

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

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

**1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**

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

**PRESENT:** Mayor Ryan, Councilor Ripma, Councilor Lauer, Councilor Morgan (via phone), Councilor White, Councilor Allen and Councilor Hudson.

**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 Ryan asked, are there any agenda updates?

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

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

No public comment.

**3. CONSENT AGENDA:**

**3.1 MINUTES:** September 11, 2018 City Council Regular Meeting.

**MOTION:** Councilor Allen moved to approve the consent agenda. Seconded by Councilor Ripma.  
**Motion Passed 7-0.**

**4. PROCLAMATION:** Community Planning Month.

Mayor Ryan read the proclamation.

**5. PRESENTATION:** A presentation of the City of Troutdale logo made entirely from Legos.

Mayor Ryan stated Troutdale resident, Brett Hooper, has a presentation of the City of Troutdale logo made entirely from Legos.

Brett Hooper stated I'm a fan of Legos. For the past 9 years I've gotten back into it and I'm part of some clubs and some groups. I'm trying to do as many different categories that a lot of the competitions do and one of them was art. I wanted to come up with the best subject matter and so the coolest thing was this. It took me about 3 months and the other part was that I wanted to use all pieces that I had in my collection that weren't sorted. This is all stuff I just grabbed and put together. Just a couple weeks ago there was a Lego show in Seattle and I took it up there because I had it finished in time and I won Best Mosaic. I plan to show it in March at a show here in Portland.

**6. PRESENTATION:** A presentation from MetroEast Community Media regarding Community Media Day.

Marty Jones, MetroEast Community Media President, stated this is the third year for Community Media Day (a handout was distributed, a copy is included in the meeting packet). It's a national day of thanks and a way for us to connect with our communities and with the people that support us. Without your help and you all being a part of the Mt. Hood Cable Regulatory Commission and your IGA with Fairview, Troutdale, Wood Village, Gresham and Multnomah County we wouldn't exist. You'll see in the handouts there is a media kit and there are 2 pamphlets that are highlighting what we've been doing at our Rockwood DIY and the work we're doing in digital equity inclusion and also the work we're doing in Gresham at our offices at our main studio which is in downtown Gresham. We're bringing in people from as far away as Salem, Battle Ground, Hillsboro and points all in between. When we say community media center, MetroEast is really a community media center. We're housed in your jurisdiction but just know that a lot of people are coming here to work with us and to share their talent. Local programming is disappearing as you may or may not know. There's less and less of it and I thought I'd share a story with you. I think most of you probably heard of a little company called Netflix. They had a great earnings call the other day. They in 2017 at the cost of \$8 billion created 1000 hours of original programming by and for Netflix because they know that their days are numbered. They're the great disrupter and now they're about to be disrupted because Disney is going to withdraw all of the Star Wars movies and Marvel movies now that they've bought 20<sup>th</sup> Century Fox. They're going to hold all of that back and they're not going to send it to Netflix when their contract ends. So they're spending billions of dollars and they're creating all of this original content and when I saw this report it happened to be the day after we finished our activity report that goes to the Regulatory Commission. They spent \$8 billion on 1000 hours of original Netflix programming and right here in your jurisdiction MetroEast produced with our members 1,912 hours of original programming. That's the power of what you're supporting. We are creating twice as much content as Netflix did in 2017. They've got a much bigger budget and a lot more stars but just think about it. Not only your Council meetings but your sister City Council meetings, planning meetings, school board meetings and then original content that is created by your citizens. You might also like to know that our satellite feeds deliver over 15,000

hours of additional content over the course of the year on all of our 8 channels. Those are things coming in from NASA, school districts, and classic arts. A lot of content is going into your constituent's households in addition to your Council meetings. I want to thank you for that. I want to tell you about a humongous threat that could make this all go away in a minute. When I took the job I knew that people cutting the cord was going to be a major issue. A lot of people don't understand that that little \$4 or \$5 franchise fee is what gets turned into revenue for you all and gets turned into revenue for us. That fee is part of the public right-of-way. The thing that we all own as citizens whether we're cable subscribers or not are these phone poles and infrastructure that goes with them. Now 3 of the 5 FCC commissioners are about to sell us all down river. They're about to go into the hip pocket of industry and say that you can no longer levy for that public right-of-way. They want to take that away from you. And in the process of doing that, if you keep it they're going to say there's a perverted interpretation of the very successful 1984 Cable Act that was bipartisan and has worked for 30 years. They're putting a very perverted twist on that and saying that if you keep community media then all of these in-kind services, we want to charge for. These in-kind services are negotiated in the contract that you all have. We get to have so many channels, we get so many services, schools and hospitals get to have the internet, the library gets internet and these are pre-negotiated. So the twisted thinking that these are somehow costly is absurd. The fact that they want to then go into the 5G space, come in and put 5G wireless on your poles that we all own and not pay you a regular fee but pay you a one-time flat fee and walk away and make billions of dollars as an industry is preposterous. The fact that 3 people sitting in Washington with a skewed, lobbyist influenced vision of the cable act can take all of this away is really much more threatening than people cutting the cord. The cutting of the cord is very threatening. We had a \$200,000.00 reduction in our budget this year. And you know that we have a small budget. We're not that big of an organization. We're delivering a lot of bang for the buck. We're interacting with your citizens, school children, teachers and we're spreading your message out to the community and the fact that 3 people sitting in a room with a perverted annotation of the law could destroy all of this, it's scary. There's a lot more information to come. We're going to probably be a part of several lawsuits and coalitions of lawsuits. I think that the cable commission is watching this very closely so they'll be representing you all. But I just wanted to put this on your radar. The whole reason this exists is because there's a public benefit that comes with that. It's a real simple relationship and it's a negotiated relationship and the fact that they're trying to take it away is of great concern. We will be sending you some information and we will be keeping you posted and just for the record you can go to our website [metroeast.org/fcc](http://metroeast.org/fcc) and get some more information.

## **7. REPORT: A report for East Metro Economic Alliance.**

Jarvez Hall, East Metro Economic Alliance Executive Director, stated we want to thank each of one of you for giving us an opportunity. My name is Jarvez Hall and I'm the Executive Director at East Metro Economic Alliance (EMEA). Sitting next to me we have Dan Corcoran who is our current Treasurer and soon to be Vice President. And coming up before you a little bit later is our soon to be, even though we haven't officially voted yet and we haven't 100% told him yet, next President, Ken Anderton from the Port of Portland. A little bit about EMEA if you don't know about us, we're East Metro Economic Alliance which you are a part of (a handout was

distributed, a copy is included in the meeting packet). We are a non-profit organization comprised of businesses, chambers and public agencies working together to shape the future of the East Metro region.

Jarvez Hall showed the Council a PowerPoint presentation (a copy is attached as Exhibit A to these minutes).

Jarvez Hall stated some of the major events coming up, you have a handout in front of you for A Toast to EMEA event. We're going to be celebrating 15 years of economic development. Some of you may have been around from the beginning but it has been 15 years and we're going to celebrate that on Thursday, November 8<sup>th</sup> from 5 – 7pm at Bumpers. You can reserve your spot online and we're also going to have a donation station there to help support the Rockwood Boys and Girls Club.

Dan Corcoran stated as a business owner in the east metro area there's lots of business groups, lots of government silos, school silos and all those things happen individually. EMEA is one place where those actually come together and those things can work for both short term immediate issues where the freeway's closed and we work with Metro and waste haulers on the east side so that we can find ways to keep service going throughout the summer and get it diverted out to Wapato and can resolve that with members in the EMEA quickly and also toward long term goals with transportation where housing, schools, and hospitals are located. As a business owner and as a member it's been incredibly helpful and we thank all of you for your partnership in the City here.

Mayor Ryan stated I've been involved for not quite 15 years but maybe 12 of those.

Jarvez Hall stated we're inviting everybody out to come celebrate with us on November 8<sup>th</sup>.

#### **8. REPORT: An annual report from the Port of Portland.**

Emerald Bogue, Port of Portland Regional Affairs Manager, stated thank you for having us here tonight (a handout was distributed, a copy is included in the meeting packet). The reason we're here tonight is because in 2016 we wrapped up a Troutdale Airport Master Plan process and at the end of that process we agreed to continue working together on the success of the airport and also on the success of the adjacent industrial land. We've done that and we work together really closely. We also agreed to come back here once a year and talk about it and give a report to you all. I'm here tonight to give a report that is not super eventful and that's a very good thing, that's good news. I want to share what's going on at the airport and at TRIP. With the airport the good news is everything that we anticipated happening with the airport master plan is coming to fruition. Operations are staying at a level that we expected. We're almost done with the South Side Study. That will be a development plan for aviation uses on the south side of the airport. It verifies that the south side of the airport can meet existing and projected demand and that's consistent with the master plan. As we move forward with runway reconstruction in the summer of 2021, we are engaged in conversations with tenants around how to ease the impact. There's no way to prevent some impact but we're in touch with the

FAA surrounding the potential of using the parallel taxi way as a limited runway during construction. The environmental assessment will kick off next year and that will involve further public input. As far as the adjacent industrial land, TRIP, they had a very big year. A lot of growth at TRIP with the movement of lots 3 with FedEx Ground expanding onto lot 3, lot 10 with CRG and lots 11 and 12 for the Bonneville Power Association. Amazon as we know is operational and is set to hire likely 2000 employees. And I think we're all familiar with some of the wage pressures that are going on at the park that aren't a bad thing. FedEx and Amazon are having to compete for the same employees and it's driving wages higher than we originally had anticipated. We like that. That's a good thing and it's something we want to see more of. With the 3 smaller remaining lots, lots 4, 5 and 9, we are looking for opportunities best suited for the smaller lots. The better way of putting that is all of our business parks have a pretty healthy mix of uses. There's logistics and distribution at every park but there's also some higher end manufacturing. It might be fewer jobs but better jobs. These are good opportunities for smaller lots and we're going to be really looking for that. We're looking for that pretty consistently throughout our industrial land program now. When it comes to developing large lots of industrial land our role has been to development the land and then see what the market brings. The market is very much bringing logistics and distribution. So we have to be pretty selective in trying to find some other employers that offer career ladder higher wages. That's the type of thing that we were hoping for, for these smaller lots. The natural resources aspects of the park continues to evolve in a good way. There's hearty planning for the 40-Mile Loop extension going on. The mitigation sites are completed and we have an operational weir which may sound very boring but that is actually a very big deal. Also we worked this year with the Confederated Tribes of the Grand Ronde to install some new signage for some culturally significant sites that were found there related to fruit drying that took place near the river. Your staff has done a dynamite job in every single way and especially around advocating for better transit to the park. There's rapidly increasing employment at TRIP and people needing to access the jobs at all hours so we are pleased with the Line 81 extension. We will share in your advocacy to do more. We're pleased that TriMet has added a new stop and even more pleased that they've secured some funding for the weekend shuttle to accommodate shifts that are not otherwise accommodated. Your staff is dynamite and very nimble and very responsive to a lot of the needs that come up in development.

