

Denney Whitford / Raleigh West NAC Minutes – May 28, 2009

Ray Bowman, NAC Chairperson, called the meeting to order at 7:03 pm.

Tualatin Valley Fire & Rescue Report: No report.

Community Policing Report: Officer Jeff Young of the Beaverton Police Department reported that he had requested crime statistics for the Fanno Creek Trail area, but was not able to get the information in time. He handed out crime statistics for the Denney Whitford / Raleigh West neighborhood, noting that DUIs and theft were the most prevalent crimes in the area. He reported that he had not heard of any incidents along the Fanno Creek Trail. Mike Janin, Superintendent of Security for the Tualatin Hills Parks & Recreation District (THPRD), explained that the Park District has its own staff who patrol the parks in addition to BPD.

Completion of the Fanno Creek Trail: Three representatives from THPRD were at the meeting to update the NAC on the plans for completing the Fanno Creek Trail between roughly 92nd Ave. and the old Greenwood Inn: Steve Gulgren, Superintendent of Planning & Development; Mike Janin, Superintendent of Security; and Brad Hauschild, Park Planner.

Steve began by giving some history on the project, which has been in the works since around 1999-2000. He noted that there had been several public meetings on the matter, and that many issues had been discussed there. THPRD had received a lot of feedback throughout the process, but they were getting closer to moving forward with the completion of the trail.

Steve explained that “regional trails” are designated as such because they are the backbone of an entire trail system in the Metro area. These are multi-use trails that offer transportation alternatives and recreational opportunities, and serve as main connectors to schools and parks along the trail route. The Fanno Creek Trail has been designated as a regional trail since 1999. The trail is 15 miles long, connecting the Willamette River to the Tualatin River, running through several towns and cities (Portland, Beaverton, Tualatin, Durham, Tigard). There are approximately 4 ½ miles of the trail in our area, of which 3.75 miles are already built. The section in question for this meeting equates to about 3000 linear feet.

Steve noted that there had been four neighborhood meetings between 2003 and 2007 about this particular section of trail (including this one).

Brad Hauschild gave an update on the status of the project, including a map to show the current planned alignment for the trail, including changes from previous years that were made due to public input. The project is in the process of getting application materials together for city permits and applications to environmental agencies. The intent is to begin the project in Spring 2010, assuming permits and approvals are complete.

Mike Janin spoke to the issue of security along the trail. Mike lives along a trail himself, and he spoke about the positive aspects, such as seeing his neighbors use the trail regularly, and the sense of community it creates. He said that with 62 miles of trails in the Park District, graffiti is the most significant crime they see. He does not see reports of people walking in yards along the

trail, or any property damage (aside from occasional graffiti or bikes riding too fast). Mike noted that the Beaverton Police Department rides the trails, and the Park Patrol rides or walks the trails regularly in the summer. In the winter, the trails are more open because there is less foliage on the trees. Mike said that if there had been complaints of theft or burglary along the THPRD trails, he could not substantiate those with police reports.

Karen Thorpale (???), who lives on Rollingwood Drive, where the road runs roughly parallel to where the planned Fanno Creek Trail section will be, noted that the proposed trail is across Fanno Creek from her house, and she is opposed to the trail.

Sharon Larson, who is also opposed to the trail, noted that the creek has come into houses along the area, and increased issues with flooding are a concern for her. She is also concerned about the invasion of privacy by having a trail behind her house.

Karen said that when the road Fallbrook Place was put in between Allen Blvd. and Fanno Creek, the neighbors had to fight to keep a separation between that road and their property. Even so, she and her neighbors are awakened by traffic and noise on Fallbrook.

Sharon noted that a neighbor asked to be notified when the trail was planned, but that neighbor was not notified. The packet of information she received was very complicated, and she had to ask her son, who is an engineer, to read it and explain it.

Steve from THPRD noted again that there had been public meetings on the issue, and he could give us the meeting dates but he did not have any minutes from those meetings.

Karen said that she hasn't heard her neighbors say anything good about the trail.

Steve said that the plan for the trail had been adjusted based on neighborhood input. The trail location was pushed further away per Patty Russell's request. The trail does get close to the creek at the water tower, which is a pinch point. The trail was pushed out as far as possible, trying to avoid trees, and there will be pedestrian bridges in some places; unfortunately, there's not much room at that particular pinch point.

Karen interjected that this was why neighbors object, because there isn't enough room for the trail. She also noted that wildlife would be disturbed in the construction of the trail. She also noted in response to Mike Janin's statements about the positive aspects of having a trail in one's neighborhood that there is a fence that cuts off Fallbrook from the trail, so neighbors wouldn't even be able to access it. Steve noted that there will be an access point to the trail on Fallbrook.

Melinda Clark, who lives at the pinch point near the water tower, was told by the city that she could not put up certain kinds of fencing, and that only cyclone fencing was allowed because she lives in a flood plain. Cyclone fencing limits the homeowner's ability to create a privacy barrier between the trail and their home. Mike from THPRD felt that might be incorrect information, because to his knowledge, you can put any kind of fence you want on your property. Sharon said that she had been told she could have a fence, but not a wooden fence. Mike asked if any neighbors had wooden fences, and several people responded no, they didn't think so. Mike said

he would look into this; he deals with encroachment issues frequently, and more often the issue is that someone wants to put a fence beyond their property line in the park area.

