



**GLADSTONE PLANNING COMMISSION REGULAR AGENDA  
GLADSTONE CIVIC CENTER, 18505 PORTLAND AVENUE  
Tuesday, January 17, 2023 – 6:30 p.m.**

The City of Gladstone is abiding by guidelines set forth in House Bill 2560, which requires the governing body of the public body, to extent reasonably possible, to make all meetings accessible remotely through technological means and provide opportunity for members of general public to remotely submit oral and written testimony during meetings to extent in-person oral and written testimony is allowed. Therefore, this meeting will be open to the public both in person and virtually using the Zoom platform.

Please click the link below to join the webinar:

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If members of the public would like to comment on an agenda item (either virtually or in person) please email your comments to [bannick@ci.gladstone.or.us](mailto:bannick@ci.gladstone.or.us) prior to 12:00 p.m. (noon) on January 17, 2023.

The Planning Commission will also have *Business from the Audience* at the end of the meeting. To speak during this time, (either virtually or in person) please email [bannick@ci.gladstone.or.us](mailto:bannick@ci.gladstone.or.us) prior to 12:00 p.m. (noon) on January 17, 2023 with your name, topic of discussion and city of residence.

(Zoom participant speaking instructions will be emailed to persons who request to speak and posted on the city's website)

**6:30 P.M. CALL TO ORDER**  
ROLL CALL  
FLAG SALUTE

OATH OF OFFICE: Re-appointment of Patrick Smith and new member Jacob Wease

1. Election of Chair and Vice-Chair

## 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 be removed from the Consent Agenda for discussion prior to the time the commission votes on the motion to adopt the Consent Agenda.

2. Approval of December 20, 2022 Meeting Minutes

## REGULAR AGENDA

3. Monthly Planning Report – December 2022
4. **PUBLIC HEARING:** File TXT-2022-02, Gladstone Downtown Revitalization Plan Proposed Amendments to Title 17 of the Gladstone Municipal Code and new Downtown Overlay Zone. (Postponed to the February 21, 2023 meeting)
5. **PUBLIC HEARING:** File Z0489-22-M, Proposal to Divide Property located at 18340 Cornell Place into two lots, one with road frontage on Caldwell Road and one with access from Cornell Place, Kevin Johnson/Maryanna Moore

**BUSINESS FROM THE PUBLIC - Visitors:** This is an opportunity for members of the audience to bring to the Commission's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person. Speakers may not yield their time to others and must fill out a speaker card available in the back of the room prior to making a comment.

BUSINESS FROM THE PLANNING COMMISSION

ADJOURN

**Upcoming Meeting:** Annual Volunteer Orientation and Ethics training (via Zoom) – January 26, 2023, 5:30 p.m.

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### MEETING ACCESSIBILITY SERVICES AND AMERICANS WITH DISABILITIES ACT (ADA) NOTICE

The Civic Center is ADA accessible. Hearing devices may be requested from the City Recorder at least 48 hours prior to the meeting. Individuals requiring other assistance must make their request know 48 hours preceding the meeting by contacting the City Recorder at [bannick@ci.gladstone.or.us](mailto:bannick@ci.gladstone.or.us). Staff will do their best to respond in a timely manner and to accommodate requests.

## AGENDA ITEM #1:

Gladstone Municipal Code Chapter 2.10.050  
(6) Chairperson and Vice-Chairperson. At its first meeting in January of each year members of the committee shall elect a chairperson and vice-chairperson.



## **CONSENT AGENDA**

## GLADSTONE PLANNING COMMISSION MEETING MINUTES OF DECEMBER 20, 2022

Meeting was called to order at 6:31 P.M. (In Person and via Zoom)

### **ROLL CALL:**

Chair Natalie Smith, Commissioner Pat Smith, Commissioner Michael Milch, Commissioner Andrew Labonte, Commissioner Thomas Mersereau, Commissioner Jennifer Volbeda

### **ABSENT:**

Commissioner Andriel Langston

### **STAFF:**

Heather Austin, Senior Planner; Josh Soper, City Attorney; Tami Bannick, City Recorder

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### **CONSENT AGENDA:**

#### **1. APPROVAL OF NOVEMBER 15, 2022 MEETING MINUTES:**

Commissioner Labonte said that under “Business From the Board” he had commented on the Nature Park regarding a Plan B for the water tank, but also emphasized the need to zone the park as a park and that comment was missing from the record.

*Commissioner Milch made a motion to approve the Consent Agenda with the correction to the minutes mentioned. Motion was seconded by Commissioner Pat Smith. Ms. Bannick took a roll call vote: Commissioner Volbeda – yes. Commissioner Mersereau – yes. Commissioner Pat Smith - yes. Commissioner Labonte – yes. Commissioner Milch – yes. Chair Smith – yes. Motion passed with a unanimous vote.*

### **REGULAR AGENDA:**

#### **2. MONTHLY PLANNING REPORT – NOVEMBER, 2022:**

Ms. Austin went over the report. She said the Planning Commission action/decision regarding TXT-2022-02, regarding the Downtown Overlay Code Amendments is going to come back before this body in January. There were some changes recommended by several businesses and the City’s Consultant, John Southgate, on how businesses can operate with the new code provisions. She also noted that under “Future Items/Property Updates” the “TBD” regarding a two-lot partition with a flag lot was awaiting a plat to record at the County and that happened yesterday, so she believes they will be moving forward with that as well.

In November they had four members of the public come to the customer service counter, responded to approximately 66 phone calls/emails and reviewed three building permits with land use reviews.

#### **3. PUBLIC HEARING: FILE Z0466-22-D, PROPOSED EXPANSION OF FLOOR AREA TO INCLUDE A PREVIOUSLY OPEN AREA UNDER THE SAME ROOF AND CHANGE OF USE, 19900 MCLOUGHLIN BLVD.:**

Chair Smith opened the public hearing at approximately 6:37.

Chair Smith asked if any of the Commissioners wanted to disqualify themselves for any personal or financial interest in the matter. None did. She asked if any of the Commissioners had visited the site – all had. She asked if any member of the audience wished to challenge the right of any Commissioner to hear this matter – none did. She asked if any of the Commissioners had any ex parte contacts – none did.

Ms. Austin went over the staff report. This discusses an application for design review approval for the Genuine Motor Company. The staff reports identifies the applicable code sections and findings regarding

the proposal. The next steps with this application would be if land use approval is granted, this business would meet all of the conditions of approval applied by the Planning Commission in the decision tonight. The proposed change of use from a bank to an automobile sales business and a 92 square foot addition to the building fall under the requirements for a type 2 design review with a public hearing before this body. The Planning Commission is the decision maker for this application – any appeals would go to the City Council. They are looking to do land use approval for an existing use that is already operating. The City’s Community Services Officer has been working with the property owner to identify the required City and County reviews and permits and bring this business into compliance with those standards. The site is located in the C-3 zoning district, is 0.52 acres in size and is not located in any of the City’s environmental overlays, so the design review is the only applicable land use application that will be discussed for this application this evening. They sent out the required public noticing. The Planning Commission was emailed public comments regarding this application – the comments were specifically related to the parking of vehicles in the residential areas adjacent to this C-3 Zone, not immediately adjacent to the site. The Community Services Officer confirmed that there had been complaints in the past that have been addressed through the Code Compliance Program.

In the C-3 zoning district a new/used automobile sales business is permitted outright, so this is permitted without requiring any kind of conditional use review or higher level of scrutiny than the design review standards. The staff report addresses all the design review criteria that are applicable to the proposal and provides findings regarding the compliance of this proposal to all of the criteria and recommends conditions where it was found that these criteria are not being met. Staff recommended eight special conditions of approval (signage, ADA access along Clarendon Street, bicycle parking, need more detail regarding sanitary sewer/storm, and construction plans/pre-construction conference are required). Planning staff recommends approval of the design review application as proposed with the eight special conditions of approval.

**DISCUSSION:**

Commissioner Volbeda asked if the construction has already occurred – yes. She asked what a pre-construction conference covers. Ms. Austin said it would cover any permits that are required for the sanitary/sewer and any reconstruction of Clarendon for ADA rights-of-way.

Commissioner Milch said the property immediately adjacent to this property on the east is an apartment building – he asked if the fact that there is a residential building next to it changes their findings as far as some of those issues. Ms. Austin believes the wording says that setbacks are applied to a residential zone rather than a residential use.

Commissioner Labonte asked if every tenant gets the notification regarding the public hearing, or just the owner of the property. Ms. Austin said just the owner of the property is required by law to get the notice. There are requirements in Gladstone to post the information in a newspaper as well. Commissioner Pat Smith said on page 3-33, #8 – Conditions for Refund to a Developer related to improvements in water mains – it seems fairly arbitrary the way it’s written. He asked what the liabilities of a citizen would be who lives within 200 feet. Ms. Austin gave an example of something similar that was used in Sherwood. Commissioner Smith said it would be nice to have clarification from the City Attorney. He said that section describes a reimbursement district, and typically that is used in a situation where a property is developing and is putting in utility infrastructure that will serve other properties that are currently not served by those utilities. When those other properties connect to those utilities they reimburse the developer for their proportionate share of the cost of that infrastructure.

**APPLICANT TESTIMONY:**

Edward Radulescu, EPR Design LLC, said they’ve already submitted for the building permit approvals and have received approval from all the departments. The release of their building permit is only pending the land use approval so they can get Planning sign off. He believes Engineering has already reviewed this in regard to the need/requirement for any new infrastructure and it wasn’t brought up at the review as

far as upgrading sewer/storm/sidewalks. The roof area and plumbing demand haven't changed, so it's the same number of restrooms, paving, and roof area.

Chair Smith said that Mr. Radulescu's version of the special conditions only listed seven items versus the staff report, which listed eight items. Ms. Austin said the special condition related to signage was added by Joy Fields in review to make sure that if new signs are being proposed or if a change out is proposed then the applicant is aware that they need a permit from the City. She said there still may be a little work between the applicant and the City that needs to be worked out because the City Engineer added his comments that he wanted added into the record on December 2<sup>nd</sup>. She said the problem is that the lines are old and as builds are not accurate so there was no way to know without scoping those lines, so that would be the responsibility of the applicant. Mr. Radulescu said they are good with the conditions of approval and that is something they can add if they need anything else as they wrap up the building permit review from all the Departments.

Commissioner Milch asked how they propose to deal with distinguishing the parking spaces (customer parking/vehicles for sale). Mr. Radulescu said there will be a few spaces marked "customer", such as the handicap accessible spaces. The other spaces they will leave flexible, especially along McLoughlin Blvd. He said there is also an indoor showroom where they will be parking vehicles (room for approximately 20 vehicles), but they aren't using that until the building permit is approved. It should remove any surplus for-sale vehicles from the site. Commissioner Labonte asked how many vehicles are allowed to be parked in the parking lot – Ms. Austin said 30 vehicles would be the amount with the way the parking lot is striped and laid out. If there are more than that it could be a Code Compliance issue.

Commissioner Volbeda asked what using an indoor space to warehouse products like gasoline or vehicles does to the occupancy – Ms. Austin had no idea. Mr. Radulescu said they have gone through this with the Building Inspector, Building Official, and the Oregon Structural Specialty Code and they have brought all the requirements to compliance for their review. The main requirement was that the floor space can support it – some of the floor had to be upgraded because there was a basement underneath where vehicles would be parked. The second requirement was that the vehicles that are parked inside can't have more than a certain amount of gasoline in the tank (approximately 1/8 tank).

**PUBLIC TESTIMONY:**

None.

Ms. Austin said they received two pieces of correspondence prior to this evening – they are both included in the emails/public record and will be forwarded onto the applicant.

*Commissioner Milch made a motion to close the public hearing. Motion was seconded by Commissioner Volbeda. Ms. Bannick took a roll call vote: Commissioner Volbeda – yes. Commissioner Mersereau – yes. Commissioner Pat Smith – yes. Commissioner Labonte – yes. Commissioner Milch – yes. Chair Smith – yes. Motion passed with a unanimous vote.*

The public hearing was closed at 7:08 P.M.

**DISCUSSION:**

Commissioner Pat Smith asked Ms. Austin if she had discussed the issues regarding parking with Code Enforcement Officer Boyle and that we have things that are enforceable in place and that the City is going to manage that off-street parking issue – that is correct. Commissioner Milch feels that it's important that they distinguish the land use issue from a code compliance issue, which is not relevant to the land use. The information they received from the applicant tonight regarding moving some of the cars inside was helpful.

*Commissioner Milch made a motion to approve application Z0466-22-D as presented by staff, including the eight special conditions of approval. Motion was seconded by Commissioner Mersereau. Ms. Bannick took a roll call vote: Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.*

**4. PUBLIC HEARING: FILE Z0500-22-C, PROPOSED UPGRADE TO EXISTING RESOURCE RECOVERY PUMP STATION WITH NEW EQUIPMENT AND SOME EXTERNAL IMPROVEMENTS, 397 W. CLACKAMAS BLVD.:**

Ms. Austin said this is for a conditional use permit. The project is a Water Environment Services (WES) pump station that's proposed to be upgraded. She went over the staff report. The next steps for WES would be if the application is approved by the Planning Commission would be to meet the conditions of approval that are applied with that approval. The upgrades are to an existing pump station and include maintenance and improvements for reliability, efficiency, and safety. The development will include small modifications to the outside (replacing manhole, resurfacing the driveway after the pipes are replaced). There is no expansion of pumping capacity or building footprint being proposed. The site is located in the R-5 single-family residential zone. The site is 0.18 acres. It does contain some habitat conservation areas. There are no disturbances proposed with the upgrades to the HCA, but a separate staff level floodplain permit review is required to complete the City's review of this application – it has been submitted and is in review at this time. Public notice was sent – no public comments received. There are no exterior changes to the structure or to the lot size. The conditional use criteria are listed in the staff report, and they found that the proposal meets these criteria to approve a conditional use. They are recommending five special conditions of approval (landscaping, floodplain permit, construction plans/pre-construction conference/as-builds). She went over those conditions. Staff is recommending approval of this conditional use application as proposed, with the five special conditions of approval.