Mayor Ryan asked, what about lot 13?

Emerald Bogue replied lot 13 is under Phase III. From what I understand, that lot has a lot of natural mitigation issues.

Ken Anderton, Port of Portland Senior Manager Real Estate Development, stated that's located in the City of Fairview as well. The Fairview utility extensions need to happen because it needs to improve access to the lot. And then it's fairly upside down in terms of development cost to make development feasible. It has a bunch of high tension power lines that go across it.

Ray Young asked, is there plans on the north side of the airport to at some point turn that into industrial land also?

Ken Anderton replied that's one of the reasons we did the South Side Study to figure out how to integrate the current functions of the airport that's happening on the north side to move them over to the south side and how we can do that in a cost effective way. I think we've been very successful with our plan. We've figured out that we don't need to impact wetlands which are expensive to mitigate and then we can reuse some infrastructure that's already there. Eventually the answer is yes. It's not going to be tomorrow but it's going to be in the 5 to 10 year range that will happen. It's an opportunity that will generate additional airport revenue but also it will generate additional tax space for the City of Troutdale.

Mayor Ryan asked, should we expect anything soon on lots 4 and 5?

Ken Anderton replied it's graded and it looks fantastic to show. We've showed it to a lot of people but we've been very picky in terms of prospects. We feel like we have a pretty good distribution logistics mix with Amazon and FedEx. This is happening in all of east counties, Gresham Vista as well, we're looking to be a little more selective in terms of the mix in the park. We've had some uses that wouldn't move the deal on the wage front or investment front.

Mayor Ryan asked, so you guys are really committed to that?

Ken Anderton replied we are very committed. We're in the midst of a little bit of a pivot in our industrial program in terms of we're looking at probably a little smaller lots in the future but also more of a manufacturing base.

Emerald Bogue stated it also just so happens that the region is just about out of large lot industrial land. What's left is land that's pretty hard to develop in smaller sites. So if our job is to promote economic growth and grow good jobs, there's opportunities to do that on smaller sites. But it's a lot easier said than done.

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

Chris Damgen, Community Development Director, stated this is the Eagle Ridge Apartment Home application 18-017. This is the latter half of the overall application proposal. The property we're talking about is at the corner of 242<sup>nd</sup> and Cherry Park Road.

Chris Damgen showed the Council a PowerPoint presentation (a copy is attached as Exhibit B to these minutes).

Councilor Ripma asked, is the 22 ½ setback along the southern and eastern property line the minimum required?

Chris Damgen replied that's the setback standard.

Councilor Ripma stated if the variance along the west and north was not granted for whatever reason. They would still have to have 22 ½ setbacks along the east and south side.

Chris Damgen stated yes. That would lead to one of two things. Either they would have to recalibrate the layout that they're proposing or they would have to seek setback requests from the south and the east property. And that would not be something that staff would be in support of. We would much rather see an impact on the north and west side.

Councilor Allen asked, can you clarify the relationship with the roadway improvements that we had been talking about earlier for a dedicated turning lane and a merge lane?

Chris Damgen replied to the 242<sup>nd</sup> issue, the way it's currently described, it would be a right-in and right-out turn. As far as the actual construction of turn lanes I do not believe that was covered in that approval from the County. What was approved was on the north side on Cherry Park Road, it was the auxiliary lane which would allow for that right turn movement in there and that acceleration lane once you're past the complex once it tapers down to one lane. That type of improvement would be accomplished within the right-of-way dedication. And then there's an addition to that of a 6 foot utility easement where there would be some overlap of where the sidewalk would have to go and the utilities along the frontage. So in addition to the 10 foot right-of-way once that's been dedicated there's an additional 6 feet that the applicant has to convey in easement to Multnomah County for the purpose of utilities. All in all, staff recommends and Planning Commission has recommended to approve this by Order as outlined by the findings of fact that were contained in your report. Again, the only amendment that we would propose is to include the newly amended conditions from Multnomah County based on the memo from October 18<sup>th</sup> which speak to the decisions that were made in August from the re-zoning application.

Councilor Lauer stated we went from a field, a pervious surface, to an impervious surface. Do we not have any requirements for how to mitigate the water that now is going to run off of that surface? Do we have any bio-swale requirements on impervious surfaces this large?

Chris Damgen replied with site development review we do, the Public Works review looks at storm water retention and there's a manual that our staff utilizes that determines the appropriate discharge retention. I'll let the applicant speak a little bit more to the specific design solution they have. There are some Public Works conditions of approval that speak to the standards that the applicants have to do either in their plans or installation or ongoing maintenance that they have to do in order to make sure that works. That's also another reason why we have a relatively high landscape requirement for these types of developments because there is a lot of impervious area and it's got to go somewhere.

Ed Trompke, City Attorney, stated when the applicant comes up, if you look after page 55 on the back of the first page of drawings there's a schematic and it says in the area that's along southwest Cherry Park at the intersection of 242<sup>nd</sup> it says proposed storm planter/infiltration pond. So there is a pond on there.

Councilor Morgan asked, do you feel that all the necessary requirements have been made to make this project move forward smoothly to make sure this is the best thing for our community?

Chris Damgen replied yes. We believe that's the case. A lot of times we will get applications for just a re-zoning request and we wonder what's going to happen. The applicant has been very upfront for the better part of a year for the intention. They produced the site plan early on and they combined it with a consolidated application for map amendments. That's a huge risk. We don't see that too often in the development community but it leads to greater comfort from a staff level to make recommendations on policy and on mapping changes to this body. The applicant has also gone to certain other extents to seek additional approval from you in the form of the variance requests in the spirit to be as minimally impactful to the surrounding areas and thus creating potential impact or variance impact along rights-of-way and not against the neighborhood.

Andrew Tull, 3J Consulting, stated we do believe we have a great project here before you tonight. I have a couple of slides to show you to give you some idea of what these buildings are going to look like

Andrew Tull showed the Council a PowerPoint presentation (a copy is attached as Exhibit C to these minutes).

Andrew Tull stated there were full elevations and renderings in some of the plans but as we've gone through this process the pages before you have gotten a little smaller. We are requesting a couple variances. The first being for the front yard setbacks. The standard for 3 story buildings within this particular A-2 zone is normally 20 feet but because we have 3 story buildings we're pushed a little farther based upon our building height. We don't mind having a 10 foot setback along the frontage roads. This is a very urban corner and placing buildings a little closer to the street we actually think is kind of nice. We have a unique constraint here in that this site is not rectangular and easy to lay out. We've got this strange bit of geometry along the front. 10 feet at a couple locations along 242<sup>nd</sup> really allows us to utilize the site that's left for us to design to include a nice building configuration, a pathway system and then we have good cross connections across the site as well. It's an amenity laden plan. When you've got this many units you can really put in some nice amenities. We have a children's play area, pool, clubhouse, garages and covered parking areas. As Chris mentioned during his presentation, Section 8 of your code details all the standards that you have to meet for multi-family buildings. These touch on things like the amount of outdoor living space provided, the amount of articulation in the building, the amount of glazing or the amount of windows that you provide on buildings and we have no problem meeting any of those standards. It's actually kind of a high bar to meet but the intent of those standards in including them in the code is to make really comfortable living spaces. Chris had sort of touched on what happens if either of these variances is not approved. I should mention with that landscape variance, as we tighten up the site plan and go into construction and review, if that variance is approved we may not end up actually exercising it in any way. It is just a very minute amount of land, only a couple of parking

spaces, but as we tighten things up a bit we may hit the 25% anyway. It's really the yard setbacks that we're interested in. If we don't get the variance approved we have options. We could reconfigure the site, shrink the buildings a little bit, take away some of the surplus in parking, look at how we're configuring amenities and maybe reduce some of that to keep the building footprint. It would require a fairly significant overhaul of the site plan. We like this building plan. It provides a significant amount of larger units. Housing developments of this type attract a wide variety of different kinds of tenants. This particular complex is going to have 78 one bedroom units, 120 two bedroom units and then 18 three bedroom units. Two bedrooms are easily the most in demand type of unit based upon the market research that went into this building design and we're trying to accommodate what we think is going to be the highest demand unit while also providing opportunities for 3 bedroom units. As staff has pointed out, the proposed applications meet all of the city's approval criteria and the applicant has willingly accepted all of the proposed conditions of approval including the Multnomah County revisions that came through earlier this week. There was a question that came into the record that I thought I would mention. It was a neighbor who asked questions about the pump station. Where it's going to be located, is it big, is it noisy? Because it's a private pump station it's going to be very small. You won't even notice it when you drive in and it's going to have a backup system. We can't allow that system to fail. With regard to the corner that I showed you before, we really want to make this a functional, usable and nicely landscaped area that looks attractive to folks driving by, to potential renters and users of the property, and presents well. If you have thoughts or feedback about the 2 designs we're happy to take any feedback you have. There were a couple of questions that were asked of staff which I'll try to answer. The first item is storm water. Because we're in this particular part of the world we get a lot of sandy soils here and your City does have a very robust storm water management manual. We simply can't just allow runoff to run off of roof tops and impervious areas and affect other properties. We're able to propose a large infiltration basin so all water will be collected and routed into that infiltration basin. It will be treated to meet DEQ standards and then it will infiltrate on site. I wanted to mention as well that Multnomah County has reviewed and approved our proposed road configuration, lane configuration and the project in general and they have recommended approval with the modified conditions. With that, we do accept staff's recommendations and all the proposed conditions of approval. We would kindly request an approval from this body tonight with the amended conditions of approval from Multnomah County.

