

**MINUTES**  
**Troutdale City Council – Special Meeting**  
**Troutdale Police Community Center – Kellogg Room**  
**234 SW Kendall Court**  
**Troutdale, OR 97060-2078**

**Tuesday, June 5, 2018 – 7:00PM**

**1. ROLL CALL, AGENDA UPDATE**

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

**PRESENT:** Mayor Ryan, Councilor Lauer, Councilor Morgan (7:10 via phone), Councilor White (7:04pm), Councilor Allen and Councilor Hudson.

**ABSENT:** Councilor Ripma (excused).

**STAFF:** Ray Young, City Manager; Kenda Schlaht, Deputy City Recorder; Ed Trompke, City Attorney and Chris Damgen; Community Development Director.

**GUESTS:** See Attached.

Mayor Ryan asked, are there any agenda updates?

Ray Young, City Manager, replied no.

**2. PRESENTATION:** A Certificate of Appreciation to Josh Stanfill, Valedictorian, Reynolds High School – Class of 2018.

Mayor Ryan stated generally during a special meeting we keep it to one topic but I wanted to do one special certificate of appreciation to a Troutdale resident and the valedictorian of Reynolds High School. As you know, Reynolds High School is located in Troutdale but it's not just Troutdale's school. It also has students from Portland, Gresham, Wood Village, Fairview and Troutdale. When we have somebody from Troutdale who is the valedictorian I think we should celebrate. I've known Josh for a while and he's friends with my son. If you would please come up, Josh Stanfill, and get your certificate. I really appreciate you being here tonight. What are you going to be doing next year?

Josh Stanfill, Troutdale resident, replied after graduating from Reynolds in 3 days, I plan on attending Willamette University where I plan to major in economics or politics or maybe both and minor in history.

Mayor Ryan asked, what kind of grades do you have to have to get valedictorian?

Josh Stanfill replied right now I have a 4.319 GPA but after graduation and after this semester I should have around 4.4.

Mayor Ryan asked, what other things do you do in the school? What clubs and extracurricular activities?

Josh Stanfill replied for clubs I'm in the National Honor Society where I was on the Council and I was a part of mock trial where we have different cases and we debate them in class and go to competitions. For sports I was in cross country and track.

Mayor Ryan stated hats off to you. I appreciate you coming in.

**3. PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance adopting Comprehensive Land Use Plan Map and Zoning District Map Amendments on approximately 8.82 acres of land located at the intersection of NE 242<sup>nd</sup> Drive and SW Cherry Park Road.

Mayor Ryan stated before we start, the City Attorney, Ed Trompke, will say some things before we open it up.

Ed Trompke, City Attorney, stated this is a special meeting and at special meetings we are only allowed to have one subject discussed. The one subject tonight is the map amendment and comp plan change and zoning amendment change which is a legislative action. In terms of the zoning change for example, if you favor the property as a trailer park you might testify against the zoning change because it's currently permitted to use the property as a trailer park. If you don't want it used as a trailer park you might support the zoning change and map amendment. If you want to talk about the actual site development, the hearing for that will be next week following the second hearing on this map amendment and zoning change. The appropriate time to talk about the actual site development is next week and not this week. If you want to voice objections or support on the record for that site development you should do that next week at the land use hearing and not at the zoning change which will be discussed the second time next week. That's because ordinances have to have 2 public meetings before they can be adopted by the City. That's the appropriate way to do it. I hope that nobody showed up just to talk about the site development because this isn't the appropriate time to do it and the City Council really can't consider that under the single subject rule for special meetings like we're having tonight.

Mayor Ryan asked, does any member of the Council wish to announce any actual or potential conflicts of interest?

Councilor Allen replied yes. A potential conflict. This is not the first time something similar like this for the same property has come up before Council in which we have made positive and negative comments on. Is this treated as a separate incident?

Ed Trompke replied yes this is a separate time from the last request for zoning change. But this is a legislative change and under the legislative changes bias is allowed but financial interests are not. If you have a financial conflict you should not participate. But for any other reason you may.

Chris Damgen, Community Development Director, stated before you tonight is the first reading for the map amendment proposal which is a portion of the overall application for Eagle Ridge Apartment Homes by Sheldon Development. The applicant does have the right to address any concerns articulated by Councilors or by the testimony from the public at the close of the public hearing tonight. Tonight you folks are going to be considering 2 components of the overall application. That is the comprehensive land use plan map amendment and the zoning map amendment. Basically the request is to re-designate the properties to a high density residential configuration as well as to re-zone properties to the A-2 apartment residential zoning district. Those typically go hand in hand. The testimony and the presentation have to be approved by ordinance. This is the first reading and next week will be the second reading. Chris Damgen showed the Council a PowerPoint Presentation (attached as Exhibit A to these minutes). In our written staff report that we provided to you as part of your agenda packet, we attempted to best address issues raised. As far as proper location, when we're looking at considering a zoning change we have to look at, what does the comprehensive plan call for? When you look at high density residential the comp plan says high density residential should be located in areas in close proximity to commercial services, community facilities, jobs centers and on arterial streets or streets that can or will provide transit service at some point in time now or in the future. If you consider that particular property through that prism, effectively it checks almost all of those boxes. You are close to Columbia Park and Reynolds High School. You are across the street from the commercial shopping center and a major jobs center. It would be more convenient for folks to walk or to bike to locations potentially. What's the alternative for the site? The alternative is a variety of things. The current zoning would allow for single family residential but there are other land uses there that may not be as desirable too that would be allowed without the Planning Commission review or without your review. That would include a manufactured home park or a major utility facility like a sub-station. When you think about what else is there and why has it not developed, there is a financial concern too. Why has that property, which is so strategically located, not developed? I think you'll probably find some of the answers in that testimony as well. On the topic of property values, this is a tough one because if you're going to claim that property values are negatively affected by that you're kind of trying to predict the future and you're trying to find an example of where that case has happened. But really the closest example that we have, which is effectively right across the street where we do have an apartment complex in proximity to the same neighborhood, the evidence suggests that it has a negligible impact. Not a negative impact but a negligible one because those property values for the past 20 years for that neighborhood have appreciated pretty well. That's not an opinion. That is something that we can track upon. There are a lot of factors that go into home values. The question is, how much of an impact does multi-family development effect it? In our analysis of it, it's a negligible effect. The issue of school capacity, that's been a historic one, I think to

understand about apartments, and this is based on national numbers, for every 100 residential units when you look at an apartment complex of this particular type they typically average 20 to 25 grade school kids for every 100 units. You take the 100 single family residential homes, the average number of school age kids generated is about 60 to 65. So basically single family residential neighborhoods at the same number of units generate two and half times as many kids. A lot of people who are in apartments are younger folks who may not have families or are empty nesters, retirees and single people. Not too many families typically use apartments. On the traffic impact, I note this is one that frequently gets contested. I can only repeat what the Institute of Transportation engineers and other research arms have suggested. Apartments by nature generate less auto traffic per unit than a single family dwelling unit. A single family dwelling unit typically generates 10 to 11 trips per day. Apartments typically are in the 6 to 7 range. Admittedly there's 216 units potentially being proposed but if you were talking about 216 residential units you would be getting more trips. Then on the topic of crime and societal ills, this is a tough one to discuss because a lot of times there's a negative stigma tied with multi-family in that crime happens a lot here. There's a couple of things you have to consider. An apartment complex usually has one address appointed and let's say there are 200 to 300 units in one location, any police action or any crime that occurs will always be tied to that one address. It's not to the individual unit. Often times when you see police reporting and you see 4 crimes committed at this one address, that's 4 crimes across the entire complex. Statistically on average that could be the same for a single family neighborhood. The other thing to consider too is, what types of crimes are we talking about? If we're talking about property crime, burglary, theft, petit larceny and stuff of that nature, recent and local research has indicated that sometimes it's not even the type of use. It could be the neighborhood in particular and is it a magnet for it. What's interesting in Portland, the neighborhood that has the highest rates of burglary and petit larceny is Laurelhurst. That's one of the wealthiest neighborhoods in the City of Portland. So if there's a concern about attraction of crime, crime statistics can fluctuate greatly, where the demand for the crime is occurring and can apartments be squarely blamed for that. I'm not sure there's enough evidence to suggest that one way or the other. We think there's a balance to be struck here and we think we can provide opportunities for development to address one of the major concerns which is housing in our area. And we can encourage improvements to the traffic intersection there at 242<sup>nd</sup> and Cherry Park Road. This development would help to solve that problem which is a community wide problem. All in all, with those 11 criterion points we found that the applicant met or conditionally met all 11 of them. Therefore, we recommend approval with conditions for both map amendments. As I mentioned before, the Planning Commission had its first attempt at this application and this was a tough choice for them. They were here for almost 4 hours and they heard a lot of compelling testimony and they ultimately voted 4 to 3 to recommend approval with conditions of the full application. That included the maps amendments as well as the site development plan. They took their role very seriously and kudos to them for making the recommendation and I certainly respect the reason that 3 of them voted against it.

Ray Young stated Mr. Mayor and Council, I would like to give great kudos to Mr. Damgen and his staff. They have worked very hard over the years with this property owner to get



this to this point so that you could make a decision one way or the other. It's important to note that staff is in no position to like or dislike apartments. They are in no position to like or dislike apartment dwellers. We are simply trying to utilize the facts as given and apply it to the law to make our recommendation to you tonight. That's important to remember about tonight. This is about evaluating factual information. Not opinions. No matter how well meaning they might be. If I can give you a couple of examples of what are useful information to you and not useful information to you as you take your public testimony. I don't have to look any further than the written material which you have received. In one of the written materials that you received there was a comment made that the developer has reason to believe that his personal friendship with some of Troutdale's officials will seal this deal. That's simply hearsay, innuendo and no factual information to prove that. I will tell you that not one staff person is a friend of the developer. Second of all, there's one written testimony that said, "House values to the south will plummet." But they provide no statistical or comparable data to prove that point. If they were able to find a piece of property of single family homes in Troutdale and an apartment was put next to it then compare it to another neighborhood where single family homes were brought in and put next to it and then show you statistically over a period of 5 to 10 years and house values have a significant difference from one to the other because of the apartments, that would be useful information to you. But as most of you already understand, house values are such a complicated determination that it's really hard to peg any one thing as a contributor to increasing or decreasing home value. If you're going to claim apartments cause it to plummet, you need to provide documentation and prove that that is a comparable factor. Finally, you have to be careful about half truths. One of the comments said there's no TriMet service at this intersection so how are we going to put apartments there. That is true today but as you see from Exhibit C in your packet, TriMet already has plans in the near future to have not only 1 but 2 bus services right at that corner. TriMet realizes that across the street is a very large industrial park that is just now beginning to be developed. There's this parcel that will have residences on it with single family or apartments. TriMet has already gone through the labor of saying yes, we need to put 2 lines right at that corner. It's the issue of, if you build it they will come. They're waiting until the people are there before they institute these 2 lines. So it may be true that TriMet has no lines at this intersection but if this was developed TriMet has already said they recognize they need buses there and they're already planning for it. We need to make sure that we are focusing on factual information not unsubstantiated opinions. I don't mean to imply that any person who may testify tonight does not have the sincere belief about what they are saying. Your role in this is to separate the opinions that are not supported with the facts that have evidence when you make your determination based on the factors that Mr. Damgen has done an excellent job of explaining to you.

