GLADSTONE PLANNING COMMISSION AGENDA
GLADSTONE CIVIC CENTER, 18505 PORTLAND AVENUE

Tuesday, May 19, 2020
6:30 p.m.

Per the Governor's Executive Order 20-16, regarding compliance with Oregon's public meeting laws, the City of Gladstone is abiding by social distancing requirements during the coronavirus pandemic. This public hearing will be conducted virtually using the Zoom platform.

Join Zoom Meeting
https://zoom.us/j/98775474157?pwd=M29oRVZMUEcrbUo4WGxyMnYwV3RnUT09

Meeting ID: 987 7547 4157
Password: 171342
One tap mobile
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6:30 P.M. CALL TO ORDER
ROLL CALL
FLAG SALUTE

CONSENT AGENDA

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

1. Approval of February 18, 2020 Meeting Minutes (no meetings in March & April)

REGULAR AGENDA

2. Monthly Planning Report – February, March, April 2020

3. **Public Hearing**: File Z0018-20-D. Remodeling existing 1,838 sq. ft. building to meet code, ADA requirements and change exterior. Proposal includes site development with the addition of a trash enclosure, bottle storage room, new fuel tanks and increased paving for vehicular circulation and parking. 810 E Arlington, Peter Kappertz.

4. **Public Hearing:** File Z0071-20-C. Convert existing 27,000 sq. ft. building to provide 48 residential units that will be a mix of single-room occupancy, (SRO) and studios, for older adults, as well as space for third party supportive services. Proposal includes site maintenance with the removal of some accessory structures and repairing the parking area. 18000 Webster Road. Housing Authority of Clackamas County.

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

CONSENT AGENDA

GLADSTONE PLANNING COMMISSION MEETING MINUTES of February 18, 2020

Meeting was called to order at 6:30 P.M.

ROLL CALL:
Chair Michael Milch, Commissioner Andriel Langston, Commissioner Natalie Smith, Commissioner Malachi de AElfweald, Commissioner Les Poole, Commissioner Darren Williams, Commissioner Patrick Smith

ABSENT:
None

STAFF:
Tami Bannick, City Recorder; Joy Fields, Senior Planner; Jacque Betz, City Administrator; Mike Funk, Fire Marshal; John Schmerber, Police Chief

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CONSENT AGENDA:

1. **Approval of January 21, 2020 Meeting Minutes**
   Commissioner Langston made a motion to approve the Consent Agenda. Motion was seconded by Commissioner Patrick Smith. Motion passed unanimously.

BUSINESS FROM THE PUBLIC:
None.

REGULAR AGENDA:

2. **Monthly Planning Reports – January 2020:**
   Ms. Fields went over the planning report. In January there were 5 customer service contacts at the counter, 43 customer phone/email contacts, 5 building permits with land use review, 1 pre-application conference, and 2 administrative decisions. The administrative decisions included the gas station (76 Station) sign revisions – they requested a free standing sign and requested to amend the application to include the circles on the fuel canopies. There was a two lot partition on Columbia Avenue. The pre-application conference was for 18085 Webster Road - a proposal for new garages, storage, and recreational space at an existing multi-family complex. Under building permits, the W. Arlington Street project had a design review that was approved and they are still working with Public Works to have the pre-construction conference.

   She said in March there will be two land use matters coming before the Planning Commission. One is 810 E. Arlington Street – a design review application. They are doing site improvements as well as renovation to the existing gas station. They are also proposing to add a new trash enclosure and a bottle storage area. The second one is 18000 Webster Road – a conditional use application combined with an authorization of similar use.

3. **Public Hearing: File TXT-2020-01 – R-5 and R-7.2 Zoning District Text Amendments – Accessory Dwelling Units (ADU's) – Remove additional off-street parking and owner-occupancy requirements for ADU's in the R-5 and R-7.2 Zoning Districts (Chapters 17.10 and 17.12 of the Gladstone Municipal Code) unless ADU's are used as vacation rentals. Modify Chapter 17.78 (Home Occupations) to include a procedure for permitting ADU's as vacation rentals:**
   Ms. Fields said in January she gave an overview of three items that have been passed by the Oregon Legislature. Two of them come into play tonight. One is Senate Bill 1051, which required accessory

dwelling units to be allowed on single-family residential lots. However, they allowed local jurisdictions to have regulations that were reasonable. House Bill 2001 was then passed in 2018 – there was language that clarified that requiring an accessory dwelling unit have one additional parking spot above what was required of the single-family residence as well as owner occupancy was not considered reasonable. She said they will be discussing proposed changes. The proposed changes are to Section 17.10 (single-family residential district) and 17.12 (single-family residential district within the City limits of Gladstone) – in both districts the proposed changes are to remove the additional parking space requirement for ADU's and remove the owner occupancy unless that ADU is used as a vacation rental. In reviewing the proposed changes with City staff it was brought to her attention that there would need to be some system for reviewing the owner occupancy and additional parking space if the ADU was used as a vacation rental. They will be looking at proposed changes in three sections of the Gladstone Municipal Code (GMC). The text amendments are meeting the House Bill 2001 requirements and are in line with the GMC that says text amendments must come before the Planning Commission to be considered and then make a recommendation to the City Council after holding a public hearing.

The Gladstone Comprehensive Plan has a goal for housing that is to meet the housing needs of all segments of the population through optimum utilization of housing resources for the construction, rehabilitation, and maintenance of the diversity of housing types at appropriate locations, price ranges, and rent levels while preserving and enhancing the integrity and identity of existing residential neighborhoods.

The proposed text amendments also trigger a review of the State-wide planning goals to make sure they are in line with those. Goal number one is citizen involvement. Goal number ten is housing. Goal number twelve is transportation. There are other goals that are applicable as well, but some of them are only applicable to counties and are not necessarily relevant to the discussion tonight although they are included in the staff report. House Bill 2001 exempts the changes of the code from going through a transportation analysis if it is to meet the middle housing needs as required. In 17.10 the accessory uses allowed in a single-family residential district include ADU's, which are subject to a variety of standards. One of the standards currently in the code is either that the primary dwelling unit or the ADU shall be owner occupied for as long as the other unit is being rented or otherwise occupied. Prior to issuance of a building permit establishing an ADU a deed restriction requiring owner occupancy of one of the units shall be recorded in the Clackamas County Clerk's office in the form prescribed by the City. Per House Bill 2001 that is no longer reasonable and neither is the one off-street parking space that is provided in addition to the off-street parking space required by Chapter 17.48 of the GMC.

In regard to Item G there was a question of whether "visually similar" was objective or if it needed to be removed to meet Senate Bill 1051 objective standards.

Item I has proposed changes that aim to provide clear and objective criteria.

Item L has two options – one is an ADU used as a vacation rental shall provide one off-street parking space in addition to the off-street parking space required by GMC for the primary dwelling unit and a deed restriction requiring owner occupancy. The other option is ADU's used as vacation rentals shall be subject to 17.78, which is home occupations and shall provide one off-street parking space and a deed restriction.

Chapters 17.10 and 17.12 have the same language for ADU's. Items D and E are removed.

Section 17.78 – Home Occupations – in all zones, home occupations in the same lot shall be accessory to the principle residential use and shall be permitted only in the following categories - #5 was added for consideration (Vacation Rentals as defined in ORS 90.100). She went over Type I and Type II home occupations and possible changes in that section as well as other possible changes to this section.

Staff is recommending approval of the proposed text changes to the GMC Chapters 17.10 and 17.12 and consider the changes in 17.78 and approve those changes that the Planning Commission determine to be appropriate and make that recommendation to City Council who will also be holding a public hearing and making the final determination.

Commissioner de AElfweald asked Ms. Betz to have City Council review page 3-4, B. - Gladstone Comprehensive Plan Housing Goal, Policy #2 – it doesn't actually apply to the City of Gladstone because it's talking about centers that are served by mass transit transfer stations, which we don't have within the City limits.

Chair Milch asked for the definition of "permitting" in this instance. Ms. Bannick said she believes it would be applying for a business license and a home occupation permit. Chair Milch asked if there was a definition for "short term" occupancy. Ms. Betz said they would have to refer to the ORS statute.

Commissioner de AElfweald said on page 3-5, l, Goal 12 – expectation of traffic impact. They are reducing required parking and increasing the number of on-street parking so he doesn't think they can legitimately say that there will not be an impact on the transportation system. He is okay with them saying that the justification is the house bill but he is not okay with them saying that there will not be an impact on the transportation system. Commissioner Poole agreed.

Commissioner Patrick Smith asked about page 3-3, Proposed Amendments, #1 – in regard to removing the parking requirement how that started/how we got that. Ms. Fields said House Bill 2001.

Commissioner Patrick Smith asked if any of the representatives from the Fire and Police Departments wanted to comment. Fire Marshal Funk said his concern is locating the ADU in case of emergency – there doesn't seem to be anything in the code as to how the ADU is identified and if the address is not visible from the street. He proposed posting the address inside the ADU's. There was further discussion on this topic.

There was discussion regarding the minimum/maximum size of ADU's. There was discussion regarding manufactured dwellings/tiny homes, square footage ratios, and detached versus attached dwellings.

Commissioner de AElfweald had an issue with page 3-11, deed restrictions – if the owner is occupying the accessory dwelling it isn't a vacation rental. Ms. Fields said this brings in Chapter 17.78 – if the ADU is being used per the deed restriction by the owner then only 25% of the primary dwelling can be used as the ADU as the proposed changes are now. The owner has to live on the site but they can choose to live either in the primary dwelling or the ADU. Commissioner de AElfweald questioned whether it makes sense to add the deed restriction at all. Chair Milch explained that the only time the houses would have to be owner occupied would be if one was a short-term vacation rental as opposed to regular rentals. There was discussion regarding various scenarios.

Commissioner Williams suggested focusing on the two issues that need to be adopted tonight in order to comply, then address the other issues as they progress. Commissioner Natalie Smith suggested discussing the other issues during the work session with City Council. Commissioner Poole asked for clarification.

Ms. Fields said 17.10 and 17.12 are the ones that they need to address. 17.78, that discusses home occupations in relation to ADU's could be part of the code audit and could be discussed at length. Ms. Betz agreed that they should not deal with 17.78 tonight because there are a lot of unanswered questions. Senate Bill 100 is in relation to just addressing affordable housing so she feels it's important for the City to come in compliance since they have not been compliant for over a month. They have a grant to get into the housing needs analysis and finish the housing code audit and that would be the appropriate place to address the concerns such as the ones Commissioner de AElfweald has.

Chair Milch discussed page 3-10, paragraphs (d) and (e) which will be removed from the current code. Commissioner de AElfweald asked why (f) is required. Ms. Fields said because it is in the current code. Commissioner de AElfweald said he understands that is why it's there but he feels that if they are editing the code they should at least question whether it's valid for what they are changing. He said in the past they look at code and they are told to only look at the small piece that they are editing and then everything else sits for ten years. He said they shouldn't just skip by it. Chair Milch said it won't be a ten year skip because they are paying for a code audit that will look in more detail at these other things – their goal for tonight is to get through the ones that would bring us into compliance with these specific sections.

Commissioner Natalie Smith made a motion to recommend to City Council amending Section 17.10, R-7.2, Section 5, of the Gladstone Municipal Code (GMC) with the removal of paragraphs (d) and (e) as shown in the staff report. Motion was seconded by Commissioner Williams.

Discussion: Commissioner de AElfweald said it feels like what they are being asked to do is to rubber stamp specific changes rather than actually dealing with the issues as a whole and he is not okay with that. Chair Milch said they are making specific changes to bring us into compliance with things that the State has dictated that they have to have in our code. Commissioner de AElfweald said he understands that but he is not okay with them just glossing over everything else. Chair Milch agreed and said he has a lot of things that he would like to look at with much greater depth than they have time to do tonight. Commissioner de AElfweald said in the last three years every time they have said they would address the other issues it has never happened. Commissioner Natalie Smith suggested a committee with citizens on it to look into the issues. The other Commissioners agreed that they need to look at these issues in greater depth.

Motion passed unanimously.

Commissioner Williams made a motion to recommend to City Council amending Section 17.12, R-5, of the Gladstone Municipal Code (GMC), with the removal of paragraphs (d) and (e) as shown in the staff report. Motion was seconded by Commissioner Natalie Smith. Discussion:

Commissioner Poole asked about the visually similar aspect. Chair Milch said they didn't discuss those but he has concerns because he has read that parts of the codes that are impediments to the development of ADU's include these kinds of requirements. He understands that they included them here in order to comply with Senate Bill 1051 "clear and objective standards" but he has seen codes developed with a little more detail than this. He feels that the ADU's offer an opportunity to

increase the housing supply and to give people a chance to make their property worth more and perhaps generate some income.

Motion passed unanimously.

Commissioner Poole said they did not address eliminating "visually similar" on page 3-10, paragraph (g). He sees this as an impediment. Chair Milch said they are not recommending approval of that part right now.

Chair Milch feels they should take action with regard to the language regarding the ADU's used as vacation rentals – this is the exception that the State law allows (Page 3-11, paragraph (l), 1 & 2). Ms. Betz had suggested they not address 17.78 tonight. Ms. Fields said the trip generation issue would be a good discussion point when 17.78 is looked at again. Commissioner de AElfweald feels that #2 is confusing and he is not sure it is necessary. There was further discussion regarding the topic of deed restrictions. Chair Milch said that right now the motion is to include the deed restriction requirement and the change in the additional off-street parking requirements for ADU's used as a vacation rental. If the commissioners vote yes they want to keep the deed restriction requiring owner occupancy of one or more of the units.

Commissioner Langston made a motion to add the language in paragraph (l) on page 3-11 that applies to both R-5 and R-7.2 zoning areas. Motion was seconded by Commissioner Poole. Motion passed (6-1, Commissioner de AElfweald was opposed).

Commissioner Williams feels this topic needs more discussion and it is very important that they go through it. Chair Milch would like to do a presentation at the Senior Center regarding information published by AARP regarding ADU's.

Commissioner de AElfweald would like to make some recommendations regarding 17.78 so that if this is brought before them to review next time they would have updates:

Page 3-27, Section 2 – he feels they need to update this to not preclude telecommuting.

Page 3-28, (11) – he feels that "personal contact may be permitted" should be replaced with "in person contact" to not prohibit online as well.

Page 3-28, (13 and 15) – both have outdated wording to allow online as a possible option as well.

Page 3-29, Sections 2 & 4 – he would like to update the "City Administrator or his designee" to be gender neutral. It was noted that this correction needs to be made throughout the code.

4. **Discussion of Annual Work Plan for 2020 (March 24, 2020 is the target date for a joint work session with City Council to discuss the 2020 Planning Commission Work Plan):**

Chair Milch went over the draft work plan objectives for 2020:

1. Implement Elements of the Gladstone Revitalization
2. Address Affordable Housing
3. Transportation/Parking
4. Code Revisions – Energy Efficiency
5. Code Revisions – Nuisance/Membrane Structures

Ms. Betz said that Mr. Southgate is applying for the grant funding to help us finish the housing code audit and the housing needs analysis. They are working with Kittelson & Associates to get

updated numbers on Portland Avenue street improvements because that project is going to be folded into the T-2020 Metro funding package.

Chair Milch asked if anyone had anything they wanted to add to the list. Commissioner de AElfweald feels that the notification requirements should be reviewed and updated. Chair Milch asked to what extent can they/should they rely on social media as public notification – does it meet requirements under the law? Commissioner de AElfweald said that it would not be enough to comply with the law in itself but there isn't anything that would prohibit the City from using it as an extra means of notification.

Commissioner Patrick Smith asked if any of our surrounding communities are further down the road than we are in adopting regulations relating to ADU requirements. Ms. Fields said there are a number of communities that have started looking at the middle housing issue and addressing that. They have chosen to address it in a variety of ways, many of which did not focus on ADU's (transitional communities, a grant looking at cluster housing development regulations, etc.). Commissioner Patrick Smith said that maybe if somebody else has already invented the wheel and it's working maybe she could let them know what that wheel is. Commissioner Poole pointed out that we need to look at what other communities *like us* are doing. Ms. Fields said that the State has recommendations for language that she will forward to the Commissioners.

Commissioner Poole said in regard to Transportation/Parking that we have regional connectivity constraints (a limited number of bridges and rivers on two sides) that don't get enough attention when we think about transportation and how folks are going to get around. We have a growing congestion problem and Metro's Transportation Plan for Gladstone is sorely lacking. If we don't focus on the big picture all of the nice things we're doing in this community will be compromised. There was discussion regarding opinions on light rail.

BUSINESS FROM THE PUBLIC:
None.

BUSINESS FROM THE COMMISSION:

Commissioner Patrick Smith:
He said in regard to "Code Revisions – Nuisance/Membrane Structures" – they gave a recommendation to City Council and they passed it. He saw one that was brand new and he dropped a note to Officer Boyle – his response was: It was recently discovered that the new ordinance that was intended to regulate membrane structures is unenforceable. The new ordinance was written by County Planning and the section of the code that it was written under limits its enforcement only when the structure is subject to design review. Design review is not applicable to temporary structures that are under 400 square feet. Commissioner Patrick Smith said we need to be careful if we do this over again to make sure that these things that they pass are workable and enforceable.

Chair Milch:
He thanked Commissioner Williams for being the new eyes and ears on the Commission because it's important to hear things from a different perspective.

Commissioner Poole:
He said the Metro T-2020 Transportation Plan was mentioned as a possible source for funding Portland Avenue – he intended to bring that bond measure up tonight because there hasn't been much discussion in the community about what it means and what's going on. In 2018 Metro put the bond for the Affordable Housing Measure on the ballot and the voters passed it. At the time there was approximately $1.8 billion

in transportation bonding that they were planning on and they decided to wait another year or two because it was more critical that they address the housing issue. At the start of 2019 we began the process which was approximately $900 million for traffic congestion relief and about $900 million bonded for the southwest light rail. Since that time it's morphed into a $3 billion bond measure and about $2 - $3 billion in fees, taxes, etc. He is very troubled by what he is seeing and hearing. If the bond measure goes to the ballot in its current form it will probably get a lot of resistance. If it's turned down by the voters in November the good parts of it all go out the door. He would strongly recommend that everyone get versed on what's going on because it's turned into a giant monster that's way off course and Metro is responsible for that. He feels we are missing the boat if we don't address the Metro T-2020 Plan in a bigger way. He feels the bond measure needs to be whittled down and presented to the citizens in a way where they can digest it or we will lose the good part of it.

Commissioner de AElfweald:
He wanted to remind Commissioners that if they took notes on their notebook that per our lawyer it's a new public document and they need to either keep it or mail a copy of it to themselves at their City email address. Ms. Betz said they do have the notebooks available for the Commissioners.

Chair Milch:
He said he is still new at this. He hopes that in the future the conversations could be a little more regulated from the Chair and a little less free form. He likes the input that they are getting, particularly from people who see things from a multitude of perspectives. They have what could be a pretty substantial work plan ahead of them for the year and they will try to move things along a little smoother, respect the time of staff who come here, and work together well as a Commission.

ADJOURN:
Meeting adjourned at approximately 8:33 P.M.

Minutes approved by the Planning Commission this _____ day of _____, 2020.

_____
Michael Milch, Chair

REGULAR AGENDA

City of Gladstone Monthly Report | February 2020

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	January	February	YEAR TOTALS
Customer Service Counter Contacts	5	10	15
Customer phone/email Contacts	43	66	109
Building Permits with Land Use Review	5	4	5
Pre-application Conferences	1		1
Administrative Decisions	2	1	3

PLANNING COMMISSION ACTIONS/DECISIONS

- Public Hearing on proposed code amendments – made a recommendation to City Council.

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- None

PRE-APPLICATION CONFERENCES

- None

ADMINISTRATIVE PERMITS

- Z-0097 – 20- D Gladstone Civic Center signs

BUILDING PERMITS WITH LAND USE REVIEW

FEBRUARY			
Date	**Address**	**Building Permit #**	**Description**
02/11/2020	18505 Portland Ave	B0015820	Carport cover
02/26/2020	285 W. Ipswich Street	B0094820	Patio Cover
02/26/2020	175 W. Berkeley Street	B0095020	Replace rafters and install bathrooms
02/26/2020	75 82nd Drive	B0094220	Commercial Tenant Improvement- balcony removal
02/27/2020	17770 Webster Rd	B0097520	Commercial Tenant Improvement - reroof

FUTURE ITEMS/PROPERTY UPDATES

Location	Topic
City Wide	Proposed code amendments related to Accessory Dwelling Units. Public hearing with City Council scheduled for March 10, 2020.
810 E. Arlington	Renovation of Gas Station, Public Hearing March 17, 2020.
18000 Webster Road	Repair to enable the existing building to house adults over 55 who make less than 30% area median income. Public Hearing March 17, 2020.

City of Gladstone Monthly Report
March& April 2020

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	January	February	March	April	YEAR TOTALS
Customer Service Counter Contacts	5	10	1	0	16
Customer phone/email Contacts	43	66	62	34	205
Building Permits with Land Use Review	5	4	11	3	23
Pre-application Conferences	1		0	0	1
Administrative Decisions	2	1	1	0	4

PLANNING COMMISSION ACTIONS/DECISIONS

- Public Hearing Cancelled Due To COVID-19, Rescheduled for May 19, 2020:
  - Z0018-20-D - 810 E Arlington renovation and site development
  - Z0071-20-C – 18000 Webster Road Authorization of Similar Use and Conditional Use for renovation of building to house low income older adults

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- Public Hearing on proposed code amendments – made a recommendation to City Council.

PRE-APPLICATION CONFERENCES

- None

ADMINISTRATIVE PERMITS

- Z-0117 – 20- D New Life Church signs

BUILDING PERMITS WITH LAND USE REVIEW

MARCH AND APRIL			
Date	**Address**	**Building Permit #**	**Description**
03/11/2020	18505 Portland Ave	B0118620	Photovoltaic System
03/06/2020	6285 Caldwell Rd	B0111920 B0112020 B0112120 B0112220 B0112320 B0096320 B0096420 B0096520	Replace Siding
03/11/2020	565 W. Gloucester St	B0095020	Heat Pump
3/13/2020	175 W Berkeley St	B0095020	Remodel
4/1/2020	290 W Hereford St	B0142020	Fire Damage Repair
4/11/2020	17905 Dogwood Ct	B0118420	Wall and Fence
4/24/2020	18505 Portland Ave	C0002820	Certificate of Occupancy

FUTURE ITEMS/PROPERTY UPDATES

Location	Topic
18500 Webster Road	Comprehensive Plan and Zoning Map amendment with Property Line Adjustment.