Mayor Ryan stated I think the arch would be well done. I would personally like to see somewhere on there that lets people know that they're in Troutdale. I think that's one thing that's been important to me. I want them to feel like they're part of our City if you could put on the arch Troutdale. I was thinking something with Troutdale, Oregon with the fish. We've heard some public comment that people who live in apartments aren't really citizens of your City which I think is a horrible statement to say and I would be embarrassed if I said that on record. The point is that I think it would be nice for them to feel like they are part of a community and that they're welcome to live here.

Andrew Tull stated we will definitely take this feedback back with us.

Ed Trompke stated the City Manager just mentioned the possibility of a community enhancement grant from the waste stream funds that could be used if you were to apply for a monument or maybe Rip Caswell could make a small statue for an entrance way to the City.

Councilor Ripma stated I still have some questions about the setbacks. I don't have a clear answer on, what extra setback is being offered or being planned into this along the south and east?

Andrew Tull replied it's not necessarily that we're proposing an extra setback along the south and the east. What we're proposing is what we think are larger livable units. We also think we're providing a great amount of on-site amenities because we're able to spread out a little bit more and we're able to deal with the unique geometry that the northern side of the site presents to us. It's not necessarily required in code that if you're going to reduce one setback you increase the other. But the overall net effect has to be better for the site and we feel like we've achieved that through the quality of the units that are being proposed, size of units and also through additional parking and the provision of well-considered open spaces in areas where we have the opportunity to really make a statement about this being an entry to Troutdale.

Mayor Ryan stated my understanding is 3 story buildings in a property zoned like that needs to have a 20 foot setback. It has to have minimum 20 feet.

Andrew Tull stated Chris mentioned that that's a different standard than we're used to seeing in a lot of other jurisdictions. But yes, 20 foot would be the standard.

Mike Robinson, Applicant's Attorney, stated my mailing address is: 1211 SW 5<sup>th</sup> Avenue, Ste. 1900, Portland, OR 97204. The answer to Councilor Ripma's question is found on page 10 of the application narrative. There's a minimum of 20 feet on the south and east property line. When you calculate the required setback based on your code because these 3 story units, the setback is 22.5 feet. That's what the application says and that's what your code requires and that's what's shown on the site plan.

Councilor Lauer stated so 22.5 is the minimum setback.

Mike Robinson stated because it's a 3 story building.

Councilor Ripma stated it's nothing extra but it does meet the requirements.

Councilor Ripma asked, do you agree with the numbers that were just stated, Chris?

Chris Damgen replied yes. That is the staff recollection and we took a look at the application and the code.

Councilor Ripma stated I was interested in knowing whether the granting of the variance on the north and west side resulted in some additional setback on the south and east side. The answer really is no in this case. I'm not saying that's bad or good. It meets the requirements but the answer is no, there is nothing extra. One of the concerns of neighbors was the 3 story buildings right near their properties. That's why I'm asking and you've explained about Hogan cedars being put in and I understand the quality of the apartments. This all has to be taken into consideration. I appreciate the answers.

**Mayor Ryan opened the public hearing at 8:47pm.**

Marilyn Pierce, Troutdale resident, stated I live at 2260 SW 18<sup>th</sup> Way. We sit next to the east of this new property. I'm looking at how many car spaces are they bordering from the front of our acreage past our house.

Mayor Ryan stated 25 spaces and 50 feet from the property.

Andrew Tull stated it is about 45-50 feet between the nearest car parking stall and Marilyn's house. There's a setback requirement for parking as well. You can't just place parking right up against a property line. There's a 12 foot landscape buffer requirement which we intend to fill with evergreen shrubs. We certainly are sensitive to the fact that we don't want headlights from the parking lot shining into our first floor units and we'll be landscaping those areas as well. Nor do we want headlights from parking lots shining into our neighbors homes. We're very sensitive to that. It's not a 5 foot setback. It's a 12 foot setback. We can fit a lot of plantings in there.

Marilyn Pierce asked, is there not going to be a fence?

Andrew Tull replied I don't know but often times we do put fences around projects.

Marilyn Pierce stated I'm talking about all the way back from the front of our property to the back of our property. We're going to be in a fish bowl. We have an acre in the front of our house and an acre in the back. People look at that as it's to be used. My husband keeps it mowed. I look at they will use our front for walking their dogs and I know that's what they'll do. The back, the kids will come play and they won't see it as anything other than. And I don't care if you put signs up or whatever, we're still responsible.

Councilor Lauer asked, what's the footage from the north end to the south end of that straight away?

Andrew Tull replied 639 feet.

Councilor Lauer stated and I'm not suggesting we wrap the entire east and south but I understand where you're coming from. Your property is my favorite property in all of Troutdale. It's beautiful. You do a fantastic job. It's immaculate. But I see your concern and I can see

where that would be a huge impact on their livability. Not only having headlights shine into their house and then two, having the people see that big....

Andrew Tull stated that's why I'm fully prepared to say the applicant will either propose to put a 6 foot cedar fence along the entire shared property line with Mrs. Pierce's property or the Council is welcome to impose a condition of approval on us to do so.

Mayor Ryan stated I would personally be very comfortable with that because I think Marilyn makes a very good point.

Andrew Tull stated we do too.

Mayor Ryan stated I'm comfortable with that but I'm not comfortable with the cedar fence. I would be much more comfortable with a plastic fence, something that's going to stand up. Cedar fences don't last forever and with the winds we have out here. Something that's not going to need to be treated and waterproofed and stuff like that.

Ray Young stated even a 3 or 4 foot cyclone fence imbedded in the bushes along there. Really you don't even see it and it lasts forever and might be easier to do. This is probably something they need to propose to staff.

Mayor Ryan stated I think there would be 3 criteria. Something that's going to protect people from coming in there and also lights and the noise.

Andrew Tull stated I would amend any condition of approval to that effect to also say that it need to be mutually agreeable between the neighbors. We're happy to work with you.

**Mayor Ryan closed the public hearing at 8:54pm.**

Mike Robinson stated it's clear that we'll accept a conditional approval. I gave Chris just a very simple sentence and I think the Mayor enhanced what the condition would say so we're comfortable with that. The only thing I would add is if you have questions you haven't asked, please ask us. This is our last opportunity to answer them.

Mayor Ryan stated I would like to say too, the comments about making it have a real Troutdale feel to it and last meeting we were here I talked to Barry and I told him this is a big project for us. It's a very important corner for our City and to make us proud. I want to say that all the public testimony that's happened since the first time this happened 2 years ago did not go for nothing. Because of all that public testimony this is a lot better project than I'm assuming it would have been if it was approved the first time. I firmly believe that it's way better than it would have been. I hope that public understands too that it may not have had the end result that they wanted but the project is way better than what it was going to be.

Councilor Ripma stated you put up a document that had these additional conditions of approval and I'm still not clear. Does this Order include the change to the conditions of approval having to do with the County commitment?

Chris Damgen replied I'll also defer it to the City Attorney in case I get it wrong. Staff's understanding is that you have adopted proposed findings from Planning Commission and they contain the conditions of approval that were passed forth from May. And if you need to incorporate the recent suggestion about the fence as well as these new conditions from the County you basically make a motion to adopt the findings and conditions as written with the following insertions: the additional planning condition of approval for the fence and then the second would be the replacement of Multnomah County conditions 1-10 with the conditions within this memo.

Councilor Ripma asked, can you show me the whole memo?

Chris Damgen replied yes (the memo is included in Exhibit B, attached). Effectively, these conditions are very similar to what you have.

Councilor Ripma stated that was the list of 10 things.

Chris Damgen replied right.

Councilor Ripma stated go down to number 9.

Chris Damgen stated that effectively speaks to the fact that the applicant is intending to construct the improvements, not wait for a proportionate shar type situation as had previously been called for.

Councilor Lauer asked, the roadway improvement, it still needs to be completed before occupancy is taken in any units, correct?

Andrew Tull replied yes. They need to be completed prior to occupancy.

Councilor Allen asked, Mayor, can we have staff write up the motion with the changes that were suggested?

Chris Damgen replied sure. The proposed motion that would be entertained by Council to approve the action along with the amendments would be to move to approve the recommended draft findings and proposed conditions of approval from Planning Commission with the following amendments: the first would be a new planning condition, number 11, applicant shall install a 6 foot high fence of a mutually agreed material between applicant and homeowner to the east on the entire east property line. And the second condition would be to strike through Multnomah County conditions of approval 1-10 from May 29<sup>th</sup> to be replaced with Multnomah County conditions 1-10 from the memo dated October 18<sup>th</sup>.

Councilor Ripma stated on Cherry Park the description of the additional lane and bike lane and sidewalk and so on all sounded like way more than 10 feet of dedicated right-of-way and I'm still not clear in my mind where the 10 foot right-of-way fits in with the lane and the bike lane and all that.

Ed Trompke stated there's existing right-of-way and part of the lane will be in the existing right-of-way and part will be in the newly dedicated right-of-way. Then there will be a 6 foot bike path and then a sidewalk of width I don't recall.

Mayor Ryan stated you said some of that goes onto the property, right?

Andrew Tull replied yes it's difficult to tell sometimes where an existing right-of-way line sits. There's no clear demarcation for it but in this case the geometry works with a 10 foot dedication and with a 6 foot easement.

Councilor Ripma stated thank you.

**MOTION: Councilor Hudson moved adoption of the order as previously stated by staff. Seconded by Councilor Lauer.**

**VOTE: Council Allen – Yes; Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan; Mayor Ryan – Yes and Councilor White – Yes.**

**Motion passed 7-0.**

## **10. STAFF COMMUNICATIONS**

Ray Young stated I'm excited to announce that Imagination Station this week is actually getting the rubberized surface poured. As long as the weather isn't a torrential downpour they should finish it in the next week. We still are missing a couple playground parts. As soon as that's done we'll have a grand opening sometime probably in the middle of November so we can have a community party. Along with that I have been in consultation with the Grand Ronde Tribe and they have a cultural affairs person who just loves to come to places like this and work with you to figure out what they can do to enhance it and if we want to have them create art for us they will sell us art to put there that will enhance and honor Native American presence in this area. I'm having parks work with them to come up with some solution to add to that. Second, on December 5<sup>th</sup> the Citizens Advisory Committee is going to have the rate burdened public meeting, the one that the State requires. It's December 5<sup>th</sup> at 7:00pm and there will be more information in the Champion paper for that event. Next Tuesday night the Sheriff's Office at 5:30pm in this room is having their community meeting to get feedback from the community of Troutdale. On Thursday, November 8<sup>th</sup> the Planning Commission is having a work session at 7:00pm to discuss the upcoming flood management regulations that are going into the development code. On November 27<sup>th</sup> the Council meeting will probably be a one issue meeting to have the first hearing on that ordinance but if you want to get involved in the ground

floor with the Planning Commission of what those rules are going to be that is going to be November 8<sup>th</sup> at 7:00pm. Finally, November 6<sup>th</sup> is our election and the County tells us that if you get it into the mail by November 1<sup>st</sup> you increase your chances of making sure you really get counted.

