Downtown Commission
September 12, 2012, 5:30 p.m.
Madison Avenue Meeting Room

	Item	Estimated Time
I.	Call to Order	
II.	Approval of June 13, 2012, and August 15, 2012 Meeting Minutes	5 minutes
III.	Public Comment	5 minutes
IV.	Election of Chair and Vice Chair	5 minutes
V.	Update on Housing Development Incentives Discussion	20 minutes
VI.	Food Cart Policy Review – Staff background and briefing *dedicated public comment opportunity planned for October meeting*	10 minutes
VII.	Staff Updates • Community Development Update • Alley Improvements Committee • Parking Committee Liaisons	10 minutes
VIII.	Commissioner Updates	10 minutes
IX.	Other Business	5 minutes
X.	Adjournment	

Next Meeting:
October 10, 2012, 5:30 p.m., **Madison Avenue Meeting Room**

Attachments:

- June 13, 2012, draft minutes; August 15, 2012, draft minutes; Memo and Attachments-Housing Incentives Update; Memo and Attachments – Briefing on Food Cart Ordinance Review; August 8, 2012, DCA minutes

Community Development
Planning Division
501 SW Madison Avenue
Corvallis, OR 97333

DRAFT

CITY OF CORVALLIS
DOWNTOWN COMMISSION MINUTES
Madison Avenue Meeting Room
June 13, 2012

Attendance
Kirk Bailey, Chair
Heidi Henry, Vice Chair
Kavinda Arthenayake
BA Beierle
Steve Hutchison
Steve Uerlings
Liz White

Staff
Ken Gibb, Community Development Director
Sarah Johnson, Associate Planner
Terry Nix, Recorder

Absent
Dee Mooney
Brigetta Olson
Mike Wiener
Steve Weiler

SUMMARY OF DISCUSSION

	Agenda Item	Summary of Recommendations/Actions
I.	Call to Order	Information only.
II.	Approval of May 9, 2012 Meeting Minutes	Approved as presented.
III.	Public Comment	Information only.
IV.	Staff Updates	Information only
V.	Commissioner Updates	Information only.
VI.	Other Business	Information only.
VII.	Recognition of Service – Outgoing Downtown Commissioners	Information only.
IX.	Adjournment – 5:55 p.m.	

CONTENT OF DISCUSSION

I. CALL TO ORDER

Chair Kirk Bailey called the Corvallis Downtown Commission to order at 5:30 p.m.

II. APPROVAL OF MAY 9, 2012 MEETING MINUTES

MOTION: Commissioner White moved to approve the May 9 minutes as presented. Commissioner Henry seconded the motion and it **passed** unanimously.

III. PUBLIC COMMENT: None.

IV. STAFF UPDATES

Parking Study: Director Gibb reviewed discussions related to GIS coding of the data from the parking study which will allow for utilization results to be displayed on an hourly basis. Additional information from Group McKenzie is expected to be available to share with the Parking Committee and Downtown Commission next month.

Sunset Review: Planner Johnson reported that the standing committee had a brief discussion and recommended to the City Council that the Downtown Commission continue until 2016.

Planning Work Program, Budget and Staffing: Director Gibb said that the new budget year is about to begin. The budget reductions resulted in the loss of the Planning Division's one long-term planner position. Discussions have been occurring about ways to do things differently with reduced staffing. Staff will continue to provide support to the boards and commissions but there may be times when there are delays or when demands cannot be met in order to address the highest priority issues.

EID Update: Planner Johnson said the task force and staff have been working to finalize the Economic Improvement District boundary and estimated revenue from voluntary participation. Remonstrations continue to come in and there has been some adjustment to the boundary based on areas with high nonparticipation. The DCA hopes to reach the required participation rate and intends to move forward at their public hearing on Monday, June 18. Brief discussion followed.

Alley Improvements Committee: Planner Johnson said that Cascade Pacific Resource Conservation and Development's finance staff and the City's finance staff are expected to meet within the next couple of weeks to work out details related to the grant application.

Parking Committee: Commissioner White reviewed discussions related to the parking lot at Second Street and B Avenue and the recommendation that be a 48-hour parking lot. Commissioners White and Uerlings reviewed discussions related to 2-hour and 10-hour parking meters and the potential of reconfiguring the locations of those meters.

Hotel Project: Director Gibb said that the hotel project was approved by the Planning Commission and there was no appeal. It is anticipated that the developers will initiate further discussion on a proposal related to the use of the Adams Street right-of-way at the appropriate time.

V. COMMISSIONER UPDATES

Commissioner Henry suggested that Benton County Rural Transit Director Sharon Fipps be invited to give a presentation on the regional transportation project at the next meeting. There was general agreement.

VI. OTHER BUSINESS

Commissioner Henry initiated discussion about ways that Commissioners might help to fill vacancies on the Commission. Director Gibb advised that the Mayor has appointed Mary Gallagher who works at the Benton County Historical Society and Museum. He said that any suggestions for additional candidates could be provided to the Mayor. Commissioner Uerlings said that he has provided the names of potential candidates to the Mayor.

Commissioner Henry suggested that a packet of information be prepared to help with recruitment and orientation of new Commissioners. The packet could include a one-page job description and the Sunset Review memorandum.

VII. RECOGNITION OF SERVICE – OUTGOING DOWNTOWN COMMISSIONERS

Chair Bailey expressed appreciation to outgoing Commissioners Kavinda Arthenayake and BA Beierle for their energy and insight. Refreshments were served in appreciation of their service.

VIII. ADJOURNMENT

The meeting was adjourned at 5:55 p.m.

CITY OF CORVALLIS
DOWNTOWN COMMISSION MINUTES
AUGUST 15, 2012 DRAFT

Present
Kirk Bailey
Liz White
Dee Mooney
Ken Pastega
Mary Gallagher
Brigetta Olson
Mike Wiener
Steve Hutchison
Roen Hogg, Council Liaison

Staff
Sarah Johnson, Associate Planner
Mark Lindgren, Recorder

Guests
Brad Upton
Bob Baird
Lisa Scherf
Jim Mitchell

Excused
Steve Uerlings
Heidi Henry

SUMMARY OF DISCUSSION

	Agenda Item	Held for Further Review	Recommendations
II.	Approval of June 13, 2012 minutes.		The June 13, 2012 minutes could not be approved without a quorum of attending members.
III.	Public Comment		Bob Baird shared his experiences with parking planning and parking patterns.
IV.	Presentation of Materials and Findings- Downtown Parking Utilization Study		Findings were presented.
V.	Staff Updates: Planning Work Program EID Project Alley Improvements Committee Parking Committee Liaisons Other Commissioners		Underground and overhead projections in the public right-of-way are being discussed by Public Works with others. The EID was passed at an $83,000 level. Staff are evaluating a draft contract with CPRCD to fund an Alley Improvements Master Plan. The Parking Committee has requests that are in process. Elections of officers is scheduled for the September meeting.
VI.	Commissioner Updates		The Main Street conference will be held in Corvallis between October 3-5.
VII.	Other Business		None.
VIII.	Adjournment.		Meeting adjourned 6:37 p.m. The next regular meeting will be September 12, 2012 at the Madison Avenue Meeting Room.

CONTENT OF DISCUSSION

I. CALL TO ORDER

Kirk Bailey called the Corvallis Downtown Commission to order at 5:30 p.m. in the Downtown Fire Station Meeting Room, 400 NW Harrison Boulevard.

Ken Pastega related that he's lived in Corvallis for many years and owns downtown property. Mary Gallagher related she is staff at Benton County Historical Society and Museum, and has had a longstanding interest in downtown, conducting her first downtown walking tour in 1984. Mike Weiner related he owns The Drawing Board, a downtown arts supply store. Brigetta Olson related she works at Willamette Neighborhood Housing Services, which provides affordable housing, with an office downtown.

II. APPROVAL OF JUNE 13, 2012 MEETING MINUTES

There was not a quorum of members who'd attended the previous meeting to approve the June 13, 2012 minutes.

III. PUBLIC COMMENT

Bob Baird related he's owned a business downtown for thirty years. He related that he'd participated in many different parking meetings over that time but nothing had been accomplished.

Commissioner White asked what he would like the Commission to accomplish; he said he didn't know what was envisioned; he said a one-day study could not be reflective of conditions the rest of the year, especially the Christmas season. He disapproved of spending further money on reports that wouldn't ever get looked at. He praised the removal of parking meters behind Safeway, which resulted in full parking there. Commissioner Weiner asked what he would do in their position; Baird replied that he wanted the parking structures that have been discussed for years, but for which there was no funding. He said that we need to change public perception that there was nowhere to park downtown, leading to people not shopping there.

Mr. Baird added that private lots have shifted from places where the public can park to employee parking. He noted that his own parking lot was consistently half filled with employee parking, despite the abundant signage prohibiting that. Commissioner Bailey noted the recent parking study was timed to take advantage of doing the study at the same time as the OSU studies, so it could be done much more cheaply and in the same broader context. Mr. Baird emphasized taking the parking impact of OSU Game Days and festivals into account.

IV. PRESENTATION OF MATERIALS AND FINDINGS- DOWNTOWN PARKING UTILIZATION STUDY

Public Works Transportation Supervisor (and staff for the Parking Committee) Lisa Scherf introduced Jim Mitchell, recently retired from the department, who has been assisting in the study; and City Transportation and Building Division Manager Robyn Bassett.

Mr. Mitchell stated the study was an analysis of the study done by Group McKenzie, which was hired in April to do a quick analysis of downtown parking usage, in the same areas as the 2000 study. The study area was largely similar to the area studied in 2000, with the exception of B Street, adjacent to the dog park, which was not included in the 2000 study (peak usage on that street was 40% at noon). He said he would compare the most recent study and that from 2000. He highlighted the last page's map, showing Sub-areas A through D, and blocks S1-7 (Supplemental Areas), which the 2000 study

included in a second survey later in May in order to look at parking impacts in neighborhoods adjacent to downtown. The Group McKenzie study also looked at those areas.