Chair Smith asked if the Commissioners had visited the site and if there have been any ex parte contacts. Commissioner Volbeda had visited the site, no ex parte. Commissioner Milch has not visited the site, no ex parte. Commissioner Mersereau has visited the site, no ex parte. Commissioner Pat Smith has visited the site, no ex parte. Commissioner Labonte has visited the site, no ex parte.

Chair Smith asked if any member of the audience wished to challenge the right of any Commissioner to hear this matter – none did.

**APPLICANT TESTIMONY:**

Eric Eisemann with E2 Land Use Planning, Jessica Rinner from WES, and Adam Crafts from CONSOR Engineering gave a presentation. Mr. Eisemann said they agree with the staff report and agree with the findings that they comply with the base zone standards, the conditions of approval, and they can meet the City's regulations that are applicable. The impacts to the habitat conservation area are very minimal. They appreciate staff's work and support.

Ms. Rinner said the pump station was constructed in the early 80's. WES is reinvesting in their infrastructure and updating for reliability and resiliency.

Mr. Crafts said they have reviewed all the conditions of approval for the land use approval and they can comply with all of them. He noted that they have submitted the floodplain permit and they believe it will comply with all the code requirements. It does include a stamped flood proofing certificate and a utilities statement of feasibility. He said the requirement to submit plans to the City of Gladstone is not a problem. When they reviewed the City's storm water ordinances they found that the storm water management doesn't apply for activities that result in the creation or disturbance of 5,000 square feet or more of impervious surface, so this project would not trigger that requirement. They did not see any drainage issues that needed to be addressed. Their intent is just to regrade the property back to the existing grades as it was before. They will obtain the right-of-way permits and trade permits for the project. They will

be improving the stairs/access leading to the influent manhole, building a platform to it, and raising it above the floodplain elevation. The plan is to finish the design of the project in early 2023 and put the project out to bid – they expect construction to begin in 2024 and go on for approximately one year. They will provide notices to the City and neighbors prior to construction beginning.

**DISCUSSION:**

Commissioner Milch asked if the improvements will include any kind of electronic monitoring of the flow or the ability to shut the pump off. Ms. Rinner said they have had the ability to monitor remotely, and they are putting in newer technology. She offered to take anyone on a tour of the facility.

Chair Smith asked how a backup generator is powered. Ms. Rinner said it is a diesel generator. The generator will be replaced in this project, along with a diesel fuel tank in the building that is sized for 24-hours of continuous operation at full load.

**PUBLIC TESTIMONY:**

None.

*Commissioner Milch made a motion to close the public hearing. Motion was seconded by Commissioner Labonte. Ms. Bannick took a roll call vote: Commissioner Volbeda – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Chair Smith – yes. Motion passed with a unanimous vote.*

Public Hearing was closed at 7:30 P.M.

**DISCUSSION:**

Commissioner Volbeda asked if a traffic safety plan is a requirement for permit ahead of time. Ms. Austin said when they have the pre-construction conference they will set those parameters of what permits are needed, what type of coordination is needed, etc.

Ms. Austin recommended that on special condition #3 (Construction Plans), regarding the drainage report, they could easily add the language “a drainage report as required by City Public Works”, and that way it gives the Public Works Department the ability to research whether or not it applies to this situation without requiring it if it’s not applicable.

*Commissioner Milch made a motion to approve the conditional use application Z0500-22-C with the five conditions of approval, with condition #3 amended per staff recommendation. Motion was seconded by Commissioner Mersereau. Ms. Bannick took a roll call vote: Commissioner Mersereau – yes. Commissioner Pat Smith – yes. Commissioner Labonte – yes. Commissioner Milch – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.*

**BUSINESS FROM THE PUBLIC:**

None.

**BUSINESS FROM THE PLANNING COMMISSION:**

**Commissioner Milch:**

He said this will be his last meeting on the Planning Commission because he will be Mayor in January. He will be submitting a letter of resignation to formalize that. His term had one more year on it, so there will be his vacancy plus another vacancy. They need candidates to apply for these positions who are not in the building or real estate industries in order to comply with State law. He said it has been a pleasure serving. He has learned a lot. It has given him the opportunity to continue to invest in the issue of expanding housing opportunities in Gladstone.

**Commissioner Pat Smith:**

He said that Ms. Austin has demonstrated that she is very capable of filling Ms. Fields’ shoes. He is glad to have her aboard. He complimented her on the presentation tonight where she put the application code numbers on the bottom of each page.

He thanked Commissioner Milch and wished him well in his new venture. He looks forward to him being our Mayor.

**Commissioner Labonte:**

He hopes everyone has a nice holiday. He congratulated Commissioner Milch.

**Chair Smith:**

She asked for input regarding the possibility of limiting our public hearings to one per meeting unless there’s some sort of urgency. Commissioner Mersereau was on the fence. Commissioner Pat Smith feels that the positives of processing applicants’ needs as quickly and efficiently as possible outweighs overworking the Commission. Commissioners Labonte, Volbeda, and Milch agreed. Chair Smith said if it is a hot issue and they have a lot of testimony she thinks it needs to be strongly considered to only have one hearing that night. She asked how they would clarify that. Ms. Bannick said they could follow up with the Planner to get a feel for what feedback she’s getting and follow up with the Commissioners to see if they are aware of any concerns that may come forward.

Chair Smith thanked Commissioner Milch for his service.

**ADJOURN:**

*Commissioner Volbeda made a motion to adjourn the meeting. Motion was seconded by Commissioner Pat Smith. Ms. Bannick took a roll call vote: Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.*

Meeting was adjourned at approximately 7:43 P.M.

Minutes approved by the Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Natalie Smith, Chair



## **REGULAR AGENDA**





# City of Gladstone Monthly Planning Report December 2022

## PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YEAR TOTALS
Customer Service Counter Contacts	1	2	1	1	0	3	2	1	1	3	4	1	20
Customer phone/email Contacts	47	67	52	68	64	70	38	75	39	45	66	65	696
Building Permits with Land Use Review	4	4	6	11	1	4	6	2	2	2	3	6	51
Pre-application Conferences	1	0	0	0	0	0	0	1	1	1	0	2	6
Administrative Decisions	0	1	1	1	0	1	0	1	1	0	0	0	6

## PLANNING COMMISSION ACTIONS/DECISIONS

- Approved Z0466-22 – Change of Use Design Review at 19900 MCLOUGHLINBLVD
- Approved Z0500-22 - Clackamas BLVD Pump Station Improvements

## CITY COUNCIL LAND USE ACTIONS/DECISIONS

- City Council considered and approved the amendments in TXT-2022-03.

## PRE-APPLICATION CONFERENCES

- ZPAC0146-22
- ZPAC0147-22

## ADMINISTRATIVE PERMITS

- None

## BUILDING PERMITS WITH LAND USE REVIEW

DECEMBER			
Date	Address	Building Permit #	Description
12/06/22	17530 BRADEN CT	B0694422	Deck Replacement
12/06/22	740 82ND DR	B0685222	Change of use in existing structure
12/29/22	140 W ARLINGTON ST	B0736522	Demolition
12/29/22	295 E ARLINGTON ST	B0705722	Tree House
12/29/22	770 E BERKELEY ST	B0756822	Repair of existing structure
12/29/22	19795 MCLOUGHLIN BLVD	B0772622	Exterior Maintenance and Interior Remodel

## FUTURE ITEMS/PROPERTY UPDATES

Date	Topic
January	Two lot partition with a flag lot



## **REGULAR AGENDA**





## Agenda Item No. 4

PC Meeting Date: 01/17/2023

### STAFF MEMO

**To: Gladstone Planning Commission**  
**From: Heather Austin, Consulting Planner**  
**Date: January 11, 2023**  
**RE: TXT 2022-22- Downtown Improvement Plan Development Code Amendments  
Continuation Requested to February 21, 2023**

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In November 2022, the Planning Commission held a public hearing to review and make a recommendation to City Council on the proposed development code amendments associated with the Gladstone Downtown Improvement Plan. The Planning Commission recommended approval of the amendments to the City Council.

Prior to the City Council public hearing on the proposed amendments, city staff realized a need to revise the proposed code amendments. City staff determined that the changes warranted a second review by the Planning Commission before continuing to City Council.

City staff had hoped to have the proposed revisions ready for public hearing with the Planning Commission at their meeting on January 17, 2023, and published public notice to that effect. However, staff finds that more time is needed to bring forth a comprehensive, complete code amendment package and therefore requests the Planning Commission continue the scheduled public hearing on TXT 2022-22 to their meeting on February 21, 2023.

Staff will be happy to answer any questions regarding this continuation request at the Planning Commission meeting on January 17, 2023.





## **REGULAR AGENDA**





## Agenda Item No. 5

PC Meeting Date: 01/17/2023

### STAFF REPORT: TYPE II PARTITION AND ADJUSTMENT

<b>Application No.:</b>	<b>Z0489-22-M</b>
<b>Owner/Applicant:</b>	<b>Maryanna Moore (Owner/Applicant) and Kevin Johnson</b>
<b>Project Location:</b>	<b>18340 Cornell Place; Tax Lot 22E17CC00600</b>
<b>Project Description:</b>	<b>The property owner is proposing to partition the 0.37 acre property into two parcels. The proposal includes two setback adjustments to proposed parcel 2; a 2-foot reduction to the required rear yard setback and up to a 1-foot reduction to the required side yard setback (southwest side lot line).</b>

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#### SUMMARY OF STAFF RECOMMENDATION

**The planning staff are recommending APPROVAL of the two-lot partition application Z0489-22-M and recommend the following findings and following conditions in support of approval:** (1) Storm Drainage; (2) Water; (3) Sanitary Sewer; (4) Street Improvements; (5) Grading; (6) Erosion Control; (7) Construction Plans; (8) Pre-construction Conference; (9) As-Built Plans; and (10) Final Occupancy.

The proposed 2-parcel partition will result in one parcel with an existing single-household dwelling and one vacant parcel. The existing home will continue to take access from Cornell Place whereas the new parcel will take access from Caldwell Avenue. In order to meet minimum lot sizes for both parcels, and due to the configuration of the existing home, the application includes a request to adjust the rear and side yard setbacks on the parcel with the existing home (Parcel 2).

As proposed and conditioned, planning staff find the application consistent with all applicable standards and recommend approval of the Land Partition and Adjustment request. The standard of review for the proposed project is the City of Gladstone's Municipal Code Zoning and Development Title 17.

A property line adjustment on this property was approved and recorded in 2022 (Z0249-22-PLA). The conditions of the property line adjustment have been met.

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**EXHIBITS**

1. Location Map
2. Aerial Image
3. Tentative Plat

**REQUEST FOR COMMENTS**

**Sent to:** Property owners within two hundred fifty (250) feet of the subject property, City of Gladstone, Public Works, Gladstone Fire, Gladstone PD, Engineering, WES Tri-City, and Gladstone Disposal.  
**Response provided:** Public Works Comments for Partition at 18340 Cornell Place dated 01/10/2023.

**STANDARD CONDITIONS**

**1. Expiration.** Per GMC Section 17.73.040, the adjustment approval shall expire if substantial construction has not occurred within one (1) year of the date of this final decision. In this case, “substantial construction” shall mean submittal of the final plat to the City Administrator or designee. An extension may be granted by the City Administrator or designee for not more than one year in accordance with GMC Section 17.66.015(4).

**2. Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Planning Director for the City of Gladstone.

**3. Assignment.** The permit may be assigned to any qualified person, provided assignee files with the City Planning Department an affidavit accepting all terms and conditions of the permit.

**4. Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**5. Building Permits.** The applicant shall obtain required building permits from Clackamas County. The applicant shall comply with requirements of the permits.

### **SPECIAL CONDITIONS**

**1. Storm Drainage.** A new catch basin shall be installed at the downhill end of the new curb on Caldwell Rd. If the catch basin does not land over the existing storm drain pipe in Caldwell Rd., a storm drain manhole may also be required.

Roof drains from Parcel 1 shall be piped into the new catch basin with a cleanout installed at the back of curb to separate public/private maintenance responsibility. No water quality treatment or detention improvements will be triggered by the one new home.

Public storm drain improvements (within the right-of-way) will be permitted through City of Gladstone Public Works. Private storm drain improvements (on private property) will be permitted through Clackamas County Building Department.

**2. Water.** The proposed development shall meet all water system requirements pursuant to the requirements of the Gladstone Public Works Design Standards. A new water service will be required for Parcel 1. A water SDC will have to be paid prior to receiving a second water meter. Water services shall meet the required separation from sanitary mains and laterals.

Public water improvements (from the main to the meter) will be permitted through City of Gladstone Public Works. Private water improvements (between the meter & the building) will be permitted through Clackamas County Building Department.

**3. Sanitary Sewer.** The proposed development shall meet all sanitary sewer requirements pursuant to the requirements of the Gladstone Public Works Design Standards per 17.60.020(4).

Public sanitary sewer improvements (from the main to the cleanout) will be permitted through City of Gladstone Public Works. Private sanitary sewer improvements (upstream of the cleanout) will be permitted through Clackamas County Building Department.

**4. Easements.** A minimum 8-foot wide public utility easement (PUE) shall be noted on the plat along the Caldwell Road frontage of proposed Parcel 1. All existing and new easements shall be identified on the final plat submittal.

**5. Street Improvements.** Caldwell Road improvements shall include street widening and a new curb line in alignment with the existing curb line to the east per GMC 17.50. The applicant shall meet onsite with the City Street Supervisor to determine the extent of any road repairs per GMC 17.42.030. Street improvements will be permitted through City of Gladstone Public Works. Prior to recording of the final plat, the applicant shall obtain construction plan approval as detailed in Special Condition 8, below and shall install required improvements or execute and file with the City Administrator or designee an

agreement and financial guarantee for required improvements.

