

**IMPACT STATEMENT**

**Legislation title:** \* Authorize an Agreement between Tri-County Metropolitan Transportation District of Oregon and the Bureau of Environmental Services to allow construction of a building over the Tanner Creek Sewer and grant BES a replacement easement (Ordinance)

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**Presenter name:** Elisabeth Reese Cadigan

**Purpose of proposed legislation and background information:**

The purpose of the proposed legislation is to authorize the Director of the Bureau of Environmental Services, or his designee, to sign an agreement with Tri-County Metropolitan Transportation District of Oregon that will allow construction of a building over the Tanner Creek Sewer and grant BES a replacement easement. Council approved two agreements with the same parties in 2004 allowing construction of a building over the Tanner Creek Sewer (Ordinance 178778, September 29, 2004). This agreement terminates and replaces the prior agreements. The proposed legislation supports City policies related to encouraging redevelopment of existing surface parking lots in downtown, and encouraging mixed use, Transit Oriented Development near light rail stations and Providence Park.

**Financial and budgetary impacts:**

There is no direct cost to the City as part of the agreement. TriMet will be dedicating a new, 20-foot easement to the City to protect the Sewer at no cost. The future developer will rehabilitate the Sewer as directed by BES as part of, or prior to, the development, at no cost to BES. All Sewer work will be permitted through BES and appropriate fees collected to cover the cost of review of the rehabilitation project.

**Community impacts and community involvement:**

TriMet has not yet entered into an agreement with a prospective purchaser. Once the property is sold, the future owner will be required to submit development plans to the City as part of a land use review, at which time the public will have an opportunity to comment on the development proposal for the site. This agreement provides only for the technical requirements related to building over the Sewer and the conveyance of a new easement.

In 2006, a prior development proposal on the site was opposed by the Goose Hollow Neighborhood Association, which appealed the initial Design Commission approval to City Council. The Neighborhood Association's primary concerns focused around transferring FAR from the Lloyd subdistrict to this site. Council found in favor of the Neighborhood Association and overturned the Design Commission approval. Subsequently Design Commission was able to approve a modified version of the proposal which did not include the objectionable FAR transfer.

**Budgetary Impact Worksheet**

187662

**Does this action change appropriations?**

- YES: Please complete the information below.
- NO: Skip this section

<b>Fund</b>	<b>Fund Center</b>	<b>Commitment Item</b>	<b>Functional Area</b>	<b>Funded Program</b>	<b>Grant</b>	<b>Sponsored Program</b>	<b>Amount</b>