The significant changes that have occurred since 2000 include construction of the Downtown Transit Center; completion of the Riverfront Park; and there has been a lot of residential, commercial and retail development on 1st and 2nd Streets. A lot of ten-hour meters were removed in a number of areas, including behind Safeway and on the periphery. A number of parking spaces were added to 1st and 5th Streets, largely due to re-striping parking spaces following paving projects. The angles were altered on 2nd Street to add parking spaces. Parking was flipped on 5th Street, with added diagonal spaces on 5th Street and some long-term parking there.

He said the creation of the Residential Parking District C actually had more impact on downtown employee parking than residents. There was a change in the Free Customer Parking area from unrestricted parking to a three-hour time limit on any one space per block. He highlighted the table comparing the two studies. He said commercial-retail areas utilization of peak hours parking went down compared to 2000, but use of peripheral areas (intended for long-term, residential and employee parking) during peak hours went up significantly. He summarized that generally, things have gone according to the parking plan that came out of the 2000 study, and are working.

The second highest peak in Area D, on the Riverfront, is in the evening. The peak in other areas, other than in employee parking in Areas A and E, is typically noon. In the downtown core, on Second Street, there is a peak between 11 a.m. and 1 p.m., with a drop off in mid-afternoon, picking up again in the evening. He noted the later peak was not found in the 2000 study and indicated the kinds of businesses that have come in during the last decade, such as restaurants.

Mr. Mitchell said the 2000 study didn't provide much detail regarding the Supplemental Areas, though they noted the peak was about 60% in neighborhoods; in the 2012 study, the peak was 64% (between 2 and 3 p.m.). He said the background parking utilization in neighborhoods is about 40%. At 7 a.m. it is 43%; at noon, when employees are going home, it's about 42%; and it is still 44% in the evening, when employees would have returned home. He summarized that if there is no impact on the neighborhoods, they'd be parked at about 40%. He said the increases, going up to a maximum of 64% between 2 and 3 p.m., was probably from an influx of employees or students. No area had a peak hour that was at or above 85%. He noted that the study doesn't look at peak periods, like Game Days, Christmas Shopping or Black Friday; the surveys were intended to get normal, not extreme readings. The earlier study was done on May 9, with the Supplemental Areas done on May 25. The 2012 study was done on Tuesday and Wednesday, May 24 and 25. The results are averaged between the two days.

He said that 85% is usually considered full in the Parking Plan; it is considered ideal from a traffic engineering perspective. The figure can be interpreted several ways. It may show that we are being successful at bringing people downtown. On the other hand, an 85% level for four hours in a key retail area could trigger looking at parking pricing or additional parking supply. At this point it doesn't seem as if there is a need to increase parking in any of the areas, based on current parking usage. He highlighted the GIS data for each block face, saying that it can be helpful in evaluating whether to make parking control changes where the demand is highest. He said there was no data on duration of parking or turnover, but parking was very dynamic in all areas except the periphery. Commissioner Bailey asked that the data be made available electronically.

Commissioner Olson asked if this was a Wednesday on which there was a Wednesday Market; Mr. Mitchell replied it was, with nice weather. Commissioner Gallagher asked why a weekend day study wasn't performed; Mr. Mitchell said it was done this way in order to be done within a budget and to be able to perform a comparative analysis with the 2000 data.

Commissioner Weiner asked what kind of analysis would be done by a parking garage company in order to determine whether it was warranted to build one; Mr. Mitchell guessed that they would look at some of the same kind of data, looking at whether there was a lot of parking pressure in a given area where there was an opportunity to build a parking structure in order to make money. He noted that the same area, however, would also generally be a key, fully developed retail area, leading to high costs; that will influence parking pricing. He said current parking in Corvallis is quite cheap. In Corvallis it has been found that even the incremental cost of parking meters has been difficult to overcome. A parking garage's construction, maintenance and management are fairly expensive.

Brad Upton added that you have to consider how far people are willing to walk from parking and whether parking is already available there. Mr. Mitchell said there are two existing public permit parking lots- the red lot at the Fire Station and the yellow lot adjacent to City Hall, costing $60 and $75 per quarter respectively. The Fire Station lot has capacity, while the lot at City Hall has a waiting list for permits. He said a block or two makes all the difference in the world here; people are very sensitive to parking where they want to be.

Mr. Mitchell said the study was not intended to come up with any recommendation on what to do or not to do. He summarized it was really a comparison between the two studies. He said his key conclusions are that no large changes are needed and that the current approach for handling parking is going in the right direction.

Commissioner Pastega asked about the parking area behind Safeway; Mr. Mitchell replied that it is unrestricted. Commissioner Pastega said a parking structure would bring people from a football game to frequent downtown businesses. He asked how many people avoid downtown due to lack of parking; he said at some times and places, one must circle awhile. Mr. Mitchell replied that the City/County Master Plan would incorporate a parking garage at the half block between Jefferson and Madison between 5th and 6th Streets. He related that the consultant on that project said that to cost a parking structure out, you needed at least half a block, and a block is better. The on-street parking area behind Safeway wouldn't offer enough space to site a parking structure. He noted that many people on Game Day calculate that a $10 fine in a three-hour parking spot is cheaper than paying higher parking fees closer to campus.

Commissioner Mooney said a number of areas don't have parking; Mr. Mitchell replied that he subtracted all the no-parking areas from the numbers; the numbers only represent the areas that allow parking. The ADA parking is not included in percentage counts, nor are loading zones. He noted that he didn't have confidence in how the numbers represent the Free Parking lots; one is shown in the wrong place. He said his experience was that the downtown Customer Parking lot across from the Majestic Theater was typically full at noon, so the data may be in error there. He said perhaps the Citizens Bank lot may have been including in the public lot south of American Dream Pizza. Commissioner Bailey suggested that the final version remove areas that aren't parking, so they don't show as green; otherwise, looking at it would give you the wrong idea.

Commissioner Bailey highlighted the public perception of parking problems downtown, and asked whether there were any public relations efforts regarding this issue. Mr. Mitchell replied that the difficulty is the role of the City marketing the downtown; the City has worked with Joan Wessell at the DCA. The City doesn't market its permit system, for example.

Commissioner Bailey highlighted previous wayfinding proposals; there was one early proposal to place cameras over major parking areas and post live video on a website, so people could see if a lot was empty and then come downtown. He added that the City/OSU Collaborative effort is considering placing parking districts all around campus; doing so east of campus would squeeze employee parking to other areas. He asked what the impact would be; Mr. Mitchell said the area north of campus between Buchanan and downtown are being evaluated, looking at trip generation. He said there is

obvious employee parking on 7th and 6th Streets, falling off in the evening. There was a previous proposal to put meters on 6th Street, but it died due to employee opposition.

Commissioner Bailey said if parking districts are created, they would drive employee parking elsewhere and change the assumptions very rapidly; perhaps all the parking districts should be implemented at once. Mr. Mitchell replied that areas downtown identified for employee and residential parking use still have some capacity, as well as ten-hour metered areas.

Mr. Baird said between the period between 3-7 p.m. is now a big deal; a third of his businesses' income is *after* 6 p.m. Also, these studies are done in late spring; we need to take a look at December-January, since women employees don't want to walk far in the dark then; it is an important safety issue.

Planner Johnson said the report can be put up on the City website soon.

V. STAFF UPDATES

Planning Work Program.
Planner Sarah Johnson said the issue of projections in the public right-of-way and permits to occupy the public right of ways has come up in discussion lately. Public Works Engineering has been speaking with the Urban Services Committee, where there was a discussion to frame parameters. There will be further, more fleshed-out discussion next month, dealing with underground parking within the public right-of-way under streets and sidewalks, as well as overhead projections, as proposed in the new hotel and the new restaurant/brewery. She related that Engineering will seek to get recommendations from this commission, probably in the fall. Commissioner Bailey said getting additional parking has been identified as a quid pro quo for using the public right-of-way in the past.

EID Project.
Planner Johnson related that the EID project has been approved by the City Council; the DCA will receive about $83,000, as opposed to the $115,000 that it currently gets, so the DCA will be looking at additional funding sources. EID assessments will go out next month as part of the new five-year period.

Alley Improvements Committee.
Planner Johnson related that Commissioner Henry, herself, Director Gibb and the Finance Director met with the Cascade Pacific Resource Conservation and Development (CPRCD) group to discuss parameters of the contract for a partnership to seek grant funding for the alley plan. They are developing a draft contract and staff are evaluating it. She explained that the Commission several years ago identified alley improvements as a way to improve services there; for example, legitimate businesses with frontages on alleys found it difficult to get addresses. She highlighted other ideas, such as making some alleys more pedestrian and bicycle-friendly, such as with improved lighting. She related that Commissioner Henry found another city that developed an alley master plan, the commission got a presentation, it agreed to find funding for such a plan, and it then found CPRCD to assist in finding grants to fund this study for a preliminary strategic plan or master plan to look at utilization of downtown alleys.

Parking Committee Liaisons.
Liz White related that the committee had some requests in process, such as an area on First Street that could be developed, which currently has ten-hour meters. There is a proposal to change them to two or three-hour meters.

VI. COMMISSIONER UPDATES

Commissioner White commented that part of the charm of Downtown Corvallis is that it *doesn't* have huge parking lots.

Planner Johnson said she had previous DCA minutes available. Corvallis is hosting the annual Main Street conference between October 3 - 5 this year. The conference is free for all attendees who are part of the Oregon Main Street community; commissioners can ask her for registration of sessions. Commissioner Hutchison said it will bring in several hundred people from out of town; sessions often are about marketing and pertinent to small businesses. Planner Johnson said there will also be sessions on historic preservation.

