



SCAPPOOSE PLANNING COMMISSION
Council Chambers at City Hall
33568 E. Columbia Avenue

THURSDAY, SEPTEMBER 23, 2010 at 7:00 p.m.

CALL TO ORDER

Chair Negelspach called the Scappoose Planning Commission meeting to order at 7:05 p.m.

ROLL CALL

The regular meeting of the Scappoose Planning Commission was held September 23, 2010 at 7:00 p.m. in the Council Chambers located at City Hall at 33568 East Columbia Avenue in Scappoose, Oregon with the following present:

Planning Commission:

Chris Negelspach	Chair
Bill Blank	Commissioner
Don Dackins	Commissioner
Ron Cairns	Commissioner
Mike McGarry	Commissioner

Staff:

Brian Varricchione	City Planner
Susan Reeves	City Recorder
Josey Bartlett	The Chronicle
Stover Harger	The Spotlight

Legal Counsel: Jeff Bennett

Excused: Vice Chair Paul Shuman, Commissioner Anne Frenz and Commissioner Jill Schull

APPROVAL OF MINUTES ~ June 24, 2010, July 8, 2010 and July 22, 2010

Commissioner Dackins moved and Commissioner Blank seconded the motion to approve the Planning Commission meeting minutes from June 24, 2010, July 8, 2010 and July 22, 2010 as presented. Motion passed (5-0). Chair Negelspach, aye; Commissioner Blank, aye; Commissioner Dackins, aye; Commissioner Cairns, aye and Commissioner McGarry, aye.

CITIZEN INPUT

None

OLD BUSINESS

Continuation from September 9 hearing on DOCKET # CPA1-10/CPTA1-10/DCTA3-10

Chair Negelspach explained the Planning Commission is going over some old business agenda item number 5, continuation from September 9, 2010 on Docket CPA1-10/CPTA1-10/DCTA3-10. He read the following information:

Public Hearing to solicit comments on the following proposed actions:

- Amend the Comprehensive Plan to incorporate 2010 Scappoose Economic Opportunities Analysis (EOA) and 2010-2030 Columbia County population forecast;
- Remove outdated information from the Comprehensive Plan and add key findings and policies from the Economic Opportunities Analysis;
- Add new airport employment Plan designation and overlay zones to implement the Economic Opportunities Analysis;
- Amend Scappoose Urban Growth Boundary to meet industrial and commercial needs identified in the Economic Opportunities Analysis and to include a regional park area.

Format: Legislative Land Use

Chair Negelspach explained the format for tonight's hearing will be a Legislative Land Use. He read the opening statement: He is calling this public hearing to order to consider an application for Legislative Land Use decision. Testimony and evidence must address the criteria that apply to the decision as described in the staff report or to the criteria the person testifying believes to apply to the decision. Persons may speak only after being recognized by the chair and must come forward to the microphone and state their name and address for the record. Only testimony that is relevant to the application will be considered. Immaterial or repetitious testimony will not be allowed and time limits will be imposed if testimony is irrelevant or repetitious. The failure to raise and clarify an issue to afford all parties an opportunity to respond to the issue precludes appeal to the land use board of appeals based on the issue. There shall be no audience demonstration or other conduct which would disrupt the hearing. The order of the hearing will be the staff report, then the applicant's presentation, then other proponents, then opponents, then rebuttal by the applicant, then a staff response. Thereafter, the hearing will be closed for consideration of the matter by the commission. The Planning Commission will then make a recommendation to the City Council on this application.

Chair Negelspach stated before we get started we have a number of people that would like to speak tonight. He stated he will go ahead and reiterate his comments from the last time we met on this that everybody keep their comments as brief as possible so we can hear everybody's testimony. He stated we also would like everybody to come step forward and speak into the microphone, that includes staff and the consultant team that is with us tonight, so that we can make sure we have all your comments in the record. He stated with that he would like to go ahead and turn over to our staff Brian Varricchione to go ahead and present the staff report.

City Planner Brian Varricchione replied thank you very much. He explained in the packet that was distributed you have materials that are in response to the hearing that was on September 9. He stated just to make sure that the whole Planning Commission received copies of all the materials, the letter and petitions from the public, you received copies of those, and those are in the packet. He explained there were a couple of letters received after the hearing, those are in the packet. There was a response memo from the consultant team and finally the proposed Chapter 17.74, which is the overlay zone chapter, which was reformatted, based on a request that the text size be enlarged, particularly in the tables. So that is what you saw this evening. He thinks we will start things off by having the consultant team go through their response memorandum and provide

answers to the questions that were posed by the public on September 9.

Jesse Winterowd, Winterbrook Planning explained he prepared a memorandum that he believes responds to the items raised in the testimony on September 9. He explained he will briefly go through each of the points and they also have more detailed testimony from the consultant team on employment growth and the Crown Z Trail issues. He stated first off the southwest expansion, we heard a lot of testimony from the property owners in the southwest who didn't want to come into the Urban Growth Boundary or suggested that the City might look to the north or east. The issues remain the same as when we began in terms of priorities for growth but we do have an option, as he briefly discussed last time, if the City doesn't want to try to capture as much highway retail growth as we think is possible, right now a lot of your highway commercial potential is going to Portland and other areas, but if the City makes a policy choice to not try to capture as much of that then we could look at revising that capture rate and leakage and potentially reduce the highway commercial numbers in the Economic Opportunities Analysis. So that is a policy option. We also heard testimony for the area east of Old Portland Road in the south to come in because the testimony was that it was good for commercial and highway commercial especially and needed for the area and then information that they provided regarding facilities costs indicated that just that area would be expensive to serve for such a limited area, the sewer line extension cost would be higher than what would be reasonable or feasible but they received testimony from a commercial developer in that area who believes that is not the case and he thinks you will hear more about that. He also talked with Brian Varricchione regarding what the City wanted to do in terms of facilities extensions and he indicated that it was the City objective to provide sewer to areas within the Urban Growth Boundary. Ultimately he thinks that is a question for you to decide what you want to do there. He thinks there is possible and there is a policy direction involved. He stated that is the issue on the area east of Old Portland Road. As we move on, we heard testimony from the northeast Ring-A-Ring Road and Moore Road area property owners concerned about an increase in taxes or paying for facilities cost. As indicated he doesn't believe that is likely or legal to increase their taxes from an Urban Growth Boundary expansion. He stated you can't raise their taxes on that basis alone. He doesn't think that was, it was compelling testimony, but he doesn't think the basis of the concern was actually a factual situation. He stated public involvement was brought up and there was a stated desire for the City to have additional public involvement. He thinks the City has engaged in a multi-year public involvement process that continues today and will continue for another few months and has complied with its responsibilities under Goal 1 to do public involvement so he thinks legally we are okay on that. He stated he will pass the concerns of the employment projection over to Jerry Johnson where he can provide a brief presentation on that.

Jerry Johnson, Johnson-Reid, stated he believes his letter was submitted. He stated we took a look at some of the numbers out there basically there were two issues; one was employment forecast and one was the relationship between the employment forecast and population forecast. He stated first of all he believes and wants to clarify the forecasts are not his forecasts or our forecasts, the forecast reflects the community's forecast as expressed through the advisory committee, open meetings and a lot of public process. They provided technical assistance to make sure the forecasts were defensible and based in some reason and aspirational but not delusional and he believes they got those. He stated they took a look at the primary questions raised and they really relate to the fact that do you see Scappoose being a part of Region 1 which the State defines as Clatsop, Tillamook and Columbia Counties or is it more of what they put it in which is Portland-Vancouver primary statistical area which is Columbia, Clackamas, Multnomah, Washington and Clark Counties and it is their strong opinion that the region really works more as

part of the Portland metro statistical area opposed to the northern Oregon coast as far as relationships. When you take a look at those, the numbers are actually quite defensible, in fact take a look at some of the recent history. He stated there is a period in the 90's for the recent downturn where you guys are growing at 5.6% average annual clip so they had relatively good employment growth, the aspirations again are aggressive within reason because they have seen similar growth rates occur in jurisdictions in the peripheral Portland metropolitan area. He took a look at the population growth rate relative to the employment growth rate, there is a relationship between these two because of well part of the employment growth rate is related to retail and commercial needs which elevated your population so they took the adopted population growth rate for that particular piece of it. There is an aspiration that basically Columbia County over time becomes less of a bedroom community and has a better population-to-employment ratio over time. Keep in mind that your population numbers are very conservative. You have a 1.9% average annual growth rate and the adopted forecast in the previous 19 years Scappoose has had an annual growth rate of 3.2% so significantly higher than that. Those may be conservative, nonetheless we use conservative ones as a base. If all the employment and population numbers are realized over the 20 year forecast you will have roughly a one to one ratio, which basically means one job to one person. It doesn't mean every person living here will be working here but it will provide opportunities for people living here to work here as well as for Scappoose to regain its historic position as an employment center for the broader region which includes unincorporated areas so people would come into Scappoose to work and so that is really what the definition of the aspirations where that they anticipate that we would need to have employment growth at a faster rate than population growth. He stated if you were going to change that pattern of being a bedroom community and be more of an employment concentration center, which was the aspiration expressed in the group.

Chair Negelspach stated our Representative with the DLCD was at those advisory committee meetings.

Jerry Johnson replied right.

Chair Negelspach stated and he was engaged with you guys in discussing those forecasts.

Jerry Johnson replied right he was.

Chair Negelspach asked is he also once, if this moves forward, would he also be the person that would kind of be the gatekeeper for those numbers and give a go or no go on that analysis.

Jerry Johnson replied how it works in Salem is a bit of a mystery and maybe Greg Winterowd can elaborate on this more so. He stated his recent discussions with DLCD have said that the Regional Representative, which is the person that has been at the meetings, would be the one who has the final yes or no on it. Salem reviews all the numbers to make sure they feel comfortable with them but at the end of the day your Regional Representative is the person who makes the determination of what DLCD position is going to be at the end.

Chair Negelspach stated and during those meetings over the course of year and a half, roughly, was there any indication they wouldn't be support by the DLCD.

Jerry Johnson replied it has been their impression that they were going to be supported in fact, because when they weren't going to be supportive Gary wasn't a shrinking violet about the fact

that were we getting a little too aspirational and we needed to pull back so he doesn't believe that we are in ranges that the State can stand behind.

Chair Negelspach replied his last question is you have done this kind of work all over the State obviously, in reading some of the testimony, have you seen a remarkable change in economic growth occur in other communities that he has studied.

Jerry Johnson replied they see some really dramatic shifts on and off. They have had ones up and down. They worked with the City of The Dalles and the Google thing kind of came out of nowhere. Lebanon got a medical hospital. He stated people go and up and down with these things, you lose plants, you bring stuff in. He stated a community this size where they have seen a lot of growth that has thrown off the forecast. A lot of them are sort of peripheral communities near the Portland Metropolitan area which is basically an 800 lb gorilla around here and they take a look at it and you say 10,000 jobs is a lot of jobs and it is a lot of jobs but it is 2% of what the Portland Metropolitan area is projecting of the next 20 years. It doesn't mean they are going to realize it but that is there aspirations as well.

Chair Negelspach stated so there could be so pretty wild swings in that.

Jerry Johnson replied yeah, particularly with the counties or the jurisdictions that are just outside the Portland Urban Growth boundary, you have got Scappoose, you have Newberg, McMinnville which is just a little bit further out, Canby, areas like that that have seen dramatics shifts just as one year of overflow growth. He explained they were doing the housing needs analysis, which is a Goal 10 analysis in Newberg and they immediately go through the 20 year supply in just a couple of years just because Sherwood runs out of land one day and the next day they go down 99 to the next community and it is a lot of demand. He stated things can change quickly. He thinks the point that the aspirations in this is if the market is to get more employment growth and their discussions as part of this process lead discussions with Business Oregon and the recruiters of Business Oregon who were pretty excited about having some sites available in Scappoose and thought they could really do something with it and someone it was reflecting frustration because they don't have adequate sites in the Portland Metropolitan area.

Chair Negelspach asked if that was sites for industrial and commercial.

Jerry Johnson replied primarily industrial. The recruiters really only recruit for industrial in the State they don't actively recruit commercial.

Chair Negelspach thanked Jerry Johnson.

Commissioner Blank stated you mentioned Newberg but in his memories of Newberg when he goes through it is a much broader open area, it is more of a wide expanded area, not so restricted as our community, would that affect their growth?

Jerry Johnson replied to some extent their ability to accommodate affects a lot of the Newberg stuff you see, there is a lot of that stuff to the south of the highway, some if brought in the Urban Growth Boundary, but a lot of it isn't in the Urban Growth Boundary. It is there and it looks like it is wide open but it is difficult to get to and he knows Winterbrook can speak more succinctly to the commercial and industrial piece, in particular the industrial piece but it does affect your ability to basically deal with it. He stated one of the issues is when you have overflow growth and you

have inability to actually deal with that growth you start getting price pressures, this is more of a residential than an industrial issue. He stated when you get price pressure in industrial, industrial gets very expensive, which is actually happening in the Portland Metropolitan area probably to the advantage of Scappoose because industrial land that used to go for \$3.00 square is going to \$6.00 to \$8.00 a square foot because they don't have enough industrial land in the Portland metropolitan area. What that does is industrial users don't have a lot of wherewithall to basically accommodate or take on the higher cost of land, they tend to look for lower cost of communities on the periphery, some which would have been Woodburn, which Woodburn has its own issues now on theirs but they do look for other areas that are proximate. He stated you have the back shot up through Longview to I-5, it is actually nice, plus you probably have the easiest commute into Portland even of most of the suburban communities in the Portland Metropolitan area.

