

MINUTES
Troutdale City Council – Work Session
Troutdale City Hall – Council Chambers
104 SE Kibling Avenue
Troutdale, OR 97060-2099

Tuesday, December 13, 2005

1. ROLL CALL

Mayor Thalhofer called the meeting to order at 8:35pm.

PRESENT: Mayor Thalhofer, Councilor Gorsek, Councilor Ripma, Councilor Thomas, Councilor Canfield, Councilor Kyle, and Councilor Daoust.

ABSENT: None.

STAFF: John Anderson, City Administrator; Rich Faith, Community Development Director; Beth McCallum, Senior Planner, and Sarah Skroch, Office Support Specialist.

GUESTS: See Attached.

2. DISCUSSION: Policy discussion on the potential sale of the future City Hall site.

John Anderson, City Administrator stated this is the first opportunity for the City Council to respond to a letter you received dated November 7th from Larry Krause. He has been working with a couple of land owners on the west end of downtown and in doing that saw an opportunity for that to be configured with the City's property and asked how he might approach the City to see whether or not the City would consider selling that property. I told Mr. Krause that the best route would be to write a letter and make a presentation to Council. Larry is here tonight to speak to his letter.

Larry Krause of Krause Construction & Development stated the reason for my letter was to inquire about the possibility of purchasing the City's 1.76 acres. We are currently in negotiations with a couple of local property owners who have been to several City Council meetings. We have a project in mind that I think would benefit the City of Troutdale as a whole. We are willing to work with the City. Troutdale is a very viable area for development in the Portland Metro area. Troutdale is perhaps one of the last remaining underdeveloped areas. Considering the fact that Metro has somewhat controlled the urban growth boundary, property is getting to be a premium and we are very carefully studying outline areas such as Damascus. To have an overall comprehensive plan I think the City's property is a key ingredient. We are willing to work with the City so that we both can come up with something that everyone can be proud of. Fairview Village received some regional and national acclaim and I don't see why Troutdale couldn't do as well or maybe better. I think we have a vision that could be beneficial to everybody. We are here to negotiate a win/win situation. My forte

is land acquisition and development and I am affiliated with Palace Construction who is one of the largest builders around. I would like to introduce Dennis Kelley who is in charge of marketing for Palace Construction.

Dennis Kelley, representative of Palace Construction provided the Council with a handout (copy included in the packet). I just handed you a page from the Construction Monitor and I wanted to point out that it shows us as the number one ranked builder in this area. We have built more units than Centex, DR Horton, and Decal Homes. The reason that I am showing you that is to let you know that they have the capacity to design and the financial capacity to finish this project. I also provided you with some photos of some projects that we have done (copies included in the packet). The photo on the top of the last page is similar to what we would like to do in Troutdale.

Councilor Kyle asked where is the parking located?

Dennis Kelley replied most of the time we will do rear parking.

Councilor Kyle asked is there an alley behind the units?

Dennis Kelley replied it would be a private street or an alley.

Councilor Ripma asked are you planning to show us what you want to do?

Larry Krause replied at some point and time. We are willing to come up with some design standards or figure out what you want for design standards. We were at a work session here a month or month and a half ago. We want to have buildings that are 45' tall which is similar to Fairview. We are willing to work with the City. We were not really enamored with 16' widths. Personally I think 20' is more accommodating but you have to have a little bit of a mix. I know Neil Handy's point of view was how do you lay out 16' units on a 50' lot. There is some give and take. We are here to work with the City and make this work right. We will listen to you.

Councilor Ripma stated I thought maybe you would be showing us something in the way of an outline.

Larry Krause replied it's kind of early. I guess we want to know whether the City wants to sell their property first. We could have another work session and come up with something. We are here to tell you who we are and what we want to do and we want to know what you would like to see.

John Anderson stated I simply explained that we hadn't had a conversation in which that property would be discussed as being available so I thought it would be a two-step process. First, would you consider it and if you answer yes then we could take a follow-up step. I didn't want them spending a lot of time if there was no interest on the part of the council.

Councilor Ripma stated you brought it up at budget time and we discussed it and we said no and now you want us to change our mind in the face of no information. Why is it a two-step

process? I am interested in what they are saying and I appreciate the quality of work they do and you made some reference to some commercial along the main street, is the rest of it all going to be housing? Is that the plan? I am not interesting in selling in the absence of information about what is even being proposed. They could build housing on Windust's and Handy's property very nicely and I think that would be an asset to the community. I appreciate what you are saying. Whether City owned property is going to be offered or not in the absence of any information about what they are going to do, I can't answer that.

John Anderson stated that is a fair question. I was approaching it as you did indeed say it is not for sale. So when they approached me I said the answer is no and if you want to entertain your request and present it to Council you can do that. Council can decide yes or no. You can ask them to bring you more information and then decide yes or no. You can handle this any way you would like. It is just a request on their part.

Councilor Ripma stated I say bring us more information.

Councilor Gorsek stated lets think about the Columbia River Highway stretch. How difficult would it be to try and make sure that we did something that would complement what has been done on the north side?

Larry Krause replied the City's property being so far set back off of the main street that is ideally suited for more residential. The Handy property is on the main street and that is suited for commercial. We are happy to work with you with the design standards. Obviously the Columbia River Highway lends itself to more of a commercial application.

Councilor Thomas asked the 1.7 acres does that include the City Conference Building?

John Anderson replied yes.

Councilor Canfield stated I think that it is always in the City's best interest to not be up for grabs but open for offers. We should be willing to listen and look to see what you have proposed. I do think we should look at selling this land and explore the options that could or could not be available.

Councilor Kyle agreed with looking at some more information.

Councilor Daoust stated one question I have is if the City would have any use for the property. I really don't see much of a use for the building itself. I don't know if there are other uses that the City would have for the property.

John Anderson stated it was part of the original Town Center Plan to put the City Hall there and possibly a library. Both of those have problematic financing. We don't have a full blown 15-year facilities plan, so one of the things you could expect from staff is to try and analyze what our space needs are and how things would fit together. That would be part of what we would bring back.

Councilor Daoust stated that is good. One of the questions that I would need answered is what the City would plan for that property if we kept it. I am completely open to selling it if there is no beneficial need for the City to keep it.

Councilor Ripma stated I want more information but I am open as most of us have said. I don't have a good idea of what they are planning to do with it except for one photo they showed us of a development in Gresham.

