



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

CITY COUNCIL – REGULAR MEETING

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

Tuesday, January 26, 2016 – 7:00PM

Mayor

Doug Daoust

City Council

David Ripma

Eric Anderson

Larry Morgan

Glenn White

Rich Allen

John Wilson

City Manager

Craig Ward

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **MOTION:** Election of 2016 Council President
3. **CONSENT AGENDA:**
 - 3.1 **MINUTES:** Revised October 13, 2015 Regular Meeting
4. **PUBLIC COMMENT:** Public comment is limited to comments on non-agenda items. *Remarks shall be limited to 5 minutes for each speaker unless a different time is allowed by the Mayor. The Mayor and Council should avoid immediate and protracted response to citizen comments.*
5. **RESOLUTION:** A resolution Proclaiming and Supporting January of each year as Human Trafficking Awareness Month. Mayor Daoust
6. **REPORT:** An update on Mt. Hood Community College. Dr. Debra Derr, MHCC President

7. PUBLIC HEARING / ORDINANCE (Introduced 1/12/16): An ordinance amending the Comprehensive Land Use Plan Map and Zoning District Map for a 6.88 acre parcel, currently designated MDR Medium Density Residential and zoned R-5 Single Family Residential, and proposed to be designated High Density Residential and zoned A-2 Apartment Residential. *Steve Winstead, Building & Planning Director*

8. STAFF COMMUNICATIONS

9. COUNCIL COMMUNICATIONS

10. ADJOURNMENT



Doug Daoust, Mayor

Dated: 1/21/16

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

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

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

DRAFT

Agenda Item #3.1

1/26/16 Council Meeting

REVISED MINUTES

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

Tuesday, October 13, 2015

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

Mayor Daoust called the meeting to order at 7:00pm.

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

ABSENT: None.

STAFF: Craig Ward, City Manager; Ed Trompke, City Attorney; Steve Gaschler, Public Works Director; Erich Mueller, Finance Director; and Sarah Skroch, Acting City Recorder.

GUESTS: See Attached List.

Mayor Daoust asked are there any agenda updates?

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

Mayor Daoust stated before we get to the Consent Agenda I wanted to give recognition to an event that we just had, the Fall Festival of Art. Gary Fenske of Fenske Galleries, gave me a note that says "Fenske Gallery's Leonardo Da Vinci Exhibit and the Chamber's Art Festival had a wonderful attendance last week that brought many people into Troutdale. It was a great example of the power of art and how our united vision of creating Oregon's Art Capital in Troutdale will benefit us all. Thank you much, Gary Fenske." I think our Fall Festival of Art had a good first year.

Councilor Wilson stated I'd like to remove Item 2.4 from the Consent Agenda.

Councilor Allen stated I'm also interested in removing Items 2.2 and 2.3 from the Consent Agenda.

Mayor Daoust stated we will discuss Items 2.2, 2.3 and 2.4 after Agenda Item 3, Public Comment.

2. CONSENT AGENDA:

2.1 MINUTES: August 25, 2015 Regular Meeting.

- 2.2 RESOLUTION:** ~~A Resolution expressing support for the Gorge Hub Project at Depot Park.
Pulled from the Consent Agenda and moved to the Regular Agenda after Item #3~~
- 2.3 RESOLUTION:** ~~A Resolution providing for current FY 2015-16 Budget Transfers and Appropriation Changes.
Pulled from the Consent Agenda and moved to the Regular Meeting after Item #2.2~~
- 2.4 RESOLUTION:** ~~A Resolution approving an Intergovernmental Agreement between Metro Regional Government and the City of Troutdale for funding the Fiscal Year 2015-16 Metro and Local Government Annual Waste Reduction Program.
Pulled from the Consent Agenda and moved to the Regular Meeting after Item #2.3~~
- 2.5 RESOLUTION:** A Resolution granting a Temporary Construction Easement abutting NW Graham Road to the Port of Portland and accepting a Consent Instrument from the Federal Department of Health and Human Services.
- 2.6 RESOLUTION:** A Resolution to Acquire Certain Personal Property and Settle Certain Litigation.

MOTION: Councilor Anderson moved to approve Consent Agenda Items 2.1, 2.5 & 2.6. Seconded by Councilor Allen. The motion passed unanimously.

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

Claude Cruz, West Columbia Gorge Chamber of Commerce, stated I wanted to thank the City for collaborating on what I think was a very successful first year event for the Fall Festival of Arts. All indications are that it was very well received and enjoyed by everybody. Looking at it from the inside we can always see things to do better. We're looking forward to doing this next year. The City was really instrumental in giving us the use of the facilities at the park and the Cox Building. We ran with it and I think it was really good for the City overall. Thank you all for making it possible. That's on behalf of the Chamber and the group of artists who made this possible.

Rip Caswell, owner of Caswell Galleries, stated I wanted to say thank you to the Council and the City for all your support in the arts. It was a fantastic first event. I'd also like to publicly thank our Chamber of Commerce and Claude and Penny Cruz. They worked so hard. They were out late at night and early in the morning rallying the troops and physically working. I just wanted you to know what a great job our Chamber is doing for its businesses.

2.2 RESOLUTION: A Resolution expressing support for the Gorge Hub Project at Depot Park.

Councilor Allen stated I support the Hub and I support the efforts to get grants and to work with other jurisdictions, but I'd also like to see input from the Council.

Councilor White stated I think if we don't open it up for Council at some point that it's difficult for the rest of the business owners to chime in. I haven't heard from any business owners on this. They haven't had the opportunity to come and speak at a formal meeting. I have heard from them while talking to them on the street. I'm in full support in this idea and I appreciate the effort that has gone into it. I'm worried we'll get too far into the design phase and not be able to address some of our concerns that we're hearing from the public and

surrounding businesses. I think with that input we can add to the cycle Hub and it would only be beneficial. We've talked artistic designs for bike racks. On a personal note I'd like to see power in place because I think electric bikes are becoming popular. I think it would be a great way to get people to spend more time in our downtown if they were charging up a bike. That could be part of the design.

Councilor Wilson stated there would be charging stations for their phones so there's electrical power but how many power outlets I don't know. Maybe there needs to be more than they're thinking about.

Councilor Morgan stated the suggestion that Councilor White and I spoke about awhile back was for port-a-potties, potentially having a Troutdale Loo and having artists design that or work in collaboration. I talked with Steve Gaschler in Public Works and there are some options for us to explore but it might be at a cost. If there is an opportunity for Council to have input on that project in any capacity then I think it would be great. We could make it more artist focused.

Councilor Allen stated I would agree with that.

Councilor Anderson stated we all saw what happened last week with the Festival of the Arts, it was phenomenal. I think this is going to be equally as phenomenal. We're finding our niche but I also agree with what I've heard tonight. I don't know what the solution is. I don't know if the solution is to send Councilor White or Councilor Allen to articulate our concerns and expand upon the vision to the working group and try to incorporate that. It's a great point and I think if you ask the working group they probably want to get this done.

Councilor Morgan asked is there any way to ask the people here tonight that might be able to answer that question?

Councilor Anderson stated Craig, you're on the working group. What do you think about what you're hearing?

Craig Ward replied we can add things. I've expressed issues with restrooms before. I think port-a-potties are a first step. I think we can come back and talk about permanent restrooms at some point in the future. That isn't ruled out. I think the same thing is true for electrical connections. If you monitor what happens at Glenn Otto Park you will note that the people who use the electrical connections may not be the same audience that you first imagine. There are people who live casually around our community that would like to come in and plug in their electronics and charge them up. Just like they may want to come in and use our restrooms. That's a concern of mine. When it comes to art there is already the anticipation with this Hub design that there will be art. There's been a lot of discussion in the work group about a kind of art that fits a common theme for all of the Gorge Hubs. That hasn't been resolved yet but the expectation is that there will be significant art. We're not limiting ourselves from doing what we want with our park. What you're doing is giving a clear signal to me, to the working group, to Claude and the Chamber who have a grant, to move ahead with the concept as proposed and we can always come in later and start adding bells and whistles to the underlying project. My recommendation is that you endorse this

proposal and then we can talk about all the subsequent ones. I understand Council's desire to edit and to make this perfect but there's an old saying that perfect is the end of getting things done. We want to get things done, we want to apply for grants, and we want to move ahead with the design that we have. I think that I would put those ambitions for further enhancements to this design on the shelf until we have an opportunity to talk about it. I don't think that there's anything in this design that precludes things like permanent restrooms. While nobody particularly likes port-a-potties, they have a distinct advantage which is you can contract for them both for the rental of them and the maintenance of them so that burden doesn't fall on City staff. When the primary bike season is over they can take them away so we don't have permanent restrooms that are available there year round. We already have that at Glenn Otto Park. We've had conversations with the working group about most of these issues. I think the opportunity will always remain for us to come back in and amend the plan based on add-ons that we've decided we can afford. The question is are we going to move ahead with this design now or are we going to hold it up while we have more detailed conversations about the bells and whistles that we can add to this basic concept.

Mayor Daoust asked the grant would be for what? If the grant is for the design work then we could simply be a part of that. All it would take is 1 work session to get input from business people, the City Council, and the artists.

Claude Cruz replied it's more than 1 grant. The first is a smaller grant from Keep America Beautiful through Waste Management specifically to put some bike themed art in the park as well as some recycling. The bulk of the other grant is for design and I'm all for an inclusive process. I would welcome and embrace participation from any delegates from the City Council. I've tried to keep people apprised of how things are evolving but we always welcome input and what better time to accept that but during the design process which is really what the bulk of our RTO grant is intended to do. In the past the City has entertained funding for the implementation phase on the order of \$40,000. We're not there yet. Let's make sure we're not digging a hole in the wrong place by getting the right input including from the business community. A reminder to those that are not involved with the process directly, we've been asked as a City, as have all the Hub host cities, to place a sign indicating a Hub would be coming soon to your neighborhood to let people know what's coming. The Portland Wheelmen have funded putting nice bike repair stations at each of the Hubs. They've asked us to place that in advance of the Hub being in place. That may or may not make sense. The machinery is in motion. It needs to be better orchestrated and I'd very much want to incorporate input from the City so that everyone is comfortable that everyone is moving in the direction with general consensus.

Councilor Allen stated I'm hearing good ideas coming from Councilor White and Councilor Morgan. I would trust Councilor Morgan's judgement on whether or not to do a designed restroom or a port-a-potty. To help speed this along and still have Council input maybe we could have Councilor White and Councilor Morgan be actively involved.

Councilor Anderson asked am I hearing that you'd approve this with that condition?

Councilor Allen replied yes.

Councilor Anderson stated I would be ok with that.

Councilor Ripma stated I agree with everybody about the aspiration for more and better restrooms and art. I think this resolution that was on the consent agenda is perfectly good. It's consistent with everything that everyone's said. It's just expressing support for the idea and giving staff permission to go ahead with it. I also favor the resolution if that's what we're talking about.

Mayor Daoust stated I'm ok with the resolution, if we're going to bring in business input also. It seems to me like 1 work session would accomplish everybody's input rather than assigning individual Councilor's to provide input.

Councilor Anderson asked why can't we have the Councilor's work with the working group to solicit that input and bring it there?

Councilor Allen replied I'd be fine with that.

Councilor Anderson stated I just don't see a need for a work session on this.

Councilor White stated I saw this as an opportunity for a downtown restroom. At the League of Oregon Cities Conference in Bend we went to Sister's and they had 2 of the nicest public restrooms in their downtown. They do beer festivals so they're quite important but they were extremely well done. They were visible so if you were shopping then you don't have to worry about finding a restaurant or having to order a sandwich to use a restroom somewhere. I thought it was a nice feature for that town. I don't like the idea of having port-a-potties that aren't easily visible from the downtown. As long as you think we can get adequate input. My main concern is that we didn't have the opportunity for the public to chime in on this the way that we were going about it. It's always a good idea to keep that public input window available.

