

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

Tuesday, November 19, 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 July 16, 2013 and September 17, 2013 meetings and October 15, 2013 Work Session meeting

REGULAR AGENDA

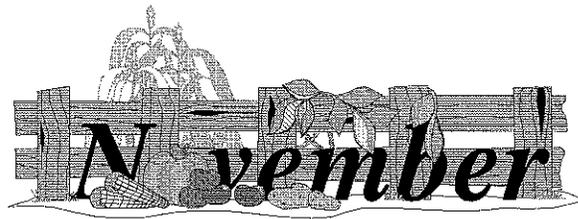
2. Public Hearing:
 - Z0465-13-C; proposal to remove existing communications tower (100 feet tall) and replace with new 10' taller tower (110 feet.) Larger equipment cabinet at base. The subject property is located at 16711 SE Valley View Road, and is the site of storage tanks for Oak Lodge Water District.

BUSINESS FROM THE PLANNING COMMISSION

ADJOURN

WORK SESSION

1. Discuss identifying areas which may require Modification of the Gladstone Municipal Code at the Request of the Gladstone City Council.



CONSENT AGENDA

MINUTES OF PLANNING COMMISSION MEETING – July 16, 2013

Call to Order at 7:02 p.m.

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

Absent: Sean McDonnell

Staff: Clay Glasgow, City Planner; David Doughman, City Attorney; Jolene Morishita, Assistant City Planner; and Scott Tabor, Public Works Director.

Oath of Office:

Assistant City Planner Morishita administered the oath of office to new Commissioner Craig Seghers.

Consent Agenda:

1. Minutes of January 25, 2013 Meeting

Commissioner Kim Sieckmann moved and Pat McMahon seconded a motion to approve the consent agenda consisting of the minutes of January 25, 2013.

Motion carried unanimously.

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 approvals through the master plan for the site, with a condition being development on the remaining two pads come back for specific design review. Chair Tamara Stempel opened the hearing at 7:06 p.m. 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 Michele Kremers, Patrick McMahon, Craig Seghers, Kim Sieckmann, Kirk Stempel, and Chair Tamara Stempel 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.

Staff Report: City Planner Glasgow submitted a staff report for Commission review. He introduced Zack Waters and Craig Harris, the applicants. This proposed development (drive-thru coffee facility) is for Parcel 3 of the Walgreens Subdivision. There is no interior seating. ODOT (Oregon Department of Transportation), Oak Lodge, Chief Pride, and Gladstone Environmental Services have responded with no comments. There have been no accidents at the new right-in off of McLoughlin Blvd. The site will be served by internal circulation; there is no separate driveway off of Arlington or McLoughlin. There is a current fill application to remove a portion of the fill and replace it with engineered fill.

City Planner Glasgow reported the Planning Commission is authorized to approve design review applications pursuant to Subsection 17.94.060(2)(c) of the Gladstone Municipal Code. Planning staff recommends the Planning Commission approve the design review application based on the submitted application materials, subject to 19 Conditions of Approval as proposed.

Questions from the Commissioners:

- Have the applicants addressed bank erosion? Answer: City Planner Glasgow reported a formal design review was done on the fill. The fill has been put in and it has resulted in lifting the site out of the flood plain. A conditional letter of map revision now identifies that the property is not in the flood plain.
- There is a bike rack on the side of the building; what are the bike limitations for this proposal? Answer: City Planner Glasgow stated the applicant is required to have at least one bicycle rack.
- Will a more detailed landscape plan be required? Answer: City Planner Glasgow explained this will be part of the applicant process after development.

Applicant Presentation: Zack Waters, 16816 SW Ragetto Street, Sherwood 97140 currently owns the Black Rock across from Wells Fargo Bank. He has worked on that project for three years and would like to expand his business. Craig Harris, 4875 SW Griffith Drive, Suite 300, Beaverton 97005 represents Tom Rocca and Seven Hills Property which owns the property. He was part of the process for the original design review and the fill permit. The site was master planned for retail spaces on the other two lots that are not Walgreens. The high water mark is quite a bit down the bank. The flood plain is 3-feet below the lowest elevation. The site is for a drive-thru, however, walk-ups and bikes are allowed.

Questions from the Commissioners:

- Is the southwest turning radius adequate? Answer: City Planner Glasgow stated there were no concerns about the turning radius; however, he will double check the standards.
- Are the parking standards met? Answer: City Planner Glasgow noted the three parcels on this site have shared parking. At full build-out, parking minimums will be met.
- Is there a discrepancy on site lines between the tax map and the site plan? Answer: Mr. Waters stated the original partition was done and approved. This was more of a lease line. They are in the process of doing a lot line adjustment to make this match. City Planner Glasgow noted he received a message regarding applying for a lot line adjustment.
- When the lot line is adjusted, will the walkway be strictly on the property. Answer: Mr. Waters noted there is an internal circulation for pedestrian and vehicular traffic. He does not see it as an issue.
- Are there concerns with the trash and recycling? Answer: Mr. Waters stated this is based on the fact that it is a shared unit.