Note: GMC 17.96.010 states, "Before a final plat or final certificate of occupancy is approved by the city, the developer shall either:

- (1) Install required improvements and repair existing streets and other public facilities damaged in the development of the property; or
- (2) Execute and file with the City Administrator or designee an agreement between himself and the city, specifying:
  - (a) The period within which required improvements and repairs shall be completed; and
  - (b) Providing that if the work is not completed within the period specified, the city may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect the amounts from the developer.
  - (c) The agreement shall also provide for reimbursement to the city for the cost of inspection by the city, which shall not exceed ten percent (10%) of the cost of the improvements to be installed.
- (3) Further, the city may require the developer to file a performance bond or other financial guarantee of performance to ensure that a development is constructed according to the approved design plan.

The City Engineer, Public Works Director and City Planner all concur that the opening sentence of GMC 17.96.010 is meant to differentiate between projects where a final plat is required and projects where a final plat is not, such as design review for commercial development. In this case, a final partition plat is required, and therefore the required public improvements shall be installed or financially guaranteed prior to recordation (city signature) of the final plat).

**6. Grading.** Permits for site grading (if necessary) will be issued through the Clackamas County Building Department.

**7. Erosion Control.** Erosion Control permit is required and will be issued through Clackamas County Water Environment Services (WES).

**8. Construction Plans** Submittal. Plans detailing street and utility improvements in Caldwell Rd. shall be submitted to the City of Gladstone Public Works Department for review and approval per 17.60.010 and 17.42.030. The design, location, and planned installation of all street and sidewalks, natural gas, power, street lighting, telephone, cable television, storm water, water, and sanitary sewer provisions are subject to approval by the appropriate agency/utility service provider. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon. Plan submittal shall include (3) paper sets of plans, a pdf copy, and an Engineer's Estimate for the public improvements.

**9. Pre-construction Conference.** Once grading/construction plans are ready to be approved by the City of Gladstone, a Pre-Construction Conference with final sign-off on the Construction Plans is required per 17.42.030, if deemed necessary by the Public Works Director.

**10. As-Built Plans.** At the completion of construction, and prior to the approval of the Certificate of Occupancy, the applicant shall provide the City Public Works Department with as-built submittals per 17.60.020(7).

**11. Final Occupancy.** PRIOR TO ISSUANCE OF A FINAL OCCUPANCY PERMIT FOR PARCEL 1, all conditions of the partition and adjustment approval shall be met, including installation of all required

improvements.

**NOTES**

- 1. System Development Charges (SDC's).** SDCs will be required. The project shall provide all relevant information needed to calculate the SDCs to the Public Works Director. SDC calculation methodology is located on the Public Works page of the City of Gladstone website.
- 2. Building Permits.** Clackamas County Building Department will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical Permits for this project.

**FINDINGS OF FACT**

This Type II Partition application is subject to Chapter 17.10, R-7.2 – Single-Household Residential District; Chapter 17.34 Partitions and Chapter 17.73 Adjustments. In addition, the Planning Commission will review the Type II partition proposal relative to the following Division IV- Development Standards and Division VII- Administrative Procedures. Duplexes and their allowed accessory uses in the R-7.2 and R-5 zoning districts are not subject to Design Review and therefore, Chapters 17.44 and 17.46 are not applicable.

**CHAPTER 17.10 R-7.2 – SINGLE-HOUSEHOLD RESIDENTIAL DISTRICT**

**17.10.020 Uses Allowed Outright.**

**In an R-7.2 zoning district, the following uses and their accessory uses are allowed outright:**

- (1) Single-household dwelling, including a manufactured dwelling.**
- (2) Middle housing.**
- (3) Foster home.**

**Finding:** The existing parcel is 16,319 square feet and the applicant is proposing to partition it into two parcels with the following areas: 7,200 square feet and 9,119 square feet. Both of the parcels would meet or exceed the 7,200 square foot minimum. This standard is met.

**17.10.050 Dimensional standards.**

**Except as provided in GMC Chapters 17.38 (Planned Unit Development), 17.72 (Variances) and 17.76 (Exceptions), the following dimensional standards shall apply in an R-7.2 zoning district:**

<b>Minimum Lot Area</b>		
<b>Detached single household</b>	<b>7,200 sf</b>	
<b>Middle housing</b>	<b>3,600 sf</b>	
<b>Multi-household dwellings</b>	<b>3,600 sf per dwelling unit</b>	
<b>Other Uses</b>	<b>7,200 sf</b>	<b>Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses)</b>

<b>Minimum Setbacks</b>		<p>Except that a front porch may project a maximum of five feet into a required front setback area.</p> <p>Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area.</p> <p>Townhouse projects are allowed a zero-foot side setback for lot lines where townhouse units are attached.</p> <p>Cottage cluster minimum setbacks can be reduced to five feet, if there is more than 150 square feet per dwelling unit of common open space provided, as defined in GMC Section <a href="#">17.12.065(2)</a>.</p> <p>Setbacks for manufactured homes in a mobile home park are subject to the standards in GMC Section <a href="#">17.62.070(4)</a>.</p>
<b>Front setback</b>	20 ft	
<b>Side setback</b>	7.5 ft or 5 ft due to irregular shaped lots	
<b>Street side setback</b>	20 ft	
<b>Interior side setback</b>	5 ft	
<b>Rear setback</b>	15 ft	
<b>Maximum Building Height</b>	35 ft	<p>Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are not subject to building height limitations of this subsection.</p>
<b>Minimum Density</b>		
Subdivisions and PUDs shall provide a minimum density of 80 percent of the maximum density per net acre.		
Cottage clusters shall have a minimum density of four dwelling units per acre.		
<b>Maximum Density</b>		
<b>Detached single-household</b>	One dwelling unit per 7,200 square feet of lot area or eight units per net acre	<p>This code does not allow for the creation of more than four dwelling units on a lot, including accessory dwelling units. Cottage clusters and townhomes are exempt.</p>
<b>Middle housing</b>	None	
<b>Sufficient Infrastructure</b>	Applicants must demonstrate that sufficient infrastructure is provided, or will be provided, upon submittal of a residential development application.	

**(1) All PUDs with residential uses must include a mix of two or more middle housing types for a minimum of 25 percent of the total dwelling units proposed.**

**(2) Exceptions in Case of Large-Scale PUD. The dimensional standards of this section may be modified**

by the Planning Commission in the case of a plan and program for a planned unit development, providing the modifications are not detrimental to the public health, safety and welfare and provided the Planning Commission determines there is provision for adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the developed tract and its relation to adjacent areas and for such covenants or other legal provisions as will assure conformity to and achievement of the plan.

**Finding:** The proposed parcels both meet or exceed the minimum 7,200 sf lot size. Any future residential structure on Parcel 1 will be required to meet the setback and height requirements of this section. The existing home on Parcel 2 meets the front and (northeast) side yard setbacks as well as the maximum building height. The proposed partition would result in a rear yard of 13 feet (a 13% reduction from the required 15-foot setback) and a (southwest) side yard setback of approximately 7 feet (a 7% reduction from the required 7.5-foot setback). As discussed further in this report, the applicant requests an adjustment to these two setback standards pursuant to GMC 17.73. This standard is met as addressed further in GMC 17.73.

#### **17.10.060 Design standards.**

**(1) Attached Garage.** The following standard shall apply to the construction of a garage attached to a single-household dwelling. An existing garage, legally constructed prior to the adoption of this standard, that does not conform to this standard may be remodeled or expanded, provided such remodeling or expansion shall not further reduce the structure's compliance with this standard.

(a) The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building facade. On corner lots only one street-facing garage wall must meet this standard unless there are two garages, such as in the case of a two-family dwelling.

**(2) Main Entrance.** The main entrance of a single-household dwelling shall:

(a) Face the street lot line. On a corner lot, the main entrance may face either street lot line or the corner; or

(b) The main entrance shall open onto a covered porch that has an entrance that faces the street lot line. The porch and its roof shall each be at least 40 square feet in area and neither the width nor the depth shall be less than five feet.

**(3) Curbs and Sidewalks.** Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Improvements installed by a developer shall conform to the standards of this title, GMC Chapter [12.02](#) (Street Excavation Requirements) and to any supplemental design and construction specifications adopted by the city for such improvements. This shall apply to new structures and expedited land divisions as defined by ORS [197.360](#), with the following exceptions:

(a) There are no existing sidewalks within 200 feet of the subject parcel, and no planned sidewalk network in the area as identified in the Transportation System Plan.

(b) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent as shown on the site plan submitted with the building permit.

**(4) Design Features.** Single-household dwellings and duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least two of the following design features on each dwelling unit:

(a) Dormer;

(b) One or more windows that face the street lot line;

(c) Cupola;

(d) Bay or bow window;

(e) Gable;

- (f) Covered porch entry;**
- (g) Eaves (minimum six inches projection);**
- (h) Offset on building face or roof (minimum 16 inches); and**
- (i) Recessed garage entrance for street-facing garage (minimum 16 inches).**

**Finding:** No changes are proposed to the garage on the existing home. The main entrance of the existing home faces the street lot line and has a covered porch, gables, eaves and dormers. Curbs are addressed further in this report in Chapter 17.42. This site qualifies for exemption from sidewalk installation. This standard is met.

## **CHAPTER 17.34 PARTITIONS**

### **17.34.020 Partitions—Generally.**

- (1) Submittal Requirements. \*\*\***
- (2) Type I and Type II Partitions. A Type I partition is any partition where the proposed parcels conform to the dimensional standards of the zoning district in which the subject property is located, creation of a flag lot is not proposed and access will be provided from a local street. Any other partition is a Type II partition.**
- (3) Review. An application for a partition shall be reviewed pursuant to GMC Division VII (administrative procedures).of the GMC establishes the submittal requirements and administrative process applicable to partitions.**

**Finding:** This proposal was found to have met the submittal requirements when it was deemed complete on December 21, 2022. The proposal is a Type II partition as it creates a flag lot and includes two adjustment requests. As a Type II Partition Planning Commission review is required. This standard is met.

## **CHAPTER 17.73 ADJUSTMENTS**

### **17.73.020 Circumstances for granting.**

**Unless otherwise limited, an adjustment may be approved, if the request involves only the expansion or reduction by not more than 20% of one or more quantifiable provisions of this code and if the applicant demonstrates the following:**

- (1) A hardship is created by an unusual situation that is the result of lot size, lot shape, topography, development circumstances or an inability to use the land or public infrastructure more efficiently.**
- (2) The adjustment will not be materially injurious to property abutting the subject property.**
- (3) The adjustment is the minimum remedy necessary to alleviate the hardship.**
- (4) Architectural features of the proposed development will be compatible with the design character of existing structures on adjoining properties and on the proposed development site.**
- (5) The request for an adjustment is not the result of an illegal act.**

**Finding:** The proposed adjustments are to the quantifiable provision of setbacks. The proposed partition would result in Parcel 2 (existing home) with a rear yard of 13 feet (a 13% reduction from the required 15-foot setback) and a (southwest) side yard setback of approximately 7 feet (a 7% reduction from the required 7.5-foot setback). The hardship is a result of the placement of the existing home on the lot, a development circumstance of this site. The adjustment will not change the distance of the home to the property to the southwest (existing 7-foot side yard setback) and will exist prior to

development of Parcel 1. The adjustment is the minimum necessary to meet the partition requirement of minimum lot sizes in the R-7.2 zoning district. The existing home has architectural features compatible with the residential neighborhood and it is anticipated that a new residential structure on Parcel 1 would as well. This request for an adjustment is not the result of an illegal act. This standard is met.

**17.73.030 Adjustment limitations.**

**Adjustments may not be utilized to:**

- (1) Reduce width of accessways required for flag lots created through the partition or subdivision process.**
- (2) Reduce the area reserved for private outdoor space and/or usable open space.**
- (3) Reduce project site amenities such as screening and/or landscaping provisions.**
- (4) Increase fence height inside clear-vision areas.**
- (5) Reduce minimum or increase maximum densities per net acre in residential zones.**
- (6) Authorize a use that is not allowed in the zoning district in which the property is located.**
- (7) Change a definition or a use classification. For instance a "recreation vehicle" under 17.06.435 may not be adjusted to include a vehicle with floor space in excess of two hundred square feet.**

**17.73.040 Time limit.**

- (1) Approval of an adjustment shall expire if substantial construction has not occurred within one (1) year of the date of the final decision.**
- (2) Upon request and in accordance with GMC Section [17.66.015\(4\)](#), the one-year period may be renewed once by the City Administrator or designee for not more than one year.**

**Finding:** The requested adjustments will not be utilized in any of the ways identified in GMC 17.73.030. The approval of the adjustment will be valid for one year with one year extension possible. These criteria are met.

**DIVISION IV. DEVELOPMENT STANDARDS**

**CHAPTER 17.42 GENERAL PROVISIONS**

**17.42.020 Use of public right-of-way.**

**Use of public right-of-way for the sale, display or storage of goods and off-street parking is prohibited on interior side of curbs, however, this requirement may be waived upon City Council approval.**

**17.42.030 Improvements.**

**Improvements installed by a developer, either as a requirement or at his or her option, shall conform to the standards of this title, GMC Chapter 12.02 (street excavation requirements) and to any supplemental design and construction specifications adopted by the city for such improvements.**

**Improvements shall be installed in accordance with the following procedure:**

- (1) Improvement work shall not begin until plans have been checked for adequacy and approved by the city.**
  - (a) To the extent necessary for evaluation of the proposal, the plans may be required before land use approval is issued.**
  - (b) Plans shall be prepared in accordance with the requirements of the city.**
- (2) Improvement work shall not begin until the city has been notified, and if work has been discontinued for any reason, it shall not be resumed until the city has been notified.**

- (3) Improvements shall be constructed under the inspection and to the satisfaction of the city.**  
**(a) The city may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.**

**Finding:** The required right-of-way improvements will conform to the city's standards. No sale, display or storage of goods or off-street parking is proposed on the interior side of the curbs. This standard is met.

#### **CHAPTER 17.48 OFF-STREET PARKING AND LOADING**

##### **17.48.020 Single-household and two-household residential standards.**

**At the time of construction or substantial exterior improvement of a single-household dwelling or middle housing dwelling unit, a minimum of one off-street parking space per dwelling unit shall be provided.**

**Finding:** Each of the proposed parcels are adequately sized to provide a minimum of one parking space per dwelling unit per parcel. The existing home provides more than the minimum required number of parking spaces. This criteria is met.

