

October 31, 2016

Tigard Planning Commission
c/o Gary Pagenstecher, Planner
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97232

via e-mail: garyp@tigard-or.gov

Re: **Case ID No. PDR2016-00011**
Site Development Review (SDR) 2016-00007

Dear Commissioners:

This firm represents Gordon R. Martin, Trustee of the Tri-County Center Trust (the "Trust"). Please accept these comments into the record as the Trust's submission for the open record period ending on October 31, 2016, on the concept plan for the proposed planned development referenced above.

As we have indicated in previous correspondence on this matter, the Trust is interested in this matter as it owns property adjoining the proposed development. The Trust continues to believe that the proposal by the applicant, Base Camp 1, LLC, does not meet the City's Community Development Code and is not consistent with the City's Comprehensive Plan. There are better alternatives available to the applicant that do meet the code and are fairer and more equitable to the property owners in the Triangle area.

Just last year, the City finalized the Tigard Triangle Strategic Plan, which included a "street network" that was to guide the future development of the Triangle. As explained below, if this development is approved as proposed, it will gut one of the key elements of that plan – the Elmhurst extension. Make no mistake, if this is not built as part of this development, it will not happen. As the primary author of that plan, Laurence Quamar has said as much to the City's planning staff. A number of people put a lot of work into that plan and it would be a betrayal of that work to simply ignore it now.

Turning to the approval criteria for concept plans, CDC 18.350.050.A.1 requires the development to "protect [the] natural features of the site," but this proposal does not do so. As noted by Gary Pagenstecher at the Planning Commission hearing on October 17, 2016, this site has significant slope issues and is very steep. The proposal does nothing to protect that natural feature; instead, the proposal levels the site relies on significant retaining walls on three sides. The proposal does not "protect" the natural features of the site – it destroys them. The applicant suggests that this is acceptable because of the specific nature of the use; however, the Planning

Commission has no method to ensure that use remains and any commercial use could go into the development. Although we are sympathetic to the needs of the clinic's patients, if steep slopes present an issue, this site may not be the best choice for their location.

In addition, CDC 18.350.050.A.3 requires future development to “integrate into the existing neighborhood” through measures including a “compatible street layout.” The proposed street layout is in no sense of the word “compatible” and the proposal does not integrate into the neighborhood. As noted above, the proposed street layout ignores the recently finalized Tigard triangle Strategic Plan. It also proposes a street plan that cannot meet CDC 18.620.020, which governs street connectivity in the Triangle as explained in our earlier correspondence. Finally, the proposed street plan requires a street that cannot be built in compliance with the City's code and that street goes directly through an existing home. Such a plan cannot be said to “integrate into an existing neighborhood” and must be rejected.

Finally, CDC 18.350.050.A.6 allows a planned development to be approved only if it has “significant advantages over a standard development.” To provide such an advantage, CDC 18.350.050.A.6 spells out what constitutes a “significant advantage”:

“A concept plan has a significant advantage if it provides development consistent with the general purpose of the zone in which it is located at overall densities consistent with the zone, while protecting natural features or providing additional amenities or features not otherwise available that enhance the development project or the neighborhood.”

In this case, as discussed above, the project does not protect the natural features on the site, nor does it provide any amenities or features that are not otherwise available. In fact, because of the street slopes, the proposal does not enhance the site or neighborhood, but creates dangerous situations. One method to enhance the neighborhood would have been to include the Elmhurst extension as shown in the Tigard Triangle Strategic Plan, but the applicant has not done so. Instead, the applicant has created a development that damages its neighbors and does not fit on the site.

For all of the above reasons, the Planning Commission should reject the concept plan proposed in Case ID PDR2016-00011 or, in the alternative, condition any approval on providing the Elmhurst Extension.

Very truly yours,



Bill Kabeiseman