## 11. COUNCIL COMMUNICATIONS

Councilor Hudson stated Reynolds High School theatre has their fall musical starting Thursday, Friday and Saturday and then also the following week Thursday, Friday and Saturday. There is a matinee as well. The play this fall is Cinderella Live.

Mayor Ryan stated Reynolds High School football beat Gresham 47-0. They're 6 and 2 and it's a fun year and fun team. I also talked about my work with the high school on getting Cherry Park cleaned up. The principal, Wade Bakely, and an officer met with the homeowners association and made some really good progress there. I have noticed the road has been a lot cleaner. Please feel free if you guys drive down there and don't like what you're seeing to email the principal. He's very responsive and he wants to hear. I did principal for a day last Tuesday at Troutdale Elementary. If you guys haven't toured it I think you should call Principal Ed and see the building. I'll be working with the Leadership Team there to do a day where we can pick up trash at Cherry Park. I got commitments from all the 5<sup>th</sup> graders that they will not go into high school and learn how to throw trash on the ground. They pinky promised me.

Councilor White stated I had the pleasure of attending the Troutdale Historical Society's 50<sup>th</sup> Anniversary. Congratulations to them. It was nice event.

## 12. ADJOURNMENT

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

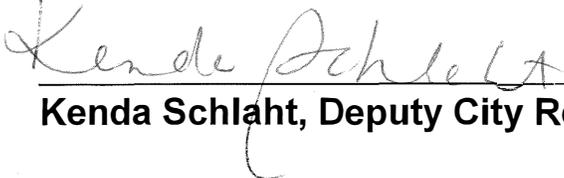
Meeting adjourned at 9:08pm.



Casey Ryan, Mayor

Dated: November 27, 2018

**ATTEST:**



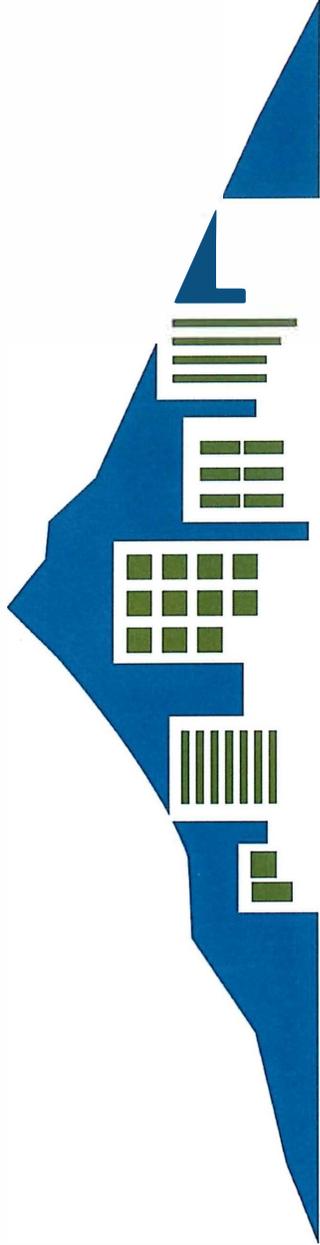
Kenda Schlaht, Deputy City Recorder

# CITY OF TROUTDALE

City Council – Regular Meeting  
6:00PM  
Tuesday, October 23, 2018

## PLEASE SIGN IN

| Name – Please Print                       | Address                                       | Phone #      |
|---|---|--------------|
| ROBERT L PIERCE <sup>MARILYN</sup> PIERCE | 2260 SW 18 WAY<br>TROUTDALE ORE               | 503 665 8056 |
| Brett Hooper                              | 3470 Se blake pl                              | 503 998 2901 |
| Wile Moa                                  | 814 SW 17th Way                               |              |
| PAUL Wilcox                               | TROUTDALE                                     |              |
| Ann Ray                                   | 7200 NE Airport Way Portland                  | 503-415-6570 |
| Ken Anderson                              | ↓   | 503-415-6578 |
| Emerald Bogue                             | .....   | 503-415-6571 |
| Jarvez Hays                               |   | 503 912 8898 |
| David C. [Signature]                      |   | 503-885-1408 |
| MICHAEL ROBINSON                          | 1211 SW 5th, SUITE 1900<br>PORTLAND, OR 97204 | 503-796-3756 |
| TANNEY STAFFENSON                         | 1820 NE Col Run Hwy                           | 503-319-7732 |
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# **EAST METRO**

## **ECONOMIC ALLIANCE**



# East Metro Economic Alliance

*“Shaping the future of East Metro through economic advocacy”*





## About East Metro Economic Alliance

The East Metro Economic Alliance (EMEA) is a non-profit organization comprised of approximately area businesses, chambers of commerce and public agencies working together to shape the future of East Metro through economic advocacy.

The East Metro region, often referred to as East Multnomah County, consists of the cities of Fairview, Gresham, Troutdale and Wood Village. It also includes East Portland and incorporated areas in East Multnomah County and North Clackamas County.

# Executive Director Jarvez Hall

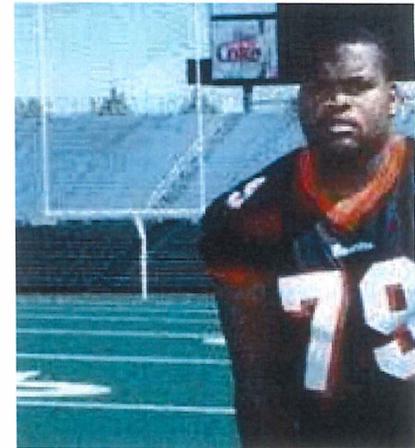
Graduate of Gresham High School

B.S. in Business from Oregon State University

Member of the 2001 Fiesta Bowl Championship Team

MBA from Willamette University

Experience includes City of Portland, Portland State University, Small Business Majority, Small Business Development Center, Ascent Fundi





## Executive Board

President: Sue O'Halloran – KMO, Inc.

Vice President: Diane McKeel – Miller and Main, LLC.

Treasurer: Dan Corcoran – McDonald & Wetle, Inc.

Secretary: Steve Entenman- Harper Houf Petersen Reghelis, LLP

Past President: Gretchen Nichols – Legacy Mt. Hood

Administrator: Mary Ann Gray – Westside Secretarial



## Our Local Partner Board Members

Mayor Casey Ryan – City of Troutdale

Mayor Shane Bemis – City of Gresham

Mayor Tim Clark - City of Wood Village

Commissioner Lori Stegmann - Multnomah County



## Our At-Large Board Members

Ken Anderton - Port of Portland

Steve Brown – Pamplin Media

Tim Brunner – Axis Design Group

Counselor Shirley Craddick - Oregon Metro

Deane Funk – Portland General Electric

Tom Perrick – JP Morgan/Chase

Dr. Katrise Perera – Gresham/Barlow School Dist.

Dr. Lisa Skari – Mt. Hood Community College

Greg Whistler – East Metro Association of Realtors

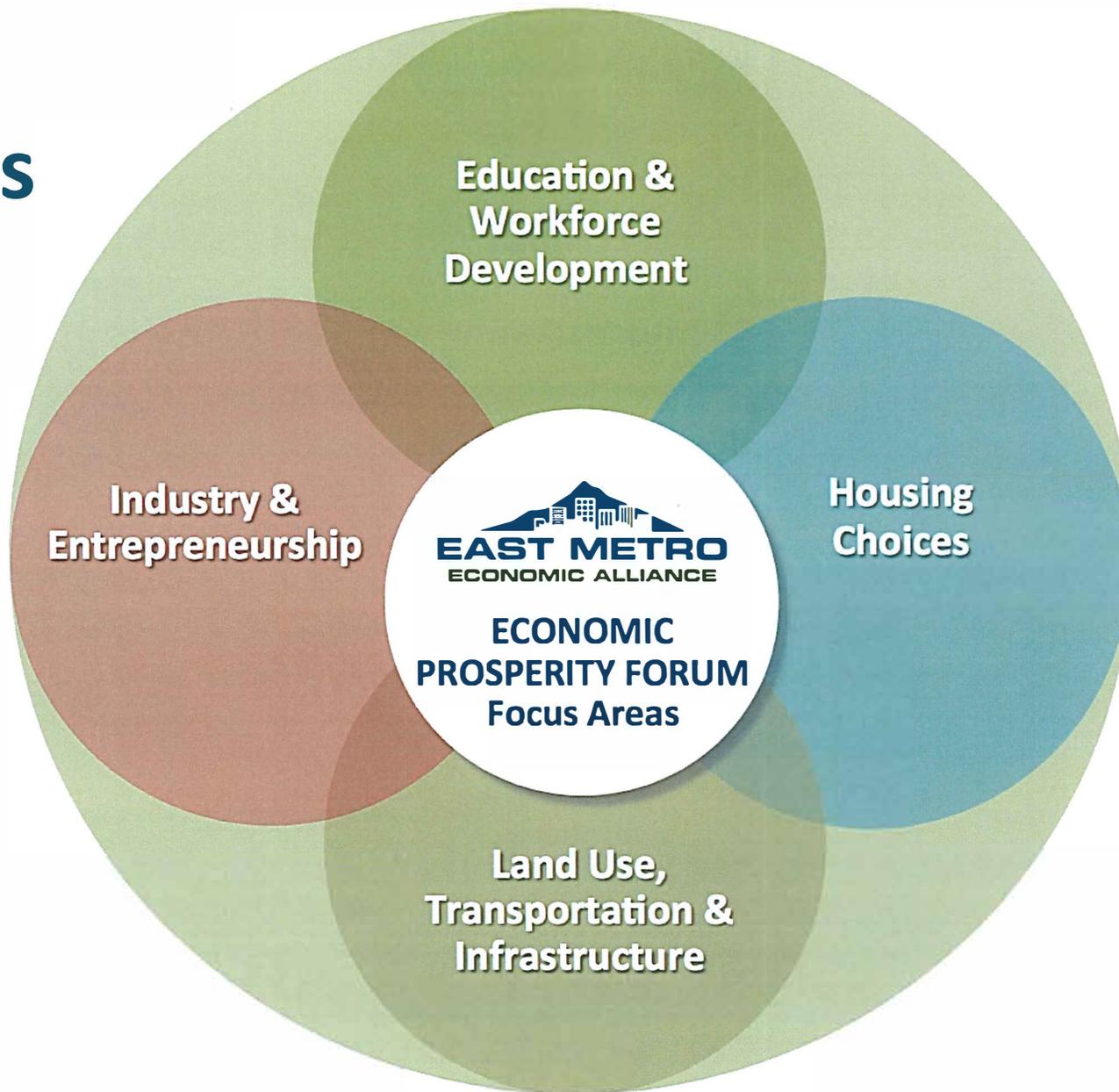
# NEA's Committees and Task Forces



# Inaugural East Metro Economic Prosperity Forum



# Focus Areas





# MEA Legislative Committee

Chair: Diane McKeel

Members organizations include

- Microchip Technologies
- J.P. Morgan Chase
- Pamplin Media
- Portland General Electric
- Northwest Natural Gas
- KMO, Inc.