Councilor Allen stated my concern is that we get down into this and we see the result and realize that if Councilors had been represented there that it possibly could have been better. Especially since we have toured other cities and looked at their ideas as well. I would feel more comfortable if we had at least a couple of Councilors actively involved in making sure that the project comes out well.

Councilor Morgan stated I've spoken several time with Steve Gaschler about this. The issue is going to be money and whoever is going to contribute that. It's going to be a great cost to have that functionality there. If that's our commitment to do that then I think it can be done. To the design phase, is it feasible for Rip, the Chamber, and the artists to collaborate around that? That kills 2 birds with 1 stone and I think we could move forward on both of those aspects.

Councilor Wilson stated as far as the art aspect of it, I think we really need a master plan of what we want for our City in art so we don't get a bunch of fragmented different concepts that don't really blend together. I really think we need to take a step back and look at that and talk about what we want the City overall to look like.

MOTION: Councilor Anderson moved to adopt a resolution expressing support for the Gorge Hub Project at Depot Park with the addition of Councilors White and Morgan to the working group to articulate the concerns of the Council shared here tonight. Seconded by Councilor Wilson. Motion passed unanimously.

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

Councilor Allen stated when I look at this I'm seeing some fairly large numbers and it's quite a bit to get on a Friday and have to vote on it the following Tuesday. There is enough here that I'd like to see a little more accountability. I just can't sign a blank check without understanding it better.

Councilor Anderson stated I appreciate your point. My question though is to Craig, did we not know about this? Did we not take these actions incrementally throughout the course of the year?

Craig Ward replied no we didn't but I would like to have Erich Mueller come up and address this. Many of these items were discussed in general and it was clear that we didn't have an appropriate in the budget at that time and we would have to bring it back. We could probably point to quite a few examples of that where it was the Council's desire to move ahead with a particular item at that time but we noted that we would have to bring the item back.

Councilor Anderson asked are we going to run afoul with local budget law if we postpone this for 2 weeks?

Erich Mueller replied the short answer is no. All of these items are items that were a result of Council discussions or decisions that occurred since the budget was adopted. They didn't all by any means occur at 1 meeting. They've occurred in numerous occasions since the budget was adopted. I tried to outline the individual items. Some of them were direction given in Executive Session and others were direction given in various Work Sessions or Council Meetings.

Craig Ward stated if you have specific questions Erich Mueller is here and can answer them. The single largest one is a \$250,000 loan to the Urban Renewal Agency but I don't want to presume what your questions are.

Councilor Anderson stated that's an annual cost, correct?

Erich Mueller replied that's something that we've been doing annually and it goes back to the fundamental issues of the Urban Renewal Agency cannot collect the tax increment unless it's in debt. As part of the process we continue to advance money to the Urban Renewal Agency so that it's able to collect the tax increment. We're also using that money to fund the various costs associated with moving forward with the EPA brownfield cleanup and the legal costs associated with the ongoing Eastwinds negotiation. There are

expenditures occurring out of the Urban Renewal Agency and this is where we're advancing the funds to. It's an annual item that we've typically done. We have a \$250,000 loan repayment coming from the Urban Renewal Agency in this fiscal year as well. This \$250,000 will get repaid next fiscal year. In my staff report I tried to mention that it is a loan and we continue to get repaid by the Urban Renewal Agency from the tax increment collection. As Craig pointed out, that's the single largest individual item.

Councilor Wilson stated when I looked through this the other day, I didn't see anything in here that we didn't discuss. The lot appraisals, the voting membership for the disaster fund, the recommended legal settlement, Visionary Park, and the AFSCME contract. It is all stuff that we've already talked about in length over the last 6 months or so. I don't see any reason not to move forward with this.

Councilor Anderson stated we really can't do anything about it because what's done is done. It's eye opening in some areas.

Councilor Allen stated I see numbers that we did agree to and I'm seeing other numbers that are farther north than I had expected. It's more than I'm prepared to go through in just a few days. We received this on a Friday and its Tuesday now. That's not a lot of time to go over such large numbers to make sure that they make sense and I'm not sure that they do. I will want a little more explanation on this.

Mayor Daoust asked are there specific numbers?

Councilor Allen replied I'm just asking for time to go over this. I'm asking for some more explanation on this. There's some stuff that we've already agreed to but there are other numbers that I question. I question them enough to say that I'm not comfortable with passing this.

Councilor Ripma asked how about we set it over to the next meeting and try to put it on the consent agenda and invite Councilor Allen to talk with staff about any items he's concerned with? None of these seem that far out of line. Would you be satisfied by a 2 week delay?

Councilor Allen replied this kind of blows our budget cycle out of the water.

Councilor White stated I remember a large loan in the budget cycle for the Urban Renewal Agency. This is an extremely large number. I share Councilor Allen's concern.

Mayor Daoust stated I think it's kind of an eye opener summarized into 1 report. I would agree with Councilor Wilson that we've talked about these throughout the fiscal year and it's just now summarized into 1 report. I would agree that maybe Councilor Ripma's solution is a good one to give Councilor's 2 more weeks to get the answers to specific questions and those answers can be sent out to the entire Council and put it on the consent agenda.

2.4 RESOLUTION: A Resolution approving an Intergovernmental Agreement between Metro Regional Government and the City of Troutdale for funding the Fiscal Year 2015-16 Metro and Local Government Annual Waste Reduction Program.

Councilor Wilson stated I would like Steve Gaschler to explain to us what we are and aren't agreeing to in the 2 different Intergovernmental Agreements.

Steve Gaschler, Public Works Director, stated this is the same agreement that was entered into last year which I was told was also done on the consent agenda. We believe it's the same agreement. It's the 6th consecutive year that Troutdale has declined to participate in the recycle at work program and is declining to receive recycle at work funding from Metro. It's the same deal that you've been doing for the last 6 years. There are no changes and that's why we agreed to put it on the consent agenda. There is a little bit of confusing language in here because it's a standard Metro agreement and some of the recycle at work program language is in here but just following that language it usually states not applicable or there's even a paragraph on page 6 of 10 that states that the City Council has agreed "after thorough discussion over the course of several meetings including 2 public meetings, the City of Troutdale Council voted against a proposed ordinance that would have adopted Metro's business recycling requirements at its Regular Meeting of September 27, 2011. The Council found that given the economic climate a high percentage of Troutdale businesses already recycling and Council Goals to encourage economic development, it could not support such an ordinance." I think Council's well on the record of not opting into that program. It's not part of this program. In some of the references here they say that in section B where it lays out what we're required to do, you'll see that the business recycling program is not part of that. It's public education and outreach and encouraging people to reduce the amount of waste and recycle where possible.

Councilor Allen stated in 2011 there were 2 things that I remember being talked about and 1 of them was a school that wanted to improve their recycling but we weren't going to get the money to help them. What I would like is that we check with schools and see if their programs are healthy or not and if we can be of assistance. The other things is that food recycling was part of that. At the time there was controversy about food recycling because there wasn't enough capacity and we had rejected it at that time thinking that we would come back to it if that had changed. My understanding is that there has been some improvements to that. I would be interested in considering the idea that developments that have restaurants with sufficient enough food to recycle at least have bins available to where they could recycle their food.

Councilor Morgan stated I agree 100% with Councilor Allen. As a part of Metro's long term goal they're going to eventually require cities to be in complete conforming of that, both residences and businesses, much like Portland. I wanted us to at least explore a pilot program of some capacity with Waste Management for options for businesses and/or residents. With it being a mandate pretty soon it is going to sneak up on us and it should be provided as an option.

Councilor Allen stated I've run across 2 businesses that want to recycle their food but because they don't have a bin they can't.

Councilor Ripma asked we're getting \$7,548 from Metro for the programs that we're going to do and we're turning down \$6,108 for the recycle at work? It isn't that clear in the language. We are essentially adopting Exhibit A which is the intergovernmental agreement that specifically requires that we do the activities specified in Attachment A and Attachment B. Attachment B on page 5 of 10 has the recycle at work program as a requirement. It's not crystal clear to me that we're turning down the recycle at work program.

Steve Gaschler replied I didn't pull out last year's intergovernmental agreement and compare it word for word but I did ask my staff and they say there were no changes. I will agree that it's not the cleanest or clearest but if you keep reading on under budget information they talk about that and then if you go to B it talks about the recycle waste program and right after that it says not applicable. I agree that it's not the clearest but it's the format that we've been operating under for 6 years and it hasn't been a problem for Metro and it hasn't been a problem for us. I think we're all on the same page of what we are doing and what we aren't doing. This is about waste reduction and recycling. Food composting is a separate animal. They haven't quite figured out how they're going to do that and where they're going to take it. What I was told is that they're still working on that. Right now that is not part of this program because they don't have that all figured out. I think it's coming down the road but currently it is not part of this. I know they're working on it and hopefully they'll get the bugs worked out and we'll move down that road but it's not there yet.

Councilor Allen stated in that case I'd like for you to take my comments under advisement and not actually change the agreement.

Councilor White stated I know that staff has certain responsibilities, I'm wondering how does that offset the \$7,548? Are we spending more in staff time to fulfill that obligation or is it pretty much a wash?

Steve Gaschler replied to be honest with you we don't track it. I'd say it's pretty insignificant. My understanding is that most of that \$7,548 goes to public outreach and a big share of it goes to the Spring Cleanup.

MOTION: Councilor Anderson moved to adopt of a resolution approving an intergovernmental agreement between Metro Regional Government and the City of Troutdale for funding the Fiscal Year 2015-16 Metro and Local Government Annual Waste Reduction Program. Seconded by Councilor Wilson. Motion passed 6-1 (Morgan).

4. PUBLIC HEARING / ORDINANCE (Introduced 9/22/15): An ordinance creating Chapter 3.07 of the Troutdale Municipal Code to phase in a motor vehicle fuel tax over three years and to premise the same on voter approval.

Ed Trompke, City Attorney, stated this is the second reading of this proposed ordinance. The ordinance only becomes effective if the voters approve the motor vehicle fuel tax next month. The motor vehicle fuels tax phases in 1 cent per year over 3 years. All the money

is used for the streets preservation fund here in the City of Troutdale which is done by contract work for neighborhood streets, arterials, all of the roads. The staff report talks about the cost savings that result. Every dollar spent in preservation such as slurries and seals save several dollars' worth of repair or reconstruction work later. It only becomes effective if the voters approve the gas tax.

Mayor Daoust asked are there any questions for staff?

Councilor Morgan asked this tax will not be able to sunset, it'll be in place forever? Secondly, does that mean if the State of Oregon acts as well then it would be on top of our current tax?

Ed Trompke replied you are right, it doesn't sunset by itself. But that doesn't say that it's in place forever because Council or the voters can change it through the legislative process. If the State were to adopt a gas tax then you might consider whether or not you want it because you would get a small percentage of the State gas tax but that is a declining balance and isn't sufficient to meet the needs of the City.

Councilor White stated 2 meetings ago we had a resolution on the consent agenda to correct a clerical error on the budget process and it was for a \$1,000,000 error and it had to do with Street Fund.

Ed Trompke replied I don't have any recollection of that so I can't answer that.

Steve Gaschler stated maybe I wasn't at that meeting, a \$1,000,000 error in the Street Fund?

Councilor White replied yes. Maybe you could give us a report on that but it'll be too late because we'll have to vote on this tonight.

Mayor Daoust opened the public hearing at 7:49pm.

There was no public input.

Mayor Daoust closed the public hearing at 7:49pm.

MOTION: Councilor Anderson moved to adopt an ordinance creating Chapter 3.07 of the Troutdale Municipal Code to phase in a motor vehicle fuel tax over three years and to premise the same on voter approval. Seconded by Councilor Morgan.

VOTE: Councilor Anderson – Yes; Councilor Morgan – Yes; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson – Yes; and Councilor Ripma – Yes.

Motion Passed 7 – 0.

5. STAFF COMMUNICATIONS

Craig Ward stated I wanted to remind voters that we do have a ballot measure on the November ballot. We will have a reminder by postcard to all Troutdale residents to that effect as well coming out soon. It's not biased, it simply reminds people to vote.