#### **CHAPTER 17.50 VEHICULAR AND PEDESTRIAN CIRCULATION**

##### **17.50.020 Vehicular and pedestrian circulation generally.**

**Vehicular and pedestrian circulation facilities, including walkways, provisions for the handicapped, interior drives and parking as provided under GMC Chapter 17.48 (off-street parking and loading), shall be designated as follows:**

- (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.**
  - (2) Traffic Separation. Provide when feasible, a separation of motor vehicular, bicycle and pedestrian traffic.**
  - (3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets.**
  - (4) Traffic Volume Expansion. Provision shall be made to accommodate any increased volume of traffic resulting from the development consistent with GMC Section 17.50.050. 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.**
  - (5) Handicapped Needs. Provide for the special needs of the handicapped such as wheelchair ramps and Braille signs.**
- \*\*\* (6) and (7) not applicable to single-household residential and middle housing developments.**

**Finding:** As identified in the Public Works Comments, Caldwell Rd. improvements shall include street widening and a new curb line in alignment with the existing curb line to the east. There is no existing sidewalk in the vicinity, so no sidewalk improvement is required. No additional right-of-way is required. A street light is located at the northeast corner of proposed Parcel 1, no additional street lighting is required. The existing pavement edge shall be sawcut back to a line approved by the City of Gladstone Public Works inspector, then paved to meet the new curb line. All street improvements, including

sawcut, widening, pavement taper, curb, and driveway approach shall conform to City of Gladstone Public Works Standards. Street improvements will be permitted through City of Gladstone Public Works. This standard is met as conditioned.

**17.50.030 Streets and Roads Generally.**

**1) The location, width and grade of streets shall be considered in their relation to existing and planned streets, to the topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system shall assure an adequate traffic or circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. Where location is now shown in a development plan, the arrangement of streets shall either:**

- (a) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or**
- (b) Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.**

**\*\*\* (2) not applicable to developments on less than 5 acres.**

**Finding:** The improvements to Caldwell Road will be designed to city standards as conditioned. This standard is met as conditioned.

**17.50.040 Street and road standards.**

The design and improvement of streets within a development and streets adjacent but only partially within the development shall comply with improvement specifications adopted pursuant to GMC Section 17.42.030 and with the following standards:

**(1) Right-of-Way and Roadway Widths.**

- (a) Minimum right-of-way and roadway widths shall conform to the standards found in Table 16 of the Gladstone transportation system plan, consistent with a street's functional classification.**
- (b) The street cross-sections found in the Gladstone transportation system plan may be modified to accommodate alternative stormwater management methods subject to the approval of the Public Works Supervisor. The Public Works Supervisor may require modification of the typical cross section to accommodate alternative stormwater management methods when associated with development proposals. Such modifications may be applied as conditions of development approval.**

**Finding:** The improvements to Caldwell Road are required to meet city standards as discussed and conditioned previously. This standard is met as conditioned.

**(2) Alignment. All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuations of the center lines thereof. The staggering of street alignments resulting in T intersections shall, wherever practical, leave a minimum distance of two hundred feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 100 feet.**

**Finding:** There are no new streets proposed with this partition. This standard is not applicable.

- (3) Future Extension of Streets.** Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall be extended to the boundary of the subdivision. The point where the streets temporarily end shall conform to the standards below:
- (a)** Extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.
  - (b)** A barricade (e.g., fence, bollards, boulders, or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the city or other applicable agency with jurisdiction over the street.
  - (c)** Temporary turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over 150 feet in length.
  - (d)** Temporary turnarounds shall be formed as an easement and will not affect building setback lines. The removal of a temporary turnaround shall occur when the street is extended and shall be paid for by the person extending the street. Reserve strips (street plugs) may be required to preserve the objectives of street extensions.
  - (e)** In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future.

**Finding:** All adjoining land has access and therefore this property does not need to extend a street to the boundary of the property. This standard is not applicable.

- (4) Reserve Strips.** Reserve strips or street plugs controlling the access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights and in these cases they may be required. The control and disposal of the land composing such strips shall be placed within the jurisdiction of the city under conditions approved by the Planning Commission.
- (5) Intersection Angles.** Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angles, but in no case less than 60° unless a special intersection design is approved. Streets shall have at least 50 feet of tangent adjacent to intersections unless topography requires lesser distances. Intersections which are not at right angles shall have minimum corner radii of 15 feet along right-of-way lines which form acute angles. Right-of-way lines at intersections with arterial streets shall have minimum curb radii of not less than 35 feet. Other street intersections shall have curb radii of not less than 20 feet. All radii shall maintain a uniform width between the roadway and the right-of-way lines. Ordinarily, the intersection of more than two streets at any one time will not be allowed.

**Finding:** The applicant is not proposing reserve strips. No new streets are proposed and therefore the intersection angles criterion is not applicable.

- (6) Existing Streets.** Whenever existing streets adjacent to or within a tract are of inadequate widths, additional right-of-way shall be provided at the time of development.

**Finding:** The Public Works Comments state that adequate right-of-way exists on Caldwell Road and no additional dedication is required. This standard is not applicable.

- (7) **Cul-de-sacs and Hammerheads.** The use of cul-de-sac designs and closed-end street systems shall be limited to situations where topography, existing development, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers prevent full street extensions. If cul-de-sacs are used, they shall be as short as possible and shall have maximum lengths of 200 feet except where topography, existing development, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers prevent full street extensions. Closed-end street systems shall serve no more than 25 single-family dwellings and terminate with adequate vehicle turnaround.
- (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 and shall be subject to the approval of the Planning Commission.
- (9) **Grades and Curves.** Grades shall not exceed 10 percent on major or minor arterials, 15 percent on connector streets, or twenty percent on any other street unless specifically approved. In fault areas, finished street grades shall have a minimum slope of 0.5 percent. Center line radii of curves shall not be less than 300 feet on major arterials, 200 feet on minor arterials, or 100 feet on other streets. On arterials there shall be a tangent of not less than 100 feet between reversed curves.
- (10) **Marginal Access Streets.** Where a land division abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a nonaccess reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and for separation of through and local traffic.
- (11) **Alleys.** Alleys may be provided in commercial and industrial districts unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the Planning Commission. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have radii of not less than 10 feet.

**Finding:** The applicant is not proposing to develop, or abut any Cul-de-sacs and Hammerheads. The site is not adjacent to an arterial. There are no streets proposed where the grades and curves, street names or alley standards would be applicable. Therefore, these criteria are not applicable.

- (12) **Private Streets.** Private streets may serve development where a finding can be made that such streets are of adequate width, alignment, grade and restricted length to afford the same degree of public safety as public streets and that extension of the public street system is impractical due to lot size or shape, topography, the location of existing structures to be retained or other similar circumstances and where no more than six dwelling units will take access from the private streets. In no case shall a private street be less than 20 feet in width. Greater width may be required where necessary to provide for public safety, accommodate traffic volume, or provide for underground utilities. A street maintenance agreement, acceptable to the city and duly recorded, shall be required.

**Finding:** The applicant is not proposing to develop, or abut any Cul-de-sacs and Hammerheads. The site is not adjacent to an arterial. There are no streets proposed where the grades and curves, street names, private street or alley standards would be applicable. Therefore, these criteria are not applicable.

- (13) **Painting of Curbs and Sidewalks.** Except where required for safety purposes or for the

**identification of house numbers, painting of curbs and sidewalks is prohibited. All such painting must be approved by the city.**

**Finding:** The applicant is not proposing to paint the curbs or sidewalks. The applicant is now aware that painting of curbs and sidewalks must be approved by the city.

**(14) Curbs and Driveways. Curb cuts and driveway installations shall be installed, according to city standards.**

**Finding:** The partition has previously been conditioned to install curbs and driveways to city standards. This standard is met as previously conditioned.

**(15) Sidewalks. Sidewalks shall be installed on both sides of a public street and at any special pedestrian way within a development. The Planning Commission may approve a development with sidewalks on one side only of a local street if special site conditions exist or if alternative pedestrian routes are available, or if the proposed sidewalk is not likely to become part of a complete pedestrian route in the foreseeable future.**

**Finding:** The Public Works Comments state that a sidewalk is not required to be installed as there is no existing sidewalk in the vicinity. This standard is not applicable.

**(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 for a school, park, church, day care center, library, commercial center, community center or similar facility. Separate bicycle/pedestrian ways not located in a street right-of-way shall include a 10-foot wide paved surface within a 12-foot wide right-of-way, unless conditions warrant otherwise and shall be illuminated as required in GMC Section 17.44.020(6).**

**Finding:** There are no bicycle or pedestrian routes identified on or near this site. This standard is not applicable.

**(17) Street Signs. Street name signs shall be installed at all street intersections. Specifications for signs shall be submitted and approved prior to their erection.**

**(18) Street Lights. Street lights shall be installed and shall be served from an underground source of supply.**

**Finding:** The Public Works Comments state that additional street lights are not required. No additional street signs are required for this partition. These criteria are not applicable.

**(19) Storm Sewers. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways.**

**Finding:** The Public Works Comments dated state that a new catch basin shall be installed at the downhill end of the new curb on Caldwell Rd. If the catch basin does not land over the existing storm drain pipe in Caldwell Rd., a storm drain manhole may also be required. Roof drains from Parcel 1 shall be piped into the new catch basin with a cleanout installed at the back of curb to separate

public/private maintenance responsibility. No water quality treatment or detention improvements will be triggered by the one new home. This standard will be met as conditioned.

- (20) Monuments. Upon completion of street improvements, monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines. Elevation bench marks shall be established at each street intersection monument with elevations to U.S. Geological Survey datum. All lot corners will be marked by a metal rod.**

**Finding:** The applicant is not required to complete street improvements at or near a street intersection or point of curvature or tangency. This standard is not applicable.

**17.50.050 Traffic impact analysis (TIA).**

**(1) Purpose. The purpose of this section is to implement Sections 660-012-0045(2)(b) and 660-012-0045(2)(e) of the State Transportation Planning Rule (TPR), which require the city to adopt performance standards and a process to apply conditions to land use proposals in order to minimize impacts on and protect transportation facilities. This section establishes requirements for when a traffic impact analysis (TIA) must be prepared and submitted; the analysis methods and content involved in a TIA; criteria used to review the TIA; and authority to attach conditions of approval to minimize the impacts of the proposal on transportation facilities.**

**This section refers to the TSP for performance standards for transportation facilities as well as for projects that may need to be constructed as mitigation measures for a proposal's projected impacts. This section also relies on the Gladstone Public Works Design Standards and Gladstone Public Works Standard Construction Specifications to provide street design standards and construction specifications for improvements and projects that may be constructed as part of the proposal and mitigation measures approved for the proposal.**

**(2) Applicability.**

**(a) Traffic Impact Analysis (TIA). A TIA shall be submitted to the city with a land use application at the request of the city Public Works Supervisor or if the proposal is expected to involve one or more of the following:**

**(A) An amendment to the Gladstone comprehensive plan or zoning map.**

**(B) ODOT requires a TIA in conjunction with a requested approach road permit, as specified in OAR 734-051-3030(4).**

**(C) The proposal generates 25 p.m. peak hour trips or more on the local transportation system.**

**(D) The location of an existing or proposed access driveway does not meet minimum spacing or sight distance requirements.**

**(E) A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.**

**(b) Traffic Assessment Letter (TAL). A TAL shall be submitted to the city with a land use application if the provisions of subsection (2)(a) of this section do not apply. The city Public Works Supervisor may waive this requirement. The applicant's traffic engineer shall submit a TAL to the city demonstrating that the proposed land use action is exempt from the TIA requirements. The letter shall outline the trip-generating characteristics of the proposed land use and verify that the site-access driveways or roadways meet Gladstone standards and that adequate sight distance is provided.**

**Finding:** The Public Works Director did not request a Traffic Impact Analysis or Traffic Assessment Letter and the development of one additional residential lot is not anticipated to generate 25 pm peak hour trips onto the transportation system (maximum number of units on this additional lot is 4 per middle housing standards). This standard is met.

## **CHAPTER 17.56 DRAINAGE**

### **17.56.020 Standards.**

**Adequate provisions shall be made to ensure proper drainage of surface waters, to preserve natural flow of watercourses and springs and to prevent soil erosion and flooding of neighboring properties or streets. Such provisions shall include but not be limited to the following:**

- (1) Generally. All development shall be planned, designed, constructed and maintained to:**
  - (a) Protect and preserve existing drainage channels to the maximum practicable extent;**
  - (b) Protect development from flood hazards;**
  - (c) Provide a system by which water within the development will be controlled and managed without causing damage or harm to the natural environment, or to property or persons within the drainage basin;**
  - (d) Assure that waters drained from new or redevelopment sites are substantially free of pollutants, including sedimentary materials, through the use of stormwater treatment facilities as referenced herein and appropriate erosion and sediment control practices;**
  - (e) Assure that runoff drained from new and redevelopment sites is managed in accordance with criteria outlined in the City of Gladstone Stormwater Treatment and Detention Standards as to not cause erosion to any greater extent than would occur in the absence of development;**
  - (f) Avoid placement of surface detention or retention facilities in road rights of way.**
- (2) Watercourses. Where culverts cannot provide sufficient capacity without significant environmental degradation, the city may require the watercourse to be bridged or spanned.**
- (3) Easements. In the event that a development or any part thereof is traversed by any watercourse, channel, stream or creek, gulch or other natural drainage channel, adequate easements for storm drainage purposes shall be provided to the city. This does not imply maintenance by the city.**
- (4) Obstructions. Channel obstructions are not allowed, except as approved for the creation of a detention or retention facility. Fences with swing gates may be utilized.**
- (5) Surface Drainage and the Storm Sewer System.**
  - (a) Stormwater treatment and detention facilities shall be designed and installed in accordance with criteria outlined in the Gladstone Public Works Design Standards and the Gladstone Public Works Standard Construction Specifications.**
  - (b) The street cross-sections found in the Gladstone transportation system plan may be modified to accommodate alternative stormwater management methods subject to the approval of the Public Works Supervisor. The Public Works Supervisor may require modification of the typical cross section to accommodate alternative stormwater management methods when associated with development proposals. Such modifications may be applied as conditions of development approval.**

**Finding:** The Public Works Comments dated state that a new catch basin shall be installed at the downhill end of the new curb on Caldwell Rd. If the catch basin does not land over the existing storm drain pipe in Caldwell Rd., a storm drain manhole may also be required. Roof drains from Parcel 1 shall be piped into the new catch basin with a cleanout installed at the back of curb to separate public/private maintenance responsibility. No water quality treatment or detention improvements will

be triggered by the one new home. This standard will be met as conditioned.

