



# CITY OF TROUTDALE

*"Gateway to the Columbia River Gorge"*

## AGENDA

### CITY COUNCIL – REGULAR MEETING

Troutdale Police Community Center – Kellogg Room  
234 SW Kendall Court  
Troutdale, OR 97060-2078

**Tuesday, October 23, 2018 – 7:00PM**

#### **Mayor**

*Casey Ryan*

#### **City Council**

*David Ripma  
Randy Lauer  
Larry Morgan  
Glenn White  
Rich Allen  
Zach Hudson*

#### **City Manager**

*Ray Young*

#### **City Recorder**

*Sarah Skroch*

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **PUBLIC COMMENT:** Public comment on non-agenda and consent agenda items is welcome at this time. *Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer, and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council.*
3. **CONSENT AGENDA:**  
3.1 **MINUTES:** September 11, 2018 City Council Regular Meeting.
4. **PROCLAMATION:** Community Planning Month *Mayor Ryan*
5. **PRESENTATION:** A presentation of the City of Troutdale logo made entirely from Legos *Brett Hooper, Troutdale Resident*
6. **PRESENTATION:** A presentation from MetroEast Community Media regarding Community Media Day. *Marty Jones, President*
7. **REPORT:** A report for East Metro Economic Alliance. *Jarvez Hall, Executive Director*
8. **REPORT:** An annual report from the Port of Portland. *Emerald Boque, Steve Nagy, & Ken Anderton, Port of Portland*

9. **PUBLIC HEARING / ORDER:** An order approving the site development review and variances for a proposed development on two parcels with an approximate total area of 8.82 acres located at the intersection of NE 242<sup>nd</sup> Drive and SW Cherry Park Road.  
*Chris Damgen, Community Development Director*

10. **STAFF COMMUNICATIONS**

11. **COUNCIL COMMUNICATIONS**

12. **ADJOURNMENT**



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**Casey Ryan, Mayor**  
**Dated: October 18, 2018**

City Council Regular Meetings will be replayed on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 on the weekend following the meeting - Friday at 4:00pm and Sunday at 9:00pm.

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

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

**DRAFT**

**MINUTES**  
**Troutdale City Council – Regular Meeting**  
**Troutdale Police Community Center – Kellogg Room**  
**234 SW Kendall Court**  
**Troutdale, OR 97060**

**Tuesday, September 11, 2018 – 7:00PM**

**1. PLEDGE OF ALLEGIANCE, A MOMENT OF SILENCE, ROLL CALL, AGENDA UPDATE**

Council President Ripma called the meeting to order at 7:00pm.

Council President Ripma stated it is a very special day in the history of the Country. In honor of all the citizens and first responders who gave lives on this day 17 years ago, let's please pause for a moment of silence. Thank you.

**PRESENT:** Council President Ripma, Councilor Lauer, Councilor White, Councilor Allen and Councilor Hudson.

**ABSENT:** Mayor Ryan and Councilor Morgan (excused).

**STAFF:** Ray Young, City Manager; Kenda Schlaht, Deputy City Recorder; Tim Ramis, Acting City Attorney and Chris Damgen, Community Development Director

**GUESTS:** See Attached.

Council President Ripma asked, Ray, are there any agenda updates?

Ray Young, City Manager, replied just one on item #6. We added an "n" to ratio so it became ration and it should be ratio. Mayor Ryan had a death in the family and is with family tonight. Also, Tim Ramis will be covering as City Attorney this evening as Mr. Trompke is on vacation.

**2. PUBLIC COMMENT:** Public comment on non-agenda and consent agenda items is welcome at this time.

Mary Massey, Troutdale resident, stated I moved here about a year ago and I've been noticing an increase in the homeless population here in Troutdale and it's becoming a concern for me. I called a few weeks ago, the Town Hall, and asked if we had any type of an action plan in place. My understanding is there is not. I want to address my concerns and end this with a call for action. I'm seeing a real increase recently within the last month.

I work from home and I noticed an increase in shopping carts going up and down Stark Street. Two weeks ago when I initiated the phone call I saw a homeless man moving 5 shopping carts into the woods behind Mt. Hood. I immediately went over to the Mt. Hood security department and they said it was not their issue. Then I saw a Gresham police officer and they said they would look into it. I've talked to the Sheriff's Department as well. I also know that there was a fire back there recently that was, thankfully, put out. It was during one of those 95 degree days. I think that could've been a crisis for the town had that spread. I live on 31<sup>st</sup> so I abut up to MLA and I've seen some vehicles with homeless people inside of them. I go out in the morning for a community walk and they're usually getting up and moving at that time. I've taken pictures. We have a walkthrough in Sweetbriar and about 2 ½ weeks ago some homeless women were sleeping on the bike path. A neighbor asked them to go over to the church and get a tent and try to find someplace to sleep. These are concerns. I'm a school teacher and I volunteer with youth at the church and with a Marine cadet program. The safety of our children is of utmost concern. 3 days ago a homeless woman walked down 31<sup>st</sup> Circle with a shopping cart full of her items. Needles could've fallen out. I don't know but that's the issue. We just don't know what they're bringing into our town. I talked to her and I have compassion for her situation but the safety of the children on our street is first. I'm concerned about the growth of this town because this is a great town. I moved here for a reason. If we don't do something now I'm not sure what our town is going to look like in the near future and how that's going to effect the growth of this community. I'm also very concerned about the protection of property. 2 nights ago a homeless person was peering over the back wall at my neighbor's property. I'm also concerned that property values might start to go down. I think we need to address as a community the rights of the citizens of this community. I think we also need to look into code enforcement to see what we have already on the books to address the problem. I think we need to find out exactly what authority the Sheriff's Department has. I have spoken with them and it seems as though it's limited. I would like for us as a town to come up with some sort of an action plan with the citizens, code enforcement and the Sheriff's Department authority and get that started so we can be on top of the situation.

Sam Barnett, Troutdale resident, stated I'm a citizen of Troutdale for nearly 18 years now. I'm disappointed in the vote that took place 2 weeks ago and allowing the apartments to be built at Cherry Park. My main concerns is I do feel that regardless of what the winning Councilors had to say about it that they were not listening to the citizens. I will remind you that when you took the oath to become a City Councilor your main goal was to and still is to take the citizens voice into consideration. I just don't feel that that happened. I feel that you had your own reasons for voting the way that you did and I respect that. The lanes that are going to be added are not going to help 1% of anything. The County put on a pretty good show about that but the history of the County and the roads here in East County have failed and failed and failed and continue to fail. I was able to watch this back and the show that was put on, she worked hard for it, but I didn't buy it. The attorney stating that there's a shopping center across the street from where the apartments will be built is insignificant to me. The fact that there's no public transportation at that corner is an issue as well. The zone change that you voted for 2 weeks ago allows apartments to

be built there. Nothing else. Just apartments. There is an opportunity to vote for other zones. Apartments aren't going to earn the City of Troutdale any money. In fact, in my opinion, it's going to cost the City of Troutdale for added police costs and fire costs. But what you voted for whether you know it or not is apartments which is going to cost us. It's also going to cost the neighbors abutted right against that property. I've lived in apartments and there's noise and there's problems and there's issues. That's what these neighbors who are speaking out last 2 weeks against it were speaking of. Single family homes wouldn't be a bad idea. It would bring new citizens to the City of Troutdale. Apartments are not citizens. They're not going to care much about living in the City of Troutdale. They're not going to participate. We could zone for other plans and I'm thinking that what I'm saying is a moot point but right now unless a re-vote is called for tonight we'll be stuck with apartments at Cherry Park. Tonight's pretty much the last straw that we and the people that share my views have to turn this around and explore further. I've met with a couple of you and I feel that there's not going to be homeless moving into these apartments. This is not HUD. This is not low price apartments. These are 4 bedroom apartments that probably go for \$1800.00 a month. These people will generally be there for 2 to 3 years at the most then they'll move on, hopefully to better things. My main issue is that I don't believe that you listened completely and wholly to the community that you took an oath to serve. I am embarrassed, not by the outcry of the public, but more so by the response of a City Council member to act the way the citizens were acting. I hope that you might lean back in your chairs and consider what you did the last 2 weeks and maybe call for a re-vote tonight and that would give at least time to consider other zones. Other zones have not been considered. Only the apartments. There's a lot of other things that could go in there and some of which could bring a profit to the City of Troutdale.

Councilor Allen stated I'm seeing that our area is attractive for a number of reasons for people to move here. We have this Urban Growth Boundary that limits our ability to grow and add more single family homes. I've sat with people that were looking for places that they could afford to rent and although most likely what's going to be built there is probably not going to be the lower rent type places, it adds more units to the overall availability which has a tendency to increase vacancy rate which has a tendency to put downward pressure on rental rates. It's very hard for people right now to actually survive and make the rentals. Not all of them can afford a home at this time. We've got people that are under a lot of financial stress. To put it in perspective, if you look at Safeway there, there are more people boxing and refilling the shelves than managing the store and they don't make as much. What the regional leaders are trying to do is they're trying to increase the supply of housing without increasing the Urban Growth Boundary. What they're wanting us to do now is they're wanting us to increase density within the neighborhoods and I really don't like that idea because I like people to at least have a dream to be able to maybe rent for now and someday own their own home. It's just not realistic that people can afford their own home right off the bat. When I take a look at how I'm going to vote on something like that I'm weighing all these different considerations. I see a piece of property that's mostly zoned 5,000 and a few 7,000 square foot lots on 2 busy streets and I just don't see where it's sitting to be conducive to high end development. I would have felt better if it was all

7,000 square foot lots or if it was a mixture of commercial. But I really didn't have that choice before me and I don't think that the developer was willing to go that direction.

Paul Wilcox, Troutdale resident, stated I'm responding to Sam. What I want to address specifically is his reference to renters. We didn't buy our first single family home until we were in our 50's. We rented for 30 years mostly in single family homes and duplexes. There are long term renters in apartments. People live multiple years in apartments because they can't afford or they don't want to get locked into a home ownership situation. Renters are just as much citizens as homeowners.

**3. MOTION:** West Columbia Gorge Chamber of Commerce (WCGCC) request for funding assistance for Fall Festival of the Arts.

Karen Young stated I am the Executive Director of the Chamber.

Glen Mackey stated I'm the current President of the Chamber.

Karen Young stated and this is Jay Marquess, the President elect of the Chamber and with us is our committee of the Fall Festival of the Arts and local artists. First I want to thank you for putting us on the agenda for this evening. Councilor Ripma, we're very happy to see you here tonight.

Jay Marquess stated I'm excited to be here in front of all of you. I want to congratulate everybody on a wonderful year that we're having. There's been a lot of progress in our community with ribbon cuttings for schools, the Town Center, bike hubs, Halsey Corridor, it's a good time to live in Troutdale. The more I get involved with Troutdale the more excited I get and that's why I'm here tonight. We have had the support of Troutdale for 4 years. Last year was our most successful year with the Fall Arts. We had a tremendous amount of artist participation. We were also able to take some of the proceeds and give back to the firefighters in Corbett and Cascade Locks and the volunteers as well. We also had the opportunity to double our artists for this year which means the participation is going to be more than doubled. That's exciting. I hope we can have your support again tonight. I also want to take the time to thank Tim Seery and Chris and others for supporting us and participating in partnering with us to make us successful as well. We're here to ask, again, if we could have your support at the same amount that we had last year. I think that was at \$3000.00.

Glen Mackey stated the importance of it I think is not a mystery to everybody. We really appreciate the support we've had in the past. The event is September 22<sup>nd</sup> and 23<sup>rd</sup> next weekend in Glenn Otto Park.

Karen Young stated we did bring extra postcards that we can hand out (a copy is included in the meeting packet). One key thing is we are trying to promote the art in this community. This is a mecca for artists. We're really trying to focus on the tourism component too

because this is a tourism promotion event and that's why it's a multi-day event. We see big potential for this to grow.

Council President Ripma stated I think generally it's a good thing for Troutdale and it's a wonderful event.

Councilor White stated our town really is made up of a lot of artists from Ali, the jeweler, to Rip Caswell who usually helps present for this event. I volunteer and I go to it every year. It's a major effort to transform the Sam Cox Building into a temporary art gallery. This amount is a little higher than most other events but it's multi-day. I think it's very inspirational especially for the kids because they actually get a chance to see the artists create their work. I'm going to make a suggestion. We do have a budget set aside for community events like this. Troutdale used to pay the insurance and there was some legal reason why they could no longer do that and that's when we started seeing a shift in offering to help out on these events. We also have the new community enhancement fund. In the future, I think it would make it easier for the City and you guys if we started putting in an application through that avenue. I'm going to support this. I think it's a great event. Keep up the good work. I'll help with anything I can.

Council President Ripma asked, do I have a motion?

**MOTION: Councilor Lauer moved that the City of Troutdale offers \$3000.00 to support the West Columbia Gorge Chamber of Commerce request for funding assistance for the Fall Festival of the Arts. Seconded by Councilor Hudson.**

**VOTE: Council Lauer – Yes; Council President Ripma – Yes; Councilor White – Yes; Councilor Allen – Yes and Councilor Hudson – Yes.**

**Motion passed 5-0.**

#### **4. PRESENTATION: A presentation for the Multnomah County Drainage District.**

Tanney Staffenson stated I'm a Board member of the Sandy Drainage Improvement Company and with me this evening is Mr. Bill Owen who is Flood Director for the Multnomah County Drainage District. We are here to talk about a development review. One of the things I wanted to talk about a little bit was how we got started. Tanney Staffenson showed the Council a PowerPoint presentation (a copy can be found in the meeting packet). I'll give you a little history. Through the partnerships that we have we've been able to work together and create a lot of development property in the TRIP area. Which has really benefited the City of Troutdale and others. The area that we protect for this area is 1500 acres and 3 ½ miles of levees. One of the bad things about being the low spot is that you get all the water. We pump in excess of 20 billion gallons of water a year out of that pump station that you saw a picture of. It's really a pretty important operation. We're a special district so the only revenue that we receive is basically from

tax revenue assessments that we charge the landowners. Landowners pay for all the functions that we provide and that's one of the things that we're here to talk about tonight.

Bill Owen, Multnomah County Drainage District, stated I have a couple of comments here continuing on what his theme was. Earlier, about a year ago now, we convened a group of our elected officials as well as developers in the area to try to come up with a cost structure we thought would work in our situation in part in response to some changing federal regulations with the levee systems that we maintain as well as increase in development that we've seen and put some stress on workloads within the district. We recognized and the elected boards recognized that we needed some method for cost recovery. The eventual plan that they put together is outlined in the exhibits as part of your packets. On the flip side of that exhibit there's an overview of a tiered structure where we have decided to apply for development reviews that come through the district. Initially there's no fee for the initial tier but as you move through the second and third tiers as more development reviews have become more complex the fees increase. I wanted to give you a sense on what types of examples might fall into each of these tiers. As an example, Waste Connections over this past year went through the cities permitting process to extend and modify their driveway system. That particular type of permit doesn't affect the drainage of the system at all, nor does it affect the levees, it's just off Marine Drive. So that's a relatively straight forward review for us so we would not charge Waste Connections in an example like that. As you move up into tier 2 we apply a \$550.00 base fee plus up to \$2500.00 for time and materials. An example like that would be an Amazon property. The big heavy lift for that area was done prior to Amazon coming in for the Port of Portland's TRIP program. Once the TRIP program was in place and a lot of the infrastructure was there Amazon came in and honestly for us it wasn't a very complex review for us. Something that's a little more involved in part because it effects the levee system and it requires some feedback and guidance from the U.S. Army Corps of Engineers is the 40-Mile Loop proposal to extend that bike path up on the levee system. The levees will be modified and encroached in terms of the federal government's perspective and that requires a fairly involved review for us. That would be an example of a tier 3. Again, that would be something that's over \$2500.00 and it's just time and materials that we would collect. In addition to this cost recovery structure that we've put together we've also created a handbook that we can provide to developers and others who are interested to be more fairly transparent as best we can about decision criteria associated with our reviews. So, why is it important for us to conduct reviews? As Tanney alluded to earlier, water goes downhill and we have to make sure that water can freely move through the channels as it historically has. If there's encroachments in the channel we should know about that and work with the developers to try to minimize those encroachments. Secondly, it's just as important to make sure that the infrastructure that currently exists there remains intact. Levee systems is one example of that. There are others in terms of drainage as well. But collectively all these reduce flood risk and that's what our district is all about, trying to reduce flood risk. We have gone through a process to put together this plan. Our Board passed it in April 2018. But part of that process was a fair amount of public outreach not only to city staff here but to developers, property owners, landowners and our districts through a variety of communication methods. We

wanted to make sure our process was as transparent as possible. That was our goal and we accommodate for that as we can. All this leads to a document you'll see in 2 weeks from now.

Tanney Staffenson stated we have longstanding partnerships with Troutdale, Port of Portland and other cities along the levee system. One recent example is the drainage master plan that Troutdale's working on and the district's working on. By collaborating and doing those efforts together we've probably saved the taxpayer \$100,000.00 than if this work was done independently. As far as the IGA goes, this is really just putting down on paper the practices that we have in place. We're not asking the City to collect anything. The City really doesn't have to take any action. It's just something that we're doing presently and this is really a cost recovery event for us.

Bill Owen stated we wanted to make sure that you had some background before the IGA is presented to you here within 2 weeks.

Council President Ripma stated so in 2 weeks the City is going to be offered an IGA.

Tanney Staffenson stated and as far as working through this we've met with Chris Damgen, Marlee Schuld and Travis Hultin to make sure that everybody's on the same page.

Councilor White stated I think the subject came up during the conversation about the weir which actually helped prepare a lot of that industrial land. I wanted to thank you guys for getting that project done. It really helped bring in some big projects for us in Troutdale. The push back from some of the Councilors was that you guys need to be recouping these costs. Is this kind of where this is coming from?

Tanney Staffenson replied I would say this is recouping the cost. The other thing that we've done is in the last 3 years we've raised assessments 55, 65 and 48%. So there's been some pretty significant increases to change our operational model a little bit.

Council President Ripma stated all the drainage districts west of here are engaged in a way of exploration of possible funding for long term support for the levee system called Levee Ready Columbia. I assume this IGA will be something that will be supportive of this Levee Ready Columbia effort. How does that factor in? Because that was going to be a regional effort to fund the entire levee system by basically charging the cities and properties south of the Columbia to a certain extent. I think it was going to be a fee, not a tax for the benefit provided. We all acknowledge there's a benefit to having the levees, all of the levees, including your drainage district because so much valuable infrastructure is built on those levees. We have to keep them up. How does that mesh with the regional effort to fund and maintain the levees for the long term?

Ray Young stated I am planning and working with the SDIC Board, the Multnomah County Drainage District and Levee Ready Columbia to have a joint work session with the SDIC

Board and this Council in the middle of October, potentially through the 1<sup>st</sup> of December, some date in there where these bigger issues that you're raising are raised as a group so everybody gets on the same page on the long term plan that you're talking about with how this all inter-meshes together in the future of the whole levee system. We are definitely going to be spending time on that in the next couple of months.

Tanney Staffenson stated the IGA doesn't really address a long term government structure for the district. It's addressing cost recovery for development reviews.

**5. PRESENTATION:** Municipal Broadband Coalition of America - \$5,580 pledge from Troutdale.

Michael Hanna, Multnomah County IT Department, stated I've lived in Portland Metro for 18 years. I'm here to talk about a project that's being discussed with 6 jurisdictions and Troutdale is one of them and doing a feasibility study as the first step for municipal broadband.

Nathan Clark, Policy Advisor for Multnomah County Commissioner Lori Stegmann, stated thank you for having me.

Michael Hanna stated you have your packet and you hopefully had a chance to take a look at it. I won't go through all the details inside the packet but I wanted to just kind of give a broad overview of what we're trying to do and then allow time for questions. We're a newly formed non-profit, the Municipal Broadband Coalition of America. Our whole goal is to help municipalities and rural cooperatives especially in Oregon to create their own internet utilities. As you may know, 20 million Americans lack broadband mostly in rural areas and we want to be able to really facilitate access to broadband. We're starting here in Multnomah County where we have already reached agreement with Multnomah County, City of Portland, City of Gresham, City of Wood Village and City of Fairview to jointly fund a feasibility study to take a look at what it would take to build out our own public fiber optic internet utility here in Multnomah County. I'm asking to have Troutdale participate in this intergovernmental agreement and contribute in what we calculated was \$5,850.00 towards the feasibility study. The way that we came up with that number was the whole feasibility study is estimated to be \$250,000.00 and so we said City of Portland and Multnomah County as the largest jurisdictions would each contribute \$100,000.00 and then the remaining \$50,000.00 we said would be split among the four East County cities. Gresham had the largest share at \$39,000.00 and then Troutdale is second with \$5,850.00. That's how we arrived at that number. The purpose of the feasibility study is to look at what are the total costs of building out this fiber optic network here in Multnomah County. What are the technical obstacles? What are the opportunities from a business development perspective and economic development perspective? And what are the costs? What would be the costs to residents and businesses if we were to offer this service? Some of you may know of SandyNet in Sandy, Oregon, they have their own public internet utility. When they did their costing estimates they estimated that they would have 35% of their residents and businesses choose the public option because anyone

could always choose the existing internet providers. What they found over the last 2 years in Sandy is that 60% of the residents and businesses have switched to SandyNet. It's lower cost and higher speed. They're actually paying off their initial investment in I believe 6 years rather than the estimated 10 years. For Multnomah County it's still to be determined and that's part of what the feasibility study will determine is how it will be funded. Most likely, it would be revenue bonds issued by Multnomah County. It would be done in an incremental way built out over multiple years and then the 6 jurisdictions would come together and decide how it's going to be built out. Just today I was at City of Gresham meeting with Shannon Stadey who is the Economic Development Director and we were talking about having an innovation hub or some sort of designated area of Gresham where there'll be even faster broadband in that specific area. They have this Rockwood Rising development that they're working on right now and so within that area because it's near the MAX line, we actually would be able to provide even faster than 1 GB fiber optics. We could provide 10 or even 100 and that really could entice businesses to move to that area because it's something that would be some of the fastest broadband in the whole United States. Also, you may have heard that Hillsboro is also moving forward with the municipal broadband build out. We met with them on Friday and they've actually already begun laying the fiber optics in their new development areas within Hillsboro. Part of what is exciting to me as a technology geek is that because Hillsboro has 15 data centers, they're building out the fastest internet on-ramp in the entire West Coast. If we all participate in a municipal broadband in Multnomah County it really gives us an opportunity for Multnomah County and Washington County to be one of the biggest internet and technology hubs in the entire West Coast. People have long talked about the silicon forest of the Northwest but this really gives us an opportunity to offer opportunities for new business development and any type of business.

Nathan Clark stated we're excited. Commissioner Lori Stegmann and our office is really excited to partner with this. She worked with Commissioner Meyer from District 1 to bring this forward. We're really happy to be a part of this since we have the honor of representing East County cities and the need for digital infrastructure out here. In the east part of the county almost 1 in 5 households don't have access to internet on a regular basis. Most kids in school now use internet all the time, do their homework on it. Families use it to look for jobs. Everything is done online and to have that access is vital for people to be in this world at this point.

Councilor Allen stated you had me at net neutrality.

Michael Hanna stated that's one thing I didn't touch on but actually our group was formed literally right when the FCC repealed net neutrality last year. Our group came together and we said the only way to permanently guarantee net neutrality is to own the fiber optic network, have the network be publicly owned. One of the things I really love about this is it pays for itself. We're not talking about new taxes. There will be revenue bonds that would be issued for the initial build out but then the subscribers pay it back so it's not on property taxes.

Councilor Lauer stated I just had a couple clarifying questions about what the feasibility study will actually do. If all this goes forward, who's responsible for it? Is it a Multnomah County infrastructure that the County would be providing? Is that part of the feasibility study to see if the cities could back? And then, what would that look like? I don't necessarily agree that you have to have internet to make it in this world but that doesn't mean I don't understand why this is happening. I feel like we're right now on that cusp of the next evolution of internet. I feel like something like this is that precipice where it just kind of tips it and now it's more accessible for everybody and it's fun to think where that could go. Who pays for it and where does it come from?

Michael Hanna replied I can answer some of the questions. Part of what the feasibility study does is to answer those types of questions. It really lays out what are the costs, what are the technical obstacles, what are the opportunities and it goes very in depth. There was one done for Seattle and I think it was 250 pages. So it's a significant report done with the combination of engineers and IT people and economic analysis. In terms of the ownership, that's still to be determined and that's really part of where whoever the agencies are, we'll decide those questions. It will be some sort of public entity. Some people have said Mt. Hood Regulatory Commission could be renamed and expanded to own and operate this. Or a brand new non-profit agency could be spun up, a broadband district. It's to be determined and whatever makes the most sense. But the core thing is that it pays for itself. I was using the example of Sandy, Oregon. They initially had their capital investment of bonds and then they estimated a 10 year pay back but because they had almost twice as many people switching to their SandyNet it's going to be paid off in 6 years. People have asked, once it's paid off what happens then? The very first step is Multnomah County is in the process of creating an intergovernmental agreement that would allow the agencies to pool the funds for the feasibility study. So the only thing we're looking at right now is the feasibility study and then once the study comes back then there's a second round of decisions of do we move forward or not. Do we move forward all together or do some cities not participate? Each city has the right to choose to participate or not. We're doing a very mindful step by step taking an in depth look at it.

Council President Ripma asked, who do you anticipate would own it?

Michael Hanna replied that's what we were getting at earlier. It would be some non-profit entity. Some people have proposed that Mt. Hood Regulatory Commission be expanded and then would own it. It's to be determined.

Council President Ripma stated currently we have franchise agreements with like Frontier that provides mine. What's the plan for them? Is it to be a redundant system competing with Frontier? I don't know if their broadband service is regulated but I would assume it is. Have you considered that and how that's to be handled?

Michael Hanna replied so broadband is actually not regulated in the United States. It's very minimally regulated by the FCC. Generally it's open competition or free market. In Portland where Comcast provides internet over the cable television lines and then

Century Link provides DLS over the phone lines and most areas in Portland don't have fiber optic option. Out in East County you all have the Fios network option and I think you also have Comcast and Century Link as an option. The fiber optic is really a third network that would be built out to places where it doesn't already have it. In places where there already is fiber optic I think each one of those locations, that's part of what the feasibility study will look at. Looking at what you do in that particular neighborhood or area. There's some parts of Multnomah County that have fiber optic cables but they're called dark fiber, they're not actually used, and that's part of what we will look at as part of the study.

Council President Ripma asked, is the plan to provide fiber optic service outside the cities of Troutdale, Fairview, Wood Village, Gresham and Portland? You're talking about a system that we are paying for the feasibility study for Sauvie Island having fiber optics service. I guess I worry about that. That doesn't seem fair. Providing the service out to Sauvie Island or to Corbett or Bridal Veil, that's the most expensive place to provide service and the rest of us end up subsidizing it if they don't already have commercial service. Is the plan to provide service outside the cities?

Michael Hanna replied that's a great question. That actually was brought up in one of the first meetings when we were with Multnomah County. The answer is, we actually don't know and I think that's part of what we as the 6 jurisdictions would have to come together and make that decision. Early on we decided we would not go east of Troutdale. So Troutdale would be the farthest east we would go for Multnomah County for now in this phase. We didn't really include unincorporated areas or the little slivers of Lake Oswego. The goal is focusing on the 5 cities within Multnomah County.

Council President Ripma asked, do we have an action item here? Are we asked to decide that we're going to vote on the \$5,850.00?

Ray Young replied I believe a motion to give that amount would be appropriate with the caveat that I believe we have to have an IGA. I think if the Council makes a motion and approves the amount then we can actually then negotiate the IGA and bring that back and that would actually effectuate the \$5,850.00. Am I correct, Mr. Ramis?

Tim Ramis, Acting City Attorney, replied I agree with that motion to approve the amount subject to the final negotiation of an IGA would be appropriate.

**MOTION: Councilor Lauer moved to approve the amount of \$5,850.00 subject to the final negotiation of an IGA. Seconded by Councilor Allen.**

**VOTE: Council Lauer – Yes; Council President Ripma – Yes; Councilor White – Yes; Councilor Allen – Yes and Councilor Hudson – Yes.**

**Motion passed 5-0.**

**6. PUBLIC HEARING / RESOLUTION:** A resolution defining the area for calculating the changed property ratio.

Council President Ripma stated this is a bit odd in that I think the state law that allows us to adopt a changed property ratio for Troutdale requires that we have 5 affirmative votes at Troutdale Council for it to be adopted by Troutdale. We have 2 councilors absent and there's only 5 of us here. I'm not quite sure how to handle this if there is anyone who is inclined to question this if this is going to be voted down we probably should put it off. That's my suggestion.

Councilor White stated I was thinking along the same lines. I would've actually preferred to see this in the form of a work session and have the Homebuilders Association notified. I understand the process and I'm not necessarily against it but I haven't had the opportunity to fully understand the ramifications. We just had a rather large increase to new development in the form of system development fee increases. It's a bit of a concern for me to make that decision tonight especially with the absence of our Mayor and another Councilor.

Councilor Allen stated I do have some questions, however, I'll be fine with waiting for another Councilor or Mayor.

Council President Ripma asked, what's the timeline for this for us having to enact this?

Erich Mueller, Finance Director, replied you're welcome to have a conversation about it tonight and we can continue it to a subsequent council meeting. Prior to adoption there's simply has to be a public hearing. We could have the public hearing at the next meeting. I could attempt to address any questions that you currently have this evening and then there are things I need to put together that can be put into the packet for the next time when there's a consideration by a larger number of you.

Ray Young stated, Council President, I would suggest along those same lines that we go ahead and have a presentation right now for the 5 of you. I have some comments to make on it also. We set it over for a public hearing on the 24<sup>th</sup> and before that time I'll let the Homebuilders Association be aware that we're considering it if they want to comment on it. It doesn't actually add costs to construction of any homes at all. They may not care but I will let them know.

Erich Mueller stated as was included in your packet I was trying to provide enough background without overloading the staff report. The exhibits may get to be a little bit much in terms of detail. Essentially what this is is the City of Gresham along with the League of Oregon Cities led the charge to provide for an amendment to the code to allow for defining of the area that is used to calculate for what is referred to as the changed property ratio. Changed property ratio is part of what was necessary for the implementation of Measure 50 way back in 1997. The purpose of the changed property ratio was that when Measure 5 was originally adopted and the establishment of assessed

value, real market value and maximum assessed value there were properties in existence. So what the law intended was clear for those properties. The question was, how do you deal with new property that's developed the following year, 5 years later or 10 years later? How does it come onto the tax roll? What was intended with the changed property ratio was to say that okay, if for horizontal equity you generally want to have taxpayers pay with similar properties and you want them to pay similar tax rates to be fair. So if you have a piece of property a house that's at 70% assessed value to market value and you build a new house across the street from it that's the same square footage, same neighborhood and same all of those factors, what should it come onto the tax roll at? Should it come under the tax roll at the full real market value that the developer sold it to the new buyer? That would tax them at a higher rate than the property right across the street from them that is a comparable piece of property and that would distort the horizontal equities. So that was the purpose of putting in the changed property ratios to say if existing properties similar to what's coming on the tax roll is at 70% then this new property should come on at the same rate so that there would be fair treatment. That was the concept and the intent. Of course, that was done at a certain point in time to apply to the future. It was also done at a time back when the legislature was trying to get this implemented because Measure 50 was a replacement and a repeal of Measure 47 that had been adopted by the voters the year prior but had been impractical and unworkable. So there was a bit of a time crunch to get it implemented. So whether they had the opportunity to fully think through all the implications or not, I think over time it's become clear that there were some inequities that got built in. The challenge is that when they adopted it they said, okay, the area for deciding where comparable properties exist is going to be the County. Well as we all well know, the County has a lot of diversity across it. Rockwood and Lake Oswego are very different profiles from a property value, economic standpoint and density. But when they adopted it they said each county will just use 1 ratio. That would become very problematic. For us, in Multnomah County, what has happened then is because the City of Portland has about 87% of the assessed value. They essentially overwhelmed the calculation because it's based county-wide. What that does is it distorts it for all the other areas in the county. So what Gresham did was went to the legislature last year and got the law amended so that a city could adopt its city jurisdiction as the area to use for comparable value rather than saying the entire county. Gresham worked this through, there was a lot of negotiations with Multnomah County Assessor and because they were in the midst of implementing a new system so there was some special provisions put in and they weren't really allowed to implement it until about November last year. They and Wood Village, who jumped on their coattails, were able to implement it last November and December which then made it effective for the valuation date which January 1<sup>st</sup> of every year. If you notice on Exhibit A, it's got those additional ratios. Wood Village and Gresham for the first time have their own ratios so when a new piece of residential property in Gresham is put on the tax rolls it comes on with that ratio that's listed there at 63% of assessed value. It allows for comparability for comparison of property values from an equity standpoint to be localized so that it's focused on your community rather than it being overwhelmed by the other parts of the county.

Council President Ripma stated, Erich, I want to compliment you. That was very understandable. That was really good.

Ray Young stated I'm with you. It took me awhile to figure this out too because it is very high math and I was not a great math student. Mr. Mueller did an excellent job of explaining the essence of and reason for it which is how you get new construction to be comparable taxes to old construction. By way of example I want to give you how I viewed it just because I had to write it out myself to really understand it. Current residents of Troutdale are actually paying a higher burden of taxes than they should otherwise because of the current system. So in some ways, we have treated unfairly those who own property in Troutdale now versus new construction that comes on the board. A Troutdale house that was built in the early 90's which is before the tax reform happened is currently worth \$300,000.00 as an example. It has an assessed value of, for example, of \$200,000.00. That means the property tax ratio is 66%, its tax assessed at 2/3 of what its real market value is. However, in Portland, because their house values have gone through the roof, the same house from the early 90's is currently worth say \$500,000.00 and its tax assessed value is the same as the Troutdale ones at \$200,000.00. That makes the property tax ratio 40%. So what happens is that Troutdale properties are currently running at 65% of real market value for tax assessed value but the Portland ones are running at about 40%. Since there's so many more Portland houses it brings our ratio down into the 40% that we applied to our properties when it's really higher, closer to 60 or 62 or 65%. So what happens now is that same \$300,000.00 house that's currently taxed at \$200,000.00, if somebody builds a brand new house in Troutdale at \$300,000.00 value they have a tax ratio applied to that of .49 which means they get taxed at \$147,000.00 of real market value but the current Troutdale house owner is still taxed at \$200,000.00 for the same \$300,000.00 house. In effect, current property owners in Troutdale are subsidizing the new owners of homes who are paying a tax assessed value less than that. So what this law allows us to do is we get to actually make our neighbors who build a brand new house and move into it that they have to pay a comparable property taxed value as we all do. This is a way to make it fairer to the current residents to make sure their taxes are based upon a comparable. So that's the reason we're allowed to do this.

Council President Ripma stated it seems to me we ought to do it.

Councilor Allen stated I'm inclined to be favorable to this. I don't mind some horizontal inequity but I prefer it to be in the opposite direction. A new homeowner knows what they're getting into. They will buy a home that they can afford and that they can afford the taxes on. However, an existing homeowner who's been there for 10, 20 or 30 plus years, their wages certainly do not go up. I'm not even seeing people's wages in many cases go up to 3% that we increase their taxes. What I want to avoid at all costs is driving somebody out of their home because they can't afford the tax increases even though they've lived there most of their life. I do not want to make people homeless just so we can try to collect more tax money so we could have a homeless program for them. I'd rather keep them in their home.

Councilor White stated I'm impressed that this came out of East County, especially Gresham. My hat's off for getting that done. I think this will probably sweep the state eventually. Can we exempt residential from this and have it only apply to commercial development? Is there a way to do that?

Erich Mueller replied not based on the current statutes.

Councilor White stated my concerns are primarily for first time homeowners. They tend to buy some of the smaller homes that are being built and new construction and the construction costs have gone up so much that they're actually getting a lot less yard, a lot less house and the cost, to me, is astronomical. Then we've hit them with a large increase on system development charges to build that house and now we're going to hit them again with possibly a 15% increase out of the gates for the tax base on that house. And then they fall into a 3% maximum a year if they're not close to their real market value.

Ray Young stated let me make clear, this would only apply to a house that was placed on the rolls after January 1<sup>st</sup>, 2019. So if that first time homebuyer bought any home that's currently existing, which considering the buildout as Councilor White and I talked about earlier, we're probably only going to add like 10% more homes so in reality first time homebuyers this will not impact 90% of the homes that they might be buying. It would just be the small percentage of people who wanted to buy a home that was built after this year. There is some impact but really a small percentage of every home in Troutdale.

Council President Ripma stated I guess the question is, why should the existing homeowners end up subsidizing it? In my mind there's no reason a new homeowner should pay less than the existing homeowners in property taxes. It just doesn't make sense. I'll entertain a motion to table it to the next meeting to have the hearing then and vote on it hoping that we have a little better attendance.

Tim Ramis stated the motion should be to continue the proceeding until the next meeting.

**MOTION: Councilor White moved to continue this discussion until the next possible Council meeting. Seconded by Councilor Allen.**

**VOTE: Council Lauer – Yes; Council President Ripma – Yes; Councilor White – Yes; Councilor Allen – Yes and Councilor Hudson – Yes.**

**Motion passed 5-0.**

## **7. STAFF COMMUNICATIONS**

Ray Young stated we have a Town Center Open House, our third one, on September 26<sup>th</sup> from 4 to 8 o'clock to get input from the community and the business community. It's likely going to be at the Troutdale Elementary School. You'll get more information later this week on our website with the official announcement of location and time. Imagination

Station, something we've been waiting 2 ½ years for, you may have read that not one but two factories burned to the ground. So delivery has been delayed on a couple parts. The good news is the date of delivery has been moved up from the end of October to the first of October for those last parts that we need. The company who is doing the soft rubbery surface says it just has to be above 55 and dry for a couple days so it shouldn't be a problem doing that toward the middle or end of October. We're really pushing hard to make sure we get this all done this fall. The Urban Renewal Area if you've noticed, we've got big machinery out there. They're moving things around, they've cleared the corners out now, they've done a survey and almost 3 million gallons of the pond went into our sewer system last week and it handled it just fine. The pond is now empty out there. So they're making progress and they're working forward getting things done. Finally, Mayor Ryan gave me a statement about the zoning change to read. Just so you know, I gave this to Sam Barnett to read and he thanked me for that so that he could hear the Mayor's comment on it.

Ray Young read Mayor Ryan's statement (a copy is attached as Exhibit A to these minutes).

## **8. COUNCIL COMMUNICATIONS**

Council President Ripma stated I'll just say that the first citizen that spoke about encountering homeless people wandering through various areas of Troutdale, I do think that if there's something needed in the way of additional code revisions or code enforcement that can be done to prevent people illegally camping I would strongly favor it. I would ask the staff to ask the Sheriff's Department if there's something they need us to have on the books. We're all County residents and we pay a lot of money, we pay more money to the County on our property taxes than we do to the City of Troutdale and the County is the responsible agency for helping people who have needs like the homeless do. We need to encourage the County to be more active in that area. I just want to express the same concern she has and commend the staff to look into whatever is needed. Particularly if the Sheriff's Department needs something on the books in Troutdale that we don't have.

Councilor Lauer stated I was actually going to mention the same thing. I know that our code enforcement officer is only part-time. I didn't know if there's something more that we could be doing, offering a full-time position, or offering 2 part-time positions. I know the Sheriff's Department has the HOPE team that they use. I know that that's only 2 deputies.

Ray Young stated we have considered possibly increasing the code enforcement position. But I think the City Attorney wants to make a comment about what's going to cause us a struggle with code issues.

Tim Ramis stated I think the idea of consultation with the Sheriff is a good one. I think that conversation is one that all the cities need to undertake regularly on this subject. One of the things that's complicating life with the Sheriff is less the question of what we have on

our books and more the question of the way the federal courts have viewed our responsibilities before we can enforce. One recent decision there was certainly limitations placed on the government in terms of enforcement where we haven't provided other options for people. So that's a continuing struggle we have to deal with.

Councilor White stated thank you both for mentioning that. I was also concerned by hearing Ms. Massey's concerns about homelessness. I'm also concerned for the homeless because Troutdale isn't a good place to be homeless with winter approaching. There's dozens and dozens of camps that are just outside of our city limits in the Thousand Acres area that are going to be under water here pretty soon. They may not know about the east wind that can blow for 2 weeks solid. I think an action plan is in order. We get an influx in the summer months but it becomes more serious in nature with winter approaching. I think we should listen to the public on this one and do something. On a happier note, I had the opportunity to be at the Historic Society's final Barn Concert and they had a fellow by the name of Brady Goss who is a phenomenal pianist. It was really an excellent concert and well attended.

Councilor Allen stated adding to that note, there's a couple things that I do caution against and that's sanitation has got to be maintained. It's a human health problem. That kind of stuff can get out of hand. The other thing is even when I was homeless I didn't care for the ones who were predators. Laws still do have to be obeyed and enforced.

Councilor Hudson stated we had a follow up meeting with Mayor Tosterud of Fairview talking further about the possibility of passing a single use plastic shopping bag ban throughout the 3 cities of Fairview, Wood Village and Troutdale. The very first meeting we had was very well attended and lots of representatives from the County, State and other agencies. There are so many reasons why this ban would be a good idea. It would be helpful and it would not be burdensome to businesses. The current version that Mayor Tosterud is planning and working on with his City Council would also prevent any store from charging extra for paper bags and then would encourage the use of reusable bags instead of the paper bags in the first place. Such bans have had lots of success in other cities and I think it would be really effective if Troutdale, Wood Village and Fairview could all pass a very similar ban right around the same time. One of the benefits of teaming up on this is that the stores and the chains that are in all of our communities could have consistency around this area and we would just be extending the kind of consistency which they would already be subject to in Portland as it is. Then I think we could have a really big influence and make a really big statement by teaming up and passing such a ban at the same time that will get the attention of the County and the State. I think we can cause a big splash on this important issue especially if we 3 cities act as one. Things look really favorable for Fairview and Wood Village getting something on their agendas this fall and I would love to join them if we could. Both Fairview and Wood Village are looking like they would like to move on this this fall. We reiterated some of the major reasons in support and then everyone broke out to talk to individual councils.

Councilor Lauer asked, when is the next meeting scheduled?

Ray Young replied I will check with the City of Fairview and find out.

