

**GLADSTONE PLANNING COMMISSION AGENDA
GLADSTONE CITY HALL, 525 PORTLAND AVENUE**

Tuesday, July 16, 2013

**7:00 P.M. CALL TO ORDER
ROLL CALL
FLAG SALUTE**

CONSENT AGENDA

All items listed below are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a commission member or person in the audience requests specific items to be removed from the Consent Agenda for discussion prior to the time the commission votes on the motion to adopt the Consent Agenda.

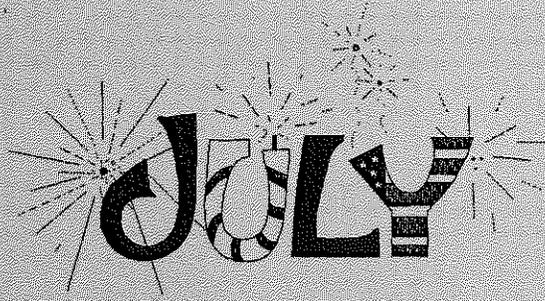
1. Minutes of January 15, 2013 Meetings

REGULAR AGENDA

2. Public Hearing: Z0312-13-D, drive-thru coffee shop on Parcel 3 of the Walgreens property, 20180 McLoughlin Blvd. The entire development received general approval through the master plan for the site, with a condition being development on the remaining two pads come back for specific design review.
3. Public Hearing: Road name proposal; Jared Colton. "Larissa Lane," new street off Tim's View Avenue to serve parcels created through planning file Z0384-11-M.

BUSINESS FROM THE PLANNING COMMISSION

ADJOURN



CONSENT AGENDA

MINUTES OF PLANNING COMMISSION MEETING – January 15, 2013

Call to Order at 7:00 p.m.

Roll Call: The following Planning Commission members answered the roll call: Michele Kremers, Sean McDonald (after sworn in), Pat McMahan, Kim Sieckmann, Kirk Stempel, and Tamara Stempel.

Absent: None.

Staff: Clay Glasgow, City Planner; David Doughman, City Attorney; Jolene Morishita, and Assistant City Administrator.

Oath of Office:

Assistant City Administrator administered the oath of office to new Commissioners Sean McDonald and reappointed Commissions Patrick McMahan, and Kirk Stempel.

Election of Chair and Vice-Chair

Commissioner Kirk Stempel moved and Commissioner Kim Sieckmann seconded a motion to elect Commissioner Tamara Stempel as Commission Chair.

Motion carried unanimously.

Commissioner Kirk Stempel moved and Commissioner Pat McMahan seconded a motion to elect Kim Sieckmann as Commission Vice-Chair.

Consent Agenda:

1. Minutes of September 18, 2012; October, 2012 and December 18, 2012 Meetings

Commissioner Kim Sieckmann moved and Kirk Stempel seconded a motion to approve the consent agenda consisting of the minutes of September 18, 2012 as presented; October 16, 2012 as revised (p.1-5, Kim Sieckmann); and December 18, 2012 as presented.

Motion carried unanimously.

Regular Agenda:

2. Public Hearing: Z0276-12-D, excavation and removal of approximately 37,000 yards of previously placed fill to be replaced with a like amount of structurally sound fill material. Property is along the Clackamas River, adjacent to McLoughlin Boulevard (just south of Walgreen's). This item was originally scheduled for review June 19, 2012, then continued due to judicial interpretation(s) of the Endangered Species Act relative to floodplain administration. Applicant has subsequently received conditional FEMA recognition of map revision to remove property from floodplain designation. Chair Tamara Stempel opened the hearing at 7:09. She explained the hearing format and asked if there were any ex-parte contacts or conflicts of interest to declare. There were none. Commissioners were asked if they visited the site. Commissioners Kim-Sieckmann, Kirk Stempel, and Patrick McMahan visited the site. Chair Tamara Stempel asked the audience if they wished to make a challenge

of any council member's impartiality or ability to participate. There was no response. She asked if there were any objections to the Council's jurisdiction to consider this matter. There was no response.

Commissioner Kirk Stempel left the meeting at 7:10 p.m.

Staff Report: City Planner Glasgow submitted a staff report for Commission review. This hearing was scheduled for June 19, 2012; however, a delay was caused by the County becoming aware of certain issue relative to the Endangered Species Act relative to FEMA's application of flood plain regulations. There have been several suits filed because it is felt the flood plain regulations do not adequately address Endangered Species Act regulations. Until this information is resolved there is no way to process this application.

The applicant went through a FEMA process to take a closer look at the subject property and make a determination that it was not in the flood plain at all. They were successful and received a conditional letter of a map revision from FEMA showing the property is by elevation out of the 100-year flood plain and therefore removing the Endangered Species Act issue.

This application is going through design review because it can be interpreted as development even though there are no buildings or development beyond taking out fill and replacing it with structurally sound fill. After the 1996 flood there was a large amount of fill dumped on the property. The county issued a grading permit for a small portion of the property; that grading permit was never finalized. Walgreens found the fill was inadequate for future development of the sites approved in a master plan previously. The applicant's proposal is to remove a portion of that fill (37,000 cubic yards) and replaced with the same amount of clean engineered fill to prepare the site for buildings, parking, etc.

The Planning Commission is authorized to approve design review applications pursuant to Subsection 17.94.060(2)(c) of the GMC. Staff recommends the Planning Commission approve this application based on the submitted application materials and discussion at the public hearing subject to conditions as presented.

Kirk Stempel returned to the meeting at 7:16 p.m.

Questions from the Commissioners:

- When Walgreens was developed, was the fill taken out and replaced at that time. Answer: Chair Tamara Stempel said yes.
- Did staff see anything that was prohibited in the design review process? Answer: City Planner Glasgow said no.

Applicant Presentation: Craig Harris, Partner, AAI Engineering, 4875 SW Griffith Drive, Suite 300, Beaverton 97005 has read and agrees with the staff report. Walgreens was not on the fill area, it was in the old Bowling Alley area. They are removing undocumented fill and putting in good fill so more development can be brought to the site.

1-2

Questions from the Commissioners:

- What is the difference between undocumented fill and engineered fill? Answer: Mr. Harris stated the undocumented fill consisted of material that was not compacted, hay-bail material, wood, car parts, etc. With this type of fill it doesn't settle correctly and does not provide stability because of the decay in the ground. Their engineer has given them direction to remove four feet and bring it back up to bridge other components.

There were no further questions from the Commission.

Public Testimony in Favor: None

Public Testimony in Opposition: None

Applicant Rebuttal: None

Commissioner Pat McMahon moved and Commissioner Kim Sieckmann seconded a motion to close the public hearing.

Motion carried unanimously.

Commission Discussion:

Commissioner Kim Sieckmann moved and Commissioner Pat McMahon seconded a motion to recommend to City Council approval of Z0276-12-D, Excavation and removal of approximately 37,000 cubic yards of fill, to be replaced with like amount of structurally sound fill with the conditions 1-5 proposed by staff.

City Planner Glasgow noted there were comments submitted into the file from the Fire Department and the neighboring property owner from the east (Craig Danielson through Bruce Goldson) submitted discussion and conditions which were included in the proposed conditions to leave a buffer and insure there is not sheet flow coming off the property onto the Danielson site.

Motion carried unanimously.

Other Business:

Len Nelson, 6950 Winfield Court asked the Commission to discuss the possibility of regulating residents selling product from their front yard, driveway, or in front of their business. Arlington Market has been getting comments for several years. He asked if it was possible that anyone in the City of Gladstone that has a retail business, anything sold through that business has to be inside the structure. No storage on the sidewalk, beside the structure only inside the structure. Garage sales are regulated by time and other regulations; however those that are selling items displayed on their yards is not regulated.

City Attorney Doughman recommended consideration of a city-wide regulation, not directed to specific residents. City Planner Glasgow explained within the commercial zones it indicates sales are to be conducted wholly within an enclosed building with the exception of displayed merchandise along the outside of a wall of a building provided such display does not extend more than three feet from the walls and does not obstruct pedestrian, bicycle access, emergency access, or off-street parking areas. In the residential zones there are requirements in the yard sale/garage sale ordinances. This is an enforcement issues and the codes need to be enforced.

It was decided that Councilor Nelson will address the issue with Council.