6. COUNCIL COMMUNICATIONS

Councilor Anderson stated the Fall Festival of Arts that took place at Glenn Otto Park was beyond anything I had imagined. I had no idea it would be as well put together, as well executed, and as well attended as it was. If it wasn't before then it's obvious now that our niche or brand is being laid out right in front of our eyes. I heard no fewer than 3 people at that event say it was better than SummerFest and why are we wasting our time with SummerFest. The second thing is that tonight we passed Consent Agenda Item 2.6 that we have received some e-mails on and I would trust that there would be some communication back to some concerned citizens either by us or others because of the action we took tonight. Would that be reasonable?

Ed Trompke replied I don't recall any specific objections.

Councilor Anderson stated there were no objections, they were e-mails of concern that supported the action we took tonight. I would hope that the public can be made aware of the action we took tonight because I think there are more than 1 or 2 people that would appreciate knowing about it.

Ed Trompke replied I will prepare an e-mail for the Mayor to send.

Councilor Morgan stated it was brought to my attention at the League of Oregon Cities Conference that there was a National League of Cities that will be meeting next spring. I don't know if the Council has previously attended or not. There was some interest about attending it but I wasn't sure if the Council would be interested in pursuing that option or giving staff direction to look into that. The second item is that I know there was talk earlier this year about the long term home for City Hall. I don't feel like we've ever gotten the final answer for the old City Hall, whether it's solvent or not, whether it's structurally sound or not. I know that Councilor Ripma had pursued it and met with some engineers and our number was different from their number or vice versa. We're trying to scratch things off our list moving towards fall and winter. I think that would be something that we should pursue with seriousness to Councilor Ripma's point about a long term home for City Hall. Whether that be moving back to the old building or looking at other options.

Councilor Wilson stated at our budget meeting we pulled the funding, which I think was about \$70,000, to finish the review of old City Hall and that's why this is not moving forward.

Councilor Morgan stated I understand that but I know this has been a decision that's been going on for quite some time and it will continue to go on for quite some time. The Budget Committee also voted to restructure the uncapped rates and the Council passed it anyway. There is a way in this form of leadership to answer these questions.

Councilor Ripma stated I agree that any funds budgeted to pursue that right now were cut because we had other pressing things. I remain in favor of continuing to find out if old City Hall can be salvaged or not but I'm not really pushing it right now.

Mayor Daoust stated I think Councilor Morgan's point is that we need to push it because we've been sitting on it for too long. However Councilor Wilson's point is a valid one.

Councilor Wilson asked could we spend contingency funds by putting it on a future agenda?

Mayor Daoust replied we can.

Councilor Morgan stated wasn't the \$70,000 just a placeholder, it wasn't exact?

Craig Ward replied we had a scope of work and a contract with an architect that anticipated that we would do design work. There were several stages and that contract was approved by the Council. Then we decided to stop that process. I think that became memorialized in the decision at the Budget Committee meeting. As we know things get added back into the budget so nothing is ever dead. I will remind the Council that while we do have a 5 year lease on this space and the administrative offices building, and I think we're about 2 ½ years into that. It indexed according to a cost of living so it's been increasing slightly because the cost of living has been increasing slightly. At the end of 5 years we have to renegotiate that contract or find another home. It really isn't an issue that can last forever. At some point we're going to have to make some choices and for those choices a lot of money is going to be involved. We need to have sound architectural options that we can consider as to where our long term plans for a City Hall are or we really will have no choice but to continue to lease space. I don't think it really could or should sit on the shelf forever.

Councilor Allen stated although I may not be interested in spending \$70,000, I don't like to see a building just sitting there. I would be willing to discuss it.

Mayor Daoust stated I agree, policy wise we need to determine what to do with old City Hall.

Councilor Morgan asked is there a way to look at a first phase of what it would cost to reconstruct it without the design and adding square feet? Is there a way to quantify just that without spending \$70,000?

Craig Ward replied I'm sure that there is.

Councilor Morgan asked would a majority of the Council be opposed to Craig getting a scope of work just for the initial phase for an up or down number without any other bells and whistles attached to that? It doesn't make us spend money but we would know what it would cost for an engineer to look at the building and tell us how much it would cost to return there and what that scope of work would look like.

Craig Ward stated the last direction that I received from the Council was to move forward with the understanding that the square footage of the building would be 15,000. That's not the same thing as simply going in and reoccupying that space and bringing that building up

to the minimum standards necessary to occupy it. At the moment we have somewhat contradictory direction and we will need to reconcile that.

Councilor Anderson stated I will support what Councilor Morgan desires but I would like to see how much it would cost to get that building to its highest and best use. I would support moving down that road to get a non-binding number to see what the highest and best use for that building is and how much it might cost to get it done.

Councilor White stated when we did the space needs analysis they kind of short circuited what I think the majority of the Council wanted to see happen with old City Hall. From my perspective it was to do as Councilor Morgan is suggesting and to find out what it would take to get that back on the grid, the way it was before we left the building and not making it 17,000 square feet. Working with what we have. I think that's the direction that we need to go with City Hall.

Councilor Allen stated we don't know what its future use is going to be so just getting it structurally sound.

Councilor Morgan asked we could agree to move forward on something like that?

The Council agreed.

Mayor Daoust asked do we have an appraisal on the building as is without any improvements?

Craig Ward replied we have an appraisal that's already dated. Typically appraisals are good for about 6 months and the appraisal we have is older than 6 months. I'm assuming you're talking about an appraisal as though we were going to sell it?

Mayor Daoust replied yes.

Craig Ward stated we do have an appraisal. It's dated but I suspect that it's not badly out of date but it establishes an estimated value of the property in its current form.

Councilor Morgan asked can we give staff direction to do this?

The Council agreed.

Craig Ward replied we'll develop a scope of work and I'll bring it back to you for confirmation that it's what you want us to do before we hire someone to do it.

Mayor Daoust stated we need to officially rename a subcommittee. What used to be known as the Charter Review Subcommittee is now called the City Organizational Review Subcommittee. The Councilors on that are Councilor Anderson, Councilor Morgan, and Councilor Wilson. I'm just making a point of the official name change.

Councilor White asked does that change the scope of work for that Committee?

Councilor Morgan replied it won't but it might be in the form of an ordinance change versus going out for a vote on some things. Either way it would come before the Council.

Mayor Daoust stated my second item is the Depot Museum. I think we need to discuss the City managing the Depot Museum. The only reason I'm bringing it up is because it's City property and it is empty and unmanned all week long. I think it's only open for a few hours on a couple days a week. Because of the quality of that museum, we should do something to manage it better. That may include hiring someone to man it. Maybe we should bring that up at the midyear budget meeting to talk about the expense of the City managing the Depot Museum to keep it open. I've heard more people say what a high quality that museum is and people are requesting to see it during the week and they're not able to. Next, I met with Multnomah County Chair Deb Kafoury. She wanted to make sure that we knew about 2 things that the County is going to bring up fairly soon and one is tobacco licensing. Multnomah County is going to try to get a better handle on the high rate of sales to minors when it comes to tobacco. They are going to propose a license fee of \$350 to \$600 per year to fund education and enforcement. Multnomah County will be conducting open houses on this and they'll make it a good relationship with businesses so it's not punitive but helpful, including the mom and pop stores.

Councilor Allen stated I thought we handled business licensing.

Mayor Daoust replied this is just for tobacco licensing. Evidently Multnomah County has the authority through the public health department to manage those businesses that sell tobacco.

Councilor Wilson asked do we have to have a meeting to accept this? I'm just wondering because we have home rule authority.

Mayor Daoust replied no, I don't believe that's the same for this particular thing. I asked that question and her answer was because it's managed through the public health department, we don't.

Ed Trompke replied I think it's based on a state statute that directs the health departments to enforce and adopt certain rules and procedures so the State has directed the County to do that which puts it as a state matter. It's not like a regular home rule matter.

Mayor Daoust stated the second item the Deb Kafoury brought up is the Business Income Tax. The business owners have been asking for 6 years for the County to increase the owner's compensation deduction from \$90,000 to \$100,000 and the County is at the point of wanting to take that into account this year. The only effect it would have on the City is if the County did put that into place, our revenue would probably go down about \$7,000 from \$900,000. The first hearing will be in November and it'll be effective in 2016. Multnomah County will speak to the West Columbia Gorge Chamber of Commerce about the business income tax change so that businesses are aware. My next item is the Halsey Corridor Plan between the 3 small cities. We got a \$100,000 grant from Metro to put a plan together for the Halsey Corridor and what we want it to look like 10 years from now. There will be a

meeting on the 19th of October at 6:00pm at Bumpers. I'll be going, some business people will be going, and I'll choose a Councilor to go to that meeting. There will be quite a few people at that meeting so we can't overwhelm it. I'd like to address the national conferences that Councilor Morgan brought up. There is the 2015 National League of Cities (NLC) Congress of Cities and Exposition that's in Nashville, Tennessee in November and the Congressional City Conference in Washington D.C. in March 2016. The question has come up who can attend, how we can attend, and how many should attend? My recommendation would be for each Council member, including myself, to go to 1 NLC conference every other year with a maximum of 3 Councilors per year. That would spread it out a little bit and give us the opportunity to go to some of these national meetings. I have not been to any of these. Gresham goes and other City people go from small towns and cities in Oregon. I would encourage us to go but we need to keep in mind that for each person that does go, the cost is going to be about \$1,500 to \$2,000 to cover all of the travel expenses. If you have any thoughts on that, I would entertain other proposals.

Councilor Ripma asked how about having the Councilors pay their own way? You have to justify what we're going to learn.

Mayor Daoust stated if we were to go then I would propose that the City would pay for it.

Councilor Ripma stated I would question it until we know more.

Councilor Allen stated I don't know how much you would be gaining. Don't we normally talk to the Senators and Congressmen anyway?

Councilor Morgan replied I thought at the LOC Conference that you supported us going to national conferences based on some of the classes we attended.

Councilor Allen stated I don't know how much we would gain versus the expense. You might not make it through all of the Councilors due to elections.

Mayor Daoust replied not everybody has to go. If nobody wants to go then nobody has to go. If only 1 Councilor goes then so be it.

Councilor Anderson stated I like having the option.

Mayor Daoust stated Craig, you've been to D.C, what was that like?

Craig Ward replied I thought it was fascinating and I think it was useful. To interpret what you are proposing, we would need to budget something in the order of \$7,000 per year. Whether or not you want to go to Washington D.C. or one of the other national conferences, but I think it's a fascinating and educational experience. Whether or not you get the bang for the buck, I can't say. When you go to D.C. and talk with our local delegation you won't walk away with money since they cut out ear marks. But indirectly you learn a lot, you make contacts, and I think there's value. When you think about the amount of money that we manage as a City, this is a pretty nominal investment compared to any potential grant or allocation that you might be able to get out of the federal government. I support continuing

education. I go to one national conference a year through the International City Managers Association and I learn a lot at those.

Councilor Ripma asked are we deciding this now? If we are then I feel it shouldn't be paid for by the taxpayers. The League of Oregon Cities is available to all of us.

Councilor Morgan replied that's paid for by the taxpayers.

Councilor Ripma stated going to Washington D.C. is another boondoggle. Those that accept a stipend could use it for that or pay for it on your own. I question that it's not really for the citizens of Troutdale to fund a trip. This should be an agenda item. We shouldn't discuss it and make a decision under Council Concerns.

Mayor Daoust replied I'm trying to get us off center. If we don't give direction to staff one way or the other then it'll just be an item where we kick the can down the road. What we could do with it is just put \$7,000 in the budget and talk about it at the Budget Committee meetings.

Councilor White stated I would support education. I would like to see reporting back and being evaluated to see if it is worthwhile. As long as it's done equally and all 7 of us have the opportunity to go. At the LOC Conference they said if you're not then you're not going to get a piece of the pie. We've never done it and we have a large budget for education and we rarely use it all.

Craig Ward asked am I being directed to put it into the budget adjustments that we're making this year?

