



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

TROUTDALE PLANNING COMMISSION REGULAR MEETING

Troutdale City Hall Council Chambers
219 E. Historic Columbia River Hwy. (lower level, rear entrance)
Troutdale, Oregon 97060

Wednesday, December 16, 2015
7:00 p.m.

1. **ROLL CALL/PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF MINUTES**
October 21, 2015 Regular Meeting
October 21, 2015 Work Session
3. **CITIZEN COMMUNICATION – NON AGENDA ITEMS**
4. **HEARING PROCEDURE**
Tanney Staffenson, Planning Commission Chair
5. **PUBLIC HEARING TYPE IV
QUASI-JUDICIAL PROCEDURE**
Case File No. 15-057 SHELDON DEVELOPMENT
Comprehensive Land Use Plan Map and Zoning Map Amendments
6. **OLD BUSINESS - None**
7. **NEW BUSINESS – Presentation Capital Improvements Plan (CIP)**
Steve Gaschler, Public Works Director
8. **DEPARTMENT REPORTS**
9. **COMMISSION INITIATIVES AND CONCERNS**
10. **ADJOURN**
11. **WORK SESSION**
Development Code update.

This meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made in writing at least 48 hours prior to the meeting to Chris Damgen 503-674-7228, or by email at chris.damgen@troutdaleoregon.gov

Procedure for Quasi-Judicial Land Use Hearings

Quasi-judicial public hearings are held in accordance with Oregon law and procedures contained in the Troutdale Development Code. The hearing proceeds as follows:

1. Staff Presentation
 - City staff presents their report which includes applicable criteria and standards for the matter under consideration in the land use application.
 - All testimony and evidence should be directed toward these criteria.
 - If you believe that other criteria in the Comprehensive Plan, Development Code, or other city land use regulations apply, you must identify these criteria and explain why they apply to the decision.
2. Public Testimony
 - The Planning Commission accepts public testimony relating to the application.
 - The applicant is allowed to speak first, followed by proponents, then by opponents, and then by any parties neutral to the application.
 - An opportunity will be provided to anyone testifying to clarify any issues raised.
3. Raising Issues
 - All issues raised by a participant during the public hearing must be sufficiently clear and specific to allow the Planning Commission and other parties an opportunity to respond to those issues.
 - Failure to raise an issue during this public hearing may invalidate a future appeal based on that issue.
4. Requesting Additional Time
 - Prior to closing of the public hearing, any participant may request an opportunity to present additional evidence or testimony regarding the application.
 - The Planning Commission must grant the request either by continuing the public hearing to a future date, or by leaving the record open for at least seven days to admit only that specific additional written evidence or testimony.
 - If the record is left open for the additional written evidence or testimony, any participant may file a written request for an opportunity to respond to new evidence submitted during the period the record was left open.
 - If such a request is filed, the Planning Commission shall reopen the record to allow any person to raise new issues which relate to the new evidence, testimony, or criteria for decision-making.

MINUTES
TROUTDALE PLANNING COMMISSION
Regular Meeting
Council Chamber
217 E. Historic Columbia River Highway
Troutdale, Oregon 97060
October 21, 2015

1. Roll Call/ Pledge of Allegiance – The session was called to order at **7:00 p.m.**

Commissioners Present: Sandy Glantz, Frank Grande, Jamie Kranz, Shirley Prickett, Brian Sheets, Tanney Staffenson and Marv Woidyla

Commissioners Absent: None.

Staff: Steve Winstead, Building Official and Planning Director
Chris Damgen, Senior Planner
John Morgan, Planning Consultant
Rooney Barker, Transcriptionist

Guests (see list): None.

Chair Staffenson called the meeting to order at **7:00 p.m.** There were no agenda updates.

2. Approval of Minutes:

- **September 16, 2015 Regular Meeting.** Commissioner Prickett moved, with a second from Commissioner Glantz, to delete the red-font text in agenda item 5 (p. 2) and to approve the minutes as corrected. **The vote was unanimous and the corrected minutes were approved.**
- **September 16, 2015 Work Session.** Commissioner Prickett moved, with a second by Commissioner Glantz, to correct paragraph p. 4-28 (on p. 2) to delete the red-font text, and to correct paragraph p. 9-2p. 9-2 (on p. 3) to change the maximum number of parking spaces to 2 spaces (not 1.5 spaces), and to approve the minutes as corrected. **The vote was unanimous and the corrected minutes were approved.**
- **September 30, 2015 Special Meeting.** Since not all Commissioners received a copy of the draft minutes from the September 30, 2015, Work Session, the approval of these Special Meeting minutes was held over to the next meeting.

Chair Staffenson proposed moving item 9 (Executive Session) off this evening's agenda; this meeting will be adjourned and then he will open the Work Session. The Commission agreed.

3. Citizen Communications – Non-Agenda Items. None.

4. Old Business. None.

<p><u>Exhibit A.</u> Undated copy of staff proposal to update Land Use Application; includes flow chart.</p> <p><u>Exhibit B.</u> Undated copy of staff proposal to update Type III Procedures; includes flow chart.</p>
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5. **New Business.** None.