Councilor Kim Sieckmann reported Council approved the zone change from residential to commercial based on need that was denied by the Planning Commission. He questions whether the Planning Commission needs to make commercial zone changes at the City level rather than on a piece-by-piece property level. Staff was asked to see if Council would like the Planning Commission to consider this issue.

Upcoming Commission Considerations:

City Planner Glasgow reported the Commission will be receiving an application for a new apartment complex (100 to 160) on the property adjacent to and north of the proposed library site.

Business from the Commission:

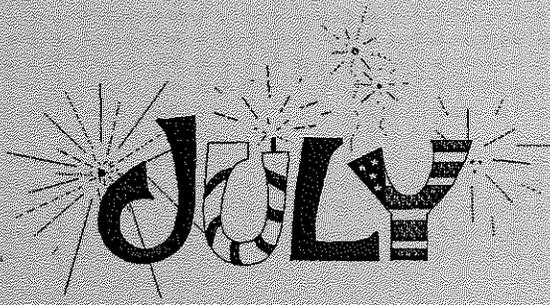
- Chair Tamara Stempel reported she was appointed to the Clackamas County Economic Development Commission. She asked if the Commission has any issues they would like her to take to that Commission to let her know.
- Chair Tamara Stempel reported the City received a letter from Aaron Huddard who is resigning from the Planning Commission and Budget Committee effective immediately.

Adjourn:

*Commissioner Kim Sieckmann moved to adjourn the Planning Commission meeting. Commissioner Pat McMahon seconded the motion.
Motion carried unanimously.*

Minutes approved by the Planning Commission this ____ day of _____, 2013.

_____, Tamara Stempel, Chair



REGULAR AGENDA

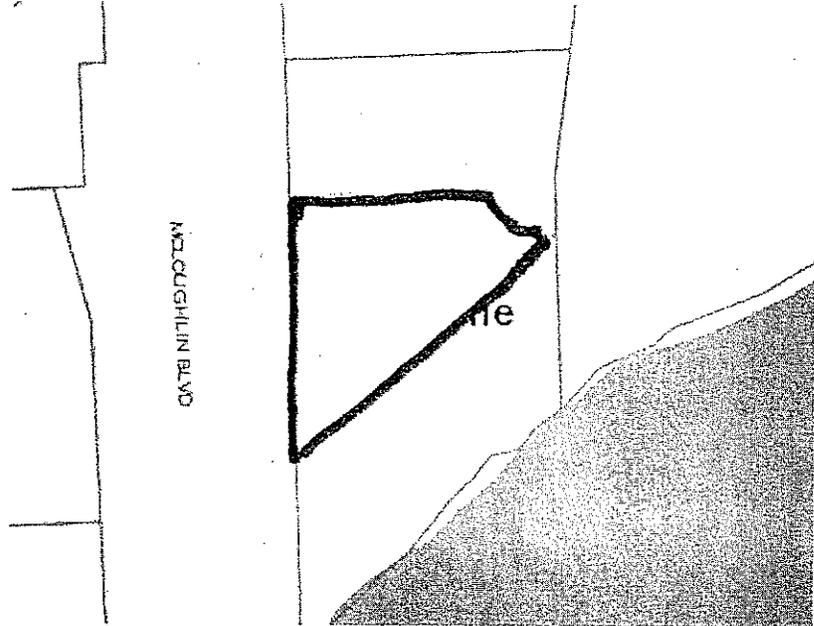


Geographic Information Systems
168 Warner-Milne Rd
Oregon City, OR 97045

Property Report

SEVEN HILLS PROPERTIES 19 LLC
88 PERRY ST STE 800
SAN FRANCISCO, CA 94107

Location Map:



Site Address: NO SITUS
Taxlot Number: 22E20 01400
Land Value: 284374
Building Value: 0
Total Value: 284374

Acreage:
Year Built:
Sale Date:
Sale Amount:
Sale Type:

Land Class:
Commercial land, vacant
Building Class:
Neighborhood:
Area 04 commercial
Taxcode Districts: 115040

Site Characteristics:
UGB: METRO
Flood Zone: 100yr Flood

Zoning Designation(s):
Zone Overlays: Acreage:
C3 0.50

Fire: Gladstone
Park: N/A
School: SCH 115 GLADSTONE
Sewer: TRI-CITIES
Water: N/A
Cable: City
CPO: City
Garb/Recyc: Gladstone Disposal
City/County: Gladstone

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

2-1

RIVER

R.D.

SUPER

HWY.

99 E

SEE MAP 2 2E 19D

BRIDGE

ARLINGTON

GLADSTONE

CROSSING

WATER QUALITY PROTECTION AREA 'TR' A (0.60Ac)

CLACKAMAS

STR

600 0.76 Ac.

602 4.01Ac

1300 1300 A1

1400

1500

4292

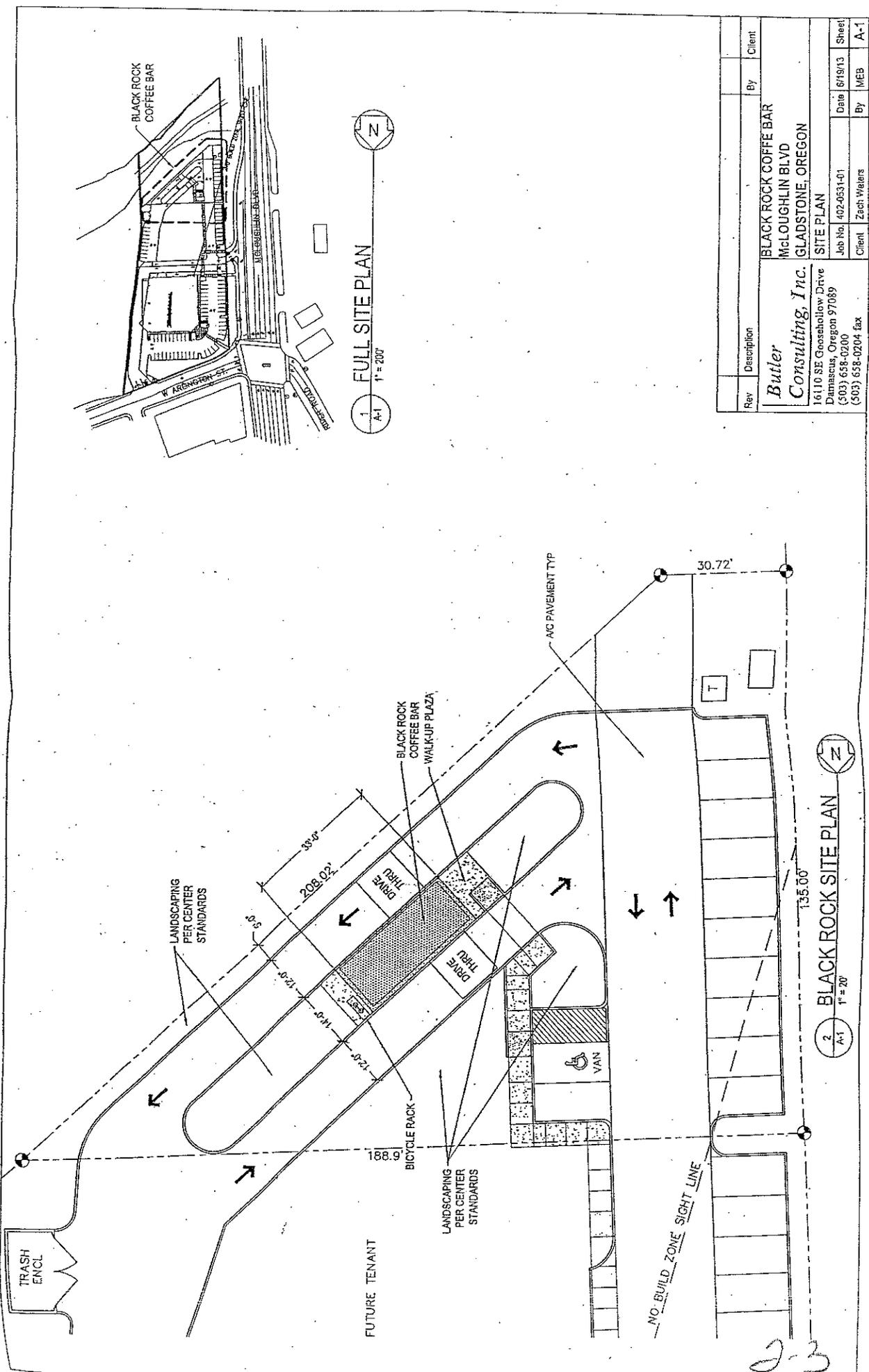
INITIAL POINT

P.