Jesse Winterowd explained the next issue that we identified was airport expansion and growth testimony. He stated first as he thinks anyone can see if you go out near the airport there are some open areas of undeveloped land and this is a 20 year plan. He explained we look at what's available inside (the UGB), we account for that against the need and then we look outside. He explained what they have done is identify the vacant sites that they can intensify and redevelop inside the Urban Growth Boundary, they have accounted for those empty areas in this analysis and the 20 year land supply indicates we would go beyond that. So having empty land or undeveloped land inside is normal in UGB expansion. He stated there should be some land inside but when you are looking out 20 years you have more than that in terms of need. He stated so that is not realistic to not add land until you have no more land because you are required to maintain a 20 year land supply. He explained there were some statements regarding Scappoose Airport versus PDX and Hillsboro, he doesn't think they indicated in their testimony or in the Economic Opportunities Analysis that the airport was intended to be a regional airport compared with PDX or Hillsboro or commuter hubs like that and we are not planning for that. This is relatively minor, it is a much smaller airport and growth to that airport will still be much smaller and our industrial area supported by the airport is also much smaller. So it is not accurate to say that we are trying to be another PDX or Hillsboro or that we are trying to take away from them.

Chair Negelspach asked we are comparing the uses of our airport here against these other airports was there any sort of a look at the airport infrastructure in terms of the runway length, the width, the way that it is set up that it would accommodate similar uses or is that in terms of the kind of air traffic and those kinds of things because certainly that would be a part of how you would look at the land around it.

Jesse Winterowd replied we can't really change the Port's planning but we can impact the Port's planning by allowing for something to occur. It is kind of a little bit of a chicken and egg, if there is land for the airport to change then the airport can plan to change it, if there is more demand than the airport can plan for more demand. If there were plans for more land we can accommodate that.

Chair Negelspach asked how would you characterize the airport the runway length would preclude you from having certain kinds of air traffic even when you looked at expanding it to the north or to the south how would you characterize it in terms of comparing it to other airports around the region, is it similar to Aurora or McMinnville.

Jesse Winterowd replied he is not a regional airport expert but he thinks we can find someone who can talk about that this in crowd, would that be appropriate or desired?

Chair Negelspach replied sure.

Bruce Hugo, 135 Crouse Way, St. Helens, explained Scappoose is a Class B-2 General Aviation Airport. The optimum length of the runway a 5,000 feet, the existing runway is 5,100 feet, according to FAA Standards that type of runway should be no longer than 5,000 feet. He stated the class could be changed, the class is based on the weight of aircraft and the air speed of aircraft coming into the runway. It will accommodate 737's, there was Gulf II in the other day when he was out there, which is equal to a 737. He stated does that help.

Chair Negelspach replied yes but he guesses in terms of commercial providing some support of larger commercial businesses that might want to be in there and transport things by air certainly it sounds like him that existing airport would be able to do that.

Bruce Hugo replied he doesn't know how current it is but a few years ago it was the third busiest non-towered general aviation airport in Oregon. He stated having no tower precludes some activities. The instrument readings on the airport also precludes other activities for example minimal ceilings depending where the weather is. He is sure Hillsboro and certainly PDX are all weather airports, have all instrumentation. This airport does not so there are limitations there.

Councilor Cairns stated so this airport would have to be totally revamped.

Bruce Hugo replied not totally, it would need more electronic support.

Councilor Cairns replied more electronics, you need a tower and you need traffic control.

Bruce Hugo replied actually he knows of 4 businesses at the airport today that are there because they didn't want to have the hassle of working with towers and all the other stuff. He stated the beauty of this airport, beside having a bunch of property around it, is that it is a general aviation airport, that it is non-towered, the traffic is regulated by other FAA Rules, we are outside the Portland International Air Traffic Control Center. What that means to take off from Scappoose they don't have register with the Portland tower. It is a very convenient airport for business activity.

Chair Negelspach replied if there were an increase in commercial air traffic to this airport would they have to add a tower and do those type of things.

Bruce Hugo asked like scheduled aircraft.

Chair Negelspach replied yes.

Bruce Hugo replied he could never visualize Scappoose having a scheduled air carrier. He stated at one time there was interest by one of the freight forwarding companies, they were very interested in the airport but we didn't have the land for them.

Chair Negelspach replied he thinks that takes care of his question because a lot of the land we are talking about is around the airport he thought it would be good to clarify. He thanked Bruce Hugo.

Jesse Winterowd stated to Chair Negelspach he believes we have additional testimony from the Port on this.

Chair Negelspach replied that would be great.

Paula Miranda, Port of St. Helens stated she just wants to speak on behalf of the Port on the runway extension. She stated Bruce mentioned there has been some interested parties that would like to come to the airport and they are not able to accommodate the size of aircraft they would like to have at the airport and because of that have lost some opportunities. At this point and time they also have some, she believes a developer around the airport that had opportunities as well and that they haven't been able to accommodate. So with that said there is business opportunities here that could increase if they only increased the runway so they have already been talking to their planner for some time. She knows some people are concerned because it is not in their Master Plan at this point. They are due for an update to their Master Plan. They actually have been in discussions with what has been going on around the airport before they implement that update because it makes no sense at this point when they don't know exactly where some other things are going infrastructure wise and so on. So they are talking to the City, to developers and looking around what is going on and then they are going to sit down with planners and FAA and do an update of their Master Plan, which will include an extension of the runway. So definitely it is something that, from her understanding, their Commission would like them to study and they intend to implement that.

Chair Negelspach stated just a couple of questions on that. He asked if she was involved in the Economic Opportunities Analysis.

Paula Miranda replied yes she was.

Chair Negelspach stated the airport, the land that is being proposed to be in the UGB to the south would that provide adequate area for the runway expansion they are thinking of proposing in their Master Plan updates.

Paula Miranda replied right, it would. She explained at this point and time she thinks the desire is to have the runway extended an additional 800 feet, which would put them at 5,900 feet, which would accommodate most of those types of aircrafts desired to have the extra space at the airport. So with that said we have been discussing with their planner what can be done. They are studying 600 to 800 feet, they are not sure yet if they are able to accommodate the entire 800 feet. They may have to have some discussion with the FAA but it is certainly something that is on the studies right now that they would like to take a look at but without that space, without that land they certainly don't have room to go. It is kind of what Jesse said it is either the chicken or the egg. Sometimes it is easier to have the land to convince FAA to get the work done versus the other way around.

Chair Negelspach asked Paula Miranda if she can say what types of businesses were looking.

Paula Miranda replied she can't say exactly what the businesses are but there are some manufacturers that deal with larger types of folks that they work with that would like to come in and test their planes and if you don't have the runway to accommodate they cannot sell their products, they can't do their proper testing and also there are some larger jets that would like to be sited at the airport. She stated without the runway extended they can't bring those types of jets

therefore we are losing those types of opportunities. Aurora is getting their tower and they are able to do those types of things that we can't right now and we are not that far off from where they are. She thinks there is a good chance that the airport could get more business that is going to Aurora versus coming over here.

Commissioner Blank stated there was a question from one of the people that was out in the audience regards to commercial zoning issues at the airport. He asked Paula Miranda if she could expand on that a little bit.

Paula Miranda asked if Commissioner Blank is talking about the overlay zones.

Commissioner Blank replied with this plan there was talk about several square feet of commercial uses at the airport.

Paula Miranda replied she thinks they are probably mentioning some of the overlay zone. She explained right now we have one single zone, which is the airport use zone and what was asked of the Port is that Port would agree to allow for some additional uses, which would be employment, business and what that does is if you look at any other airport around they would have space to accommodate a car rental for instances. She explained that is not typical for an airport to have and some hotels. She stated the Port actually took the overlay zone that was proposed to them and looked at it and they actually had their aviation planner look at it and they took it to the FAA. She explained obviously they want to see what FAA has to say, if they had heartburn over it and it would create too many problems for them they would think twice. She explained the Port didn't feel it was that off, neither did their planner or the FAA. FAA actually said it is not any different than what they would allow. She explained in looking at that obviously they had the discussion with the developers and they are going to work together, by the time this is incorporated, they are going to work together on some standards on what they are going to do in those areas, so they don't just start throwing every kind of commercial there is. It has to have certain standards for what kind of uses are going to come in, particular area, sizes, what type of business and how much employment it is going to bring in. Something they still have to discuss but they definitely would like to have that resolved by the time this is in place but that is not even a concern for FAA at this point as long as it is within those uses.

Commissioner Blank asked Paula Miranda if they are looking at this commercial aspect as airport related.

Paula Miranda replied airport commercial. She explained you are not going to have someone from the highway moving over there just because they want to be close to the airport. They are going to have to show that they really have some airport business to be out there. They are going to have to supply whatever is necessary for the airport that it is related which is typical at airports around the area.

Chair Negelsbach asked if there is a mandatory master plan update that the Port is going through, is that why they are looking at it again.

Paula Miranda replied it is not mandatory yet but it is getting close. She explained what happened is every so many years if you feel like you are really steering off what you originally anticipated FAA will pay for it. She explained at this point the Port is really off from the original path that they intended to go just because there are some lands that they had options that they allowed

other developers to take off because they had the funds the Port didn't have in order to get things going because of that the Port is going a different direction and they would like to lay out the plan they are going in sync with what they developer is doing and what they would like to see and what we heard from the businesses around the area would like to see as long as it is still going with what FAA allows the Port to do. She explained the runway is one of them, it is not currently in their Master Plan and they would like to change that. She explained the portions of the property on the east side the Port had it part of their Master Plan and right now it is not their property, they don't have any rights over those property's so they would rather take it out and go in a different direction. The Port thinks they can develop and buy different properties eventually that will accommodate the needs of the airport. She stated they are pretty off from the original Master Plan so FAA would have no problem paying for that and allow the Port to get a new one. She explained it has been over 5 or 6 years since they have had a Master Plan adopted.

Jesse Winterowd explained as Paula Miranda was saying the Master Plan doesn't include the runway extension. He stated he has in the memo that the runway extension is on the Master Plan, but it is not on the current Master Plan. He just wanted to make that clear he had some information in here that wasn't accurate. He explained regarding floodplain maps there was a comment that we should use 2009 FEMA mapping and they did use that and they have a map in their evidence that compares their floodplain map that has been used for this project with the 2009 FEMA mapping for the area and they are the same.

Chair Negelspach asked if the maps are the same.

Jesse Winterowd replied yes.

Chair Negelspach asked and that is because there wasn't a specific study done to update those maps.

Jesse Winterowd replied it was because the most recent FEMA mapping was the best data they had available. He stated it was pretty difficult to use the old paper maps so they went the most recent FEMA mapping for the floodplain. He explained we have Otak here to talk about he Crown Z trail.

Don Hanson, Otak, explained there were concerns voiced last time, and he thought it was a very valid concern, that if we improve that road it is going to impact and take properties along the southern edge and we are concerned about losing the recreation trail and its characteristic. He wants to address that and talk about the road a little bit and the trail. He explained their concept, and it is just a concept at this point, shows on the air photo, which he believes they transmitted to the Planning Commission, it shows a meandering trail along the northern edge of Crown Zellerbach Road that extends 4,000 feet out to a trailhead park where then people can cross and basically head further out along the existing Crown Zellerbach Road. He stated the idea is to have this gateway park along the edge that is about 12 acres in that location and the road itself could be improved entirely on the north side of the existing right-of-way so it wouldn't take any land to the south; he wants to make that really clear. He explained he brought along two enlarged plans that show a bit more detail and he will leave them up so if anyone would like to come look at them. He explained this shows an enlarged site plan, there is essentially a three lane road proposed there that they show, portions of it may be two lane where they don't need left turn requirements but their idea is to size the right-of-way and the infrastructure so it could be three lanes. There would be two moving lanes in each direction and a continuous left lane pocket, which is also good for

truck traffic, it gives you more space to make turns. He explained this shows the meandering path along the north side of the road, they are looking at a 12 foot paved path. Along the southern edge, the existing right-of-way, there's essentially landscaping and a street side sidewalk. He stated they would also have a directional bike lane heading out this way and that assumes there could be two-way bike traffic on the 12-foot wide path. He explained there is one portion where it would be straighter because there is a water feature, basically a linear water feature that is colored blue on the map. He explained the right-of-way width they are looking at varies from 80 to 100 feet to accommodate all of these things. So it preserves vegetation along the north side of the road, which is really nice, where the fir trees are and then has room for the meandering path. So that is a brief overview of the trail and road issue.

Chair Negelspach thanked Don Hanson.

Commissioner Blank stated one of the drawings that he has indicates a wall, where would that wall be.

Don Hanson explained the wall would be on the southern edge. He explained when we did some work along this road, there is a sound wall along Crown Zellerbach on the southern edge extending out towards the highway, that probably reflects that type of buffer treatment. He explained the thought is that we didn't show roadway connections from the neighborhoods to the south to that road he hasn't shown that and thought through it much in concept. He stated part of him wants to make those connections so there is improved connectivity but part of him doesn't want truck traffic to filter down into neighborhoods. He is thinking if we make the connections they are sized for cars and they are sized for emergency vehicles to improve response time in different areas of the City but there are ways to design the geometry of our intersections so we prevent trucks from turning and shortcutting through neighborhoods themselves. So that is idea that he is thinking of right now.

