



Revised Agenda June 15, 2021

Special Meeting | 7:30 p.m.

Troutdale Police Community Center – Kellogg Room
234 SE Kendall Ct, Troutdale, OR 97060

- 1. Pledge of Allegiance, Roll Call, Agenda Update**
- 2. Public Hearing / Ordinance (Introduction):** An ordinance adopting text amendments to Chapters 1 and 3 of the Troutdale Development Code. – **Chris Damgen, Community Development Director**
- 3. Public Hearing / Ordinance (Introduction):** An ordinance adopting Zoning Map amendments on approximately 19.27 acres of land located in the Urban Renewal Area. – **Chris Damgen, Community Development Director**
- 4. Adjournment**

Randy Lauer, Mayor
Dated: June 10, 2021

Meeting Participation during COVID-19 Social Distancing Order

The public may attend the meeting in person or via Zoom. Please email info@troutdaleoregon.gov by 5:00pm on Monday, June 14th to request Zoom meeting access credentials. Due to public health requirements related to COVID-19, not more than twenty-five (25) people may be physically in the meeting room at any time.

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

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

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

Tuesday, June 15, 2021 – 7:30pm

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
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Mayor Lauer called the meeting to order at 7:28pm.

PRESENT: Mayor Lauer, Councilor Ripma, Councilor Caswell, Councilor Kranz, Councilor White, Councilor Moon and Councilor Glantz.

ABSENT: None.

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

GUESTS: See Attached.

Mayor Lauer asked for agenda updates.

Ray Young, City Manager, replied there are no updates.

Mayor Lauer opened public comment, no comments made.

2. PUBLIC HEARING / ORDINANCE (Introduction): An ordinance adopting text amendments to Chapters 1 and 3 of the Troutdale Development Code.

3. PUBLIC HEARING / ORDINANCE (Introduction): An ordinance adopting Zoning Map amendments on approximately 19.27 acres of land located in the Urban Renewal Area.
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The City Council discussed Agenda Item #2 and #3 at the same time

<0:03:05>

Chris Damgen, Community Development Director, gave a brief overview of the staff report and showed Council a PowerPoint presentation (attached as Exhibit A).

<0:14:56>

Councilor Kranz inquired about the striking through of section 3.099 and if it was staff's recommendation or the Planning Commission's (PC) recommendation.

Chris Damgen replied staff had prepared 3.099 and the PC made the recommendation to strike through that section because there was concern that there needed to be more discussion with it.

Councilor Ripma asked if these amendments will apply to other mixed-use districts or just MU3.

Chris Damgen replied they would apply to any zoning district across the city with these references.

<0:16:30>

Councilor Ripma stated he can't tell what has been changed. These amendments are not the desired outcomes he had in mind or was looking for. There is an awful lot of residential and the age restricted housing is alarming. He would like to see a markup of the current mixed-use codes that are changed by the proposal and a detailed explanation of what is being changed.

<0:22:20>

Chris Damgen stated the challenge of doing a redline is that this is a new zoning district. This is an entirely new section that's being created. If Council feels there are land uses that are not appropriate for this particular zoning district, now is the time for questions and suggestions.

<0:25:17>

Ray Young, City Manager, stated more restrictive zoning on this property will not attract more proposals. It will actually attract less proposals. Residential has to be an element of a multi-use area. The zoning being created is meant to attract proposals, not limit them. He cautions making it too restrictive.

<0:28:39>

Councilor Caswell asked how specific a plan can be made in a master plan as far as guiding what is allowed and not allowed. She asked if there controls as to getting what the city wants in a certain area.

<0:29:24>

Chris Damgen replied through master planning and creating architectural or design standards that as a property owner that is wishing to sell, you can work with a perspective dance partner through a development agreement. You can also do deed restrictions or other entitlement vehicles that can guarantee certain style, quality, capacity, etc. within the development as part of a sale agreement with one or multiple people.

<0:33:52>

Councilor Ripma stated he understands that the URA is the owner and the applicant. He stated by inviting all these various housing types when housing is the hot market, this is not what he had in mind for the site. He asked if the City of Troutdale can say they're not interested in more apartments and turn them down. He's concerned that there might only be housing proposals for multi-family, care facilities, age restricted housing and low-income. There needs to be development that's going to make money for the city in property taxes.

<0:36:16>

Ed Trompke, City Attorney, stated he thinks that every court in the state and in the nation would support a city that wants to create a balanced community with different kinds of housing and other development mixed in whatever way the city wants to mix them together. That said, he doesn't think you can simply say, no apartments, unless you build in some other things that would take the place of that in the marketplace and what the community needs. It's a hard line to draw between what's allowed and what's not allowed.