# Vocacy Agenda





# MEA Transportation & Land Use Committee

**Co-chairs:** Steve Entenman and Tim Brunner

**MHCC Transportation Hub.** Plan and develop a full-service transportation hub at Mt. Hood Community College. Promoting improved transportation services, affordability, connectivity, and efficiency that benefits the East Metro area. (ê Top scoring idea in this area.)

**Transit Oriented Development.** Promote increased transit-oriented development, including mixed-use employment, residential and commercial development, along MAX light rail lines in the East Metro area.

**Transit Alternatives.** Enhance transit alternatives throughout the East Metro area, including pedestrian, bicycles, car sharing, and other modes of travel, improving mobility, convenience, speed, and security.

**Smart Technologies.** Utilize smart transportation technologies to manage and improve transportation operation and efficiency across the East Metro area.

**Large-Scale Development.** Aggregate parcels and prepare larger sites for large-scale residential, commercial, and industrial development in the East Metro area.



# 1EA Education & Workforce Task Force

**Workforce Development & Up-Skilling.** Strengthen and support collaborative workforce development initiatives such as Prosperity 1000, including programs to up-skill workers in low-wage positions, greater numbers of the workforce into middle-skill, living wage jobs in the East Metro area. (ê To learn more in this area.)

**College & Career Readiness.** Improve grade 9-12 learning to increase relevant college and career readiness through strategic collaboration with business and industry in the East Metro area.

**Schools-Social Service Partnerships.** Promote expanded partnerships between local schools and social services to further remove barriers to educational attainment by students in the East Metro area.

**Regional Workforce System.** Develop a regional system linking communication strategies, education and employers in the East Metro area, for improved workforce development and readiness.

**Financial Literacy.** Promote education and industry programs designed to increase financial literacy throughout the East Metro area.



# MEA Industry & Entrepreneurship Task Force

Industry & Education Collaboration. Promote greater collaboration and support among existing educational institutions and resources in the East Metro area and industries that are already located in the region. (Top scoring idea in this area. Top scoring idea overall.)

Capital Partners. Recruit core sector capital investors and capital resource arms as partners that will invest in the East Metro area.

Unified Brand Strategy. Develop a cohesive unified brand strategy for the East Metro area that promotes the assets and strengths of the region, including existing business and industry, the area's natural resource base, and its overall livability.

Innovation & Entrepreneurship. Support innovation and entrepreneurship in the East Metro area by leveraging our knowledge of emerging markets.

Entertainment Options. Recruit and develop a more diverse array of entertainment options in the East Metro area that appeal to a broad cross section of the local population and its visitors.



# MEA Housing Choices Task Force

**Housing Conversation.** Initiate a conversation on housing types and choices in the East Metro area, with all voices from our diverse population to the table in order to better understand community needs and preferences. (Top scoring idea in this area.)

**Housing Development Sites.** Investigate and inventory available sites for potential housing development in the East Metro area to meet housing needs where people live and work, including large employers.

**Innovative Housing Types.** Explore innovative housing types for the East Metro area that broaden the housing choices resulting in greater community consensus on preferred options (similar to the "Connecticut Plan").

**Housing Finance Models & Partnerships.** Explore partnerships for new financial models to expand housing choices and affordability in the East Metro area, including REITs (real estate investment trusts) and large institutional investors.

**Expedited Development Approvals.** Investigate ways to improve speed and efficiency in local development approval processes in the East Metro area, simplifying the housing development process across jurisdictions.

# MEA's Financial Viability





## MEA in 2015

Total Revenue: \$43,486

Sponsorship Revenue: \$650

Total Events with a Financial Loss: 7

Total Network Contacts: 300

Total Event Attendees: 108

Social Media Impressions: 0

Social Media Engagement: 0

Percentage of income from Local Partners: 54%



## MEA in 2018 (As of October 3<sup>rd</sup>)

Total Revenue: \$59,836

Sponsorship Revenue: \$18,100

Total Events with a Financial Loss: 0

Total Network Contacts 903

Total Event Attendees: 243

Social Media Impressions: 14,149

Social Media Engagement: 621

Percentage of income from Local Partners: 18%

# 2015 VS. 2018

|                                 | 2015     | 2018     |
|---------------------------------|----------|----------|
| Revenue                         | \$43,486 | \$59,836 |
| Partnership Revenue             | \$650    | \$18,100 |
| Partners with Financial Loss    | 7/9      | 0/12     |
| Network Contacts                | 300      | 903      |
| Event Attendees                 | 108      | 243      |
| Media Impressions               | 0        | 14,149   |
| Media Engagement                | 0        | 621      |
| Percentage of Income from Local | 54%      | 18%      |

ays EMEA Can Help Troutdale





## Where EMEA Represents You

2017 Transit Advisory Committee  
Columbia Connects Bi-State Consortium  
Multnomah County Transportation Committee  
Water Portland Inc. – Small Cities  
Metro STEAM Partnership  
Digital Inclusion Network  
Oregon Economic Development Association  
Streets on Halsey  
Oregon Innovation Council  
Business Oregon  
Metro Area Economic Development Collaborative

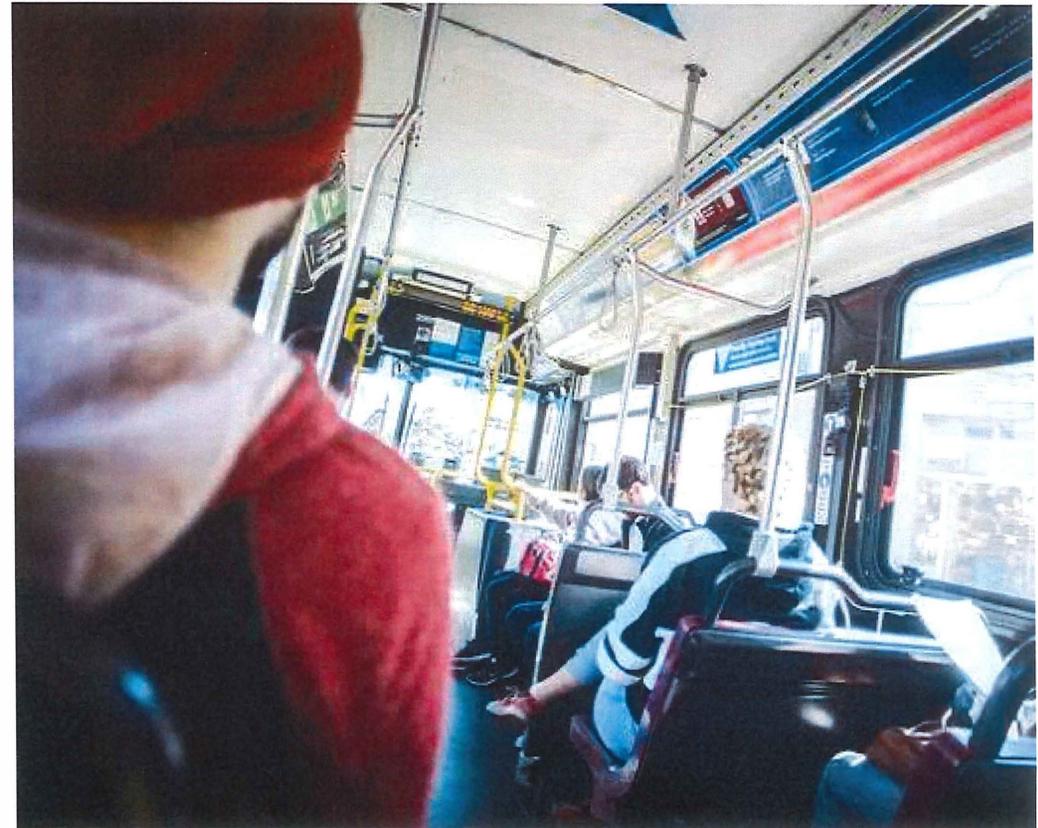


## Where EMEA Can Help

- Provide consulting and feedback on economic policy
- Provide representation at board, committees and forums
- Provide added support in communicating priorities with elected officials
- Provide market/outreach support and storytelling
- Provide you with the unabridged business voice
- Provide a voice where cities are unable to do so

## here we have helped: met Service Improvement to TRIP

ine 81 –Kane/257<sup>th</sup>  
xpanded hours of service  
ncreased frequency with 21  
dded daily trips.  
nproves access to  
mployment opportunities in  
ne Troutdale Reynolds  
ndustrial Park.