Mayor Ryan stated Tanney Staffenson, thank you. Tanney Staffenson is the Chair of the Planning Commission. Thank you for all the work you guys have put in.

Councilor Allen stated it's been my experience that the quality of life for a development and the surrounding area has more to do with the quality of the development. What could be developed here if we don't do this? One thing I know is that developers have

calculators and they have a tendency to calculate how they can get the most profit off a piece of property. Sometimes it's hard to get high quality single family housing next to a busy intersection. This concerns me and I would like to avoid the worst developments.

Chris Damgen replied speaking technically to your question about current zoning, it is a single family zoned property and in most cases that would lend itself to single family. Also permitted and other potential uses which would not require a Planning Commission review would be manufactured home parks, parks and playgrounds, utility facilities, bed and breakfast and local food vendors. Conditional use, that would mean Planning Commission would have to approve it, would be nursing homes, daycare facilities, community service uses which could be anything from a school to a police station to any sort of civic or governmental use, a major utility facility such as a substation or major treatment plant or a public works facility. I don't say that as a scare tactic. I want to stress that. That's currently what's on the books.

Councilor Allen asked, and we wouldn't have any say about it? It would just happen.

Chris Damgen replied yes. It is what's currently allowed.

Councilor Allen stated the second part that I have is, although I technically agree with the traffic study points here, I still would like to see 238<sup>th</sup> 4 lanes running north to south. It's kind of a regional arterial choke point right there.

Chris Damgen stated I think the County Transportation representative is here but I'll try to speak to what she relayed. In their analysis of it where they're seeing the choke points is actually at the intersections at Cherry Park Road and Glisan as well as down at Arata and Halsey. But the level of flow traffic through that 3 lane configuration at that time, I believe, did not warrant full 4 lanes. I will defer to the County to clarify that comment.

Mayor Ryan asked, have we received additional correspondence on the topic?

Chris Damgen replied yes. The staff report had the written comments received from the Planning Commission hearing. Since then we received additional correspondence that was provided to you tonight. There was several other items as well as comments from Multnomah County Transportation, City of Gresham and Public Works put in a comment since the Planning Commission hearing where there was some concern about whether or not a sewer pump station was going to be required or not. That seems to have been kind of a choke point as far as why development for single family may or may not have happened. There may have been some assumption made that Public Works would refuse to allow a public pump station to be installed. That's not really the case. The case is that Public Works people by nature do not like to maintain pump stations because they can be costly if they break. But it would not prohibit them from doing it. It's just a cost consideration that typically the developer would have to incur. When you're talking about more dense development then you would be looking at a private pump station solution.

The Public Works wanted to clarify for the record that it was not opposed to a public pump station.

Mayor Ryan stated so if it stayed single family residential, we have to have an additional pump station?

Chris Damgen replied that seems to be the indication.

Andrew Tull, Principal Planner 3J Consulting, stated we're located at: 5075 SW Griffith Drive in Beaverton, Oregon 97005. To my left is Matt Bell with Kittelson and Associates.

Matt Bell, Kittelson and Association, stated I'm with Kittelson located at: 851 SW 6<sup>th</sup> Avenue, Portland, Oregon.

Andrew Tull stated I want to thank you for your time tonight. It's not easy to get special meetings during the summer. Also I would like to reiterate the comments by the City Manager thanking staff for their efforts on this project. It has been a very long project. We're appreciate of staff's diligence and consideration of our proposal. This proposal really sort of lends a bit of the design review and the comp plan and then the application so when I get to the slides that are really focused on the design review I'm going to go really fast through them. We'll touch on them next week.

Mayor Ryan stated actually I would prefer if you didn't even touch on them tonight. We don't want to blur the lines tonight. Tonight is about map amendment change. Anything to do with what it's going to look like needs to be for next week.

Andrew Tull stated as noted by staff, the proposed application meets all of the City's applicable criteria. The applicant has indicated that we will accept all proposed conditions of approval. I'm a bona fide master planner. I get calls from national homebuilders, local homebuilders, apartment builders, residential, commercial and industrial. We got multiple calls on this over the last 5 years. Before the last zone change application was submitted and then after the application was submitted. People are wondering why this isn't developing there. They're asking if they should get it under contract. We looked at it under the R-5 zoning district and put together a couple of different options for single family detached dwellings. The reason that no one bought this for single family development is because of the need for a public pump station. These are very, very expensive items to put in place. They require a couple of different pumps. You have to have redundancies in a system that's forcing sewer off the site. So if the first one fails the second one needs to be able to kick into gear. If the power goes out you have to put in a significant generator system as well. Then you have to contain diesel on site in order to keep back up fuel for as long as the power is out. Perhaps there was a bit of confusion as to whether Public Works would allow one of these to be built but I know in this city and in almost every other jurisdiction they try to avoid them. It's not only the cost of installation, it's the cost of inspection and then the long term maintenance. As an apartment complex it takes a small private underground pump station in order to provide service for the whole site. It's like a

grinder pump sort of on steroids. It's much cheaper to purchase and to maintain. We have onsite maintenance and management here so it can be worked into a regular maintenance and management program. If it fails, the owner of the complex has a serious problem called residents onsite. It's in his benefit to keep it running and not to have any issues. The public doesn't have to get involved with the maintenance of this. I'll talk about some of the approval criteria. I think the staff has done a great job of running through the detailed responses and obviously we have 70 pages of code analysis that support the proposal that's before you tonight. As I look at the zoning maps and as I look at any zoning maps, basic planning theory states that you got sort of these nodes, these really heavy trafficked areas that are intended to catch high density, high traffic uses, commercial retail and the you have the spaces in between and those are often occupied by single family detached dwellings, parks and less intense land uses. It's at those major transportation nodes and connective nodes where you see a lot more intense levels of development. One of the questions that was brought up early on was, do develops have calculators? They most certainly do. We see more projects fall over than actually go forward for a variety of reasons. They also have watches, scope, schedule and timeframe. For the last 20 years of my career the easiest way to get a property developed is not to go through a comprehensive plan and zone change. It just so happens that the single family option for this property is really nonexistent. Everyone has taken a look at it. Everyone tried to put it together. It was never in the cards. Nobody was going to close on this.

Mayor Ryan asked, have you looked at this property with another developer?

Andrew Tull replied with multiple other developers.

Mayor Ryan asked, and everyone came to the same conclusion?

Andrew Tull replied everyone passed on the property. We have a lot of supporting factors that support the higher density residential, you have arterial roadways, TriMet service coming and apartments often located on busy corners. One of the other great things about this particular site is the fact that there's already so much development around it. There's a school, park, commercial center to the north and employment to the west. It not only satisfies this locational criteria based on uses but it really truly does provide the opportunity for sort of a healthier lifestyle for folks because you can walk to your grocery store or library or school. It's not waiting for that stuff to come after the apartments are in. Staff has evaluated the proposal, agrees with our findings and Multnomah County has reviewed the traffic findings as well as the City of Gresham. All parties are in agreement about this. We've addressed school capacity.

Mayor Ryan asked, how did you guys address the school capacity issue other than the Outlook article?

Andrew Tull replied early on in the process we heard that the previous application had had arguments against the development because of school capacity. So before the newspaper article started we contacted the school district and started to talk to them about

their confidence in planning and what it is that they're seeing. And when you talk to school districts it's one way or the other. You've got communities where folks are getting older and they're not having kids and they're not moving out of their houses fast enough. They're not putting any more kids into the school district. They call that aging out and that happens quite a bit. I suspected from talking to the superintendent of staff at the City that they are anticipating that problem happening in the City of Troutdale in years to come.

Mayor Ryan stated we have continually been rated the number one city for young families. There's tons of young families. I don't want to argue with you. I'm just saying that I don't know if that's probably the best.....

Andrew Tull stated the bigger conversation that we had with them was over the potential impacts of this development on the existing school capacity and after having that discussion with them, they didn't want to go on the record with our application. We asked them to send a letter saying it but they didn't seem to have any significant reservations about the number of children who would be moving into the system if this site were to develop as multi-family opposed to single family.

Mayor Ryan stated I think the hard part of the Reynolds School District is you're looking at 5 cities, so 830 kids over 5 cities. I believe these kids would go to Woodland. If you look at Troutdale Elementary, Sweetbriar and Walt Morey Middle School, they're actually doing really well. We're losing a lot of the kids more to the west and we're losing a lot after 8<sup>th</sup> grade going into high school. I think statistically the Outlook article doesn't work well with this. I just want to put that on record. I would like to have some information that's directly related to the school that will be affected and not the district overall. I know Troutdale Elementary is getting redone and it has additional room for 100 students. Woodland, I don't know what the capacity is there. I think the 2 schools that would be most affected is going to be obviously Woodland and Walt Morey. Direct information on that would be very, very good for me to understand. The high school isn't an issue for me at this point.

Andrew Tull stated I think that's perhaps something we could be prepared to come back with. But I will say that just given the size of the development of 216 units if it rezoned, we're not talking about a ton of students hitting the elementary school in any given year. We're talking about 10 or 12 out of the 25 that might come from the apartment complex. I'll let Matt talk a bit about traffic.

Matt Bell, Kittelson and Associates, stated what we're doing is projecting out to 2040 traffic conditions and we're comparing them with the existing zoning and worse case development scenario. What we're finding is not surprising to anybody that in that roughly 22 year period that traffic will be increasing. Matt Bell showed the Council a PowerPoint presentation (attached as Exhibit B to these minutes).

Andrew Tull stated your comp plan says very specifically from the code, "Areas adjacent to or in close proximity to existing or planned shopping centers, employment centers,

transit routes or minor arterials.” I think some of the Commissioners who work in favor of this application understood that very well. One of the Commissioners thought that the comprehensive plan was a set in stone document but comprehensive plans are anything but. They’re not meant to be set in stone. I think it was Dwight Eisenhower that said that planning is a disaster but the effort of making the plan is worth everything. You have changing circumstances around here. You have major business parks coming, major transportation networks that are changing and shifting around you and it’s appropriate to occasionally change your comprehensive plans. Matter of fact, the State requires a periodic review every 10 years. The one thing we wanted to enter into the record tonight was I think my client, Mr. Carey Sheldon with Sheldon Development, must have had lunch at every single business in the complex to the north between the last hearing and now because we’ve got 17 signatures from the business owners and/or managers of those restaurants and businesses that are in support of this application. It includes a couple of franchises as well as a lot of local businesses that feel like they will be positively impacted by this development.

