



# CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

## AGENDA

### CITY COUNCIL – REGULAR MEETING

Troutdale City Hall - Council Chambers  
219 E. Historic Columbia River Hwy. (Lower Level, Rear Entrance)  
Troutdale, OR 97060-2078

**Tuesday, January 12, 2016 – 7:00PM**

Mayor

Doug Daoust

City Council

David Ripma

Eric Anderson

Larry Morgan

Glenn White

Rich Allen

John Wilson

City Manager

Craig Ward

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **MOTION:** Election of 2016 Council President
3. **CONSENT AGENDA:**
  - 3.1 **MINUTES:** October 20, 2015 Work Session and October 27, 2015 Regular Meeting.
4. **PUBLIC COMMENT:** Public comment is limited to comments on non-agenda items. *Remarks shall be limited to 5 minutes for each speaker unless a different time is allowed by the Mayor. The Mayor and Council should avoid immediate and protracted response to citizen comments.*
5. **MOTION:** A motion accepting the Mayor's nominations for appointments to the Parks Advisory Committee, Citizens Advisory Committee, Budget Committee, Planning Commission, Public Safety Advisory Committee, and the Historic Landmarks Commission. Mayor Daoust
6. **PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance amending the Comprehensive Land Use Plan Map and Zoning District Map for a 6.88 acre parcel, currently designated MDR Medium Density Residential and zoned R-5 Single Family Residential, and proposed to be designated High Density Residential and zoned A-2 Apartment Residential.

Steve Winstead, Building & Planning Director

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7. **MOTION:** A motion authorizing execution of an Agreement with Grey Line for Dedicated Parking. Craig Ward, City Manager

8. **DISCUSSION:** A discussion regarding at large vs. by position elections for City Council Paul Wilcox, Troutdale Resident

9. **UPDATE:** An update from the City Organization Review Subcommittee introducing their recommendations for amendments to the City Charter. Councilor Anderson, Councilor Wilson, & Councilor Morgan

## 10. STAFF COMMUNICATIONS

## 11. COUNCIL COMMUNICATIONS

## 12. ADJOURNMENT

  
\_\_\_\_\_  
Doug Daoust, Mayor

Dated: 1/07/16

City Council Regular Meetings will be replayed on Comcast Cable Channel 30 and Frontier Communications Channel 38 on the weekend following the meeting - Saturday at 2:30pm and Sunday at 9:00pm.

Further information and copies of agenda packets are available at: Troutdale City Hall, 219 E. Historic Columbia River Hwy. Monday through Friday, 8:00 a.m. - 5:00 p.m.; on our Web Page [www.troutdaleoregon.gov](http://www.troutdaleoregon.gov) or call Sarah Skroch, City Recorder at 503-674-7258.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Sarah Skroch, City Recorder 503-674-7258.



# CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

## AGENDA

### CITY COUNCIL – EXECUTIVE SESSION

Troutdale City Hall - Council Chambers  
219 E. Historic Columbia River Hwy. (Lower Level, Rear Entrance)  
Troutdale, OR 97060-2078

**Tuesday, January 12, 2016**

Immediately following the City Council Regular Meeting, which starts at 7:00pm

**This Executive Session is being held under ORS 192.660(2)(e) – Real Property Transactions.**

*Only representatives of the News Media and Designated Staff are allowed to attend. Representatives of the News Media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session. No final decision will be made in Executive Session.*

Mayor

Doug Daoust

City Council

David Ripma

Eric Anderson

Larry Morgan

Glenn White

Rich Allen

John Wilson

City Manager

Craig Ward

1. Roll Call
2. Discussion: Real property transactions
3. Adjourn

Doug Daoust, Mayor

Dated: 1/07/16

**DRAFT**

**Troutdale City Council Work Session**  
**Troutdale City Hall – Council Chambers**  
**219 E. Historic Columbia River Hwy.**  
**Troutdale, OR 97060-2078**

**Tuesday, October 20, 2015**

**1. Roll Call**

Mayor Daoust called the meeting to order at 6:32pm.

**PRESENT:** Mayor Daoust, Councilor Ripma, Councilor Anderson, Councilor Morgan, Councilor White (6:42pm), Councilor Allen, and Councilor Wilson.

**ABSENT:** None.

**STAFF:** Craig Ward, City Manager; Erich Mueller, Finance Director; Ed Trompke, City Attorney (via phone at 6:38pm); and Sarah Skroch, Acting City Recorder.

**GUESTS:** See attached.

**2. Discussion: A discussion of USPS siting consideration at TRIP.**

Craig Ward, City Manager, stated the Portland Development Commission (PDC) has a block in the Pearl District that they would like to see redeveloped. The postal service sorting facility has been there for at least 50 years and it's in the way. They came to us and said would the City be interested in having this facility relocate to Troutdale. The sorting facility is the largest component of this building but there are actually 2 additional facilities that are located at Portland International Airport that would be combined into this for a facility size of 817,000 square feet. They've said that approximately 1,400 employees would be working from this site but that number has since shifted a little bit but that's still a decent working number. They've also made it very clear that they want to break ground in October of 2016 so time is of the essence. TRIP (Troutdale Reynolds Industrial Park) is only 1 of the sites that the PDC is considering for this development. At 1 time they said that there were several sites that they were looking at but it sounded very much to us like there were 2 prime sites and we were 1 of the 2 that they believed were the best fit for this facility. It's hard to figure out how many properties we're competing against. When they brought it to us they wanted to discuss the possibility and effects. We've only been gathering information, descriptions, and assumptions. Mr. Mueller has been aggressively working to develop financial models based on the descriptions and assumptions that the PDC has been feeding to us. Really we've only received some of the most important detail in the last week. I don't think it's fair to say that we are negotiating because no proposal has been given to us nor have we countered with a proposal. What we have done is to estimate the potential tax and fee losses of a development on these 2 lots if the postal service, which is a federal facility, were to come in. I think it's only fair to acknowledge that this is an industrial use on an industrially zoned property. If the postal service simply said we're coming in, in my opinion we could not say no. It would be a permitted use and

the zone is compatible. They don't want to be heavy handed like that and we're not suggesting that's their intention. But from a zoning standpoint, it's an industrial use in an industrially zoned area. It's really the assurances of the Port of Portland that we're relying on. They said if Troutdale doesn't want it then it isn't going to happen. There doesn't appear to be any intention for them to come in and steam roll us and drop this on us whether we like it or not. I think it's only fair to understand that I think they would have an argument to make that they could simply come in and get it if they wanted it. Keep in mind that since they're the federal government, they don't pay taxes so the benefits of the enterprise zone don't mean anything to them. They don't need a 3 year or 5 year deferral on property taxes. There are other development issues that are of concern to us and those include the payment of SDC's and building permit fees. All of those were important to Erich and I as we tried to calculate what I'm calling the opportunity cost. That term really comes down to if it wasn't the federal government proposing this project then how much would we stand to gain in property taxes, SDC's, and building permit fees. That's what we've been trying to estimate and it's been a real challenge. I believe Councilor Ripma has said how about calculating net present value of 100 years of lost property taxes and we've done that. My initial reaction when we first spoke to the PDC was to say I don't see much good in this for us, I see a lot of potential lost revenue. They came out with a very rough number, I don't know its basis, it was considerably less than any of the numbers that we've come up with. They suggested that they would make us whole in order to incentivize us to accept this development that we could say no to. Erich tried to work up a scenario and the assumptions are the 45 acres site that they would occupy, an 817,000 square foot building, the estimated improvement cost of the building and impervious surface if it were a private sector project, we assume that they would be interested in the 3 year enterprise zone property tax exemption and that all applies differently to the value of the property, to the value of the buildings, and to the value of the personal property within the buildings. We were trying to estimate all of those in order to provide a comparable figure and I think Erich has been successful in doing that. He calculated a net present value at 50 years and 100 years. Think of this as how much money a private sector development just like the postal service facility would generate to us in property taxes. The 50 year amount is \$9,232,354 and the 100 year amount is \$18,444,226. It's a considerable amount of money that we stand to lose based on a private sector project just like the potential postal service facility. We also tried to work through the system development charges that might apply based on the information we have on this facility which you see to be \$938,284 and the estimated permit fees are also substantial. The federal government does not believe that they are bound by state building code nor would they expect us to conduct the inspections because they would handle that themselves because they're the feds and they can do that. The net present value opportunity cost is almost \$11 million if you use a 50 year cycle for this and it's a little over \$20 million if you use 100 year cycle factoring in all of the components. You can give direction to me to negotiate from a position and these numbers give us a starting place. I'm not optimistic that if we put these numbers on the table that they will result in a project that would pay any of these even if the PDC did choose to make us whole on all of these expenses. There are a couple of other factors that we've become aware of in the last week that affect the postal services ability to move forward on this project in either of the 2 locations that we understand are the prime locations and that's because they have to be built to high seismic standards and apparently both of the properties are within areas that are subject to liquefaction. The effect of that is they have to design and build a building that is more expensive than they may have anticipated. They may not make a deal at all if they can't locate a building at a cost that they've estimated.

Councilor Morgan asked based on your conversations, how serious are they about lots 7 and 8 in their whole continuum? Is this higher or lower on their scale?

Craig Ward replied I think that they are probably weighing 5 or 6 properties but 2 of them they've identified as being their prime opportunities, this begin 1 of those 2. Beyond that, they're not sharing how we stack up. They have shared that they're not sure they can afford either site given the seismic concerns.

Councilor Morgan stated you mentioned that they might not have to ask for permission to do this project.

Craig Ward replied if they were simply the postal service looking to build a sorting facility, which is not quite the case here because this is the PDC incentivizing the postal service to move these facilities. They may want to move but they haven't expressed any interest in coming out here if we don't want them. If they were to do that, I think we would face head on the challenge of federal preemption.

Mayor Daoust stated I don't think the postal service could go out on their own and make it work. They need the PDC to make it work. Numerous people with the Port have said that whatever the City wants is what we will follow through with.

Councilor Anderson asked is it the PDC that wants the postal service out?

Craig Ward replied I think there are reasons that the postal service would probably like to leave downtown Portland. There's been some discussion about how friendly the postal service has been in working with the City of Portland to reroute and time trucking into and out of that facility. You could flip that to say I think the City of Portland has really made it hard on them by constricting their hours and routes for trucking and they'd probably like out from under that hurdle. It's a little hard to tell where the push and pull is between the 2 entities.

Councilor Anderson asked what does the PDC get out of this?

Craig Ward replied they get a big redevelopable property in the middle of downtown.

Councilor Anderson asked how much would that be worth?

Craig Ward replied I don't know. It depends on what is built.

Councilor Anderson stated I want to see what their motivation is. I'd have to think that it's quite a bit north of ours in terms of dollars. I would be very curious to see the net present value of that building where it is right now. Can you tell us anything about this other facility by the airport?

Craig Ward replied there are 2 facilities by the airport. I've asked what those are and they've given me acronyms and I don't know what they mean. It's very clear that the sorting facility is the largest component by far.

Councilor Ripma stated I can see this not being a good deal for the citizens of Troutdale because of the lack of property taxes. Even if they give us an upfront payment we could end up spending it. The citizens would be stuck paying for the roads, fire protection, police, and everything else for as long as the building lasts. It's even worse than floating a bond for \$10 million because it is actually a negative to the City coffers for the next 50 to 100 years. I think all of our hopes was that the industrial property would help fund the development and livability and financial viability of the City of Troutdale for the foreseeable future. I think it isn't worth negotiating and we ought to politely say we're not interested and cut off all the staff time. I think this would be a serious mistake.

Councilor Wilson stated how does FedEx compare to what the post office is going to put there, square foot wise?

Erich Mueller replied the FedEx facility is a larger parcel acreage wise but the building itself is 481,000 square feet. They are in the midst of doing their additional wings. So that's a little larger than half the size of what the postal service is suggesting.

Councilor Wilson asked if I take the 50 year number of \$9,232,354 and divide that by 50 years, they are paying around \$184,000 a year for a post office but FedEx has a smaller building and is paying \$350,000 a year?

Craig Ward replied it appears to us that FedEx has more conveyor belts, more computerized switching operations, and more personal property within their building than the postal service is proposing to have in here. On the other hand it looks like the postal service would have a lot more people. If it were a FedEx like building being placed here, we think it would generate considerably more property tax.

Councilor Morgan stated I think it's important to underscore that lot 3 is presumably going to be the Troutdale Energy Center and they are proposed to have 35 full time jobs. This takes 2 of the marquis lots, lots 7 and 8, in the TRIP development but they're going to have a minimum of 1,400 employees. Even some indication of highest and best use from the Port's advertisement plan has shown some of the other lots to be closer to lot 3. I understand the aspects of the numbers being lower on the sheer economics of property taxes over 100 years. But something really important to underscore is that you're looking at 1,400 employees that will be living, working and spending money in the City of Troutdale which is a factor that's not computed here. If it's about getting economic value annually of around \$400,000 for property tax, that's 1 thing, but you're also essentially employing 10% of the population.

Craig Ward replied there is a factor to consider. We have more information on the average wage of the postal service. When we first met with the PDC they started making the argument that there is a multiplier effect to having all of those employees here and we'll sell a lot more lunches downtown. That may or may not be true. The 35 employees at the Troutdale Energy Center, if that should come, are pretty highly compensation and highly technical positions, and they are new positions to the area. The postal service facility is essentially relocating existing positions.

Councilor White stated I understand where you're coming from Councilor Morgan but I want you to realize that lot 3 is going to generate about 8 times the tax revenue as a FedEx without creating any congestion. The value of lot 3 after they build that energy center is pretty close to about 8 FedEx's. We're not using a lot of space, we're not creating congestion, and we're getting 35 employees that will be making over \$200,000 from what we're being told.

Councilor Morgan asked the property tax will be \$3.2 million annually?

Councilor White replied it was a long time ago when we had our last update but I remember the math was roughly the equivalent of 8 FedEx's by getting that Troutdale Energy Center into Troutdale.

Craig Ward replied of course you want to confirm those numbers but we're not going to be able to do that today. It was an \$800,000,000 investment a few years ago. I'm sure there's a huge amount of personal property to run that. It's very difficult to compare those 2. We already believe that if another development came in to lots 7 and 8 that it has a good potential of generating more tax revenue than what we've projected here for the postal service facility.

Councilor White asked wouldn't there be an additional cost to have the congestion from 1,400 trips? Anybody that does a traffic study for a surrounding area would be affected by that.

Craig Ward replied I'm sure it would suck up a lot of the street capacity.

Councilor White stated that's another negotiation factor. Not only would it free up a valuable piece of property for Portland but it's also going to free up the problem created by that kind of congestion.

Craig Ward replied there would be a lot of vehicles coming and going and that's one of the reasons that the SDC calculation is as high as it is.

Councilor Wilson stated they say we'll sell more lunches around Troutdale. These people get about 30 minute lunch breaks. I drove around the current facility to see what kind of extra amenities there where and there are none. There is a burrito place on the corner and a small pizza place but there really aren't any restaurants close to there. For them to say we'll have a lot of amenities pop up around there, I would argue that.

Craig Ward replied I challenged them on that. I asked for them to please show me the multiplier effect around these and they haven't commented.

Mayor Daoust stated there is some level of traffic numbers that PDC has. Did they share that with us?

Craig Ward replied Public Works has factored that into the traffic SDC calculation. This is the best estimate that we have based on what we've heard from the PDC.

Councilor Allen stated this is going to be quite a number of trips both in truck traffic and employees. Do we know how many years that they plan on helping us out with? We're estimating 50 and 100.

Craig Ward replied I think it was based on a 20 year net present value and we used 50 and 100. They haven't made us an offer. I think they're waiting to see whether or not they should bother.

Councilor Allen stated we could find ourselves or the next generation in a pickle if we're relying on that money and then it disappears. Can you imagine if that happened to us today, if we were contemplating losing money next year? The day will come. I think it's important to point out that we're a limited 5 square miles and there's only so much development that we'll be able to do and we have lots of plans. The postal service has felt pressure financially. They've gone to a model where most of their help is temporary help. They are lower wage earners, \$12 to \$13 per hour on average. You're going to have some supervisory and accounting staff but the majority of the employees are going to be lower end and they have to eat their lunch within a half hour and they tend not to venture out.

Mayor Daoust stated to clarify 1 thing, the PDC was approaching us to make an upfront payment. We're not talking about yearly payments. We're not talking about depending on the future for payments that would be coming in every year. Since we don't have a proposal yet, I'm wondering how long we need to talk about this tonight. I think it's prudent for us to get their proposal and see what that might be and continue the discussion with them just to do due diligence.

Craig Ward replied just for the record I'd like to give a contrary argument. While we've run numbers on a development that is similar to FedEx, it could be that the actual development could be similar to Swift Trucking or Walsh Trucking. It's easy to run these scenarios out but it's possible that the development that will someday occupy this will be much less intensive than this facility is and the property taxes would be much less. If we turn this down we will never really know what could have been. If we counter with our calculation of a net present value then at least we keep the dialog going. That might be enough to put our property way down on their list.

Councilor Allen stated I think the PDC is actually pretty smart to want to get rid of this. They want to use their property for better uses. That's prime property for us too.

Councilor Morgan asked at some point could we get clarification to what the actual economic impact of lot 3 is? I know it's hypothetical, but I'm wondering if it is actually 8 times the value of FedEx in property taxes.

Craig Ward replied we'll be happy to provide that.

Councilor Morgan stated I understand that there's a lot of opposition to this. The vast majority of lot 3 jobs from the energy center are not going to be Troutdale residents. These hyper focused specialized degrees in energy are not going to come from Troutdale.

Councilor Allen stated when you take away the temporary jobs and you get down to the postal employees themselves, the average age is 50 years old. I just can't see them packing up and moving over here for a job change at this time in their life.

Councilor White stated 1 thing that intrigues me if we do make transportation our brand, which it kind of has been for a long time, is I look at the open space on the Columbia River. Would we somehow have any leverage to open that up and say we want to be a transportation town including access to the Columbia River?

Craig Ward replied we would have to engage with the Port of Portland. My rough understanding of this is that this property was deliberately dedicated as open space as mitigation, a lot of that open space is a wetland. All we can do is talk to the Port about that.

Councilor Anderson stated I don't have enough information and I'd like more. I'm not prepared to say yes or no right now. I'd like a formal proposal from the PDC and then we'll have some facts and we can discuss those facts.

Councilor Ripma stated they must have thrown out a number at some point.

Craig Ward replied they did, it was \$3.5 million. I didn't think that was based on valid assumptions. I think it was more put out there as a teaser to say they might be willing to pay us up front to mitigate us for the lost property taxes and that's where we started to say let's calculate that. What you have here tonight are our best estimates based on various assumptions about what a fair number might be.

Councilor Anderson stated I would love to see the value of where they are now. I think there's a lot more in it than we realize. I think we need to go back and say we'll take "x" and if they don't want to play ball then they don't want to play ball.

Councilor White stated I would need something ironclad from Ed Trompke that says we're not headed down a dead end alley.

Mayor Daoust stated the reason that we had the 2<sup>nd</sup> meeting with PDC was to talk about what assumptions to use. They knew that their \$3.5 million wasn't a valid proposal. We talked about what assumptions we should use and then they could go to their corner and calculate a number and we'll go to a corner and calculate our number. We thought we might get their proposal tonight but we didn't.

Councilor Allen stated the number for me is less important. This type of a development will hurt for many years to come and hurt our ability to do future development elsewhere due to the traffic volumes. This is the kind of move that I hope the other person will fall for. My gut feels that this is not good and I don't support the idea.

Councilor Ripma stated if we don't want to turn down the PDC and we did get a chunk of money from them such as \$20 million, is the City able to bank that and draw on that in lieu of property taxes like an annuity? My fear is that we would spend the money on something and saddle the citizens with both the property tax burden and no property tax income.

Erich Mueller replied the local budget law has some flexibility and some limitations. The challenge would be what exactly the Council would propose to do and whether or not it would be something that would be allowable. I'm hesitant to say yes or no because it's going to depend.

Councilor Ripma stated this seems to me like folly to go forward and a bad deal for Troutdale. We should aspire to something better in our industrial area. I think there are 3 of us that are willing to say let's stop this now. It's not a good deal no matter how much money they give us because of the fact that we would end up saddling future residents of Troutdale with the tax burden on this property. I'm making my argument and you can believe me or not. I wondered if there was anyone else in this group that sees it that way.

Mayor Daoust stated just because you want to finish the process of meeting with the proposer doesn't mean we agree with it. I don't think this Council will settle for anything less than the amount we would get into the future in property taxes plus the fees and SDC's that we would have collected otherwise so it would be an even trade off.

Councilor Morgan replied \$30 million.

Mayor Daoust stated we could come up with a number like \$30 million and say we won't take anything less. Let's continue the discussion and tell PDC that and leave it up to them to come back to us and say no or if they do and it's more than we would have collected in property taxes then I don't think we can just shut the door right now and say we don't want to talk about any options. I think we need to finish the discussions and make a firm line in the sand and see how they react to it.

Councilor Ripma replied I respect that position.

Councilor Allen stated barring an asteroid or nuclear war, I look at it that the future is forever and this would be a limited time thing. It will at some point run out and we will be saddled with the postal service.

Councilor Wilson stated I'm willing to listen.

Mayor Daoust replied we'll just continue the discussions and we'll draw a line where we all want to draw it.

Councilor White stated I'd like to limit staff time on this. They've got miles to come up on their offer in my opinion. I'd like some more information on the traffic restrictions that Portland has imposed on them. I'd like to know how much this type of operation would impact surrounding available land. Also how much of a liberator is it going to be for Portland. Does that make sense?

Craig Ward replied I do but I'm not quite sure how I understand to answer those questions without putting a lot of staff time into it. We'll answer your questions to the best of our ability with a minimum amount of staff time. I will warn you that they will be course assumptions.

### **3. Adjourn**

**MOTION:** Councilor Anderson moved to adjourn. Seconded by Councilor Wilson.  
Motion passed unanimously.

Meeting adjourned at 7:28pm.

**DRAFT**

\_\_\_\_\_  
Doug Daoust, Mayor

Dated: \_\_\_\_\_

**ATTEST:**

**DRAFT**

\_\_\_\_\_  
Sarah Skroch, Acting City Recorder



**DRAFT**

**MINUTES**  
**Troutdale City Council – Regular Meeting**  
**Troutdale City Hall – Council Chambers**  
**219 E. Historic Columbia River Hwy.**  
**Troutdale, OR 97060**

**Tuesday, October 27, 2015**

**1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**

Mayor Daoust called the meeting to order at 7:01pm.

**PRESENT:** Mayor Daoust, Councilor Ripma, Councilor Anderson, Councilor Morgan, Councilor White, Councilor Allen, and Councilor Wilson.

**ABSENT:** None.

**STAFF:** Craig Ward, City Manager; Ed Trompke, City Attorney; Steve Gaschler, Public Works Director; Erich Mueller, Finance Director; Tim Seery, Parks and Facilities Superintendent; and Sarah Skroch, City Recorder.

**GUESTS:** See Attached List.

Mayor Daoust asked are there any agenda updates?

Craig Ward replied there are no amendments to the published agenda.

**2. CONSENT AGENDA:**

**2.1 MINUTES:** September 8, 2015 Regular Meeting.

**2.2 RESOLUTION:** ~~A Resolution providing for current FY 2015-16 Budget Transfers and Appropriation Changes.~~

*Pulled from the Consent Agenda and moved to the Regular Agenda after Item #6*

Councilor Allen stated there are a couple of typographical errors on the September 8, 2015 meeting minutes. Also on the resolution, I would like to pull that from the Consent Agenda and discuss it after Item #6.