Dennis Kelley stated we could come back with a plan at a future meeting so that you can see the overall plan of the property and perhaps have a library in that area, something that could be used by the other residents.

Mayor Thalhoffer asked is it the consensus that we are interested in talking?

Council agreed.

Mayor Thalhoffer stated you could bring us some preliminary sketches without spending a lot of money and we can schedule another work session.

Councilor Thomas asked how much time would staff need to do the needs analysis?

John Anderson replied I can't give you an estimate this evening. We will have to sit down and talk about it at staff level and then we can talk to the potential developer and report to you at a subsequent meeting.

Mayor Thalhoffer stated we will move on this as soon as we can.

3. DISCUSSION: A discussion on the proposed Troutdale Development Code amendments (Text Amendment No. 36) pertaining to standards for the Town Center Zoning Districts.

Rich Faith, Community Development Director stated this is a continuation of the last work session that we held on November 1st. The amendments to the Development Code were introduced on September 27th and a second hearing was held on October 11th at which time Neil Handy and Frank Windust submitted a letter asking the Council to postpone action and to further review the proposed amendments. There was also testimony that Frank Windust offered at the October 11th public hearing in which he focused on some of the dimensional standards for the Central Business District (CBD) and the Town Center Zoning. On the basis of the testimony that evening Council did decide to postpone action and hold a work session on November 1st. After quite a bit of discussion, and a PowerPoint presentation, about some of the finer aspects of rowhouse developments, the Council finally settled on some changes that they wanted to consider and asked me to draft up the changes based upon the directives. The issue was primarily dimensional standards for rowhouse development in the CBD and in the Town Center area as well. Here are the changes that the Council asked me to draft. Reduce the minimum lot width to 16' with a second option for consideration of a minimum 16' lot width with a 20' average. There was no proposed change in the minimum lot depth. For the minimum lot area it was assumed that there would not be any change, however that is based upon the dimensions of the lot and as I get into more of the specifics

about the changes I will mention the lot area change that has occurred. Maximum density would remain unchanged. Maximum height would remain unchanged. Minimum frontage setback is currently at 20' to garage, 15' to front door and 10' to front porch. I was directed to adjust those down if there is rear alley access to 10' to front door and 5' to front porch. The proposed side yard setback for the end units was also to remain unchanged but be adjusted for topography. The minimum street-side setback which was proposed at 5' the change requested was to eliminate that entirely and go to zero street-side setback. Finally with respect to the rear setback that was also to remain unchanged but it would be adjusted for topography as well. I did draft those changes as directed but before bringing those back to you I felt it would be prudent to run those by Mr. Handy and Mr. Windust and give them a chance to take a look and see if they fit into their expectations. As a result of that Neil Handy and I got into a couple of lengthy discussions about the language that I had drafted. During the course of those discussions some new issues came up that Neil wanted to emphasize. We attempted to work those out amicably but we have reached an impasse and basically I think that we decided that if he felt as strongly as he does about making these other changes that perhaps it would be better to bring this back to the Council at a work session and allow him to make his case before we actually schedule another hearing. In the meantime other events have taken place. On December 1st city staff held a pre-application conference with the perspective developers of the Marino block here in the downtown. We discussed what they would like to do under the current standards and how that compares to the proposed standards. It also raised some flags in their minds as well and they felt that it might be advantageous for them to come to the work session and speak to the amendments as they now stand and offer some comment on them. They are here tonight as well. I would like to quickly run through the changes in the Code amendments as a result of the last work session. I have provided those as Exhibit A to my staff report. The proposed amendments from the November 1st work session are double-underlined and if any language is being deleted it is shown with a line through it. In the CBD, which is on pages 1 through 6 of Exhibit A, the key here is the minimum lot width. On page 1 under the dimensional standards the proposal does show a change of a 16' minimum lot width. There is however the Option 2 language which also allows for a 16' minimum lot width except that the average lot width for a land division shall not be less than 20'. Page 2 deals with the street frontage and because we are allowing smaller or reduced lot widths, you also need to adjust the street frontage standard, so rather than the standard of 20' we need to grant the exception to go down to 16' for lots specifically created for the construction of individual duplex, triplex or attached dwelling units. There is also some Option 2 language here that you will see which simply says the minimum of 16' as the minimum street frontage. It is a very subtle but significant difference. The first language there which is a minimum 20' except for lots specifically created for the construction of individual duplex, triplex or attached dwelling units, would mean that if you want to do a mixed-use lot with commercial on the bottom and residential above then you are back to a 20' lot width. By the same token if you wanted to do strictly a commercial lot then you are limited to a 20' minimum lot width. If you are doing exclusively residential you would then be allowed to go down to the 16' minimum. The Option 2 language takes that away and says it doesn't matter what the use is in the CBD you would be allowed to create a lot at 16'. On page 3 looking at the front setback standard, this reflects the change if there is alley access. As you can see there is new language that specifies that if there is alley access then the minimum frontage would be 10' to the front façade of the residential unit and 5' to the front porch. Also on page 3 we have changes to the side yard

