

Approval of bills: Kaiser, Dix, Cox

CITY OF TROUTDALE

AGENDA

City Council Meeting - December 14, 1976

1. Roll Call
2. Approval of Minutes, November 9, 1976
3. Approval of Bills: November and December 1976
4. Planning Commission Report + Dr. Frank Packard
5. Business Licenses
6. Jack Watanabe - General Development Plan and Zone Change to R-10-PD
7. Irma Platt - Zone Change to R-4
8. Zoning Ordinance Changes
9. Interim Land Use Controls - Administrative Check List.
10. Park Rules and Regulations Ordinance # 237 and Resolution #130
11. Appeal by Sweetbriar Homeowner's of Multi-Family Subdivision Request of Leavitt-NuPacific
12. Amending Ordinance #229 and Building Fees Section #1 - Ordinance #238
13. Appointment to Councilmen Mahoney's position
14. Council Discussion --
  - Business Income Tax
  - Building Appeals Board - Composition?
  - Back Hoe Replacement
  - Improvement Fee Distributions
15. Department Reports
16. Commissioner's Reports
17. Adjournment



AGENDA ITEM #7 - PLATT REZONE

Staff report by Mr. Murphy (see rezone folder). Slides presented as follows: #1 - on Stark Street looking south. #2 - looking at Platt house on private road near Stark. #3 - behind house looking at Sweetbriar School. #4 - looking west bound toward Troutdale Road. #5 - Elmer house next door showing tree boundary.

Mr. Jean noted that Platt home is in good condition and staff supports saving home as historical site. Mr. Fred Bean reported they would like to save house due to excellent construction, good support beams, ample living area, aluminum roof and sentimental attachment of family homestead. Developer wishes to preserve it also. Commissioner Kaiser asked Dr. Packard if Bill Elmer attended meeting. Noted Mr. Elmer's conversation with Mr. Bean, "Leave me alone! I have no objection, I'll leave alone". Mr. Bean said we have provided for old house on corner lot connecting to street from Elmer's property. Mr. Borst asked if all duplex use of that property. Staff replied no and that this seems to be the most well planned use of area next to Borst duplex property. Mr. Murphy stated R-4 PD not legal without proposed development plans. Mr. Jean advised zone changes should occur along street rather than rear neighbor properties. Design **review** requirements suggested for later date. Dr. Packard recommends R-4 at this stage with the conditions as stated in their reports.

Commissioner Kaiser moved to approve Tax lot 28, Section 1 F-2 to R-4 zone change with Planning Commission conditions 1-3.

YEAS: 4

Seconded by Commissioner Cox.

NAYS: 1 (Finegan) Motion carried.

AGENDA ITEM #8 - CHANGES IN THE ZONING ORDINANCE

Mr. Murphy read recommended changes as follows: (See attached). Council discussion of each item #1-5. Front yard, side yard, dwelling distance separating, preliminary plan process, and Board of adjustment appeal time from 10-30 days. Council supportive of these changes to the staff. New ordinance to be presented in January or February session at City Attorney's suggestion.

AGENDA ITEM #9 - INTERIM LAND CONTROLS

Map of open areas displayed. Mr. Jean reported concern over remaining F-2 agricultural lands to be retained by Comprehensive Plan. Consultant has cautioned that action may be necessary now. Several alternatives suggested such as: Land freeze large portions (19 acres and over), land freeze all lots of any size, case-by-case basis or no change at all. Neighborhood committee did not support total land freeze. Council discussion ensued. 14 goals of LCDC reviewed (See attached). Council supported land use changes be reviewed by a case-by-case basis as applicants apply. No land freeze support.

AGENDA ITEM #10 - PARK RULES

Staff noted ordinance posted under new charter revision approval at last election. Ordinance #237 title read by Mayor Robert Sturges. Council has reviewed ordinance each and every one present. City Recorder noted the Council has formerly adopted election results and amendment establishes immediate effective date. No need to read Ordinance in full.

Commissioner Kaiser moved to adopt Ordinance #237 Park Rules.

YEAS: 5

Seconded by Commissioner Cox.

NAYS: 0 Motion carried.

Resolution #130, Park fees and forms. Resolution read by Mayor Robert Sturges. Council discussed rules briefly.

Commissioner Kaiser moved to adopt Resolution #130.

YEAS: 5

Seconded by Commissioner Cox.

NAYS: 0 Motion carried.