REGULAR AGENDA

Agenda Item No. 3

PC Meeting Date: 5/19/20

STAFF REPORT: DESIGN REVIEW

Application No.:	**Z0018-20-D;**
Applicant:	**Peter Kappertz**
Project Location:	**810 E. Arlington St; Tax Lot 22E20AD05100**
Project Description:	**Remodel existing 1,838 sq. foot building to meet code, ADA requirements, and change exterior. Proposal includes site development with the addition of a trash enclosure, bottle storage room, new fuel tanks, and increased paving for vehicular circulation and parking.**

SUMMARY OF STAFF RECOMMENDATION

The planning staff are recommending APPROVAL of the Design Review application Z0018-20-D and recommend the following findings and following conditions in support of approval: (1)Lighting (2), Parking (3) Signage, (4) Building Materials, (5) Landscaping, (6) ADA Access and Sidewalks, (7) Right-of-way; (8) Sanitary Sewer, (9) Water, (10) Final Occupancy, (11) Construction Plan Approval and Pre-Construction Conference, (12) Design Review Plans and (13) Endangered Species Act.

The subject property, is comprised of one tax lot (22E20AD05100), that is approximately 0.51 acres in size that has historically been used as convenience store and gas station. The adjacent parcels are all zoned C-3. The proposed project would involve the continued use of the site for a gas station and convenience store with an updated structure and site.

The proposed remodel of the convenience store building and site development would be consistent with the permitted uses of the C3 commercial zoning district and would be compatible with the uses in the surrounding area. As proposed and conditioned, planning staff find the application consistent with all applicable standards from Title 17 of the Gladstone Municipal Code (GMC) and are recommending the Planning Commission approve this Design Review application. The standard of review for the proposed project is the City of Gladstone's Municipal Code Zoning and Development Title 17.

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Exhibit 5. Revised Landscaping Plan
Exhibit 6. Revised Site Plan

APPENDIX: SUBSTANSIVE FILE DOCUMENTS

A. Application Materials
B. Comments Received from Public Works and Gladstone Fire

I. 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

Responses Received: Public Works Department, and WES Tri-Cities. No comments were received from Gladstone Police Department, or Engineering.

WES: "Please remind the applicant they will need to contact Clackamas Water Environment Services to obtain an erosion control permit if greater than 800 square feet of soil disturbance. We've had a few recent examples in Gladstone where contractors/engineers claim they were unaware of this requirement."

Public Works and Gladstone Fire: Appendix B

II. STANDARD CONDITIONS

1. **Expiration.** This approval shall remain valid for two years following the date of approval. If use has not commenced by that date, this approval shall expire unless the Planning Commission pursuant to Section 17.80.100 of the Gladstone Municipal Code grants an extension prior to expiration of approval.

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.

III. SPECIAL CONDITIONS

1. **Lighting.** The new on-site lighting shall comply with Subsections 17.44.020(5) and (6) of the GMC, and shall not shine into off-site structures, or impair the vision of drivers.

2. **Parking.** The proposed commercial use is consistent with what has historically been on the site. However, at least half of the parking spaces must be enlarged to a width of 9.5'. As submitted, the parking exceeded the maximum parking allowed per GMC 17.48.030 (2)(d)(B). Therefore, as the proposed parking is modified to meet the width requirements, the total number of spaces will ultimately need to be reduced to a total of 11 spaces to meet the maximum parking standards unless granted an exception by the Planning Commission. If granted the exception, the applicant could have a total of up to 14 parking spaces. The parking provided shall meet the requirements of the Gladstone Public Works Design Standards per Section 17.42.030.

3. **Signage**. All signs shall meet the provisions of Subsection 17.52 of the GMC. Sign designs were included with the submittal package and the location of the proposed signs are shown on sheet A2. Therefore, a sign permit is part of the design review for the proposed on-building signs. The proposed signs cannot exceed a combined area of 51 square feet per Section 17.52.070 (2)(b)(A) of the GMC, as calculated using the width of the building wall shown on the revised site plan sheet AS1.1.

4. **Building Materials.** The application materials submitted on 1/21/2020, and 2/06/2020 show the use of ribbed metal as a portion of the siding material. This material must be explicitly approved by the Planning Commission.

5. **ADA Access and Sidewalks.** This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA) per GMC 17.50.020 (5) including provisions for curb ramps, circulation within the site, and appropriate grades to the public entrances of the building. Where existing sidewalks, driveways, and curb ramps on E. Arlington St. and SE 82nd Drive do not conform to current City or ADA standards, new minimum 5-foot wide ADA compliant sidewalks, ramps, and driveways shall be constructed. Obstructions, such as utility poles, may not reduce the unobstructed width to less than 48 inches. If the public sidewalk must swing around an obstruction, adequate right-of-way shall be dedicated for the sidewalk to remain within the public right-of-way.

6. **Right-of-way.** Additional right-of-way shall be dedicated to form a radius at intersection of E Arlington Street and SE 82nd Drive. The entire public sidewalk shall be within the right-of-way. Right-of-way shall be dedicated using a City-approved Dedication Deed form per GMC 17.50.040(1).

7. **Sanitary Sewer.** The proposed development shall meet all sanitary sewer requirements pursuant to Clackamas County Water Environment Services (WES) and the requirements of the Gladstone Public Works Design Standards per 17.60.020(4). A cleanout shall be installed on the sanitary sewer lateral serving the site and placed at the rear of the public sidewalk. The cleanout will mark the transition between the publicly maintained and privately maintained portion of the building sewer. The applicant shall have the existing sanitary sewer lateral video inspected and shall submit the inspection report to Public Works for review. If the lateral is deemed to be in poor condition by Public Works, the lateral shall be repaired or replaced, and a new video inspection shall be performed. If the existing lateral is in good condition, no work other than the addition of a new cleanout will be necessary.

8. **Water.** The proposed development shall meet all water system requirements pursuant to the requirements of the Gladstone Public Works Design Standards and the Oregon Health Authority per 17.60.020(5).

9. **Final Occupancy.** PRIOR TO ISSUANCE OF A FINAL OCCUPANCY PERMIT, all conditions of the design review approval shall be met per 17.80.100(2).

10. **Construction Plan Approval and Pre-construction Conference.** Plans detailing the installation of public and private utilities, site grading, and other public and private site improvements shall be

submitted to the City of Gladstone Public Works Department for review and approval per Section 17.42.030. The design, location, and planned installation of all roadways, 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. Once 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.

11. **Design Review Plans.** Any changes in the approved design review plans shall be submitted and approved prior to execution. Any departure from the approved design review may cause revocation of building permits or denial of the final certificate of occupancy per 17.80.100(3).

12. **Endangered Species Act.** The approval of the application granted by this decision concerns only the applicable criteria for this decision. The decision does not include any conclusions by the county concerning whether the activities allowed will or will not come in conflict with the provisions of the federal Endangered Species Act (ESA). This decision should not be construed to or represented to authorize any activity that will conflict with or violate the ESA. It is the applicant, in coordination if necessary with the federal agencies responsibility for the administration and enforcement of the ESA, who must ensure that the approved activities are designed, constructed, operated and maintained in a manner that complies with the ESA.

IV NOTES:

1. **Storm Drainage.** The drainage plan shall conform to the drainage requirements of the Gladstone Public Works Design Standards. The site currently appears to have no catch basins for storm drainage runoff located on site and all runoff currently drains across the property lines to the public storm drainage system. The project shall comply with 2017 Oregon Plumbing Specialty Code Section 1101.10 Filling Stations and Motor Vehicle Washing Establishments, which states, "Public filling stations and motor vehicle washing establishments shall have the paved area sloped towards sumps or gratings within the property lines. Curbs not less than 6 inches (152 mm) high shall be placed where required to direct water to gratings or sumps." An option to regrading the site may be to install slotted drains at driveways. The design engineer shall submit to the City of Gladstone Public Works Department for review and approval a storm drainage analysis and report applicable to the approved development detailing how storm water quality, quantity and disposal are being addressed to meet the requirements of the Gladstone Public Works Design Standards.

2. **Erosion Control.** A sediment and Erosion Control Permit is required from WES prior to commencing site work if there is more than 800 square feet of soil disturbance.

3. **Building Permits.** Clackamas County Building Department will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical Permits for this project.

IV. FINDINGS

The City of Gladstone Planning Staff finds:

A. Project Location and Proposed Development

The subject property, is primarily comprised of tax lot 22E20AD05100, that is approximately 0.51 acres in size located at the intersection of E. Arlington St and 82nd Dr. The property has historically been used as a gas station and convenience store. The subject property is zoned General Commercial District (C3). The proposed project would involve remodeling the 1,838 sq. foot convenience store building and developing the site with a bottle storage building and increased parking depth. Automobile service stations are allowed outright in the C-3 Zoning District.

B. Design Review Consistency Findings

Design Review
Chapter 17.80 *of the Gladstone Municipal Code (GMC) establishes the requirements for design review. Pursuant to Subsection 17.80.021(1), new structures, additions to existing structures and site development is subject to design review.*

Finding: A new structure and site development is proposed and design review is required.

17.80.061 *lists submittal requirements for Design Review*

Finding: The application materials as submitted on 1/21/2020, and 2/06/2020 satisfy these submittal requirements. This criteria is met.

17.80.100(1) provides that *Approval of design review shall expire if construction has not begun within two years of the date of the final decision. Upon request and in accordance with GMC Section 17.66.015(4)(a), the two-year period may be renewed once by the City Administrator or designee for not more than one year.*

Chapter 17.20 *of the GMC establishes basic requirements for the General Commercial Zoning District, and Section 17.20.020 identifies uses permitted in the District.*

Finding: The remodeled convenience store and site development for the continued use as a gas station, is a use allowed outright in the C-3 Zoning District. This criteria is met.

17.20.045 Screening.
The following screening standards shall apply:

(1) Off-street parking and loading areas and business activities, such as service, repair, processing, storage and merchandise display, that are conducted outside of a wholly enclosed building, shall be screened from abutting properties where such properties are in a residential zoning district and from abutting unimproved public street rights-of-way where property on the opposite side of the unimproved right-of-way is in a residential zoning district.

(2) Business activities, such as service, repair, processing, storage and merchandise display, that are conducted outside of a wholly enclosed building, shall be screened from abutting properties where such properties are in a C-1 or C-2 zoning district and from abutting unimproved public

street rights-of-way where property on the opposite side of the unimproved right-of-way is in a C-1 or C-2 zoning district.

(3) *Storage, with the exception of merchandise display, outside of a wholly enclosed building shall be screened from abutting improved public street rights-of-way. Off-street parking and loading areas for customer vehicles, employee vehicles and vehicles for sale are not required to be screened from improved public street rights-of-way. However, off-street parking and loading areas for other types of vehicle storage (e.g. towed vehicles, recreational vehicles being stored as a service) shall be screened from abutting improved public street rights-of-way.*

Finding: Adjacent parcels are all zoned C-3. There are no residential zoning districts adjacent to, or across public streets from, the subject parcel. The application materials do not identify storage outside of an enclosed building. Therefore, screening is not required. This criteria is met.

17.20.050 Dimensional standards.

Except as provided in GMC Chapters 17.38 (planned unit development), Chapter 17.72 (variances) and Chapter 17.76 (exceptions), the following dimensional standards shall apply in a C-3 zoning district:

(1) Front Setbacks. There shall be no minimum front setback requirement except when a front lot line abuts a residential zoning district or abuts a street where property on the opposite side of the street is in a residential zoning district, in which cases the minimum front setback shall be twenty feet (20').

(2) Street Side Setbacks. There shall be no minimum street side setback requirement except when a street side lot line abuts a residential zoning district or abuts a street where property on the opposite side of the street is in a residential zoning district, in which cases the minimum street side setback shall be twenty feet (20').

(3) Side and Rear Setbacks. There shall be no minimum side or rear setback requirements.

(4) Off-Street Parking. The boundary of any area developed or intended for off-street parking shall be located a minimum of five feet (5') from all property lines.

(5) Architectural Features. Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet (2') into a required setback area.

(6) Building Height. The maximum building height shall be thirty-five feet (35'). This restriction may be varied as follows:

(a) Maximum building height may be increased by one (1) story if the building is provided with an approved automatic sprinkler system throughout as provided in Section 506 of the Oregon Structural Specialty Code or its successor; vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are exempt from the maximum building height standard;

(b) Maximum building height may be increased if the city fire department reports that it possesses sufficient fire-fighting capability to provide emergency response to a structure of the height proposed.

(7) Equipment Setbacks. There shall be no minimum setback requirements for central air conditioners, heat pumps and similar equipment except when a lot line abuts a residential zoning district, in which case the minimum setback requirement from the lot line abutting the residential zoning district shall be ten feet (10').

Finding: Adjacent parcels are all zoned C-3. There are no residential zoning districts adjacent to, or across public streets from, the subject parcel. Therefore, there are no setback requirements for the building. The proposed parking is 6'9" from the eastern property boundary, approximately

35’ from the northern boundary, and 5’from the western property boundary per site plan sheet SP1 dated 12/27/2019 and revised 2/3/2020. The building is existing and is currently less than 35’ high per exterior elevations sheet A2 dated 12/27/2019 and revised 2/3/2020. These criteria are met.

17.44.020 General standards.
Building siting and design standards are as follows:
(1) Siting. Where there are no conflicts with other design standards or requirements in this Title, site buildings to maximize solar access where practical, using such techniques as:

(a) Maximizing east-west street length so that principal building façades will face south;
(b) Orienting buildings within twenty degrees of true south as well as maximizing their south-facing dimension;
(c) Placing higher buildings on the north portion of the site, while protecting solar access for adjacent sites;
(d) Placing major yard spaces on south side of buildings.

Finding: Siting of the new parking spaces and new walkway around the existing building do not conflict with other design standards in this Title. This criteria is met.

(2) Energy Efficient Design. Where there are no conflicts with other design standards or requirements in this Title, design buildings that are conducive to energy efficiency and conservation, using techniques including, but not limited to, those listed below which are most appropriate to the development:

(a) Concentrate window areas on the south side (within twenty degrees of true south) of buildings where there is good southern exposure, and provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains;
(b) Use architectural features, shapes or buildings, fences, natural landforms, berms and vegetation to catch and direct summer breezes for natural cooling and minimize effects of winter winds;
(c) Provide skylights or clerestory windows to provide natural lighting and/or solar heating of interior spaces.

Finding: The convenience store and fuel canopies are existing. The building is oriented with windows concentrated on the southern and western elevations to capture the natural light. This criteria is met.

(3) Compatibility. Arrange structures and use areas to be compatible with adjacent developments and surrounding land uses, considering the following design and siting techniques:

(a) Locate and design structures to protect scenic views or vistas from adjacent properties and public thoroughfares. Setbacks, building height and bulk should be considered;
(b) Design structures to provide visual order and avoid monotony in layout and design;
(c) Orient major service activity areas (e.g., loading and delivery areas) of the proposed project away from existing residences;
(d) Provide opaque enclosures and gates for all refuse storage areas;
(e) Screen mechanical equipment, except solar collection apparatus, from view or place such equipment in locations where it will not be viewed by the public. Screening shall be

accomplished by the use of a sight-obscuring fence or hedge, a landscaped earth berm, building placement or other design techniques;
(f) Buffering and/or screening shall be used to mitigate adverse visual impacts, dust, noise and pollution, and to provide for compatibility between dissimilar adjoining uses. Special consideration will be given to the buffering, screening and siting of commercial and industrial uses to ensure that noise and odors are not detectable to normal sensory perception on adjacent residential properties. All development shall comply with GMC Chapter 8.12 (noise control).

Finding: The existing convenience store is compatible with the other commercial use in the vicinity including the adjacent car wash. The site plans dated 12/27/2019 and revised 2/3/2020 and 3/12/2020, show that there is landscaping that visually provides a buffer and screen the adjacent parcels from the parking areas and the gas station. The proposal increases the screening capabilities of the landscaping on the site by including trees and shrubs. The proposed remodeled for the exterior of the building includes designs that include a variety of materials and colors. The new trash enclosure is proposed to provide greater enclosure of the refuse. These criteria are met.

(4) Building Materials. Buildings shall be constructed using high-image exterior materials and finishes such as masonry, architecturally treated tilt-up concrete, glass, wood or stucco. Buildings shall not be constructed with metal siding material, except as approved by the design review committee for specific high-image materials, except for:
(a) Canopies, awnings, screening for roof-mounted fixtures, or other architectural features:
(b) Utility equipment cabinets:
(c) Structures no greater than two hundred (200) square feet in floor area and ten (10) feet in height: and,
(d) Buildings, the portions of buildings, that are not visible from a road or adjacent property.

Finding: The proposed remodel of the existing building includes the use of ribbed metal siding and brick veneer. The metal siding will only meet the code requirements if approved by the design review committee consisting of the Planning Commission. As conditioned this criteria can be met.

(5) Lighting. Adequate exterior lighting shall be provided to protect public safety and shall be deflected so as not to shine on a lot in a residential district.

(6) On-site Lighting. All on-site lighting shall be designed, located, shielded, or deflected so as not to shine into off-site structures or impair the vision of the driver of any vehicle. When required, engineered site lighting plans shall be developed consistent with Illuminating Engineering Standards (IES) including, but not limited to, average maintained illumination and maximum to minimum ratios. A master plan for on-site lighting shall include the design, height, and location of all proposed exterior lights, including:
(a) Parking and loading area lighting;
(b) Pedestrian walkway lighting;
(c) Internal access road lighting;
(d) Lighting of public entrances into buildings;
(e) Flood lights illuminating buildings or significant natural features.

Finding: Light fixture locations of the new or replacement light fixtures shown on site plans dated 12/27/2019 and revised 2/3/2020 show that there are lights on the north, east and south of the building. The lighting specifications submitted on 2/6/2020 titled Design Review Exhibit 2 show that there is "zero uplight". As conditioned these criteria are met.

(7) Equipment and Facilities. All utility lines shall be placed underground. All roof-mounted fixtures and utility cabinets or similar equipment which must be installed above ground shall be visually screened from public view.

Finding: The equipment on the roof is screened by "New Bone White ACM Wall Panels" per sheet A2 of site plans dated 12/27/2019 and revised 2/3/2020. This criteria is met.

(8) Trash Disposal and Recycling Collection. In addition to the preceding standards, new construction requiring full site plan review shall incorporate functional and adequate space for on-site storage and efficient collection of mixed solid waste and source separated recyclables prior to pick-up and removal by haulers.

Finding: The proposal is to update an existing building and is therefore, not considered "new construction." This is informational only and does not apply.

(9) Temporary Structures.

Finding: No Temporary structures were identified in the proposal. This is information only and is not applicable to this application.

17.44.024 Nonresidential design standards.
New nonresidential buildings, with the exception of buildings housing institutional, warehouse or manufacturing uses, shall be subject to the following design standards:
(1) Ground Floor Windows. Ground floor windows shall be required on walls fronting a public street and shall comply with the following standards:

(a) The windows shall cover at least fifty percent (50%) of the length and twenty-five percent of the ground level wall area. Ground level wall areas include all exterior wall areas up to nine feet (9') above the finished grade. The bottom of required windows shall be no more than four feet (4') above the adjacent exterior finished grade.

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

(2) Distinct Ground Floor. The ground level of primary buildings shall be visually distinct from upper floors. This separation shall be provided by one of the following mechanisms:

(a) A cornice above ground level;
(b) An arcade;
(c) Change in material or texture or architectural design; or
(d) A row of clerestory windows on the building's street-facing elevation.

Finding: The proposal is to update an existing building and is therefore, not considered "new nonresidential buildings." Windows on the west elevation and the south elevation as shown on Exterior Elevations Sheet A2 dated 12/27/2019 meet these requirements. There are no upper floors proposed in the development. This is informational only and does not apply to the proposed remodel.

17.46.010 Applicability.
Landscaping standards shall apply to all development that is subject to design review.
17.46.020 Standards.
Landscaping requirements shall be as follows:
(1) Minimum Requirement. A minimum of 15 percent of the lot area shall be landscaped, except when a greater percentage is required elsewhere in this title.

Finding: The Landscaping plan sheet L1 dated 1/15/2020 identifies 5,201 square feet of landscape area covering 24% of the site. The landscaping plan revised 3/12/202 to meet the 10' landscaping requirements along E. Arlington St and 82nd Ave per GMC17.46.020 (3)) identifies 6,810 square feet of landscape area covering 26% of the site. This criteria is met.

(2) Parking and Loading Areas. The following landscape requirements shall apply to off-street parking and loading areas:

(a) An off-street parking and loading area providing 10 or more parking spaces shall be improved with defined landscaped areas totaling no less than ten square feet per parking space;
(b) A parking or loading area shall be separated from any lot line adjacent to a street by a landscaped strip at least 10 feet in width, and any other lot line by a landscaped strip at least five feet in width;
(c) A landscaped strip separating a parking or loading area from a street shall contain:
(A) Street trees spaced as appropriate to the species, not to exceed 25 feet apart, on the average,
(B) Low shrubs not to reach a height greater than three feet spaced no more than five feet apart, on the average, and
(C) Vegetative ground cover;
(d) If a fence or wall is required or proposed, it shall be located behind required landscaped strips where such strips are adjacent to a street;
(e) In parking areas three acres and larger intended for use by the general public, pedestrian walkways shall be raised or separated from parking, parking aisles, and travel lanes by a raised curb, concrete bumpers, bollards, landscaping, or other physical barrier. If a raised pathway is used, curb ramps shall be provided in accordance with the Americans with Disabilities Act Accessibility Guidelines.

Finding: Landscaping proposed between the parking area and the property lines as shown on Landscaping plan L1 dated 1/15/2020 and site plan sheet SP1 dated 12/27/2019 and revised 2/3/2020 and 3/12/2020 show that the proposed parking will be 10' from the road on the southern property boundary and 10'from the road on the western property boundary. The landscaping plan was revised 3/12/202 to meet the 10' landscaping requirements along E. Arlington St and 82nd Ave per GMC17.46.020 (3)). The most recent landscaping plan therefore, meets the spacing and coverage requirements of a 10' landscaping strip along lot lines adjacent

to a street. The plants and spacing included in the landscaping plan meet the content requirements. The parking area contains more than 10 spaces and the landscaping shown on the landscaping plan sheet L1 dated 1/15/2020 identifies 6,810 square feet of landscape area covering 26% of the site meeting the ratio requirements of parking to landscaping. These criteria are met.