Councilor Allen asked when you’re looking at traffic, are you taking into consideration the changes coming up for the bus routes?

Matt Bell replied no.

Councilor Lauer asked about the proposed widening of Cherry Park from 242<sup>nd</sup> going east, how far east is it going to go? Just for the length of the property? Or is it going to go further east than that?

Andrew Tull replied I think it’s only for 500 feet or so from the intersection.

Mayor Ryan stated I’m going to open up the public comment. I’m going to ask the Council’s consent to limit each comment to a few minutes. You can always email us or call me.

Chris Damgen stated if folks want to email comments, probably the best way to make sure the records kept clean and it all goes to one place you can email: [planning@troutdaleoregon.gov](mailto:planning@troutdaleoregon.gov). That’s the general email we use to receive comments from the public.

### **Mayor Ryan opened public comment at 8:26pm.**

Sandy Glantz, Troutdale resident, stated I just want to say that I also serve on the Planning Commission. The reason that I serve on the Planning Commission, I’ve been there about 10 years now, is there was development going in near my home and it was zoned R-10. The developer came in and wanted it R-7 which impacted the value of my home. Ultimately they got the variances for the R-7. Part of the reason for that was the property owners had been there almost 100 years and the argument was that the rules had come in after they owned their land. In this case I see this very different where people

knew exactly what they were buying when they bought it, which was R-5 and R-7. I put some materials in a handout (attached to these minutes) about my concern which is decreasing the value of the adjacent homes. I know the criteria has to be significant and the some of the information that I found at some pretty credible websites, realtor.com and bankrate.com, put it at 13%. Which on an average \$250,000.00 home would be \$32,000.00. To me that's significant. I understand that there are studies out there that say there's no problem but perception's reality. Recently we had a hearing before us for a development and it put 6 homes next to an R-10 lot. And nobody contested that. The reason they didn't contest it was because it was already zoned that way. There wasn't any surprise. It wasn't like they put a major investment of a home together and then, oops surprise, you're not going to have homes behind and you're not going to be a neighborhood. You're going to have this giant wall to look at. One of my other concerns I noticed that is still in here is the Troutdale Planning department staff report included some home value comparisons but they didn't include things like square footage or view or age of the home or factors like those people knew when they bought that house that those apartments were going to be there. It wasn't a surprise. I want to be very clear that I'm not picking on the Planning department here. I understand that their report and their job, we have told them to be builder friendly, that Troutdale wants to be perceived as open for business. But I also understand the City Council's job is to Troutdale residents, not necessarily to building concerns. The fact that you have so many people here should say something to you as elected officials. I put in a few ideas that I thought of since the last Planning Commission meeting should you feel the need for this to still go through.

Paul Charpentier, Troutdale resident, stated I live near an apartment complex. This one has a 2 ¼ vehicles per apartment. The one I live by has 2 ½ and they're still parking on the street. They're not going to have enough parking. The houses off of Larson at the dead end are single story houses and these are going to be 3 stories tall right next to them. So the upstairs will be looking into their backyards. Chris was talking about 100 kids in the houses and 100 kids in apartments but you can't compare that because it's comparing 42 houses to 216 apartments. So there's a lot of difference there. You're talking about walking from these apartments to the Safeway. You all know the weather in the winter in Troutdale. People aren't going to be walking, carrying grocery bags across the road. Where is the bus going to stop going down Cherry Park so it's not blocking 5 cars behind it? They said that they looked at other projects going in there and that they've always backed out because of a pump station cost. But you have to put in a pump station in here at the apartments. Isn't that the same cost? If they have 2 driveways they have a right turn only. Pulling out of McDonalds or the gas station there's a right turn only there and I've seen people go left all the time. If you pull out on 242<sup>nd</sup> you're going to go across the sidewalk, a bicycle lane and 2 lanes of traffic to get to the turning lane to go to Fred Meyer. You going to see accidents happen there.

Tom Angel, Troutdale resident, stated I live in Wooddale. My concern is traffic. If they're only going to widen Cherry Park 500 feet basically all you've done is back the bottleneck up 500 feet. Is 238<sup>th</sup> going to be made 4 lanes?

Mayor Ryan replied no.

Tom Angel stated the north/south won't be changed at all. You're going to have 400 more cars trying to get down to I-84. It's bad enough right now.

Virginia Welch, Troutdale resident, stated I live in Woodale. My property is right next to that property. I bought for R-7. I'm about to pay off my house and what's the value going to be? Second of all, livability. You're not going to want 44 feet of housing right next to your house. Traffic is horrendous. I can't even make a right hand turn when it's high traffic time. What's going to happen with 400 plus new cars in that intersection? As far as Multnomah County mitigating that, they can't even take care of the potholes from 3 years ago. I'm a trauma nurse and I know all about research and you can make research say anything you choose. You can spin the numbers. The yellow blinking turn lights, it is known that that increases pedestrian versus auto crashes. I'm opposed.

Aaron Lambert, Troutdale resident, stated I live with my wife at the border of the south of this property. We moved into the house and the first thing we asked was what the field is for. Our home value could be greatly affected by this. This is our first home. We're excited about it but now we're not really excited. How far back off of our fence would this apartment complex be?

Andrew Tull replied it could be no closer than 22 ½ feet.

Aaron Lambert stated that's close. I took out my drone and I gave you a 100 foot buffer. I flew up 36 feet and the pictures show that we lose all privacy of our backyard. Something that we didn't know moving in that we would have people watching us barbecue and hanging out. We would also lose our view of the north side where you can see the hills that are really nice. My last concern is if the small, easy, privately owned pump station is good enough for the amount of people that are going to be up there, wouldn't an even smaller pump station work for only 46 homes?

Lori Hansen stated I'm from Gresham and I live in Woodale as well. My proof is anecdotal but I took a picture of my commute this morning heading north on 238<sup>th</sup> and it's this way every single day at 7:30 in the morning. It's backed up the hill from Arata all the way past Cherry Park. If it's this way right now, let's be real. There's no plan to make those areas wider to accommodate the people we already have moving into our area. I moved into an apartment for 5 years and I can tell you that parking is always an issue. It was a huge apartment complex with a lot of cars.

Chris Damgen stated just a point of order, for any folks who have testified, if you have not given us an exact street address please do so before you leave tonight. In order for us to provide you a notice of decision which is basically your ability to the right of appeal. You have to give us an exact street address on public record so we can record that.



Daniel Zimmerman, Troutdale resident at 2119 SW 22<sup>nd</sup> Court, stated I would advise you guys to look at some of the public comments from the Planning Commission comments that were made. I think there was a lot of good testimony that was submitted. I want to add tonight one of the things that was brought up at the Planning Commission meeting was that these zoning district maps and the comprehensive land plan map I believe were last revised and looked at in 2014. The Planning Commission and this Council tonight is kind of reliant on testimony of the biased party being the developer who is paid by the property owner to put together a plan that kind of meets the criteria. But as people have submitted, those facts could be tailored towards their argument of putting this plan in place. I do believe that the traffic impact is going to be a big thing and I believe that the County's testimony at the last meeting was unclear of a timeline. They said 2021, 2022 but maybe not. If you guys make these changes these are going to be built and break ground as soon as possible because time is money. I do believe that it would be irresponsible of the City to jeopardize the traffic even further. I would advise the City to take a look at these zoning district maps and comprehensive land maps themselves using their own expertise and unbiased parties to revise the plan. This is a drastic difference going from single level homes to a 3 story apartment complex. It's not zoned for apartments. There are better uses for this property. I do know that there was a private pump station in Wooddale that's just down 242<sup>nd</sup> a little bit to the south that I believe is no longer in service because I'm guessing that the City mitigated some of the sewer issues in that area and so it's no longer needed. Why can't the City do something similar in this region?

Wayne Schulte, Troutdale resident, stated I live in Cherry Ridge development. I have a little bit of issue with the traffic analysis. I thought I heard that there was going to be potential increase in 50 vehicles per hour. Customarily you figure at the peak hour that you will have 10% of your average daily volume. That kicks it up to 151 trips per hour. If we were to go with the 42 homes that we initially talked about we would have had 10 trips per day per household. Which would put you at 420. Any way you look at it we're going to stack 3 ½ times approximately that many cars each day. I have a real issue with the level of service that we already have there. I don't know if the Troutdale consultant can tell me if that's a level service C? Or D? Or what we have there right now. What's the proposed design that you're trying to shoot for? Normally you try to shoot for a level C. Tweaking that with a yellow flashing turn signal there won't work. I think we need additional lanes on that intersection. I was suggest that the developer dedicate a right-of-way so we can have those additional lanes.

**Mayor Ryan closed public comment at 8:52pm.**

Mayor Ryan stated I do have some questions about the traffic. I think the most compelling issue I have with that is 238<sup>th</sup> is a mess. In your traffic studies, have you factored in all this warehouse space that no one is in and what that's going to look like?

Matt Bell replied it's only a tough question to answer because that primarily relates to the development itself and not necessarily the long term comp plans.

Mayor Ryan stated my point is, when you did the study, did the traffic study factor in the warehouse space that's not being utilized?

Matt Bell replied absolutely.

Mayor Ryan stated I guess I can't see what you guys are getting to. It's hard for me to grasp the fact that these improvements over the next 3 to 5 years.....I think we're way behind in our infrastructure. These improvements maybe get us where we should have been already.

Councilor Allen stated I think that with the Columbia River on the north being a barrier that we're going to continue getting development to the south. How are they going to get where they want to go? I think the problem is going to increase. My experience is that Multnomah County, the transportation staff and the engineers do a very, very good job with the resources that they have available to them. It's just our budget allocation for infrastructure isn't what it used to be.

Matt Bell stated regarding the comment about the 50 vehicles per hour, I want to be careful about that one because it's not 150 vehicle increase. It's a 50 vehicle increase. Today the level is level service D.

Councilor Allen stated the problems that we're talking about are actually bigger than your development here. It's a problem that's going to continue on into the future. Not to confuse our regional problems with your development.

Matt Bell stated the yellow arrow is an improvement. It's not going to fix the problem. To speak to somebody else's comment about the bottleneck and the 500 feet is just going to push back. What that actually does is it allows for additional 500 feet of queuing along Cherry Park. That whole queue that extends past 18<sup>th</sup> Way now can occur between 242<sup>nd</sup> and 18<sup>th</sup> Way and it can funnel right to the intersection on Glisan which has 2 receiving lanes to recover that with this proposal. It's not just about moving the bottleneck forward. It actually clears the intersection much more efficiently.

Councilor Allen stated you're addressing the issues related to your development and that's really what we're here about today. It's really not your responsibility to address the issues of future development that may likely happen.