AGENDA ITEM #1 - SWEETBRIAR PLATT APPEAL

Mr. Murphy read staff report. (See Plat Folder). Slides presented: #1 - Troutdale Road looking north to Stark Street intersection. #2 - Troutdale Road looking east. #3 - Troutdale Road looking Southeast to Sweetbriar development existing. #4 - Troutdale Road looking down Sweetbriar Lane. #5 - Standing in school yard looking west to Troutdale Road. Plat map passed throughout the Council and reviewed. Mr. Murphy continued report. Homeowner Association letter of appeal filed (see Sweetbriar plat folder) by attorney Jorgenson. Letter from Multnomah County and staff recommendations read. (see Sweetbriar File). City Attorney, Brian Freeman, addressed issues to be discussed which are preliminary plan and technical issues such as parking, street width, traffic patterns and improvements.

Break at 9:05 PM - Reconvened at 9:20 PM.

Proponent views by Attorney, Neil Jorgenson, on behalf of Sweetbriar Homeowners Association. Four issues of his letter increased traffic on 27' wide street, traffic hazard to school children, on street parking problem potential and plan discontinuous with neighborhood patterns of area. Intense multi-family dwellings along neighborhood collector not preferable but association wishes to work with developer striving to maintain neighborhood atmosphere existing there now. Homeowner Association president Fred Weissenfluh spoke noting concern for safety, traffic load, parking congestion. We measured street with cars parked on both sides which leaves only a 16' corridor for passing traffic. Plat street design should be reviewed. Mr. Weissenfluh presented 2 possible alternatives. One diagram proposed a 10' addition to street width with a divider of trees or bushes to act as a buffer between duplex and single family areas as well as traffic divider. Second proposal showed redesign of dwellings with backyards facing Sweetbriar Lane implementing existing cul-de-sacs extension into these units in original design. Mr. Jorgenson questioned if buffer barrier solving #4 item of his complaint and may alleviate traffic hazard item #2. Mr. Weissenfluh noted existing traffic hazard problem now without additional stress of duplexes. Discussion of island barrier of Mr. Weissenfluh diagram. Mr. Jorgenson asked if there were only alternatives. Mr. Weissenfluh said no these were only his suggestions.

Opponents: Mr. Ed Borst, Ex-Vice President of Nupacific. Our letter refers to a study commissioned of Carl Budke who clocked counted area. Daily volume 1,000-1,200 vehicle trips a day now. Eight duplex units would add 11 vehicles and increase 83-84 trips to 1130-1330 a day. Vehicle volume 5,000 considered hazard area. Relatively Sweetbriar Lane figures too low to create burden to street. Conclusion 8 duplexes or 16 units would not affect flow volume or create sizeable additional problems. We felt we presented best design not that there are no alternatives. Philip Thompson - designer stated duplexes are considered to be residential as opposed to multi-family units. We could lawfully build there. Seldom are they as dense as single family residents in 1.6 vehicle ratio. Center island concept presented no appropriate where driveways enter street. Addressing proposal 2 it appears to have several unbuildable lots and not on major collector no preferable in good designs; 83 vehicles increase by duplexes not considered a traffic hazard.

Mr. Weissenfluh interjected his intent was to erase traffic hazards. Mr. Thompson replied hazards would increase and he could see no improvement with barrier design. Mr. James Cox attorney presented a letter to council - (see Sweetbriar folder); stated land use issues already discussed during zone change and not appropriate now. This is an A 2 PD zone and we designed a satisfactory plat acceptable to the city standards. Island is not a good design for traffic flow and would create additional turn around problems as well as safety hazards. Parking problems would be increased also. The unbuildable lots on proposal 2 would not be acceptable to developer. I'm sympathetic to these people, however, their objections to duplexes incongruous to total development design at this stage. Total development half completed and a redesign of last half would be detrimental to total development concept.

Rebuttal Proponents: Mr. Jorgenson stated opposition to zoning not my intent. Width of this street have not been met and we object strenuously. We believe multi-family units will be inhabited by college residents less concerned with environmental and definitely would have denser traffic use of street than your figures indicate. General determination of area would seem inequitable and disagreeable to present land owners in the area.

Opponents: Mr. Borst read Mr. Dudke's credits naming several cities. He stated increased street width could bring higher speeds and more hazards. Mr. Murphy city planning coordinator, commented on adequacy of road stating his studies show 100 homes using Sweetbriar Lane times some 10 trips a day or 1,000 trips per day to 1,400. Planners in east county state road usage by families average 7 round trips or 14 trips a day. A 27' lane not in conformance with our proposed street standards. We would indicate a 32-36' street standard under these usage figures. Some 218 children at Sweetbriar school expected to double increasing bus use of street. Planning commission condition notes 2 spaces per unit making 4 spaces per lot necessary in plat design. Mr. Cox and staff replied city could prohibit on street parking although they understand it may be difficult to enforce. Twenty-seven foot street not exactly a country lane. Slides presented by the staff of compact cars parked on Sweetbriar lane show street width as well as sidewalks. Mr. Jorgenson rebuttal again stressing street width and traffic hazards evident. Discussion closed. Dr. Packard commented street width discussed at length.