setback. You can see the adjustment to the 15' side yard standard based upon topography. Basically what this allows is that you can reduce that 15' side yard setback when you are abutting a rear yard to 10' provided that the highest point of the roof is no more than 15' above the highest grade at the common property line. We will have a presentation following my report that will show you illustratively how that plays out. Under the street side yard setback you can see where we have eliminated the 5' setback and it is now proposed as zero street side yard setback. Page 4 is where we get into the rear yard setback standard and here again it is adjusted for topography when the subject property is lower in grade than the property behind it. Where the normal standard would be 15' and 20' depending on the number of stories of the structure, we make an adjustment to reduce that down to 10' for single story and 15' for two stories and greater provided that the highest point of the roof is no more than 15' above the highest grade at the common property line. Under the density standard on the bottom of page 4, given that we are going to the smaller lot sizes because of the reduced lot width, it seem to make sense to me that we would also then reduce down the maximum density standard. For multiple units on an individual lot we currently had proposed a maximum residential density of one dwelling unit per 2,000 square feet, we are now proposing that would go down to one dwelling unit per 1,500 square feet. Again that is consistent with the fact that we are going to be creating smaller individual lots, higher density for rowhouses on individual lots. That covers the changes in the CBD. It was also necessary to make similar changes in some of the other zones that are within the Town Center Overlay. For example on page 8 we have in the Neighborhood Commercial District (NC) a similar exception for individual lots that are created, rather than the 20' minimum it has an exception for 16' wide minimums when you are talking about rowhouse construction. Similar change is found on page 10, which is part of the Mixed Office/Housing district (MO/H). There again is an adjustment to allow for the 16' wide rowhouse lots. In the Town Center Overlay district, again for consistency, the same exception has been made for the 16' wide rowhouse lots, that is found on pages 13 and 14, specifically in the dimensional standards for the A-2, R-4 and R-5 districts. Again this is all so that everything fits together in terms of the consistency of the changes. The last change is in Chapter 7, the Land Division Chapter, which is really our base standard as far as minimum frontage of 20'. It is necessary to make an adjustment here as well to account for the smaller lots that we are allowing to be created in the Town Center. The language here does allow for the smaller lots in any specific zone where it specifies a lot frontage less than 20'. The one other piece that is not in the set of amendments that you have pertains to the clear vision triangle area on any corner lot. We do have a section of the code that deals with maintaining clear vision triangles. Because we are allowing for the smaller lot widths and particularly now that we are, in the CBD, proposing that there is no street side yard setback, effectively the unit can built right on the property line or the right-of-way line, it is going to be very difficult to meet any kind of a clear vision standard. So we are going to be proposing changes in the section of the code that deals with the clear vision triangle. We have been working on that and it is still in the evolving stages. I do have a preliminary draft if time permits tonight and you want to look at that I am prepared to hand that out. It is my hope and desire that we would be able to incorporate that in the entire set of amendments that will come back to you for a final hearing.

Beth McCallum, Senior Planner showed the Council a PowerPoint Presentation (a copy of the presentation is included in the packet).

Beth McCallum stated we have attempted to sketch out what this might look like on some real pieces of property. Keep in mind that these sketches are not surveys.

Rich Faith stated it might be helpful if you refer to the proposed text on page 4 of the amendments. We are going to be focusing on the rear yard setback in the CBD and the double underlined text in the middle of page 4 is what we are going to try to illustrate in terms of how that looks on the ground.

Beth McCallum stated based upon the draft language I looked at the topographic map of two pieces of real estate in Troutdale. Slide 1 shows SW 4th looking north and shows that there are two different zones, the CBD zoned property to the north of the R-5 zoned property. The topographic lines where they are closer together represents the steeper areas of the property. Point A on the drawing is the point at which the common property lines intersect at the highest elevation on the properties. Point B on the drawing is a 20' setback point from the common property line. Point C is a 15' setback. The site that we are using is Frank Windust's property located at Kendall and 4th Street which abuts residential zones. (The next three slides are photos of Mr. Windust's property and show the approximate location of Point A, the common side yard property line and the common rear property line.) From these photos you can really see the difference in the grade. Kendall, which is the cul-de-sac to the north of these properties, is at about an elevation of 97' based upon the maps I looked at and the highest point of intersection of these common rear property lines is about 126'. Slide 7 is the topo map and a cross-section topo map. I have sketched in a reference elevation, the contours that would follow, and the approximate location of Mrs. Sutherland's home and the approximate elevation of 4th Street. Point A is that imaginary point on the common rear property lines. Point B is the 20' setback. This building is a sketch that was taken from a prior site and design review application that shows you that by code the height of the building is actually based on the average adjacent grade to that building. The map shows where the 35' is measured from. At the common rear property line with a 20' setback, a 35' high townhouse extends above Point A about 24'. From the driveway side the building is 40' in height. A three-story building could easily be built 20' away in compliance with the minimum standard.

Rich Faith stated the point that Beth is trying to make is that if you built to the maximum height allowed, which is 35', on this site and if you set it at Point B (20') then it is going to be approximately 24' higher than the high point at the shared property line.

Councilor Daoust asked and our standard says no more than 15'?

Rich Faith stated that is the proposal.

Beth McCallum stated if you move the building 5' closer.

Rich Faith stated and we are going to take the next step and see what that means in terms of having to lower the height of the building to meet that.

Neil Handy asked what if there is break, how high can that building be?

Beth McCallum asked do you mean if it was all flat?

Neil Handy replied yes.

Beth McCallum replied it would be 35'.

Neil Handy asked why would we restrict it lower than what it could be if it was normal flat ground?

Beth McCallum replied because by definition in the Code, building height for land development is measured from the average adjacent grade to the highest point of the building not the shortest grade and not the deepest grade.

Neil Handy stated but the height of the building in relationship to that other house on flat ground is higher than the other building.

Rich Faith stated I think what you are asking is if this were flat property all the way across you could build a 35' high structure and it would be 20' away from that house but it would be 35' high in relation to that house, and with the topography difference we are saying that if you want to be closer than 20' then you are going to have to drop down the size of the building if we are trying to adjust for topography. But it would be a much worse situation if it was flat ground and they were to build a 35' high structure 20' from the property line.

Neil Handy stated you have no mechanism in the Code now to do exactly that, so why are we doing it with this scenario?

Rich Faith replied because to be honest Neil there are a number of different ways to adjust setbacks based upon topography. There is no magic formula; there is no one way to do it. I was told to allow it to be closer to the uphill property without any specifics about how to make that adjustment. So in my mind it was, if you want to build closer to the property line than the required 20' then we need to take into account the impact of the scale of that structure being closer to the higher house and you would have to make an adjustment in terms of how you relate to that other structure. That is just one way of thinking.

Beth McCallum stated if you refer to the slides it might help to visualize this. If you look at slide 10, it is a composite showing a building built 15' from the property line and has a height measured straight across from that common property line of only 15'. It also shows the other structure from slide 7 sketched in behind it. If this structure is built so that it is only 15' in height as measured from Point A (highest point at the common rear property line) straight across, then the maximum building height possible isn't the 35', it does drop to 26'. In this example the height from the driveway to the highest point would be about 30'. So it drops about 9' in height. I took a guess that you would probably end up with a two-story building with a loft or an attic as opposed to a three-story building like Frank Windust built right behind City Hall (see slide 9). Based upon his site and design review architectural drawings this is about 26' (side view shown on slide 9) and at the driveway level it is about 32½', so these buildings are not even at the maximum height allowed in the zone. These are just shown as an example for comparison. If he wanted to build that exact same product on this property

likely it could fit at that 20' setback. Topography is different for each lot and each situation so if my figures are correct the maximum building height could only be about 26', but what is different is from the driveway to the highest peak is 30' whereas in Frank's existing buildings it is about 32½'. Remembering that these are not surveyed or architecturally perfected drawings, but likely at the 15' offset on this particular lot he couldn't duplicate exactly what he has built behind City Hall. There would be some loss of height there.