- Will the access to the site be coming through the Walgreen's parking lot? Answer: Mr. Waters noted there are two accesses; one right-in only off McLoughlin and the exit is on Arlington.
- Are there plans for more upgrades at the Arlington/McLoughlin intersection? Answer: Mr. Water said they improved the sidewalk, made the right-turn pocket, ADA ramps on all three sides and relocated the bus stop to the other side. They have no control over other property.
- Is there concern with the fact that there are no windows on the northerly and southerly side of the structure? City Planner Glasgow does not see an issue with the structure having no windows on those sides.

There were no further questions from the Commission.

Public Testimony in Favor: None

Public Testimony in Opposition: None

Applicant Rebuttal: None

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

Motion carried unanimously.

Commission Discussion:

City Planner Glasgow reported 17.25 of the Gladstone Municipal Code deals with those areas identified as a Habitat Conservation Area. On this site the entire master plan development mitigated with a 4-parcel subdivision. Three parcels are being developed and the other parcel was deeded to the City and planted. This more than satisfies Section 17.25.

Suggested Changes:

- Remove Condition #10 because it is covered on the plans. City Planner will reword the finding requiring a bicycle plan and remove Condition #10.

Commissioner Kim Sieckmann moved and Commissioner Kirk Stempel seconded a motion to recommend to City Council approval of 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 removal of Condition #10 leaving 9 conditions proposed by staff.

Motion carried unanimously.

2. 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. Chair Tamara Stempel opened the hearing at 7:40.

City Planner Glasgow reported the Planning Commission has the authority to approve or deny road names. He has checked and found there are no roads with the name "Larissa Lane" in Gladstone or nearby. This is a private road not a public city road. The road is roughed in. This new road comes from a partition that was approved in 2011 by staff.

Applicants Presentation: Jared Colton, 19020 S. McCuen Road, Estacada stated he is looking for approval to name the private drive that serves multiple properties.

Commissioner Kim Sieckmann moved and Commissioner Michele Kremers seconded a motion to approve the road name change to "Larissa Lane" of the previously approved file of Z0384-11-M.

Motion carried unanimously.

Other Business: None.

Upcoming Commission Considerations:

- City Planner Glasgow presented a map of the flood plain, flood way, habitat conservation area and water quality.
- Partition application having to do with habitat conservation.
- Discussion regarding accessory buildings in the residential zones.

Business from the Commission:

- Apartment complex on Webster Road has withdrawn their application.
- Should the Planning Commission be looking at a larger zone change to increase commercial and industrial property? City Planner noted this will be a very large project which requires a lot of staff time and money. It is up to the Council to decide if this is a project to take on.
- David Doughman let the Commission know about the Client Appreciation Seminar on September 13, 2013 from 8:30 a.m. 12:30 p.m. at the Jenkins Estate. Breakfast will be served. The topic this year is land use.

Adjourn:

Commissioner Kim Sieckmann moved to adjourn the Planning Commission meeting. Commissioner Pat McMahon seconded the motion.

Motion carried unanimously.

Chair Stempel closed the Planning Commission meeting of July 16, 2013 at 8:02 p.m.

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

_____, Tamara Stempel, Chair

Call to Order at 7:00 p.m.

Roll Call: The following Planning Commission members answered the roll call: Craig Seghers, Pat McMahon, Kim Sieckmann, and Chair Tamara Stempel.

Absent: Michele Kremers, Sean McDonald (second absence in a row), and Kirk Stempel

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

Regular Agenda:

2. Public Hearing: Z0334-13-M, divide property into three (3) parcels, each for future residential use. Subject property is in the R-5 Zone, Single Family Residential, with Habitat Conservation Area, Water Quality Resource Area, and Floodplain overlays. The site is located between 381 and 365 West Clackamas Blvd, and further described as tax lot #7304 of Clackamas County Assessors Map 2 2E 20CC. Minor partition applications are typically processed at the staff level. In this case applicant has requested the proposal be reviewed by the Planning Commission. Chair Tamara Stempel opened the hearing at 7:02 p.m. She explained the hearing format and asked if there were any ex-parte contacts or conflicts of interest to declare. Commissioner Kim Sieckmann reported he pulled information off Google maps. He was contacted by a local resident regarding this proposal but was unable to offer any information. Commissioner Craig Seghers went to the County offices to get maps and talked with the employee as to why he needed the maps. Commissioner McMahon printed Google maps and talked with a person at the site who answered some questions he had about the property. Commissioner Sieckmann reported his mother has a small apartment complex in the noticing area. He does not feel this will influence his vote on this matter.

Commissioners were asked if they visited the site. Commissioners Patrick McMahon, Craig Seghers, Kim Sieckmann, and Chair Tamara Stempel 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.

Staff Report: City Planner Glasgow submitted a staff report for Commission review. He displayed a current map of the site. The applicant is applying to divide the subject property into three parcels. The property is located along the Clackamas River between 381 and 365 W. Clackamas Boulevard, zoned R-5, Single-family Residential. There are several overlay zones including the Habitat Conservation Area and Water Quality Resource Area in the Floodplain. The applicable criteria include Chapter 17.12, R-5, Single-Family Residential District; Chapter 17.25, Habitat Conservation Area (HCA); Chapter 17.27, Water Quality Resource Area (WQRA); Chapter 17.29 Flood Management Area; Division III, Chapter 17.32 Subdivision; and Division IV, Development Standards of Title 17 of the Gladstone Municipal Code (GMC).