6. **Department Reports.** Chris Damgen distributed a copy of an improved and citizen friendly draft document to show the Commission a reconfigured application form for a land use application, as well as a flow chart for a Type III procedure that he said he hopes will help the applicant (see **Exhibit A**). He also distributed a copy of the same application document prior to the updates (see **Exhibit B**). He said staff is trying for quicker submittal of applications and files, a reduction of costs and paper work, and a quicker turnaround time, i.e., a more efficient process. He hopes, with the Commission's approval, to post these forms online once they are finalized.

Mr. Damgen said he would eventually like to have anything we produce or project posted online, but that will not necessarily eliminate paper files. He also polled the Commission on whether they would prefer digital agenda packets; they opted for the hard copies so they can make their notes on them prior to the meetings.

Steve Winstead said a new Type IV project on 242nd and Cherry Park Place came across his desk today that involves a zone change and a Comprehensive Plan amendment for 180+ units. He believes it will come before the Commission in November.

7. **Commission Initiatives and Concerns.** Commissioner Prickett again mentioned the dust coming from the construction work site on 242nd in Gresham, and the construction trucks are going up and over the curb to access the property, both coming and going. Mr. Winstead told her that he had sent an e-mail to the Gresham Building Official about it. She said the dust is better but not completely. Regarding the access, Mr. Winstead said he could perhaps ask them for an access schedule. Both streets are within Multnomah County's purview, however, and they are the ones granting the road access there. The Commissioner said with the traffic there and any new construction on Cherry Park Road will block even more traffic and the signal at Glisan will fail. Commissioner Sheets said the high school is on Cherry Park Road and traffic is very heavy there at times. That will be discussed when the new project comes before the Commission, Mr. Winstead said.

Commissioner Grande said the footbridge on Robin Way needs attention as some of the boards are getting 'mushy' and some of the side rails are missing. Mr. Winstead said he will let Steve Gaschler in Public Works know.

8. **Adjourn.** Commissioner Sheets moved, with a second by Commissioner Prickett, to adjourn. The vote was unanimous and the meeting adjourned at 7:25 p.m.

9. **Executive Session.** Moved to Wednesday, November 18th, at 6:30 p.m.

10. **Work Session.** See minutes of October 21, 2015, Work Session.

Tanney Staffenson, Chair

Date

Attest: _____
Rooney Barker, Transcriptionist

MINUTES
TROUTDALE PLANNING COMMISSION
Work Session
 Council Chamber
 217 E. Historic Columbia River Highway
 Troutdale, Oregon 97060
October 21, 2015

1. Roll Call. The session was called to order at **7:28 p.m.**

Commissioners Present: Sandy Glantz, Frank Grande, Jamie Kranz, Shirley Prickett, Brian Sheets, Tanney Staffenson and Marv Woidyla

Commissioners Absent: None.

Staff: Steve Winstead, Building Official and Planning Director
Chris Damgen, Senior Planner
John Morgan, Planning Consultant
Rooney Barker, Transcriptionist

Guests: None.

Chair Staffenson called the meeting to order at **7:28 p.m.**

2. Work Session. *Consideration of Development Code Updates.*

Copies of the Troutdale Development Code with all changes to-date were distributed (**Exhibit A**). Chair Staffenson said the Commission will not review it in detail this evening since we haven't had the time to do so yet, but will look at the marked changes. Steve Winstead said when everything is reviewed, staff will provide a full-page document with all the changes, and it will be dated and have page numbers. Commissioner Sheets said a red-lined document provided to the public will give them a better idea at what changes have been made. Mr. Winstead said that they could mark it with a line on the side of each paragraph where a change was made, or they could highlight the changes. He also spoke of the time that a decision has to be made on an application; what is not clear in the Code is the time when an application is considered complete – 120 days. John Morgan said the 120-day rule is clear in the Statute and is intended to hold local governments' feet to the fire. A local jurisdiction has 30 days to deem an application complete; by complete it means that everything that is shown on the application form, not necessarily what someone wants, yes or no. If no, the City sends a letter to the applicant pointing out what is wrong and the applicant has 180 days to correct that and if in that time they have not, the application is returned. When the application is complete, the City sends a completeness letter identifying the date of the public hearing before the Planning Commission, and it says

Exhibit A. October 15, 2015 Updated Draft of the Troutdale Development Code, distributed at the meeting; includes all changes made to date.

Exhibit B. 4-15 Code Update (City of Tigard) Chapter 18.790 Signs, distributed by Chair Staffenson.

Exhibit C. Undated draft of Ordinance No. 8XX regarding amending Chapters of the TDC allowing medical marijuana and recreational marijuana facilities (distributed by Chair Staffenson).

“as of this date the 120-day clock starts.” Within that 120-day period the City has to reach a final decision which also allows time for appeal to the City Council. Mr. Morgan explained how even that decision can be appealed at a higher level. It is important to note that only the applicant can stop that 120-day clock.