Mayor Daoust replied yes.

Councilor Morgan stated I think it would be best to aim for the March conference.

Mayor Daoust stated the next item is that Mt. Hood Community College (MHCC) had a bond kickoff meeting last night. The college is planning on a General Obligation Bond of \$125,000,000 to go out in the May 2016 election. I'm not prepared to present all the details behind what they're going to do with the bond but I can e-mail it to you. The last bond that was passed for MHCC was back in 1974 for \$6,000,000. The school was built to handle 10,000 students and it now has over 25,000 students. My next item is a question for the Council about marijuana ordinances. If you've been reading the papers you'll notice that our neighboring cities are putting together ordinances. Fairview has recently done one prohibiting all pot oriented shops from opening in the City of Fairview until a public vote is taken in November 2016. They are basically restricting medical marijuana processors, dispensaries of medical marijuana, recreational marijuana producers, processors, wholesalers, and retailers until the November 2016 election where the citizens would vote on it. Personal use doesn't change and purchasing recreational and medical marijuana is not affected. These are just facilities that our neighboring cities are getting behind and not wanting until the public votes on it. The reason we can do this is the Oregon legislature passed House Bill 3400 in June giving us the authority to do this. It's a question before the

Council. I haven't brought this before the Council because I don't know how you feel about wanting to pursue this or not.

Councilor Anderson replied this is a policy decision. I would say put it on an agenda as a resolution at a Council meeting of your choosing and let's hash it out there.

Mayor Daoust stated my next item is that there has been discussion about moving the farmers market to Mayor's Square. There's a new organizer and manager of the farmers market in Troutdale and he has some ideas that he wants to make it bigger and better. One of the questions that he has is moving it from the Depot to Mayor's Square on Saturday's. We have not addressed that yet and I'm bringing it up as something we probably should address. I don't have a problem with moving it.

Councilor White stated it's come up before and it was met with some resistance from the business community. We might want to involve them.

Councilor Wilson stated I think one of the reasons that there's been resistance is because there was nothing happening down there. If it's a legitimate farmers market you may be able to get their support. They would have to be versatile enough to either cancel it or move it to the old location when we're having a Saturday event there such as SummerFest, the Art Festivals, and the car shows. They would have to be versatile enough to not have it on weekends that we say we need Mayor's Square.

Mayor Daoust asked do we have any written agreement with the farmers market?

Craig Ward replied I don't recall one. We also don't have a written agreement for some of the car shows. Administratively it becomes a bit complicated to decide who's got dibs. Right now, because of where they're located, it's rarely a problem because they're not conflicting with other events that may be downtown. My guess is that they would assume that they are the default occupier of the space unless we tell them precisely when that will not be true. If we can do that then I think it can be administered. The car shows have been somewhat inconsistent in the time that I've been here. We've had some that have been regular and then other ones that sort of pop up and suddenly we have a car show. I don't know that a farmers market is inconsistent with that, it's just that they would occupy a footprint that some of the car shows have been using. We know when the tree lighting is, we know when SummerFest is, and those are fairly easy to deal with.

Councilor Allen stated I heard you say it was under new management. Perhaps they have some different ideas that they want to explore. I don't want to have the past dictate the future necessarily on this one. It would be nice to find out what the business owners are thinking.

Councilor Wilson stated maybe they could make a presentation to us.

Mayor Daoust replied that's what I was thinking. The last item I have is that we've had an announcement out for our Committee and Commission vacancies and the applications are due this Friday. But here in lies the problem, we only have 6 applicants for 26 vacancies

which includes 6 alternate positions. Sarah's going to extend the opening for applications until Monday, November 9th and we'll give it 1 more shot. We've already had an article in The Champion and I've recommended that we put another article in The Champion since it'll come out before November 9th.

Councilor Wilson stated The Outlook ad could be bigger too.

Mayor Daoust replied we have had 3 ads in The Outlook but maybe they should be bigger. It has also been on our Facebook page. Needless to say, we need to beat the bush for more Committee members.

Councilor White stated I'm looking for Council direction. On October 20th there is a 3 Cities Fire User Board meeting and we have not had our work session yet. I'm assuming Council wants to continue forward with the idea that was presented, the Dave Flood proposal.

Mayor Daoust stated the 3 Cities meeting is on October 26th at Fairview City Hall. I don't know if the agenda has gone out yet but it's pretty much finalized. At that meeting there will be the discussion from Gresham on how they're going to provide the 4 minute response time throughout our entire area. ESCI will also be there to discuss.

Craig Ward stated I requested a scope of work from ESCI for developing an operational plan, budget, and schedule for creating our own fire department. To me that is activating the approach in a sense that Mr. Flood presented but taking it to the next level where we would have some confidence that if we decided to go that route that we would know the mechanics of what will be necessary to make that happen. We don't have a budget for that so we need to discuss the scope of work. In order to get to that point we're going to have to have an IGA with Fairview and Wood Village for their share of that scope of work because it's a 3 cities partnership and they need to chip in. We will be discussing both of those items at the User Board meeting and then bringing that forward for more discussion at the 3 Cities meeting the following week.

Councilor Anderson stated I'd recommend going forward with the Dave Flood proposal.

Mayor Daoust stated I didn't know that the User Board was going to make any kind of a decision on which type of a fire district we were going to be talking about.

Craig Ward replied at a staff level the understanding was that out of respect for the User Board's responsibility to be engaged on these issues, we were going to give them more or less a staff report on where we were. It is not in my opinion about implementing the Flood proposal. It's about an option to provide a better response time, which Gresham will give us a proposal on, or to do the detailed analysis to create our own fire department among the 3 cities. If that's what you mean by the Flood proposal, then we're entirely consistent with what you're asking for. The alternative to that is whether or not Gresham is prepared to improve their level of service so we can enhance response times. We'll hear about both of those at the User Board meeting on the 20th and the 3 Cities meeting on the 26th.

Mayor Daoust stated this Council really doesn't have to say if we want the Flood option for the discussion at the User Board, do we? We'll talk about it on the 26th with the other 2 cities.

Craig Ward replied that's my understanding. We were expecting a proposal from Gresham to improve our response time.

Councilor Morgan stated then ESCI will conduct a thorough proposal for all the options.

Craig Ward replied ESCI at my request drafted a scope of work. We will need a budget amendment to approve the expense for an intensive study that would have to be done. I don't recall what we have in the budget now.

Councilor Morgan stated \$70,000.

Craig Ward replied hopefully that will be enough. But we need to get a more detailed understanding of what that is and it presumes that we will have a partnership with Fairview and Wood Village on that. What we really need to have is a conversation about what all the 3 cities want out of a scope of work, what questions do you want answered, and then we'll have to go to bid for what firm will be selected to do that scope of work. ESCI is just 1 of several potential firms who would have an opportunity to bid on that. They are not a sole source provider. It's just a model for the kind of study that would be necessary to answer those detailed questions.

Councilor Allen stated I'd like to explore the technical ideas in the spirit of the Flood proposal. Do the other cities know about the technical details in the spirit of the Flood proposal?

Craig Ward replied I think all 3 cities have been briefed however I'm not sure if it was in an official public meeting or not. It's my understanding that at least the Administrator or Manager at these cities know as well as the members of the User Board.

Councilor White stated we'd be happy to do a presentation. I think it would be helpful. It's never been done officially at the other 2 cities. It was only done here.

Mayor Daoust replied right now the agenda only calls for an hour and a half meeting. If we add that onto the agenda how much time would you need?

Councilor White replied that's an hour and a half by itself.

Councilor Morgan stated Wood Village has indicated that they're not interested.

Mayor Daoust stated we'll undoubtedly talk about the Flood proposal at the 3 Cities meeting. It's just how much time we'll spend talking about it to bring everyone up to speed.

Councilor Allen replied it's more than just 4 minute response times. It's about trucks that can respond during the winter when you have a lot of accidents, and it's being able to pump from a river when you're fire hydrants don't work anymore because of natural disaster. There

are a lot of technical aspects to the Flood proposal and it's more than just a 4 minute response.

Councilor Wilson stated I think that the Flood proposal should be made directly to the City of Fairview at 1 of their City Council meetings if the City of Wood Village isn't going to participate.

Craig Ward stated the Flood proposal while it has many good features, is not an operational plan that we can simply take off the shelf and build a fire service in a predictable amount of time. We'll provide all of the information to any consultant that we would hire and the Flood proposal would be 1 element of that.

Councilor White stated I'd like to see our work session get scheduled. I don't see it on the sheet of our upcoming meetings. It's our top priority. We're getting into these other meetings now without having first discussed it ourselves in a work session so we have firm direction.

Councilor Anderson stated I agree with you. I think we're going to have a lot more information post October 26th. Let's get it on a November work session agenda.

Craig Ward asked you want this on a November work session agenda?

The Council agreed.

Councilor White stated I've been hearing concerns about curb extensions from developers. I'd like to get some feedback from staff on when they're required or when we do or don't have a say in them. I noticed some went in on the top of Buxton and I'd like more information on when those are going to be asked of the developer and when they're required or if Metro or the State are requiring it. If we could get a brief report or an e-mail from staff would be good.

Craig Ward replied we'll be happy to do a memo on that.

Councilor White stated on the October 20th Executive Session, I'd like to request that Ed be present at that meeting. On the 20th there is an Urban Renewal update and at the last Council meeting it was requested that we be given an Executive Session update.

Ed Trompke replied I will be out of town that day but I will be available by phone and I will call in if Sarah could set that up.

Craig Ward stated I'd like to go back to the issue of the work session in November. We have no meetings scheduled on November 3rd which I believe is election night. We have a regular Council meeting with several items on November 10th although some of them may be bumped and we could do a work session before or after that meeting. November 17th is the default night for Urban Renewal or work session meetings and we already have a couple of pretty weighty topics that night that have been delayed repeatedly. We could add the discussion about fire services but that will be a long meeting. I need some direction as to when you'd like to put in the fire services topic.

Councilor Wilson asked could we put it on December 15th? There doesn't seem to be anything scheduled, at the moment.

Mayor Daoust replied if we're all of with December 15th then I'm ok with it.

The Council was ok with December 15th.

Craig Ward replied we will schedule it for December 15th as the only item schedule so far.

Councilor White stated I wanted to take a minute to recognize Debbie Stickney our City Recorder that retired and I wish her well. She was a big help to myself and Councilor Morgan when we were working on the Flood proposal as far as getting archived information.

Councilor Allen stated my first item is regarding checks and balances. Craig, when you weren't here we had Commander Anderson step in for you. I let my fondness of Commander Anderson cloud my judgement. I don't feel it's a good idea to have people who don't actually work for the City in the role of Acting City Manager. I take it you couldn't get anyone else within the City to do it.

Craig Ward replied I actually talked to Ed about that because that was a concern of mine. Ed pointed out that it is very common. Hiring Interim City Managers is typically a person who is under contract working for the City and yet they are the City Manager. That did influence me. Scott has a history here even though he isn't a direct employee. One of the challenges that we have is that the number of department heads who are direct staff with the City is down to 2 and so that leaves me with limited availability.

Councilor Allen stated it becomes an accountability issue. There's just no way we could hold him accountable if something went wrong, that's all. My next item is under public safety, we need to maintain professional standards in our law enforcement. I'd like you to spend some time talking to Commander Anderson about recent events. We want our people to feel protected by law enforcement and not unnecessarily threatened. If you would follow up with him, I would appreciate it.

Councilor Morgan asked did something happen?

Councilor Allen replied yes but I'm sure that Commander Anderson and our City Manager can take care of it.

Councilor Wilson stated if you bring up here then we should all know.

Craig Ward replied perhaps you could speak to me privately so if it's something that's a legal matter, for instance, that's a concern of yours then you can tell me exactly what's on your mind.

Councilor Allen stated I'm not going to deal with pinpointing personnel issues in a public meeting.

Craig Ward stated I do meet with him weekly and we do discuss issues that pertain to the professional competency of our police department whether they were here or whether they are under contract. I'll be happy to continue to do that. If you could tell me the specifics privately, I would be happy to take that up with him directly.