Andrew Tull stated I appreciate folks coming out to share their thoughts and concerns with us. We tried to have several neighborhood meetings early on to listen to what folks had to say and to try and accommodate as many of the issues that arose as possible. Just to be clear, in the existing zone surrounding us, you're going to do 2 story homes. They're not all built at 2 story homes right now but this is the transition that we're talking about. We're not talking about 5 story or 20 story residential next to 2 story residential. We're talking about 1 step on the stair. This is a perfectly reasonable way to transition

density within a city and it happens all over your city if you look at the zoning map. You have R-7, R-10 and R-5 right next to A-2 zones. The difference is that their established. As the plan changes there's a shock period. There is a perception that this is going to lower property values. The data that I have not seen, which was submitted to you today was sort of eluded to by Commission Glantz at the Planning Commission hearing, she said that the Bankrate and Zillow studies that she had examined indicated that there may be as much as a 13% difference in the price of homes adjacent to high density residential as opposed to homes adjacent to other uses. What I would say is that if those are studies prepared by Bankrate and Zillow, they probably have very little to no Portland Metropolitan regional context. I live in Beaverton. I drive along Murray and Allen to get where I'm going and it's not uncommon to see even 3 story single family homes next to older homes as the area continues to be developed. But we certainly see a lot of residential single family detached neighborhoods right next to apartments complexes on all of our major arterials and it's fine. It really is fine. It doesn't look like you've got skyscrapers towering over single family detached homes. We have standards in your code that require us to provide extensive landscaping buffers between these uses to provide privacy and visceral separation. Back to the study. We've heard many times with different types of applications of, what your building on your property is going to diminish the value of my property. I've never seen anyone come in with the kind of study that Chris described during the staff presentation which is where you have to actually have it happen within the community so you don't have to worry about whether it happened in Indiana or whether it happened in Texas or whether it's really somebody building something inappropriate right next to something else in another community. It needs to be here. Even if they were to produce a study like that, that is really hard to math to do. And it leads to the point within the criteria, is it a significant impact? I would argue that in the short term there's a perception that there's a significant impact but over the long term in a metropolitan region like Portland it is just going to be like it was always there. The vegetation can grow and there will be no long term impact on anyone's property value as a result of this sort of application. The only other point I had to raise was in response to Mr. Sheldon's comments about putting money into the system. The System Development Charge program was set up so that it would be very clear that development was paying its own way within the city and also to pay for the City's long term planning and development needs elsewhere that might be impacted as a result of the additional demands on capacity. My client is dedicating a right-of-way in order to facilitate the widening of the roadways. Every single point where we have been asked to make, concessions where we are going to be required to make concessions we are going to be doing so. We do have another hearing next week and before we close tonight's discussion, if there are points that haven't been adequately addressed and you have questions about, Matt and I would certainly appreciate the opportunity to hear any concerns that you have about this application so we can put some thought to it before next week.

Ed Trompke stated the next item is council discussion.

Mayor Ryan stated I'm having trouble with understanding the fact that traffic is going to get better. I agree with Councilor Allen. It's more than just a high density project there. It has to do with a lot of development and infrastructure. I think development happened really fast and I don't think we were ready for it and we're trying to catch up. The Portland Metro area has just boomed and there are traffic problems all over. I don't want to hear from the districts point of view. I want to hear from an individual school, the school that would be affected by it.

Councilor Lauer stated I would mirror the same thing that the Mayor said. It's just regional concerns about traffic congestion but again, like Councilor Allen said, it's bigger than this one issue. I think this issue is just the hot topic right now. Is the County representative still here? There is plans to update 242<sup>nd</sup>/238<sup>th</sup> going north through Wood Village to Halsey, correct?

Joanna Valencia, Multnomah County Transportation Planning, replied right. In hearing the conversations I realize that I should come to Council soon just to give you guys an update on what's going on with conversations of the EMCTC level and what's going on with the implementation of the East Metro Connections plan and also in general just to let you know the stuff happening locally in this area. There's acknowledgment between the City of Gresham with Multnomah County and conversations in regards to the issues especially around the Gresham Vista area. The light and signals will be looked at to see how they all communicate with each other. Being all the different systems and different jurisdictions they're not necessarily communicating proficiency with the congestion that we're seeing. I can definitely come to a future Council meeting to give you an update on what's going on with some of the pinch points in the areas and how we're working to resolve that.

Councilor Allen stated I would like to point out that Multnomah County works very well with City staff, not just Troutdale but all the cities in the area.

Councilor Hudson stated it was mentioned before that we are not to discuss this before this meeting. Are we free to discuss this with the community on our own?

Ed Trompke replied this is legislative decision so yes you can talk to community about this. It would be better if you brought their concerns here. Ask them to put it in writing and bring it so the Council can hear. It would be better if you do it in a public hearing. When we get to the quasi-judicial portion of it, which is the site development plan, then you'll have to disclose those as out of Council context that you've spoken to people. So it would be better not to but you're an elected official and you're supposed to talk to people and listen to people more than tell them what you're thinking. You should be listening. Any substantial information you receive outside should be disclosed at the quasi-judicial hearing, not at the legislative hearing.

Councilor Hudson stated a big factor for me is criterion D on the zoning map that 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. Not much has been said about the public interest in granting the proposed amendment at this meeting but if you remember it wasn't more than 6 weeks ago that we had a representative discussing housing costs and the rapid increase in rental rates that are literally driving some families to homelessness. One of the things that is needed in this area as well as the rest of Portland is an increase in available rental properties. When we're asked to weigh this against the public interest I want to be very careful when we're looking at the affect this could have on our community. We don't see renters as someone from outside coming in that would somehow disrupt something, they're part of our community as well. Rental rates and the availability of affordable housing is a concern that we all need to address. What I'm grappling with at the moment is first, not only the value of the land but also livability. For instance, having someone peering over your backyard is a livability issue. Having a concrete wall outside your window would be a livability issue. I think we need to identify how much of a public interest there is in having available rental housing for the people of our community who need that housing.

Councilor Allen stated I can see why it was almost a split vote at the Planning Commission meeting. What weighs heavily on my mind is the quality of life issues. Not only for the development but the surrounding area. What are the quality of life issues that we face increasing in this area in doing a zoning change versus not. I do realize that transportation is a problem. But I actually see transportation as continuing to be a growing problem beyond our control and beyond this development.

Councilor White stated it's a tough decision. If you're in Troutdale you're sitting on some good and prime real estate. The good news is we're near buildout as well. I think the congestion and traffic is going to happen regardless because of the outlining areas and development happening to the south. If you don't want to see development, get out of the urban growth boundary because it's going to happen with or without you. With that said, I can't believe that property doesn't have a gravity flow sewer system. That's part of the problem with this particular piece of property. I know those pump stations are incredibly expensive and difficult to maintain and nobody wants that. I don't know if anybody's thought of going to our neighbors in Gresham and see if maybe they have a line that can service that property. I'm just thinking out of the box. Maybe that's something staff can get back to us on for the next meeting. The other problem I see, I was with Rich Allen on pushing hard for 4 lanes on 238<sup>th</sup>. I think that's going to continue to be a problem. Gresham needs that to be 4 lanes, Troutdale needs it and all the residents in this room need that to be 4 lanes. I don't know if there's anything that can be done before the County spends all this money doing a bandage on something that needs to be opened up and fixed properly. The other question I have, Chris, I know the developer recently bought an additional piece of property. How was that property zoned?

Chris Damgen replied the larger property is zoned R-7. The adjacent smaller property is zoned R-7.

Councilor White stated I heard other uses like a manufactured home park. That would be allowed?

Chris Damgen replied yes. Based on the current zoning, effectively what we would call a Type II review would be a staff level review because it's permitted outright.

Ed Trompke stated there would be no public hearing other than notifications to the neighbors and they could submit letters to the Planning Director and that's about the only review that would come.

Councilor White stated it's a very difficult decision and I know Planning agonized with it. My final question is for Ed Trompke, our attorney. It seems the majority of the Planning Commission and staff feel like it's met the criteria. What's going to happen if this gets voted down? What's the next step? It goes to LUBA?

Ed Trompke replied if the applicant appeals, yes it will go to LUBA. LUBA would review to see whether the finding satisfied the criteria or not. It's a complicated question but they would review it and decide whether or not to overturn the Council's decision.

Mayor Ryan asked, what makes up LUBA?

Ed Trompke replied LUBA is the Land Use Board of Appeals. It's 3 lawyers who are part of the executive branch and they're land use experts who really do know the land use laws of the state and the state requirements to make sure that cities, developers and homeowners comply with the land use.

Mayor Ryan stated we're also looking at quite possibly 2500 employees in the TRIP property too. 1500 just to start and we need places for people to live and a tremendous amount of pressure for affordable housing. But I also understand that there's some very tough issues.

Councilor Lauer stated just to let everybody know, I have a little bit more of a dog in the fight. My 8 to 5 is that I work for the City of Wood Village as a utility worker. So I have a lot of hope that the 238<sup>th</sup> hill will be improved. For my career there we've always heard that it was coming down the pipeline, it's in the works and there's plans. There was also talk about Arata Road developing. Arata is getting developed right now. There was always talks that Arata is happening and then 238<sup>th</sup>. That leads me to believe that 238<sup>th</sup> is next and that would help alleviate a lot of the stress that we deal with here in Troutdale going to other cities around the metropolitan area.

Councilor Allen stated I would encourage a homework assignment. One would be to look at the family with median income and attempt to look for housing and see what you can find out there. Also, go around to different areas. Areas that are pleasant to be in and areas that are not so pleasant and think about why those areas are pleasant or not pleasant.

Councilor White stated for me I would like to get answers on the possibility of using Gresham's sewer line. If it's allowed or even a possibility. It may not exist. How many houses can be built on that site?

Chris Damgen replied R-5 calls for typically 5000 square foot lots. But you also have to factor in dedication for streets or thorough ways through that too. Carrying capacity of an R-5 would be roughly 8 to 9 homes an acre minus any streets probably 7 more realistically. Multiply that by 7 acres and you're in the 40 to 50 range.

#### 4. ADJOURNMENT

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

Meeting adjourned at 9:37pm.