Areas to be discussed include:

- Designs of the lots don't meet the minimum requirement of 20-feet of frontage (I.)
- Chapter 17.27, Water Quality Resource Area deals with setbacks and buffers. He questions whether the three lots created could have houses on them.
- Chapter 17.25, Habitat Conservation Area (HCA), the site has been significantly altered over the years with significant fill. Currently it doesn't look like high-value habitat.
- How is the bank-full stage measured? You don't want to create lots that may cause problems when people come in to build a house.

Applicant Presentation: Rick Givens, Planning Consultant for the Applicant, 18680 Sunblaze Drive, Oregon City 97045 reported the criteria are complex and the applicant is trying to get the information to the City as he understands it. The applicant is asking for an adjustment to the 20-foot frontage setback. They are just a few feet short and there is an allowable 20% adjustment in the code. He asked that the adjustment be approved as part of the deliberations tonight. If not, the applicant does own the adjoining property and could provide additional frontage.

Mr. Givens submitted a map with additional information showing the new lots superimposed on a drawing from Compass Engineering back in 2005 with the bank-full line that was delineated by Professional Engineer, Bruce Goldson. The map shows the relationship of the slope break to the location of the lots; it clearly meets the standards of the slope break to the lots.

Bruce Goldson, Proprietor of Compass Engineering, P.O. Box 1385, Lake Oswego previously worked for Compass Engineering and has been associated with the subject property for about 15 years. They received a grading permit for this property and Danielson's about the same time. Over the years there have been hundreds and thousands of yards of fill dumped on the site. Other projects have been approved where part of the work was to establish the line and he did so using the applicable criteria (sediment, woody vegetation, bare rocks, washed rock, etc). The surveyors mapped the line and it was used for the Danielson's project and subsequently when the first partition came along, they worked on the vegetative corridor calculations. Based on these calculations they calculated at various points of the property, the slope for the first 25 feet. The code requires if the slope exceeds 25% in the first 25 feet you are obligated to go another 25 feet and so on and so on until you get to the top of the bank or less than 25%. In this case all areas are less than 25% for the first 25 feet and therefore the vegetative corridor is set at 50 feet. The slope is less than 25%. They feel this met the criteria of the code. He was down there a week ago and there has been little change.

Questions from the Commissioners:

- Will there be a shared driveway? Answer: Mr. Givens stated yes, the common access easement (driveway) back to the point where the driveway branches out to the individual lots. This will satisfy the Fire Department concerns.

- Lot lines are designated as the ordinary high water mark. Bank-full is defined as one foot measured vertically above the ordinary mean high water line. This is ordinarily under water in the winter. Why is the bank-full line in some places substantially lower than what the surveyor laid out as the ordinary high water mark? He feels the bank-full water line is low. Answer: Mr. Goldson stated the line shown on the map represented the two-year event (edge of vegetation or edge of drift that came in that represented the normal high water mark). There could be timeframes where the high water mark could be up to the line for periods of time (winter). It was his professional opinion at the time that it was the bank-full line based on the criteria he was given to use. Mr. Givens explained the criteria are specified in the code as to how this line is to be determined and Mr. Goldson used all the criteria to site the bank-full line. The slope remains constant at 25% even if you moved up on the site 5 feet.
- In Chapter 17.64030.1 the minimum width of the lot is 50 feet and depth 60 feet. Are these lots 50 feet wide? Answer: City Planner Glasgow said they are not. The width of the necks going out to the road will require an adjustment. The depth has been met. Mr. Givens stated he will extend the application to include an adjustment to the width of the lots.
- Is there any other information to use to determine the criteria of the bank-full line and slope break? Answer: City Planner Glasgow stated information from the grading permits can back up the bank-full line. He feels Mr. Goldson's explanation of the bank-full line is correct. Mr. Givens noted that this calculation has been used consistently in all the applications that have been approved on this land.
- Based on the information he has that is not in the packet and based on the professional opinion tonight (the map) is it within the realm of meeting the criteria? Answer: City Planner Glasgow stated Mr. Goldson's testimony clarifies the situation for him. He was confused over the two slope breaks; however, based on working with Mr. Goldson in the past and knowledge of his professional opinion, he is satisfied.
- There is a 50-foot minimum lot width in the R-5 zoning. The 50-foot requirement is not met due to the narrowing of the southern end of two lots. Would this be interpreted as the entire lot needs to be 50 feet, or an average of 50 feet? Answer: Mr. Doughman stated that Chapter 1725 indicates if all else fails, try to mitigate to the maximum extent practical. City Planner Glasgow noted this gets into the High Value Habitat to protect as much as possible and make the developed area as tight as possible. Chapter 1725.100.B.1 indicates the development in the HCA should be avoided to the extent practicable, minimizing development footprint. City Attorney Doughman noted the interpretation of the 50-foot lot width should/would achieve some amount of development on the property. City Planner Glasgow agrees there is flexibility built into the code. The R-5 zone can allow up to 6 lots on this site; however, the applicant is not looking for what the zone allows. Mr. Givens quoted Section 17.06.315 which defines lot width as being the average horizontal distance between side lot lines. The applicant could square off the lots (where the 50-foot width ends) and grant access easements to the River for the two lots. The applicant wants to keep ownership of the property to the River.