Councilor Allen stated my next item is regarding The Troutdale Champion. We are within a year of the election time and our rule is that people that are up for election do not put articles in The Champion within that year. I also have concerns about the discussion about the U.S. Postal Service moving to Troutdale purely from the standpoint that we have a long list of things that we need to be doing, it does take up staff time, and I would not like to spend staff time on something that isn't sanctioned by the Council.

Councilor Wilson replied there's a window where a decision has got to be made. We need to keep moving to the point where it can get to us and I think that is schedule for the 20th.

Craig Ward replied I have it penciled in for a work session next week. We'll talk about the facts that we have on the table at that point. Since we're waiting for feedback from the Portland Development Commission regarding some questions that we've asked them that I think are pertinent to whether or not this is something that the Council will want to pursue. I hope that we will have that information next week.

Councilor Allen stated since we have a long list of items that we need to get to that we aren't getting to, I just ask that you ask for Council direction before spending staff time working out the details of such a deal.

Craig Ward replied that's the purpose of our meeting next week. If the Council wants us to stop having any discussions with the Portland Development Commission, I'm open to that. At this point, if you have questions about the viability of this potential project and how it might benefit us or not, that's the kind of information that we're trying to get thinking that would influence the Council's decision as to whether or not to pursue it.

Councilor Allen asked do 4 members of this Council want you to spend staff time on this?

Several Councilors responded yes. (I could clearly hear Councilor Anderson, Councilor Wilson, and Mayor Daoust respond but there may have been others)

Councilor Ripma stated I've already expressed my opposition to discussing it but I think we should wait until the 20th now because it's set up and we can get the facts. I don't think staff time is going to be spent between now and then. We're in the waiting and receiving mode from what I'm hearing.

Craig Ward replied there's always staff time. When we call somebody or send them an e-mail asking them a question, there's staff time. I don't think that there is going to be a substantial amount of time invested but there will be some. I don't want to mislead you that there won't be any time spent. We think that we're getting to the point where we'll be able to present the facts without a big investment of additional staff time.

Mayor Daoust stated its doing limited staff time to do due diligence to gather information so the City Council can make an informed decision next week on the 20th. That's all that it is.

Councilor Ripma stated the information that we're getting on this is all from the press. Mayor Daoust, you were on T.V. talking about negotiating a deal or objecting to the amount of money.

Mayor Daoust replied we haven't negotiated anything. I think we need to continue and have the work session on the 20th so you all know what we're talking about.

Councilor White stated I think Councilor Allen brings up a valid point. We've derailed our number 1 priority which is fire.

Councilor Allen replied we have a long list of things we aren't getting to.

Councilor Anderson stated sometimes we have to react. What little that I know about this is that we were approached, we didn't solicit this, and therefore we have to react. Just the same as if a private sector business were going to move into the TRIP property and they wanted to move in by January 1st. We would have to react. I don't like reacting, I like to be proactive. In this case, it is what it is and we'll find out more in a week.

Councilor Wilson stated we're at a point that I think we just need to keep moving forward so when the 20th comes along everyone is ready to talk. I haven't agreed with some of the things that have taken place but I think we just need to keep moving forward. Let's say yes or no and move off of this. I'm saying yes.

Councilor Anderson stated I'm saying yes.

Mayor Daoust stated yes.

Councilor Ripma stated the meeting next week is a good idea but spending staff time between now and then is not a good idea. Part of the problem is that we learned about Charlie Hales original proposal in the press a month ago or more and then you and Craig started running with it at least to the extent of meeting and talking and learning without ever coming to Council to say do you want us to even talk about this. When you brought this up under Council Concerns last meeting I said I'm afraid you're negotiating and you say you're not negotiating when right on television you were. We have not been informed about what's going on for too long and I would rather that it stopped where it is. We have a meeting on the 20th and I don't object to that.

Councilor Morgan stated I want nothing to do with this argument. We didn't solicit the Dave Flood proposal, it evolved. This is the same thing. We spent staff time, lots of staff time to vet the Flood proposal.

Mayor Daoust stated we have a work session on the 20th and staff can spend as much time as they need to prepare what we need to see in front of us.

Councilor Wilson stated I wanted to tell Claude that not only did the Art event at Glenn Otto went well but also First Friday was a tremendous and then Sunday when the event continued. The retailers downtown have expressed that business on Sunday when the event was happening was great. I understand that there were some sales at the event and there was music. It was tremendous all the way around and I want to thank you. They had alcohol monitors everywhere. There was 1 little issue but I think it was handled quickly. What you put together was good for the City.

7. ADJOURNMENT

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

Meeting adjourned at 9:03pm.

Doug Daoust, Mayor

Dated: _____

DRAFT

ATTEST:

Sarah Skroch, City Recorder

RESOLUTION NO.

A RESOLUTION PROCLAIMING AND SUPPORTING JANUARY OF EACH YEAR AS HUMAN TRAFFICKING AWARENESS MONTH.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Human trafficking is a borderless crime against individuals that violates the most basic human rights and deprives victims of every shred of personal freedom; and
2. Human trafficking occurs when a person is recruited, harbored, obtained, or exported through force, fraud, or coercion for the purposes of sexual or labor exploitation, involuntary servitude, and other types of mental and physical abuse; and
3. Human traffickers target impoverished and marginalized children, women and men, isolating them from society and supportive networks and exploiting them for personal and monetary gain; and
4. Human trafficking is the fastest growing criminal enterprise in the world today, and is tied with arms smuggling as the second largest international criminal industry, falling only behind the illicit drug trade; and
5. According to statistics for the Portland Metro area from 2009 - 2013, 96.4% of the reported 469 victims of human trafficking were female, and the average age was 15.5 years old, for those victims that were referred to the Department of Human Services and the Sexual Assault Resource Center of Portland; and
6. Many victims trafficked into the U.S. do not speak or understand English and are unable to communicate to seek rescue. Victims include U.S. citizens and documented immigrants. This crime is not always visible to the general public; it may be taking place in a business, a house or apartment building on our streets; and
7. We recognize that Oregon is a prime location for Human Trafficking because it is a major international transportation corridor and a culturally diverse state; and
8. Although the federal government and State of Oregon have enacted laws to prosecute human traffickers and protect the victims of human trafficking, traffickers use techniques to keep their victims enslaved that severely limit self-reporting and that require broad public awareness of human trafficking issues for enforcement and prevention to occur; and
9. The City of Troutdale stands committed to protecting human rights and individual freedom by eliminating human trafficking; and
10. The City of Troutdale is resolved to support the goals and ideals of observing a National Month of Human Trafficking Awareness in January of each year and to

support all efforts by individuals, businesses, organizations, and governing bodies to raise awareness of and opposition to Human Trafficking; and

11. The City commends the work of Multnomah County's Department of Human Services CSEC (Commercial Sexual Exploitation of Children) Unit, and the Sexual Assault Resource Center of Portland, and statewide efforts to end human trafficking through education, advocacy, and assistance to survivors. Our goal is to increase coordination and visibility of Troutdale's commitment to work with other agencies to end human trafficking.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. The Troutdale City Council does hereby proclaim January of each year as: Human Trafficking Awareness Month to raise awareness about the signs and consequences of human trafficking, to promote reporting mechanisms and opposition to human trafficking in all of its forms, and to encourage support for the survivors of human trafficking, to put an end to this criminal activity and restore freedom and dignity to its survivors.

Section 2. It is so resolved.

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date

Sarah Skroch, City Recorder

Adopted:



CITY OF TROUTDALE



STAFF REPORT

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

| | |
|---|---|
| <p>MEETING TYPE: City Council Regular Mtg.</p> | <p>MEETING DATE: January 26, 2016 STAFF MEMBER: Steve Winstead DEPARTMENT: Community Development</p> |
| <p>ACTION REQUIRED Ordinance - Adoption PUBLIC HEARING Yes</p> | <p>ADVISORY COMMITTEE/COMMISSION RECOMMENDATION: None Forwarded Comments: On 12/16/15, Planning Commission voted 3-3 (1 member absent) for a recommendation of approval. The motion did not carry. There was no motion for recommendation of denial.</p> |
| <p>STAFF RECOMMENDATION: Approval with Conditions</p> | |

EXHIBITS:

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

Subject / Issue Relates To:

- Council Goals
 Legislative
 Other (describe)

Comprehensive Land Use Plan

Issue / Council Decision & Discussion Points:

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

Reviewed and Approved by City Manager:

BACKGROUND:

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

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

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

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

Consistent with the City's notification requirements, an original *Notice of Application* was sent on November 4, 2015 to property owners within 250 feet of the Property in Question. At the January 12, 2016 hearing, the City Council requested to Staff that this Notice be sent to additional property owners beyond the 250 foot radius as required by Code. Staff prepared that notice and distributed it to those properties by a combination of door hangers and U.S. mail on Friday, January 22, 2016.

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

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

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

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

REVIEW CRITERIA

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

PROS & CONS:

Pros:

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

Cons

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

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

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

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

City Attorney Approved N/A Yes

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

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

CITY OF TROUTDALE

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



Staff Report

Report Date: 12/07/15

Initial Public Hearing Date: 12/16/15

| | | | |
|-------------------------------|--|---------------------------------|-------------------------------|
| 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 Application | 3 | Memo from Transportation Planning | B |
| Agency Comments | 4 | Correspondence from the Public | C |
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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.

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

ATTACHMENT

B

TO: Chris Damgen, Senior Planner, City of Troutdale

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

FROM: Jessica Berry, AICP, Transportation Planner

DATE: November 25, 2015

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

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

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

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

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

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

2. comprehensive plan amendment/zone change portion of the analysis relied on Metro's assumed growth rate of 2% to determine projected level of service at the NE 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 needed on the pedestrian/bicycle access through the site from Larsson Ave to Cherry Park Rd. The TIA mentions an easement but the site should show a pedestrian walkway and more detail on the easement.
4. Note that the County has a future project identified for construction on NE 238th for freight and multimodal improvements. Further review of impacts may require off site mitigation as this project contributes trips to this corridor.

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

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

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

ATTACHMENT

C

Happy Holidays!

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

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

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

There are a number of concerns with this proposal-

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

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

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

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

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

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

Thank you for your time.

Gregory Ashton

2147 SW Larsson Ave.

hmrhed1@comcast.net

503.132.5085

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

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

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

To: Chris Damgen <chris.damgen@troutdaleoregon.gov>

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

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

Delwin & Jamie Ellam

Comprehensive Plan Amendment/Zone Change

NE 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).