Councilor Daoust asked what is the basis of the 15' in height? Where did that come from?

Rich Faith replied that is just the number we came up with, there is no science to it. It was a number that we picked that seemed like a reasonable number.

Frank Windust stated you are trying to protect the view for the people behind me. Is there something that says there is view protection? No one else has ever had to do that around here.

Mari Hunt interrupted and stated I know exactly what you are doing ...

Mayor Thalhofer called for point of order. Mr. Windust would you like to finish your statement.

Frank Windust stated I would like to go back to the fact that the property was zoned C-2 at one time and there was a 10' setback. Then the City rezoned that because four people wanted it rezoned from C-2 to residential R-5 and I wasn't notified and I didn't know it happened at the time. I guess the City didn't have to give notification on those kinds of things back at that time, but they do now. So they changed it without me knowing or I would have been objecting to that increase in the setback to 15' and now they are trying to go to 20'. I have said that I can make the 15' work, I could probably go to court and get it at 10' but I said I will cut the difference with you and instead of 20' I will go along with 15'. I can't live with 20' because you can't build three-story across there.

Mari Hunt stated I am one of the property owners that Frank was referring to as blocking my view. First of all, he is right the property that I now own at one point before I moved there was zoned commercial. I wasn't there but I am sure that Zelma can tell you that it was residential when she had it and it was sneakily, without her knowledge, zoned commercial by Mr. Windust according to what he told me himself. Then the four neighbors found out that behind their back they got that commercial put through and they came to the City and said we weren't even notified and that is not right, so it was zoned back to residential. If his argument is that it was once commercial and that is why he should be allowed, he has already taken the 5', you gave him that. Mr. Windust had some developers that you talked to earlier that were going to come in and they wanted two-story, which is for the community to do something to beautify the community and make it pleasant looking. Now, not only does he want to change what we have already put in place and go back on the 15' and push our line back more because it was 20', now he also wants to mess with our view. The reason he is doing that is because the City has a 30' ceiling on the height and he wants to measure going down because he now has new developers. The old developers he was going to have to give up some commission so now he has someone that he doesn't have to give up his

commission to, so now he is changing the whole plan and trying to get everything changed over by intimidating everybody into doing what he wants. I hope that the Council will hold on to what we had originally and not take these homes and shove them into our back yards. I would like to enjoy my back yard. Where are my rights? I am just asking for the 20' to be able to enjoy my yard with my children just like Zelma and the other property owners would like to do.

Councilor Gorsek asked we have some other developer here and they were talking about the whole parcel, are we talking about other developers also for the same piece of land?

Frank Windust stated I have not offered my property to the earlier developers that were here. They have come in here and indicated to you folks that we have cut some kind of deal with them and we have not. They were kind of jumping the gun and I think you should know that. My property is not on the market for sale. It will not go on the market for sale until this thing is straightened out because I will go to court on that before I will ever sale that property. That devalues my property tremendously and the city's property because the city will have to have additional setbacks as well and it is totally unnecessary. Ms. Hunt who has just spoke has told me that as soon as that property is developed she is going to come in and rezone that property to office and that is what it should be...

Mari Hunt interrupted and stated that is not true...

Mayor Thalhofer called for point of order.

Frank Windust stated I leveled the site out and made a good developable site in your downtown area and you purchased part of. It use to slope all the way right up to her fence line. At that time I could have built two or three stories right in front and could have gone clear above their house. I lowered it. One and a half stories are going to be below her fence line. You can not build two stories back up to that bank. If you look at my units above here, the first story is going to be into the bank so all you have on the first story is a garage and a room with no windows, which doesn't qualify as a bedroom. The second story will have to have the living room, kitchen, two bathrooms and a couple of bedrooms on one story. You are going to have to build them 40' wide, what is wrong with their thinking on this stuff? You can not build two stories on that, it has to be three stories. It just doesn't make sense and its not fair to start with. I have as much right to that view as those people behind me, just like the ones that are being built up here off of 2nd Street right now, they are three stories and just like I built up above. It seems as if your planners are trying to protect the view for two people in this town and it is unfair and I think a court would look at it that way too. I'm getting beat up on this thing and I am not going to be beat up on it any more. It is not for sale until this thing gets resolved. When we had that last meeting I thought that matter had been straightened out and everybody here, all except for one councilor, said back off on these restrictions. Rich went back to the drawing board and didn't back off on all of those restrictions. I thought we had it resolved, but it certainly has not been resolved.

Mayor Thalhofer asked what do you have to say to that Mr. Faith?

Rich Faith stated let me offer some rebuttal. Lets first talk about where this notion of a 20' rear setback in the CBD when you are backing up to residential zone came from. It didn't come out of a spur of the moment decision as we were amending the CBD. That standard is a carryover from what would be called transitional or buffer setbacks that was established first and foremost when the proposed development took place on Cherry Park Road and the neighbors were upset because there was going to be a three-story facility behind them. Because of the outcry against that Council directed me, through the Citizens Advisory Committee (CAC) and the Planning Commission (PC) to take a look at transitional setbacks to soften the impact of larger scale higher units. The result was that we came up with this transitional zoning and the standard that currently exists in the Code which primarily rests in the A-2 district. For a rear yard setback in the A-2 district for two-story and greater construction that abuts another residential zoning district other than A-2 is one and a half times the minimum rear yard setback of the adjoining residential district but not less than 20'. The standard of 20' is currently in the Code. It was done in order to deal with this very situation of higher scale residential units adjacent to residential zones. I simply took that standard and built it into the CBD because it already exists. So that is where the starting point came from. Now we are at a point of trying to make adjustments of that 20' setback standard for topography differences. Council said okay Rich work some magic, adjust it somehow. I have done that, I have taken a stab at it. There are a number of different ways I could have written this. Maybe I should have come back with three options. I came back with one. I ran it by these guys and obviously they don't like it. It isn't being done as a conspiracy against anyone, it was an honest attempt to try and adjust it.

Frank Windust stated I would like to bring up one other thing. He mentioned it early on, the reason for this was because of the Handy building built up there on top of the hill next to some single-family residential homes. Okay, that is flat land. I am one and a half stories down below. It is not like it is three-stories above, so it doesn't have any affect. I am only asking to build a story and a half above my grade up there that I use to be at when I bought the property. I know that we can get an engineer to draw this stuff up. I will hire someone to go out there and shoot the topography and lay the whole thing out if that will help you guys. But it is not going to affect the view of the people up above; I have already checked it out. The top of the roof is only going to be at about the basement floor, it is not going to affect their view. But it sounds like you are trying to protect their view.