(3) Irrigation. Provision shall be made for watering planting areas where such care is required.
(4) Maintenance Required. Landscaping shall be continuously maintained.
(5) Plant Species. The general characteristics of tree species shall be considered when planting under overhead utility lines or near sidewalks or curbs to assure that damage will not result when maturity is reached.
(6) Grading. The natural form of the site shall be preserved insofar as practicable unless berming or contouring of land is required.
(7) Public Rights-of-Way. Land within the public road right-of-way, not developed as sidewalks or driveways, shall be landscaped and maintained by the abutting property owners. Landscaping will be of the variety that would not create a road hazard or impair sight distance.
(8) Street Trees. Street tree planting may be required of any development and, if planted, shall be according to city requirements and of a species compatible with the width of the planting strip, and nearby street tree species.
(9) Exceptions. The following exceptions apply to properties with frontage on McLoughlin Blvd.:
(a) The use of sod along McLoughlin Blvd. shall be encouraged in landscape plans for development of McLoughlin Blvd.;
(b) The use of sod along McLoughlin Blvd. may be allowed in lieu of required street trees;
(c) The 10-foot-wide landscape strip along McLoughlin Blvd. may be allowed in the right-of-way if applicant agrees to relocate the 10-foot strip whenever the right-of-way is improved. This strip may be included in total landscape area calculations.

Finding: Landscaping plan L1 dated 1/15/2020 and revised 2/3/2020 an 3/12/2020 show that there will be an irrigation system and maintenance for the landscaping. Land within the public road right-of-way has or will have sidewalks. Trees and shrubs planted in the landscaping area are not near the road or sidewalks. These criteria are met.

Parking and Access
Chapter 17.48 of the GMC regulates off-street parking and loading for all development permits.

Section 17.48.030(1) *requires 1 parking space per 600 square feet of building area with a maximum of 1 space per 161 square feet.*

Finding: The building being remodeled is 1,838 square feet in size. Therefore, at least three (3) parking spaces are required. The maximum number of parking spaces allowed is eleven (11.4 rounded down). From the applicant's submitted materials and site plans submitted on 2/6/2020 and revised 3/12/2020, it appears that the handicap accessible parking space is located adjacent to the building, with 13 additional parking spaces. Therefore, there are a total of sixteen (14) parking spaces proposed with five (3) spaces over the maximum number allowed. The Planning Commission is allowed to grant a minor exception of up to a 25% relaxation to dimensional standards such as parking (per 17.76.010). If granted the exception the applicant could have 14 total parking spaces. The site plan revised on 3/12/2020 removed parking space 1 and 15 to meet

the landscaping requirements. If the applicant receives the exception from the Planning Commission, the submitted plans would be brought into compliance with the GMC. These criteria are met as conditioned with Special Condition #2.

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

Finding: The site currently has paved surfaces. Site plan sheet SP1 dated 12/27/2019 and revised 2/3/2020 and 3/12/2020 provides general information on where the existing paving will remain and where new concreate and paving is proposed on site. As provided for by Special Condition #10 the Gladstone Public Works Department will be signing off on the project prior to the issuance of building permits. This criteria is met as conditioned.

Section 17.48.040(1)(b) *requires parking and loading areas to be screened from abutting residential properties.*

Finding: There are no residential properties abutting the site. This criteria is met.

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

Finding: Site plan sheet SP1 dated 12/27/2019 and revised 2/3/2020 and 3/12/2020 shows the parking spaces within 25 feet of the building they will serve. This criteria is met.

Section 17.48.040(2)(b) states that required parking shall be provided in the same zoning district.

Finding: The required parking is located on the same tax lot. This criteria is met.

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

Finding: Site plan sheets SP1and L1 dated 12/27/2019 and revised 2/3/2020, and 3/12/2020 show the location and indicated the marking how the parking areas will be marked. The markings shall meet the City of Gladstone Design Standards. As provided for by Special Condition #10, the Gladstone Public Works Department will be signing off on the project prior to the issuance of building permits. This criteria is met.

Section 17.48.040(2)(f),and (g) establish the minimum width of access aisles and the minimum dimensions of parking spaces.

Finding: Site plan sheet SP1and L1 dated 12/27/2019 and revised 2/3/2020 and 3/12/2020 specifies the width for the parking spaces and loading areas. The dimensions of 9’0” x 23’2” shown on parking space 13 meets or exceeds the compact car width requirement of 8.5’. However, only 50% of the parking spaces can be for compact cars. The remaining 50% have to be at least 9.5’ feet in width and 18.0’ deep. This criteria is met as conditioned by Special Condition #2.

Section 17.48.050 establishes requirements for bicycle parking for new multi-family and new commercial developments.

Finding: The project provides two short-term and one long-term bicycle parking spaces. This criteria is met.

Chapter 17.50.20 *of the GMC establishes the requirements for vehicular and pedestrian circulation.*

Subsection 17.50.020(1) requires that provisions be made for the least amount of impervious surface necessary to adequately service the type and intensity of proposed land uses within developments as well as providing adequate access for service vehicles.

Subsection 17.50.020(3) requires curbs, associated drainage and sidewalks within the right-of-way or easement for public roads and streets.

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

Subsection 17.50.020(6) pertains to pedestrian access.

Subsection 17.50.020(7) deals with new development requiring full site design review that, when completed, generate an average daily traffic count of 1000 trips or greater. In such case, a transit stop shall be provided.

Section 17.50. Vehicular and pedestrian circulation:

> **Finding:** The applicant is proposing to provide the maximum parking allowed by the GMC, therefore not limiting the amount of impervious surface. Per site plan SP1 originally dated 12/27/2019 and revised 2/3/2020, the applicant is proposing a new curb between the parking spaces and the landscaping. Handicap accessible parking and access areas are being provided up near the convenience store. Based on the plans submitted by the applicant, pedestrian access and sidewalks are being provided and lighted. It is anticipated that traffic generated by the site will not exceed 1000 trips. TriMet route maps and google maps highlight that transit stops are currently available across 82nd Ave and at the intersection of E. Arlington and 82nd Ave that are approximately 100 feet from the property. It is unclear on whether the sidewalk along E. Arlington St along the southern property boundary meets the City of Gladstone Design Standards. As conditioned with Special Condition #5, these criteria are met.

***Chapter 17.52 of the GMC establishes sign requirements*.**

> **Finding:** Sign designs for a sign 12.56 square feet in size were included with the submittal package. The property has a freestanding sign at the intersection of E. Arlington and 82nd Ave and four signs on the fuel island canopies (equaling 23.80 square feet) that were all recently permitted through Z0502-19. The primary building wall is 54.75' in length per the site plan sheet A1 originally dated 12/27/2019 and revised 2/3/2020. Per 17.52(2)(b) the on-building signs are limited to 28.8 square feet in size due to sharing the square foot allowance with the canopy signs. Therefore, the two signs with a dimension of 12.56 square feet and located on the tower as shown on Exhibit 7 and Sheet A2 submitted 2/6/2020 meet the criteria. These criteria are met

***Chapter 17.54 of the GMC establishes clear vision requirements*.**

> **Finding:** The property being developed is located on the corner of two intersecting streets but the proposed landscaping, with shrubs and trees, is proposed to be outside of the clear-vision areas. The existing sign located at the intersection is nonconforming and will be replaced with a

sign that does not increase the nonconformity and is designed to be elevated 8 feet above the ground to provide visibility. This criteria is met.

Drainage and Stormwater

17.56.010 [Drainage] Applicability.
The development standards for surface water drainage shall apply to all new or redevelopment activities in the City of Gladstone that result in the creation or disturbance of 5,000 square feet or more impervious surface except for substantial improvement or lesser remodel or reconstruction of existing single-family or two-family dwellings.

Finding: The commercial building, the driveway and parking spaces are existing, the expansion of the parking spaces, have a cumulative site area of approximately 2,500 sq. feet, which is below the threshold cited in Section 17.56.010 of the GMC. As such, the drainage standards in, Chapter 17.56 does not apply to the proposed project. Drainage standards from the state still apply as noted on page 5. This criteria is met.

17.56.020 Standards
(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.

Finding: According to the application materials, and databases used by planning staff, the project site does not contain waterways, floodplains or drainage channels. Therefore, there are no floodplain development regulations that pertain to the development. This criteria is met.

(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.

Finding: No watercourses are identified on the site. This finding is provided for informational purposes only. These criteria are not applicable.

(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 applicant is not proposing to address stormwater. However, stormwater control is required to be addressed on-site by the 2017 Oregon Plumbing Specialty Code Section 1101.10 Filling Stations and Motor Vehicle Washing Establishments (Note 1). Approval from the Public Works Department is required through Special Condition 10. This criteria is met as conditioned.

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: This criteria is met as conditioned.

Pursuant to Section 17.92.020 of the Gladstone Municipal Code, the decision of the Planning Commission may be appealed to the City Council within 15 days of the mailing of the Planning Commission's written decision. In order to appeal a decision of the Planning Commission, a party must have appeared orally or in writing before the Planning Commission. The filing fee for the appeal is $250.00. If no appeal is filed within 15 days, the decision of the Planning Commission shall be final.

EXHIBITS

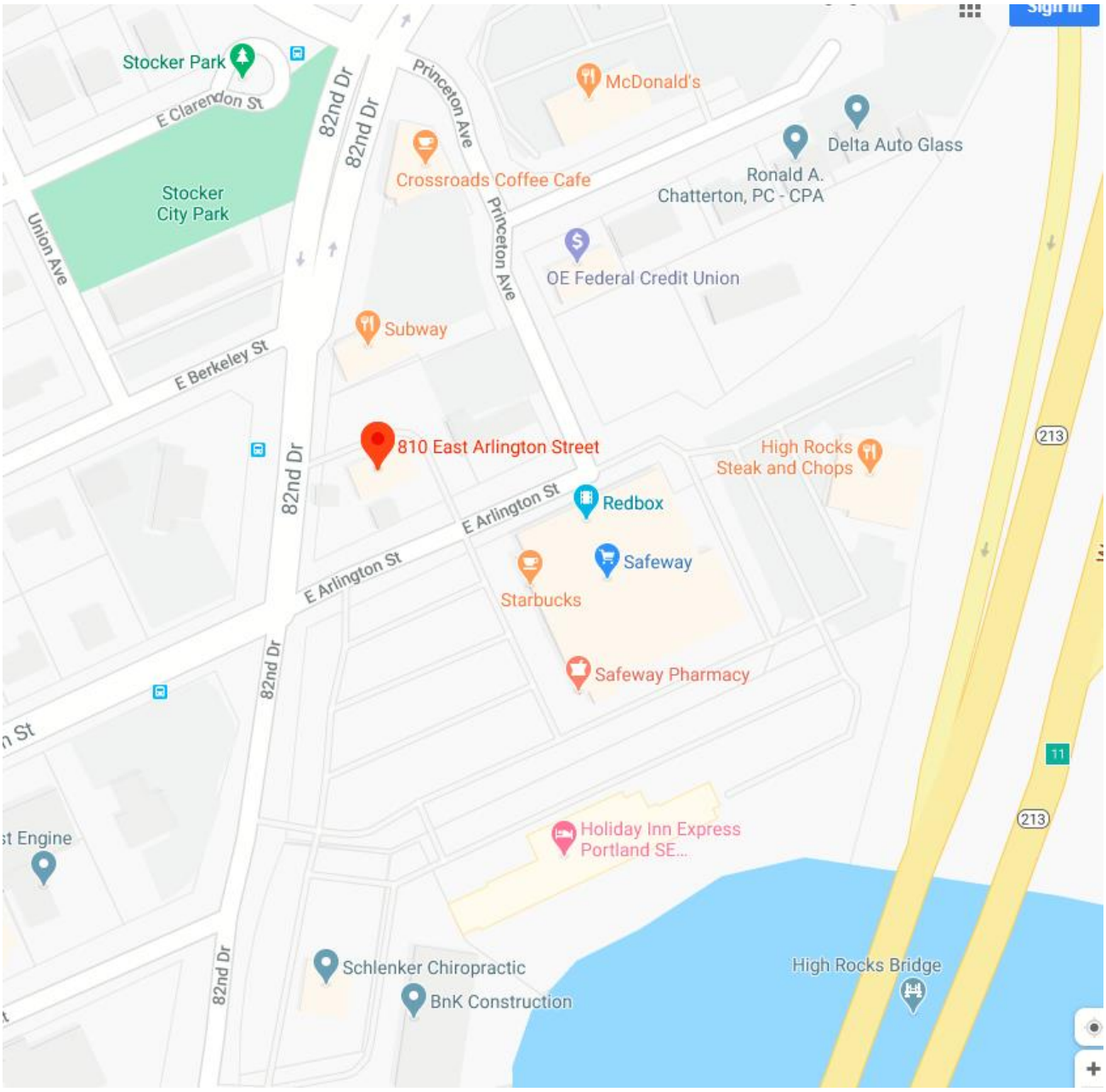


EXHIBIT 1
Location Map
Z0018-20-D

Existing Fence to be removed, replaced with parking and landscaping

Existing Building to be remodeled

Existing Fuel Canopies to remain

EXHIBIT 2
Aerial Image
Z0018-20-D

TWENTY FOUR 7 MARKET REMODEL
810 E. Arlington Street, Gladstone

Design Review Exhibit 1

FEB - 6 2020

Clackamas County
Planning & Zoning Division

Exterior building southwest perspective

Exterior building southeast perspective

EXHIBIT 3
Exterior Renderings
Z0018-20-D

TWENTY FOUR 7 MARKET REMODEL
810 E. Arlington Street, Gladstone

Design Review Exhibit 7

Proposed building mounted 48" diameter sign 12.56 square feet

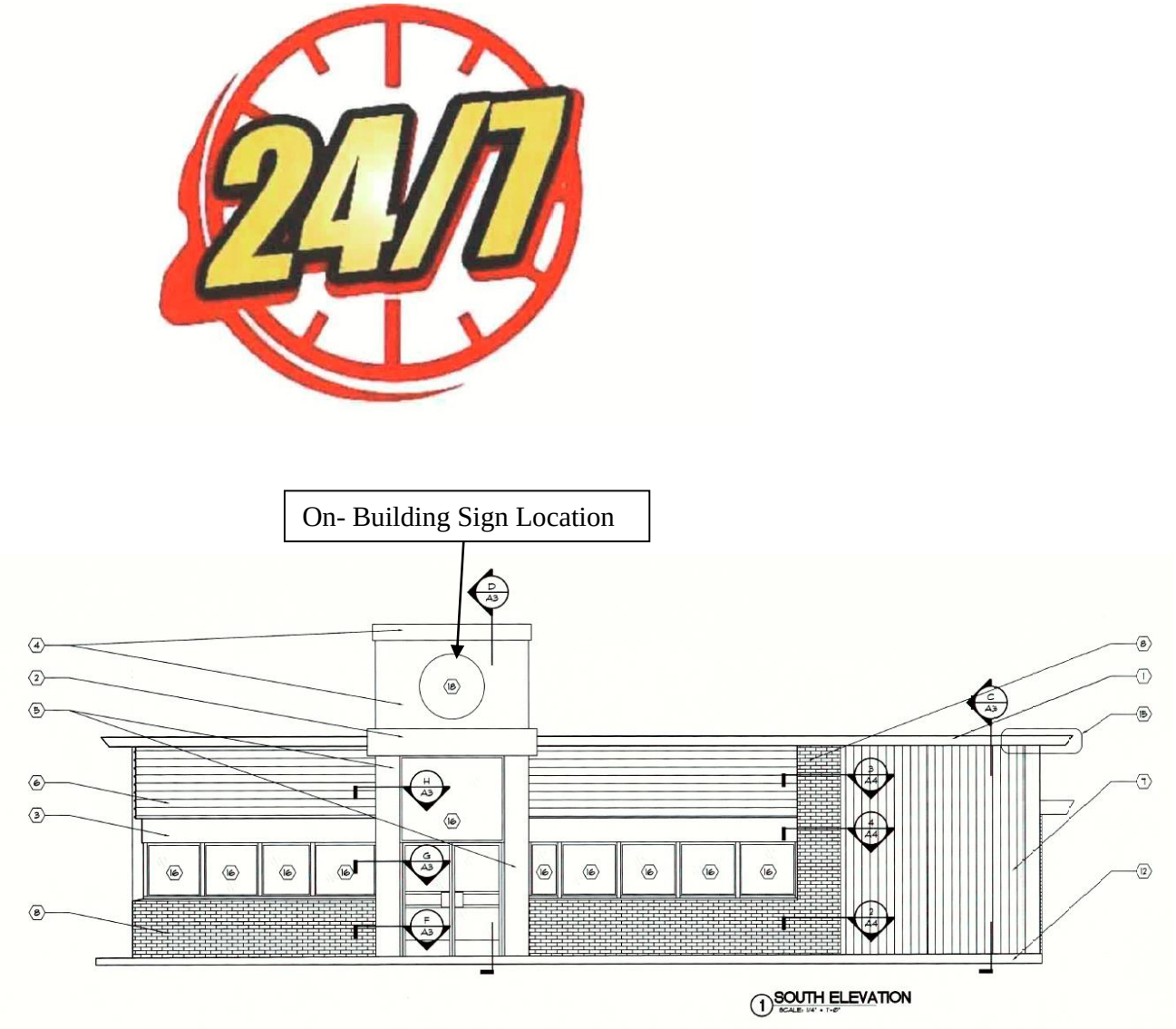


EXHIBIT 4
Sign Design
Z0018-20-D

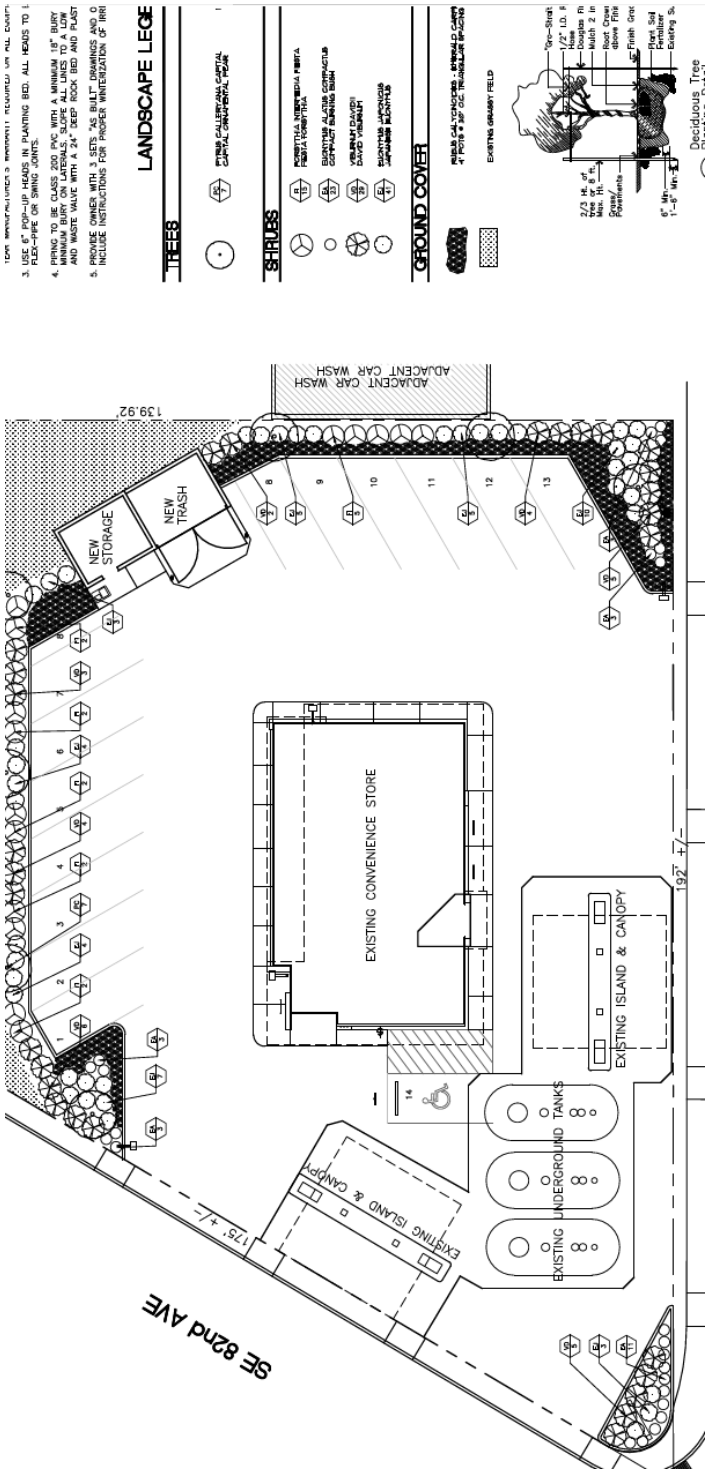


EXHIBIT 5
Landscaping Plan
Revised 3/12/2020
Z0018-20-D

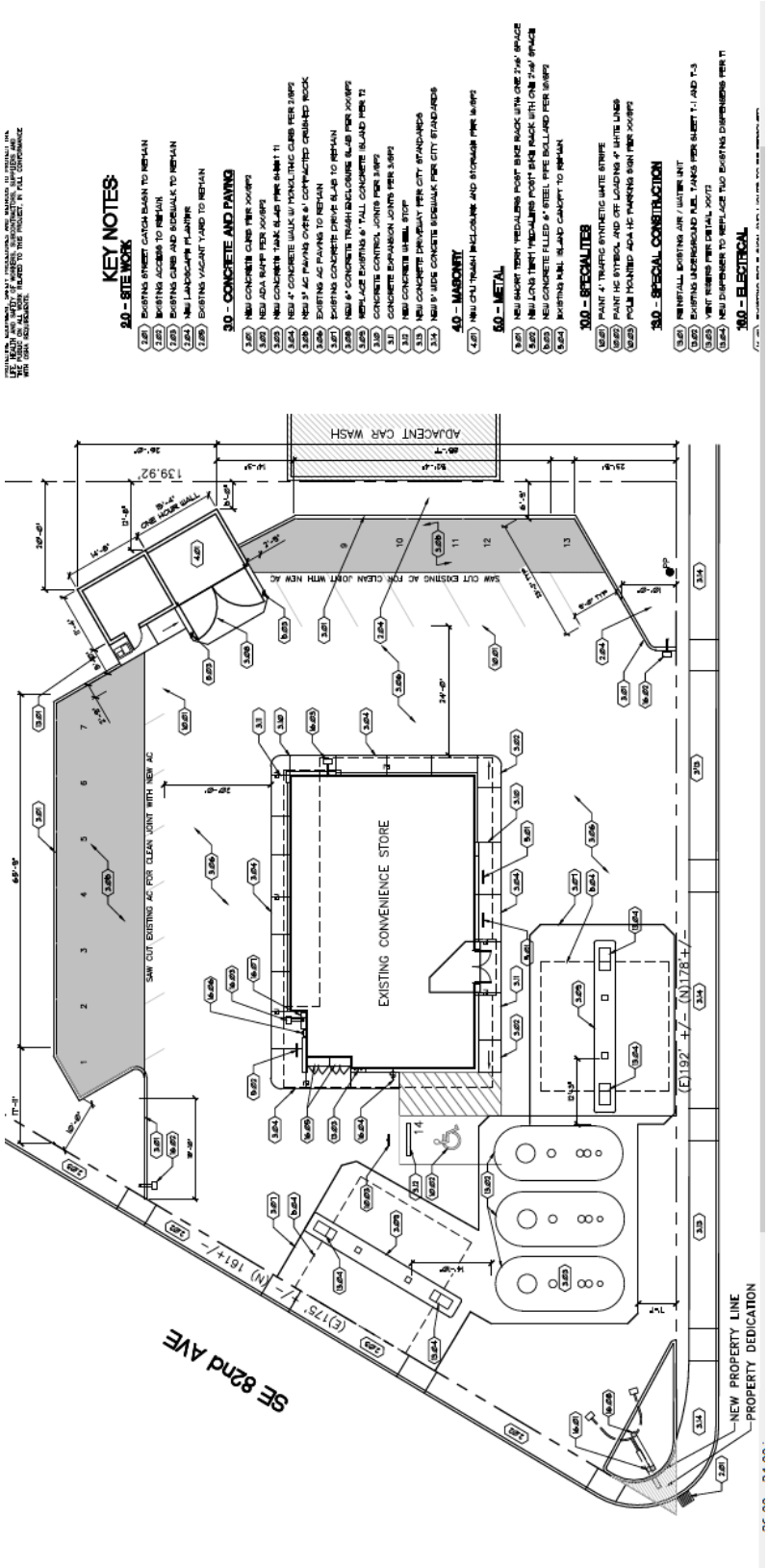


EXHIBIT 6
Site Plan
Revised 3/12/2020
Z0018-20-D

APPENDIX A

DESIGN REVIEW LAND USE APPLICATION

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

RECEIVED
JAN 17 2020
Clackamas County
Planning & Zoning Division

• FOR STAFF USE ONLY •

File No: _____

Pre-app: Staff _____ Date _____

Date Received: 1/17/20 Fee $650.00 (NC)