201

301

22



1
A-1
FULL SITE PLAN
1" = 20'

2
A-1
BLACK ROCK SITE PLAN
1" = 20'

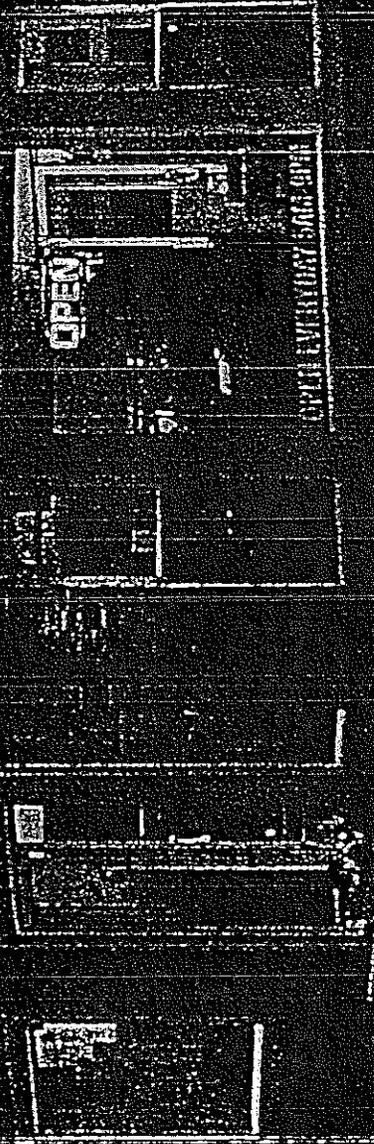
Rev	Description	By	Client
	Butler Consulting, Inc.		BLACK ROCK COFFEE BAR
	16110 SE Goosehollow Drive Damascus, Oregon 97089 (503) 658-0200 (503) 658-0204 fax		McLOUGHLIN BLVD GLADSTONE, OREGON
			SITE PLAN
			Job No. 402-0531-01
			Client Zech/Waters
			Date 6/19/13
			By MEB
			Sheet A-1

2-3

20317-13-D FILE

black★rock
coffee bar

black★rock



2-4

City of GLADSTONE



STAFF REPORT/RECOMMENDATION TO THE GLADSTONE PLANNING COMMISSION

File: Z0312-13-D
Applicant: Seven Hills Properties
Hearing Date: July 16, 2013
Planning Staff: Clay Glasgow
Report Date: July 8, 2013

I. GENERAL INFORMATION

- A. Proposal: This is a request to develop one of the remaining commercial pads at "the Walgreen's property." Proposed used is a drive-thru coffee facility. There will be no interior seating.
- B. Legal Description: T2S, R2E, Section 20, Tax Lot 1400
- C. Location: 20180 McLoughlin Boulevard; at the southeast corner of the intersection of W. Arlington Street with McLoughlin Boulevard, just south of the existing Walgreen's store.
- D. Zone: C-3; General Commercial
- E. Comprehensive Plan Designation: Commercial
- F. Site Information: The subject parcel is approximately 0.50 acres in size, bounded by McLoughlin Boulevard on the west, vacant land to the east, the Walgreens to the north and the Clackamas River on the south. This is parcel #3 of the Gladstone Crossing Subdivision. It is currently vacant. Access to the parcel is through internal roadways, e.g. – no

City Hall
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5223
FAX: (503) 650-8938
E-Mail: (last name)@
ci.gladstone.or.us
Website:
www.ci.gladstone.or.us

Municipal Court
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5224 ext. 1
E-Mail: municourt@
ci.gladstone.or.us

Police Department
535 Portland Avenue
Gladstone, OR 97027
(503) 655-8211
Website:
www.ci.gladstone.or.us

Fire Department
555 Portland Avenue
Gladstone, OR 97027
(503) 557-2776
Website:
www.ci.gladstone.or.us

Public Library
135 E. Dartmouth
Gladstone, OR 97027
(503) 656-2411
FAX: (503) 655-2438
E-Mail: qiref@lincc.lib.or.us

Senior Center
1050 Portland Avenue
Gladstone, OR 97027
(503) 655-7701
FAX: (503) 650-4840

City Shop
18595 Portland Avenue
Gladstone, OR 97027
(503) 656-7957
FAX: (503) 722-9078

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direct connection to McLoughlin Boulevard. Previous improvements on site/area included a bowling alley and several other businesses. A portion of the site is shown as being within the Habitat Conservation Overlay, HCA. Findings relative to the HCA are as discussed, below.

- G. Vicinity Description: The surrounding area is a mix of various development types. North of the subject property and west across McLoughlin Boulevard is predominately commercial in nature. East of the site becomes more residential along Arlington Street and the Clackamas River. South of the property is the river and lagoon, with commercial development in the City of Oregon City beyond that. City of Gladstone sewer and water services are available to serve the property.
- H. Background: The property is part of that approved through a master plan which includes the Walgreen's. The plan approved the Walgreens store, along with potential future development of two additional commercial pads. Drive-thru type service was considered at that time. A condition from the Master Plan is further design review for the two remaining pads, hence this application.

II. FINDINGS

This request is subject to Chapter 17.20, C-3, General Commercial District; Chapter 17.80, Design Review; Chapter 17.25, Habitat Conservation Area and Division IV, Development Standards of Title 17 of the Gladstone Municipal Code (GMC).

III. CONCLUSIONS

Planning staff has reviewed this request in reference to the applicable provisions of the GMC. Based upon this review, staff makes the following conclusions:

1. *Chapter 17.80* of the GMC establishes the requirements for design review. Pursuant to *Subsection 17.80.021(1)*, site development in the C-3 zoning district is subject to design review.

Section 17.80.061 lists submittal requirements for Design Review. The application as submitted satisfies these requirements.

Section 17.80.100(1) provides for approved design plans to remain valid for one year. If construction has not begun by that time, design plan approval may be renewed once by the Planning Commission for not more than one year.

2. *Chapter 17.20* of the GMC establishes basic requirements for the General Commercial District. *Section 17.20.020* identifies uses

permitted outright in the General Commercial District, and includes restaurants with drive-thru service such as is proposed. This criterion is met.

Section 17.20.050 establishes dimensional standards for the C-3 district. The proposed building as shown complies with setbacks and the 35-foot maximum building height standard.

Section 17.20.050(4) requires off-street parking areas to be a minimum of five feet from all property lines. The proposed off-street parking areas are shown as being at least five feet from property lines. The proposed development satisfies this provision of the GMC.

3. *Chapter 17.44 of the GMC* identifies standards for building siting and design.

These standards apply to all development that is subject to Design Review. *Section 17.44.020(1)* deals with siting specifically, and requires that, where there are no conflicts with other design standards or requirements in Title 17, to site buildings to maximize solar access where practical, using such techniques as maximizing east-west street length; orienting buildings within twenty degrees of true south as well as maximizing their south-facing dimension; placing higher buildings on the north portion of the site while protecting solar access for adjacent sites, and placing major yard spaces on south side of buildings.

The subject property is roughly triangular in shape. Access is from the north, through the remainder of the development. The building as proposed is relatively small (462 sq. ft.) with its main facades oriented from NE to SW. This to provide room for drive-thru service. The tallest portion of that building is shown as being located towards the southerly portion of the site thereby limiting conflicts with solar access on property to the north. There are windows on the westerly façade of the building.

Section 17.44.020(2) requires buildings to have energy efficient designs. The proposed design includes abundant windows to provide natural lighting. The building will be required to meet the energy codes of the Oregon Structural Specialty Code, which will be evaluated through the building permit process. This is consistent with this subsection of the GMC.

Section 17.44.020(3) of the GMC addresses compatibility in building design. This subsection encourages the arrangement of structures and use areas to be compatible with adjacent developments and surrounding land uses. The proposed building(s) are typical of other uses along the McLoughlin commercial corridor. The building is to be located so as to provide adequate setbacks from property adjoining to the north.

Common circulation throughout the development will provide access to the site. The recycling/refuse areas are to be screened and will not be visible from adjacent sites. A condition of approval should require screening of mechanical equipment as required by this subsection.

Section 17.44.020(4) of the GMC deals with building materials. That Section requires buildings be constructed using high-image exterior materials and finishes such as masonry, architecturally treated tilt-up concrete, glass, wood or stucco. Screening of roof-mounted equipment is also discussed in this section.