## **CHAPTER 17.58 GRADING AND FILL**

### **17.58.020 General provisions.**

**(1) Grading of Building Sites.** Grading and fill of building sites shall conform to Chapter 70 of the Uniform Building Code. The character of soil for fill and the characteristics of lots and parcels made usable by fill shall be suitable for the purpose intended. When deemed necessary, the building official may require geological studies to determine the suitability of the site.

**(2) U.B.C. Requirements.** The building official shall enforce Chapter 70 of the U.B.C. and shall require soils reports and/or engineering studies before issuing a building permit for fill, excavation, construction or related activities involving soils with restrictive features such as instability, wetness, flooding or other limitations.

**Finding:** This Chapter establishes standards for grading and fill and requires enforcement of the Oregon Residential Specialty Code (ORSC) (Previously the Uniform Building Code). 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. This criterion is met as conditioned.

## **CHAPTER 17.60 UTILITIES**

### **17.60.020 Standards.**

Utility services and facilities shall be appropriate to the scale and type of development and consideration shall include, but not be limited to the following standards:

**(1) Site Disturbance.** The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site.

**(2) Electricity. Gas. Communications.** All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company servicing the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground.

**(3) Underground Facilities.** The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting and cable television, shall be placed underground.

**(4) Sanitary Sewers.** All development which has a need for sanitary sewers shall install the facilities pursuant to the requirements set forth by the public works department. Installation of such facilities shall be coordinated with the extension of necessary water services and storm drainage facilities.

Requirements for development shall include the following:

**(a) Sanitary sewers shall be installed to city standards to serve or be available to all development. Design shall take into account the capacity and grade to allow for desirable extension beyond the development. If required, sewer facilities will, without further sewer construction, be sized to directly serve property outside the development;**

**(b) If the area outside the development to be directly served by the sewer line has reached a state of development to justify sewer installation at the time, the Planning Commission may recommend to the City Council construction as an assessment project with such arrangement with the developer as is desirable to assure financing his share of the construction. If it is determined by the city that a larger sized line than normally required to serve the property is desirable to**

- provide for future extension, the city will reimburse the developer the difference in cost of pipe between that required to serve the development and that stipulated by the city;
- (c) In areas that will not be served by a public sewer, the minimum lot and parcel sizes shall permit compliance with the requirements of the department of environmental quality and shall take into consideration problems of sewage disposal, particularly problems of soil structure and water table as related to sewage disposal by septic tank.
- (5) **Water Services.** All development which has a need for water service shall install water facilities and grant necessary easements pursuant to the requirements of the utility district serving the development. In addition, requirements for development shall include the following:
- (a) Water lines to serve residential developments shall be a minimum six inch (6") nominal diameter and water lines to service commercial and industrial developments shall be a minimum eight inch nominal diameter with valves and fire hydrants serving each building site in the development and connecting the development to city mains shall be installed. Prior to starting building construction, the design shall take into account provisions for extension beyond the development and to adequately grid the city system. Hydrant spacing to be based on accessible area served according to A.I.A. recommendations and as approved by the Fire Chief;
- (b) If the city determines that a water line size greater than the required minimum in diameter is required to provide for future extension of the water system, the city will reimburse the developer the difference in cost of pipe and valves between that of the minimum diameter and the size stipulated by the city.
- (6) **Coordination with Street Surfacing.** All underground utilities, sanitary sewers and storm drains installed in streets by the developer or by any utility company shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length minimizing the necessity for disturbing the street improvements when service connections are made.
- (7) **As-Built Submittals.** A map showing all public improvements, as built, shall be filed with the city engineer upon completion of the improvements.
- (8) **Conditions for Refund to Developer.**
- (a) If required water mains or sewer facilities will without further construction other than individual laterals, directly serve properties outside the development, the city may enter into an agreement with the developer to require owners of the other benefiting properties to refund to the developer, a pro rata portion of the cost of the extension prior to allowing the benefiting property to connect thereto;
- (b) Any such agreement shall contain a provision that the developer agrees to completely indemnify and hold harmless the city for any claim or injury or action arising from the city's administration of such agreement;
- (c) The right to require such a refund shall not continue for more than 10 years after the date of installation of the extension;
- (d) The amount to be refunded and the individual proration of the same shall be determined by the city and such determination shall be final.

**Finding:** The Public Works Comments dated 01/10/2023 state:

Water: There is an existing water service on Caldwell Rd. The submitted plan indicates moving the private portion of the water service for Parcel 2 into a utility easement. A new water service will be required for Parcel 1. Water services shall meet the required separation from sanitary mains and laterals. A water SDC will have to be paid prior to receiving a second water meter.

Public water improvements (from the main to the meter) will be permitted through City of Gladstone Public Works. Private water improvements (between the meter & the building) will be permitted through Clackamas County Building Department.

Sanitary Sewer: The existing home on proposed Parcel 2 has an existing sewer lateral encroaching that is shared with the neighboring property. The submitted plan shows a new sewer lateral being installed for Parcel 2 in the utility easement. The existing lateral shall be capped at or downstream of the property line. Each lot in this partition will require a separate sanitary sewer lateral. The sanitary laterals shall have a cleanout placed at the back of curb that will separate public and private maintenance responsibility.

Public sanitary sewer improvements (from the main to the cleanout) will be permitted through City of Gladstone Public Works. Private sanitary sewer improvements (upstream of the cleanout) will be permitted through Clackamas County Building Department.

These standards are met as conditioned.

## **CHAPTER 17.64 DESIGN STANDARDS FOR LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS**

### **17.64.020 Blocks.**

**(1) General.** The length, width and shape of blocks shall be designed with due regard for the provision of adequate building sites for the use contemplated, consideration of the need for traffic safety, convenience, access, circulation and control, and recognition of limitations and opportunities of topography.

**(2) Sizes.** Full street connections shall be provided at intervals consistent with the adopted transportation system plan for the identified street classification, except as modified by GMC Sections 17.50.020 and 17.50.030(2), or where prevented by topography, existing development, barriers such as railroads or freeways, or environmental constraints such as major streams and rivers.

**(3) Easements:**

**(a) Utility lines.** Easements for sewers, drainage, water mains, electric lines or other public utilities shall be dedicated wherever necessary. The easements shall be a minimum of 12 feet in width and centered on rear or side lot lines at change of direction points of easements, except for guy wire tieback easements which shall be six feet wide by 20 feet long along lot lines.

**(b) Watercourses.** If a tract is traversed by a watercourse such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the watercourse and adequate in width for the purpose. Streets, parkways or greenways parallel to or integrated with major watercourses may be required.

**(c) Pedestrian and Bicycle Ways.** Except as modified by GMC Section 17.50.030(2), in blocks over 800 feet in length, a pedestrian or bicycle way with a minimum width of 10 feet shall be provided through the middle of the block when desirable for public convenience. If unusual conditions require blocks longer than 1,200 feet, two pedestrian ways may be required. When desirable for public convenience, or when called for in the comprehensive plan, pedestrian ways may be required to connect cul-de-sacs, to pass through unusually shaped blocks, or to facilitate a linked system of pedestrian ways or greenways or bicycle ways.

**(d) Greenways.** When called for in the comprehensive plan, the Planning Commission may require the dedication, reservation or setting aside of greenways which will be open or accessible to the

**public. Except for trails or paths, such greenways will usually be left in a natural condition without improvements. Where appropriate, greenways may be combined with easements for utilities or watercourses.**

**Finding:** The partition request does not propose or warrant application of the block standards. The utilities developed in conjunction with this partition and subsequent residential development will meet the standards of the City, County, or utility provider. There are no watercourses identified on the property. The partition is not creating blocks over 800 feet in length. Greenways are not identified on the property. This standard is met.

#### **17.64.030 Building sites.**

**(1) Size and Shape.** Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The width of a lot shall be at least 50 feet except that corner lots shall have a width of at least 60 feet to permit appropriate building setback from both streets. Minimum lot depth in a residential district shall be 60 feet. In the case of irregular lots, the width shall be measured along the front building line. Except in a PUD development, in no case shall a lot area be less than the zoning district required. The Planning Commission may, when such a minimum in the case of multi-family dwelling subdivision development would result in a conflict with the minimum area requirements of the zoning ordinance, require larger minimum area requirement so as to conform to the zoning ordinance. These minimum standards shall apply with the following exceptions:

**(a)** Where property is zoned and planned for commercial or industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

**(2) Frontage.** A lot shall have minimum frontage of 20 feet on a street other than an alley.

**(3) Through Lots and Parcels.** Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities or to overcome specific disadvantages of topography and orientation. A planting screen easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

**(4) Lot and Parcel Side Lines.** The lines of lots and parcels as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

**Finding:** The existing parcel lines of Parcel 1 are generally at right angles to Caldwell Road and exceed the minimum width of 50 feet as shown on the tentative plan. No through lots are proposed. Both lots meet the minimum width and depth standards. Parcel 1 has a minimum of 20 feet on a public street. Parcel 2 has legal access to Cornell Place via an access easement. These standards are met.

#### **17.64.050 Large building sites.**

**In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the Planning Commission may require that the blocks be of such size and shape, be so divided into building sites and contain such site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size.**

**Finding:** The applicant is not proposing to develop any large lots that would be divisible in the future. This criterion is not applicable.

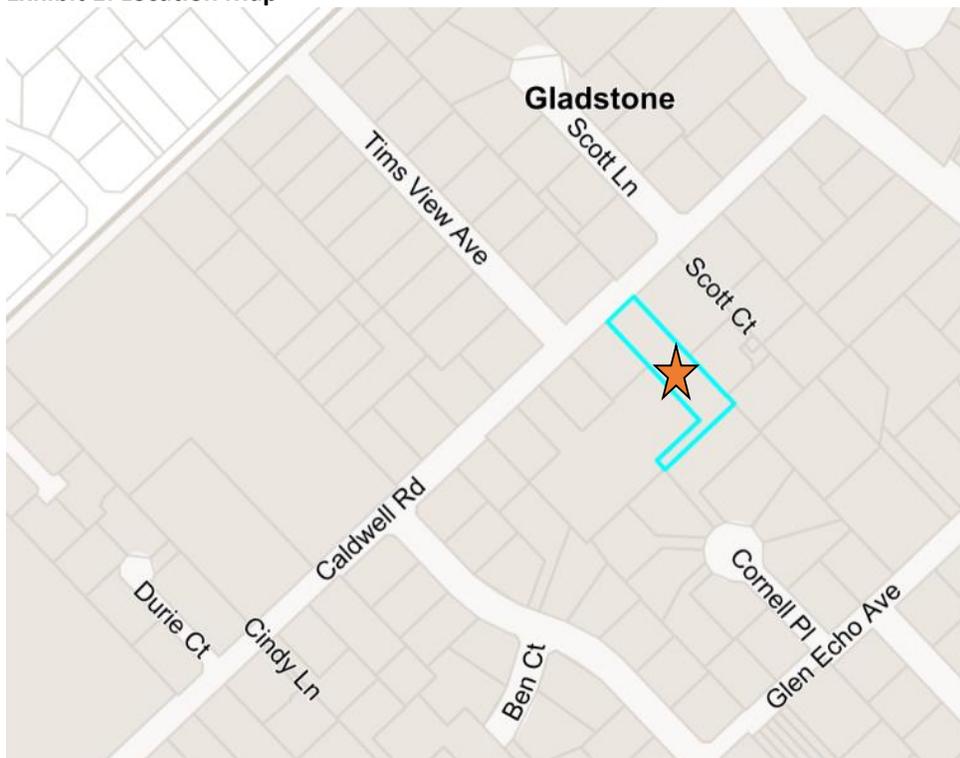
**17.64.060 Maintenance of minimum title requirements.**

**No lot area, yard or other open space existing on or after the effective date of the ordinance codified in this title shall be reduced below the minimum required for it by this title, and no lot area, yard or other open space which is required by this title for one use shall be used as the required lot area, yard or other open space for another use.**

**Finding:** The proposed partition does not include overlapping lot areas, yards or other open spaces. The only reductions in yard area are addressed previously in the adjustment standards of GMC 17.73. This standard is met.