Commissioner Cairns asked if they were to extend the runway on the airport would that encroach on the road.

Don Hanson replied no, it wouldn't. He explained on the air photo there is a fence line, the runway is still back quite a ways. He stated what you see here is a big clear zone for the runway that they have kept open. All they will do in there is mowing the lawn.

Jesse Winterowd explained there was concern regarding the airport zoning. He stated he thinks we already heard testimony from the Port. He explained what they tried to do with the overlay zones was to be consistent with the Economic Opportunities Analysis and to provide opportunities for businesses that don't conflict with the airport uses and we have coordinated very closely with the Port and they went back to the FAA for that requirement and finally transportation, Seth Brumley with ODOT provided you with comments regarding the transportation planning rule requirements that the City has to comply with. He stated he believes you have another letter from him updating that information and we agree with Seth and have no problem with his suggestion and that is simply that before any annexation zone change should occur in these areas that a transportation impact study would have to happen. He stated that is the summary of the information that he has.

Chair Negelspach asked if Jesse Winterowd could go back briefly and talk about the planning for an institutional campus.

Jesse Winterowd replied what we said about this was a Goal 9 test whether a use was reasonably likely to occur in the area is the standard and we believe the standard is met by the language in the Economic Opportunities Analysis that talks about it. He explained that is the information that we have on that, we think that is a use that is likely to occur in that area.

Commissioner Blank asked within 20 years.

Jess Winterowd replied yes within the 20 year time frame.

Chair Negelspach asked where did get the notion that there would be a PCC campus there.

Greg Winterowd, Winterbrook Planning, replied when anybody does an Economic Opportunities Analysis, when Jerry Johnson did it, what you do is you look at the types of firms that might have a serious interest in coming to a piece of property, in this case land near the Scappoose Airport and one of those types, and we had 20 or 30 types of industries that would likely come, was a community college that would benefit by teaching people about how airplanes work, how they are manufactured, how they are repaired. He stated there have been some preliminary discussions with PCC and that was enough to say this could happen, it might not be PCC, it might be somebody else, it might be a private company that does this but it seemed like a use that had a reasonable likelihood with over the next 20 years of going there and he thinks the Economic Opportunities Analysis mentioned Portland Community College but it could be any educational institution with a similar airport relationship. He wanted to say a little bit more about the overlay zones. He stated one of the things that the City staff insisted upon that we have more specificity in the zoning to be closer to the Economic Opportunities Analysis and we listened to staff and they thought well maybe then when DLCD told us the same thing and it is a requirement of the Statewide Planning Goal 9 that if you say you need something you have got to provide for it and protect the land for what you say you need and that is exactly what those overlay zones do. He stated if we try to keep the base zone that's there now that wouldn't be responsive enough in DLCD's view or in our view or the City's view to respond to the needs identified in the Economic Opportunities Analysis. He stated there is a strong Statewide planning goal requirement that we are meeting with those overlay zones, it is not something that we thought was just a good idea.

Chair Negelspach asked were those preliminary discussions between the City staff and PCC or somebody on the Economic Opportunities Analysis Committee.

Greg Winterowd replied he thinks it was when putting together the economic study that they looked at that.

Chair Negelspach asked in those discussion was it felt that there was adequate acreage given to that use.

Greg Winterowd replied he thinks there was a question "If you were to locate a college how much land", something like 20 acreages. He stated but again we are looking 20 years in advance and we have made reasonable best estimates about the types of industries that can come here. We are not sure that any of these specific industries in the Economic Opportunities Analysis will come. We think that a lot of them will. We also think that industries that we haven't completely identified yet will emerge in the 10 years, if you think about what's happened in the last 10 years. So we try to be both general enough to keep the door open for industries that would benefit from

this location and especially locations near the airports but we didn't try to be so specific to act like we could predict everyone but we can't do that.

Chair Negelspach replied he believes that this community pays on a bond currently for PCC expansion; we are included in their education area sort to speak.

Greg Winterowd replied correct, so it is not a pie in the sky notion or is it a certainty he thinks that is the range we are looking at.

Commissioner Cairns asked if we don't increase the Urban Growth Boundary on this we are pretty much are going to stay stagnant, is that kind of what he is picking up, there is no room for anymore growth?

Greg Winterowd replied as Jesse mentioned there is still some vacant industrial land, but not enough to meet the needs identified in the Economic Opportunities Analysis and also to provide the choice for industrial site for service commercial, things like offices, motels, car rentals and very limited retail that would be supportive of those primary uses and that is what the overlay zones call for. He explained really did it in a way that was designed not to trip a wire with FAA because we didn't want to do anything to impair the airport, because that is all of our "Golden Goose", that is what is making this all possible.

Commissioner Blank asked about the Ring a Ring Road expansion and from the comment that was made earlier, he would like to get some clarification on that. The fact that existing residents are not required to pay, however if they want to then they would be paying taxes if they joined, if they became part of the annexation.

Jesse Winterowd replied right, the City doesn't force annexation and so it would be a property owner's decision. If they annexed into the City then the taxes would increase.

Jeff Bennett stated just to add one more thing to that there is a possibility even inside Urban Growth Boundaries to have tax deferrals in place if you continue to make some kind of farm use of the property even though you are inside the Urban Growth Boundary. He explained he has clients that own land in the City of Hillsboro inside the Portland Metropolitan UGB that has been actually zoned for business park and that currently has deferred taxes on it because they continue to make agricultural use of it. So there are mechanisms that property owners can utilize to avoid the very highest level of taxes should they choose to do that.

Chair Negelspach stated that is also given that they were probably rezoned to have some different use other than farming within the Urban Growth Boundary.

Jeff Bennett replied that is right. He explained in the example he gave it is an industrial park and the property has actually had three different types of industrial zones since 1991 and throughout that entire time on the part of the land that has not been developed with office or warehouse distribution type uses there is still farm level taxes on it because they are actually farming it.

Chair Negelspach thanked Jeff Bennett for clarification on that. He asked once a property is within the UGB can you describe briefly the process for getting through annexation into the City if someone wanted to go down that path perhaps.

City Planner Brian Varricchione replied the way the annexation works in the City of Scappoose is kind of a three step process. The property owner would apply, it would go to the Planning Commission, the City Council, and then the vote of the people. He stated what that means is the property owner would have to get approval of those different levels in order for it to be approved. If City Council were to turn it down it would not go to the vote of the people. If the City Council approved it then the electorate turned it down then it would not be effective. So there are several checks on the process. He stated one point to emphasize as was stated by Jesse the City has had a policy not to force annexation on anyone. He explained there have been instances in the past where the City has offered property owners inviting them to annex, if they are interested then we would waive their application fee. He could anticipate something similar could happen in the future but for those property owners that say they are not interested the City didn't pursue the matter any further and those properties, even though they are within the Urban Growth Boundary, they are still outside the City limits.

Chair Negelsbach stated just to take that discussion a little further if the City were to extend water and sewer past a property they wouldn't necessarily be required to connect to that.

City Planner Brian Varricchione replied that is correct. He explained in fact even if a property were inside the City and water and sewer were extended there still would no immediate requirement to hook up. He stated if a septic system were to fail and there was a sewer line within 300 feet State law requires that property to connect to sewer. So that would be the only instance that the process of hooking up might be accelerated. He stated the City doesn't force anyone to hook up to water and if there is a functioning septic system they don't force them to hook up to sewer.

Commissioner Blank asked if they have to hook up then are they required to annex into the City.

City Planner Brian Varricchione replied there are health exceptions under State law that could allow people outside the City to hook up to sewer however barring those health code requirements it is the policy of the City to require annexation before properties can hook up to water or to sewer.

Commissioner McGarry asked why only half of a person's property would be included in the proposal and his question is why didn't we include all of it.

Greg Winterowd replied normally where possible you want to follow property lines, it just makes sense to do that. He explained in this instance we had a number of long deep properties that if we would have included them all then we would have all the way to the creek. We can't do that under State law because we can't justify inclusion of that much land. So if you look at the amount of land that was proposed to bring in that goes as far as the road and we redesign the road to do two things; one is to minimize the amount of Class II, the good soil, that we are bringing and the second so it would add up to the right amount of acreage that was predicted to be needed in the Economic Opportunities Analysis and that resulted unfortunately in cutting some properties including Mr. Freeman's properties in half. Normally you would not do that but we saw no choice in this case given the need and supply relationship and the need to avoid Class II soil, those two things, which are both State legal requirements.

Commissioner McGarry asked wouldn't that move half of his property into an issue with the County in terms of lot size.

Greg Winterowd replied he doesn't believe so because in terms of Mr. Freeman's property there is enough land there that it could be recombined to be a legal lot size in the County.

Chair Negelspach asked if Greg could point on the map to the land he is referring to.

Jesse Winterowd replied he thinks Chair Negelspach is referring to land in the southwest. He stated there are splits in the northeast with very large pieces and in the southwest exception area with smaller lots and he thinks that is a legitimate concern that some of those, he believes, are 5 acre minimum lot sizes and those would go below 5 acres. He stated it was definitely a difficult situation because of the flag lot configuration down there, how to get acreage to meet the need without cutting properties and he thinks that is accurate that it would cause a reduction in the ability to further divide the land.

Greg Winterowd replied the alternative we looked at was how far back do we go into these residential properties to meet the highway commercial need and so we drew a line that we were never quite comfortable with because we had to draw a line somewhere and this is could be part of your policy discussion is if you don't want to bring in those residential areas to meet retail commercial needs we have a way for you to do that by adjusting the Economic Opportunities Analysis and solving the problem that you brought up too. He stated they agree it is a legitimate problem we just didn't have a great solution for it.

Commissioner McGarry stated the reason he asked is maybe he would more comfortable to have his property added if it was all included or perhaps not, perhaps he doesn't want any of it included.

Jesse Winterowd replied depending on what you would prefer to pursue in terms of capturing the highway commercial potential we could look at alternative configurations if that was the desire. He explained we would end up going further away from the highway which is one of the reasons why we had that cut off is because we wanted to maintain a closer relationship to the highway for highway commercial and extending those long lots back rather than just double loading Old Portland would be less desirable in that respect.

Greg Winterowd replied this is one area where he thinks in some cases we don't have too many choices under State law but this is an area, he thinks, the people who live in those homes in the southwest have a great deal to say and you should listen to them and what they think is appropriate and we can probably make it work on the amount of highway commercial land.

Chair Negelspach thanked them for their comments.

City Planner Brian Varricchione stated if he could make one additional comment, the original letter from letter from ODOT that was discussed at the last meeting did state that the transportation planning rule would apply and they spelled out the requirements to what that would be and after further reflection ODOT went back and looked at the State Statute and Administrative Rule and determined that it didn't apply. ODOT did have some suggested language to put as a condition. So there was a letter dated September 21 and then a follow up email today from ODOT. Basically what this communication says just so it is clear ODOT wants it spelled out that prior to any annexation or any annexation/zone change that the Transportation Planning Rule would apply and the full analysis would need to be done at that time. Essentially

they are saying for the purposes of study the Urban Growth Boundary the TPR would not need to be studied but when and if the property needed to come in or requested to come into the City they would have to do that analysis.

Chair Negelspace asked City Planner Brian Varricchione to explain what that analysis entails exactly just for the benefit of everybody here.

City Planner Brian Varricchione explained what the Transportation Planning Rule requires any time there is a zone change that a transportation engineer figure out what the increased traffic would be, how many additional trips would be generated by that, and then to assess what are the impacts on the local transportation network. So they do their evaluation and they do some computations to determine what change would that annexation or zone change have on the transportation network. If that analysis indicates that the transportation system would not meet standards, for instance if a signalized intersection were overwhelmed, then the requirement is either that zone change be denied or an appropriate mitigation strategy be put in place so that problem would not occur.

Chair Negelspace asked City Planner Brian Varricchione if he is referring to only property adjacent to the highway or any property within the UGB.

City Planner Brian Varricchione replied this is required by State Law anytime there is a zone change, this analysis needs to be done.

Chair Negelspace replied so if you had a property in the far northeast corner of the proposed UGB expansion out by the airport and wanted to annex in you would have to do that study for ODOT.

City Planner Brian Varricchione replied correct and it is not just for ODOT it is required under State law, so even if there were no ODOT facilities affected by it, in this case Highway 30, there could be county roads affected or City streets affected and the analysis has to apply to all of those.

Chair Negelspace stated so if there was some need identified or some under capacity issues then that property owner would then be subject to road improvements when they annexed and that would be subject to the use they are proposing.

City Planner Brian Varricchione replied yes it depends on the use, mainly it depends on the zone and the range of uses allowed under that zone.

Chair Negelspace asked would those improvements need to, as part of an application, be built to the City or just for pure annexation, solely for annexation.

City Planner Brian Varricchione replied there are different means in which to achieve that compliance so for instance if the City or the County or whoever already has upgrades planned and funded for any of the affected streets those could be counted as if they were already improved but if someone were to annex and request annexation and the analysis showed there would be a problem then there would have to essentially be a guarantee that the improvement would be made. He thinks the exact timing could probably be something negotiated.

Jeff Bennett replied typically it happens before the impact trips that would be generated by that

use could hit the road. In other words, let's say for example a piece of property near the airport were to be developed and there were an improvement required on a City street and an intersection that required a signal and ODOT reviewed the Transportation Impact Analysis and said that we need some kind of left hand refuge on the entry to Highway 30 and an updated signal there before X number of trips are generated from this development then before permit could be issued that would actually generate that number of trips you would have to have that improvement completed.