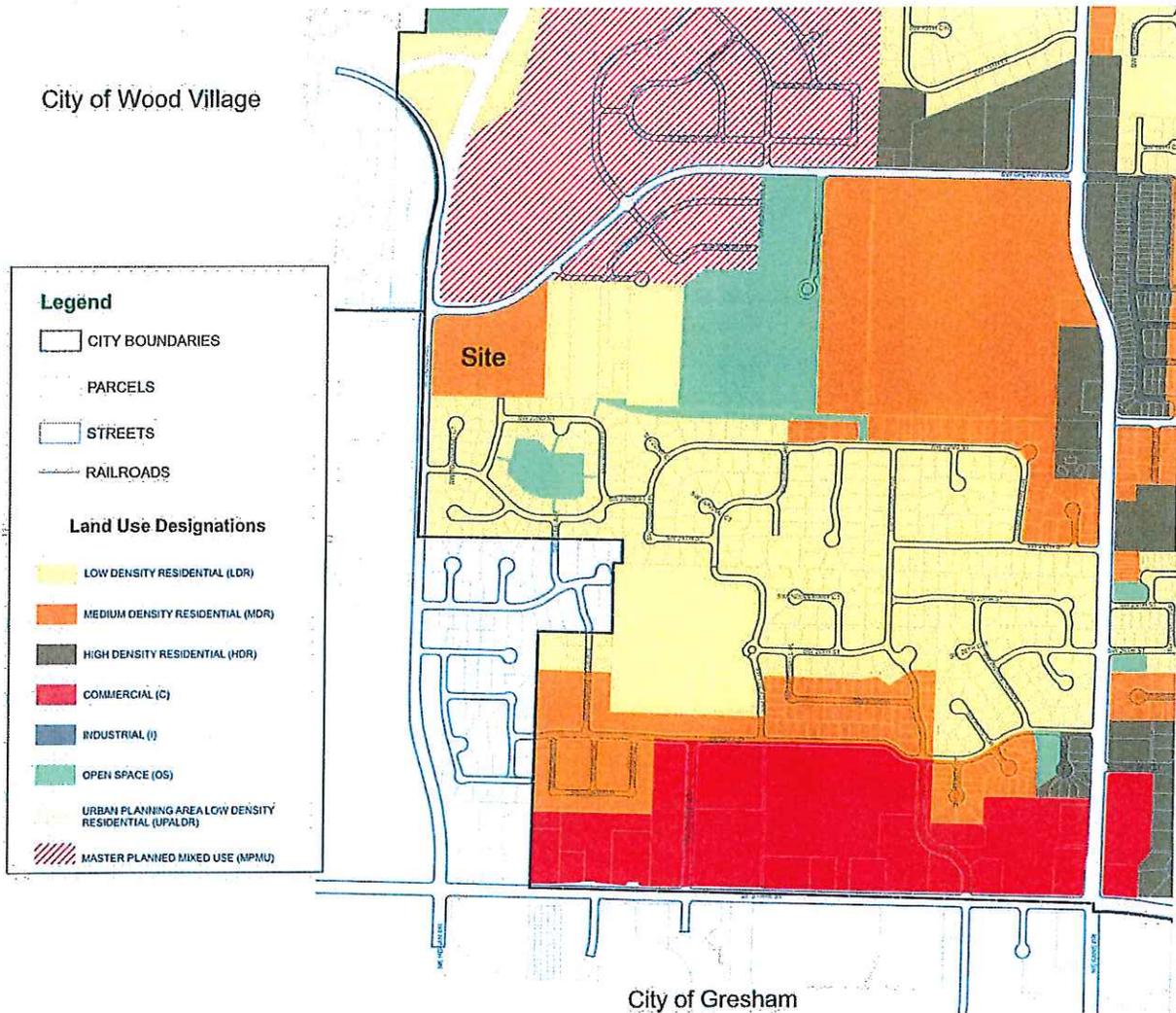


Figure 1: Existing Comprehensive Plan Map

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

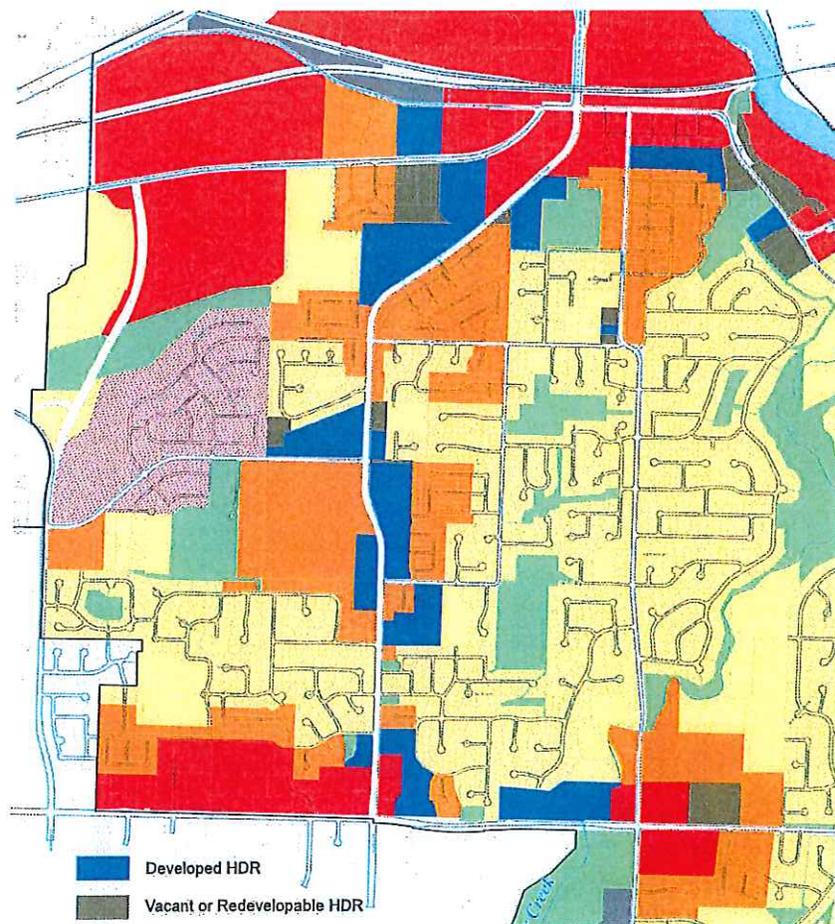
Comment: The proposed change in land use designation would provide for an increase in the supply of multi-family land and a decrease in the supply of buildable

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 Woodale subdivision abuts this site, will require landscape and fencing to buffer the transition in use. This type of transition is found in multiple other areas in the city planning area and does not result in any significant adverse effect with Low Density areas.

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

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

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

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

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

Comment:

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

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

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

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

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

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

Carey Sheldon Experience and Entities:

Sheldon Development Inc., (Primary Entity)

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

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

Previous Land Developed for Residential Subdivisions:

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

Multifamily Projects, Developed and Built:

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

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

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

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

Other Construction Projects:

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

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

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

Carey Sheldon, dba Sheldon Homes, (Inactive)

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

1988-1993 Historical grant funds were acquired for the restoration of Beil 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.

| | |
|-----------|--------------|
| FILE: | 15-3816-102 |
| DATE: | October 2015 |
| SCALE: | 1" = 30' |
| DRAWN: | REG |
| DESIGNED: | REG |
| DATE/NO.: | REG |

Richard E. Ghens, Planning Consultant
 18680 Sunbriar Dr.
 Oregon City, OR 97045
 PH: (503) 479-0097

APPLICANT:
 Shadon Development, Inc.
 23765 SE Hwy. 212
 Danvers, OR 97009
 PH: (503) 805-8741

Cherry Park Apartment Homes
 Conceptual Design Plan

1/1
 SHEETS

NOTES:
 Proposed Zoning: Apartment Residential
 Density Proposed: 165 Units.
 Parking Proposed 383 Spaces:
 150 Garage Spaces
 130 Standard Spaces
 230 Standard Spaces

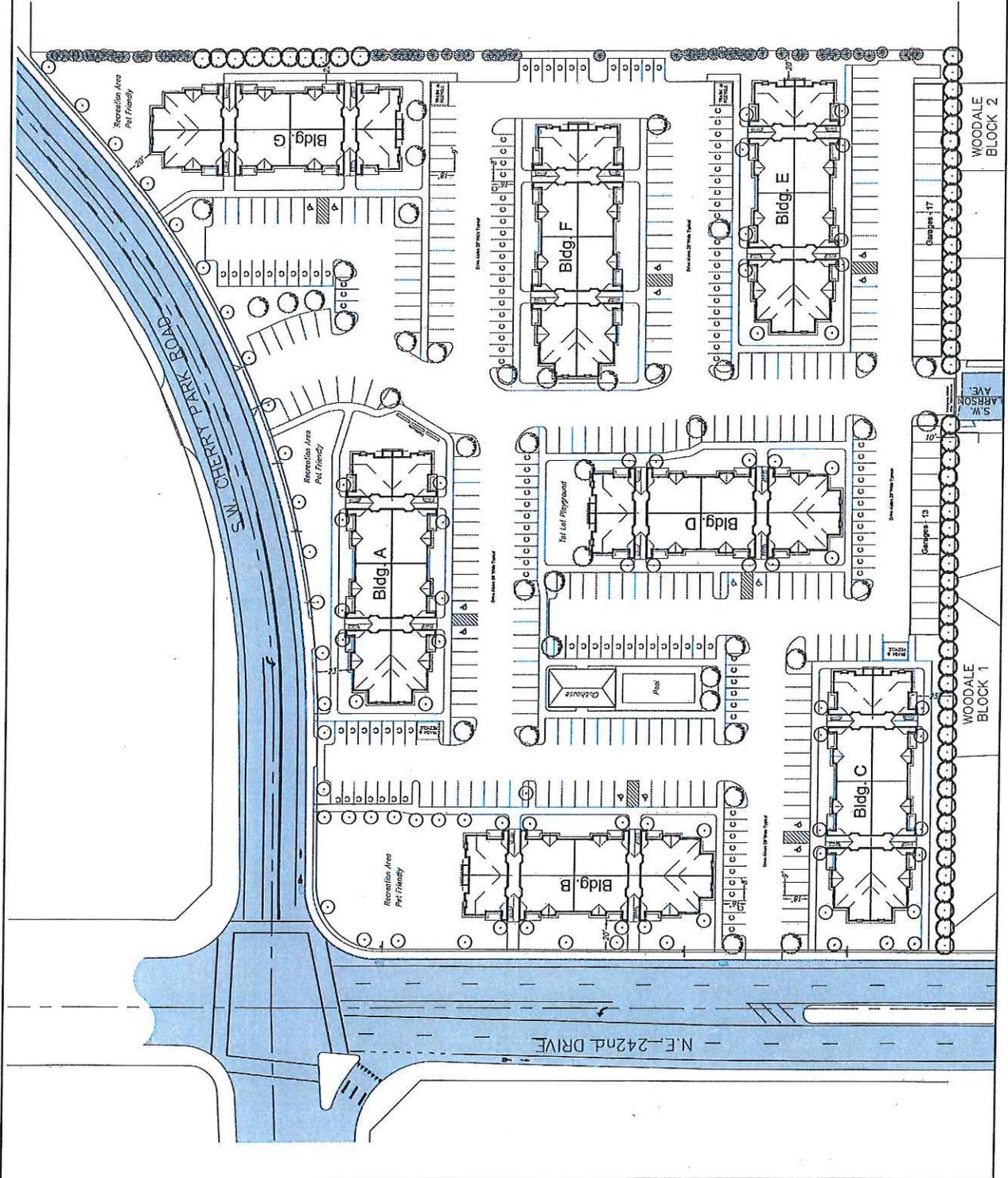
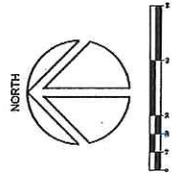




Exhibit B
CITY OF TROUTDALE 1/26/16 Council Mtg. – Item #7

"Gateway to the Columbia River Gorge"

Date: January 12, 2016

To: City Council

From: Planning Department

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

SM
5 JAN 16

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

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

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

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

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

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

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

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

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



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

Date: January 26, 2016
To: City Council
From: Planning Department
RE: 15-057 Sheldon Development – Citizens Feedback

The following citizens provided feedback:

- Gregory Ashton - hmrhed1@comcast.net
2147 SW Larsson Avenue, Troutdale OR 97060
- Delwin & Jamie Ellam - jamiellam@yahoo.com
2320 SW 18th Way, Troutdale OR 97060
- Sally Savidge - president@cherryridgehoa.org
1980 SW Montmore, Troutdale OR 97060
- Dianne & Wayne Schulte - wdschultes@comcast.net
- Richard Shepard, PhD - info@appl-ecosys.com
2404 SW 22nd Street, Troutdale OR 97060
- Wendi Tuckler - wendi_tucker@yahoo.com
2101 SW Stella Way, Troutdale OR 97060
- Paul Wilcox - paulwilcox@comcast.net
- Sarah (Sally) Wright - sarit369@comcast.net
1272 SW Berryessa Place, Troutdale OR 97060
- Paul Carpentier
2120 SW Sturges Lane, Troutdale OR 97060
- Sam Bennett - troutdalesam@gmail.com
637 SE 42nd Circle, Troutdale, OR 97060
- Ryan Richter - ryan@columbiainsure.com
2425 SW 22nd Street, Troutdale, OR 97060
- Gary Cohen - gcohen51@gmail.com
2323 SW 22nd Street, Troutdale OR 97060

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

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.