<0:39:00>

Chris Damgen reminded Council to keep in mind the property, the access challenges and the infrastructure that is going to have to be built.

<0:40:44>

Mayor Lauer stated the city is on track and has 20 more years to get there. The housing that could be built down there could be considered upper income housing just based on the location and the vision. He stated he would be fine with striking out casinos from the proposal.

<0:44:03>

Councilor Glantz stated one of her specific concerns is cottage clusters being defined as the units all being 900 sq. ft. or less.

Chris Damgen stated cottage cluster was not an intended use for this zoning district, so the city didn't move forward with them.

<0:45:30>

Ed Trompke stated the 900 sq. ft. comes out of HB2001 which has a companion bill, HB2003 and it talks about the way they interact and the building codes piece.

<0:48:10>

Councilor Glantz stated having the entertainment major is a huge red flag.

<0:52:44>

Chris Damgen stated in addition to reviewing the document that's presented and making suggested edits, these definitions, apart from maybe the state ones, aren't written in stone. If there is something off or Council wants a certain word or phrase removed or added, this is the opportunity for preferences.

Councilor Kranz stated these proposals are going to live in the front of the development code. These are additions that are going into the development code, they're not specific for the MU3 zone. This is city-wide for everything. We can change it, modify it, whatever we want.

<0:55:21>

Councilor Ripma stated he is concerned about height allowances in other areas of the city. He asked if there was any way to limit it to the Confluence site.

Ed Trompke stated the City Council has all the legislative power of the city so it can always change any ordinance. The only way to make it impossible for a later council not to change it would be to put it in the City Charter.

<0:57:48>

Chris Damgen stated there is a purpose statement in 3.091 that says, "the district is intended to provide a compatible mix of commercial and medium to high density residential opportunities in areas of the city where vertical development has a negligible impact on surrounding areas." It's a little open ended but perhaps that might be an area where you can refine or better define it to basically all but imply that this might be the only potential area your comfortable with.

Mayor Lauer opened the public hearing for agenda item #2 at 8:32pm.

Paul Wilcox, Troutdale resident, read from a self-prepared statement (attached as Exhibit B).

Mayor Lauer closed the public hearing for agenda item #2 at 8:35pm.

Mayor Lauer opened the public hearing for agenda item #3 at 8:35pm.

Mayor Lauer closed the public hearing for agenda item #3 at 8:36pm.

<1:07:27>

Councilor White stated he feels like the property has been set apart from the city to be very unique and he believes in the site. He doesn't think the city is giving the property a fair shake. He followed along with Planning and they had their hands full just getting the senior housing taken out. He doesn't think they had a fair look at what Council wants to see and what the Town Center wants to see, which is a very high-end exclusive development that puts Troutdale on the map. He would prefer a redline version, even though it's a new district, he wants to know what the current standard is. He thinks it should be sent back to the PC and thinks what's being proposed tonight is a big mistake.

<1:10:48>

Councilor Ripma stated he would like the Council to recommend staff to bring back a clearer explanation of what is being changed. He would like the PC to finish 3.099. He feels like this is hasty and it should be setover to the next Council meeting.

<1:12:35>

Councilor Kranz stated she agrees with Paul Wilcox in terms of having a higher level of visibility and not maybe having it as a Type 3. She would like Council to look at 3.095, Section C, part 2 and maybe striking out requiring a Type 3 site development review or Type 4 possibly. She would really like to see this project go. She doesn't want to keep punting it and deferring it or be in an analysis paralysis situation.

<1:14:38>

Councilor Glantz asked if a table would work instead of doing a redline version.

Chris Damgen stated he could make a table and do a bullet point list. He explained, if Council is concerned about potential negative or bad quality development from occurring, his suggestion is to have a separate resolution on the night of the second hearing that directs staff to prepare a framework plan, a master plan or a corresponding correlating document because that document is where you can flex your muscle as far as demanding quality.

Ed Trompke stated it would be easier to do it after the standards are in place then Council could tell staff what the city would like to see come out of it and it can be based on other things like the costs of the streets, water, sewer, stormwater, etc.

<1:30:16>

Ray Young stated nobody more than staff wants to see a great development on the property. There is no other vacant piece of property like this on the waterfront in the metro area. The city needs to attract the developers to come build wonderful products. If the city starts off with too many restrictions, it will scare away a lot of developers.