Chapter 10. Definitions. Mr. Damgen said he has reached out to the American Planning Association (APA) and the research they have done; they recommended that we hold onto what we have now as there are some pending cases in other states where certain first amendment freedom of speech issues have come up. If we do make changes to these definitions now we may risk any legal issues, and we would do well to wait

Chair Staffenson distributed a copy of the City of Tigard’s Code Update (see **Exhibit B**) of April 2015, and said he had also looked at Wilsonville’s Code, regarding their signage. He shared this mostly for the Commission’s interest as it is more restrictive than ours although Wilsonville is more strict. We will probably need to address this as our definitions don’t really cover today’s signage. We don’t define high-definition signage, etc., and that has been an issue in the past. He recommended crafting our definitions to make them clear. Mr. Damgen again cautioned to tread lightly now as the outside signage industry monitors this type of thing. He did not disagree with the Commission about bringing our Code up to date but any change to a definition may trigger more outside review, he added. After more discussion, Commissioner Sheets thanked Mr. Damgen for his advice and said that he expects something to come out on this in about six months; Mr. Damgen agreed. The Tigard Code, he added, was a very simple definition but we will have to be very careful if we go beyond that. Chair Staffenson said he simply wanted the Commission to review the Tigard document for future discussion.

Chapters 3 and 4 Medical and Recreational Marijuana. Mr. Winstead said staff included the recent medical marijuana Code amendments as a Conditional Use in the distributed draft of the Development Code, in Chapters 3 and 4. Chair Staffenson distributed a copy of the ordinance recently approved by the City Council in March 2015 (see **Exhibit C**). He said we have no provision in it for recreational marijuana sales. The OLCC is writing the rules and regulations for recreational sales and Mr. Winstead said we hope to have those around the first part of 2016. Commissioner Glantz asked how that plays, since Troutdale has approved this ordinance for medical marijuana. Mr. Morgan said that is an interim rule until the OLCC adopts the new rules and we don’t know what they will be. Why not wait, he asked, as there will be time to adopt them later. Chair Staffenson said the original theory was to keep the two separate but that did not come to fruition when the State said they would allow recreational sales from medical dispensaries. Therefore, the recreational sales are in effect but the rules are not. That is a problem, he added. Commissioner Glantz asked why recreational sales would be a problem if medical sales were not. Commissioner Grande said he thought medical marijuana was less expensive than recreational marijuana. Mr. Morgan said the OLCC was looking at recreational sales sites as well as the growing and processing operations as it’s a whole new industry. What if we blanketed the rules and said what applies for medical marijuana also applies for recreational marijuana, period. Mr. Winstead said growing for medical purposes has State rules and regulations as well as where dispensing can be. Recreational users can grow their own but they cannot sell it, so he was hesitant to agree to a blanket

ordinance. Chair Staffenson said he was concerned with the number of facilities Troutdale might end up with. Commissioner Prickett said there will be too many marijuana dispensaries and some won't last because of that. Mr. Morgan said the jurisdictions that are looking at this now tend to lump the two together, just for selling, and those communities just want to mention it in their ordinance but it doesn't change anything. You may adopt ordinances that are stricter in certain parameters, but it won't hurt to wait because recreational sales follow medical sales until the new rules come along. When those rules come out, those jurisdictions are going to have to scramble to adopt zoning conditions consistent with those rules.

Chair Staffenson said he wanted to be proactive by addressing this.. After discussion, he asked the Commissioners for their opinions: his was to marry them together. Commissioner Prickett wanted to leave it for now since we will probably have to revisit in in six months; Commissioner Sheets said, at least for now, we have it covered; Commissioner Woodyla said it is what it is and he is not ready to make a decision at this point when we will probably have to revisit it again in six months; Commissioner Kranz said there might be a benefit to decide now as Chair Staffenson suggests but if this is redundant then she doesn't see a benefit; Commissioner Grande said we have seen interest from the public but no current applications for recreational dispensaries and he asked why the City has not surveyed public opinion on this; Commissioner Glantz said she sees no need to decide this now and we should wait, perhaps test our residents regarding it. Mr. Winstead explained how the City addresses this now regarding zoning.

Mr. Morgan reviewed the proposed changes to-date in the Development Code in Chapters 5, 6 and 7; everything that had been previously agreed to by the Commission is in this document and marked as such. Newly proposed changes are in italics.