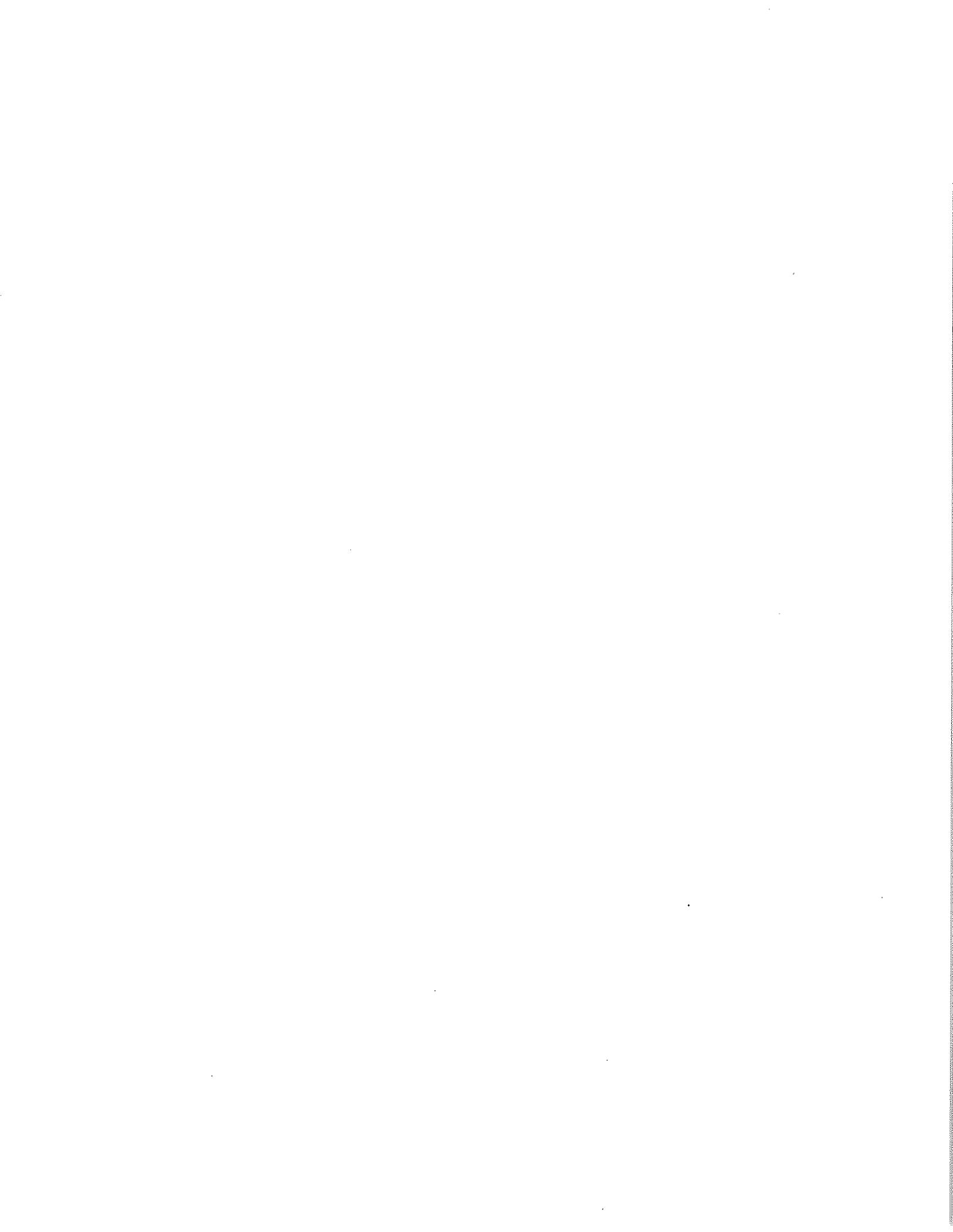
Thank you for your time.

Gregory Ashton

2147 SW Larsson Ave.

hmrhed1@comcast.net

503.132.5085



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

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

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

To: Chris Damgen <chris.damgen@troutdaleoregon.gov>

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

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

Delwin & Jamie Ellam

From: Sally Savidge [mailto:president@cherryridgehoa.org]
Sent: Thursday, January 07, 2016 2:04 PM
To: Chris Damgen <chris.damgen@troutdaleoregon.gov>
Subject: Jan 12th meeting

Dear Mr. Damgen

My name is Sally Savidge . I'm the President of Cherry Ridge Owners Assoc.

It came to my attention via a owner NOT the City planners that a developer is requesting re-zoning his 6.8 acre parcel on Cherry Park Rd. x SW 242. I understand the plan is 161 apartments in 7 buildings, pool ,club house and parking garage.

Our owners are rightly concerned about traffic, over crowded schools,the small community feel we all bought into, disappearing . I understand growth and would even be ok with a few single family homes such as the beautiful homes in our development. Bombarding those who live here and would be forced/ left to deal with the aftermath isn't even remotely fair to these citizens.

I pray you and those on the panel think of your decision wearing our shoes. Think of how you'd feel if this was near you.

I also heard the developers rep. say there isn't going to be any section 8. I think you and I know that's not a true nor valid statement. Pricing out low income is discriminatory and its only a matter of time before the State of Oregon steps in.

I and other home owners are planning to attend your meeting on January

12 @7pm.

See you then

Sally Savidge

CROA President

--

Sally Savidge

Sarah Skroch

RECEIVED

From: Sally Savidge <president@cherryridgehoa.org>
Sent: Saturday, January 09, 2016 11:53 AM
To: City Council
Subject: January 12 public hearing

JAN 11 2016

CITY RECORDER'S OFFICE
CITY OF TROUTDALE

Dear Mayor and City Council

My name is Sally Savidge . I'm the President of Cherry Ridge Owners Assoc.

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I and other home owners are planning to attend your meeting on January

12 @7pm.

See you then

Sally Savidge

CROA President

Sally Savidge

From: Chris Damgen
To: wdschultes@comcast.net; Sarah Skroch
Cc: Liz Walstead
Subject: RE: Sheldon Development (S.W. Cherry Park Rd. @ Hogan Rd.)
Date: Tuesday, January 19, 2016 2:07:09 PM
Attachments: [image002.png](#)

Hello Mr. Schulte,

Thank you for your correspondence. It has been added to the record. You will receive a formal *Notice of Decision* via email once a decision by Council has been reached.

Should you wish to attend the next City Council meeting, it will occur on Tuesday, January 26th at 7 pm in Council Chambers, located on the lower floor of 219 E Historic Columbia River Hwy (access via rear of the building) in Downtown Troutdale.

Thanks,
Chris

Chris Damgen
Senior Planner
chris.damgen@troutdaleoregon.gov
tel 503-674-7228 | fax 503-667-0524



City of Troutdale
2200 SW 18th Way / Troutdale, OR 97060
www.troutdale.info | [Facebook](#)

From: wdschultes@comcast.net [mailto:wdschultes@comcast.net]
Sent: Tuesday, January 19, 2016 1:49 PM
To: Sarah Skroch <sarah.skroch@troutdaleoregon.gov>; Chris Damgen <chris.damgen@troutdaleoregon.gov>
Subject: Fwd: Sheldon Development (S.W. Cherry Park Rd. @ Hogan Rd.)

From: "wdschultes" <wdschultes@comcast.net>
To: sarahskroch@troutdaleoregon.gov, chrisdamgen@troutdaleoregon.gov

Sent: Tuesday, January 19, 2016 11:04:56 AM

Subject: Fwd: Sheldon Development (S.W. Cherry Park Rd. @ Hogan Rd.)

From: "wdschultes" <wdschultes@comcast.net>

To: ChrisDamgen@TroutdaleOregon.Gov, SarahSkroch@TroutdaleOregon.Gov

Cc: "sallyjsavidge" <sallyjsavidge@gmail.com>

Sent: Monday, January 18, 2016 8:46:39 PM

Subject: Sheldon Development (S.W. Cherry Park Rd. @ Hogan Rd.)

My wife and I {Dianne & Wayne Schulte} request the following information be added to the record for the subject issue. We currently live in the Cherry Ridge Development and have resided in Troutdale for 36 years.

The proposal as presented would change the long-standing, current R-5 zoning designation to A-2. If changed the developer has preliminarily mentioned constructing 168, 2-3 bedroom apartments.

The number of vehicle trips generated by this complex would drastically affect the Level of Service (LOS) at the Hogan/Cherry Park Rd. intersection. Confirmation of this impact can be easily seen by a quick internet search. It shows that National Transportation Studies have determined the number of daily vehicle trips used in planning, range from 3 to 20 per dwelling unit.

For this proposal let us assume an average of 10 per day. If 168 apartments are built the total number of trips per day would equal 1680. Normally 10% of daily trips occur during the PM peak which would be 168.

The Multnomah County Traffic Analyst stated at the Planning Commission meeting that the additional traffic impacts could be mitigated by signal timing revisions. If the solution is that simple then some of those changes should already be implemented. The current (LOS) during PM peak is a D and is projected to be an F by 2040 as per the Developers Traffic Engineer.

It should also be noted that when Reynolds High School releases students in the afternoon that traffic is backed up from the subject intersection to Columbia Park, a distance of about 1000 feet.

If the R-5 zone is retained for this 6.88 acre site only about 48 single family homes could be built. This would dramatically reduce the number of trips generated from the property compared to an apartment complex.

I am sure your predecessors thoroughly evaluated the proper use of this property and designated it R-5. In our opinion they had great foresight and the zoning should not be changed. It is simply not an optimum site for a large apartment complex and is not compatible with the existing, adjacent homes.

In addition we already have a 161 unit, Section 8 apartment building about 500 feet North of the Sheldon proposal. ENOUGH IS ENOUGH.

Sincerely,

Dianne & Wayne Schulte

APPLIED ECOSYSTEM SERVICES, INC.

Integrity · Credibility · Innovation

2404 SW 22nd Street
Troutdale, OR 97060-1247
Voice: 503-667-4517
Fax: 503-667-8863
E-mail: info@appl-ecosys.com

RECEIVED

JAN 07 2016 *SS*

CITY RECORDER'S OFFICE
CITY OF TROUTDALE

January 7, 2016

Troutdale City Council
219 East Columbia River Highway
Troutdale, OR 97060

RE: Comments on File No. 15-057 Sheldon Development: Land Use Plan and Zoning Map Amendments

Gentlemen:

As a Troutdale resident and professional services business owner for more than 22 years I strongly object to the proposed amendments to the city's comprehensive land use and zoning district maps. The Council should reject these changes and require moderate density residential development on this site. I have three reasons for my objection: inappropriate to existing residential use; lack of nearby public transportation; and high traffic levels.

1. Residential use

There is no high-density/apartment residential housing in the area bounded by SE Stark Street on the south to SW Sturgis Lane on the north, and 242nd Drive on the west to 257th Avenue on the east. These are all single family, single story (or split-level) houses. A multi-story, multiple family apartment complex on the 6.88 acres at the corner of SW 242nd Drive and Cherry Park Road is incompatible with the extensive current zoning and use of a large area in the southwest corner of Troutdale. Building a dense, multi-story apartment complex so different from the adjacent residential area could significantly lower appraised values and selling prices of these existing single family houses.

2. Public transportation

Neighboring cities focus the placement of high-density apartment complexes adjacent to, or immediately nearby, public transportation: Tri-Met bus lines or Max light rail tracks. The east terminus of the Max line is approximately 2 miles away and the nearest bus stops to the corner of SW Cherry Park Road and SW 242nd Drive are at SW 242nd Drive and NE Stark Street (approximately 0.6 miles to the south, in Gresham), NE 238th Drive and NE Halsey Street (approximately 1.0 mile to the north, in Wood Village), and NE Fairview/223rd Avenue and NE Glisan Street (approximately 1.0 mile west in Gresham/Fairview). There is no public transportation available in this corner of Troutdale. It would be better public policy to site high-density apartment developments along bus routes rather than on this corner.