Commissioner Bailey asked about Chair and Vice Chair elections. Planner Johnson said that that was delayed due to the three new members. She said Donna Williams is a new member representing OSU and can attend next month. She recommended holding elections at the September meeting. She said Heidi Henry was elected Chair several months ago but there was not a quorum.

VII. OTHER BUSINESS: None.

VIII. ADJOURNMENT

The meeting was adjourned at 6:37 p.m.

MEMORANDUM

DATE: **September 6, 2012**

TO: **Downtown Commission**

FROM: **Ken Gibb, Community Development Director**

RE: **Housing Incentives Opportunities - Update**

I. BACKGROUND:

In July, the neighborhood planning work group of Collaboration Corvallis reviewed some measures by which Corvallis could proactively direct student housing development to specific locations, including downtown, greenfield sites, and other locations, to minimize conflicts with traditional multi-family neighborhoods. Some of those measures include incentive programs, which the Commission has reviewed in the past. Below is a list of considerations, followed by a synopsis of potential incentive programs.

II. DISCUSSION:

Considerations and Implications:

- Actions to direct student-oriented housing projects to targeted locations could result in fewer concerns about compatibility with existing neighborhoods. For example, future projects in the downtown area and/or greenfield locations (sites that are not currently developed and/or are outside the nearby campus areas) may address this interest because they are in areas with more intensive development patterns, e.g. downtown area, or are sited in areas that provide more site design flexibility related to buffering and spacing, e.g. greenfield sites that are zoned for higher density residential development.
- Incentivizing projects in certain areas may help accomplish other goals such as the City's long time objective of having more housing development in the downtown area.
- It should be noted that any incentives that are available may not be sufficient to overcome other factors that influence development investment decisions. Factors that could be variable among potential locations include land availability and cost, construction cost and market demand.
- The City and OSU would need to carefully evaluate policy issues associated with incentives. Owners of property that has been long designated for multi-family development may have concerns about why some sites are eligible for public incentives if their property doesn't enjoy this benefit. Therefore, the City and OSU would need to carefully enunciate the public policy rationale for incentives being limited to certain areas, and also address the impact of incentives such as property tax exemptions on the revenue stream that supports local government services.

Potential Incentives:
On the City side, there are a few options that may be available depending on the type of project and locations. Briefly, these are described as follows:

Multi-Unit Property Tax Exemption – ORS 307.600
Allows for exemption from city or county property taxes for up to 10 years, within a defined boundary, for projects that conserve, rehabilitate, convert, or construct multi-unit housing. The city or county sponsor must adopt the ORS provisions, which requires a public hearing process. The defined boundary must be near a core area, light rail station, or transit-oriented area. Attachment A includes a newspaper article related to a student-oriented project in downtown Eugene that was recently approved for property tax exemptions by the City.

Vertical Housing Tax Credit – ORS 307.841
The program encourages mixed-use commercial/residential developments in areas designated by communities through a partial property tax exemption. The exemption varies in accordance with the number of residential floors in a project with a maximum property tax exemption of 80 percent over 10 years. An additional property tax exemption on the land may be given if some or all of the residential housing is for low-income persons (80 percent of area median income or below). Attachment B includes a newspaper description of a vertical housing tax credit project approved by the City of Beaverton.

Urban Renewal District (URD) – ORS 457
Urban renewal districts provide funding for projects within a defined boundary by diverting property taxes paid on increases in property values within that boundary for a specified period of time. Urban renewal districts can be an attractive financing tool because they raise funds for improvement projects without raising the overall tax rate. Urban renewal has been considered in the past for Downtown Corvallis, but Corvallis City Charter requires voter approval to enact a district, and in previous years, the citizens of Corvallis have not approved a district.

As noted in the descriptions above, all of these programs have eligibility criteria that will impact their applicability. The multi-family property tax and vertical housing tax credit programs provide tax benefits to the developer but need to be located in urban core or transit-oriented areas. Urban renewal districts can provide the resources necessary to support private development within the district, such as infrastructure and other public investment. Urban renewal districts must meet certain criteria to be designated as outlined in State law.

Collaboration Corvallis Consideration:
The neighborhood planning work group explored the above programs with an eye toward student housing and collaboration with OSU, but following their discussion, opted not to forward a specific recommendation to pursue any of these incentive programs for targeted student housing development. They did indicate that an incentives program that achieves multiple goals, and that includes a student housing component, would be appropriate. It also should be noted that the group was examining these programs with an eye primarily toward student housing development, not housing development in general.

III. REQUESTED ACTION:
The Downtown Commission is asked to review the above information with consideration of the neighborhood planning group's decision, and to determine whether the Commission wishes to make a recommendation to City Council on whether to pursue any of these programs as a means to incentivize and promote the City's goal of encouraging housing development downtown.

Capstone project: Yes

The City Council votes 6-2 to grant the developer a property tax waiver; construction may start as soon as June

BY EDWARD RUSSO
The Register-Guard

Appeared in print: Thursday, May 10, 2012, page A1

Aided by a hefty tax break, the developer of the largest proposed downtown construction project in Eugene's history could get started as early as next month.

As expected, the Eugene City Council on Wednesday voted 6-2 to grant Capstone Collegiate Communities a 10-year property tax waiver on its proposed $89 million student apartment complex.

The development for 1,200 students "will continue the rejuvenation of our downtown and add a mix of people to the center of our community," Mayor Kitty Piercy said after councilors voted.

The council's vote came after a 90-minute debate ignited by the objections of councilors Betty Taylor and George Brown, who voted against the tax break.

Brown, who unsuccessfully sought to limit the tax break to seven years, said he didn't believe that awarding the tax waiver was in the public interest.

Two councilors object

A mixed-use housing project with different types of residents would be superior to Capstone's plan to provide "transient" housing for a "monoculture" of 18- and 20-year-olds, he said.

Taylor unsuccessfully sought to require Capstone to comply with additional noise and air quality standards during construction to address the concerns of the elderly and disabled residents at Olive Plaza, a nearby high-rise.

But the council majority said existing regulations are enough to protect residents at Olive Plaza and elsewhere.

"We just don't pick out one particular project and say, 'You have to comply with rules that nobody else has to comply with,' " Councilor Alan Zelenka said.

Councilor George Poling said the proposals from Brown and Taylor were attempts at changing the rules, or moving "the goal posts again, again and again," for Capstone. "It's absolutely ludicrous," he said.

Nearby businesses happy

Near the 13th Avenue and Willamette Street development site on Wednesday afternoon, area merchants were glad the project is expected to proceed.

Keegan Gormley, owner of the Big City Gamin' computer game store, said students living nearby will help his business and fill empty spaces downtown.

"It's one less empty building, one less hole in the ground," he said.

A half-block east, Alison Albrecht, an owner of Cornucopia's Maize Lounge & Grill, said she's enthused about the development and how it would increase building density in the city center.

"It's great," she said. "We need to build up and not out. We need housing downtown."

Albrecht said some residents dislike tax breaks because computer chip maker Hynix closed its west Eugene plant in 2008 after receiving 12 years of reduced property taxes through a state-sanctioned enterprise zone program.

But Capstone's housing "is not going to disappear," she said.

David Mandelblatt, chairman of the Downtown Neighborhood Association, attended the council meeting.

"The project isn't perfect, but it is good for Eugene, and I'm very pleased with the outcome," he said.

Mandelblatt said the council later this year is going to consider an ordinance requiring on-site managers at large apartment complexes.

The ordinance could apply to Capstone's complex after the conditions attached to the property tax waiver expire in 10 years.

The neighborhood association "believes that the creation of an ordinance that will effectively ensure the ongoing quality of maintenance and supervision is of major importance," he said.

Fences to go up in June

In exchange for the tax break, Capstone had agreed to comply with several conditions governing how it will build and manage the complex.

Among other things, Capstone will provide on-site managers and collaborate with police on tenant behavior. The firm will build a new bicycle and pedestrian way through part of its development, construct new street crossings, pay for a Lane Transit District bus stop and construct its buildings to Earth Advantage energy standards.

The council's approval came four months after Capstone's proposal was first made public.

The conditions in the agreement were inspired by what the councilors heard about the project from residents, Piercy said.

"This is an example of how an engaged community like ours can really make a difference," she said. "In one sense this is about a project. In another sense it is about an investment in our community and our future."

Capstone, based in Birmingham, Ala., said it needed the tax waiver, worth an estimated $846,000 a year, or about $8.5 million for the life of the exemption period, to proceed with construction.

The 5-acre redevelopment site, spread over parts of three blocks near West 13th Avenue and Olive Street, is now owned by PeaceHealth, a nonprofit health care provider. The site includes the empty Eugene Clinic building and parking lots.

Eugene developer Steve Master previously had considered redeveloping the property with a Fred Meyer store.

But Master played a role in the Capstone development by securing an option to buy the property from PeaceHealth for an undisclosed amount.

As soon as Master buys the property in mid-June, Capstone will purchase the property from Master for $6.6 million and proceed with construction.

Capstone consultant Conrad Sick on Wednesday said construction fencing and a crane would be put on the site soon after the closing.

Demolition of the old clinic would take place after asbestos removal, he said.

The project would be built in two phases, starting with 227 apartments and a 600-car parking garage on the block bounded by 11th Avenue, Olive Street, 13th Avenue and Willamette Street.

The first phase is to be completed by September 2013, Sick said.

$89 million

Total estimated cost of the student apartment complex

1,200

Students expected to inhabit the apartments

227

Apartments planned for the first phase of development, to be completed by September 2013

600

Car spaces for the parking garage in phase one

City of Beaverton seeks state approval for Vertical Housing Development Zones

Published: Friday, July 20, 2012, 10:11 AM Updated: Friday, July 20, 2012, 10:13 AM

By City of Beaverton

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Beaverton City Council recently authorized the city of Beaverton's Community and Economic Development Department to apply for state approval of three Vertical Housing Development Zones (VHDZs). The zones are intended to provide financial incentive to promote mixed use development with housing in VHDZs.