Chapter 5 Other Issues and Procedures

p. 5-8 – Section 5.060 Decks. Text here referencing the Building Code was removed since it is covered in that Code. A typo was pointed out: “. . . to ensure that no encroachment onto public easements of record, violation of requiresd setbacks, . . . and will be corrected.

p. 5-14 – Section 5.320.A. Reconstruction of a Damaged Residential Nonconforming Use, and Section 5.325 Reconstruction or Destruction of a Non-Residential Nonconforming Use. Mr. Winstead expressed concern that these do not cover building in the floodplain, and he gave an example of his concern. To improve this, Mr. Morgan suggested adding: Notwithstanding the provisions in Chapter xyz on floodplain development in both of these Sections. Mr. Winstead agreed as did the Commission.

pp. 5-27 to 5-32 – Section 5.600 Erosion Control and Water Quality Standards EC are referenced in the *Public Works Design Standards* so this Section was removed from the Development Code. (Note: The Public Works Department is currently working on this.)

pp. 5-33 to 5-37 – Section 5.800 Stormwater Management is also removed as this also is under Public Works purview.

p. 5-43 – Section 5.1100 Public Improvements, shows the previously approved proposed changes in 5.1120, 5.1130.A., B., and E. Mr. Morgan said this Section also may go into the Public Works Standards.

pp. 5-44 to 5.45 – Section 5.120, Manufactured Homes, subsection 5.1210, A. Purpose. The amended text establishes practical standards for manufactured homes; previously approved.

Chapter 6 Permits and Procedures

p. 6-1 – Section 6.010 Annexation Criteria, previously approved changes establish some reasonable criteria as the previous ones were minimal.

p. 6-1 – Section 6.030 Zoning Assignment Upon Annexation's changes were previously approved as this was not addressed in the current Code.

p. 6-3 – Section 6.255 General Provisions, Item D. The approved change incorporates language on unique situation variance applications, as shown. The upper-case text at the end of the paragraph was included here in error and will be deleted.

p. 6-6 – Section 6.310 (Conditional Use) Purpose, (top of the page) Item G, removes reference to the goals and policies of the Comprehensive Plan and this same change is throughout all of the standards, Mr. Morgan said, as there is no need to reference them as this Code and its criteria are intended to be the full and complete implementation of that Plan.

p. 6-7 – Section 6.370 Expiration. The expiration time frame from two to three years was previously approved, and the following typo will be corrected: “. . . ~~one~~-year extension if the applicant . . .”

p. 6-7 – Section 6.380 Building Permit the amended text was previously approved. Mr. Winstead said he will confirm this is consistent with the Building Code and will bring any additional changes to the next meeting for the Commission's review.

Chapter 7 Land Division

p. 7-1 – Section 7.020 Division of Land. Minor and Major partitions are no longer in State law, Mr. Morgan said, and there is no reason to reference them in this Code.

p. 7-2 – Section 7.030 Procedures, Item G, Type IV Land Division. The Commission previously approved deleting this Item as it is addressed elsewhere in the Code, and Chair Staffenson will provide language about Type IV Land Divisions (Item G) for the Commission's review. Amended or deleted text in Item B, G, and F were previously approved.

p. 7-3 – Section 7.040 Approved Criteria, Items 2, 3 and 4. Amended text was previously approved. The typo in Item 3 will be corrected to read Parks Master Plan.

p. 7-5 – Section 7.070 Application for Subdivision Tentative Plat. The amended text here was previously approved.

pp. 7.7 to 7.8 – Sections 7.080 Tentative Plat Expiration Date, 7.090 Submission and Review of Final Plat, and a new 7.090 (formerly 7.100) Final Plat Submission. Amended and deleted text was previously approved.

pp. 7-9 to 7-10 – Section 7.100 (formerly 7.010) Submission Responsibilities of the Developer – Final Plat, and Section 7.110 (formerly 7.120) Review and Approval of Final Plat amendments were previously approved.

pp. 7-10 to 7-11 – Section 7.130 Tentative Plats for Partitions, rewritten to address tentative plats for partitions rather than treating them as subdivisions with higher standards, was previously approved.

pp. 7-12 to 7-20 – Section 7.180.B. (Design Requirements) Water, Sewer and Stormwater Facilities was retitled and the text amended to lead the reader to the City of Troutdale construction Standards for Public Works; Item F Erosion Control and Item G Surface Drainage and Storm Sewer Systems amended text replaces older text and references applicable City and State law and Troutdale Construction Standards for Public Works Facilities, as mentioned in earlier amendments. A new amendment in Item H.1. Sewerage Facilities, General Provisions (p. 7-15). A new amendment was proposed to add to the language: “The subdivider shall install sanitary sewer facilities in the manner prescribed by the City of Portland Bureau of Environmental Services, or Multnomah County Land Use Planning, the Department of Environmental Quality and the ~~Director of~~ City of Troutdale Construction Standards for Public Works Facilities.” Item J. Utility Easements was amended to include public and private utilities, and Item L. Streets was also amended since both of these (J and L) have to do with the review of a subdivision and are of significant importance as they have to do with the layout of the streets and the sewer as well as conformance with the City’s adopted Transportation Plan. These amendments were previously approved, and the amendment to Item H.1. was discussed at this meeting and approved. Item M. Street Standards, Item 4 was amended to include the City’s adopted Transportation System Plan and was previously approved.

p. 7-21- Section 7.190 Requirements for Connectivity. This Section title was amended by Mr. Morgan as the previous title included bike and pedestrian access but did not address them. The Commission did not question this amendment as there is another Section on those.

pp. 7-24 to 7-27 – Section 7.380 Design Plat Format. There was too much detail in this Section and it was not in the appropriate place in the Code, Mr. Morgan said, and is more under the purview of the Public Works Department as stated in the new Section title; the remaining text was deleted. The Commission approved this.

p. 7-28 – Section 7.415 Restriction on Issuance of Building Permits. The amended language allows property approved waivers with an adequate financial guarantee, and was previously approved.