**EXHIBITS**

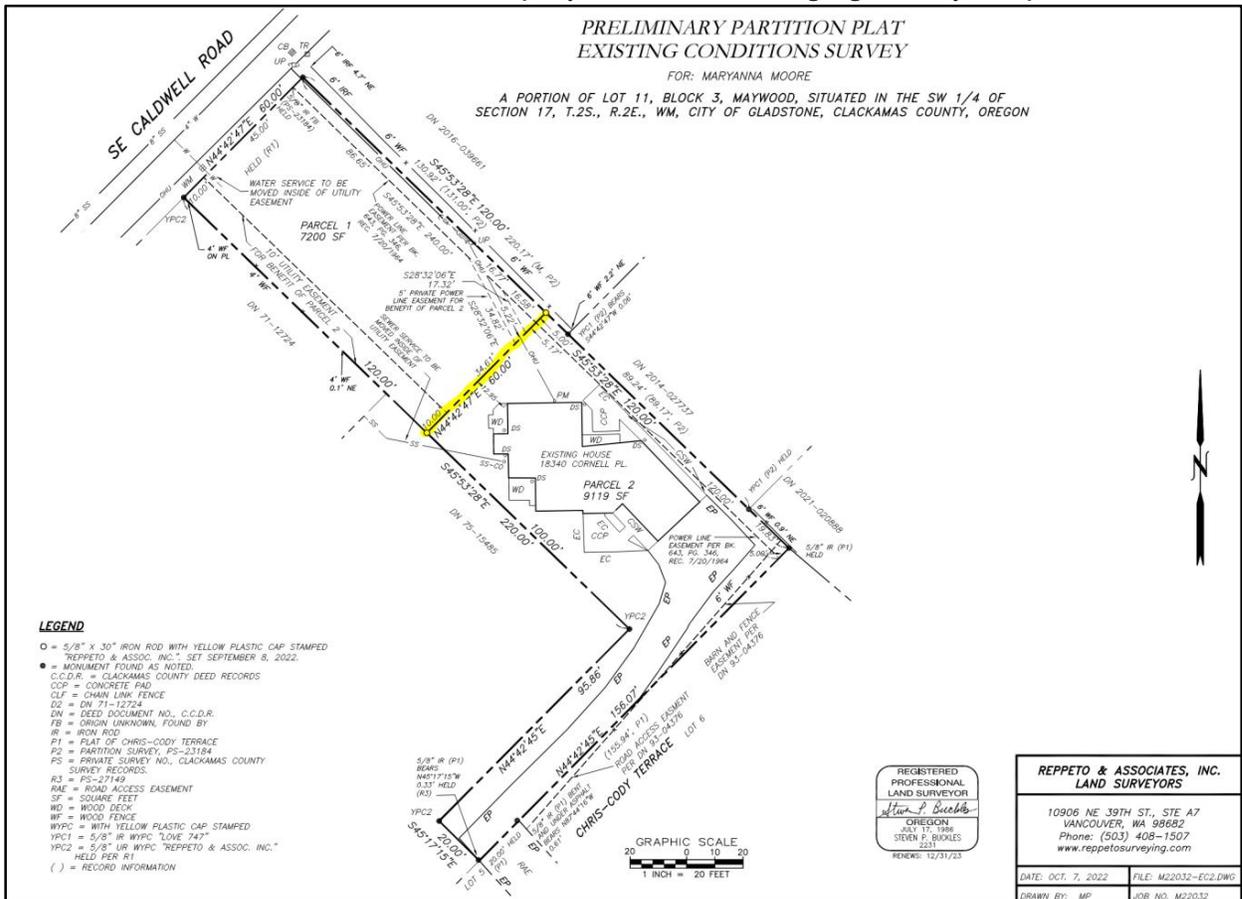
**Exhibit 1: Location Map**



**Exhibit 2: Aerial Photo**



**Exhibit 3: Submitted Tentative Partition Plat (Proposed new lot line highlighted in yellow)**



Z0489-22-M

Oct 10 2022



PARTITION LAND USE APPLICATION

Clackamas County Planning & Zoning Division

Gladstone planning services are provided by Clackamas County. Submit all land use applications and correspondence to: Clackamas County Planning Division, 150 Beaver Creek Road, Oregon City, OR 97045 Phone: 503-742-4510 E-Mail: jfields@clackamas.us

A completed application includes the APPLICATION FOR A PARTITION LAND USE APPLICATION and the items identified in the ATTACHMENT CHECKLIST below.

- Checklist items: Please answer all questions... Incomplete applications will not be accepted... All exhibits must be legible.

FOR STAFF USE ONLY

File No: Z0489-22 Other Related Permit Applications:
Pre-app: Staff Date Staff Member: Joy Fields
Date Received: 10/10/22 Fee Zone: R7.2
Hearing Date: 11/15/22 Comp. Plan: Low Density Residential

APPLICANT INFORMATION

PLEASE TYPE OR PRINT IN BLACK INK ONLY

SECTION I. APPLICANT/ PROPERTY OWNER

NAME OF APPLICANT: Moore Maryanna (LAST, FIRST)
MAILING ADDRESS: PO Box 312 Gladstone OR ZIP 97027
APPLICANT IS: LEGAL OWNER
NAME OF CONTACT PERON: Kevin Johnson
MAILING ADDRESS OF CONTACT: 6970 Winfield Ct Gladstone OR
PHONE NUMBERS OF: APPLICANT: WK HM CONTACT PERSON: WK 503-781-7916 HM 781-7916
SITE ADDRESS: 18340 CORNELL PLACE TOTAL LAND AREA: 110,319 SQ. FT.
LEGAL DESCRIPTION: T 25 - R 2E SECTION 17 TAX LOT(S) 600
ADJACENT PROPERTIES UNDER SAME OWNERSHIP: T 25 R 2E SECTION 17 TAX LOT(S) 500

OTHER PERSONS (IF ANY) TO BE MAILED NOTICES REGARDING THIS APPLICATION:

Steve Buckles 10906 NE 39th St, Vancouver WA 98682 Land Surveyor
NAME ADDRESS ZIP RELATIONSHIP

NAME ADDRESS ZIP RELATIONSHIP

I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

OWNER'S SIGNATURE: [Signature] - POA 10/10/22 APPLICANT'S SIGNATURE: [Signature]

OWNER'S NAME (Print) APPLICANT'S NAME (Print)

OWNER'S NAME (Print) APPLICANT'S NAME (Print)

**SECTION II. DIMENSIONAL SPECIFICS**

1. Project dimensions, size of properties involved 16,319 SQ. FT

Area of Parcels involved	Existing (sq. ft.)	New Proposed (sq. ft.)	Difference (+ or -) (sq. ft.)?
Parcel A <u>1</u>		7200 S.F.	
Parcel B <u>2</u>		9119 S.F.	
Parcel C			
Parcel D			

2. Is any grading proposed?.....  Yes  No

If yes, complete the following:	
a. Amount of cut	Cu.yds.
b. Amount of fill	Cu.yds

3. Parking:  
 Is any existing parking being removed? .....  Yes  No  
 If yes, how many spaces? \_\_\_\_\_

4. Does project include removal of trees or other vegetation? .....  Yes  No  
 If yes, indicate number, type, and size of trees \_\_\_\_\_  
 \_\_\_\_\_  
 Or other type and area of vegetation \_\_\_\_\_

5. Present Use of Property

a. Are there existing structures on property.....  Yes  No

b. If yes, describe Residential Dwelling

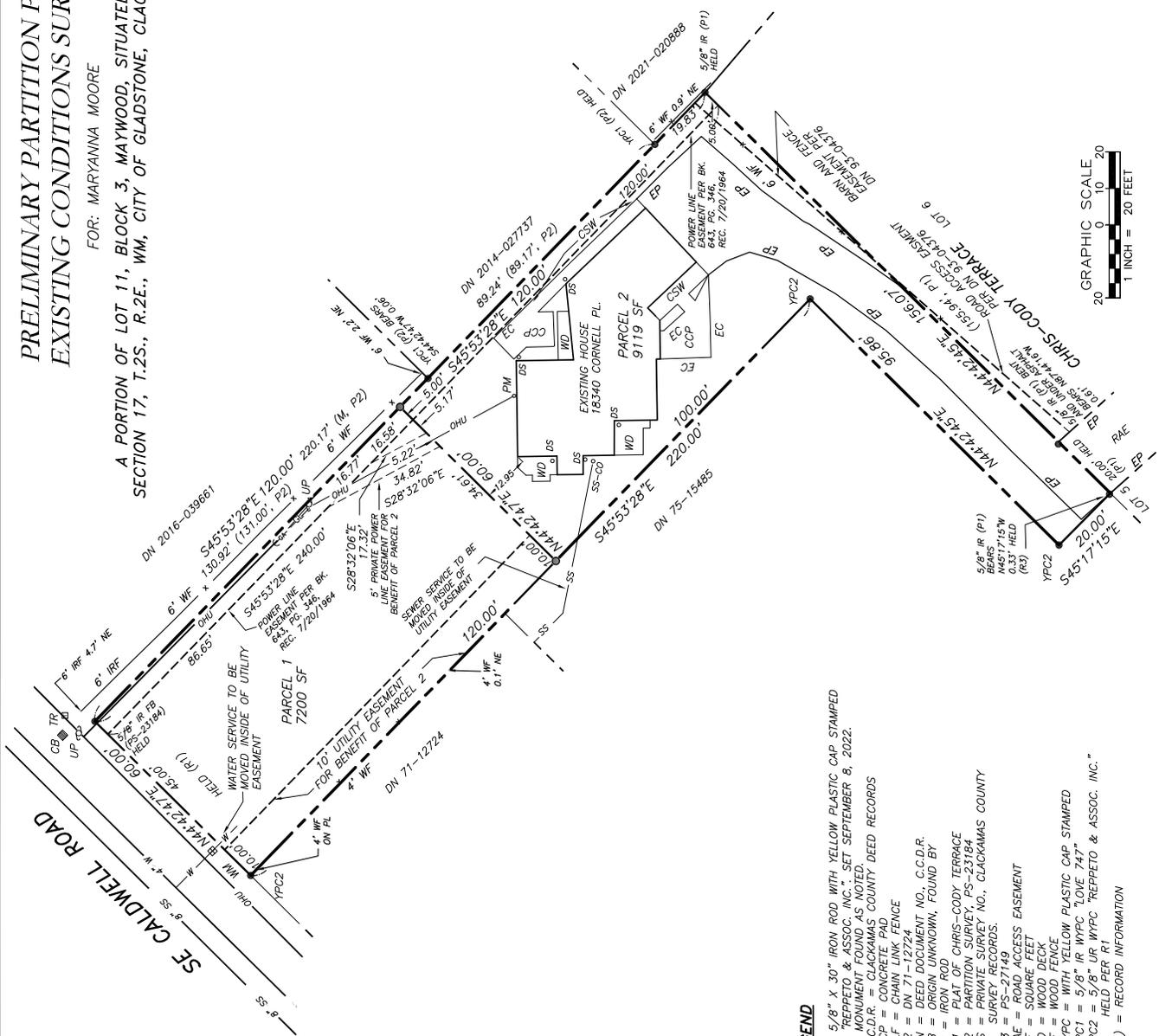
c. Will any structures be demolished or removed? .....  Yes  No

d. If yes, describe \_\_\_\_\_

**PRELIMINARY PARTITION PLAT  
EXISTING CONDITIONS SURVEY**

FOR: MARYANNA MOORE

A PORTION OF LOT 11, BLOCK 3, MAYWOOD, SITUATED IN THE SW 1/4 OF SECTION 17, T.2S., R.2E., WM, CITY OF GLADSTONE, CLACKAMAS COUNTY, OREGON

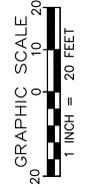


- LEGEND**
- = 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED
  - = REPPETO & ASSOC. INC. SET SEPTEMBER 8, 2022.
  - = MUMENTO & ASSOC. INC. SET SEPTEMBER 8, 2022.
  - = C.C.D.R. CLACKAMAS COUNTY DEED RECORDS
  - CCP = CONCRETE PAD
  - CLF = CHAIN LINK FENCE
  - D2 = DEED DOCUMENT NO., C.C.D.R.
  - FB = ORIGIN UNKNOWN, FOUND BY
  - IR = IRON ROD CHRIS-CODY TERRACE
  - P2 = PARTITION SURVEY PS-23184
  - PS = PRIVATE SURVEY NO., CLACKAMAS COUNTY SURVEY RECORDS.
  - R3 = PS-27149
  - RAE = ROAD ACCESS EASEMENT
  - SF = SQUARE FEET
  - WD = WOOD DECK
  - WPC = WOOD FENCE
  - YPC2 = 5/8" IRON ROD WITH YELLOW PLASTIC CAP, STAMPED
  - YPC2 = 5/8" IRON ROD WITH YELLOW PLASTIC CAP, STAMPED
  - YPC2 = 5/8" IRON ROD WITH YELLOW PLASTIC CAP, STAMPED
  - ( ) = RECORD INFORMATION

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Steven J. Buckle*  
OREGON  
JULY 17, 1986  
STEVEN J. BUCKLE  
RENS: 12/31/23

**REPPETO & ASSOCIATES, INC.  
LAND SURVEYORS**  
10906 NE 39TH ST., STE A7  
VANCOUVER, WA 98682  
Phone: (503) 408-1507  
www.reppetosurveying.com

DATE: OCT. 7, 2022 FILE: M22032-EC2.DWG  
DRAWN BY: MF JOB NO. M22032



SN2022-275

CLACKAMAS COUNTY SURVEYOR

DATE RECEIVED: 8-30-2022

DATE ACCEPTED / FILED: 12-20-2022

SURVEY NUMBER: SN2022-275

# PROPERTY LINE ADJUSTMENT RECORD OF SURVEY

FOR: MARYANNA MOORE

A PORTION OF LOT 11, BLOCK 3, MAYWOOD, SITUATED IN THE SW 1/4 OF SECTION 17, T.2S., R.2E., WM, CITY OF GLADSTONE, CLACKAMAS COUNTY, OREGON

CITY OF GLADSTONE APPROVAL

PLANNING CASE FILE NO. 20249-22-PLA

APPROVED THIS 11 DAY OF December, 2022.

BY *[Signature]*  
PLANNING DIRECTOR

## NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE ADJUSTED COMMON PROPERTY LINE BETWEEN TWO TRACTS OF LAND, BEING TRACT 1 AND TRACT 2, DESCRIBED IN DEED DOCUMENT NUMBER 2022-053037, CLACKAMAS COUNTY DEED RECORDS, BEING LOCATED IN LOT 11, MAYWOOD, CLACKAMAS COUNTY PLAT RECORDS.

BASIS OF BEARINGS IS NORTH 44°42'47" EAST, BETWEEN FOUND MONUMENTS "A" AND "B" PER PRIVATE SURVEY NUMBER 24467, WHICH ESTABLISHES THE SOUTHWEST RIGHT OF WAY LINE OF SE CALDWELL ROAD. NORTHWEST LINE OF TRACT 2 AND THE MOST NORTHWEST LINE OF TRACT 1.

RE-ESTABLISHED THE NORTHEAST LINE OF TRACT 2 BY HOLDING FOUND MONUMENTS "B" AND "C".

RE-ESTABLISHED THE SOUTHWEST LINE OF TRACT 2 BY HOLDING SOUTH AND PARALLEL WITH THE NORTHEAST LINE OF TRACT 2 A DISTANCE OF 80.00 FEET PER DEED RECORDED IN BOOK 585 PAGE 545, CLACKAMAS COUNTY DEED RECORDS.