Chair Negelspach asked do we have any indication with some current studies that show us that we are at or near capacity on Highway 30, and this might have been addressed in the Economic Opportunities Analysis, with regard to current traffic concerns now on Highway 30 that would be impacted immediately by future development at the airport.

Greg Winterowd replied this is no secret, we know that Highway 30 just from background congestion, background traffic will begin to reach its limits, even if we do nothing in Scappoose. So we are very much aware of the fact that we need to work with the City, County, and the State in preparing updates to the Transportation System Plan that identifies traffic impacts, needed projects, ways to pay for those and we understand that the property owner and developer have a major role to play in that. He explained doing the complete study now before we have a UGB amendment is an expensive proposition and Urban Growth Boundary amendments by their very nature have some degree of risk in them. He stated that is why the State Administrative Rule Goal 14 Rule talks about go ahead and amend the UGB, think about traffic alternatives, which they have done, but make sure in the adopting ordinance, this is what they suggested that the City has a provision that say "No zone change until you do the traffic studies, identify the projects, identify funding mechanism." That is all in the Transportation Planning Rule and State law and that is why Seth Brumley wrote the letter he did because he wasn't aware of the provision in the Goal 14 Rule that said exactly what his letter said later on and that is it is okay to postpone this so long as you have failsafe mechanism in your plan that guarantees that those studies will be done so the developer doesn't get off the hook. So everybody knows what the requirements are and there is a plan to address them and ODOT has to sign off on and so ODOT is in the drivers seat and without that letter from ODOT you can't proceed with development. So it is really a joint City, County, State and private landowner proposition getting all this improvements paid for and there will be substantial improvements we know that much now.

Chair Negelspach asked Greg Winterowd if he is saying based on historic growth rates that we would see some failure on Highway 30 in the next 20 years.

Greg Winterowd replied in any case. So that is something, even if we don't allow growth at all in Scappoose then we would have a situation where the City would have to begin working with ODOT to address congestion problems on Highway 30 anyway and we are very much aware of that issue and they have been talking to ODOT about it and know we have to do the studies and know there is a problem and this is not unique to Scappoose. It is happening all the State, it is not a new thing.

Chair Negelspach stated he believes there might have been some discussion or maybe there was some discussion about utilizing the new Havlik Crossing to provide a new road connection, a north-south road connection on the east side of the City. He asked Greg Winterowd if he can talk about how that might impact future trips on Highway 30, was that looked at.

Greg Winterowd replied it was discussed.

Jesse Winterowd replied in your Transportation System Plan there is already a planned north-south connector north of that Havlik Crossing. He asked Chair Negelspach if that is what he is referring to.

Chair Negelspach replied right.

Jesse Winterowd replied that actually has its own set of issues, he believes it runs through some developed residential neighborhood and he doesn't know how you would get that road done. He stated that is an issue with your existing Transportation System Plan and the development that has happened in that area in the meantime.

Chair Negelspach asked Jesse Winterowd if he is saying there wouldn't be any real economic development that would provide funding for a road connection there.

City Planner Brian Varricchione asked Chair Negelspach if he is referring to 2nd Street.

Chair Negelspach replied just a connection between Havlik and then to the north.

City Planner Brian Varricchione explained 2nd Street, which is that right-of-way, is currently under construction between Havlik Drive and Frederick Street by the assisted living facility and that's a project that is being funded by private developers, not by the City.

Chair Negelspach asked so there will be a connection then, it is already being funded.

City Planner Brian Varricchione replied yes. The last information we have had from the contractor that probably two to three months 2nd Street should be open which will align with the new opening of the Havlik Drive extension so that should be a fully functional street.

Chair Negelspach thanked City Planner Brian Varricchione.

Commissioner Blank asked if he understands that the case with Highway 30 and ODOT is really a case-by-case basis because they are not projecting what we say will be the traffic count because they are waiting to see whether or not that person will even want to annex. So they are not even looking at it in a big picture so much as what is happening immediately for them when it comes whether or not to accept that applicant and whether they would meet the ODOT criteria, is that what he understands.

Jesse Winterowd replied you are talking about an individual annexation and zone change.

Commissioner Blank replied yes.

Jess Winterowd replied yes, if it is a smaller property then it wouldn't trigger the bigger picture. If you are doing a little property in the northeast you wouldn't be on the hook for the entire airport planning area.

Commissioner Blank replied he understands that, but just in the future who ever wants to tie into something that would go to Highway 30 would have an impact on that, apparently they will be

taking that on an individual basis, correct.

Jesse Winterowd replied he believes that is accurate yes.

Chair Negelspach replied at this time he would like to go ahead and ask if there are any proponents who would like to speak.

There was a discussion on taking a recess.

Chair Negelspach recessed for 10 minutes at 8:27 p.m.

Chair Negelspach reconvened at 8:44 p.m.

Chair Negelspach called the hearing to order. He stated just to begin with he noticed our City Attorney does not have a plaque so if he could introduce himself.

Jeff Bennett thanked Chair Negelspach. He stated he apologizes for not introducing himself when he made a few comments before. He explained he is Jeff Bennett and he is with Jordan, Schrader, Ramis and they are the City's attorney and have been for quite some time and he is here in that capacity.

Chair Negelspach thanked Jeff Bennett. He stated to get back to where we left off. He apologized for the long break. He stated we will start with proponents and he asked them to please state their name and address for the record.

(All written testimony submitted is at the back of these minutes)

Brian Rosenthal, property owner, PO Box 963 Scappoose, explained he has a few sheets that he would like to bring up to the Planning Commission. He explained probably the most important sheet that he just handed to the Planning Commission is the current sanitary sewer map. He explained the reason why he presented the sanitary sewer map, which he did mark on there the SW 1 area because he want the Planning Commission to have the opportunity to see where sewer exists currently and where it doesn't in the City limits. He stated when you look at the map you are going to see that there are large areas that don't have any sewer at this time and then if you look at the UGB area there is no sewer of course because it is in the UGB but you can see that there are areas in the current UGB that are 4,000 feet maybe from the closest sewer line. So what he is saying is it has never really been an issue of exact location of sewer as far as UGB expansion or City limits. He stated in that packet you will see where on Ordinance No. 656 the City annexed areas around the airport in 1997, that annexation was very large. He stated to this very day there is not one business that is connected to sanitary sewer north of Crown Zellerbach and that includes along Highway 30, so that entire area. He explained they did extend the sewer line recently put it part way to the airport, you will see that on the map as well but there is still nobody hooked up to it. He stated what he is saying is that immediate connection to sanitary sewer is never been an issue and he wanted to bring that up because that seemed to be one of the resistance to trying to take southwest area 1, which is also marked on the sewer map, and possibly brining that in without bringing in the adjacent SW 2 area, was the concern that it would be economically infeasible due to cost of sewer. He explained in that packet there is also a letter from Lower Columbia Engineering, which is the largest engineering firm in Columbia County, in the letter they state that they visually inspected that property down there and they don't see any

problems with stormwater disposal or on site sewerage through septic. So pretty much what he is saying is there really is not a problem as far as all that goes. He explained on his cover letter he talked a bit about different things, including that, but he did research on what sewer would cost, because no one really had done that, everyone knew it would be expensive, not his preferred way of treating it, definitely a short run but the long and short of it is, and this is all guesstimation, nobody really knows what it would cost unless it was engineered, he is thinking probably \$300,000 to serve that area, which is expensive but not beyond reality. He definitely thinks that septic in short term to medium term is the way to go but he also thinks that even if there is no commercial development done closer, north of that area, eventually there will be some residential development and that will help bring the sewer lines in that direction and as that residential comes that direction then eventually that whole area will be hooked up because as you see on the map there is a large area that is already in the City limits that has no sewer in the south area. He wants to remind again that area is an exception area and it has unique development possibility because of its highway frontage and existing of the preexisting frontage road which there is no other area being considered that has that. He stated the relevance of the frontage road, there are a lot of different benefits to it, one thing is that it keeps people from having to enter directly on and off the highway, it gives access so when people talk about traffic congestion on the highway long term, if you take a look at the map you will see that the area connections a large part of Scappoose through surface streets, especially when 2nd Street is put in and you go across Havlik, so what it would do is give businesses an opportunity to have frontage on the highway, get the benefit of that without creating a lot of extra congestion on the highway and that is kind of unique because there's really nothing else being considered along those lines. He stated he guesses what he is going with all this is people that are in that area that are on the west side of Old Portland Road don't want to be included in this UGB expansion, he sees no reason why they should be forced to be and he doesn't see why the southwest 1 area wouldn't be viable as a stand alone in the UGB expansion.

Chair Negelspach replied what do you mean expansion as a stand alone.

Brian Rosenthal replied in the reports earlier on it was said that the larger area, the southwest expansion area, the idea was if you have a large mass of land you can disperse the cost of bringing the sewer down amongst more people. He stated what he is saying that would be great but he doesn't see any reason why those people should be forced to, so what he is saying because we can do septic in a short and medium term in this area (pointing on the map) could still be developed here and they could be left out if they so choose, he can't speak for them, but he is sure the Planning Commission will have more testimony in a few minutes. He stated the value of highway frontage for a commercial development is tremendous in fact most businesses that come and talk to him about space, if they don't know who he is or where he owns property, one of the first questions they ask him is whether he is on the highway, he will say no. But the next thing he will usually say is no, but it is only a block or two off and they are okay with that but they prefer the highway. He stated there is a direct correlation, at least in image, in Scappoose that the closer you are the highway the better opportunity you have. He stated there are a lot of businesses that like to be located in "Old Town" because they like that slightly calmer feeling that "Old Town" has but again it is still position of the highway, they want to be within a couple of blocks and so that gives businesses visibility, gives them an opportunity for people driving up and down the highway to see them and that visibility is very important to many businesses. He explained he caters to smaller businesses and a lot of those smaller businesses can't afford large advertising budgets so their primary advertising budget is a sign and that gives them a heck of an opportunity if they can have that kind of visibility.

Chair Negelspach thanked Brian Rosenthal.

Commissioner Blank asked Brian Rosenthal when it comes to the charges and all that he can understand that but so far he hasn't heard anything about the development charges that are going to have to happen because he is going to have to definitely improve Old Portland Road if there is a development and he is going out onto it. It would be different if you were just strictly going from Highway 30 into it and then back out onto Highway 30 but if you are going into Old Portland Road there has got to be some real improvements there and he thinks there would have to be a light eventually at that intersection.

Brian Rosenthal replied he is visualizing a couple of projects. He explained he will speak about his piece and not the entire thing. He explained on his piece he is visualizing it ultimately being divided into two pieces, a smaller piece near the cemetery, very low density which would probably be the first project and the reason for that is it wouldn't be appropriate to put anything large next to the cemetery in his mind, but also you need to create a buffer too, you can't just start developing next to a cemetery in his mind. So what you do is you create a smaller lower density project next to the cemetery that becomes a buffer then ultimately he will develop further south of it. He stated the first project probably wouldn't have a very large car count or impact. He doesn't foresee massive issues there. He is thinking somewhere in the area of 6,000 square feet or so, he is also thinking types of businesses would probably be professional administrative, maybe something similar to what is next to City Hall. He stated the car count on something like that is not going to be tremendous. He stated there would be street improvements. In a previous letter he mentioned that the cost of water line extension down there would be approximately \$20,000.00 from where it currently is and he said he would pay for that and it also would provide a benefit for some other people in that of course he would have to put a fire hydrant in and that would give better fire, life, safety protection to the homes in the area because there would not be access to a fire hydrant and it might even lower their home insurance policy a little.

Chair Negelspach asked Brian Rosenthal if he would be required to put in utilities.

Brian Rosenthal replied there are already utilities there and that is beauty of this site. We have power, phone and cable, all that is going right by the property. Old Portland Road is a major collector and as such it is designated by the City to have a fairly high traffic count and when they did a housing subdivision about a half of mile down the road, some of you may have driven down there, you may have seen how they widened the street and how they put sidewalks in, a similar thing would probably be required and City Planner Brian Varricchione could probably answer that better than him.

City Planner Brian Varricchione replied he would rather not go into the full scope of what would be required for a hypothetical development but street improvements would be a component.

Brian Rosenthal explained he has done three developments in town and so everything is new, everything is different but he feels like Scappoose is a good place to build, it would be a great opportunity for him to have some highway frontage and he thinks it would be a great opportunity for the small businesses in town to have a smaller builder that caters to them to have that opportunity to be on the highway in a quality building but not be stuck necessary with large square footage that they can't afford or need.

Chair Negelspach asked all the development that you are referring to on your land is with the current proposed UGB expansion.

Brian Rosenthal replied correct. He stated currently the southeast area is a large block and it encompasses really two areas. When were we looking at all this originally it was divided into southwest 1 and southwest 2. Southwest 2 was the area that was on the west side of Old Portland Road which is that area that has some of those lots that aren't entirely taken in and it has a lot of highly residential components to it. He explained southwest 1 is entirely on the east side of Old Portland Road so it is basically sandwiched between Old Portland Road and Highway 30. If you look up and down Highway 30 you will see that Old Portland Road is kind of the demarcation point, most of the stuff when you get to Fred Meyer is basically commercial that is on the east side of Old Portland Road and most of the stuff on the west side is residential. So there is a certain sense to keeping it that way but there is a certain sense of not trying to make highway frontage land residential or keep it residential because it has a high economic value to community to have access to that visibility for businesses and it also is just not going to make good residential land so what you are doing is kind of planned urban blight especially if you go south of town along Highway 30 you will start to notice old beat up manufactured homes along the highway and part of the reason is a lot of that land you can't develop commercially yet at the same time who wants to build a brand new house and have a semi roll by their window at 2:00 a.m. So it is kind of a natural location for commercial and so he guesses what he is trying to do is find a happy middle point here where that land can go in but the land on the other side if people don't want it to can be left out.

