



INTERCHANGE AREA MANAGEMENT PLAN (IAMP) MEETING MINUTES

Meeting Date: July 9, 2008

Purpose: IAMP - Fern Valley Interchange Project
Citizen Advisory Committee, Project Development Team
Meeting

Distribution: IAMP CAC Members, IAMP Project Development Team,
Public

From: Sue Casavan, RVCOG

Date Prepared: July 30, 2008

CAC Attendees: Lisa Sandrock, David Lewin, Dack Doggett, Mark Kellenbeck,
David Lowry, Lenny Neimark, Terry Helfrich

PDT Attendees: Brian Sheadel, ODOT; Bruce Sophie and Bob Lewis, Phoenix;
Mike Kuntz, Jackson County; Vicki Guarino, RVMPO

Project Team Attendees: Dick Leever, ODOT
John McDonald, ODOT
John Raasch, ODOT
John Kelly, URS
Christina Fera-Thomas, ODOT
Brian Sheadel, ODOT
Pat Foley, RVCOG
Sue Casavan, RVCOG

Other Attendees: Susan Lee, Jackson County; 9 members of the public signed in
(sign-in sheet in file)

1. Introductions, Review Agenda, Approve Minutes

Pat Foley, RVCOG Facilitator

Pat Foley began the meeting at 6:35 and explained that this was a joint meeting with the CAC (Citizen's Advisory Committee) and the PDT (Project Development Team). She said the purpose of this meeting was to discuss the proposed IAMP measures and set the foundation for final consensus on the measures. Committee members began with introductions. She reviewed

the agenda and said that this was a working committee meeting. She asked that members of the public make their comments in the time allotted on the agenda. She said the June minutes were distributed last week and asked members if there were any changes or additions to the minutes. The minutes were unanimously approved as presented.

2. Project Update

Dick Leever, ODOT

Dick Leever reported on the status of the Environmental Assessment (EA) and said there were ten technical reports that have been completed and reviewed by ODOT. He added that there were five reports still under review. A Draft EA will be published and the public hearing will probably be scheduled in the early fall.

3. IAMP Goals and Objectives Review / Discuss IAMP Measures

John McDonald, ODOT and Christina Fera-Thomas, ODOT; John Kelly, URS

John McDonald gave a brief review of a former presentation.

Fern Valley Interchange ca. 1965

- No commercial development near the interchange.
- Residential (urban) development limited to west of Bear Creek.

Fern Valley Interchange ca. 1987

- Commercial development southeast of interchange.
- Residential (urban) development expands east to I-5.

Fern Valley Interchange ca. 2004

- Commercial development occurring in all corners of the interchange.
- Residential (urban) development expands to the east of I-5.

Fern Valley Interchange ca. 2030?

- Further residential, commercial, and industrial development either planned or possible – particularly east of I-5.

Fern Valley Interchange A Bigger Look

Proposed Urban Reserves:

PH-5 Proposes:

- Primarily industrial
- Some residential and commercial

PH-10 Proposes:

- Primarily residential
- Some commercial

MD-5 Proposes:

- Primarily residential
- Some industrial and commercial

Fern Valley Interchange IAMP

John McDonald discussed ways to manage the growth and said he believed this IAMP would go a long way toward balancing the varied interests and help guide the City of Phoenix into the future. He said proposed measures:

- Would provide for intelligent growth now and later.
- Would make the difference between good planning and no planning.
- Are necessary to have funding released by the Oregon Transportation Commission required under the Regional Transportation Plan.
- Are necessary to protect and provide for stakeholders' interests.

City of Phoenix Objectives

- Increase tax base
- Provide services
- Allow for growth

ODOT Objectives

- Protect investment of tax dollars
- Ensure safety and mobility through 2030

Resident Objectives

- Provide for more livable community
 - Bicycling / Walking
 - Congestion
 - Pollution
 - Access

Business / Property Owners Objectives

- Preserve / Enhance Investment
 - Few impacts
 - Preserve access
 - Protect development potential

Proposed IAMP Measures

- Walkable Community Transition Overlay Zone
- Capacity expansion
- Bus Stop and Transfer Site Coordination
- Shared Park-and-Ride Lots
- Jackson County OR 99 Widening Avoidance Overlay Zone
- OR 99 Setback
- South Valley Transportation Strategy
- Cross-Approval

- Trip Reduction Designs and Programs

John McDonald explained that these measures were starting points not ending points and that ODOT would like to develop a consensus within the CAC about which measures would be ultimately included in the IAMP. Committees discussed the following measures.

Motor Vehicle Trip Reduction Designs and Programs

- Various measures to encourage reduction of motor vehicle trips, such as car pooling, shared parking, and facilitating walking and bicycling

Discussion

Terry Helfrich thought when looking at a 50-year plan that this measure was important to think about. When looking at progressive communities he thought it would really play into the future and he commented that he was seeing less traffic on the roads.

David Lowry thought it was a good concept but questions arise when it is actually translated into terms of policy and ordinances. He asked if what they were talking about was in addition to what the City of Phoenix already had and wanted to know what the specifics were.

Bruce Sophie added that as projects come in this needed to be spelled out in the city's planning department working with the developers and these things needed to be pointed out so as developers come in they will get priority for providing these programs. The details needed to be worked out for the concept.

Lenny Neimark commented that a lot of these measures were specified in the new development code for Phoenix and are currently a requirement.

Terry Helfrich commented that the code could be defined better and said what the committee was looking at was the infrastructure to support it.