Exterior building materials for the building are shown as mostly wood, with stone accents. This criterion is satisfied.

Section 17.44.020(5) of the GMC establishes lighting standards. The applicant submitted a site lighting plan with the original master plan. Discussion occurred with the Planning Commission at that time regarding shielding and otherwise protecting the Clackamas River Corridor from unnecessary light spill-over. With that, along with typical requirements to limit to the extent possible light shine on adjoining properties and streets, this criterion can be satisfied.

Section 17.44.020(6) of the GMC establishes illumination level standards. It requires that all on-site lighting shall be designed, located, shielded or deflected so as not to shine into off-site structures or impair the vision of the driver of any vehicle. This was considered during the master planning for the site. Building lighting is as shown. A condition of approval should require that final lighting design meet IES standards and that lighting not shine into off-site structures or impair the vision of the driver of any vehicle. As noted, above, the lighting should be designed so as not to interfere with the Clackamas River Corridor. The condition will further require that a final lighting plan be submitted to staff and that it is stated on the plan that the plan is compliant with IES standards.

Section 17.44.020(7) regarding equipment and facilities establishes that all utility lines shall be placed underground. All roof-mounted fixtures and utility cabinets or similar equipment, which must be installed above ground, shall be visually screened from public view. A condition of approval shall require compliance with this subsection for new utility lines, roof-mounted fixtures, utility cabinets or similar equipment installed aboveground.

Section 17.44.020(8) regarding trash disposal and recycling collection requires new construction to incorporate functional and adequate space for on-site storage and efficient collection of mixed solid waste and source separated recyclables prior to pick-up and removal by haulers.

The proposed plan identifies general area for recycling/trash enclosures, but no detail is given on construction type/screening. A condition of approval will require such. A separate condition of approval shall require that the applicant submit a letter to staff from the franchise hauler indicating approval of a plan for trash/recline storage and collection.

Section 17.44.024 establishes design standards for nonresidential construction. These provisions require that new, non-residential buildings, with the exception of buildings housing institutional, warehouse or manufacturing uses shall be subject to the following design standards:

(1) Ground floor windows. Ground floor windows shall be required on walls fronting a public street and shall comply with the following standards:

(a) The windows shall cover at least 50% of the length and 25% of the ground level wall area. Ground level wall areas include all exterior wall area up to nine feet above the finished grade. The bottom of required window shall be no more than 4 feet above the adjacent exterior finished grade.

(b) Required windows shall be windows that allow views into work areas or lobbies, pedestrian entrances or display windows set into the wall. Display cases attached to the outside wall shall not qualify.

The applicant has submitted evidence that the proposed structures satisfy the window-to-wall area ratio on the façade facing McLouhglin. Aside from the drive-up windows themselves, the northerly and southerly sides of the structure are relatively devoid of windows, though other fenestration provides interest to the wall(s). This should be discussed by the Planning Commission.

3. *Chapter 17.46 of the GMC* identifies landscaping standards and states that these standards are applicable to all developments subject to design review.

Subsection 17.46.020(1) requires a minimum of fifteen percent of the lot area be landscaped. The submitted site plan shows areas to be landscaped, meeting the 15% requirement, though no detail is given. A condition of approval is warranted to require submission and approval of a landscape plan showing satisfaction of this subsection.

Subsection 17.46.020(2)(a) requires that a parking or loading area providing ten or more spaces shall be improved with defined landscaped areas totaling no less than ten square feet per parking space. The proposed parking area meets this requirement, although, and again – no detail on landscape type is given.

Subsection 17.46.020(2)(b) requires that a parking or loading area be separated from any lot line adjacent to a street by a landscaped strip at least 10 feet in width and from any other lot line by a landscaped strip at least five feet in width. As approved through the original master plan, this criterion is satisfied.

Subsection 17.46.020(2)(c) requires landscaped strips separating a parking or loading area from a street to contain street trees, low shrubs, and vegetative ground cover and establishes spacing requirements for the trees and shrubs. This standard can be met.

Subsection 17.46.020(3) requires that provisions for irrigating planting areas be made where needed. A condition of approval to this effect is warranted.

Subsection 17.46.020(4) requires landscaping to be continuously maintained. This standard can be met with conditions.

Subsection 17.46.020(5) pertains to the planting of trees under overhead utility lines or near sidewalks or curbs. No trees will be planted.

Subsection 17.46.020(6) indicates that sight-obscuring plantings, fencing or berming may be required to screen parking lots, outdoor storage or other unsightly features from the road or neighboring properties. This should be discussed by the Planning Commission.

Subsection 17.46.020(7) pertains to grading and states, "The natural form of the site shall be preserved insofar as practicable unless berming or contouring of land is required."

The site has been the subject of fill/grading more than once in the recent past. The most recent effort has been properly permitted and should bring into compliance previous fill/grading. As proposed, staff can find this criterion is met.

Subsection 17.46.020(8) requires that land within the public right-of-way not developed as sidewalks or driveways be landscaped and maintained by the abutting property owner. The proposal meets these conditions.

Subsection 17.46.020(9) provides for street trees to be required of any development and states that, if planted, street trees shall be of a species compatible with the width of the planting strip and nearby street tree species. The adjoining roads do not contain planting strips containing street trees.

4. *Chapter 17.48 of the GMC* regulates off-street parking and loading. There are cross-easements for access and parking in the development. The site itself is over-parked per City Code. The GMC parking requirements for this type of facility requires a minimum ratio of 1space/300 sq.ft., or two (2) spaces in this case. Maximum number would be eight (8) spaces. The site plan shows 11 spaces, though as mentioned – parking is shared throughout the development. Total number of parking spaces across the development shown at this time meets code requirements/limitations. Bicycle parking is not shown and should be discussed.

Section 17.48.040(1)(a) requires parking and loading areas to be paved with asphalt and/or concrete meeting city standards, maintained adequately for all-weather use and so drained as to avoid flow of water across public sidewalks. The proposal will be paved.

Section 17.48.040(1)(c) requires areas for standing and maneuvering vehicle, other than for the off-street parking and storage of truck tractors and /or semi trailers, to be paved. The existing development is paved and the new development will also be paved.

Section 17.48.040(2)(a) states that required parking spaces must be located within two hundred feet of the building or use they are required to serve. The required parking spaces meet this provision.

Section 17.48.040(2)(b) states that required parking shall be provided in the same zoning district or a different zoning district of a more intensive use. The proposed structure will be located in the C-3 zoning district as will all required parking spaces.

Section 17.48.040(2)(c) prohibits parking for a commercial or industrial use from being located in a residential district except in the case of a conditional use. As noted above, all parking will be located in the C-3 district.

Section 17.48.040(2)(d) requires groups of more than four parking spaces to be permanently marked and so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. The parking lot design complies with this subsection.

Section 17.48.040(2)(f), (g) and (i) establish the minimum width of access aisles and the minimum dimensions of parking spaces. The parking lot proposal has the required 24 feet aisle width for 90 degree parking spaces. Staff finds that, as discussed above the proposal can comply with this subsection.

Section 17.48.040(2)(h) requires parking areas to be designed to the maximum extent practicable, to avoid large, uninterrupted rows of parking spaces. Generally speaking, the parking lot design complies with this subsection.

Section 17.48.040(3)(b),(c) and (d) establish requirements for loading areas. A condition of approval is warranted to ensure compliance.

Section 17.48.050 establishes requirements for bicycle parking. The proposal as submitted does not show bicycle parking for the facility. This is a drive-thru for automobiles, but employees may choose to bike to work. This requirement can be met if at least one (1) bicycle parking space is provided.

5. *Chapter 17.50 of the GMC* establishes the requirements for vehicular and pedestrian circulation. Subsection 17.50.020(1) requires that provisions be made for the least amount of impervious surface necessary to adequately service the type and intensity of proposed land uses within developments as well as providing adequate access for service vehicles. Based on submitted site plan information, staff is able to find that impervious surface is limited to that required by other sections of the Code. This standard is met.

Subsection 17.50.020(2) requires provisions to be made, when feasible, for a separation of motor vehicular, bicycle and pedestrian traffic. The master plan for the site considered this criterion. This standard is met.

Subsection 17.50.020(3) requires curbs, associated drainage and sidewalks within the right-of-way or easement for public roads and streets. Sidewalks currently exist along the Arlington frontage. The McLoughlin frontage will be as approved in the master plan and required by ODOT.