Chair Negelspach replied you suggested early that it would be adventitious to have commercial there because you have a secondary road, you would not be accessing it off driveways directly off the highway.

Brian Rosenthal replied right and that would all get down to ODOT ultimately. He have a pretty strong belief about something, people always tell you that you have to have highway access if you are on the highway or a project isn't good but he doesn't primarily mixed use office, throw a little restaurant here, throw a little retail in, but he mostly does office. When you drive around Portland how many offices do you see that you drive off I-5, or 205, or 26, they don't exist. He thinks it actually takes away from the appearance and the class of the project. He is not 100% certain that he would have no access from the highway but definitely if he had a problem with ODOT and it became too much of an issue to keep the highway access that he currently has he would definitely consider shutting it down. He thinks that as the town matures this idea that everything has to enter directly off the highway that is on the highway is going to change and since they kind of businesses he would try to develop, it wouldn't be a gas station or that type of business where you really want to pull them right off the highway, it is more of a visibility and access issue and the access just needs to be close but the visibility is kind of the key. He thanked the Planning Commission.

Chair Negelspach thanked Brian Rosenthal.

Chair Negelspach explained as we move through this tonight just to make sure we get all the comments he will ask that we don't have repetitious testimony and that we kind of keep our comments somewhat brief and if we start to see some repetition we will cut you off so we can let some other people speak tonight.

Len Waggoner, 33951 Oakview Drive, Scappoose, explained he has been involved in development in this community for a long time. He explained he brought Fred Meyer in the 90's and it was an arduous process not because of the planning process but because of the community process. He explained he was buttonholed by multiple members of the community who told him he was going to turn this into a Beaverton, this is going to become a Tigard and on and on and on and all kinds of repetitions that growth was going to be the cancer of Scappoose. He explained if you look at the population forecast that Portland State prepared, the Urban Growth Studies, you will notice those population numbers are really pretty accurate. He stated 2000 and 2010 numbers are about representative of what the population of the County is and what the population of the community is. He explained when Fred Meyer came and it was a result of that there were about 800 homes that were constructed in Scappoose, it did not however affect the school district, a matter of fact there has been a reduction in the amount of people in the school system during that same period and it was obviously an economic enhancement to all of us because we who live here has either bought or sold our houses or moved out, the population changed, there was an economic rotation, values went up, there was a prime sense of economy. He explained he looks at the Urban Growth Boundary expansion kind of like when you go to the dentist. The dentist calls you and says it is time for your annual appointment, you go in and the dentist checks your teeth and says okay I am going to schedule you for a cleaning, he is going to schedule you for a couple of fillings that you have to have. That first event at the dentist is just like this event that we are talking about, it doesn't cause anybody any taxes, it doesn't change the zoning, it doesn't change the uses of the land, it has no functional interference on anybody inside this Urban Growth design area. He stated it is like a committee is trying to defend itself against something that they can't defend. He explained there are 35,000 cars as day going up and down US 30, they are not all here because Fred Meyer is here, they are not all here because Scappoose school is a good school, they are not all here because of any other industry in the community. They are here because they commute as far away as Longview and Castle Rock to Portland to Beaverton to Hillsboro to Tigard. We are a highway, we are a major highway, we are fortunate not to have it built like a freeway. He stated this could be built like a freeway it could be cordoned and controlled off and everything would be inaccessible, we are very fortunate. He realizes we have a few traffic jams but they are nominal compared to the rest of the community. He stated when you go to Portland go down McLaughlin Blvd, it's traffic count is 60 some thousand on grade streets with turns and stoppage and blockage and it takes you an hour to go 2 miles at 4:00 p.m. or 5:00 p.m. He stated we need to understand what this community can do. All this process is asking for you to give this community the right to look at growing, it doesn't say that you have to make growth, doesn't say that anything is going to change except they have the right to look at it. The only person in this whole room that is really going to have a job when this is all done is Brian; everybody else will go around and do something else. It will be Brian's and the City's process to integrate what we are talking about into a pragmatic process so companies X, Y and Z and families X, Y and Z come to this community we can do something about it to serve them. We need to look at this in the most practical and pragmatic way, this is Scappoose, it is our future, if not you might as well put up the Tom McCall sign up and "It is a nice place to visit, but don't come here to live."

Chair Negelspach thanked Len Waggoner for this comments.

David Stocker, 230 Strand Street St. Helens, Columbia County Economic Director, explained he was recently hired as the Economic Director for Columbia County and is soon to be Executive Director for the Columbia County Economic Team. He explained he was hired on behalf of all of the Cities, the Port of St. Helens, Columbia County, Portland Community College and the Public Utilities District in cooperation with a handful of business throughout the County who recognized

the need for economic development in Columbia County for our communities to remain vital and sustainable. He explained he is not here strictly speaking as a proponent or opponent of this specific land use change but he did want to speak to the need for economic development in Columbia County, it is profound. This is a community that has significant potential for growth from an economic standpoint and if there are not opportunities in the future for people to work here in the community he thinks there are some profound threats to continue its liability in terms of the ability to draw property tax revenues, the ability to support families through living wage jobs and all the public services that go with them. He stated with all that being said when he came to this community it became very apparent to him that what is happening at your airport is significant and very important. At your airport there are employers that are taking advantage, it is a fusion of private capital investment and a remarkable public asset, the public asset being the airport itself and the private capital investment being a handful of businesses that employ 200 people. If you take just the businesses at the airport today they are responsible for generating over half of the patents that have been issued to any Columbia County firm since 1978. So you have a hub of innovation taking place and these are firms that are producing research and goods that are exported all over the world and all over the country. So when you talk about having an economic base, what you have out at the airport right now is an economic base, an economic foundation for your community and he thinks that given innovation that is taking place, given the production that is taking place it is certainly an advantage that you have to take a very close look at and see if you can capitalize on that as a producer of living wage jobs in the future. He stated not all industrial land is created equal, there are lots of competitive disadvantages that the land in locations throughout Columbia County face relative to properties in other areas throughout Portland Metropolitan Region north on the I-5 corridor but the fact that you have public asset in the form of an airport elevates the viability of your industrial development, manufacturing development and other source of employment generating activities above the norm for what you see in comparable communities throughout other parts of the region. So with that being said he strongly encourages them to think about the role that this very unique opportunity can play in stimulating the economic development in your community and how important that is to remaining vital in the future. Again he is not really here as a proponent or opponent of a land use action but this is an asset that he thinks is incredibly important to the future of your community and Columbia County more broadly.

Chair Negelspach asked David Stocker about his position.

David Stocker replied he was hired by the County in a transitional role, however his position is being funded through a partnership of all the local Government throughout Columbia County including the City of Scappoose, Port of St. Helens, the other cities, the County, the PUD's and also Portland Community College, those are the funding agencies.

Chair Negelspach asked how many are in your position with the County that provide this service, is it just you.

David Stocker replied just him.

Chair Negelspach asked so your job then is to recruit and provide kind information for companies that want to relocate to Columbia County.

David Stocker replied that is half the equation. He explained the two major area of emphasis are retaining the businesses that we have here and helping those businesses to expand and also

recruiting new businesses to the area. He explained he thinks that on both fronts retention and business expansion and business attraction the airport is one of the most important and valuable economic development assets that you have here in anywhere in Columbia County.

Chair Negelspach asked if he has been approached by companies wanting to locate specifically at the airport in the areas that we are talking about.

David Stocker replied he has heard of a few companies yes and has been approached by a few but at this point his emphasis is really on helping to retain the companies and help the companies at the airport to expand. As a general rule of thumb you are also better off improving the opportunities that you have instead rather than seizing the opportunities and there are some very interesting companies at the airport who he thinks have great potential to expand and propel Scappoose in the economy and more broadly Columbia County into the future.

Chair Negelspach asked if some of his information shared with the Economic Opportunity Advisory Committee, some of his knowledge about companies wanting to expand in and around the airport.

David Stocker replied all of that work happened prior to him being hired. He has only been with Columbia County for 6 weeks.

Chair Negelspach thanked David Stocker.

Jeff Bennett explained one thing he might bring to their attention is the Economic Opportunities Analysis does have a list of companies that are located at the airport and maybe the consultants are more situated to explain how they integrated with those companies at the time they put this analysis together. He explained it is on page 23 in the Economic Opportunities Analysis, there is a list of 10 or 12 companies there that were taken into consideration in identifying aviation, manufacturing and services cluster.

Jerry Johnson stated it is a list of those firms and he thinks some of the people from those firms may actually be here and he doesn't want to represent their firms. He stated another thing they took a look at was similar airport facilities which included Aurora and the experience they had looking for potential target industries. They were consistent with the characteristics of what we have already seen at Scappoose or we have seen in airports of similar locational characteristic, which would include Aurora.

Chair Negelspach stated thank you for pointing that out, it lists a number of businesses that are currently out at the airport on page 23. He thanked Jerry Johnson.

Bruce Hugo 135 Crouse Way St. Helens, explained two weeks ago he attended your hearing on this issue and it brought back memories of 35 years ago when he was Chairman of the Scappoose Planning Commission. He explained their hearing took place in the cafeteria of the Middle School. He believes, someone correct him if he is wrong, the building we are in now was the Fire Station, the clock tower is where the hoses were dried. He explained the Legislature in 1971 adopted Senate Bill 100, which requires cities and counties to adopt comprehensive plans and zoning ordinances. He stated their hearing was part of that process in 1975, the hearing room was packed as yours was 2 weeks ago and they had somebody from Portland State University's Urban Studies Center giving a population projection for the year 2000 and that projection was 5,000 people. He

stated now at the time in 1975 we were at about 1,100. He explained everybody in that room groaned; they didn't want 5,000 people here. He stated he explained to the audience and so did the other Planning Commissioners, it wasn't a matter of whether these people were coming or not it was a matter of how we planned for them when they get here. He would dare say that two weeks ago most of the people who testified before you were not here in 1975, these are the newcomers that we welcomed and enjoy having them in our community. He explained the community then was quite a bit different; the north City limits of Scappoose was where the Post Office is now and the south City limits is where the former Petersen Grade School was. He explained the big development was the two grocers in town, Pete Nunn and Gib Urie, competitors for years joined together and built the Chinook Shopping Center and became P & G Thriftway, that was the biggest thing this town ever saw. He explained we had three industries Steinfeld, Dearing Rose and West Coast Shoe, we still have West Coast Shoe on Shoemaker Hill. We were a very proud little town. We had the number 1 rated volunteer fire department in the State of Oregon. He stated interesting thing however is that he knew the day we became a bedroom community and not a little town anymore, the fire department had a waiting list of people wanting to be members because it was the greatest honor you could have in this town, he knew we were a bedroom of Portland the day he saw a 4 foot by 8 foot sign planted on the highway by the fire department asking for volunteers. He explained the reason for that was 65% of the heads of households in this town now work outside of the City; they can't answer the fire call. He knew then that we were a suburb and we better get used to it. He explained we had a lot of problems in the town with growth and the whole concept of growth. He stated at one time US 30 was a two lane highway from the St. Johns Bridge to Astoria, it was the most deadly highway in the State of Oregon based on fatalities per 100,000 miles of passengers. It was blood alley between Multnomah County line and Johnson's Landing Road. He explained we had two gas stations, two taverns and a store in that little area on a two lane highway. He explained we also had a situation in Linnton, as we came into Linnton on that whole two lane highway he mentioned had exception, there was a third lane on that long curve going into Linnton in the middle, that was the passing lane. If you could imagine a three lane highway on a curve being a passing lane. He explained coming from Portland as you came up to the Sauvie Island and came down the hill the railroad track used to go over the highway and the trestle was at an angle. They had a couple of taverns out on the roads on curves, we had just a horrible situation. In 1962 ODOT decided to make this a four lane highway, which is great, it stopped at the Multnomah County line, it resumed again on the north side of Scappoose. So why didn't that four lane come through Scappoose because the City people did not want the growth. For 20 years we had a two lane road from the Multnomah County line to the north end of Scappoose, the townspeople wanted a western bypass up on top of the hill, if you can imagine, or the other side of town wanted an eastern bypass out on the dike. ODOT said we are not going to do either so when you guys come to your senses give us a call and we will build your highway. People came to their senses within a few years but there was no money, that road didn't get built through Scappoose until 1985. The rest of the highway was finished in 1965. So what he is saying that we have an opportunity and we can take advantage of it or we can do what we did 30 years ago. He strongly suggests we take advantage of it, and Len is right, the Urban Growth Boundary is a line that says if we can grow this is where we are going to do it. We can provide the roads to it and that sort of thing. It doesn't mean anyone's taxes are going to change, it is still in the County, nothing has been annexed, what it does mean though is private investors and others who are interested in development know where the City wants the growth to be. They can then make their choice or decision whether they want to develop it or not and they can go through all the stuff of putting in the infrastructure, going through all the permitting processes, it is just a road map, subject to change. He stated people get very excited about change. In your position and he has been in that position before, saying no is the easiest

answer you can give anybody because nothing changes when you say no. Saying yes involves risks. He stated your job in my opinion is to minimize the risks, analyze the options and make the best recommendation to City Council that you can. He strongly urges the Planning Commission to do this in this process and hopefully we will comply with the Comprehensive Plan we adopted in 1975 which said that the economic engine of this City is going to be airport. He stated he is not terribly old but he sure would like to live to see that come true. He thanked the Planning Commission.