Susan Lee said she thought the idea was great and all the jurisdictions in the region should strive for this but added that there were no measurements in these measures. She has worked in this area in the past and felt the effectiveness of this reducing congestion in transportation was not very high. She thought the cost-effectiveness should be looked at before putting a lot of time and energy into this when the reduction gained would be very minimal.

Bus Stop and Transfer Site Coordination

- Provide for future coordination with RVTD on bus transfer locations.

Discussion

David Lewin said bus stops should be put where traffic was not likely to queue during peak hour. He has seen traffic backed up four to five blocks during peak hour when buses are stopped in the lane.

Shared Park-and-Ride Lots

- Provide for future coordination with RVTD on Park-and-Ride lots.

Discussion

John McDonald said there was not much current demand for shared park-and-ride lots but felt it would be beneficial to have the policy in place for when the need arises.

Terry Helfrich asked how the land would be set aside for future. John Kelly reminded the committee that this measure was shared park-and-ride lots, not lots dedicated to just park-and-ride use and he did not anticipate that this would be imposed as a condition of development approval. He said the measures would put in place a framework where developers would be motivated to be creative in finding ways to reduce traffic and may volunteer to participate as a way to justify traffic their developments will generate.

David Lowry said there was a cost to all these things and he didn't know if it was beneficial. He thought it might be a good idea to include it but felt unsure if it really needed to be included.

John McDonald explained that this was not mandatory and he would like the city to keep it in mind for a future date.

Terry Helfrich supported this measure and felt it should be considered. He has been looking at other areas and seeing park-and ride lots used a lot more.

Bob Lewis added that this was not something that would happen soon but he thought it was a great idea and something to look forward to.

South Valley Transportation Strategy

- Phoenix and ODOT to work with other jurisdictions to develop strategies to reduce impact of regional traffic.

Discussion

David Lewin wondered whether, if Medford generated more trips than Phoenix, would Phoenix be told to generate fewer trips. John McDonald advised the committee to raise that issue loudly and frequently to the RVACT, MPO, and RPS. He said this document would not solve that problem as it specifically looks at the interchange. David Lewin felt Phoenix should not be held hostage to whatever traffic might come, especially if Phoenix would have to cut back proportionately.

David Lowry said he was confused and asked if other towns have agreed to this and what was the procedure for doing that and what voice does Phoenix have versus other communities. He felt skeptical of these processes even though he thought conceptually they were good. John McDonald replied that this was a joint effort to come up with ideas to solve these regional problems but it does not mean the jurisdictions will agree. David Lowry asked why it needed to be in the IAMP and John McDonald said that it didn't need to be.

Bruce Sophie said Phoenix had to look at the whole valley and how to balance growth and travel demand. He cited the example of Highway 140 expansion and traffic generation on North Phoenix Road and reminded the committee that it will not be just Medford affecting the flow of traffic.

OR 99 Setback

- Setback requirement for new and redevelopments along OR99
- Provides community option of widening OR99 later, without extreme cost and impact.

Discussion

Terry Helfrich thought this measure would help business and property owners protect their future investments so they would not have to worry about future changes.

Bruce Sophie said it contains a “grandfather” clause so the people that are already there do not have to comply and John McDonald added that, yes, there would be an exception for existing uses.

Susan Lee asked if this would include replacement or expansion and thought it should be considered. John Kelly said that was another issue that would have to be dealt with in the development of ordinance language.

Walkable Community Transition Overlay Zone

- Go alone...fewest number of uses.
- Work a little together with the city and perhaps develop a master plan for the property... allowed more uses.
- Work a lot together...most uses.

Discussion

John McDonald explained that the idea is to balance the community’s concerns with ODOT’s desire to protect the interchange by having uses that produce less traffic, the city’s desire to expand its tax base and having properties that develop in a way that produce less traffic. This will provide property owners and developers with a clear set of criteria of how they develop property. He said as Phoenix looks to expand its Urban Growth Boundary (UGB) and its city limits and incorporate property it would be City of Phoenix policy that the developments planned in Transit Oriented Development (TOD) form would be incorporated into the city first, those master planned second, and those that go it alone last priority. He added that Phoenix would develop in a way that produced less traffic and enhanced the city.

David Lewin said that, earlier, staff was talking about conditions not being imposed and he was confused. John Kelly explained that what was presented here was that, the more planning that is done and the more walkable it is, the broader the list of uses that could be incorporated into the plan. This would create incentives to the development community to move toward patterns of development that do not generate as much traffic.

Bruce Sophie added that this would apply to trip generation in the old part of town as well as new development on the east side.

David Lowry said he had an outside planning company take a look at this measure and he felt the City of Phoenix already had a lot of these mechanisms in place to accomplish this. He referred to his personal experience developing property which included a comprehensive plan and traffic study and he wondered why Phoenix would require an additional administrative process that would not accomplish more than what was already required. He read the following planning

company comments and said he would distribute copies to John McDonald and John Kelly after the meeting:

It is unclear how this provision is supposed to function with the existing Planned Unit Development (PUD) Ordinance and Economic Element. First, the Economic Element actually identifies areas around the interchange as an opportunity for commercial development to capitalize on interstate based traffic. This concept does not appear consistent with the Walkable Community Transition Overlay concept. Amending these Comprehensive Plan Provisions would require an Economic Opportunities Analysis (EOA).

Secondly, most of the objectives this concept seeks to accomplish are laid forth and accomplished within the existing PUD Ordinance. It is not at all clear why the IAMP would create an extensive and expensive legislative planning process that the City of Phoenix would be required to undertake when the basic objectives could be accomplished simply by requiring a PUD for non-residential projects over 5 acres in the IAMP area.