Councilor Anderson asked can I ask why?

Councilor Allen replied Item #6 deals with a transfer that's in the consent agenda.

Councilor Anderson replied that makes sense.

Mayor Daoust stated since we all have to agree to the minutes, could you cover the errors?

Councilor Allen replied on page 4 of 23, it should be Portland Centers, not Portland'5. On page 18 of 23, the second paragraph should be changed to giving instead of getting. Those were all the changes.

**MOTION:** Councilor Anderson moved to approve Consent Agenda Item 2.1 with the changes (as stated). Seconded by Councilor Morgan. The motion passed unanimously.

**3. PROCLAMATION:** Red Ribbon Week – October 23 – 31, 2015

Mayor Daoust read the Proclamation.

Mayor Daoust presented a signed copy of the Proclamation to the Lewis and Clark Young Marines.

**4. PUBLIC COMMENT:** Public comment is limited to comments on non-agenda items.

Mayor Daoust stated the City Attorney has something to say before we get started with Public Comment.

Ed Trompke, City Attorney, stated there have been questions asked about the process that was used to settle litigation about the return of property that was held by the police as evidence in a homicide. The City adopted a resolution on October 13<sup>th</sup>. The resolution and staff report were my responsibility and I want to say that if I were to be given the opportunity to do it again, I wouldn't follow a much different process. There was no intention on the part of anyone to hide any part of the settlement but instead there was an intention to involve the Council and the public in this process. The irony of this all is that the City Manager has all the necessary authority to settle that case without any public action by the Council and without any discussions with the public. The Manager suggested to me that I place it on the Council agenda to facilitate openness and transparency and so that's what was done. As a result more public process was involved than was required and a lot more public process than what would have been done had it been done in private rather than being brought before the public. It's easy for the press to criticize local governments and often times that criticism can be good for government. But the best kind of criticism is the kind of criticism that is well informed. No laws were broken in this process. It seemed important to me when I wrote the staff report that any public discussion focus on the case that was being settled, which was the issue at hand. The City police had a desire to keep the homicide weapon and other evidence in their custody. There was then and there is now no reason to inflame public passions about the tragedy in which 2 young men died. The police now retain the evidence if they ever need it for a future prosecution and the owner is satisfied with the result. Nothing wrong occurred but if any Councilor or citizen believes that more process was appropriate, I'll make sure that I take action in the future so that public input and process be followed in the future. The only thing that I would want to leave the press with is the idea that the result that the City took, which was to settle the litigation by purchasing the weapon, the body armor, the ammunition, and all, was required because state law required that result as the judge read the state law. We couldn't do anything about that. The City followed an action to resolve the case in a fair manner and if people are upset about it then they

should go to the legislature and talk to them about changing the state law with respect to the evidence that is or is not retained for future prosecutions.

Mayor Daoust opened up the meeting to Public Comment.

Brian Sheets, resident, stated to follow up on Mr. Trompke's statement, there have been press editorials that have come out such as "Troutdale City Council Insults Constituents by Keeping Secrets" and "With Gun Buy, Troutdale Council Thumbs Nose at Open-Meetings Law" (copies of the articles are included in the meeting packet). Those are the 2 pieces of bad news. The good news is that I didn't have to write those stories. It's not necessarily about the settlement of the litigation. It's about things being on the consent agenda, particularly budget items. When I talk about budget items I'm talking about things that we've discussed in depth at different Budget Committee meetings such as things like Visionary Park, the Bike Hub, and there are other budget items that have a considerable amount of importance to be discussed out in public because these are expenditures of public funds. This happened to be a part of it and what I'm talking about tonight isn't necessarily the items on this agenda, I'm talking about the process in general, about putting those things on the consent agenda. These things are worth more to talk about with them being open for discussion rather than just possibly approved without any discussion through the consent agenda process. I think it's really unfortunate that I had to come up here and say something like that because I work with everyone here on the Budget Committee. I'm not speaking as a member of the Budget Committee, I just have experience on there. I wish that there was more opportunity to flush those things out to get some more discussion about those because those are important matters that require more than just Council input. It's talking about the state of our community and if you're going to try to get that kind of backing from the community for those kinds of projects then there needs to be some sort of openness to it. It's not necessarily going to the openness of settling litigation, it's about what our community needs. Transferring almost \$500,000 out of contingency is worth talking about. I don't think that a 1 page resolution not being able to be talked about at the present meeting is an effective way to do that. That's the limit of my comments tonight, I hope it resonates because I like working with everyone here, I like making things happen, I just want to make sure that the people that have an opinion about things have a chance to address that.

Rip Caswell, Caswell Galleries, stated I wanted to give you an update on Visionary Park and the sculpture of Sam Hill and Sam Lancaster. I've brought some pictures to pass around of the progress (copies of the pictures are included in the meeting packet). I plan to have the sculpture completed in bronze by June for the 100 Year Celebration. Last weekend you might have seen that the old building came down. I wanted to make a shout out to Kelly Broomall and Gary Purvine, they volunteered their time and Gary brought in his own equipment and spent 2 days there tearing it down, cleaning it up, we had dumpsters donated, and it hasn't cost the City anything so far. We're really happy with the progress that we've made and how beautiful it's starting to look. I want to thank the Council for your support on this worthwhile project.

Jean Ice, Troutdale Resident, stated I'm so excited with what Rip has done and what the City has done. In the last few years the improvement in Troutdale has been amazing.

The Troutdale Historical Society has done so much for their exhibit. Part of my concern with Rip's statue is a safety issue on the street. I live on this street and I go in and out many times during the day and I jog there. It's kind of an awkward turn there and I know that when that beautiful statue is there people will want to come and look and they'll want to read the inscription on it and there really isn't any place to park. I think parking is going to be greatly needed. I talked to Rip about it a little bit and I know he is willing to donate an easement for people to get to the parking. Otherwise they'd have to come from Glenn Otto Park which is a bit of a ways or go across the street and park which wouldn't be good.

Mayor Daoust replied Rip sent Steve Gaschler and myself a layout of what the parking could look like. Maybe it's something we can discuss.

Claude Cruz, resident, stated I wanted to follow up on Mr. Sheet's comment. I greatly respect the need for transparency. We can all improve in that area. You can almost not do too much in the way of transparency to keep people engaged and feeling that they're really part of their government. There is a balance point in there I think where for example the Chamber on the backs of some really die hard volunteers has put an awful lot of energy into Troutdale in efforts such as what we're doing with the Bike Hub. I want it to be known that thus far, that's proceeded on the basis of grant money that I've brought in. That's not to say that we won't ask the City for some help if and when that becomes appropriate. I would be leery of not giving the Council latitude that they need to avoid being micromanaged. There's a balance point in there and I would really like to be able to come to you when there is a need and ask for your help.

Paul Wilcox, resident, stated despite Mr. Trompke's contrition, I have some additional comments on the issue. As a subscriber to the Gresham Outlook, I'd like to publicly state that I agree 100% with their October 23<sup>rd</sup> editorial regarding the City's settlement concerning the firearms and materials related to the Reynolds High School shootings. To be specific, they are referencing Consent Agenda Item 2.6 on the October 13<sup>th</sup> Council meeting agenda. I would recommend that anyone who has not read the media opinions in both The Outlook and The Oregonian to do so. I commend Katy Sword at The Outlook for doing her research and looking below the surface. I'm also disappointed that the entire Council was willing to go along with the subterfuge of burying the issue within the consent agenda. I happen to agree with the ultimate resolution, but the Council should have been a lot more upfront about their intentions. I have an additional comment which is completely unrelated, but is nevertheless timely. At the January 27<sup>th</sup> Council meetings, approval of the \$70,000 expenditure for Barney and Worth, the gas tax consultants, was similarly placed on the consent agenda for approval. Councilor White requested moving it to the regular agenda for further discussion. While this Council talks about transparency, they do have their opaque moments.

**5. RESOLUTION: A resolution approving the City of Troutdale Adopt-A-Park Program.**

Steve Gaschler, Public Works Director, stated with me tonight is Tim Seery, the Parks Superintendent. The Adopt-A-Park program is something that Tim and I have been talking about for some time now. The reason for the program is that we want to do a

better job managing our volunteers and encourage citizen involvement and we hope to improve the appearance of our parks and trails. The current staffing levels that we have in the Parks Department do not allow us to keep parks and trails up to the level that we'd like to see. We've received numerous inquiries from citizens who tell us that they are concerned about the appearance of our parks and trails. The Adopt-A-Park program will enable us to offer a formal program to the citizens and community groups wanting to help the City to manage some of our parks. The program is modeled off of a state model that ODOT's been using called Adopt-A-Highway. Some Counties also have Adopt-A-Road programs and some other jurisdictions in the State have also formulated this into an Adopt-A-Park program. Tim has talked to them and some are having varying degrees of success with it. The program is basically just a written agreement between the City and the adoptee or adoptee group that lays out what they will do and what the City will do and it established a liability release. Tim drafted the program, did all the work on it, took it to the Parks Advisory Committee, and worked with them through several meetings to get it into the form that you have today. We're optimistic that it'll be a successful program and encourage citizens to come out and give us a hand.

Councilor Allen stated we don't charge a fee for our parks, they are free for all to use and enjoy. I think a program like this is a really good idea. Two concerns that I would have would be we've had issues in the past where even our own employees have dug up plants that they shouldn't have. There is a bit of a training to this as to what areas are to be kept and what not. Are you up for that task?

Tim Seery replied yes. It's more about what the adopter wants to do for the City. Do they want to work on a special project, do they want to work on replanting? It all comes forward in what they want to do. It's not something that I'll assign. The work is pretty much created by the group wanting to adopt the park. I have things I can suggest to them but for the most part the adopter would be presenting that to me.

Councilor Allen asked is there sufficient oversight?

Tim Seery replied yes.

Councilor Allen stated the second part would probably be more of a question for Ed, on our parks it seems like there's always some other group or jurisdiction that wants to take over our parks for us. We love and appreciate help but sometimes it gets to where they just want to take it over and not even consult us anymore. Is there weakness in this? I see the adopter can be any individual or individuals, corporation, company, firm, business, partnership, or public agency. How do we prevent someone from coming in and the next thing we know we're not allowed to make our own decisions in our own parks?

Ed Trompke replied the agreement with the parks adopter is approved by City staff so to the extent that the City Manager has oversight of staff and you have oversight of the Manager then you can always make sure that that is the case.

Councilor Allen asked do you feel comfortable with this?

Ed Trompke replied yes. It's worked in other cities and other places and nobody that I've heard of has taken over a park and run it rogue away from City control. I'm sure your staff won't let that happen.

Tim Seery replied no. The rotary in Newport took over a park and made some improvements to the park with their fund raising and it's really brought City pride to Newport.

Steve Gaschler stated there is also a termination clause.

**MOTION: Councilor Anderson moved to approve (a resolution approving the City of Troutdale Adopt-A-Park program). Seconded by Councilor Wilson. The motion passed unanimously.**

**6. MOTION: Implementation of the previous Council decision on NLC Travel.**

Craig Ward, City Manager, stated the purpose of this action is to ratify a decision tentatively made under Council Comments on October 13<sup>th</sup>. At that time it was discussed and I believe it was the will of a majority of the Council to authorize expenditure of funds to attend the National League of Cities (NLC) Conferences and some boundaries were put on that in order to prevent over expenditure. It's limited to \$2,000 per Councilmember. Each Councilmember is limited to 1 event every other year. As I started to think through this, I may have bounded it a bit too tightly and a bit beyond what I think the Council anticipated. I expect some Councilmembers will ask me about that and I'll welcome that. As Councilor Allen has brought up there is a need to make this policy consistent with this year's budget. The clause that is at the end before Pro's and Con's says preparation of statutory amendment to Troutdale Municipal Code for council consideration may be necessary but authorization of travel expenses in the current fiscal year for no more than 4 elected Troutdale officials is hereby authorized. That will permit the staff and the Councilmembers to proceed with making reservations and plans for upcoming NLC Conferences this year. There are quite a few complexities that could apply under Troutdale Municipal Code 2.08.240 but it does state very clearly in Section 3 that no other expenses shall be reimbursed unless preapproved by the City Council. That is exactly what I understood had occurred in general at the last meeting and now it just needs to be ratified by a Council vote.

Councilor Allen stated when I heard this idea for the first time at the League of Oregon Cities (LOC) Conference I thought it was a good idea. But for me it goes to the bottom of my spending priority list. There are a lot of other things that are more important to me. For one, it seems like every year I'm asking for more money for Parks and Recreation and I would put that above this. That's why I'm not favorable to it.

Mayor Daoust stated this is just implementation of the travel decisions that we made on October 13<sup>th</sup>.

Councilor Ripma stated the packet doesn't have a resolution in it and I think one is needed to flush this out. The Troutdale Municipal Code section that we passed was to prevent the abuses of the former Mayor who was charging expenses of all kinds that were not necessarily related. Anything he'd call city business, he would submit a receipt and get reimbursed for until we passed this. We passed it to limit reimbursable expenses to the League of Oregon Cities Conference, the Mayor's Association Conference, and no other expenses shall be reimbursed unless preapproved by the Council. The intent of that was to have anyone that wanted to do something else to bring their request to the Council for pre-approval it. What the wording in this very vaguely worded packet purports to do is essentially preauthorize any other expenses, it doesn't even say travel expenses. It authorizes up to \$2,000 per Councilor until the money runs out for expenses that shall be preapproved. If you think about that, it eats up the restrictions that we put in there when we passed this. I think this sorely needs a well written resolution. We just discussed this under Council Concerns and initiative and was brought up by the Mayor. There was no packet or explanation but there have been a bunch of e-mails back and forth trying to explain it. Is this \$2,000 in additional reimbursable expenses for each Councilor and in addition to the stipend as long as we submit receipts? It doesn't mention that it's for the National League of Cities.

Craig Ward replied it was my understanding that that was the intention, that this was in addition to the stipend but I don't think that was ever articulated directly by the Council. This is about what the Council wants so if you want to change it and have a resolution then that's up to you.

Councilor Ripma stated I'm encouraging the Council to think this through a little bit. This is simply a blank check for up to \$2,000 in reimbursable expenses for practically any purpose that the Councilor of the Mayor chooses to name as city business like Jim Kight used to do. It's one of the reasons he got voted out. It would do us all good to have this tightened up. Shouldn't it be a specific expense for a specific thing? If you read the words it is \$2,000 per event. When we have a resolution on the agenda, usually there is a resolution in the packet and there isn't one here. It isn't clear that you are limiting it to anything. Is this in addition to the stipend?

Mayor Daoust replied yes it is.

Councilor Wilson stated in the background it says the National League of Cities sponsors a variety of annual events typically in a conference format designed specifically for elected officials of Cities, so it says what it's for.

Councilor Ripma replied it says that staff is directed to process reimbursement requests consistent with adopted city travel policies and with appropriate receipts on a first come first served annual basis for 1 event per elected with each elected official reimbursable costs limited to \$2,000 per event provided that no individual elected official is to be reimbursed for attending an NLC events in consecutive fiscal years. That is the only reference to NLC, it is not otherwise limited. I think we can do better. I'm against this as a waste of taxpayer money. If we're going to do it we should have a resolution specifying what this is for.

Councilor Morgan stated I wasn't here during the Jim Kight years. I think we all know that there were some abuses. I think we all know specifically what this is talking about. If there's concern about a vast conspiracy of compensation or reimbursement then that's 1 thing. If we're talking about Councilors going to Washington D.C., like Ron Wyden at LOC told us to, to talk about infrastructure and fiber optics or investing in renewable energy or how we distribute trash or water. I know that people run scared around here based on how the past has been but I also know what this is about. This is about Councilors going to a national conference to network, to expand, to grow, to not be an isolationist in a 21<sup>st</sup> century global economy. We can use hyperbole and play semantics all day long. This is about Councilors going to Washington D.C. to advocate for the City of Troutdale.

Councilor Ripma replied you should use your stipend for that and not taxpayer money.

Mayor Daoust stated we've already agreed on this. This discussion item is about implementation of a previous Council decision.

Councilor Morgan replied if we want to be consistent about saving tax payer money in regards to this and you want to talk about reimbursement, if you have Councilors who spend money and book their flight and hotel on their own, it's going to be a lot more expensive in the long run as opposed to the City authorizing the travel, booking them together like we do for the League of Oregon Cities Conference. We're talking about 1 conference next year. If it's not a good use of money then vote no, that's fine but I think that it is.

Mayor Daoust asked do we really need a resolution for this?

Ed Trompke replied previously I spoke to Councilor Ripma and told him that I thought it was appropriate to do it by resolution but I'm going to withdraw that. I didn't think about just doing it by motion. It is implementing a city code section so that can be done by motion to preauthorize the expenses.

Councilor Ripma asked is it limited to NLC events?

Ed Trompke replied I think it should be. I think it would be stronger if it said "this motion if approved will authorize travel expenses to National League of Cities Conferences of each elected Troutdale official". I think that was the intention of the discussion.

Mayor Daoust replied we can clarify that, it's no problem.

Craig Ward stated I take the fact that it's somewhat confusing and could be better written, since I wrote it. I'm not happy to admit that but in retrospect, I agree. The issue of reimbursable costs, I use that term several times. I think it is overly tight because it does not permit exactly the same situation that Councilor Morgan suggest which is that there may be situations in which it's more efficient for everybody for City staff to make reservations and even pay the costs directly for the members to attend. If you are so

inclined, "staff is directed to process reimbursement requests consistent with adopted travel policies and with appropriate receipts on a first come first served annual basis with 1 event per elected, with each elected officials costs limited to up to \$2,000 per event, provided that no individual elected official is eligible to attend NLC events in consecutive fiscal years. All costs inconsistent with travel policies including but not limited to expenses without valid receipts, and/or costs exceeding the limits stated herein, shall be the personal responsibility of the elected official". I think at first blush, that would get us around that problem of city staff booking travel arrangements and paying for them directly. In the case of reimbursable costs, they would require receipts as our policies currently do. There would be receipts in the other event as well so there wouldn't be any undocumented expenses.

Councilor Allen stated this was part of Council Concerns and it is worthy of at least a motion so we have a chance to discuss it. We all have different spending priorities. How much does it cost? What are we likely to gain out of it? It sits lower on my spending priority than maybe Councilor Morgan's. I think it's important that subjects like this become an agenda item and we do discuss it.

Councilor Morgan replied we have a difference of opinion on this but I respect that.

Councilor Allen stated there are expenditures that you need to do, some that you have to do, and some that you want to do. This is a want and it's at the lower end of my wants.

Mayor Daoust stated everybody understands the \$2,000 per event and \$14,000 every fiscal years. That's the implementation piece that we're voting on tonight. I think everybody understands that and the fact that we'd like no more than 4 Councilors to go to any 1 NLC Conference. We understand that we're only talking about NLC Conferences and nothing else. We'll only get reimbursed for actual expenses.

Councilor Allen asked could we put that in the form of a motion or resolution?

Mayor Daoust replied there are wording changes that Craig brought up that we could incorporate to clarify things.

Ed Trompke stated the paragraph with the edits from me and from Craig looks like the motion at this point.

Councilor Morgan stated the word reimbursement still doesn't underscore if it's like what is done with the LOC for hotel and airfare and whether it's initially covered or not. It's inconsequential but it makes sense to block book as opposed to getting reimbursed. If we don't want to do that then that's ok but I just want to know.

Mayor Daoust replied I've done my share of government travel. Anytime we get into an arrangement when we are traveling, we can coordinate with City staff and if they want to make all the hotel reservations in a big group we can either agree with that or if individual Councilors want to go on their own and make their own reservations, then we'll just negotiate that. If we have an expense as a Councilor then we'll get reimbursed for that.

If the City pays for the hotel room then we won't get reimbursed for it. We may not all want to stay in the same hotel, we may want to travel on different dates, so there's flexibility here that's inherent in any travel that anybody does and we can just work that out.

Councilor Allen stated the only reason that I was asking that we put it into some kind of a motion form, which I think we're going to do, is so that we don't end up 2 years from now wondering what those meeting minutes say and it's actually recorded and know what the rules are.

Mayor Daoust stated we have a motion in front of us which is the paragraph with the edits that were made by our City Attorney and the City Manager. *(This motion, if approved, will authorize travel expenses to National League of Cities Conferences of each elected Troutdale official pursuant to article 3, of TMC 2.08.240, subject to authorization within the City budget. Staff is directed to process reimbursement requests consistent with adopted travel policies and with appropriate receipts on a first come first served annual basis with 1 event per elected, with each elected officials costs limited to up to \$2,000 per event, provided that no individual elected official is eligible to attend NLC events in consecutive fiscal years. All costs inconsistent with travel policies including but not limited to expenses without valid receipts, and/or costs exceeding the limits stated herein, shall be the personal responsibility of the elected official, unless pre-approved by Council action pursuant to TMC 2.08.240.)*

**MOTION:** Councilor Anderson stated so moved (see staff's edited motion in parenthesis just before this motion). Seconded by Councilor Wilson.

Councilor White stated I've been to 7 LOC events. I've gone every year that I've been eligible to go. I've gotten a lot out of it and that's why I continue to go. This is brand new, the National League of Cities. I don't want to set this up without an evaluation of what the takebacks are. I'd be willing to approve this as a 1 time introductory, evaluate it, and see if it's worth doing. The President of the LOC was Mayor Truax of Forest Grove and he couldn't say enough good things about it. I remember the words of Claude Cruz the other night when he said you have to be willing to put a little bit in the pot to try to make it grow. That's how I view this and I always support education. I've personally gotten a lot out of going. I would support this but only if it was to be evaluated to see if we should do it in the future.

Councilor Allen asked do you mean for 2 years?

Councilor White replied yes, do the 2 year cycle. The feedback might be sufficient. Then we could also take the time to run this by the Budget Committee. I'd like their input.

**AMENDMENT:** Councilor Anderson stated I would move to approve that by friendly amendment. Seconded by Councilor Wilson.

**VOTE: Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – No; Councilor Wilson – Yes; Councilor Ripma – No; Councilor Anderson – Yes; and Councilor Morgan - Yes.**

**Motion Passed 5 – 2.**

**2.2 RESOLUTION: A resolution providing for current FY 2015-16 Budget Transfers and Appropriation Changes.**

Councilor Allen stated I've had a couple of evenings to look at this. We went through a recession and the economic recovery has been modest. It hasn't been robust that I can tell. Our costs, in some categories are going up 10%, 7%, 12% and so it's a little concerning for me. I don't know what it's based on. I understand the labor contracts but there's some subjectiveness to that and I don't know if we can even talk about this stuff in public meetings.

Mayor Daoust stated the resolution before us strictly deals with budget transfers.

Ed Trompke replied that is all that it does, it transfers from 1 account to another.

Mayor Daoust stated in order to balance the budget by the end of the year there are certain transfers that have to occur to put money in the right fund.

Councilor Anderson stated I think the issue is that there was some sticker shock. Yes we settled with AFSCME and we did the right thing, in my opinion, but there was some sticker shock at the overall price tag when you take the funds that were effected.

Councilor Allen stated I know what we said and I know what I see and I see a mismatch.

Councilor Anderson replied I do too. I think in the future that Council could stand to see the impact across all funds when we are making those decisions. I don't believe that we saw across all funds. I believe we looked at the big picture when we decided to do what we did. I'm not second guessing the decision.

Councilor Allen stated we were dealing with smaller numbers too.

Craig Ward stated I'm sure that a lot of these expenses that are identified as transfers were identified in the briefing that you had but they were rolled up. That was an even bigger number but it wasn't broken down by the subcategories that this document does and I can understand your confusion about that. I have no reason to believe that these numbers are inconsistent with the rolled up number presented to you for the overall expense.