## **9. ADJOURNMENT**

**MOTION:** Councilor Lauer moved to adjourn. Seconded by Councilor Hudson.  
Motion passed unanimously.

Meeting adjourned at 9:04pm.

\_\_\_\_\_  
Casey Ryan, Mayor

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

**DRAFT**

**ATTEST:**

\_\_\_\_\_  
Kenda Schlaht, Deputy City Recorder

# CITY OF TROUTDALE

**City Council – Regular Meeting  
7:00PM**

**Tuesday, September 11, 2018**

# PLEASE SIGN IN

[illegible]

## **Exhibit A**

September 11, 2018 Council Meeting Minutes

### **Mayor's Statement on Zoning Change Vote**

There have been many questions on why I would change my vote from a no to a yes for the zoning change. The reason I voted no the first time in the meeting in June was because of my concern about traffic. At that time I was not convinced the county and other interested parties had a plan, and the funds, to improve this intersection over the coming years. My vote changed with the new information that was provided at the last meeting (The reason we had the other meeting was to be able to hear new information and have the option to change our minds if the information was sufficient). The county, City of Gresham, and the interested party asking for the zone change, demonstrated to me that there was a plan, money was allocated and that it would improve the intersection. I also did research over the summer, and I spoke to city staff, county employees, and our city attorney which helped me become better educated on the decision before me and that information also helped me come to the conclusion that I was a yes vote. I also received an email, phone calls, and face to face conversations from citizens and businesses that were in favor of the zoning change.

I have also heard the criticism that I, and the Council, represent the citizens of Troutdale, and that the zoning change did not represent the citizens of Troutdale. I represent all the citizens of Troutdale and there are close to 17,000 residents, not just those who appeared at the meetings, so I have to think big picture and cast a wider net when I vote my conscience. Although, I appreciate the citizens that come to voice their opinions, usually they do not represent Troutdale as a whole, just a small minority of the people. That is not just with this issue, but all issues before the city. Usually the only people who come to meetings are the people who are against an issue, very rarely do people who support it show up.

Last meeting a "petition" was mentioned. The people who signed the petition may not have heard all the facts and I am not sure of the question that was posed to them. It was clear that the person that was gathering signatures was opposed to the changes. It is hard for me not to believe that feeling was not reflected in how the issue was presented when going door to door. As we are all seeing on TV right now political ads can make you like a candidate or dislike a candidate based on the information relayed in the commercial. I live on the east side of 257th on 15th ct and travel Cherry Park daily so any development that goes into that property will affect me. I am voting yes even though it will likely negatively impact me. I need to be clear about this, that property is going to be developed, it will not stay a field for much longer so the traffic is going to increase no matter what goes there.

Change is hard and I understand that. I wonder how the Troutdale community felt when the development you and your neighbors live in went from farmland to a housing development. All the residents in Troutdale have benefitted from zoning changes which allowed housing in which increased traffic. I wonder how much opposition there was when Safeway and the Cherry Park shopping center went in. I am sure there were people who strongly opposed any change of that land use. I think we can all agree our community is better because that change of zoning happened.

One thing I would also like to remind people is that the citizens the make up our Planning Commission also voted to approve the zoning change. I respect our citizen committees a lot and I take their decisions seriously.

Good people can disagree on issues without being disagreeable and that is what my hope is for our community. I vote my conscience and what I think is best. You can agree or disagree with me, and we both can be correct on how we see the world.

I appreciate very much the public testimony on this issue and I am sorry that I failed to recognize that at the last meeting. I always love it when our citizens express themselves on issues, whether I agree with them or not.

CITY OF TROUTDALE

*Proclamation*

COMMUNITY PLANNING MONTH – OCTOBER 2018

- Whereas:* Change is constant and affects all cities, towns, suburbs, and other places; and
- Whereas:* Community planning and plans can help manage this change in a way that provides better choices for how people work and live; and
- Whereas:* Community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and
- Whereas:* The full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and
- Whereas:* The month of October is designated as National Community Planning Month throughout the United States of America and its territories; and
- Whereas:* American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environments; and
- Whereas:* The celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of professional planners, planning commissioners, citizens advisory committee members, and other citizen planners of the City of Troutdale and extend our heartfelt thanks for the continued commitment to public service;

*Now, Therefore, Be It Resolved That,* the month of October 2018 is hereby designated as Community Planning Month in the City of Troutdale in conjunction with the celebration of National Community Planning Month.

***Dated this 23<sup>rd</sup> day of October 2018***

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***Casey Ryan, Mayor***



# CITY OF TROUTDALE

## STAFF REPORT



**SUBJECT / ISSUE:** PUBLIC HEARING: An Order Approving the Site Development Review and Variances for a Proposed Development on Two Parcels With an Approximate Total Area of 8.82 Acres Located at the Intersection of NE 242nd Drive and SW Cherry Park Road.

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

**MEETING DATE:**  
October 23, 2018

**STAFF MEMBER:**  
Chris Damgen

**DEPARTMENT:**  
Planning

**ACTION REQUIRED: (By Order)**  
Motion

**PUBLIC HEARING:**  
Yes

**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:**  
Approval

**Comments:** Planning Commission forwarded

**STAFF RECOMMENDATION:** Approval

**EXHIBITS:**

- A. Planning Commission Draft Findings & Recommendation with Conditions of Approval
- B. Application Narrative, Plans, & Traffic Impact Analysis
- C. Written Testimony Received prior to Planning Commission hearing on 5/29/18
- D. Written Testimony Received since 8/28/18 public hearing
- E. Correspondence from Michael Robinson (attorney for Applicant) on 10/01/18

**SUBJECT / ISSUE RELATES TO:**

☐ Council Goals

☐ Legislative

☒ Other (describe)

Land Use Application requiring City Council approval.

**ISSUE / COUNCIL DECISION & DISCUSSION POINTS:**

- ◆ Approval of the application can be accomplished by order (one reading). This was a site development application that was concurrent to the map amendments application approved by City Council on August 28, 2018.
- ◆ Conduct the public hearing to receive testimony from Staff, the Applicant, and interested parties – proponents, opponents, and neutral parties

Reviewed and Approved by City Manager:

- ◆ Review the application and the draft findings through the prism of the listed decision criteria for each of the components of the application. Council's decision must relate to these criteria and the application's demonstration of its ability (or inability) to meet the criteria.

## **BACKGROUND:**

This application is to construct an apartment complex comprised of 216 units across nine buildings with a common area. Parking would be entirely contained on-site and exceeds parking standards for multi-family residential. Access would primarily come from SW Cherry Park Road, with a right-in/right-out access point on NE 242nd Drive, with emergency access and pedestrian connectivity with SW Larsson Avenue to the south.

In most situations, the City Council does not review or approve site development applications. However, this particular site development application is being considered by City Council due to the concurrent nature of its submittal with the map amendments application that was approved at the August 28, 2018 meeting. With the new zoning and land use designations in place on the subject properties, the proposed development is now a permitted use for that site.

Planning Commission held a hearing at the May 29, 2018 special meeting on this application and recommended approval of the site development application and the two accompanying variances by a 4-3 vote. Public testimony was largely in opposition for the same concerns as articulated in the map amendments application—namely traffic, visual impact to surrounding areas, and concerns of property values.

## **PROS & CONS:**

A comprehensive analysis of the proposal can be found in the Staff Report.

### **Pros:**

- Adds additional housing options to the community
- Improves a property that has been mostly vacant and difficult to develop
- Improves vitality of surrounding commercial properties
- Increases the likelihood of transit service to 242nd and/or Cherry Park Rd
- Property tax collections and SDC contributions
- Proximity to job centers, commercial centers, school, and park – could lessen auto usage
- Traffic improvements partially paid by development and committed by 2020.

### **Cons:**

- Public testimony from surrounding area has largely been against this proposal
- Traffic impact identified and acknowledged – though can be mitigated

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

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

Development of the property would yield higher property taxes from the subject property.

**City Attorney Approved:** ☒ Yes ☐ N/A

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

Planning Commission held a hearing on May 29, 2018 that was consolidated with the map amendments application. Property owners in the surrounding area were notified of the City Council hearing in accordance with the notification standards Troutdale Development Code.



# Exhibit A

10/23/18 Council Mtg. Item #9

CITY OF

TROUTDALE

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## Findings of Fact & Recommendation

HEARING DATE:

May 29, 2018

FILE NUMBER / NAME	18-017 – Eagle Ridge Apartments – As		I18
APPLICATION TYPE	Type IV Comprehensive Plan and Zoning Map Amendments, Site Development Review, Lot Line Adjustment, and Variances		
PROJECT APPLICANT	Carey Sheldon	PROPERTY OWNER	Carey Sheldon
PROJECT LOCATION	242 <sup>nd</sup> Ave & SW Cherry Park Road	TAX MAP / TAX LOT #	1N3E35BC – 00700 / R943350520 1N3E35BC – 00800 / R943350450
LAND USE MAP	Medium Density Residential (MDR) Low Density Residential (LDR)	LAND USE ACTIVITY	Multi-Family Residential
ZONING DISTRICT	R-5 – Residential / R-7 – Single-Family Residential	OVERLAY DISTRICT	N/A

### PROPOSAL

The Applicant is applying for a **Comprehensive Plan Map Amendment**, a **Zoning Map Amendment**, a **Site Development Review approval**, and **two Variances** for two subject properties at 242<sup>nd</sup> Avenue & SW Cherry Park Road in order to construct 216 multi-family residential units. The properties would require map amendments to allow for the development to occur. Access is proposed off of 242<sup>nd</sup> and Cherry Park Road with a gated fire access proposed at Larsson Ave.

### PROCEDURE

This application is undergoing a Type IV legislative review procedure as required in Troutdale Development Code (TDC) Chapters 2, 6, and 15. This procedure requires a public hearing and Planning Commission review of the application. Planning Commission may forward a recommendation to City Council, where additional public hearings will be held. City Council is the decision-making entity for Type IV legislative applications. Because of the nature of this application (a development proposal reliant upon approval of map amendments), two approval actions by City Council would be required, though the public hearing will cover both approval actions. Nearby property owners, relevant review entities, and other stakeholders have been notified accordingly. [TDC 2.075 - 2.090]

### APPLICABLE CRITERIA

Listed below are governing standards that shall apply for this application:

- *Troutdale Development Code (TDC):* **Ch. 1** Introductory Provision; **Ch. 2** Procedures for Decision Making; **Sec. 3.060** Apartment Residential (A-2); **Sec. 5.600** Erosion Control and Water Quality Standards; **Sec. 5.700** Stormwater Management; **Sec 5.1000** Public Improvements; **Sec. 6.200** Comprehensive Plan Map Amendment; **Sec. 6.900** Site Development Review; **Sec. 6.1300** Variance; **Sec.6.1400** Zoning Map Amendment; **Sec. 7.180** Lot Line Adjustments; **Ch. 8** Site Orientation and Design Standards; **Ch. 9** Off-Street Parking & Loading; **Ch. 11** Landscaping and Screening; **Ch. 15** Amendments; **Ch. 17** General Provisions
- *Troutdale Municipal Code:* 8.26 Outdoor Lighting; 13.10.270 Tree Removal
- *City of Troutdale Comprehensive Land Use Plan*
- Building and Fire Codes
- *Construction Standards for Public Works Facilities*
- Relevant standards in Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR)

**FINDINGS OF FACT**

- Planning Commission received public testimony from Staff, the Applicant, and members of the public at the May 29, 2018 hearing.
- The Findings of Fact contained herein are derived from the specific decision criteria outlined in the Troutdale Development Code and are hereby adopted as the Findings of Fact in this matter.
- Conditions of Approval for this application are hereby forwarded to City Council for reference to their final order.

**FORMAL RECOMMENDATION AND CONDITIONS OF APPROVAL**


**FORMAL RECOMMENDATION**


Based upon the attached Findings of Fact, the Troutdale Planning Commission formally recommends **approval** for Case File 18-017 on the count of all decision criteria being met, **subject to the conditions of approval** as stated herein. The recommendation hereby forwarded to the Troutdale City Council for consideration of final action on this application.

**YEAS:** 4

**NAYS:** 3 (Commissioners Glanz, Kranz, and Prickett)

**ABSTAINED:** 0

  
\_\_\_\_\_  
Tanney Staffenson, Planning Commission Chair

  
\_\_\_\_\_  
Date

**FINDINGS OF FACT – SITE DEVELOPMENT REVIEW APPROVAL CRITERIA [TDC 6.920]**

- A. The application complies with all of the applicable provisions of the underlying zone and overlay zone(s), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards, or a variance or adjustment is granted.

FINDING: The Application calls for multi-family residential units, which are not a permitted use in the R-5 or R-7 zoning districts, however it is a permitted use and matches the spirit and intent of the A-2 zoning district and High Density Residential land use designation. The Applicant is concurrently applying for a Comprehensive Land Use Plan Map and Zoning Map Amendments to address this matter. The lot is considered a continuously curved corner lot; as a result, the frontage on both 242<sup>nd</sup> Ave and Cherry Park Road are held to front yard setback requirements. The Applicant is applying for a variance to reduce this front yard standard from 20 feet to 10 feet. The layout and design meets all other setback requirements and dimensional standards. The Applicant is required to provide the net area in order to confirm density standards are met. Their net area calculation did not take into consideration setbacks, however the maximum using that area was 248 units and the minimum was 199 units. Given they are closer to the minimum than the maximum calculation, it is not believed that density will be exceeded with the correct net area. Provided the Comprehensive Land Use Plan Map Amendment, Zoning Map Amendment, and proposed variances are upheld and associated conditions are met, **the criterion is conditionally met.**

- B. The proposal includes required upgrades, if any, to existing development that does not comply with the applicable land use district standards, pursuant to Section 5.300 Nonconforming Uses.

FINDING: The only known nonconformity on the property is the existing fruit stand, which will no longer be located at the property should this application be approved. On the matter of site utility performance, certain conditions need to be considered. Due to the site's topography, full gravity flow to Basin A or B cannot be obtained, which will require a private sewer pump station to be installed. The Applicant has proposed, and Public Works has conditioned, redirecting the majority of the site to Basin A in order to mitigate some of the deficiencies in Basin B, which currently has several undersized pipes. As such, **the criterion is met.**

- C. The proposal complies with all of the applicable site design and development standards of this Code, such as landscaping and parking.

FINDING: The Applicant has met the multi-family design standards and the minimum vehicular and bicycle parking standards are exceeded. The Applicant is required to retain 25% of the property as landscaping, however they have proposed retaining 24.7% and have applied for a variance to address this. The landscaping provided does include screening from the neighboring single-family residential units. As such, **the criterion is conditionally met.**

- D. If applicable design standards are proposed to be adjusted, the proposed adjustment:
- Is justified due to unique site conditions.
  - Conforms to the extent practicable with these design standards.
  - Mitigates potential impacts from the adjustments to the extent practical.

FINDING: The Application has requested variance relief with regards to front yard setbacks and landscaping. No design standards are proposed to be adjusted in accordance with provisions in Section 8.240. The variance to the front yard setback allows the site to meet the side yard setbacks, which are located next to single-family homes. Provided the criteria for each of these three respective items are met through the variances, **the criterion is conditionally met.**

**FINDINGS OF FACT – VARIANCE TO TDC 3.064.D.1  
FRONT YARD SETBACK APPROVAL CRITERIA [TDC 6.1325]**

- A. Special circumstances or conditions including, but not limited to, lot size, lot shape, topography, or size or shape of building, apply to the property, development, or to the intended use and are not typical of the general conditions in the surrounding area.**

FINDING: The lot is a unique corner lot given the continuously curved nature of the property line. In this instance, a continuously curved property line adjacent to two or more streets of a corner lot shall be considered the front lot line. Such a corner lot has no rear property line, only front and side property lines. The Applicant has proposed a variance to the front yard setback requirement from 20 feet to 10 feet. This variance enables the proposed buildings to be located closer to 242<sup>nd</sup> Ave (arterial) and Cherry Park Road (collector) and retains the side yard setbacks on the east and south property lines which abut single-family residential homes. It also allows for circulation throughout the site. The site was designed in a fashion to mitigate any negative impacts of development on surrounding properties in the most practicable fashion possible while complying with the spirit and intent of the zoning district and its prevailing standards. As such, **the criterion is met.**

- B. The variance authorized will not be injurious to adjacent properties or the surrounding neighborhood or otherwise detrimental to the public welfare.**

FINDING: The variance requested is in relationship to the west and north sides of the property, which are along two major streets and not adjacent to residential developments. The 22.5 foot setbacks shall be retained along the southern and eastern property lines.

In addition to this, the clear vision standards are still met for the corner of 242<sup>nd</sup> and Cherry Park Road, as no buildings are proposed along that corner. As such, **the criterion is met.**

- C. The variance authorized will be consistent with the general purpose and intent of the provision from which a variance is sought.**

FINDING: The setback variance only impacts three buildings, two on the west and one on the north; clear vision standards are still met given their placement on the site. The impact this variance has is relatively insignificant to the north, because the corner of one building and potentially the club house are the only structures proposed within the original 20 foot setback. On the west only two buildings are impacted, however their location does not negatively impact clear vision standards and the adjacent use to the west on the other side of 242<sup>nd</sup> is industrial. As such, **the criterion is met.**

- D. The variance is the minimum necessary to relieve a practical difficulty with full compliance and to avoid or minimize the resulting hardship.**

FINDING: The design of the proposed development was submitted with the intent to minimize hardships on the neighboring residential properties and to mitigate effects on surrounding property. Certain design considerations, including parking space lengths and driveway aisles are truly not variable due to safety considerations, which leaves limited room for the proposed buildings. Furthermore, required 10-foot right-of-way dedications from the existing property frontages along 242<sup>nd</sup> Ave and Cherry Park Road have effectively reduced the buildable area of the property. Without the dedication requirement, the placement of the structures would be in full conformity with the setbacks. As such, **the criterion is met.**

**FINDINGS OF FACT – VARIANCE TO TDC 11.010.A.  
MINIMUM LANDSCAPING REQUIREMENT APPROVAL CRITERIA [TDC 6.1325]**

- A. Special circumstances or conditions including, but not limited to, lot size, lot shape, topography, or size or shape of building, apply to the property, development, or to the intended use and are not typical of the general conditions in the surrounding area.**

FINDING: The Applicant is aware that surrounding property owners have concerns regarding parking associated with apartments. In order to mitigate this as much as possible, they have proposed 512 parking spaces, 8 spaces above the requirement. In order to accommodate these extra spaces, the landscaping requirement was just barely not met. Parking availability and impacts from not having sufficient spaces are historically more concerning to surrounding land uses than landscaping area requirements. As such, **the criterion is met.**

- B. The variance authorized will not be injurious to adjacent properties or the surrounding neighborhood or otherwise detrimental to the public welfare.**

FINDING: A variance of this size will likely not be noticed by adjacent properties or the surrounding neighborhood. The applicant has also proposed a landscaping buffer between the proposed development and surrounding residential properties. As such, **the criterion is met.**

- C. The variance authorized will be consistent with the general purpose and intent of the provision from which a variance is sought.**

FINDING: It is clear by how small this request is that the applicant has attempted to the best of their ability to meet this standard. Therefore, **the criterion is met.**

- D. The variance is the minimum necessary to relieve a practical difficulty with full compliance and to avoid or minimize the resulting hardship.**

FINDING: The landscaping requirement for A-2 zoning districts is 25 percent (25%) and the applicant has proposed 24.7%. This variance is only about 1 percent (1%) of 25 percent (25%). The Applicant could have easily requested a larger variance in order to create room for more units, which the density allows, however it is clear that this is the minimum necessary to relieve a practical difficulty. In fact, as such, **the criterion is met.**

## PROPOSED CONDITIONS OF APPROVAL

### City of Troutdale Planning Division

1. Public improvements shall be completed prior to the issuance of building permits.
2. Applicant shall be required to satisfy comments made by the review entities included in the corresponding staff report or shall work with Staff to reach an agreement between the parties.
3. Applicant shall be required to have primary access from Cherry Park Road and 242nd Ave. A fire gate shall be installed to ensure no vehicular traffic is allowed at Larson Ave.
4. Net area, as defined in TDC 1.020.97, shall be indicated on the coversheet of a revised plan set to confirm density standards are met. A revised plan set shall be submitted either prior to or alongside building plans at the time building permit submittal.
5. Assuming the setback variance along the front property lines is approved, Applicant shall be required to update site plan to confirm setbacks prior to building plan review. If the variance is not approved, Applicant shall be required to meet the 20 foot setback requirement.
6. Prior to Certificate of Occupancy, Applicant shall be required to apply for a Lot Line Adjustment to eliminate the lot line separating the two tax lots.
7. Before building plan submittal Applicant will need to schedule a pre-submittal meeting with Building and Planning Staff to review any deficiencies in the plans.
8. Site-obscuring shrubbery or a berm, wall, or fence shall be placed along the boundary of each classification of zone, i.e. residential, commercial or industrial, and around unsightly areas such as a trash or equipment storage area (TDC 11.010.D.).
9. Prior to building permit approval, Applicant shall be required to obtain a road rules variance from Multnomah County for the site's proposed access points.
10. Prior to issuance of the Certificate of Occupancy, Applicant shall obtain concurrence from Multnomah County that all transportation requirements have been met, including conditions of the road rules variance.

### City of Troutdale Public Works Department

1. Developer shall obtain a NPDES 1200-C Stormwater General Construction permit approved by DEQ and Erosion and Sediment Control Plan (ESCP) prior to commencing construction. No ground-disturbing activity (other than installation of EC measures) may occur until the 1200-C permit is issued and EC measures have passed an initial inspection.
2. The proposed development shall connect to sanitary sewer in Basin A.
3. The developer shall provide a conceptual street/lot plan for the adjacent underdeveloped properties to the east, prior to this application being reviewed by the City Council.
4. The developer shall dedicate to the public a permanent bike and pedestrian access easement through the site from SW Larsson Ave to SW Cherry Park Road, as directly as is feasible, and shall provide appropriate improved bike and pedestrian facilities along said route, to be maintained by the property owner.

**Gresham Fire & Emergency Services**

1. Provide fire flow per Oregon Fire Code Appendix B. Fire flow for apartment buildings varies based on construction and square footage. OFC App B Table B105.1.
2. Temporary address of 6" shall be provided at EACH construction entrance prior to ANY construction materials arriving on site. Prior to the building final a permanent address placards will be required per Gresham Fire Addressing Policy. A site plan monument sign will be required at each entrance. I can email the policy to you. OFC 505 & 1401
3. Required fire hydrants and access road shall be installed and approved PRIOR to any construction material arriving on site. OFC 1412.1
4. All Fire Dept. Access Roads shall be drawn to scale and shown clearly on plans. The access roads shall be constructed and maintained prior to and during construction. The minimum width is 20' for buildings under 30' in height and 26' wide for locations where buildings are over 30' in height. Access roads in areas where fire hydrants are located are required to be a minimum width is 26' for a length of 20'. When buildings are over 30' in height, a minimum of two fire access points are required. Dead end access roads in excess of 150 feet shall be provided with an approved turnaround. OFC 1410, 503.2.1, D103.1, & D104
5. Required Fire Dept. Access Roads on site shall be designed to support an apparatus weighing 75,000 lb. gross vehicle weight. Provide an engineer's letter stating the access road meets those requirements at time of building permit submittal. OFC, Appendix D, Section D102.1
6. The turning radius for all emergency apparatus roads shall be: 28' inside and 48' outside radius. OFC 503.2.4
7. No Parking Fire Lane signage or curb marking will be required. Fire access roads 20' – 26' wide require the marking on both sides. Indicate on the building permit plans. I can email you our policy. OFC D 103.6
8. Due to the number of proposed units, two separate and approved fire access roads will be required. OFC D106.2
9. Each building is required to be provided with fire sprinklers throughout. This includes balconies, decks and ground floor patios. OFC 903.3, 903.3.1.2
10. A fire alarm system is required. OFC 907.2.9, 907.2.11, 907.6, 907.6.2, 903.4
11. Prior to applying for a building permit provide a fire flow test and report. The fire flow report will verify that the correct fire flow is available and will be required to have been conducted within the last 12 months. OFC 507.3 & B-101.1
12. If a gate is installed on a fire access road, it must meet the requirements of the Gresham Fire Gate Policy. This policy can be faxed to you upon request. OFC 506.1
13. Each public or private fire hydrant used for fire flow for this property shall have a 5-inch Storz adapter with National Standard Threads installed on the 4 ½ -inch fire hydrant outlet. The adapter shall be constructed of high-strength aluminum alloy, have a Teflon coating on the seat and threads, and use a rubber gasket and two (2) set screws to secure it in place. The adapter shall be provided with an aluminum alloy pressure cap. The cap shall be attached to the hydrant barrel or Storz adapter with a cable to prevent theft of the cap. Adapter shall be Harrington HPHA50-45NHWCAP or equal approved by Gresham Fire.
  - a. For public hydrants, order the connectors and once received then CONTACT the Water Operations Supervisor at the City of Troutdale to schedule installation. OFC 507 & NFPA 24-7.1.3

- b. For private (on site) fire hydrants the connectors will be inspected under permit by Gresham Fire. OFC 507 & NFPA 24-7.1.3
- 14. Without knowing the building construction types or sizes, a fire hydrant is required to be within 250 feet of the main entrance driveway. Fire hydrants crossing a major thoroughfare will not qualify. The furthest point on each building shall be no more than 400 feet from a hydrant. Show on the building plans where the nearest existing and new hydrants are located. OFC Appendix C and 507
- 15. A fire hydrant shall be within 50 feet of the fire sprinkler system "FDC". OFC Appendix C 102.2 & NFPA 13E
- 16. A lockbox will be required for fire department access. The lockbox form can be found on our city website or I can email one to you. You must use the form with our key code. OFC 506
- 17. Fire apparatus access shall comply with the requirements of OFC 503 and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. OFC 503.1.1
- 18. Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be BLUE. They shall be located adjacent and to the side of the centerline of the access road way that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the marker accordingly. OFC 508.5.4

#### **Multnomah County Transportation Planning**

- 1. The Applicant will need to obtain a Construction Permit to construct half street improvements to ensure that the half street meets county standards for ADA on the property's frontage on Cherry Park and 242nd per Multnomah County Road Rules [6.100]. The applicant will need to assess compliance with ADA requirements and get permits for and complete improvements prior to issuance of a Certificate of Occupancy.
- 2. Thirty days before issuance of Certificate of Occupancy, work with the County to modify the traffic signal at the NE 242nd Drive/SW Cherry Park Road intersection to allow for protective-permissive phasing for the eastbound and westbound left-turn movements.
- 3. Control the site-access driveway along NE 242nd Drive to right-in/right-out only.
- 4. Construct site-access driveways per Multnomah County standards and obtain a driveway permit from Multnomah County.
- 5. Locate and maintain all future landscaping, above-ground utilities, and site signage to provide adequate sight-distance per American Association of State Highway and Transportation Officials (AASHTO) requirements at the site driveways.
- 6. Construct an enhanced crossing at the intersection of Cherry Park and SW 18th Way that includes marked crossings and the installation of a Rectangular-Rapid Flashing Beacon (RRFB). The applicant shall obtain a construction permit for the installation of this enhanced crossing from Multnomah County.
- 7. Provide a 10 foot right-of-way dedication and 6 foot slope/utility/drainage/sidewalk/landscaping/traffic control device easement along the site's Cherry Park frontage for future widening of the intersection.
- 8. Prior to issuance of the Certificate of Occupancy, obtain a road rules variance from Multnomah County for the site's proposed multiple access points.
- 9. The applicant will need to work with the County and the City of Gresham and contribute a proportionate share to the improvement at the intersection of Cherry Park and 242nd/Hogan to mitigate impacts to the intersection

resulting from this development. The intersection improvement includes widening to accommodate future traffic. The contribution shall be filed with the County prior to issuance of the Certificate of Occupancy.

10. The Applicant is required to obtain approval from the Mid-County Lighting District for street lighting to be installed along the subject property's frontage along SW Halsey Street and West Historic Columbia River Highway. The applicant will need to develop a street lighting design plan that is compliant with Mid-County Lighting District standards. Please contact Chet Hagen, Mid-County Street Lighting District Administrator, at [chet.hagen@multco.us](mailto:chet.hagen@multco.us) or 503-988-0164 for more information.

### **Exhibit B - Application Narrative, Plans, & Traffic Impact Analysis**

Note: This Narrative was submitted by the Applicant prior to the Planning Commission hearing on May 29, 2018. As a result, there are references to the two map amendment applications that were considered by Planning Commission simultaneously with the site development review. The hearing at the regular City Council meeting on October 9, 2018 will consider the site development component of the application and the two associated variances.



**EAGLE RIDGE APARTMENT HOMES  
A SHELDON DEVELOPMENT COMMUNITY  
A REQUEST FOR A COMPREHENSIVE PLAN AMENDMENT, ZONE CHANGE, AND SITE  
DEVELOPMENT REVIEW**

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CHERRY PARK AND SW 242<sup>ND</sup> AVENUE  
TROUTDALE, OREGON

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**Attachments**

Attachment A – Land Use Application

Attachment B – Pre-Application Notes

Attachment C – Technical Reports

Attachment D - Multnomah County Road Rules Variance Request

Attachment E – Preliminary Development Plans

## GENERAL INFORMATION

Applicant: **Sheldon Development**  
23765 SE Highway 212  
Damascus, OR 97089  
Contact: Carey Sheldon  
Phone: 503-658-3777  
Email: careysheldon17@yahoo.com

Applicant's Representative: **3J Consulting, Inc.**  
5075 SW Griffith Drive, Suite 150  
Beaverton, OR 97005  
Contact: Andrew Tull  
Phone: 503-545-1907  
Email: andrew.tull@3j-consulting.com

## SITE INFORMATION

Parcel Numbers: 2N3E35BC700 and 1N3E35BC0800  
Addresses: No Site Address (TL 700) and 2320 SW 18<sup>th</sup> (TL 800)  
Size: 6.88 ac (TL 700) and 1.94 ac (TL 800); Total Site Size 8.82 acres  
Zoning Designation: R-5 Single Family Residential and R-7 Single Family Residential  
Comp Plan Designation: MDR (Medium Density Residential) and LDR (Low Density Residential)  
Existing Use: Vacant  
Street Functional Classifications: SW Cherry Park Road is Classified as a Collector and NE 242<sup>nd</sup> Avenue is classified as an Arterial.  
Surrounding Zoning: The properties to the south and east are located within the city of Troutdale and are zoned R-7 Single-Family Residential. The properties to the north are located within the city of Troutdale and are zoned General Commercial (GC). The property to the west is located in the city of Gresham and is zoned General Industrial (GI).

## **INTRODUCTION**

### **APPLICANT'S REQUEST**

The Applicant seeks approval of a Type IV Comprehensive Land Use Plan Map Amendment and Zoning District Map Amendment as well as a Site Development Review for a 216-unit multi-family development. This narrative has been prepared to describe the proposed development and to document compliance with the relevant sections of Troutdale's Development Code.

### **SITE DESCRIPTION/SURROUNDING LAND USE**

The proposed development site is 8.82 acres in size and is located on the corner of SW Cherry Park Road and NE 242<sup>nd</sup> Drive. The site is currently vacant with gently sloping topography.

The site is currently zoned R-5 Single Family Residential and R-7 Single Family Residential.

### **PROPOSAL**

The applicant seeks a Comprehensive Land Use Plan Map Amendment in order to change the current designation of the subject property from Medium Density Residential and Low Density Residential to High Density Residential. The zoning districts of the subject properties would be changed from R-5 Single Family Residential and R-7 Single Family Residential to A-2 Apartment Residential.

The Applicant also proposes to construct a new apartment community on the site and has submitted a concurrent request for Site Development Review. The proposed development will feature nine new 3-story multi-family buildings, with a total of 216 multi-family units. Also proposed is an onsite clubhouse, a pool, a parking lot, landscaping and a series of open spaces.

## **APPLICABLE CRITERIA**

The following sections of Troutdale's Zoning and Development Ordinance and the City's Comprehensive Plan have been extracted as they have been deemed to be applicable to the proposal and as stated in the City's pre-application notes. Following each **bold** applicable criteria or design standard, the Applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for Comprehensive Plan Amendment and Zone Change and Design Review.

## **TROUTDALE DEVELOPMENT CODE**

### **Chapter 1- Introductory Provisions**

#### **1.010 Title**

**This ordinance shall be known as the Troutdale Development Code (TDC), also referred to as the Code, of 2017.**

**1.015 Purpose.** The purpose of this Code is to coordinate City regulations governing the development and use of land and to implement the Troutdale Comprehensive Land Use Plan. It is the policy of the City of Troutdale to accomplish this in a manner that allows Troutdale to develop as a community with its unique character, encourage development that conforms to that character and to assist all persons who propose such development.

#### **1.016 Applicability.**

**A.** This Code applies to all property within the incorporated limits of the City of Troutdale as well as to property outside the incorporated City limits but within the City's urban planning area that is subject to that Intergovernmental Agreement transferring land use planning responsibility from Multnomah County to the City of Troutdale, except for those incorporated properties located east of the ordinary high water line of the west bank of the Sandy River, which are within the boundaries of the Columbia River Gorge National Scenic Area (NSA).

**B.** Property located within both the incorporated limits of the City and the National Scenic Area shall be subject only to the regulations of Sections 4.500 (Flood Management Area), 5.600 (Erosion Control and Water Quality Standards) and 5.700 (Stormwater Management) of this Code, but are also subject to land use review by the Multnomah County Department of Community Services.

**1.017 Scope and Compliance.** A parcel of land may be used, developed by land division, or otherwise, and a structure may be used or developed by construction, reconstruction, alteration, occupancy, or otherwise, only as permitted by this Code. The requirements of this Code apply to the person undertaking a development or the user of a development, and to the person's successors in interest.

**1.018 Consistency with Plan and Laws.** Actions initiated under this Code shall be consistent with the adopted Comprehensive Land Use Plan of the City of Troutdale and with applicable state and federal laws and regulations as these plans, laws, and regulations may now or hereafter provide.

### **Chapter 2- Procedures for Decision-Making**

#### **2.005 Types of Procedures for Taking Public Action.**

Three separate procedures are established for processing development applications and one procedure is established for public actions (legislative) which do not involve land use permits or require consideration of a plan amendment, land use regulation, or City policies. These are Types I-III and Type IV respectively (see Table below):

#### **DECISION-MAKING PROCEDURE**

\*\*\*

<b>Applicant's Finding:</b>	The Applicant acknowledges that the proposed Comprehensive Land Map Amendment, Zoning Map Amendment and Site & Design Review are subject to the standards of the Troutdale Development Code and will be processed concurrently in a Type IV land use review. The complete application will be reviewed by staff who will make a recommendation to the Planning Commission. The Planning Commission will conduct a public hearing and make a recommendation to the City Council, who will make the final decision on the land use action. This standard is met.
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### **Chapter 3 – Zoning Districts**

#### **3.030 SINGLE-FAMILY RESIDENTIAL R-7**

**3.031 Purpose.** This district is intended primarily for dwellings in a low-density residential neighborhood environment.

#### **3.040 MEDIUM DENSITY RESIDENTIAL R-5**

**3.041 Purpose.** This district is intended primarily for dwellings in a medium-density residential neighborhood environment.

<b>Applicant's Finding:</b>	The site is currently zoned R-7 and R-5. This proposal seeks to change the zoning on the site to A-2 for multi-family residential (attached) homes. The applicable zoning section, therefore, is found below: 3.060- Apartment Residential A-2. This standard is met.
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#### **3.060 APARTMENT RESIDENTIAL A-2**

**3.061 Purpose.** This district is intended primarily for apartment, condominium, and similar attached dwellings in a high-density residential environment.

**3.062 Permitted Uses.** The following uses and their accessory uses are permitted in the A-2 district:

##### **A. Attached dwellings.**

\*\*\*

<b>Applicant's Finding:</b>	The proposed attached homes and their accessory uses (clubhouse, pool, garages, parking and open space) are permitted outright in the A-2 zoning district. The proposed use will be permitted outright with the approval of the proposed Comprehensive Plan Map Amendment and Zoning Map Amendment. This standard is met.
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#### **3.064 Density, Lot Size, and Dimensional Standards.**

##### **A. Dimensional Standards.**

1. **Minimum lot size:** Refer to the table in Subsection (B) of this Section for residential uses; fifty-four hundred (5,400) square feet for all other uses.
2. **Minimum lot width:**
  - a. **Units on separate lots:**
    - i. **Thirty-five (35) feet at the front setback line of any interior lot used for single-family detached and zero lot-line dwellings, duplexes, and the end units of a triplex or attached dwelling.**
    - ii. **Twenty (20) feet for any interior unit of a triplex or attached dwelling.**
    - iii. **Forty (40) feet at the front setback line of a corner lot.**
  - b. **Multiple-unit, attached, duplex, and triplex dwellings, and non-residential uses on one lot:**
    - i. **Sixty (60) feet at the front setback line.**
    - ii. **Seventy (70) feet at the front setback line of a corner lot.**
3. **Minimum lot depth:** Seventy (70) feet for single-family detached dwellings with a driveway from the public street or with access from an alley within a separate tract from the lot; ninety (90) feet for all other uses when there is approved street access; one hundred (100) feet for any use with access from an alley within an easement that is part of the lot.
4. **Minimum lot frontage:** Twenty (20) feet.

**Applicant's Finding:** The minimum lot size per subsection B is 1,500 square feet per unit. The proposed 216 units would require a minimum lot size of 324,000 square feet, or 7.44 acres. This 8.82-acre site is adequately sized to accommodate the minimum lot size of the A-2 zone.

The proposal includes multiple homes in an attractive complex on property which form a corner lot and therefore the minimum lot width is 70 feet at the front setback line, the minimum lot depth is 90 feet and the minimum lot frontage is 20 feet. This site exceeds 600 feet in both the north-south and the east-west dimensions. The lot has over 400 feet of frontage on both NE 242<sup>nd</sup> and SW Cherry Park.

As proposed, all dimensional standards meet the requirements of the A-2 zone.

**B. Maximum Density and Lot Size.** Where the number of dwelling units erected on a lot is calculated in accordance with this Section, no greater number of units shall in any event be permitted at any time unless the lot is within the Town Center Overlay District, or except as may be approved under the Planned Development District.

<b>DENSITY STANDARDS FOR MULTI-FAMILY</b>		
<b>Multiple-Unit Dwellings</b>	<b>Minimum Lot Area</b>	<b>Max. Lot Coverage</b>
<b>Over 155</b>	<b>1,500 sq. ft. per unit</b>	<b>55%</b>

**Applicant's Finding:** As discussed above, the proposed 216 units would require 324,000 square feet, or 7.44 acres. The proposed site is 8.82 acres in size and therefore exceeds the

minimum required. The lot coverage of the proposed buildings is 24%, below the maximum lot coverage of 55%. This standard is met.

**C. Minimum Density.** Residential development is required to be built at eighty percent (80%) or more of the maximum number of dwelling units per net acre. For purposes of this standard, in computing the maximum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number. For computing the minimum number of dwelling units, if the total contains a fraction, then the number shall be rounded down to the next lower whole number. [Example: Computing maximum/minimum dwelling units for a 7,500 sq. ft. parcel:

- Allowed density is 1 dwelling per 3,000 square feet.
- A 7,500 square foot parcel yields 2.5 dwelling units; round down to 2 dwelling units for maximum number of units.
- Eighty percent minimum density is 0.8x2 which yields 1.6 dwelling units; rounded down to 1 dwelling unit for minimum number of units.]

**Applicant's Finding:** At a minimum lot area of 1,500 sf per unit, the site size of 8.82 acres would permit a maximum total of 256 units. Eighty percent of 256 would be 204 units (rounded down from 204.8). The proposed 216 units exceeds 80% of the maximum permitted density on the site. This standard is met.

**D. Setbacks.**

1. **Front yard setback: Minimum of twenty (20) feet.**
2. **Side yard setback: Dwellings, and non-residential structures or uses:**
  - a. **Adjoining the A-2 zoning district or a non-residential zoning district: Minimum of five feet.**
  - b. **Adjoining a different residential zoning district:**
    - i. **Single-story construction: One and one-half times the minimum side yard setback of the adjoining residential zoning district but not less than ten (10) feet.**
    - ii. **Two-story construction: Two times the minimum required side yard setback of the adjoining residential district but not less than fifteen (15) feet.**
    - iii. **Three-story or greater construction: Three times the minimum required side yard setback of the adjoining residential district but not less than twenty (20) feet.**
  - c. **No side yard setback shall apply for the interior side property lines of attached dwelling on individual lots.**
  - d. **Ten (10) foot side yard setback shall apply for the exterior side property line for attached dwelling on individual lot.**
3. **Street side yard setback: Minimum of ten (10) feet unless the street side yard is used for the driveway, in which case the minimum setback shall be eighteen (18) feet to the garage.**
4. **Rear yard setback:**
  - a. **Dwellings and non-residential structures or uses adjoining the A-2 zoning district or a non-residential zoning district:**
    - i. **Without an alley: Minimum of fifteen (15) feet.**

- ii. **With an alley that is platted either as an easement or a separate tract that is at least twenty (20) feet in width:**
  - (a) **Minimum of eighteen (18) feet from the nearest edge of the tract or easement to the garage door.**
  - (b) **Minimum of five (5) feet to any other wall of the garage and all other structures as measured from the nearest edge of the tract or easement.**
- b. **Dwellings, and non-residential structures or uses adjoining a residential zoning district other than A-2:**
  - i. **Without an alley:**
    - (a) **Single story construction: The minimum rear yard setback of the adjoining residential zoning district.**
    - (b) **Two-story and greater construction: One and one-half times the minimum rear yard setback of the adjoining residential district but not less than twenty (20) feet.**
  - ii. **With an alley that is platted either as an easement or a separate tract that is at least twenty (20) feet in width, and the alley intervenes between the dwelling or structure and the other residential zoning district: Minimum of twenty (20) feet to the nearest edge of the tract or easement, regardless of the number of stories.**
- 5. **Projections into setbacks: See Section 5.020, Exceptions to Yard Requirements, of this Code.**
- 6. **Accessory structures in setback areas: See Section 5.010, Accessory Structures, of this Code.**
- 7. **Distance between buildings: See Chapter 8.200, Multiple-Unit, Attached, Duplex, and Triplex Dwelling Design Standards, of this Code.**
- 8. **Off-street parking, garages, and carports for multiple-unit attached, duplex, and triplex dwellings: See Section 8.225, Off-Street Parking, Garages, and Carports, of this Code.**

**Applicant's Finding:** Based on these standards, the front yard setback (Cherry Park) is 20 feet, the street side yard setback (242<sup>nd</sup>) is 10 feet, and the side yard setbacks to the east and south are 22.5 feet (7.5 x 3) . The proposed development meets all required setbacks with the exception of the 20-foot front yard setback along SW Cherry Park. The Applicant is requesting a variance to reduce this front-yard setback down to 10-feet, as discussed in response to the City's variance criteria. This standard is met.