The table on page 13 of the IAMP that seeks to change permissible uses in Phoenix zoning districts is not reconciled against the actual permissible use tables in the Land Development Ordinance. On the C-H zoned lands for example, it appears that there are only six uses that would be outright permitted in the zone and three of those are office uses. Moreover, there is no mention of the fact that the Phoenix Land Development Ordinance requires conditional use permitting for many of the uses the IAMP restricts. City of Phoenix Conditional Use Permits require a finding a transportation facility adequacy as a criterion for approval. It is unclear why all the additional use restrictions are necessary to limit uses that are already restricted by existing regulations that require demonstration of adequate transportation facilities.

Susan Lee reported that Jackson County had done a lot of PUD planning projects in White City and they are very challenging and not always as successful as one would hope and she said she would take exception with that one comment. She thought form-based codes might be an alternative to this approach and maybe more palatable because they are less regulatory and more market-based. She explained that it goes back to the architectural notion that form follows function. She added that she would provide additional information to the City of Phoenix. She concurred that there was inherent conflict with this section and the widening of Highway 99 and believed a complementary action that ODOT could take would be reconsidering looking at the Special Transportation Area (STA) designation. She thought it would be good for the cities and the county in terms of their transportation planning.

David Lowry commented that the allowed uses may have no connection with the economic reality of whether it would be a good use in that location. He felt there should not be too many restrictions put on the developer other than making sure the project was done to the quality standards of the city and traffic parameters.

John McDonald acknowledged that David Lowry had raised some really good points. He said it was not the intention of ODOT to create something more complex. He explained that there were

several benefits to the Walkable Community Transition Overlay Zone. It would be more aesthetically pleasing and provides for greater mobility and choices for residents. He added that the idea is that a development develops in a way that produces as little traffic as possible while still giving the developer the ability to develop reasonably what they would like to. He explained that the idea is to expand the tax base where the city will not be able to maximize funding from a single parcel of land, to get a lot of things coming in that are moderate to high in the amount of funding instead of one intense use.

Terry Helfrich said the city does get input from the citizens of Phoenix and they get input from ODOT and he thought it was time for Phoenix to look at all the proposals. He noted that it would be helpful to look at form-based codes as Susan Lee had mentioned.

Bruce Sophie felt a lot of issues were not clear and the committee did not understand it. He thought it needed some work for members to understand what ODOT is looking for to create that balance.

Lenny Neimark agreed with David Lowry and said he had studied the Land Use Development Code that Phoenix recently adopted and he thought it was modeled after fairly progressive concepts and accounted for much of what was in this measure. He emphasized that he was not saying the code could not be refined to work better in the context of the IAMP but he felt there was an implication that Phoenix had not already addressed these needs and concerns. He said there were only a few developable properties on the east side and wondered how non-contiguous properties with different owners would be master planned and how this plan would address smaller parcels.

John Kelly reminded committee members that the traffic analysis showed that under the city's existing comprehensive plan with no expansion of the UGB the performance standard at the intersection of Highway 99 and Fern Valley Road would be exceeded. He said that was based on Land Use Scenario 1 which is a build out of the existing comprehensive plan. He added that Scenario 1 included the development proposal that was forwarded for discussion and what that said is that continuing on the city's current path will violate the standards that the IAMP is obligated to ensure are met. He explained that developing according to the existing comprehensive plan will foreclose the city's ability to develop beyond the existing UGB in the future. He said the fundamental idea was to limit what is allowed now so that over the 20-year planning period Phoenix could continue to grow. He noted that the team had tried to maximize the flexibility that the city has and this measure is intended to establish a framework that the city can operate within when it revisits and updates its comprehensive plan. He said there should be collaboration between city government, the development community, and property owners to develop a refinement plan for parts of the east side, which then can be adopted into the comprehensive plan in greater detail. The intent is to enable consistent development to be approved more rapidly. At that point, the landowners would have a higher level of certainty about what they are allowed to develop because the city had given them permission at a higher level of detail. He thought the IAMP in combination with the city's need to update its comprehensive plan offers the opportunity to do some very creative things that would result in the community having a considerably higher tax base in the future. He said the team thought Phoenix should think long-term to a future where there is not necessarily a truck stop and truck

repair facility on the east side. He said the team anticipated trying to set up a framework where property owners would come together and formulate a plan.

Dack Doggett asked why John Kelly assumed there would be no truck stop. John Kelly said he was not casting judgment, but thinking that a future owner could decide to convert it to another use to generate more funds.

Bruce Sophie said that John Kelly mentioned Scenario 1 and that is one of the reasons why members looked at mitigation was because a lot of what we are talking about is alleviated. He asked John Kelly to explain the approach of why the mitigation in Scenario 1 was not currently considered and if it was how the city would go about applying that mitigation in their development plan so that the v/c ratios would be improved and the city would not have the constraints that they had now. He felt there could be a different approach if mitigation was used. John Kelly replied that it was important to recognize that even with mitigation, i.e., the addition of turn lanes at the critical intersections, there will still be violations at Highway 99 and Fern Valley Road. The idea is that even maximizing roadway capacity will not solve the problem.

Bruce Sophie remarked that there was a difference between Scenario 1 and Scenario 1 mitigated, about 20% and that was currently a big difference. John Kelly asked if Bruce Sophie was talking about the Measure Effectiveness Scenario and Bruce replied yes. John Kelly went on to discuss the scenario.