Commissioners asked to have a full-page copy of the Code for their next meeting with all the previously approved changes to be marked as such. Chair Staffenson asked them to review all these changes.

The Commission agreed to start with reviewing Chapter 8 change at their next Work Session, which they determined to be on Thursday, November 5, 2015. Mr. Winstead said he will provide an update of the Kight property, but it was not decided which meeting would be appropriate for this. The next regularly scheduled meeting is Wednesday, November 18, 2015, possibly convening at 6:30 p.m. – that will be confirmed at a later date.

Adjourn. Commissioner Sheets moved, with a second by Commissioner Woidyla, to adjourn. The vote was unanimous and the meeting adjourned at 9:30 p.m.

Tanney Staffenson, Chair

Date

Attest:

Rooney Barker, Transcriptionist



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

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

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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 242nd 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.

Review Entity	Comments	Review Entity	Comments
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

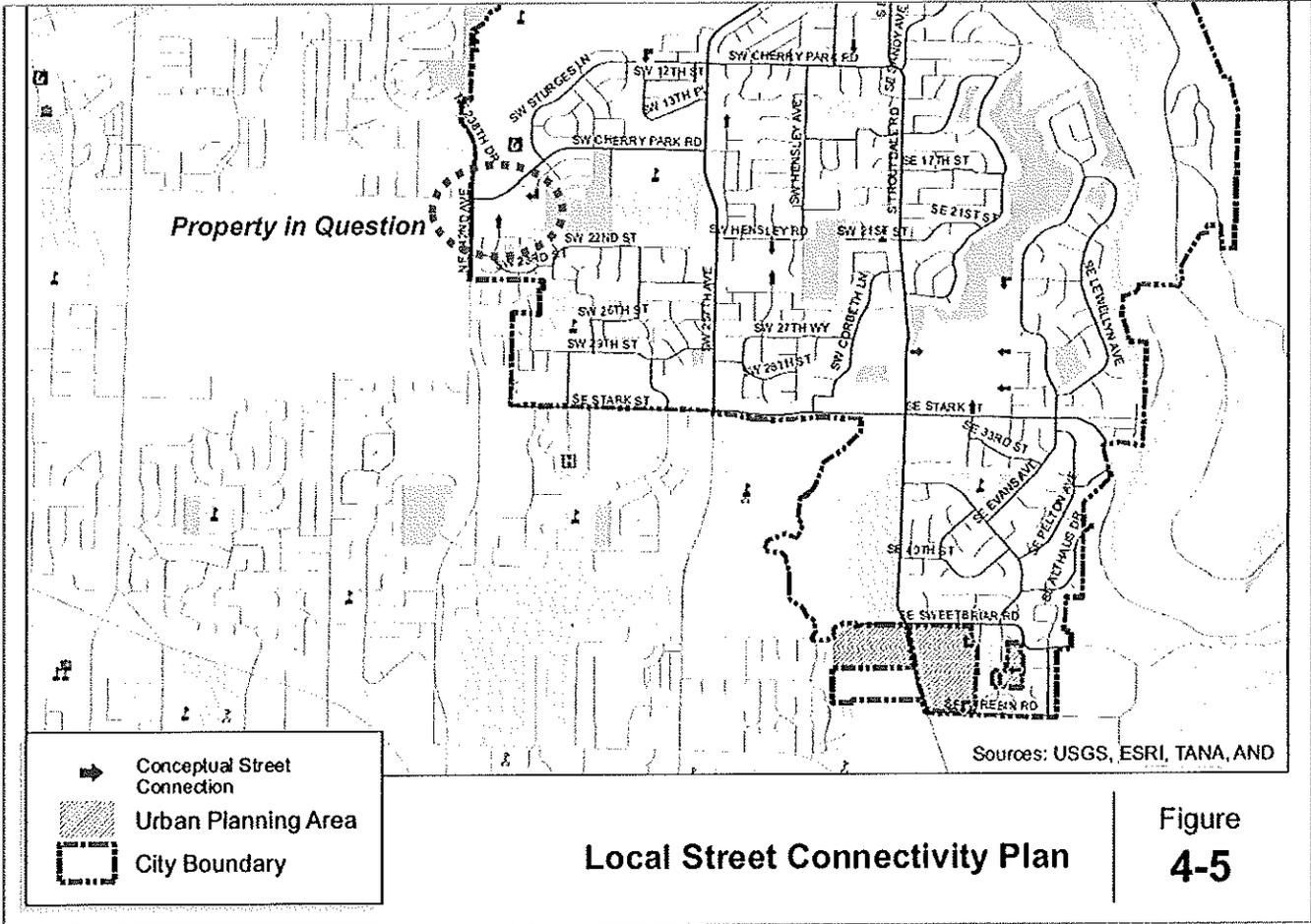
SUMMARY OF PUBLIC WORKS COMMENTS

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 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.