**E. Height Limitation. The maximum height of a structure shall be thirty-five (35) feet.**

**Applicant's Finding:** The height of the proposed multi-family structures is 34.7 feet. The height of the clubhouse is approximately 15 feet. Both are below the 35-foot maximum height. This standard is met.

**3.065 Additional Requirements.**

**A. Unless otherwise provided in this Code, compliance with Chapters 8 and 11 relating to design review and landscaping is required. All development on lots within the Town Center**

**Overlay District must conform to the applicable standards of Chapter 4.600, Town Center, of this Code.**

**B. All lots in this district shall have frontage or approved access to public streets, public water, and public sewer before construction shall be permitted.**

**C. Recreational facilities for multiple-unit or attached dwelling developments of six (6) units or more on one (1) lot shall be provided in accordance with the regulations of Section 8.235, Recreation Areas, of this Code.**

**D. Off-street parking spaces shall be provided in accordance with the requirements of Section 8.225, Off-Street Parking, Garages, and Carports, and Chapter 9, Off-Street Parking and Loading, of this Code.**

<b>Applicant's Finding:</b>	This narrative includes description of the proposal's compliance with Chapters 8 and 11 relating to design review and landscaping. The site has frontage on three public streets. Land use approval will determine that the site has approved access to public streets, public water, and public sewer. Recreational facilities, including a swimming pool, clubhouse and community open space, are provided on site. Off-street parking spaces are addressed further in this narrative in Section 8.225 and Chapter 9. This standard is met.
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## **Chapter 5 – Miscellaneous Uses, Standards, and Exceptions**

### **5.600 EROSION CONTROL AND WATER QUALITY STANDARDS**

#### **5.610 Purpose.**

**The purpose of this Section is to establish, by reference, erosion control requirements and standards applicable to development activity within the City of Troutdale.**

**5.620 Applicability. This Section is applicable to ground disturbing activities associated with development, subject to the limitations and thresholds set forth in the reference standards specified in Section 5.630.**

**5.630 Reference Standards. The erosion control standards and requirements set forth in the most current edition of Chapter 12.09 of the Troutdale Municipal Code and the most current edition of the Construction Standards for Public Works Facilities are hereby incorporated by reference.**

<b>Applicant's Finding:</b>	The development of this site is subject to the erosion control standards and requirements of the City of Troutdale. The Applicant acknowledges that a grading and erosion control permit as well as a 1200-C permit will be required prior to grading the site. This standard is met.
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### **5.700 STORMWATER MANAGEMENT**

#### **5.710 Purpose.**

**The purpose of the stormwater management standards is to protect surface and ground water quality by providing adequate facilities for the management of stormwater or floodwater**

runoff, and to prevent the degradation of, and promote the enhancement of, primary or secondary protected water features, floodplains, wetlands, and groundwater.

**5.720 Reference Authority.**

**A. The current edition of the City of Troutdale Construction Standards for Public Works Facilities is adopted into this Code by reference. Where conflict exists between this Code and any of these documents, the more restrictive shall apply.**

**B. Other publications or maps adopted by reference to implement the standards of this Chapter are the Metro Title 3 Water Quality and Flood Management Area Map, the Sandy Drainage Improvement District or designee, the Federal Emergency Management Agency's Flood Insurance Rate Maps and Flood Insurance Studies published for the City and the City's Urban Planning Areas, and the National Wetlands Inventory Map.**

**C. Wetland determinations made by the Oregon Department of State Lands record in the Community Development Department.**

**D. The current edition of the City of Troutdale's Troutdale Storm Drainage Master Plan(s).**

**5.730 Applicability.**

**No land use action shall be approved which does not make adequate provisions for stormwater or floodwater runoff. The stormwater drainage system shall be separate and independent of any sanitary sewer system. Water quality treatment for stormwater is required as indicated in the City's Construction Standards for Public Works Facilities.**

**Applicant's  
Finding:**

This land use proposal includes a stormwater report which details adequate provisions for stormwater runoff. The proposed stormwater drainage system is separate and independent of any sanitary sewer system on the site. Stormwater detention and treatment is proposed to meet the City's Construction Standards for Public Works Facilities. This standard is met.

**5.1000 PUBLIC IMPROVEMENTS**

**5.1010 Purpose.**

**The purpose of this Section is to establish procedures and standards for installation of public improvements. No public improvements shall be constructed prior to approval of formal construction plans by the Director of Public Works or the Director's designee.**

**5.1020 Applicability.**

**These standards apply to any land division or development requiring public improvements and any other development requiring public improvements valued at \$25,000 or more.**

**5.1030 Standards.**

**A. Public improvements as part of an approved land division shall be constructed in accordance with the provisions of Chapter 7, Land Division, or of this Code and the current edition of the adopted Construction Standards for Public Works Facilities.**

**B. Whenever a development other than a land division includes public improvement(s) valued at \$25,000 or more, the developer must submit construction drawings for the public improvements in accordance with the requirements set forth in Section 7.130 of this Code, a**

permit application in accordance with the adopted Public Works Design Standards Chapter 12 of the Troutdale Municipal Code, and the Construction Standards for Public Works Facilities.

C. Construction may not begin on the public improvements until the construction drawings are approved and an Authorization to Commence Construction or Public Works Permit is issued by the Public Works Department.

D. The public improvements shall be completed prior to issuance of building permits for the site.

E. Acceptance of the public improvements shall occur only after the requirements in Sections 7.150 and 7.170 of this Code and the Construction Standards for Public Works Facilities have been met. Responsibility for the operation, maintenance, and repair of the public improvements remains with the developer until their improvements are acceptance accepted by the City.

<b>Applicant's Finding:</b>	This submittal includes proposed public improvements designed to meet Section 7.130 of this Code, the City's Public Works Design Standards and the City's Construction Standards for Public Works Facilities. NE 242 <sup>nd</sup> and SW Cherry Park are both under the jurisdiction of Multnomah County. As such, the proposed public improvements are designed to meet County standards (with the exception of access spacing standards for which a road rules variance is being proposed). The proposed public improvements also comply with Multnomah County standards. This standard is met.
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## Chapter 6 – Applications

### 6.200 COMPREHENSIVE PLAN MAP AMENDMENT

#### 6.215 Procedure Type.

The Type III procedure, as described in Section 2.060 of this Code, shall apply to quasi-judicial Comprehensive Plan Map amendments. The Type IV procedure, as described in Section 2.065 of this Code, shall apply to legislative zoning map amendments. The Planning Director shall determine if a Comprehensive Plan Map amendment is quasi-judicial or legislative.

<b>Applicant's Finding:</b>	The City provided pre-application notes to the Applicant stating that the development proposals will be reviewed concurrently through a Type IV land use review process. This standard is met.
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#### 6.220 Approval Criteria.

In order to approve a Comprehensive Land Use Plan Map Amendment application, the decision making authority shall make findings of fact based on evidence demonstrating that the following criteria are satisfied for both legislative and quasi-judicial Comprehensive Land Use Plan Map amendments:

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

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.*

**Applicant's Finding:** This goal will be met by compliance with the 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.

In addition to the City's formal notice, the Applicant has met with members of the public residing within 300 feet of the project site on several occasions. The requirements of this goal can be met.

**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.*

**Applicant's Finding:** 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. The requirements of this goal can be met.

**GOAL 3: Agricultural Lands:**

**Applicant's Finding:** This Goal is not applicable within the Urban Growth Boundary.

**GOAL 4: Forest Lands:**

**Applicant's Finding:** This Goal is not applicable within the Urban Growth Boundary.

**GOAL 5: Open Spaces, Scenic and Historic Areas and Natural Resources**

**Applicant's Finding:** 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.*

**Applicant's Finding:** 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.*

**Applicant's Finding:** 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 an 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.*

**Applicant's Finding:** 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: Economic 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.*

**Applicant's Finding:** 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.*

**Applicant's Finding:** The proposed comprehensive plan amendment and zone change would change the existing Medium Density Residential designation to High Density Residential.

The subject property is consists of 6.88 acres currently zoned R-5 (5,000 square foot minimum lot size) and 1.94 acres currently zoned R-7 (7,000 square foot minimum lot size). If developed under the current zoning, assuming 20 percent of the site would be allocated to new streets, the net site areas would be 5.5 acres of R-5 and 1.55 acres of R-7. Dividing the R-5 portion by 5,000 sq. ft. per unit gives a maximum density under existing zoning of 48 lots and dividing the R-7 portion by 7,000 sq. ft. per unit gives us an additional 10 lots, for a total of 58 lots for construction of single-family detached homes. The proposed change to High Density Residential will allow the construction of 216 apartment units on the 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 the City's ability to comply with 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 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.*

**Applicant's Finding:** Sanitary Sewer: There is an existing sanitary sewer line located in SW Larsson Avenue at the south boundary of the site. Because this line is not deep enough to serve the entire 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 on SW Larsson Avenue. If an additional solution to sewerage for the site can be worked out during the site's construction documentation project, the Applicant may seek additional options for the provision of sewer.

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 Larsson Avenue which 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 services. Gresham Fire will provide 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."*

**Applicant's Finding:** The City of Troutdale implements this goal by requiring that applications for comprehensive plan amendments and zone changes include a transportation impact analysis (TIA). The TIA for this project has been prepared by Kittelson & Associates, Inc. The TIA is included with the application submittal package. The results of this analysis indicate that the proposed development can be constructed while maintaining safe and acceptable traffic operations at the study intersections and site-access driveways assuming provision of the recommended mitigation measures. Based on the analysis, the following mitigation measures are recommended:

- The site-access driveways should be constructed per Multnomah County standards.
- The site-access driveway along NE 242nd Drive should be restricted to right-in/right-out.
- Install four section signal heads at the eastbound and westbound approaches to the NE 242nd Drive/SW Cherry Park Road intersection to provide flashing yellow arrows.
- Install four section signal heads at the northbound and southbound approaches to the SW 257th Avenue/SW Cherry Park Road intersection to provide flashing yellow arrows.
- All future landscaping, above-ground utilities, and site signage should be located and maintained to ensure adequate sight-distance is provided at the site driveways.

**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."*

**Applicant's Finding:** 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.*

**Applicant's Finding:** 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.

**GOAL 15 - Willamette Greenaway, 16 – Estuarine Resources, 17 – Coastal Shorelands, 18 – Beaches and Dunes, and 19 – Ocean Resources, do not apply to the subject property as it is not located near these resource areas.**

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

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 cost of providing public information with the public's right-to-know.*

**Applicant's Finding:** The Troutdale Development Code states that the City will determine whether a Type III (Quasi-judicial) or Type IV (Legislative) land use review will be utilized by the City to review Comprehensive Plan Amendments and Zoning Map Amendments. The City stated in the pre-application notes that a Type IV process would be used for this proposal. Public notice will be provided to owners of land subject to the City's standards. Hearings will be held before the Planning Commission and 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 plans 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.*

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

***Low-Density Residential (LDR)***

*This designation is intended primarily for low-density, single-family, detached residential dwellings, including existing single-family residential areas and vacant land with constraints to development at higher densities. Densities in this designation are intended to average five units per net acre with lot sizes generally 7,000 square feet and larger. Commercial development with the exception of home occupations and limited neighborhood retail is not considered appropriate within this designation. The following criteria is established for the designation of LDR:*

- 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 collectors and local streets.*
- 4. Areas where sensitivity to the natural environment or natural hazards indicates a reduced sensitivity.*

**Applicant's Finding:** A small portion of the subject property is currently designated low-density residential. The site is vacant and is not developed at, or approved for, this density. The site is adjacent to NE 242<sup>nd</sup>, an arterial, which is in opposition to the criteria of LDR development occurring only along collectors and local streets. There are no natural environment or natural hazards necessitating a lower density of development. This site does not meet the criteria for LDR designation.

***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.*

**Applicant's Finding:** Most of the subject property is currently designated medium-density residential. The site is vacant and there is no other Medium Density Residential development

or vacant land within the vicinity of this site. While there is a need for Medium Density Residential land, we believe that the need for High Density Residential land in this area exceeds the need for MDR. The street system in this area is more appropriate for High Density Residential designation, with Cherry Park Road being classified as a major collector and 242<sup>nd</sup> Drive classified as a major arterial roadway.

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

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

- 1. Areas already developed at, or approved for, this density.*
- 2. Areas adjacent, or in close proximity, to existing or planned shopping centers, employment centers, transit routes, or minor arterials.*
- 3. Areas where there are no known geological 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.*

**Applicant's Finding:** The site is not presently developed, but the property is in close proximity to shopping (Cherry Park Market) and industrial development (Subaru distribution center) immediately to the west in Gresham. Trimet plans to add a transit route with a stop at the corner in front of this development in the next few years. The site sits at the corner of an arterial (NE 242<sup>nd</sup>) and a major collector (SW Cherry Park). There are no known geological 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). This site is ideally suited to high-density residential development.

### **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.*

**Applicant's Finding:** 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.*

**Applicant's Finding:** 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.*

**Applicant's Finding:** There are no identified Goal 5 resources on the subject property (i.e. resources, wetlands, aggregate, wildlife habitat, historic sites or resources, or energy resource). 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 system 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.*

**Applicant's Finding:** 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 provides 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.*

**Applicant's Finding:** 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 wind 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.*

**Applicant's Finding:** This standard is 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 recreational needs of future residents. The closest, Woodale Park, 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.*

**Applicant's Finding:** As a residential project, the proposed development will provide direct benefit to the 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. In addition, this housing type is considered "workforce housing", bringing more opportunity for employees of locally-based businesses to both live and work in the City of Troutdale. The policies of this section of the Comprehensive Plan, however, relate to commercial and industrial development and are not directly 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.*

**Applicant's Finding:** 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 land.

*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 site 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.*

**Applicant's Finding:** 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 well as Reynolds High School to the east. Addition of high-density residential development to this site that is adjacent to a major collector and an arterial will allow for a variety of housing types in locations best suited to each type. The proposed development complies with the minimum density levels. This multi-family housing development proposal is a much-needed housing type to support residents of all income levels in the City. This standard is met.

*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.*

**Applicant's Finding:** The City's Comprehensive Plan identifies that 75% of the residential supply in the City is single-family detached, and 74% of the residential supply is owner-occupied. The Comprehensive Plan housing policies call for a greater variety of housing types for a variety of income levels. The proposed multi-family development would provide 216 units of a much-needed residential housing type. This standard is met.

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

**Applicant's Finding:** This standard is 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.*

**Applicant's Finding:** This standard is not applicable, as it is not aimed specifically at the needs of senior citizens or other residents in the city with special needs. However, each building will have ground-floor units and convenient, safe pedestrian connectivity that can serve those with limited mobility.

- 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.*

**Applicant's Finding:** This standard is not applicable. Single-family attached homes could be built under either the existing or proposed zoning. The project does 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.*

**Applicant's Finding:** This standard is not applicable, as zero lot line development is not proposed.

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

**Applicant's Finding:** 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.*

**Applicant's Finding:** This standard is not applicable, as a mix of housing types is not being proposed.

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

**Applicant's Finding:** This standard is not applicable, as mixed-use development is not being proposed.

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

**Applicant's Finding:** This standard is not applicable, as a manufactured home park is not being proposed.

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

**Applicant's Finding:** This standard is not applicable, as a manufactured home park is not being 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 identify with that particular neighborhood.*

**Applicant's Finding:** The applicant is sensitive of the need to preserve the identity of the neighborhoods to the south and east. 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 access gate at the site's southern boundary line. The access point will allow for pedestrian traffic but will not permit public vehicular access to the subdivision located south of the property.

### **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.*

**Applicant's Finding:** As discussed above, storm sewer and water services are all available to serve the needs of the proposed development or can be engineered to meet the needs of the development. The site does have a very specific deficiency related to sewer in that the adjoining public sewer system was not constructed at a depth sufficient to allow for gravity service for the entire property. This issue has prevented the development of the site as a single family subdivision for several years as a single family development would require the installation of a public sewer lift station. Because the cost of a public system is so great and because the City's Engineering and Public Works Department is not in favor of the creation of a public lift station, the best alternative for this development to achieve service is to create a privately owned and maintained pump station. In order to offset the costs associated with

the installation and on-going maintenance of a private lift station, the developer has proposed to rezone the property to A-2 to allow for higher densities and a multi-family unit type. 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 the 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.*

**Applicant's Finding:** The applicant has retained Kittelson & Associates, Inc. to prepare a Traffic Impact Analysis, which has been included with this land use application. The TIA has addressed the potential impacts associated with the proposed zoning map amendment and the proposed development and has offered conclusions in support of the proposed development.

## **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.*

**Applicant's Finding:** 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.*

**Applicant's Finding:** This standard is not applicable. The subject property is located within the urban area and is served with all public facilities necessary 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***

**Applicant's Finding:** Because there are no resources governed by these Goals within Troutdale, they are not applicable to this proposal.

**C. 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.**

**Applicant's Finding:**

The first policy listed under Goal 10- Housing in the Troutdale Comprehensive Plan (Page 45) is "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. This site is located in close proximity to multiple employment opportunities, including the nearby Subaru plant and the Gresham Vista Projects. There is access to nearby shopping. A near-term future transit line is proposed to run in front of this site with a stop at the corner of NE 242<sup>nd</sup> and SW Cherry Park. The next three housing policies in the Comprehensive Plan call for a wider variety of housing types, minimum residential densities and development of housing for residents at all income levels. This proposed Comprehensive Plan Map Amendment allows for multi-family housing, widening the housing variety in the City (currently 75% single-family detached). The proposed site plan identifies compliance with the minimum density requirement (80% of maximum density allowed on the site) and provides housing for residents at varying income levels. This type of quality workforce housing exactly meets the policies of the Housing section of Troutdale's Comprehensive Plan. This standard is met.

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

**Applicant's Finding:**

The existing land use designations of low density residential and medium density residential are utilized primarily for single-family detached residential development. According to Goal 10- Housing in the Troutdale Comprehensive Plan (Page 44), approximately 75% of the City's housing stock consists of detached, single-family dwellings. This standard is met.

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

**Applicant's Finding:** The proposed designation allows for residential uses, which are compatible with the existing residential uses on adjacent lands. The placement of higher density development, such as the proposed multi-family development, at the intersection of an arterial and a major collector (and future transit stop) provides for a more compatible use of the site than single-family residential. The proposal will not significantly adversely affect existing uses on adjacent lands. This standard is met.

**F. 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.**

**Applicant's Finding:** Public facilities and services necessary to support the multi-family development are available to serve the site. A complete Transportation Planning Rule (TPR) analysis is included in the Traffic Impact Analysis (TIA) provided by Kittelson & Associates, Inc. The TPR analysis finds that the proposed comprehensive plan map amendment and zoning map amendment will result in a significant effect on the transportation system. Therefore, mitigation measures are identified in the TIA to result in no further degradation to the transportation system. This standard is met.

## **6.900 SITE DEVELOPMENT REVIEW**

### **6.905 Purpose.**

**The purpose of this Chapter is to advance all of the following objectives in the public interest:**

- A. Carry out the development pattern and plan of the City through efficient and effective review of site development proposals;**
- B. Promote the public health, safety and general welfare;**
- C. Provide adequate light and air, prevent overcrowding of land, and provide for adequate transportation, water supply, sewage, fire protection, pollution control, surface water management, and protection against natural hazards; and**
- D. Encourage efficient use of land resources and public services, and provision of transportation options.**

**Applicant's Finding:** The proposed multi-family development is both efficient and an effective development strategy for this residential site. The property is adjacent to a transit corridor planned for completion within the next few years. The site is also near many new employment areas, including Subaru and the Gresham Vista Projects with approximately 1,000,000 square feet of manufacturing and warehousing space. The separate placement of the nine buildings on the site allows for adequate light and air, reduces overcrowding of the land, provides adequate transportation, water supply, sewage, fire protection, pollution control, surface water management and protection against natural hazards. The density of the proposed development allows the efficient use of the land and public services. The

provision of transportation options is enhanced by increasing the need for transit along 242<sup>nd</sup> (Tri-met's planned Line 25), potentially elevating this service on the Eastside Service Enhancement Plan. This standard is met.

#### **6.910 Applicability and Exemptions.**

**Site development review approval is required for new development, change of use resulting in increased vehicle traffic or requiring an increase in minimum parking pursuant to Chapter 9, Building Expansions and to expand a nonconforming use or development. Except as specified by a condition of approval on a prior city decision, or as required for uses subject to conditional use permit approval, site development review is not required for the following:**

- A. Change in occupancy from one allowed land use to another allowed land use.**
- B. Physical expansion of existing structures by ten percent (10%) or less, occurring in a single expansion or in several aggregated expansions relative to the originally approved project.**
- C. Single-family detached dwelling (including manufactured home on its own lot).**
- D. Duplex on a single lot.**
- E. Home occupation.**
- F. Accessory structures that do not require a building permit, with or without accessory parking.**
- G. Public improvements required by city standards or as stipulated by a condition of land use approval (e.g., transportation facilities and improvements, parks, trails, utilities, and similar improvements), except where a condition of approval requires site development review.**
- H. Regular maintenance, repair and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing and similar maintenance and repair.**

#### **6.915 Review Procedures.**

**Site development review shall be conducted using a Type I or Type II procedure to be determined as follows:**

- A. Type I application shall be used to review all of the following:**
  - 1. Change of occupancy from one type of land use to a different type of land use resulting in an increase in vehicle traffic or demand for parking.**
  - 2. Commercial, industrial, institutional, or multifamily building addition or remodel that adds less than twenty-five percent (25%) floor area.**
  - 3. Site improvements, such as modifications to a landscaped area or parking area.**
- B. Type II application shall be used to review all of the following:**
  - 1. All new development not exempted or made subject to a Type I procedure above.**
  - 2. Commercial, industrial, institutional, or multifamily building addition or remodel that adds twenty-five percent (25%) or more floor area.**
  - 3. New accessory residential units.**
  - 4. New bed and breakfast inns.**
  - 5. Adjustment to applicable design standards for any development proposal.**

**Applicant's  
Finding:**

The proposed development does not qualify for a site development review exemption. The proposal requires a Type II site development review as this is a new development not exempted or made subject to a Type I procedure. This standard is met.

## **6.920 Approval Criteria.**

**In order to approve a site development review application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the proposal is consistent with the applicable approval criteria.**

**A. An application for a Type I site development review shall be approved if the proposal meets all of the following criteria. The City decision-making body may, in approving the application, impose reasonable conditions of approval, consistent with the applicable criteria.**

- 1. The application complies with all of the applicable provisions of the underlying zone and overlay zone(s), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards, or a variance or adjustment is granted.**
- 2. The proposal includes required upgrades, if any, to existing development that does not comply with the applicable land use district standards, pursuant to Section 5.300 Nonconforming Uses.**
- 3. The proposal complies with all of the applicable site design and development standards of this Code, such as landscaping and parking.**
- 4. The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.**

**Applicant's  
Finding:**

This proposal requires a Type II development review and, as such, this section is not directly applicable. However, Section 6.920.B requires compliance with all of the criteria in 6.920.A. This design review application complies with all of the applicable provisions of the proposed underlying zone, A-2, with the exception of the proposed front yard setback variance, discussed further in Section 6.1300. The proposal includes upgrades to the surrounding transportation network. The proposal complies with all of the applicable site design and development standards of the Development Code, such as landscaping and parking. There are no existing conditions of approval for this site. This standard is met.

**B. An application for a Type II site development review shall be approved if the proposal meets all of the following criteria. The City decision-making body may, in approving the application, impose reasonable conditions of approval, consistent with the applicable criteria.**

- 1. The proposal complies with the approval criteria specified in Section 6.920.A.**
- 2. If applicable design standards are proposed to be adjusted, the proposed adjustment:**
  - a. Is justified due to unique site conditions.**
  - b. Conforms to the extent practicable with these design standards.**
  - c. Mitigates potential impacts from the adjustment to the extent practical**

**Applicant's  
Finding:**

As discussed above, the proposed development complies with the approval criteria specified in Section 6.920.A. The proposal includes an adjustment (variance) to setback standards, as discussed in Section 6.1300. This variance is justified due to the shape and configuration of the site. The reduced yard setbacks allow the development to provide adequate parking and circulation, as well as amenities, on the site. While the maximum number of units permitted by the A-2 zone on this 8.82-acre site would be 256, the proposal includes 216 units to allow as much

open space and circulation on site as possible. The proposal conforms to the extent practicable with these design standards and mitigates potential impacts from adjustments to the extent practical by meeting all other design standards. This standard is met.

**6.925 Maintenance. All approved on-site improvements shall be the ongoing responsibility of the property owner or occupant. The owner, occupant, or agent shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat, and orderly appearance, and shall be kept free of refuse and debris. All on-site improvements shall be controlled by maintaining, pruning, trimming, or otherwise so that:**

- A. It will not interfere with the maintenance or repair of any public facility;**
- B. It will not restrict pedestrian or vehicular access; and**
- C. It will not constitute a traffic hazard because of reduced visibility.**

**Applicant's Finding:** The ongoing maintenance of the landscaping and common spaces and amenities will be the ongoing responsibility of the property owner. This standard is met.

**6.930 Compliance.**

- A. The development site shall be checked by the staff to ensure compliance with final approved plans prior to issuance of an occupancy permit.**
- B. The development must be completed as per the approved final plans including landscaping and recreation areas before the occupancy permit is issued.**
- C. It shall be the duty of the Director to enforce these regulations, and to assure that conditions of final development approval are carried out.**

**Applicant's Finding:** The Applicant acknowledges the City's review process and the requirements for issuance of an occupancy permit. This standard is met.

**6.1300 VARIANCE**

**6.1305 General Provisions.**

- A. The variance procedures are intended to allow modifications of specific standards contained within this Code when authorized as provided below.**
- B. In approving a variance request, the approving authority may attach reasonable conditions, restrictions, or safeguards to mitigate any adverse impacts which may result by reason of the approved variance.**
- C. Separate variance provisions apply to uses within the Vegetation Corridor and Slope District and the Flood Management Area.**
- D. Because variance applications arise from unique situations, the decision making authority will consider each application on its own facts and merits. Variances are discretionary, prior variances allowed within the City do not establish a precedent or control present or future variance applications.**

**6.1310 Regulations Which May Not Be Varied.**

- A. No variance may be granted which will permit a use not permitted in the applicable zoning district.**

- B. No variance may be granted which will increase the maximum residential density or decrease the minimum residential density allowed in the applicable zoning district.**
- C. No variance may be granted to the provisions of Chapter 5.300, Nonconforming Uses and Developments of this Code.**

**6.1315 Type I Variance.** The Director may grant a variance under the Type I procedure if the request involves the expansion or reduction of a quantifiable provision in this Code by no more than ten percent (10%), and the following criteria are met:

**A. Special circumstances or conditions including, but not limited to, lot size, lot shape, topography, or size or shape of building, apply to the property, development, or to the intended use and are not typical of the general conditions in the surrounding area; and**

**Applicant's  
Finding:**

This proposal includes a variance request to reduce the front yard setback from the standard of 20 feet down to 10 feet (a 50% variance of this standard). This request is not listed as a "regulation which may not be varied". While this is a Type III variance request (more than 30%), this standard is applicable as the Type III variance refers back to these criteria.

The Applicant has also requested a variance to the landscape requirement listed in section 11.010.A to allow 24.7 percent landscaping instead of 25 percent, as normally required.

With regard to the setback variance, special circumstances apply to this property that are not typical of the general conditions in the surrounding area. This site is at the intersection of an arterial and a collector in the northwest corner and adjacent to low-density residential along the eastern and southern property lines.

The proposed variance will permit the multi-family buildings to be closer to SW Cherry Park Road (a major collector). The requirement of the project to dedicate 10-feet of right-of-way along SW Cherry Park limits the size of the site for multi-family development and "pushes" the developable area toward the low-density neighborhoods to the east and south.

The variance will allow the development (which is not proposed at maximum density of the A-2 zone) to meet the setback standards at the property lines adjacent to the developed single-family neighborhoods to the east and south. A main priority of this proposal is to provide multi-family housing compatible with surrounding low-density neighborhoods. This standard is met.

**B. The variance authorized will not be injurious to adjacent properties or the surrounding neighborhood or otherwise detrimental to the public welfare; and**

**Applicant's  
Finding:**

A variance to the front yard setback (adjacent to SW Cherry Park) will allow the development to maintain the required 22.5-foot setbacks along all adjacent properties. The landscaping percent provided by the applicant is within 2 percent

of the required landscape percentage. There is no detriment to the public welfare in granting either variance. This standard is met.

**C. The variance authorized will be consistent with the general purpose and intent of the provision from which a variance is sought; and**

**Applicant's  
Finding:**

The proposed variance is to the front yard setback requirement of the A-2 zoning district. Setbacks are intended to provide space between buildings and other properties and between buildings and the public right-of-way, particularly when there is off-street parking proposed in front of a building (such as a driveway to a garage). In this case, the parking is all internal to the site and there is no parking proposed on driveways connected to the buildings (such as on a single-family structure). The variance is consistent with the general purpose of setbacks to provide space from adjacent properties and does not conflict with the purpose of some front yard setbacks to allow room for vehicle parking.

The proposed landscape percentage provided on site is similar to the requirement. The provision of 2 percent more landscaping would be impossible to note without precisely measuring the entire site therefore the applicant's proposal is consistent with the general intent of the requirements of Section 11.010.A. In both cases, the standards for granting these variances are met.

**D. The variance is the minimum necessary to relieve a practical difficulty with full compliance and to avoid or minimize the resulting hardship.**

**Applicant's  
Finding:**

The 10-foot reduction in the required 20-foot setback allows the site to be developed with multi-family housing, open space, amenities, parking, and circulation and still meet all required setbacks along all property lines adjacent to existing neighborhoods. This is the minimum necessary variance to relieve a practical difficulty with full compliance with the setback standards and to minimize the hardship of both the lot configuration and the required right-of-way dedication.

Granting of the variance to allow for 24.7 percent landscaping instead of 25 percent landscaping is the minimum necessary to allow for relief from the underlying standards and avoid modifications to the site plan which may reduce livability, living areas, or the provision of adequate parking. This standard is met.

**6.1320 Type II Variance. The Director may grant a variance under the Type II procedure if the request involves the expansion or reduction of a quantifiable provision in this Code by more than ten percent (10%), but not more than thirty percent (30%), and the criteria in Section 6.1315 are met.**

**6.1325 Type III Variance. The Planning Commission may grant a variance under the Type III procedure if the request involves the expansion or reduction of a quantifiable provision in this Code by more than thirty percent (30%), or if the request is referred to the Planning Commission in accordance with Section 6.1335 of this Chapter. The variance shall be granted**

only if the Planning Commission determines that the criteria in Section 6.1315 of this Chapter are met.

**Applicant's Finding:** The nature of the setback variance request requires a Type III procedure. The criteria in Section 6.1315 are discussed above. This standard is met.

**6.1330 Type III Special Variance.** The Planning Commission may grant a special variance under the Type III procedure if the request involves waiving a provision in this Code, not involving a quantifiable standard, is not prohibited by Section 6.1310, and the following criteria are met: A. The unique nature of the proposed development is such that the intent and purpose of the regulations and of the provisions to be waived will not be violated; B. Authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted; and C. Application of the provision to be waived is unreasonable and unwarranted due to the specific nature of the proposed development. D. A special variance is not required for a Type II design adjustment as provided in Section 8.240.

**6.1335 Referral to Planning Commission.** The Director may refer any variance request involving the expansion or reduction of a quantifiable provision of this Code by thirty percent (30%) or less to the Planning Commission if the Director determines that a higher level of review is justified given the complexity or controversial nature of the request. A variance that is referred to the Planning Commission shall be considered in accordance with Section 6.1325 of this Chapter.

**Applicant's Finding:** This is a Type III Variance request requiring review by the Planning Commission. This standard is not applicable.

## **6.1400 ZONING MAP AMENDMENT**

### **6.1405 Purpose.**

The purpose of a Zoning Map Amendment application is to provide a mechanism for quasi-judicial and legislative amendments to the zoning map. It is recognized that such amendment may be necessary from time to time to reflect changing community conditions, needs, and desires and to fulfill regional obligations.

### **6.1410 Applicability.**

The Zoning Map Amendment application shall apply to any change to the City's zoning map.

### **6.1415 Procedure Type.**

The Type III procedure, as described in Section 2.060 of this Code, shall apply to quasi-judicial Zoning Map Amendments. The Type IV procedure, as described in Section 2.065 of this Code, shall apply to legislative Zoning Map Amendments. The Planning Director shall determine if a Zoning Map Amendment is quasi-judicial or legislative.

**Applicant's Finding:** The City pre-application notes identified this as a Type IV land use review. This standard is met.

**6.1420 Approval Criteria.**

**In order to approve a Zoning Map Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:**

**A. 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.**

**Applicant's Finding:** The applicant seeks a Comprehensive Land Use Plan Map Amendment in order to change the current designation of the subject property from Medium Density Residential and Low Density Residential to High Density Residential. The zoning districts of the subject properties is proposed to change from R-5 Single Family Residential and R-7 Single Family Residential to A-2 Apartment Residential. With approval of the Comprehensive Land Use Plan Map Amendment, the proposed Zoning Map Amendment to A-2 will be entirely consistent with the description and policies of the Comprehensive Land Use Plan. The proposed multi-family development is exactly the type of development designated in the High Density Residential land use designation. This standard is met.

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

**Applicant's Finding:** The uses permitted in the A-2 zone can be accommodated on the 8.82-acre site without exceeding its physical capacity. As shown on the proposed site plan, the site can accommodate multi-family development with associated parking and circulation, pedestrian facilities, site amenities and open space. The site is adequately sized to serve other uses permitted in the A-2 zoning district. This standard is met.

**C. 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.**

**Applicant's Finding:** The proposed development plan identifies adequate public facilities, services and transportation networks in place (or needing enhancement) for development of the property. The TPR analysis included in the TIA prepared by Kittelson & Associates, Inc. identifies that the proposed zoning map amendment does have a significant effect on the transportation system. The TIA also identifies mitigation measures that can be utilized to off-set the significant effects on the transportation system, pursuant to OAR 660-012-0060. This standard is met.

**D. 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.**

**Applicant's Finding:**

This site is immediately adjacent to land zoned R-7 and developed as single-family residential. The proposed zoning map amendment will result in a higher level of residential development adjacent to these low density residential neighborhoods.

While residential development is inherently compatible with residential development, there are two areas where high density residential and low density residential significantly differ: traffic generation and size of buildings. Regarding traffic generation, the land use submittal includes a traffic study identifying mitigation measures that will offset any potential impacts to the transportation network. Regarding the size of the buildings, the Applicant proposes thoughtfully designed buildings carefully placed on the site so as to minimize impacts to neighboring properties. The Applicant will provide landscaping buffers along all property lines to further mitigate the high density residential use next to the low density neighborhood.

The public interest in granting the proposed amendment, as discussed previously, is satisfied with this proposal in that the City's Comprehensive Plan Policies call for an increase in housing-type variety. Providing multi-family residential adjacent to single-family residential provides the type of variety sought by the Comprehensive Plan policies. With the mitigation measures identified above, there is little interference with the livability, development or value of any surrounding properties when weighed against the public interest in granting the proposed amendment. This standard is met.

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

**Applicant's Finding:**

The City of Troutdale stands to benefit tremendously from this proposed comprehensive plan map amendment. As mentioned herein, the project will place workforce housing in close proximity to existing businesses and major transportation corridors. The proposed housing will be located close to several new and prospective employment sites. The proposed development will help with the City's housing diversity goals and This standard is met.

**Chapter 8 – Site Orientation and Design Standards**

**8.000 SITE AND DESIGN STANDARDS**

**8.010 Purpose.**

**The purpose of this chapter is to advance all of the following objectives in the public interest:**  
**A Carry out the development pattern and plan of the City and its comprehensive plan policies through efficient and effective review of site development proposals;**

- B. Promote the public health, safety and general welfare;**
- C. Provide adequate light and air, prevent overcrowding of land, and provide for adequate transportation, water supply, sewage, fire protection, pollution control, surface water management, and protection against natural hazards; and**
- D. Encourage efficient use of land resources and public services, and provision of transportation options.**

#### **8.020 Applicability and Exemptions.**

Site development review approval is required for new development, building expansions, expansion of a nonconforming use or development, and changing of use resulting in increased vehicle traffic or requiring an increase in minimum parking pursuant to Chapter 9. Except as specified by a condition of approval on a prior City decision, or as required for uses subject to conditional use permit approval, site development review is not required for the following:

- A. Change in occupancy from one allowed land use to another allowed land use;**
- B. Physical expansion of existing structures by ten percent (10%) or less, occurring in a single expansion or in several aggregated expansions relative to the originally approved project.**
- C. Single-family detached dwelling (including manufactured home on its own lot);**
- D. Duplex on a single lot;**
- E. Home occupation;**
- F. Accessory structures that do not require a building permit, with or without accessory parking;**
- G. Public improvements required by City standards or as stipulated by a condition of land use approval (e.g., transportation facilities and improvements, parks, trails, utilities, and similar improvements), except where a condition of approval requires site development review;**
- H. Regular maintenance, repair and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing and similar maintenance and repair.**

<b>Applicant's Finding:</b>	This proposal does not qualify for a site development review exception. Therefore, the site development review criteria are addressed in this narrative. This standard is met.
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#### **8.030 Pedestrian Walkways.**

In addition to the standards above, all industrial parks, commercial developments, and community service uses shall meet the following requirements for pedestrian walkways:

##### **A. Number and Placement.**

- 1. At least one pedestrian walkway shall be provided to each street, other than limited access freeways, abutting the property.**
- 2. Pedestrian walkways shall reasonably connect building entrances to one another, to public street entrances, and/or to existing or planned transit stops.**
- 3. Where practicable, on-site walkways shall connect with walkways, sidewalks, bike paths, alleyways, and other bicycle or pedestrian connections on adjacent properties used as, or planned for, industrial parks, commercial, multiple-family, or community service uses.**
- 4. Where practicable, pedestrian walkways and driveways shall provide a direct connection to walkways and driveways on abutting developments.**

5. A required walkway or walkway connection need not be provided where another required sidewalk or walkway route provides a reasonably direct alternate route. An alternate route is reasonably direct if the walking distance increases by less than fifty percent (50%) over the other required route.
6. Pedestrian walkways are required between those parts of a site that people on the site normally would walk between. Walkways are not required between buildings or portions of a site which are not intended for, or likely to be used by, pedestrians. Such buildings and features include truck loading docks, warehouses not including office/warehouse combinations, automobile sales lots, temporary uses, outdoor storage areas, etc.

**Applicant's Finding:** This proposal does not include an industrial park, commercial development or community service and, therefore, this standard is not applicable.

#### **B. Routing.**

1. Pedestrian walkways shall be as direct as reasonably possible.
2. Pedestrian driveway crossings should be minimized. Internal parking lot circulation and design shall maintain ease of access for pedestrians from streets and transit stops.
3. The on-site pedestrian circulation system shall connect adjacent streets to the main entrance of the primary structure on the site in a reasonably direct route.

**Applicant's Finding:** Pedestrian walkways are proposed to connect all building to the public sidewalk. This standard is met. Pedestrian driveway crossings have been minimized to the greatest extent possible, easing access for pedestrians to streets and future transit stops. The on-site pedestrian circulation system will connect the buildings to adjacent streets in a reasonable direct route. This standard is met.

#### **8.040 Transit Facility Design.**

**Any Type II land divisions where further divisions are possible, and all Type III land divisions, multiple-family developments, community services uses, and commercial or industrial uses located on an existing or future transit route shall meet the requirements of Tri-Met for transit facilities. Applicants shall consult with Tri-Met to determine necessary transit facility improvements in conjunction with the proposed development. Proposals shall be consistent with the road crossing improvements that are identified in the City Transportation System Plan on streets with existing or planned transit service.**

**Applicant's Finding:** This multi-family development is adjacent to a future transit route (Tri-met Line 25). The Applicant has consulted with Tri-met to determine necessary transit facility improvements in conjunction with the proposed development. Tri-met has indicated that the exact timing and design of Line 25 will be determined by a public outreach project for the Eastside Service Enhancement Plan. The Applicant will continue to discuss this future line with Tri-met in regards to development on this site. This standard is met.

#### **8.045 Additional Transit Related Design Standards.**

**All commercial and community service development, and any industrial development designed to accommodate fifty (50) or more employees and located on parcels within six hundred (600) feet of existing or planned transit routes shall meet the following requirements:**

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<b>Applicant's Finding:</b>	This site does not include commercial, community service or industrial development and, as such, this standard does not apply.
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## **8.200 MULTIPLE-FAMILY, ATTACHED, DUPLEX, AND TRIPLEX DWELLING DESIGN STANDARDS**

**8.205 Purpose.** The purpose of this Section is to provide general design standards for residential

dwelling other than single-family detached, zero lot line dwellings, and duplex dwellings on separate lots. This Chapter is intended to promote and ensure that high quality architectural building designs for these types of residential developments are maintained throughout the City.

**8.210 Applicability.** In addition to the development standards of the underlying zoning district or overlay zoning district and applicable Sections of Chapter 8, Site Orientation and Design Standards, of this Code, the provisions of this Section apply to all residential dwellings other than single-family detached, zero lot line dwellings, and duplex dwellings on separate lots. This Section also does not apply to dwelling units built above, below, or behind the street level floor of a commercial use.

<b>Applicant's Finding:</b>	The proposed multi-family buildings are not proposed to be built above, below, or behind the street level floor of a commercial use and, therefore, the design standards of 8.200 apply. This standard is met.
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### **8.215 General Design Standards.**

**A. Building Entrances.** The primary entrance to buildings that do not have residential units above or below other residential units shall face toward a public or private street, unless the lot configuration, site characteristics, onsite circulation, or other conditions make it impractical to face a building's primary entrance to the street. Exception: A primary entrance is not required to face a street designated as an arterial.