## re we can help: ter Portland Tech Challenge

are able to submit a  
sportation issue facing  
tdale to the challenge  
ollaboration with a  
company to address  
ssue  
would then be able to  
y to METRO for a grant  
mplement the project



NEA Moving Forward





# MEA Priorities

Advocate for transportation investment in East Metro

Protect manufacturing and fight for the reduction on layered regulati

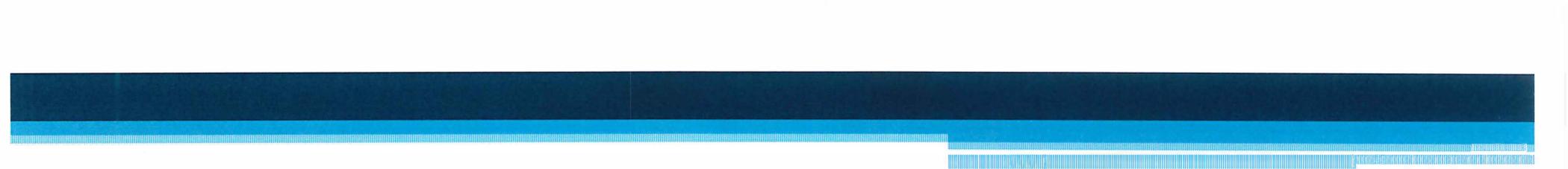
Promote incentive opportunities such as Urban Renewal, Opportunit  
ones and more to encourage private-sector investment

Advocate for STEM & CTE to ensure a qualified local workforce

Ensure the East Metro business voice is heard in all manner of region  
state planning

Encourage entrepreneurship by supporting local entrepreneurs and  
cultivate a community of innovation

Ensure equity is a key part of resource distribution and policy making



## Upcoming Major EMEA Events

### **Toast To EMEA – 15 Years of Economic Development**

Thursday, Nov. 8<sup>th</sup> from 5pm – 7pm at Bumpers

### **East Metro Legislative Breakfast**

Thursday, Dec. 6<sup>th</sup> from 7:30am – 9:00am at Heidi's

### **14<sup>th</sup> Annual East Metro Economic Prosperity Forum**

Thursday, May 9<sup>th</sup> from 8:30am – 2:00pm at Rockwood Boy's & Girl's



**MEA Projects/Events in Development**

**GPI's Greater Portland Tech Challenge**

**Start-up East Metro**

**Personal Financial Literacy Certification**

In Partnership with Key Bank

**Inaugural East Metro Developer's Summit**

# Questions? We Are Always Here To Help

At Jarvez Hall

East Metro Economic Alliance

Email: [executivedirector@eastmetro.org](mailto:executivedirector@eastmetro.org)

Phone: (503)912-8898





**EAST METRO**  
**ECONOMIC ALLIANCE**



THANK  
YOU!

# 18-017

## Eagle Ridge Apartment Homes

Application for Site Development Review & Variances

Type IV Procedure

Public Hearing: Tuesday, October 23, 2018

Troutdale City Council | Troutdale Police Community Center

# Staff Presentation

# 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
- Zoning District: A-2 Apartment Residential
- Land Use Designation: High-Density Residential



# The Properties – Street View



# The Application

## **What is being requested...**

- **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)

The above actions can be approved tonight by Order after public hearing

## **What has already been approved by City Council (August 28, 2018)**

- Comprehensive Land Use Plan Map amendment
- Zoning Map amendment

# Application Notes

- Typically, City Council is not a decision-making entity on site development review or variance applications, unless appealed
- Planning Commission hearing included map amendment components as well as site development and variance component
- Planning Commission did not vote to approve site development plan or variances as they were consolidated in one application
- City Council can approve site development plans and variances by order upon holding a public hearing, reviewing the draft findings and conditions.
- If application is turned down, Applicant can immediately re-apply, as the proposed use is now permitted in the zoning district (A-2)
- **Site Development & variance applications must meet decision criteria**

# 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. 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 Decision**

- Public hearing
- Planning Commission submits a recommendation to City Council
  - Voted 4-3 to recommend approval on 5/29/18
- City Council is the decision-making entity
  - Order to approve site development & variances

*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
- August 28: City Council final hearing and vote to approve map amendments
- October 23: City Council Hearing on site development and variances

# Notification & Summary of Comments

## **Agency Comments**

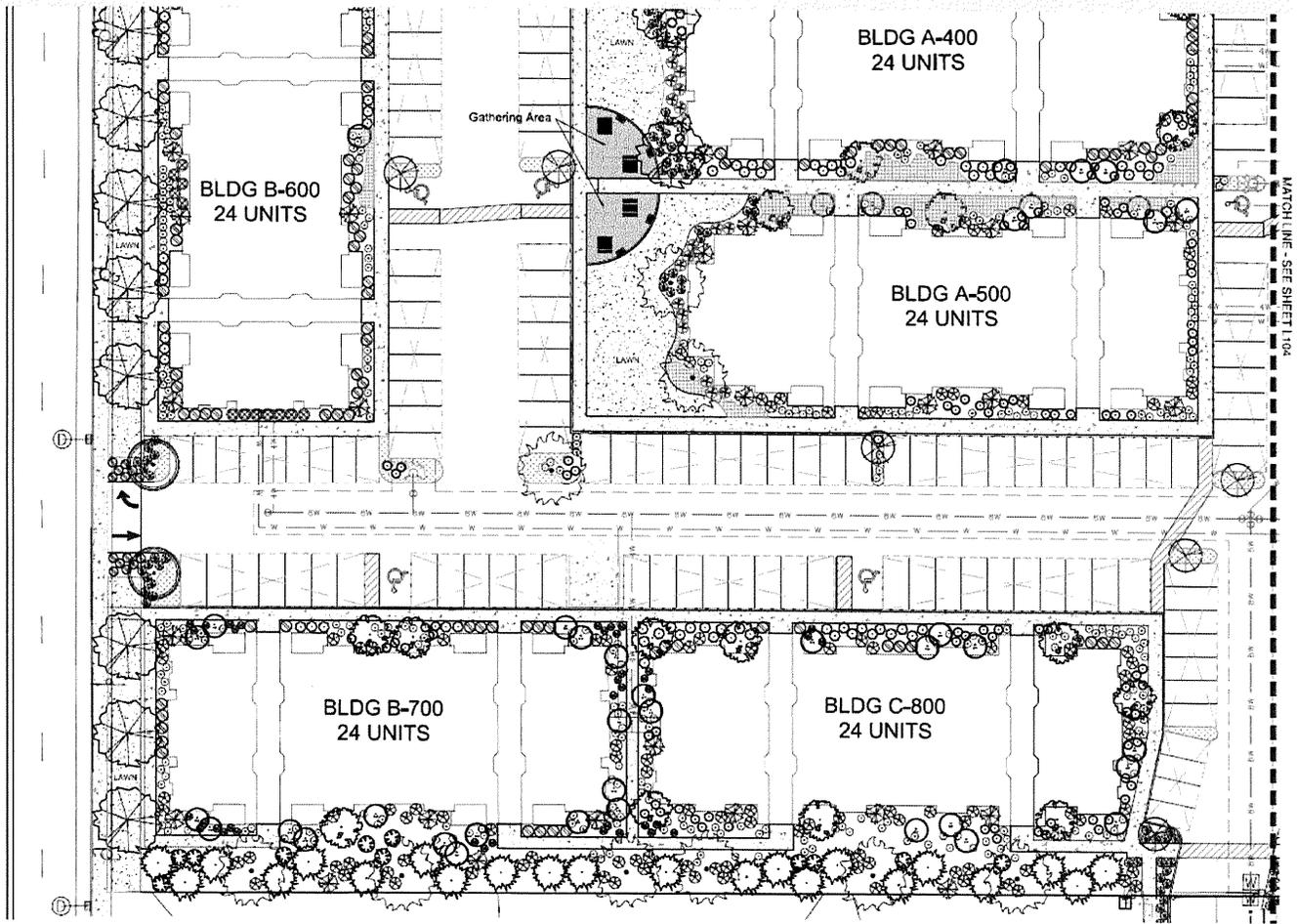
- City of Troutdale Planning Division
- City of Troutdale Building Division
- City of Troutdale Public Works
- City of Gresham
- City of Wood Village
- Department of Land Conservation & Development
- Gresham Fire & Emergency Services
- Metro
- Multnomah Co. Transportation Planning
- Mid-County Lighting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

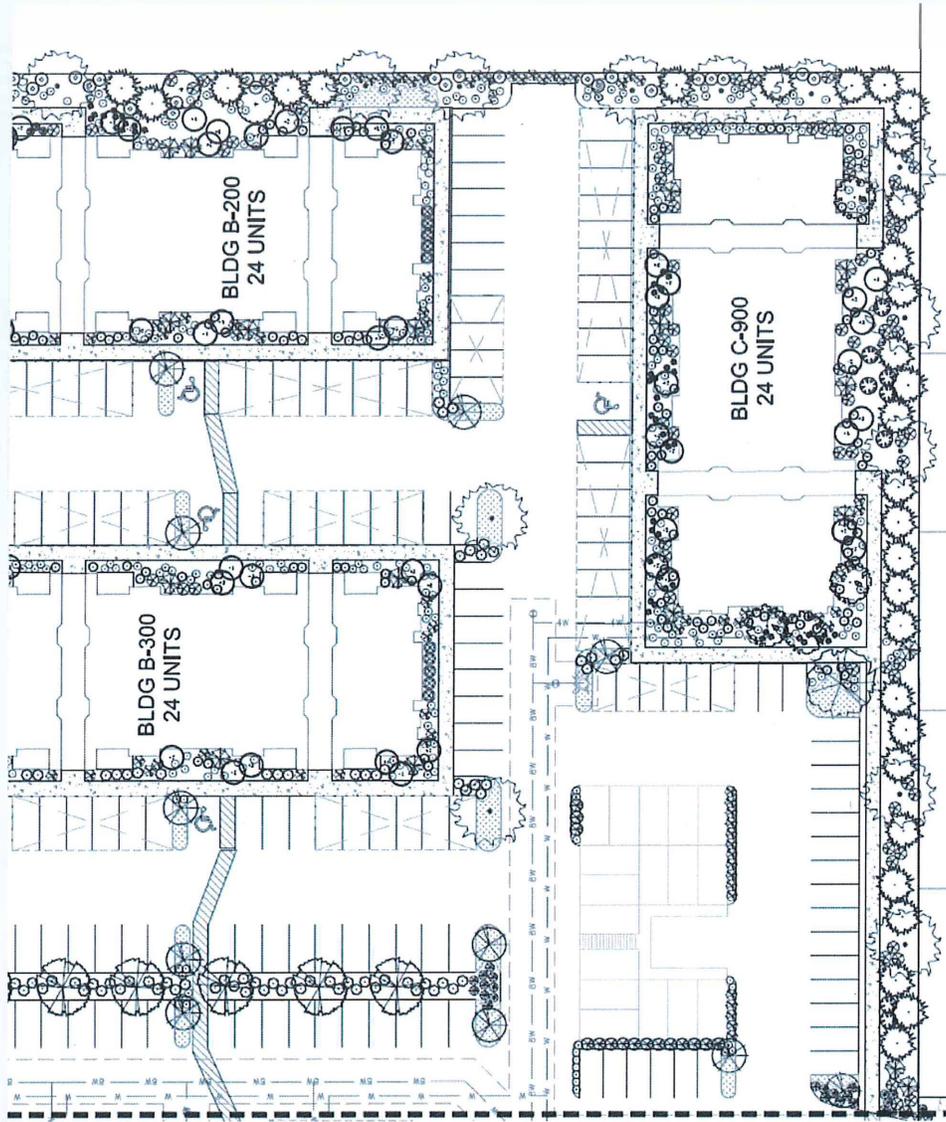
## **Public Testimony Received**

- Included in Packet
- Includes testimony received from the Planning Commission hearing and testimony received since 8/28/18 decision