Frank Oulman noted that Clean Water Services is part of the issue with fencing, as they need a certain amount of clearance; the issue may not be with the city of Beaverton. He said that the creek can definitely come up high; he personally is not worried about flooding as much as he is worried about the trail washing out.

Megan Bishop said that she learned that the fence issue stemmed from an Army Corps Engineers requirement: the homeowner can build a fence, but there must be a three foot clearance between the ground and the bottom of the fence. She feels the flooding issue is a big issue; she also noted that we already have a concentration of crime in the area according to Officer Young's map.

Leza Bishop asked about security. She wanted to know how often the Beaverton Police Department and the Park Patrol ride the trail. Mike from THPRD said that they ride the trail from Hall to the Garden Home Recreation Center weekly at minimum during the summer (June 15 to Sept. 7), but his staff can spend up to four hours per day each day on the trail during summer. Leza was also concerned about privacy, wondering whether it would be safe to leave your windows open. Mike noted that any complaint to Washington County or the Beaverton Police Department relating to the trail system are referred to him, and he has not heard any complaints.

Mike said that trails near schools tend to have a higher incidence of graffiti (more kids in the area). Leza asked if THPRD is responsible for cleaning up graffiti; Mike said that they have to ask the homeowner's permission to clean up, but that yes, they will clean it up.

In reference to the security and privacy concerns, Karen said that people who don't live in her neighborhood don't belong there, unless they're visiting someone who does live there.

David Madas said kids had been cutting through his property, basically wearing a trail through his yard, so he told them not to. Soon after that his vehicle was tagged. He and Greg O'Neill, David's next door neighbor, noted that the gate at the end of Rollingwood, which is actually the emergency exit to the trailer park, is often left open. Having access across to the path will help this issue. David and Greg do not want an access point to the trail. Greg doesn't want to lose privacy. The way the map shows the trail, there are only warehouses on the other side of it; it's not a community park setting, like Greenway Park. It makes more sense to connect the trail over to Allen rather than through the wetlands area; he felt there is a rush to connect the dots when we really don't have to.

Frank noted that back in the late 1980s or early 1990s, there was discussion of an alternative route for the trail using Allen Blvd. At that time, Allen did not have sidewalks all the way along where the trail would be. The owner of Pacific Stainless, a business along the proposed trail route, agreed to donate frontage to complete the sidewalk. Greg added that Allen now has an extra wide sidewalk. Frank noted that the trail doesn't need to go along the creek; why can't we go back to what was originally decided—using Allen instead? This would keep the neighborhood happy.

Julia Sathler asked for clarification on the flooding issue. Several people living in the Rollingwood neighborhood explained the problem: it's not that the trail will make the flooding itself worse, it's that the trail could be washed away or it could cause debris to pile up in ways that cause rising water to back up into the neighborhood, thereby causing flooding and property damage where there might not have been any before. When trees come down due to flooding, fences and other building materials get washed out.

Patty Russell explained that her house has never flooded, but she has seen it become an island, surrounded by water. The Fallbrook cul-de-sac will fill up before her house floods, but any path in that area would have to be higher than the water would go. The trail might then cause a blockage for flood water, just as a big tree would create a dike that pushes water back into the neighborhood since it has nowhere else to go.

Julia asked who is responsible for clean up along the creek. Greg said it would be Clean Water Services. Greg explained that he had moved here after the big flood in 1996, but the water has been as high as in 1996 for the last two winters; the flooding situation is not getting any better. Therefore, anything about the creek causes a concern for neighbors, and all for something that's not even a community park, but just a trail. He noted that in Tigard, users of the Fanno Creek Trail have to ride through neighborhoods in some spots. David noted that he has seen the incredible force of water move a huge tree; because he lives at the pinch point, any debris coming from a flood is aimed right at his property.

Sharon noted that the creek is already eroding its banks; she used to have property on the other side of her fence next to the creek, but now the creek is up to the fence. David said that the law says that if the creek changes path, you lose your property.

Brad Hauschild of THPRD said that hydraulic modeling has been done, and it shows that adding the trail will not increase existing flooding. The plan calls for THPRD to remove fill from the Beaverton bus barn to restore that area back to its natural state (a wetlands); it is believed that this will alleviate some of the flooding by increasing capacity for the water.

Karen asked how high the trail would be from the ground to the path. Brad said that it would be at grade, or elevated as much as 12 inches over wetland areas. David noted that any boardwalk areas would need to be higher than the highest water mark; anything less will displace water toward houses eventually. Brad noted that most of the trail is actually outside the floodplain.

Leza asked how many feet from the creek is the trail. David said that at the pinch point, where he lives, it's less than 15 feet. Leza asked if aside from the boardwalks, the rest is asphalt? Brad said yes. Leza wondered where the water would go if the creek floods? Steve said it would get absorbed into the ground as it does now. THPRD will have to do some plantings as part of the plan. Also, THPRD will take over maintenance of the trail once it is complete. The area is not currently under their maintenance.