**B. Building Separation.** Multiple residential buildings on a single lot shall be separated at least fifteen (15) feet from one another.

**C. Pedestrian Access and Circulation.**

1. Private streets or driveways greater than twenty (20) feet in length and that serve more than one (1) dwelling unit shall have sidewalks on at least one (1) side that connect to the nearest public street.
2. Each primary entrance to a residential building shall be connected to a sidewalk onsite that connects to either a public street, private street, or driveway.
3. Onsite pedestrian circulation shall be continuous and connect streets abutting the site, ground level entrances, common buildings such as laundry and recreation facilities, parking areas, shared open space and play areas, abutting transit stops, and any pedestrian amenities such as plazas, resting areas, and viewpoints. There shall be at least one (1) pedestrian connection to an abutting street frontage for each two hundred (200) linear feet of street frontage.

- 4. Vehicle/pedestrian conflicts shall be minimized by providing pedestrian routes that are separated from parking lots, including onsite sidewalks that connect to garbage enclosures or recycling areas and mailboxes.**

**Applicant's Finding:** The proposed multi-family buildings have residential units above and below residential units and therefore, Subsection A above is not applicable. The proposed buildings are all separated by at least fifteen (15) feet from one another. There are sidewalks along both sides of the driveways to NE 242<sup>nd</sup> and SW Cherry Park and along one side of the driveway to SW Larson Ave, all of which connect to the nearest public street. Onsite pedestrian circulation is continuous to all buildings and connects to all streets abutting the site. There is a minimum of one (1) pedestrian connection to abutting street frontages for each two hundred (200) linear feet of street frontage. On-site sidewalks connect buildings to trash enclosures, recycling areas and mailboxes to minimize vehicle/pedestrian conflicts. This standard is met.

#### **8.220 Architectural Elements and Building Facades.**

**Residential units shall be designed with vertical and horizontal offsets to break up rooflines, define private outdoor areas, allow greater views, and admit light and air to unit interiors. Large, blank walls shall be avoided. Windows and projecting walls shall be used to break up larger walls in order to establish visual interest.**

- A. No wall of a residential building shall exceed a length of forty (40) feet without a foundation offset of at least four (4) feet for a distance of at least sixteen (16) feet.**

**Applicant's Finding:** The proposed buildings included within this plan include foundation offsets which have been proposed at lengths of less than 40 feet. Foundation offsets have been placed with a minimum plane change of at least 4 feet for lengths of at least 16 feet. The result is a series of well-articulated plans which meet the requirements of this section. This standard is met.

- B. The wall of a building that faces a public street shall incorporate architectural features including, but not limited to, at least three (3) of the following:**

- 1. Porches.**
- 2. Balconies.**
- 3. Dormer windows.**
- 4. Recesses/alcoves.**
- 5. Unique entry areas, such as porticos or atriums.**

**Applicant's Finding:** The proposed buildings included within this plan set have incorporated porches, balconies, recesses and alcoves, meeting three of the required architectural features described within this section. This standard is met.

- C. The same level of architectural design and quality of materials shall be applied to all sides of the building.**

**Applicant's Finding:** The proposed buildings contain high quality design and materials along each façade. This standard is met.

**D. The following window detail shall be incorporated into the building design:**

- 1. Windows shall account for at least fifteen percent (15%) of any rear or front building elevation no matter what the building's orientation on the lot is.**
- 2. Windows shall account for at least ten percent (10%) of any side building elevation no matter what the building's orientation is.**
- 3. All windows shall have outer casings or frames.**

**Applicant's Finding:** As shown on the attached plans, front facades have been provided with approximately 24 percent glazing and side facades have been provided with approximately 15 percent glazing. All proposed windows will be framed as shown within the architectural plan set. This standard is met.

**E. Garages, carports, and accessory structures shall maintain the same level of design, aesthetic quality, and architectural compatibility as the residential structure(s).**

**Applicant's Finding:** The site's garages, carports, and accessory structures will be constructed out of materials which are similar in quality and composition to the primary residential buildings. The result will be an architecturally compatible site design. This standard is met.

**F. Roofline offsets shall be provided at intervals of forty (40) feet or less to create variety in the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum four (4) foot variation either vertically from the gutter line, or horizontally.**

**Applicant's Finding:** Each of the buildings on site has been provided with an articulated roofline which provides architectural interest and massing relief. Rooflines have been offset in intervals of no more than 40 feet with breaks of at least four feet in height. This standard is met.

**G. The rooflines of attached dwellings shall be multi-gabled or have varied parapets over every unit's main entrance.**

**Applicant's Finding:** The Applicant design incorporates a multiple gabled approach to achieve the required articulation. This standard is met.

**H. Rooflines, porches, and doors shall have trim.**

**Applicant's Finding:** All proposed rooflines, porches, and doors will be provided with trim. Rooflines will specifically be provided with 2x8 Facia. Doors will be provided with trim as shown within the architectural details. This standard is met.

**8.225 Off-Street Parking, Garages, and Carports.**

In addition to the standards of Chapter 9, Off Street Parking and Loading, off-street parking for attached dwellings on a single lot shall include these design standards:

A. Parking lots may not be located between a multiple-family structure and the right-of-way the structure fronts on.

B. If there is no parking lot or alley access to attached dwellings, and motor vehicle access is from the street, parking must be either in an attached garage that is set back a minimum of five (5) feet behind the front door of the residential structure, in a detached accessory structure located at least fifty (50) feet from the front property line, or in a parking area at the side or rear of the site, or shall comply with the following standards:

1. The garage door width of the dwelling is fifty percent (50%) or less of the width of the street facing elevation, and does not extend beyond the front door; or
2. The garage door is behind or even with the front door and the dwelling has a roofed front porch, which is at least 1/3 as wide as the front elevation and at least five (5) feet deep. The porch may encroach within the required front yard setback a maximum of five (5) feet without a variance provided the foundation for the dwelling complies with the minimum front setback standard; and
3. The street facing wall of the dwelling contains at least one (1) window on the ground floor that allows visibility of the street.

C. Side and rear yard setbacks for parking lots and/or garages shall be the same as the minimum building setbacks of the underlying zoning district or the same as the minimum building setback of any adjacent residential zoning district, whichever is more restrictive. Side and rear yard setbacks based on building height shall not be applied to parking lots or the access driveways.

**Applicant's  
Finding:**

There are no parking lots separating any of the multi-family buildings from the right-of-way they front on. There are no attached garages. All proposed buildings have windows on the street-facing wall that allow visibility to the street. The side yard setback of the R-7 (adjacent) zoning district is 7.5 feet. The nearest parking space along this (eastern) property line is 12 feet from the property line, exceeding the minimum. The rear yard setback of the R-7 zoning district is 20 feet. The parking areas along this (southern) property line are a minimum of 20 feet from the property line, meeting this standard. This standard is met.

**8.230 Outdoor Private Space.**

**Outdoor private space is required for each residential dwelling unit.**

A. Each ground level dwelling unit shall have an attached accessible outdoor private space of not less than sixty (60) square feet in area. Individual outdoor areas for ground level units must be visually screened from each other by walls, fences, or vegetation screening that is at least six (6) feet high and totally sight-obscuring.

B. Each upper level unit shall have an attached outdoor private space, such as a balcony, of not less than sixty (60) square feet in area. The area shall be enclosed, screened, or otherwise designed to provide privacy from adjacent units by walls, building offsets, or similar sight-obscuring screening.

**Applicant's  
Finding:**

Each ground level dwelling unit has a minimum of 60 square feet of attached, accessible, screened outdoor private space. Each upper level dwelling unit has a

minimum of 60 square feet of attached, accessible, screened outdoor private space (balconies). This standard is met.

#### **8.235 Recreation Areas.**

**A. Recreational facilities or open space areas are required for attached dwelling developments that contain six (6) or more dwelling units on one (1) lot. Such recreational facilities and open space areas must be located on the development site or on a lot adjacent to the site. Common recreation areas, whether indoor, outdoor, or both, shall be provided at the rate of at least two hundred (200) square feet per dwelling unit. No more than fifty percent (50%) of the required recreation area may be in passive open space. Recreation facilities may include children's play structures and play equipment and shall be located outside of bioswales, detention ponds, steep slopes, or a vegetation corridor as defined in this Code. More than one (1) recreation area may be developed on the site. Any play structure exceeding ten (10) feet in height must comply with the underlying zoning district setbacks.**

**B. Recreation facilities or open space areas are not required for development within the area between Historic Columbia River Highway and 2nd Street extended west to its intersection with 257th Avenue from 257th Avenue to the SE Sandy Street right-of-way.**

<b>Applicant's Finding:</b>	This development proposes 92,646 square feet of designated open recreation space. The proposed 216 dwelling units require 43,200 square feet of recreational facilities or open space areas (216 units x 200 sf/unit). A total of 26,526 square feet of the designated open recreation space is active space, exceeding the required minimum. This standard is met.
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#### **8.240 Authority to Adjust Standards.**

**A. Because of the diverse topography, parcel configurations, and site characteristics within the City, it is neither practical nor feasible to uniformly apply these design standards to all development projects. The Director may grant adjustments to these design standards upon making the following written findings:**

- 1. The adjustment is justified due to the unique site conditions.**
- 2. The proposal conforms to the extent practicable with these design standards.**
- 3. Any impacts from the adjustments are mitigated to the extent practical.**
- 4. The decision to adjust a standard is a Type II decision.**

<b>Applicant's Finding:</b>	No adjustments are requested to the required design standards. This standard is met.
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### **Chapter 9 – Off-Street Parking and Loading**

#### **9.005 Off-Street Parking Required.**

**Off-street parking and loading space shall be provided for all developments. For purposes of this Chapter, in computing the total number of required off street parking spaces, if the total contains a fraction, then the number shall be rounded up to the next higher whole number. The provision for, and maintenance of, off-street parking and loading facilities shall be a continuing obligation of the property owner. No building permit, or any other required permit for a structure or use under this or any other applicable rule, ordinance, or regulation, shall be**

issued with respect to off- street parking and loading, or land served by such facilities, until satisfactory evidence is presented that the property is, and will remain, available for the designated use as a parking or loading facility.

**9.010 Residential Off-Street Parking Space Requirements.** The minimum and maximum off-street parking space requirements are as follows:

Type of Use	Minimum	Maximum
Multiple-family dwelling (apartments)	2 spaces per dwelling unit plus one space per three dwelling units for guest parking	No maximum

**Applicant's Finding:** The 216 proposed dwelling units require 432 parking spaces for residents and an additional 72 for guests, for a total of 504 required parking spaces. The proposal includes 512 parking spaces, exceeding the minimum requirement. This standard is met.

**9.040 Reduction of Required Parking Spaces.**

**A.** Any existing or proposed use subject to minimum off-street parking requirements and located within four hundred feet (400) feet of an existing transit route may reduce the number of required parking spaces by up to ten percent (10%) by providing a transit stop and related amenities including a public plaza, pedestrian sitting areas, or additional landscaping, provided such landscaping does not exceed twenty-five percent (25%) of the total area dedicated for transit- oriented uses.

**B.** Required parking spaces may be reduced at a ratio of one (1) parking space for each one hundred (100) square feet of transit amenity space provided above and beyond the minimum required by this Code.

**C.** Required off-street parking spaces may be reduced by one (1) parking space for every onstreet parallel parking space located adjacent to the subject site. For purposes of calculating the amount of adjacent on-street parking spaces, the following applies:

1. Adjacent shall mean on the same side and within the same block as the use.
2. The minimum length of each on-street, parallel parking space shall be twenty-two (22) feet.
3. If a continuous section being measured contains a fractional portion of twenty two (22) feet, then the number of on-street spaces for that continuous section shall be rounded down to the next lower whole number.
4. Breaks in the on-street parking for driveways or similar parking restrictions, such as fire hydrants, shall not be counted.

**D.** Uses which are not eligible for these reductions include truck stops, building materials and lumber sales, nurseries, and similar uses not likely to be visited by pedestrians or transit customers.

**Applicant's Finding:** No reduction in parking is proposed and, therefore, this standard is not applicable.

**9.045 Landscaping and Screening.**

- A. Except for a residential development which has landscaped yards, parking areas containing more than twenty (20) vehicle spaces shall include landscaping to cover not less than ten percent (10%) of the area devoted to parking facilities. The landscaping shall be uniformly distributed throughout the parking area and may consist of trees, shrubs, or groundcover.**
- B. Parking areas shall be divided into bays of not more than twenty (20) parking spaces in parking areas with twenty (20) or more spaces. Between, and at the end of each parking bay, there shall be planters which have a minimum width of five (5) feet and be at least seventeen (17) feet in length. Each planter shall contain one major structural tree and groundcover which has been deemed appropriate by the Director. Truck parking and loading areas are exempt from this requirement.**
- C. Parking area setbacks shall be landscaped with major trees, shrubs, and groundcover as specified in Chapter 11, Landscaping and Screening, of this Code.**
- D. Wheel stops, bumper guards, or other methods to protect landscaped areas shall be utilized. No vehicles may project over a property line. No vehicle shall overhang a public right-of-way, sidewalk, or landscaped area unless adequate area is provided for safe pedestrian circulation.**
- E. Fences, walls, or hedges shall not be placed within front or street side setback areas except at the street side edge of parking lots when allowed within setbacks.**
- F. Where parking adjoins a residential zoning district, there shall be a sight- obscuring screen which is at least eighty percent (80%) opaque when viewed horizontally from between two (2) and eight (8) feet above average ground level. The screening shall be composed of materials which are an adequate size so as to achieve the required degree of screening within three years after installation.**

**Applicant's  
Finding:**

The submitted materials include a landscaping plan identifying at least ten percent (10%) of the area devoted to parking facilities as uniformly distributed landscaping. Parking areas are divided into bays of not more than twenty (20) parking spaces. There are planters between and at the end of each parking bay measuring a minimum of five feet by seventeen feet (5' x 17'). As detailed on the landscaping plan, each planter contains at least one major structural tree and groundcover that may be deemed appropriate by the Director. Parking area setbacks are landscaped consistent with other parking area landscaping. The parking lot is designed so that no vehicles will impact landscaping, overhang the public right-of-way or a property line or impact pedestrian circulation. Fences, walls and hedges will be placed as permitted. Parking adjoining residential zoning will be screened as required by this Section. This standard is met.

**9.050 Paving.**

- A. Parking areas, driveways, aisles, and turnarounds shall be paved with concrete, asphalt, or comparable impervious surfacing. Porous concrete, grasscrete, or comparable porous paving surfacing may be used in place of impervious surfacing to reduce stormwater runoff, when approved by the Director. Gravel and similar erodible surfaces are not acceptable.**
- B. Approaches shall be paved with concrete surfacing constructed to City standards. If a street is not paved, the approach may be maintained to the same standard as the street until the street is paved.**
- C. Temporary overflow parking in conjunction with community events, special events, events of citywide interest, or sporting events, is allowed on an unpaved parking area on a parcel of**

at least one-half acre in size, provided such parking does not occur within the Vegetation Corridor and Slope District. If a fee is charged for parking, it shall not be considered a commercial parking lot for purposes of zoning compliance.

**Applicant's Finding:** The parking areas, driveways, aisles, turnarounds, and approaches will be appropriately paved and surfaced. This standard is met.

#### **9.055 Drainage.**

**Parking areas, aisles, and turnarounds shall have provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public right-of-ways, and abutting private property**

**Applicant's Finding:** The submitted plans detail a stormwater planter in the northwest corner of the site adequately sized to accommodate all on-site stormwater. No stormwater will sheet flow onto sidewalks, public right-of-way or abutting private property. This standard is met.

#### **9.060 Lighting.**

**Artificial lighting shall be provided in all required off-street parking areas. Lighting shall be deflected so as not to shine directly into adjoining dwellings or other types of living units and so as not to create a hazard to the public use of a street. Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or motor vehicle parking lots during all hours of use. Lighting fixtures shall also comply with the requirements of Troutdale Municipal Code, Chapter 8.26.**

**Applicant's Finding:** The submitted materials include a photometric plan detailing the provision of appropriate lighting on the site. This standard is met.

#### **9.065 Shared Use of Parking Facilities.**

**A. Except for residential uses, required parking facilities may be located on an adjacent parcel of land or separated only by an alley, provided the adjacent parcel is maintained in the same ownership as the use it is required to serve.**

**B. In the event that several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements for the several uses computed separately with a reduction of up to twenty-five percent (25%) to account for shared parking between adjacent businesses and services.**

**C. Required parking facilities of two (2) or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime vs. nighttime nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use.**

**Applicant's Finding:** This proposal is for a residential use and, therefore, this standard is not applicable.

#### **9.070 Driveways.**

**A. A driveway to an off-street parking area shall be improved from the public roadway to the parking area a minimum width of twenty (20) feet for a two-way drive or twelve (12) feet for a one-way drive, but in either case not less than the full width of the approach for the first twenty (20) feet of the driveway. The improvement shall be constructed to the standards for private drives.**

**B. A driveway for a single-family or two-family dwelling shall have a minimum width of ten (10) feet.**

**C. Driveways, aisles, turnaround areas, and ramps shall have a minimum vertical clearance of twelve (12) feet for their entire length and width, but such clearance may be reduced in parking structures.**

**D. Parking lots more than three (3) acres in size intended for use by the general public shall provide street-like features along driveways, including curbs, sidewalks, street trees or planting strips, and bicycle routes.**

<b>Applicant's Finding:</b>	As identified on the submitted plans, the driveways, aisles, turn around areas and ramps are all designed to meet the minimum requirements of Section 9.070. This standard is met.
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#### **9.075 On-Site Circulation.**

**A. Groups of more than three (3) parking spaces shall be permanently marked.**

**B. Except for a single-family or two-family dwelling, groups of more than three (3) parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner. No backing movements or other maneuvering shall be permitted within a street right-of-way other than an alley.**

**C. Pedestrian walkways, separation, and differentiation of materials in parking lots three (3) acres or larger intended for public use shall be provided pursuant to Section 8.030 of this Code.**

<b>Applicant's Finding:</b>	All parking will be permanently marked. As stated above, adequate aisles, turnaround areas and driveways will be provided with no backing movements or other maneuvering within a street right-of-way. This standard is met.
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#### **9.080 Bicycle Parking Facilities. Multiple-family developments; industrial, commercial and community service uses; transit transfer stations; and park and ride lots, shall meet the following standards for bicycle parking facilities:**

##### **A. Number/Type.**

- 1. The required minimum number of short-term bicycle parking spaces (stays of less than four (4) hours) shall be five percent (5%) of the total number of automobile parking spaces provided for the use. In no case shall less than one (1) bicycle parking space be provided even when no automobile parking spaces are being provided.**
- 2. The required number of long-term bicycle parking spaces (stays of more than four (4) hours and all-day/monthly) shall be three percent (3%) of the total number of vehicle parking spaces provided for the use and fractions rounded down.**
- 3. For transit centers, high capacity transit stations, inter-city bus and rail stations, and park-and-ride lots, at least eight (8) long-term and at least two (2) short-term bicycle parking spaces are required. For other major transit stops (frequent service bus stops) at least two (2) short-term spaces are required.**

## **B. Location.**

1. Bicycle parking shall be located on-site, convenient to building entrances, and have direct access to both the public right-of-way and to the main entrance of the principal use.
2. For facilities with multiple buildings or parking lots, bicycle parking shall be located in areas of greatest use and convenience to bicyclists.
3. Bicycle parking may be provided within the public right-of-way in areas without building setbacks, subject to approval of the appropriate governing official and provided it meets the other bicycle parking requirements.

**C. Parking Space Dimensions.** Each required bicycle parking space shall be at least two and one half (2.5) feet-by-six (6) feet, and when covered, provide vertical clearance of at least seven (7) feet. An access aisle of at least five (5) feet wide shall be provided and maintained beside or between each row of bicycle parking. Vertical or upright bicycle storage structures are exempted from the parking space length standard.

**D. Parking Facilities.** Bicycle parking facilities shall offer security. Long-term bicycle parking shall be in the form of a lockable enclosure, a designated bicycle storage area inside a building on-site, a covered rack, or another form of secure parking where the bicycle can be stored, as approved by the Director. Short-term bicycle parking shall be in the form of a stationary object (i.e., a "rack") or other approved structure, covered or uncovered, to which the bicycle can be locked. Bicycle racks shall be securely anchored to the ground or to a structure and shall be designed to hold bicycles securely by means of the frame. Bicycle parking facilities shall be constructed so as to not obstruct walkways.

**E. Signing.** Where bicycle parking facilities are not directly visible and obvious from the public right-of-way, entry and directional signs shall be provided to direct bicyclists from the public right-of-way to the bicycle parking facility.

**F. Exemptions.** Temporary street-side sales and temporary uses, such as fireworks stands and Christmas tree sales, and single-family and two- family residences, are exempt from these standards.

**Applicant's  
Finding:**

The 512 parking spaces require 26 bicycle parking spaces. The bicycle parking spaces will be located within the breezeways of each building at a rate of four spaces per breezeway. This will result in the placement of a total of 72 bicycle parking spaces. This standard is met.

## **9.085 Setbacks.**

**A. Parking areas which abut a residential zoning district shall meet the building setback of the most restrictive adjoining residential zoning district.**

**B. Required parking shall not be located in a required front or side yard setback area abutting a public street except in industrial districts. For single-family dwellings, required parking may be located in front of a garage.**

**C. In industrial districts, when greater setbacks are required for structures, parking lots may be within twenty (20) feet of any front, side street, or rear property line and within five (5) feet of any side property line. There shall be a sight-obscuring screen which is at least eighty percent (80%) opaque when viewed horizontally from between two (2) and eight (8) feet above eighty percent (80%) average ground level. The screening shall be composed of**

materials which are an adequate size so as to achieve the required degree of screening within three years after installation.

**D. Parking areas shall be set back from a lot line adjoining a street the same distance as required building setbacks. Regardless of other provisions, a minimum setback of ten (10) feet shall be provided along the property fronting on a public street in an industrial district. The setback area shall be landscaped as provided in this Code.**

**Applicant's Finding:** No parking is proposed within a front or side yard setback abutting a public street. The side yard setback of the R-7 (adjacent) zoning district is 7.5 feet. The nearest parking space along this (eastern) property line is 12 feet from the property line, exceeding the minimum. The rear yard setback of the R-7 zoning district is 20 feet. The parking areas along this (southern) property line are a minimum of 20 feet from the property line, meeting this standard. This standard is met. The front yard setback is 20 feet (northern property line). The parking is proposed to maintain this required setback along the front property line. This standard is met.

#### **9.090 Truck Parking.**

**In residential zoning districts, no overnight parking of trucks or other equipment on wheels or tracks exceeding one-ton capacity used in the conduct of a business activity shall be permitted, except vehicles and equipment necessary for farming and truck gardening on the premises where such use is permitted.**

**Applicant's Finding:** Overnight parking of trucks or other equipment is not proposed or anticipated with this multi-family residential development. This standard is met.

#### **9.095 Handicapped Parking Facilities.**

**The required number of handicapped parking spaces shall be in conformance with the applicable provisions of the State of Oregon Structural Specialty Code.**

**Applicant's Finding:** The site includes 12 ADA parking spaces, in conformance with the applicable provisions of the State of Oregon Structural Specialty Code. This standard is met.

**9.100 Carpool and Vanpool Parking. New industrial, commercial, and community service developments with fifty (50) or more on-site full-time equivalent employees shall meet the following requirements for carpool and vanpool parking:**

**A. Number/Marking. The greater of one space or five percent (5%) of required employee parking spaces shall be marked and signed for use as a carpool/vanpool space. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only"**

**B. Location. Designated carpool/vanpool spaces shall be the closest employee parking spaces to the building entrance normally used by employees except for any handicapped spaces provided.**

**Applicant's Finding:** This proposal does not include industrial, commercial or community service development and, therefore, this standard is not applicable.

#### **9.105 Off-Street Parking Restrictions.**

**A. Parking spaces in a public street, including an alley, shall not be considered required parking.**

**B. Required parking shall be available for parking of operable passenger vehicles of residents, customers, and employees only, and shall not be used for the storage or display of vehicles or materials.**

<b>Applicant's Finding:</b>	Required parking will not be in a public street and will be available for operable passenger vehicles. Storage and display of vehicles or materials in any parking area is not proposed. This standard is met.
-----------------------------	--

**9.110 Design Requirements for Off-Street Parking. The following off-street parking development and maintenance shall apply in all cases:**

**A. Size.**

- 1. The standard size of a parking space shall be 9'x18' (162 s.f.).**
- 2. The compact size of a parking space shall be 8'x16' (128 s.f.). Up to thirty-five percent (35%) of required parking spaces may be compact spaces.**
- 3. Handicapped parking spaces shall be in conformance with the State of Oregon Structural Specialty Code, Chapter 11 Accessibility.**
- 4. For parallel parking, the length of the parking space shall be increased to twenty two (22) feet.**

**B. Aisles shall not be less than:**

- 1. 25 feet in width for 90° parking.**
- 2. 20 feet in width for 60° parking.**
- 3. 20 feet in width for 45° parking.**
- 4. 12 feet in width for parallel parking on one side.**
- 5. 16 feet in width for parallel parking on both sides.**

<b>Applicant's Finding:</b>	The proposed development includes 512 parking spaces. 172 of the proposed spaces (33.5% of the total number of spaces) are compact. 390 are standard spaces, 21 are located within garages and the final 12 are ADA-accessible. There are no parallel parking spaces. All aisles are 25 feet in width. This standard is met.
-----------------------------	--

**9.115 Loading Facilities.**

**A. The minimum area required for commercial and industrial loading spaces is as follows:**

- 1. 250 square feet for buildings of 5,000 to 19,999 square feet of gross floor area.**
- 2. 500 square feet for buildings of 20,000 to 49,999 square feet of gross floor area.**
- 3. 750 square feet for buildings in excess of 50,000 square feet of gross floor area.**

**B. The required loading area shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.**

**C. Loading areas shall be screened from public view, public streets, and adjacent properties in compliance with applicable provisions of Chapter 11 of this Code.**

**D. Required loading facilities shall be installed prior to final building inspection and shall be permanently maintained as a condition of use.**

**E. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of a school having a capacity greater than twenty-five (25) students.**

**F. Exceptions and Adjustments. Loading areas within a street right-of-way in the Central Business District may be approved when all of the following conditions are met:**

- 1. Short in duration (i.e., less than one hour).**
- 2. Infrequent (less than three operations occur daily between 5:00 a.m. and 12:00 a.m. or all operations occur between 12:00 a.m. and 5:00 a.m. at a location that is not adjacent to a residential zone).**
- 3. Does not unreasonably obstruct traffic.**
- 4. Does not obstruct a primary emergency response route.**
- 5. Is acceptable to the applicable roadway authority.**

**Applicant's Finding:** The loading standards discussed above apply to commercial, industrial and school sites. This standard is not applicable to the multi-family development.

**9.120 Off-Street Parking Plan. A plan drawn to scale, indicating how the off-street parking and loading requirement is to be provided, shall accompany the application for a development permit. The plan shall show all those elements necessary to indicate that these requirements are being fulfilled, and shall include, but not be limited to:**

- A. Delineation of individual parking spaces.**
- B. Circulation area necessary to serve spaces.**
- C. Access to streets, alleys, and properties to be served.**
- D. Curb cuts.**
- E. Dimensions, continuity, and substance of screening.**
- F. Grading, drainage, surfacing, and subgrading details.**
- G. Delineations of all structures or other obstacles to parking and circulation on the site.**
- H. Specifications as to signs and bumper guards.**

**Applicant's Finding:** The submitted plans include detailed off-street parking areas in compliance with the City's off-street parking and circulation standards. This standard is met.

**9.125 Off-Street Parking Construction. Required parking spaces shall be improved and available for use at the time of final building inspection.**

**Applicant's Finding:** The required parking will be improved and available for use at the time of the final building inspection. This standard is met.

## **Chapter 11 – Landscaping and Screening**

### **11.010 Minimum Basic Improvements.**

**These standards apply to developments other than single family detached and duplex dwelling units on a single lot.**

**A. The minimum area of a site to be retained in landscaping shall be as follows:**

<b>Zoning District or Use</b>	<b>Percentage</b>
-------------------------------	-------------------

**Applicant's Finding:** After right-of-way dedication, the size of this site is 8.57 acres. Therefore, the area required to be retained in landscaping is 93,328 square feet. This proposal includes 92,646 square feet of landscaping or 2.12 acres of landscaping. The landscape area provided is 24.7 percent of the overall site. As this proposal is within 10% of the required minimum, the Applicant has included a request for a Type I variance. This standard is met.

**B. For attached dwellings, including mixed-use development, usable recreation areas shall be provided for development containing more than five (5) dwelling units at the rate of two hundred (200) square feet per dwelling unit. Such areas shall be counted as part of the required landscaping percentage. Examples include, but are not limited to, playgrounds, exercise trails, swimming pools, etc.**

**Applicant's Finding:** This development proposes 92,646 square feet of designated open recreation space. The proposed 216 dwelling units require 43,200 square feet of recreational facilities or open space areas (216 units x 200 sf/unit). More than 50% of the designated open recreation space is active space. This standard is met. This standard is met.

**C. Except for portions approved for parking, loading, or traffic maneuvering, a required setback area abutting a public street, and open area between the property line and the roadway in the public street, shall be landscaped. This landscaping shall be counted as part of the required landscaping percentage, except for that portion of the landscaping within the street right-of-way.**

**Applicant's Finding:** Landscaping is proposed abutting all public streets and property lines. This standard is met.

**D. Site-obscuring shrubbery or a berm, wall, or fence shall be placed along the boundary of each classification of zone, i.e. residential, commercial or industrial, and around unsightly areas such as a trash or equipment storage area, or an outdoor industrial or commercial activity.**

**Applicant's Finding:** This site will be developed as multi-family residential and is adjacent to low-density residential. While not a boundary of a zoning classification (i.e. residential to commercial or industrial), the Applicant is proposing to buffer the site from neighboring properties with additional site obscuring plantings. This standard is met.

**E. Landscaping that is required by a land use approval shall be irrigated to ensure the survivability of the landscaping.**

**Applicant's Finding:** All required landscaping will be irrigated. This standard is met.

**F. At least seventy-five percent (75%) of the required landscaped area shall be planted with a suitable combination of trees, shrubs, or evergreen groundcover.**

**Applicant's Finding:** As identified on the submitted landscaping plan, a minimum of 75% of the required landscaped area will be planted with a suitable combination of trees, shrubs or evergreen ground cover. This standard is met.

**G. Plant Material:**

- 1. Trees shall be species having an average mature spread of crown of greater than fifteen (15) feet and trunks which can be maintained in a clean condition with over five (5) feet of clear wood. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15) foot crown spread.**
- 2. Trees shall be a minimum of seven (7) feet in overall height or one and one-half (1½) inches in caliper immediately after planting. Adjacent to any public right-of-way or easement, the following species shall be prohibited: poplar, willow, cottonwood, fruit trees, nut trees, and ailanthus. Selected conifers may be planted adjacent to public right-of-ways or easements if approved by the Director. See the City's list of recommended tree species.**
- 3. Shrubs shall be a minimum of one (1) gallon in size or two (2) feet in height when measured immediately after planting. Hedges, where required to screen and buffer off-street parking from adjoining properties, shall be planted with an evergreen specie maintained so as to form a continuous, solid, visual screen at time of planting.**
- 4. Vines for screening purposes shall be a minimum of one (1) gallon in size or thirty (30) inches in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified.**
- 5. Groundcovers used in lieu of turf, in whole or in part, shall be planted in such a manner as to provide complete coverage within one (1) year.**
- 6. Turf areas shall be planted in species normally grown as permanent lawns in Troutdale. Acceptable varieties include improved perennial rye and fescues.**
- 7. The use of native plants throughout the site is encouraged if the site abuts vegetation corridors, steep slopes, wetlands, or floodplain. If native plants are used exclusively, a reduction of five percent (5%) of the minimum landscaping requirement will be authorized.**
- 8. Plants listed in the current Oregon Department of Fish & Wildlife Oregon Invasive Species Action Plan as invasive are prohibited.**

**Applicant's Finding:** The submitted landscaping plans identify the proposed plant material on the site in full compliance with this standard. This standard is met.

**H. Landscaped areas may include architectural features or artificial groundcovers such as sculptures, benches, masonry or stone walls, fences, rock groupings, bark dust (medium coarse), decorative hard paving, and gravel areas, interspersed with planted areas. The exposed area developed with such features shall not exceed twenty-five percent (25%) of the required landscaped area. Artificial plants are prohibited in any required landscaped area.**

**Applicant's Finding:** Architectural features and/or artificial groundcovers, if utilized, will not exceed 25% of the required landscaped area. Artificial plants are not proposed. This standard is met.

**I. Existing trees with a six (6) inch DBH or greater shall be preserved except when removal is specifically authorized by the Site and Design Review Committee or in the development approval.**

**Applicant's Finding:** A total of 62 existing trees greater than six (6) inches DBH will be removed from the site. These consist of a handful of trees surrounding the existing house on the eastern property and a hedgerow of trees which separates the two properties along the site's internal boundary line. Due to the nature and intensity of the proposed development at the locations where these trees exist, preservation is not practical or realistic. This standard is met.

**J. The area of the vegetation corridor on a site being developed counts toward the required landscape area.**

**Applicant's Finding:** The Applicant acknowledges that any vegetation corridors can be counted toward required landscape area. This standard is met.

**11.015 Garbage and Recycling Container Enclosures.**

**All enclosures used to contain garbage and recycling containers at multiple-family, commercial, industrial, or institutional developments must conform to the following minimum standards:**

**A. Screening. All enclosures for garbage and recycling containers must be screened from public view. Screening shall consist of six (6) foot high walls constructed of any of the following materials:**

1. Cyclone fencing with slats.
2. Wooden fencing.
3. Concrete blocks.
4. Materials other than the above-mentioned as approved on a case-by- case basis.

**B. Gates. Gates must meet the following requirements:**

1. Must have a latch or some type of device which will keep the gate shut after it is closed. The device can be above or below ground.
2. Must have a mechanism to keep gates open during trash removal. The device can be above or below ground.
3. Wheels are not required; however, the hinge must be adequate to support the weight of the gate.

**C. Base Material/Flooring. The entire base dimension must meet the following requirements:**

1. Must be made out of concrete. Concrete shall have a nominal thickness of four (4) inches. Exceptions to the base materials may be approved by the Director where warranted.
2. Must be positively sloped to the drainage system.

**Applicant's Finding:** The trash and recycling facilities will be screened from public view. The proposed screening will consist of six (6) foot high walls constructed from the approved materials. The gates will be designed to latch shut when not in use and latch open during debris removal. The base will be made of concrete of a minimum 4" thickness and will be sloped positively to the drainage system. This standard is met.

#### **11.020 Performance Bond or Security.**

**Landscaping must be installed prior to final occupancy. If weather conditions or other circumstances beyond the control of the developer or owner make completion of the landscaping impossible, an extension of up to six (6) months may be applied for by posting "security" equal to forty percent (40%) of the cost of the landscaping with the City, assuring installation within six (6) months. "Security" may consist of a performance bond payable to the City, cash, certified check, time certificates of deposit, assignment of a savings account, or other such assurance of access to funds necessary for completion as shall meet the approval of the City Attorney. Upon acceptance of the approved security, the owner may be allowed occupancy for a period of one hundred-eighty (180) days. If the installation of the landscaping improvement is not completed within one hundred-eighty (180) days, the City shall have access to the security to complete the installation and/or revoke occupancy. Upon completion of the installation, any portion of the remaining security minus administrative charges of twenty-five percent (25%) shall be returned to the owner. Costs in excess of posted security shall be assessed against the property, and the City shall thereupon have a valid lien against the property which will come due and payable.**

**Applicant's Finding:** The Applicant acknowledges that landscaping must be installed or secured prior to final occupancy. This standard is met.

#### **11.030**

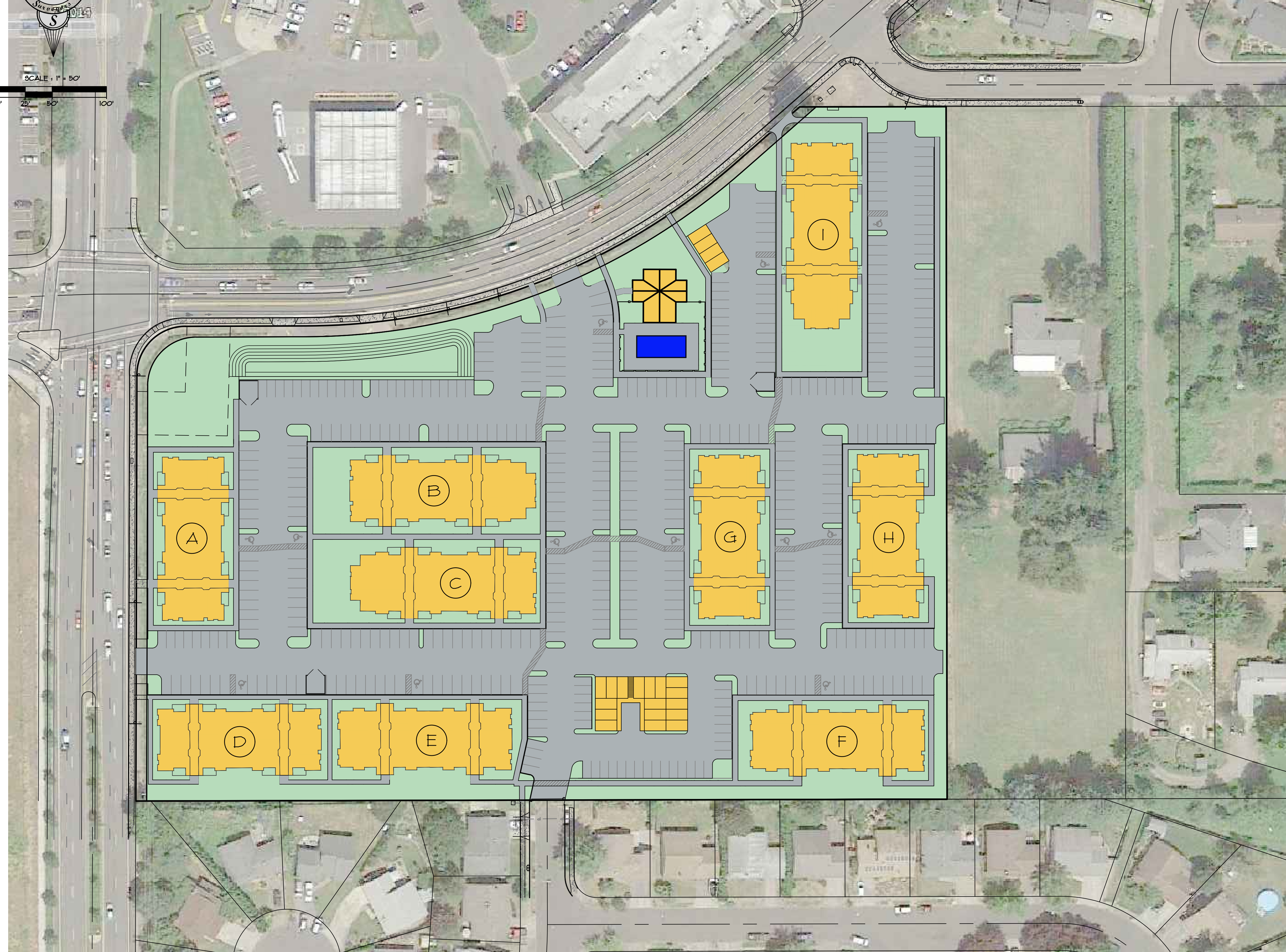
**Guarantee. All landscape materials and workmanship shall be guaranteed by the installer and/or developer for a period of time not to exceed two (2) years. This guarantee shall ensure that all plant materials survive in good condition and shall guarantee prompt replacement of dead or dying plant materials.**

**Applicant's Finding:** The Applicant acknowledges that all landscape materials and workmanship will be guaranteed by the developer and/or installer for a period of time not to exceed 2 years. This standard is met.

#### **SUMMARY AND CONCLUSION**

Based upon the materials submitted herein, the Applicant respectfully requests approval from the Troutdale City Council of this application for a Comprehensive Plan Amendment, Zoning Map Amendment and Site & Design Review.