Zelma Sutherland stated I live on SW 4th Street adjacent to Mr. Windust's property. He is objecting to the 20' setback. I am not objecting. I am the one that has to live there after he builds all of these three-story or two-story buildings, then he goes quietly up to Corbett and lives in his house. I have the livability, he has the building and the money. I have lived in this house for 39 years and I have lived in Troutdale since 1940. So you can draw your conclusions, but I am very unhappy. I want the 20' setback, I have to live with those people when he builds.

Mayor Thalhofer stated the majority of this Council has been very concerned about existing neighborhoods, so we understand what you are saying. We are trying to figure out what is what here and as far as I can tell right now we are going to have a difficult decision.

Councilor Daoust asked Frank, whether the three-story buildings are set 20' back or 15' back, the height of the buildings would be the same wouldn't they?

Frank Windust replied yes the height of the building would be the same.

Councilor Daoust stated I think staff did a good job of incorporating all that we asked for except they added the height restriction and I guess that is what you are complaining about.

Frank Windust stated the setback is what I am complaining about. I don't know where this height came from. I am not going to be blocking anyone's view and that is what they are trying to make it sound like.

Councilor Daoust stated the thing that keeps going through my head is if you are 20' away you can build a three-story building and you are going to block their view more.

Frank Windust stated I have been up there in the living room of Mari Hunt's house and that is so high above, if you look straight out you look over the top of the town and the top of the units. The view is over at the mountains in Washington.

Councilor Daoust asked is it a true statement Rich that if we live with the 15' setback and add a height restriction he could only build a two-story building?

Rich Faith replied I asked Neil Handy if the way this was written whether Frank would be able to build units similar to what he built on 2nd and meet this standard. I thought that Neil said yes he could but he still isn't happy.

Councilor Daoust asked if we kept the 20' setback he could build a three-story...

Frank Windust interrupted yeah and then have to haul in 100,000 or 200,000 yards of dirt to fill in. When all the time I have been told 10' then you up it to 15' and now he is changing it to 20'.

Councilor Gorsek asked is that true what Mr. Windust is saying Rich?

Rich Faith replied that was before my time so I don't know what was stated at the time.

Councilor Thomas stated the real challenge here is the fact that it is in the CBD and not a residential area. If that was a residential area then he could go to 30' without a problem.

Rich Faith stated if he was adjoining other CBD or MO/H then it wouldn't be an issue because you would be under a different setback.

Councilor Thomas stated I guess what I was thinking when we were talking about taking the elevation change into account was to essentially maintain the building height but be able to incorporate it backwards accounting for that slope. That is what I was thinking but that is not what you came back with. In other words you would still have 10' and 30' but because there is a 12' or 15' drop you take that into account when it comes back, it is kind of leveling out the

property. In other words I am applying the same rules as if it were level property but kind of taking that into account, so that you meet the transitional setback but if you have a 15' drop in the property coming back another 5' doesn't make that much difference.

Rich Faith stated so if we were going to say that instead of a 20' rear yard setback it can be reduced to 15' as long as what? As long as the highest point of the shared rear property line is at least 10' higher than the grade of the structure that is going to be built. Is that the idea? In other words, are you saying lets allows this to go from a 20' to a 15' as shown here from Point B to Point C, and that is doable as long as this point here is a certain distance, height, more than what, this point here? What point do we measure from to say if the property difference is 10' or more, if you can help me define that I will write it.

Councilor Thomas stated lets look at it the other way. If we set the transitional setback and you were going to build on a flat piece of property, a commercial zone next to a residential zone, if you want to build 30' high you have to be 20' away from the property line.

Rich Faith replied that is right for two-story or greater.

Councilor Thomas stated so if I backed it up to 15' then how high can I build?

Rich Faith replied under the standard it would have to be a single-story.

Councilor Thomas stated I guess the question I am asking is because of topography it has already reduced the height of the structure by 15' because of the elevation, what I was thinking is we would take that into account.

Rich Faith replied exactly. In other words what you are saying is there is a difference in the elevation from this point to somewhere, maybe the midpoint of this...

Councilor Thomas stated the front.

Rich Faith stated okay lets say it is the front of the structure, and lets say as long as this point is 10' higher than this point then you can be set back 5' closer. Is that what you are trying to get at?

Multiple conversations.

John Anderson stated it seems as though the fact that our code has it measured from the middle, having a slope is a detriment not an asset. If it was flat ground you could have 35' if you had a 20' setback. Wherever that point is it seems like they ought to be able to expand up to that. That is what I think people are thinking but for some reason because we have to measure from the middle of the building you lose that advantage. So you are trying to say what ever that maximum point is, if you say it is currently at the 20' setback if it is level ground you could build it this high, why can't you get the advantage of the drop? We are not getting that in the methodology we are using.

Councilor Thomas stated the other thing is even if I was 20' away and I built 35' high, considering it is open land if I came back to 15' or 10' and the view doesn't change from the property based on the angle, then what have I hurt?

Councilor Daoust stated that was my point.

Councilor Daoust stated what about if we stated the standard like this: we have a 20' setback, but you can have a 15' setback if you maintain the same height of the building as if it were placed at a 20' setback. In other words you can adjust the building back 5' if you want as long as you maintain the same height that it would be at a 20' setback.

John Anderson stated I think you need to add, assuming flat topography at the 20' setback you get 35'. What ever that point is as long as you don't exceed that you can move back a little bit. On a flat ground that is the worse case scenario. You have flat ground, 20' back there is a point that is 35' above that, what ever that point is if you move back and don't exceed that you are staying under the standard.

Councilor Thomas stated it would establish the sightline.

Councilor Daoust stated I think John is saying the same thing that I was saying.

John Anderson stated I think you have to assume flat ground because other wise the points constantly moving. Flat ground, 20' setback, that is the current setback, what ever that 35' height point is, where ever that is you can move closer to that back yard line as long as you don't exceed that.

Councilor Daoust stated just keep the same height.

Councilor Thomas stated as long as you are not losing the view.

Councilor Daoust stated you won't. It would be no impact on your view if he kept the same height of the building.