Hearing Date: _____

Other Related Permit Applications _____

Staff Member: _____

Zone C3

Comp. Plan: _____

• APPLICANT INFORMATION •

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Contact Information: ☐ Owner ☒ Architect ☐ Engineer ☐ Other

Contact/Applicant's Name: Peter Kappertz
Mailing Address: P.O. Box 702 **City/State/Zip:** Gresham, OR 97030
E-Mail: designs@archnw.com **Phone:** 503-558-9622

Contact Information: ☒ Owner ☐ Architect ☐ Engineer ☐ Other

Contact/Applicant's Name: Jaspal Sohal
Mailing Address: 810 E. Arlington St. **City/State/Zip:** Gladstone, OR 97027
E-Mail: wowpetro@outlook.com **Phone:** 916-473-3348

Property Information

Site Address: 810 E. Arlington St.
Total Land Area: 22,172 SF
Legal Description: T 2 S, R 2 E/W/Q, Section 20AD Tax Lot(s) 5100
(For property legal description, contact Planning at 503-742-4500)
Adjacent Properties under Same Ownership: T_____ S, R_____ E/W/Q, Section _____ Tax Lot(s) _____
Project Description:
Remodel existing convenience store with a larger cooler, ADA restoom, office and cashier counter. Upgrade structure and insulation to meet code. Improve exterior building image. Replace underground fuel tanks, piping and dispensers. Existing islands and canopies to remain. Add trash enclosure with bottle storage room. Increase paving area for better circulation and added parking.

Current Zoning: C3 General Commercial **Existing Use of Site:** C-store and gas station
Construction Cost: $105,000 **Proposed Square Footage:** 1,838 exist. 178 new

Method of Sewage Disposal: Existing sanitary sewer

Water Supply: Existing city water

Commercial/Industrial/Institutional Development:
Number of employees/students/occupants: 3 Days of operation: All
Estimated hours of daily operation: 12:01 am - 12:00 pm

Is the property under enforcement action for a violation of the Gladstone Municipal Code? ☒ No ☐ Yes

Other Persons (If Any) To Be Mailed Notices Regarding This Application:

Name	Address	Zip	Relationship
Norm Faris	12042 SE Sunnyside Rd. #357 Clackamas,	OR 97015	Engineer

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 **Applicant's Signature**

Jaspal Sohal PETER KAPPERTZ

Owner's Name (Print) **Applicant's Name (Print)**

• SUPPLEMENTAL QUESTIONS •

Describe your proposed development. Identify the number of people associated with the use (employees, students, congregation members, clients, etc.); days and hours of operation; building materials, including type and color, unless no new buildings or modifications of existing buildings are proposed; and buildings, vehicles, equipment and materials associated with the use: The existing 24 hour use will remain with no significant increase in traffic or employees anticipated. The building exterior will receive new charcoal colored brick, light and medium gray ribbed metal panels and white and red ACM panel accents. Additional parking for cars and bicycles will be provided.

Identify where in the GMC the use is listed as a conditional use in the underlying zoning district or explain why the use may be authorized pursuant to GMC Chapter 17.74 (authorization of similar uses).

These uses are allowed outright per 17.20.020

Explain why the use is suitable for the proposed site, considering size, shape, location, topography, existence of improvements and natural features: The existing uses will remain with 2501 SF of added paving and 15% landscaping added. A trash enclosure and bottle storage will be added.

Explain why the use is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use:

The uses are existing and will have minimal added impact to the existing area infrastructure.

Explain why the use will not alter the character of the surrounding area in a manner that substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying zoning district:

The existing uses will remain. The new building facade will enhance the building and create a more appealing and upscale image for the convenience store.

Explain how the proposed use satisfies the policies of the Comprehensive Plan that apply to it:

There is no change to these existing uses that are allowed outright.

(Use additional sheets to answer questions if necessary)

APPENDIX B

February 18, 2020

City of Gladstone Public Works Department Comments

Z0018-20-D: 810 E. Arlington Fueling Station:

General Conditions:

1. ADA Access. This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA), including provisions for curb ramps.
2. Sanitary Sewer. The proposed development shall meet all sanitary sewer requirements pursuant to Clackamas County Water Environment Services (WES) and the requirements of the Gladstone Public Works Design Standards.
3. Water. The proposed development shall meet all water system requirements pursuant to the requirements of the Gladstone Public Works Design Standards and the Oregon Health Authority.
4. Storm Drainage. The drainage plan shall conform to the drainage requirements of the Gladstone Public Works Design Standards. The design engineer shall submit to the City of Gladstone Public Works Department for review and approval a storm drainage analysis and report applicable to the approved development detailing how storm water quality, quantity and disposal are being addressed to meet the requirements of the Gladstone Public Works Design Standards.
5. Erosion Control. A sediment and Erosion Control Permit will be required from WES prior to commencing site work.
6. Construction plans detailing the installation of public and private utilities, site grading, and other public and private site improvements shall be submitted to the City of Gladstone Public Works Department for review and approval. The design, location, and planned installation of all roadways, 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.
7. Once 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.
8. Clackamas County Building Department will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical Permits for this project.

Project Specific Conditions:

9. Additional right-of-way shall be dedicated to form a radius at intersection of E Arlington Street and SE 82nd Drive. The entire public sidewalk shall be within the right-of-way. Right-of-way shall be dedicated using a City-approved Dedication Deed form.
10. Where existing sidewalks, driveways, and curb ramps on E. Arlington St. and SE 82nd Drive do not conform to current City or ADA standards, new minimum 5-foot wide ADA compliant sidewalks, ramps, and driveways shall be constructed. Obstructions, such as utility poles, may not reduce the unobstructed width to less than 48 inches. If the public sidewalk must swing around an obstruction, adequate right-of-way shall be dedicated for the sidewalk to remain within the public right-of-way.

11. The site currently appears to have no catch basins for storm drainage runoff located on site and all runoff currently drains across the property lines to the public storm drainage system. The project shall comply with 2017 Oregon Plumbing Specialty Code Section 1101.10 Filling Stations and Motor Vehicle Washing Establishments, which states, “Public filling stations and motor vehicle washing establishments shall have the paved area sloped towards sumps or gratings within the property lines. Curbs not less than 6 inches (152 mm) high shall be placed where required to direct water to gratings or sumps.” An option to regrading the site may be to install slotted drains at driveways.
12. A cleanout shall be installed on the sanitary sewer lateral serving the site and placed at the rear of the public sidewalk. The cleanout will mark the transition between the publicly maintained and privately maintained portion of the building sewer.
13. The applicant shall have the existing sanitary sewer lateral video inspected and shall submit the inspection report to Public Works for review. If the lateral is deemed to be in poor condition by Public Works, the lateral shall be repaired or replaced, and a new video inspection shall be performed. If the existing lateral is in good condition, no work other than the addition of a new cleanout will be necessary.

City of Gladstone, Fire Department Comments March 13, 2020

Subject: Remodel of existing building and property at 810 E Arlington formerly Gladstone AM/PM. This is a name change and remodel of the premises to upgrade the site and rebrand as a "76" fueling station and convenience store.

Access: The Fire Department has reviewed the partial plan and drawings for this project. The building is sited at the corner of 82nd Ave. and Arlington Street which provides good emergency access to the building. Access to all portions of the building exterior appears to be within 150 feet of where the emergency vehicles may need to park or position in the event of an emergency.

Emergency access to the building must be maintained at all times. Clear access during construction as well as when the building is complete.

Water supply: The proposed project does not show any impact to the water supply or fire hydrants near this property at 810 E. Arlington. The project involves replacement/installation of new underground fuel tanks. The fire department would like to be noticed prior to this work occurring. The contractor should expect to meet with a fire department representative to review an emergency/safety plan. This plan should be in place and approved prior to any tank removal.

Keep the street frontage clear at all fire hydrants. Any fire hydrant usage shall be approved by the fire department in addition to any approvals from public works and the City. Any disruption to the City's water system may require a temporary work stoppage during fuel tank removal.

Other comments or concerns:

1. **Does the owner/operator plan to close the business during this construction process?**
2. **Will the extent of this project generate a new C of O at the completion of this project?**
3. **Due to the extent of this remodel, the Fire Department suggests the owner consider installing a sprinkler system to the building during this extensive remodel.**

Michael Funk
Fire Marshal
City of Gladstone
Office: 503-557-2775
funk@ci.gladstone.or.us

NOTICE OF PUBLIC HEARING
GLADSTONE PLANNING COMMISSION

****RESCHEDULED****

DATE & TIME:	**May 19, 2020.** 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, 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 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 May 12, 2020 on our website: https://www.ci.gladstone.or.us/bc-pc/page/planning-commission-meeting-71.
FILE NO:	Design Review: **Z0018-20-D**
LOCATION	810 E. Arlington St; Tax Lot 22E20AD05100
DEVELOPMENT PROPOSAL:	Design Review for the remodeling of an existing 1,838 sq. foot building to meet code, and ADA requirements, along with exterior modifications. Proposal includes site development with the addition of a trash enclosure, bottle storage room, new fuel tanks, and increased paving for vehicular circulation and parking.
APPLICABLE REVIEW STANDARDS:	Chapter 17.18 and the Division IV. Development Standards 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:

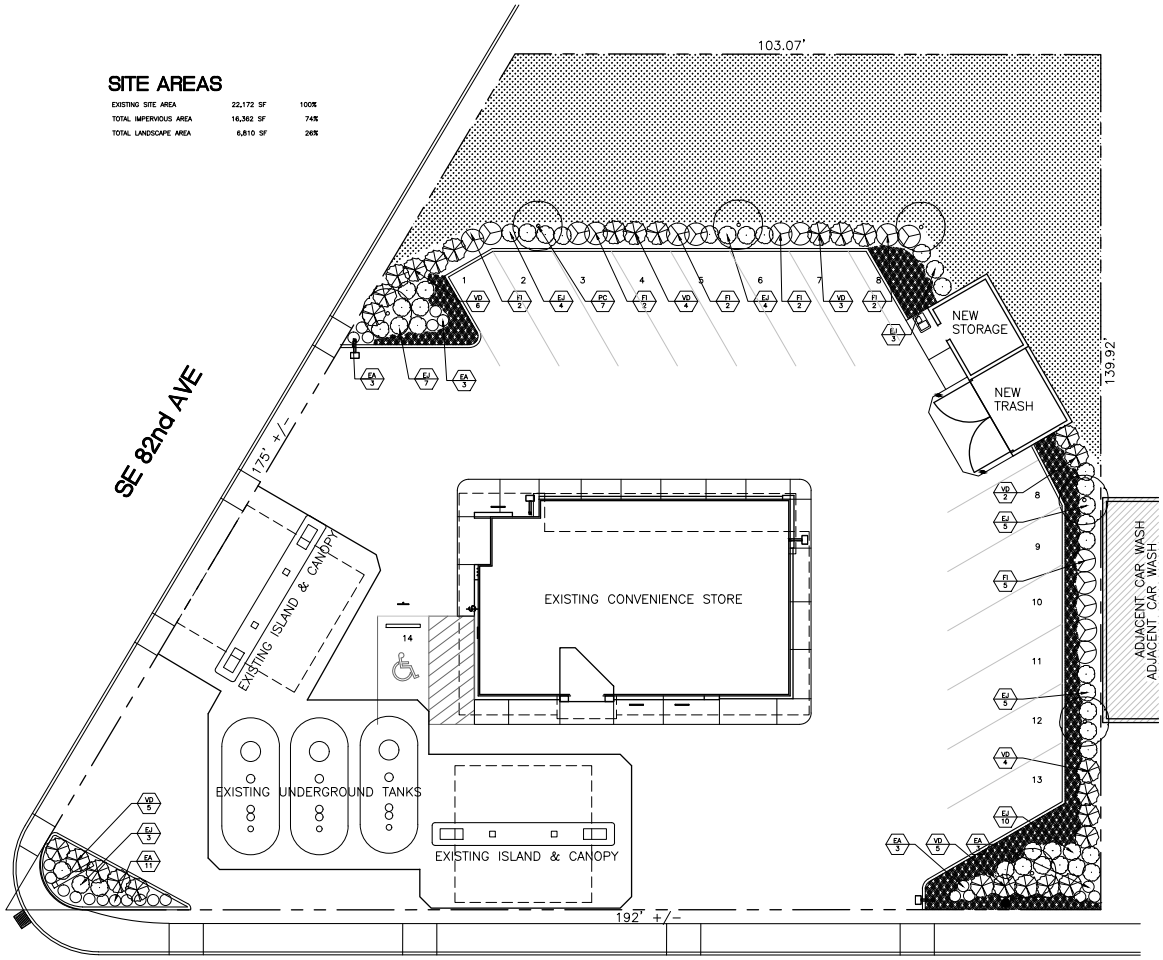
1. By emailing or calling staff, Joy Fields, at 503-742-4510 or jfields@clackamas.us; or
2. Online at https://accela.clackamas.us/citizenaccess/. After selecting the "Planning" tab, enter the permit file number to search. Then scroll down and select "Attachments," where you will find the submitted application. For further information, contact Joy Fields at 503-742-4510 or jfields@clackamas.us.

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.

This Public Hearing has been rescheduled from the original hearing date of March 17, 2020.

SITE AREAS

EXISTING SITE AREA	22,172 SF	100%
TOTAL IMPERVIOUS AREA	16,362 SF	74%
TOTAL LANDSCAPE AREA	6,810 SF	26%



LANDSCAPE PLAN

SCALE: 1" = 10'-0"

LANDSCAPE NOTES

1. ALL LANDSCAPE MATERIAL (EXCEPT ANNUALS) SHALL BE GUARANTEED FROM FINAL ACCEPTANCE FOR ONE FULL GROWING SEASON OR ONE YEAR, WHICHEVER IS LONGER.
2. PLACE A MINIMUM OF 6" TOPSOIL IN ALL PLANTING AREAS. PLANTING BEDS SHALL BE 3" BELOW ADJACENT CURBS AND WALKS TO ALLOW FOR BARKDUST. ROTOTILL TOPSOIL INTO SUBGRADE A MINIMUM OF 6".
3. EXCAVATE PLANTING HOLES TO 2 TIMES THE LARGEST ROOT BALL WIDTH. BACKFILL WITH A PLANTING MIX OF 3 PARTS TOPSOIL, 2 PARTS ORGANIC MATTER AND 1 PART COW MANURE. DISH SURFACE AROUND PLANT TO HOLD WATER. STAKE OR GUY ALL TREES.
4. FERTILIZER SHALL BE COMMERCIAL MIX INORGANICS 5-4-3 WITH MICRO-NUTRIENTS AND 50% SLOW RELEASING NITROGEN. MIX INTO PLANING AREAS AT THE FOLLOWING RATE:

SMALL SHRUBS	1/8 LBS PER PLANT
SHRUBS	1/3 TO 1/2 LB. PER PLANT
TREES	1/3 TO 1 LB.

5. MULCH PLANTING AREAS WITH MEDIUM GROUND BARK MULCH TO A DEPTH OF 3" IN ALL PLANTING AREAS.

IRRIGATION NOTES

1. DESIGN, FURNISH AND INSTALL A COMPLETE AUTOMATIC IRRIGATION SYSTEM.
2. IRRIGATION SYSTEM SHALL BE DESIGNED WITH "RAINBIRD" CONTROLLER, PES SERIES VALVES AND 1800 SERIES POP UP HEADS OR EQUAL BY TORO OR WEATHERMATIC. ONE YEAR MANUFACTURER'S WARRANTY REQUIRED ON ALL EQUIPMENT.
3. USE 6" POP-UP HEADS IN PLANTING BED. ALL HEADS TO BE INSTALLED WITH FLEX-PIPE OR SWING JOINTS.
4. PIPING TO BE CLASS 200 PVC WITH A MINIMUM 18" BURY ON MAINLINES AND 12" MINIMUM BURY ON LATERALS. SLOPE ALL LINES TO A LOW POINT AND INSTALL A STOP AND WASTE VALVE WITH A 24" DEEP ROCK BED AND PLASTIC VALVE BOX WITH LID.
5. PROVIDE OWNER WITH 3 SETS "AS BUILT" DRAWINGS AND OPERATION MANUALS. INCLUDE INSTRUCTIONS FOR PROPER WINTERIZATION OF IRRIGATION SYSTEM.

LANDSCAPE LEGEND

TREES

PC 7	PYRUS CALLERYANA CAPITAL CAPITAL ORNAMENTAL PEAR	1 1/2" CALIPER	35' O.C.

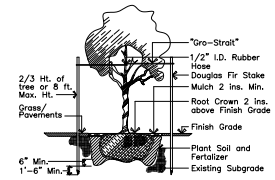
SHRUBS

FI 15	FORSYTHIA INTERMEDIA FIESTA FIESTA FORSYTHIA	1 GAL	4' o.c.
EA 23	EUONYMUS ALATUS COMPACTUS COMPACT BURNING BUSH	1 GAL	3' o.c.
VD 29	VIBURNUM DAVIDII DAVID VIBURNUM	1 GAL	4' o.c.
EJ 41	EUONYMUS JAPONICUS JAPANESE EUONYMUS	1 GAL	4' o.c.