COVER SHEET  
APRIL 2018



C1 COVER SHEET & SITE PLAN  
C2 EXISTING CONDITIONS  
C3 CIVIL SITE PLAN  
C4 WATER AND SANITARY SEWER PLAN  
C5 STORM SEWER PLAN  
C6 GRADING & EROSION CONTROL PLAN  
LI LIGHTING PLAN

TAX LOTS 700 AND 800, MAP IN 3E 35BC  
CURRENT ZONING = R-5 & R-1: SINGLE FAMILY RESIDENTIAL  
PROPOSED ZONING = A-2: APARTMENT RESIDENTIAL  
AREA = ±8.82 ACRES

SHELDON DEVELOPMENT INC.  
CAREY SHELDON  
23765 SE HWY 212  
DAMASCUS, OR 97089  
PHONE: (503) 805-8741

3-J CONSULTING  
ATTN: ANDREW TULL  
5075 SW GRIFFITH DRIVE, SUITE 150  
BEAVERTON, OR 97005  
PHONE: (503) 545-1907

ALL COUNTY SURVEYORS & PLANNERS, INC.  
ATTN: RAY MOORE  
PO BOX 955  
SANDY, OR 97055  
PHONE: (503) 668-3151

KITTELSON & ASSOCIATES  
ATTN: ANTHONY YI  
851 SW 6TH AVENUE, SUITE 600  
PORTLAND, OR 97204  
PHONE: (503) 228-5230

REDMOND GEOTECHNICAL SERVICES  
ATTN: DAN REDMOND  
PO BOX 20541  
PORTLAND, OR 97294  
PHONE: (503) 285-0598

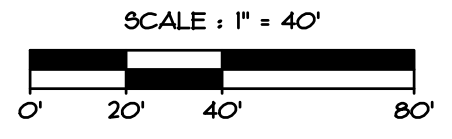
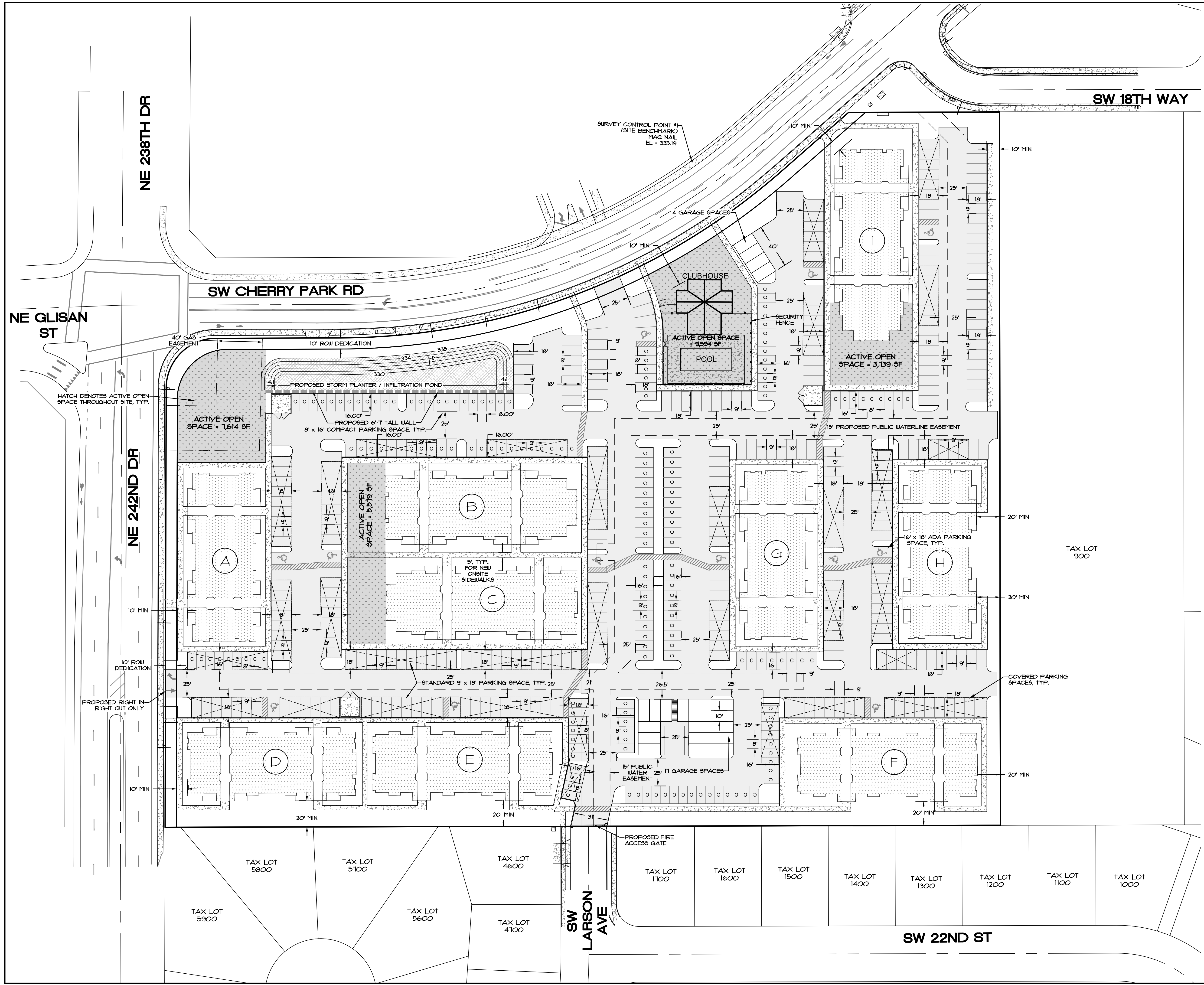
D'BOL DESIGN, LLC  
ATTN: DENNIS BOLSINGER  
1299 SAGINAW ST. S.  
SALEM, OR 97302  
PHONE: (503) 481-9365

MEARS DESIGN GROUP, LLC  
ATTN: TROY MEARS  
PO BOX 23338  
PORTLAND, OR 97281  
PHONE: (503) 601-4516


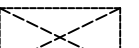
THE LIGHTING PROJECT  
315 COLUMBIA ST.  
VANCOUVER, WA 98660  
PHONE: (360) 984-2100

NOTE:  
THIS IS A PRELIMINARY DRAWING FOR  
PLANNING PURPOSES ONLY. NOT FOR  
CONSTRUCTION.










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**NOTES**

TOTAL SITE AREA: 18.82 ACRES  
SITE AREA POST DEDICATION: 18.51 ACRES  
PROPOSED ZONING: A-2 (APARTMENT RESIDENTIAL)  
DENSITY PROPOSED: 216 UNITS  
PARKING PROPOSED 512 SPACES:  
21 GARAGE SPACES  
172 COMPACT SPACES (42 UNDER CARPORTS)  
301 STANDARD SPACES (193 UNDER CARPORTS)  
12 ADA PARKING SPACES  
MINIMUM OPEN RECREATION SPACE REQUIRED:  
200 SF X 216 UNITS = 43,200 SF REQUIRED  
MIN 50% HAS TO BE 'ACTIVE' (21,600 SF)  
TOTAL OPEN SPACE PROPOSED: ± 92,646 SF (2.13 AC)  
 TOTAL ACTIVE OPEN SPACE: 26,526 SF  
 PROPOSED CARPORTS  
SITE LAYOUT COMPLETED BY: D'BOL DESIGN, LLC

**BUILDING LEGEND**

-  BUILDING PLAN B-600 - 24 UNITS  
ROOF AREA: 9,306 SF
-  BUILDING PLAN A-400 - 24 UNITS  
ROOF AREA: 10,235 SF
-  BUILDING PLAN A-500 - 24 UNITS  
ROOF AREA: 10,235 SF
-  BUILDING PLAN B-100 - 24 UNITS  
ROOF AREA: 9,306 SF
-  BUILDING PLAN C-800 - 24 UNITS  
ROOF AREA: 9,821 SF
-  BUILDING PLAN C-900 - 24 UNITS  
ROOF AREA: 9,821 SF
-  BUILDING PLAN B-300 - 24 UNITS  
ROOF AREA: 9,306 SF
-  BUILDING PLAN B-200 - 24 UNITS  
ROOF AREA: 9,306 SF
-  BUILDING PLAN A-100 - 24 UNITS  
ROOF AREA: 10,235 SF

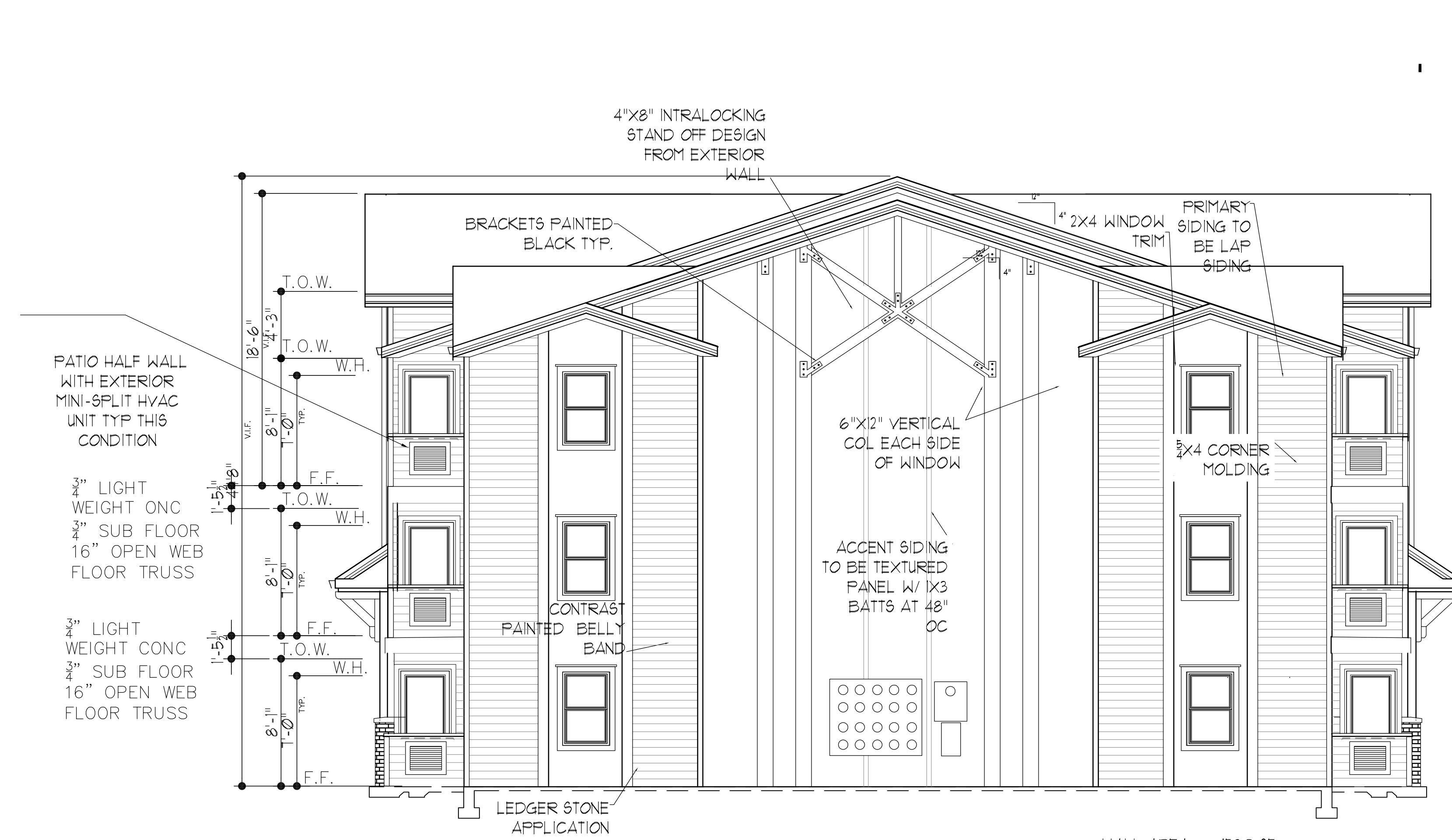
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CONSTRUCTION.

PROJECT:	EAGLE RIDGE APARTMENT HOMES				LOCATION:	2320 SW 18TH WAY, TROUTDALE, OR 97060	
	CIVIL SITE PLAN						
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				SHELDON DEVELOPMENT INC. CAREY SHELDON 23165 SE HUY 212 DAMASCUS, OR 97089			



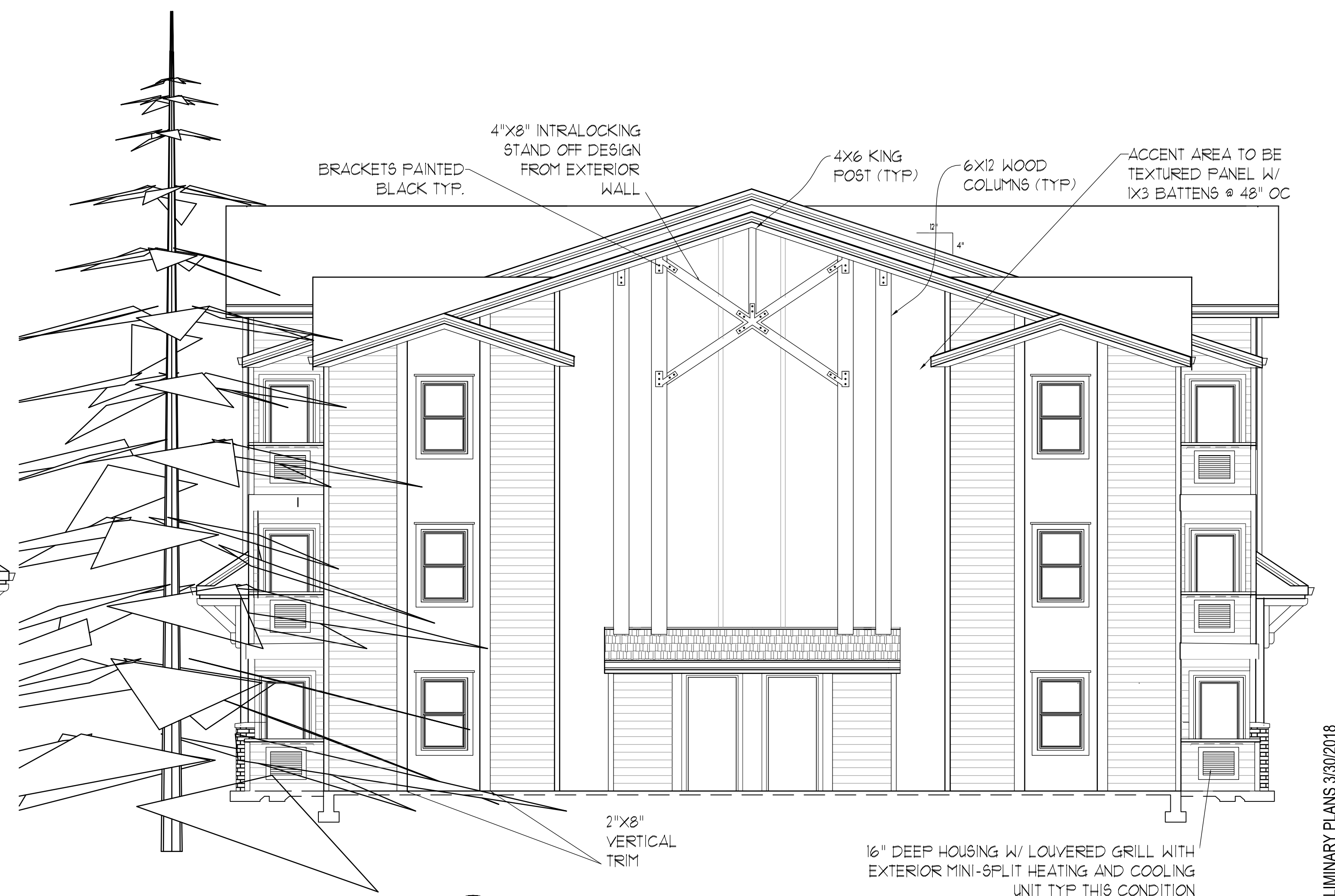
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WALL AREA = 4612 SF  
WINDOW AREA = 1152 SF = 24.9%



2 WEST ELEVATION  
SCALE: 1/8"=1'-0"

WALL AREA = 1530 SF  
WINDOW AREA = 234 SF = 15.3%



3 EAST ELEVATION  
SCALE: 1/8"=1'-0"

D'Boi Design, LLC  
1299 Saginaw St.S.  
Salem, Oregon 97302  
Tel: (503) 461-9806  
E-Mail: dboi@dbol.com

LYER ENGINEERING & DESIGN  
7090 SE 100TH  
PORTLAND OREGON 97266  
PHONE: (503) 705-5283 FAX: (503) 462-7449  
TROY@LYER-ED.COM WWW.LYER-ED.COM  
ENGINEER

CHERRY PARK APARTMENTS  
PROJECT LOCATION  
2320 SW 18TH WAY  
TROUTDALE, OR 97080

Sheldon Development, Inc.  
237654 SE HWY 212  
DAMASCUS, OREGON 97089  
DEVELOPER

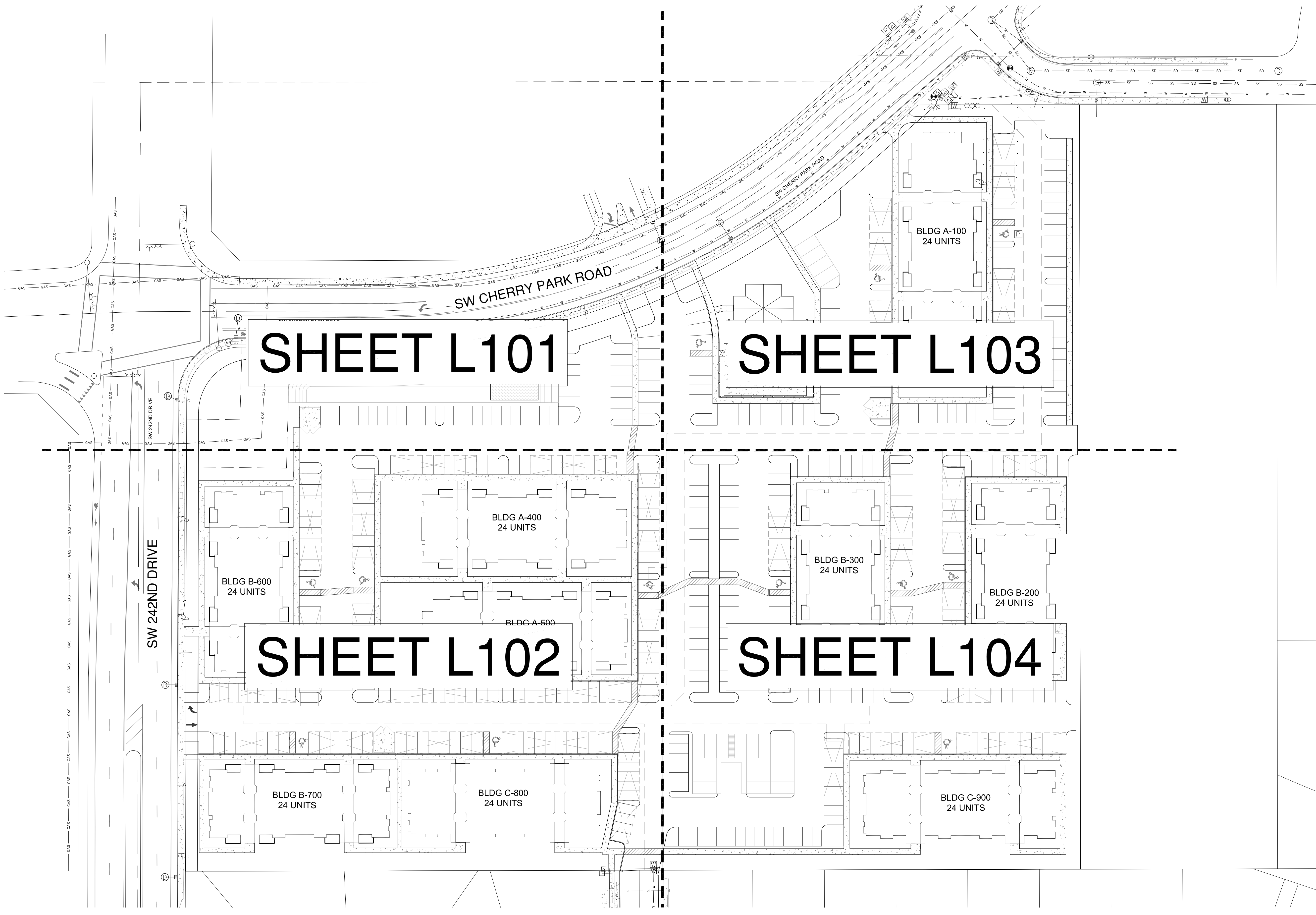
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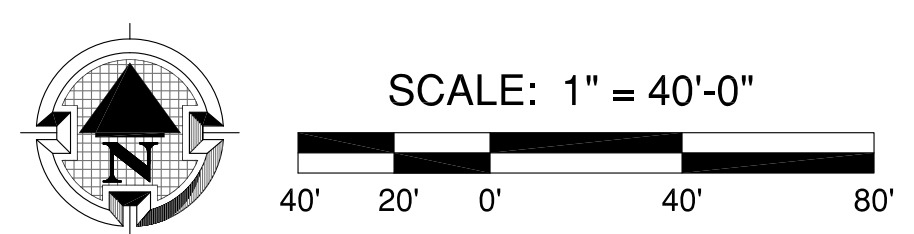
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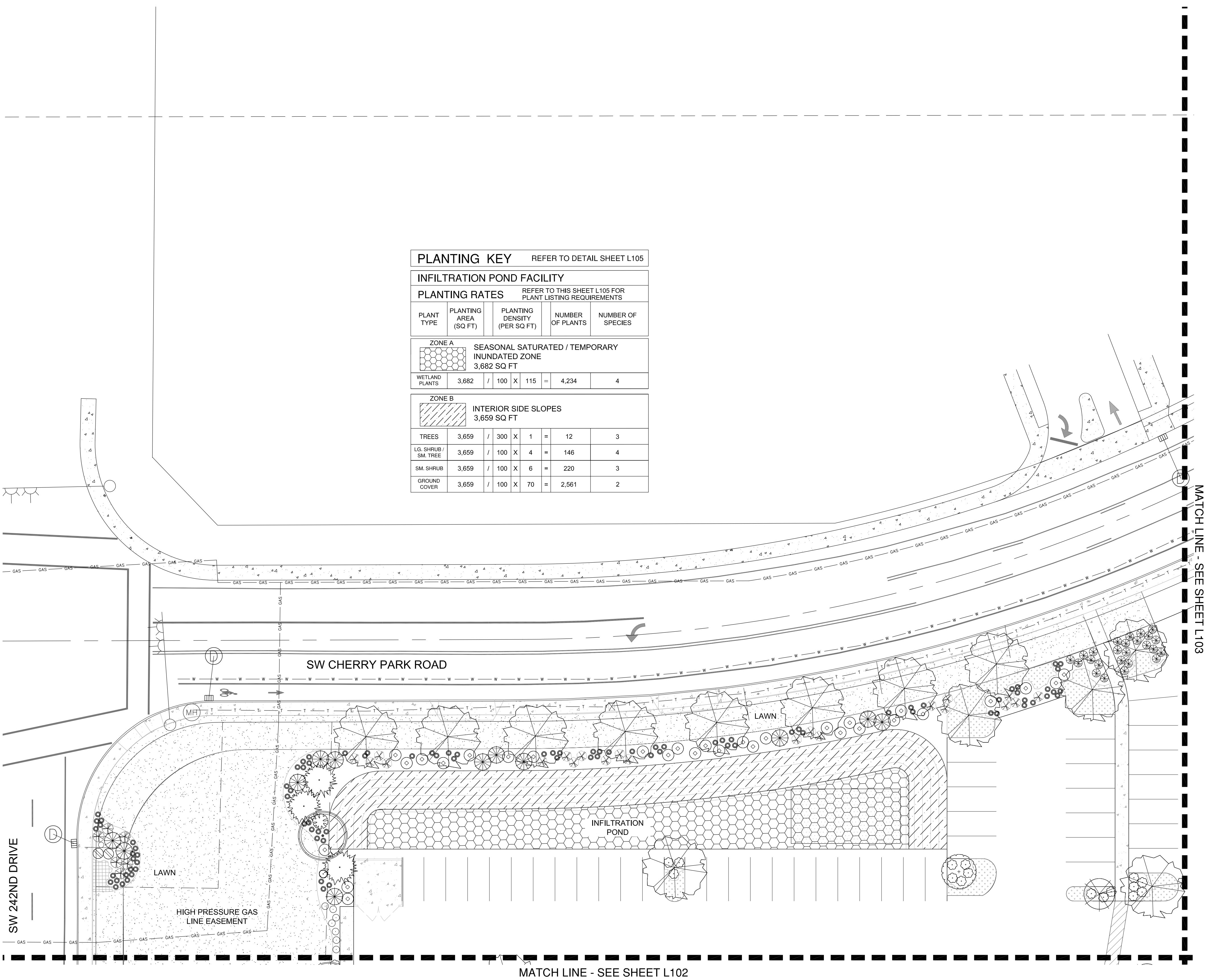
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JOB NO.: 1812

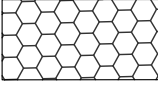
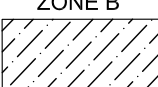
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L100  
OF 6



NOT FOR CONSTRUCTION





PLANTING KEY				REFER TO DETAIL SHEET L105			
INFILTRATION POND FACILITY							
PLANTING RATES				REFER TO THIS SHEET L105 FOR PLANT LISTING REQUIREMENTS			
PLANT TYPE	PLANTING AREA (SQ FT)	PLANTING DENSITY (PER SQ FT)	NUMBER OF PLANTS		NUMBER OF SPECIES		
ZONE A		SEASONAL SATURATED / TEMPORARY INUNDATED ZONE 3,682 SQ FT					
							
WETLAND PLANTS	3,682	/	100	X	115	=	4,234
							4
ZONE B		INTERIOR SIDE SLOPES 3,659 SQ FT					
							
TREES	3,659	/	300	X	1	=	12
							3
LG. SHRUB / SM. TREE	3,659	/	100	X	4	=	146
							4
SM. SHRUB	3,659	/	100	X	6	=	220
							3
GROUND COVER	3,659	/	100	X	70	=	2,561
							2

PLANT MATERIALS LISTING:					
Botanical name Common Name					
SYM	TREES	QTY.	SIZE	CONDITION	REMARKS
	Acer circinatum Vine Maple	103	5-6"	B&B	Multi-stem Collected
	Cercidiphyllum japonicum Katsura	29	1.5" Cal.	B&B	
	Chamaecyparis obtusa 'Gracilis' Gracilis Hinoki Cypress	59	6-7"	B&B	
	Carpinus betulus 'Fastigiata' Columnar Hornbeam	14	1.5" Cal.	B&B	
	Magnolia grandiflora 'Little Gem' Little Gem Magnolia	7	6-7"	B&B	
	Prunus yedoensis 'Akebono' Akebono Cherry	8	1.5" Cal.	B&B	
	Prunus 'Sargentii' Sargents Columnar Cherry	31	1.5" Cal.	B&B	
	Styrax japonica Japanese Snowbell	20	1.5" Cal.	B&B	
	Thuja plicata 'Hogan' Hogan Cedar	60	6-7"	B&B	
	Thuja plicata 'Smaragd' Emerald Green Arborvitae	25	5-6"	B&B	
	Zelkova serrata 'Green Vase' Green Vase Zelkova	41	2" Cal.	B&B	Street Tree
Total Trees		397			

SYM	SHRUBS	QTY.	SIZE	CONDITION	REMARKS
	Arbutus unedo 'Compact' Compact Strawberry Bush	89	5 Gal	Can	
	Cornus sericea 'Kelsey' Kelsey Dwarf Redtwig Dogwood	719	1 Gal	Can	
	Cornus 'Elegantissima' Variegated Redtwig Dogwood	35	5 Gal	Can	
	Hydrangea 'Cityline' Dwarf Hydrangea	23	2 Gal	Can	
	Hydrangea paniculata 'Littlelime' Littlelime Hydrangea	55	5 Gal	Can	
	Mahonia repens Creeping Mahonia	54	1 Gal	Can	
	Polystichum munitum Sword Fern	88	2 Gal	Can	
	Prunus 'Ottoluken' Dwarf Ottoluken Laurel	130	18-24"	B&B	
	Prunus x cistena Dwarf Red-Leaf Sand cherry	22	18-24"	B&B	
	Rhododendron 'Boursault' Boursault Rhododendron	217	18-24"	B&B	
	Rudbeckia fulgida 'Goldsturm' Black Eye Susan	128	1 Gal	Can	
	Rosa 'Double Knockout Red' Knockout Rose	187	2 Gal	Can	
	Spiraea japonica 'Little Princess' Little Princess Spirea	225	2 Gal	Can	
	Viburnum davidii David Viburnum	278	1 Gal	Can	
	Viburnum tinus 'Spring Bouquet' Spring Bouquet Viburnum	229	5 Gal	Can	
	Viburnum plicatum 'Maresii' Shasta Viburnum	33	5 Gal	Can	
Total Shrubs		2,561			

SYM	GROUND COVER	QTY.	SIZE	CONDITION	REMARKS
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	Hemerocallis 'Stella d'oro' Stella d'oro Daylily	98	1 gal	Can	24" O.C.
	Lawn (seed)	25,578 SF			

APPROXIMATE LANDSCAPE AREA

R/W LAWN AREA:	25,578 SF
R/W PLANTING AREA:	69,620 SF
WATER QUALITY POND AREA:	8,232 SF
TOTAL LANDSCAPE AREA:	103,430 SF

REFER TO SHEET L105 FOR  
POND PLANT SCHEDULE,  
PLANTING DETAILS & NOTES

NOT FOR CONSTRUCTION



CHERRY PARK MULTI-FAMILY  
PLANTING PLAN

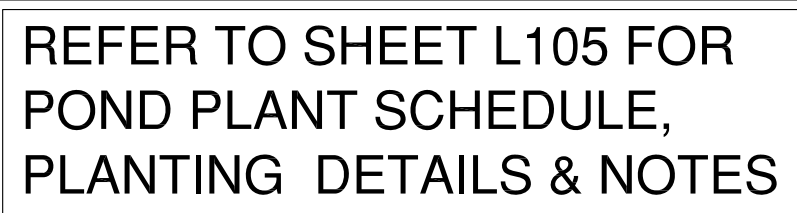
SHELDON DEVELOPMENT, INC.  
2320 SW 18TH WAY, TROUTDALE, OREGON




REVISIONS		
REV.	DATE	DESCRIPTION

SHEET NAME:  
PLANTING PLAN

DRAWN BY: \_\_\_\_\_ CL  
CHECKED BY: \_\_\_\_\_ TM  
ISSUE DATE: 4/10/2018  
JOB NO.: 1812

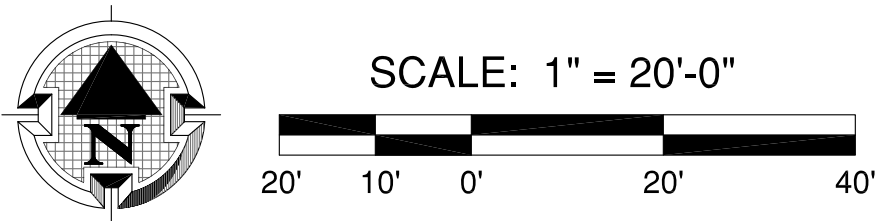
SHEET:  
L101  
OF 6

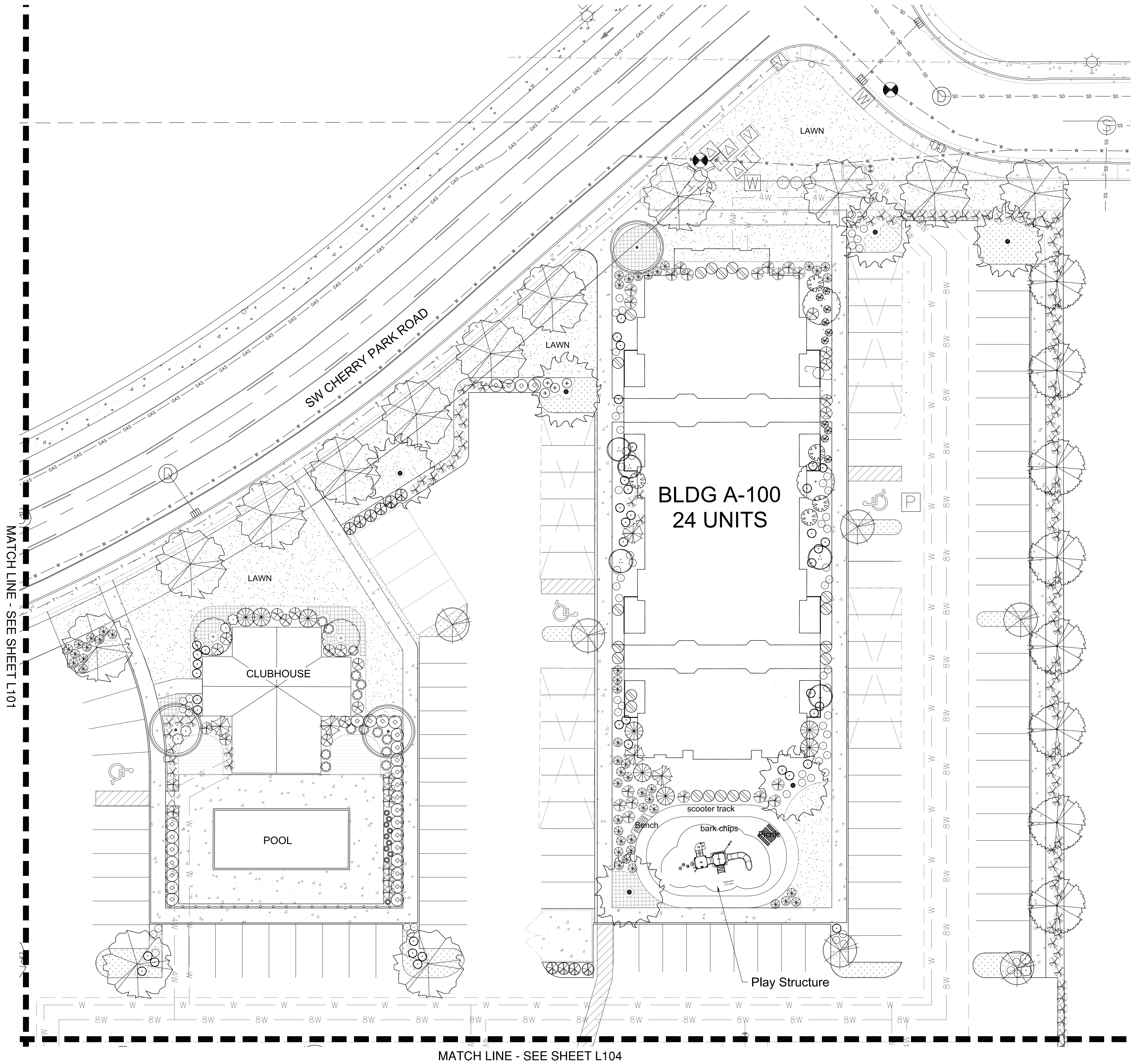


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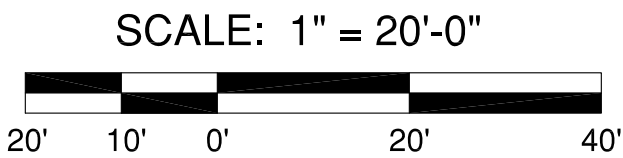
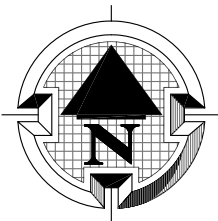
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NOT FOR CONSTRUCTION



REFER TO SHEET L105 FOR  
POND PLANT SCHEDULE,  
PLANTING DETAILS & NOTES



CHERRY PARK MULTI-FAMILY  
PLANTING PLAN

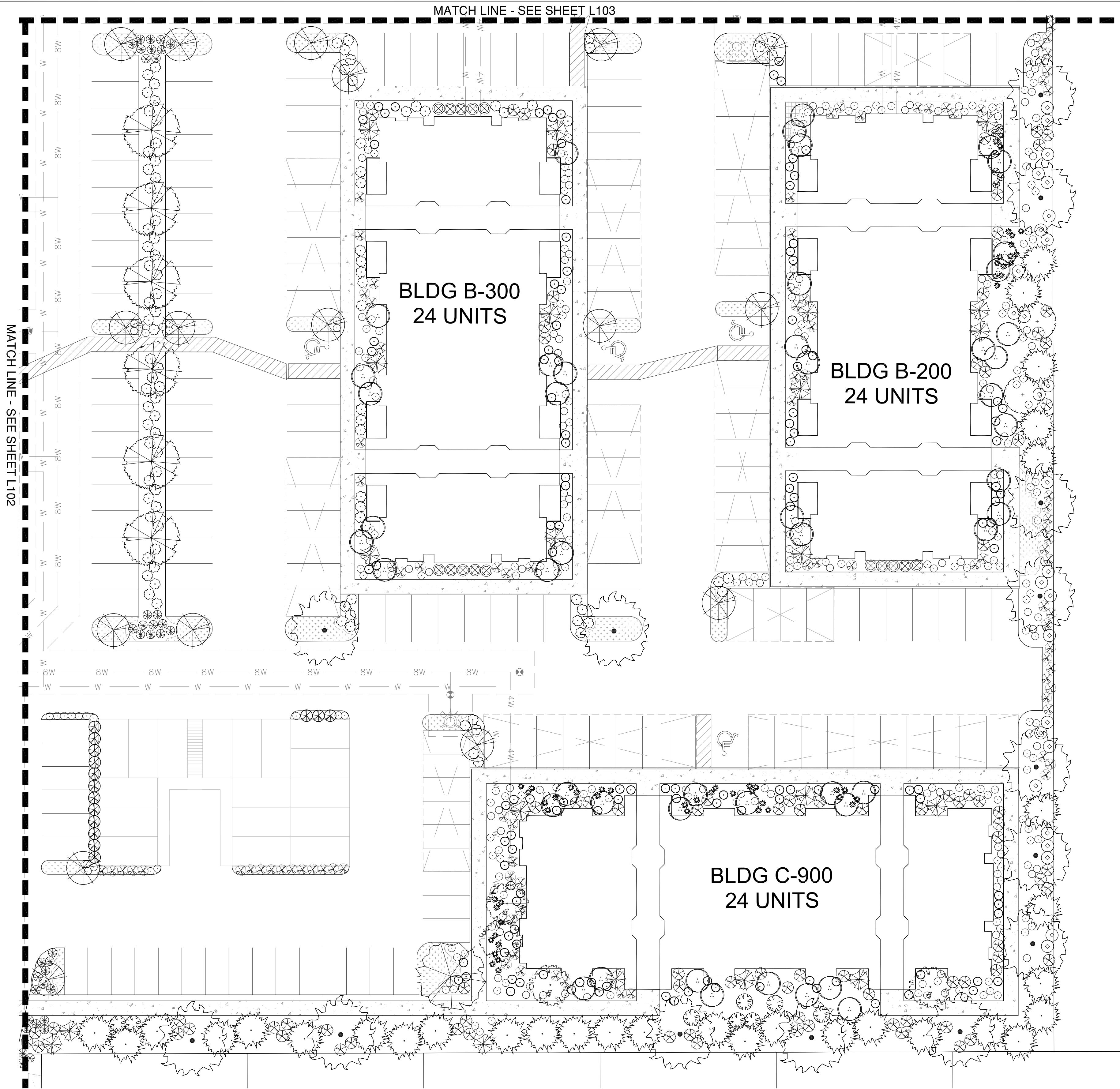
SHELDON DEVELOPMENT, INC.  
2320 SW 18TH WAY, TROUTDALE, OREGON

REVISIONS		
REV.	DATE	DESCRIPTION

SHEET NAME:  
PLANTING PLAN

DRAWN BY: \_\_\_\_\_ CL  
CHECKED BY: \_\_\_\_\_ TM  
ISSUE DATE: 4/10/2018  
JOB NO.: 1812

SHEET:  
**L103**  
OF 6



PLANT MATERIALS LISTING:					
Botanical name Common Name					
SYM	TREES	QTY.	SIZE	CONDITION	REMARKS
	Acer circinatum Vine Maple	103	5-6"	B&B	Multi-stem Collected
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Total Shrubs		2,561			

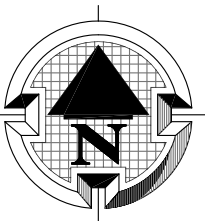
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REFER TO SHEET L105 FOR  
POND PLANT SCHEDULE,  
PLANTING DETAILS & NOTES

NOT FOR CONSTRUCTION



SCALE: 1" = 20'-0"

20' 10' 0' 20' 40'

CHERRY PARK MULTI-FAMILY  
PLANTING PLAN

SHELDON DEVELOPMENT, INC.  
2320 SW 18TH WAY, TROUTDALE, OREGON

REVISIONS		
REV.	DATE	DESCRIPTION

SHEET NAME:  
PLANTING PLAN

DRAWN BY: \_\_\_\_\_ CL  
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SHEET:  
**L104**  
OF 6

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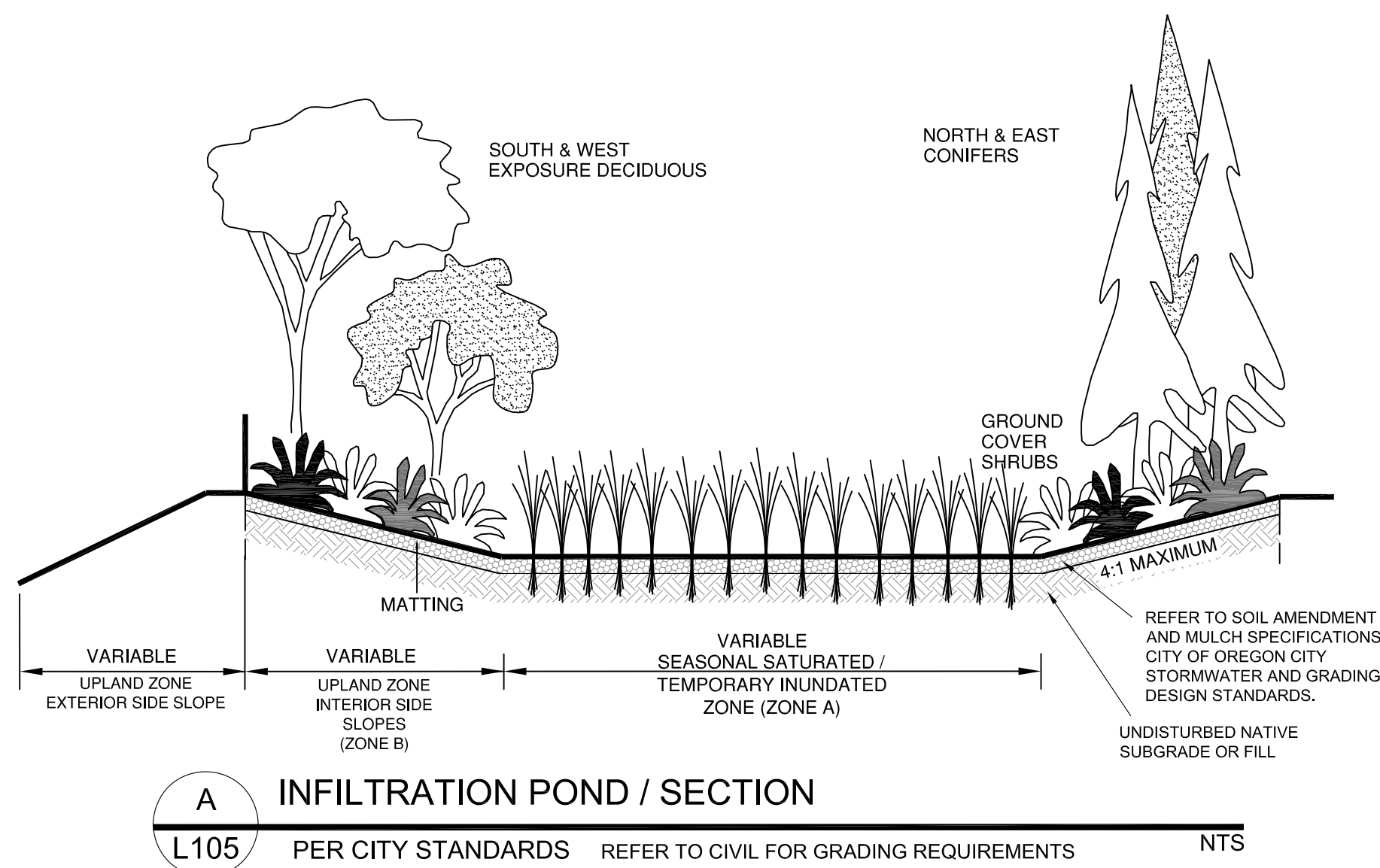
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TYPICAL PLANTING NOTES:

1. B&B stock may be substituted with container stock of equal grade.
2. Container stock may be substituted with B&B stock of equal grade.
3. Plant material shall conform with American Standard for Nursery Stock, ANSI Z60.1, 2004 edition.
4. All trees shall be branched.
5. Refer to project technical specification for topsoil requirement. All planting beds shall have a minimum of 18 inches topsoil. Re-use of existing topsoil is recommended, but must meet specifications.
6. Garden mulch all planting beds with 3" min. Layer of specified garden mulch.
7. In the event of a discrepancy between this material listing and the drawings, the drawings shall govern the plant species and quantities required.
8. In the event of question or lack of clarity on drawings, Landscape Contractor is to call Landscape Architect before proceeding.
9. Landscape contractor is to notify Landscape Architect prior to installation of plant material to approve final placement.
10. Landscape Contractor to verify plant material quantities.
11. Contractor will provide a one year warranty on all provided & installed plant material from date of final approval by owner's representative.