Councilor Anderson replied I'm not second guessing it. In the future, I'd like to see it broken out as we see it here. When you settle on something you want to see the impact across all funds. I don't disagree with what Craig said about the rolled up number being what it is, I'm not disputing the accuracy of it at all.

Councilor Allen stated what occurred in practice is different than what was asked for. If I can get some more transparency in the future as you suggest then I'll be happy with that. The second item I had was \$250,000 for Urban Renewal. Do we need to be doing that transfer now when we don't have an agreement?

Erich Mueller, Finance Director, replied the \$250,000 outlined in the transfers is another in a series of loans. It's a transfer from contingency in the General Fund into the Urban Renewal Agency. It's not an expenditure on the part of the Urban Renewal Agency. The money goes into the Urban Renewal Agency and is then governed by the budget that was adopted for the Urban Renewal Agency. There's no new expenditures that are occurring on the Urban Renewal Agency side because there are still things in negotiation and in process. There are ongoing expenses associated with the EPA grant in the Urban Renewal Agency which we are required to pay for up front and then get reimbursed for. As I mentioned in the staff report, the \$250,000 is a loan and it gets repaid to the General Fund based on the collection of the tax increment. The Urban Renewal Agency must be in debt in order to collect the tax increment.

Councilor Allen asked but isn't this is above and beyond what we did through the budgeting session?

Erich Mueller replied no.

Councilor Allen asked then why are we doing a transfer now instead of handling it in the budget?

Erich Mueller replied the Urban Renewal Agency budget refers to a loan of \$2,000,000 from the City. We're not loaning \$2,000,000, we're only loaning \$250,000 at this point.

Councilor Allen stated on top of what we've already done.

Erich Mueller replied in prior years. This is the first and only loan to the Urban Renewal Agency so far in this fiscal year. As things progress with the Urban Renewal Agency in coming months, I can't predict what else may occur. But this is the only one that's occurred thus far this year.

Councilor Morgan asked for clarification, the information that you provided was in the staff report? It's not new information?

Erich Mueller replied in writing the staff report you always try to write for your audience and you may be able to answer the question for 4 out of 7 on 1 item and 6 out of 7 on another and maybe only 1 out of 7 on another. I hit and miss in terms of the effectiveness in what I am able to communicate in the staff report.

Councilor Anderson asked at the midyear Budget Committee Meeting how much was it that we wanted left over in reserves?

Craig Ward replied I don't recall.

Councilor Anderson stated we took \$428,000 out of contingency which leaves us with \$321,000 going forward. Is that correct?

Erich Mueller replied there is that much that remains in contingency that has not yet been transferred. I am assuming that this coming June, just like every June that I've been here and prior to my arrival, there will be another set of transfers from contingency for the remainder of this fiscal year because there will be more things that happen between now and then that we don't know about today that will require making budget adjustments.

Councilor Anderson stated I appreciated that answer. When we go into the midyear Budget Committee Meeting I want to make sure we set a reasonable expectation and not an unreasonable one. I was looking at this \$321,000 in addition to what we held back in reserves. So I was painting a rosier picture than perhaps is the reality and thanks for clarifying that.

Councilor Allen asked are you saying that we're not increasing the amount that we budgeted, we're just going to do these transfers until they reach the amount that we had budgeted for Urban Renewal? This is not above and beyond what we budgeted for?

Erich Mueller replied the Urban Renewal Agency Budget was several million dollars and it has been each year. We've not made that level of expenditure because we've not had that level of resources come into the Agency. Last year there was a \$2 million loan from the City to the Urban Renewal Agency in the budget but we only loaned it \$140,000, I think. There was a large loan in the budget but the resources weren't received by the Agency.

**MOTION: Councilor Anderson moved to approve (a resolution providing for current FY 2015-16 Budget Transfers and Appropriation Changes). Seconded by Councilor Wilson. The motion passed unanimously.**

Mayor Daoust stated every year you provide summaries and it's always a challenge to know how much detail to provide behind each number. The numbers are the numbers, they are what they are. I will say that if this is an example of what you think you should give us in the future, I don't want this much detail. These are ledger sheets that are very confusing to go through. I think what you've been providing us in previous years, I'd say keep at it and if we have questions then we should contact you before the Council meeting to make sure we know what the numbers mean.

Councilor Morgan stated for clarification, he did the detailed ledger because Councilor Allen had follow up questions.

Councilor Allen replied right.

Councilor White stated I appreciate the extra effort from Erich Mueller and Councilor Allen. It helped clarify some of the same questions that I had.

## **7. STAFF COMMUNICATIONS**

Craig Ward stated I have no comments tonight.

## **8. COUNCIL COMMUNICATIONS**

Mayor Daoust stated Debbie Stickney our City Recorder retired and I wanted to make sure the Council saw her thank you. Legacy Mt. Hood is having their grand opening for their medical services building this Thursday, October 29<sup>th</sup> from 5:00 to 7:00pm. Anybody who wishes to go to that can show up, no RSVP is needed. Today when Craig Ward and I were walking around the Depot Museum we noticed that city staff was putting up new flags and new rope. Lastly, to add to what Ed talked about at the beginning of the meeting regarding the consent agenda being handled the way it is. I fully support what the City Attorney did and the decision that was made. It was totally in concert with the press release that the City put out. The main reason the press release was worded the way that it was and the consent agenda was handled the way that it was, I would say the primary objective was not to make the emotional situation in the City any worse than it has been over the last 16 months since the shooting at Reynolds High School. We did not want to make it a spectacle, an open discussion on gun control, we wanted to be conscious of the families that suffered and we deliberately made the decision in the press release, and the way that it was worded, and the consent agenda for that main reason. The secondary reason is that it was a settlement agreement on a specific court case. We do not normally hold public comment periods on a settlement agreement on a specific court case. I think this was handled totally appropriately and I supported the City Attorney and the City Manager in their decision to handle it the way that it was.

Councilor White stated in addition to Kelly Broomall's work on Visionary Park, I wanted to thank him for pointing out that the flags were tattered at the Depot Park Museum. I know that he replaced them with his own personal flags and I'm glad to hear that they have been returned to him.

Councilor Allen stated Mayor Daoust, I wanted to add to what you said that one thing people need to realize is that legal costs eat that kind of money up real fast. It starts to look like a bargain when you talk about court cases.

Councilor Anderson stated we're making too many decisions, having too many discussions, and too many debates coming up under Council Concerns. We have to stop that. If something is worth doing then let's put it on the agenda. If the agenda is 13 items long then so be it and let's get through it as quickly as we can. I have zero issue with NLC. If we can book the rooms together in blocks then that will save us money. It's not that, it's the fact of do we discuss it, do we not discuss it, what do we do. There are e-mails back and forth. We're better than that so let's act better. If we feel passionately about something let's put it on the agenda and talk about it. We can get through things quick.

Councilor Morgan stated I don't know how things have been but my frustration is that we have a lot of really big things. I feel like we are amongst ourselves infighting at the

expense of valuable time, resources, important decisions, and process. My spirits have been uplifted by people like Claude and Rip. I would like to believe that we can do things and think of a thousand ways to argue about what we can't.

**9. ADJOURNMENT**

**MOTION:** Councilor Wilson moved to adjourn. Seconded by Councilor Ripma.  
Motion passed unanimously.

Meeting adjourned at 8:18pm.

**DRAFT**

\_\_\_\_\_  
Doug Daoust, Mayor

Dated: \_\_\_\_\_

ATTEST:

**DRAFT**

\_\_\_\_\_  
Sarah Skroch, City Recorder

# CITY OF TROUTDALE

## City Organization Review Subcommittee Meeting

### Tuesday, October 27, 2015

### PLEASE SIGN IN

Name - Please Print	Address	Phone #
PAUL WILSON	TROUTDALE	
Bria Sharts	Troutdale OR	503-830-1448
David Becker	Troutdale	
Mary Massey	Corbett	
Rip Cornell	Troutdale	
Rob Canfield	Troutdale	
Pam Castro	Diane Castillo Troutdale	503-888-1425
Jean Ice	Troutdale	503-319-1110
Jason Buford	Troutdale	
Clark Cruz	"	503 799-9667
Carol Allen	Troutdale	503 701 8979

# CITY OF TROUTDALE

## City Organization Review Subcommittee Meeting

Tuesday, October 27, 2015

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Name - Please Print	Address	Phone #
PAUL WILSON	TROUTDALE	
Brian Sharts	Troutdale OR	503-870-1448
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Rip Caswell	Troutdale	
Rob Canfield	Troutdale	
Pia Castro	Diane Castillo Troutdale	503-888-1405
Jean Ice	Troutdale	503-319-1110
Jason Buford	Troutdale	
Clark Cruz	"	503 799-9667
Carol Allen	Troutdale	503 701 8979



# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** A Motion accepting the Mayor's Nominations for appointments to the Parks Advisory Committee, Citizens Advisory Committee, Budget Committee, Planning Commission, Public Safety Advisory Committee, and Historic Landmarks Commission.

**MEETING TYPE:**  
City Council Regular Mtg.

**MEETING DATE:** January 12, 2016

**STAFF MEMBER:** Sarah Skroch  
**DEPARTMENT:** Executive

**ACTION REQUIRED**  
Motion

**SELECTION COMMITTEE RECOMMENDATION:**  
Approval

**PUBLIC HEARING**  
No

**Comments:**

**STAFF RECOMMENDATION:** Approve the nominations forwarded by Mayor Daoust.

**EXHIBITS:**  
None.

**Subject / Issue Relates To:**

Council Goals

Legislative

Other (describe)  
Committee Appointments

**Issue / Council Decision & Discussion Points:**

- ◆ Consideration of Mayor Daoust's nominations for appointment to the City's Committees based on the recommendations of Selection Committee.

Reviewed and Approved by City Manager:

**BACKGROUND:**

Each year the City conducts a recruitment process to fill vacancies on the City's committees. Ads are placed in the Gresham Outlook, the Troutdale Champion and on the City's Web Page soliciting citizens to apply for a position on one of our volunteer committees. This year we received 22 applications.

The City's Selection Committee (comprised of the Mayor, City Councilors and the Chair of the respective committee) interviewed applicants for all committees. The Selection Committee came to a consensus at the end of the interviews and forwarded their recommendations to Mayor Daoust for his consideration.

Mayor Daoust is nominating the following applicants for appointment:

**Parks Advisory Committee**

Position #1 – Charles Foss	Term Expires 12/31/18
Position #2 – Gary Jones	Term Expires 12/31/18
Position #3 – Carol Allen	Term Expires 12/31/18
Alternate – Paul Wilcox	

**Citizens Advisory Committee**

Position #1 – Carol Hasler	Term Expires 12/31/18
Position #6 – Paul Wilcox	Term Expires 12/31/17
Position #9 – Diane Castillo	Term Expires 12/31/18
Position #10 – Danny Stoddard	Term Expires 12/31/18
Position #11 – Sam Barnett	Term Expires 12/31/18
Alternate – Jon Brown	

**Budget Committee**

Position #2 – Robert Canfield	Term Expires 12/31/18
Position #3 – Carol Hasler	Term Expires 12/31/18
Position #7 – Brian Sheets	Term Expires 12/31/18
Alternate – Bruce Wasson	

**Planning Commission:**

Position #6 – Tanney Staffenson	Term Expires 12/31/19
Position #7 – Sandy Glantz	Term Expires 12/31/19

**Public Safety Advisory Committee:**

Position #1 – Will Knight	Term Expires 12/31/18
Position #2 – Charles Foss	Term Expires 12/31/18
Position #3 – Jerry Stitzel	Term Expires 12/31/18
Position #4 – Jorgan Shaw	Term Expires 12/31/18
Alternate – Gary Jones	

**Historic Landmarks Commission**

Position #1 – Audrey Lowell	Term Expires 12/31/19
Position #2 – Erin Janssens	Term Expires 12/31/19
Position #3 – Sharon Nesbit	Term Expires 12/31/19



# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** An ordinance amending the Comprehensive Land Use Plan Map and Zoning District Map for a 6.88 acre parcel, currently designated MDR Medium Density Residential and zoned R-5 Single Family Residential, and proposed to be designated High Density Residential and zoned A-2 Apartment Residential.

**MEETING TYPE:**  
City Council Regular Mtg.

**MEETING DATE:** January 12, 2016

**STAFF MEMBER:** Steve Winstead  
**DEPARTMENT:** Community Development

**ACTION REQUIRED**  
Ordinance - Introduction

**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:**  
None Forwarded

**PUBLIC HEARING**  
Yes

**Comments:** On 12/16/15, Planning Commission voted 3-3 (1 member absent) for a recommendation of approval. The motion did not carry. There was no motion for recommendation of denial.

**STAFF RECOMMENDATION:** Approval with Conditions

**EXHIBITS:**

- A. Staff Report for Planning Commission (with attachments A thru E)
- B. Memo from Staff regarding issues raised from Planning Commission hearing

**Subject / Issue Relates To:**

- Council Goals                       Legislative                       Other (describe)

Comprehensive Land Use Plan

**Issue / Council Decision & Discussion Points:**

- ◆ Decision Criteria and Findings for Map Amendments (pages 9-12 of Exhibit A)

Reviewed and Approved by City Manager:

## BACKGROUND:

The Applicant (Sheldon Development, Inc.) is proposing two (2) map amendments on a 6.88 acre parcel located on the southeast corner of the NE 242<sup>nd</sup> Drive and SW Cherry Park Road intersection:

- A ***Comprehensive Land Use Plan Map Amendment***, which would change the current designation of the subject property from *Medium Density Residential* to *High Density Residential*
- A ***Zoning District Map Amendment***, which would change the zoning district of the subject property from *R-5 Single Family Residential* to *A-2 Apartment Residential*

This particular application is limited strictly to amending the aforementioned maps to allow for higher density development. While conceptual development plans may be displayed during the Public Hearing, the Applicant would still be required to apply for a separate application for Site & Design Review for any proposed development on this property. The Applicant has expressed a desire to develop a market-rate apartment complex on the property, necessitating the map amendments request.

This application will undergo a Type IV quasi-judicial procedure. [TDC Sec. 2.120 and Ch. 16]. This procedure requires a Public Hearing, Planning Commission and City Council approval in order to be adopted. Both proposals are to be reviewed concurrently.

Planning Commission's role in a Type IV procedure is to make a recommendation to City Council. At its regular meeting on December 16, 2015, the Commission conducted the initial public hearing, in which Staff made a presentation on the application with its recommendation for approval, along with comments on how it believed the decision criteria were met.

The Commission also took testimony from the Applicant, citizens, and Multnomah County Transportation Planning before closing the Public Hearing. One resident submitted correspondence in favor of the application; four citizens wrote correspondence or spoke against the application. Multnomah County was a neutral party. The major concern among those testifying was related to traffic, with additional concerns about the appropriateness of higher density development at this particular location and any potential negative impacts it may have.

Upon a series of discussions amongst the Planning Commissioners with follow up/clarification questions for Staff, a motion was made for recommendation of approval. The Commission voted 3-3 with one member absent, therefore the motion did not carry. The Commission did not vote on a motion to recommend denial of the application. Therefore, Planning Commission is unable to submit a recommendation to City Council.

Staff maintains its position to recommend approval of both amendments, with the added position that future development of the property shall undergo a Type III Site & Design Review process due to the characteristics of the site. Unlike a typical Type II Site & Design Review process, a Type III process would involve Planning Commission review and approval.

## REVIEW CRITERIA

Amendments to maps have specific decision criteria outlined in the Troutdale Development Code (TDC) that must be met in order to warrant approval. The decision criteria and proposed findings can be found in Exhibit A (Staff Report) on pages 9, 10, and 11, with proposed conditions of approval shown on page 12.

## PROS & CONS:

### Pros:

- Staff believes the application has met the required decision criteria for both types of map amendments based upon the information provided by the applicant. These criteria are used by City Council to approve or deny the application.
- DLCD, Metro, Multnomah County Transportation Planning, and other review agencies (including other departments) had no objections to the amendments.
- The Public Works department and Multnomah County Transportation Planning in particular stated that development concerns shall be addressed at the Site & Design Review for any type of proposed development.

### Cons

- Planning Commission voted 3-3 for a recommendation to approve. Members who voted against the recommendation cited concerns about impacts of higher density development, particularly traffic. Staff and the other review entities maintain the view that these concerns can be addressed at Site & Design Review.

**Current Year Budget Impacts**  Yes (*describe*)  N/A

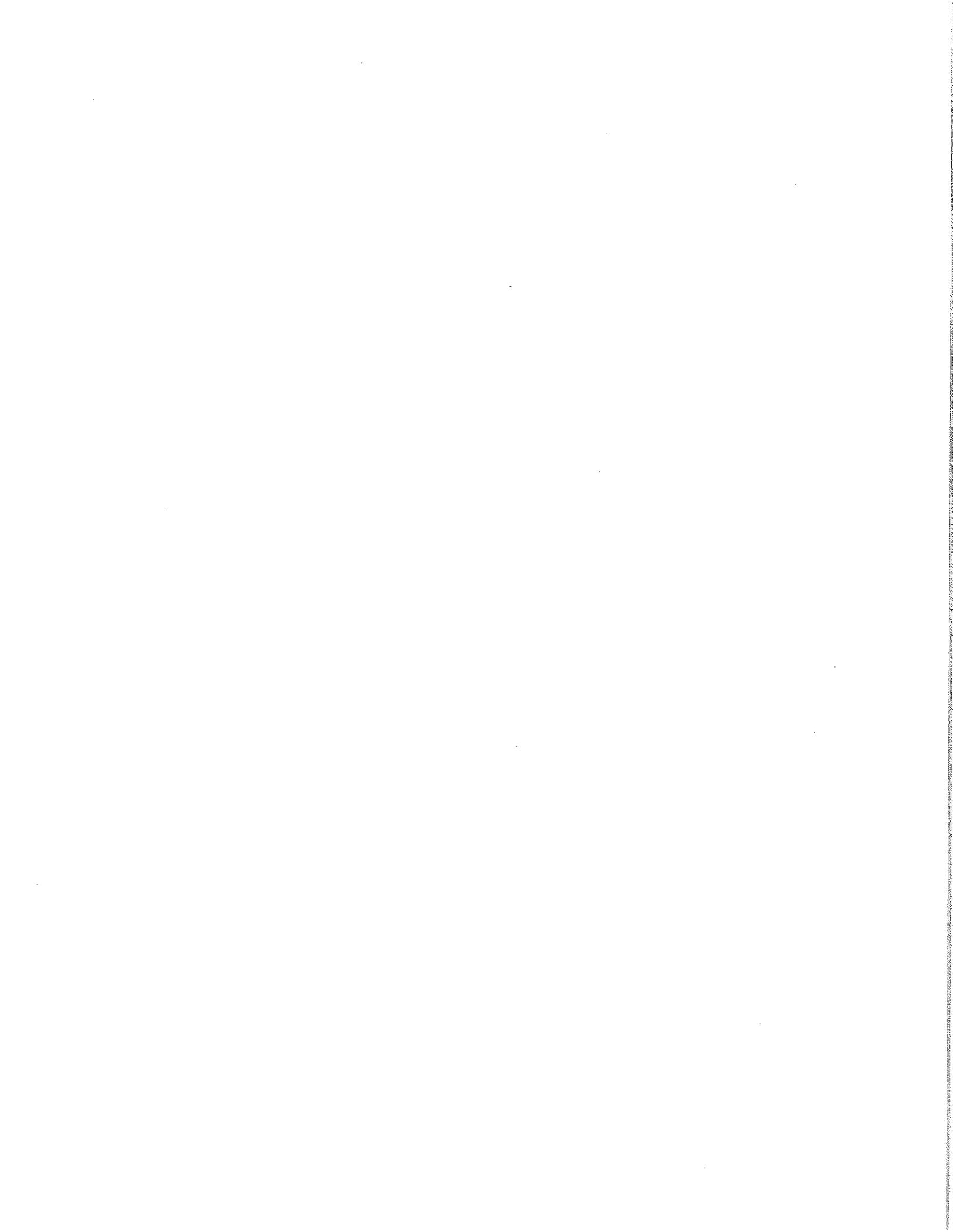
**Future Fiscal Impacts:**  Yes (*describe*)  N/A

While the map amendment action will not directly create a future fiscal impact, future development of the property will translate to an increase in property tax collected, but may also require infrastructure improvements. The City's financial obligations for improvements can be somewhat mitigated through SDCs and shared costs with the County.

**City Attorney Approved** N/A  Yes

**Community Involvement Process:**  Yes (*describe*)  N/A

Neighbors were notified of the meeting starting on November 4<sup>th</sup> and had opportunity to comment prior to and at the Public Hearing portion of the December 16, 2015 Planning Commission hearing. Planning Commission also requested the Citizens Advisory Committee (CAC) provide feedback at their December 2, 2015 meeting, but the CAC was unable to meet due to a lack of quorum.



**CITY OF TROUTDALE**

PLANNING COMMISSION | PHONE (503) 665-5175 | www.troutdale.info



**Staff Report**

Report Date: 12/07/15

Initial Public Hearing Date: 12/16/15

<b>File Number &amp; Name</b>	<b>15-057 Sheldon Development</b>		
<b>Location</b>	Southeast corner of NE 242 <sup>nd</sup> Drive and SW Cherry Park Road		
<b>Application Type(s)</b>	Comprehensive Land Use Plan Map Amendment <i>-and-</i> Zoning District Map Amendment		
<b>Project Applicant</b>	Sheldon Development, Inc.	<b>Property Owner</b>	Frank Amato Trust
<b>Property Size</b>	6.88 acres (corner lot)	<b>Current Plan Designation</b>	Medium Density Residential
<b>Tax Map / Tax Lot #</b>	1N3E35BC 700 / R-943350520	<b>Current Zoning District</b>	R-5 Single Family Residential

**REQUEST**

The applicant is proposing two amendments to official maps adopted by the City of Troutdale:

- A **Comprehensive Land Use Plan Map Amendment**, which would change the current designation of the subject property from *Medium Density Residential* to *High Density Residential*
- A **Zoning District Map Amendment**, which would change the zoning district of the subject property from *R-5 Single Family Residential* to *A-2 Apartment Residential*

**PROCEDURE**

This application will undergo a Type IV quasi-judicial procedure. [TDC Sec. 2.120 and Ch. 16]. This procedure requires a Public Hearing, Planning Commission review, and City Council approval in order to be adopted. Both proposals may be reviewed concurrently, as they cover the same property. [TDC 15.010.E]

**CONTENTS OF THIS REPORT**

<b>Section</b>	<b>Page</b>	<b>Attachments</b>	<b>Ref</b>
The Property	2	Memo from Public Works	A
The Application	3	Memo from Transportation Planning	B
Agency Comments	4	Correspondence from the Public	C
Public Comments	6	Application Narrative	D
Analysis	7	Application Exhibits	E
Decision Criteria & Findings	11		
Recommendation & Conditions of Approval	12		
Consideration	13		

## THE PROPERTY

### DESCRIPTION

The application consists of one (1) existing 6.88 acre parcel (hereafter referred to as “the Property in Question” or “the Property”). The Property is designated as medium-density residential, zoned Single Family Residential (R-5) and is located on the western edge of the city limits at the intersection of NE 242<sup>nd</sup> Drive and SW Cherry Park Road. Both of these roads are maintained by Multnomah County. A portion of the Property is utilized to sell agricultural and seasonal items.