Measure Effectiveness Scenario

John Kelly said the committee had heard from Susan Lee last time that we should try to measure the effectiveness of these measures. He added that there were only two that lent themselves to measurement because most of the measures would give the city tools to deal with issues in the future. The team developed a variation of land use in Scenario 1 which was an approximation of what would happen with the two overlay zone measures.

- Same as Scenario 1, Build-out of Phoenix Comprehensive Plan
- Except:
- In area affected by Jackson County OR 99 Widening Avoidance Overlay Zone measure:
 - Removed a 5,000 sq. ft. high turn-over sit-down restaurant
 - Added a 10,000 sq. ft. chain drug store without a drive-through
- In area affected by Walkable Community Transition Overlay Zone measure, removed all new high trip-generating uses in Table 2, except:
 - 1 high turn-over sit-down restaurant
 - 3 fast-food restaurants without drive-throughs

Measure Effectiveness Analysis

Christina Fera-Thomas reported that the ODOT Transportation Planning Analysis Unit (TPAU) estimated the effectiveness of the two proposed land use measures in the 7/2/08 draft Interchange Area Management Plan: the Walkable Community Transition Overlay Zone and the Jackson County OR 99 Avoidance Overlay Zone. She explained that the analysis was based on the land use scenario described above. To provide v/c ratios like those in Tables 1A and 1B of the draft

IAMP, a new model run including proposed changes would be needed with volumes created and analyzed. Due to time constraints this was not possible. Instead, the estimates in the last column of the two tables below, which she handed out, are based on select link analysis, which indicates where the traffic on a particular road segment is coming from and going to. This information can be used in addition to land use trip generation rates to approximate the effectiveness of the measures. For the analysis areas affected by the variation in Scenario 1, the total trips were reduced by roughly one third. The last columns of the two tables below show the approximate percent reduction in v/c ratio.

APPLICABLE STANDARDS AND FORECASTED V/C RATIOS UNDER SCENARIO 1, FERN VALLEY THRU ALTERNATIVE				
Key Intersection	Standard ¹	Proposed Project	Proposed Project With Mitigation	Proposed Project With Mitigation and Land Use Measures
Northbound interchange ramp/Fern Valley Rd.	.75	.68	.68 ²	~20% reduction ²
OR 99/Fern Valley Rd.	.85	1.15	.87 ³	~10% reduction ³
Fern Valley Rd./N. Phoenix Rd.	.90	1.04	.82 ⁴	~20% reduction ⁴

Source of forecasted v/c ratios: ODOT Transportation Planning Analysis Unit.

Note: Forecasted v/c ratios do not assume construction of the South Stage Overcrossing.

¹Appendix C contains the sources of the standards and the roadway classifications on which they are based.

²No mitigation proposed.

³Mitigation consists of a second westbound right-turn lane and a second exclusive westbound left-turn lane. (When the second westbound exclusive left-turn lane is added, the center westbound lane would become an exclusive through-lane, i.e., left turns would not be permitted from it.)

⁴Mitigation consists of a second northbound left-turn lane and an eastbound exclusive right-turn lane.

APPLICABLE STANDARDS AND FORECASTED V/C RATIOS UNDER SCENARIO 1, N. PHOENIX THRU ALTERNATIVE				
Key Intersection	Standard ¹	Proposed Project	Proposed Project With Mitigation	Proposed Project With Mitigation and Land Use Measures
Northbound interchange ramp/Fern Valley Rd.	.75	.68	.68 ²	~20% reduction ²
OR 99/Fern Valley Rd.	.85	1.15	.87 ³	~10% reduction ³
N. Phoenix Rd./S. Phoenix Rd. Extension	.90	1.21	.77 ⁴	~25% reduction ⁴

Source of forecasted v/c ratios: ODOT Transportation Planning Analysis Unit.

Note: Forecasted v/c ratios do not assume construction of the South Stage Overcrossing.

¹Appendix C contains the sources of the standards and the roadway classifications on which they are

based. (When the second westbound exclusive left-turn lane is added, the center westbound lane would become an exclusive through-lane, i.e., left turns would not be permitted from it.)

² No mitigation proposed.

³ Mitigation consists of a second westbound right-turn lane and a second exclusive westbound left-turn lane.

⁴ Mitigation consists of a second westbound left-turn lane.

Discussion:

David Lowry noted that one committee member had made a comment that implied that his comments were primarily self-serving and he wanted to point out that, since his property was over 25 acres in size, it would not have these restrictions. He was concerned with what would benefit all the property owners and the City of Phoenix.

David Lewin requested diagrams as to what the mitigated intersections might look like. Dick Leever presented maps of the mitigated intersections.

David Lowry said technical detail that needed to be addressed in the mitigations was fine but the property involved needed to be included in the plan as part of the project.

John McDonald said as he looked around at various jurisdictions around the Rogue Valley there were some cities that had a very clear vision of what they wanted in the future and pointed to Jacksonville, Ashland, and Central Point as examples. He commented that in his work with Phoenix so far, he did not get that same kind of sense of a vision within the community. He believed that a positive aspect of this measure would be to help Phoenix shape a vision of itself for the future and help lay a foundation for Phoenix to decide what kind of community it wants to be and how and where it wants to go.