Chair Negelspach thanked Bruce Hugo for his comments. He asked if we have any other proponents. There were none. He stated at this time he would like to go ahead and begin testimony from the opponents.

Jan Holsheimer, 50995 SW Old Portland Road Scappoose, gave a handout to the Planning Commission. He explained he will try to be brief. He explained (on a map) this is the proposed boundary, first off this map is not to scale it is reference only. He read over his handout that he submitted this evening. He explained here is US 30, here is Old Portland Road and the only road frontage that borders Highway 30 is the gentleman there (he pointed to Brian's property) and all of the folks here do not want to be in the boundary and said if you want to this little bit of ground (Brian Rosenthal's) to put it into the boundary, we don't care, they don't want in it.

Chair Negelspach thanked Jan Holsheimer.

Lisa Smith, 33567 SE Maple Scappoose, explained she is just going to paraphrase through the written remarks the Planning Commission has. She stated she found it rather interesting some of the comments that we have heard this evening and you have received another ton of what she would refer to as new information. She read over her handout that she submitted. She stated when we talk about the link of employment and population we are talking about the ratio of how many people live here and how many jobs we have. There is a community that has the one-to-one ratio and it is the City of Wilsonville and they have the economic analysis on line and Otak was the consultant on that. She went over her handout list as 9/23/10 Draft from Lisa Smith page 2 of 4; rather than these tables that say "List the uses here that you actually want that are not already listed in the PUA Zone" she stated it is a good place to clarify that and then you don't need those tables and there is no question later on when somebody comes to town and tells your planner whoever it might be that day of the week or that year because they do change. She stated she has to stress this because she reads the code and it says one thing to her, Brian reads it and sees entirely different and Michael Walter who was here between Brian and I read it completely differently, same Statutes. You need to be clear, don't assume it will be Brian doing the interpretation, those things. She stated she hopes it doesn't change for a very long time but one never knows. She stated another thing that she did with that section of the ordinance, Chapter 17.74, has a little map on it and she just took the liberty of marking on it the area that she recommended the last time around that the Planning Commission not incorporate. She went over her handout regarding commercial retail uses at the airport. She explained it is a linear community, we recognize this, none of that is anyway designed to slight the airport. She stated the purpose of protecting the airport since, she has been involved in it since 1990, was not so we could put little shops out there, that wasn't the idea. She stated if you want to put in retail uses there are vacant commercial buildings out on Havlik. She explained maybe the City should have some written documentation from the involved institution since they also do plan. She spoke on the issue in her handout regarding the airport runway and explained the land isn't in any danger of being developed she thinks it is either trees or wetlands or something sitting at the end of that

runway, nothing happening with it right now.

Chair Negelspach thanked Lisa Smith.

Chair Negelspach stated to Lisa Smith she made a suggestion that we don't have any retail at the airport would car rental be considered retail.

Lisa Smith replied actually car rental is already is listed in your Public Use Airport Zone. She stated to the Planning Commission you need to get the list out and look at it. It permits motels, hotels, a whole bunch of stuff that supports airports, rental agencies, that kind of stuff.

Commissioner Blank asked Lisa Smith so you would like to hold the airport exactly what he mentioned earlier, a related airport use only.

Lisa Smith replied that was always her understanding of the purpose and that was what this community spent many hours listening and talking about bird strikes and stuff to protect. She is thinking yes, that is a good idea and it is a unique resource and there are some phenomenal businesses out there.

Chair Negelspach thanked Lisa Smith.

Gerhard Paasche, 52717 NE Sheena Place Scappoose, explained he would like to point out one thing an opportunity to maybe look at in the future if we don't do anything and let this happen we will have more and more traffic going through Scappoose and it is just going to get worse, they have already forecasted it. He stated we have one opportunity if this happens one could think about a bypass of Scappoose which already this could be a part of and go straight here down toward Johnsons Landing and then reconnect back to Highway 30. Just a thing for the future for looking like 15 to 20 years down the road. This is another opportunity that will aid into that.

Commissioner Blank stated you saw the drawings earlier that were shown on Crown Zellerbach what were your impressions of them, do you feel that kept the trail safe and everything according to what a lot of people were worried about or are you just worried mostly about the traffic and the concern that it is going to generate.

Gerhard Paasche replied personally it would nice not to have all that traffic go all the way through Scappoose, also for the industrial airpark, stuff like that, it would give a double opportunity here to add to value of this whole area.

Chair Negelspach thanked Gerhard Paasche.

Al Pierce, 56498 Crest Drive, Warren, submitted a handout to the Planning Commission which he read this evening. He thanked the Planning Commission.

Chair Negelspach thanked Al Pierce.

Commissioner Cairns asked Al Pierce what he thought of the proposal that was submitted because it seems like that met your concerns.

Al Pierce replied it is not the same width that we have, it is narrower. The general layout looks

good but there is any requirement that has to be done, it looks good on paper but sometimes these things don't pan out. He would like some way to really make sure it happens.

Chair Negelspach asked City Planner Brian Varricchione if he would like to comment on that. Would that roadway section be adopted as a part of these proceedings.

City Planner Brian Varricchione replied no the Crown Zellerbach Trail issue is really separate from the Urban Growth Boundary. He thinks it caught a lot of people's attention because it was illustrated on the concept map as a road conversion. He stated when the Port of St. Helens and Columbia County and the City of Scappoose purchased the Crown Zellerbach Road they signed a memorandum of understanding in 1996 among other things this recognized that a variety of owners and users would take advantage of those trail. He explained the Port of St. Helens owns the part from Chapman Landing to Honeyman Road and the City owns the portion from Honeyman to the highway and there is a provision in that agreement that states upon the City's eventually conversion of this trail to a improved roadway then the City is obligated to provide a parallel bicycle path. So there is contractual understanding amongst those parties that dates back nearly 15 years.

Chair Negelspach thanked City Planner Brian Varricchione for clarifying that.

Shirley Sabo, 58460 S. Division Road St. Helens, explained she was raised in Scappoose. She provided a handout for the Planning Commission. She read her handout.

Chair Negelspach thanked Shirley Sabo.

Commissioner Blank asked Shirley Sabo where would she have that frontage road go.

Shirley Sabo replied what she is speaking of is that 5 million dollar crossing that is being built right now at Havlik Crossing to go from there through some properties owners down to Johnsons Landing Road.

Marie Gadotti 33717 Johnsons Landing Road Scappoose, submitted a handout to the Planning Commission. She read over her handout. She stated it has been interesting tonight when you prepare testimony to come here and give it and realize when you are sitting there that ten others things just came up that you want to comment on, it is rather interesting. She explained she feels the Planning Commission should have the minutes from the Economic Advisory Committee meetings.

Commissioner Blank replied the Planning Commission does have them.

Marie Gadotti replied good.

Marie Gadotti stated the map that we are seeing right there the committee didn't see until the open house and that is the problem they were having during the committee meetings. They were getting information here and getting information there, we have a different map and oh all of a sudden they forgot we can't use those soils, we had them in there for three months and now we are taking them out. She stated she understands how the process works and she understands what an EOA is, that EOA is drafted to take in the land you are trying to get in and it is made that way so was there opportunity to do something different, she thinks. She explained she is not opposed

to some growth at the airport and she doesn't think anybody on that committee was opposed to growth at the airport and she doesn't want to speak for them but she thinks the desire for the southeast portion needs to be addressed. She stated you can take as little as 80 acres to make your frontage road, get your highway commercial up, get your connector roads going, hopefully get a light at Johnsons Landing Road and do us all a service to this community.

Commissioner Blank replied he was there, he was part of that he represented the Planning Commission and agrees with a lot of things that Marie was saying, as far as the discussion that was going on. He thinks the issues on that frontage road, which they would still love to see something happen; he believes Gary Fish was the one who was saying look ODOT would never allow this to go and that was the only thing that really stopped us from moving forward. So everybody should be aware of that.

Marie Gadotti replied LCDC. She stated good for you for bringing that up. She was trying to give her version and not speak for the committee. She stated it was that and the threat that they would be sued and in court and her comments were if you don't ask you don't know and if we don't propose it you can't get turned down, if you only take 88 acres versus 400 in land that is already agricultural, it is one soil class difference, it is protected by the airport and yet we are trying to get in something that has already been impacted and she agrees that was kind of the defining moment that things changed and that is why she did not vote in favor of either one of those because she thinks there were too many questions, there were too many opportunities that they missed and there was just so much information for them to digest and they did not do what was said earlier what was said, the community didn't come up with the numbers for the jobs, we didn't do that.

Commissioner Blank replied no that was the consultant's work.

Marie Gadotti replied we didn't come up with the PCC acreage, we didn't even know about it until May and our last meeting was at June. These things weren't coming from the committee, these were being given to us and if you didn't know how to read all this it was very confusing.

Commissioner Blank stated okay, glad you brought it to our attention.

Chair Negelsbach replied we still have some folks to get through here, try to keep your comments brief if you can. It is getting really late and he normally wouldn't want to keep the hearing going this long but we still have some folks tonight that he would like to get through.

Pat Zimmerman, 52057 Rabinsky Road, Scappoose, explained first two really quick corrections in the consultant's response to the testimony two weeks ago; they said that they never said that the Hillsboro and Portland Airports were filled out and at capacity, technically they are right. They said that the Portland and Hillsboro Airport confronts both congestion and residential encroachment. Sounds like filled out nearly at capacity, but they are not. She stated two; the floodplain maps, she asked that they use the current floodplain maps, they responded that they did and referred us to attachment C in the response they published last week. She has no doubt that the little 8.5 X 11 maps in attachment C in last weeks paper is the right floodplain map, it is a little black and white sketch it doesn't really show anything. What she was referring to was the floodplain maps that were used by the Economic Opportunity Committee, which she understands were used fairly heavily in determining which lands could and could not be included in the UGB and even just to the eye against a little map that she got from the County from the 2010 floodplain maps there are differences. So she doesn't think that the analysis was based on current maps. She

said the one workshop and the meetings that the committee had, as you heard earlier, people showed up but there weren't a lot of people who understood what was going on in the community. She stated the notices in the paper were absolutely incomprehensible and she thinks even tonight the people who are here learned about it from word of mouth and from flyers they passed out. She thinks if you ask, even community members, she happens to know a lawyer who they contacted and talked to this week, you know is one of the more up to date and interested people in the town and he had no idea what was going on, he lives here, he works here. She stated people even who are interested and active do not understand what is going on, they really don't and those are the people who are going to be affected by this. She stated she thinks you heard a plea from Marie please don't make this decision now, hold real open comprehensible public meetings where people can show up and understand what this will do to the, specifically. She stated send a quick postcard to everybody in the zip code with do you want employment to be "blah, blah, blah", here's what is proposed. She stated require the transportation analysis because that is what most of the people in the community are most concerned about and then use that as part of the public education process. She stated reserve the high school auditorium, you will need it. When people understand what is being proposed she thinks you will hear a great deal from the people of the community she means this is a lot of people to turn out for these meetings and they did that in a matter of days. Anybody they talked to wanted to come pretty much so she thinks you are missing a very important piece of this process by not doing real public outreach and education. She stated one of the things you should notice is conceptual sketches of the new Crown Zellerbach Trail, at places where the consultants have actually marked it, it is 8 feet from this new three lane highway and she thinks looking at the map she thinks it might at places it might be even closer. She stated this is not a nice quiet woodland trail that is meandering around the wetlands, it is 8 feet from a three lane highway. That is not what we have now and that is not what the people want, okay. She stated finally incredibly enough her hobby for 20 some years has been land use. She explained she has worked with Greg Winterowd, he has been on committees that he and she are writing OAR's and land use, she really does this stuff a lot and she says that only because she hopes you will give some credibility to the following ~ She thinks, it is her opinion that the way this whole thing has worked is this ~ a big Portland developer bought the land because he saw an opportunity, he then as part of that decision decided that he needed to bring it into the UGB for probably financial purposes, this is a way to use the land as a collateral for development in Portland or elsewhere, because once it is in the UGB it is 10 to maybe as much as 30 more valuable than what he paid for it. She stated if he gets this thing in the UGB you have huge financial benefit to him, not to the community. She stated this is a game that she has seen in land use over and over and over again in the last 20 years. You determine how much land you want brought in, you then work backwards from that amount of acreage and hire consultants to come up with numbers to make it look like you can do it and unfortunately the State land use laws have been weakened and weakened over the last 10 years or so, so if you say economic development that is all you have to say just about. She stated this is not a sensible thing to do, you have heard dozens of people say why not, okay. She doesn't think there is any realistic possibility that that many jobs are going to come out here. She doesn't think there is any reason to even expect it, she doesn't think the developer expects it, certainly not in the next 20 years. She thanked the Planning Commission.

Commissioner Cairns asked who is this developer, how much has he bought and where did he buy this.

Pat Zimmerman replied the developer is Joe Weston and she believes Ed Freeman, they are the co-partners in Airport Development LLC. They have bought, she doesn't have the numbers in

front of her, they have bought most of the land out east of the airport, it is hundreds of acres.

Commissioner Cairns replied so what you are saying is so all of those acres they want to put in there are already bought by somebody and that is the real reason we are doing this.