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**Casey Ryan, Mayor**  
**Dated: July 11, 2018**

**ATTEST:**



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**Kenda Schlaht, Deputy City Recorder**

# CITY OF TROUTDALE

City Council – Regular Meeting  
7:00PM

Tuesday, June 5, 2018

## PLEASE SIGN IN

Name – Please Print	Address	Phone #
David + Cheryl Sanders	2225 S.W. Larsson Ave	503-665-5684
Wayne Schulte	2003 SW Skyles Ln	503-666-5759
George Dahlheimen	3012 SW Celigo Way	971-212-3827
Robert + Marilyn Runc	2260 SW 18th Way	503 665 5056
Daniel Zimmerman	2119 SW 22nd Ct	503 318 7732
Jason McKay	947 SW 20th Way	503 737 5641
• PAUL ACHAPEN TIER	2420 SW. STURGIS AVE	503 253 5946
Rene Thorsett	2240 SW 18th Way	503-666-4536
Jackie Sande	2004 SW North Star Way	503 666 1048
GARY & KAREN DUNN	1527 SW BERRYESSA R	503-618-7088
Joyce Cavvie	2124 SW Cerise Way	503 730-2307
Lon Hans	3579 NE Reed Ave	503 516 1379
Amy Lopez	2204 SW Stella Way	971-998-6904
Nate Bell	851 SW 6th Ave	503-228-5230
PAUL WILKES	TROUTDALE	
Carolyn Flaherty	2035 SW Montmore Way	503-661-8770
Sally Sandberg	Sally SAVICQUE	
Jane Love	2235 Larsson Ave	503-492-1570
Josh Stanfill Joe Shannon Stanfill	3220 SE Lewis Ct	971-400-0063
Aaron Lambert	2138 SW Townsend Ct	503 830 3167
Heather Lambert	2138 SW Townsend Ct.	503 964 9861
Marko Lesconec	2211 SW LARSON AVE	Troutdale
• Tom And Shirley Angel	2339 SW 23rd	Troutdale



Name – Please Print	Address	Phone #
Virginia Welch	2133 SW Larsson Ave	503 669-2264
Susan Johansen	2025 SW Daybreak Wy.	503 667-5925
Janette Schuader - Richards	1593 SW North Star Ln	(503) 516-6971
Numen Martins	7211 SW Larsson	503 944-3473
Joanna Valencic	1600 SE 190th Ave	988-0219
Scott Adams	1600 SE 190th Ave.	988-5880
Sarah W Wright	1272 SW Berryessa Pl.	503-665-5031
Sandy Glantz	4450 SE Sweetbriar Ln	971-344-4240

# 18-017

## Eagle Ridge Apartment Homes

Application for Map Amendments | Type IV Legislative Procedure

Public Hearing: Tuesday, June 5, 2018

Troutdale City Council Special Meeting | Troutdale Police Community Center

# Public Testimony

## **Order of Testimony**

1. Applicant
2. Proponents
3. Opponents
4. Neutral Parties / Clarifications
5. Requests for Additional Time

## **Reminder:**

- All issues raised by a participant must be sufficiently clear and specific to allow PC and other parties to respond.
- Failure to raise an issue during this public hearing may invalidate a future appeal based on that issue.

# Staff Presentation

# Application & Applicable Criteria

## What is being considered tonight...

- **Comprehensive Land Use Plan Map Amendment** to re-designate both properties to High-Density Residential (HDR)
- **Zoning Map Amendment** to rezone both properties to A-2 apartment residential
- These actions to be approved by **ordinance** on June 12th

## What will also be considered next week...

- **Site Development Plan approval** for a 216 unit apartment complex
- **Variance** for front setback line (20 feet to 10 feet)
- **Variance** for landscaping requirement (25% required, 24.7% proposed)
- These actions can be approved by **order** – only if amendments are approved



# Tonight's Hearing

- **No decisions will be made tonight** – first reading of ordinance
  - Planning Commission's recommendation for approval from the May 30<sup>th</sup> hearing is non-binding
- Application review for the Ordinance
- Review the decision criteria only for the map amendments
  - The decision criteria for the site development and variances will be reviewed at next week's hearing (June 12<sup>th</sup>)
- Receive testimony
  - Testimony must relate to the decision criteria for the map amendments
  - Testimony related to site development should be made next week

# Next Week's Hearings – June 12<sup>th</sup>

- Two separate public hearings
  - 2<sup>nd</sup> Hearing/2<sup>nd</sup> Reading for Map Amendments (Ordinance)
    - Recap of the ordinance
    - Reminder of decision criteria for map amendments
    - Public testimony is allowed, but discourages repeat testimony already heard in 1<sup>st</sup> hearing unless new criteria is introduced.
  - Public Hearing for Site Development & Variances (Order)
    - Review decision criteria for site development proposal & variances
    - Public testimony allowed – must relate to decision criteria for site development/variances
- Two separate decision actions
  - An ordinance to approve the map amendments
  - If the ordinance passes – an order to approve the site development proposal and associated variances



# The Properties – Map View

- Two properties in question
- Total area: 8.82 acres
- Location: southeast corner of 242<sup>nd</sup> Drive and SW Cherry Park Rd
- Larger property
  - Zoning: R-5 Single-Family
  - Land Use: MDR  
Medium Density Residential
- Smaller property
  - Zoning: R-7 Single-Family
  - Land Use: LDR  
Low Density Residential





# The Properties – Street View



## What is the same from 2015

- The applicant is the same (Sheldon Development)
- Map amendment request is the same (A-2 residential zoning district, HDR land use designation)
- Intended use is the same (apartment residential)



# What is different from 2015

## **New Development Code – Updated decision criteria**

### **2015 Case File (15-057)**

- Map amendments only –  
*development was conceptual*
- Only one property (6.88 acres)
- Basic traffic impact study based on assumptions
- Development under construction in Gresham Vista Business Park
- School overcrowding concerns

### **2018 Case File (18-017)**

- Map amendments and an actual development proposal
- Two properties (8.82 acres)
- Detailed traffic study with calculations and specific conditions for approval
- Development mostly completed
- School enrollment declining  
(decline of 830 students since 2014-2015, Gresham Outlook, May 8, 2018)

# Application & Applicable Criteria

## Applicable Criteria

- Comprehensive Land Use Plan
- Troudale Development Code (TDC)
  - Ch. 1 Introductory Provisions
  - Ch. 2 Procedures for Decision Making
  - Sec. 3.060 Apartment Residential (A-2)
  - Sec. 5.600 Erosion Control & Water Quality
  - Sec. 5.700 Stormwater Management
  - Sec. 5.1000 Public Improvements
  - **Ch. 6 Applications**
  - Ch. 8 Site Orientation and Design Standards
  - Ch. 9 Off-Street Parking & Loading
  - Ch. 11 Landscaping & Screening
  - **Ch. 15 Amendments**
  - Ch. 17 General Provisions
- Troutdale Municipal Code
  - Outdoor Lighting
  - Tree Removal
- Troutdale Admin Rule 003 – Traffic Impact
- Appropriate Building & Fire Codes
- Construction Standards for Public Works Facilities
- Multnomah County Road Rules
- Relevant standards in Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR)

# Review Procedure

## Type IV Legislative Procedure

- Three public hearings
- Planning Commission submits a recommendation to City Council
- City Council is the decision-making entity with two actions to occur on June 12th
  - Ordinance to consider map amendments
  - Order to approve site development & variances (contingent on ordinance approval)

*If there is an appeal...*

- State Land Use Board of Appeals

## Timeline

- Summer 2017: Applicant-neighbor meetings
- Oct. 17, 2017: Pre-Application Meeting #1
- Nov. 2, 2017: Pre-Application Meeting #2
- April 16, 2018: Applicant submits materials
- April 25: Application is deemed complete
- April 25: Notice of Application sent
- May 29: Initial Public Hearing (PC)
- June 5: **City Council Public Hearing on Amend.**
- June 12: Two City Council Public Hearings & vote on the two issues

# Notification & Summary of Comments

## **Agency Comments**

- City of Troutdale Planning Division
- City of Troutdale Building Division
- City of Troutdale Public Works
- City of Gresham
- City of Wood Village
- Department of Land Conservation & Development
- Gresham Fire & Emergency Services
- Metro
- Multnomah Co. Transportation Planning
- Mid-County Lighting District
- Reynolds School District
- TriMet

## **Public Testimony Received**

- Anonymous (1)
- Richard Shepard
- Sally Wright
- Rene and Scott Thorsell
- Additional written testimony received since Staff Report, to be distributed at hearing
- Oral testimony received at Planning Commission hearing



# Analysis

## **Issues Raised**

- Proper location
- Alternative development for site (single family, other use)
- Property value impact
- School capacity
- Traffic impact
- Crime / societal ills

# Analysis

## Benefits

- 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 242<sup>nd</sup> 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 and safety improvements partially paid by the development
- Road improvements to likely be addressed quicker

## Drawbacks

- Public testimony from surrounding area has largely been against this proposal
- Potential visual impact on residential properties to the south of the subject properties
- Traffic impact identified – though can be mitigated



# Decision Criteria

- Reasons to vote for/against an application **must be tied to decision criteria** for each component of the application.
- A Finding of Fact must be produced for **each criterion item**, with a written determination that the criterion is met (or not met) based on evidence and testimony.
  - If all the criteria is met, the application is to be approved.
  - If one criterion (or more) is not met, the application should be denied.
- Findings are drafted by Staff prior to the hearings and **may be edited** by the decision-making body
  - Planning Commission recommended approval of this application and the findings as drafted
- If a decision-making body intends to make a decision different from the staff recommendation, the findings for the decision criteria that are related to the particular issue **must be re-written** prior to the vote.

# Decision Criteria for the Application

For the ordinance (this hearing and next week's hearing):

- Comprehensive Land Use Plan Map Amendment – 6 criteria
- Zoning Map Amendment – 5 criteria

For the order (next week's hearing):

- Site Development Review – 4 criteria
- Variance – front setback – 4 criteria
- Variance – landscape requirement – 4 criteria

# Decision Criteria – Comp Plan Map [TDC 6.120]

## **A. Compliance with the Statewide Land Use Goals and related administrative rules has been met.**

FINDING: A thorough analysis was performed by the Applicant in the narrative on compliance with each of the statewide planning goals. The criterion is met.

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

FINDING: The Comprehensive Land Use Plan (“the Plan”) designation for the properties sought by this application is for High-Density Residential (HDR). According to the Plan, the designation “is intended primarily for high-density, multiple-family residential dwellings, (...) and vacant land suitable for development at higher densities.” Furthermore, HDR-designated areas may be designated HDR when “adjacent, or in close proximity, to existing or planned shopping centers, employment centers, transit routes, or minor arterials.” The properties in question adequately satisfy this description for an appropriate area to be designated HDR.

With regard to consistency with goals and policies in the Plan, the application is consistent. In particular, Goal 10 (Housing) policies call for residential developments to “be located in close proximity to employment and shopping facilities to allow Troutdale residents easy, convenient access to job sites and shopping needs.” The policies also states that the City should “recognize multiple-family dwellings as a legitimate and needed housing type in Troutdale and allow multiple-family developments in areas designated for such in the Comprehensive Plan. As such, the criterion is met.

## Decision Criteria – Comp Plan Map [TDC 6.120]

**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.**

FINDING: The majority of HDR-designated properties in the City are already developed. HDR-designated properties that are not presently developed have all recently seen an uptick in development interest. Several of these properties however have site constraints that make desired densities difficult to overcome. The addition of these properties to this designation provides properties that are more ably suited to carry the density capacity that is proscribed by the Plan and the Troutdale Development Code. **The criterion is met.**

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

FINDING: The existing land use designations for the properties in question are medium-density residential (MDR) and low-density residential (LDR). Both land use designations will continue to have sufficient areas in the city to support future development. Staff trends indicate the higher need for residential land uses are with denser housing configurations, driven by larger trends of housing affordability and flexibility observed across the metro region and state. **The criterion is met.**

## Decision Criteria – Comp Plan Map [TDC 6.120]

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

FINDING: Surrounding land uses in the area are effectively built out. To the north are commercial land uses in the form of a shopping center. To the east and south are single-family residential areas, with the subdivision to the south being self-contained and independently accessible to 242nd Avenue. To the west, the Gresham Vista Business Park is becoming a major job center in the area with limited industrial uses that are largely self-contained and mitigated through master plan requirements.