N.T.S.

N.T.S.



LISTING FOR INFILTRATION POND FACILITY						(REFER TO PLANTING DETAILS SHEET L105)	
<p>ZONE A</p>  <p>SEASONAL SATURATED / TEMPORARY INUNDED ZONE</p> <p>3,682 SQ.FT</p> <p>Plant Communities</p>	Minimum Species Composition	Plant Category	Water Requirements	Light Requirements	Minimum Rooting Size	Minimum Plant Height	Spacing Format

Wetland Plants	Slough Sedge ( <i>Carex obnupta</i> )	1059	Herb	Wet	Part	Plug	6"	1' o/c.
	Creeping Spike Rush ( <i>Eleocharis palustris</i> )	1059	Herb	Wet	Part	Plug	6"	1' o/c.
	Spreading Rush ( <i>Juncus patens</i> )	1058	Herb	Wet	Sun	Plug	6"	1' o/c.
	Small Fruited Bulrush ( <i>Scirpus microcarpus</i> )	1058	Herb	Wet	Part	Plug	6"	1' o/c.
	Total Herbaceous Plants	4234						

<div style="display: flex; align-items: center; justify-content: center;"> <div style="text-align: center; margin-right: 10px;"> <p>ZONE B</p>  </div> <div> <p>UPLAND ZONE INTERIOR SIDE SLOPES 3,659 SQ FT</p> </div> </div> <p style="text-align: center; margin-top: 10px;">Plant Communities</p>	Minimum Species Composition	
	Plant Category	
	Water Requirements	
	Light Requirements	
	Minimum Roofing Size	
	Minimum Plant Height	
	Spacing Format	

TREES	Vine Maple ( <i>Acer circinatum</i> )	5	Tree	Dry/Moist	Part		1" cal.	Single
	Douglas Fir ( <i>Pseudotsuga menziesii</i> )	4	Tree	Dry	Sun		6"	Single
	Red Maple ( <i>Acer rubrum</i> )	3	Tree	Moist	Part		1" cal.	Single
	Total Tree	12						

LG Shrub/ Sm. Tree	Red-Osier Dogwood ( <i>Cornus sericea</i> )	37	Shrub	Wet	Part	30"	Cluster
	Nootka Rose ( <i>Rosa nutkana</i> )	37	Shrub	Wet	Part	30"	Cluster
	Douglas Spiraea ( <i>Spiraea douglasii</i> )	36	Shrub	Wet	Sun	30"	Cluster
	Serviceberry ( <i>Amelanchier alnifolia</i> )	36	Sm. Tree	Dry	Part	30"	Single
	Total Large Shrubs / Small Tree	146					

Sm. Shrub	Birchleaf Spirea ( <i>Spirea betulifolia</i> )	74	Shrub	Moist	Sun	1 gal.	Cluster
	Snowberry ( <i>Smphoricarpus alba</i> )	73	Shrub	Dry	Part	1 gal.	Cluster
	Oregon Grape ( <i>Mahonia aquifolium</i> )	73	Shrub	Dry	Sun	1 gal.	Cluster
	Total Small Shrubs	220					

G	Kinnickinnick ( <i>Arctostaphylos uva-ursi</i> )	1281	Shrub	Dry	Sun	1 gal.	1.5"	Cluster
	Coastal Strawberry ( <i>Fragaria Chiloensis</i> )	1280	Shrub	Dry	Sun	1 gal.	6"	Cluster
	Total Groundcover	2561						

Site Description:

### Detention Pond Planting

## Site Requirements:

1. Removal of all invasive species to improve growing conditions for native seedlings/plantings and to encourage regeneration and recruitment of native vegetation is required.
2. Preserve site's existing native vegetation to the maximum extent practicable.
3. Planting / Enhancement as follows:

Detention Pond Planting area is 7,341 sq.ft. (0.17 acre)

Zone A:

Plant Requirements: (4,234) Wetland Plants

Zone B:

Plant Requirements: (12) trees; (146) large shrubs/small trees; (220) small shrubs; (2,561) groundcover

All plants to be pit planted with additional organic matter if required but no traditional fertilizer is necessary. Plant placement shall be consistent with layout as shown on plans. Shrubs shall be placed consistent with layout as shown on plans. Modification may be necessary dependent on existing native material to remain. Verify all modifications with owner's representative prior to planting.

- Refer to plant table and plan for plant species, location, distribution, quantities, size, condition and requirements.
- A native seed mix has been specified for the buffer area only. All plants to be pit planted with additional organic matter if required but no traditional fertilizer is necessary. Plant placement shall be consistent with the form of the naturally occurring plant community.

4. Plant installation requirements: All trees, shrubs and groundcovers planted in the upland area are to be mulched a minimum of three inches in depth and 18 inches in diameter. Appropriate mulches include those made from composted leaves or bark that have not been chemically treated. Contractor to provide required temporary irrigation during two year maintenance period.

- Mulch: Organic materials such as compost, bark mulch, leaves, sawdust, straw or wood shavings cannot be used within any portion of the landscape area that might drain into a wet pond or wetland.
- Pit (pocket) plant trees and shrubs where located within tree protection fencing. Refer to Tree Protection Plan and specifications for requirements.

- **Plugs installation:** All areas where plugs are specified to be planted shall have a minimum of 6 inches topsoil with 3 inches of garden mulch spread over top of the entire planting area as shown on plans.
5. **Monitoring and maintenance:** Contractor is responsible for monitoring and maintaining the site during two year maintenance period. All new plant material is to be tagged. The removal of non-native, invasive weeds is necessary throughout the two year maintenance period, or until a healthy stand of desirable vegetation is established. The site is to be monitored a min. of two times per year, by June 1 and September 30. If at any time the landscaping falls below the 80% survival level, the contractor shall reinstall all deficient planting at the next appropriate planting opportunity.

6. Guarantee: Plant and tree materials must be in healthy condition at the end of a two-year guarantee period, or for one full growing season from date of substantial completion, whichever is longer. Contractor is responsible to assume liability for all plant material and to guarantee plants against disease, insect infestation, desiccation, sunscald, freeze damage, or any other condition that would cause plants to be unhealthy or to die.

7. Temporary Irrigation system: Provided & Installed by Landscape Contractor.

## Traffic Impact Analysis

Conclusions and Recommendations can be found beginning on Page 29 of the report.

Please Note: Due to file size, referenced appendices in the report were not included. Access to the appendices can be obtained through the Community Development Department by request.

## MEMORANDUM

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Date:	April 20, 2018	Project #: 21417.0
To:	Marlee Schuld, City of Troutdale Johanna Valencia, Multnomah County	
From:	Matt Bell and Anthony Yi, P.E., Kittelson & Associates, Inc.	
Project:	Eagle Ridge Apartment Homes	
Subject:	Traffic Impact Analysis	

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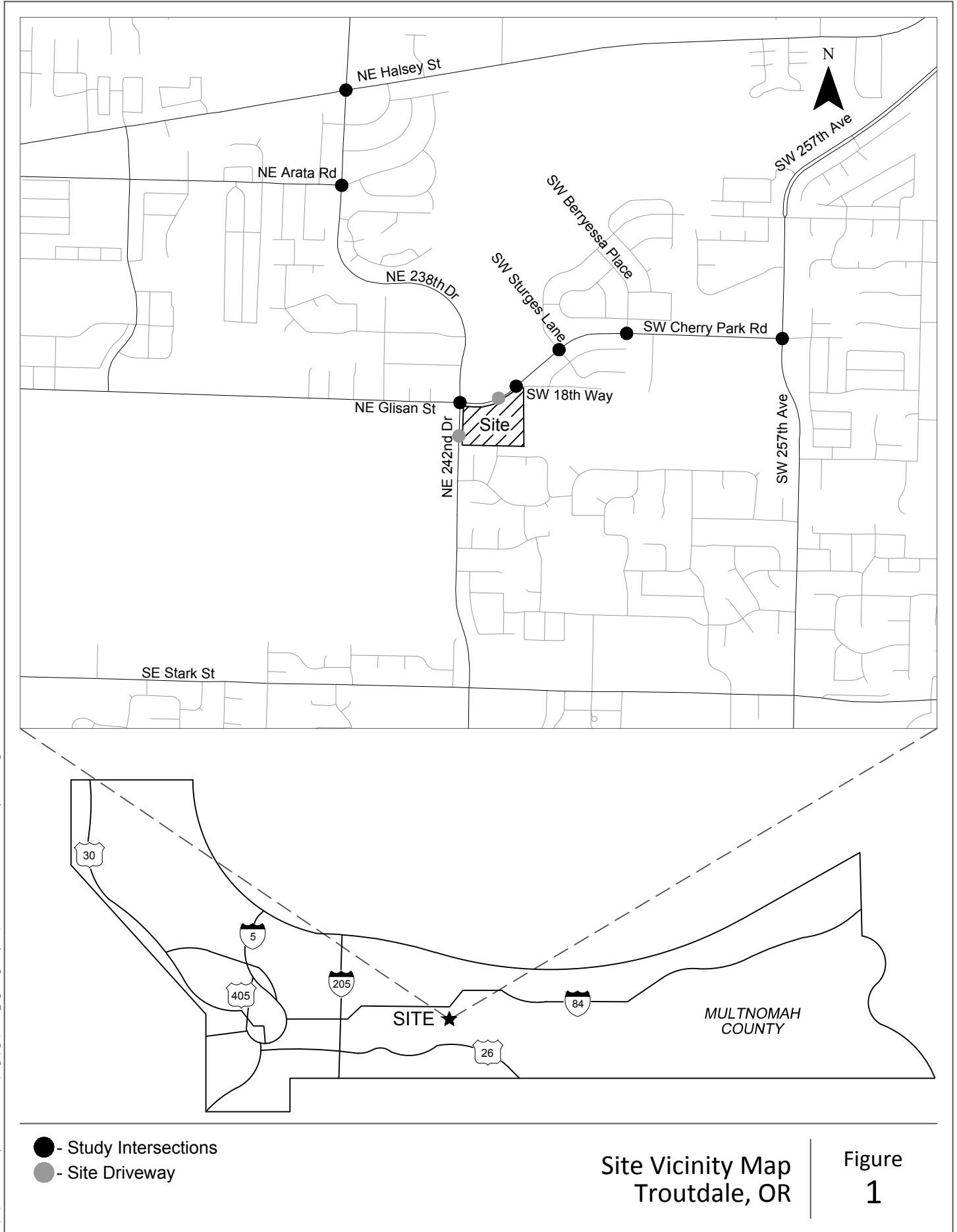
## INTRODUCTION

Sheldon Development is proposing to develop the 8.82 acre site located in the southeast corner of the NE 242<sup>nd</sup> Drive/SW Cherry Park Road intersection in Troutdale, OR. Figure 1 illustrates the site vicinity map. The proposed development plan includes construction of up to 216 apartment units and 504 parking stalls as well as a clubhouse and pool for residents of the development. Access to the proposed development will be provided via two new driveways: one located along NE 242<sup>nd</sup> Drive, approximately 340 feet south of SW Cherry Park Road, and one located along SW Cherry Park Road, approximately 420 feet east of NE 242<sup>nd</sup> Drive. The driveway located along SW Cherry Park Road will align with the shopping center driveway on the north side of the roadway. Figure 2 illustrates the proposed site plan. Construction of the proposed development is expected to occur in 2018 with full build-out and occupancy in 2019. Development of the proposed apartments will require a zone change and comprehensive plan amendment from Single-Family Residential (R-5) to Apartment Residential (A-2).

The results of this analysis indicate that the proposed development can be constructed while maintaining safe and acceptable traffic operations at the study intersections and site-access driveways assuming provision of the recommended mitigation measures. Based on the analysis, the following improvements are recommended:

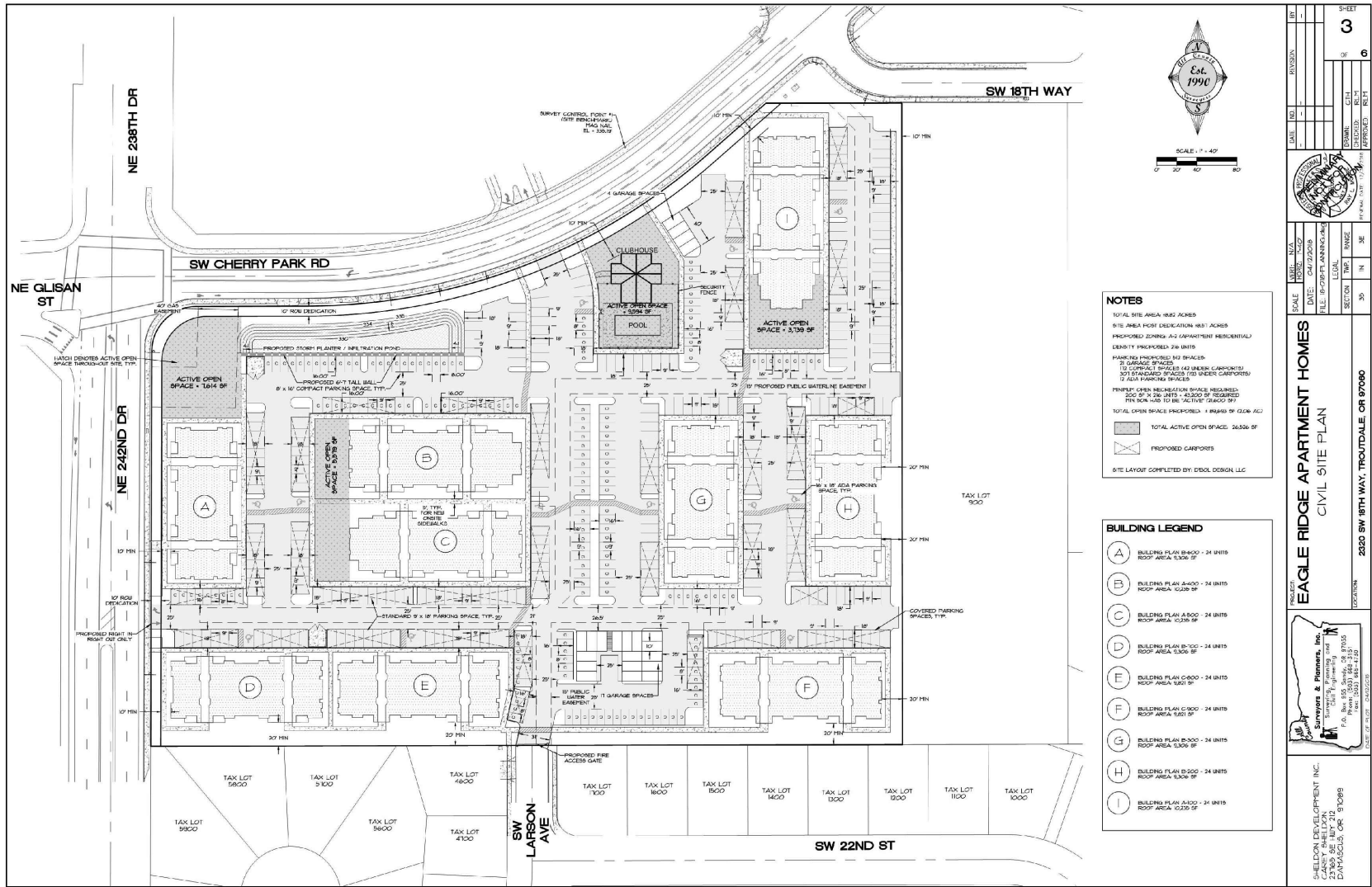
- Construct site-access driveways per Multnomah County standards.
- Control the site-access driveway along NE 242<sup>nd</sup> Drive to right-in/right-out only.
- Modify the traffic signal at the NE 242<sup>nd</sup> Drive/SW Cherry Park Road intersection to allow for protective-permissive phasing for the eastbound and westbound left-turn movements.
- Modify the traffic signal at the SW 257<sup>th</sup> Avenue/SW Cherry Park Road intersection to allow for protective-permissive phasing for the northbound and southbound left-turn movements.
- Locate and maintain all future landscaping, above-ground utilities, and site signage to provide adequate sight-distance at the site driveways.

Additional details of the study methodology, findings, and recommendations are provided below.



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Received: 04/12/2018

Proposed Site Plan  
Troutdale, OR  
Figure  
2

## SCOPE OF THE REPORT

This report addresses the transportation-related impacts associated with the proposed Eagle Ridge Apartment Homes and was prepared in accordance with the traffic impact study requirements of Multnomah County and the City of Troutdale. This report also addresses the transportation-related impacts associated with the proposed zone change and comprehensive plan amendment and addresses the necessary approval criteria per Oregon Administrative Rule (OAR) 660-012-0060, also known as the Transportation Planning Rule (TPR).

The overall study area, study intersections, and general methodologies and assumptions used to prepare this report are documented in a scoping memorandum prepared by Kittelson & Associates, Inc. (KAI) in January 2018.

The operational analyses were performed at these intersections:

1. NE 238<sup>th</sup> Drive/NE Halsey Road
2. NE 238<sup>th</sup> Drive/NE Arata Road
3. NE 242<sup>nd</sup> Drive/SW Cherry Park Road
4. SW 18<sup>th</sup> Way/SW Cherry Park Road
5. SW Sturges Lane/SW Cherry Park Road
6. SW Berryessa Place/SW Cherry Park Road
7. SW 257<sup>th</sup> Avenue/SW Cherry Park Road
8. SW Cherry Park Road/New Site Driveway 1
9. NE 242<sup>nd</sup> Drive/New Site Driveway 2

This report evaluates these transportation issues:

- Year 2017 existing transportation system conditions within the site vicinity during the weekday AM and PM peak periods;
- Year 2019 background traffic conditions (without the proposed development) during the weekday AM and PM peak periods;
- Year 2019 total traffic conditions (with full build-out and occupancy of the proposed development) during the weekday AM and PM peak periods;
- Forecast year 2040 traffic conditions during the weekday PM peak period assuming full build-out of a reasonable “worst case” development scenario under the existing zoning;
- Forecast year 2040 traffic conditions during the weekday PM peak period assuming full build-out of a reasonable “worst case” development scenario under the proposed zoning;
- On-site traffic operations and circulation.

## EXISTING CONDITIONS

The existing conditions analysis identifies the site conditions and current physical and operational characteristics of the roadways within the study area. These conditions will be compared with future conditions later in this report. KAI staff visited and inventoried the proposed development site and surrounding area in November 2017. At that time, KAI collected information regarding site conditions, adjacent land uses, existing traffic operations, and transportation facilities in the study area.

## SITE CONDITIONS AND ADJACENT LAND USES

The proposed development site is located within the Troutdale City limits, it is currently zoned as Single-Family Residential (R-5), and it is currently occupied by Fuji Farms fruit stand and one single-family residential home. Access to the fruit stand is provided by one ingress and one egress driveway along SW Cherry Park Road. Access to the single-family residential home is provided by one driveway along SW 18<sup>th</sup> Way. Adjacent land uses primarily include single family residential to the south and east. A shopping center is located to the north, across SW Cherry Park Road and an industrial park is located to the west, across SE 242<sup>nd</sup> Drive.

## TRANSPORTATION FACILITIES

Table 1 summarizes the characteristics of the existing transportation facilities in the study area.

**Table 1: Existing Transportation Facilities**

Roadway	Functional Classification <sup>1</sup>	Cross Section	Posted Speed (mph)	Sidewalk?	Bike Lanes?	Median?	On-Street Parking?
NE Halsey Street	Arterial <sup>1</sup>	3 Lanes	35	Yes	Yes	TWLTL	Partial
NE 238 <sup>th</sup> Drive	Arterial <sup>1</sup>	3-5 Lanes	35	Partial	Partial	No	No
NE 242 <sup>nd</sup> Drive	Arterial <sup>1</sup>	5 Lanes	35	Yes	Yes	TWLT/Raised	No
NE Glisan Street	Arterial <sup>1</sup>	5 Lanes	40	Yes	Yes	TWLT	No
SW Cherry Park Road	Collector <sup>1</sup>	3 Lanes	30	Yes	Yes	TWLTL	No
SW 18 <sup>th</sup> Way	Local Street <sup>2</sup>	2 Lanes	Not Posted	Yes	No	No	Yes
SW Sturges Lane	Neighborhood Collector <sup>2</sup>	2 Lanes	25	Yes	No	No	Yes
SW Berryessa Place	Local Street <sup>2</sup>	2 Lanes	25	Yes	No	No	Yes
SW 257 <sup>th</sup> Avenue	Arterial <sup>1</sup>	5 Lanes	40	Yes	Yes	TWLTL	No

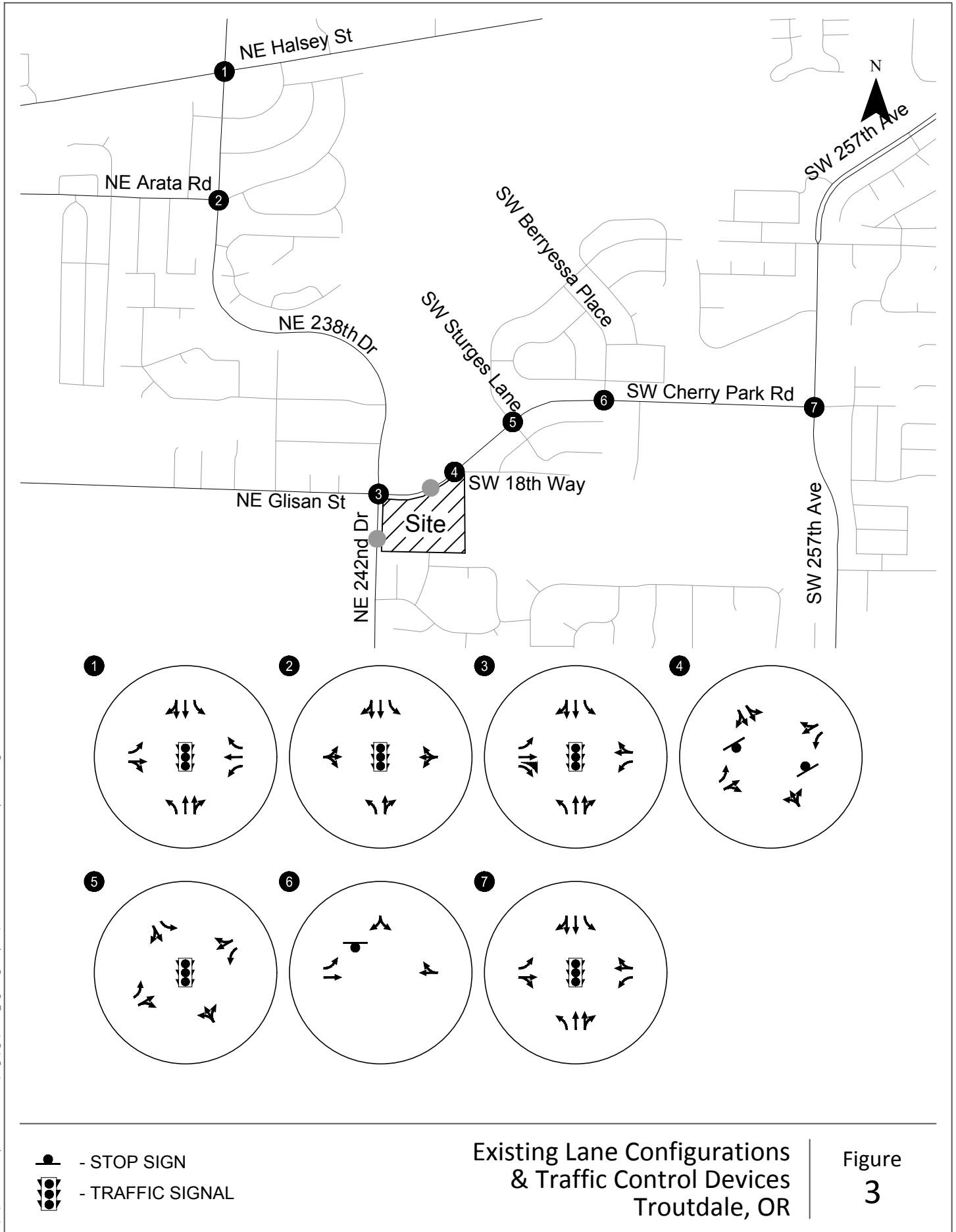
1. Per Multnomah County Transportation System Plan (TSP – Reference 1).

2. Per City of Troutdale Transportation System Plan (TSP – Reference 2).

TWLT: Two-way left-turn lane

## Roadway Facilities

NE 238<sup>th</sup> Drive connects to Interstate 84 (I-84) to the north and NE 242<sup>nd</sup> Drive connects to NE Burnside Road and OR 26 to the south. NE Glisan Street connects to Wood Village, Fairview, and Portland to the west and SW Cherry Park Road connects to Troutdale to the east. Figure 3 illustrates the existing lane configurations and traffic control devices at the study intersections.



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## Pedestrian Facilities

SW Cherry Park Road has continuous sidewalks on both sides of the street, including the site frontage; NE 242<sup>nd</sup> Drive has continuous sidewalks south of SW Cherry Park Road; however, there are gaps in sidewalk on NE 238<sup>th</sup> Drive, north of SW Cherry Park Road. Signalized crossings are provided at the NE 242<sup>nd</sup> Drive/SW Cherry Park Road and the SW Sturges Lane/SW Cherry Park Road intersections. Both crossings are pedestrian actuated with pedestrian pushbuttons and pedestrian heads.

SW Cherry Park Road has on-street bike lanes adjacent to the outside travel lane in each direction. NE 242<sup>nd</sup> Drive has on-street bike lanes adjacent to the outside travel lane in each direction, south of SW Cherry Park Road. However, there are gaps in the on-street bike lanes along NE 238<sup>th</sup> Drive, north of SW Cherry Park Road.

## Transit Facilities

Local transit service is currently not provided within the site vicinity. The closest service is provided along NE Halsey Street to the north (Line 77), SE Stark Street to the South (Line 20), and SW 257<sup>th</sup> Drive to the east (Line 81). Additional information on these services is provided below (Reference 3).

- TriMet Line 77 (Broadway/Halsey) provides service between Montgomery Park and Troutdale via NE Halsey Street, Monday through Friday from 6:00 AM to 11:00 PM. Limited service is provided on Saturday and Sunday. The closest transit stops for the route are located approximately one mile north of the site, near the NE 238<sup>th</sup> Drive/NE Halsey Street intersection.
- TriMet Line 20 (Burnside/Stark) provides service between the Beaverton Transit Center and Gresham Transit Center, through SW Portland, Portland City Center, SE Portland and Gresham via the SE Stark Street, Monday through Friday from 4:30 AM to 1:00 AM. Service is also provided from 5:45 AM to 12:45 AM on Saturday and Sunday. The closest transit stops for the route are located approximately one half mile south of the site, near the SE 242<sup>nd</sup> Drive/SE Stark Street intersection.
- TriMet Line 81 (Kane/257<sup>th</sup>) provides service between the Gresham Transit Center and Troutdale, via SW 257<sup>th</sup> Avenue, Monday through Friday from 6:30 AM to 6:00 PM. Service is not provided on Saturday or Sunday. The closest transit stops for the route are located approximately three quarters of a mile east of the site, near the SW 257<sup>th</sup> Avenue/SW Cherry Park Road intersection.

TriMet's Future Vision for Eastside Bus Service includes changes to two existing bus lines: Line 21 and Line 25. TriMet is planning to increase the frequency and hours of service on Line 21 and change the route to serve NE 238<sup>th</sup> Drive and NE 242<sup>nd</sup> Drive between Gresham Transit Center and NE Sandy Boulevard. TriMet is also planning to extend Line 25 to provide service to SW 257<sup>th</sup> along NE Glisan Street and SW Cherry Park Road and increase the frequency and hours of service.

## TRAFFIC VOLUMES AND PEAK HOUR OPERATIONS

Manual turning-movement counts were conducted at the study intersections in December 2017. All the counts were conducted on a typical mid-week day during the morning (7:00 to 9:00 AM) and evening (4:00 to 6:00 PM) peak time periods. The system-wide morning and evening peak hours were found to occur from 7:10 to 8:10 AM and 4:00 to 5:00 PM, respectively. Figure 4 summarizes the year 2017 turning-movement counts at the study intersections during the weekday AM and PM peak hours. *Appendix "A" contains the traffic count worksheets used in this study.*

## CURRENT LEVELS OF SERVICE

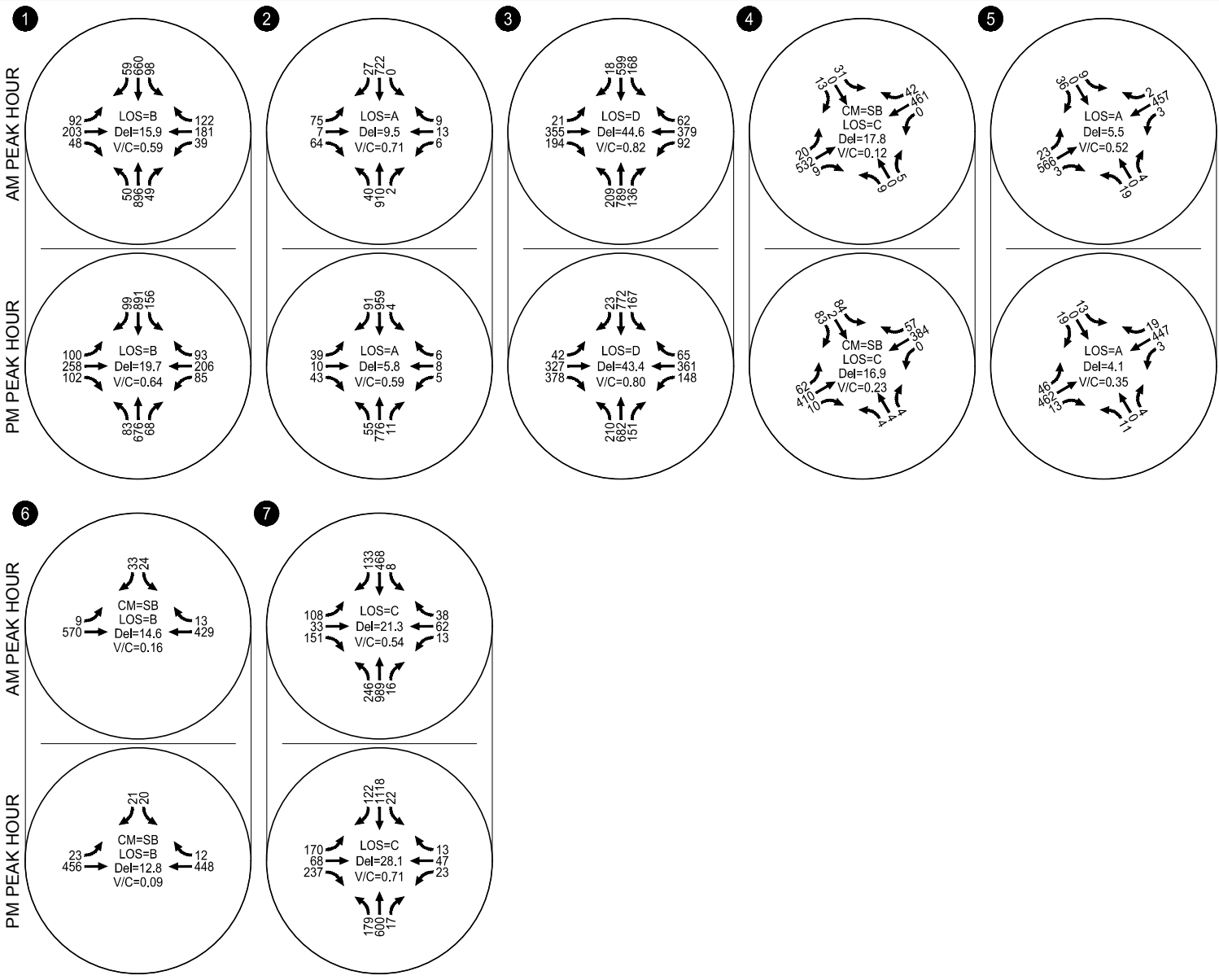
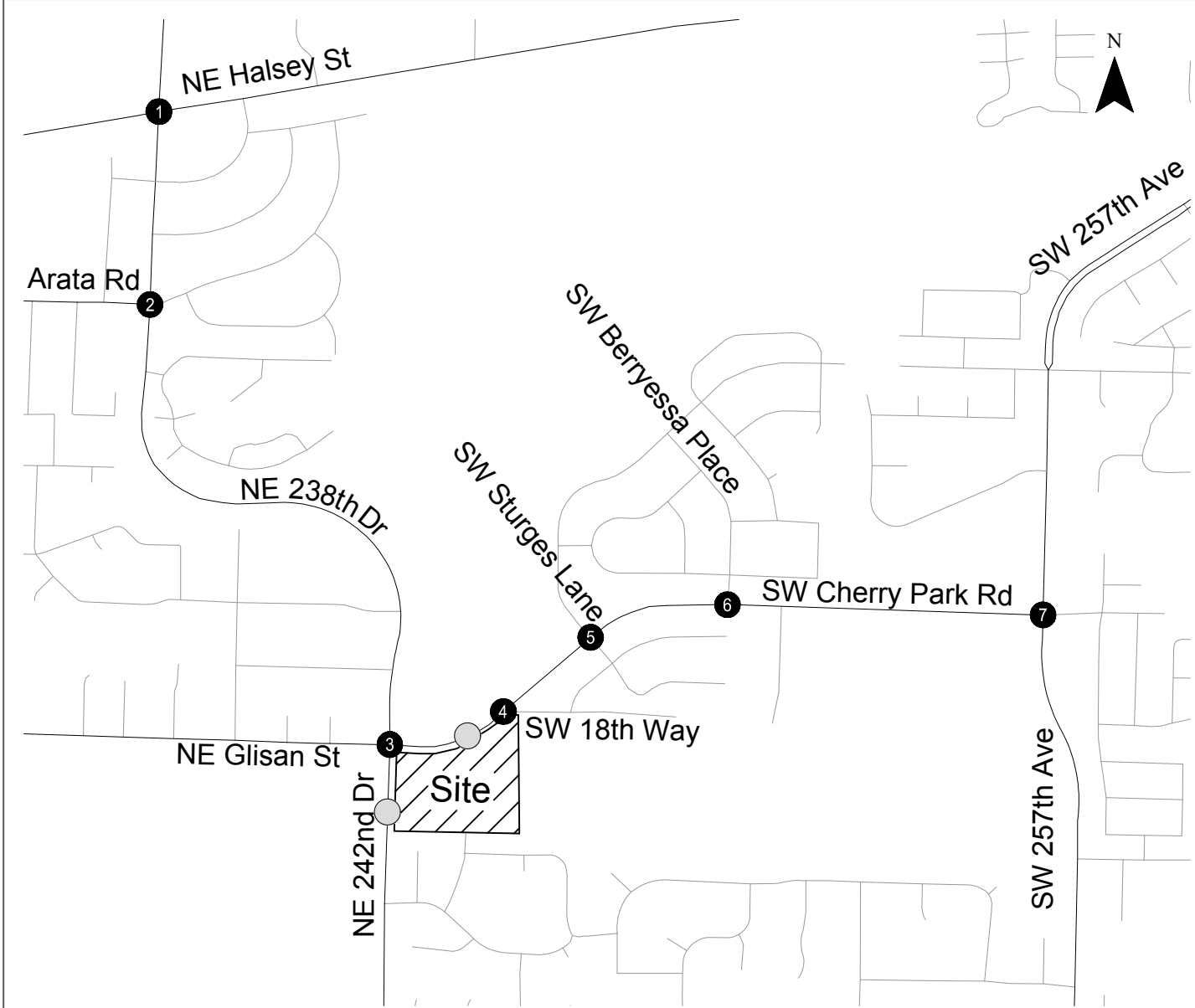
All level-of-service analyses described in this report were performed in accordance with the procedures stated in the *Highway Capacity Manual* (HCM – Reference 4). The HCM 2000 methodologies were used to evaluate traffic operations at the signalized intersections and the HCM 2010 methodologies were used to evaluate traffic operations at the unsignalized intersections. A description of level of service and the criteria by which they are determined is presented in Appendix "B". Appendix "B" also indicates how level of service is measured and what is generally considered an acceptable range.

Per Section 1.15 (Design Level of Service) of the Multnomah County Design and Construction Manual, *All new and improved arterials and major collectors in urban areas shall be designed to accommodate a level of service "D" or better during the design hour... In special circumstances, such as downtown central business districts or designated regional centers, level of service "E" might be acceptable for roadway design purposes, if approved by the County Engineer. Local streets intersecting arterials or collectors may be level of service "F" during the peak hour if approved by the County Engineer.*

All level-of-service analyses used the peak 15-minute flow rates that occurred during the weekday AM and PM peak hours. Using the peak 15-minute flow rates ensures that this analysis is based on a reasonable worst-case scenario. For this reason, the analysis reflects conditions that are only likely to occur for 15 minutes out of each average peak hour. The transportation system will likely operate under conditions better than those described in this report during all other time periods.

Figure 4 summarizes the results of the intersection operational analysis under existing traffic conditions. As shown, all the study intersections currently meet City and County operating standards during the weekday AM and PM peak. *Appendix "C" includes the year 2017 existing traffic conditions worksheets.*

It should be noted that field observations indicate that vehicle queues at the westbound approach to the NE 242<sup>nd</sup> Drive/SW Cherry Park Road intersection extend beyond SW 18<sup>th</sup> Way during peak time periods. The queue likely results in cycle failure at the westbound approach, which suggests some motorists may have to wait through two cycles to clear the intersection. Further evaluation of vehicle queues at the signalized intersections is provided below.



CM = CRITICAL MOVEMENT (UNSIGNALIZED)  
LOS = INTERSECTION AVERAGE LEVEL OF SERVICE (SIGNALIZED)/  
CRITICAL MOVEMENT LEVEL OF SERVICE (UNSIGNALIZED)  
Del = INTERSECTION AVERAGE CONTROL DELAY (SIGNALIZED)/  
CRITICAL MOVEMENT CONTROL DELAY (UNSIGNALIZED)  
V/C = VOLUME-TO-CAPACITY RATIO

Existing Traffic Conditions  
Weekday AM and PM Peak Hours  
Troutdale, OR

Figure  
4

## TRAFFIC SAFETY

The crash history of the study intersections was reviewed in an effort to identify potential safety issues. ODOT provided the five most recent years of crash data available for the study intersections, including January 1, 2011 through December 31, 2015. Table 2 summarizes the crash history of the study intersections over the five-year period.

**Table 2: Study Intersection Crash Summary (January 1, 2011 through December 31, 2015)**

Intersection	Crash Type					Crash Severity			Total	Crash Rates (Crashes /MEV)	ODOT 90 <sup>th</sup> Percentile Rate
	Rear-End	Turn	Angle	Ped/ Bike	Other	PDO <sup>1</sup>	Injury	Fatality			
NE 238 <sup>th</sup> Drive/ NE Halsey Street	10	6	5			10	11		21	0.41	0.86
NE 238 <sup>th</sup> Drive/ NE Arata Road	7	5			2	7	7		14	0.38	0.86
NE 242 <sup>nd</sup> Drive/ SW Cherry Park Road	28	7	3		2	11	29		40	0.66	0.86
SW 18 <sup>th</sup> Way/ SW Cherry Park Road	2	2		1		1	4		5	0.25	0.41
SW Sturges Lane/ SW Cherry Park Road	2	1				1	2		3	0.16	0.86
SW Berryessa Place/ SW Cherry Park Road			1				1		1	0.06	0.29
SW 257 <sup>th</sup> Avenue SW Cherry Park Road	15	12	11	2	2	18	24		42	0.88	0.86

Source: ODOT  
MEV=Million Entering Vehicles

The crash rates shown in Table 2 were compared to the 90<sup>th</sup> percentile rates for similar facilities shown in Table 4-1 of the ODOT APM. Per the APM, any intersection that has a crash rate equal to or greater than the corresponding 90<sup>th</sup> percentile rate is considered a high-risk intersection and is recommended for further review. Based on these criteria, one intersection is recommended for further review. *Appendix "D" contains the crash data provided by ODOT.*

### SW 257<sup>th</sup> Avenue/SW Cherry Park Road

As shown in Table 2, a total of 42 crashes were reported at the SW 257<sup>th</sup> Avenue/SW Cherry Park Road intersection over the five year period. Also, the majority of crashes were reported as rear-end, turn, and angle crashes. Of the rear-end crashes, the majority (6) involved southbound through vehicles following too closely and/or failing to avoid slowed or stopped vehicles in the roadway. Of the turn crashes, the majority (7) involved eastbound left and westbound through vehicles disregarding the traffic signal and/or failing to yield the right-of way to opposing vehicles. Of the angle crashes, the majority (9) involved northbound through and eastbound through vehicles disregarding the traffic signal. While these types of crashes are typical at congested signalized intersections, the County could consider the following mitigation measures to improve traffic safety:

- install protected or protected-permitted phasing at the eastbound and westbound approaches,
- increase the amount of all-red time from 1.0 seconds to 1.5 seconds at the eastbound and westbound approaches, and/or
- improve the signal hardware (i.e. lenses, reflective back plates, size, and number) to improve the visibility of the signal heads.