Pat Zimmerman replied oh yeah, they are the people who spent the half million dollars on these consultants, they paid for this whole thing, as part of buying the land.

Commissioner Cairns stated so you are saying this is all bought, everybody has been paid off.

Pat Zimmerman replied no she is not saying paid off, the bills for the consultants she has been told are about a half of million buck and those are the consultants that have been paid Airport Development LLC or some incarnation thereof.

Commissioner Blank stated Pat Zimmerman was talking about people not being aware of this he will say probably because of her and others like her we have been getting a lot of news coverage on the front page and he thinks about anybody who reads the newspapers would be aware at least that we are having this meeting.

Pat Zimmerman replied well the lawyer that she mentions read the paper carefully and until we called him and dragged him out to a little private educational session he had no idea what was involved. It doesn't mention the Crown Zellerbach Trail, it doesn't talk about the actual employment numbers, it doesn't give the citizens a real feel for what the impact would be.

Commissioner Blank replied he understands what she is saying about an open meeting, but again a lot of news is out there right now, more so than probably what he has seen in some time and that is why we are full here. Normally speaking he can tell her if you had two or three people out here you would be lucky. He just wanted her to be aware of that.

Pat Zimmerman replied okay, thank you. She stated as part of that educational effort you have to have the transportation studied, without that you are just kind of throwing numbers in the air.

Chair Negelspach thanked Pat Zimmerman.

Michael Sheehan, 33126 Callahan Road Scappoose, explained he has two functions here tonight. One is Joel Haugen couldn't be here tonight and he asked that Michael give the Planning Commission a copy of what he would like to turn in. He stated he was a little unclear at the beginning of the meeting when you said everybody has to know what they are doing because this might go to LUBA and he has had a little bit of a hard time figuring out since you have the EOA analysis together with the UGB analysis perhaps our City Attorney could tell us whether indeed it is combined like that whether it goes to LUBA or LCDC.

Jeff Bennett replied the EOA is part of what we have to do in order to justify the UGB expansion.

Michael Sheehan replied sure, so does it go to LCDC.

Jeff Bennett replied it goes to LCDC.

Commissioner Blank replied he thinks what you are probably wondering about is he was reading

from a standard script will also refers to the fact that things can be appealed.

Chair Negelspach stated final appeal it would go to City Council and then it would to, his understanding, then it would to the County because they also have an opportunity and then it would go to DLCD and then beyond that he guesses there would be an appeal process.

Jeff Bennett stated it goes to DLCD.

Michael Sheehan replied okay, he just wanted to be sure about that. He stated let me say with this he was kind of unsure here, we have the UGB expansion proposed, it has to be based on need, this business of it has to be just something we want really isn't sufficient. The law requires that it be based on need and the standard is substantial evidence in the record so it isn't just the City says hey we want to have a whole bunch more development, you have to sit down and have evidence in there that doing this will produce those jobs and all those sort of things. It isn't just wishful thinking. Secondly this is liable to have an awfully big impact on housing and if you are going to have that big impact on housing you need to have addressed Goal 10 and there is nothing in there about Goal 10 housing because if you are going to have a situation where you have, you go from the number of jobs we have now 2,400 out to some 10,000 odd jobs and you come up with the numbers that he has, he gave you last time, that gives if you keep the ratio the same around 27,000 people and if you do that were are you going to put them, where are they going to live and there is no housing analysis, there is no Goal 10 analysis, which is required if you look in Goal 14. He stated the second thing is you are liable to have an awful lot of adverse impact with respect to noise and things like that. So what you are doing when you get out there you are going to expand the runway, we heard this tonight, by another 800 or 900 feet. That will push if you look at the maps from the Airport Master Plan, that will push that airport zone well into a major residential area in Scappoose. So if you look at the 65 decibel level which is the noise level that the DEQ says is a problem, if you look at that that noise level with an extension that size, look in the Airport Master Plan and they have it now where you can see what it was in 2007. Now they are talking about another 800 or 900 feet which will push it way in there and you have to comply with the 55 decibel level. The airport when they wrote that out says you only have to comply with the 65 because they are looking at FAA ODA, but if you looked at the DEQ which has a different standard for airports say 55 and you need to look and see what they impact will be and the goals require that you look at environmental impacts, you have to do that and it has not been done. He stated one of the other things they were concerned about when they looked at this is you have a pair of developers that are focused at the airport. If you put in the UGB with virtually all the land that is coming in there then for the 20 years you are going to have a hard time if other people want to develop elsewhere along the edges of Scappoose because you will have done the 20 year expansion. So you don't want to create essentially a monopoly here. You want to make other areas available for development and not just focus it all on the couple of developers that want to do the airport. They shouldn't be dominant in this. He stated the other thing that is kind of interesting is you are talking about the industry to be attracted, they are saying in their report that they have all this industry, all these 10,000 or 8,000 new jobs that need to be attracted, the bulk of which will be at the airport and all, you are going to attract all, they are saying because of the pressure of PDX getting filled up, because of all this Multnomah County slash from the metropolitan area, if that is true, why do you need an Enterprise Zone. Why if they are coming anyway do we need to exempt them from property taxes. If you get a situation where they all are coming anyway and you exempt them from property taxes at the same time the population goes to 27,000 who is going to build the infrastructure. You are saying they will have to pay for it but they are going to be largely exempt from property taxes. When we have to put up new schools

and all that are the developers agreeing to build all the new schools we will need for the 27,000 people living here. You might want to ask them and if they are going to indeed pay for all the infrastructure that will be required with that population at that level then you might want to put a condition on the approval requiring it. He stated you have got the business with the transportation, you have got the transportation stuff, you have sat down and you are saying if you have another 27,000 people this 10,000 jobs 18 years from now if you have got that the impact of traffic is going to be wild. Why would you not want to do the traffic study now? If you had the traffic study and the study of the impacts under the goal for transportation, he thinks it is Goal 10, why wouldn't you want to do that study now to see what the impact would be on the community of having that much additional traffic from what they are saying now is all the rail traffic, truck traffic, a vast increase in the air traffic, why wouldn't you want to know that now because maybe if you did know it maybe it would change your mind about what you want to approve. Why did they leave it out? He did call the PCC Vice President and he said other than having one quick conversation with the developer he didn't know anything about this PCC, The Vice President of PCC said someday PCC, because he knows a lot of people are mad at him, might want to have something out here in the County someplace but he certainly didn't have anything to do with any particular parcel or anything like that. The Vice President of PCC had no idea why a section of the map had been set forth, he knew nothing about that, but if you got some kind of training campus that you have plugged onto the map then the Goals say you have a better chance of getting approved even though there is no plan of the institution to do anything like this it looks better and it increases the chance of approval if it goes to LCDC. He might suggest to you that that is maybe why you have the color up there. He stated his handout is out of the Scappoose Airport Master Plan and if you look at the second page, he thinks or the third page, from in from there you will see the Master Plan that is the most update one they have got, if you look in there they are saying that the growth rate is .09 per year, nothing at all like the consultants are saying is the growth rate in population and employment. He thanked the Planning Commission.

Chair Negelspach thanked Michael Sheehan.

Jeff Bennett replied to Chair Negelspach that he probably needs to clarify something. He explained Michael Sheehan asked about approval of the amendment. When Michael Sheehan said approval he was thinking acknowledgement of the amendment to the extent that there is an acknowledgment process once the City approves this, if they approve it, assuming it is approved, it does get sent down to LCDC and there is a process that is used to determine when or when what has been done by the City is acknowledge by LCDC. That doesn't mean there can't be an appeal of the decision the City makes to LUBA by persons who are adversely affected by the decision. So there is a possibility this could go the LUBA but it only gets to LUBA by an appeal, it doesn't automatically go to LUBA. It does automatically get sent to LCDC to determine acknowledgement.

Chair Negelspach thanked Jeff Bennett for clarifying that.

Alta Lynch, 32961 Scappoose Vernonia Highway Scappoose, explained she also does have some property within the City limits. She stated you have heard a lot of pro and con on this. She supposes the question that comes to the top of her mind is why this is set to be heard at the County Planning Commission before this Planning Commission makes their decision. It is like they are going to give you approval on something you haven't totally sent to them, it is scheduled for the day before you guys meeting, she believes. She asked can you explain that to her why it would go to County Planning before you have made all your decisions and approvals, what the

hell are they going to do with it.

Chair Negelspach replied we didn't set their agenda so he would have to defer to City Planner Brian Varricchione on that.

City Planner Brian Varricchione replied he had a conversation along those lines this week. He stated the County has cancelled the hearing and they are going to wait until the City is through the Planning Commission process before they have their Planning Commission hearing because they did not see a lot of value in debating something which may change.

Alta Lynch replied it wasn't just herself that had that question; a lot of people in the community had the question, that is why she wanted to bring it up.

Commissioner Blank replied it could be too since the Scappoose Planning Commission changed the agenda and continued the hearings they may not have gotten the word.

Tom McInnis, 51005 SW Old Portland Road Scappoose, explained he received a letter from the County Planning Commission today and they cancelled the October 4 meeting and said they were going to reschedule.

Alta Lynch stated she didn't receive a letter and she is an alternate on the County Planning Commission.

Tom McInnis asked if the Planning Commission is going to continue this so they can speak at a later date.

Chair Negelspach replied that is a very good question. He asked if we have any other questions from the Planning Commission.

Jeff Bennett stated if you want comment on what your options are we can certainly can give those to you but he sense that he probably already knows.

Chair Negelspach replied at this point and time he would like to close the hearing but keep the public record open for further written comments so they can have an opportunity to absorb some of this information and consider it.

Tom McInnis stated each time they come to one of these meetings there is more information that comes out that they are trying absorb and they would like to have the opportunity to come back and address them in an open forum and this has happened every time they have been here something else comes out of the paperwork they are sitting here trying to play catch up and it is very difficult to do this without this forum. He stated if they are going to close it then he has an issue with that. He explained City Planner Brian Varricchione was kind enough to send him quite a few documents and he tried to go through those the best he could but not being an expert at this a lot of them take a lot of time to go through. He thinks it may be premature to close the public comment because he thinks the public comment is important. He doesn't know whether the Planning Commission received any new information this evening from the public but he certainly did.

Chair Negelspach stated he appreciates Tom McInnis's comments and he can appreciate the

amount of information there is to digest in these hearing and these proceedings but he thinks some of the things that we have heard tonight are redundant from the last time they met and he doesn't know if we are really gaining some ground on some issues here despite the fact that we have had some explanation from the consultant team on those issues. There might be some further comments that we haven't heard but he certainly thinks that we are starting to have some redundant testimony and he wants to avoid having this drag out and have further redundant testimony because it is not productive. He stated we have a job to do to serve the community and make a decision and we also have a job to hear and let people speak and have comments so given that he is not opposed to keeping the hearing open if a majority of the folks here tonight would like to have some additional time besides Tom McInnis to come back and comment after the have had an opportunity to go through what has been presented to the Planning Commission tonight. Some of those things he hasn't read through obviously, he is willing to do that. He asked for a show of hands of those who feel the need to speak at the next meeting which will be in three weeks.

Ed Freeman asked if there is an opportunity to provide some rebuttal to the opponents.

Chair Negelspach replied yes I believe there is.

Jeff Bennett stated to Chair Negelspach he thinks what he heard him say was that the process you recommended was to close actually the public testimony tonight, that doesn't mean, and to allow a certain time that wasn't specified, that you would have to specify for everyone here to submit further written information or testimony.

Chair Negelspach replied that is correct.

Jeff Bennett replied so that would give you an opportunity to submit something further it would just have to be in writing instead of testimonial. Now you do have the option of saying we are just going to continue the public hearing and we will keep on hearing people as long as they come here but at a certain point and time you need to put an end to it and the typical way that is done if you feel you are at a point where you think you have given those who want an opportunity to actually come before you and speak, if you think that you have give an ample opportunity for that then typically what you will do is close the speaking part of the process and you will leave the record part of the process open for usually a specified time and give anyone who has been involved in the process or anyone else for that matter an opportunity to submit further testimony like they have done tonight with their written testimony and then once you receive that written testimony then you would schedule a subsequent time period that the Planning Commission would reconvene in public and actually deliberate about what recommendation to make to the City Council. So you can choose whatever process you wish you have an immense amount of discretion to decide how that works and that is what he thinks you are trying to figure out right now but your range of choices are from we are going to leave this thing open, we are going to keep on hearing people until we've heard enough or you can say we have heard enough public testimony we will allow written testimony or you could say tonight we have heard enough period we are going to close the hearing we are not going to allow any further submittals whatsoever and the next time we meet all we are going to do is deliberate on what we have heard so far. So those basically are your three choices and you can choose which ever one you feel is most appropriate for the situation.

Chair Negelspach thanked Jeff Bennett for clarifying that. He is going the poll the Planning

Commission and see which direction they would like to go.

Commissioner Cairns stated first off if he has a rebuttal he would like to hear him speak tonight.

Chair Negelspach stated lets finish our discussion about this.

From the audience Tom McInnis stated lets finish the one question that you asked earlier was do people here have anything further that they wanted to speak, rebuttal obviously, that would add to this process that would be better than submitting something in writing.

Chair Negelspach stated that we haven't heard already.

Katie Baldwin 32982 SW Keys Crest Drive Scappoose, in the audience asked if the Planning Commission was going to require an environmental study.