RE-ESTABLISHED THE SOUTHWEST LINE OF TRACTS 1 AND 2 BY HOLDING FOUND MONUMENTS "C" AND "D".

RE-ESTABLISHED THE SOUTHWEST LINE OF TRACT 1 BY HOLDING FOUND MONUMENTS "A" AND A POINT WHICH BEARS SOUTH 44°42'45" WEST A DISTANCE OF 9.20 FEET OF FOUND MONUMENT "D" PER PRIVATE SURVEY NUMBER 27149, CLACKAMAS COUNTY SURVEY RECORDS.

RE-ESTABLISHED LINE 1 BY HOLDING SOUTHWEST AND PARALLEL WITH SAID RIGHT OF WAY LINE A DISTANCE OF 100.00 FEET PER DEED DOCUMENT NUMBER 2015-066657, CLACKAMAS COUNTY DEED RECORDS.

RE-ESTABLISHED LINE 2 BY HOLDING FOUND MONUMENT "E", NORTHEAST AND PARALLEL WITH THE SOUTHWEST LINE OF TRACT 2.

RE-ESTABLISHED LINE 3 BY HOLDING SAID RIGHT OF WAY LINE.

RE-ESTABLISHED LINE 4 BY HOLDING SOUTHWEST AND PARALLEL WITH THE NORTHEAST LINE OF TRACT 2 A DISTANCE OF 140.00 FEET PER DEED DOCUMENT NUMBER 80-34766 CLACKAMAS COUNTY DEED RECORDS.

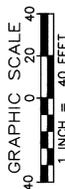
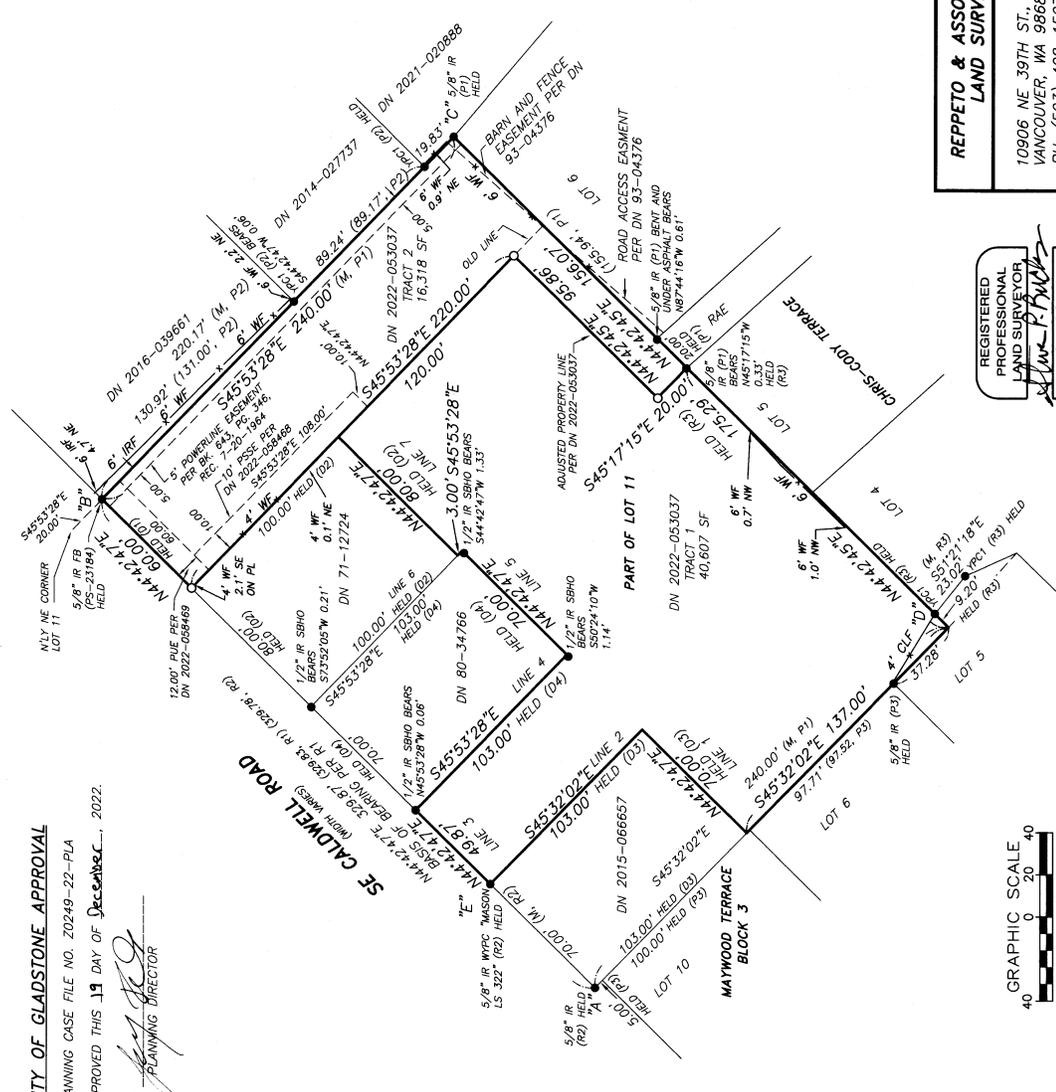
RE-ESTABLISHED LINE 5 BY HOLDING SOUTHWEST AND PARALLEL WITH SAID RIGHT OF WAY LINE A DISTANCE OF 103.00 FEET PER DEED DOCUMENT NUMBER 80-34766 CLACKAMAS COUNTY DEED RECORDS.

RE-ESTABLISHED LINE 6 BY HOLDING SOUTHWEST AND PARALLEL WITH THE NORTHEAST LINE OF TRACT 2 A DISTANCE OF 140.00 FEET PER DEED DOCUMENT NUMBER 71-12724 CLACKAMAS COUNTY DEED RECORDS.

RE-ESTABLISHED LINE 7 BY HOLDING SOUTHWEST AND PARALLEL WITH SAID RIGHT OF WAY LINE A DISTANCE OF 100.00 FEET PER DEED DOCUMENT NUMBER 71-12724 CLACKAMAS COUNTY DEED RECORDS.

## LEGEND

- O = 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED
- = MONUMENT FOUND AS NOTED.
- = MONUMENT FOUND AS NOTED.
- CLF = CHAIN LINK FENCE
- D1 = DEED BOOK 585, PAGE 545 C.C.D.R.
- D2 = DEED DOCUMENT NO. 71-12724, C.C.D.R.
- D3 = DEED DOCUMENT NO. 2015-066657, C.C.D.R.
- D4 = DEED DOCUMENT NO. 80-34766, C.C.D.R.
- DN = DEED DOCUMENT NO., C.C.D.R.
- FB = ORIGIN UNKNOWN, FOUND BY
- P1 = PLAT OF CHRIS-CODY TERRACE
- P2 = PARTITIONING SURVEY PS-23184
- P3 = PLAT OF MAYWOOD TERRACE
- PSSE = PUBLIC SANITARY SEWER EASEMENT
- PUE = PUBLIC UTILITY EASEMENT
- R1 = SN-24467
- R2 = SN-11025
- R3 = SN-171025
- RAE = 5/8" ROAD ACCESS EASEMENT FOR D1 PER P1
- SBHO = SET BY HOME OWNER
- SF = SQUARE FEET
- SN = SURVEY NO., CLACKAMAS COUNTY SURVEY RECORDS.
- WF = WOOD FENCE
- WYPC = WITH YELLOW PLASTIC CAP STAMPED
- WYPC1 = 5/8" IR WYPC "LOVE 747"
- ( ) = RECORD INFORMATION



**REPELTO & ASSOCIATES, INC.**  
 LAND SURVEYORS  
 10906 NE 39TH ST., STE. A7  
 VANCOUVER, WA 98682  
 PH. (503) 408-1507  
 WWW.REPELTOSURVEYING.COM

DATE: NOV. 16, 2022 FILE: M22032-PLA.DWG  
 DRAWN BY: MP JOB NO. M22032

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
*[Signature]*  
 OREGON  
 JULY 17, 1986  
 STEVEN P. BUCKLES  
 2331  
 REHEARS: 12/31/23

**PRELIMINARY PARTITION PLAT  
EXISTING CONDITIONS SURVEY**

FOR: MARYANNA MOORE

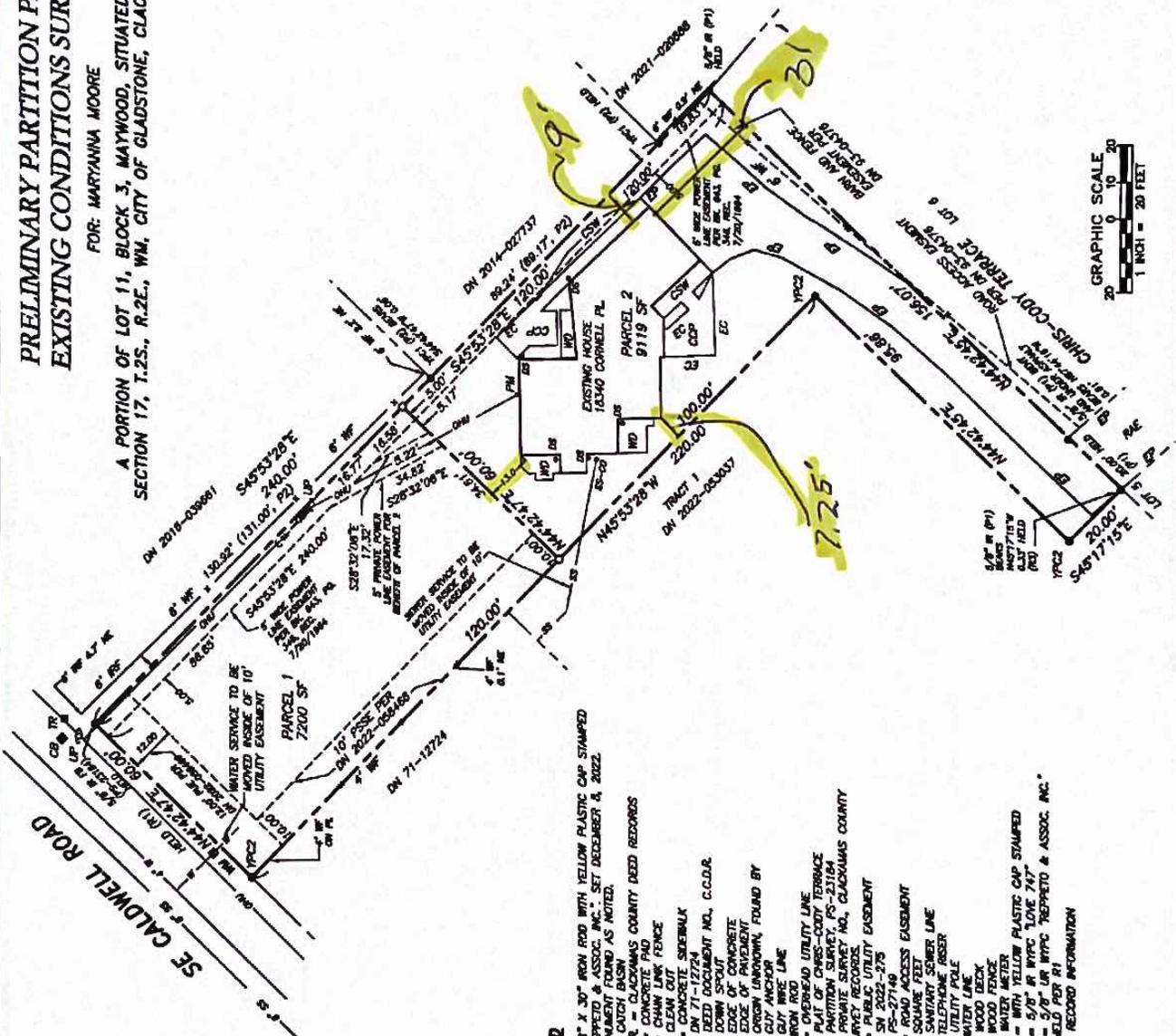
A PORTION OF LOT 11, BLOCK 3, MAYWOOD, SITUATED IN THE SW 1/4 OF SECTION 17, T.25S., R.2E., WM, CITY OF GLADSTONE, CLACKAMAS COUNTY, OREGON



**REPPETO & ASSOCIATES, INC.  
LAND SURVEYORS**  
10908 NE 38TH ST., STE A7  
VANCOUVER, WA 98682  
Phone: (503) 408-1507  
www.repetto.com

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
After 3 Books  
JULY 17, 1988  
SHELI P. BUDDES  
2501  
EXPIRES 12/31/23

DATE: JAN 4, 2023 FILE: M2P002-PCLDING  
DRAWN BY: MP JOB NO. M2P01Z



**LEGEND**

- O = 5/8" x 3/8" IRON ROD WITH YELLOW PLASTIC CAP, STAMPED
- = 1/2" ALUMINUM PIN, STAMPED "R.C. INC." SET DECEMBER 4, 2022.
- = MONUMENT FOUND AS NOTED.
- CB = CATCH BASIN
- C.C.D.R. = CLACKAMAS COUNTY DEED RECORDS
- CON = CONCRETE PAD
- CLF = CHAIN LINK FENCE
- CO = CLEAN OUT
- CS = CONCRETE SIDEWALK
- DN = DEED DOCUMENT NO., C.C.D.R.
- DS = DOWN SPOUT
- EC = EDGE OF CONCRETE
- EP = EDGE OF PAVEMENT
- FB = FOUND FOUNDING FOUND BY
- GI = GUY WIRE LINE
- GR = GUY WIRE
- IR = IRON ROD
- OHU = OVERHEAD UTILITY LINE
- P1 = PLAT OF CHRIS-CODY TERRACE
- P2 = PARTITION SURVEY, PS-23184
- PS = PROSTATE SURVEY NO., CLACKAMAS COUNTY
- RUE = PUBLIC UTILITY EASEMENT
- R1 = SN 2022-278
- R2 = SN 2022-279
- R3 = PS-27149
- R4E = ROAD ACCESS EASEMENT
- SF = SQUARE FEET
- SS = SANITARY SEWER LINE
- UP = UTILITY POLE
- W = WATER LINE
- WD = WOOD DECK
- WM = WOOD FENCE
- WM = WATER METER
- WPC = WITH YELLOW PLASTIC CAP, STAMPED
- WPC1 = 5/8" IR WPC, LOVE 747
- WPC2 = 3/8" IR WPC, REPPETO & ASSOC. INC.
- WPC3 = 1/2" IR WPC, REPPETO & ASSOC. INC.
- ( ) = RECORDED INFORMATION

TOP portion  
of 600

FORM No. 631-WARRANTY DEED  
KA

KNOW ALL MEN BY THESE PRESENTS, That  
V. M. PUCKETT and LINDA PUCKETT, husband and wife

in consideration of Ten and other good and valuable consideration, Grantor  
to them paid by ROBERT A. JOHNSON and MARYANNA JOHNSON, husband  
and wife, Donee

do hereby grant, bargain, sell and convey unto the said donee, their heirs and assigns, all  
the following real property, with the tenements, hereditaments and appurtenances, situated in the County  
of CLACKAMAS and State of OREGON, bounded and described as follows, to-wit:  
Part of Lot 11, Block 3, MAYWOOD, in the County of Clackamas  
and State of Oregon, described as follows:  
Beginning at the most northerly corner of said Lot 11; thence  
southeasterly along the northeasterly line of said Lot, 20  
feet, more or less, to the southerly line of Caldwell Road and the  
true place of beginning; thence continuing southeasterly along the  
northeasterly line of said Lot, 15 feet; thence southwesterly  
at right angles to said last mentioned line a distance of 60 feet;  
thence northwesterly at right angles to the last line a  
distance of 150 feet to the southeasterly line of said Caldwell  
Road; thence northeasterly along the southeasterly line of said  
Caldwell Road, a distance of 60 feet to the true place of  
beginning.