<1:33:18>

Mayor Lauer stated he has heard 4 things for direction for staff; comparative tables of the difference between the mixed uses, change type 3 requirement to type 4 requirement with regards to the height variance in the URA site, height mitigated by topography and a master plan.

Ed Trompke suggested using a development target plan versus a master plan.

<1:39:02>

Councilor Ripma stated he thinks the PC needs to complete section 3.099 and then have staff bring back a clear markup with the changes.

Councilor Kranz stated the PC has already forwarded this document as a recommendation to the Council. There are no other members of the PC at the meeting tonight except for Paul Wilcox, and he gave a statement.

<1:43:12>

Councilor Ripma stated there are several things he would like to change, including having the PC complete section 3.099.

Councilor Kranz stated the PC has recommended the Council to withhold approval of that section.

<1:47:01>

Mayor Lauer stated he doesn't want to get in a position of withdrawing the land use application. He would like to continue this meeting as the first reading at the next Council meeting.

<1:54:31>

Councilor White stated without a NFA from DEQ there really is no missed opportunity or punting it. The city hasn't been able to market the site. The worst thing the city can do is mis-zone it.

He thinks it should be zoned for what they want to be seen down there. Otherwise, the developers time is wasted because of the expenses that Chris mentioned and the uniqueness of the site. This site is really the only chance of getting Troutdale on the map. He wasn't happy with the consultants work and the number one thing to go in there would be a campus that provides jobs and one that is sustainable and pays taxes.

Mayor Lauer asked if a vote needs to be taken to extend the first hearing.

Ed Trompke explained the proper way to do it would be for a councilor to move with a second to continue items 2 & 3 to the next meeting on June 22nd.

MOTION: Councilor Ripma moved to continue items 2 and 3 to the next Council meeting on June 22nd. Seconded by Councilor Glantz.

VOTE: Mayor Lauer – Yes; Councilor White – Yes; Councilor Moon – Yes; Councilor Glantz – Yes; Councilor Ripma – Yes; Councilor Caswell – Yes and Councilor Kranz – No.

Motion passed 6-1.

4. ADJOURNMENT

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

Meeting adjourned at 9:33pm.



Randy Lauer, Mayor
Dated: August 25, 2021

ATTEST:

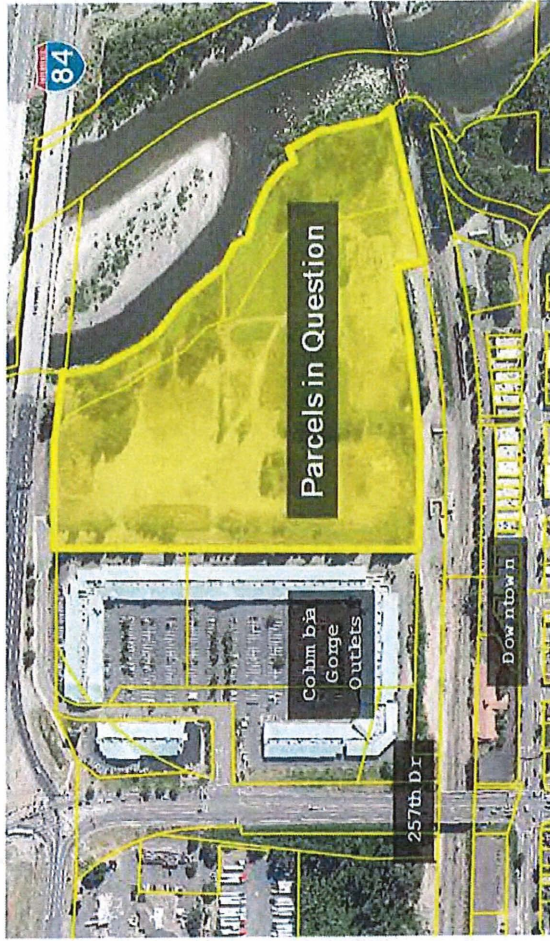


Kenda Schlaht, Deputy City Recorder

June 15, 2021 City Council Special Meeting Zoom Guest List

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Sandy Glantz	sandy.glantz@airship.com	6/15/2021 19:20	6/15/2021 21:33	133
Glenn White		6/15/2021 19:21	6/15/2021 19:21	1
Jean Linn	jeanieswish64@gmail.com	6/15/2021 19:21	6/15/2021 21:08	108
Nick Moon		6/15/2021 19:25	6/15/2021 21:33	129
Glenn White		6/15/2021 19:25	6/15/2021 19:26	2
Paul Wilcox		6/15/2021 19:25	6/15/2021 19:26	1
Glenn White		6/15/2021 19:26	6/15/2021 21:33	127
Paul Wilcox		6/15/2021 19:27	6/15/2021 21:33	126
Randy Lauer		6/15/2021 19:27	6/15/2021 21:33	126
Jamie Kranz		6/15/2021 19:27	6/15/2021 21:33	126
Troutdale Conferencing	troutconf@troutdaleoregon.gov	6/15/2021 19:27	6/15/2021 21:33	126
Troutdale Conferencing	troutconf@troutdaleoregon.gov	6/15/2021 19:28	6/15/2021 21:33	126
Chris Damgen	troutconf@troutdaleoregon.gov	6/15/2021 19:28	6/15/2021 21:33	126
Ray Young	ray.young@troutdaleoregon.gov	6/15/2021 19:28	6/15/2021 21:33	125
Testimony Table	troutconf@troutdaleoregon.gov	6/15/2021 19:28	6/15/2021 21:33	125
Alison Caswell		6/15/2021 19:29	6/15/2021 21:33	125
Dave Ripma	dripma@sharplabs.com	6/15/2021 19:20	6/15/2021 21:33	134

75-06 Mu-3 zoning district



Public Hearing

City Council | June 15, 2021

Exhibit A

June 15, 2021 Council Meeting Minutes



The Application

- **Text Amendment** to establish a new zoning district and add/modify land use definitions
 - Urban Mixed Use (MU-3)
- **Map Amendment** to rezone “The Confluence” site to MU-3
 - Requires Text Amendment approval
 - City’s Urban Renewal Agency is the property owner
- No actual development is being proposed
 - These amendments allow for the City to move forward on development solicitation
 - Town Center Plan endorsed
- Planning Commission recommended approval
- City Council Decision-Making entity (2 hearings)



Text Amendment

- Establishes a new zoning district (3.090) – see attachment A
 - Purpose
 - Permitted Uses
 - Other Uses
 - Specific Use Standards
 - Dimensional and Density Standards
- Adds/amends definitions (1.020)
- Creates a use table (3.002)
- Recommendation of Town Center Plan, in particular for The Confluence site
 - other sites could apply for this zoning district at request of property owners
 - Urban Renewal Agency directed Staff to develop district standards



Definitions

- Age-Restricted Housing
- Community-Based Care Facility
- Cottage Cluster
- Cottage Cluster Project
- Dwelling, ____ (HB 2001)
 - Cottage
 - Duplex (amended)
 - Quadplex
 - Townhouse
 - Triplex (amended)
- Entertainment Facility (minor & major)
- Financial Institution
- Flex Space
- Freight & Trucking Firm
- Fueling Station (amended)
- Home-Based Child Care
- Human services
- Live-Make Unit
- Live-Work Unit
- Lodging Facility
- Middle Housing
- Personal Services
- Residential Facility (amended)
- Townhouse Project
- Vehicular Services



Why Such an expansion of definitions?

- Creation of use table (user friendly)
- Antiquated terms
- Compliance with current official terms/future state requirements
- Eliminates ambiguous interpretation by director
- New zoning district – ensure desired outcomes



Use Table

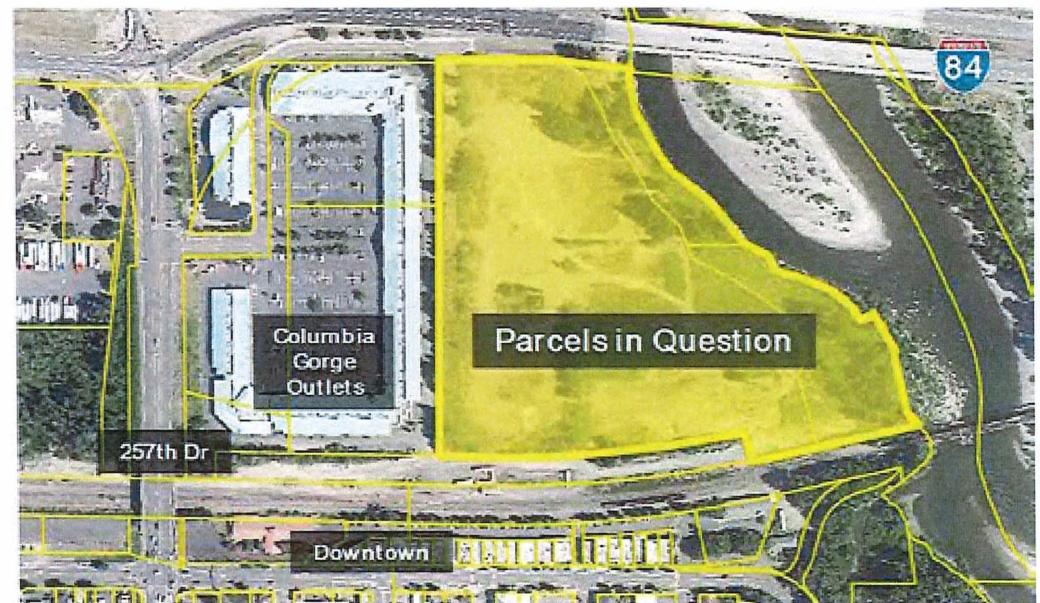
- Quickly identifies if something is
 - Permitted (P)
 - Permitted with Specific Standards (S)
 - Conditional – requires Planning Commission approval (C)
 - Not Allowed (N)