Les Smelser, Property Owner stated he likes the backyard the way it is; however, he would like to allow the neighboring lots a way to get to the water. They would rather control everything themselves but to be fair to the neighbors they would like to give them access. He is agreeable with squaring off two lots, adjusting the side lot lines, and allowing the easement to the river.

- Is it possible to approve all of the requests of the applicant tonight? Answer: City Attorney Doughman said yes.

City Planner Glasgow explained Section 1727.050 discusses land divisions; Subdivision partition plat shall delineate the water quality resource area as a separate tract or part of a larger tract that meets the partitions of this requirement. Condition #10 states "The water quality resource area shall be platted as a tract and be identified as either private open space or public open space if the tract has been dedicated to a governmental unit by mutual agreement. He asked if the applicant for comments on this condition." Mr. Givens stated his client would like to retain ownership of the plat.

There were no further questions from the Commission.

Public Testimony: None, there was one person in the audience; however, he left.

Applicant Rebuttal: None

Commission Discussion:

Commissioner Sieckmann asked if the 120-day clock has expired. There have been new information tonight and several changes. He would like to see everything discussed tonight on paper. Commissioner Seghers stated he too would like to see a continuance; he is not comfortable with the bank-full water line. Answer: City Planner Glasgow reported this is day 66 on the clock. Mr. Smelser stated he would like to retain ownership of the plat. On the deed the property line is the ordinary high water mark. The reason it was marked the way it is on the survey was to match the lines that were in existence on both sides of the property at the time. He lives there and visually watches it every day and he would say the ordinary high water mark is closer than what is shown as the bank-full stage.

Mr. Smelser was asked if he would be willing to extend the 120-day period. He noted that they started talking with staff regarding this application five months ago.

Commissioner Kim Sieckmann moved and Commissioner Pat McMahon seconded a motion to close the public hearing at 8:08 p.m.

Motion carried unanimously.

It was asked that Condition #4 regarding sprinkler systems be deleted. City Planner Glasgow stated he would add the statement, subject to the Fire Department. When the application for development is made the Fire Department will then comment on the requirements.

Chair Tamara Stempel moved and Kirk Stempel seconded a motion to approve File # Z0334-13-M, to divide property located between 381 and 365 Clackamas Boulevard into three (3) parcels, each for future residential use to include staff's conditions of approval as presented tonight with the following changes:

- *Condition #4 changed to read, "All development shall satisfy requirements of the Gladstone Fire Department.*
- *Add Condition #14 to change the frontage from 20 feet to 18-1/3 feet*
- *Add Condition #15 to change the lot width from 50 feet to 40 feet*
- *Add Condition #16 to delete the south small piece of river frontage in parcels #2 and #3, add them to parcel #1, and keep them as an easement.*
- *Add Condition #17 to include the map "Exhibit A" submitted into the record this evening as part of the submittal.*

Motion carried unanimously.

Other Business: None.

Upcoming Commission Considerations:

- A possible date and time for a joint City Council/Planning Commission meeting.
- City Planner Glasgow reported he took in an application for a conditional use application with the existing cell tower by the dog park. They would like to increase the tower from its 100-foot height to 110-feet.
- It was asked if the development for the Mental Health facilities for Western Clackamas Holdings has been started. Assistant City Administrator Morishita stated the applicant have a building permit and have paid their SDC fees. They started excavation this past month.
- The City Attorney was asked if there can be a discussion on the Koontz vs. St. John's Water Conservation situation at the next Planning Commission meeting. He will send copies of the power-point to staff and they can make sure that the Planning Commissioners get a copy and bring the power-point presentation to the meeting.
- City Attorney Doughman counseled staff to contact Sean McDonald who has missed two consecutive meetings and find out the reason for the absences and whether he would like to continue being on the Commission. He can show up at the next Council meeting to speak on his behalf about the absences.

Business from the Commission:

- Commissioners Tamara Stempel and Kim Sieckmann attended a workshop and most of the information was very pertinent to what the Planning Commission does. There was a lot of valuable information shared.

Adjourn:

Commissioner Kim Sieckmann moved to adjourn the Planning Commission meeting. Commissioner Pat McMahon seconded the motion.

Motion carried unanimously.

Chair Tamara Stempel closed the Planning Commission meeting of September 17, 2013 at 8:24 p.m.

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

_____, Tamara Stempel, Chair

1-10

GLADSTONE CITY COUNCIL COUNCIL/PLANNING COMMISSION
JOINT WORK SESSION
CITY HALL COUNCIL CHAMBERS
OCTOBER 15, 2013

ROLL CALL

The following city officials answered the roll call: Mayor Wade Byers and Councilors Hal Busch, Kari Martinez, Thomas Mersereau, Lendon Nelson and Neal Reisner; Commissioners Chair Tamara Stempel, Michele Kremers, Pat McMahon, Craig Seghers, Kim Sieckmann, and Kirk Stempel.