Subsection 17.50.020(4) requires provisions to be made to accommodate any increased volume of traffic resulting from the development. No evidence has been provided that the proposed commercial activity will produce traffic beyond the capacity of the existing street development.

Subsection 17.50.020(5) requires provisions to be made for the special needs of the handicapped. This Subsection is met.

Subsection 17.50.020(6) pertains to pedestrian access. This Subsection is met with the proposal.

Subsection 17.50.020(7) deals with new development requiring full site design review that, when completed, generate an average daily traffic

count of 1000 trips or greater. In such case, a transit stop shall be provided. While there is no evidence this proposal will result in an ADT of 1000 trips or greater - there is an existing Tri-met bus stop and shelter nearby, towards Arlington.

Section 17.50.040, Streets and Roads Generally, is discussed at length by the applicant. Rights-of-ways are adequate along both Arlington and McLoughlin. Full improvements exist on the Arlington frontage. Many portions of the this Section do not apply. Bicycle and Pedestrian Routes, at 17.50.040(16) is addressed in the narrative and on the submitted site plans. Comprehensive Plan Map 5 shows a bike path along the river beginning at Clackamas Boulevard to the east of the proposed project site and running through the site along the southern boundary with the river. A ten (10) foot wide bike path as been included as part of the proposed water quality resource area, referred to in a separate document. There is an existing bike path along SE McLoughlin. No bike path is planned along W. Arlington at this location. Applicable portions of this criterion are met.

6. *Chapter 17.52 of the GMC* establishes sign requirements. The signs proposed meet this Chapter's standards.
7. *Chapter 17.54 of the GMC* establishes clear vision requirements. These standards will be continue to be met and maintained.
8. *Chapter 17.56 of the GMC* establishes drainage requirements. The storm drainage system shall be designed and built consistent with the standards of this Chapter.
9. *Chapter 17.58 of the GMC* establishes standards for grading and fill and requires enforcement of the Uniform Building Code (UBC). The city contracts with Clackamas County for administration of grading permits. The county enforces its own Excavation and Grading Ordinance in lieu of Chapter 70 of the UBC. No additional grading has been proposed.
10. *Chapter 17.60 of the GMC* establishes requirements for utilities. All utilities shall be installed consistent with the standards of this Chapter.
11. *Chapter 17.25 of the GMC* deals with those areas identified as a Habitat Conservation Area. Applicable portions of Chapter 17.25 were discussed adequately through the master plan for the site, with a large mitigation area provided in the form of Tract A of the plat (Water Quality Resource Protection Area.) No further consideration of Chapter 17.25 is required at this time.

REQUEST FOR COMMENTS:

City of Gladstone Public Works, Gladstone Fire, Gladstone Police, Oak Lodge Water, Water Environment Services (WES), ODOT, Building Department

RESPONSES RECEIVED:

Oak Lodge Water: comments received 7-3-13: "Oak Lodge Water District has no issues with this proposal."

No other comments received as of this report.

IV. RECOMMENDATION

The Planning Commission is authorized to approve design review applications pursuant to *Subsection 17.94.060(2)(c) of the GMC*. Planning staff recommends the Planning Commission approve the design review application, based on the submitted application materials, subject to the following conditions:

1. This approval shall remain valid for one year following the date of approval. If construction has not begun by that date, this approval shall expire unless the Planning Commission pursuant to Section 17.80.100 of the GMC grants an extension.
2. The applicant shall obtain required permits from Clackamas County. The applicant shall comply with the requirements of the permits.
3. New mechanical equipment and garbage receptacles shall be screened as required by the GMC.
4. On-site lighting shall comply with Subsections 17.44.020(4) and (5) of the GMC, including compliance with IES standards as demonstrated in an engineered site light plan which must be submitted to staff.
5. New utility lines shall be placed underground unless prohibited by the utility service provider. New roof-mounted fixtures and utility cabinets or similar equipment shall be visually screened from public view as required by GMC Subsection 17.44.020(6).

6. The applicant shall submit a letter to the city from the franchise hauler indicating approval of a plan for trash/recycling storage and collection. Alternatively, the applicant may submit calculations demonstrating compliance with the minimum standards method described in GMC Subsection 17.44.020(7).
7. The applicant shall submit a detailed landscape plan to show compliance with Subsection 17.46 of the GMC.
8. The landscaped area shall be provided with an automatic irrigation system.
9. Landscaping shall be continuously maintained. Landscape maintenance shall be the responsibility of the owner.
10. The applicant shall submit a bicycle parking plan to staff for approval demonstrating compliance with the provisions of Subsection 17.48.050.
11. Paving shall comply with city standards. Plans shall be submitted to the city for approval prior to construction.
12. This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA), including provisions for curb ramps.
13. Installation of curbs and sidewalks shall be constructed to city standards.
14. Construction of storm drainage improvements associated with the development shall be consistent with city standards and comply with the drainage requirements of the plumbing code administered by Clackamas County.
15. Water and sanitary sewer improvements shall be constructed to city and Tri-City Service District standards, respectively, and that plans are submitted to the city for approval prior to construction and that utilities be developed in accordance with the requirements of Chapter 17.60.
16. Final certificate of occupancy shall not be granted until all conditions of the design review approval have been met.
18. Any changes in the approved design review plans shall be submitted and approved prior to execution. Any departure from the approved design review may cause revocation of building permits or denial of the final certificate of occupancy.
19. Prior to issuance of a final occupancy permit, required improvements shall be installed and existing streets and other public facilities damaged during development shall be repaired or the developer shall

file a financial guarantee of performance in a form acceptable to the city attorney. The financial guarantee must be valid until the improvements are complete or the damages repaired, as determined by the city.