Zelma Sutherland stated it is not my view, it is the people that I will have to live next to. Rowhouses, apartments...

Multiple people talking, inaudible.

Mayor Thalhofer called for point of order. We need to talk one at a time please. Ms. Sutherland do you want to say something?

Zelma Sutherland I have nothing further to say.

Councilor Gorsek asked Mr. Windust, we are not talking about apartments buildings are we?

Frank Windust replied no, condos.

Councilor Gorsek asked how much do they cost?

Frank Windust replied probably \$250,000.

Councilor Gorsek stated I am trying to allay Ms. Sutherland's fear that this will be cut-rate construction, and that is not the case at all.

Councilor Thomas stated Frank said he could live with the 15'.

Frank Windust stated yes, I could live with the 15'.

Councilor Thomas stated and if we go no closer than 15' I think that gives us some flexibility.

Mayor Thalsofer stated yes.

Beth McCallum stated that is also one of the questions before you in the proposed text amendments. Should we be allowing platted rowhouses or condominiums, attached rowhouses as a permitted use in the CBD? They are currently not even allowed in the CBD. So that is another part of the equation before you, not just the height and the setbacks. Right now only commercial buildings with apartments above them or live to work type of buildings with commercial on the ground floor and your apartment up above are permitted. So there is another complement to this whole discussion that is part of the text amendments before you. Right now this type of development couldn't occur in the CBD.

Councilor Gorsek asked where is that in the amendments?

Rich Faith replied if you go to page 1 of Exhibit A, under the CBD it is right at the top under permitted uses. It is adding attached duplex or triplex dwelling either on the same lot or separate lots. This is one of the changes that has been proposed to appease Mr. Windust.

Multiple conversations, inaudible.

Mayor Thalsofer called for point of order.

Councilor Gorsek stated that aside, isn't it true though that a lot of cities have begun to realize that for the downtown to function better, housing in and around is very advantageous?

Rich Faith replied absolutely.

Councilor Gorsek stated so while this may help Mr. Windust, it also will help downtown won't it?

Rich Faith replied I think there is a general agreement that to have a vital downtown you have to have people that are living there.

Councilor Gorsek stated because otherwise if they are not there they are not using the services. That was the problem in Portland in 1960. So in that sense it is a very valuable thing to want to make that change.

Rich Faith stated I certainly have no objection to it and I haven't sensed that anyone else has an objection to it.

Beth McCallum stated I brought that up because the setbacks are an important component of this. If we entertain this use then we have to have setbacks that go with the use. Right now if you build a commercial building on there you do have the sliding scale setback because it is abutting a residential zone. So do we apply that same notion to the residential abutting residential?

Mayor Thalhoffer asked the Council what direction they would like to go?

Councilor Ripma stated I think we have demonstrated that we can't do this kind of complicated calculating at a Council work session. Frankly it should go through the Planning Commission and Citizens Advisory Committee process. I have been listening for two hours and to tell you the truth the idea that a yard, because it is at the bottom of a cliff, ought to be narrower and shorter is just bizarre. Does any one think about the livability of this? You are planning on having no back yard except a cliff. Where is the reasoning in that? This is not about view; it has never been about view. It is about the adjacent looming buildings next to residential. I see the concept of a hill being taken into account. You have discussed all kinds of calculations here and we are getting no where.

Mayor Thalhoffer agreed.

Councilor Gorsek stated I think Councilor Daoust and Councilor Thomas had a good solution to this. There are people who want to live with no back yards. All you have to do is look at Morgan Meadows. People have bought those houses like crazy.

Mayor Thalhoffer stated we need to give staff some direction.

Rich Faith stated I think the only thing we are hung up on is adjustment for topography. I took a stab at it and came back with something less than what you were looking for perhaps. I need further direction on what you would like to see and maybe even the wording that will get us there and that is what I will bring back.

Councilor Gorsek stated my suggestion is that we use Councilor Daoust's and Councilor Thomas' idea.

Councilor Thomas agreed.

John Anderson stated I was going to suggest that we do that and that staff confer with the two councilmembers to work out the nuts and bolts language so that we get close. The other point I want to make is there are a couple of other gentleman here that would like to speak to you this evening.

Councilor Ripma stated I would like some clarification on Councilor Daoust's proposal. Does it mean that if the building squeezes the back yard further down to 15' that the building gets shorter, is that what I am understanding.

Councilor Daoust stated it maintains the same height. It doesn't raise up the hill because the hill is raising up. It does not raise the building because of the topography is raising, it keeps the building down at the same level that it would be if it were 5' further away; I like the flat ground terminology. It keeps that same height.

Councilor Ripma asked and there is no limit on that, or is it 15'?

Councilor Thomas replied 15' is the limit.

Council asked staff if that is enough direction.

Rich Faith stated I have a concept and I will work on it.

Mayor Thalhoffer asked does the Council agree on the direction that we have given to staff?

Councilor Gorsek replied yes.

Council Ripam replied no.

Councilor Thomas replied yes.

Councilor Canfield replied yes.

Councilor Kyle replied the direction is fine, it doesn't mean that I will support it.

Councilor Daoust replied yes, it is what we came up with last time.

Mayor Thalhoffer asked is there anything else on this particular property?

Rich Faith replied not on this property. Assuming we are going to come back and make some changes, in terms of the other changes that I have presented tonight with option language, do you want me to keep that in the amendments?

Councilor Thomas stated the only piece that is in there that I don't care for is the 20' average.

John Anderson stated lets hear from the other people here and come back to that.

Councilor Gorsek stated I was going to say that because this is going like the transportation thing. I have a real issue with the snout house thing and we haven't talked about that a lot.

Rich Faith stated I believe we have Nick, Mike and George Diamond and they are the prospective purchasers of the Marino block and they have given us a preliminary plan of what

they would like to do. I think that they would like to address some of the proposed amendments in light of their proposal.

George Diamond stated my brother Mike, my son Nick and Mike Miller have been involved in some developments in the past. We like Troutdale and we are interested in trying to do something that would enhance the city. When we saw this property we were interested in doing something.

George Diamond gave the Council an overview of some projects they have done in the past.

George Diamond stated housing does belong downtown. We feel that if your downtown is going to get energized you have to have people living downtown and that makes people come down and enjoy the whole village type of affect. What Mike is going to talk about is with the current zoning that you have in place, we couldn't do this development. We couldn't do any development other than building something that is more suburban than urban. Your zoning doesn't allow an urban development with the size of the block that you have. I am going to let Mike get into those details of what we are looking for.