Frank asked if after all the THPRD representatives had heard, would they be changing the plan to consider the Allen Blvd. alternative. Steve said that they were moving ahead with the plan as presented. Karen said that her husband bicycles, and he uses Allen Blvd. with no problem.

Ray reminded the group that this issue was part of the Denney Whitford/Raleigh West NAC, and the Rollingwood neighborhood is not separate from that group.

THPRD has not completed its application process to the city. When that process is complete, we will be notified and will have an opportunity to respond to the plan.

Steve was asked about the cost of the trail, and he could not provide any numbers because the plan is not finalized yet. Ray said that all of this information will be brought back to the NAC when it is completed.

David noted the wildlife that is visible to neighbors now, such as blue herons; he said that they won't see that with a bike path next door. Mike said that he had noticed no decrease in wildlife in his part of the trail system.

Update on 101st and Heather: Code enforcement has opened a case file on the house on the corner. Unfortunately, Erin Moran (assistant to George Fetzer, Code Compliance Manager), who had been working on the case, has been reassigned. Ray reported the following update from George: He has not been able to make contact via phone, e-mail, or in person with the homeowner. He has stopped by the property but did not see anything dangerous enough to merit a search warrant. The file has been closed.

The Wacker house does not appear to have gotten better. Neighbors across the street have been unable to sell their house because of the issue.

The third house, next to Don Walton, had its swimming pool decommissioned, and everything seems okay now.

Ideas for increasing NAC participation: No discussion due to time constraints.

Other neighborhood issues: None raised.

Approval of April Minutes: A motion to approve the minutes from the NAC meeting on April 23rd, 2009 was accepted and seconded as written.

Frank said that he has seen Martha recently, and that she looks great!

Treasurer's report: \$65 for a card and flowers for Martha. New balance: \$3607.05.

BCCI report: Jim Yasutome reminded the group about Beaverton's Recycling Day on Saturday, June 13th, from 9 am to 2 pm. This is not a garbage day as in years past.

Ray said that we need volunteers to work one of two shifts for Recycling Day, 8 am to 12 pm, or 11 am to 3 pm. This is our only source of revenue for the NAC.

Old business: Julia Sathler reported that the Take Care of Beaverton project to collect food and clothing city-wide during a one-week period in May was very successful.

Julia also explained the Leadership Beaverton program, which she has participated in. She said it is an excellent experience and a good way to meet people working for the City and to develop a better understanding of how the City works. At the end of the 9 month program, participants do a project, which is how the Take Care of Beaverton project got started. The City has two spots every year, so anyone who is interested should contact Julia.

Ray reported that the U-Haul place on Beaverton-Hillsdale and Jameson had asked the Planning Director for a zoning variance to allow for U-Haul rentals in a NS (Neighborhood Services) zone. Ray and Julia sent e-mails opposing the zoning change. The Planning Director denied the request, but the property owner appealed. There is a hearing on June 15th at 6:30 pm at the City Council. Ray said it would be helpful if the NAC was on record opposing the zoning change.

Ray asked if anyone wanted to make a motion for the NAC to oppose the U-Haul business in an NS zone.

Ernie Conway suggested that we should clarify the motion so that it is not specifically against the U-Haul business, but rather against any permanent, city-wide variance that allows such businesses in NS zones (as the businesses are already allowed in commercial zones).

Julia said that her personal opinion is that when we allow the encroachment of heavy industrial areas, it reduces property values.

Leza asked how much weight the NAC really has with the City. Ray said the NACs have a lot of weight. The City wants to know that citizens have had their say on issues. Leza said that she felt that her feelings (about the Fanno Creek Trail) were being ignored or dismissed because the NAC seemed less concerned about that issue than the U-Haul issue; she didn't feel she was getting the same level of support for her issue.

Ray asked whether we should take no action on the U-Haul issue. Frank said that no, we should continue to discuss it. David said that he usually doesn't drive on Beaverton-Hillsdale Highway, but he did the other day, and the U-Haul place was the only thing that caught his eye. His business works with moving companies, so he knows that U-Haul is not hurting for locations to rent trucks. He also noted that the trucks were parked oddly and that a large truck would have no place to turn around in that area.

Frank offered a motion to disallow granting a zoning variance for the U-Haul place. The motion was seconded and approved.

Patty Russell noted that it was very helpful to have people who understand the issues explain the implications; she understood the U-Haul much better after hearing David's explanation about it.

Minutes to be reviewed and approved at the 06/25/09 Denney Whitford/Raleigh West NAC meeting.

Announcements: Ray noted that Commerce Properties, the owner of the old Zupan's site, is applying for a sign variance. There is a public meeting being held on June 10th at Ernesto's at 6 pm.

The next Denney Whitford/Raleigh West NAC meeting is Thursday, June 25, 2009.

The City-sponsored picnic for Denney Whitford/Raleigh West, Vose, and West Slope NACs will be held August 10 at 6:30 in Camille Park. The City will send postcards.

The meeting was adjourned at around 8:50 pm.

Respectfully submitted,
Tracy Thornton
Substitute Recorder