3. Traffic

SW 242nd Drive is the major route to Mt. Hood and areas east of the Cascade Mountains from Portland, Beaverton and points west, and southwest Washington. It always has had moderate-to-heavy traffic on both weekdays and weekends. Now, the traffic along SW 242nd Drive will substantially increase because the eastern portions of the former McGill Farm is being commercially developed.

Under construction along SW 242nd Drive is a 77 acre Subaru Distribution Center. Additional glass-and-grass office buildings will be built south of the vehicle wholesale distribution site. These new developments, while in

Troutdale City Council
January 4, 2016
page 2

Gresham and not under Troutdale's control will greatly increase north-south traffic on this arterial street, despite the addition of a traffic light at NE 28th Avenue.

Allowing construction of a dense apartment complex on the corner of SW 242nd Drive and Cherry Park Road will add further congestion to streets that are already heavily traveled and will have to support much increased commercial traffic in addition to residential traffic from all of us who live east and south of this intersection.

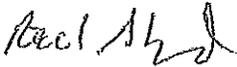
In the letter dated November 4, 2015 notifying us of the proposed changes and the forthcoming Planning Commission meeting there is information from page 11 of the city's Comprehensive Plan that describe criteria for high density residential development: "the presence of retail shopping, employment centers, transit routes, or minor arterials." Only the first of these four criteria is met in this area.

Unless residents of the proposed apartments will be limited to those employed in adjacent retail establishments or the Subaru Distribution Center the first criterion above will not be met.

As documented in point 2, above, there are no public transit routes (bus lines) along either SW 242nd Drive or SW Cherry Park Road/NE Glisan Street so the transit route criterion is not met.

Southwest 242nd Drive is not a minor arterial as it is a critical portion of the major route to Mt. Hood and points east from the Portland metropolitan area, and will have heavy commercial traffic from the Subaru Distribution Center and additional office buildings. The third criterion for high density residential development is also not applicable to changing either the Comprehensive Land Use Plan or the Zoning District Map.

Respectfully,



Richard Shepard, PhD

From: [Chris Damgen](#)
To: [Wendi Tucker](#)
Cc: [Liz Walstead](#)
Subject: RE: Proposal for 6.8 acres on 242nd and Cherry Park
Date: Wednesday, January 06, 2016 9:17:04 AM
Attachments: [image002.png](#)

Hi Ms. Tucker,

Thank you for your email. We have added your comment to the file. Because this application has already had its first initial public hearing at Planning Commission, city staff is unable to attach it to the agenda file for City Council's review.

There will be an opportunity to provide testimony at the next Public Hearing, which will occur during City Council's next regular meeting on Tuesday, January 12th at 7 p.m. at 219 E. Columbia River Hwy (Council Chambers is on the ground floor of the building, accessed from the parking area by the railroad tracks).

Planning Commission did not forward a recommendation of approval (or denial) of the map amendment application to City Council at its meeting on December 16, 2015. Consistent with code, City Council will be the entity that ultimately approves or denies the application.

If you have any further questions, please do not hesitate to contact me.

Thanks,
Chris

Chris Damgen
Senior Planner
chris.damgen@troutdaleoregon.gov
tel 503-674-7228 | fax 503-667-0524

City of Troutdale
2200 SW 18th Way / Troutdale, OR 97060
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From: Wendi Tucker [mailto:wendi_tucker@yahoo.com]
Sent: Tuesday, January 05, 2016 8:08 PM
To: Chris Damgen <chris.damgen@troutdaleoregon.gov>

Subject: Proposal for 6.8 acres on 242nd and Cherry Park

I apologize for jumping in late, but I just heard about this proposal from our HOA president. Why was this not presented at an HOA meeting for input from those of us who live here?

I would be fine with a few new residences on that property, but I do NOT want high density housing of any kind! We already have high traffic in that area, especially during school days and at the time school lets out. People who live in apartments do not have a vested interest in taking care of the neighborhood as they do not have any ownership.

Troutdale currently still has a "small town" feel. I don't want that to change.

Issues I see with this:

Increased traffic

Lower property value

Higher property taxes

Overwhelming Reynolds High School and the district

Please do not allow this to take place!

- Wendi

From: [Chris Dangen](#)
To: pauljwilcox@comcast.net
Cc: [Liz Walstead](#); [Sarah Skroch](#)
Subject: Re: Question for Planning
Date: Tuesday, January 19, 2016 9:50:41 AM
Attachments: [Image003.png](#)

Hi Mr. Wilcox,

Sarah Skroch (our City Recorder) forwarded me your email, which Staff has added to the file. I'll do my best to answer your questions.

- With regards to how the 168 unit figure was arrived at—to be clear—this particular application would not review an actual unit count. To Staff's understanding, the Applicant in working with their consultants believes that they will be able to fit that many units on the property with a particular layout in mind. For the benefit of Planning Commission and City Council, Staff did provide an analysis in determining how 168 units on that amount of acreage related to densities on other nearby apartment complexes.
- In the City's *Comprehensive Land Use Plan*, the High Density Residential (HDR) designation that the applicant is applying for states that the "[D]ensity in this designation is intended to average 21 units per gross acre." [page 11] Assuming 168 units were to be proposed in a future application, the density would be between 24 to 25 units per gross acre. In the A-2 zoning district (which is being applied for by the Applicant) structure height is restricted to 35 feet. [TDC 3.064.E]
- Ultimately, any type of development proposal for a given property will have limits on capacity, due to required areas for setbacks, lot area coverage, landscaping, parking, open space, and stormwater facilities (among others). Capacity limits are somewhat considered during a map amendment process, but are truly determined and established during a site & design review. At this stage, the developer is unable to apply for a site & design review unless the map amendments are approved. The City Council has to evaluate if amending the property's land use and zoning designations can meet a set list of review criteria which can be found in the Troutdale Development Code Section 15.050.B and 15.050.C.
- Staff would not be able to speak to the specifics on the market for apartment dwellings or how existing single-family rentals affect the market, but has testified in the Public Hearing that it has received several inquiries in recent months for multi-family residential development opportunities.

I hope this answers your questions. The City Council's next meeting is on Tuesday, January

26th at 7 p.m. in Council Chambers (rear entry of 219 E Historic Columbia River Hwy).

Thanks,
Chris

Chris Damgen
Senior Planner
chris.damgen@troutdaleoregon.gov
tel 503-674-7228 | fax 503-667-0524



City of Troutdale
2200 SW 18th Way / Troutdale, OR 97060
www.troutdale.info | [Facebook](#)

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

From: Paul J. Wilcox [<mailto:pauljwilcox@comcast.net>]
Sent: Sunday, January 17, 2016 10:58 AM
To: Sarah Skroch <sarah.skroch@troutdaleoregon.gov>
Subject: Question for Planning

Sarah,
Please forward the following to Chris, since I don't have his e-mail available.
Paul

→ Attn: Chris Damgen
Chris,

I have a specific question regarding the Sheldon project, for which re-zoning is being considered to allow such a project. I am fully aware that the issue at hand is not that particular project.

My question relates to how was the figure 168 "units" arrived at? Is it based on an "arbitrary" units/acre standard? What I'm getting at is could there be more units per acre depending on the "configuration" of the complex? For example, Sheldon's architect stated that their plan was for 6 one bedroom, 12 two bedroom, and 6 three bedroom in each separate building. If that "mix" were changed, there could be an overall total of more or less than 168 units. For example, I'm not sure about the "market" for three bedroom apartments. I'd guess someone could probably find a single family home for a similar rent cost. There are so many rentals in our single family development that the HOA tried to pass a limit. Fewer three bedrooms would allow for more one and two bedrooms in the same footprint.

Footprint is another issue that I didn't hear addressed. Is there a "height" limit which would prevent going over three stories? I assume there probably is. I don't see any "high-rises" in Gresham, so I expect Troutdale would be equally restrictive.

PAGE 3 of 3

Paul Wilcox
Troutdale

Sent from my iPad

Sarah Skroch

RECEIVED

From: sarit369@comcast.net
Sent: Tuesday, January 12, 2016 12:31 PM
To: City Council
Subject: Proposed Development at 242nd/Cherry Park Raod

JAN 12 2016

CITY RECORDER'S OFFICE
CITY OF TROUTDALE

Mayor Daoust and Council Members:

Through the hard work of our Owners' Association President (Sally Savidge) and other homeowners, I recently become aware of the proposed development at 242nd Ave & Cherry Park Road. While I do hope to attend the Council meeting this evening, I wanted to express my concerns in writing for all to review.

My concerns in order are 1) type of development, 2) impact on traffic; 3) impact on Reynolds School District (high school in particular and 4) home values

Type of Development

I realize that corner is a prime location and it was only a matter of time before it was/is developed. However the option of a large apartment complex seems out of place in that location. We already have (the) Cherry Ridge Apartments close by...and it is a large apartment complex...but because of the open space(s) around it (west & north), it does not feel overwhelming. Perceiving a project similar to the Salish Pond Lodges on 207th at this proposed location (per the description of the development) would be absolutely overwhelming on the corner of 242nd/238th & Cherry Park because of the limited open space, especially with the new distribution center directly to the west. If there has to be development, I strongly suggest it be single-family homes, both as it impacts the location and traffic. This would allow for development but would be neither overwhelming or detract from the established single-home developments.

Impact on Traffic

That location is already (being) impacted by the Subaru distribution center to the south and west of the proposed development...not just in increased traffic in general, but the type of vehicles (trucks) that will be going in and out. The proposed stop light along 242nd/Hogan will impede the flow of traffic north and south. If you add cars from either development, but particularly the proposed apartment complex, it is going to be a nightmare in general and definitely during peak travel times. Please take this impact into very serious consideration...it will affect all of the surrounding neighborhoods, business travel on 242nd/238th/Hogan and potentially result in safety concerns. Single-family homes would have a lesser impact, but I feel it would still be significant. Traffic on 257th may also increase significantly as drivers try to avoid 238th/242nd all together.

Impact on Reynolds School District, particularly the high school

Reynolds School District is already over capacity in general and the high school is way past its original capacity. Please seriously consider the impact of either proposal on the district. On a neighborhood level, students already cut through the Cherry Ridge development on Cerise/Stella/18th Way leaving litter, occasional damage and frequent impertinence behind. Traffic leading to & from the high school would increase and it is already slowed by the decrease in the speed level (30 mph) along Cherry Park Rd and will be impacted by the distribution center. Another nightmare waiting to happen with either option but definitely with a large apartment complex.

Home Values

A large apartment complex would have a devastating impact on the Wood Dale neighborhood and would also impact the Cherry Ridge neighborhood to the East of which I am a resident. I appreciate economic development but I implore the council to be remember and respect the existing residents who have been paying taxes to the city for up to 20+ years as home owners. We purchased our homes in good faith that the city would be a partner in protecting our investment while investigating/approving projects that (would) enhance the city/neighborhood, not detract nor negate the values and/or the livability of the area.

Thank you for taking time to read this email. I hope we can be partners in the growth and development of Troutdale and the surrounding areas.

Sincerely,
Sarah (Sally) W Wright
1272 SW Berryessa Place
Troutdale, OR 97060

ORDINANCE NO.

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

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

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

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

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

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

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

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

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

YEAS:
NAYS:
ABSTAINED:

Doug Daoust, Mayor

Date

Sarah Skroch, City Recorder

Adopted:



Findings of Fact, Final Order and Conditions of Approval

| | | | |
|-------------------------------|--|---------------------------------|-------------------------------|
| 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*

APPLICABLE CRITERIA

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

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

FINDINGS OF FACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FINAL ORDER & CONDITIONS OF APPROVAL

FINAL ORDER

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

CONDITIONS OF APPROVAL

General Conditions

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

Public Works Conditions

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

Transportation Conditions

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