# Tree Species along Periphery



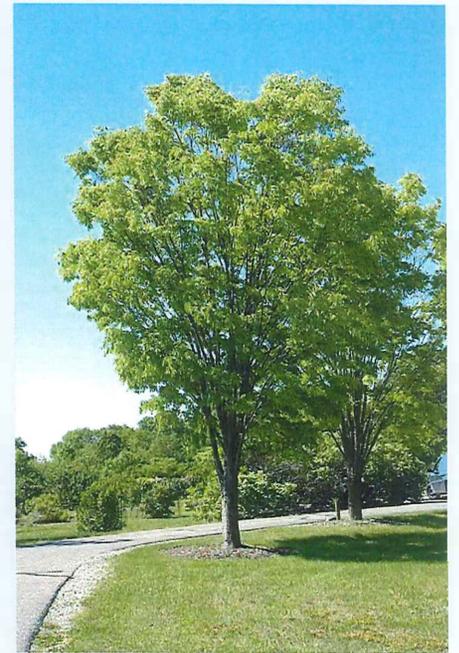
Katsura (20)



Hogan Cedar (53)



Columnar Hornbeam



Green Vase Zelcova

# Multnomah County Analysis & Conditions

- Updated conditions of approval from previous memo at Planning Commission hearing on 5/29/18
- Revises conditions 7, 9, and 10 due to rezoning decision.
- Reflects the agreement by developer to begin constructing improvements for auxiliary lane along Cherry Park Road, as offered on 8/28/18 as part of the hearing for map amendments
- Council should consider amending proposed Multnomah County conditions of approval as included in the packet to reflect the memo submitted on 10/18/18

# 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 improvements partially paid and built by development – better than “no build” scenario

## Drawbacks

- Public testimony from surrounding area has largely been against this proposal
- Traffic impact identified – though can be mitigated
- Concerns on privacy / visual impact on south and east adjacent properties

# Decision Criteria to be Utilized

- Site Development Review
- Variance – front setback
  - Seeking reduction along north and west boundaries from 20 feet to 10 feet
  - Requested to lessen impact on southern and eastern boundaries
- Variance – landscape requirement
  - Seeking reduction of 25% lot coverage to 24.7% lot coverage
  - Requested to allow for more parking spaces (well above City requirement)

# Decision Criteria – Site Development

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

FINDING: The Application calls for multi-family residential units. The lot is considered a continuously curved corner lot; as a result, the frontage on both 242nd Ave and Cherry Park Road are held to front yard setback requirements. The Applicant is applying for a variance to reduce this front yard standard from 20 feet to 10 feet. The layout and design meets all other setback requirements and dimensional standards. The Applicant is required to provide the net area in order to confirm density standards are met.

Their net area calculation did not take into consideration setbacks, however the maximum using that area was 248 units and the minimum was 199 units. Given they are closer to the minimum than the maximum calculation, it is not believed that density will be exceeded with the correct net area. Provided the Comprehensive Land Use Plan Map Amendment, Zoning Map Amendment, and proposed variances are upheld and associated conditions are met, **the criterion is conditionally met.**

## Decision Criteria – Site Development

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

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

## Decision Criteria – Site Development

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

# Decision Criteria – Site Development

- **If applicable design standards are proposed to be adjusted, the proposed adjustment:**
  - Is justified due to unique site conditions.
  - Conforms to the extent practicable with these design standards.
  - Mitigates potential impacts from the adjustments to the extent practical.
- **FINDING:** The Application has requested variance relief with regards to front yard setbacks and landscaping. No design standards are proposed to be adjusted in accordance with provisions in Section 8.240. The variance to the front yard setback allows the site to meet the side yard setbacks, which are located next to single-family homes. Provided the criteria for each of these three respective items are met through the variances, **the criterion is conditionally met.**

## Decision Criteria – Setback Variance

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

FINDING: The lot is a unique corner lot given the continuously curved nature of the property line. In this instance, a continuously curved property line adjacent to two or more streets of a corner lot shall be considered the front lot line. Such a corner lot has no rear property line, only front and side property lines. The Applicant has proposed a variance to the front yard setback requirement from 20 feet to 10 feet. This variance enables the proposed buildings to be located closer to 242nd Ave (arterial) and Cherry Park Road (collector) and retains the side yard setbacks on the east and south property lines which abut single-family residential homes. It also allows for circulation throughout the site.

The site was designed in a fashion to mitigate any negative impacts of development on surrounding properties in the most practicable fashion possible while complying with the spirit and intent of the zoning district and its prevailing standards. As such, **the criterion is met.**

## Decision Criteria – Setback Variance

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

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

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

## Decision Criteria – Setback Variance

- **The variance authorized will be consistent with the general purpose and intent of the provision from which a variance is sought.**
- FINDING: The setback variance only impacts three buildings, two on the west and one on the north; clear vision standards are still met given their placement on the site. The impact this variance has is relatively insignificant to the north, because the corner of one building and potentially the club house are the only structures proposed within the original 20 foot setback. On the west only two buildings are impacted, however their location does not negatively impact clear vision standards and the adjacent use to the west on the other side of 242nd is industrial. As such, **the criterion is met.**

## Decision Criteria – Setback Variance

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

## Decision Criteria – Landscaping Variance

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

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

# Decision Criteria – Landscaping Variance

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

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

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

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

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

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

# Staff Recommendation

Staff recommends **approval by order** as outlined in the proposed Findings of Fact with associated conditions of approval as presented, with amended conditions from Multnomah County.

## Conditions from

- Planning division
- Public Works
- Gresham Fire & Emergency Services
- Multnomah County Transportation Planning
  - CONDITIONS REVISED AS STATED IN MEMO FROM OCTOBER 18, 2018

# Public Testimony

# Public Testimony

## Order of Testimony

1. Applicant
2. Proponents
3. Opponents
4. Neutral Parties / Clarifications
5. Applicant Response
6. 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.

## MEMORANDUM

TO: Marlee Schuld, City of Troutdale

CC: Jessica Berry, AICP, Senior Transportation Planner

FROM: Scott Adams, AICP, Transportation Planner  
Joanna Valencia, AICP Transportation Planning and Development Manager

DATE: October 18, 2018

SUBJECT: 18-017 Eagle Ridge Apartments (County File No: EP-2018-10416)

Multnomah County Transportation Planning and Development has reviewed the above referenced land use application and provide the following comments and conditions for the project. These comments are revisions to our previous memo dated May 29, 2018 and revises conditions 7, 9 and 10 of the previous memo as a result of the rezone decision. Condition is updated to reflect a minimum 6 foot slope/utility/drainage/sidewalk/landscaping/traffic control device easement recognizing that the easement may increase due to further refinements of the design of the improvements. Condition 9 is updated to reflect that the developer is now constructing the improvements to the intersection. Condition 10 is updated to reflect the correct reference of the frontages of the subject property, 242<sup>nd</sup> and Cherry Park.

The comments provided in this memorandum are based on the material submitted with City of Troutdale land use application 18-017. While every effort has been made to identify all related standards and issues, additional issues may arise and other standards not listed may become applicable as more information becomes available.

The subject application consists of a Comprehensive Plan Map Amendment, Zoning Map Amendment, Site Development Review, Lot Line Adjustment, and Two Variances to re-zone the properties at 242<sup>nd</sup> & Cherry Park Road from R-5 & R-7, Medium Density Residential & Low Density Residential to A-2, High Density Residential and construct 216 multi-family residential units. Access is proposed off of 242<sup>nd</sup> and Cherry Park Road. The subject property is located at southeast corner of the intersection of Cherry Park/Glisan and 242<sup>nd</sup>/Hogan Roads. The property has frontage on Cherry Park and 242<sup>nd</sup>, both of which are Multnomah County jurisdictional roads. NE 242<sup>nd</sup> Ave is functionally classified as a Principal Arterial facility and Cherry Park is functionally classified as a Major Collector facility.

The County does not object to proposal so long as the following conditions are met by the project:

### Conditions of Approval

1. The Applicant will need to obtain a Construction Permit to construct half street improvements ensure that the half street meets county standards for ADA on the property's frontage on Cherry Park and 242<sup>nd</sup> per Multnomah County Road Rules [6.100]. The applicant will need to assess compliance with ADA requirements and get permits for and complete improvements prior to issuance of a Certificate of Occupancy.
2. Thirty days before issuance of Certificate of Occupancy, work with the County to modify the traffic signal at the NE 242nd Drive/SW Cherry Park Road intersection to allow for protective-permissive phasing for the eastbound and westbound left-turn movements.
3. Control the site-access driveway along NE 242nd Drive to right-in/right-out only.
4. Construct site-access driveways per Multnomah County standards and obtain a driveway permit from Multnomah County.
5. Locate and maintain all future landscaping, above-ground utilities, and site signage to provide adequate sight-distance per American Association of State Highway and Transportation Officials (AASHTO) requirements at the site driveways.
6. Construct an enhanced crossing at the intersection of Cherry Park and SW 18<sup>th</sup> Way that includes marked crossings and the installation of a Rectangular-Rapid Flashing Beacon (RRFB). The applicant shall obtain a construction permit for the installation of this enhanced crossing from Multnomah County.
7. Provide a 10 foot right-of-way dedication and a minimum 6 foot slope/utility/drainage/sidewalk/landscaping/traffic control device easement along the site's Cherry Park frontage for future widening of the intersection.
8. Prior to issuance of the Certificate of Occupancy, obtain a road rules variance from Multnomah County for the site's proposed multiple access points.
9. The applicant will need to obtain a construction permit from Multnomah County and work with the County and the City of Gresham to construct the improvement at the intersection of Cherry Park and 242<sup>nd</sup>/Hogan to mitigate impacts to the intersection resulting from this development. The intersection improvement includes widening to accommodate future traffic. The improvement shall be completed prior to issuance of the Certificate of Occupancy.
10. The Applicant is required to obtain approval from the Mid-County Lighting District for street lighting to be installed along the subject property's frontage along Cherry Park and 242<sup>nd</sup> Drive. The applicant will need to develop a street lighting design plan that is compliant with Mid-County Lighting District standards. Please contact Chet Hagen, Mid-County Street Lighting District Administrator, at [chet.hagen@multco.us](mailto:chet.hagen@multco.us) or 503-988-0164 for more information.