Additional mitigation measures are identified at the intersection later in this memorandum.

### Safety Priority Index System

The ODOT Safety Priority Index System (SPIS) was also reviewed in an effort to identify potential sites within the site vicinity where safety issues warrant further investigation. The SPIS was developed by ODOT to identify hazardous sites on state highways through consideration of crash frequency, crash rate, and crash severity. Sites identified within the top 5 percent are investigated by ODOT staff and reported to the Federal Highway Administration (FHWA). Per the most recent SPIS list, the NE 242<sup>nd</sup> Drive/SW Cherry Park Road intersection is within the top 5 percent of sites. A preliminary investigation report was not available at the time this report was completed; therefore, further evaluation of the crash data at the intersection is provided below.

As shown in Table 2, a total of 40 crashes were reported at the NE 242<sup>nd</sup> Drive /SW Cherry Park Road intersection over the five year period. Also, the majority of crashes (28) were reported as rear-end crashes. Of the rear-end crashes, the majority involved northbound through and westbound through vehicles following too closely and/or failing to avoid slowed or stopped vehicles in the roadway. Two additional crashes involved eastbound through vehicles colliding with a fixed object, presumably the raised median island. While these types of crashes are typical at congested signalized intersections, the County could consider the following mitigation measures to improve traffic safety:

- improve the signal hardware (i.e. lenses, reflective back plates, size, and number) to improve the visibility of the signal heads and/or
- install warning signs and/or directional signs within the raised median island at the eastbound approach.

Additional mitigation measures are identified at the intersection later in this memorandum.

## TRANSPORTATION IMPACT ANALYSIS

The transportation impact analysis identifies how the study area's transportation system will operate in the year the proposed development expansion is expected to be fully built, year 2019. The impact of traffic generated by the proposed development was examined as follows:

- Developments and transportation improvements planned in the site vicinity were identified.
- Year 2019 background traffic conditions (without the proposed development) were analyzed at the study intersections during the weekday AM and PM peak hours.
- Site-generated trips were estimated for full build-out and occupancy of the proposed development.
- Site trip-distribution patterns were derived after existing traffic patterns and the location of major trip origins and destinations in the Troutdale area were evaluated.
- Year 2019 total traffic conditions (with full build-out and occupancy of the proposed development) were analyzed at the study intersections and site-driveways during the weekday AM and PM peak hours.

## YEAR 2019 BACKGROUND TRAFFIC CONDITIONS

The year 2019 background traffic conditions analysis identifies how the study area's transportation system will operate without the proposed Eagle Ridge Apartment Homes. This analysis includes traffic attributed to planned developments within the study area and to general growth in the region, but does not include traffic from the proposed development.

### Planned Developments and Transportation Improvements

Per discussions with City staff, there are three developments within the site vicinity that could impact access to the proposed Eagle Ridge Apartment Homes: Glisan Corporate Park, Estates at South Riverwood, and Wood Village Rezone.

- Glisan Corporate Park – A new industrial park is currently under construction along the south side of NE Glisan Street, west of the site. The new industrial park will include approximately 509,172 square-feet of gross floor area. The trips associated with the industrial park were included in the 2019 background traffic conditions analysis as in-process traffic.
- Estates at South Riverwood – A new 44 unit single-family housing development is currently under construction along the east side of NE Wood Village Boulevard in the Wood Village Town Center, west of the site. The trips associated with the homes were included in the 2019 background traffic conditions analysis as in-process traffic.
- Wood Village Rezone – The lot located in the northwest corner of the NE 238th Drive/NE Halsey Street intersection, which currently contains the Wood Village City Hall and several acres of undeveloped open space, is being rezoned to neighborhood commercial (NC). This

rezone is currently under consideration, with construction not occurring for several years. Therefore, the trips associated with a reasonable “worst-case” development scenario under the NC zoning were included in the year 2040 background traffic conditions analysis as in-process traffic.

Figure 5 illustrates the in-process traffic associated with the planned developments during the weekday AM and PM peak hours.

Based on discussions with City and County staff, the only transportation improvement identified within the study area is the NE 238<sup>th</sup> Drive Improvements Project. The project involves widening NE 238<sup>th</sup> Drive from NE Holladay Street to NE Arata Road to accommodate a 14-foot southbound (uphill) lane with a 12-foot passing lane, a 15-foot northbound lane, 10-foot shared paths for walking and biking on both sides, and improved drainage and vegetation. The project is intended to make it easier for trucks to navigate the curves on this section of NE 238<sup>th</sup> Drive as well as improve access for other modes.

## Traffic Volumes

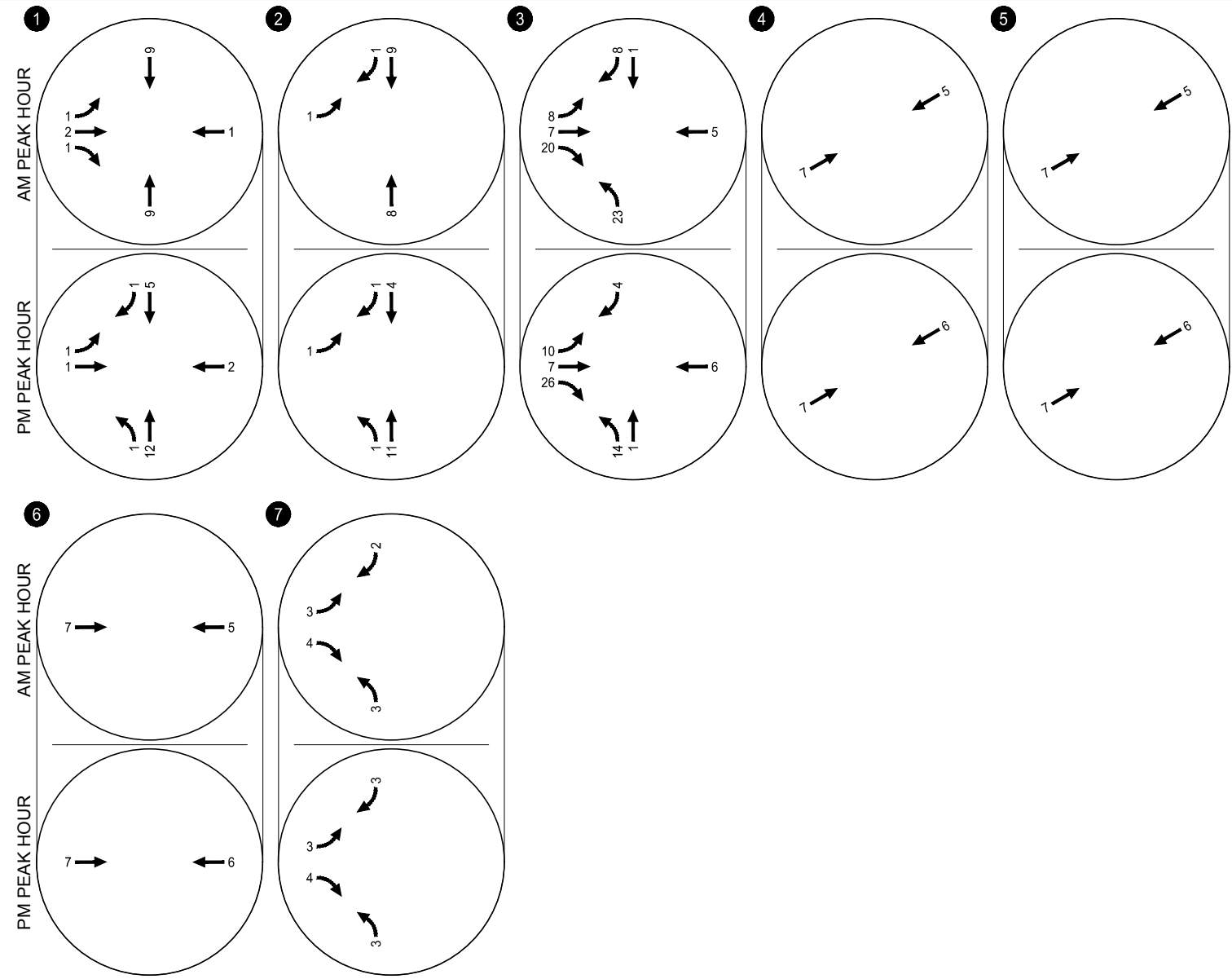
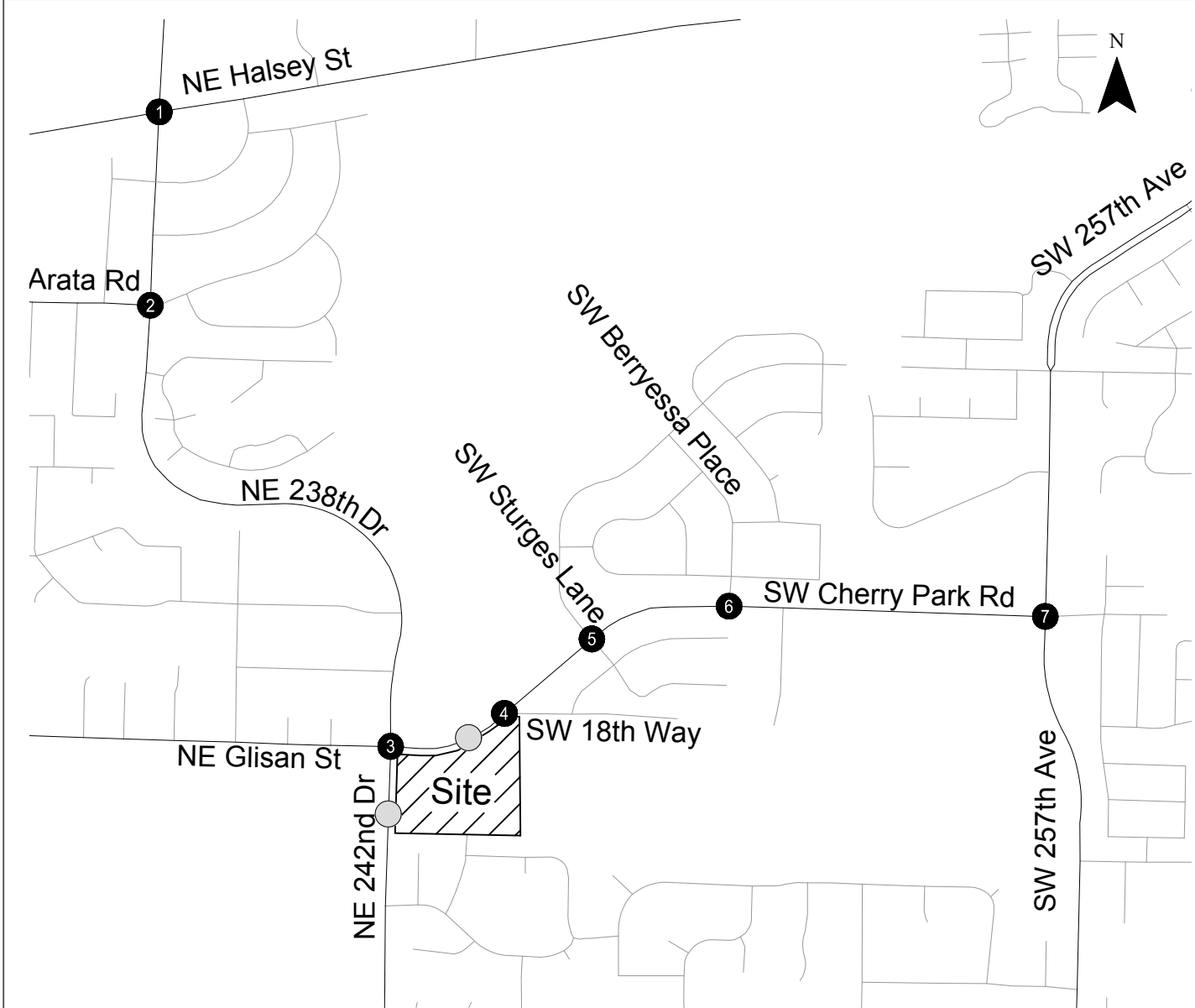
The growth rate used in this analysis was determined based data provided in Metro’s Travel Demand Model for the SW 242<sup>nd</sup> Drive/SW Cherry Park Road intersection. The data shows an increase in total entering volumes at the intersection of approximately 1.25 percent per year over the 30 year period between 2010 and 2040. Therefore, the year 2019 background traffic volumes were developed by applying a 2.5 percent growth rate (1.25 percent per year for two years) to the existing traffic volumes shown in Figure 4 and adding the in-process traffic volumes shown in Figure 5. Figure 6 illustrates the resulting forecast year 2019 background traffic volumes during the weekday AM and PM peak hours.

## Level-of-Service Analysis

The weekday AM and PM peak-hour turning-movement volumes shown in Figure 6 were used to conduct an operational analysis at the study intersections to determine the year 2019 background traffic conditions. As shown, all of the study intersections are forecast to meet City and County operating standards during the weekday AM and PM peak hours. *Appendix “E” includes the year 2019 background traffic conditions worksheets.*

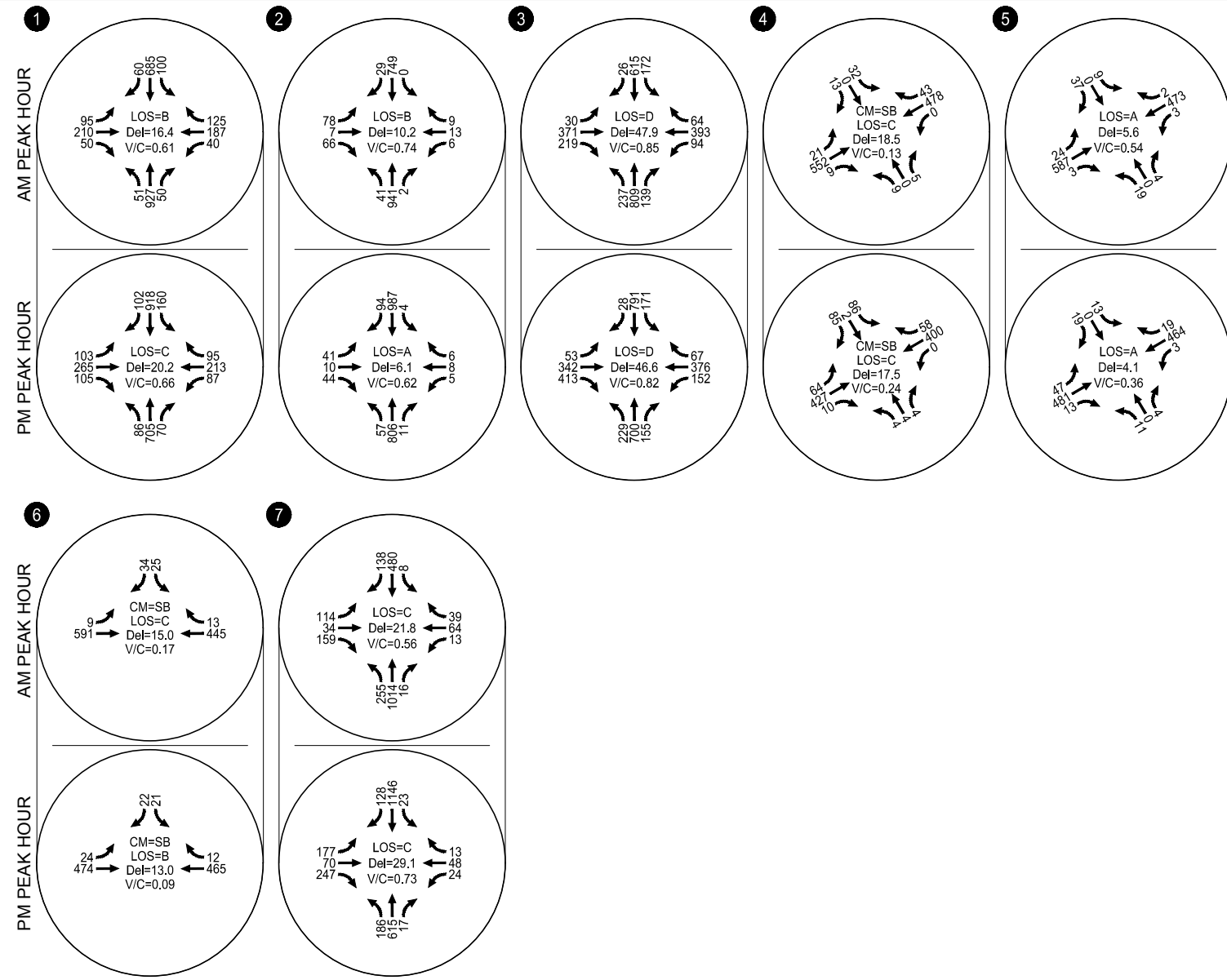
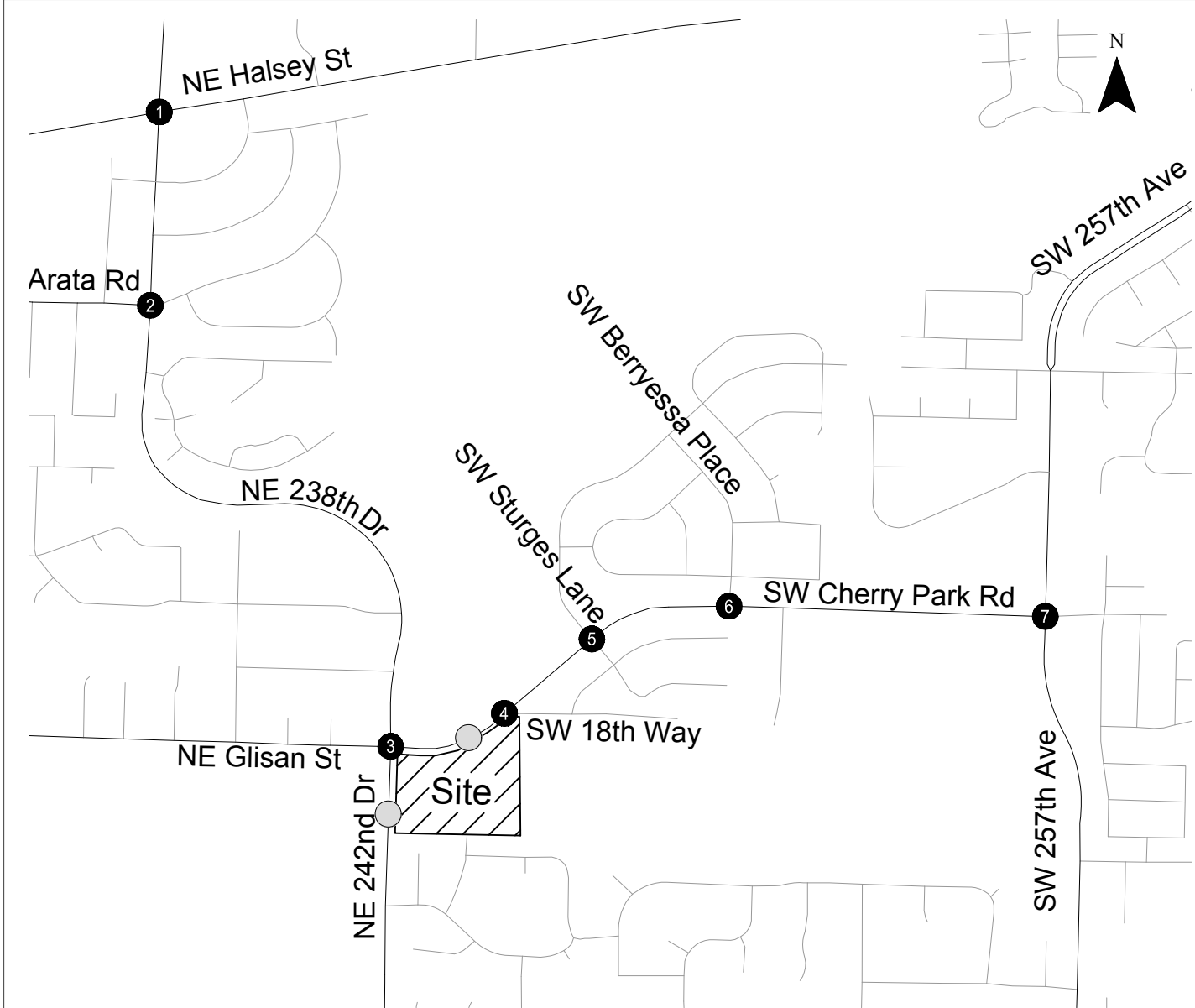
## PROPOSED DEVELOPMENT PLAN

The proposed Eagle Ridge Apartment Homes plan includes construction of 216 apartments units and 504 parking stalls as well as a clubhouse and pool for residents of the development. Access to the proposed development will be provided via two new driveways: one located along NE 242<sup>nd</sup> Drive, approximately 340 feet south of SW Cherry Park Road, and one located along SW Cherry Park Road, approximately 420 feet east of NE 242<sup>nd</sup> Drive. The driveway located along SW Cherry Park Road will align with the shopping center driveway on the north side of the roadway. Construction of the proposed development is expected to occur in 2018 with full build-out and occupancy in 2019.



Year 2019 In-process Traffic  
Weekday AM and PM Peak Hours  
Troutdale, OR

Figure  
5



CM = CRITICAL MOVEMENT (UNSIGNALIZED)  
LOS = INTERSECTION AVERAGE LEVEL OF SERVICE (SIGNALIZED)/  
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V/C = VOLUME-TO-CAPACITY RATIO

Year 2019 Background Traffic Conditions  
Weekday AM and PM Peak Hours  
Troutdale, OR

Figure  
6

## Trip Generation

A trip generation estimate was prepared for the proposed Eagle Ridge Apartment Homes based on information provided in the standard reference manual, *Trip Generation, 9<sup>th</sup> Edition*, published by the Institute of Transportation Engineers (ITE – Reference 5). ITE Land Use Code 220 (Apartments) was selected as a basis for the estimate. Table 3 summarizes the trip generation estimate for the daily, weekday AM, and weekday PM peak time periods.

**Table 3: Trip Generation Estimate**

Land Use	ITE Code	Size (Units)	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
Apartments	220	216	1,434	110	22	88	136	88	48

## Trip Distribution/Assignment

A trip distribution pattern was developed for the proposed development based on existing traffic patterns and the location of major trip origins and destinations in the Troutdale area. Figure 7 illustrates the estimated trip distribution pattern.

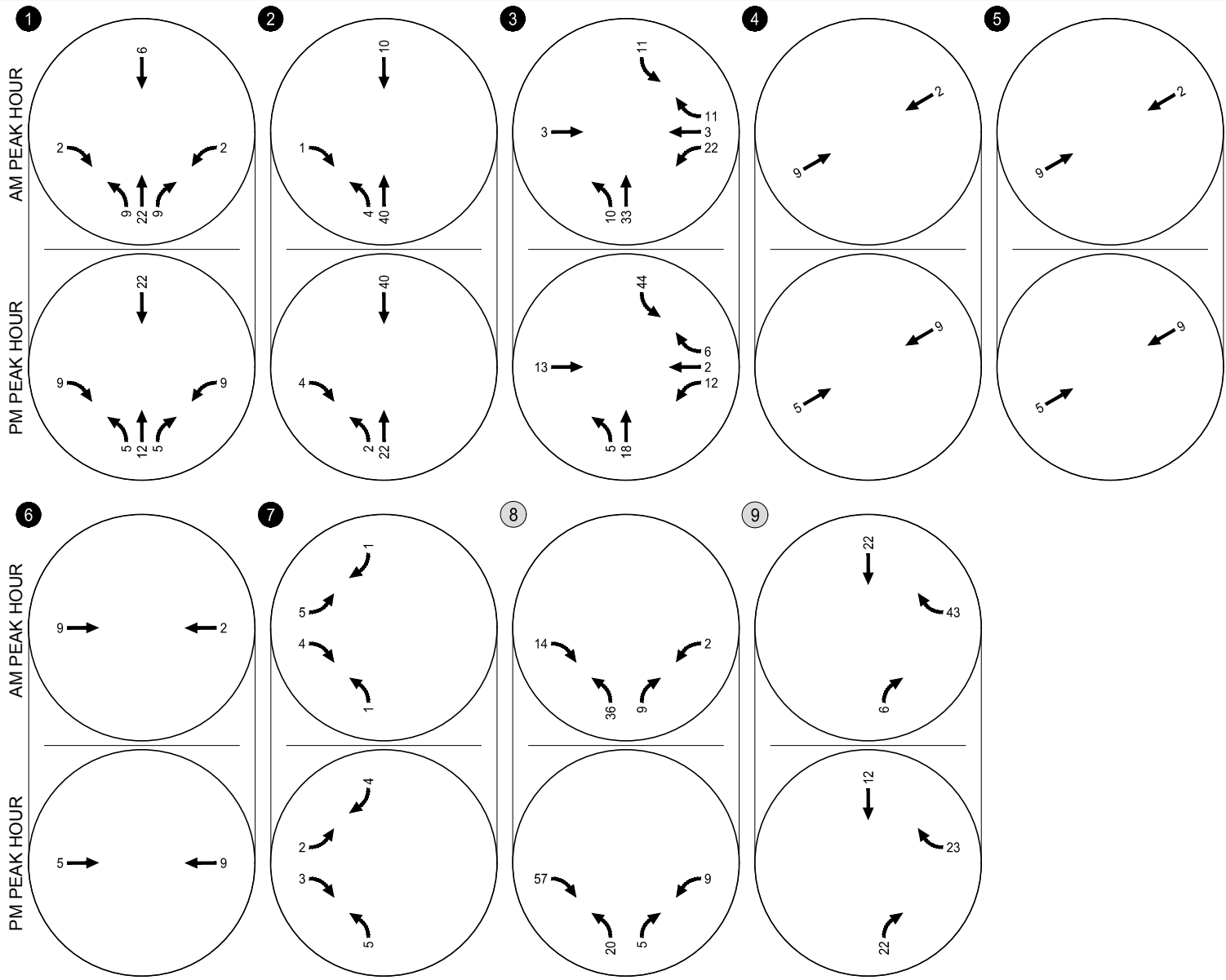
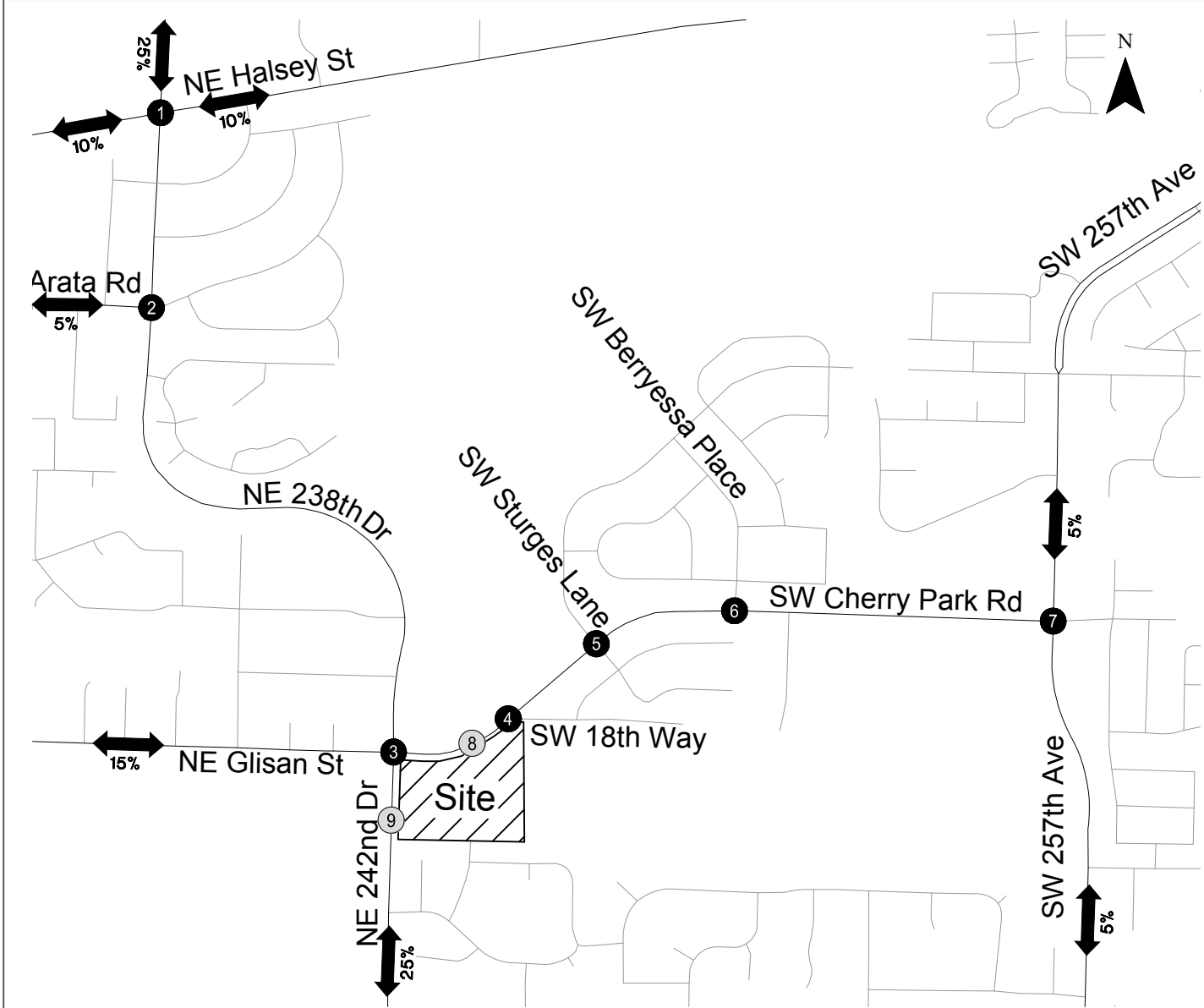
The site-generated trips shown in Table 3 were distributed to the study area roadways and assigned to the study intersection according to the trip distribution pattern shown in Figure 7. Figure 7 also illustrates the estimated trip distribution pattern and assignment of site-generated trips at the study intersections during the weekday AM and PM peak hours.

## YEAR 2019 TOTAL TRAFFIC CONDITIONS

The year 2019 total traffic conditions analysis forecasts how the study area's transportation system will operate with the traffic generated by the proposed Eagle Ridge Apartment Homes. The year 2019 background traffic volumes shown in Figure 6 were added to the site-generated traffic shown in Figure 7 to arrive at the total traffic volumes shown in Figure 8.

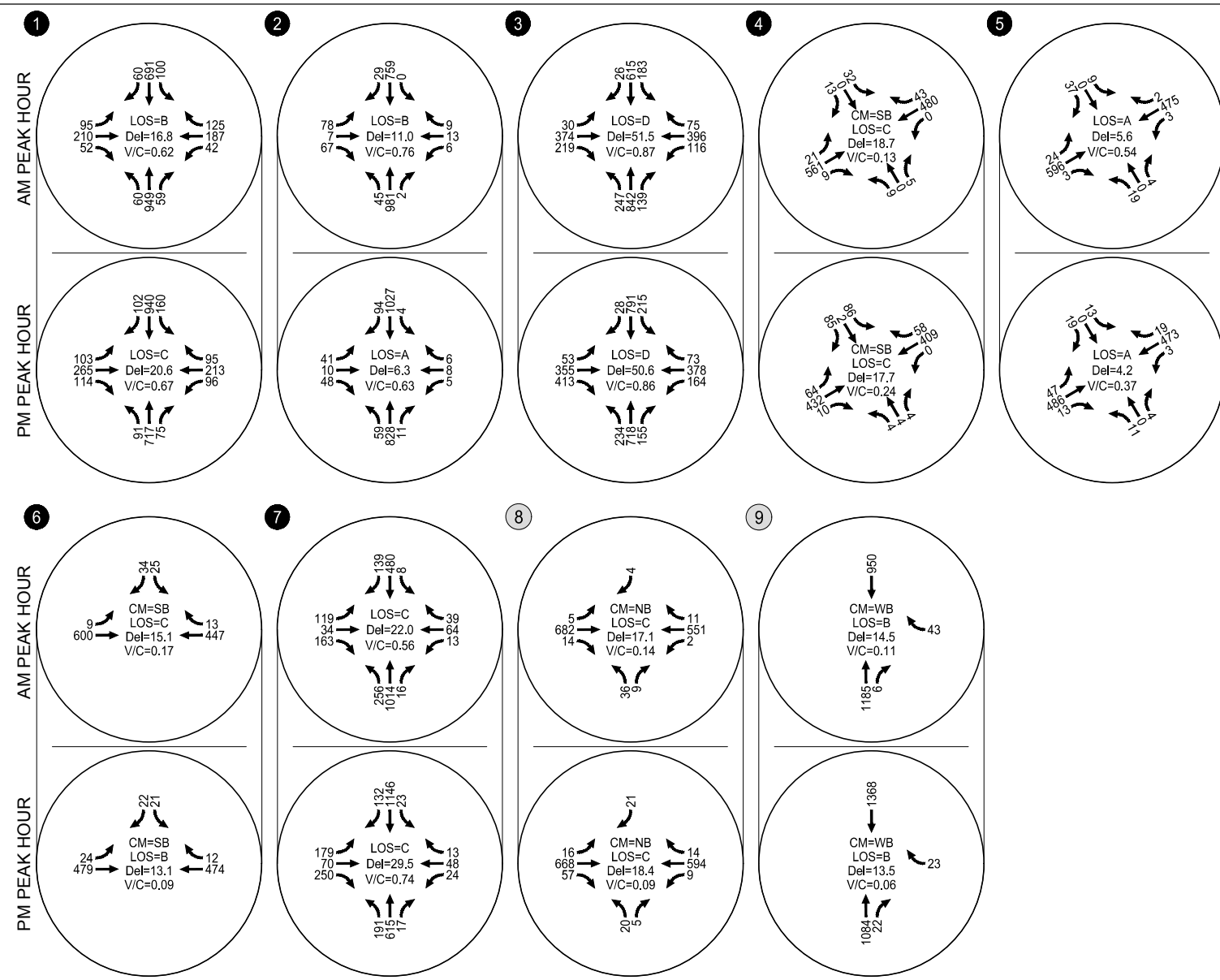
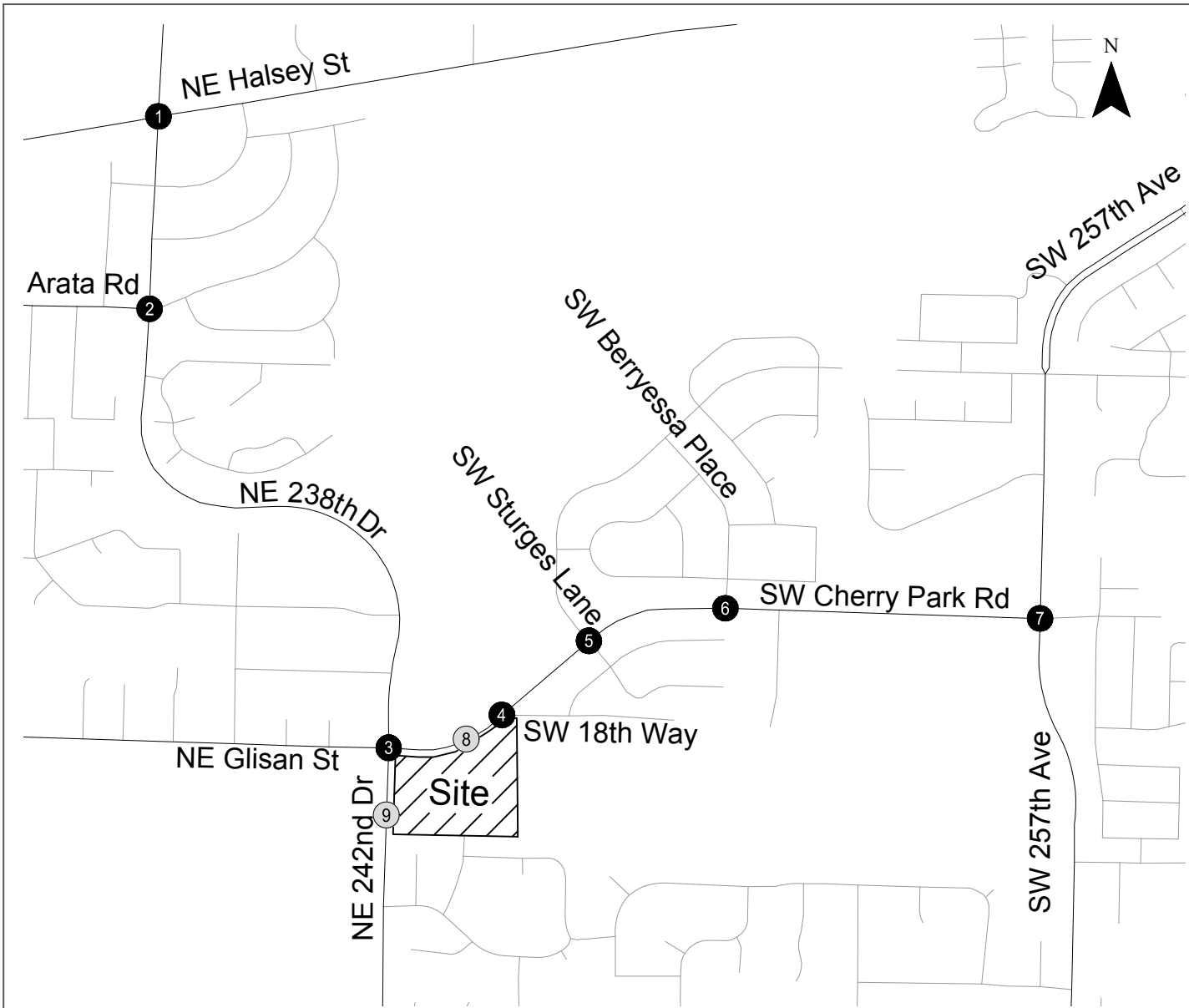
## Level of Service Analysis

The weekday AM and PM peak hour turning-movement volumes shown in Figure 8 were used to conduct an operational analysis at the study intersections to determine the year 2019 total traffic conditions. As shown, all of the study intersections are forecast to meet City and County operating standards during the weekday AM and PM peak hours. *Appendix "F" includes the year 2019 total traffic conditions worksheets.*



Estimated Trip Distribution Pattern & Site-Generated Trips Troutdale, OR

Figure 7



CM = CRITICAL MOVEMENT (UNSIGNALIZED)  
LOS = INTERSECTION AVERAGE LEVEL OF SERVICE (SIGNALIZED)/  
CRITICAL MOVEMENT LEVEL OF SERVICE (UNSIGNALIZED)  
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V/C = VOLUME-TO-CAPACITY RATIO

Year 2019 Total Traffic Conditions  
Weekday AM and PM Peak Hours  
Troutdale, OR

Figure  
8

## Queueing Analysis

A queueing analysis was conducted at the signalized study intersections using Synchro 9. Table 4 summarizes the reported 95<sup>th</sup> percentile queues during the weekday AM and PM peak hours under year 2019 background and year 2019 total traffic conditions. The vehicle queue and storage lengths were rounded up to the nearest 25-feet. The storage lengths reflect the striped storage for each movement at the intersections.

**Table 4: Year 2019 Queueing Analysis**

Intersection	Movement	Year 2019 Background Traffic Conditions		Year 2019 Total Traffic Conditions		Storage Length (feet)	Adequate?
		Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday AM Peak Hour	Weekday PM Peak Hour		
NE 238 <sup>th</sup> Drive NE Halsey street	NBL	50	100	75	125	200	Yes
	SBL	50	75	50	75	200	Yes
	EBL	100	125	125	125	200	Yes
	WBL	50	125	75	#150	250	Yes
	WBR	75	50	75	50	150	Yes
NE 238 <sup>th</sup> Drive/ NE Arata Road	NBL	25	50	25	50	100	Yes
	SBL	0	25	0	25	100	Yes
NE 242 <sup>nd</sup> Drive/ SW Cherry Park Road	NBL	#400	#400	#450	#400	275	<b>No</b>
	SBL	#325	#350	#375	#475	200	<b>No</b>
	EBL	75	125	75	125	150	Yes
	EBR	0	0	0	0	125	Yes
	WBL	175	275	200	275	175	<b>No</b>
SW Sturges Lane/ SW Cherry Park Road	SBL	25	25	25	25	100	Yes
	EBL	25	50	25	50	200	Yes
	WBL	25	25	25	25	200	Yes
SW 257 <sup>th</sup> Drive/SW Cherry Park Road	NBL	275	250	275	250	150	<b>No</b>
	SBL	25	50	25	50	175	Yes
	EBL	150	225	150	225	175	<b>No</b>
	WBL	25	50	25	50	75	Yes

Where WB = Westbound, SB = Southbound, EB = Eastbound, NB = Northbound, L = Left, R = Right  
#: 95<sup>th</sup> percentile volume exceeds capacity, queue may be longer.

As shown in Table 4, the majority of 95<sup>th</sup> percentile queues can be accommodated by the available storage with the following exceptions:

- The northbound left, southbound left, and westbound left-turn queues at the NE 242<sup>nd</sup> Drive/SW Cherry Park Road intersection are expected to exceed the available storage during the weekday AM and PM peak hours.
  - Approximately 150-feet of additional storage is available within the TWLT lane at the westbound approach.
  - An additional 150 feet of storage is available in the TWLTL before potentially blocking access to retail driveway on northside of SW Cherry Park Road.

- The eastbound left and northbound left-turn queues at the SW 257<sup>th</sup> Drive/SW Cherry Park Road intersection are expected to exceed the available storage during the weekday AM and PM peak hours.
  - Additional storage is available within the TWLT lane at the eastbound and northbound approaches.