Lisa Sandrock noted that there were many residents who are taxed but who do not live within the city limits on the east side and she felt like they didn't count. She thought it did not seem adequate to consider only the study area when the city will also expand in their direction. Dick Leever noted that David Lowry had concerns earlier in the meeting that ODOT was going to develop this and tell Phoenix what to do. He assured members that was not the intent of ODOT, they expect to sit down with Phoenix and their planners and develop it as a cooperative effort and Phoenix will be a big part of the IAMP development. David Lowry asked why Phoenix should involve ODOT in the first place. John McDonald noted that for the last few years Phoenix has gone from crisis to crisis and has not been able to develop a plan on its own and he thought this IAMP was a perfect vehicle to help Phoenix realize its vision. Dick Leever added that ODOT could help with the financial burden and comprehensive plan input and the city will play a big part in it.

Terry Helfrich commented that as the city's comprehensive plan moves forward there will be input and ODOT is more than willing to share in that input and start setting up the standards.

David Lowry thought it was great for ODOT to help Phoenix but making it a requirement was another matter. John McDonald said that ODOT was not requiring this but believed these were excellent tools. He noted that the project would still be built regardless of the outcome of the IAMP process. He commented that he thought these were things the City Council would have

liked to do on their own and this will provide a mechanism to do it. He acknowledged that nobody will get everything they want under these measures but everyone will get something.

Lenny Neimark thought a lot of the resistance was caused by vagueness and he asked if someone could present a visual representation of what this might look like and what would it really mean when projects were presented. He added that there were not really that many properties that could be developed.

Terry Helfrich said that this was a challenge to Phoenix and they needed to start working with the interim planner and start to develop a vision. He supported this measure and felt Phoenix was in a unique situation and needed to have a plan in place. He felt ODOT had at least set a vision for Phoenix and he appreciated it.

Bruce Sophie said he agreed with Terry Helfrich but thought maybe it would be easier to understand if ODOT takes what Phoenix already has and formalizes it so people can understand.

John Kelly suggested a joint LCDC/ODOT program called “Quick Response” where urban design teams help communities to see if design could make a project more acceptable to the community. He discussed the schedule, explained the timeline, and said the time this would take is an issue.

David Lowry said the walkable community concept was something new that he just found out about a few days ago and felt if the committee had been introduced to the concept beforehand, especially one with this significance, it would have helped. John McDonald said this is what we are here for tonight, to present it to the committee, hear responses and come back.

Susan Lee said on page 14 in the Draft IAMP “Other features of this measure” she was confused by number one because UGB lands were controlled by the county not the city and they don’t become city lands until they are annexed after designation. She added that, in number five, if ODOT was requiring a master plan before inclusion into the UGB the City of Phoenix would not make that decision on a master plan because the planning jurisdiction is the county. She wondered how it worked procedurally.

John McDonald said there were details that needed to be worked out and the team will be looking forward to consensus on these as principles. He thought information was provided for all to make an intelligent decision even if specific things needed to be worked out later.

Lenny Neimark noted that the committee had only heard what won’t get and what it won’t look like. He thought it would be beneficial to get a picture of what it would look like, the positive side of it.

David Lowry said the uses were so limited, there are five 5-acre parcels and you only have six choices of businesses to put on them. He thought that needed to be looked at.

Susan Lee commented that the lands currently in the county that will likely develop under the interchange commercial zone were almost the exact opposite of this. She thought high traffic versus distance of travel should be looked at.

David Lowry noted that there was not another interchange that looked like this. He cited the North Medford Interchange with all the development around it and said that, if a little was developed on the east side with highest traffic uses, it would not even approach that development. He wondered why other areas could develop that way and Phoenix could not. John McDonald said that if Highway 99 was widened and a SPUI was put in development could happen like that.

Lenny Neimark asked if Highway 99 was widened like when the committee first saw the maps two years ago if all this would go away. Terry Helfrich asked if Highway 99 was limiting capacity and Christina Fera-Thomas said Highway 99 was over standard on v/c.

David Lowry said that the CAC was told that ODOT had looked at all of the uses and had planned for plenty of capacity and that was the basis of why the committee approved the current design. He added that it did not work for him now to say that there were all these limitations that have to be placed on Phoenix at the interchange.

Christina Fera-Thomas explained that it has always been said that Highway 99 would be the problem and it is at standard in the EA. She added there has always been flexibility on the east side but no flexibility on the west side.

Lenny Neimark requested more information on the uses for the 5-acre parcels. He felt there was a disconnect assigning the 1-11 uses on 5-acre parcels.

John Kelly said there was always a struggle to trade off flexibility and certainty. He thought perhaps a long-term vision could be achieved. He added that he keeps coming back to the reality that, if Phoenix continues under the current development code, roadway capacity will be used up before 2030.

David Lowry suggested following the current ordinances in place in the City of Phoenix and looking at ways they might be further enhanced rather than introducing a whole new concept and overlay procedure. Bruce Sophie concurred and cited the winter situation with closure of the pass and how people are looking for gas stations and places to sleep.

Mark Kellenbeck asked what the deadline was. Dick Leever replied that construction was planned to begin in 2011 and it will take two years for design and explained that there was not much time left before next year and if not ready to go it will be another year out.

Mark Kellenbeck commented that there can't be an interchange that doesn't serve the community. He thought ODOT should be able to come up with something long-term that they could all support. He noted that maybe that is not too far off but he didn't feel that way tonight.

David Lowry recommended that ODOT take a hard look at everything in the proposal and if it was not absolutely essential take it out and create a brief document to the point. He thought the committee would be able to get through that sooner.