Jeff Bennett replied no, the law doesn't not require that at this point and time. He explained you heard testimony earlier that is really the first in a multi step process and as you can probably envision this is the very biggest picture part of the process. As you get to the next part of the process which is actually to implement the plan that would be adopted, if this is approved, then you have rezoning and as rezoning happens you have further criteria that are triggered either by State regulation or Comprehensive Plan provisions that need to be addressed. So at some point and time that would have to be addressed but not now.

Tom McInnis asked if you do determine to leave the written testimony open is there going to be a time frame placed on that.

Chair Negelspach replied yes there will. He stated we will take rebuttal testimony and then the Planning Commission will make a decision on how they would like to precede with the hearing.

Ed Freeman, President of Airpark Development LLC, 2154 NE Broadway Portland, Oregon 97232. He explained he and Joe Weston are the 100% owners of Airpark Development LLC and they do own a considerable amount of acreage on the east side of the airport. He stated from what he recalls, and Don can elaborate on this further, he doesn't believe there was a whole lot of new information provided tonight other than what the opponents brought in and provided to you in writing and read themselves. He stated he has to say a lot of that is misinformation. He stated Ms. Zimmerman in particular seemed to speak on his behalf and say what he felt and what he is thinking and what Mr. Weston is thinking. She spoke about "We the people" when he thinks it is her own opinions that are actually coming forward and he hates to attack personally but there were some things said that just weren't true and he would like to straighten a few of those points out. He stated number one as much time as maybe she has spent in land use planning he has spent 35 years in developing and investing in real estate and Mr. Weston has been at it for over 50 years and he doesn't think we are dumb, not as dumb as they would like to make them out to be and Mr. Weston he knows has a reputation being one of the most successful and intelligent real estate investors and developers in the NW and we are the people who really putting real money in this endeavor and are willing to spend millions of dollars to extend utilities and roadways and they wouldn't be doing that wishing or hoping or thinking that maybe someday a company will come out here to Scappoose that wants to be at the airport. He stated they are there very specifically because the airport is there and that industrial land has great potential to draw employment and businesses. He explained Mr. Weston took 26 blocks of the Burlington Northern Railroad yard

and created the Pearl District. He is not someone that does something on a whim, he does most of what he does with his own money and he makes solid decisions. He thinks the Planning Commission probably knows that but he kind of wants to get the record straight on that. We are not flying on a hope and a prayer and we certainly are not taking money once this property is brought into the Urban Growth Boundary, their intent is not to borrow money against that land and go invest it in other deals in Portland. He explained Mr. Weston and he are involved in larger developments than this in Southern California and the State of Washington and they are very well financed without using banks. He stated there is not that concern and he wanted to make that straight. He stated a couple of other points; Mr. Sheehan talked about PCC and talking to a Vice President at PCC he is sure there are many, many Vice Presidents at PCC at different campuses and different departments, different divisions. He explained it is not something they really want to talk about but they wouldn't be identifying 20 acres that could be prime industrial land as potential institutional use if they didn't have a really solid reason for that and there is a community college that has a 60,000 square foot aircraft maintenance program right now in our area that is not on an airport, that doesn't make sense and he can tell you that if they don't identify some of that property on the east side as institutional they won't be coming out here. He stated a couple of points Lisa Smith made; she also brought up the PCC issue and she also brought up the Port issue. He thinks Paula Miranda addressed the whole thing with the runway, it is not part of what is being decided here, it is not something that is being considered that the airport does have plans to potentially expand they will go through all the tests and approval process as necessary for that and they could go partly to the south and partly to the north, he is not sure what their plans are but it would definitely help for some companies who would like to locate here in our area. He stated he thinks that is basically it. They would just appreciate the Planning Commission doing the job that they know they will do and move the process on. The public hearings will continue at the City Council level, they will continue at the County Planning Commission and the County Commissioners level. He stated they have been at it for a year and it will go on for quiet some time.

Don Hanson stated he thought Ed was really thorough in his comments but he wanted to add a few things. He wanted to talk about the public process. He stated he thinks a comment the City Attorney made a few minutes ago was really astute. We are at this broad thinking stage and we are going to focus in on details as we go along and as he thinks about the public process and some people complain that there hasn't been adequate public process, from his perspective it has been adequate. He stated we have been at the citizen's advisory committee process for over a year. He stated Bill you have sat in on all those meetings, people could come to those and speak, he came and spoke, Ed spoke, he thought it was a very open process and a very constructive process, there was good dialog in those meetings and there was an open house. He stated this is the first of four hearing processes that we are going through when we count up the County Planning Commission, your City Council as well as Board of County Commissioners. So we are in public involvement right now and it is going to continue through four bodies so there is going to be plenty to say about this. He stated this evening there has been comments about the numbers in their Economic Opportunity Analysis they are aspirational, you want them to be aspirational, he would hate it to be the opposite, he wouldn't know what to say to the Planning Commission if it was the opposite and he thinks encouraging employment potential in any community is the best thing you can do nowadays. He thinks what is important from his perspective to realize is when we look at a big area on a map and we look at 20 years it is barely tangible, it is hard to think about that and the way he thinks about it because he is an implementation guy, he is the guy that is there when we design and build things this is really incremental at the end of the day we try to make good decisions where growth should be in the City, how you capitalize on this wonderful

magnet that you have the airport that not everybody has, which is certainly an asset for you but at the end the market is going to drive how this is implemented incrementally because there has to be someone there to consume and absorb the land. He stated a lot of comments were made about the vacant buildings and vacant land in our City now why are we doing this. The reason we are doing this is we are looking out 20 years. All that vacant land and those vacant buildings that are inside the UGB now those will happen first obviously because there is not the expense of extending utilities to new land or the expense of constructing roads to new land which is what Mr. Freeman and his partner Mr. Weston contemplate for the area around the airport. So he wants to stress that it is incremental, it might be a little stunning, but it is incremental and he thinks it is a good aspiration for the City to have at this point. He stated there was some details tonight but he heard no new information from his perspective. He thinks we have heard everything, he thinks we heard it a little differently this evening but he thinks it all information, that he thinks his team would agree with him, that we have heard before and he hopes they have dealt with it adequately.

Chair Negelspach thanked Don Hanson.

Brian Rosenthal explained it seems like we kind of have an agreement, they (owners on the west side of Old Portland Road) are saying keep us out and he is saying he wants to be okay with that. He wanted to make sure that didn't get lost with all this new testimony tonight.

Tom McInnis stated he doesn't agree with it. He stated he wanted to take exception to Brian when he talked about Highway 30 being such a magnet for his development and then he said wasn't going to use it. He thinks that was rather disingenuous and he thinks that is going to create a real traffic problem on Old Portland Road.

Commissioner Blank asked Brian Rosenthal for a clarification from what Tom McInnis said.

Brian Rosenthal explained he currently has a deeded access on Highway 30 but he doesn't see that as crucial for development. His initial instinct is to try to cross a double highway is insane in that area so probably a right turn only is what he would ask from ODOT but ODOT is not always the most agreeable group of people and he would not make any kind of contingency of development as having highway access. He stated as Old Portland Road is a major collector and that is the highest rating of any street in Scappoose other than the highway, which means it is suppose to have traffic on it. He stated would the kind of project he do generate traffic yes, but we are not talking 7-11. He stated examples of the kind of stuff he does are already in town and they are not high impact kind of things, he doesn't do gas stations, he doesn't do 7-11, he doesn't do any of that stuff, he has no interest in it.

Commissioner Blank stated when you are talking about a large development, he knows what he has over here it that all you are thinking of doing or do you have some real kind of commercial properties in mind which would attract traffic because that would be a large bearing on someone wanting to approve it.

Brian Rosenthal replied he has always taken consideration of his neighbors and he has always tried to set things up so he is low impact and like he mentioned earlier in his testimony, he would start with the piece closes to the cemetery and that would be smaller development and that would be very low impact. So he would think something similar to what he has already done by City Hall, he wouldn't foresee a restaurant or anything like that there. He explained he is primarily looking for something in that first section being something that would give smaller businesses to have

some highway visibility.

Chair Negelspach thanked Brian Rosenthal.

Brian Rosenthal stated when it was mentioned that he was disingenuous, for those who have done business with him or have talked to him he prides himself on being very honest and straightforward, he doesn't mislead people.

Chair Negelspach thanked Brian Rosenthal.

Mike Dennis, 59845 Oliver Heights Lane, St. Helens, explained he owns Oregon Aero and said he heard tonight a lot of disparaging remarks about projects about employment and jobs and housing. He is what they are talking about. He explained he came out here in 1994 with 3 employees, he has 80 now, he did that with an industry with 400,000 customers that is it. He has new technology that addresses the medical market which is the biggest industry in the world. He stated it is disruptive technology and they are right now planning to build more structure out here, they will hire more people, lots more people. One out of every six people in this Country work for medicine, everybody needs it and the devices they have developed will solve problems that everyone of you will see one of these days if you are lucky to live long enough to need it. We are the employer, we are here now, we are at the airport, we use a fleet of airplanes to move our stuff and people back and forth, they sell products in 50 Countries and they attract customers as big as Boeing so we are here and we are doing it. He stated he just wants to back this up, this isn't hypothetical nonsense about growth in this community, this is one of the finest communities in this State with a huge asset, the airport. He is not going to get into southeast stuff that is other peoples stuff, that is other peoples issue. He will be fine with our without the UGB, he doesn't need it. He thinks the community and they need to be growing and think about growing. So he is just here to support that. He stated we are here, we are already here, we have been here a long time and we are not going anywhere, you will see some new facilities and some new business entities and growth like you haven't ever seen before. There are people coming they are going need places to live, they are going to have jobs and we are going to be part of that.

Chair Negelspach stated the Planning Commission needs to come to an agreement on how we want to move forward.

Commissioner Cairns stated he likes the agreement of closing the meeting and public comment and allowing written testimony as you mentioned earlier.

Commissioner Blank stated he concurs.

Chair Negelspach asked if there is a timeline to keep the public written record open.

Jeff Bennett asked when is the next meeting.

City Planner Brian Varricchione replied three weeks. If you gave a week time line for written comments that would allow approximately a week for himself and the consultant team to review that and provide a written response and then provide the Planning Commission a week to read everything. So his recommendation would be to keep the record open for one more week until the close of business next Thursday, September 30, 2010.

Jeff Bennett stated then schedule your deliberation for you next Planning Commission 3 weeks from today, October 14, 2010.

Chair Negelspach explained we will close the public hearing tonight to public testimony but we will keep the record open until September 30, 2010 until 5:00 p.m. and we will begin to deliberate on October 14, 2010 at 7:00 p.m. or thereafter.

Commissioner Blank moved and Commissioner Cairns seconded the motion that the Planning Commission will close the public hearing tonight to public testimony but we will keep the record open until September 30, 2010 until 5:00 p.m. and we will begin to deliberate on October 14, 2010 at 7:00 p.m. or thereafter. Motion passed (5-0). Chair Negelspach, aye; Commissioner Blank, aye; Commissioner Dackins, aye; Commissioner Cairns, aye and Commissioner McGarry, aye.

NEW BUSINESS

DOCKET # DCTA4-10

The City of Scappoose proposes amendments to the City's floodplain regulations that are required by state and federal law. These revisions would adopt the new Flood Insurance Study and Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency (FEMA). Other changes would be made to align the City's floodplain regulations with the 2010 Manufactured Dwelling Installation Specialty Code; to clarify the exemptions for accessory structures used for parking and storage; and to amend the definition of "Development" in accordance with the Oregon Model Flood Damage Prevention Ordinance

Format: Legislative Land Use

Chair Negelspach stated the Planning Commission will continue with item 6.0 at 11:03 p.m.

Chair Negelspach read the opening statement and guidelines for the hearing. No Planning Commissioners had any issues regarding the matter. There were no objections to the Commissioners participating in this matter. He explained the Planning Commission will make a recommendation to City Council on this application.

City Planner Brian Varricchione went over the staff report.

Harold Atkinson, Scappoose, explained he can only relate briefly with his experience with the 1996 flood when the Fire District told them they should evacuate. He talked about Scappoose Creek and a tree that has fallen into the creek.

Chair Negelspach asked Harold Atkinson if he has noticed any change in the characteristic of the creek over the last 40 years.

Harold Atkinson replied not really. He described the vegetation along the creek and creek banks.

Commissioner Dackins stated the purpose of this measure is to bring us to compliance with the new FEMA maps and it seems to him that we have to do it.

Chair Negelspach stated that is a true statement otherwise if we decline the homeowners that are in the floodplain would not be eligible for insurance through FEMA.

Chair Negelspach closed the public hearing at 11:28 p.m.

Commissioner Blank moved and Commissioner McGarry seconded the motion that the Planning Commission approve the amendment with the finding and facts and forward a recommendation to the City Council for consideration. Motion passed (5-0). Chair Negelspach, aye; Commissioner Blank, aye; Commissioner Dackins, aye; Commissioner Cairns, aye and Commissioner McGarry, aye.

COMMUNICATIONS

Calendar Check – Fall meetings October 14 and 28, November 18, & December 9

Commissioner Cairns will be gone on November 18.

Commission Comments

Commissioner McGarry talked about street tree hearings; he thinks maybe they could come up with a way that staff can handle that.

City Planner Brian Varricchione replied we could certainly look at some options and bring them to the Planning Commission for their consideration.

Staff Comments

City Planner Brian Varricchione requested all copies that were submitted to the Planning Commission be given to staff.

ADJOURNMENT

Chair Negelspach adjourned the meeting at 11:38 p.m.

Chair Chris Negelspach

Susan M Reeves, CMC
City Recorder