The Property is bound to the north by the Cherry Park Market Center shopping center anchored by a grocery store, residential properties to the east and south, commercial property in the City of Gresham to the west, and a commercial strip market in the City of Wood Village to the northwest.

### VICINITY MAP



### STREET VIEW



## THE APPLICATION

### TIMELINE

Sheldon Development ("The Applicant") held a pre-application meeting with Staff and other parties on July 14, 2015. The Applicant submitted required information for the Application in October 2015 and the City determined the application to be complete on November 5, 2015.

In accordance with notification requirements outlined by the Oregon Department of Land Conservation and Development ("DLCD") and Metro, the City notified each agency of this application on November 5, 2015. Additional review agencies and property owners located within 250 feet of the Property in Question were notified on November 6, 2015, with written comments due on December 1, 2015 for inclusion in the Staff Report. Additional comments may be delivered at the initial public hearing. A Public Notice of the initial public hearing was submitted to *The [Gresham] Outlook* on December 2, 2015. The initial Public Hearing is scheduled during Planning Commission's regular meeting on December 16, 2015.

### REQUEST

The applicant is proposing two amendments to official maps adopted by the City of Troutdale:

- **A Comprehensive Land Use Plan Map Amendment**, which would change the current designation of the subject property from *Medium Density Residential* to *High Density Residential*
- **A Zoning District Map Amendment**, which would change the zoning district of the subject property from *R-5 Single Family Residential* to *A-2 Apartment Residential*

The two primary definitions associated with this application are as followed:

- **High Density Residential** is intended primarily for high-density, multiple-family residential dwellings, including (...) vacant land suitable for development at higher densities. Areas that may be designated HDR include (...) areas adjacent, or in close proximity to existing or planned shopping centers, employment centers, transit routes, or minor arterials. [Comp Plan p. 11]
- The **A-2 Apartment Residential** zoning district is intended primarily for multiple-family (apartments) and attached dwellings in a high-density residential environment. [TDC 3.061]

### PROCEDURE

This application will undergo a Type IV quasi-judicial procedure. [TDC Sec. 2.120 and Ch. 16]. This procedure requires a Public Hearing, Planning Commission review, and City Council approval in order to be adopted. Both proposals may be reviewed concurrently, as they cover the same property. [TDC 15.010.E]

### APPLICABLE CRITERIA

Listed below are governing standards that shall apply (preliminary upon further review):

- *City of Troutdale Comprehensive Land Use Plan ("Comp Plan")*
- *Troutdale Development Code ("TDC")*: Ch. 1 (Introductory Provisions); Ch. 2 (Procedures for Decision Making); Sec. 3.060 (A-2 Apartment Residential); Ch. 15 (Amendments); Ch. 16 (Public Deliberations & Hearings)
- *City of Troutdale Construction Standards for Public Works Facilities*
- *City of Troutdale Transportation System Plan ("TSP")*
- Multnomah County Transportation Road Rules

**AGENCY COMMENTS**

**NOTIFICATION**

Several agencies received a formal *Notice of Application & Request for Comment*. Comments that were received by December 1, 2015 were included in this Staff Report. Agencies do reserve the right to deliver written comments prior to the Public Hearing or provide testimony at the Public Hearing.

In accordance with notification requirements outlined by the Oregon Department of Land Conservation and Development (“DLCD”) and Metro, the City notified each agency of this application on November 5, 2015. Additional review agencies and property owners located within 250 feet of the Property in Question were notified on November 6, 2015, with written comments due on December 1, 2015 for inclusion in the Staff Report. Additional comments may be delivered at the initial public hearing. A Public Notice of the initial public hearing was submitted to The [Gresham] Outlook on December 2, 2015.

As of the preparation of this Staff Report, several agencies provided comments. Listed below are the agencies who received the *Notice & Request*. For full details of an agency’s comments, please consult the attachments.

<b>Review Entity</b>	<b>Comments</b>	<b>Review Entity</b>	<b>Comments</b>
Planning	In Analysis	Dept of Land Conservation & Development	None
Building	None	Metro	None
Public Works	Attachment A	TriMet	None
Transportation Planning ( <i>Multnomah Co.</i> )	Attachment B	Reynolds School District	No Response
Fire & Emergency Services ( <i>Gresham</i> )	None	City of Gresham	No Response
		City of Wood Village	No Response

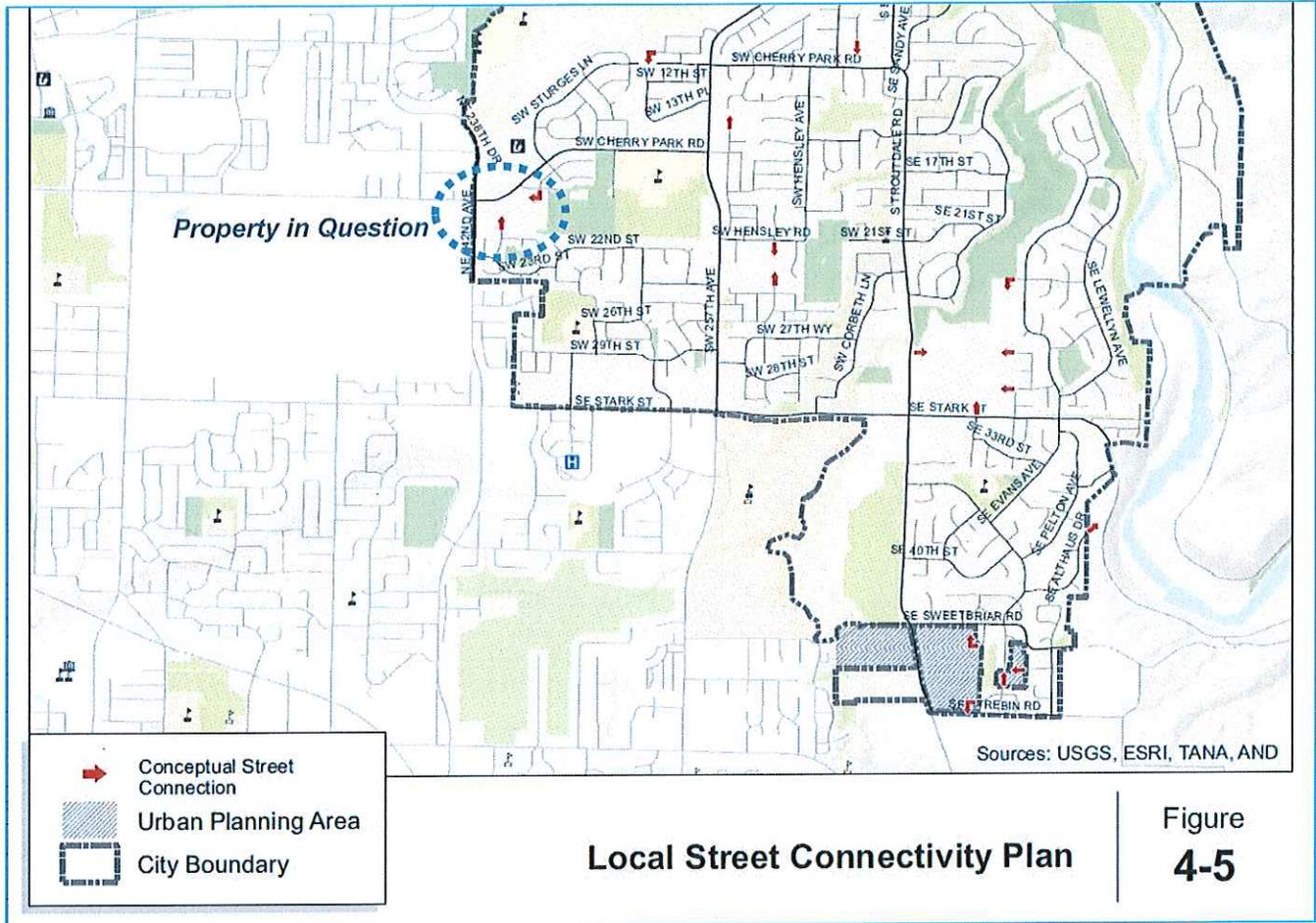
**SUMMARY OF PUBLIC WORKS COMMENTS**

The City of Troutdale Public Works Department finds that the amendments “can be implemented in accordance with the requirements of the Troutdale Development Code (as it pertains to Public Works requirements) and City Standards (*Construction Standards for Public Works Facilities*).

Public Works references the City’s Transportation System Plan (TSP), which identifies a conceptual street connection between SW Larsson Avenue and SW SW Stella Way (see circled area from TSP Figure 4.5 on the following page). As a result, one of the proposed conditions is that the Applicant should prepare a preliminary plan on how a “planned roadway system” could be developed upon the submittal of a site and design review application.

Public Works also references the 2013 Sanitary Sewer Master Plan (SSMP), which has the Property in Question being developed as Medium Density Residential. If a designation and zoning change occurs, there may be a direct impact on downstream capacity of sanitary sewer infrastructure. The department proposes a condition that will require a developer to model the impact to the sewer system with the increased allowable density, which will guide any required infrastructure improvements that would need to be made.

Full details of Public Works comments can be found in the attachment.



**SUMMARY OF TRANSPORTATION PLANNING COMMENTS**

Multnomah County has jurisdiction over both Cherry Park Road and 242<sup>nd</sup> Avenue. With any zoning change, the Road Rules require a transportation impact analysis (TIA) over a 20-year planning horizon. The Applicants provided a TIA which the County reviewed as it relates to the amendment request.

The County “does not object to the proposed amendments” and will not require any conditions of approval. The County did state that on-site and off-site improvements may be required during site & design review. County Staff provided preliminary comments to the City that the Applicant would need to address during site and design review, which include:

- Concerns on the levels of service (LOS) at the intersection and proposed mitigation plans
- Median modifications to assure right-in and right-out on 242<sup>nd</sup> Avenue
- Bike/pedestrian access through the site from Larsson Avenue to Cherry Park Road
- Coordination with future County projects proposed to accommodate other development

Full details of Transportation Planning comments can be found in the attachment.

**OTHER AGENCIES**

DLCD, Metro, and TriMet responded that they would not have any comments for this particular application. As of the date of this Staff Report, no responses were had from other agencies that received correspondence.

## PUBLIC COMMENTS

### NOTIFICATION

Consistent with the requirements in the TDC, property owners within 250 feet were notified of the application with a formal *Notice of Application & Request for Comment*. Comments that were received by December 1, 2015 were included in this Staff Report. Citizens do reserve the right to deliver written comments prior to the Public Hearing or provide testimony at the Public Hearing. [TDC 15.040]

Staff has received several phone calls inquiring to the nature of the application and anticipates additional public comment at the Public Hearing on December 16, 2015.

### CITIZENS ADVISORY COMMITTEE

The Citizens Advisory Committee (CAC) is tasked with reviewing select applications when requested by Planning Commission. At their regular meeting on November 18, 2015, Planning Commission requested the CAC provide feedback on this application. The Applicant was invited to present to provide the CAC with general information. The CAC was scheduled to meet on December 2, 2015, but due to a lack of quorum, was unable to meet. Members of the CAC are allowed to provide comments, but would be speaking as private citizens and not in a capacity that formally represents the committee.

### ADDITIONAL PUBLIC COMMENTS

One citizen provided written feedback via email on December 1, 2015. The comments in their entirety can be found in Attachment C. The citizen has asked that the amendments be turned down, citing the following reasons:

- Traffic increases
- School crowding
- Resident safety
- Property values

## ANALYSIS

### CRITERIA TO BE USED FOR EVALUATION

The Troutdale Development Code outlines specific approval criteria for both types of amendments that an application must address in order to make a recommendation (Planning Commission) or decision (City Council). [TDC 15.050B & C]. Staff has outlined these criteria in the Decision Criteria and Findings sections for both types of amendments.

Staff findings have been provided in the Decision Criteria and Findings section for both types of amendments.

### COMMENTARY

Metro Portland is growing rapidly. According to Metro projections, in the next 20 years, up to 725,000 people are expected to move to the region. Not everyone will want to live in or be able to afford living in Portland proper or areas that are more typically associated with high density residential development.

It is therefore necessary for community leaders to effectively get ahead of predicted housing shortages in the region. Identifying properties where infill development can logically occur is one of the chief solutions that planners advocate and policy-makers implement through comprehensive planning efforts. This particular application is emblematic of these efforts, which are a response to the region's overall growth rate.

In the City's Comprehensive Land Use Plan, it clearly states that high-density residential land uses should be in "areas adjacent, or in close proximity, to existing or planned shopping centers, employment centers, transit routes, or minor arterials." The Property in Question mostly fits this description.

The Comp Plan also states that "density in this [HDR] designation is intended to average 21 units per gross acre and 2,000 square feet per dwelling unit." At 6.88 acres, a 21 unit per acre average yields 144.48 units. This is an *average*, not a cap. Listed below are other apartment complexes in the City (and in nearby areas) for comparison:

Multi-Family Complex	# Acres	21 Units/Acre Calc.	# Units	Actual Units/Acre
Columbia Crest Townhomes ( <i>Halsey St</i> )	3.89	82	56	14.40
Halsey Heights ( <i>Halsey St</i> )	3.40	71	69	20.29
Hampton Heights ( <i>257<sup>th</sup> Ave</i> )	4.90	103	64	13.06
Troutdale Terrace ( <i>257<sup>th</sup> Ave</i> )	12.91	271	228	17.67
The Lodges at Lake Salish ( <i>Glisan St / Fairview</i> )	7.59	159	203	26.75
Vista at 23 ( <i>Kane Dr / Gresham</i> )	11.42	240	278	24.34
<b>Proposal (242<sup>nd</sup> Ave &amp; Cherry Park)</b>	<b>6.88</b>	<b>144</b>	<b>168</b>	<b>24.42</b>



Halsey Heights



Troutdale Terrace



The Lodges at Lake Salish

As the table shows, a conceptual 168 unit apartment complex is slightly above the average called for in HDR designated properties and is denser than other multi-family developments. One potential reason for this is that the other properties have greater terrain challenges when compared to the property in question.

Staff has taken into account the concerns of the neighbor and the comments from the review agencies. Staff believes the major concern for increasing allowable density is related to traffic; a concern that is shared by all those who provided commentary and of particular interest to neighboring property owners.

However, future development of the Property in Question will not be the only contributing factor that would lead to a decline in level of service. The development of the Port property across the street along with other potential infill development along both road corridors will also contribute to traffic impacts. Development of the Property could actually assist the City along with the other jurisdictions in making the case that traffic improvements to the intersection and arterials would become a higher priority and could result in quicker resolution.

The proximity of several commercial services, Columbia Park, and Reynolds High School could encourage future residents to walk or bike to their destinations. Studies from the American Planning Association show that a majority of adults are willing to walk up to five minutes or a quarter-mile to reach their intended destinations in lieu of driving. The high school, the park, the Multnomah County Library, and commercial services are within a five minute walk of the Property in Question.

The increase in population could also result in TriMet designating the immediate area as a potential area for a future bus line. The *Transportation System Plan* already identifies the surrounding areas as a Transit Supportive Area in 2025. The success of public transit system relies on ridership, and studies prove a direct correlation between sufficient ridership levels and high density residential development. Adding a high density residential development to an area already served by community and commercial services would increase the likelihood of future transit service.

#### **CONCLUSION**

The Applicant has submitted these amendments for consideration as the primary step for future development of the property. If these amendments are adopted, the Applicant intends to proceed with submitting for site & design review for a multi-family residential development. In the documents provided to the City, these reference a 168 unit market-rate apartment complex that is described as a "higher end" community with a variety of unit types with off-street parking.

It is important to clearly state that this particular application should be reviewed on whether or not an increase in allowable density is merited for this particular property. Regardless of future development intent, at this stage, the City must weigh the merits of changing the land designation and zoning; not the design or capacity of pending development.

It is also important to state that approval of these amendments shall not guarantee approval of the Applicant's intention to construct an apartment complex. Approval allows the Applicant to apply for that type of land use on the Property in Question. The TDC, along with other regulations outlined in *Construction Standards for Public Works Facilities* and Multnomah County's Road Rules has strong requirements that will not only ensure appropriate development but also may regulate the effective density that the Property in Question could allow. In other words, there is no guarantee to the Applicant that 168 units can be built.

## DECISION CRITERIA AND FINDINGS – COMPREHENSIVE LAND USE PLAN MAP [TDC 15.050.B]

The following criteria shall be used to review and decide Comprehensive Land Use Plan Map amendments. Staff's proposed findings are italicized below each criterion, shown in bold.

**1. Compliance with applicable Statewide Land Use Planning Goals and related Oregon Administrative Rules.**

*FINDING: The Department of Land Conservation and Development informed Staff that it will not have any comments for this application, indicating no conflicts with Planning or Administrative Rules. Metro informed Staff that they do not have any comments, as this amendment does not conflict with their Urban Growth Management Functional Plan. **The criterion is met.***

**2. Consistency with the applicable goals and policies of the Comprehensive Land Use Plan.**

*FINDING: The applicant has gone to great lengths to address how the proposed amendments and future development of the property would be consistent with the City's Comprehensive Land Use Plan. Goal 10 (Housing) states that the City "recognize multiple-family dwellings as a legitimate and needed housing type in Troutdale and allow [them] in areas designated for such in the Comprehensive Plan."*

*In the City's Transportation System Plan (which stands in for Goal 12 of the Comp Plan (Transportation)), TSP Goal 3 calls for a "balanced, multi-modal transportation system and reduce the number of trips by single occupant vehicles." Because the Property is located near existing services, it may be argued that vehicular trips can be reduced by future residents walking to work, school, or commercial/community services. **The criterion is met.***

**3. The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation, and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands.**

*FINDING: Much of the land that is currently designated for High-Density Residential (HDR) is already developed. Of the available lands that are designated high-density residential, the plurality have zoning district designations which do not presently match this Map. Of the remaining HDR lands available at this scale, none are as well-positioned from a proximity-based or infrastructure-based standpoint.*

*Given the increase in development to the west of this site, it would make sense to accommodate high density residential land uses where appropriate, thus reducing trip lengths and burdens across the entire transportation network of the City. These assumptions however shall not eliminate the expectation that future development help pay for improvements to transportation or infrastructure systems to accommodate this growth. With that expectation, **the criterion is met.***

**4. The Plan provides more than the projected need for lands in the existing land use designation.**

*FINDING: The existing land use designation (medium-density residential or MDR) is defined as areas "intended primarily for medium-density, single-family, detached and attached residential dwellings, including existing developed areas and vacant land suitable for development at this density." MDR presently encompasses a fair amount of developed and undeveloped areas. There remains several areas of undeveloped MDR-designated properties throughout the city that are similar or larger in size to the Property in Question. These areas are primarily near the intersection of S Troutdale Road and SE Stark Street. **The criterion is met.***

5. **Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.**

*FINDING: The uses allowed in HDR are “intended primarily for high-density, multiple-family residential dwellings” [Comp Plan P. 11]. The Comp Plan gives further guidance as to types of areas that may be designated HDR, which includes “areas adjacent, or in close proximity, to existing or planned shopping centers, employment centers, transit routes, or minor arterials.” The Property in Question currently fits several of those criteria for location; and for those that it lacks, it may spur positive change.*

*There are legitimate concerns that traffic generated by high density residential land uses could negatively impact the existing single-family neighborhood if future development is required to tie into Larsson Avenue. Concerns were also raised on whether or not property values and neighborhood safety would be impacted, though these concerns are more nuanced and more difficult to calculate or substantiate. With due respect to those issues, the potential benefits of development outweigh potential drawbacks of heightened residential density. **The criterion is met.***

6. **Public facilities and services necessary to support uses allowed in the proposed designation are available, or are likely to be available in the near future. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment creates a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a traffic impact analysis shall be prepared pursuant to the requirements in TDC Section 2.150.**

*FINDING: The applicant provided a TIA as part of the submittal. Both Multnomah County and City of Troutdale Public Works have reviewed the submittal and have no objections to the map amendments. Both entities and other review entities have expressed concerns on the impact of future development on the Property, but those concerns shall be addressed during site & design review. **The criterion is met.***

## DECISION CRITERIA AND FINDINGS – ZONING DISTRICT MAP [TDC 15.050.C]

The following criteria shall be used to review and decide Zoning District Map amendments. Staff's proposed findings are italicized below each criterion, shown in bold.

1. **The proposed zone is appropriate for the Comprehensive Land Use Plan land use designation on the property, and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.**

*FINDING: The proposed zoning district would be considered consistent with the proposed land use classification associated with this application (High-Density Residential). **The criterion is met.***

2. **The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.**

*FINDING: The property is 6.88 acres in size, which is an appropriately scaled parcel for high-density residential development. Among A-2 parcels throughout the City, the property would be appropriately scaled. A site & design review application will ultimately determine the capacity for the number of residential units. **The criterion is met.***

3. **Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment has a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a traffic impact analysis shall be prepared pursuant to the requirements in TDC Section 2.150.**

*FINDING: Both Multnomah County and City of Troutdale Public Works have reviewed the submittal and have no objections to the map amendments. Both entities and other review entities have expressed concerns on the impact of future development on the Property, but those concerns shall be addressed during site & design review. The Applicant did provide a traffic impact analysis as part of the submittal. **The criterion is met.***

4. **The amendment will not interfere with the livability, development, or value of other land in the vicinity of site-specific proposals when weighed against the public interest in granting the proposed amendment.**

*FINDING: Traffic impact will be a major concern for the development of the Property, regardless of land use type, designation, or zoning district. The review entities tasked with reviewing traffic management have indicated that their concerns would be brought forth during site and design review and have no objections to the zoning change.*

*The Applicant stated in the narrative that they intend to build a "higher end apartment community" and acknowledged the presence of the single-family neighborhood to the south. The applicant displayed a commitment to mitigate the effect of increased residential density by outlining potential buffering solutions and access restrictions. The details of these would still require review at site and design review, and given the nature of citizen concerns, the review entities will pay particularly close attention to this matter. In the spirit of close scrutiny of how future development will be designed for this Property, **the criterion is met.***

5. **The amendment will not be detrimental to the general interest of the community.**

*FINDING: Growth is inevitable for metro Portland, and much of that growth will need to occur in "greenfield" areas such as the Property in Question. Allowing multi-family residential land uses can often alleviate pressures to densify single-family neighborhoods by concentrating growth to areas that can effectively accommodate new residents. The location of the Property near community services, job centers, and arterial roads is among the few ideal areas outside the Town Center where higher densities make sense once fully vetted. **The criterion is met.***

## RECOMMENDATION AND CONDITIONS OF APPROVAL

### RECOMMENDATION

Staff recommends **approval** of this application subject to the conditions of approval listed below.

This recommendation comes with assurance that a high level scrutiny will be employed when reviewing prospective development during site and design review--with particular concern to impacts on neighboring properties as well as transportation and infrastructure systems.

### CONDITIONS OF APPROVAL

#### General

1. Fulfilling the requirements of this Order and all the Conditions of Approval listed herein or applied by Planning Commission and/or City Council is solely the responsibility of the applicant.
2. Future development of the Property in Question shall undergo Site & Design Review as established in Chapter 8 of the Troutdale Development Code.
3. The Planning Director reserves the right to refer an application for Site & Design Review to the Planning Commission for public hearing, consistent with Section 8.050.A

#### Public Works

1. The Applicant shall prepare and submit a preliminary plan at the time of Site and Design Review or Building Permit applications, whichever comes first, demonstrating how the planned roadway system could be developed under the proposed Comprehensive Land Use Plan Map, Zoning District Map and in accordance with City Standards.
2. The Applicant shall model the impact to the sanitary sewer collections system of the property being developed under the proposed change in zoning and identify the anticipated downstream impacts on the City's sanitary sewer system. The results of the analysis will determine which sewer basin the development can discharge to and any public sewer improvements that the developer may be required to construct, subject to approval of the Public Works Department. The results of this analysis shall be submitted at the time of Site and Design Review or Building Permit applications, whichever comes first.