Absent: Councilor Ray Jaren

STAFF

Pete Boyce, City Administrator; David Doughman, City Attorney; City Planner Clay Glasgow; and Jolene Morishita, Assistant City Administrator.

Mayor Byers lead the flag salute.

BUSINESS FROM THE AUDIENCE

None

REGULAR AGENDA

1. Planning Commission's Review of Zoning Code. Pete Boyce, City Administrator reported he has had several conversations regarding the Comprehensive Plan. He is asking Council for guidance as to what they want the Planning Commission to do with the Comp Plan.

Councilor Mersereau noted at the last meeting the Mayor asked the Planning Commission to review codes and do an evaluation regarding land uses that people do not want in Gladstone (track redevelopment, encourage sustainability, review policies to include sustainability, mission, and value statements, strengthen the nuisance code). He asked if the Planning Commission addressed any of these issues. Answer: No, the Commission ran into a snag because of the sustainability portion of the request. It would require some Comprehensive Plan changes. In order to review the Comprehensive Plan it would be very expensive and they didn't want to proceed without the authority to do it.

Commission Chair Tamara Stempel reported she has reviewed the new Molalla Comp Plan, Lake Oswego Comp Plan and the West Linn Comp Plan and suggested that the City model their plan after some other recently redone Comp Plans. Most of the changes involve sustainability and updating of things that are not relevant today.

- The zoning code must be consistent with the Comprehensive Plan
- What are the things that need to be changed; make a list to be used as guide

City Planner Clay Glasgow stated the Comp Plan and Zoning Code are different documents. There can be changes made to the Zoning Ordinance without running it through the Comp Plan. The original (1979) state mandated Comp Plan was minimally changed in 1995 to include the

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Transportation System Plan. He would look at the Comp Plan separate from the Zoning Ordinance; however, it can be done along with the Zoning Ordinance. Put in a chapter on sustainability and then weave sustainability throughout the document. It is not necessary to make a lot of changes to the Zoning Ordinance.

- It was suggested to make reasonable zoning changes and keep track of comprehensive plan issues.
- What aspects of sustainability would require a Comp Plan change? There are so many aspects of sustainability, urban planning, landscaping, sidewalks, community support, financial support, buildings, basically efficient use of the land and other resources. The sustainability element would have to be addressed at the Comp Plan level. It can be done through density, design standards, mixed use, energy efficiency, transportation, etc. There are financial benefits associated with people during the development. It can be woven throughout the Comp Plan. The City does not have to start from scratch; a model can be used and it can be personalized to what the City wants.
- Gladstone has the third highest rate of households below poverty in the County. The median income in the City is half of what it is in Happy Valley, Lake Oswego or West Linn. What can the City afford to do in respect of its populous and how much can be changed given what the City has. It would be nice to have all these great plans, but if it drives housing prices up or drive economic situations to a place where the people who are living here now can't live here, there is a problem. There needs to be a balance between doing things and keeping in mind the residents of the City. There needs to be a plan that will help feed and support the community. Maybe the community doesn't want things to be prettier, maybe they want to keep what they have in good shape. Small changes like lighting and sidewalks will help support pride in the City. People will start taking care of what they have and make sure other people take care of theirs too.
- Council was asked to give the Planning Commission support as to the amount of Comp Plan changes necessary to implement the divisions that the Planning Commission can come up with.
- Proactive code enforcement for Landlord/Tenant issues. It would be great to adopt some of Lake Oswego codes; they have gotten rid of these types of issues.
- Review codes to clarify their meaning. Make the language simple and straight-forward. Clear vision is a code that could be reviewed now and doesn't require a comprehensive plan change.
- Other codes to be addressed are a better definition of retail, restaurants (Napoleon's), tenants, and owner's pride.
- The City working with the residents of Gladstone will improve the pride and help solve the issues regarding code enforcement.
- Mayor Byers suggested the Planning Commission start with some obvious problems with the zoning and nuisance codes.

The Planning Commission was asked to start with Chapter 17 and work on commercial zones as a way to increase the assessed valuation. The Commission could also create an inventory of the various zones and types of land use currently in the City and upgrade the commercial zones. Another project would be to look at the parking codes in the C2, downtown area. The Commission will meet with the Council on January 28, 2014 with what they have accomplished in the months of November and December.

2. Discussion of Possible Increase of Commercial Zoning Areas.

- The Winterbrook study indicated there is nothing on the books that would restrict development on McLoughlin Blvd. Concerns were raised about redevelopment on McLoughlin Blvd including things Gladstone residents don't want.
- If you change some residential zones to commercial, expect there to be redevelopment. If the houses are changed to a business (auto mechanic garage) the business may not be worth what the houses were worth and it may not buy into the sustainability aspect that the City is trying to implement.

3. Other Discussion

City Planner Glasgow was asked to look at the new house on Harvard and Gloucester to see if the variance between the house and the property line meets requirements.

It was asked if the City has seedlings off the Powwow Tree? Mayor Byers said he collects seeds every year. He will bring some in.