## TRANSPORTATION PLANNING RULE (TPR) ANALYSIS

The Transportation Planning Rule (TPR) analysis evaluates the impacts associated with the proposed zone change and comprehensive plan amendment on the adjacent transportation system. As indicated previously, development of the apartments will require a zone change and comprehensive plan amendment from Single-Family Residential (R-5) to Apartment Residential (A-2).

Per Oregon Administrative Rule 660-012-0060 (the Transportation Planning Rule), a zone change cannot create an unmitigated significant effect on an existing or planned transportation facility. If there is a significant effect, it must be mitigated within the planning horizon. The TPR requires a study period of 15 years or consistency with the Transportation System Plan (TSP) planning horizon, whichever is greater. Though the planning horizon for the Troutdale TSP is 2035, Metro has updated their travel demand model since the TSP was completed to reflect 2040 conditions. Those conditions also reflect recent changes in the city as well as within the region that could impact access to the site. Therefore, the planning horizon for the proposed zone change is 2040.

## LAND-USE DEVELOPMENT SCENARIO

Reasonable “worst case” development scenarios were prepared for the proposed development site based on an evaluation of the land uses allowed under the existing and proposed zoning. As indicated previously, the proposed zone change will modify the current zoning designation from Single-Family Residential (R-5) to Apartment Residential (A-2). Per the City’s Development Code, the existing R-5 zoning designation allows for a minimum lot size of 5,000 square-feet per dwelling unit while the proposed A-2 zoning designation allows for a minimum lot size of 2,000 square-feet per dwelling unit. Therefore, a reasonable worst-case development scenario under the existing zoning is approximately 76 single family homes and a reasonable worst case scenario under the proposed zoning is 216 apartment units (192 units plus 24 U/A), which is consistent with the proposed development plan.

## Trip Generation Estimate

Trip generation estimates were prepared for the existing and proposed zoning designations based on information provided by ITE. Table 5 summarizes the net new daily, weekday AM, and weekday PM peak hour trips associated with the proposed zone change and comprehensive plan amendment.

**Table 5: Trip Generation Estimate**

Land Use	ITE Code	Dwelling Units	Daily Trips	Weekday PM Peak Hour		
				Total	In	Out
Existing R-5 Zoning						
Single-Family Detached Housing	210	76	816	82	52	30
Existing A-2 Zoning						
Apartments	220	216	1,434	136	88	48
Proposed Zoning - Existing Zoning			+618	+54	+36	+18

As shown in Table 5, the proposed zone change and comprehensive plan amendment is expected to result in an increase in the trip generation potential of the proposed development site. Therefore, a long-term analysis was conducted to determine if the increase has a significant effect on the adjacent transportation system.

## YEAR 2040 EXISTING AND PROPOSED ZONING TRAFFIC CONDITIONS

This section identifies how the study area's transportation system will operate in 2040 under the existing and proposed zoning scenarios. All year 2040 analyses include traffic attributed to the proposed Wood Village rezone project described above.

### Traffic Volumes

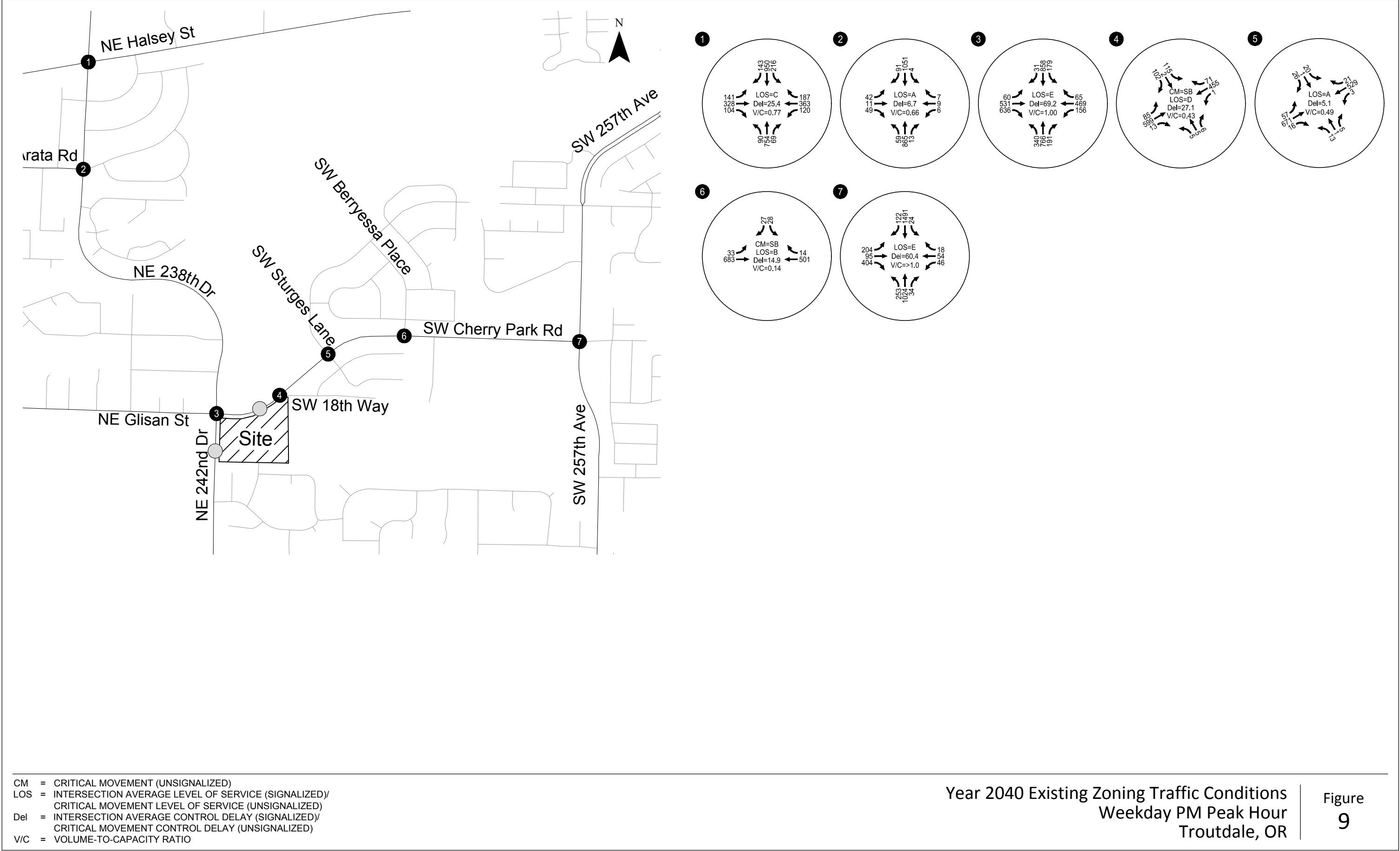
Year 2040 existing zoning traffic volumes were developed for the study intersections based on the existing traffic counts and information provided in Metro's travel demand model for the study area. The travel demand model provides base year 2010 and forecast year 2040 traffic volume projections for the weekday PM peak hour that reflect anticipated land use changes and planned transportation improvements within the study area. The year 2040 existing zoning traffic volumes were developed by applying the post-processing methodology presented in the National Cooperative Highway Research Program (NCHRP) Report 255 *Highway Traffic Data for Urbanized Area Project Planning and Design*, in conjunction with engineering judgment and knowledge of the study area. The year 2040 proposed zoning traffic volumes were developed by adding the incremental increase in traffic volumes associated with the proposed zone change and comprehensive plan amendment as shown in Table 5. *Appendix "G" contains the travel demand model data provided by Metro.*

### Level-of-Service Analysis

Figures 9 and 10 illustrate the forecast year 2040 traffic volumes and operations under the existing and proposed zoning scenarios, respectively. As shown, all of the study intersections are forecast to meet City and County operating standards during the weekday PM peak hour with the exception of the NE 242<sup>nd</sup> Drive/SW Cherry Park Road and SW 257<sup>th</sup> Ave/ SW Cherry Park Road intersections. Further details are provided below. *Appendix "H" contains the year 2040 existing zoning traffic conditions worksheets. Appendix "I" contains the year 2040 proposed zoning traffic conditions worksheets.*

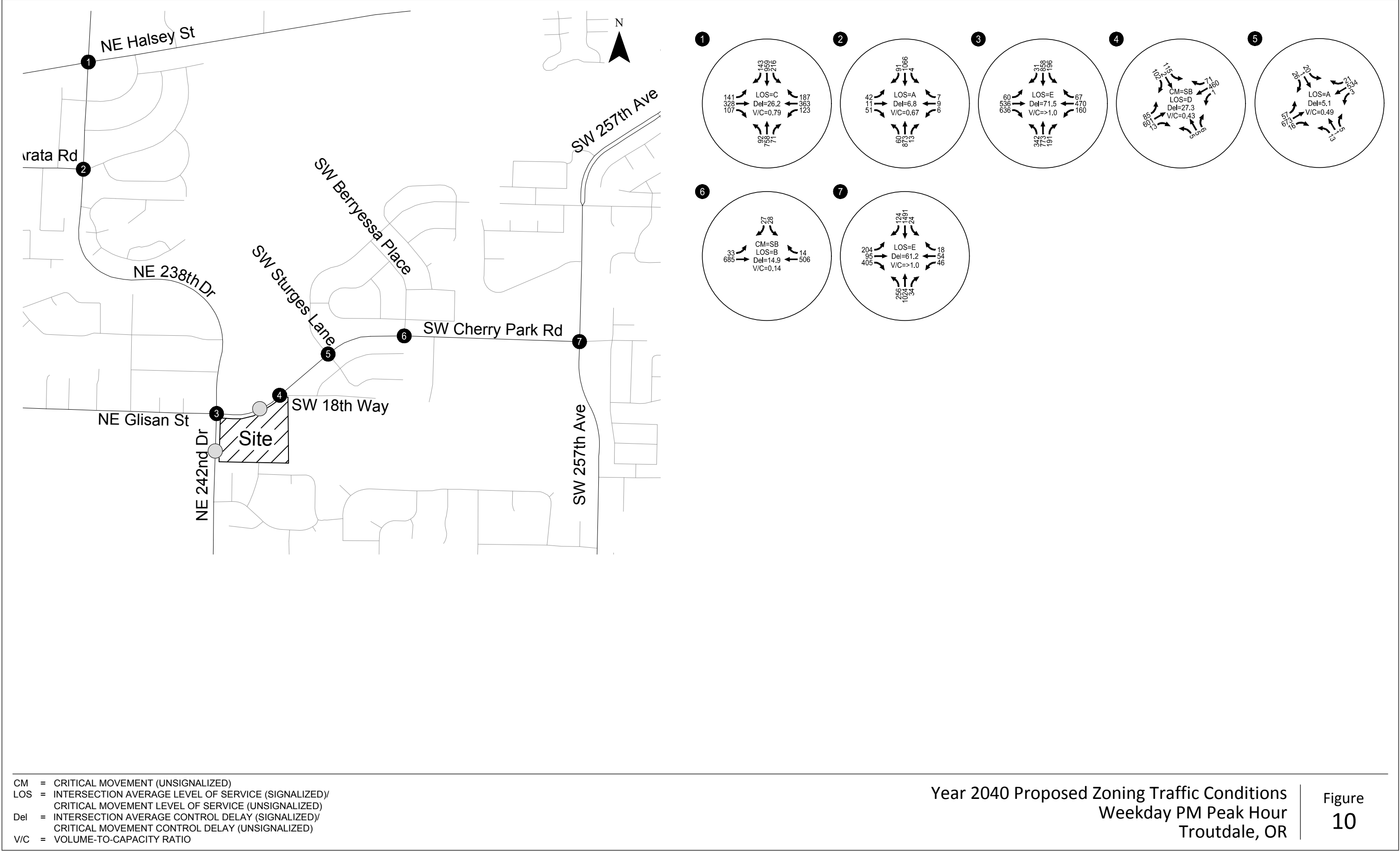
#### **NE 242<sup>nd</sup> Drive/SW Cherry Park Road**

The NE 242<sup>nd</sup> Drive/SW Cherry Park Road intersection is forecast to operate at LOS E during the weekday PM peak hour under the existing and proposed zoning scenarios; however, delay is expected to increase from 69.2 seconds under the current zoning to 71.5 seconds under the proposed zoning. In order to mitigate the increase in delay and avoid further degradation to the transportation system, several potential mitigation measures were considered. Ultimately, modifying the traffic signal to allow for protective-permissive phasing for the eastbound and westbound left-turn movements was selected for implementation. With this modification, the intersection is expected to operate at LOS E with 55.9 seconds of delay. With the proposed mitigation, the proposed zone change and comprehensive plan amendment will result in no further degradation to the transportation system.



Year 2040 Existing Zoning Traffic Conditions  
Weekday PM Peak Hour  
Troutdale, OR

Figure  
9



Year 2040 Proposed Zoning Traffic Conditions  
Weekday PM Peak Hour  
Troutdale, OR

Figure  
10

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### **SW 257<sup>th</sup> Ave/ SW Cherry Park Road**

The SW 257<sup>th</sup> Avenue/SW Cherry Park Road intersection is forecast to operate at LOS E during the weekday PM peak hour under the existing and proposed zoning scenarios; however, delay is expected to increase from 60.4 seconds under the current zoning to 61.2 seconds under the proposed zoning. In order to mitigate the increase in delay and avoid further degradation to the transportation system, several potential mitigation measures were considered. Ultimately, modifying the traffic signal to allow for protective-permissive phasing for the northbound and southbound left-turn movements was selected for implementation. With this modification, the intersection is expected to operate at LOS D with 50.1 seconds of delay. With the proposed mitigation, the proposed zone change and comprehensive plan amendment will result in no further degradation to the transportation system.

*Appendix "J" contains the year 2040 proposed zoning traffic conditions worksheets with the mitigation measures.*

## POLICY ANALYSIS

### TRANSPORTATION PLANNING RULE ANALYSIS

Approval of the proposed zone change and comprehensive plan amendment is dependent in part upon meeting the criteria outlined in the TPR. Table 6 summarizes the criteria identified in the TPR and their applicability to the proposed zone change.

**Table 6: TPR Criteria & Applicability Assessment**

Section	Criteria	Applicable?
1	Describes how to determine if a proposed land use action results in a significant impact.	Yes
2	Describes measures for complying with Criteria #1 where a significant impact is determined.	Yes
3	Describes measures for complying with Criteria #1 and #2 without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility	No
4	Determinations under Criteria #1, #2, and #3 are coordinated with other local agencies.	No
5	Indicates that the presence of a transportation facility shall not be the basis for an exception to allow development on rural lands.	No
6	Indicates that local agencies should credit developments that provide a reduction in trips.	No
7	Outlines requirements for a local street plan, access management plan, or future street plan.	No
8	Defines a mixed-use, pedestrian-friendly neighborhood	No
9	Indicates that there is not a significant affect if the proposed zoning is consistent with existing plans	No
10	Defines a multi-modal mixed-use area (MMA) and the requirements that support it.	No
11	Encourages establishment of traded-sector jobs	No

As noted in Table 6, there are two criteria that apply to the proposed zone change. The criteria are provided below in italics with our response shown in standard font.

*(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

*(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

*(b) Change standards implementing a functional classification system; or*

*(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

*(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*

*(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*

*(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

**Response:** The results of the TPR analysis for the proposed Eagle Ridge Apartment Homes indicate that the proposed zone change and comprehensive plan amendment is expected to result in a net increase in the trip generation potential of the site during a typical weekday and during the weekday PM peak hours. Further, in comparing the existing and proposed zoning scenarios, the delay, level of service (LOS), and v/c ratios at multiple intersection are expected to increase assuming buildout of a reasonable “worst case” scenario under the proposed zoning. Therefore, the proposed zone change and comprehensive plan amendment will result in a significant effect on the transportation system.

*(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.*

*(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.*

*(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.*

*(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.*

*(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.*

*(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if:*

*(A) The provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards;*

*(B) The providers of facilities being improved at other locations provide written statements of approval; and*

*(C) The local jurisdictions where facilities are being improved provide written statements of approval.*

**Response:** Potential mitigating measures at the NE 242<sup>nd</sup> Drive/SW Cherry Park Road and SW 257<sup>th</sup> Avenue/SW Cherry Park Road intersections are identified above. With the mitigation measures, the NE 242<sup>nd</sup> Drive/SW Cherry Park Road intersection will continue to operate at LOS E; however, delay will be below year 2040 existing zoning conditions. In addition, with the mitigation measures, the SW 257<sup>th</sup> Avenue/SW Cherry Park Road intersection will operate at LOS D and delay will be below year 2040 existing zoning conditions. Therefore, there will be no further degradation to the transportation system

## CONCLUSIONS AND RECOMMENDATIONS

The results of the traffic impact analysis indicate that the proposed Eagle Ridge Apartment Homes can be constructed while maintaining safe and acceptable traffic operations at the study intersections and site-access driveways assuming provision of the recommended mitigation measures. The findings of this analysis and our recommendations are discussed below.

### FINDINGS

#### Existing Traffic Conditions

- All of the study intersections currently meet City and County standards during the weekday AM and PM peak hours.
- A review of historical crash records indicates that the observed crash rates at all of the study intersections are below 90<sup>th</sup> percentile rates for similar facilities with the exception of the SW 257<sup>th</sup> Avenue/SW Cherry Park Road intersection. The County could consider the following mitigation measures:
  - install protected or protected-permitted phasing at the eastbound and westbound approaches,
  - increase the amount of all-red time from 1.0 seconds to 1.5 seconds at the eastbound and westbound approaches, and/or
  - improve the signal hardware (i.e. lenses, reflective back plates, size, and number) to increase the visibility of the signal heads.
- A review of ODOT SPIS data indicates that the NE 242<sup>nd</sup> Drive/SW Cherry Park Road intersection is within the top 5 percent of SPIS sites. The County could consider the following mitigation measures:
  - improve the signal hardware (i.e. lenses, reflective back plates, size, and number) to improve the visibility of the signal heads and/or
  - install warning signs and/or directional signs within the raised median island at the eastbound approach.

#### Year 2019 Background Traffic Conditions

- The trips associated with the Glisan Corporate Park and Estates and Riverwood developments were included in the year 2019 background traffic analysis as in-process traffic.
- The potential impacts associated with the NE 238<sup>th</sup> Drive Improvement project were considered in the year 2019 background traffic conditions analysis.
- All of the study intersections are forecast to meet City and County standards during the weekday AM and PM peak hours.

## Proposed Development

- The proposed Eagle Ridge Apartment Homes will include 216 apartments units and 504 parking stalls as well as a clubhouse and pool for residents of the development.
- Access to the proposed development will be provided via two new driveways: one located along NE 242<sup>nd</sup> Drive, approximately 340 feet south of SW Cherry Park Road, and one located along SW Cherry Park Road, approximately 420 feet east of NE 242<sup>nd</sup> Drive.
- The proposed development is expected to generate approximately 1,434 daily trips, including 110 trips (22 inbound, 88 outbound) during the weekday AM peak hour and 136 trips (88 inbound, 48 outbound) during the weekday PM peak hour.

## Year 2019 Total Traffic Conditions

- All of the study intersections are forecast to meet City and County standards during the weekday AM and PM peak hours.

## Transportation Planning Rule Analysis

- The land uses associated with the proposed Eagle Ridge Apartment Homes are not permitted per the current zoning; therefore, Sheldon Development is proposing to rezone the property from R-5 (Single-Family Residential) to A-2 (Apartment Residential).
  - The reasonable “worst case” development scenario selected for the existing R-5 zoning is 76 single family homes.
  - The reasonable worst case development scenario for the proposed A-2 zoning would be 216 apartments.
- Trip generation estimates prepared for the reasonable “worst case” scenarios indicate that the proposed zone change and comprehensive plan amendment is expected to result in an increase in the trip generation potential of the study site.
- All of the study intersections are forecast to operate acceptably under year 2040 existing and proposed zoning traffic conditions with the following exceptions:
  - The NE 242<sup>nd</sup> Drive/SW Cherry Park Road intersection is forecast to operate at LOS E under the existing and proposed zoning scenarios; however, delay is expected to increase from 69.2 seconds under the current zoning to 71.5 seconds under the proposed zoning. Potential mitigation measures include modifying the traffic signal to allow for protective-permissive phasing for the eastbound and westbound left-turn movements.
  - The SW 257<sup>th</sup> Avenue/SW Cherry Park Road intersection is forecast to operate at LOS E under the existing and proposed zoning scenarios; however, delay is expected to increase from 60.4 seconds under the current zoning to 61.2 seconds under the proposed zoning. Potential mitigation measures include modifying the traffic signal

to allow for protective-permissive phasing for the northbound and southbound left-turn movements.

## Policy Analysis

- The Transportation Planning Rule Review indicates that the proposed zone change and comprehensive plan amendment will result in a significant effect on the transportation system. However, with the mitigation measures, there will be no further degradation to the transportation system.

## RECOMMENDATIONS

The following list summarizes the mitigation measures recommended as part of this proposed development.

- Construct site-access driveways per Multnomah County standards.
- Control the site-access driveway along NE 242<sup>nd</sup> Drive to right-in/right-out only.
- Modify the traffic signal at the NE 242<sup>nd</sup> Drive/SW Cherry Park Road intersection to allow for protective-permissive phasing for the eastbound and westbound left-turn movements.
- Modify the traffic signal at the SW 257<sup>th</sup> Avenue/SW Cherry Park Road intersection to allow for protective-permissive phasing for the northbound and southbound left-turn movements.
- Locate and maintain all future landscaping, above-ground utilities, and site signage to provide adequate sight-distance at the site driveways.

We trust this memorandum adequately addresses the traffic impacts associated with the Eagle Ridge Apartment Homes. Please contact us if you have any questions or comments regarding the contents of this analysis.

## REFERENCES

1. Multnomah County. *Transportation System Plan*. 2016.
2. City of Troutdale. *Transportation System Plan*. 2011.
3. Trimet. <https://trimet.org/>. Accessed February 2018.
4. Transportation Research Board. *Highway Capacity Manual*. 2000.
5. Institute of Transportation Engineers. *Trip Generation Manual, 9<sup>th</sup> Edition*. 2012.



## Exhibit C

10/23/18 Council Mtg. Item #9

**From:** probascoconstruction  
**To:** [planning](#)  
**Date:** Monday, May 7, 2018 8:01:47 AM

---

Hello there

I live in the Cherry Ridge neighborhood and I wanted to let you know that I am in support of the apartments

1st reason why?

It is not a low income apartments

2nd reason why?

They are going to have their own security

3rd reason why?

It will increase the property value around Troutdale

4th Reason why?

It will bring \$45 million to the area by building those apartments

How do I know all of this, well believe it or not this world is getting smaller and smaller

I renovated a customer house and it happened to be on of his friend

I had mentioned that I live in Troutdale and he mentioned that they are planning to build apartments on 242nd and Glisan

I immediately told him that I support the building of the apartments

He had told me some of the facts about the apartments and the more I listened the more I was for it

Why do I believe him because he is a friend of my customer.

Thanks

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

# APPLIED ECOSYSTEM SERVICES, INC.

Integrity · Credibility · Innovation

2404 SW 22<sup>nd</sup> Street  
Troutdale, OR 97060-1247  
Voice: 503-667-4517  
Fax: 503-667-8863  
E-mail: [info@appl-ecosys.com](mailto:info@appl-ecosys.com)

May 7, 2018

Troutdale City Planning Commission  
219 East Columbia River Highway  
Troutdale, OR 97060

RE: Comments on File No. 18-017 Carey Sheldon Development: Land Use Plan and Zoning Map Amendments

Gentlemen:

As a Troutdale resident and professional services business owner for more than 25 years I strongly object to the proposed amendments to the city's comprehensive land use and zoning district maps. The Commission should reject these changes and require either moderate density residential or professional services 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 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. With high-density apartments on the corner, traffic along SW 242nd Drive and SW Cherry Park Road will substantially increase. These roads already support much increased traffic because the former McGill Farm, in Gresham, is being commercially developed with warehouses and distribution centers.

Troutdale City Planning Commission  
May 7, 2018  
page 2

These new developments, while in Gresham and not under Troutdale's control have greatly increased north-south traffic on the 242 Drive 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 as well as daily commuters and others traveling through the area.

In the letter dated April 25, 2018 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.

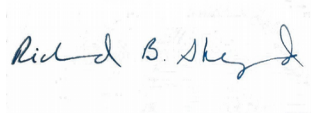
Unless residents of the proposed apartments will be limited to those employed in adjacent retail establishments or the Subaru Distribution Center the first criterion above will not be met.

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.

An acceptable development on this corner would be a two-story building with offices for lawyers, accountants, therapists, architects, and similar professional service providers. The traffic density of their clients/patients would likely be no greater than that seen during the operations of the Fujii Farms fruit and vegetable stand that operated here for many years. Such a development would accommodate entry and exit by right-turn-only onto Cherry Park Road and would be distributed throughout the day. With careful design of the building and amenities Sheldon could gain a solid return on his investment in purchasing and developing this land and leasing office space. And, professional office leases would likely have much lower turnover than transient residential apartments which lowers his costs of acquiring and maintaining a steady revenue stream from occupancy.

Respectfully,

A handwritten signature in blue ink that reads "Richard B. Shepard". The signature is written in a cursive style and is positioned above a faint, rectangular, light-colored stamp or watermark.

Richard Shepard, PhD

**From:** sarit369@comcast.net  
**To:** [planning](#)  
**Subject:** Proposed Development -- Eagle Ridge Apartments, 242nd & Cherry Park  
**Date:** Wednesday, May 9, 2018 8:50:21 AM

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Planning Commission  
To Whom it May Concern

I am writing in relation to the proposed Eagle Ridge Apartments on 242<sup>nd</sup> and Cherry Park Road.

I am gravely concerned about this development going forward. My concerns are listed below.

- Traffic

I have been a resident of Cherry Ridge for the past 14 years. Traffic along Cherry Park is constant and is very heavy during commute time as well as Reynolds High School “start and stop times.” I literally plan my travel around these times or I find a good 5-plus minutes are added to my attempts to turn onto Cherry Park Road and/or travel East or West on Cherry Park. Adding more traffic, particularly with a “right turn only exit” will only add to the difficulty of traversing Cherry Park between 242<sup>nd</sup> and 257<sup>th</sup>.

The chances of residents of the proposed development to “always turn right” I think will be spotty. Having additional access to Cherry Park so close to the intersection AND so close to the entrance and exit of Cherry Park Market Place is, in my perception, very dangerous. There is already weaving around cars waiting to turn into the Market Place and cars backed waiting to turn in or out of the center. While you say the exit will be “right turn only,” residents may surely want to make a quick exit to the west when they think they can, which is potentially an accident after accident waiting to happen.

This does not even include the eventual increased traffic from the Business Parks that now cover acres from SE Stark to Halsey to 242<sup>nd</sup>. With the straightening of 238<sup>th</sup> over the next couple years, that intersection will be the prime arterial for vehicles from the business parks. You add that to increased traffic so close to the intersection and it, in my estimation, will not only be a true headache for commuters and residents using the East/West route, but a dangerous one as well. This MUST be taken into consideration in relation to this proposal.

Although further East, there will be added traffic from the proposed townhouses across from Reynolds High School. They have no alternative access and exit to their property per the proposed plans.

THIS IS JUST TOO MUCH TRAFFIC FOR THE AREA TO ABSORB!

- Density of Proposal

I am sorry that developer “found out after purchasing the property” that the sewage lines cannot accommodate a more moderate development due to the need to install a pump station. We as residents of Cherry Park and the development south of this proposal, SHOULD

NOT have to bail the developer out of this situation and pay the consequences. PERIOD.

- Home Values

Home values for the Development south of the proposed development will plummet and certainly will have an adverse effect on Cherry Ridge. As residents of Troutdale and/or Gresham, we have faithfully paid our taxes and helped to maintain the livability of the area. That, I am sure, has contributed to new companies coming into the area (see Fed Ex, Amazon, Subaru, etc.) as they perceive their employees will like the area and have a good standard of living. We have been faithful...me 14 years; others in the development up to 25+ in helping to support services, etc. DO NOT PUNISH US BY REDUCING OUR HOME VALUES WITH THIS POORLY THOUGHT-OUT DEVELOPMENT.

For the moment, I have expressed my concerns. I, as well as my neighbors, will be watching this closely, making sure there is no preferential treatment to/for this developer and standing strong to oppose such a development. I appreciate you taking my comments into consideration and I hope you will make wise decisions concerning the livability and safety of your Troutdale residents.

Thank you.

Sarah (Sally) Wright  
1272 SW Berryessa Place  
Troutdale

Troutdale Planning Commission and Troutdale City Council,

To Whom it May Concern,

When Troutdale originally installed the sewage lines they didn't take into consideration the possibility of this land on 242nd and Glisan being developed under the current zoning. I believe it should be the city's responsibility to fix this problem, not the taxpayers on Cherry Ridge that have been supporting Troutdale for so long. Some of us on 18th Way have been here over 50 years, and we are the closest ones to the proposed project.

The City of Troutdale has already rejected the Eagle Ridge Apartments a few years ago. Carey Sheldon has refused to accept no for an answer. So the planners changed the location of the exits, and made them right turn only on to Cherry Park and Glisan, which will only add more traffic to Cherry Park, and it is doubtful that anyone will be enforcing the right turn only rule. Also, they have now purchased the adjacent property to the East, which would take down the row of trees that run between the field and that property, and will add even more apartments than was originally planned for and rejected by the city council. If this passes our property values will plummet, and our property taxes will go up, all because Carey Sheldon made a bad purchase.

The only access people who live on Cherry Ridge and 18th Way have is to use Cherry Park. There is no other option. There was a traffic impact study, which came to the conclusion that with the development the apartments, traffic would still be within Multnomah County's acceptable parameters. Well, it is not in my acceptable parameters. I don't know if this study included the proposed subdivision on Sturges Drive, or the expansion of Reynolds High School. What I do know, is if this is passed, the traffic problems will only get worse. How bad will it be in 5 years? 10 years? And with the expansion of the high school how much worse will it be then? Hopefully no one on Cherry Ridge has an emergency when school is starting or getting out. Was the addition of the number of apartments taken into consideration when the traffic study was done? And how about the proposed addition of the apartments on the Ramblin Rod property (1601 SW Sturges Drive)? Was this proposal included in the traffic study. Who paid for this study? Was it Carey Sheldon? If so is this a fair assesment? Were all the people who live on the North side of Cherry Park informed of the meetings? They would also be directly impacted by this development. I don't know the answers to these questions. But before approving this land development, these questions should be taken into account.

The High School kids walk to the Cherry Park Market Center, and stand on the corner of

Cherry Park and 18th Way to cross the street. The traffic rarely stops to let them cross. There needs to be a cross walk there, and if this development is allowed, it will certainly add to the possibility that someone will be hit by a car. Also if adding about 800 people to that property, how much worse will the litter from the high school kids be on 18th Way, Stella Way, and Cerise Way?

It is my understanding that Carey Sheldon has reason to believe that his personal friendship with some of Troutdale's officials will seal this deal. Anyone who knows him personally should be required to recuse themselves as they have a conflict of interest.

In conclusion, the residents that have no choice but to use Cherry Park, have been helping to support Troutdale for many years, and should not have to pay for Carey Sheldon's mistake. The property should remain low density residential and build homes on the parts of it that can be developed. If Troutdale won't fix their sewer mistake then the remainder of the property could be turned into a park or a community garden.

Thank You,

Scott and Rene' Thorsell

2240 SW 18th Way, Troutdale.



**From:** [marcatsz@frontier.com](mailto:marcatsz@frontier.com) [<mailto:marcatsz@frontier.com>]  
**Sent:** Monday, October 1, 2018 4:46 PM  
**To:** planning <[planning@troutdaleoregon.gov](mailto:planning@troutdaleoregon.gov)>  
**Subject:** Input--public hearing --18-017--Eagle Ridge Apartments

My name is Mary Dunham Szabo. I own the property at 2401 SW 22nd Street and have resided there since 1989. The rear of my property adjoins the south side of the apartment complex. I still have not recovered from the shock of discovering that my back yard will be only 20 feet from a three-story building housing approximately 24 families, but that is no longer negotiable.

I cannot attend the hearing because I cannot drive after dark. Since the deadline for written comments is Monday, October 1, before the file is complete, my comments are based on what was available in the digital files as of the close of business Friday, September 28. The Planning Commission report, which I would like to have read before commenting, is not available until Tuesday, October 2. I do wonder why the the deadline for written comments could not have been extended one day to allow us to read the Planning Commission report before submitting our comments.

I have concerns about several of the items addressed in the proposal:

*Nearby recreational facilities:* Included is Woodale Park. This park is totally undeveloped. When the City of Troutdale took over the property from the defunct homeowners' association in the early 1990s, we were told that this park would not be developed other than being mowed a few times per year. The city removed the previously existing baseball backstop, so currently there is nothing there for recreation. Unless the city now has definite plans to develop this park (that would be great!), Woodale Park should not be included in "existent recreational facilities." If the apartment residents are to use this park, could the developers assist with park development?

*Sanitary Sewer:* I have two concerns:

(1) Is the sewer now serving the Woodale Development sufficient to contain the extra sewage from another 216 families? This would require double the capacity!

(2) The pump: Where will it be located--noise is a concern. Is there provision for the pump to function during power outages? In the past 29 years, I recall at least two power outages of at least 24 hours during ice storms. We also have, per the Oregon State Geologist, a 37% chance of a force 8.0 or greater subduction zone earthquake in the next 50 years, which would result in a power outage of at least several weeks, perhaps longer. Is this outage being planned for?

*Stormwater disposal:* What happens if the infiltration area is frozen over for a week or more? Where will the water go when the snow and ice start to melt but the area underneath is still frozen? I have some rather spectacular pictures taken on Christmas Day 2008, after we had over 2 weeks of back-to-back snow and ice storms wth below-freezing east winds, no melting in between. There were three-foot drifts in my driveway and street, with a nice thick ice crust on top.

*Setback:* I realize that the 20 foot setback from our property lines on the south side of the apartment complex is greater than legally required. However, had the original zoning of the property been kept, the adjoining property would probably have had back yards of 30 to 40 feet deep adjoining our back yards. Is there any chance of having just a little bit more setback from our back property lines? The loss of privacy for those of us directly adjoining the apartment complex will be considerable.

*Landscaping:* Several of us have property line hedges along the edge of the southern boundary of the apartment complex (mine was already there when I purchased the property, so my back fence, added since, is well inside my property line). I understand that the law allows you to trim the hedges back as long as it doesn't harm the plantings. It appears that all of us have quite mature arborvitae). Since our hedges are quite mature, even severe pruning will leave part of the hedge on the apartments' side of the line. Can these hedges be incorporated into the landscaping so they don't have to be cut back?

Thank you for your consideration!  
Mary D. Szabo

**From:** [Rich Shepard](#)  
**To:** [City Council](#)  
**Cc:** [Ray Young](#)  
**Subject:** Comments on Eagle Ridge Apartments Development  
**Date:** Wednesday, October 17, 2018 2:22:16 PM  
**Attachments:** [eagle-ridge-council-comments-2018-10-23.pdf](#)

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Gentlemen:

The attached letter contains my comments on the development of apartments at the southeast corner of 242nd Drive and Cherry Park Road.

Residents across the city did not buy the positive benefits proposed by the developer. There are two actions the City can take to mitigate any negative affects given the uncertainty of traffic, quality of life, and property values in the near future. These actions are explained in the attached letter. I ask that they be seriously considered and that they be implemented.

Regards,

Rich

--

Richard Shepard, Ph.D.                      Have Knowledge - Will Travel  
Applied Ecosystem Services, LLC              Troutdale, OR 97060 USA  
www[dot]appl-ecosys[dot]com    Voice: 503-667-4517    Fax: 503-667-8863

# APPLIED ECOSYSTEM SERVICES, LLC

Integrity · Credibility · Innovation

2404 SW 22<sup>nd</sup> Street  
Troutdale, OR 97060-1247  
Voice: 503-667-4517  
Fax: 503-667-8863  
E-mail: [info@appl-ecosys.com](mailto:info@appl-ecosys.com)

October 17, 2018

Mayor Casey Ryan  
Troutdale City Council  
219 East Historic Columbia River Highway  
Troutdale, OR 97060

RE: Proposed Eagle Ridge apartments; File 18-017

Dear Mayor Ryan and members of the City Council:

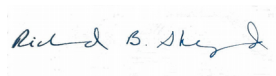
The City has accepted the developer's assurances that a short turn lane at the west end of Cherry Park Road will eliminate all traffic congestion from his development and there will be no diminution of quality-of-life or other concerns expressed by many Troutdale residents<sup>1</sup> prior to your decision. There is much uncertainty about the future at the corner of Cherry Park Road, Glisan Street, SW 242<sup>nd</sup> Drive, and 238<sup>th</sup> Drive. I urge the Council to follow the advice of the philosopher who advised us to hope for the best but prepare for the worst.

There are two actions the Council can take to implement this advice:

1. If there is to be emergency vehicle access to the development at the north end of Larsson Street, then that access should be constructed to prevent pedestrian traffic to or from Larsson Street. Pedestrian traffic should be restricted to the west and north sides of the project and not to the south or east.
2. If reality of the completed development does not match the assurances given the Council, the City could incur unscheduled expenses; for example, a need to fund hiring of additional deputies for patrol in Troutdale. Non-project residents should not have to pay for these expenses. Insurance is an accepted risk-reduction tool in many areas of our lives (vehicles and medical come immediately to mind) and should be a condition of this development. The insurance would be a surety bond, perhaps between \$5 million and \$10 million for 5 or 10 years. If the City were to incur costs due to the development the bond would provide the necessary money.

These two suggestions might be new to project development in Troutdale but given the extensive citizen input from those of us who did not buy into the developer's assurances they would be prudent actions. I strongly urge the Council to make them happen.

Sincerely,



Dr. Richard Shepard

<sup>1</sup> These residents live across Troutdale, including east of Troutdale Road, and were not limited to those of us in the immediate impact area of this development.

October 1, 2018

**Michael C. Robinson**

Admitted in Oregon

T: 503-796-3756

C: 503-407-2578

mrobinson@schwabe.com

**VIA E-MAIL**

Mayor Casey Ryan  
City of Troutdale City Council  
Troutdale City Hall  
219 East Historic Columbia River Highway  
Troutdale, OR 97060

RE: City of Troutdale File No. 18-017, “Eagle Ridge Apartments”, Application by Sheldon Development, LLC for Approval of Site Development Review, Lot Line Adjustment and Two Variance Applications to Allow Construction of 216 Multi-Family Dwelling Units at the Southeast Corner of NE 242<sup>nd</sup> Drive and SW Cherry Park Road in the A-2 Zoning District

Dear Mayor Ryan and Members of the Troutdale City Council:

This office represents Sheldon Development, LLC (the “Applicant”).

The Troutdale Planning Commissions (the “Planning Commission”) considered this Application at its public hearing on May 29, 2018. The City Council deferred action on the Application until after its final decision on the Comprehensive Plan Map and zoning map amendment.

The City Council approved the Comprehensive Plan map amendment from LDR and MDR to HDR and the zoning map amendment from R-5 and R-7 to A-2 its public hearing on August 28, 2018. No person appealed the City Council’s final decision. The ordinance approving the Comprehensive Plan map and zoning map amendment became effective on September 29, 2018.

The Application before the City Council is a “limited land use” decision as defined in ORS 197.015(12) and is subject to ORS 197.195(1). The Site Development Review Application is a “Needed Housing” application under ORS 197.303(1) because it proposes multi-family dwellings for rental. A Needed Housing application is subject to ORS 197.307(4) which provides that local governments may apply only clear and objective approval criteria to the application.

Troutdale Development Code (“TDC”) Section 6.900 is entitled “Site Development Review”. The applicable approval criteria are found in TDC 6.920.A and .B. The approval criteria for the variances are found in TDC 6.1300. The relevant approval criteria in TDC Chapter 8, “Site Orientation and Design Standards”, also apply to the Application.

Mayor Casey Ryan  
October 1, 2018  
Page 2

The City Council can find, as the Planning Commission did, that the Application has satisfied all of the relevant approval criteria by substantial evidence.

The Applicant respectfully requests that the City Council follow the Planning Commission's recommendation and approve the Application with the staff recommended conditions of approval.

Very truly yours,



Michael C. Robinson

MCR:jmh

Cc Mr. Chris Damgen (*via email*)  
Mr. Ed Tromkpe (*via email*)  
Mr. Carey Sheldon (*via email*)  
Mr. Andrew Tull (*via email*)

PDX\105310\241705\MCR\23980279.1

## **ORDER NO.**

### **AN ORDER APPROVING THE SITE DEVELOPMENT REVIEW AND VARIANCES FOR A PROPOSED DEVELOPMENT ON TWO PARCELS WITH AN APPROXIMATE TOTAL AREA OF 8.82 ACRES LOCATED AT THE INTERSECTION OF NE 242ND DRIVE AND SW CHERRY PARK ROAD.**

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

1. The Planning Commission held a hearing in this matter, File No. 18-017 on May 29, 2018 and forwarded a recommendation of approval to the City Council.
2. The City Council held a hearing on October 23 to take public testimony on the proposed site development and associated variances.
3. The City Council confirms the Planning Commission's recommendation and proposed findings as adopted on May 29, 2018.
4. The map amendment applications associated with this case file were approved by Ordinance No. 849 on August 28, 2018.
5. The Site Development Review criteria within TDC 6.900 are met.
6. The Variance criteria within TDC 6.1300 and associated with the request for relief from building setback standards are met.
7. The Variance criteria within TDC 6.1300 and associated with the request for relief from landscaping requirement standards are met.
8. The proposed Conditions of Approval associated with the Findings are confirmed to be adequate for the purpose of approving the application.

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

- Section 1. The Site Development Application, File No. 18-017, together with the associated Variances, and the associated Conditions of Approval as recommended by the Planning Commission, are hereby approved.
- Section 2. The Applicant may proceed to secure all relevant permits and approvals in order to develop the parcels in question, in compliance with the adopted Conditions of Approval, in accordance with the standards and timeframes

set forth within the Troutdale Development Code and all other regulatory standards adopted by the City and State of Oregon.

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

\_\_\_\_\_  
**Casey Ryan, Mayor**

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

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