Council was provided with a copy of a sketch of the site they are interested in developing (Marino block).

Mike Miller with MGH stated I have been a planner for about 25 years and worked on a lot of town center developments in the Metro area. So I am very familiar with the Metro guidelines and town center development and what developers and buyers of homes in these communities are looking for. There is a lot of different things that we have to balance, the code, what the market is, the site and all kinds of other things. We are in the feasibility stage of this. We are real excited about working in Troutdale and we see a lot of opportunity here. We want to commend staff, we have received a lot of good information. I have never seen a more comprehensive packet then what we received here today from our pre-application meeting this month from Rich and Beth. We understand that you are going through a code revision. We have read through the current code and the amendments and we are trying to understand what that is. We know we are latecomers in this process. We would like to give you our input from our previous experience and based on this case study of what we would like to see to be able to make this work for all of us, not just this project or development but the whole city. We do believe that we need to bring residential into downtown and commercial and it is just not one or the other in any one part, but that we need some kind of mix. The overall challenge is to create urban density while maintaining the local village character. That sums up what we really want to do. We have to look at fifty different codes so everyday we are looking at different codes so we are very familiar with codes and what they mean and I think we can help you put this together. One thing that we know that is very important for a town center is density, actually having a minimum density. We recognize that most developers that I work for are battling minimum density and want to go with lower density because they want to build at suburban densities. We see the CBD as being a different kind of animal. We want to support higher densities and we want to bring housing down here. So we want to encourage you to have higher densities. We would suggest that one unit per 1,000 square feet would be appropriate and that would be consistent with Metro

guidelines for town centers, which is roughly forty residents per acre. The height, I think we are okay with the 35'.

George Diamond stated we should mention that in Lake Oswego we have 45' in height and there was no complaints and it fits in nice. 35' is restrictive if you want to have nice design. I don't know why it is 35' other than blocking views, but the way the block is set up it really doesn't work that way. You can be a little bit more creative with 45'.

Mike Miller stated on this particular site because it slopes up about 20' from Columbia River Highway to 2nd Street, and the frontage on Harlow and Dora if you are 35' on the bottom street if you go up 20' during that block we might only be 15' at the top. In order to get these kinds of densities we would probably need to be at the full height in order to achieve that. We think it is important to be at that height to be in the urban context.

Councilor Thomas are you talking about the 45'?

Mike Miller stated I think we are saying 35' on both frontages of the high and low street and allow some flexibility on Harlow and Dora. The last thing that we noticed is the condo open space requirement of 200 square feet per unit. For example if we have forty units on this block, which isn't unreasonable, and you apply 200 square feet of common open space per unit, you are looking at 8,000 square feet. That equates to 20% of the site being open space which would be counter productive for the density. These are the kinds of things that we wanted to bring to your attention so that we could develop this site in the right way and that is density, density and density, height and common open space.

George Diamond stated and lot size. The lot size is critical because right now I believe you are talking about an average of 20', that means that one unit is going to have to be 24'. That averaging doesn't work. There is nothing wrong with 16', 18' and 20'. The market should dictate that but if you try to average 20' then you are never going to have a 16' unit, not in an urban area. Also you can't have a property that is 70' deep. The way it reads now it is 16', average 20, so lets just say it is 18' by 70', if you do that math there is nothing left on the block. We can only build twelve units there if we are lucky. The twelve units doesn't create an urban environment plus it doesn't make it financially feasible. That is not really the criteria, the criteria is to try to create something that works and it doesn't work. What we are asking for is that we need to have flexibility where you don't have those kind of lot lines. You have to let the market dictate that. You shouldn't have any depth requirements because what we need to do is to come in and park your car in the back. I know there were comments about why wouldn't they want a back yard, some people do want that. The codes that you have right now, we can not build the project that you are looking at. And the proposed codes that you are reviewing would not allow us to build the project that you are looking at. We have to get rid of those setbacks.

Councilor Daoust stated I captured all of your points except the point you made about the common open space.

Mike Miller stated there are two different types of open space in your code. One is private open space, which might be a balcony or a deck. There is also common space which is

basically landscaping or lawn areas typically like you would see in a suburban subdivision like a mini park. There is a requirement that says that every unit have 200 square feet of common open space.

Councilor Thomas asked does that apply in the CBD?

Rich Faith stated it reads for multi-family and attached dwelling developments, so it does apply. If it contains six or more dwelling units our requirement is that you would need to preserve some common recreational space.

Councilor Daoust asked so your recommendation is to drop that.

Mike Miller replied we think that in the CBD you either have the concentrated urban block or a full park block, that is more typical.

Councilor Gorsek asked in some of the other zoning that you have looked at, would this common open space be similar or would it be the rare exception?

Mike Miller replied typically there is a dedicated park block or dedicated park space that is shared and maybe it is located in the center of the town.

Rich Faith stated I need to correct myself, the recreational standard doesn't apply if you are creating attached dwellings on individual lots. It only applies if you are talking about developments of six or more dwelling units on a single lot, like condos.

Nick Diamond stated that would still actually affect a lot of development in the CBD if on Columbia you did apartments or condos over retail, which I know is something that has been talked about, then you would have to find a space on that block for open space.

George Diamond stated I think that is a good point because we want that flexibility to have housing on top of the retail. I think it is real easy to say simplify everything, but really that is what you need to do.

Councilor Daoust stated so one of your proposals is to not have any lot depth requirement and let the market dictate it.

George Diamond replied yes.

Mayor Thalhoffer asked so what is the next step?

Mike Miller stated we can summarize this in a letter and submit it to Rich Faith for review and have you take a look at the code that results from that.

George Diamond stated there is one other thing that we should bring up and it doesn't have to do with the code amendments, but the bus is a real detriment to that property.

Mayor Thalhoffer stated we can fix that.

John Anderson stated we can approach Tri-Met and try to change that.

Councilor Daoust stated when I listen to these proposals they make sense for this particular piece of property, but what we have to consider is the whole CBD. These five points that they have made about the higher density, the height restriction, the common space, the lot size averaging not working and the lot depth, that makes sense here but we are talking about regulations for the whole CBD. Unless we restrict within a block of Historic Columbia River Highway we are willing to do certain things...

Mayor Thalhofer interrupted and asked Rich, can you come back with a plan that follows along with what they are talking about and what we are kind of talking about?