Councilor Mersereau stated he felt the group had a great discussion tonight. There were a lot of issues discussed and a good plan going. He would like to see communication continue between the City Council and the Planning Commission.

Commissioner Sieckmann asked the Commission about the idea of having the code enforcement officer attend the Planning Commission meetings. Mayor Byers stated it is a discussion between the enforcement officer and the Chief, not the Planning Commission.

Adjourn

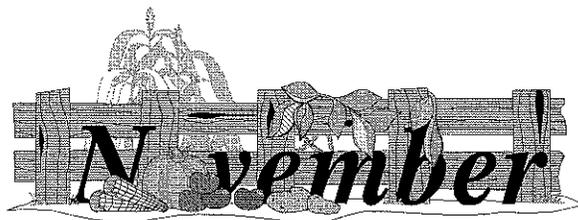
The joint City Council/Planning Commission worksession adjourned at 9:00 p.m.

Approved by the Mayor this _____ day of _____, 2013.

Attest:

Mayor

Assistant City Administrator



REGULAR AGENDA

City of GLADSTONE

STAFF REPORT/RECOMMENDATION TO PLANNING COMMISSION

File: Z0465-13-C
Applicant: ATT Mobility
Date: November 8, 2013
Planning Staff: Clay Glasgow

I. GENERAL INFORMATION

- A. Proposal: This is a request for conditional use approval to replace an existing communications tower (100' high) with a new, taller structure (110'). An alternative plan is to simply add ten (10') feet in height to the existing tower, if structurally possible. In either scenario additional antennae are proposed which will extend four (4) feet above the height of the tower. Additional ground mounted equipment (fully enclosed) is also planned resulting in an enlargement of that area from approximately 600 square feet to approximately 1300 square feet. The site is on property owned and operated by Oak Lodge Water District.
- B. Legal Description: T 2S, R 2E, Section 17 BD Tax Lot 01600
- C. Location: 16711 SE Valley View Road
- D. Zoning District: R 7.2, Single Family Residential
- E. Comprehensive Plan Designation: Residential
- F. Site Information: the subject property is approximately 7.75 acres in size, owned by the Oak Lodge Water District. The District has facilities on site in the form of water storage tanks and transmission lines. The communication tower proposed for replacement is located to the north and east of the water tanks, where it exists currently. This proposal does not

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: qjref@lincc.lib.or.us

Senior Center
1050 Portland Avenue
Gladstone, OR 97027
(503) 655-7701
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propose to change the location of the facility. The remainder of the site is generally undeveloped and treed.

- G. Vicinity Description: City park land is adjacent to the site, along Valley View Road. Otherwise the area is generally in residential use.

II. FINDINGS AND CONCLUSIONS

This request is subject to Chapter 17.10, R-7.2, Single-Family Residential District; Chapter 17.70, Conditional Uses; Chapter 17.61, Wireless Telecommunication Facility; and 17.94, Hearings, of the Gladstone Municipal Code (GMC).

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

1. The Planning Commission may authorize a conditional use when the applicant demonstrates that the approval criteria identified in Subsection 17.70.010(1) of the GMC are met. Subsection 17.70.010(1) requires that the applicant demonstrate that the proposed use:
 - a. *Is listed as a conditional use in the underlying district;* The subject property is zoned R7.2, Single Family Residential. At 17.10.040(7) of the GMC, "utility facility provided no outside storage is involved" is listed as a conditional use in the R7.2 Zone. A definition of "utility facilities" is provided in the definitions section of Title 17, at 17.06.048 and includes telephone communication towers. A (replacement or enlarged) telephone communication tower may be considered through the conditional use process. **This criterion is met.**
 - b. *Is suitable for the proposed site considering size, shape, location, topography, existence of improvements and natural features;* The existing 100' monopole was approved in 2005 and constructed in 2006 (Z0266-05.) The current proposal is to replace that tower with a 110' tall structure, at the same location – or to simply add ten feet in height to the existing tower. Based on the fact the tower has been in place on site for many years staff is able to find it has proved suitable considering size, shape, location, topography, existence of improvements and natural features. **This criterion is met.**
 - c. *Is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area*

affected by the use; Again, this proposal is for replacement of an existing tower (or adding to height of that tower.) No additional public facilities or services, or transportation systems will be necessary. Staff is able to find the proposal timely with respect to these facilities by virtue of the fact that it exists and is functioning.

This criterion is satisfied.

- d. *Will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district;* A 100' monopole with associated antennae and ground mounted facilities has been on the subject property for many years. Another utility facility – water storage and transmission has been in place much longer. This proposal involves increasing the height of the existing communication tower by 10%. There will be no appreciable change in character to the site or surrounding area as a result of this proposal. Nothing about this proposal will substantially limit, impair or preclude the use of surrounding properties for the primary uses listed in the underlying district. **This criterion is met.**
- e. *Satisfies the policies of the comprehensive plan which apply to the proposed use.* The subject property is designated Residential by the Comprehensive Plan. The proposal does not conflict with policies in the Residential Uses section of the Land Use chapter of the Plan **This criterion is met.**

2. *17.70.010(2) Additional conditions of Approval. In permitting a new conditional use or the alteration of an existing conditional use, the city council may impose, in addition to those standards and requirements expressly specified by this title and by the comprehensive plan, additional conditions which the planning commission considers are necessary to protect the best interests of the surrounding area or the city as a whole.* This Subsection goes on to identify examples of the types of additional conditions that may be imposed. Staff suggests adding conditions relative to buffering and disguising the new tower or addition to the extent feasible.
3. *17.70.040 Time Limit on permit.* This Section limits conditional use approval to a period of one year unless substantial construction has taken place. It also provides for the Planning Commission to extend authorization upon request for an additional period not to exceed one year. A condition of approval should require compliance with this Section.