The addition of multi-family residential can be seen as complementary to the commercial and industrial uses and improve upon the aesthetics for the single-family uses by developing an overgrown field. Furthermore, alternative land uses that may be allowed under the current zoning designation may not be in the best interests of the surrounding areas, as they do not afford the density that benefits the commercial land uses, nor the critical mass of people to encourage service or public improvements. As such, **the criterion is met.**



## Decision Criteria – Comp Plan Map [TDC 6.120]

**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.**

FINDING: With the intended public improvements as proscribed by agencies that offered conditions of approval to the correlated site development review application, the intended development of the properties in question can be adequately supported. The development as proposed has a significant effect on the transportation system, therefore conditions of approval as proscribed by Multnomah County and the City of Troutdale Public Works Department shall be satisfied by the developer in order to mitigate the effects of the proposed map amendment and correlated site development intended. As such, **the criterion is conditionally met.**

## Decision Criteria – Zoning Map [TDC 6.1400]

**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.**

FINDING: The applicant is proposing the properties be rezoned to A-2 Apartment Residential. The corresponding site development application would satisfy the intent of the district if the properties are rezoned. The land use designation that is proposed concurrent with the zoning district proposed is for High-Density Residential, which is intended for land uses that include apartments. Provided that the comprehensive land use plan map amendment application is approved, **the criterion is conditionally met.**

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

FINDING: The Application demonstrates that a potential layout with variances granted for building setbacks along the street frontages and for a minor reduction in landscaped areas can adequately accommodate the permitted use. As such, **the criterion is met.**

# Decision Criteria – Zoning Map [TDC 6.1400]

**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.**

FINDING: This finding is concurrent with the proposed findings in Criterion F of the Comprehensive Land Use Plan Map Amendment decision criteria. As such, the **criterion is conditionally 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.**

FINDING: The Staff analysis introduced quantitative data and research as part of the evaluation of this application. Although public testimony suggests concerns about livability and potential negative impacts, livability is a qualitative factor that is difficult to measure. Furthermore, the public interest of seeing additional housing opportunities in Troutdale and the region in order to address the high demand for this type of housing arrangement are demonstrable and considerable. Other potential land uses for this site suggest that multi-family residential development is likely the highest and best use of the property that would also have the most positive impact on improving public facilities and services. As such, **the criterion is met.**



## Decision Criteria – Zoning Map [TDC 6.1400]

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

FINDING: The general interest of the community relies on balancing concerns of the immediate surrounding area with the larger issues facing the community at large. Traffic and housing are issues that affect many residents and potential residents of the community. Providing opportunities for development to address housing affordability and availability while simultaneously encouraging improvements to the worsening traffic situation at the adjacent intersection can be accomplished in approving this map amendment and concurrent site development application. As such, the criterion is met.

# Recommendations

Staff recommends **approval with conditions** for both map amendments as outlined in the proposed Findings of Fact.

## Conditions from

- Planning Division
- Public Works
- Gresham Fire & Emergency Services
- Multnomah County Transportation Planning

Planning Commission voted 4-3 to recommend **approval with conditions** of the full application, which also includes the site development plan & associated variances.

# Public Testimony

Comments should be directed towards the City Council

Please have comments relate to the decision criteria  
for the map amendments

# Public Testimony

## **Order of Testimony**

1. Applicant
2. Proponents
3. Opponents
4. Neutral Parties / Clarifications
5. Requests for Additional Time

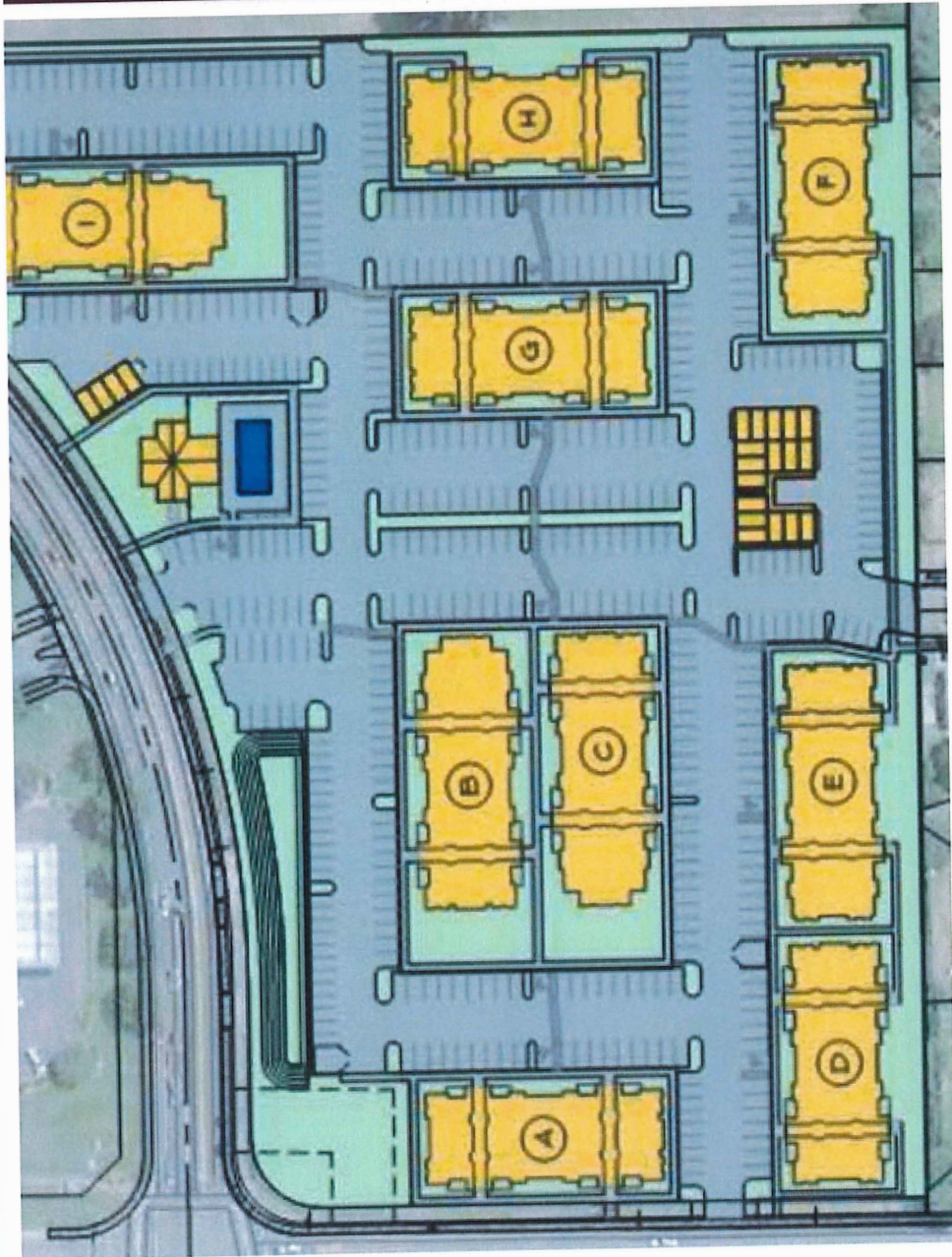
## **Reminder:**

- All issues raised by a participant must be sufficiently clear and specific to allow City Council and other parties to respond.
- Failure to raise an issue during this public hearing may invalidate a future appeal based on that issue.



# EAGLE RIDGE APARTMENTS

DESIGN REVIEW AND  
COMPREHENSIVE PLAN  
AMENDMENTS



## EAGLE RIDGE APARTMENTS

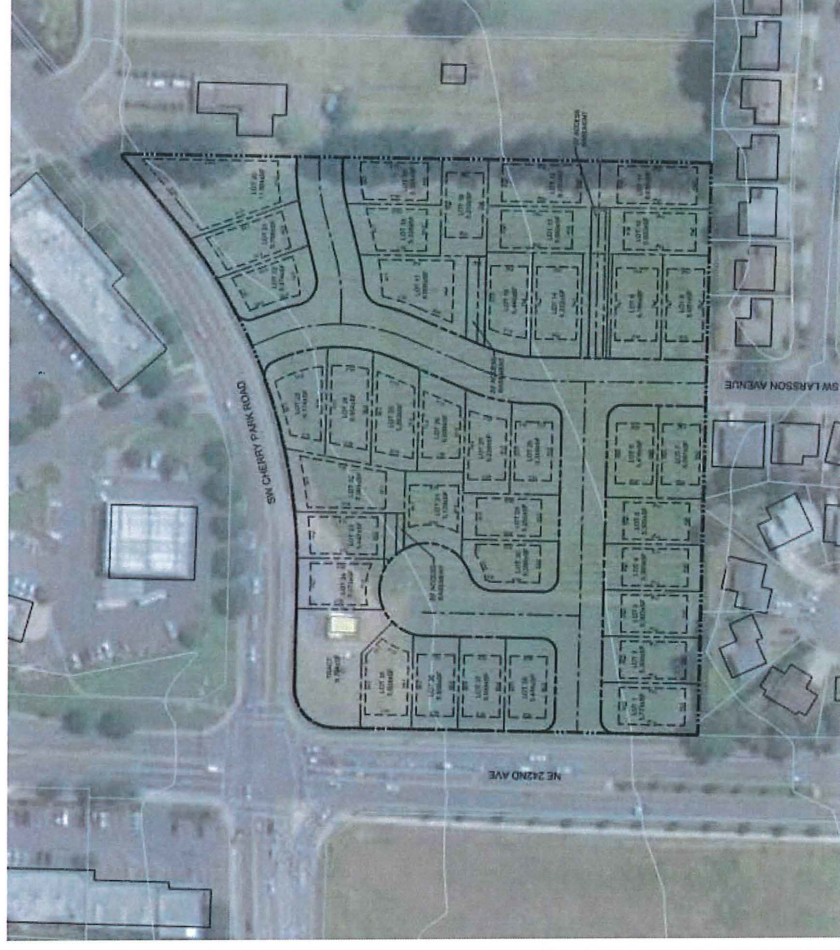
- 216 Unit Multi-Family Homes
- Applications have been submitted for Site Development Review, a Comprehensive Plan Map and Zone Change, and two Variances.
- The proposed Applications meet all of the approval criteria and the Applicant accepts all proposed conditions of approval.