Local Street Connectivity Plan

Figure 4-5

SUMMARY OF TRANSPORTATION PLANNING COMMENTS

Multnomah County has jurisdiction over both Cherry Park Road and 242nd 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 242nd 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>257th Ave</i>)	4.90	103	64	13.06
Troutdale Terrace (<i>257th 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
Proposal (242nd Ave & Cherry Park)	6.88	144	168	24.42



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)**

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 Woodale 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 18th 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

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 242nd – 238th 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 242nd – 238th 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 242nd and 238th 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 242nd 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 need 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

503.132.5085

Comprehensive Plan Amendment/Zone Change

NE 242nd 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 242nd 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).

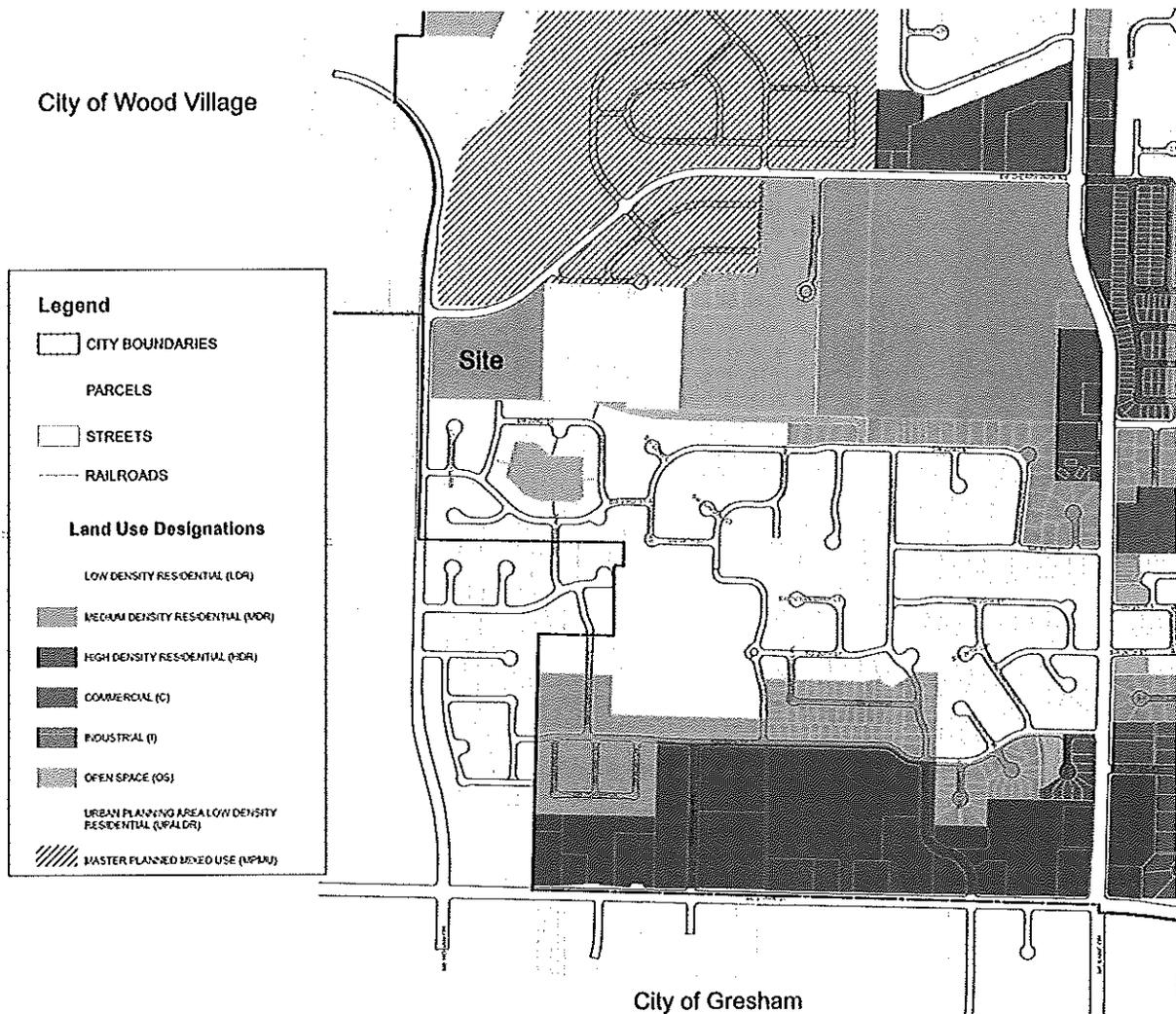


Figure 1: Existing Comprehensive Plan Map

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.