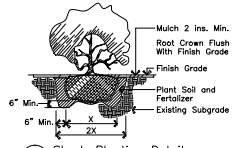
GROUND COVER

RUBUS CALYCNOIDES - EMERALD CARPET
4" POTS @ 30" O.C. TRIANGULAR SPACING

EXISTING GRASSY FIELD



1 Deciduous Tree Planting Detail
not to scale



2 Shrub Planting Detail
not to scale

PETROLEUM DESIGNS LLC
P.O. BOX 702
GRESHAM, OR 97030
TEL. (503) 558-9622
PETRO-DESIGNS.COM

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PROJECT:
REMODEL GAS STATION amd CONVENIENCE STORE

FOR: WOW PETROLEUM
810 E. ARLINGTON ST.
GLADSTONE, OR 97027

AT: TWENTY FOUR 7
810 E. ARLINGTON ST.
GLADSTONE, OR 97027

REVISIONS:
1 3-12-2020 DESIGN REVIEW REVISIONS

DATE:	2-3-2020
SCALE:	1"=10'-0"
DRAWN:	PHK
CHECKED:	PHK
JOB NO.	621
FILE:	621-L1

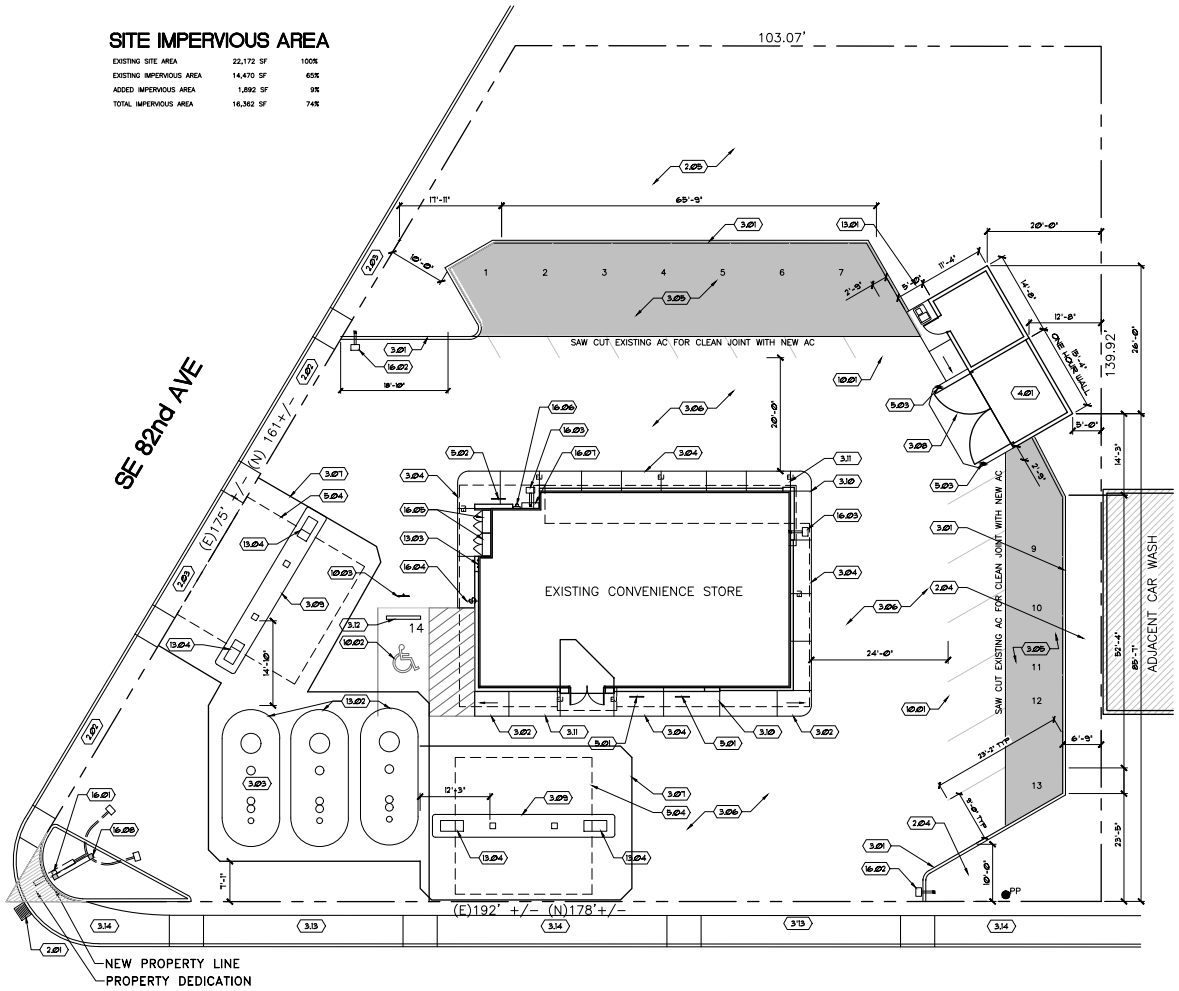
LANDSCAPING

L1

GLADSTONE

SITE IMPERVIOUS AREA

EXISTING SITE AREA	22,172 SF	100%
EXISTING IMPERVIOUS AREA	14,470 SF	65%
ADDED IMPERVIOUS AREA	1,892 SF	9%
TOTAL IMPERVIOUS AREA	16,362 SF	74%



SITE PLAN

SCALE: 1" = 10'-0"

GENERAL NOTES:

1. ALL WORK SHALL CONFORM TO LOCAL AND STATE CODE REQUIREMENTS, INCLUDING BUT NOT LIMITED TO THE CURRENT EDITIONS OF THE OSSC, OFC, OMSC, OPSC AND OESC
2. NO WORK IS AT START UNTIL THE REQUIRED PERMITS ARE OBTAINED. THE OWNER WILL PROVIDE A BUILDING PERMIT, TANK PERMIT AND DOE TANK REGISTRATION. ALL OTHER PERMITS SHALL BE OBTAINED AND PAID FOR BY THE GENERAL CONTRACTOR OR THE RESPECTIVE TRADE SUB-CONTRACTOR.
3. ALL LABOR, MATERIAL, EQUIPMENT AND SUPERVISION NECESSARY TO PROVIDE A COMPLETE PROJECT, SHALL BE PROVIDED BY THE GENERAL CONTRACTOR WORK OR EQUIPMENT WHICH IS NOT SPECIFICALLY IDENTIFIED OR SPECIFIED, BUT WHICH IS NECESSARY FOR THE COMPLETE AND PROPER EXECUTION OF THE WORK CALLED FOR IN THE DRAWINGS SHALL BE PROVIDED BY THE GENERAL CONTRACTOR.
4. CONTRACTOR SHALL VERIFY AND CONFIRM ALL FIELD CONDITIONS, GRADES AND DIMENSIONS. THE CONTRACTOR SHALL NOTIFY THE OWNER OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH THE WORK IN QUESTION.
5. THE CONTRACTOR SHALL PROVIDE ADEQUATE SAFEGUARDS, SAFETY DEVICES, PROTECTIVE EQUIPMENT, SAFETY PROCEDURES AND METHODS TO PROTECT THE LIFE, HEALTH AND SAFETY OF WORKERS, SUBCONTRACTORS, SUPPLIERS AND THE PUBLIC ON ALL WORK RELATED TO THIS PROJECT, IN FULL CONFORMANCE WITH OSHA REQUIREMENTS.

KEY NOTES:

2.0 - SITE WORK

- 2.01 EXISTING STREET CATCH BASIN TO REMAIN
- 2.02 EXISTING ACCESS TO REMAIN
- 2.03 EXISTING CURB AND SIDEWALK TO REMAIN
- 2.04 NEW LANDSCAPE PLANTER
- 2.05 EXISTING VACANT YARD TO REMAIN

3.0 - CONCRETE AND PAVING

- 3.01 NEW CONCRETE CURB PER XX/SP2
- 3.02 NEW ADA RAMP PER XX/SP2
- 3.03 NEW CONCRETE TANK SLAB PER SHEET T1
- 3.04 NEW 4" CONCRETE WALK W/ MONOLITHIC CURB PER 2/SP2
- 3.05 NEW 3" AC PAVING OVER 6" COMPACTED CRUSHED ROCK
- 3.06 EXISTING AC PAVING TO REMAIN
- 3.07 EXISTING CONCRETE DRIVE SLAB TO REMAIN
- 3.08 NEW 6" CONCRETE TRASH ENCLOSURE SLAB PER XX/SP2
- 3.09 REPLACE EXISTING 6" TALL CONCRETE ISLAND PER T2
- 3.10 CONCRETE CONTROL JOINTS PER 3/SP2
- 3.11 CONCRETE EXPANSION JOINTS PER 3/SP2
- 3.12 NEW CONCRETE WHEEL STOP
- 3.13 NEW CONCRETE DRIVEWAY PER CITY STANDARDS
- 3.14 NEW 5' WIDE CONCETE SIDEWALK PER CITY STANDARDS

4.0 - MASONRY

- 4.01 NEW CMU TRASH ENCLOSURE AND STORAGE PER 16/SP2

5.0 - METAL

- 5.01 NEW SHORT TERM "PEDALERS POST" BIKE RACK WITH ONE 2'x6' SPACE
- 5.02 NEW LONG TERM "PEDALERS POST" BIKE RACK WITH ONE 2'x6' SPACE
- 5.03 NEW CONCRETE FILLED 6" STEEL PIPE BOLLARD PER 10/SP2
- 5.04 EXISTING FUEL ISLAND CANOPY TO REMAIN

10.0 - SPECIALITIES

- 10.01 PAINT 4" TRAFFIC SYNTHETIC WHITE STRIPE
- 10.02 PAINT HC SYMBOL AND OFF LOADING 4" WHITE LINES
- 10.03 POLE MOUNTED ADA HC PARKING SIGN PER XX/SP2

13.0 - SPECIAL CONSTRUCTION

- 13.01 REINSTALL EXISTING AIR / WATER UNIT
- 13.02 EXISTING UNDERGROUND FUEL TANKS PER SHEET T-1 AND T-3
- 13.03 VENT RISERS PER DETAIL XX/T2
- 13.04 NEW DISPENSER TO REPLACE TWO EXISTING DISPENSERS PER T1

16.0 - ELECTRICAL

- 16.01 EXISTING POLE SIGN AND LIGHTS TO BE REMOVED
- 16.02 EXISTING LIGHT POLE WITH NEW LED FIXTURE
- 16.03 REPLACE ROOF MOUNT METAL HALIDE WITH NEW LED FIXTURE
- 16.04 EMERGENCY STOP SWITCH @ 48" PER XX/SP2
- 16.05 NEW NEMA 3R CABINETS FOR ELECTRICAL EQUIPMENT PER E1
- 16.06 EXISTING ELECTRIC METER TO REMAIN
- 16.07 EXISTING ELECTRIC CT CAN TO REMAIN
- 16.08 NEW POLE SIGN BY SEPARATE EXISTING PERMIT

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PROJECT:

REMODEL GAS STATION amd CONVENIENCE STORE

FOR: WOW PETROLEUM
810 E. ARLINGTON ST.
GLADSTONE, OR 97027

AT: TWENTY FOUR 7
810 E. ARLINGTON ST.
GLADSTONE, OR 97027

REVISIONS:

1	3-12-2020 DESIGN REVIEW REVISIONS

DATE:	12-27-2019
SCALE:	1"=10'-0"
DRAWN:	GHJ
CHECKED:	PHK
JOB NO.	621
FILE:	621-SP1

SITE PLAN

SP1

GLADSTONE

REGULAR AGENDA

Agenda Item No. 4

PC Meeting Date: 5/19/20

STAFF REPORT: CONDITIONAL USE AND AUTHORIZATION OF SIMILAR USE

Application No.:	**Z0071-20-D;**
Applicant:	**Housing Authority of Clackamas County**
Project Location:	**18000 Webster Road; Tax Lot 22E17DD00900**
Project Description:	**Convert the existing 27,000 square foot building to provide 48 residential units that will be a mix of single-room occupancy, (SRO) and studios, for older adults, as well as space for third party supportive services. Proposal includes site maintenance with the removal of some accessory structures and repairing the parking area.**

SUMMARY OF STAFF RECOMMENDATION

The planning staff are recommending APPROVAL of the Authorization of Similar Use and Conditional Use application Z0071-20-C and recommend the following findings and following conditions in support of approval: (1)Parking; (2) Signage; (3) Lighting; (4) ADA Access; (5) Sidewalks; (6) Storm Drainage; (7) Water; (8) Fire Suppression; (9) Sanitary Sewer; (10) Easements; (11) Construction Plans and Pre-construction Conference; (12) Final Occupancy; and (13) Endangered Species Act.

The subject property, is comprised of one tax lot (22E17DD00900), that is approximately 2.2 acres in size that has historically been used as a nursing home and a residential facility for teenagers. Uses on adjacent parcels include a mix of multifamily residences, churches and single-family homes. The proposed project would involve the use of the site as permanent supportive housing for seniors age 55 who make less than 30% of area median income. The existing 27,000 square foot building would be remodeled to provide 48 residential units that would be a mix of single-room occupancy (SRO) and studios, as well as meeting space for third party supportive services. The proposal includes building and site maintenance with the removal of some accessory structures, landscaping, and repairing the parking area.

The proposed use is different from the previously approved residential facility for adolescents receiving treatment and would not be able to operate within the previous conditions of approval or land use description from the 2001 land use approval. Section 17.70.010(1)(a) gives the City the authority to approve a conditional use even if it is not explicitly listed in the Conditional Uses section of R7.2 if it is authorized pursuant to Chapter 17.74, Authorization of Similar Uses. Therefore, the applicant also requests an Authorization of Similar Use and proposes that the use is more similar to a "home for the aged" than other uses allowed as conditional uses in other zoning districts.

As proposed and conditioned, planning staff find the application consistent with all applicable standards from Title 17 of the Gladstone Municipal Code (GMC) and are recommending the Planning Commission approve this Authorization of Similar Use and Conditional Use application. The standard of review for the proposed project is the City of Gladstone's Municipal Code Zoning and Development Title 17.

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EXHIBITS

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APPENDIX: SUBSTANSIVE FILE DOCUMENTS

A. **Application Materials (Narrative, Site Plan Figures 1, 5, 6 and 9)**
B. **Comments Received**

I. 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.

Responses Received: No comments were received directly from Gladstone Police, or Engineering Departments, but the comments from Public Works addresses items related to engineering were received and comments from Gladstone Fire were received.
Comments were also received from WES Tri-Cities and Metropolitan Alliance for Common Good Clackamas County.

II. STANDARD CONDITIONS

1. **Expiration.** This approval shall remain valid for two years following the date of approval. If use has not commenced by that date, this approval shall expire unless the Planning Commission pursuant to Section 17.80.100 of the Gladstone Municipal Code grants an extension prior to expiration of approval.

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.

III. SPECIAL CONDITIONS

1. **Parking.** The proposed use is consistent with what has historically been on the site related to parking. However, as submitted, the parking in the narrative does not match the example lease agreement included as exhibit G of the application. Therefore, the lease for the Gladstone site will need to be modified, and tailored to the parking on the site if the applicant implements the lottery for parking spaces as proposed in the application materials submitted. The parking provided per 17.70.010 (2)(g) shall meet the requirements of the Gladstone Public Works Design Standards.

2. **Signage.** All signs shall meet the provisions of Subsection 17.52 of the GMC. Sign designs were not included with the submittal package. Therefore, a sign permit shall be filed separately for the replacement of the existing sign.

3. **Lighting.** The project shall provide adequate street lighting per 17.70.010 (2)(i) as determined by the Public Works Director. The project shall submit a photometric analysis and lighting plan to City of Gladstone Public Works that conforms to Illuminating Engineering Society (IES) standards, except as modified by the City. Any required streetlights shall be acquired through Portland General Electric and energized under PGE Option A.

4. **ADA Access.** This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA) per GMC 17.50.020 (5), including provisions for curb ramps, circulation within the site, and appropriate grades to the public entrances of the building.

5. **Sidewalks.** Where existing sidewalks and driveways on Webster Road do not conform to current City or ADA standards, new ADA compliant sidewalks and driveways shall be constructed to address the following:
   - Match the width of the existing improvements;
   - Obstructions, such as utility poles, may not reduce the unobstructed width to less than 48 inches.
   - If the public sidewalk must swing around an obstruction, adequate right-of-way shall be dedicated for the sidewalk to remain within the public right-of-way. Right-of-way dedication shall be prepared using an approved City of Gladstone right-of-way dedication deed form.

6. **Storm Drainage.** The submitted plans include the alteration of the existing stormwater infrastructure and the installation of walking paths. The storm drainage plan shall conform to the drainage requirements of the Gladstone Public Works Design Standards including:

   - All stormwater inlets and pipes shall be removed from the sanitary sewer drainage system; and
   - The design engineer shall submit to the City of Gladstone Public Works Department for review and approval a storm drainage analysis and report applicable to the approved development detailing how storm water quality, quantity and disposal are being addressed to meet the requirements of the Gladstone Public Works Design Standards per 17.42.030 and 17.70.010(2)(g).

7. **Water.** The proposed development shall meet all water system requirements pursuant to the requirements of the Gladstone Public Works Design Standards and the Oregon Health Authority. Water meter sizing calculations are required to verify adequate water meter size per 17.70.010(2)(l). These calculations are typically based on a fixture count. These calculations shall be submitted to the City at the time of plan review.

8. **Fire Suppression.** The fire suppression system, including the fire line, backflow prevention device, and onsite fire hydrants (if needed) must be upgraded to the current standards of the City of Gladstone Public Works and the Gladstone Fire Department per 17.70.010(2)(l).

9. **Sanitary Sewer.** The proposed development shall meet all sanitary sewer requirements pursuant to Clackamas County Water Environment Services (WES) and the requirements of the Gladstone Public Works Design Standards. The existing sanitary sewer main and building lateral integrity

need to be verified by television inspection submitted to the Public Works Department. The existing sewer main and building lateral will have to be brought up to current standards of the City of Gladstone, if determined to be necessary by City of Gladstone Public Works per 17.70.010(2)(l).

10. **Easements.** The project shall grant the following easements as applicable:

    - An additional 5 feet of sanitary sewer easement to the City of Gladstone along the eastern side of the building to widen the existing sanitary sewer easement to 15 feet, in conformance with Subsection 2.0024 Easement, of the City of Gladstone Public Works Design Standards;
    - If the water meter, backflow preventor(s), or public fire hydrants are located outside the public right-of-way, then the project shall grant public waterline easements to the City around these structures; and
    - If private property must be crossed in order to reach an approved point of disposal for the storm drainage system, it shall be the project's responsibility to acquire a recorded drainage easement (of dimensions in accordance with Subsection 2.0024, Easements, of the Gladstone Public Works Design Standards).

    Easements shall be prepared using an approved City of Gladstone easement form and a copy of the recorded easement shall be provided to City of Gladstone Public Works prior to the pre-construction meeting.

11. **Construction Plans and Pre-construction Conference.** Plans detailing the installation of public and private utilities, site grading, and other public and private site improvements shall be submitted to the City of Gladstone Public Works Department for review and approval per Section 17.42.030. The design, location, and planned installation of all roadways, 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. Once 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.

12. **Final Occupancy.** PRIOR TO ISSUANCE OF A FINAL OCCUPANCY PERMIT, all conditions of the design review approval shall be met per 17.80.100(2).

13. **Endangered Species Act.** The approval of the application granted by this decision concerns only the applicable criteria for this decision. The decision does not include any conclusions by the county concerning whether the activities allowed will or will not come in conflict with the provisions of the federal Endangered Species Act (ESA). This decision should not be construed to or represented to authorize any activity that will conflict with or violate the ESA. It is the applicant, in coordination if necessary with the federal agencies responsibility for the administration and enforcement of the ESA, who must ensure that the approved activities are designed, constructed, operated and maintained in a manner that complies with the ESA.

IV NOTES:

1. **Erosion Control.** A sediment and Erosion Control Permit is required from WES prior to commencing site work if there is more than 800 square feet of soil disturbance.

2. **System Development Charges (SDC's).** SDC's may be required due to the change of use of the property. The project shall provide all relevant information needed to calculate the SDC's to the Public Works Director. SDC calculation methodology is located on the Public Works page of the City of Gladstone website and was provided in comments provided by WES (Appendix B).

3. **Building Permits.** Clackamas County Building Department will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical Permits for this project.

IV. FINDINGS

The City of Gladstone Planning Staff finds:

A. PROJECT LOCATION AND PROPOSED DEVELOPMENT

The subject property is primarily comprised of tax lot 22E17DD00900, that is approximately 2.2 acres in size located at 18000 Webster road approximately 175 feet south of Ridgewood Dr. and approximately 350 feet north of Cason Rd. The property has historically been used as a residential care facility for teenagers and was originally built as a nursing home that was expanded in 1975 to provide 139 beds. The subject property is zoned R-7.2 - Single-Family Residential District (R7.2). The proposed project would involve remodeling the existing 27,000 square foot building to provide 48 dwelling units. Nursing homes and homes for the aged are subject to the Conditional Use procedures in the R-7.2 Zoning District.

B. AUTHORIZATION OF SIMILAR USE FINDINGS

17.74.010 Authorization of similar uses.
The Planning Commission may permit in a particular zoning district a use not listed in this title, provided the use is of the same general type and character as the uses permitted there by this title. However, this section does not authorize the inclusion in a zoning district where it is not listed of a use specifically listed in another zoning district or which is of the same general type and is similar to a use specifically listed in another zoning district.

The applicant provided materials that addressed the following questions:

- Is the proposed use substantially similar to "a home for the aged", which is listed as a conditional use in the R - 7.2 zoning district; or
- Is the proposed use more similar to:
    - a "Senior Housing Center" which is a conditional use listed in the Office Park (OP) zoning district, or
    - a "multi-family dwelling" which is an allowed use listed in the Multi-Family Residential (MR) zoning district.

Home for the Aged

The "home for the aged" defined in the Gladstone Municipal Code (GMC) relies on the ORS definition that was in place in 1990 when the GMC originally included "home for the aged".
The applicant provided the ORS definition of "home for the aged" and associated terms as follows:

"Home for the Aged" – a facility which furnishes food, shelter and personal services for compensation to three or more aged persons who are residents there of and excludes such persons who require nursing care.

"Aged person" means a person of the age of 65 years or more who requires personal services, or a person of less than 65 years who by reason of infirmity requires domiciliary care.

"Personal services" means services which emphasize supervision, protection, and assistance while bathing, dressing, eating, grooming and administering medication.

"Nursing care" means those services performed under the supervision of a licensed R.N. or L.P.N. which assist persons to achieve optimum health, well-being and independence.

The applicant also provided the following support for why the project meets the definition for "home for the aged":

- "The project will provide "shelter": The project will serve low-income residents by providing them with housing (i.e. "shelter") on an indefinite basis as long as their need for housing persists (i.e "residents thereof").
- The project will provide "personal services": The property will be managed by a third-party property management firm that specializes in supportive housing. The management firm will furnish staff members that will be on the property at all times to supervise the residents, enforce building rules such as quite hours and smoking, and monitor the comings and goings of both residents and visitors (i.e. "supervision" and "protection"). Optional services such as mental health counseling, life skills, personal care and nutrition will be provided to the residents by third party vendors (i.e. assistance "bathing, dressing, eating, grooming and administering medication"). Dedicated private consultation rooms will be included in the renovation to facilitate these personal services.
- The project will provide "food": The facility will have a common kitchen, and the residents will have the option to take part in preparing communal meals. Additionally, each unit will have at minimum a mini-fridge and microwave for residents to prepare their own meals, and the property managers will be on hand to assist residents in purchasing food on their own.
- HACC and the property manager will be "compensated": HACC is compensated by the rents they collect from the residents.
- The project will serve "aged persons": the project will serve primarily a population of older individuals over the age of 55. All residents must make less than 30% of area median income and be in need of social support (i.e. "reason of infirmity"). The standard dictionary definition of "infirm" is broad enough that it can include people suffering from addiction, mental health and physical issues, which is often the case with the population HACC generally serves.

- The project will not provide "nursing care": As described above, third party providers will offer supportive services to residents, but this care will not include skilled nursing care, and no licensed medical staff will be employed by HACC or the third-party manager. Residents who need full nursing care will be excluded from being tenants, and residents who over time come to need nursing care will be moved into other appropriate facilities.
- As described above, the project would be of the same general type and character as a "home for the aged" based on 1990 ORS definition of such. The project therefore a similar use to the allowable conditional use of "nursing home and home for the aged" listed in the R7.2 zoning district."

Senior Housing Center

The Gladstone Municipal Code includes the following definition:
17.06.491 Senior housing center.
A "senior housing center" means a residential facility providing dwelling units without full kitchens (known as residential suites) for those aged sixty-five and older and dwelling units with full kitchens. Up to fifteen percent of the total number of dwelling units may be provided as single-family units or duplex units with full kitchens. A senior housing center is a congregate care facility which provides common services including but not limited to transportation of residents, three meals per day in a common facility and other non-medical care congregate services.