Bruce Sophie asked John McDonald to explain the rules of why Phoenix was subject to the IAMP requirement and that might help the committee understand. John McDonald said in other areas when ODOT wants to control land use they put in an overlay zone which allows certain uses and prevents other uses and with the traffic analysis and listening to the community we go back to the balancing. He explained that they have heard from the people who live here that they want to be able to walk and bike around town, avoid pollution and have a nice community in which to live. He informed the committee that they hear from property owners that they don't want a lot of impacts, don't want to widen Highway 99 and want to protect and preserve the investment in their property and businesses. He added that ODOT wants to protect the interchange and spend tax dollars wisely and avoid traffic accidents and Phoenix wants to expand its tax base and provide services for the citizens. He said after the last meeting they realized they needed to fashion something that makes sense taking into account all these things and finding a balance. He noted that the idea was that Phoenix could realize for itself this kind of "Smart Growth," something that Phoenix would put into place on its own. He added that the team is still working out the details.

David Lewin asked if there was an option such as putting a gas station on a 3-acre plot and landscaping the other 2 acres. John Kelly said that would be a trip budget which we evaluated in May and no one liked it so we dropped it.

David Lowry said he thought this already happens, he was required to have a trip budget and design a project around that. He didn't understand the difference.

John Kelly said what he thought David Lowry was saying was that TPAU used the RVCOG forecast of population and employment for Transportation Analysis Zones (TAZs) for the EA traffic analysis, but that when the IAMPs are prepared it is standard procedure to look at land use in more detail. He asked Christina Fera-Thomas if there was a considerable difference between the original RVCOG model and traffic generation numbers that were used for Scenario 1 and Christina Fera-Thomas responded yes; today we have a much better idea than the traffic numbers Brian Sheadel relied on.

David Lowry then said he submits that the approval for the interchange design by the CAC recommendation and the PDT approval is invalid. John McDonald said he would bring that up with the EA people.

John McDonald explained that, in anticipation of the zone change, under the Transportation Planning Rule (TPR), properties that have a significant effect upon a state facility have to mitigate or meet certain requirements. He added that what the Walkable Community Transition Overlay Zone does is deal with development as it comes up but it also has a much more forward looking aspect to it.

David Lewin said he would like to see flexibility if uses were going to be limited.

Bruce Sophie agreed and said the program could have an indirect form of the budget trips making it more flexible for businesses and opportunities for Phoenix. He felt there could be compromises.

Capacity Expansion

- Planned improvements at key locations.
- Put in IAMP so that funding can be secured later.

Christina Fera-Thomas the said the v/c ratios that are in the tables in the draft IAMP include all the turn lanes identified as mitigation but not the southbound through lane on Highway 99.

Discussion:

Lenny Neimark said there was a list of things on page 18 that say they have already been included in the numbers and he asked if the right-of-way for those were a part of this project. Dick Leever replied that they are considering that right now. Lenny Neimark said because of David Lowry's point earlier if that is not part of the project now a developer can't come in and force another property owner or developer to sell them the ROW.

David Lowry thought the ROW that is not acquired should get dropped out of the IAMP and asked how someone could be required to something they cannot do.

Dick Leever responded that if it was included as part of the plan right now then all the technical reports would have to be redone. He added that the turn lanes would be shown as proposed mitigation in the Draft EA and see what kind of comments are received. He said if there positive comments toward them, then during the period between the Draft EA and the Final EA they would update the technical reports and include the turn lanes as part of the project. David Lowry recommended that the IAMP incoude the turn lanes as part of the project.

Bob Lewis reported that Phoenix is working In a more proactive manner with potential developers facing ROW acquisition.

Lenny Neimark said he was confused and thought some of the mitigations and they were part of the original design. Christina Fera-Thomas said they were talked about as mitigation for the EA.

David Lowry asked why this wasn't part of the regular plan if they are needed for capacity and Christina Fera-Thomas replied that the design in the EA has to be based on the build volumes in the EA traffic analysis. She added that the build volumes in the EA traffic analysis did not require the two lefts. The IAMP traffic analysis projected higher volumes.. David Lowry thought maybe the EA should be changed because there is more traffic than originally planned.

John Kelly explained that the definition of the build alternatives was based on the traffic analysis for the EA, which was based on the RVCOG traffic model. He said the additional lanes came out of the traffic analysis done for the IAMP, which was based on Scenario 1. He added that this was a consequence of how things progress.I It would be possible to change the definition of the proposed project as evaluated in the EA and move some of the mitigation measures into the

project as proposed. However, it would create maybe six months delay to revise all the fifteen or so technical reports.

David Lowry said he understood, but in his opinion ODOT has the responsibility to provide to those making decisions adequate, accurate information. He added that now ODOT was saying that they did not have the correct information and this has gone on for several years and he felt there was time to address it. He commented that when a developer wants to do what they reasonably should be able to do it appears that ODOT will come back and say the developer has to pay for it.

Dick Leever explained that the EA was limited to the build numbers by law and ODOT is not allowed to use any other numbers. The IAMP allowed more flexibility and they were allowed to use different numbers and expand what was looked at. He said the turn lanes will be shown as mitigation in the EA, comments will be received, and, based on the comments, they may be added to the project.

Jackson County OR99 Widening Avoidance Overlay Zone

- Limit new development of high traffic-generating uses north of city to prevent OR99 congestion.

John Kelly explained that it didn't really make any difference what uses are allowed along Highway 99 because the effects of what happens on the east side overwhelm their effects. For this reason, ODOT is withdrawing this proposed measure.

Cross-Approval

- Provide ODOT opportunity to review developments that could impact interchange and road network.