To Have and to Hold the above described and granted premises unto the said donee, their  
heirs and assigns forever.  
And they the grantor do covenant that they are lawfully seized in fee simple of the above  
granted premises free from all encumbrances, except conditions and restrictions of record  
and all sewer assessments.

and that they will and their heirs, executors and administrators, shall warrant and forever  
defend the above granted premises, and every part and parcel thereof, against the lawful claims and  
demands of all persons whomsoever.

Witness our hand and seal this 4th day of April, 1961



V. M. Puckett (SEAL)  
Linda Puckett (SEAL)

STATE OF OREGON,  
County of Clackamas. On this 4th day of April, 1961,  
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the  
within named V. M. Puckett and Linda Puckett, husband and wife  
who are

known to me to be the identical individuals described in and who executed the within  
instrument, and acknowledged to me that they executed the same freely and voluntarily.  
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official  
seal the day and year last above written.

Notary Public for Oregon  
My commission expires Oct. 6, 1964  
STATE OF OREGON

WARRANTY DEED

V. M. Puckett and Linda Puckett

husband and wife

TO

Robert A. Johnson and Maryanna

Johnson, husband and wife.

AFTER RECORDING RETURN TO

Portland Federal Savings and  
Loan Association  
333 S. W. Fifth Ave.,  
Portland, Oregon

BOOK 585 PAGE 545

STATE OF OREGON  
I, Robert A. Johnson, County Clerk, Esq.,  
and Secretary of the County of Clackamas,  
do hereby certify that the within  
instrument is a true and correct copy  
of the original as the same appears  
from the records on file in my  
office.

DEED  
MAY 10 1961  
CLACKAMAS CO. OR

BOOK 585 PAGE 545

STATE OF OREGON  
COUNTY OF CLACKAMAS  
I, [Signature], County Clerk,  
do hereby certify that the within  
instrument is a true and correct copy  
of the original as the same appears  
from the records on file in my  
office.

Oregon City Abstract Co. - BUREAU BUILDING, OREGON CITY, OREGON

REF. No. 01-16017  
62290

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That Maryanna Johnson, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Maryanna Johnson hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit:

Part of Lot 11, Block 3, MAYWOOD, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the most northerly corner of said Lot 11; thence southeasterly along the northeasterly line of said Lot, 20 feet, more or less, to the southerly line of Caldwell Road and the true place of beginning; thence continuing southeasterly along the northeasterly line of said Lot, 240 feet; thence southwesterly at right angles to said last mentioned line a distance of 60 feet; thence northwesterly at right angles to the last line a distance of 240 feet to the southeasterly line of said Caldwell Road; thence northeasterly along the southeasterly line of said Caldwell Road, a distance of 60 feet to the true place of beginning.

The intent of this Deed is to combine an additional 90 feet to the southerly end of Tax Lot 600 as shown on Clackamas County Assessors Map No. 22F 17CC.

creates full TL 600 240' x 60'

To Have and to Hold the same unto the said grantees and grantees' heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ None. However, the actual consideration consists of or includes other property or value given or promised which is the whole of the consideration (indicate which). In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals. In Witness Whereof, the grantor has executed this instrument this 29 day of December, 1978; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Maryanna Johnson

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Multnomah

December 29, 1978

Personally appeared the above named Maryanna Johnson

and acknowledged the foregoing instrument to be her voluntary act and deed.

Notary Public for Oregon My commission expires 9-12-81

STATE OF OREGON, County of ... 1978

Personally appeared ... who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of ...

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon My commission expires: (OFFICIAL SEAL)

Maryanna Johnson 6422 Caldwell Road Gladstone, OR 97027

(same as above)

Maryanna Johnson 6422 Caldwell Road Gladstone, OR 97027

(same as above)

STATE OF OREGON I, George D. Propp, County Clerk, Ex-Officio Recorder of Conveyances and Easements of the Circuit Court of the County of Clackamas, do hereby certify that the within instrument of writing was received for and recorded in the records of said county at

78 DEC 29 P 4: 55



78 56021

78 56021

KNOW ALL MEN BY THESE PRESENTS, That ROBERT A. JOHNSON

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto MARYANNA JOHNSON

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any-wise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit:

Part of Lot 11, Block 3, PLAT OF MAYWOOD, as recorded in Book 6, Page 24, Plat Records, located in Clackamas County, Oregon, more particularly described as follows:

TRACT C: Beginning at the most northerly corner of said Lot 11, thence Southeasterly along the northeasterly line of said lot, 20 feet, more or less, to the southerly line of Caldwell Road and the true place of beginning; thence continuing southeasterly along the northeasterly line of said lot, 150 feet; thence Southwesterly at right angles, to said last mentioned line, a distance of 60 feet; thence Northwesterly at right angles to the last line, a distance of 150 feet to the southeasterly line of said Caldwell Road; thence Northeasterly along the southeasterly line of said Caldwell Road, a distance of 60 feet to the true place of beginning.

It is the purpose of this deed to dissolve the previously existing tenancy by the entirety between the parties hereto and to vest the entire ownership interest in the described property in the grantee.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$

However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

In construing this deed the singular includes the plural as the circumstances may require.

Witness grantor's hand this 15 day of May, 1975

[Signature of Robert A. Johnson]

STATE OF OREGON, County of Clackamas ) ss. Robert A. Johnson May 15, 1975

Personally appeared the above named and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: [Signature of Notary Public] Notary Public for Oregon My commission expires 9/24/77

NOTE—The hyphen between the symbols ( ) and ( ) if not applicable, should be deleted. See Chapter 463, Oregon Laws 1967, as amended by the 1967 Special Session.

QUITCLAIM DEED

Robert A. Johnson TO Maryanna Johnson

AFTER RECORDING RETURN TO V. G. Van Bergen Attorney at Law 2120 Monroe Street Milwaukie, Oregon 97228

STATE OF OREGON County of Clackamas George D. Poppen, County Clerk, Esq. Office Recorder of Conveyances and Esquire Clerk of the Circuit Court of the State of Oregon, for the County of Clackamas, do hereby certify that the within instrument of writing was received for the record of said county at 11:13 AM 11 09 [Stamp] GEORGE D. POPPEN County Clerk Deputy. Recording Certificate 75 15486

Quitclaim Deed for top portion of 600



**Public Works Comments for Partition at 18340 Cornell Pl.**

**(revised) 1.10.2023**

**Water system:**

There is an existing water service on Caldwell Rd. The submitted plan indicates moving the private portion of the water service for Parcel 2 west into a utility easement. A new water service will be required for Parcel 1. Water services shall meet the required separation from sanitary mains and laterals. A water SDC will have to be paid prior to receiving a second water meter.

Public water improvements (from the main to the meter) will be permitted through City of Gladstone Public Works. Private water improvements (between the meter & the building) will be permitted through Clackamas County Building Department.

**Sanitary Sewer:**

The existing home on proposed Parcel 2 has an existing sewer lateral encroaching that is shared with the neighboring property. The submitted plan shows a new sewer lateral being installed for Parcel 2 in the utility easement. The existing lateral shall be capped at or downstream of the property line. Each lot in this partition will require a separate sanitary sewer lateral. The sanitary laterals shall have a cleanout placed at the back of curb that will separate public and private maintenance responsibility.

Public sanitary sewer improvements (from the main to the cleanout) will be permitted through City of Gladstone Public Works. Private sanitary sewer improvements (upstream of the cleanout) will be permitted through Clackamas County Building Department.

**Street improvements:**

Caldwell Rd. improvements shall include street widening and a new curb line in alignment with the existing curb line to the east. There is no existing sidewalk in the vicinity, so no sidewalk improvement is required. No additional right-of-way is required. A street light is located at the northeast corner of proposed Parcel 1, no additional street lighting is required.

The existing pavement edge shall be sawcut back to a line approved by the City of Gladstone Public Works inspector, then paved to meet the new curb line. All street improvements, including sawcut, widening, pavement taper, curb, and driveway approach shall conform to City of Gladstone Public Works Standards.

Street improvements will be permitted through City of Gladstone Public Works.

**Storm Drainage:**

A new catch basin shall be installed at the downhill end of the new curb on Caldwell Rd. If the catch basin does not land over the existing storm drain pipe in Caldwell Rd., a storm drain manhole may also be required. Roof drains from Parcel 1 shall be piped into the new catch basin with a cleanout installed at the back of curb to separate public/private maintenance responsibility. No water quality treatment or detention improvements will be triggered by the one new home.

Public storm drain improvements (within the right-of-way) will be permitted through City of Gladstone Public Works. Private storm drain improvements (on private property) will be permitted through Clackamas County Building Department.

**Franchise Utilities:**

The applicant shall coordinate with the service providers for franchise utility services. A minimum 8-foot Public Utility Easement shall be noted on the plat along the Caldwell Rd. frontage of proposed Parcel 1.

**Grading:**

Permits for site grading (if necessary) will be issued through the Clackamas County Building Department.

**Erosion Control:**

Erosion Control permit will be issued through Clackamas County Water Environment Services.

**Construction Plans:**

Plans detailing the street and utility improvements in Caldwell Rd. shall be submitted to the City of Gladstone Public Works Department for review and approval per 17.60.010 and 17.42.030. The design, location, and planned installation of all street and sidewalks, natural gas, power, street lighting, telephone, cable television, storm water, water, and sanitary sewer provisions are subject to approval by the appropriate agency/utility service provider. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon. Plan submittal shall include (3) paper sets of plans, a pdf copy, and an Engineer's Estimate for the public improvements.

**Pre-construction Conference:**

Once grading/construction plans are ready to be approved by the City of Gladstone, a Pre-Construction Conference with final sign-off on the Construction Plans is required per 17.42.030, if deemed necessary by the Public Works Director.

**As-Built Plans:**

At the completion of construction, and prior to the approval of the Certificate of Occupancy, the applicant shall provide the City Public Works Department with as-built submittals per 17.60.020 (7).



**NOTICE OF PUBLIC HEARING  
GLADSTONE PLANNING COMMISSION**

DATE & TIME: **01/17/23.** This item will not begin earlier than **6:30 p.m.** However, it may begin later depending on the length of preceding items.

PLACE: Per the Governor’s Executive Order 20-16 and House Bill 2560, regarding compliance with Oregon’s public meetings laws, the City of Gladstone is abiding by social distancing requirements during the coronavirus pandemic. This public hearing will be conducted in person at the Gladstone City Hall located at 18505 Portland Avenue | Gladstone, OR 97027, as well as virtually using the Zoom platform. The Zoom link to the public hearing and details on how to observe and testify online or by telephone will be available after **January 10<sup>th</sup>, 2023** on our website: <https://www.ci.gladstone.or.us/bc-pc/page/planning-commission-meeting-74>.

FILE NO: Z0489-22-M

LOCATION 18340 CORNELL PL, # GLADSTONE, OR 97027. Tax lot No: 22E17CC00600

DEVELOPMENT PROPOSAL: Applicant is proposing to divide the property into two lots. One with road frontage on Caldwell Rd and one with access from Cornell Place. Both parcels are proposed to meet or exceed the minimum lot size of 7,200 square feet. An adjustment to the rear setback for the existing house is also requested.

APPLICABLE REVIEW STANDARDS: Chapter 17.10, 17.30, 17.34, along with the DIVISION VII, of Title 17 of the Gladstone Municipal Code.

All interested parties are invited to “attend” the hearing online or by telephone and will be provided with an opportunity to testify orally, if they so choose. Written testimony may be submitted by email, or regular mail. Please include the permit file number on all correspondence and address written testimony to the staff contact who is handling this matter. Any correspondence received in advance of the meeting will be forwarded to the Planning Commission.

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. In addition, a staff report on the application will be available for inspection at no cost at least seven days prior to the hearing. Hard copies of documents will be provided at a cost of \$1 for the first page and 10 cents for each additional page or you may view or obtain these materials:

1. By emailing or calling staff, Heather Austin, at 503.946.9365 x206 or [heather.austin@3j-consulting.com](mailto:heather.austin@3j-consulting.com); or
2. By requesting a copy of the application at City Hall located at 18505 Portland Avenue Gladstone.

Please note that failure to raise an issue in a hearing, in person, or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.