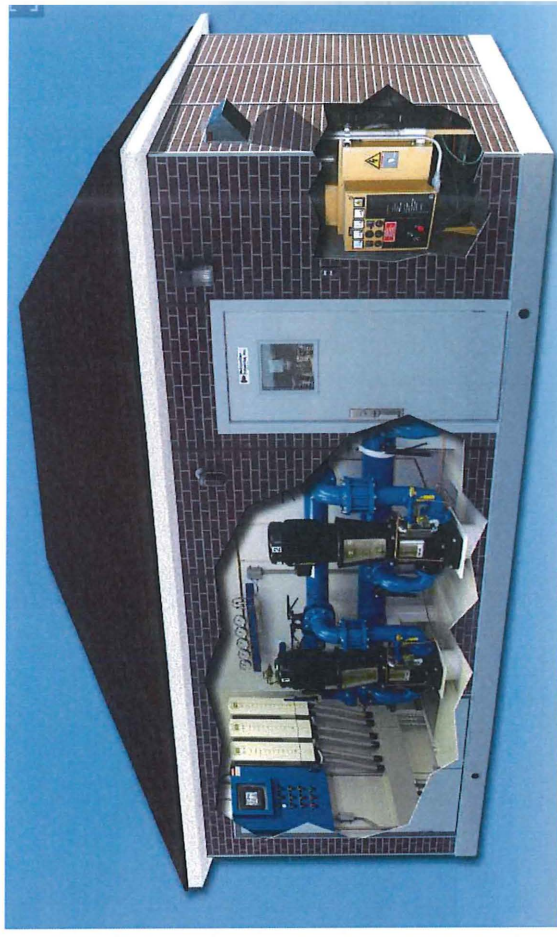
## EAGLE RIDGE APARTMENTS

- The land is zoned R-5 for single family homes.
- Single family homes do not work on the site because this project does not provide sufficient opportunity for a gravity sewer connection.
- The land was on the market for more than 5 years and no one was able to complete a deal for single family.



## EAGLE RIDGE APARTMENTS

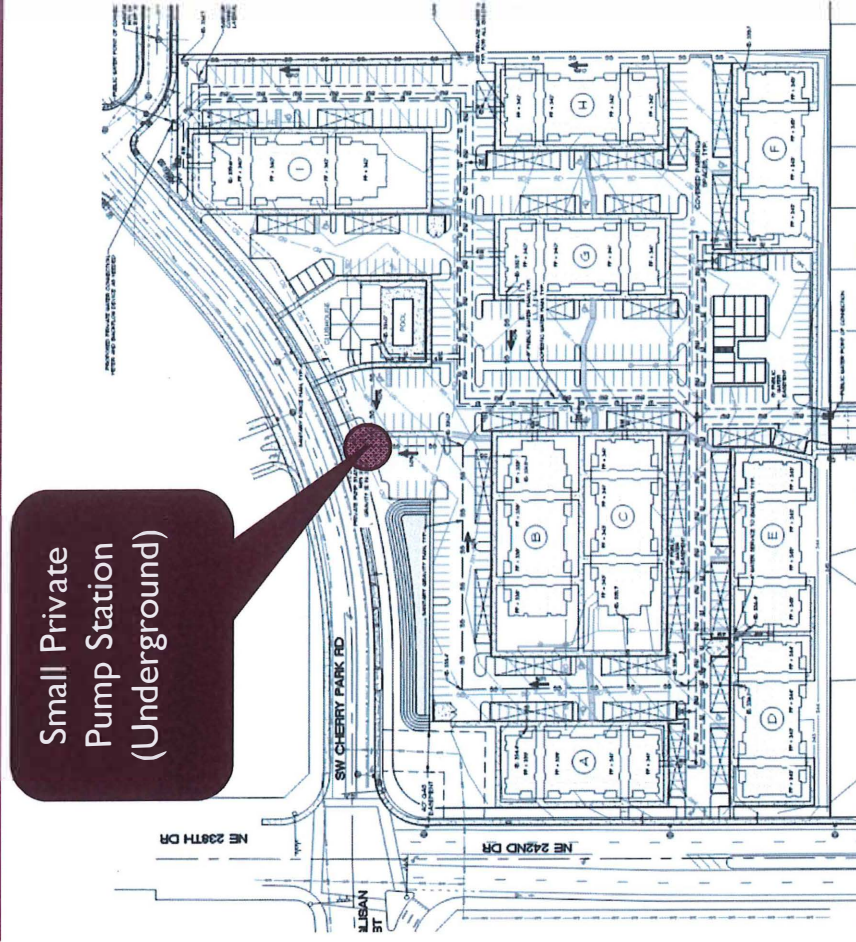
- Public Pump Stations are not desirable by the City's Engineering and Public Works Department.
- They are expensive to construct and expensive to maintain.





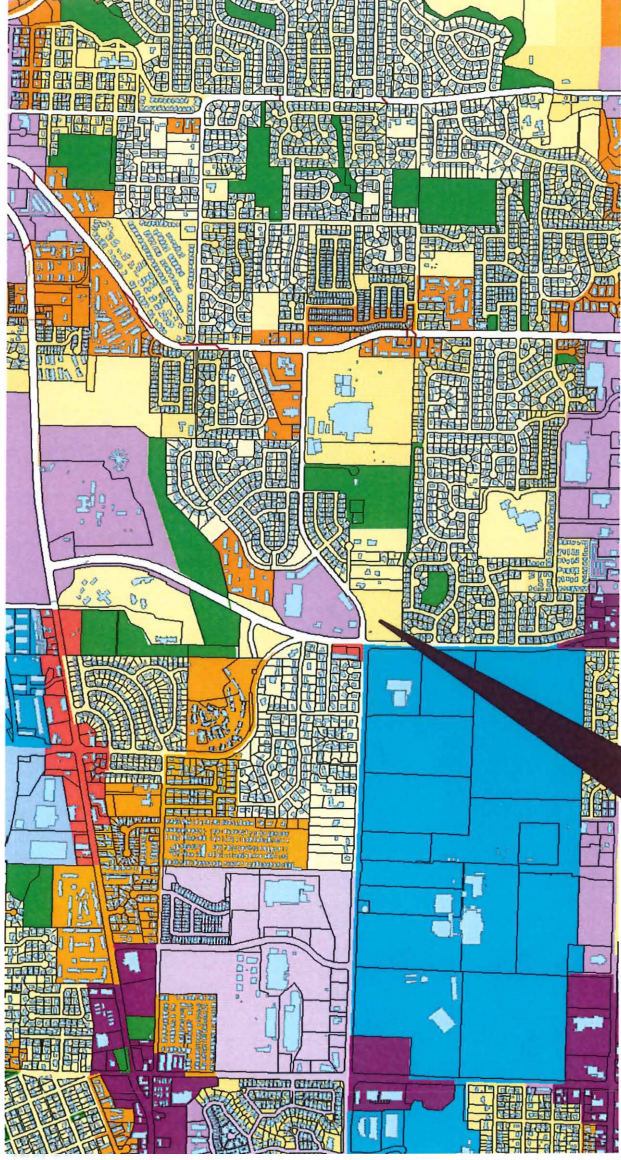
## EAGLE RIDGE APARTMENTS

- The development of the site as a private apartment complex removes the need for the installation of a public pump station as a private pump station can be installed and maintained by the developer.
- A much smaller system can be installed and maintained.



## EAGLE RIDGE APARTMENTS

- The site's location makes it ideal for multi-family.
- SW Cherry Park is a Collector, NE 242<sup>nd</sup> is an Arterial
- The site will have Trimet Service next year

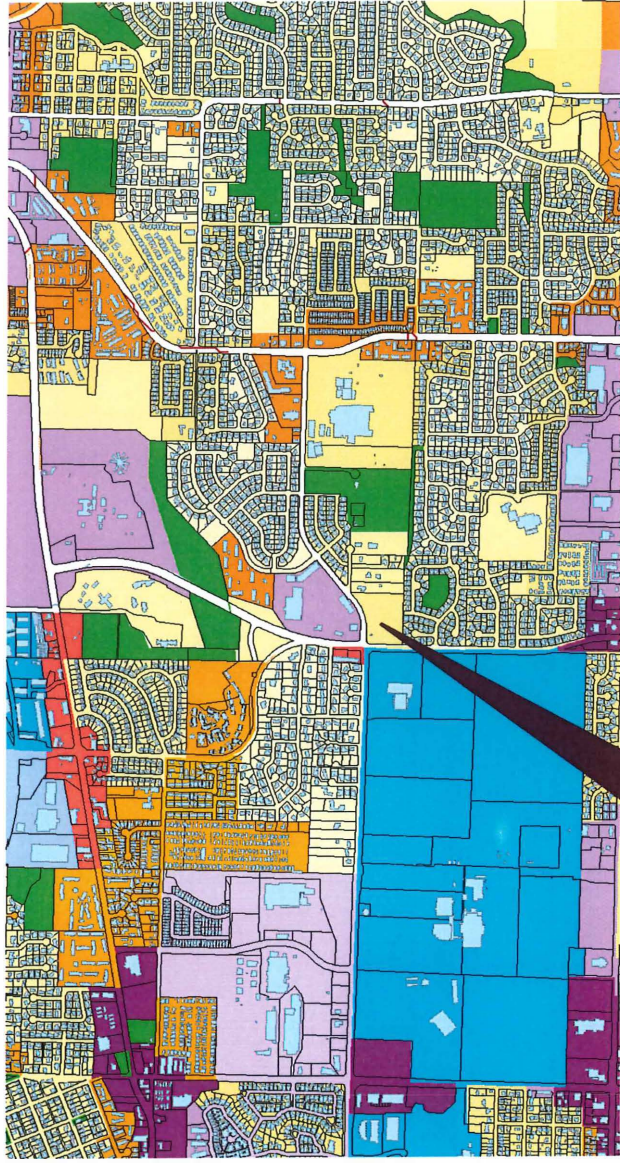


Site



## EAGLE RIDGE APARTMENTS

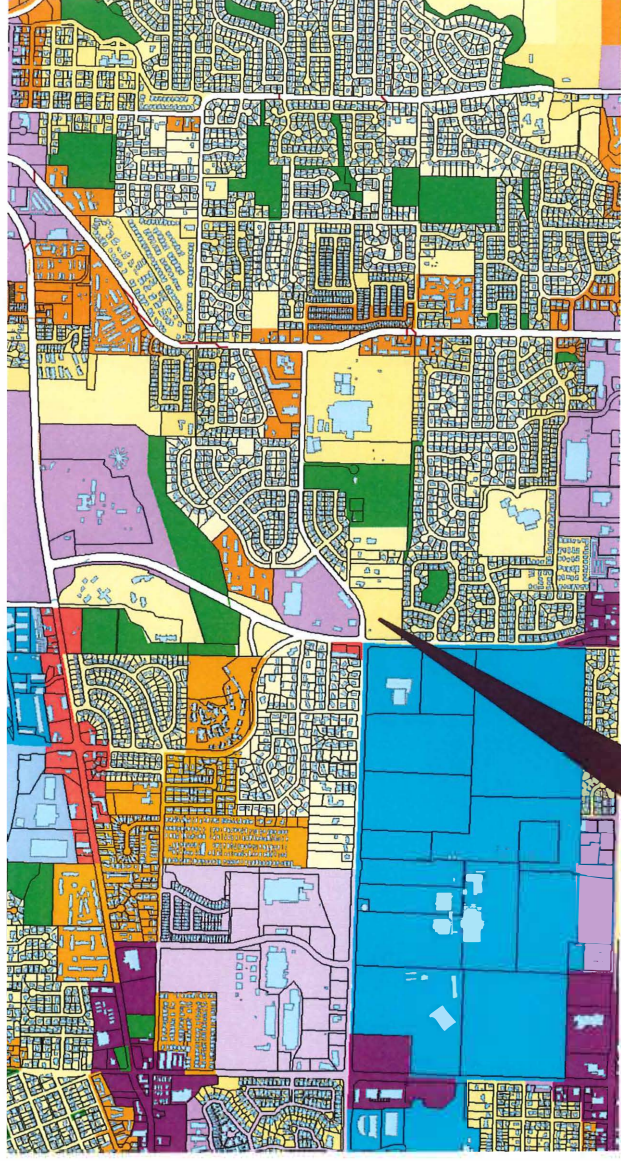
- Apartments are often located on busy corners.
- The site's location provides opportunities to walk to major services, retail, parks, and employment centers.