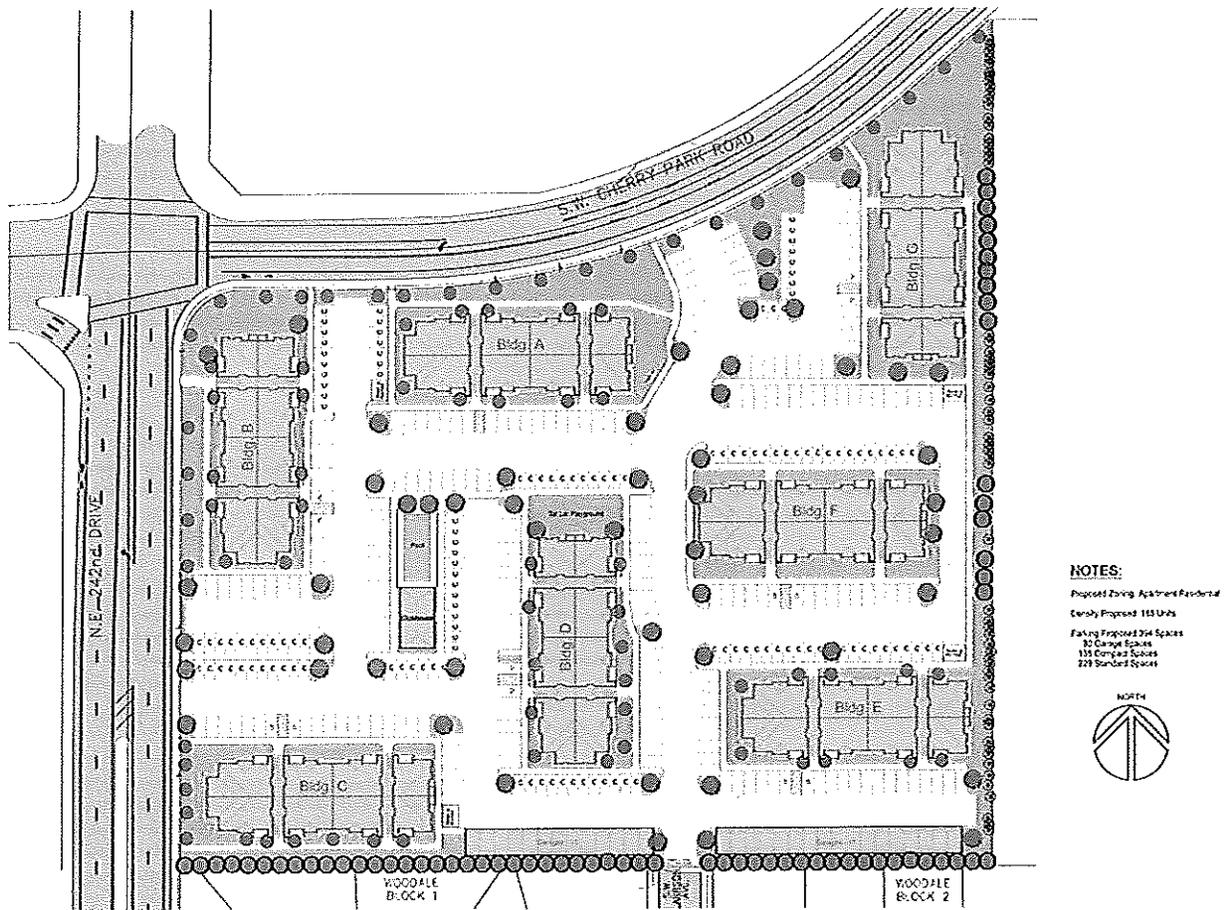


Figure 3: Conceptual Site Plan

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 Larrsen 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 Wooddale 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 Larrsen Avenue is stubbed to

the subject property from the Wooddale subdivision. To the west, across NE 242nd 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 242nd 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.

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 242nd 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 242nd 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.