4. Chapter 17.94 lays out the procedures for Hearings. Notice requirements, conduct of public hearing, etc are detailed here. This process is being satisfied.
5. Chapter 17.61 of the GMC deals specifically with Wireless Telecommunication Facilities. This proposal is considered a collocated facility as defined at 17.61.050(6) and therefore the standards of 17.61 apply.
 - a. *17.61.060, site size; No minimum lot size shall apply when a telecommunication facility is collocated on an existing building or structure. Facilities collocated on existing towers or reconstructed towers shall not decrease the setback of the existing tower. The project as proposed, either through addition to existing tower or replacement of that tower will continue to satisfy required setbacks. **This criterion is satisfied.***
 - b. *17.61.070, Suitable facilities for collocation; existing structure may be replaced or enhanced when necessary to permit collocation as long as the setback of the reconstructed tower is not decreased as described in Section 17.61.060 and as long as the height of the reconstructed facility complies with the height limit contained in Section 17.61.080 as applied to the existing structure prior to replacement or reconstruction. This is a proposal to replace an existing structure or otherwise cause the structure to increase in height by 10 (ten) feet. **This criterion is met.***
 - c. *17.61.080, Height limit; Collocated facilities are exempt from the height limits of the underlying zoning district, but shall be no more than ten feet (10') taller than the existing telecommunications structure in a residential zone..... The proposal shows the tower increasing in height by ten feet. **This criterion is satisfied.***
 - d. *17.61.090, Visual impact; All ancillary facilities shall be screened, hidden or disguised; antennae shall be screened, hidden or disguised or shall be painted or colored to blend into the structure or surroundings. The equipment compound will be expanded to accommodate new ground based equipment. The equipment compound is set back substantial distance from property lines. The parcel itself is fenced and substantially screened from adjoining properties by mature vegetation. The ground mounted equipment as well as the new (extended) tower will be colored to blend into the surroundings. **This criterion is satisfied.***
 - e. Other submittal requirements have been satisfied, as discussed through the submitted application materials.

6. Division IV, Development Standards, of the GMC contains several chapters that are applicable to all development permits issued in Gladstone, including conditional uses. However, these Chapters establish no requirements for the proposed use.

IV. RECOMMENDATION:

The Planning Commission is authorized to approve conditional uses pursuant to Subsection 17.94.060(1)(d) of the GMC Planning Staff recommends the Planning Commission approve the conditional use, based on the submitted application materials, subject to the following conditions:

1. Conditional use approval shall remain valid for one year from the date of final approval. If substantial construction has not occurred by that time, conditional use approval shall become void unless an extension is granted pursuant to Section 17.70.040 of the GMC.
2. As proposed by the applicant – the new or extended tower along with the enlarged ground use area shall be buffered and screened to the extent feasible.

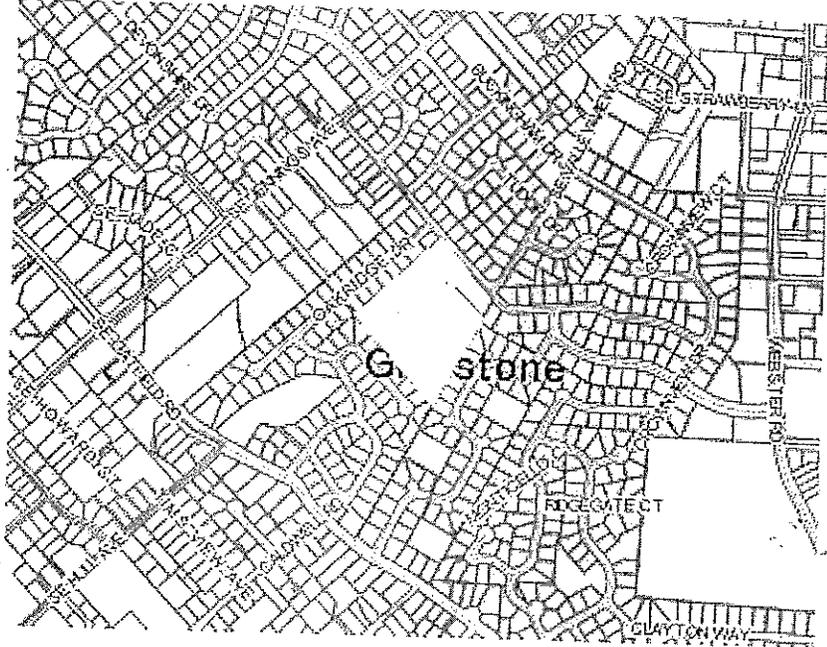


Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

OAK LODGE WATER DIST
 14496 SE RIVER RD
 MILWAUKIE, OR 97267

Location Map:



Site Address: 16711 SE VALLEY VIEW

Taxlot Number: 22E17BD01600

Land Value: 171640

Building Value: 0

Total Value: 171640

Acreage: 7.70

Year Built:

Sale Date:

Sale Amount:

Sale Type:

Land Class:

Building Class:

Neighborhood:

Gladstone newer all other

Taxcode Districts: 115039

Site Characteristics:

UGB: METRO

Flood Zone: Not Available

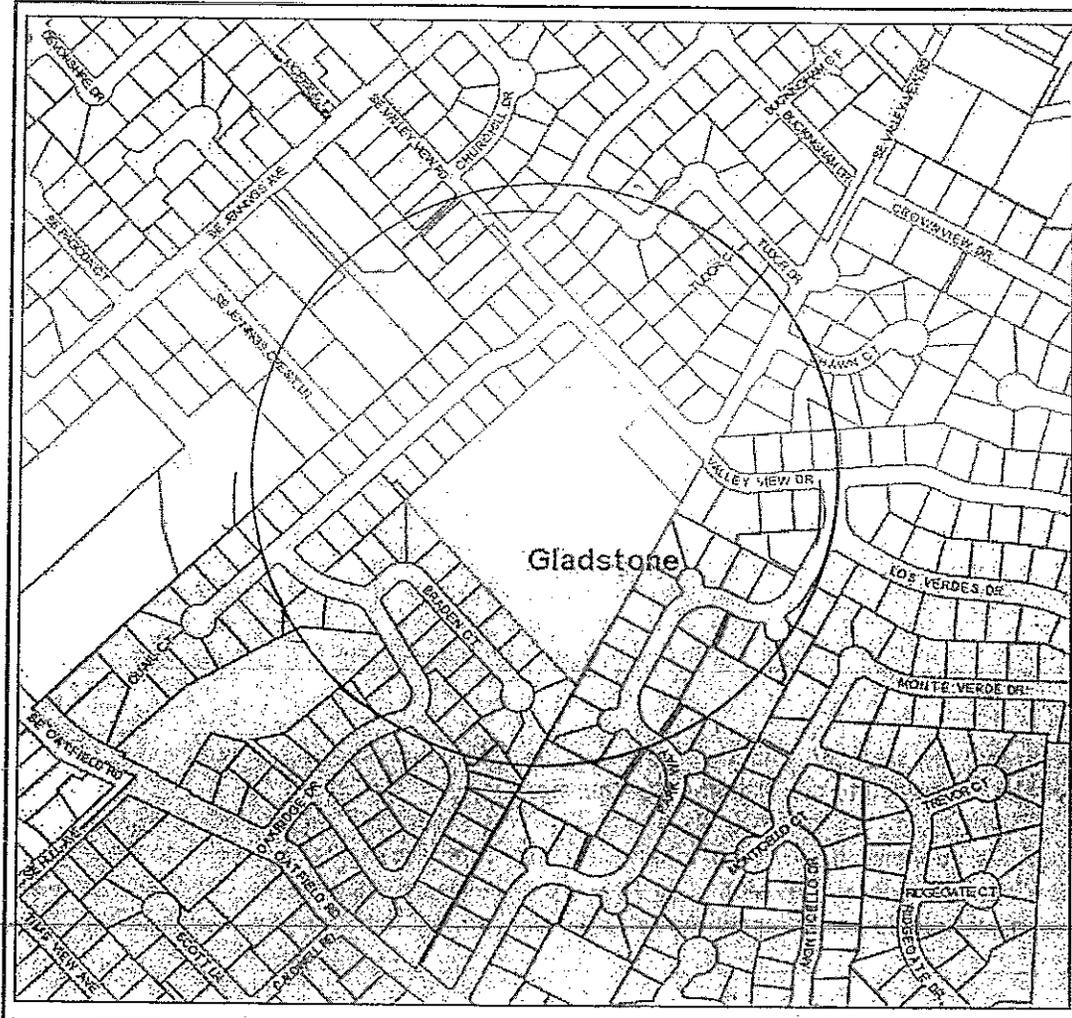
Zoning Designation(s):

Zone	Overlays:	Acreage:
R7.2		7.72

R7.2

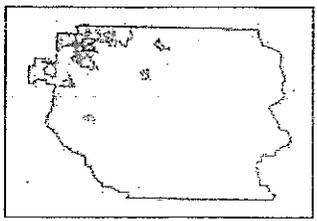
7.72

Fire	Gladstone
Park	N/A
School	SCH 115 GLADSTONE
Sewer	OAK LODGE
Water	OAK LODGE
Cable	City
CPO	City
Garb/Recyc	Gladstone Disposal
City/County	Gladstone



Clackamas County

Cascadia PM LLC



Geographic Information Systems
 168 Warner Milne Road
 Oregon City, OR 97045

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 verify all information before.

Tue, 17 Sep 2013 14:37:59

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