#### Transportation

1. On-site and/or off-site improvements, right-of-way dedication, and/or permits for access or construction within the County right-of-way may be required for future approval of any future development.

## CONSIDERATION

### PLANNING COMMISSION RECOMMENDATION [TDC 15.050B & 15.050C]

By motion, the Planning Commission may either:

1. Recommend approval of the application.
2. Recommend denial of the application.

### CITY COUNCIL ACTION [TDC 15.060]

- A. The City Council may limit the nature of the information it will receive at a hearing and may establish separate rules for consideration of each of the following:
  1. Compliance with the Comprehensive Land Use Plan
  2. Appropriateness of the legislative process
  3. Recommended action by the Commission including any policy changes or refinements proposed.
- B. After confirming, amending, or reversing the recommendations of the Planning Commission, the City Council may take any of the following steps:
  1. Enact or defeat an ordinance on all or part of the proposal under consideration. In taking this step, it shall not be necessary to segregate incidental results that might have been possible to accomplish by administrative action.
  2. If the ordinance is defeated, but some or all of the proposal is found appropriate for administrative processing, the City Council may either act on the matter by the appropriate administrative procedure or refer the matter to the Planning Commission for such action. Unless different notice would be required under the provisions of this Code for the Type II, III, or IV administrative action, no further hearing is necessary for the City Council to take administrative action. If different notice is appropriate, or if the matter is referred to the Planning Commission for a decision or recommendation, an additional hearing shall be held.
  3. Refer some or all of the proposal back to the Planning Commission for further consideration. If such referral is subsequently returned, no further hearing need be conducted if the proposal is processed under the City procedure for ordinance enactment.
- C. The City Council may take final action on a proposed amendment to the Zoning District Map by order rather than by ordinance.

**MEMO**

**Date:** December 1, 2015  
**To:** Chris Damgen, Senior Planner  
**CC:** File  
David Schaffer, Water & Streets Superintendent  
Mike Sorensen, Wastewater Superintendent  
Travis Hultin, Chief Engineer  
Amy Pepper, Civil Engineer  
**From:** John J. Bushard, Civil Engineer *JB*  
**RE:** **Type IV Comprehensive Land Use Plan Map Amendment &  
Zoning District Map Amendment  
Sheldon Development (File No. 15-057)**



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The Public Works Department has reviewed the Type IV Comprehensive Land Use Plan Map Amendment and Zoning District Map Amendment for the Sheldon Development. My comments are divided into two categories: general comments and proposed conditions. General comments are informational points to guide the applicant in the proper planning of public works infrastructure for this project, to alert the applicant to possible extraordinary issues and/or to provide the basis for findings. Proposed conditions are requirements that Public Works recommends be formally imposed on the developer in the final order. Note that references to the "City Standards" herein refer to the *Construction Standards for Public Works Facilities*.

**General Comments/Findings**

1. Any and all utility and transportation plans submitted with this application have been reviewed for the purpose of determining the feasibility of providing utility and transportation facilities for the proposed zoning in accordance with City Standards. This land use approval does not constitute final approval of details, including but not limited to alignments, materials and points of access, connection or discharge, that are depicted or suggested in the application. The City of Troutdale will review construction plans, in detail, when they are submitted and approve, reject or require modifications to the plans or drawings based upon conformance with City standards, the Troutdale Development Code and the professional engineering judgment of the Chief Engineer.
2. It is the opinion of the Public Works Department that the proposed Comprehensive Land Use Plan Map Amendment and Zoning District Map Amendment can be implemented in accordance with the requirements of the Troutdale Development Code (as it pertains to Public Works requirements) and City Standards, provided it fully addresses the comments and conditions contained herein, and can be approved.
3. It is my understanding that this application is limited strictly to amending the Comprehensive Land Use Plan Map and Zoning District Map and the applicant will be required to apply for a separate application for Site & Design Review for any proposed development on this property. Therefore

my comments are crafted only to address how higher density will impact development and subsequent developments around this site.

4. The Transportation System Plan (TSP) identifies a conceptual street connection between SW Larsson Ave in Wooddale Subdivision and SW Stella Way in Cherry Ridge I South Subdivision. At the end of SW Larsson Ave there is a sign indicating the potential for future connection. The proposed zoning for the subject property is A-2, Apartment Residential, and the application suggests the property is being developed as apartments however the Public Works Department is not reviewing this application for the purposes street connectivity as part of this zoning and comp plan amendment. It is important though to review the planned roadway system as it relates to this property and the properties to the east in conjunction with the zone change as it may impact development in the surrounding area in the future. See proposed condition 1.
5. The 2013 Sanitary Sewer Master Plan (SSMP) identifies the subject property being developed as Medium Density Residential (MDR). Permitting the zone change may have a direct impact on the downstream capacity of some sanitary sewer trunk lines. The property under consideration is proposing to discharge to sanitary sewer Basin B. The SSMP identifies multiple locations where sewer trunk lines are near or at capacity in Basin B. The project "South Buxton Road Sewer Main Upsizing" is identified in the SSMP and the City's draft-Capital Improvement Plan but is forecasted to occur several years after this development has been completed. Depending on the maximum demand a High Density Residential (HDR) zone would have on the City's system, the sewer trunks lines might not have sufficient capacity. The impact this development will have on the sewer system must be analyzed in detail. If the modelling indicates that the existing sanitary sewer collection and conveyance system in Basin B cannot accommodate this increased demand, the applicant may be able to discharge to sanitary sewer Basin A. Connection to Basin A will require a sewer main to be extended on SW 18<sup>th</sup> Way. Per the SSMP sanitary sewer Basin A appears to have adequate capacity, however an analysis will still be required to determine the downstream impact of the zone change. See proposed condition 2.

### **Proposed Conditions**

1. Applicant shall prepare and submit a preliminary plan at the time of Site and Design Review or Building Permit applications, whichever comes first, demonstrating how the planned roadway system could be developed under the proposed Comprehensive Land Use Plan Map, Zoning District Map and in accordance with City Standards.
2. Applicant shall model the impact to the sanitary sewer collections system of the property being developed under the proposed change in zoning and identify the anticipated downstream impacts on the City's sanitary sewer system. The results of the analysis will determine which sewer basin the development can discharge to and any public sewer improvements that the developer may be required to construct, subject to approval of the Public Works Department. The results of this analysis shall be submitted at the time of Site and Design Review or Building Permit applications, whichever comes first.

## MEMORANDUM

ATTACHMENT     B    

TO: Chris Damgen, Senior Planner, City of Troutdale

CC: Joanna Valencia, AICP, Transportation Planning and Development Manager  
Riad Alharithi, Engineering Services Manager  
Travis Hultin, Chief Engineer, City of Troutdale  
Steve Winstead, Building Official/Community Development, City of Troutdale

FROM: Jessica Berry, AICP, Transportation Planner

DATE: November 25, 2015

SUBJECT: EP 2015-4421, application for Comprehensive Land Use Plan Map Amendment and Zoning District Map Amendment

The Multnomah County Transportation Program has reviewed the submitted application and Transportation Impact Assessment to the following two amendments to official maps adopted by the City of Troutdale:

1. A Comprehensive Land Use Plan Map Amendment, which would change the current designation of the subject property from Medium Density Residential to High Density Residential
2. A Zoning District Map Amendment, which would change the zoning district of the subject property from R-5 Single

Multnomah County Road Rules identify the following requirements for a Zone Change:  
A Transportation impact study over the 20-year planning horizon will be required for all zone changes that would allow more intensive use of a site than allowed by the site's existing zoning. Improvement requirements for zone changes will be based upon, but not bound by, the needs identified in the transportation impact study [**MCRR 6.300**].

During the completeness review of the application, the applicant indicated that the growth rates in the Transportation Impact Analysis were consistent with the following:

1. 2% growth rate for the near term analysis is consistent with the BUS project growth rate assumption for 2016, and

2. comprehensive plan amendment/zone change portion of the analysis relied on Metro's assumed growth rate of 2% to determine projected level of service at the NE 242<sup>nd</sup> – 238<sup>th</sup> Avenue/Glisan Street – Cherry Park Road intersection.

Multnomah County does not object to the proposed amendments at this time, understanding that they are for a Comprehensive Land Use Plan Map Amendment and Zoning District Map Amendment. However, during the completeness review of the application, the County provided additional comments to the City regarding the submittal. These (and any additional comments that may arise at the time of the application of future development of the site) are expected to be addressed during the project application phase.

1. The NE 242<sup>nd</sup> – 238<sup>th</sup> Ave /Glisan St – Cherry Park Rd intersection is at risk of dropping below acceptable levels of service (LOS) in 2016. This same intersection is a concern for queue length. The queue on the 242<sup>nd</sup> and 238<sup>th</sup> Ave approaches appears to exceed storage length. More detail is needed on mitigation of the queue exceeding the left turn storage pocket. Propose adequate storage length improvements, particular restriping the southbound left turn striping and median modifications to the northbound median to address queue lengths.
2. More detail is needed on the median modification to assure right in and right-out on 242<sup>nd</sup> Ave. It should extend a minimum of 40 feet north of the driveway. How will that impact the storage in the left turn pocket?
3. More detail is needed on the pedestrian/bicycle access through the site from Larsson Ave to Cherry Park Rd. The TIA mentions an easement but the site should show a pedestrian walkway and more detail on the easement.
4. Note that the County has a future project identified for construction on NE 238th for freight and multimodal improvements. Further review of impacts may require off site mitigation as this project contributes trips to this corridor.

County Transportation does not require any conditions of approval at this time. However, on-site and/or off-site improvements, right-of-way dedication, and/or permits for access or construction within the County right-of-way may be required for future approval of any future development.

The comments provided in this memorandum are based on the documents and site plans received from the City of Troutdale. While every effort has been made to identify all related standards and issues, additional issues may arise and other standards not listed may become applicable as more information becomes available.

**From:** hmrhed1 [mailto:hmrhed1@comcast.net]  
**Sent:** Saturday, November 28, 2015 11:59 AM  
**To:** Chris Damgen <chris.damgen@troutdaleoregon.gov>  
**Subject:** 15-057 Sheldon Dev. Zoning Change

ATTACHMENT

C

Happy Holidays!

I'm writing regarding File number 15-057 Sheldon Development at the SE corner of NE 242nd Dr. and SW Cherry Park Rd. and the proposed land use and zoning changes.

There is only one house between my family's home on SW Larsson Ave. and the berry field that is currently being considered for development. We admit that we have become somewhat spoiled by the open view from our street and front yard that it currently affords us. However, while we would prefer it not be developed at all, we do recognize the city's need to grow and develop land in a responsible manor.

Our considerable concern is with the proposed land use and zoning changes from *Medium Density Residential* and *R-5 Single Family Residential* to *High Density Residential* and *A-2 Apartment Residential*.

There are a number of concerns with this proposal-

**1. Traffic increases-** Traffic in the general area of NE 242nd Dr. and SW Cherry Park Rd. is already at a very high volume. Apartments would dramatically increase the number of vehicles driven in the area. Traffic congestion and accidents would increase and pedestrian safety would suffer. Single family houses would have a much lower impact on traffic in the area.

**2. School Crowding-** Apartments would bring many more school age children to area schools than single family houses would. Reynolds High School already has 2700 students enrolled and is the 3rd largest public high school in Oregon (high-schools.com). The Walt Morey Middle School student to teacher ratio is already 24:1 (publicschoolreview.com). Our children cannot afford more crowding in their schools.

**3. Resident Safety-** Density puts people closer together and creates tension. We currently live in a relatively criminal incident free neighborhood. Police activity in our area is rare and we sleep well at night knowing that.

**4. Property Values-** Introducing apartments into this neighborhood will have a negative affect on area home values because of the above points.

For the above reasons, and others, we are asking that the City of Troutdale **NOT change this property's land use and zoning designations** but to instead retain the current designations of *Medium Density Residential* and *R-5 Single Family Residential*.

Please help us to continue to enjoy living in the Troutdale neighborhood that we love.

Thank you for your time.

**Gregory Ashton**

**2147 SW Larsson Ave.**

**[hmrhed1@comcast.net](mailto:hmrhed1@comcast.net)**

**503.132.5085**

-----Original Message-----

From: Jamie Ellam [<mailto:jamieellam@yahoo.com>]

Sent: Tuesday, December 15, 2015 10:17 PM

To: Chris Damgen <[chris.damgen@troutdaleoregon.gov](mailto:chris.damgen@troutdaleoregon.gov)>

Subject: Sheldon Development-Case File No. 15-057

Our family has lived at 2320 SW 18th Way since 1957. We have enjoyed living here. We are in favor of up-zoning the property with similar zoning for our property. We are happy to see that the trees will be saved. The Sheldon development will be an asset for Troutdale's Growth and local Business's, Parks and Schools.

Delwin & Jamie Ellam

# Comprehensive Plan Amendment/Zone Change

## NE 242<sup>nd</sup> Dr. and SW Cherry Park Rd.

### Sheldon Development, Inc.

#### Introduction:

This application involves a request to amend the comprehensive plan designation and zoning applicable to property located in the southeast quadrant of the intersection of NE 242<sup>nd</sup> Drive and SW Cherry Park Road. The property included in this application is a 6.88 acre parcel that is described as Tax Lot 700 of Multnomah County Assessor's Map 1N3E35BC. The property is presently designated Medium Density Residential and zoned R-5. The proposal would amend the Comprehensive Plan Map designation to High Density Residential and change the zoning designation to Apartment Residential (A-2).

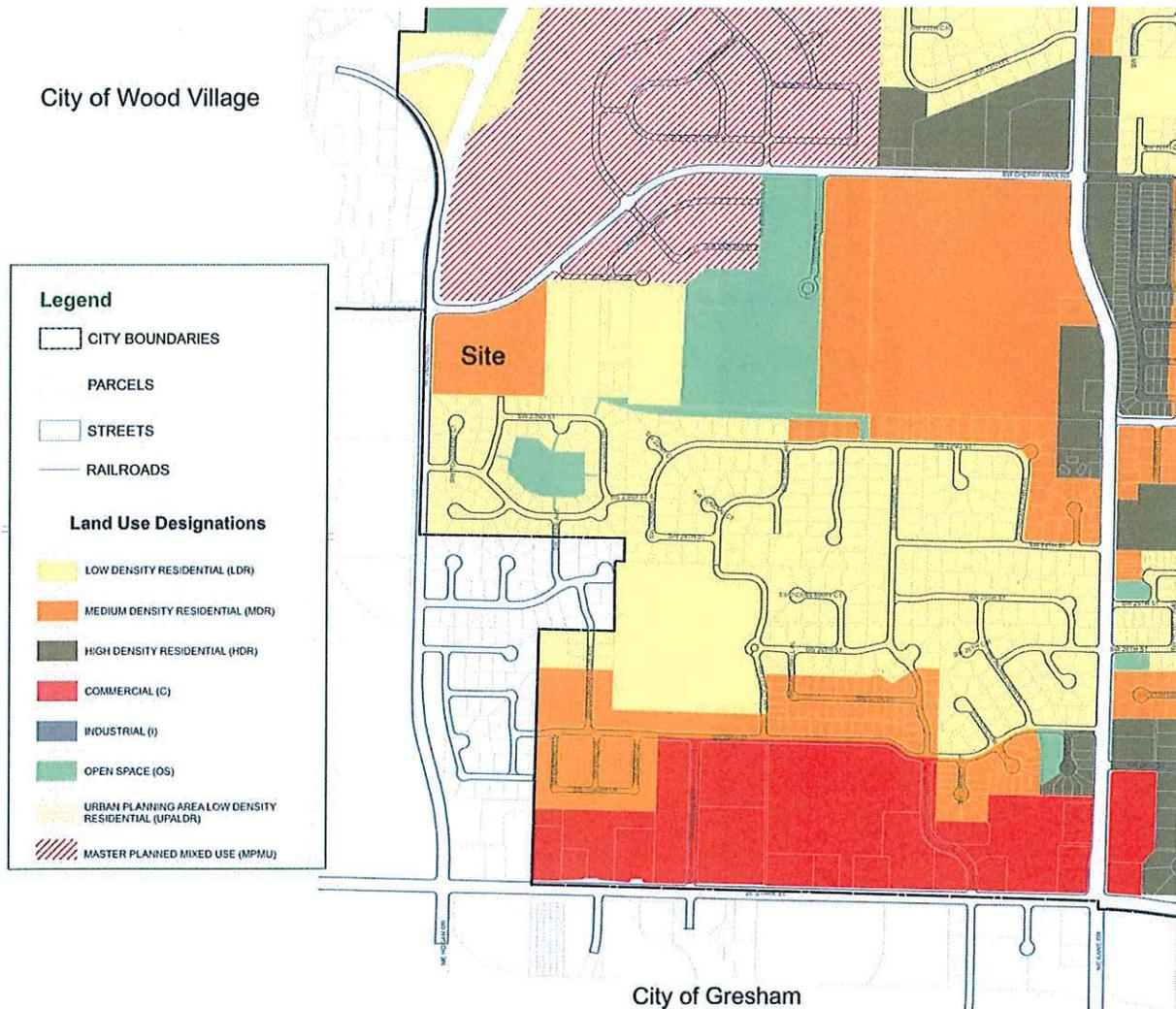


Figure 1: Existing Comprehensive Plan Map

**Proposed Project:**

Cherry Park Apartment Homes is a proposed higher end apartment community offering 168 units consisting of one, two, and three bedrooms. Each unit will have a carport parking space, with 30 additional garages available. The project will address increasing needs for rental housing in this area in response to existing and proposed commercial and industrial development in the area. Sheldon Development, Inc. will retain ownership of the property and will oversee the day to day operations of on-site management and maintenance staff.

The energy efficient units will be constructed in seven three-story buildings, each containing 24 units. All units will have fire protection with sprinklers. The property will offer many amenities, including a clubhouse and management offices open seven days a week, a community meeting room, fitness center, swimming pool and spa, and a playground. Pedestrian-friendly sidewalks will connect parking and buildings with professional, irrigated landscaping throughout the property. The project would include a clubhouse and swimming pool to provide for recreational needs. All units will have air conditioning, electric fireplaces, recessed can lighting, craftsman-style woodwork, carpet and hardwood flooring, solid wood cabinetry with granite countertops, stainless steel appliances, washers and dryers and be pre-wired for cable, phone and internet. Units will be individually metered for water and sewer.



Figure 3: Conceptual Site Plan

The conceptual site plan shown in Figure 3, above, is being submitted with this application to show the general design envisioned for this site. The plan may change somewhat in the final version and the

details of the design are not a part of this present application. It should be noted that there will be a separate design review application filed for the project upon approval of this application for a Comprehensive Plan Amendment and Zone Change.

It is the applicant's position that the single-family neighborhood to the south is the most sensitive adjacent land use. In order to ensure minimal disruption of this neighborhood, the applicant proposes to place a gate at the end of SW Larsen Avenue and this access would be restricted to emergency vehicle use only. Screening of the abutting single-family properties is also a major consideration of the applicant. Buffering with landscaping and through placement of garage structures will help to minimize potential impacts up the proposed apartment units upon this neighborhood.



Figure 4: Conceptual Building Elevation

**Physical Characteristics:**

The subject site is a fairly level parcel that has been in agricultural use as a berry farm and fruit stand by Fujii Farms. To the north, across Cherry Park Road, the Cherry Park Market commercial center is anchored by a Safeway supermarket and has a mix of retail, banking, and convenience commercial uses.

To the east, the adjacent properties are developed as small acreages with single-family homes. This area is zoned R-7 and is capable of redevelopment at higher densities.

To the south, the Woodale subdivision abuts the site. The lots in this project are typically 5,000 to 6,000 sq. ft. in area and are developed with single-family detached homes. SW Larsen Avenue is stubbed to

the subject property from the Wooddale subdivision. To the west, across NE 242<sup>nd</sup> Drive, the area is zoned industrial by the City of Gresham and is proposed to be developed with a 600,000 sq. ft. Subaru distribution center.



Figure 2: Aerial Photograph

**Compliance with Approval Criteria:**

The procedures and criteria for review of proposed comprehensive plan amendments and zone changes area set forth in Chapter 15 of the Troutdale Development Code and are discussed below:

*15.010 Action under This Code.*

- A. *Amendments to the Comprehensive Land Use Plan text, Comprehensive Land Use Plan Map, Development Code text, and Zoning District Map shall be processed as a Type IV legislative or quasi-judicial procedure.*

Comment: The City will process this application as a Type IV quasi-judicial procedure in accordance with this provision.

B. *Amendments to the Comprehensive Land Use Plan and Development Code text shall be processed as a legislative procedure. These types of amendments may be initiated in any one of the following ways:*

1. *By motion of the City Council.*
2. *By motion of the Planning Commission.*
3. *Private citizens or groups may recommend specific Comprehensive Land Use Plan or Development Code text changes to either the City Council or Planning Commission, but may not initiate a change to either text.*

Comment: Not applicable. The proposal does not include a text amendment to the Comprehensive Land Use Plan or Development Code.

C. *Amendments to the Comprehensive Land Use Plan or Zoning District Maps involving more than four separate ownerships, or more than 15 acres of land, shall be processed as a legislative procedure. These types of map amendments may be initiated in any one of the following ways:*

1. *By motion of the City Council.*
2. *By motion of the Planning Commission.*
3. *By property owners or persons purchasing property under contract filing an application with the City.*

Comment: Not applicable. The proposal involves only one ownership and does not involve more than 15 acres of land.

D. *Amendments to the Comprehensive Land Use Plan or Zoning District Maps involving four or fewer separate ownerships, or 15 or less acres of land, shall be processed as a quasi-judicial procedure. These types of map amendments may be initiated in any one of the following ways:*

1. *By motion of the City Council.*
2. *By motion of the Planning Commission.*
3. *By property owners or persons purchasing property under contract filing an application with the City.*

Comment: These provisions are applicable to this proposal as it involves one ownership and less than 15 acres of land. The application is being made by Sheldon Development, Inc., which is in contract to purchase the property. The application has also been signed by the current owner of the property.

*15.030 Arguments on Policy. In addition to matters pertaining to compliance with criteria and consistency with the Comprehensive Land Use Plan, a person may provide information and opinion regarding the desirable policy of the City relevant to the proposed legislative matter.*

Comment: The applicant will rely upon the criteria listed in this chapter, as well as consistency with the Comprehensive Land Use Plan as justification for the approval of this application.

*15.050 Planning Commission Recommendation. In preparing its recommendation, the Planning Commission shall evaluate the proposal based on the following criteria:*

A. *Approval Criteria - Text Amendment. The following criteria shall be used to review and decide amendments to the text of the Comprehensive Land Use Plan or Development Code:*

Comment: Not applicable. This application does not propose a text amendment.

*B. Approval Criteria – Comprehensive Land Use Plan Map Amendment. The following criteria shall be used to review and decide both legislative and quasijudicial Comprehensive Land Use Plan Map amendments:*

- 1. Compliance with applicable Statewide Land Use Planning Goals and related Oregon Administrative Rules.*

Comment: The proposal complies with Statewide Land Use Planning Goals as follows:

#### Goal 1: Citizen Involvement

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

Response: This goal will be met by compliance with City of Troutdale public notice and public hearing requirements. The City will provide notice to neighborhood planning organizations and land owners within 300 feet and will allow opportunity for citizen participation in the land use review process.