Merriam-Webster definition of congregate *(used as an adjective). "Providing or being group services or facilities designed especially for elderly persons requiring supportive services."*

The applicant provides the following support for why they are not more similar to a "Senior housing center":

- "Age of population served: The proposed HACC project will be primarily a population of older individuals over the age of 55 and those in need of social support due to addiction, mental health and physical issues (i.e. "reason of infirmity"). The Gladstone definition of "senior housing center" specifically limits the population of residents to 65 and older.
- "Congregate care" and "common services" will not be provided: Though optional services will be offered to the residents of the HACC project they will be provided on an individual or one-on-one basis. There will be no third-party provider who will be providing their services on a communal basis to the entire population of residents.
- Formal "meals" will not be provided: Though the HACC project will assure that all of the residents have "food" there will be no program either on or off-site that will be turning this food into meals. Residents will be in charge of their own cooking, either in their rooms or in the communal kitchen, whereas, the definition of senior housing center indicates that residents are provided three meals a day, served in a common facility.
- An important overall difference between the HACC proposal and a "senior housing center" is in the amount of self-sufficiency the HACC residents will have. Unlike the residents in a senior housing center, the HACC residents will not be entirely reliant on the staff of the facility to meet their everyday needs such as food, transportation, shopping and laundry."

Multi-Family Dwelling

The Gladstone Municipal Code includes the following definitions:
17.06.140 Dwelling, multi-family.
"Multi-family dwelling" means a building or portion thereof, designed for occupancy by three or more families living independently of each other.

17.06.175 Family.
"Family" means one person or two or more persons related by blood, marriage, legal adoption or legal guardianship, living together as one housekeeping unit using one kitchen and providing meals or lodging to not more than two additional persons, excluding servants or a group of not more than five unrelated persons living together as one housekeeping unit using one kitchen.

The applicant provides the following support for why the proposed use is not more similar to a "multi-family dwelling":

- The HACC project will not house "families": The renovated facility residential units that will be a mix of single-room occupancy (SRO) and studios. The units will be designed for single occupancy or in the rare instance a couple, but there will be no family units provided.
- The residents will not live "independently of each other": As described above the HACC facility will be managed by on-site staff who will enforce the specific rules of the building (quite hours, no smoking, etc.) and supervise the comings and goings of the residents. Though the residents will have autonomy, it will not be on the level of those living in market-rate apartments who have no supervision. Additionally, there will be facilities within the HACC facility such as the kitchen, dining hall and classroom, which will be shared communally between all of the residents.
- The over-arching difference between the HACC proposal and a "multi-family dwelling" is the amount of oversight over the HACC residents. On-site staff will enforce the rules of the facility, whereas residents of a multi-family dwelling who are living "independently" generally have fewer rules and have to negotiate directly with neighboring residents when they have issues around things like noise and smoking. Staff will also monitor the resident's comings and goings, to assure that the residents are healthy, and taking care of themselves in terms of being cleanly, fed and mentally stable.

Finding: The definitions of a "home for the aged", "senior housing center" and Multi-family are all in the Gladstone Municipal Code, or defined by the ORS and referred to by the GMC. The following table attempts to concisely compare the three potential use categories:

Home for the Aged	**Senior Housing Center**	**Multi-family Housing**
Provides food and shelter	Provides food and shelter	Does not provide food
Does not explicitly provide transportation	May provide transportation	Does not provide transportation
Provides personal services	Provides group services	Individuals/families live independently of each other
Serves individuals over the age of 65, or those who are infirm	Serves individuals over the age of 65	Serves individuals of any age

Staff finds the following:

- The definitions of "home for the aged" and "senior housing center" are very similar.
- These uses are allowed in separate zoning districts.
- HACC is proposing to provide shelter and communal cooking facilities with potential access to food.
- HACC is proposing to provide individualized supportive services for those who opt to participate.
- HACC is proposing to serve adults aged 55 and up who are in need of social support.
- HACC is not proposing to use the site to house independent family units.

Therefore, staff finds the proposed use of the renovated building to be the most similar to "home for the aged".

C. CONDITIONAL USE FINDINGS

Single Family Residential Zoning District

17.10.010 *Purpose.*
The purpose of an R-7.2 district is to implement the comprehensive plan and to provide land for families and individuals desiring to live in an environment of single-family dwellings with low density multi-family dwellings on the periphery of neighborhoods.

17.10.040 Conditional uses allowed.
In an R-7.2 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (conditional uses):

(1) Multi-family dwelling, three to eight unit complexes on a collector or minor arterial.
(2) Church and associated buildings and structures.
(3) Fire station or similar public use necessary to provide service or preserve public safety in the area.
(4) Community center, day care center.
(5) Nursing homes and homes for the aged.
(6) School and associated buildings, structures and facilities.
(7) Utility facility provided that no outside storage is involved.
(8) Group homes.
(9) Planned unit development (PUD).

Finding: The property at 18000 Webster Rd is zoned R-7.2. Across the road to the west is property zoned multi-family residential. Adjacent parcels to the north, east, south and part of the west side are zoned R-7.2. Nursing homes and homes for the aged are allowed as conditional uses subject to GMC Chapter 17.70. This criteria can be met as proposed if the Authorization of Similar Use is granted by the Planning Commission.

17.10.050 Dimensional standards.
Except as provided in GMC Chapter 17.38 (planned unit development), Chapter 17.72 (variances) and Chapter 17.76 (exceptions), the following dimensional standards shall apply in an R-7.2 zoning district:

(1) Lot Area:

(a) For a single-family dwelling, the minimum lot area shall be seven thousand two hundred (7,200) square feet;
(b) For a two-family or multi-family dwelling, the minimum lot area shall be three thousand six hundred (3,600) square feet per dwelling unit;
(c) For other uses, the minimum lot area shall be seven thousand two hundred (7,200) square feet, or as established by the Planning Commission, as provided by GMC Chapter 17.70 (conditional uses).

Finding: The subject property is approximately 2.2 acres, or 95,830 square feet. The proposed use is a "home for the aged". Therefore, the minimum lot area shall be seven thousand two hundred (7,200) square feet, or as established by the Planning Commission, as provided by GMC Chapter 17.70 (conditional uses). This criteria is met.

(2) Setback Requirements:

(a) A front setback shall be a minimum of twenty feet (20') except that a front porch may project a maximum of five feet (5') into a required front setback area;
(b) Except on a corner lot, the total side setback shall be a minimum of twenty percent (20%) of the average lot width or fifteen feet (15'), whichever is less, but in no case shall a side setback be less than five feet (5');
(c) A rear setback shall be a minimum of fifteen feet (15');
(d) On a corner lot, the street side setback shall be a minimum of twenty feet (20') and the other side setback shall be a minimum of five feet (5');
(e) Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet (2') into a required setback area;

Finding: The building is existing. No changes are proposed to expand the footprint of the structure. The existing setbacks, as shown on the site plan (Fig.1 submitted 2/12/2020), are 20 feet from the front property line along Webster Rd, 26.3 feet from the rear property line, 26.5 feet from the side property line to the south and 31 feet from the side property line to the north. These criteria are met.

(3) Building Height. Maximum building height shall be thirty-five feet (35'). 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.

Finding: The proposal does not include increasing the height of the building, which is 16 feet tall per page I-7 of the application narrative submitted 2-12-2020. This criteria is met.

(4) 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 development is not a PUD therefore, this criteria is not applicable. This is informational only.

(5) Minimum Density. Subdivisions and PUDs shall provide a minimum density of eighty percent (80%) of the maximum density per net acre. For the purpose of this provision, maximum density shall be one (1) dwelling unit per seven thousand two hundred (7,200) square feet of lot area or six (6) units per net acre.

Finding: The proposal is not for a PUD or a subdivision therefore, this criteria is not applicable. This is informational only.

17.10.060 Design standards. Apply to single-family or two-family dwellings and garages.

Finding: The building is existing and the proposal is not for the construction of a single-family or two-family dwelling. This is informational only.

17.70.010 Authorization to grant or deny Conditional Use.

(1) Approval Criteria. A conditional use may be approved, pursuant to GMC Division VII (administrative procedures), if the applicant demonstrates that the proposed use:

a) *Is listed as a conditional use in the underlying zoning district or is authorized pursuant to GMC Chapter 17.74 (authorization of similar uses);*
Finding: Home for the aged is a use listed as a conditional use in the R-7.2 Zoning District. This criteria can be met with an Authorization of Similar Use as requested by the applicant.

b) *Is suitable for the proposed site, considering size, shape, location, topography, existence of improvements and natural features;*
Finding: The proposed site has an existing building that can be remodeled to serve the purpose of being a home for the aged. The size, shape, location, topography, existing improvements and natural features have been considered by the applicant per the landscaping plan, site plan and Tree Survey submitted with the application materials. This criteria is met.

c) *Is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use;*
Finding: The site served by the existing transportation system, which includes a full sidewalk, bike lanes and transit stops on Webster Road. The site has existing connections to the public sewer, water, and stormwater infrastructure. Providing maintenance to the site and refurbishing the existing building to allow it to be used will reduce trespassing and nuisance for the neighborhood. The proposal is timely because the regional housing needs assessment found that 22% of Gladstone's population are over the age of 60, about 63% of Gladstone's renters are cost burdened (paying 30% or more of their income on rent), and there is a need for 318 dwelling units to serve the future demand of housing in Gladstone. The proposal is also timely because it has existing connection to public services and will update connections to those services as needed to ensure adequate public facilities as required by the conditions of approval. These criteria are met as conditioned.

d) *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate development of properties in the area and neighborhoods surrounding the subject site.*

Finding: The site has been used to house multiple residents since it was developed in 1967 as a nursing home with 139 beds and then converted to a residential facility for 50 youth in 2001. This structure has been part of the neighborhood for many years and there are no plans to increase the footprint or height of the existing building. The existing landscape will be maintained, increased, and/or modified for safety. Therefore, the visibility of the site shall be similar to what it has been historically. The proposal includes removing the basketball court and replacing it with passive recreation, which the applicant proposes will reduce the sound emanating from the site. With all of the factors above, staff find that the proposed use will compatible with the surrounding neighborhood and will minimal impact on the livability of the community. These criteria are met as conditioned.

e) Satisfies the policies of the comprehensive plan that apply to the proposed use.

Excerpts from Gladstone Comprehensive Plan

Land Use Planning

Residential Uses:

2. Allow churches, schools and similar facilities in residential areas only when and where compatible with surrounding uses.
5. Allow housing types ranging from low to high density units, providing for variation in the design of housing units.

Low Density Residential:

Appropriate uses include, but are not limited to, single family and two-family dwellings, churches, schools, day-care centers, community centers, nursing homes, home occupations, and similar uses.

Low density residential districts should be served by local streets. Non-residential uses should be located on collectors or minor arterials to minimize noise and traffic impact. Day care centers and community centers should be located at or near the intersection of minor arterials and collectors.

Pedestrian paths and trails, open spaces, view points, utility easements, and retention of trees should be encouraged.

Housing:

Policy 3: Promote the supply of adequate housing.

a. Work with Clackamas County in applying for federal housing assistance funds.
b. Explore the feasibility of offering density bonuses to developers who provide for federally subsidized low and moderate income housing units within developments.
d. Solicit the participation of the building industry, lending institutions and school district in a program for supplying housing structures to meet the specials needs of the physically limited and elderly.

Policy 4: Promote the upgrading and preservation of existing housing units and neighborhoods, with special emphasis on historically significant homes.

a. Work with Clackamas County in applying for federal funds for housing and neighborhood rehabilitation and improvements.
b. Work with the building industry, lending institutions and school district in rehabilitation and/or maintenance programs.

c. Explore ways of encouraging an on-going maintenance program of existing multi-family structures and landscaping.

Finding: The proposed supportive housing facility will be compatible with the uses that surrounding this site, which includes several churches as well as single and multi-family residential uses. Therefore, the use is appropriate for the residential area. The proposed use will provide a new type of housing opportunity, which is currently not represented in Gladstone. Webster Road is classified as an arterial in the 2017 Gladstone Transportation System Plan, which is an appropriate functional class for the proposed use. New pedestrian paths are proposed to connect the existing building with Webster Road and with landscaping features. Though the existing facility on the site is not "historically significant" this project does rehabilitate and maintain an existing structure and allows it to be used for housing. This criteria is met.

17.70.010 Authorization to grant or deny.

2) Conditions of Approval. In addition to the specific requirements of this title, including those set forth in GMC Chapter 17.62 (special uses), and the comprehensive plan, approval of a conditional use may be granted subject to additional conditions that are found necessary to protect the best interests of the surrounding area or the city as a whole. These conditions may include, but are not limited to, the following:

(a) Limiting the hours, days, place and manner of operation;
(b) Requiring design features that minimize environmental impacts such as noise, vibration, smoke, dust, fumes and glare;
(c) Requiring increased setbacks, lot area, lot depth and lot width;
(d) Limiting building height, size, lot coverage and location on the site;
(e) Designating the size, number, location and design of vehicle access points;
(f) Requiring street right-of-way to be dedicated and streets to be improved;
(g) Requiring landscaping, screening, drainage and surfacing of parking and loading areas;
(h) Limiting the number, size, location, height and lighting of signs;
(i) Regulating the location and intensity of outdoor lighting;
(j) Requiring a sight-obscuring fence or hedge to screen the conditional use from adjacent to or nearby property;
(k) Construction of off-site transportation improvements to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and
(l) Upgrade or construct public facilities to city standards.

Finding: As proposed and conditioned, the remodeling of the existing building and maintenance of the site, meet the Developmental Standards including the dimensional standards, parking, and clear vision. The landscaping, and vehicular and pedestrian circulation requirements of Sections 17.48.050, Chapter 17.44, and Chapter 17.46, that apply to Design Review applications do not apply to this application, but are addressed by the applicant in the materials provided on 2/12/2020. These criteria are met as conditioned.

Parking and Access

Chapter 17.48 of the GMC regulates off-street parking and loading for all development permits.

Section 17.48.030 Table 1 *requires Welfare or Correctional Institution, Nursing Home or Homes for the Aged to provide 1 parking space per 10 beds for patients, or inmates, plus 1 space per 2 employees.*

Finding: The 27,000 square foot building is being remodeled to serve 48 beds. Therefore, four (4) parking spaces would be required (rounding down per 17.48.030(1)(d)) for residents and 2 parking spaces would be required for the on-site full-time employees. The project proposed to provide 26 parking spaces per page I-11 of the narrative and Figure 1 (dated February 2020). This criteria is met.

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

Finding: The site currently has a paved parking lot per Figure 3 of the site plans (Review date of 12/31/2019). The applicant proposes to repave and repair where needed and stripe the parking spaces with a new configuration. Special Condition #11 includes a pre-construction conference with the Gladstone Public Works Department that will be signing off on the project prior to construction. This criteria is met as conditioned.

Section 17.48.040(1)(b) *requires parking and loading areas to be screened from abutting residential properties.*

Finding: The proposal is to maintain and plant landscape buffers along the parking and vehicle areas. The applicant acknowledges that the existing landscape along the north edge of the site is only 1-2 feet wide and intends to keep the existing chain-link fence with privacy slats along the north property line per page I-11 of the narrative. This criteria is met.

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

Section 17.48.040(2)(b) *states that required parking shall be provided in the same zoning district.*

Finding: Site plan Figure 1 dated February 2020, shows the parking spaces provided are within 50 feet of the building they will serve and are located on the same tax lot. These criteria are met.

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

Finding: Site plan Figure 1 dated February 2020 shows the location and indicates how the parking areas will be marked. The markings shall meet the City of Gladstone Design Standards. Special Condition #7 requires a pre-construction conference with the Gladstone Public Works Department who will be signing off on the project prior to the issuance of building permits. This criteria is met as conditioned.

Section 17.48.040(2)(f),and (g) establish the minimum width of access aisles and the minimum dimensions of parking spaces.

Finding: Site plan Figure 1 dated February 2020 shows the location and dimensions of the parking spaces. The plan includes 16 standard parking spaces with 9.6'x18'dimensions, seven (7) spaces for compact cars designed to be 8.5'x16', one (1) standard space with an extra 6' aisle for accessibility and one (1) van accessible site with an 8'accessibility aisle. The access aisles are at least 24' per Figure 1 and page I-12 of the narrative. This criteria is met.

Section 17.48.050 *establishes requirements for bicycle parking for new multi-family and new commercial developments.*

Finding: The proposed use is neither multi-family nor commercial. The applicants are proposing to provide four (4) short-term bicycle parking spaces. This criteria is not applicable and is included for informational purposes only.

Signs

Chapter 17.52 of the GMC establishes sign requirements.

Finding: Sign designs for the replacement of the current sign was not included in the application. This criteria is met with Special Condition #2.

Clear Vision

Chapter 17.54 of the GMC establishes clear vision requirements.

Finding: The property being developed is not located on the corner of two intersecting streets or a street and a railroad. This criteria is not applicable and is included for informational purposes only.

Special Uses

17.62.020 *Church, hospital, nursing home and home for the aged.*
A church, hospital, nursing home or home for the aged may exceed the maximum building height standard of the zoning district in which it is located if the city Fire Department reports that it possesses sufficient fire-fighting capability to provide emergency response to a building of the height proposed; if the total floor area of the building does not exceed one and one-half times the area of the site; and if the front, side, street side and rear setbacks are each equal to a minimum of two-thirds of the height of the building.

Finding: The current building is less than the maximum height and the applicant is not proposing to increase the height. This criteria is met.

D. Design Review Consistency – Informational Only

Design Review

Chapter 17.80 *of the Gladstone Municipal Code (GMC) establishes the requirements for design review. Pursuant to Subsection 17.80.021(1), new structures, additions to existing structures and site development is subject to design review.*

Finding: The proposed renovation of the existing building and site maintenance does not trigger design review. This is informational only.

Chapter 17.44 *of the GMC establishes* ***Building Siting and Design*** *requirements for all development that is subject to design review.*
17.44.010 Applicability*.*
Building siting and design standards shall apply to all development that is subject to design review.

Finding: The proposed development does not change the siting, location, or the footprint of the building, and the site maintenance does not require design review. Therefore, the requirements in this section do not apply to the application unless the Planning Commission chooses to use these specifications as conditions of approval for the Conditional Use application. The applicant

addresses the requirements of this chapter in the application narrative on pages I-8 and I-9. This criteria is not applicable and is included for informational purposes only.

Chapter 17.46 *of the GMC establishes* ***Landscaping*** *requirements for all development that is subject to design review.*

17.46.010 Applicability*.*

Landscaping standards shall apply to all development that is subject to design review.

Finding: The proposed development does not change the siting, location, or the footprint of the building, and the proposed site maintenance does not require design review. Therefore, the requirements in this section do not apply to the application unless the Planning Commission chooses to use these specifications as conditions of approval for the Conditional Use application. The applicant addresses the requirements of this chapter in the application narrative on pages I-9 and I-10. The narrative includes that the proposed landscaping maintenance and improvements will comprise approximately 35% of the site. This criteria is not applicable and is included for informational purposes only.

Chapter 17.50 *of the GMC establishes the requirements for* ***Vehicular and Pedestrian Circulation*** *for all development that is subject to design review.*

Finding: The proposed development does not change the siting, location, or the footprint of the building, and the site maintenance do not require design review. Therefore, the requirements in this section do not apply to the application unless the Planning Commission chooses to use these specifications as conditions of approval for the Conditional Use application. The applicant addresses the requirements of this chapter in the application narrative on pages I-10 and I-11. This criteria is not applicable and is included for informational purposes only.

As such, the Planning staff recommend APPROVAL of the Authorization of Similar Use and Conditional Use Application No. Z0071-20-C.

Pursuant to Section 17.92.020 of the Gladstone Municipal Code, the decision of the Planning Commission may be appealed to the City Council within 15 days of the mailing of the Planning Commission's written decision. In order to appeal a decision of the Planning Commission, a party must have appeared orally or in writing before the Planning Commission. The filing fee for the appeal is $250.00. If no appeal is filed within 15 days, the decision of the Planning Commission shall be final.