"Building Vertical Housing in these zones aligns well with Metro's goals," said Mayor Denny Doyle. "By infilling our urban areas, we're able to increase our densities in areas where all levels of government have invested in Beaverton. These VHDZ's are all adjacent to light rail transit."

Under the state's program, a developer of a property within the VHDZs may apply for a partial property tax exemption as a tool to help finance their project. The exemption would apply for up to a ten year period.

The VHDZs may be located in light rail station areas, a transit oriented area, or a core area of an urban center. Three areas of the city have been identified as areas where the city can help incentivize mixed use development. The largest proposed VHDZ would be located within the city's central core area. The other proposed VHDZs are adjacent to the Sunset and the El Monica light rail stations.

"The establishment of the zones will encourage the construction of mixed use projects," said Mayor Doyle. "The development would create new housing and employment opportunities that could stimulate important economic, social, and cultural growth in those areas."

Since 2001, when the Vertical Housing Program was established, 14 communities in Oregon have received state approval of a VHDZ. Four of those communities are located in the Metro areas: Gresham, Hillsboro, Milwaukie and Wood Village.

The city of Beaverton is not the only public agency which may be affected by a partial property tax exemption by a project that takes advantage of the VHDZ program. Metro and Tualatin Hills Park & Recreation District are two examples of special service agencies supported by property taxes that could be affected by the VHDZs. Both districts have indicated their support for the city's VHDZ proposal and have committed to not "opt-out" of

the VHDZs once approved by the state. The city and these two agencies see this program as an investment tool to strengthen their future budgets by encouraging new development and redevelopment of existing property.

Mixed use development in the areas the city has identified for VHDZs is encouraged within the city's Comprehensive plan, as well as the Civic Plan.

For more information, please contact Steven Sparks, principal planner, at 503-526-2429.

MEMORANDUM

To: **Downtown Commission**

From: **Sarah Johnson, Associate Planner**

Date: **September 7, 2012**

Subject: **Food Cart Ordinance Background and Briefing for One-year Review**

Issue/Background:
In the fall of 2011, in response to a citizen request, the Downtown Commission appointed a committee to review the City's regulations on food cart vending downtown. Food carts were considered as "Temporary Outdoor Markets", and restricted to operating for 45 days per calendar year, and the request was to consider new policy to permit a "pod" of food carts to be located downtown, on private property, year round. The committee considered the request, based on analysis of other cities' regulations, a citizen survey, and an a public meeting, and formulated a recommendation to the City Council. The Urban Services Committee made a few changes to the recommendation, including determining the cost of infrastructure impact fees, hours of operation, and restroom access requirements, and forwarded the recommendation to the full City Council on October 3, 2011. The Council approved the recommendation, and stipulated that the ordinance would be reviewed in one year to allow for changes based on experiences with implementation.

While the City has received numerous requests for information regarding food carts downtown, as of this report there has not been an application filed to establish a cart or a "pod" on a downtown lot.

Requested Action:
The Downtown Commission is asked to review the background in this report, minutes from the USC meeting, and the final ordinance at their September meeting, in preparation to make a recommendation to the City Council. At the October 10, 2012, Downtown Commission meeting, the Commission is asked to hold a session for public comment related to the food cart ordinance, and following the comment period, deliberate and make a recommendation regarding the food cart ordinance, to the City Council.

Chapter 8.13

Mobile Food Units

Sections:

8.13.010 **Purpose.**
8.13.020 **Permit Required.**
8.13.030 **Definitions.**
8.13.040 **Permit Fee.**
8.13.050 **Permit Application.**
8.13.060 **Location Rules and Review Criteria.**
8.13.070 **Forms and Conditions of Permit.**
8.13.080 **Denial, Revocation or Suspension of Permit.**
8.13.090 **Penalties.**

Section 8.13.010 Purpose.

The purpose hereof is to permit mobile food units to operate on private property in the Central Business Zone and Riverfront Zone on a year-round basis, notwithstanding any local regulation to the contrary. The City finds that mobile food units encourage a pedestrian-oriented environment, help to create a visually attractive atmosphere and streetscape, and promote overall commerce.
(Ord. 2011-15 §1, 10/03/2011)

Section 8.13.020 Permit Required.

Use of a private property to accommodate one or more mobile food units on a year-round basis in the City is prohibited unless a permit is obtained from the Building Official as provided herein. Permits may only be issued to property owners or agents for private properties in the Central Business Zone or Riverfront Zone that are not required parking.
(Ord. 2011-15 §1, 10/03/2011)

Section 8.13.030 Definitions.

1) Abutting property owners and occupants – Any owner or occupant of property which abuts the subject site, excluding public right-of-way.

2) Accessible Route – A continuous unobstructed path of travel connecting all publicly accessible elements and spaces of a building or facility.

3) Adjacent sidewalk area – That portion of the public sidewalk between the curb line and the property line demarcated by extending the side building lines of the premises until they intersect the curb.

4) Clearances – Clearances as referenced in this section are measured horizontally from the outside edge of the subject property line to any obstruction on the ground greater than one-half inch in height, or to an adjacent projection. Accessible route clearances shall be no less than four (4) feet in width and no less than seven (7) feet in height for the entire length of the accessible route. Radiuses along an accessible route shall be no less than four (4) feet in width.

5) Mobile food unit – A vehicle that is propelled, or can be pulled or pushed down a sidewalk, street, or highway, on which food is prepared, processed, or converted, or is used in selling and dispensing food to the customer. Mobile food units are limited in size to sixteen (16) feet in length and/or 128 square feet.

6) Operator of mobile food unit– Any person, partnership, corporation, association, or other business entity operating a mobile food unit.

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7) Property owner - Owner or agent of a private property in the Central Business Zone or Riverfront Zone where mobile food units are proposed to be located.

8) Substantiated – Witnessed and recorded by City staff.

(Ord. 2011-15 §1, 10/03/2011)

Section 8.13.040 Permit Fee.

1) Applicants for a permit to allow operation of one or more mobile food units on private property shall pay an administrative fee and an infrastructure impact fee.

2) The fee for the permit as described in Section 8.13.020 shall be as specified in Chapter 8.03. Administrative fees are annual and shall be payable at time of permit issuance.

(Ord. 2011-15 §1, 10/03/2011)

Section 8.13.050 Permit Application.

1) Application for a permit to allow operation of one or more mobile food units on a private property shall be made at the Development Services Division on a form provided by the Building Official. Application for a permit will minimally contain:

a) A completed application;

b) A scaled plan of the proposed area for mobile food unit operations, with dimensions shown to include at a minimum:

- total square foot area of area proposed for mobile food unit use and circulation,
- total number and locations of mobile food units on the site,
- consistency with all setback and separation requirements as specified in Section 8.13.060, below,
- ADA clearances into and throughout affected areas of the property,
- size, location, and clearances of customer seating areas, if proposed,
- number and location of waste receptacles,

2) Information shall be provided as required by the Building Official to carry out the purpose hereof.

(Ord. 2011-15 §1, 10/03/2011)

Section 8.13.060 Location Rules and Review Criteria.

1) The Building Official shall review the application for its compliance with the following criteria:

a) The operation of one or more mobile food units year round is limited to private properties which are located in the Central Business (CB) Zone or Riverfront (RF) Zone.

b) Each mobile food unit shall be located such that there is at least six (6) feet from the outermost edge of the unit to an adjacent public sidewalk or public right-of-way, and shall also maintain a minimum of ten (10) feet of space between units. The operation of one or more mobile food units shall also be located a minimum of ten (10) feet from any proposed common seating area. The location of each mobile food unit on the site shall be approved by the Building Official, and a site plan showing the approved location of each unit and/or common seating area, if proposed, shall be posted at a prominent location on the property.

c) The property owner shall secure written permission from an adjacent business or property owner within 1/4 mile of the subject site allowing mobile food unit operators and patrons to access restroom facilities. Alternatively, where a property owner can show that there is a public restroom facility located within 1/4 mile of the subject site, the requirement for written permission shall be waived. The property owner shall provide information as to the location of approved restroom access in the same location as the posted approved site plan.

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d) Trash receptacles shall be provided on site, and must be emptied and maintained. Trash receptacles shall be provided at a rate of one (1) receptacle for every two (2) mobile food units, or a minimum on of one (1) per lot. Where the property owner proposes to provide a common seating area a minimum of one (1) trash receptacle shall be provided in the common seating area. All trash receptacles shall be located a minimum of ten (10) feet from combustible fuel tanks on mobile food units.

e) Accessible routes into, throughout, and adjacent to a property with one or more mobile food units shall be maintained in accordance with Chapter 11 of the Oregon Structural Specialty Code.

f) Each mobile food unit may provide awnings for shelter to customers. The awnings must be fully attached to the unit, have a minimum of seven (7) feet of vertical clearance, and be able to be closed or removed. Awnings shall not be subject to setback requirements, but in no case shall awnings extend over the adjacent sidewalk or public right-of-way. All awnings must be flame resistant per Oregon Fire Code.

g) Decks, patios, and similar structures are not permitted to be located within ten (10) feet of a mobile food unit. Where property owners propose a common seating area, any structures that require building permits shall be subject to such permitting and applicable sections of Chapter 11 of the Oregon Structural Specialty Code. Park or picnic benches are permitted but must be maintained at least ten (10) feet from mobile food units. Common seating areas shall be maintained on the subject property and shall not obstruct the adjacent public sidewalk or public right-of-way.

h) Signage permanently affixed to a mobile food unit is permitted and is exempt from sign standards in Land Development Code (LDC) Chapter 4.7 – Sign Regulations. Notwithstanding provisions in LDC Section 4.7.80.04, one (1) temporary sign per mobile food unit is permitted to be placed on the subject site. Temporary signs may be no larger than six (6) square feet, may only be placed on private property, and must not obstruct pedestrian pathways. Notwithstanding LDC Chapter 4.7 or Municipal Code, no temporary sign advertising a vendor may be placed on public right of way Temporary signs authored under this Section may only be present on the property during the mobile food unit operating hours. Permanent signs assigned to the subject property (not temporary signage) must conform to all applicable standards in LDC Chapter 4.7.

i) Mobile food units that are fully contained; i.e., units that provide their own water, power, and waste disposal, are permitted with no additional utility considerations beyond the permitting process and site plan approval described herein. Units that require a water source, power source, or waste disposal location are permitted only where the Building Official has approved site plans that show safe access and location of the aforementioned provisions. Such provisions are subject to all applicable building permits and SDC requirements.