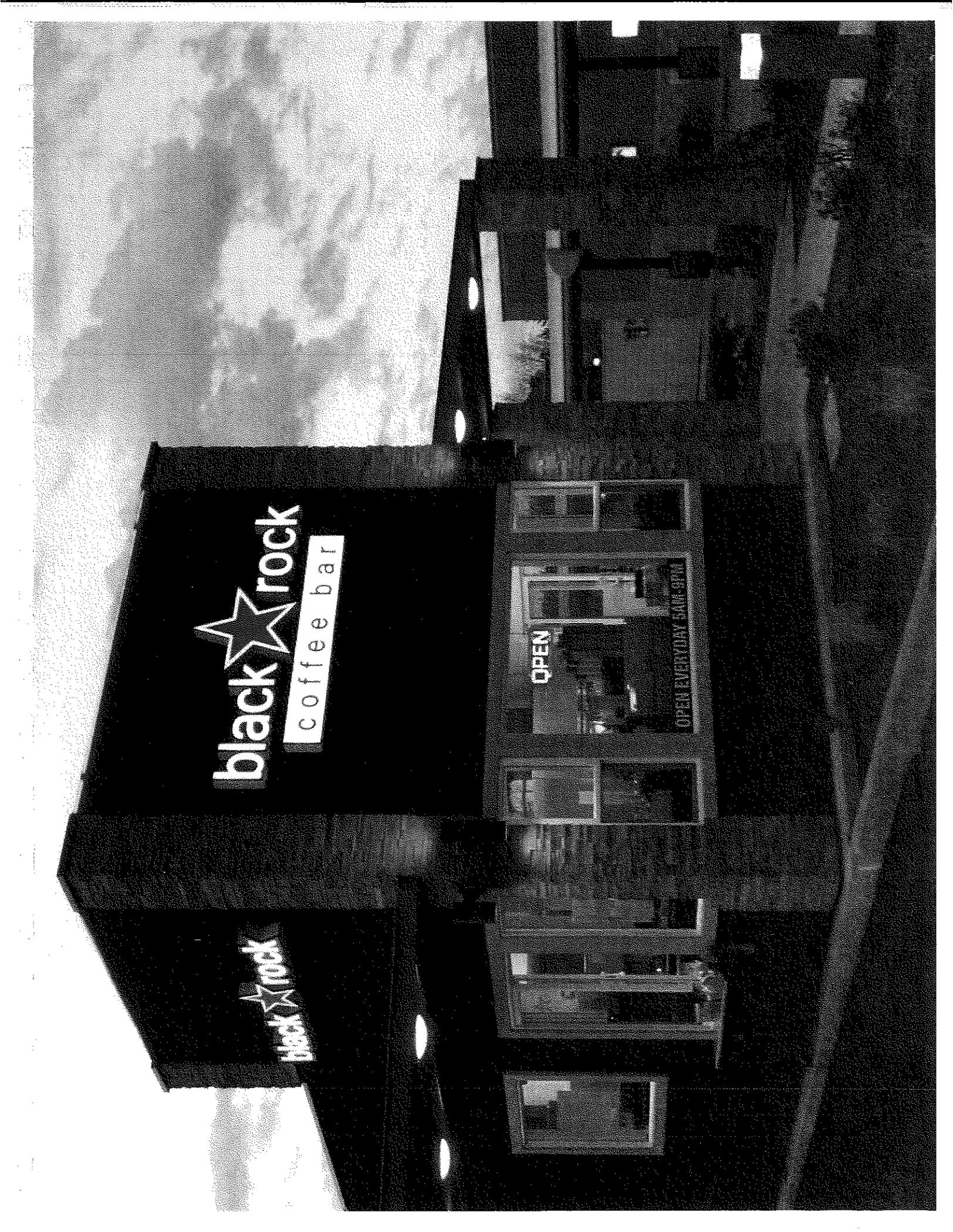
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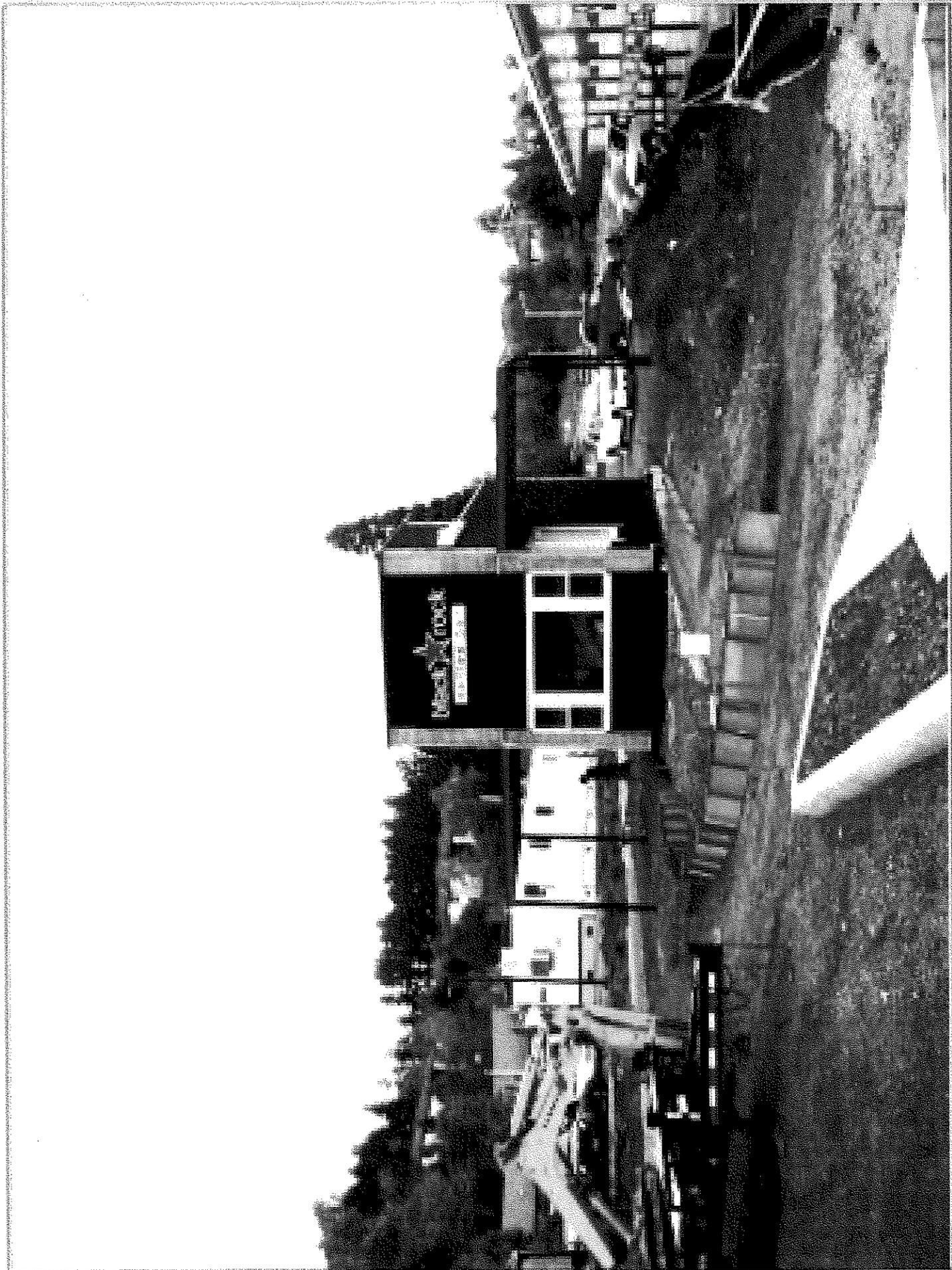
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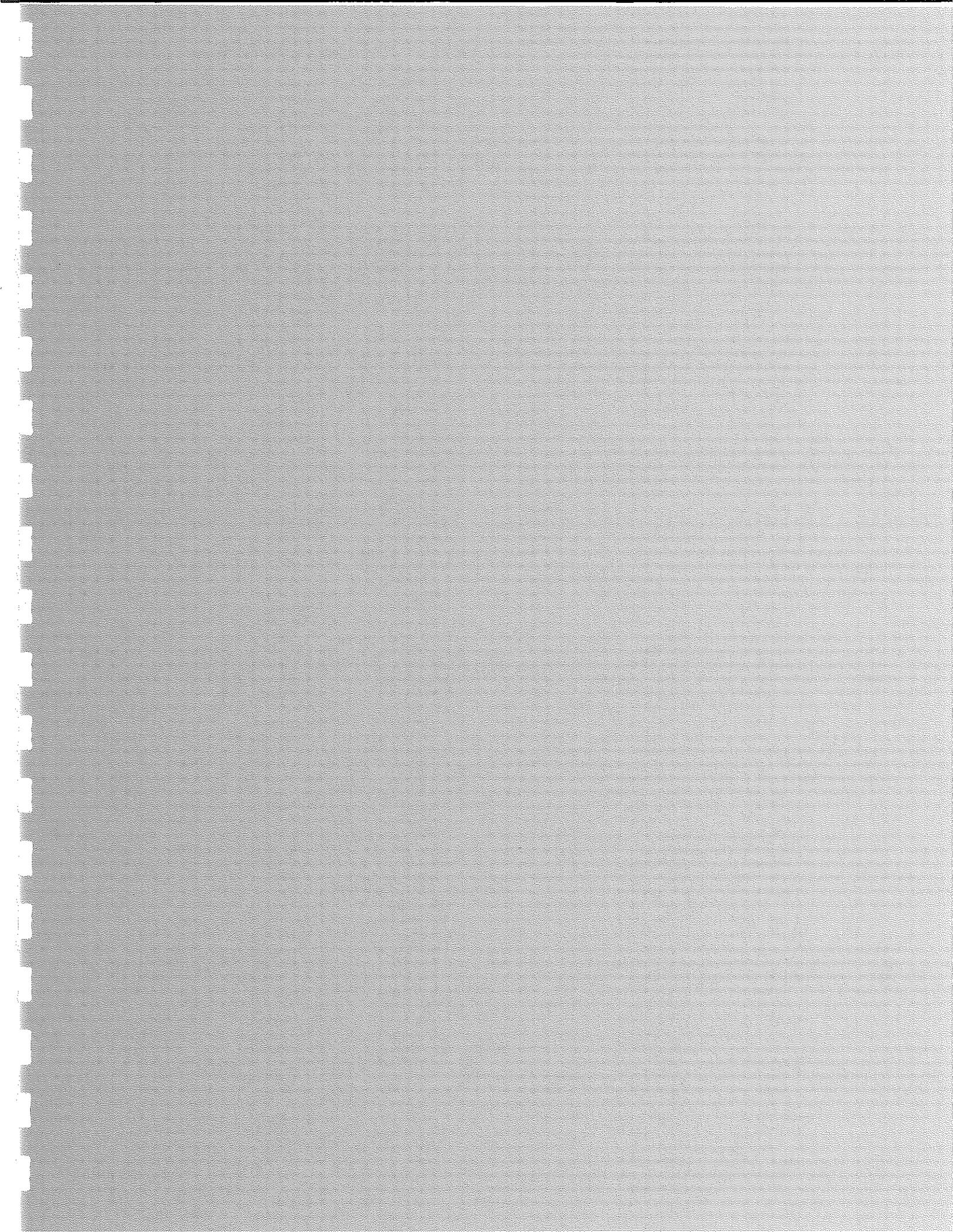
black★rock