John Kelly explained that whenever a partnership is entered into, a partnership agreement is written. He added that such an agreement is not put in place to take advantage of the opportunities to penalize the other party, but instead to make clear the expectations of both parties of the other and to make it known that there are consequences of ignoring one's own responsibilities. He said this is what the Cross-Approval measure is intended do. In addition, ODOT Administrative Rules for IAMPs require this measure. One is especially necessary for the FVIAMP because most of the new development within the 20-year planning period will happen under a revised comprehensive plan and expanded UGB. He informed the committee that there would be a lot of changes the City of Phoenix will make during this time and it is already known that under the existing plan, even with mitigation measures, there is a forecasted violation of performance standards for Highway 99 and Fern Valley Road. He said that ODOT needed a way to protect the interchange from amendments to the comprehensive plan and the UGB that could jeopardize its performance. He inventoried the eight IAMPs that the OTC had approved and, of the eight, five have a measure like this, with different gradations of how explicit the measure is. He thought the way this measure was different is that ODOT has been very up front about what it is proposing: if the city adopts an amendment to its plan that adversely affects the interchange ODOT reserves the right to appeal. He added that the measure is not intended to penalize Phoenix, but to ensure a seat at the table for ODOT when Phoenix is making decisions because the decisions will affect the performance of the interchange.

Discussion:

Susan Lee asked if the proposed requirement expanded on Goal 2 for interagency coordination that is already in place by which ODOT has an opportunity to comment and in the county's TSP ODOT needs to agree with development near the interchange. She asked who would be the decision-making authority. John Kelly responded that under the Transportation Planning Rule (TPR) ODOT has strong authority for what she referred to. However, for development approvals to which the TPR does not apply, local jurisdictions do not have an obligation to go beyond notifying ODOT and providing an opportunity for ODOT to express its concerns. He added that Jackson County would not be a party to this agreement and that it would be between ODOT and the City of Phoenix.

Susan Lee said she thought there was a misunderstanding of who has jurisdiction over UGB lands; it is the county, not the city. She added that there was a joint adoption requirement in terms of designating those lands but the lands will remain in the jurisdiction of the county until annexation. She said there were requirements for urban growth management agreements to be adopted for those areas and they also require agreements about how those lands can be developed until they are brought into the city. She didn't know where this would occur for the county.

David Lowry could not see why the city would agree to this and had reservations about the experience in Oregon of state agencies involved in the planning processes of cities and counties. Susan Lee added that she did not see this as threatening as ODOT already has the ability to do this under their current rules.

Mark Kellenbeck said he would like to see the committee move forward with a positive attitude and be good partners. He thought it was a good proposal, good partnership, and low-risk.

Lenny Neimark did not feel ready to vote and move the proposal. He thought there were still too many questions and uncertainties as what it will look like.

Bruce Sophie said from a city council standpoint they would like ODOT to hear comments from the council at a work session with council addressing the proposed issues.

David Lowry said the original CAC had worked through the whole design and spent a couple of years doing it and what was presented from ODOT was that this will happen in Phoenix and it wasn't anything the committee thought they had a choice on. He added that it wasn't an acceptable plan to a lot of residents and it cost a year at least to go back and work through it all again and he did not want to be in that position again.

Bob Lewis said he had heard a lot of things about what the CAC did not want. He asked the committee if they had recommendations for how the interchange area could be managed. He added that the proposals have been worked and re-worked and asked what is it that the CAC wants. Lenny Neimark replied that he thought the committee needed more information to make a decision and he wanted to know how much, if any, would change if they went back to the original plan of widening Highway 99. David Lowry said ODOT should eliminate things that were brought up as committee concerns and objections, go back and look at city ordinances in

place and see if they do the job or with some minor amendments instead of coming up with entirely new overlays of what is already there. John Kelly explained that if the current city code is used there will be violations of performance standards and they know this won't work.

Terry Helfrich asked if the interchange was under-designed. He commented that the city saw this potential for development and now they hear they are restricted by capacity. Christina Fera-Thomas said the interchange handles capacity fine but Highway 99 does not and this will eventually affect the interchange. Terry Helfrich asked if all of this was because of Highway 99 and wondered if they could go back and revisit widening Highway 99. Lenny Neimark said they could go back, they did it once and, if needed, they could do it again.

Mark Kellenbeck said his first impression was that this was not a long-term design for the east side. He agreed that there is a need to go back and look at the west side and, if it requires buying the triangle, that should be done. He commented that, if there is an opportunity to do the right thing now, it should be looked at.

Lenny Neimark said the committee had taken four years to develop alternatives on the design and these measures were first given to them a month ago. He added that this was a big decision to make in a short period of time.

Bruce Sophie reminded the committee that when they looked at the interchange design it was mostly the SPUI and not just necessarily redoing Highway 99. He added that there were significant changes to the footprint and the SPUI design was much more expensive than the converging diamond.

David Lewin said there were also significant costs of buying ROW up and down Highway 99.

Christina Fera-Thomas said that Scenario 1 with the additional southbound lane fixed the problem.

Dick Leever asked John Raasch if the plan would be to move forward with the two alternatives that they have and finish the draft EA, could ODOT go with a different design. John Raasch responded that it would be possible to do that but it would take much more time. A decision would still need to be made on trade-offs for capacity on Highway 99 and capacity for future development.

John Kelly discussed Table 1A and Table 1B on page 8 of the Draft IAMP. He said the v/c ratios were very close and he thought there would not have to be whole lot done to get there and the measures would provide a mechanism to do that. He asked members to try to trust and work with ODOT. He thought that, through these measures with some updated changes, Phoenix could achieve the growth and development opportunities the city wants and keep the interchange operating.