(Ord. 2011-15 §1, 10/03/2011)

Section 8.13.070 Forms and Conditions of Permit.

The permit issued shall be in a form deemed suitable by the Building Official. In addition to naming the property owner as permittee and other information deemed appropriate, the permit shall contain the following minimum conditions.

1) Permit requirements:

a) Each permit issued shall terminate December 31st of the year in which issued.

b) The permit issued shall be personal to the permittee only and is not transferable in any manner. The permittee will be responsible for compliance with all conditions of approval.

c) The permit is specifically limited to the area approved or as modified by the Building Official, and will include a site plan as required by Section 8.13.050 indicating the area approved for the operation of one or more mobile food units and the location of common seating areas, if provided.

2) Requirements for properties containing one or more mobile food units:

a) The property containing one or more mobile food units and all things placed thereon shall at all times be maintained in a clean and orderly condition. Only those things authorized by the permit and shown on the site plan may be stored in the affected areas on the subject property.

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b) The permittee shall notify the Building Official in writing when operation of one or more mobile food units on the subject property commences.

c) No use of City fixtures will be allowed.

d) Council has the right to repeal or amend this Chapter and thereby terminate or modify all year-round mobile food unit operations on private property.

e) Hours of operation of mobile food units will discontinue by 3:30 am, daily.

3) Additional licensing requirements: All mobile food units shall be appropriately licensed and approved for operation in Benton County as a Class 1 – 4 mobile food unit. Additionally, each mobile food unit shall be inspected by the Corvallis Fire Department once per calendar year, as enforced by Corvallis Fire Department. All mobile food units are subject to any and all applicable city, county, and state regulations. The property owner shall ensure that each mobile food unit located on the subject site complies with the above.
(Ord. 2011-15 §1, 10/03/2011)

Section 8.13.080 Denial, Revocation or Suspension of Permit.

1) The Building Official may deny, revoke, or suspend the permit upon finding that any provision herein or condition of approval will be or has been violated.

2) Upon denial, revocation, or suspension the Building Official shall give notice of such action to the applicant or permittee in writing stating the action which has been taken and the reason therefore. The action shall be effective immediately.
(Ord. 2011-15 §1, 10/03/2011)

Section 8.13.090 Penalties.

In addition to the remedies set out below, violations of the provisions of this section may be subject to other appropriate legal or equitable actions to restrain, correct, or abate the violations. These remedies are intended to be cumulative and not exclusive. The following violations are infractions punishable by a penalty in accordance with this section. Any violation of this section may be prosecuted as a Class A infraction under the procedures of ORS Chapter 153 and Corvallis Municipal Code Section 1.01.120. The City Manager or person designated by the City Manager is authorized to issue a citation or written notice of violation to any person violating the provisions herein. In addition:

1) Any owner of a property containing one or more mobile food units operating without a valid permit for the year shall be notified by the City that it is in violation of Section 8.13.020, and will be allowed up to ten (10) business days to file an application.

a) If no application is filed within ten (10) days, the property owner shall be notified of continued operation in violation and a civil penalty of $500 per day shall be levied on the property owner.

b) If, after making application, the property owner fails to complete all application requirements necessary to obtain a permit, including, without limitation, payment of all application fees within thirty (30) days of the noticed application submittal deadline, the City shall issue a removal notice notifying the property owner that the unapproved operation must cease within five (5) business days unless the property owner complies with the provisions of this section. If the property owner fails to comply with the removal notice a civil penalty of $500 per day shall be levied on the property owner, in addition to any and all other remedies available to the City.

2) Any property containing mobile food units operating year round with a valid license, but found by the City to have a substantiated instance of failing to be in compliance with any other provision of this section of the Corvallis Municipal Code shall be given up to two (2) written notices per year, warning that it is operating out of compliance and in violation of this section. On the third investigated and

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substantiated instance of non-compliance, notice of the non-compliance may be delivered and penalties may be levied as follows:

a) first levy (third substantiated violation) $500;
b) second levy (fourth substantiated violation) $1,000;
c) third levy (fifth substantiated violation) $1,500.
d) Penalties shall continue to accrue in $500 increments for each additional substantiated violation.

3) In accordance with Section 8.13.080, the Building Official may deny, revoke, or suspend the permit upon finding more than three (3) separate instances of substantiated violations that result in fines.

4) Levies of civil penalties and revocations of permits may be appealed to the municipal court judge within ten (10) days of date written notice of the levy of penalty or revocation is deposited in the United States Mail with first class postage addressed to the property owner or posted on the property. If no appeal is filed within ten (10) days of the notice, the levy of penalty shall be final and failure to pay the levy shall be a separate violation of this section.

5) Any appeal must be in writing, signed by the owner or agent of the property, and must state the grounds for the appeal. The appeal must be accompanied by a deposit in the amount of the levy and an appeal fee of $50. The appeal must be filed with the municipal court. The appeal must be served upon the City Attorney. Failure to comply with any of these requirements within ten (10) days of the date of notice shall result in a dismissal of the appeal, a forfeiture of the appeal fee, and entry of judgment in the amount of the levy by the municipal court in its register.

6) Rules of conduct for hearing and final order. The Municipal Judge shall develop any rules, procedures or regulations that may be necessary for the proper conduct of the appeal. The only issue to be decided by the Municipal Judge is a determination of whether or not the property owner was in violation of CMC 8.13.090(1) or (2) as alleged in the notice of penalty. If the Municipal Judge finds that it is more likely than not that the property owner was in violation as specified in the notice of penalty, the Municipal Judge shall issue an order affirming the levy of penalty and enter a judgment for the amount of the levy of penalty into the register of the Municipal Court. The order and judgment shall contain a provision for court costs to be paid by the violator in the amount of $250. If the Judge finds that it is more likely than not that the property owner was in compliance and not in violation as specified in the notice of penalty, the Judge shall void the notice of penalty. The Judge's order is final and is not subject to appeal. It shall not be a defense that the property owner did not receive notice of the penalty if mailed to the address of the property owner, as obtain from Benton County Assessor's records or an application for permit. It shall not be a defense that the property owner was not aware of the permit requirements. The Judge may not reduce or suspend any portion of the amount of the levy of penalty if the Judge finds that it is more likely than not that the property owner was in violation as specified in the notice of penalty.

7) Failure to pay levy of penalty. Unless the full amount of the levy of penalty is paid within ten (10) days after notice of penalty or the order becomes final by operation of law, or after appeal, each day that the penalty is not paid shall constitute a further violation.

(Ord. 2011-15 §1, 10/03/2011)

City of Corvallis

URBAN SERVICES COMMITTEE
MINUTES
September 22, 2011

Present
Roen Hogg, Chair
Hal Brauner
Richard Hervey

Visitors
Robert Burton
Tom Jensen
Rebecca Landis
Jeff Powers, Benton County Natural Areas and Parks Director
Biff Traber, Ward 8 City Councilor
Michele Walker
Hugh Richard White

Staff
Ellen Volmert, City Manager Pro Tem
Karen Emery, Parks and Recreation Director
Ken Gibb, Community Development Director
Tom Penpraze, Utilities Division Manager
Sarah Johnson, Associate Planner
Emely Day, City Manager's Office

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. City/County Cooperative Agreement – Habitat Conservation Plan			Approve the Cooperative Agreements between the City and Benton County for the Habitat Conservation Plan implementation
II. Food Carts Recommendation			Amend the Municipal Code by creating a new Chapter 8.13, "Mobile Food Units," and amending Chapter 8.03, "Fees Chapter," as amended, **by means of an ordinance to be read by the City Attorney**
III. Other Business			

CONTENT OF DISCUSSION

Councilor Hogg called the meeting to order at 5:00 pm.

I. City/County Cooperative Agreement – Habitat Conservation Plan (Attachment)

Parks and Recreation Director Emery reviewed that, during October 2007, the City entered into a Declaration of Cooperation, which served as the basis for a cooperative agreement to be entered into upon Benton County's completion of its Prairie Species Habitat Conservation Plan (HCP). The Plan is complete. The Cooperative Agreements would

impact five City-owned open spaces (Owens Farm and Natural Area, Herbert Farm and Natural Area, Bald Hill Park and Natural Area, Lancaster Property, and Corvallis Watershed). Staff seeks the Committee's recommendation that the Council authorize the City to enter into the Cooperative Agreements.

In response to Councilor Hervey's inquiry, Benton County Natural Areas and Parks Director Powers said there were no significant changes from earlier draft Agreements to the final proposed Agreements. The HCP was developed through an extensive public comment process. From the initial draft, some minor changes were made throughout the HCP. A few major changes were made initially regarding how the mitigation responsibilities would be paid. The HCP was considered a strong public benefit, so there would be no specific fees associated with it. Throughout the HCP development process, United States Fish and Wildlife Service (USFWS) was flexible with the County regarding goals and objectives. The HCP includes a major component promoting prairie habitat conservation among private land owners.

Councilor Brauner observed that the HCP would apply to only some of the City's open space properties.

Mr. Powers explained that the HCP applied only to properties on which specific plant species were identified. The preliminary survey work focused on seven species targeted in the HCP. The prairie conservation areas established in the HCP, including those owned by the City, were included only because there was evidence of a listed species or a nectar component that is integral to the survival of the Fenders Blue Butterfly. Presence of Lupine and native nectar indicated prime viability of Fenders Blue Butterfly. Other City-owned properties did not contain the plant species.