Site

## EAGLE RIDGE APARTMENTS

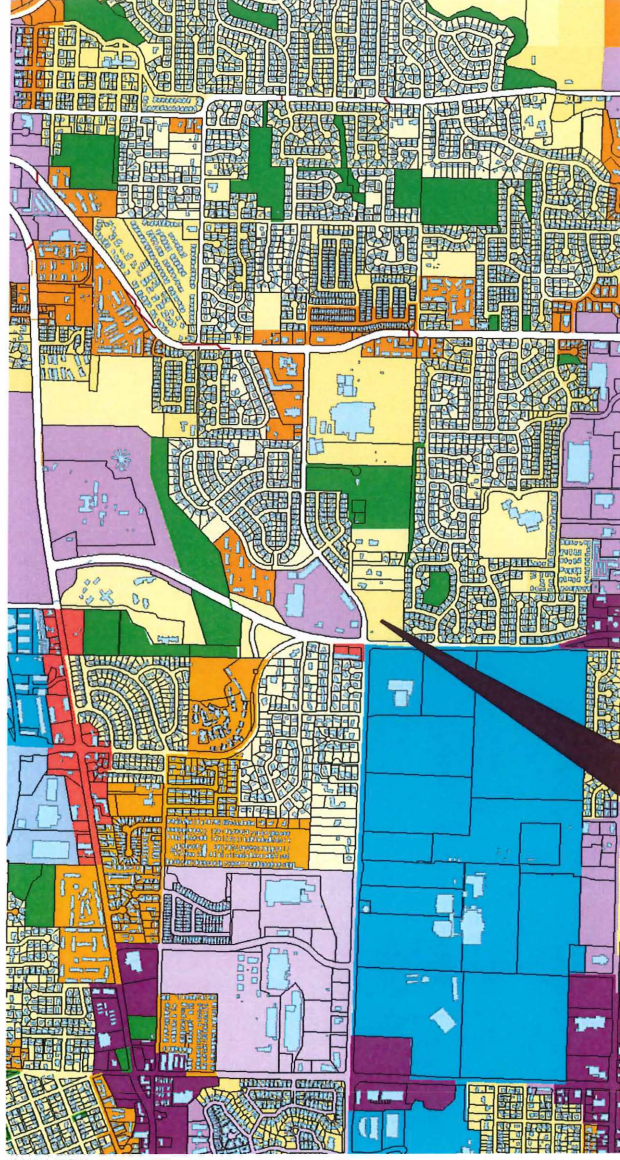
- Staff has evaluated the proposal and agrees that the proposal meets the City's Approval Criteria. Staff Specifically found that:
  - This is a proper location for this density due to proximity to existing shopping and employment areas.
  - The development of multi-family homes is not likely to have a negative impact on property values.





## EAGLE RIDGE APARTMENTS

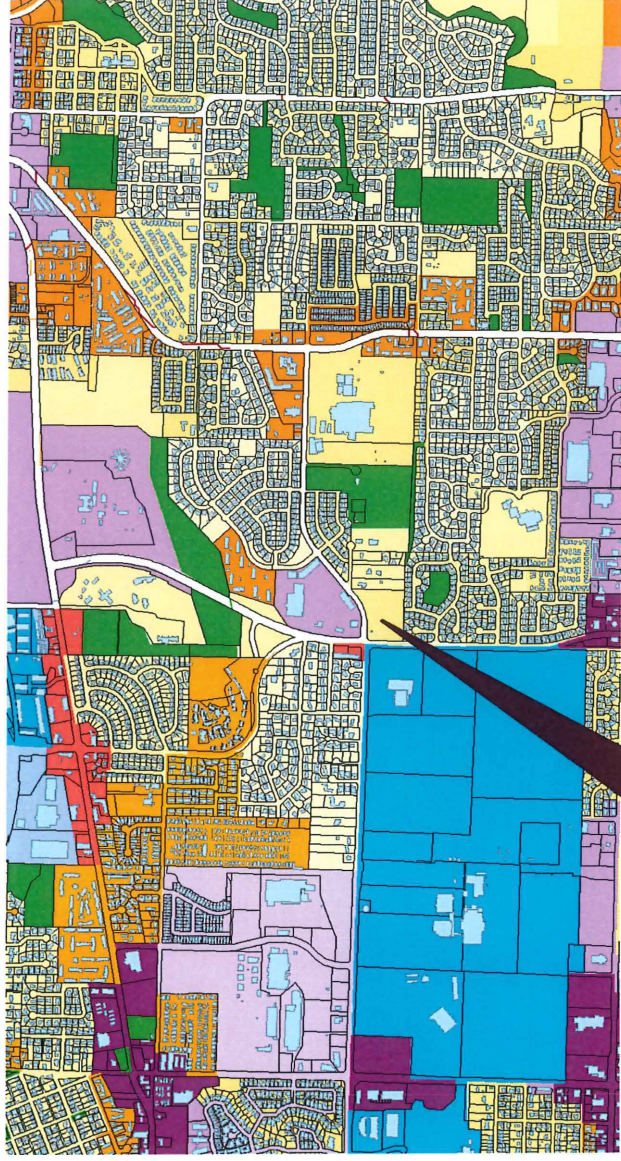
- Staff has evaluated the proposal and agrees that the proposal meets the City's Approval Criteria. Staff Specifically found that:
  - School capacity is not likely to be an issue. Enrollment figures have dropped within the District. The impact of multi-family is typically less than single family.





## EAGLE RIDGE APARTMENTS

- Staff has evaluated the proposal and agrees that the proposal meets the City's Approval Criteria. Staff Specifically found that:
  - Traffic impacts are anticipated to be minimal on the existing neighborhood.
  - The Applicant is proposing signal modifications at NE 242<sup>nd</sup> and SW Cherry Park.
  - The Applicant is willing to install a Rapid Flashing Beacon at 18<sup>th</sup> Avenue to address pedestrian crossing concerns at SW Cherry Park.



Site

## EAGLE RIDGE APARTMENTS

- Staff has evaluated the proposal and agrees that the proposal meets the City's Approval Criteria. Staff Specifically found that:
  - Multnomah County, the City of Gresham, and the City of Troutdale have evaluated and agree on intersection mitigations, dedications, and improvements.



# THE CITY'S COMPREHENSIVE PLAN

## 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:

- **Areas adjacent, or in close proximity, to existing or planned shopping centers, employment centers, transit routes, or minor arterials.**
- **Comprehensive Plans are not static.**
- **Comprehensive Plans are meant to change to reflect changing circumstances. The addition of Trimet, Major Employment, and the Site's walking distance to services makes this proposal ideally suited.**















## SUPPORT FROM LOCAL BUSINESSES

- 17 local businesses within the plaza north of the site have signed a petition in support of this zone change and plan amendment.

### PETITION FOR ZONE CHANGE APPROVAL

If approved, the increase in new residents to the neighborhood will positively impact your business with increased sales and revenue

<b>Petition summary and background</b>	On property located at the Southeast corner of 242 <sup>nd</sup> and Cherry Park Road, Troutdale, Oregon, Sheldon Development Inc requests the City of Troutdale to approve a zone change allowing the use for multi-family construction of 216 apartment homes
<b>Action petitioned for</b>	We, the undersigned, support the approval of the zone change request

Printed Name	Signature	Address	Business Name	Date
Pat Connel		2503 SW Cherry Park Rd	Connel's Pizza	6/1/18
Brandon Johnson		2509 SW Cherry Park Rd	Goodfathers Pizza	6-1-18
Kimberly Vanevert		2503 SW Cherry Park Rd	Goodfathers Pizza	6-1-18
Rui Rong		2507 SW Cherry Park Rd	Wu's Garden	6-1-18
Holly Massey		2513 SW Cherry Park Rd	Cherry Park Rental	6/1/18
Julio Senaru		2521 SW Cherry Park Rd	Cherry Park Subway	6/1/18
Juan Carlos				
Duane Clark		2555 SW Cherry Park Rd	McDonald's	6-1-18
Edanna Vasquez		2505 SW Cherry Park Rd	McDonald's	6-1-18
Fidel Reyes		2441 SW Cherry Park Rd	Turkey Restaurant	6-1-18
Julia Breumann		2459 SW Cherry Park Rd	Perfect Look	6/1/18
Virginia Schwent		2459 SW Cherry Park Rd	Perfect Look	6/1/18












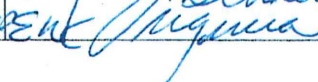




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Printed Name	Signature	Address	Business Name	Date
PAT CANILL		2503 SW CHERRY PARK	CO. DEATH'S PIZZA	6/1/18
Brandon Johnson		2503 SW Cherry Park Rd	Godfathers Pizza	6-1-18
Kimberly Vanzandt		2503 SW CHERRY PARK RD	Godfathers PIZZA	6-1-18
Ru Rong		2507 SW CHERRY PARK	Wu's Garden	6-1-18
Holly Mosby		2513 SW CHERRY PARK RD	Cherry Park Dental	6/1/18
Jedro Semaro		2521 SW CHERRY PARK RD	Cherry Park Subway	6/1/18
				
Duane Clark		2555 SW CHERRY PARK Rd	McDonalds	6-1-18
Idania Vasquez		2555 SW CHERRY PARK Rd.	McDonalds.	6-1-18
Fidel Reyes		2441 SW CHERRY PK Rd	Turatio Restaurant	6-1-18
John Bremermann		2459 SW CHERRY PK Rd	Perfect Look	6/1/18
Virginia Schwent		2459 SW CHERRY PK Rd	Perfect Look	6/1/18