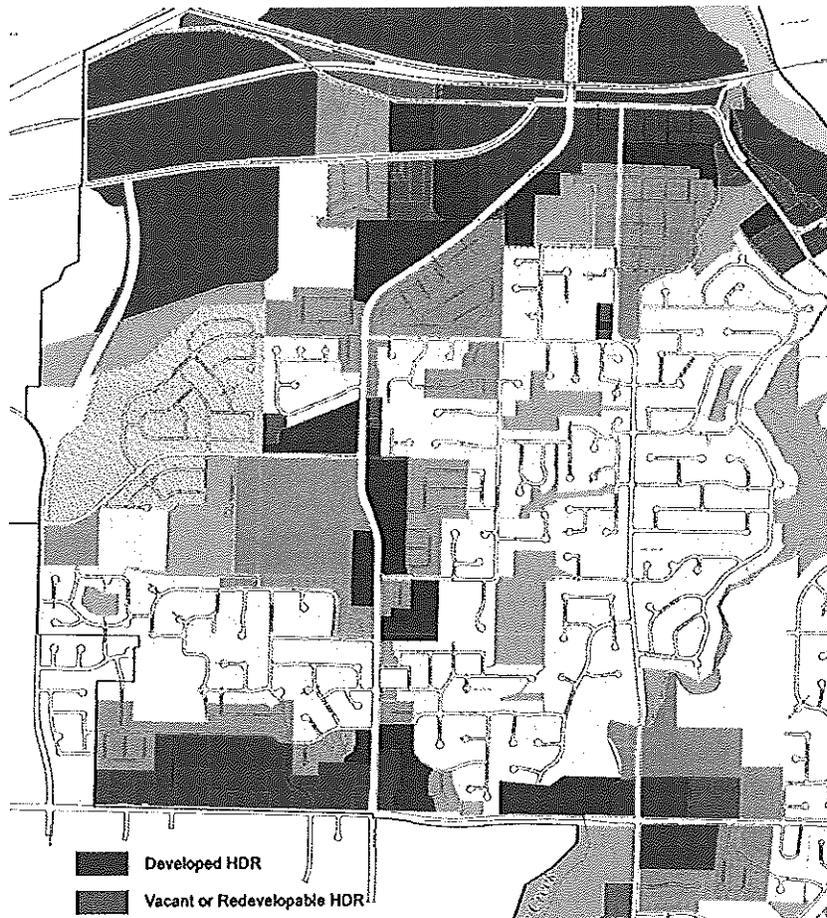
Comment: The proposed change in land use designation would provide for an increase in the supply of multi-family land and a decrease in the supply of buildable

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 257th 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 Wooddale 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.



Memo
December 16, 2015

To: Planning Commission; Other Interested Parties
From: Planning Department
Subject: Attachment E Items

INCLUDED

Included in Attachment E are the following documents that were part of the Applicant's submittal:

- Traffic Impact Analysis (cover and executive summary, 2 pages)
- Topographic Survey (1 sheet)
- Conceptual layout of a 168 unit apartment complex (1 sheet)
- Conceptual elevation drawings of apartment buildings (1 sheet)

These exhibits were included to help assist Planning Commission and City Council in understanding the type of development that would be considered a permitted use if the map amendments are approved. Sheldon Development has expressed intent to develop multi-family complex. Conceptual renderings of site layouts or renderings are subject to change and are provided as illustrative exhibits only.

NOT INCLUDED IN PACKET, BUT AVAILABLE UPON REQUEST

In the interest of reducing paperwork burden, the Planning Department has the following files available for review to any interested party upon request.

- Traffic Impact Analysis (complete study, 95 pages)
- Conceptual building layouts and floorplans (3 sheets)
- Geotechnical Investigation (Geotech Report, 40 pages)
- Preliminary Stormwater Management Report (40 pages)

Please note that some of these items not included in the review package were submitted as consideration of a potential site & design review application, which could occur if the map amendments are approved.

HOW DO I GET MORE INFORMATION?

- The *Comprehensive Land Use Plan* and the *Troutdale Development Code* are available on the City's website.
- Contact Elizabeth Walstead at liz.walstead@troutdaleoregon.gov for requests to obtain additional files.
- Contact Chris Damgen at chris.damgen@troutdaleoregon.gov for general inquiries about the application.

Traffic Impact Analysis

Cherry Park Apartments

Zone Change/Comprehensive
Plan Amendment

Troutdale, OR

September 22, 2015



EXPIRATION DATE: DEC. 31, 2016



GREENLIGHT ENGINEERING
TRAFFIC ENGINEERING/TRANSPORTATION PLANNING

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EXECUTIVE SUMMARY

Sheldon Development, Inc. has proposed a comprehensive plan amendment, zone change, and development application in support of a 168 unit multifamily project known as the "Cherry Park Apartment Homes" in Troutdale, Oregon. The project is located on the southeast corner of the intersection of NE Glisan Street/NE 238th Drive/SW Cherry Park Road/NE 242nd Drive. The following summarizes the key points of this transportation impact analysis (TIA):

- The project requires a comprehensive plan amendment and zone change. The 6.88 acre site is currently zoned R-5 (Single Family Residential). The site will be rezoned to A-2 (Apartment Residential).
- The project is anticipated to be fully constructed and occupied in 2016.
- Analysis periods include both 2016 for the build-out of the site as well as 2040 to evaluate the requirements of the Comprehensive Plan Amendment/Zone Change and Oregon's Transportation Planning Rule.
- The following intersections were evaluated as part of this project:
 - 1) Glisan St/238th Dr/Cherry Park Rd/242nd Dr
 - 2) Cherry Park Road/Cherry Park Market Center west Access/site access
 - 3) 242nd Dr/Site Access
- A TIA prepared by Kittelson and Associates dated July 1, 2015 has been submitted to the City of Gresham in support of the Project BUS development located on 242nd Drive to the southwest of our project site. Many of the assumptions and results of that TIA are incorporated in our TIA.
- 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 242nd Drive. Access to 242nd 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.

