

**HATTENHAUER DISTRIBUTING CO.
PRESENTATION TO CITY COUNCIL**

Boardman, Oregon

August 6, 2024

Presented by Jennifer Bragar on behalf of

Hattenhauer Distributing Co.

121 SW Morrison Street, Suite 1850, Portland, OR 97204

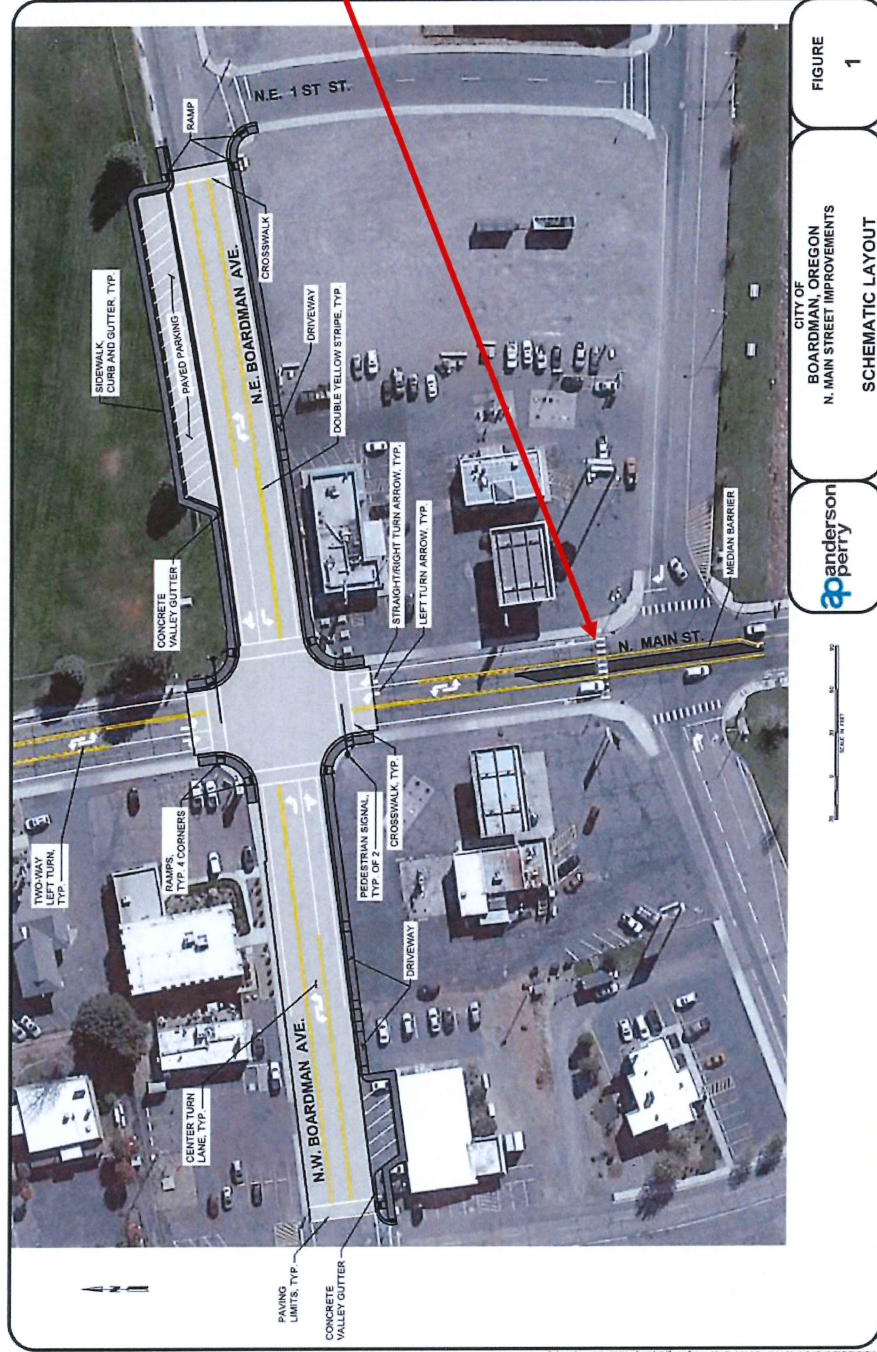
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Appeal of Application of File CUP24-000001



The Project

Proposed Median
at N. Main and
Front Streets (the
"Median")



Significant Legal Deficiencies in the Application

- The application is not fully thought out, supported, or clear as to its proposal, extent, and impact
- City Council will exceed its authority approving a Project that is inconsistent with the Transportation System Plan and IAMP
- The Planning Commission's decision is in error because it does not correctly, completely or adequately address the conditional use criteria
- Review of the application should be sent back to the Planning Commission to ensure a fair public review process



Defects in Transportation Analysis of the Project

- IAMP triggers for the conversion of N. Main Street/Front Streets to right-in/right-out are not met
- The Applicant has not complied with the Manual on Uniform Traffic Control Devices (the “MUTCD”)
- Queuing at N. Main Street and Boardman Avenue NE has not been quantified or adequately analyzed
- City’s staff report and Planning Commission decision have incorrect findings as to compliance with applicable Code provisions