#### Goal 2: Land Use Planning

Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Response: The City of Troutdale Development Code establishes administrative provisions for the review of comprehensive plan amendments and zone changes. This application narrative addresses the relevant provisions of the Code and provides responses to demonstrate compliance with applicable policies and approval criteria.

#### Goal 3: Agricultural Lands:

Response – This Goal is not applicable within the Urban Growth Boundary.

#### Goal 4: Forest Lands:

Response – This Goal is not applicable within the Urban Growth Boundary.

#### Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

Response – This Goal is not applicable. No open space, scenic and historic areas or natural resources have been identified on the subject property by the City of Troutdale as a part of its Goal 5 inventory and planning processes. There are no streams, wetlands, wooded areas or other natural features present that would warrant preservation as open space.

#### Goal 6: Air, Water and Land Resources Quality

This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as air and groundwater pollution.

Response: This Goal is not directly applicable to this application. The City has implemented this goal in its comprehensive plan and implementing ordinances.

#### Goal 7: Areas Subject To Natural Disasters and Hazards

Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.

Response: This Goal is not directly applicable to this application. The subject property is not within a flood plain, an area of steep slopes or an area with identified landslide hazard.

#### Goal 8: Recreation Needs

This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.

Response: The City of Troutdale has developed a City Parks Plan to identify existing and proposed sites for community parks and recreation facilities. The subject property is not identified as a future park site. There are ample existing park facilities within walking distance of this site. Woodale Park is located immediately south of the subject property in the Woodale subdivision. Columbia Park is located approximately one-quarter mile to the east.

#### Goal 9: Economy of the State

Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

Response: The subject property is located in an area designated by Troutdale for residential development. The proposed change in use will provide for temporary employment for site development and construction of the apartments. These jobs will provide for a benefit to the economy of the state and the immediate community consistent with Goal 9.

#### Goal 10: Housing

This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Response: The proposed comprehensive plan amendment and zone change would change the existing Medium Density Residential designation to High Density Residential. The subject property is presently zoned R-5 (5,000 sq. ft. min. lot size) and is 6.88 acres in area. Assuming 20% of the site would be allocated to new streets, the net site area would be 5.5 acres, or 239,754 sq. ft. Dividing by 5,000 sq. ft.

per unit gives a maximum density under existing zoning of 48 lots for construction of single-family detached homes. The proposed change to High Density Residential will allow the construction of 168 apartment units on this site.

According to the Comprehensive Plan, "The City's existing housing stock (as of 2010) consists primarily of detached, single-family dwellings, making up approximately 75% of the total units. Attached and multi-family housing types (duplex or more units) represent about 18% of the total and manufactured dwellings make up roughly 7%." The proposed amendment would increase the available supply of land for multi-family housing and, therefore, would increase the varieties of housing available to residents of the City. As a result, the proposed plan amendment and zone change would have a positive impact upon Goal 10.

#### Goal 11: Public Facilities and Services

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should to be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs. Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement,

#### Response:

**Sanitary Sewer:** There is an existing sanitary sewer line located in SW Larrison Avenue at the south boundary of the site. Because this line is not deep enough to serve the property via gravity flow, the applicant's engineers propose the installation of a private sanitary sewer pump station on site, with discharge to the existing manhole in SW Larson Avenue.

#### Storm Sewer:

The City does not have a gravity storm sewer system available to the site, but site soils are suitable for infiltration. The applicant's engineers will design on-site infiltration systems to manage the stormwater on-site.

#### Domestic Water:

There is an existing public waterline in SW Larson Ave. will serve as the connection point for domestic water service to the site.

Discussions with City staff at the pre-application conference indicate the City is capable of providing police and fire protection services.

#### Goal 12: Transportation

This goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

Response: The City of Troutdale implements this goal by requiring that applications for comprehensive plan amendments and zone changes include transportation impact analysis (TIA). The TIA for this project has been prepared by Greenlight Engineering. The TIA is included with the application submittal package. The TIA concludes that:

- Access to the site will be provided on Cherry Park Road via a new site access opposite the existing Market Center west access and a right-in/right-out access to 242 Drive. Access to 242<sup>nd</sup> Drive requires a variance to be approved by Multnomah County.
- With signal timing modifications to the Glisan St/238th Dr./Cherry Park Rd/242nd Dr. intersection, the development's impact can be mitigated in the build-out year condition.
- The proposed zone change/comprehensive plan amendment has a de minimus impact on the Glisan St/238th Dr./Cherry Park Rd/242nd Dr. in the 2040 planning horizon year condition. Signal timing modifications can further lessen the impact on the intersection.

Please refer to the TIA for more details.

#### Goal 13: Energy

Goal 13 says that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

Response: The proposed amendment would provide for increased density in close proximity to commercial and employment centers, thereby providing for a more energy efficient land use pattern.

#### Goal 14: Urbanization

Goal 14 requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

Response: The subject property is located within the UGB established by Metro and implemented on the City of Troutdale Comprehensive Plan Map. The proposed change in designation would provide for increased density within the urban area, thereby making more efficient use of urban lands.

Goals 15 - Willamette Greenway, 16 - Estuarine Resources, 17 - Coastal Shorelands, 18 - Beaches And Dunes, And 19 - Ocean Resources, do not apply to the subject property as it does not located near these resource areas.

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## 2. Consistency with the applicable goals and policies of the Comprehensive Land Use Plan.

Comment: The following goals and policies of the Comprehensive Land Use Plan apply to this proposal:

### GOAL 1 - CITIZEN INVOLVEMENT

*The City of Troutdale encourages involvement of its citizens in its planning process through service on the Citizen Advisory Committee, the Planning Commission, or by testifying at public hearings. The City makes every effort to inform its citizens about land use actions occurring in their neighborhoods.*

## *POLICIES*

- 1. Inform the citizens of Troutdale of land use changes affecting their neighborhoods. The City shall continue to involve citizens in all phases of the planning process via the Citizen Advisory Committee, special task forces, and other appropriate means.*
- 2. Keep the public informed of land development proposals occurring in their neighborhoods.*
- 3. Attempt to balance the costs of providing public information with the public's right-to-know.*

Comment: The Troutdale Development Code processes Zone Change applications through a Type III quasi-judicial land use procedure and Comprehensive Plan Amendments through a Type IV process. Public notice will be provided to owners of land within 250 feet of the subject property. Hearings will be held before the Planning Commission and, in the case of the Comprehensive Plan Amendment, City Council. Citizens will be afforded the opportunity to provide testimony in support or in opposition to the proposal at these hearings.

## *GOAL 2 – LAND USE*

### *Residential:*

*The plan should provide opportunity for families and individuals of all ages and income levels to have a choice of housing density, type, and cost. Appropriate uses within residential districts include single-family detached homes, attached residential dwelling units and apartments, churches, schools, day care centers, community centers, nursing homes, home occupations, and similar uses. Low density development should be located away from high traffic areas and where there is suitable open space. Low-density residential uses may be located where there are development constraints such as slopes or flood plains if structures can be sited to avoid the problem. Multiple-family locations should include areas adjacent to commercial districts where public services and conveniences are concentrated, and areas along or adjacent to major or minor arterials. In certain locations, apartments may coexist with professional and business uses which do not generate high volumes of traffic. The views and general low-density character of adjacent single-family districts should be preserved.*

Comment: The subject property is presently designated for Medium Density Residential use and the proposal is to change the designation to High Density Residential. The site is located near commercial development, with Cherry Park Market located immediately to the north across Cherry Park Road. Industrial zoning immediately to the West, across NE 242<sup>nd</sup> Dr. will provide for employment opportunities within close proximity of this site. This commercial and industrial use in the area supports a change to High Density Residential per this policy.

### ***Medium-Density Residential (MDR)***

*This designation is intended primarily for medium-density, single-family, detached and attached residential dwellings, including existing developed areas and vacant land suitable for development at this density. Density in this designation is intended to average 8.5 dwelling units per net acre with lot sizes generally 4,000 square feet and larger. Commercial development, with the exception of home occupations and limited neighborhood retail, is not considered appropriate for this designation. The following criteria is established for the designation of areas as MDR:*

- 1. Areas already developed at, or approved for, this density.*

2. *Areas where a need for this type of housing exists.*
3. *Areas where streets are limited to minor arterials, collectors, and/or local streets.*

Comment: The subject property is vacant and there is no other Medium Density Residential development or vacant land within the vicinity of this site. While there is a need for Medium Density Residential land, we believe that the need for High Density Residential land in this area exceeds the need for MDR. The street system in this area is more appropriate for High Density Residential designation, with Cherry Park Road being classified as a major collector and 242<sup>nd</sup> Drive classified as a major arterial roadway.

***High-Density Residential (HDR)***

*This designation is intended primarily for high-density, multiple-family residential dwellings, including existing developments and vacant land suitable for development at higher densities. Density in this designation is intended to average 21 units per gross acre and 2,000 square feet per dwelling unit. Business and professional offices may be considered appropriate in areas designated HDR given conditional approval. The following areas may be designated HDR:*

1. *Areas already developed at, or approved for, this density.*
2. *Areas adjacent, or in close proximity, to existing or planned shopping centers, employment centers, transit routes, or minor arterials.*
3. *Areas where there are no known geologic hazards, flooding, or soils subject to slippage.*
4. *Areas adjacent to parks and recreation, permanently protected open space, or bodies of water, as long as #2 and #3 above apply.*

Comment: The site is not presently developed, but the property is in close proximity to shopping (Cherry Park Market) and future industrial development (including the Subaru distribution center) immediately to the west in Gresham. There are no known geologic hazards, flood plain areas, or areas subject to slippage on the subject site. The site is not adjacent to parks, but two are nearby (Woodale Park, to the south, and Columbia Park, located approximately one-quarter mile to the east).

***GOAL 3 - AGRICULTURAL LAND***

*There are no identified agricultural lands within the City of Troutdale. These statewide goals are not applicable within corporate limits of the city.*

Comment: As discussed above, this Goal is not applicable within the City of Troutdale’s planning area.

***GOAL 4 - FOREST LAND***

*There are no identified forest lands within the City of Troutdale. These statewide goals are not applicable within corporate limits of the city.*

Comment: As discussed above, this Goal is not applicable within the City of Troutdale’s planning area.

#### GOAL 5 – OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES

*Troutdale is blessed with a unique and physically attractive setting. Open spaces and scenic views, proximity to the Columbia Gorge, and the presence of urban “wilderness areas” contribute to the special character of the community. The City strongly supports preservation of its open spaces, especially the Beaver Creek and Sandy River Canyons.*

Comment: There are no identified Goal 5 resources on the subject property (i.e. water resources, wetlands, aggregate, wildlife habitat, historic sites or resources, or energy resources). The City has not included the subject property in its Goal 5 inventory for this reason. As a result, this Goal and its implementing are not applicable to the subject property.

#### GOAL 6 - AIR, WATER, AND LAND RESOURCES QUALITY

*The quality of life in Troutdale is directly related to the air, water, and land quality in the community. Troutdale is proud of its environment and will work to maintain it.*

#### POLICIES

1. *Cooperate with Metro and DEQ in efforts to attain air quality standards in the Portland-Vancouver AQMA.*
2. *Use measures described in the DEQ Handbook in regulating land development activities within the City.*
3. *Recognize and assume responsibility for operating and regulating wastewater systems as indicated in Metro’s Waste Treatment Management component.*
4. *Recognize Metro’s responsibility and authority to prepare and implement a solid waste management plan, support Metro’s “Procedures for Siting Sanitary Landfills”, and participate in these procedures as appropriate since solid waste disposal is a regional concern requiring regional solutions.*
5. *Maintain environmental quality by guiding future development and land use activities. Prohibit activities that will significantly deteriorate the existing high quality of the air, water, and land resources.*
6. *Adhere to federal and state standards relating to air and water quality.*
7. *Maintain a quiet and healthful environment for residents of Troutdale.*
8. *Ensure that new commercial, industrial, and community service facility development is landscaped and designed so adjacent properties are not negatively impacted. Seek assistance from DEQ when assessing noise impact from this type of development.*

Comment: These policies are guides to City action. Where appropriate, they are implemented by the Troutdale Development Code. The proposed use will be designed in conformance with City standards for treatment and discharge of storm water. It will meet requirements for handling of solid waste. The proposed land use is residential in character and will not significantly deteriorate air, water, or land resource quality. The proposed residential use will not generate significant levels of noise.

#### GOAL 7 - AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

*The preserved natural landscape areas along stream corridors and dramatic hillsides that contribute to Troutdale's scenic beauty also provide the greatest potential for natural hazards. Troutdale has areas affected by steep slopes, with potential for flooding due to storm run-off and high groundwater, landslides, and high velocity winds. Areas where development is constrained by natural hazards are shown on the Natural Hazards map.*

Comment: Not applicable. The subject property is not located in a 100 year flood plain, does not contain slopes in excess of 15% grade and is not located in a known landslide hazard area. Troutdale does experience high winds at times, but response to this condition is addressed by requiring new buildings to conform to special wind-related building code requirements. There are no known seismic faults or volcanic areas within the Troutdale planning area.

#### GOAL 8 - RECREATIONAL NEEDS

*The City of Troutdale is fortunate to be within a metropolitan area offering a variety of cultural activities. The City's location as the "Gateway to the Columbia River Gorge" provides a unique and beautiful natural environment with almost immediate access to a wide variety of outdoor recreational opportunities.*

Comment: Not directly applicable to the subject property as it has not been identified as a future park and recreation site. There are several recreational sites and facilities within close proximity of this site to meet the recreation needs of future residents. The closest, Woodale Park, is a small community park, is located to the south of the subject property in the Woodale subdivision. Columbia Park, a wooded natural area, is located approximately 700 feet east of the subject property and, just beyond that, are the athletic fields for Reynolds High School.

#### GOAL 9 – ECONOMIC DEVELOPMENT

*Troutdale's economic goal is to provide employment opportunities for its citizens and a stable tax base for the community. The City's assets are its excellent access to transportation facilities, its natural and lifestyle amenities, and the availability of public services. Troutdale is poised for economic expansion.*

Comment: As a residential project, the proposed development will provide direct benefit to the Troutdale economy through the provision of construction jobs during the construction of the project. It will also benefit local building supply companies. Once developed, the future residents of the apartment project will benefit the local economy by shopping at local retail outlets, including the Cherry Park Market project immediately north of this site. The policies of this section of the Comprehensive Plan, however, relate to commercial and industrial development and are not applicable to this proposal.

#### GOAL 10 - HOUSING

*The City of Troutdale is committed to providing the opportunity for residents to obtain decent housing at appropriate densities, costs and locations. The City, through its land use planning process, has provided the opportunity for a diversity of housing types and locations.*

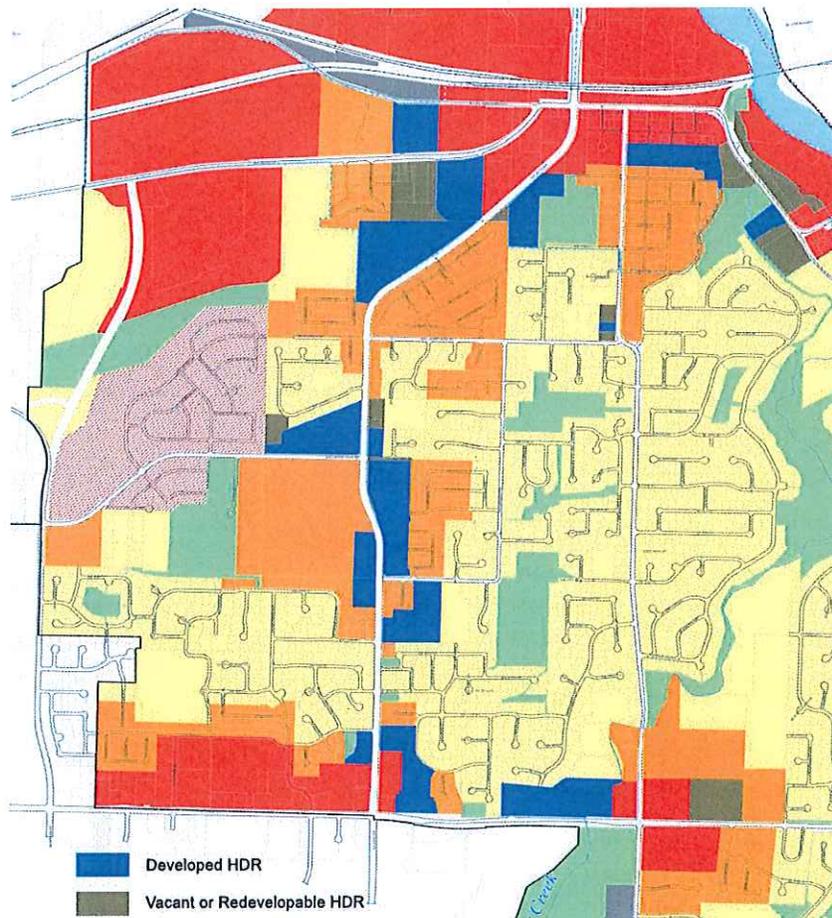
Comment: The proposed change in land use designation would provide for an increase in the supply of multi-family land and a decrease in the supply of buildable

*Policies:*

1. *General.*

- a. *Residential developments shall be located in close proximity to employment and shopping facilities to allow Troutdale residents easy, convenient access to job sites and shopping needs.*
- b. *Residential areas shall offer a wide variety of housing types in locations best suited to each type and shall be developed in a way which will not create environmental degradation.*
- c. *Establish minimum densities for new residential developments excluding residential dwellings built in conjunction with a commercial use. Require that new development achieve at least 80% of the maximum density per net acre allowed by the zoning district.*
- d. *Allow development of housing for residents at all income levels in the city.*

Comment: The subject property is in close proximity to shopping and employment opportunities at Cherry Place Market. The Subaru distribution center and other industrial and commercial areas to the west provide employment opportunities, as does Reynolds High School, to the east.



The proposed amendment will increase the variety of housing available in this area of Troutdale. As shown on the map above, there is very little High Density Residential land left undeveloped in

Troutdale and none of it is located in the Cherry Park Road area. There is clearly a need for additional High Density Residential land in the area containing the subject property.

6. *Alternative Housing Types.*

- a. *Maintain an adequate supply of land to provide for housing types within the City's residential land use categories consistent with findings from housing needs analyses.*

Comment: As illustrated on the map above, there is a need for more High Density Residential Land.

- b. *Recognize condominium ownership as a legitimate and affordable housing alternative.*

Comment: Not directly applicable as condominium ownership is not proposed.

- c. *Recognize the need for housing for senior citizens and other residents in the city with special needs, such as physical or other disabilities. Allow senior center and special needs complexes, or other developments that serve primarily senior citizens and those with special needs.*

Comment: Not directly applicable as the project is not aimed specifically at senior the needs of senior citizens.

- d. *Recognize single-family attached homes as a legitimate and desirable alternative to single-family detached homes and allow them in areas designated for high and medium density residential development.*

Comment: Not applicable. Single-family attached homes could be built under either the existing or proposed zoning. The project will not include single-family attached homes.

- e. *Recognize the use of "zero lot line" siting as a method of increasing the usable outdoor area of a detached single-family lot.*

Comment: Not applicable. Zero lot line development is not proposed.

- f. *Recognize multiple-family dwellings as a legitimate and needed housing type in Troutdale and allow multiple-family developments in areas designated for such in the Comprehensive Plan.*

Comment: The proposed amendment supports this policy by providing needed vacant land for High Density Residential uses.

- g. *Allow a mix of housing types as part of a Planned Development as an attractive and desirable alternative to providing just a single type of housing in a subdivision.*

Comment: Not applicable. No mixed uses are proposed.

- h. *Allow a mix of multiple-family dwellings and professional offices, or limited commercial, in the high density residential areas and town center planning area outlined in the Comprehensive Plan.*

Comment: Not applicable. No mixed use development is proposed.

- i. *Allow manufactured homes parks as an affordable alternative housing type in areas designated medium density residential.*

Comment: Not applicable. No manufactured home park is proposed.

- j. *Provide for manufactured home park developments under clear and objective standards.*

Comment: Not applicable. No manufactured home park is proposed.

7. *Neighborhood Character.*

- a. *Consider the need for neighborhood identity during the subdivision review process in terms of street patterns and lot arrangement, access to major streets, and relationship to surrounding land uses.*
- b. *Allow the establishment of neighborhood groups in order to give citizens within a neighborhood more identity with that particular neighborhood.*

Comment: The applicant is sensitive of the need to preserve the identity of the neighborhood to the south. Buffering through appropriate placement of apartment buildings and garage units and landscape screening will be provided. Prevention of undesirable use of local streets to the south will be achieved by providing an emergency vehicle gate.

**GOAL 11 - PUBLIC FACILITIES AND SERVICES**

***Public Facilities Plan***

*The Comprehensive Plan provides basic information about water, sanitary sewer and storm drainage facility needs over the next twenty years, including a list of needed projects, maps showing the locations of those projects and policy language regarding coordination with other providers of these services in Troutdale. More detailed information about existing and future public facility needs is found in the City's Public Facilities Plan adopted by the City as an implementing element of this Comprehensive Plan.*

Comment: As discussed above, sewer, storm sewer and water services are all available to serve the needs of the proposed development. Specific plans for these facilities will be reviewed in the design review application to follow.

**GOAL 12 – TRANSPORTATION**

***TRANSPORTATION SYSTEM PLAN***

*The City of Troutdale has prepared and adopted a Transportation System Plan (TSP) as the transportation planning element of the Comprehensive Plan. The TSP contains policies related to the provision of transportation facilities and services, as well as information about current and needed future transportation facilities, costs and funding. The TSP should be referenced for policies and other specific information about transportation facilities in Troutdale.*

Comment: The applicant has retained Greenlight Engineering, Inc. to prepare a Traffic Impact Analysis. Please refer to that document for information on the adequacy of the transportation system to accommodate the proposed use.

**GOAL 13 - ENERGY CONSERVATION**

*The City of Troutdale encourages energy conservation and wise use of resources.*

**POLICIES**

- 1. Offer incentives for the use of more energy-efficient techniques through the Development Code.*
- 2. Recognize the increasing importance of solar orientation in the subdivision and design review processes.*
- 3. Promote energy-efficient land use location.*
- 4. Ensure energy-efficient provision of facilities and services.*
- 5. Promote and facilitate the retrofitting of homes and commercial/industrial facilities for energy conservation.*
- 6. Promote the use of alternative energy sources.*

Comment: The proposed apartment project will be built to comply with all energy requirements of the building code. The location of the site on major transportation corridors and near areas for shopping and employment promotes an energy efficient land use pattern.

**GOAL 14 – URBANIZATION**

*The City of Troutdale’s policy is to provide for an orderly and efficient transition from rural to urban land use and to provide urban services ultimately from Strebin Road to the Columbia River.*

Comment: Not applicable. The subject property is within the urban area and is served with all public facilities needed to allow the development of this site.

**GOAL 15 - WILLAMETTE RIVER GREENWAY**

**GOAL 16 - ESTUARINE RESOURCES**

**GOAL 17 - COASTAL SHORELANDS**

**GOAL 18 - BEACHES AND DUNES**

**GOAL 19 - OCEAN RESOURCES**

*There are no resources governed by Goals 15, 16, 17, 18 and 19 within Troutdale.*

Comment: Because there are no resources governed by these Goals within Troutdale, they are not applicable to this proposal.