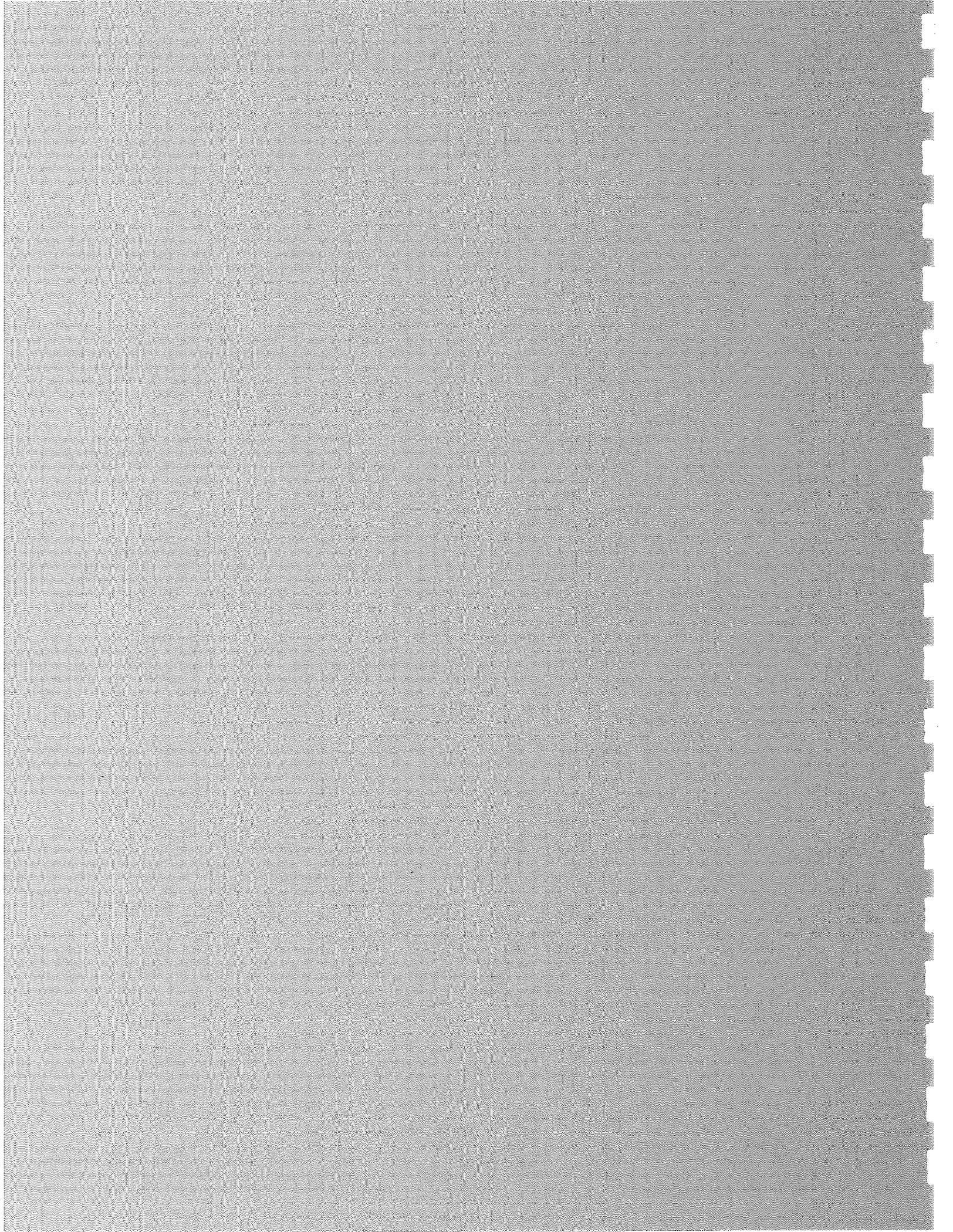
OPEN

OPEN EVERY DAY FROM 8AM-9PM









City of GLADSTONE



MEMO

DATE: July 8, 2013

TO: Planning Commission

FROM: Clay Glasgow

RE: new road name

At the July 16, 2013 Planning Commission hearing, you will consider a request to name a new private road. This for the access to a partition approved in 2011 (Z0384-11-M.) The developer, Jared Colton, is proposing "Larissa Lane."

Per Subsection 17.50.040 of the Gladstone Municipal Code: "(8) Street Names. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names and numbers shall conform to the established pattern in or near the city...." It is the responsibility of the Planning Commission to consider, and approve or deny proposals for new road names. There is no particular process described for this type of PC action.

Planning staff has reviewed existing street names in the city and surrounding area and does not find "Larissa Lane" or other, similar names for any streets or roads

- Clay

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FAX: (503) 722-9078

COPY

City of **GLADSTONE**

FINDINGS AND DECISION ON A
TYPE I MINOR PARTITION

✓ FILE NUMBER: Z0384-11-M
APPLICANT: Jared Colton
✓ DATE: October 6, 2011

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525 Portland Avenue
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I. GENERAL INFORMATION

- A. PROPOSAL: This is a request to partition the subject property (approximately 0.65 acre) into three (3) parcels.
- B. LEGAL DESCRIPTION: T2S, R2E, Section 17CC, Tax Lots 6600 and 6700
- C. SITE ADDRESS: none
- D. LOCATION: Approximately 150 feet westerly of Tim's View Avenue and 120 feet north of Caldwell Road.
- E. ZONING DISTRICT: R-7.2; Single-Family Residential
- F. COMPREHENSIVE PLAN DESIGNATION: Low Density Residential
- G. SITE INFORMATION: The subject property is approximately 28,500 square feet in size and is vacant. The property slopes down from east to west.
- H. VICINITY DESCRIPTION: The property is bounded by single family development to the north, east and south, with multi-family adjacent to the west. Water and sanitary sewer are in the area, though private lines will need to be installed to reach existing facilities of Oak Lodge Water and Sanitary District.

II. FINDINGS

This application is subject to Chapter 17.10, R-7.2 – Single-Family Residential District; Division III, Chapter 17.34 Land Divisions/Partitions; and Division IV, Development Standards of Title 17 of the Gladstone Municipal Code (GMC).

3-2

III. CONCLUSIONS

The City Administrators designee has reviewed this request in reference to the applicable provisions of the GMC. Based on this review, the designee makes the following conclusions:

- A. Subsection 17.10.050 of the GMC identifies the dimensional standards of the R-7.2 zoning district. The proposed lots are shown as satisfying the minimum lot size of 7,200 square feet. However, no area calculation is provided, thus a condition of approval will require that each parcel shall be a minimum of 7,200 square feet. The remaining provisions of Chapter 17.10 are inapplicable to this request.

This criterion can be met.

- B. Chapter 17.34 of the GMC establishes the submittal requirements and administrative process applicable to partitions. The applicant either has or can comply with these provisions.

This criterion can be met.

- C. Pursuant to Chapter 17.50.020 of the GMC, curbs and sidewalks are required on at least one side of a public street. Access is proposed via a private street/easement from Tim's View. The Code is silent on the issue for private roads, beyond noting the minimum width is to be twenty (20) feet. Based on the relatively narrow width, staff assumes the intent is to not generally require sidewalks along a private road. The necessity for curbs is based on storm drainage issues, as discussed further in this report. The applicant either has or can comply with this provision.

This criterion can be met.

- D. Chapter 17.48 of the GMC regulates off-street parking and loading. This section requires one off-street parking space per single-family dwelling. This requirement will be enforced at the time when building permit applications are filed.

This criterion can be met.

- E. Chapter 17.50 of the GMC establishes requirements for vehicular and pedestrian circulation.

Subsection 17.50.020 (1) Impervious Surface. Provide for the least amount of impervious surface necessary to adequately serve the type and intensity of proposed land uses within developments as well as providing adequate access for service vehicles.