In response to Councilor Hogg's inquiry, Ms. Emery explained that the HCP application is broader than the City-owned open space property. The Cooperative Agreements affect only City-owned properties. Mr. Powers identified other cooperative entities (Oregon State University [OSU], Oregon Department of Transportation, Greenbelt Land Trust, and two private utility companies that work within public rights-of-way with species present). The HCP applies to public agencies and their activities, as well as private property owners with Fenders Blue Butterfly on their property.

Based upon a motion moved and seconded by Councilors Hervey and Brauner, respectively, the Committee unanimously recommends that Council approve the Cooperative Agreements between the City of Corvallis and Benton County for the Habitat Conservation Plan implementation.

II. Food Carts Recommendation (Attachment)

Staff Report

Community Development Director Gibb noted that this was the third presentation to the Committee regarding food carts, also known as mobile food units (MFU). During April, the Committee recommended that the Council support a recommendation from the Downtown Commission and direct staff to develop an ordinance regarding MFUs. During August, the Committee reviewed some preliminary legislative language and provided feedback and direction to staff to prepare an ordinance and provide some additional information. He noted that the Downtown Commission did extensive work on the MFU issue, staff reviewed legislation from other communities, and this information was incorporated into the draft ordinance.

Associate Planner Johnson conducted a PowerPoint presentation (Attachment A), reviewing the background of the MFU discussions.

- A survey elicited almost 500 responses.
- The public outreach meeting was well attended.
- Most survey responders and public meeting attendees supported removing the 45-day limitation on MFUs.
- Concerns involved access to restrooms, availability of trash receptacles, litter on the site or within the Downtown area, and MFUs "paying their fair share" in terms of infrastructure impacts on the area in relation to "brick-and-mortar" buildings in the Downtown area.
- Based upon discussions with the City Attorney's Office (CAO), staff recommended that the legislation be included in the Municipal Code, rather than the Land Development Code (LDC). The CAO and the Committee concurred.
- The MFU definition is based upon the Oregon Department of Agriculture's definition and includes a limitation on length and square footage to differentiate this use from the previously applied Temporary Outdoor Market use.
- Fire Department staff determined that MFUs must be separated from each other and seating areas by at least ten feet, per Oregon Fire Code (OFC). The separation is especially important because of combustible fuel tanks.
- Based upon review of legislation among comparator cities, 300 feet was a common distance for restroom access.
- MFUs would be exempt from obtaining restroom access permission if a public restroom was available within 300 feet.
- Based upon review of experiences among comparator cities, staff recommended that decks, patios, and other structures not be attached to MFUs, as they would render the MFUs non-mobile and must meet applicable building permitting criteria. Additionally, such structures must be at least ten feet from the MFUs because of OFC requirements.
- Signage on MFUs would be exempt from the provisions of the Municipal Code or LDC Chapter 4.7.
- The CAO recommended including in the "purpose" statement of the ordinance the phrase "not withstanding any local regulation to the contrary."

- The "purpose" statement findings are similar to the legislation for sidewalk cafés.
- Based upon Committee discussions, staff removed from the proposed ordinance a requirement that seating be movable. A solid, permanently affixed common seating area on the site could be an attractive amenity.
- Based upon Committee discussions, staff removed the requirement for six feet of separation between picnic benches or common seating areas and the public right-of way. Language was added to require that these objects not obstruct pedestrian pathways.
- Permit fees are common among comparator cities and average $300 per MFU. The administrative fee is intended to reflect staff time to review site plans, check setbacks, and ensure Municipal Code compliance. The administrative fee would be assessed per site, not per MFU.
- The infrastructure impact fee (IIF) would be assessed once per proposed MFU. A property owner proposing a four-MFU site would be assessed for four units. The fee would be transferrable to subsequent MFUs to capture the overall infrastructure impacts.
- Staff considered transportation Systems Development Charges (SDCs) for restaurant development in the Downtown area. Staff assumed that the MFUs would not impact sewer, storm, or water infrastructure, as they would be self-contained and not connected to utilities. The SDC was calculated on 128 square feet of restaurant development in the Downtown area for a rate of $1,030.21 per MFU. Medford was the only comparator city with a SDC-based permitting fee for MFUs; the fee was approximately $1,400. Based upon Medford's legislation, the fee is intended to also address mobile food carts that continuously move throughout the public right-of-way. MFUs may have a reduced infrastructure impact because of inclement weather or not operating year 'round. Staff suggested that the Committee consider staff's calculations and determine an IIF rate proportional to the MFUs' infrastructure impacts.
- Prospective MFU vendors would like to serve customers after restaurants and bars close. Sidewalk cafés must close between 11:00 pm and 1:00 am, depending upon the day of the week, because of alcohol service. MFU vendors did not propose serving alcohol.
- Beaver Bus provides free public transportation until 2:45 am during the OSU school year.

Ms. Johnson noted that the Committee was not obligated to prepare a recommendation for the Council immediately and could review the proposed legislation again, if desired.

Mr. Gibb commented that Americans with Disabilities Act (ADA) compliance requirements would apply not only to walkway clearances, but also to site surfaces. The assumed hard, impervious surface would not contribute to more storm water runoff, negating concerns about storm water-related IIF.

Questions of Staff

Committee members and staff discussed various aspects of the proposed ordinance:

- Trash Receptacles –
  - » *Ms. Johnson* – Each site must have one trash receptacle. A site with only two MFUs would be required to have one receptacle. A common seating area must have a separate receptacle.

- Site Plans for Unknown Quantity of MFUs –
  - » *Ms. Johnson* – A property owner could submit a site plan for the maximum number of MFUs the site will accommodate and pay the one-time administrative fee and the one-time IIF for each potential unit. This would reduce staff time to one site plan review. Alternatively, a property owner could submit a site plan and pay the one-time administrative fee and the one-time IIF for all known MFUs at that time. If additional vendors joined the site during the year, the property owner would pay the revision administrative fee and the additional IIFs for the new vendors.
  - » *Councilor Hervey* – This should be clarified in the legislation.

- Rationale for the Legislation –
  - » *Mr. Gibb* – The PowerPoint presentation and discussions will be incorporated into the Committee's meeting minutes for reference.

- ADA Surface Requirements –
  - » *Mr. Gibb* – The ADA outlines compliant surface standards that are applicable to various situations. Loose gravel would not be acceptable, but a hard surface of paving, bricks, or pavers may be acceptable. The draft ordinance references compliance with Chapter 11 of the Oregon Structural Specialty Code.

- SDC Calculations –
  - » *Ms. Johnson* – The Committee and the Downtown Commission directed staff, based upon public comment, to develop a fee that reflected the MFUs' impact on infrastructure. Staff applied the SDC rate-calculation methodologies for "brick-and-mortar" buildings in a manner that seemed reasonable for MFUs. MFUs would not impact sewer, storm, and water infrastructure because they would be self-contained and located on impervious surfaces. Transportation infrastructure appeared to be the only applicable infrastructure factors. The improvement and reimbursement SDC rate components were applied to the MFU, the same as for any development. Staff attempted to develop a sample rate based upon SDCs for "brick-and-mortar" buildings. The reimbursement component reflects costs not captured by development within the previous year. The improvement component is used for future development.
  - » *Councilor Hervey* – The improvement fee is not related to widening a street to accommodate a MFU. SDCs are charged for all new developments to ensure funding for future developments.
  - » *Ms. Johnson* – SDCs are based upon projected trips for the size and type of any development and how much traffic might occur because of the development.
  - » *Mr. Gibb* – The SDC rate is a starting rate for Committee discussion and was based upon the estimated trips for a Downtown restaurant of comparable size.

» *Councilor Brauner* – The IIF would be calculated so as to be fair and equitable to a SDC.
» *Ms. Johnson* – The rate was based upon the SDC rate-calculation methodology. The Committee directed staff to determine an IIF that was not a SDC but represented a portion of infrastructure impact.
» *Councilor Brauner* – It is assumed that MFUs would be self-contained, but a property owner could provide utility connections and would then be assessed SDCs.
» *Ms. Johnson* – Utility connections to MFUs would be subject to regular building permitting processes and assessed SDCs.

- Municipal Code Section 8.13.060, Location Rules and Review Criteria, subparagraph 1)h) –
  » *Councilor Hervey* – The language is confusing. Under the recent legislative amendment regarding signs, a property owner may erect a temporary sign on private property announcing businesses on the property.
  » *Ms. Johnson* – The proposed ordinance would not allow a temporary sign on public property advertising a business on the site. Under the amended sign legislation, a property owner could place a temporary sign within the public right-of-way. The proposed ordinance would exempt MFU temporary signs from the provisions of LDC Chapter 4.7 within the public right-of-way. LDC Chapter 4.7 provides that signs must be on private property if space exists. The proposed ordinance would allow each MFU to have a temporary sign on site but no signs in the public right-of-way. The property owner would not be permitted to have a temporary sign in the public right-of-way. The property owner could have other permanent signs permitted within the Downtown zones, subject to LDC Chapter 4.7. The proposed ordinance would align with the LDC Chapter 4.7 requirement that temporary signs must be placed on private property, if space exists.

- Municipal Code Section 8.13.060, Location Rules and Review Criteria, subparagraph 1)i) –
  » *Ms. Johnson* – The Building Code may permit campsite-type utility connections. The City does not allow electrical cords to extend from a building to the side of another structure. Any electrical improvements on the site must be underground. A MFU could connect to an electrical socket on the outside of a building and install the campsite-type utility connection.
  » *Mr. Gibb* – The legislation should not allow something that could conflict with the Building Code or Electrical Code. Other solutions might meet Code requirements.
  » *Ms. Johnson* – For self-contained MFUs, only a site plan showing orientation is necessary. If other utility improvements will be provided, the property owner must pursue building permits and pay SDCs.