Commissioner Kaiser moved to approve Sweetbriar plat with the condition that street be widened by 9' to total of 36' from Troutdale Road to school property encompassing plat boundaries.

Seconded by Commissioner Finegan  
YEAS: 4  
OBSTAIN: 1 (Althaus)  
NAYS: 0  
Motion carried.

AGENDA ITEM #12 - BUILDING FEES

Ordinance #238 read by Mayor Sturges. Discussion followed.

Commissioner Kaiser moved to approve ordinance 238 amending ordinance 229.

YEAS: 5

Seconded by Commissioner Cox  
NAYS: 0 Motion carried

AGENDA ITEM #13 - RESOLUTION 131 APPOINTMENT VACANCY

Resolution #131 read by Mayor Robert Sturges. No opposition.

Commissioner Althaus made a motion to adopt resolution 131 appointing Frank Kaiser to serve remainder of Commissioner Mahoney's position vacated.

YEAS: 4

Seconded by Commission Cox  
NAYS: 0 Motion carried

NON AGENDA ITEM - VACATING COMMISSIONER PROCLAMATION

Proclamation read by Mayor Sturges presenting Commissioner Dix and Commissioner Mahoney with framed tribute for their faithful service to City of Troutdale. By this administration in a **unanimous vote of approval.**

AGENDA ITEM #14 - BUSINESS TAX

City Recorder B. Bergstrom reported new Multnomah Income Tax suspends old Business Income License Tax. Our action in response to Mult. County ordinance is now obsolete and our distaste for double taxation and later increased rates can now be erased if council so desires through planning during the next budget sessions. Our present tax is important to revenue estimates during our current budget year however shifts of revenue can be planned in our up coming budget sessions. Brian Freeman noted County has suspended old ordinance and new tax on all county residents whether within city limits or county areas. Staff recommends additional **input** before ordinance revision ordered.

Building Appeals Board - A local board to handle building appeals is mandatory for each jurisdiction and staff recommends council act as board. Commissioner Cox moved to designate city council as builders appeals board.

YEAS: 5

Seconded by Commissioner Althaus  
NAYS: 0 Motion Carried

Mr. Jean presented backhoe replacement versus repair of present backhoe figures for council review. (See attached) Staff noted purchase over \$5,000 would require advertisements and bids. Discussion of figures followed with finance committee recommendations and funding from revenue sharing overages and contingency enterprise amounts. Mr. Jean read figures and reviewed their **sources**. Commissioner Kaiser moved to prepare specifications for advertised bids on new backhoe purchase.

YEAS: 5

Seconded by Commissioner Althause  
NAYS: 0 Motion carried

Drinker vs. Improvement fee allocations. Staff recommended council give careful thought to designation of improvement fees toward water system capital improvements and Drinker improvement L.I.D. Council table for **study**.

Departmental reports: Lee Engineering reports (see letter 12/14/76) attached). Mr. Jean supportive wholeheartly of Lee Engineering as contractual firm for city. Jackson property materials will be supplied by state - city do work. City Attorney stated "Ruth suit against PGE & City" has been dismissed.

Ordinance updated progressing. Repeal of old ordinances and condensing nomination, election initiative, referendum under study.

Ratification of resolution 132 A with Charles Pulliam as second alternate to committee. Motion by Commissioner Cox to ratify.

YEAS: 5

Seconded by Commissioner Kaiser  
NAYS: 0 Motion Carried

Mr. Jean reported need for acting director of Public Works. Commissioner Kaiser motion to appoint Bob Jean as acting Public Works Director.

YEAS: 5

Seconded by Commissioner Cox  
NAYS: 0 Motion Carried

CITY COUNCIL MINUTES

December 14, 1976

Letter of appreciation to City Hall for restoring property damaged in slope easement street restoration by state and sidewalks installation at 608 Buxton, Mr. David Cramer.

Request by Cecil Duncan to do away with 15th street pedestrian way due to weeds, garbage piled and unsightly mess. Suggest return to tax rolls by **vacation** procedure he instigated through petition by property owner himself with other homeowner association property owners signatures. Council prefer property owner initiate petition.

Motion to adjourn - Vote unanimous

Adjourned at 11:55 P.M.



R.M. Sturges  
Mayor



Betty J. Bergstrom  
City Recorder