- 
- 3. The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation, and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands.*

Comment: The Comprehensive Plan Map designates High Density Residential sites in various areas throughout the city. None, however, is designated in the western portion of the planning area abutting major industrial-designated lands within the City of Gresham that will provide significant employment opportunities in this area. We believe that the addition of the subject property is needed to address the lack of multi-family housing opportunities in this area. Elsewhere, much of the land designated for High Density Residential development is already built out. There is some High Density land that is undeveloped abutting SW 257<sup>th</sup> and SW Halsey Street in the northern portion of the city, but very little vacant land remains elsewhere. The proposed amendment will help to address the need for more land for the development of multi-family rental housing in the City of Troutdale.

4. *The Plan provides more than the projected need for lands in the existing land use designation.*

Comment: We do not believe that there is more MDR land than the projected need for such lands, but we believe that there is a greater need for HDR land and that this site is better suited for that use.

5. *Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.*

Comment: The proposed High Density Residential/A-2 designation is fully compatible with the commercial and industrial designations on properties to the north and west of this site. Property to the east is designated for Low Density Residential development, but is presently not fully developed for that use. It is possible that the zoning and designation of that land will be changed in the future to match the proposed HDR for this site. If not, there is an established row of trees along that property line which, in combination with other buffering, would provide for compatibility. The area to the south, where the Woodale subdivision abuts this site, will require landscape and fencing to buffer the transition in use. This type of transition is found in multiple other areas in the city planning area and does not result in any significant adverse effect with Low Density areas.

6. *Public facilities and services necessary to support uses allowed in the proposed designation are available, or are likely to be available in the near future. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment creates a significant effect on the transportation system pursuant to OAR 660- 012-0060. If required, a traffic impact analysis shall be prepared pursuant to the requirements in section 2.150 of this code.*

C. *Approval Criteria - Zoning District Map Amendment. The following criteria shall be used to review and determine both legislative and quasi-judicial Zoning District Map amendments:*

1. *The proposed zone is appropriate for the Comprehensive Land Use Plan land use designation on the property, and is consistent with the description and policies for the applicable Comprehensive Land Use Plan land use classification.*

Comment: With the approval of the requested change to High Density Residential, the proposed A-2 zoning will match the Comprehensive Land Use Plan. The relevant Plan policies have been addressed above.

2. *The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.*

Comment:

- 3. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment has a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a traffic impact analysis shall be prepared pursuant to the requirements in section 2.150 of this code. [Amended by Ord. No. 819, ef. 4/11/2014]*

Comment: All necessary public facilities and services are available to service the subject property. Sewer will be provided by connecting to the existing sewer line in Larrison Avenue. Water will be obtained from the existing city line in that street, as well. Stormwater will be managed via an infiltration system. The attached traffic study by Greenlight Engineering demonstrates adequate transportation services will be available with recommended upgrades to signalization.

- 4. The amendment will not interfere with the livability, development, or value of other land in the vicinity of site-specific proposals when weighed against the public interest in granting the proposed amendment.*

Comment: The proposed High Density Residential/A-2 designation is compatible with the commercial and industrial designations on properties to the north and west of this site. To the east, land designated for Low Density Residential development is buffered by an established row of trees along that property line which, in combination with other buffering, would provide for compatibility. The area to the south, where the Woodale subdivision abuts this site, will require landscape and fencing to buffer the transition in use. This type of transition is found in multiple other areas in the city planning area and does not result in any significant adverse effect with Low Density areas.

- 5. The amendment will not be detrimental to the general interest of the community.*

Comment: The proposed zone change would help to provide for multi-family housing in an area of the city that is underserved with such housing. The proposal would make better use of the transportation system and would provide multi-family housing in close proximity to shopping and employment opportunities. For these reasons, the proposal would be in the best general interest of the community.

## Carey Sheldon Experience and Entities:

### ***Sheldon Development Inc., (Primary Entity)***

General Contractor formed in 1990 for the purpose of residential, commercial land development and construction.

Current Projects in the planning and permit phase include a 24 unit multifamily project in Gresham commencing Nov., 2015, a 5 lot subdivision in Milwaukie, starting Dec., 2015 and a 168 unit multifamily project in Troutdale, scheduled for spring, 2016. Currently under construction is a 31 lot residential subdivision in Gresham known as Hilltop View Estates at Persimmons with completion scheduled in January, 2016.

### **Previous Land Developed for Residential Subdivisions:**

Royal Vista Phase I	60 lots
Castlewood	36 lots
Sierra Cascade	16 lots
Carmichael Estates	7 lots
Pioneer Estates	27 lots
Castlewood Heights	13 lots
Emerald Meadows	58 lots
Golden Eagle	23 lots
South Deerfield Park	63 lots

### **Multifamily Projects, Developed and Built:**

1994-2010 ***Twin Creeks Apartments, LLC***, 220 units, Clackamas Owner Operated and Managed under Sheldon Development Inc., sole member. Property sold August, 2010

1996-2005 ***Lindsey Anne Apartments***, 18 units, Portland, Owner Operated and Managed. Property sold July, 2005

2005-2012 ***B&C Development, LLC, dba Eagle Landing Apartments***, 132 units, Bend, Oregon. Owner Operated and Managed by the partnership, Carey Sheldon a 94.92% owner and managing member. Property transferred May, 2012

2014- 11851, 11853, 11855 SE Forest Creek, Happy Valley Triplex sold and closed December, 2014

### **Other Construction Projects:**

2014-2015 Two single family homes with shops on 1 acre parcels, after partitioning the land, Boring, Or

2004-2013 ***Sheldon Park, LLC*** -30,000 SF Warehouse/Retail Building, Bend, Or., inclusive of 6,180 SF Tenant Improvements for Medical Clinic. Owner Operated and Managed under Sheldon Development, Inc., until Feb., 2013

2003- Relocation and remodel of Sunnyside Montessori School, Clackamas, Oregon

***Carey Sheldon, dba Sheldon Homes, (Inactive)***

1978-1995 Sole Proprietor as a General Contractor and Land Developer for Single Family Homes and Subdivisions

1988-1993 Historical grant funds were acquired for the restoration of Bell Station, Milwaukie, OR. The two story building, remodeled with office space and a market/deli, was completed in less than one year. Sheldon Homes occupied the building, leasing out the market and additional offices.

***Sterling Meadows Development, Inc., (Dissolved)***

1988-1994 A Partnership for the construction of three residential developments and a 72 unit multifamily project that sold during construction.

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REVISIONS	NO.
DATE	DESCRIPTION
15-06-202	

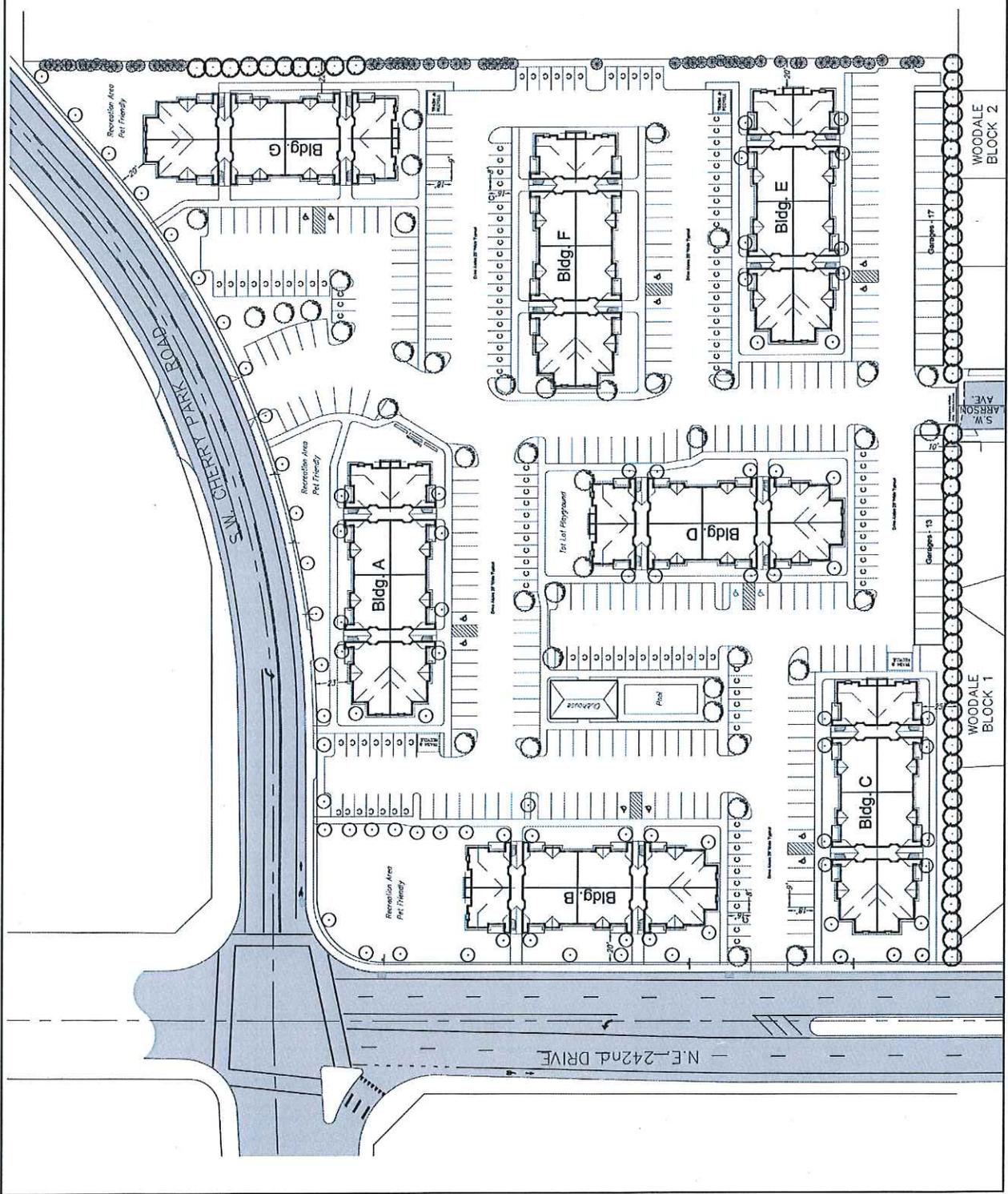
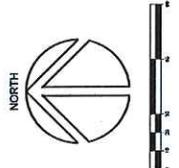
Richard E. Givens, Planning Consultant  
 1660 Sunbaza Dr.  
 Oregon City, OR 97045  
 PH: (503) 479-0097

APPLICANT:  
 Skidmore Development, Inc.  
 23765 SE Hwy. 212  
 Bismarck, OR 97029  
 PH: (503) 665-8741

Cherry Park Apartment Homes  
 Conceptual Design Plan

1/1  
 SHEETS

**NOTES:**  
 Proposed Zoning: Apartment Residential  
 Density Proposed: 168 Units  
 Parking Proposed 308 Spaces:  
 133 Car Spaces  
 175 Standard Spaces



**Exhibit B**  
1/12/16 Council Mtg. – Item #6

# CITY OF TROUTDALE

*“Gateway to the Columbia River Gorge”*



Date: January 12, 2016

To: City Council

From: Planning Department

RE: Sheldon Development Application: Issues Raised at Initial Public Hearing

*SM*  
5 JAN 16

At the initial public hearing for the Sheldon Development Map Amendment application (conducted at Planning Commission's regular meeting on December 16, 2015), a question was raised that Staff was unable to immediately answer that evening.

For the benefit of City Council and all other interested parties, Staff offers the following information as a clarification of factual conditions that pertain to this Application. The information provided below is not to be interpreted as new information for this application, but rather a set of calculations that confirm Staff's finding in the Staff Report.

The question was in regard to the available lands in the A-2 Apartment Residential zoning district and what the breakdown was between developed and undeveloped areas. This would be used to address overall land allocation. Staff performed the following analysis:

- Amount of land currently zoned A-2: +/- 129.9 acres
- Amount of A-2 land fully developed: +/- 111.0 acres (85.5% of total)
- Amount of A-2 land partially developed: +/- 12.7 acres (9.8% of total)
- Amount of A-2 land vacant: +/- 6.2 acres (4.8% of total)

A-2 land classified as partially developed means properties that have partial or low-density development upon them, but may support higher density if fully developed or re-developed.

The 6.2 acres of vacant land consists of a solitary parcel located near the intersection of S Troutdale Rd and SE Stark St, adjacent to the Fujii Farms stand on the northeast quadrant.

The Parcel in Question in the Map Amendment Application is +/- 6.88 acres, which would effectively double the amount of available vacant land that would be zoned A-2.

The HDR High Density Residential land use designation and the A-2 Apartment Residential zoning district are typically overlapped, meaning that the land allocation figures referenced above also reflect a similar calculation when considering available HDR lands available.

The above analysis confirms Staff's interpretation that the amount of available land for higher density residential development is low and thus supports one of the decision criteria for evaluating map amendments.

## ORDINANCE NO.

**AN ORDINANCE AMENDING THE CITY OF TROUTDALE COMPREHENSIVE LAND USE PLAN MAP AND ZONING DISTRICT MAP FOR A 6.88 ACRE PARCEL (1N3E35BC 700), CURRENTLY DESIGNATED MDR MEDIUM DENSITY RESIDENTIAL AND ZONED R-5 SINGLE FAMILY RESIDENTIAL, AND PROPOSED TO BE DESIGNATED HIGH DENSITY RESIDENTIAL AND ZONED A-2 APARTMENT RESIDENTIAL; CONSISTENT WITH THE TYPE IV QUASI-JUDICIAL PROCEDURES AS DEFINED BY OREGON REVISED STATUTES AND FOUND IN CHAPTERS 2, 15, AND 16 OF THE TROUTDALE DEVELOPMENT CODE.**

### **THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:**

1. Sheldon Development, Inc. has requested a Comprehensive Land Use Plan Map Amendment of certain property described in the title of this Ordinance; and
2. Sheldon Development Inc. has requested a Zoning District Map Amendment of certain property described in the title of this Ordinance; and
3. The Troutdale Planning Commission held a public hearing on this request at its regular meeting on December 16, 2016, and after taking testimony, gave full consideration to matter but was unable to make a recommendation for approval or disapproval of the request; and
4. The Troutdale City Council held public hearings regarding the above described matter on January 12, 2016 and January 26, 2016, considered the record before the Planning Commission and the Staff Report, took testimony, and, upon deliberation concluded that the proposed Map Amendments meet the applicable decision criteria under the Troutdale Development Code.

### **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE**

Section 1. The City Council adopts as findings and conclusions the Findings of Fact, Final Order and Conditions of Approval as presented in Attachment A.

Section 2. The Official City of Troutdale Comprehensive Land Use Plan Map is hereby amended, from *Medium Density Residential (MDR)* designation to *High Density Residential (HDR)* designation for the parcel identified as 1N3E35BC 700 / Taxlot R-943350520, Multnomah County, Oregon, as depicted on the Attachment B.

Section 3. The Official City of Troutdale Zoning District Map is hereby amended, from the *Single Family Residential (R-5)* zoning district to the *Apartment Residential*

(A-2) zoning district for the parcel identified as 1N3E35BC 700 / Taxlot R-943350520, Multnomah County, Oregon, as depicted on the Attachment C.

Section 4. This ordinance is effective upon and from 30 days after its enactment by the Council.

**YEAS:**  
**NAYS:**  
**ABSTAINED:**

\_\_\_\_\_  
**Doug Daoust, Mayor**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Sarah Skroch, City Recorder**

**Adopted:**



## Findings of Fact, Final Order and Conditions of Approval

<b>File Number &amp; Name</b>	15-057 Sheldon Development		
<b>Location</b>	Southeast corner of NE 242 <sup>nd</sup> Drive and SW Cherry Park Road		
<b>Application Type(s)</b>	Comprehensive Land Use Plan Map Amendment <b>-and-</b> Zoning District Map Amendment		
<b>Project Applicant</b>	Sheldon Development, Inc.	<b>Property Owner</b>	Frank Amato Trust
<b>Property Size</b>	6.88 acres (corner lot)	<b>Current Plan Designation</b>	Medium Density Residential
<b>Tax Map / Tax Lot #</b>	1N3E35BC 700 / R-943350520	<b>Current Zoning District</b>	R-5 Single Family Residential

### REQUEST

The applicant is proposing two amendments to official maps adopted by the City of Troutdale:

- A **Comprehensive Land Use Plan Map Amendment**, which would change the current designation of the subject property from *Medium Density Residential* to *High Density Residential*
- A **Zoning District Map Amendment**, which would change the zoning district of the subject property from *R-5 Single Family Residential* to *A-2 Apartment Residential*

### APPLICABLE CRITERIA

Listed below are governing standards that shall apply (preliminary upon further review):

- *City of Troutdale Comprehensive Land Use Plan ("Comp Plan")*
- *Troutdale Development Code ("TDC")*: Ch. 1 (Introductory Provisions); Ch. 2 (Procedures for Decision Making); Sec. 3.060 (A-2 Apartment Residential); Ch. 15 (Amendments); Ch. 16 (Public Deliberations & Hearings)
- *City of Troutdale Construction Standards for Public Works Facilities*
- *City of Troutdale Transportation System Plan ("TSP")*
- Multnomah County Transportation Road Rules

### FINDINGS OF FACT

- The Planning Commission and City Council received public testimony from Staff, review entities, and residents regarding this application and has thoroughly weighed the issues brought forth.
- The **Findings of Fact for the Comprehensive Land Use Plan Map Amendment** on pages 2 and 3 are derived from specific decision criteria as stated in the Troutdale Development Code and are hereby **adopted** as the Findings of Fact in this matter.
- The **Findings of Fact for the Zoning District Map Amendment** on page 4 are derived from specific decision criteria as stated in the Troutdale Development Code and are hereby **adopted** as Findings of Fact in this matter.
- The **Final Order** has been reached and **Conditions of Approval** on page 5 have been applied to this application.

## FINDINGS OF FACT – COMPREHENSIVE LAND USE PLAN MAP [TDC 15.050.B]

**1. Compliance with applicable Statewide Land Use Planning Goals and related Oregon Administrative Rules.**

*FINDING:* The Department of Land Conservation and Development informed the City that it will not have any comments for this application, indicating no conflicts with Planning or Administrative Rules. Metro informed the City that they do not have any comments, as this amendment does not conflict with their Urban Growth Management Functional Plan. **The criterion is met.**

**2. Consistency with the applicable goals and policies of the Comprehensive Land Use Plan.**

*FINDING:* The applicant has gone to great lengths to address how the proposed amendments and future development of the property would be consistent with the City's Comprehensive Land Use Plan. Goal 10 (Housing) states that the City "recognize multiple-family dwellings as a legitimate and needed housing type in Troutdale and allow [them] in areas designated for such in the Comprehensive Plan."

In the City's Transportation System Plan (which stands in for Goal 12 of the Comp Plan (Transportation)), TSP Goal 3 calls for a "balanced, multi-modal transportation system and reduce the number of trips by single occupant vehicles." Because the Property is located near existing services, it may be argued that vehicular trips can be reduced by future residents walking to work, school, or commercial/community services. **The criterion is met.**

**3. The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation, and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands.**

*FINDING:* Much of the land that is currently designated for High-Density Residential (HDR) is already developed. Of the available lands that are designated high-density residential, the plurality have zoning district designations which do not presently match this Map. Of the remaining HDR lands available at this scale, none are as well-positioned from a proximity-based or infrastructure-based standpoint.

Given the increase in development to the west of this site, it would make sense to accommodate high density residential land uses where appropriate, thus reducing trip lengths and burdens across the entire transportation network of the City. These assumptions however shall not eliminate the expectation that future development help pay for improvements to transportation or infrastructure systems to accommodate this growth. With that expectation, **the criterion is met.**

**4. The Plan provides more than the projected need for lands in the existing land use designation.**

*FINDING:* The existing land use designation (medium-density residential or MDR) is defined as areas "intended primarily for medium-density, single-family, detached and attached residential dwellings, including existing developed areas and vacant land suitable for development at this density." MDR presently encompasses a fair amount of developed and undeveloped areas. There remains several areas of undeveloped MDR-designated properties throughout the city that are similar or larger in size to the Property in Question. These areas are primarily near the intersection of S Troutdale Road and SE Stark Street. **The criterion is met.**

5. **Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.**

*FINDING: The uses allowed in HDR are “intended primarily for high-density, multiple-family residential dwellings” [Comp Plan P. 11]. The Comp Plan gives further guidance as to types of areas that may be designated HDR, which includes “areas adjacent, or in close proximity, to existing or planned shopping centers, employment centers, transit routes, or minor arterials.” The Property in Question currently fits several of those criteria for location; and for those that it lacks, it may spur positive change.*

*There are legitimate concerns that traffic generated by high density residential land uses could negatively impact the existing single-family neighborhood if future development is required to tie into Larsson Avenue. Concerns were also raised on whether or not property values and neighborhood safety would be impacted, though these concerns are more nuanced and more difficult to calculate or substantiate. With due respect to those issues, the potential benefits of development outweigh potential drawbacks of heightened residential density. **The criterion is met.***

6. **Public facilities and services necessary to support uses allowed in the proposed designation are available, or are likely to be available in the near future. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment creates a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a traffic impact analysis shall be prepared pursuant to the requirements in TDC Section 2.150.**

*FINDING: The applicant provided a TIA as part of the submittal. Both Multnomah County and City of Troutdale Public Works have reviewed the submittal and have no objections to the map amendments. Both entities and other review entities have expressed concerns on the impact of future development on the Property, but those concerns shall be addressed during site & design review. **The criterion is met.***

**DECISION CRITERIA AND FINDINGS – ZONING DISTRICT MAP [TDC 15.050.C]**

1. **The proposed zone is appropriate for the Comprehensive Land Use Plan land use designation on the property, and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.**

*FINDING: The proposed zoning district would be considered consistent with the proposed land use classification associated with this application (High-Density Residential). **The criterion is met.***

2. **The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.**

*FINDING: The property is 6.88 acres in size, which is an appropriately scaled parcel for high-density residential development. Among A-2 parcels throughout the City, the property would be appropriately scaled. A site & design review application will ultimately determine the capacity for the number of residential units. **The criterion is met.***

3. **Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment has a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a traffic impact analysis shall be prepared pursuant to the requirements in TDC Section 2.150.**

*FINDING: Both Multnomah County and City of Troutdale Public Works have reviewed the submittal and have no objections to the map amendments. Both entities and other review entities have expressed concerns on the impact of future development on the Property, but those concerns shall be addressed during site & design review. The Applicant did provide a traffic impact analysis as part of the submittal. **The criterion is met.***

4. **The amendment will not interfere with the livability, development, or value of other land in the vicinity of site-specific proposals when weighed against the public interest in granting the proposed amendment.**

*FINDING: Traffic impact will be a major concern for the development of the Property, regardless of land use type, designation, or zoning district. The review entities tasked with reviewing traffic management have indicated that their concerns would be brought forth during site and design review and have no objections to the zoning change.*

*The Applicant stated in the narrative that they intend to build a “higher end apartment community” and acknowledged the presence of the single-family neighborhood to the south. The applicant displayed a commitment to mitigate the effect of increased residential density by outlining potential buffering solutions and access restrictions. The details of these would still require review at site and design review, and given the nature of citizen concerns, the review entities will pay particularly close attention to this matter. In the spirit of close scrutiny of how future development will be designed for this Property, **the criterion is met.***

5. **The amendment will not be detrimental to the general interest of the community.**

*FINDING: Growth is inevitable for metro Portland, and much of that growth will need to occur in “greenfield” areas such as the Property in Question. Allowing multi-family residential land uses can often alleviate pressures to densify single-family neighborhoods by concentrating growth to areas that can effectively accommodate new residents. The location of the Property near community services, job centers, and arterial roads is among the few ideal areas outside the Town Center where higher densities make sense once fully vetted. **The criterion is met.***

