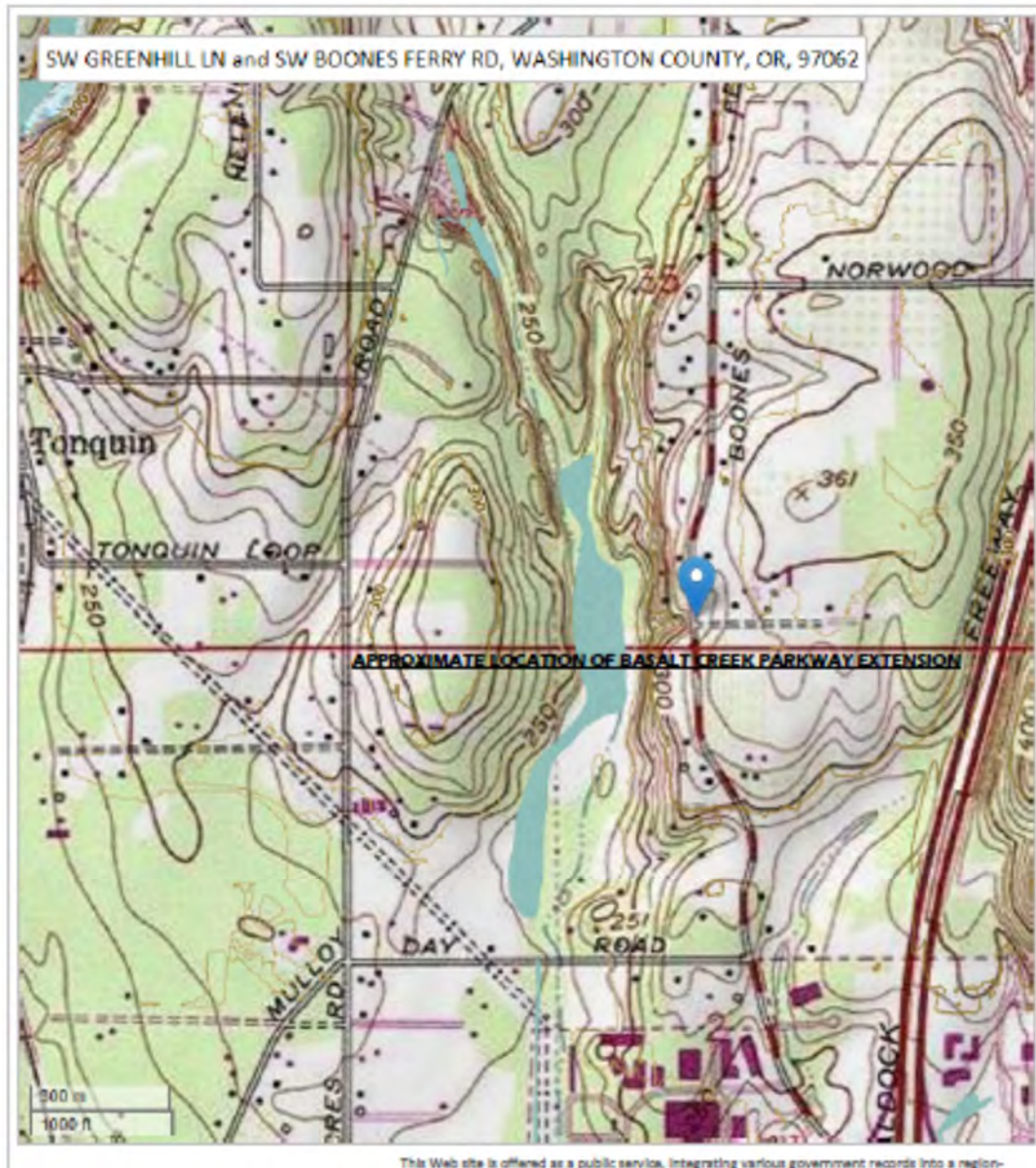
In 2004 Metro charged both Wilsonville and Tualatin with the requirement to protect the steep slopes found within what was referred to in Metro 04-2010B, as the “Tualatin Area” during concept Planning for the area.

From the following two maps, it can be easily determined there are significant topographical changes within the Basalt Creek Area, which result in dramatically steep slopes.





Metro has also provided a map of the significant grade changes within the Basalt Creek Area in relationship to the wetlands



As can be seen within these 2 maps- the rugged topography sheltered and protected the Basalt Canyon and its resources. There is a reason why this land has not been already been densely developed over the past years even though it is located close to many other attractive locations.

Care and thoughtful planning have to take place to protect this local resource for the future.

This fact was recognized when the governing tool (Metro 04-1040B) placed multiple requirements upon the cities of Wilsonville and Tualatin specifically addressing each city's responsibility to protect during Concept Planning and after – the various natural resources within the Basalt Creek Area.

The Federal government has identified and included the wetlands within the Basalt Canyon within the Federal Wetland Inventories.



The numerous plans for the construction of large expressways, arterials, collectors and local roads and, public trails within what is currently one confined natural area will now be permanently bisected at multiple locations-- causing fragmentation. This fragmentation will permanently damage the health of the existing habitats and ecosystem. .... *This issue cannot be emphasized enough.*

I remind the Basalt Creek Concept Area planners and their respective Councils of their responsibilities for the protection of the area's natural resources. It is hoped that short sighted economic goals to gain rapid development advantages will not cloud nor distort the need to protect fragile natural resources and ecosystems for future generations.

Respectfully submitted,  
Grace Lucini