- Municipal Code Section 8.13.070, Forms and Conditions of Permit, subparagraph 1)a) –
  » *Mr. Gibb* – December 31 is the termination date for sidewalk café permits.

- Municipal Code Section 8.13.070, Forms and Conditions of Permit, subparagraph 3) –
  - » *Ms. Johnson* – It would be the property owner's responsibility to ensure that all MFUs on the site comply with all applicable City, County, and State licensing requirements. Staff suggested that the permit be applied to the site as a whole, believing it would be inefficient to require each MFU to show staff licenses and inspections.
  - » *Councilor Hervey* – Could this be addressed in a different way, so the property owner is not in the position of verifying that the vendors have licenses and inspections?
  - » *Mr. Gibb* – Staff sought to avoid the City being responsible for details on a per-MFU basis. Staff attempted to set general performance standards and expectations in the legislation.
  - » *Ms. Johnson* – Staff considered the Municipal Code an inappropriate means for enforcing County or OFC requirements. MFUs must be licensed by the County, regardless who ensures that they are. The Fire Department and the County are responsible for inspections. The proposed ordinance would serve as a signal to property owners and MFU vendors that licenses and inspections are needed, without specifying requirements that could cause staff to exceed its jurisdiction. Staff discussed developing a brochure for property owners, outlining requirements for MFU vendors, site guidelines, and how to get inspections.

- Municipal Code Section 8.13.080, Denial, Revocation, or Suspension of Permit –
  - » *Ms. Johnson* – Subparagraph 1) contains standard language from the CAO and similar Municipal Code provisions.
  - » *Mr. Gibb* – The Building Official would have authority to terminate a permit if the site plan did not comply with the Municipal Code.

Public Testimony

Michele Walker reviewed written testimony (Attachment B). She suggested that permit fees be prorated, based upon when during the calendar year the permit is obtained, or the permit year should begin when the MFU begins operations and expire 365 days later.

In response to Councilor Hervey's inquiries, Ms. Walker said the proposed legislation was based upon Medford's SDCs for MFUs on public property. She contacted City of Medford staff and was told that their MFU SDCs did not apply to private property. Medford MFUs on private property are charged $100 per year. She opined that the proposed legislation should be based upon how comparator cities handle MFUs on private property. She explained that she asked City of Medford staff what they charge for MFUs on private property; the Finance Department staff representative said the City charges $100, but Ms. Walker did not know if the fee was charged per MFU.

In response to Councilor Hervey's additional inquiry, Ms. Walker said she and her husband invested approximately $10,000 in their MFU vehicle, did most of the work themselves, and had an electrician do the wiring.

Rebecca Landis, a member of Viva Cartvallis, read a prepared statement (Attachment C). She surmised that there were other options for addressing the restroom issue.

Hugh Richard White noted that a self-contained MFU would have water and wastewater systems within the cart. He questioned whether a MFU should be required to put electricity underground because the cost would be so extreme that the MFU vendor would use a generator or engine for electrical power. He would prefer a MFU powered from an outlet, rather than a MFU using a generator or engine. He suggested that power could be supplied above ground, within conduit, covered by a small ramp. Requiring underground electrical service would greatly reduce the number of MFUs.

Mr. White suggested a staggered, incremental fee for additional MFUs on a site, similar to SDCs for additional fixtures on an existing facility.

Mr. White said all of his lease agreements require that tenants provide proof of insurances, licenses, and a current Fire Marshal inspection. He did not consider the proposed requirement that the property owner ensure these details were met onerous and considered the requirement reasonable.

Mr. White encouraged the Committee to consider the distance for restroom access. He believed it was unrealistic to require a restroom within 300 feet. He expressed hope that the Committee would consider changing the closing time to 3:00 am and monitoring the situation to determine if problems occur during the first year after ordinance adoption because of the additional hour of operation.

In response to Councilor Hogg's inquiry, Mr. White said people would leave Downtown bars at 2:30 am. He considered it fine to give these patrons opportunity to get food. Creating a place for them to congregate for an additional hour was not prudent.

Tom Jensen suggested that the last sentence of the "purpose" statement of the proposed ordinance be stricken. He believed closing a street would have the same effect of creating a pedestrian-oriented environment, any business entering the community would promote overall commerce, and creating a visually attractive atmosphere and street scape was a subjective assessment.

Mr. Jensen suggested that staff check with the Oregon Department of Human Services (ODHS) MFU operating guide, Oregon Administrative Rules, and Oregon Revised Statutes regarding the definition of MFUs. He said he forwarded legal citations to Committee members and Councilor Hirsch (Attachment D).

Mr. Jensen questioned whether the MFU size definition of 16 feet in length or 128 square feet included the vehicle tongue, anything on the vehicle tail, or any attached awning.

Mr. Jensen noted from the proposed ordinance that additional County and State licensing requirements would still be required. He said food carts were previously considered MFU

under the LDC and allowed to operate for 45 days in any one space. The carts could operate year 'round, if they moved to a different location. He asked how MFUs becoming static would affect the fee schedule or classification under the fee schedule for restaurants. He questioned whether the MFUs would be considered restaurants with up to 15 available seats. In response to his inquiry, Ms. Walker said the State recognizes MFUs, whether they remain in one location or move to another location, as long as they are mobile. Mr. Jensen questioned whether MFUs' status would change, once they became static and operated year 'round from one location.

Mr. Jensen posed several additional questions regarding the proposed ordinance:

- Section 8.13.060, Location Rules and Review Criteria –
  - Subparagraph b) – Extension of awnings could impact the six-foot setback requirement. He questioned whether the setback would be measured with the MFU awnings opened or closed.
  - Subparagraph c) – Restroom access is required by State law, only if restaurant seating is provided. If no seating is provided, food carts do not need to provide restrooms. Since the MFU vendors would like to have customer seating, he questioned whether portable restrooms could be provided on a MFU site.
  - Subparagraph d) – The proposed ordinance does not specify a trash receptacle size.
  - Subparagraph i) – Under the ODHS definition of food carts, having a connection for water or electricity could negate the MFU status, as, by definition, they are expected to be self-contained.
- Section 8.13.070, Forms and Conditions of Permit, subparagraph e) – When sidewalk cafés were first permitted for Downtown bars, a café closing time was established because of noise concerns. Regardless the product being served from a street vendor, noise can occur. The proposed ordinance does not state when a MFU could begin operation for the day.

Robert Burton owns property being considered for a MFU site but suggested that the Committee consider other potential MFU sites. When he operates his MFU at an event, he signs a lease stating he will provide insurance, get a Fire Marshal approval, and get health licenses. He would not allow a MFU to operate on his property without meeting the same requirements.

Mr. Burton offered comments on various provisions of the proposed ordinance.

- Most of the interest he had on his property during the past two years was from potential MFU vendors who wanted to be open until 3:00 or 3:30 am. For people who have been at bars, he believes this is a standard time frame; therefore, he believes the hours of operation should be extended.
- The six-foot setback might be broad. His property has a chain approximately two feet from the public sidewalk. He noted that "brick-and-mortar" buildings meet the public sidewalks. He said MFUs are essentially temporary restaurants, and he believed the setback could be reduced.

- Trash on a MFU site must be addressed. He ensures that his tenants take care of trash on the property.
- The 16-foot vehicle length is standard. His MFU trailer is 16 feet long, not including the tongue. Most MFU carts are within 16 feet in length, and some MFU vendors are asked to remove the vehicle tongue.

Mr. Burton opined that staff did well in preparing the proposed ordinance; and he did not see extensive, potential problems.

Deliberations

State Versus City Laws –

- Councilor Brauner – Many of the issues Mr. Jensen mentioned were addressed. Staff followed State definitions in preparing the proposed ordinance. Issues of vehicle length, licensing requirements, and mobile or static operation were addressed by staff and need not be amended.
- Councilor Hervey – It seemed implied that the MFU vehicle awning was not part of the space dimensions, but this should be specified. Councilor Brauner concurred.

Hours of Operation –

- Councilor Brauner – Good points were made about MFUs being able to operate later on Friday through Sunday mornings. To be competitive in the MFU niche, he would not oppose the closing time being extended until 3:30 am Fridays through Sundays.
- Councilor Hervey – The ordinance should be designed to give the City, MFU vendors, and the community a fair opportunity to determine if this is a desired amenity. It may be necessary to amend the legislation after one year of operation. The City wants to give a new type of business a chance to be successful. He would support allowing MFUs to operate for a specific, but reasonable, period of time after bars close.
- Councilor Hogg – He supported requiring MFU operations to close at 3:30 am Fridays through Sundays.

Underground Electrical Service –

- Mr. Gibb – Underground electrical service is one solution, but the proposed ordinance should not allow any service connection that conflicts with the Oregon Electrical Code. The City must comply with State practices. The proposed ordinance requires that any service connection meet State codes and would not prohibit anything allowed by State codes. Councilors Brauner and Hogg indicated support.
- Councilor Hervey – The State Electrical Code is very specific, and he did not believe it would allow an overhead electrical service connection.
- Mr. Gibb – Staff would not allow any service connection not compliant with State codes.
- Councilor Brauner – During the one-year review, if the proposed ordinance is adopted, he would like to review the extent to which MFU vendors are using generators or engines to power their vehicles. However, he was not prepared now to challenge the State Building Code to allow auxiliary power sources.

Hours of Operation –

- Councilor Brauner – Given the extent of requirements specified in the proposed ordinance, opening hours of operation should not be specified and should be dealt with if problems occur.

Six-Foot Setback –

- Councilor Hervey – Staff reviewed this issue thoroughly.
- Councilor Brauner – Temporary signs would be allowed to the edge of the private property.