Land Use	MU-3	Definition	Specific Standards
Mobile food vendor (individually placed, on privately owned lot)	N	1.020.XXX	
Food cart pod, micro-retail pod, or outdoor market	C	1.020.XXX	
Financial institutions (no drive-thru)	P	1.020.XXX	
Financial institutions (with drive-thru)	S	1.020.XXX	3.094
Personal services	S	1.020.XXX	3.094
Human services	C	1.020.XXX	
Vehicular services	N	1.020.XXX	
Fueling stations	N	1.020.XXX	
Lodging facilities	N	1.020.XXX	



Map Amendment

- Urban Renewal Agency is the applicant
- Rezone the Urban Renewal Agency-owned properties to MU-3
 - “The Confluence” site
- Currently zoning:
 - General Commercial
 - Mixed Office/Housing
- Recommendation of Town Center Plan for new zoning district for site



Suggestions for discussion / refinement

- Review the “general framework” of the zoning district
 - 3.091 Purpose
 - 3.092 Permitted Uses (review 3.002 Use Table)
 - 3.093 Other Uses
 - 3.094 Specific Use Standards
 - 3.095 Dimensional and Density Standards
- Review draft findings in Planning Commission Staff Report



Recommendations

- Planning Commission: Approval
 - Minor changes to the use table (permitted/conditional uses)
 - Tabling Additional Standards section (3.099) to a future date (strikethrough section in Attachment A)
 - Expanded finding for text amendment criterion B
- Staff: Approval
- Notes:
 - Text Amendment ordinance has to be approved in order to approve Map Amendment
 - MU-3 zoning district does not have to be restricted just to The Confluence site.
 - Other properties can always request a rezoning to MU-3 via map amendment
 - Urban Renewal Agency is currently the only applicant



Exhibit B

June 15, 2021 Council Meeting Minutes

Mayor and Councilors,

I voted against recommendation to Council as a member of the Planning Commission, but I'm testifying tonight as citizen Wilcox.

My main issue with the proposed changes are within Chapter 3.095, Dimensional and Density Standards, and Section C, Height Limitation in particular, which describe the increased height allowances. On Planning Commission, I opposed recommendation primarily due to the higher height limits of 55 to 75 feet. There's a segment of the Troutdale population who are opposed to mini high-rises in Troutdale, and I thought that their view deserved to be represented. Every time I pass by the new apartment complex on Civic Dr. in Gresham I'm struck by how disproportionate those buildings are in comparison to the surrounding area, and they only top-out at five stories. The tops of some of them are visible from Powell Blvd., although I realize that is partly due to terrain.

The other main issue I have is that approval to increase building height from 55 to 75 feet is at the sole discretion of the Planning Commission, as that decision has been designated as a Type 3 hearing. We're not talking about adjusting a ground-level setback from 10' to 5'; we're talking about allowing an additional two stories to the height of any building within The Confluence site. I'm not comfortable with an appointed volunteer body making that big a decision. A Type 3 hearing decision precludes Council action since the Planning Commission is the deciding body. Also, staff has provided zero guidance as to on what basis up to 20 additional feet would be allowed. How would the Planning Commission members determine where 75' is appropriate, and where it isn't?

Based on past comments I've heard from various Council members, I believe that at least a majority, if not all, are okay with going to 75'. If that's the case, I would just as soon see 75' be approved across the board outright, and not even involve the Planning Commission. So in closing, I would simply request that if a majority of Council members are comfortable with a 75' height limit throughout The Confluence site then that should be the approved default height limit.

Submitted by:

Paul Wilcox

Troutdale

6/15/21