Rich Faith stated I would like to get in writing what Mike Miller has been talking about here and then I can take a look at that. I think that the one thing that we should remember is that there is another avenue. If all provisions of the code don't fit what you want to do we do have a plan development option. We know that the code can't fit every situation and if it doesn't fit you can ask for deviations for the underline standards through a planned development. We can't write a code that is going to anticipate every type of development and that is why we have the planned development provision.

Mayor Thalhofer asked Mr. Miller does that sound along the lines of what you were thinking.

Mike Miller replied I agree with what he is saying. However, there are some overriding standards that apply to planned developments also. I think density would be one of them as would height typically.

Rich Faith replied no, height is one that you could request a modification to. But yes, you still have to comply with the underlying density.

Mayor Thalhofer asked Max Maydew do you have anything to add.

Max Maydew stated the right way to do something like this is if you have a really good idea, come in with a planned development concept and it would go through the Planning Commission and City Council and if everybody likes it you are in.

Mayor Thalhofer asked is that doable from your standpoint Rich?

Rich Faith stated as far as the changes that they want, that would be the way that we would instruct anyone who says that you have these standards that don't quite fit our mold, we would tell them that they could propose a planned unit development. There are certain criteria that you have to meet but we do have a mechanism for you to get around some of those obstacles.

George Diamond asked what kind of timing are we looking at to take this through the process?

Beth McCallum asked for a planned development?

George Diamond asked the code changes. We don't own the property yet, we are in the process of buying the property but the property doesn't work the way it sits now, so there is a point of risk. It sounds like everyone is very open to do everything but things happen and things change. So the question I am asking is if we make a proposal how long will it take for you to approve the planned unit development so that we actually know what we are developing before we actually close on the property?

Rich Faith replied I think we would try to process it within the 120 days allowed under state law for land use applications. We have 120 days to process the application once we receive a full and complete application.

Councilor Thomas stated I am confused. So you are asking about the planned development versus the code changes you recommended?

George Diamond replied yes. This work session is for you to make some changes. So the question is are you going to make the changes prior to us closing on the property? I think he took it to the point where we were actually making application. When are you actually going to make the changes? Are you going to make some change prior to whatever we do?

Rich Faith stated I can comfortably say that we should be able to have this to Council by the end of January and assuming then that Council adopts the ordinance, it would take effect 30 days after adoption so we would be looking at the end of February when the new amendments go into effect.

Councilor Daoust asked could they submit a planned unit development without making any of the code changes that they are asking for?

Beth McCallum stated the use that they want right now hasn't been adopted.

Rich Faith stated the key amendment that they need to have is the same thing that Frank Windust is waiting on and that is adding attached housing on individual lots as a permitted use in the CBD.

Neil Handy stated what they are proposing is a good idea. Why don't we write the code that allows this to happen? I don't understand why we want to go through the planned development process and the variance process and all these other processes when we are all sitting around saying yeah, urban density, vibrant downtown, residential to support commercial activity and so on and we don't want to take the next step and write the code and make it happen.

Councilor Daoust stated here is an example Neil, a 45' height restriction might be okay within one block of Columbia River Highway but go back three or four blocks to the edge of the CBD and you may not want 45' heights.

Neil Handy stated nobody is going to build a 45' high building unless it makes sense. That is the whole point of this whole discussion. We can sit here all night and we can write a code this high and it doesn't make any difference because the market is going to determine what someone is going to put somewhere in the city.

Councilor Ripma stated your drawing shows the entire Marino block. My understanding is that it is not all for sale.

George Diamond stated that middle portion is not for sale, but he would consider selling to us. Mike just threw this together real quick. That is such a nice building that we would probably leave that building there and build on both sides of it. Also, on Columbia it shows residential but underneath that is retail. We don't plan on putting residential on the main street.

Councilor Ripma stated your sketch shows Columbia and it doesn't account for that existing building that isn't for sale now but they might sale and you may keep it. If we are going to make a rush to accommodate this plan we are not accommodating what is there on the ground and what will end up being there. We are all anxious for this to work. I think that Max Maydew gave you excellent advice. Lets realize that what they are showing here we are going to change all of our zoning to accommodate that, and it doesn't even accommodate what is really going to happen.

Councilor Gorsek stated but what Neil Handy said makes sense. If nothing else perhaps you could have a CBD within a CBD. In other words just from 257th to the end of the street one block in have a special zoning within the CBD that would allow for those things. I think those would be extremely important to a vibrant community.

Councilor Canfield stated that is a good point.

Mike Diamond stated what he just said is what they did in Lake Oswego. They identified three blocks in downtown Lake Oswego for high density mixed-use development. That basically encouraged redevelopment of the surrounding area after these three blocks were developed. You need to look at what your vision is for the whole area.

Mayor Thalsofer asked how do we make this happen and how do we make it happen as fast as we can?

George Diamond stated I think that the way it needs to happen is that Rich needs to get this to you and you need to give us some clear language that says what certain blocks or certain exceptions that you will allow. It would be nice to do it for the whole thing but if that is going to hang it up you can just take it block by block. It is still a risk for us but at least we know that there is some direction that you are open. What you have right now is too restrictive and nothing works.

Mayor Thalsofer asked can we fast track this particular block?

Rich Faith stated what I think is the easiest way to deal with this is to create a district that has no zoning restrictions whatsoever. Declare this block as a free for all zone so we don't have to contend with any zoning, just let the building code dictate, so the building code is all you have to comply with.

Several Councilors stated they could support that.

Rich Faith stated as long as you realize that if this property acquisition falls through and Mr. Marino still owns it then he can do anything he wants on that piece of property.

Councilor Daoust stated I think a logical conclusion and what I think I am hearing is that within one block of Historic Columbia River Highway we would be willing to live with the five or six points that he brought up.

Councilor Thomas stated that is really where we are at. A code free zone is wide open to too many things.

Mayor Thalhofer asked Rich do you have enough direction?

Rich Faith replied yes. I think the best way for me to proceed is to try and work off what we have built already and incorporate the ideas that these gentleman have mentioned tonight. If you are talking about creating another zone within the CBD that could take some time. But if we can incorporate these ideas and somehow say it in a way that gets us closer to where we want to be, I would like to tackle that.

Council agreed.

3. ADJOURNMENT:

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

Meeting adjourned at 11:09pm.

Paul Thalhofer, Mayor

Approved March 14, 2006

ATTEST:

Debbie Stickney, City Recorder