## FINAL ORDER & CONDITIONS OF APPROVAL

### FINAL ORDER

Based upon the foregoing Findings of Fact, the Troutdale City Council *approves* this application with the following conditions of approval:

### CONDITIONS OF APPROVAL

#### General Conditions

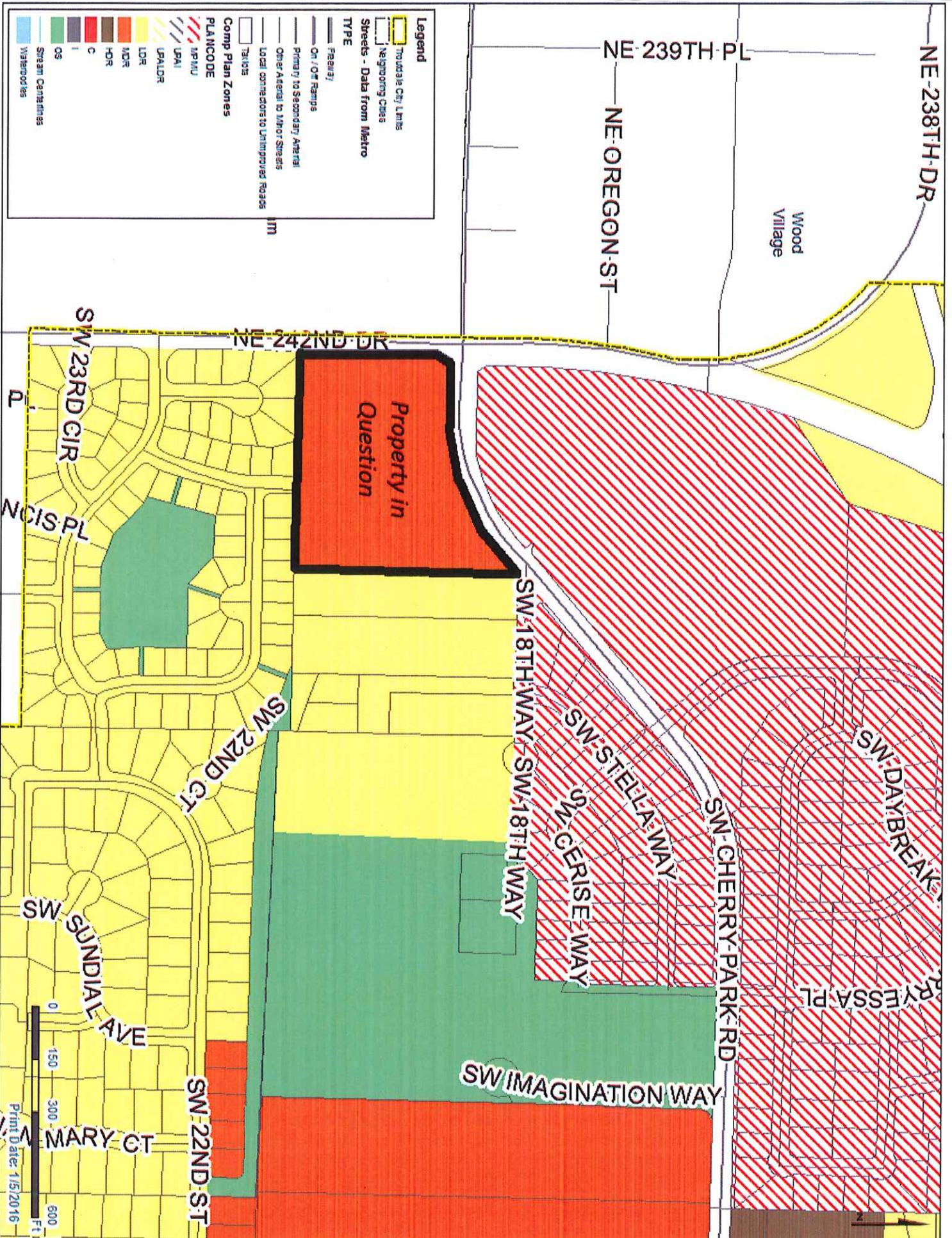
1. Fulfilling the requirements of this Order and all the Conditions of Approval listed herein or applied by City Council is solely the responsibility of the applicant.
2. Future development of the Property in Question shall undergo Site & Design Review as established in Chapter 8 of the Troutdale Development Code.
3. The Planning Director reserves the right to refer an application for Site & Design Review to the Planning Commission for public hearing, consistent with Section 8.050.A

#### Public Works Conditions

1. The Applicant shall prepare and submit a preliminary plan at the time of Site and Design Review or Building Permit applications, whichever comes first, demonstrating how the planned roadway system could be developed under the proposed Comprehensive Land Use Plan Map, Zoning District Map and in accordance with City Standards.
2. The Applicant shall model the impact to the sanitary sewer collections system of the property being developed under the proposed change in zoning and identify the anticipated downstream impacts on the City's sanitary sewer system. The results of the analysis will determine which sewer basin the development can discharge to and any public sewer improvements that the developer may be required to construct, subject to approval of the Public Works Department. The results of this analysis shall be submitted at the time of Site and Design Review or Building Permit applications, whichever comes first.

#### Transportation Conditions

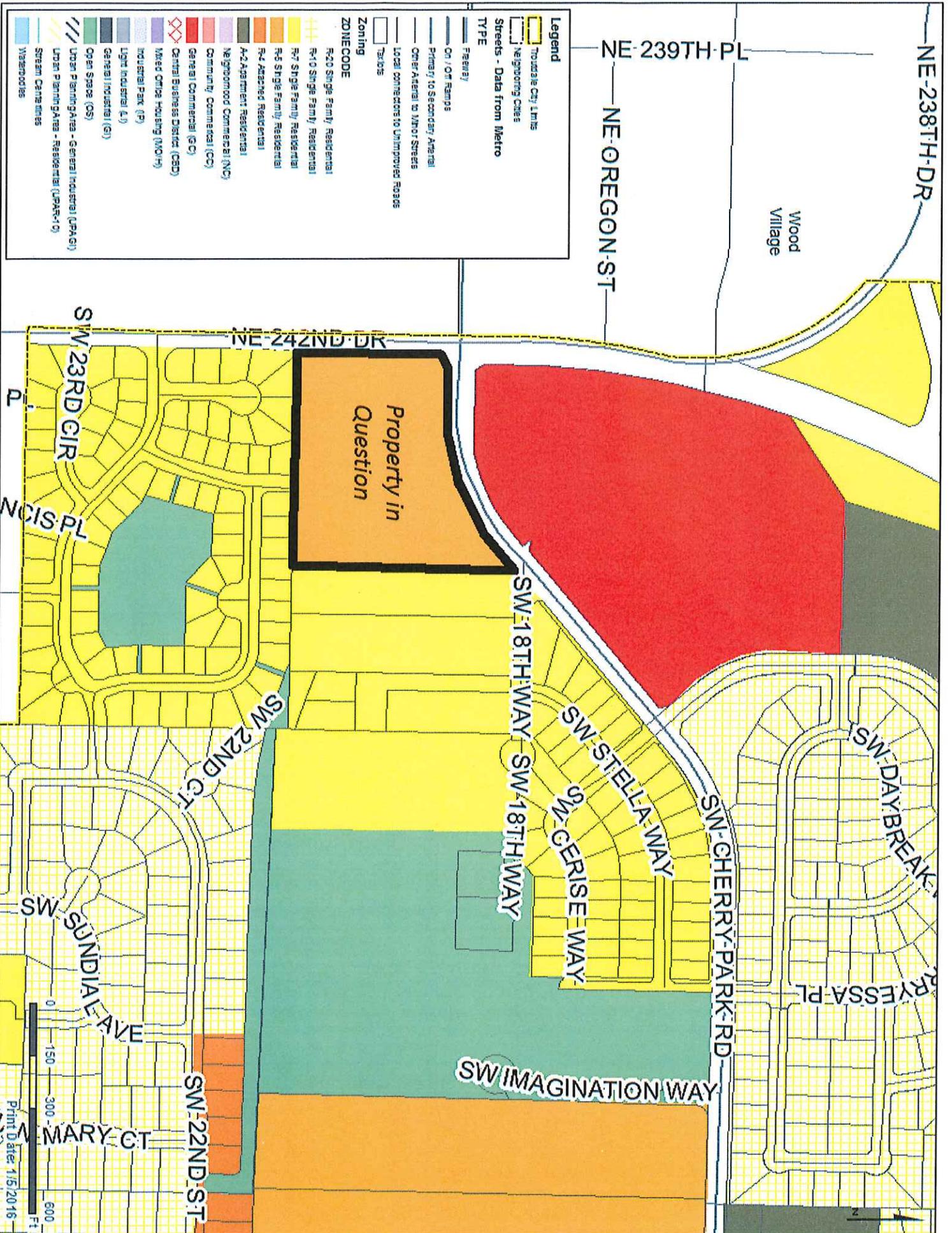
1. On-site and/or off-site improvements, right-of-way dedication, and/or permits for access or construction within the County right-of-way may be required for future approval of any future development.



**Legend**

- Incomplete City Limits
- Neighboring Cities
- Streets - Data from Metro**
- TYPE**
- Freeway
- On / Off Ramps
- Primary to Secondary Arterial
- Other Arterial to Minor Streets
- Local connections to Unimproved Roads
- Trails
- Comp Plan Zones**
- PLMNCODE**
- LDR
- MDR
- HDR
- C
- I
- UPALDR
- UPNU
- OS
- Stream Corridors
- Waterbodies

0 150 300 600  
Ft  
Print Date: 1/5/2016





# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** A Motion Authorizing Execution of an Agreement with Grey Line for Dedicated Parking

**MEETING TYPE:**  
City Council Regular Mtg.

**MEETING DATE:** January 12, 2016

**STAFF MEMBER:** Craig Ward  
**DEPARTMENT:** Executive

**ACTION REQUIRED**  
Motion

**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:**  
Not Applicable

**PUBLIC HEARING**  
No

**Comments:**

**STAFF RECOMMENDATION:** Adoption

- EXHIBIT**
- A. Troutdale Parking Proposal from Grey Line of Portland – 12/24/15
  - B. Old City Hall Parking Lot
  - C. Motorcycle Parking

**Subject / Issue Relates To:**

- Council Goals                       Legislative                       Other (describe)

“Strengthen the relationship between the City and the Chamber regarding event planning and tourism goals.”

**Issue / Council Decision & Discussion Points:**

- ◆ Grey Line of Portland (Grey Line) proposes to operate a tourist shuttle from Portland and Troutdale to stops along the Historic Columbia River Highway (HCRH) in the Columbia River Gorge from mid-June through early September, four days per week during the summer of 2016 during their 2.5+ month operating season.
- ◆ Initially the buses would stop four times during the day in Troutdale.
- ◆ Grey Line requests ten parking spaces to be reserved for their customer’s exclusive use in the City-owned Parking Lot off of 2nd between SE Harlow and SE Kibling, immediately east of the old City Hall.
- ◆ Grey Line also requests a signed stop on the Old Columbia River Highway between the same blocks.

Reviewed and Approved by City Manager:

- ◆ Grey Line Proposes to pay the City a rate of approximately \$1 per space per day of operation or \$175 per month.

### **BACKGROUND:**

Grey Line proposes to operate a shuttle from Portland and Troutdale to six stops along the HCRH for tourists visiting the Columbia River Gorge (Exhibit A). As currently conceived, the shuttle will operate four (4) days per week from mid-June through early September. In its initial trial during the summer of 2016, Grey Line expects to have four (4) coaches per day stop in Troutdale. To accommodate guests who choose to park in Troutdale for the day, they propose that ten (10) spaces in the City-owned parking lot off of 2nd between SE Harlow and SE Kibling immediately east of the old City Hall be dedicated for their exclusive use. Grey Line proposes to pay the City a rate of \$1 per space per day over a 2.5+ month operating season, or \$75 per parking space.

There are 20 spaces available in that parking lot. As illustrated by a photograph (Exhibit B), several spaces are frequently used, depending on the time of year. There is no known history of the City ever renting parking spaces to a private vendor under any circumstance, so an agreement with Grey Line would establish a precedent for the practice, the price and other terms, which other businesses might conceivably also desire.

Grey Line also requests a signed stop on the HCRH between the same blocks for coach parking. The area currently dedicated for "Motorcycle Parking" on the HCRH is the closest space available to the parking area requested as shown in another photograph (Exhibit C). It is rarely used, and dedicated parking for motorcycles is not a statutory requirement, so it could conceivably be used by Grey Line. If spaces along the HCRH were allowed to be rented, the value of those spaces would arguably be worth considerably more than spaces in the old City Hall parking lot.

An alternative to dedicating a bus stop on the HCRH for Grey Line would be to allow signage on the HCRH directing their customers to their dedicated parking area, which would be supplemented to include a parking area for the coaches. The rate charged for dedicated coach parking would be applied to the additional number of spaces required. If two additional spaces are necessary, then the total rent for the 12 spaces needed in the old City Hall parking lot over a 75 day period would be \$900.

Grey Line only requests dedicated parking stops/spaces for 2.5 months/year, however 1) summer is the peak season for many of our businesses, including events at the Troutdale House, SummerFest, car shows, etc., and parking downtown is already at a premium during the summer, and 2) signage for only those months would either look temporary or require staff to install and uninstall them before and after the season. Since removal of space on the HCRH large enough to park a 30 person coach would negatively impact both events and businesses downtown, staff recommends that Grey Line's proposal for a dedicated coach parking be provided only at the old City Hall parking lot on Kibling St., subject to appropriate compensation and provision of directional signage on the HCRH for Grey Line's customers. The location, design and installation of such signage would be subject to County and City approval, and the costs of manufacturing and installing sign(s) would be the responsibility of Grey Line.

Grey Line is in discussion with ODOT about extending their season to operate additional days per week, and if so implemented, would adjust the Troutdale account for the additional operating days at the same rate.

Gray Line will pay all rental fees in advance each year in June with the right to cancel the second year if their operating plan changes significantly. If approved, a certificate of liability insurance would also be required.

In addition to the old City Hall lot, Grey Line is in discussion with McMenamins about a coach stop and parking at Edgefield for which they claim a written agreement is pending.

As Grey Line is currently in the brochure design process for 2016 they request a response as soon as it is feasible in January. If the basic terms for an agreement are approved by Motion, the staff will prepare and execute an agreement with Grey Line to that effect immediately.

**SUMMARY:**

The Motion authorizes the City Manager to negotiate and execute a contract with Grey Line in conformance with the terms proposed except that dedicated coach parking space be provided only at the old City Hall parking lot on the west side of Kibling St., subject to a certificate of liability insurance, appropriate compensation for the additional spaces required, and the City's reimbursed costs for directional signage on the HCRH for Grey Line's customers and bus parking.

**PROS & CONS:**

- A. This motion would initiate a two year-long pilot program with Grey Line that would to reserve 10 parking spaces for customers and additional space for coaches in exchange for a nominal payment.
- B. The pilot program would further enhance our role as the Gateway to the Gorge for tourists, and provide a service bringing additional tourism to downtown Troutdale.
- C. Approving the proposed motion would establish a practice that City parking lots may be made available under contract for private parking at the City's discretion.
- D. Not approving the proposed motion would preserve the long-standing practice that City parking lots would not be available contractually for private parking.

**Current Year Budget Impacts:**  Yes (describe)  N/A - negligible for 2015-16

**Future Fiscal Impacts:**  Yes (describe)  N/A  
Up to 12 spaces @ \$1.00/day over a 75 day period = \$900

**Community Involvement Process:**  Yes (describe)  N/A

## Troutdale Parking Proposal from Gray Line of Portland – 12/24/15

Gray Line of Portland is planning to operate a shuttle from Portland and Troutdale to six stops along the Historic Columbia River Highway for guests who want to spend a little more time exploring the sights and trails of the Columbia River Gorge. The shuttle will operate from mid-June through early September, four days per week. With four stops in Troutdale during the day, we see the potential for increased business opportunities for downtown merchants and the need to dedicated parking for our riders.

During the first two trial years (to test the market), we expect somewhat spotty ridership on our operating days. We would like to propose signed usage of ten spots in the under-utilized Old City Hall Parking Lot off of 2<sup>nd</sup> between SE Harlow and SE Kibling exclusively for our riders during our operating days with a signed stop on the Old Columbia River Highway between the same blocks. We would pay the City a rate of approximately \$1 per space per day of operation or \$175 per month for our 2.5+ month operating season. We are in discussion with ODOT about extending our season to operate additional days per week, and if so implemented, would raise the offer to account for the additional operating days at the same rate. We are also uncertain how ODOT plans to improve the congestion issue at Multnomah Falls will effect ridership.

In addition to the use of the Old City Hall Lot, we are in discussion with Edgefield Manor about a stop and parking at their location. We have verbal approval of the arrangement with a written agreement pending. As we are in the brochure design process and would like to include the parking and pickup location information in it, we would like a response as soon as it is feasible in January.

Gray Line will pay all rental fees up front each year in June with the right to cancel the second year if our operating plan changes significantly.



# Exhibit C

1/12/16 Council Mtg. – Item #7



## AGENDA ITEM #8

Discuss an alternative method for electing City Councilors

City Councilors currently run for one of three open "Positions" every two year general election cycle in November for a four-year term. In past elections, there have been seats filled "unopposed", due to either the lack of candidates, or the distribution of candidates, where there are more than two running for one "Position", while another "Position" might have only one candidate. A three-Position race requires a minimum of six candidates for every "Position" to be "contested". What I propose is that the idea of "Positions" be eliminated, and just have open seats. In this scenario, "every" candidate would be running for the available seats. This would require only four candidates to make every seat subject to being won or lost. Such a system would also actually provide voters with more choice because they would be able to choose three from among all the candidates. There is no basis for having "Positions" since they do not represent geographic "districts". Also, the practice of election according to "Position" is not specifically described anywhere in the City Charter as the method of choice. Among the cities of Multnomah, Clackamas, and Washington Counties, the number which use "Positions" vs "At Large, regardless of Position" is nearly evenly divided between the two options. Cascade Locks and Hood River also do not use separate and distinct "Positions".

I've attached a chart which illustrates which cities in the region elect by "Position" vs "At Large". The cities are listed in separate columns. I also looked at how "contested" each Council election was during the last two election cycles in 2014 and 2012. The first number for each city is the number of "openings", either 2 or 3, depending on the total size of the Council. As far as I know, there isn't any city that doesn't alternate electing 1/2 of its Council every two years where the term of office is 4 years. The second figure for each city is the total number of candidates running in that election. I went further and highlighted in RED the elections which were "fully contested". My measure of "fully contested" for "Position" cities is that there be at least two candidates for every open "Position". Of course, in a three "Position" election there could be a "skewed" distribution of candidates where you have 1-3, 1-3, 1-0, or another variation on that scenario. That would be an example of "distribution" of candidates. My measure for "fully contested" under "At Large" cities was that there be one more candidate than the total number of open seats, so a city with 3 open Council seats would only require 4 candidates for every seat being subject to being won or lost. I also want to make clear that I realize that "At Large" generally refers to an election in which all electors in the entire city vote for every opening, rather than according to district or ward. I am using "At Large" to simply describe a method wherein there are no separate "Positions", but that the winners are the top "vote-getters" from among all the candidates for the number of seats available. Unfortunately, I haven't run across a specific term for that method, particularly when it refers to "multi-seat" races. I suppose in a single-seat race it could be called "Winner-Take-All". In the article from FairVote.org linked below, they refer to this method as "City-wide At-Large - plurality".

I feel this method would also change the "tone" of Council elections because it would eliminate the one-on-one stand-off common when candidates are running for a specific "Position". Each candidate would

be running against every other candidate, making it much less likely for a candidate to "go negative" against his opponents.

I've also attached a chart of past Troutdale city elections which indicates exactly which "races" were uncontested. Among Council elections since 1996, the incidence of at least one "Position" being "uncontested" was 5 of 10 election cycles. "Uncontested" races were due to both too few candidates, and candidate "distribution".

As far as implementing this change, I'm not sure that a Charter Amendment is even necessary, since the current method isn't currently spelled-out in the City Charter. However, it would be useful to get a more "detailed" description of method into the City Charter at some time in the future.

Additional resources on the subject are available at the two links below. Both of these articles are written in easy-to-understand layman's terms.

[http://archive.fairvote.org/media/documents/City\\_Council\\_Manual.pdf](http://archive.fairvote.org/media/documents/City_Council_Manual.pdf)

<http://voteoregon.org/files/pdf/ElectionMethods2008.pdf>

Submitted by: Paul Wilcox, Troutdale citizen

YEAR	MAYOR	POSITION 2	POSITION 4	POSITION 6	POSITION 1	POSITION 3	POSITION 5
1996	THALHOFFER	RIPMA	KIGHT	DAOUST			REGELEIN
	VS	VS	VS	VS			VS
	NONE	NONE	NONE	NONE			NONE
1998					SMITH	THOMPSON	RABE
					VS	VS	VS
					MAYDEW	KLEVER	REGELEIN, HAYWARD, CHRISTOPHER
2000	THALHOFFER	RIPMA	KIGHT	DAOUST			
	VS	VS	VS	VS			
	SMITH	KLEVER	THOMAS	ELLIS			
2002					GORSEK	THOMAS	KYLE
					VS	VS	VS
					SMITH	YORK	NONE
2004	THALHOFFER	RIPMA	CANFIELD	DAOUST			
	VS	VS	VS	VS			
	KIGHT, KYLE, THOMAS, YORK	GOSS	SMITH	BEVERLY			
2006					KIGHT	THOMAS	KYLE
					VS	VS	VS
					VIER	SMITH	WAND
2008	KIGHT	WAND	WHITE	DAOUST			
	VS	VS	VS	VS			
	RIPMA	NONE	NONE	NONE			
2010					RIPMA	THOMAS	ALLEN
					VS	VS	VS
					LAWRENCE	NONE	HUDSON, FOX, CANFIELD, PILCHER
2012	DAOUST	ANDERSON	WHITE	WILSON			
	VS	VS	VS	VS			
	KIGHT	NONE	NONE	HUDSON, SLYTER			
2014					RIPMA	MORGAN	ALLEN
					VS	VS	VS
					MORIARTY	THOMAS	EPPLEY

"Position"	2014	2012	"At Large"	2014	2012
Banks	3,3	3,3	Canby	3,4	3,3
Barlow	1,1	3,3	Cornelius	2,2	2,2
Beaverton	3,3	2,2	Durham	2,2	3,3
Damascus	3,5	3,7	Estacada	3,3	3,3
Fairview	4,8	4,7	Forest Grove	3,7	3,5
Gaston	3,1	3,2	Happy Valley	2,4	2,2
Gladstone	3,5	3,4	Johnson City	3,4	3,3
Gresham	3,5	3,8	King City	4,3	3,2
Hillsboro	3,4	3,2	Lake Oswego	3,5	3,6
Milwaukie	2,5	2,5	Maywood Park	3,4	3,5
Oregon City	2,4	2,4	Mollala	3,4	3,6
Sandy	3,3	3,6	North Plains	3,6	3,3
Troutdale	3,6	3,5	River Grove	3,3	3,3
Tualatin	3,5	3,4	Sherwood	3,9	3,3
Wood Village	2,2	3,3	Tigard	2,4	2,2
			West Linn	2,4	2,2
			Wilsonville	2,2	2,4
			Cascade Locks	3,6	3,3
			Hood River	3,7	3,4