Restroom Access Distance –

- Mr. Gibb – The Downtown Commission Food Cart Committee was concerned about impacting other Downtown businesses by requiring MFUs to obtain permission for restroom access by their patrons. Downtown business owners suggested that MFU vendors provide restroom facilities for their customers. Staff reviewed legislation for comparator cities and found 300 feet to be a common distance requirement.
- Ms. Johnson – State law did not specify restroom access for MFUs, so the comparator cities study did not include this issue. She surmised that a public restroom was available within one-fourth mile of anywhere in the Downtown area. Three hundred feet is approximately the distance of one standard city block. Mr. Burton's property is more than two City blocks from the Downtown Transit Center.
- Councilor Hervey – If no Downtown business would grant restroom access to a MFU vendor's customers, the vendor would not be able to operate under the proposed ordinance.
- Mr. Gibb – Other Downtown businesses with restroom access may not be open all hours that the MFUs are open. The requirement for access permission was intended to address the concerns of Downtown businesses regarding impacts upon their operations.
- Ms. Johnson – The restroom provision is partly for the convenience of MFU customers and the vendors. The provision is intended as a good faith effort to make provision for restrooms, understanding that those restrooms may not be accessible all hours that the MFU operates.
- Councilor Hervey – He did not want to dismiss the Downtown Commission's work on the issue or have staff invest more time in the issue, with the risk that the ordinance would not be approved. He was uncertain whether Downtown business owners would agree to allow another business' patrons to use their restrooms. He would support a distance requirement of four blocks or one-fourth mile.
- Councilor Brauner – Without specifying MFU hours of operation, the distance to restroom access is somewhat meaningless. The three Downtown public restrooms are open until 10:00 am (in Riverfront Commemorative Park) and 2:30 am (at the Downtown Transit Center). Portable restrooms on the MFU site were not approved, nor were they approved at the Downtown Transit Center.
- Councilor Hogg – He would support deleting the requirement, as it was not practical.
- Councilor Brauner – The requirement necessitates that the MFU vendor make arrangements for restroom access for at least a portion of their hours of operation.

- Consensus – Public restroom access within one-fourth mile or written permission for access within one-fourth mile and review if problems occur.

Administrative Fees –
- Councilor Hervey – The $300 fee reflects City expenses.
- Consensus – The fee will remain as proposed.

Infrastructure Impact Fee –
- Mr. Gibb – The fee reflects some of the concerns received by the Downtown Commission Food Cart Committee and its recommendation for a fee related to infrastructure impacts and in fairness to "brick-and-mortar" businesses in the Downtown area.
- Councilor Hervey – It is uncertain whether MFUs would operate year 'round. Many MFU patrons would probably stop at a food cart as part of a trip to Downtown, rather than the cart being a trip destination. He could justify an IIF as a portion of the transportation component of the SDC for a comparably sized "brick-and-mortar" restaurant.
- Councilor Brauner – An IIF related to transportation would be the only one applicable to a MFU. The MFU would be a new use potentially generating more transportation. Downtown SDCs are reduced somewhat because each trip to the Downtown area generally includes multiple destinations. MFUs probably would not operate year 'round. The fee would be a one-time assessment per cart on a MFU site.
- Mr. Gibb – Staff discussed the factors Councilors noted. A MFU or a 128-square-foot restaurant would likely be one of multiple stops for a trip to the Downtown area. Staff suggested that a MFU IIF could be further reduced, based upon the rationale that it would not operate year 'round because of weather.
- Councilor Brauner – He supported the Downtown Commission's recommendation. The IIF should not be eliminated. Other SDC components were considered, but only the transportation component was applicable.
- Consensus – Retain IIF.
- Councilor Hervey – Some additional reduction would be appropriate because it was unlikely that someone would drive to Downtown just to visit a MFU.
- Councilor Brauner – The IIF would be imposed once upon the first MFUs per site. Subsequent MFUs on the site would not be assessed the IIF. He would prefer beginning with a low IIF. If MFUs operate year 'round, the IIF could be increased. He suggested beginning with a $500 IIF. This would acknowledge the Downtown Commission's recommendation and the infrastructure impact from the MFUs.
- Consensus – IIF of $500.

Hours of Operation –
- Councilor Hervey – He concurred with Mr. White that it was not desirable to have intoxicated people congregating Downtown, creating such a noise problem that the City must terminate the MFUs. The MFUs should close a reasonable period of time after the bars close.

- Mr. Gibb – Staff would not monitor the MFUs for closing times but would respond to complaints.
- Consensus – MFUs must close by 3:30 am Fridays through Sundays.

Permit Schedule –
- Ms. Johnson – Annual sidewalk café permits expire December 31 each year, and that date was chosen for the MFU permits. The impetus for December 31 as a permit expiration date is the coincidence with an annual review.
- Councilor Brauner – The $300 administration fee would be assessed at the time a permit is requested, regardless when that may be during a year.
- Mr. Gibb – Prorating the administration fee is not practical because the same amount of time would be involved in reviewing the application, regardless the amount of year remaining for MFU operations.
- Ms. Johnson – Having all MFU permits expire December 31 would facilitate staff's processing of permits, rather than needing to check the expiration date of each MFU.
- Councilor Hogg – The cost to review permit applications would be the same, regardless when during the year the applications are submitted.

Hours of Operation –
- Clarification – MFUs would close by 3:30 am all days of the week. Closing hours will be reviewed if a problem occurs.

Internal Site Setback –
- Ms. Johnson – The OFC requires ten feet of separation between MFUs and between seating areas and MFUs because of fuel storage and combustible materials.

Code Applicability to Units Per Site –
- Clarification – All State codes and the Municipal Code would apply to each MFU site, regardless the number of MFUs on the site.

Trash Receptacles –
- Mr. Gibb – Staff discussed specifying a trash receptacle size and decided not to over-regulate.
- Consensus – Do not specify a trash receptacle size. MFU vendors would be responsible for maintaining the cleanliness of the MFU site.

Based upon a motion, moved and seconded by Councilors Brauner and Hervey, respectively, the Committee unanimously recommends that Council amend the Municipal Code by creating a new Chapter 8.13, "Mobile Food Units," and amending Chapter 8.03, "Fees Chapter," as amended, **by means of an ordinance to be read by the City Attorney.** *[Following the meeting, staff submitted a revised proposed ordinance, incorporating the Committee's amendments (Attachment E).]*

Staff noted that the proposed ordinance will be reviewed in one year's time.

III. Other Business

A. The next regular Urban Services Committee meeting is scheduled for October 6, 2011, at 5:00 pm, in the Madison Avenue Meeting Room.

Councilor Hogg adjourned the meeting at 7:02 pm.

Respectfully submitted,
Roen Hogg, Chair

Minutes of the Executive Committee/Board of Directors

The Downtown Corvallis Association, Inc.

August 8, 2012 - 8:15 AM

DCA Board Room

Board Members Present: Elizabeth Groner, Liban Abdi, Randy Joss, Liz Columbine, Luisa Arreole, Steve Hessel, Julius Byrd, Jennifer Moreland, John Coleman, Elizabeth Foster

Board Members Absent: Les Boudreax

Ex-Officio Board Members Present: Mark O'Brien - City Council Liaison, Scott Jackson - Benton County Sheriff's Office

Ex-Officio Board Members Absent: Dave Gilbert - Visit Corvallis, Marcy Eastham - Corvallis Chamber, Sarah Johnson - City Planning, Jef Van Arsdal - Corvallis PD

Staff Present: Joan Wessell

Ex-Officio Reports:

- Downtown Parking Commitee: Steve Uerhling and Liz White are members of Downtown Parking Commitee and shall make a written report on DCA Board of directors, negating need for DCA Board Member presence on parking committe. Elizabeth called for volunteers to be on parking comittee, ... volunteered. Elizabeth with be taking Steve Hutchison's place at the Downtown Commission starting in September.

DCA Action Committee Reports:

- Summer Children's Reading Program starts on Monday Aug 13th.

Executive Director's Report: Joan gave her report and it is included in Board Notebook.

- Oregon Main Street Conference will take place October 3-5, 300-500 people will be coming into town to attend. DCA has/will make recommendations to patronize DCA member businesses. Joan has made several Downtown Corvallis nominations for Main Street Award categories. Registration will be at the Majestic Theatre.
- Meet the Candidates for Economic Development Manager is this evening, Joan encouraged members to attend.
- August 9 Downtown After Hours will be held at CASA.
- Next Membership Meeting is August 15th. Amy Leeson from 509J School District will be speaking. Katy Rogers from Corvallis Acupuncture will speak on wellness. Nancy Beaudry from Waddell and Reed will speak on Retirement Plans for small businesses. Lynn Young will talk about Runaway Pumpkin Race. Dante Halloway from OSU will give an update on Beaver Community Fair.

- EID passed. Restricted budget compared to last time, a number of businesses remonstrated. About $40K less in the budget. Downtown Corvallis Association will continue to operate for the next five years.
- ...asked if we have coordinated with OSU to welcome newcomers/visitors/game goers from OSU to promote patronage to downtown businesses. Joan is trying to coordinate and work with the reduced budget. Randy clarifies that Visit Corvallis' priority is to market outside of town to get people to visit, and their budget is very limited when it comes to in town promotion.

Treasurer's Report: Les presented the Treasurer's Report. He called attention to the Red White and Blue information. Sponsor participation was done but vendor sales was up. Elizabeth Foster motioned to accept the Treasurer's Report. Jennifer Moreland seconded, the motion carried.

Approval of Minutes: Elizabeth entertained a motion to accept June Minutes, Randy moved, Elizabeth Foster seconded. Motion carried.

Old /New Business:

- Laban has recruited a new member; Sassafras. Elizabeth Foster has trying to recruit outside of Downtown area too, a strong Downtown supports their businesses too. Possibility of trying to recruit new Walmart to provide sponsorships, etc. for Downtown events.
- Downtown Red Carpet Welcome immediately following the Board Meeting. Will be welcoming Syrano's.
- Fall Festival will be Sept 22-23.

Adjourn: The meeting was adjourned at 9:30 AM.