EXHIBITS

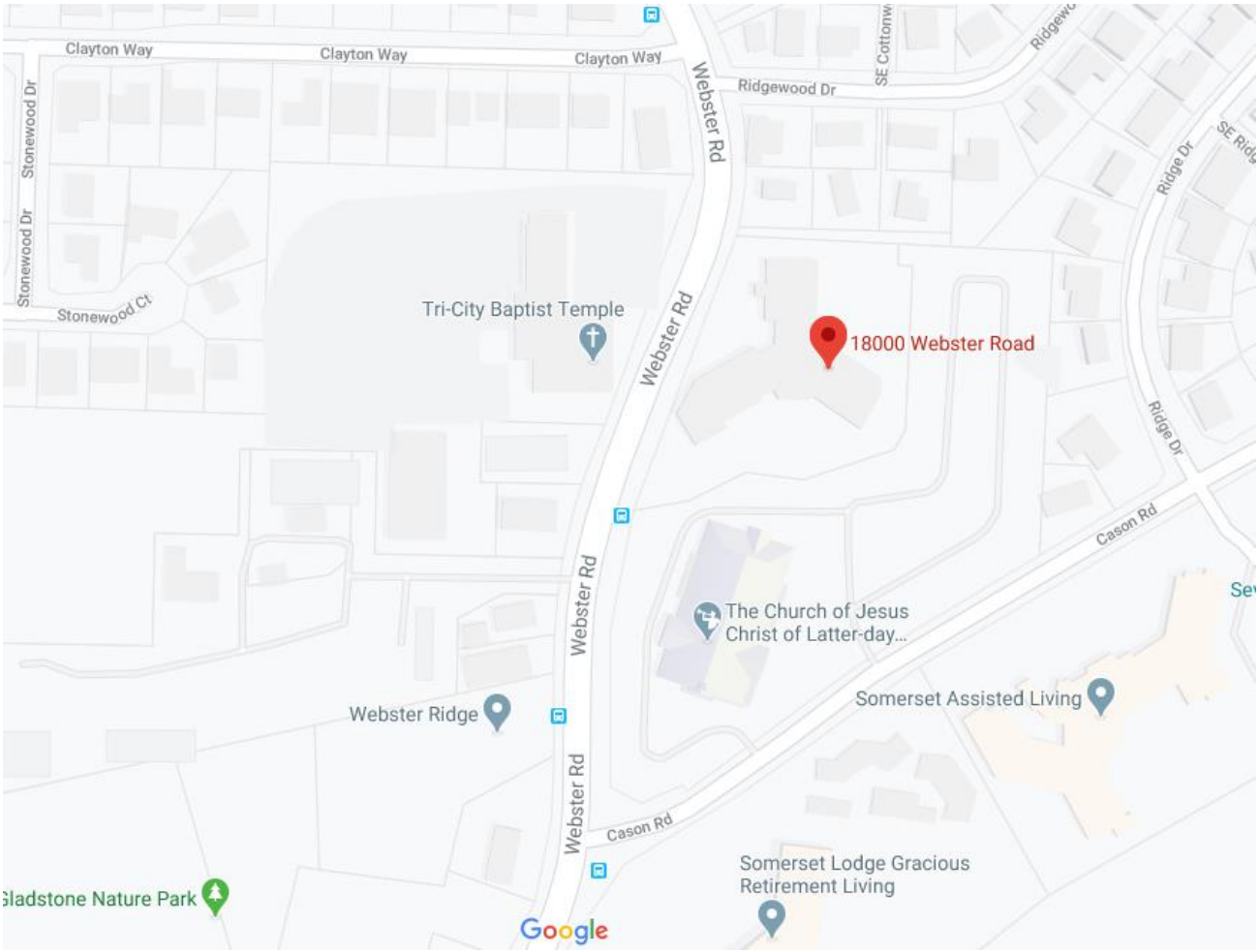


EXHIBIT 1
Location Map
Z0071-20-C

EXHIBIT 2
Aerial Image
Z0071-20-C

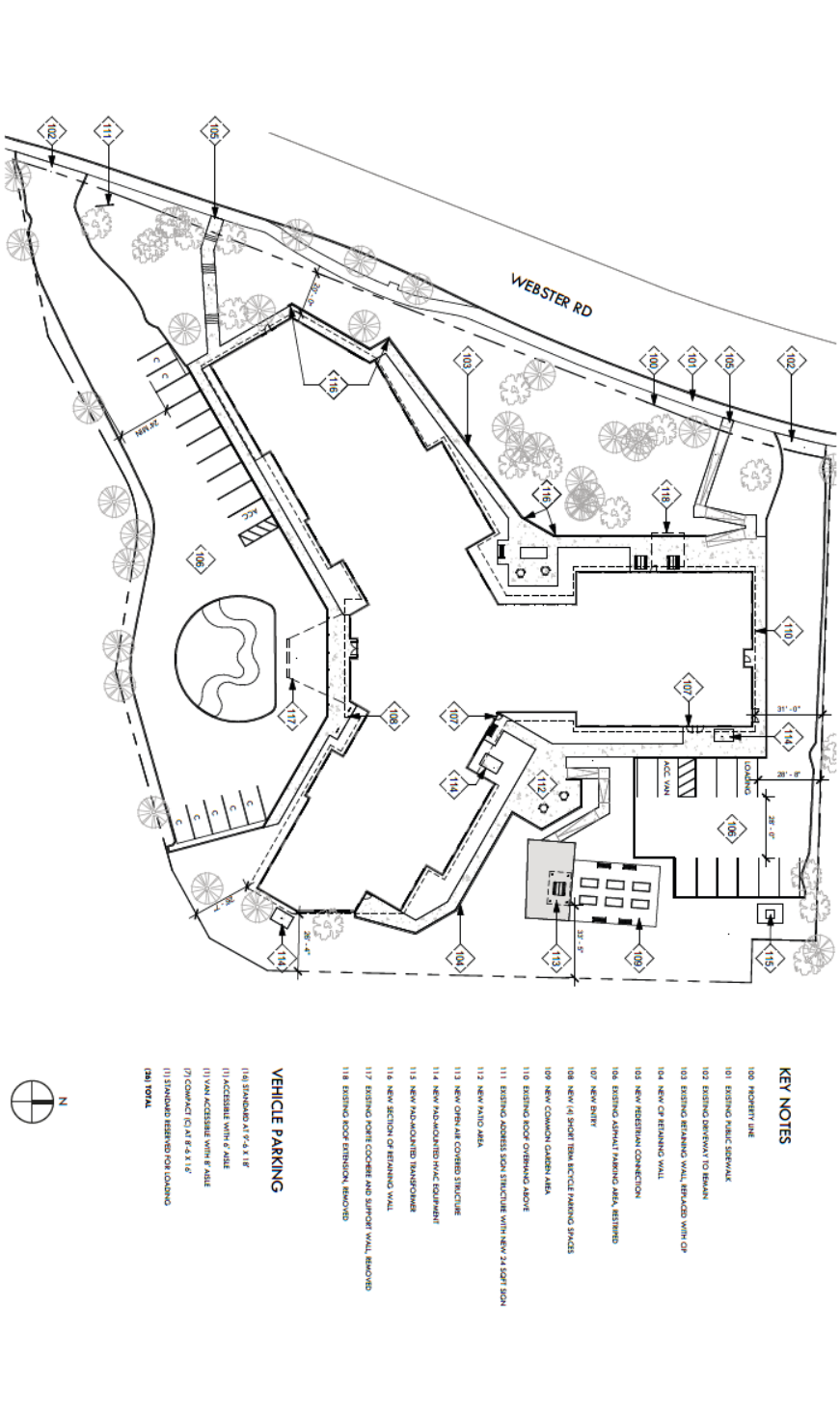
1 SOUTH ELEVATION AT MAIN ENTRY

2 SOUTHEAST ELEVATION OF WEST WING - TYPICAL OF RESIDENTIAL UNIT AREAS

3 WEST ELEVATION OF NORTH WING

4 NORTH ELEVATION OF NORTH WING

EXHIBIT 3
Exterior Renderings
Z0071-20-C



KEY NOTES

100 PROPERTY LINE

101 EXISTING PUBLIC SIDEWALK

102 EXISTING DRIVEWAY TO REMAIN

103 EXISTING RETAINING WALL REPLACED WITH CIP

104 NEW CIP RETAINING WALL

105 NEW PEDESTRIAN CONNECTION

106 EXISTING ASPHALT PARKING AREA, RESTRIPED

107 NEW ENTRY

108 NEW (4) SHORT TERM BICYCLE PARKING SPACES

109 NEW COMMON GARDEN AREA

110 EXISTING ROOF OVERHANG ABOVE

111 EXISTING ADDRESS SIGN STRUCTURE WITH NEW 24 SQFT SIGN

112 NEW PATIO AREA

113 NEW OPEN-AIR COVERED STRUCTURE

114 NEW PAD-MOUNTED HVAC EQUIPMENT

115 NEW PAD-MOUNTED TRANSFORMER

116 NEW SECTION OF RETAINING WALL

117 EXISTING PORTE COCHERE AND SUPPORT WALL REMOVED

118 EXISTING ROOF EXTENSION, REMOVED

VEHICLE PARKING

(16) STANDARD AT 9' x 18'

(1) ACCESSIBLE WITH 6' AISLE

(1) VAN ACCESSIBLE WITH 8' AISLE

(7) COMPACT (C) AT 8'-6 X 16'

(1) STANDARD RESERVED FOR LOADING

(26) TOTAL

CARLETON HART ARCHITECTURE

WEBSTER ROAD HOUSING - 18000 WEBSTER RD, GLADSTONE, OR 97027

CONDITIONAL USE APPLICATION - FEBRUARY 2020

SITE PLAN 1" = 40'

FIG. 1

EXHIBIT 5
Site Plan
Z0071-20-C

Appendix A

I. SUMMARY OF PROPOSAL

Owner: Stephen McMurtrey, Director of Housing Development
Housing Authority of Clackamas County
P.O. Box 1510
Oregon City, OR 97045
SMcMurtrey@clackamas.us

Planner: Debbie Cleek
The Bookin Group LLC
1140 SW 11th Avenue, Suite 500
Portland, Oregon 97205
cleek@bookingroup.com

Architect: Jon Creighton
Carleton Hart Architecture
830 SW 10th Avenue, #200
Portland, OR 97205
jon.creighton@carletonhart.com

Request: Conditional Use and Authorization of a Similar Use to redevelop the existing nursing home facility into supportive housing for low income seniors.

Location: 18000 Webster Road

Tax Lot: 22E17DD00900

Site Size: 95,830 square feet (2.2 Acres)

Zoning: R-7.2 – Low Density Residential Zoning

Summary: The Conditional Use request is to convert the existing 27,000 square foot nursing home on the site into permanent supportive housing for seniors age 55 and up who make less than 30% of area median income. This project will include remodeling the building to provide 48 residential units that will be a mix of single-room occupancy (SRO) and studios, as well as providing space for third party supportive services. Improvements to the site will also be made including cleaning up the site and landscaping, removing the basketball court and barbed wire fencing and repaving portions of the parking lot. The building was most recently used as a residential behavioral health services facility before closing in 2017. Nursing Homes and Homes for the Aged are allowed as a Conditional Use in the R-7.2 zoning district, and Section 17.74.10 of the Gladstone Code allows authorization of a similar use to be permitted, so this proposal also includes the request for authorization of the proposed use as similar to a "home for the aged".

Pre-Application Conference: A Pre-Application Conference was held with City staff on April 25, 2019. Meeting minutes and staff notes from the conference are included as Exhibits A and B.

Neighborhood Outreach: Prior to submitting this Conditional Use application HACC conducted two neighborhood open houses. The first was held at Kraxberger Middle School on October 29, 2019 to introduce the neighborhood to the project. The second was held at Gladstone High School on January 29, 2020 to present the updated version of the plan prior to submitting the Conditional Use application.

Meeting minutes from these meetings are included as Exhibits C and D. Neighbors were informed about these meetings via a direct mailer that was sent to all the property owners within a 500 foot radius of the site for the first meeting and a 1,000 foot radius of the site for the second meeting, as shown on the notification map Exhibit E. Additionally, information about the meetings was provided on the website nextdoor.com, and a project introduction and FAQ were posted on HACC's website along with an online comment form.

II. EXISTING CONDITIONS

Vicinity. The site is located on the east side of Webster Road approximately 350 feet north of Cason Road. (Figure 2, Zoning and Vicinity Map). The site is approximately ½ a mile north of the I-205 Gladstone exit (Exit 11) and approximately a mile northwest of downtown Gladstone.

Surrounding Uses. Directly south and west of the site is the Church of Jesus Christ of Latter-Day Saints, who have an extensive parking lot serving their facility. Further south across Cason Road is Somerset Lodge, an assisted living facility. West of the site across Webster Road is the Tri-City Baptist Church and Webster Ridge, a large multi-family apartment complex. Two large water towers sit between the church and the apartments. North of the site, properties are developed with primarily single-family residential uses. Further north along Webster Road is Kraxberger Middle School and the Gladstone School District offices. Further south on Webster is the Gladstone Nature Park.

Site Description. The existing site conditions are illustrated in Figures 3 and 4 (Site Survey). The site contains an approximately 27,000 square foot single-story building that is orientated with three main wings surrounding a central reception hub. A parking lot is located on the south side of the building and includes a covered drop-off area and turn around. The north portion of the site is paved and was previously used to access the service entrance of the building and for general outdoor storage. An outdoor basketball court is also located on the north side of the building.

The site slopes abruptly down from Webster Road toward the southeast. Surrounding the building on all sides are large, lush landscaped buffers planted with mature trees and understory plantings. As a result of the landscaping adjacent to Webster and the slope of the property the view of the existing building from the adjacent street is obscured. There are two existing driveways that provide access on the north and south ends of the site's Webster Road frontage. A freestanding sign is located at the south driveway entrance.

Zoning. The property is zoned R-7.2, a low-density residential zoning district. The purpose of the R-7.2 district is to provide land for families and individuals desiring to live in an environment of single-family dwellings with low density multi-family dwellings on the periphery of neighborhoods. Within the R-7.2 zoning district "Nursing Homes and Homes for the Aged" are an allowed Conditional Use.

The properties abutting the site to the south, east and north are also zoned R-7.2. The apartment complex to the west across Webster is zoned MR – multi-family residential.

Previous Land Use History. The subject property was originally developed as a nursing home in 1967, which would have pre-dated any zoning requirements on the site. The City granted a Conditional Use approval in 1975 for an addition to the nursing home facility.

In 2001 the City Council approved a new conditional use on the site (Z0132-01-C) to allow the facility to be converted to a residential care facility serving adolescents with drug, alcohol and/or mental health

problems. The approval was granted using the provisions of 17.74.010 Authorization of Similar Uses, since the applicant was able to demonstrate that the residential treatment facility was similar to a nursing home. The approval included 26 conditions of approval, but those would not apply to the current Conditional Use request. The existing facility has been sitting vacant for several years since the residential treatment facility closed down.

Existing Infrastructure. Existing infrastructure is presented in Figures 3 and 4, Site Survey.

Water Service. Water is available to the site from the existing main in Webster Road. The site has an existing domestic water service and an existing fire vault service on Webster Road.

Sanitary/Stormwater Sewer Service. There is an existing combined sanitary and storm sewer line that runs in a 10-foot wide public easement across the east side of the site. The existing building has a sanitary connection to this line located in the southeast corner. The existing stormwater system on site includes a number of catch basins that are also tied to this line.

Existing Transportation System. The site has excellent connections to the surrounding transportation network with direct access to major travel routes including Webster Road, Oatfield Road, 82nd Drive and the I-205 freeway. The site has direct frontage on Webster Road which is classified as a minor arterial, existing bikeway, and pedestrian arterial on the Clackamas County Transportation System Plan. The roadway has a two-lane cross-section with a wide bike lane on both sides and has a posted speed of 35 mph. On-street parking is not provided on either side of the roadway. Curbs and sidewalks are provided along both sides of the roadway, though in most areas the sidewalks are curb-tight with no planting strip.

Transit Availability. Tri-Met provides bus service on Webster Road with the #31 (Webster Road) bus that provides service between the Oregon City transit center and Clackamas Town Center. A bus stop is located on the southern edge of the site providing service in the north direction. A stop providing service in the southern direction is located on the west side of Webster Road approximately 250 feet south of the site. This route does not provide frequent peak hour service (wait times of 15 minutes or less).

III. PROPOSED PLAN

Overview. The Housing Authority of Clackamas County (HACC) intends to refurbish the existing building on the site to create supportive housing for seniors age 55 and up who make less than 30% of area median income and are in need of social support. Residents may include seniors living on fixed income, veterans who may need extra support, or people who may have experienced homelessness and are in need of a permanent home. The property will be managed by a third-party property management firm that specializes in supportive housing. Optional services such as mental health counseling, life skills, personal care and nutrition will be provided to the residents by third party vendors as well. Improvements will be made both to the interior of the building and the exterior site to support this use and upgrade the 50-year-old building.

The vacant nursing home facility provides a great redevelopment opportunity for HACC since the building is close to both transit and many of the services their residents use. Additionally, the building is laid out well to easily be converted to single occupancy units and the existing wide hallways are a benefit to a senior population who might need to use walkers and wheelchairs. Finally, the large amount of mature landscaping on the site allows the development of meaningful outdoor areas for the residents to enjoy.

Owner/Developer. The HACC provides affordable, safe, and sanitary housing opportunities for Clackamas County residents. Funding for the project will come from the Metro Housing Bond approved by voters in 2018 and Low-Income Housing Tax Credit equity. HACC owns/manages five other facilities similar to the one proposed for this site, with three located in Oregon City and two in Milwaukie.

Housing issues prevalent in the Portland Metro region – increasing rental rates, low vacancy rates and homelessness – lead individuals to seek assistance from HACC to find housing. People may apply on-line or in-person for housing assistance from HACC and are generally added to a waiting list. Individuals are screened and selected from the waiting list based on a number of factors that include both need and if they are a good fit for the housing unit that is available.

Program. The completed project will include 48 residential units that will be a mix of single-room occupancy (SRO) and studios. The units will be designed for single occupancy or in the rare instance a couple, but there will be no family units provided. The proposed units will include:

- 10 Full kitchen studios – kitchen sink, range, and full-size fridge.
- 22 Kitchenette units (SROs) – kitchen sink, microwave, and under-counter mini-fridge. These units are smaller in size than the units with full kitchens and will not have full size appliances (range and fridge).
- 16 Micro kitchenette units (SROs) – No kitchen sink, but includes a microwave, and under-counter mini-fridge.

All units will have a full bathroom. Units will be between 250 and 350 square feet in size and will be unfurnished.

Management of the building will be done by a third party who will provide one full-time on-site property manager and a part-time service coordinator, so 1-2 staff people will be on-site at all times. Additional night watch will be provided by a resident with the property management company available by phone 24/7. Quite hours for residents will be from 10 pm to 7 am each night.

Access to and from the building will be available to residents during all hours of all days. The exterior doors will be locked during all hours and residents and staff will be given a fob for access. A call box will be installed at the front door for visitors, who may visit residents at any time. The on-site security system will also include surveillance cameras at all entry doors.

All units will be equipped with either a kitchenette or a mini-fridge and microwave so that residents can prepare their own meals in their rooms. In addition, the building will include a communal kitchen and dining hall that will be made available to residents during specific hours for larger meal preparation or communal meals. An internal trash room will be provided in the north wing of the building and residents will be responsible for carrying their own trash and recycling to the collection area. Residents will also be responsible for housekeeping in their own units.

The remodel of the facility will include creating dedicated space for supportive services by creating private meeting rooms and offices. It is anticipated that these services will be provided by a variety of third-party service providers ranging from volunteers, to medical and dental students, and licensed professionals. These services may include mental health counseling, life skills, personal care, and nutrition. Participation by the residents will be optional and all services will be provided for free. The service coordinator will be tasked with organizing these services and encouraging residents to participate. It is not anticipated that there will be any formal congregate, community or group activities taking place on site, beyond occasional information sessions that would be both voluntary and sporadic.

The parking lot on site will provide 25 spaces plus a loading space for a total of 26 spaces. Parking spaces for residents will be assigned using a lottery system. Generally, residents will be discouraged from owning individual cars and based on similar HACC projects most residents will rely on public transportation or ride-sharing services. As described in the previous section, the site has excellent access to public transportation with a Tri-Met bus stop located on the southwest corner of the site. HACC will also implement a Transportation Demand Management Plan to help minimize transportation and parking impacts on the surrounding community. Measures will include subsidizing bus passes for some residents, making transit schedules and Bike + Walk Maps available to residents, and providing linkages to carpooling resources.

Building residents will each sign a legally binding lease agreement for their housing unit. Tenants will be responsible for paying their rent based on the terms of their lease agreement. If tenants do not comply with the terms of their lease it will be handled through the established legal process which could ultimately lead to eviction. A sample of a lease agreement used for another HACC building has been provided with this application (Exhibit G).

The building will be a non-smoking facility, but HACC has designated an outdoor area for residents who choose to smoke. This covered shelter will be located in the northeast corner of the site where the basketball court is currently located. This location abuts the church parking lot to the east so the potential noise and odor impacts on adjacent residential properties will be minimal.

Renovations to existing building. The existing one-story, 27,000 square foot building was originally constructed in 1967 for use as a 139-bed nursing home. From 2001 to 2017 the building was used as a 50-bed residential care facility for adolescents experiencing drug and alcohol and/or mental health issues, and several modifications were made to the building to provide a secure environment for this population. As such a major interior remodel of the building is necessary to convert it into modern residential units.

Renovations will include:

- Demolishing interior walls to reconfigure spaces.
- Adding new accessible bathrooms to each residential unit.
- Removing and replacing interior doors, plumbing fixtures, lighting, flooring, ductwork, and ceiling tiles.
- Upgrading to modern, efficient HVAC systems.
- Replacing windows, exterior siding, and roofing.
- Removing the porte cochere at the main entrance and replacing it with a small canopy.
- Insulating the building to meet current energy codes.
- Fully sprinkle all existing interior spaces.

The resulting spaces will include 48 residential rooms, a main lobby and reception area, dedicated private conference rooms for the service providers, a communal kitchen and dining hall, fitness room, and laundry room.

Site Improvements. Several site improvements are planned with the redevelopment. Including:

- Cleaning up the site and landscaping, including removing the sheds, outdoor covered dining structure and walk-in freezer on the north side of the building.
- Removing the existing basketball court and barbed wire fencing.
- Repaving portions of the existing parking lots and restriping both lots.
- Adding accessible walking paths and outdoor patio areas surrounding the building.
- Connecting a pedestrian route from the main building entries to the public sidewalk.
- Refurbish the existing sign adjacent to Webster Road with a new sign of similar size and design.

This project will retain as many of the existing trees on site and in the right-of-way as possible. The design team has been working with a Certified Arborist to determine the best plan for this (See Exhibit F). However, 9 of the existing trees will need to be removed because they are either in poor health, have been identified as invasive species or will conflict with the proposed improvements.

Parking Analysis

The conversion of the building from a 139-bed nursing home to a 48-bed supportive housing facility is not anticipated to generate the need to provide additional parking spaces on the site since the intensity of the use will be reduced. The adolescent treatment facility approved in 2001 was required to maintain 19 parking spaces on the site (Condition 11 of Z0132-01-C). It is assumed from this condition of approval that 19 parking spaces was also what served the original nursing home. The current proposal includes re-stripping the parking lot, and more efficiently organizing the spaces, which will increase the number of on-site spaces to 26 (consisting of 25 regular vehicle spaces and 1 loading space).

The required minimum parking space requirement for a "home for the aged" based on the Gladstone Code equates to 6 on-site parking spaces for this use, which the project will far exceed. The minimum parking requirements for home for the aged indicates that 1 space per 10 residents would be sufficient for this site. Assuming that up to 10 of the parking spaces on site are dedicated to staff, visitors and the loading space, there would still be 16 spaces dedicated to residents, or a ratio of 1 space per 3 residents.

The low-income populations that HACC serves has very limited access to personal vehicles due to the high cost of both ownership and maintenance of a vehicle. Additionally, this project will serve a senior population, many of whom will have physical ailments that would make driving their own car difficult or impossible. As such, the tenant population proposed for this project will have the lowest rates of car ownership of all the residents HACC serves. A similar tenant population is found in the Hillside Manor in Milwaukie – also owned by HACC. The Hillside Manor consists of 99 units occupied by low-income seniors. A recent survey of the Manor residents found that only 36% of the residents reported driving in the past week (See Exhibit H), and HACC has only received 38 requests for parking stickers from current residents. As such a parking ratio of 1 space per 3 residents is adequate to serve this population.

HACC is proposing to implement a parking lottery for the available tenant parking. Residents without an assigned on-site parking space will be encouraged to get rid of their personally owned vehicles. On-street neighborhood parking will not be presented as a viable option for residents, since there is no parking allowed along the Webster Road frontage of the site.

This same surveyed population at the Hillside Manor was found to be very dependent on other modes of transportation such as Tri-Met (37%), carpooling (40%), and taxi or ride-share (11%). It is anticipated that these patterns will be similar with the tenant population at the proposed project, since it is conveniently located on a Tri-Met bus line and close to retail uses and services the tenants will utilize. HACC will also implement programs to assist residents without vehicles, such as subsidized bus passes and assistance with finding ride-share opportunities. Finally, the site will provide twice the minimum number of required bike parking spaces (4 total) and will encourage able-bodied residents as well as staff to bike to the site.