The Code requires minimum width for private streets as twenty (20) feet. This is not broken out as right-of-way width, improved width, etc as it is for other, public road types. The Fire District is requiring a minimum of fourteen feet (14') be hard-surfaced, and will allow gravel on the sides to the full twenty foot width. Staff is able to find this will provide for the least amount of impervious surface necessary to adequately serve the type and intensity of proposed land uses.

This criterion can be met.

Subsection 17.50.020(2) Traffic Separation. Provide when feasible, a separation of motor vehicular, bicycle and pedestrian traffic.

The subject property lacks frontage on a public road. Access is shown as being provided via an easement extending some 150 feet in from Tim's View Lane. As noted, above, the Gladstone Municipal Code does not address improvements for private streets. The proposed private street would provide access to three (3) dwellings. Based on expected vehicular traffic from the development, staff if able to find motor vehicles, bicycles and pedestrians will be able to reasonably share the developed roadway without formal separation. And in fact, based on a twenty (20) foot easement width it is not feasible to provide such separation. Even on local public streets in Gladstone it is typical for bikeways to be shared with the vehicle travel surface.

This criterion is met.

Subsection 17.50.020(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Aside from the intersection with Tim's View Avenue, there are no public roads or streets involved with the development. The point of intersection will be constructed to city standards, and plans shall be submitted to the city for approval prior to construction.

This criterion can be met.

Subsection 17.50.020(4) Traffic Volume Expansion. Provision shall be made to accommodate any increased volume of traffic resulting from the development. If streets adjacent to or serving the site are inadequate, widening, dedication of property for future widening, or other street improvements may be required. The development shall be designed to minimize traffic volume increases on minor streets and underdeveloped streets. The proposed development will result in three (3) additional dwellings. The Institute of Transportation Engineers Trip Generation, 6th edition manual estimates that single-family dwelling generates 10 one-way trips per day. There is no evidence in the record that indicates that the transportation system cannot accommodate 30 additional one-way trips per day.

This criterion can be met.

Subsection 17.50.40(1) establishes minimum right-of-way and roadway widths. At twenty (20) feet wide, the proposed private street meets minimum width as required in 17.50.040 (12).

This criterion can be met.

Subsection 17.50.40(14) Curbs and Driveway. Curb cuts and driveway installations shall be installed, according to City standards. A condition of approval shall require that future curb cuts and driveways to the individual lots be installed according to city standards.

This criterion can be met.

Subsection 17.50.40(15) Sidewalks. Sidewalks shall be installed on both sides of a public street and at any special pedestrian way within a development. The proposed access is via a private street rather than a public street.

This criterion does not apply.

Subsection 17.50.040.(16) Bicycle and Pedestrian Routes. Bicycle/pedestrian routes shall be required when consistent with Map 5 of the Comprehensive Plan and when necessary to provide a system of interconnecting walkways and safe, convenient access to a transit stop, or a school, park, church, day care center, library, commercial center, community center or similar facility. Map 5 of the Comprehensive Plan does not identify Tim's View Avenue nor the proposed new private street as a bike/pedestrian route.

This criterion is not applicable.

- F. Subsection 17.56 of the GMC establishes surface water drainage requirements. Any subsequent building permit proposal will be required to comply with the drainage requirements of the plumbing code administered by Clackamas County.

This criterion can be met.

- G. Chapter 17.58 of the GMC establishes standards for grading and fill and requires enforcement of Chapter 70 of the Uniform Building Code (UBC). The city contracts with Clackamas County for administration of grading permits. The county enforces its own Excavation and Grading Ordinance in lieu of Chapter 70 of the UBC. The applicant has already submitted an application for a grading permit to Clackamas County.

This criterion can be met.

- H. Chapter 17.60 of the GMC establishes requirements for utilities. Gladstone's Public Works Director, Scott Tabor notes there is no sanitary sewer available for gravity flow. All sewers would have to be pumped to a receiving line either on Tim's View, or Caldwell Rd. and possibly Hull Avenue. There would have to be easements between private properties to achieve a connection to any sanitary sewer line. Water would have to be connected at Tim's View, and again easement would have to be in place for private service pipes to be installed to the properties. New utilities, such as electricity, are required to be underground unless the utility provider prohibits this. Condition of approval will require that water and sanitary sewer improvements be constructed to city and OLSA (Oak Lodge Sanitary District) standards, respectively, that plans be submitted to the city for approval prior to construction and that utilities be developed in accordance with the requirement of Chapter 17.60.

This criterion can be met.

- I. Chapter 17.64 of the GMC identifies the design standards for land divisions. The proposed lots comply with the minimum lot width, lot depth and frontage requirement of this chapter.

This criterion is met.

Comments received in response to notice:

Public Works Supervisor, Scott Tabor in comments dated 9-12-11: "...there is no sanitary sewer available for gravity flow. All sewers would have to be pumped to a receiving line either on Tim's View, or Caldwell Rd. and possibly Hull Avenue. There would have to be easements between private properties to achieve a connection to any

sanitary sewer line. Water would have to be connected at Tim's View, and again easement would have to be in place for private service pipes to be installed to the properties.....".

Fire Marshal, Michael Funk, in amended comments dated 10-03-11: ".....a revised drawing that seems reasonable. The general conditions of the agreement is as follows: 20 ft wide easement shall be paved to 14' wide with compacted gravel on each side to the full 20". Road must be able to support imposed loads of the fire apparatus; no parking fire land signs will be places so vehicles will not block any of this easement including all portions of the turn-around; while the hammerhead turnaround is not to code, it has been enlarged to a size that the FD can accept; angle of approach will be modified at the curb so fire apparatus will not scrape when accessing the property and the access driveway shall not exceed a 12% slope; while not a fire code concern, Jared has been advised that he property next to the new driveway has expressed concern about ground erosion; as a trade-off to agree to the modified conditions, the builder agrees to install residential sprinkler systems in each new home.

Chief of Police, Jim Pryde, 9-06-11: The Gladstone Police Department has no comment regarding this application.

No further responses received.

IV. Decision

The City Administrator's designee is authorized to approve Type I partition plats pursuant to Subsection 17.94.050. (1)(b) of the GMC. Based on the above findings, it is the decision of the City Administrator's designee to **APPROVE** this partition application subject to the following conditions:

1. Compliance with Oregon Revised Statues, Clackamas County Surveyor's Office and Clackamas County Clerk's Office requirements for completion of a partition plat shall be required.
2. The driveways for the new lot shall be installed to city standards prior to final inspection of a building permit for each new lot.
3. If required by Clackamas County's Excavation and Grading Ordinance, the applicant shall obtain a grading permit form the county for cut and fill on the subject property.
4. All development shall satisfy requirements of the Gladstone Fire Department, to include residential sprinkler systems in each new home and re-designed turn-around as discussed by the Fire Marshal.
5. Water and sanitary sewer improvements shall be constructed to city and OLSA standards, respectively. Plans shall be submitted to the city for approval prior to construction.
6. Surface water issues relative to the new street and other improvements shall satisfy Section 17.56 of the Gladstone Municipal Code.
7. All utilities shall be developed pursuant to Chapter 17.60 of the GMC.

8. Prior to approval of the final partition plat, any required right-of-way improvements shall be installed and existing streets and other public facilities damaged during development shall be repaired or the applicant shall file a financial guarantee of performance in a form acceptable to the city attorney. The financial guarantee must be valid until the improvements are complete, as determined by the city.
9. Each parcel shall have a minimum lot size of 7,200 square feet and the actual square footage of each shall be on the final plat.
10. The new private street shall meet city standards, and be constructed with a minimum hard-surface width of 14-feet with gravel shoulders extending to the full width of the 20-foot easement.
11. The applicant shall construct the intersection of the private street with Tim's View Avenue to city standards, and plans shall be submitted to the city for approval prior to construction.
12. A preliminary survey shall be required stamped by an Oregon licensed surveyor showing the setback for the existing structure to the proposed property lines and submitted to the planning file.
13. A street maintenance agreement acceptable to the city shall be properly recorded prior to recording of final plat.

APPEAL RIGHTS:

A copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost to the Clackamas County Planning Division, 150 Beaver Creek Road, Oregon City OR 97045.

Pursuant to Section 17.92.020 of the Gladstone Municipal Code, this decision may be appealed to the Planning Commission within 15 days after the mailing of this decision. The filing fee for the appeal is \$100.00. If no appeal is filed within 15 days, the decision shall be final.