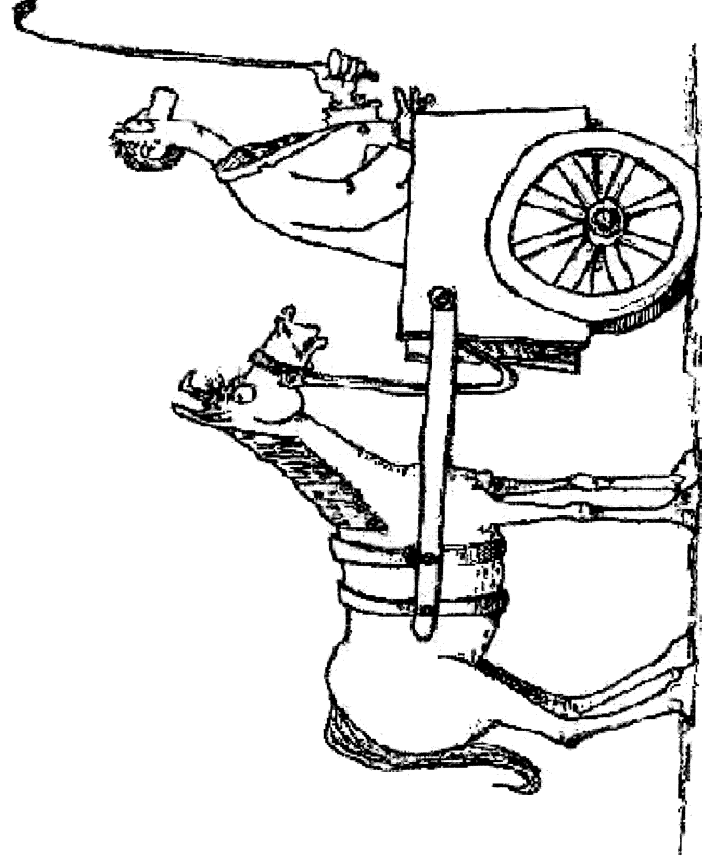


The Project has not been reviewed consistent with the Transportation Planning Rule

- Population Growth is not matching the rate anticipated in the 2009 IAMP

The 2009 IAMP anticipated city population of just over 5,000 by 2026

In contrast, the PSU Population Study for 2023-2073 shows the city population in 2020 was only 4,150, and it is not until 2040 that the population is anticipated to reach 5,246



Construction of the Median at N. Main/Front Streets is not included in the CIP

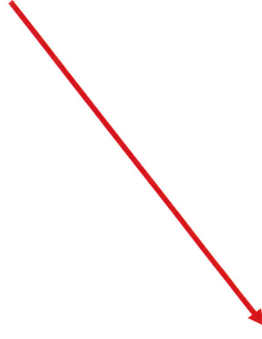
City of Boardman, Oregon
Capital Improvements Plan

Street Department

ST 7.0



The only intersection discussed is N. Main Street and Boardman Avenue



Project Number:	ST 7.0
Project Name:	Boardman Avenue and N. Main Street Intersection
Fund:	Street
Estimated Cost:	\$1,000,000
Fiscal Year:	2025-26

Project Description:

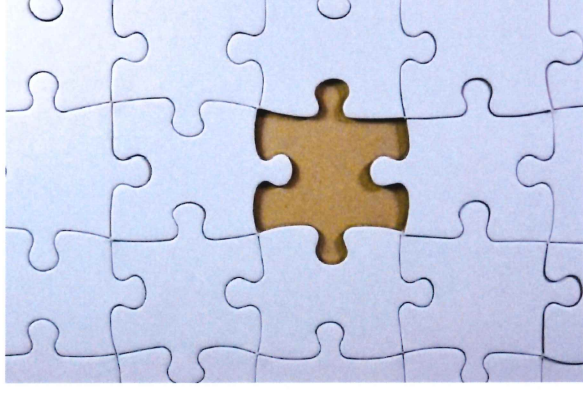
The project will consist of signalizing the intersection of N. Main Street and Boardman Avenue. A center median on N. Main Street will also be constructed to improve traffic flow and pedestrian safety. The intersection will be reconfigured to accommodate the signal and center median.

Project Justification:

The improvements have been identified in the Technical Memorandum "Boardman Main Street Circulation Assessment" published by Kittelson & Associates, Inc. This intersection was identified as an intersection that would benefit from becoming signalized and will greatly improve traffic flow for the City's main north-south arterial.

Conditional Use Criteria Findings are Incorrect, Incomplete, and Inadequate

- Generic findings under BDC 4.4.400(D)(1) are not accurate or adequate
- The failure of an adequate site plan as required under BDC 4.4.300 renders the application premature and prevents full comment on the approval criteria
- No findings are provided for the general conditional use permit approval criteria under BDC 4.4.400(B)
- The decision does not comply with the specific conditional use criteria under BDC 4.4.400(D)(1) and other Code criteria



The Planning Commission Decision is Tainted by Conflicts of Interest

Planning Commissioners Jennifer Leighton and Mike Connell had undisclosed conflicts of interest that tainted the Planning Commission decision.

The application should be sent back to the Planning Commission for a new review without participation by these two commissioners who improperly influenced the decision.



The City Council should not rush this review

- While it may be that a HAWK signal should be installed at the corner of North Main Street and the intersection of NW Boardman, a decision should not be rendered prior to submission of a complete application in compliance with the law and before a full analysis of the impacts and options are disclosed for public comment.

DENIED