## **Improvement Requirements**

Projects determined to have a transportation impact are required to provide improvements commensurate with impact. Required improvements are listed below as conditions of approval address immediate and future impacts to the transportation system including impacts to ADA movement, pedestrian/bike circulation, intersection levels of services and safety. [MCRR 6.000, 8.000, 9.000]

Right of way improvements are required to mitigate the impacts of the travel demand created by the proposed development. [MCRR 6.100; DCM 2.2.2]

**Conditions:** identified above.

The County has noted the recommendation for the intersection of 257<sup>th</sup>/Cherry Park from the submitted traffic impact analysis recommending that the traffic signal be modified to allow for protective-permissive phasing for northbound and southbound left turn movements. In reviewing this recommendation, staff finds that with low trip distribution (around 5%) to this intersection coming from the project to the intersection combined with pedestrian safety concerns for this intersections, the recommended mitigation is not required to be implemented at this time and staff will monitor the intersection and implement improvements as needed.

## **Access**

### **Access to 242<sup>nd</sup> and Cherry Park**

**Finding:** The applicant has proposed two access points, which does not meet the County standard of one access point per property. Due to this, they've applied for a Road Rules Variance.

**Condition:** Prior to issuance of the Certificate of Occupancy, obtain a road rules variance from Multnomah County for the site's proposed multiple access points.

## **Road Rules Variance**

The applicant has submitted a Road Rules Variance to address their two access points.

## **Stormwater**

**Finding:** Applicant has submitted preliminary stormwater report and the county finds that there will be no impact to the county stormwater system. No conditions required.

## **Mid-County Lighting District**

**Finding:** The subject property is located in the Mid-County Lighting District and lighting will need to be provided along the site's frontage on 242<sup>nd</sup>/Hogan and Cherry Park, consistent with applicable standards and specifications.

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

# EAGLE RIDGE APARTMENTS

DESIGN REVIEW AND  
COMPREHENSIVE PLAN  
AMENDMENTS

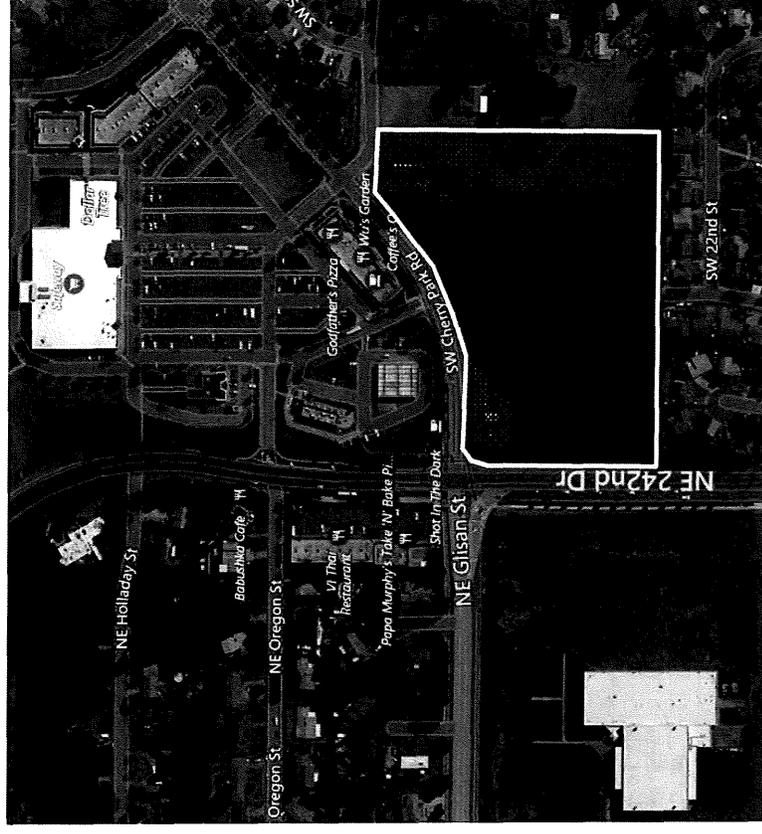


# EAGLE RIDGE APARTMENTS

216 Unit Multi-Family Homes

Applications have been submitted for Site Development Review, a Comprehensive Plan Map and Zone Change, and two Variances. (the landscape % variance may not be necessary)

The proposed Applications meet all of the approval criteria and the Applicant accepts all proposed conditions of approval.



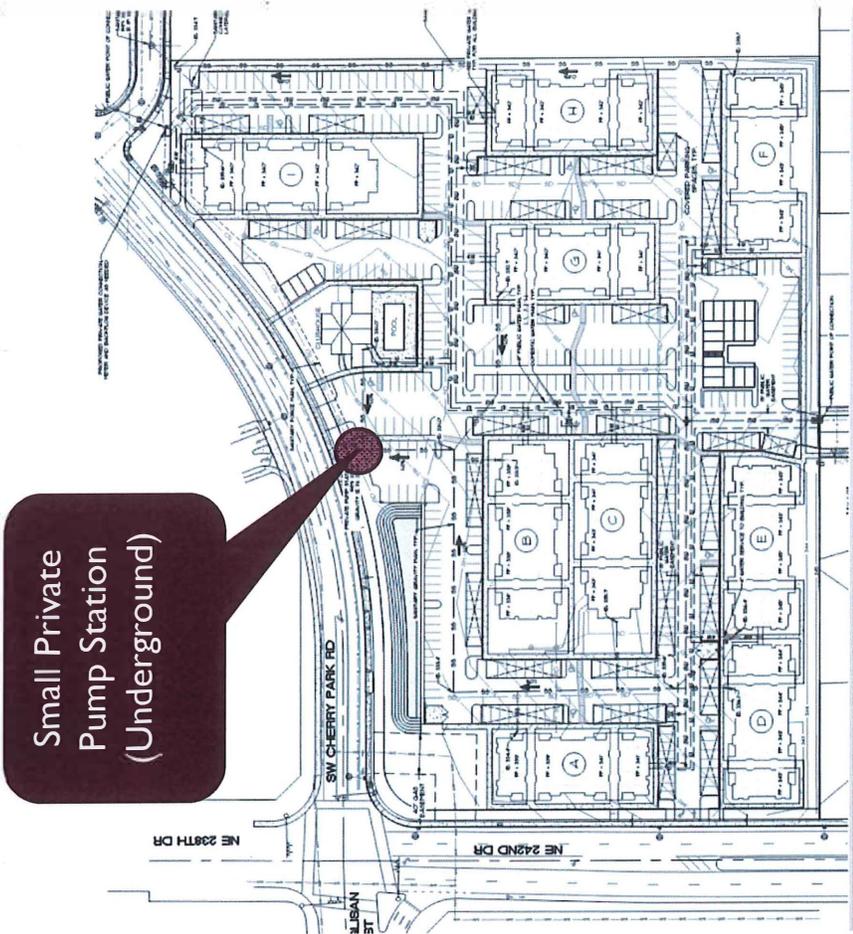
# EAGLE RIDGE APARTMENTS

- Landscape Planting Plan:
- Frontage Improvements
- Enhanced buffering along property boundaries

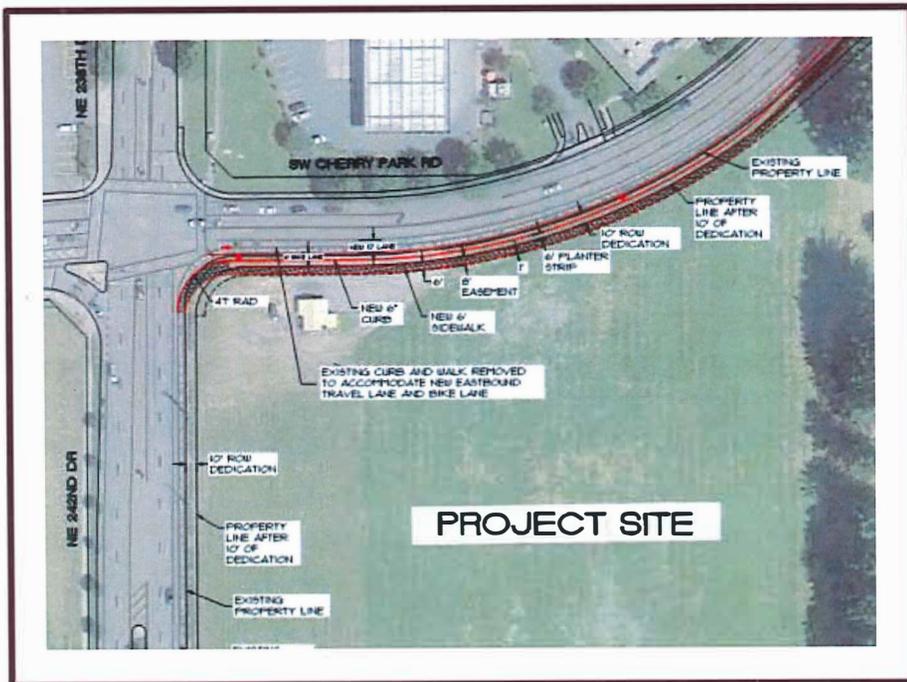


# EAGLE RIDGE APARTMENTS

- Pump Station Location
- Small, quiet, privately maintained.



# EAGLE RIDGE APARTMENTS



- Developer has accepted a condition of approval requiring the improvement of the intersection at Cherry Park and NE 242<sup>nd</sup> to include:
  - Frontage Improvements
  - Signal Modifications
  - Signing and restriping.
  - New 12' Travel Lane
  - New 6' Bike Lane
  - New 6' Sidewalk & 6' Planter