4. Next Steps

John McDonald, ODOT

John Mc Donald said the team will come back August 6th for a joint CAC PDT meeting and he will work diligently to get meeting materials out earlier. John Kelly will try to get “Quick Response” program urban designers to come down. John McDonald said it would be very helpful if members could let them know which uses they cannot live without and uses they could live without.

Mike Kuntz reminded committee members that if the project is delayed, not only will there be funding issues but, with the failing county structure over Bear Creek, the likelihood of dividing the east and west increases because of additional weight restrictions on the bridge.

Bruce Sophie said he would like to have a city council work session before the next meeting. He wanted the councilors to be comfortable with what was going on so when residents come to them they understand. He added that the PDT needs to hear the CAC and citizen’s input.

5. Public Comment

Pat Foley, RVCOG Facilitator

Dr. Brian Lewis, Phoenix Hills Homeowners Association, said he felt that tonight went off the rails a bit and he understood Mr. Lowry and Lenny’s anger although they both have vested interests in property. He basically heard that the ODOT folks were incompetent and their plans were not good and if only we would follow the ordinances and rules that we have in the City of Phoenix everything would be fine. He heard Lisa Sandrock say she was not part of the community because she lives outside the city limits and here she is on this committee. He said the arguments she was giving for the building that was going to go on out past the city limits is the very argument they were using for Phoenix Hills Subdivision for going for the North Phoenix Thru option. He added that he was angry, too, and when he moved here he was told there would be no more building behind Phoenix Hills and that the city agreed that would not happen. As time went on he was told that was not right. He felt the city failed and asked where the planning commission was and if the city knew that there was going to be this development along the interchange route why would they allow the home developers to build there. He felt there was a real disconnect. He commented that the committees have been put together to help the city achieve a vision for the future and not continue the same thing that has put them in this position. He said all he was hearing tonight was give us the money and not only will you not tell us what to do, we will tell you what to do with the taxpayer’s money. He felt if it was going to be a win-win situation, tonight’s conversation was not the way to go. He thought there were issues to be straightened out and, as a resident of the subdivision with 200 families and a 40 million dollar investment, they are 10-15% of the voting public. He was really appreciative of the whole concept of livability. His goal was that these issues could be ironed out and a consensus could be found. He said if we don’t do this we should just scrap the thing and let someone who is private build it.

Stan Bartell said comparing last night’s meeting to this one he really felt the direction that ODOT is headed is a positive one but at the same time he felt it was their responsibility to step back and look at it. He thought Phoenix should take a more active role, get more involved, and give direction. He commented that it was not just ODOT’s project; it was the City of Phoenix’s project also. He felt very positive about it where everybody will walk away with something and at the same time making a livable area. He is concerned with west side access management

which he feels will create difficult access at best and concerned about businesses surviving. He thought it a good idea to bring the city together and come up with a vision.

6. Comfort Check

Pat Foley, RVCOG Facilitator

Vicki Guarino said just to echo the last comments about what everybody wants, the MPO interest here is long-term use for the entire community. She added that it seemed in all this time the committee was back on the issue of capacity on Highway 99 versus the interests of future development. She would like to hear more direction from the city in terms of growth and Highway 99 issues. She did not think that project committees were able to make those decisions and she thought a clearer picture from city officials of what their visions are would be helpful.

David Lowry said he has been impressed with a lot of the people and leadership in the City of Phoenix. He agreed that there has been turmoil but he felt Phoenix should make the decisions. He has a problem when more regulation and parties get involved than are needed.

Mark Kellenbeck felt the committee was real close and should be committed to getting this done. He was looking to ODOT staff to help pull members together. He wants to see this get done but he wants it to get done right.

Bruce Sophie thought this group had done a wonderful job of working with the city and they had spent a lot of extra time with them really trying to work with their constraints to meet the city's needs. He said as far as vision goes, they will be working on it soon along with public input which will be a large part of it.

Bob Lewis thought the entire ODOT staff had done a great job and he felt they needed to put some trust in ODOT. He said they have listened to us and we appreciated it. He thanked ODOT for putting a 15 million earmark request in for this project.

Terry Helfrich appreciated the work of the ODOT team. He said they have definitely added dimension to this project that he never dreamed of. It has been a challenge to the city and he felt they needed it and with city goals and input they will find their vision.

Mike Kuntz thought the ODOT team did a professional job tonight and he appreciated it. He said from a county road perspective he was interested in seeing something Phoenix could live with but reminded them there did need to be some kind of trip control on the development. He felt they needed a way to acknowledge that and figure out a way to do it so everyone could move on.

Susan Lee had no comment.

Dack Doggett did not think the committee should go back to Highway 99 issues. He felt they should trust in ODOT and the city and move forward.

Lenny Neimark said he valued the work of ODOT and understands the need for mitigation. He appreciated their willingness for one more round of tweaking before they move ahead.

Lisa Sandrock said it was an unbelievable amount of work, the timeline was near, and hopefully it will be acceptable to all.

John Raasch had no comment at this time.

John McDonald appreciated and respected all the comments. He said the entire group had come a long way and they were very close. He will take their comments and go back to the drawing board and the committee will have another meeting in August. He thanked the committee for all their hard work.

Christina Fera-Thomas reminded the committee not to forget to look at a bigger picture especially for Highway 99. She said they needed to address the possibility that there might be a need for more lanes.

Dick Leever said basically there are two measures to look at. He encouraged the committee to look at them a little closer next week and give them feedback. He thanked everyone for coming.

John Kelly thanked the group and said it was not surprising that the land use planning issues are controversial because they have to trade off public and private interests.

7. Adjournment

The meeting was adjourned at 10:10 p.m.