INFRASTRUCTURE

Water/Fire Suppression. Water for the building will continue to be provided from the public water line in Webster Road. The existing meter will be maintained but the private water service from the meter will be replaced with a new 3" domestic water service. Similarly, a replacement 6" fire service will be installed

from the existing fire service vault on Webster and a new wall mounted FDC will be installed on the building. Additionally, a new public fire hydrant will be installed on Webster Road to serve the building.

Sanitary Sewer. The existing sanitary sewer lateral extending to the public sanitary sewer on the east side of the property will remain and continue to serve the building.

Stormwater. A new underground stormwater disposal system will be installed on site, surrounding the existing building to collect all runoff and direct it into an existing swale or catch basin. The swale is located in the northeast corner of the site and will take the stormwater from the north half of the site. It will be upgraded to a rain garden to provide water quality and detention. An existing catch basin in the southeast corner will take the stormwater from the south side of the site and if necessary, will be retrofitted with a new water quality filter. After treatment and/or detention the stormwater will be conveyed to a public inlet in Cason Road.

Transportation System. There is a combination of curb tight sidewalk and separated sidewalk along Webster Road. The existing sidewalk appears to be in good condition and no public improvements are planned. There are three large, mature Douglas Fir trees within the public right-of-way along the site's frontage as well as additional large trees on-site adjacent to Webster. The health of these trees could be compromised if relocation of the sidewalk was necessary.

IV. DEVELOPMENT STANDARDS

The following section describes how the site will comply with all of the applicable development standards after the building in renovated and the new use is established on the site.

R-7.2 Dimensional Standards (Section 17.10).

17.10.050.1.c Lot Area: *The minimum lot area shall be 7,200 square feet.*
Response: The existing lot is 95,830 square feet so this standard is met.

17.10.050.2 Setback Requirements:

(a) front setback: minimum of 20 feet
(b) side setback: a minimum of 20% of the average lot width or 15 feet, but in no case shall a side setback be less than five feet
(c) rear setback shall be a minimum of 15 feet

Response: No changes are proposed that will alter the existing setbacks of the building which are 20 feet from the front property line along Webster Road, 26.5 feet from the rear (east) property line, 26.5 feet from the south property line, and 31 feet from the north property line.

17.10.050.3 Building Height: *Maximum building height is 35 feet.*
Response: No changes are proposed that would add height to the building, which is approximately 16 feet tall.

17.10.050.5 Minimum Density: *Subdivisions and PUDs shall provide a minimum density of 80% of the maximum density per net acre. For the purpose of this provision, maximum density shall be 1 dwelling unit per 7,200 square feet of lot area or 6 units per net acre.*
Response: Minimum density requirements do not apply to the proposal since the use of the building is not single-family or multi-family residential.

Building Siting and Design (Section 17.44)

17.44.020.1 Siting: *Where there are no conflicts with other design standards or requirements in this Title, site buildings to maximize solar access where practical, using such techniques as:*

(a) Maximizing east-west street length so that principal building façades will face south;
(b) Orienting buildings within twenty degrees of true south as well as maximizing their south-facing dimension;
(c) Placing higher buildings on the north portion of the site, while protecting solar access for adjacent sites;
(d) Placing major yard spaces on south side of buildings.

Response: No changes are proposed that would change the siting of the building, which already has solar access that meets these standards.

17.44.020.2 Energy Efficient Design: *Where there are no conflicts with other design standards or requirements in this Title, design buildings that are conducive to energy efficiency and conservation, using techniques including, but not limited to, those listed below which are most appropriate to the development:*

(a) Concentrate window areas on the south side (within twenty degrees of true south) of buildings where there is good southern exposure, and provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains;
(b) Use architectural features, shapes or buildings, fences, natural landforms, berms and vegetation to catch and direct summer breezes for natural cooling and minimize effects of winter winds;
(c) Provide skylights or clerestory windows to provide natural lighting and/or solar heating of interior spaces.

Response: No major changes are proposed to the building design that would add energy efficient design features however the remodel does involve upgrading window systems, HVAC and insulation which will result in a more energy efficient building.

17.44.020.3 Compatibility: *Arrange structures and use areas to be compatible with adjacent developments and surrounding land uses, considering the following design and siting techniques:*

(a) Locate and design structures to protect scenic views or vistas from adjacent properties and public thoroughfares. Setbacks, building height and bulk should be considered;
(b) Design structures to provide visual order and avoid monotony in layout and design;
(c) Orient major service activity areas (e.g., loading and delivery areas) of the proposed project away from existing residences;
(d) Provide opaque enclosures and gates for all refuse storage areas;
(e) Screen mechanical equipment, except solar collection apparatus, from view or place such equipment in locations where it will not be viewed by the public. Screening shall be accomplished by the use of a sight-obscuring fence or hedge, a landscaped earth berm, building placement or other design techniques;
(f) Buffering and/or screening shall be used to mitigate adverse visual impacts, dust, noise and pollution, and to provide for compatibility between dissimilar adjoining uses. Special consideration will be given to the buffering, screening and siting of commercial and industrial uses to ensure that noise and odors are not detectable to normal sensory perception on adjacent residential properties.

Response: Although no major changes are proposed to the exterior of the building the development will continue to be compatible with the adjacent developments and land uses. The building will be buffered from all adjacent uses with large landscape buffers full of mature plantings. The service areas (loading, trash collection, mechanical equipment) will be located on the north and east sides of the building, which is the same location as previous uses, but the areas will be screened from adjacent properties by a landscape buffer at the property line. All ground-mounted mechanical equipment will be screened from public view. The outdoor smoking porch has been located to be away from neighboring residential properties as much as practical.

17.44.020.4 Building Materials: *Buildings shall be constructed using high-image exterior materials and finishes such as masonry, architecturally treated tilt-up concrete, glass, wood or stucco. Buildings shall not be constructed with metal siding material.*
Response: The existing building siding will be replaced with high-quality fiber cement siding as part of the renovation

17.44.020.5 Lighting: *Adequate exterior lighting shall be provided to protect public safety and shall be deflected so as not to shine on a lot in a residential district.*
Response: The existing exterior lighting will be replaced with energy-efficient fixtures that will be designed to avoid shining onto the neighboring properties. New lighting will be provided for site walkways and outdoor patios to improve safety and security for the residents. Lighting will be a combination of path/bollard fixtures, building-mounted fixtures, and post mounted fixtures.

17.44.020.6 On-site Lighting: *All on-site lighting shall be designed, located, shielded, or deflected so as not to shine into off-site structures or impair the vision of the driver of any vehicle.*
Response: The new site lighting is noted on Figure 6 (Landscape Plan) and all fixtures will be selected to limit any light trespass onto adjacent properties or the road.

17.44.020.7 Equipment and Facilities: *All utility lines shall be placed underground. All roof-mounted fixtures and utility cabinets or similar equipment which must be installed above ground shall be visually screened from public view.*
Revised Response 2.27.20: Roof-mounted fixtures will consist of penthouse vents for air intake and exhaust. Up to 5 energy recovery ventilators may need to be mounted on the roof, but will be thoughtfully located so as to be screened by the building shape and existing landscape buffers as much as possible. Six new condenser units will be installed on three concrete pads on the east side of building and will be screened from public view by the shape of the building.

17.44.020.8 Trash Disposal and Recycling Collection:
Response: The trash disposal and recycling collections standards only apply to new construction. However, accommodations have been made for collecting trash on the property. A common trash collection room that will house the trash and recycling bins will be located inside the facility, allowing the residents to conveniently dispose of their own trash from their rooms.

Landscaping (Section 17.46)

17.46.020.1 Minimum Requirement: *A minimum of 15 percent of the lot area shall be landscaped.*
Response: The site will comprise of 35% of landscaping.

17.46.020.2 Parking and Loading Areas: *The following landscape requirements shall apply to off-street parking and loading areas:*

(a) An off-street parking and loading area providing 10 or more parking spaces shall be improved with defined landscaped areas totaling no less than ten square feet per parking space;
(b) A parking or loading area shall be separated from any lot line adjacent to a street by a landscaped strip at least 10 feet in width, and any other lot line by a landscaped strip at least five feet in width;
(c) A landscaped strip separating a parking or loading area from a street shall contain:
(A) Street trees spaced as appropriate to the species, not to exceed 25 feet apart, on the average,
(B) Low shrubs not to reach a height greater than three feet spaced no more than five feet apart, on the average, and
(C) Vegetative ground cover.

Response: The location of the existing parking areas is not changing, and only partial repaving and re-striping is proposed. As such the width and location of the existing buffers surrounding the parking areas will not change from the existing conditions. As shown on the Landscape Plan (Figure 6) new plantings are proposed to meet the buffering standards and fill out the existing plantings.

17.46.020.3 Irrigation: *Provision shall be made for watering planting areas where such care is required.*
Response: A new efficient, automatic irrigation system is proposed for the site.

17.46.020.4 Maintenance Required: *Landscaping shall be continuously maintained.*
Response: Long-term maintenance of the landscaping will be provided by the property management company to assure the plantings have a high rate or survival. Additionally, plants for the project have been selected to be either native or adaptive species with low maintenance needs.

17.46.020.5 Plant Species: *The general characteristics of tree species shall be considered when planting under overhead utility lines or near sidewalks or curbs to assure that damage will not result when maturity is reached.*
Response: All proposed plant species have been chosen by a professional landscape architect and have been selected to eliminate conflicts with other site features.

17.46.020.6 Grading: *The natural form of the site shall be preserved insofar as practicable unless berming or contouring of land is required.*
Response: Only minor grading is proposed for the site around the building and in areas of new pathways. No contouring or berming is proposed.

17.46.020.7 Public Rights-of-Way: *Land within the public road right-of-way, not developed as sidewalks or driveways, shall be landscaped and maintained by the abutting property owners. Landscaping will be of the variety that would not create a road hazard or impair sight distance.*
Response: HACC intends to maintain all of the landscaping in the public right-of-way adjacent to Webster Road as part of their overall site maintenance.

17.46.020.8 Street Trees: *Street tree planting may be required of any development and, if planted, shall be according to city requirements and of a species compatible with the width of the planting strip, and nearby street tree species.*
Response: It is not anticipated that any new street trees will be required, since the planting strip adjacent to the sidewalk on Webster already contains large, mature trees.

17.50.020.6 Pedestrian Circulation Standards: *An on-site pedestrian circulation system shall be provided for new nonresidential and multi-family developments and for new buildings added to existing*

nonresidential and multi-family developments. The system may include sidewalks as part of the public rights-of-way, walkways, and multi-use paths.
Response: The use of the building is not multi-family development and there are no new buildings proposed, however, improvements to the pedestrian circulation system on the site are proposed. Two new paths connecting the building to the public sidewalk on Webster Road are proposed near the north and south driveways. One of these connections will be ramped for ADA access. These paths will tie into the new pedestrian circulation system that will surround the building, connecting all entrances and outdoor areas. The new pathways will be constructed of concrete, with permeable concrete being used around sensitive root areas. Where the pathways run parallel to auto travel lanes they will be separated by a curb.

Parking and Loading (Section 17.48)

17.48.030.2 Minimum and maximum permitted parking: *The number of surface parking spaces provided at no charge shall not be less than the minimum nor exceed the maximum parking ratios identified in Table 1.*

- *Minimum for Nursing Home or Homes for the Aged: 1 space per 10 beds for patients or inmates plus 1 space per 2 employees*

Response: This application includes the argument that the proposed use (supportive housing) is substantially similar to a Home for the Aged, therefore this is the most appropriate parking standard to use for this site. The facility is proposed to have 48 rooms (beds) which would equate to 5 required spaces, plus one space for the 2 employees that will be on-site full time, for a total of 6 spaces. A total of 26 parking spaces are proposed which greatly exceeds the minimum standard.

For purposes of the maximum parking ratios identified in Table 1, Zone A shall include those areas where 20-minute peak hour transit service is provided within a 1/4 mile walking distance for bus transit stops or stations or 1/2 mile walking distance for high capacity transit stops or stations. Zone B shall include all other areas.

- *Maximum for Nursing Home or Home for the Aged in Zone B: None*

Response: Though the site is well served by transit, with a Tri-Met bus stop at the property frontage, the bus line that serves this route is not frequent enough to qualify as Zone A. The 26 parking spaces that will serve the site will serve the new use by providing sufficient parking for the residents, staff and visitors without discouraging the use of other modes of transportation by over-parking the site.

17.48.040.1 Design requirements for permanent off-street parking and loading.

(a) Parking and loading areas shall be paved with asphalt and/or concrete meeting city standards, maintained adequately for all weather use and so drained as to avoid flow of water across public sidewalks;

(b) Off-street parking and loading areas shall be screened from abutting properties located in a residential zoning district unless such abutting properties are developed with nonresidential uses. Required screening shall be accomplished by building placement, a landscaped earth berm or a sight-obscuring fence or hedge. Required screening shall be a minimum of six feet high and shall not conflict with GMC Chapter 17.54 (clear vision).

(c) Areas for standing and maneuvering vehicles shall be paved with an asphalt and/or concrete surface meeting city standards.

Response: All areas on the site dedicated to parking and vehicle maneuvering are already paved and will remain paved, though some portions of the pavement will be replaced or repaired. Landscape buffers abutting the parking and vehicle areas will be planted to meet the screening requirements. On the north

edge of the site, the existing landscape area is only 1-2 feet wide, which would only allow for minimal plantings, so the existing chain-link fence with privacy slats will remain along the north property line.

17.48.040.2 Parking:

(f) Off-street parking and loading areas, including parking spaces and access aisles, shall meet or exceed the minimum dimensional standards identified in Tables 2 and 3. Access aisles shall be of sufficient width for all vehicular turning and maneuvering;

(g) Up to 50 percent of required parking spaces may be provided for compact cars;

(h) Parking areas shall be designed, to the maximum extent practicable, to avoid large, uninterrupted rows of parking spaces.

Response: All of the parking spaces on site will be 90 degree spaces. At least half of the spaces will meet the standard parking space dimensions of 9.5 feet wide, 18 feet deep with a 24-foot aisle, including the ADA spaces. The remainder of the spaces will meet the compact space size at 8.5 feet wide.

17.48.040.3 Loading:

(b) Buildings or structures to be built or substantially altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use;

(c) Off-street parking areas used to fulfill the requirements of this section shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs;

(d) Loading facilities shall be located at least 20 feet from residential property. Loading spaces shall be located on the site and directly accessible to the main structure.

Response: One dedicated loading space will be provided on the north side of the building. This space is located more than 20 feet from the adjacent residential property to the north.

Bicycle Parking Standards

17.48.050.1 Minimum Number of Spaces: *All developments required to comply with this section shall provide a minimum five percent bicycle parking spaces based on the city's required minimum number of automobile parking spaces. In addition, the following applies:*

(A) All development shall have a minimum two short-term bicycle parking spaces; and

(B) If more than seven bicycle parking spaces are required, at least 50 percent of the spaces shall be provided as long-term bicycle parking.

Response: A total of 6 automobile parking spaces are required for the proposed use, so a total of 2 short-term bicycle parking spaces are required. Two staple-style bicycle racks are proposed on the south side of the building near the main entrance providing a total of four bike parking spaces. Due to the age of the resident population it is anticipated that these spaces will be sufficient to serve the proposed use.

17.48.050.2 Location and Design:

(a) Short-Term Bicycle Parking. Short-term bicycle parking facilities are lockers or racks that meet the standards of this section and that are located inside a building, or located outside within 30 feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer;

(d) Rack Type and Dimensions.

(A) Bicycle racks must hold bicycles securely by the frame and be securely anchored;

(B) Bicycle racks must accommodate:
(i) Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock, or approved substitute; or
(ii) Locking the frame and both wheels to the rack with a chain or cable not longer than six feet;

(e) Bicycle parking spaces must be at least six feet long and two feet wide. An aisle five feet wide for bicycle maneuvering must be provided.

Response: The bicycle parking spaces provided will be short-term spaces that will be located within 30 feet of the main entrance of the building which will be locked, but accessible by residents using their key fob. The racks will be staple-style racks that hold the frame of the bicycle securely. Clearance will be provided around the racks to assure that the bicycle parking spaces can meet the minimum dimensional requirements.

Signs (Section 17.52)

17.52.090 Signs in residential zoning districts: *The following standards apply to institutional uses that are approved as conditional uses in residential zones.*

(a) Number. Only one sign is allowed for a development or complex, even if more than one tax lot or ownership is included in the development, except as follows:
(b) Type. The sign may be freestanding or on-building.
(c) Area. The maximum sign face area is 32 square feet.
(d) Height. The maximum height for a freestanding sign is five feet, except for changeable copy signs, as provided below.
(e) Setbacks. A freestanding sign must comply with the minimum side and rear setbacks of the zoning district in which it is located. A freestanding sign may be located within the required front and street side setback areas.

Response: The existing sign frame, located at the southern driveway entrance approximately 10 feet from the Webster Road will continue to be used, though it will be refurbished, and the copy will be changed. The new sign will be 8 feet wide and 3 feet tall and mounted to the existing structure that is 5.5 feet tall.

Special Uses (Section 17.62)

17.62.020 Church, hospital, nursing home and home for the aged. *A church, hospital, nursing home or home for the aged may exceed the maximum building height standard of the zoning district in which it is located if the city Fire Department reports that it possesses sufficient fire-fighting capability to provide emergency response to a building of the height proposed; if the total floor area of the building does not exceed one and one-half times the area of the site; and if the front, side, street side and rear setbacks are each equal to a minimum of two-thirds of the height of the building.*

Response: No additional height is proposed to be added to the building, which is already below the maximum building height of the zoning district.

V. LEGAL JUSTIFICATION

Overview. The proposed use of supportive housing for low income seniors is different from the previously approved use on site (adolescent treatment center) so a new Conditional Use approval is required. Section 17.70.010 gives the City of Gladstone the authority to approve a new conditional use even if it is not explicitly listed in the Conditional Use section of the applicable zoning (in this case R-7.2) if it is authorized pursuant to Chapter 17.74 – Authorization of Similar Uses.

AUTHORIZATION OF A SIMILAR USE APPROVAL CRITERIA

17.74.010 Authorization of similar uses.
The Planning Commission may permit in a particular zoning district a use not listed in this title, provided the use is of the same general type and character as the uses permitted there by this title. However, this section does not authorize the inclusion in a zoning district where it is not listed of a use specifically listed in another zoning district or which is of the same general type and is similar to a use specifically listed in another zoning district.

Findings: Section 17.74.010 gives the Planning Commission authority to permit a use that is not specifically listed in a zoning district, "provided the use is of the same general type and character as the uses permitted." However, this code section does not permit approval of a use "specifically listed in another zoning district or which is of the same general type and is similar to a use specifically listed in another zoning district".

Based on this provision we recognize that there are two qualifying factors that the proposed supportive housing for low income seniors must meet:

1. That the proposed use is substantially similar to "a home for the aged", which is listed as a conditional use in the R7.2 zoning district.
2. That the proposed use is not a "Senior Housing Center" which is a conditional use listed in the Office Park (OP) zoning district, nor is it a "multi-family dwelling" which is an allowed use listed in the Multi-Family Residential (MR) zoning district.

The following arguments show how the proposal can meet both of these qualifying factors.

Factor 1: The proposed use is similar to a "home for the aged".
In the R-7.2 zoning district "nursing home and home for the aged" is a listed as a conditional use. The GMC defines "nursing homes and homes for the aged" as follows:

17.06.225: "Hospitals," "nursing homes" and "homes for the aged" means the same as defined in the Oregon Revised Statutes.

In this definition the quotation marks around "nursing homes" and "homes for the aged" indicates that these are in fact two distinct and therefore different uses. The ORS supports this, since there were two separate ORS definitions for "nursing home" and "home for the aged" in effect in 1990 when the Gladstone definition was adopted. Though both of the previous uses on the site were considered nursing homes, Section 17.74.010 does not require HACC to show their use is substantially similar to these previous uses, since a new Conditional Use is requested with this application. Therefore, we will show that the proposed HACC use will be substantially similar to a "home for the aged" only, and not how the use will be similar to a "nursing home", which requires complex medical services performed by licensed nurses and is beyond the level of care HACC is proposing for this project.

The term "home for the aged" no longer exists in the current ORS as the definition was abandoned as the health care industry evolved. However, the Gladstone Code definition of "home for the aged" refers to the ORS definition that was in place in 1990 when the Gladstone definition was originally adopted into the code. This definition reads as follows:

"Home for the Aged" – a facility which furnishes food, shelter and personal services for compensation to three or more aged persons who are residents there of and excludes such persons who require nursing care.

This same ORS Section (442.005) defined the following additional terms:

"Aged person" means a person of the age of 65 years or more who requires personal services, or a person of less than 65 years who by reason of infirmity requires domiciliary care.

"Personal services" means services which emphasize supervision, protection, and assistance while bathing, dressing, eating, grooming and administering medication.

"Nursing care" means those services performed under the supervision of a licensed R.N. or L.P.N. which assist persons to achieve optimum health, well-being and independence.

The proposed HACC project meets the ORS definition for "home for the aged" in the follow ways:

- The project will provide *"shelter"*: The project will serve low-income residents by providing them with housing (i.e. *"shelter"*) on an indefinite basis as long as their need for housing persists (i.e. *"residents thereof"*).

- The project will provide *"personal services"*: The property will be managed by a third-party property management firm that specializes in supportive housing. The management firm will furnish staff members that will be on the property at all times to supervise the residents, enforce building rules such as quite hours and smoking, and monitor the comings and goings of both residents and visitors (i.e. *"supervision"* and *"protection"*). Optional services such as mental health counseling, life skills, personal care and nutrition will be provided to the residents by third party vendors (i.e. assistance *"bathing, dressing, eating, grooming and administering medication")*. Dedicated private consultation rooms will be included in the renovation to facilitate these personal services.

- The project will provide *"food"*: The facility will have a common kitchen, and the residents will have the option to take part in preparing communal meals. Additionally, each unit will have at minimum a mini-fridge and microwave for residents to prepare their own meals, and the property managers will be on hand to assist residents in purchasing food on their own.

- HACC and the property manager will be *"compensated"*: HACC is compensated by the rents they collect from the residents.

- The project will serve *"aged persons"*: the project will serve primarily a population of older individuals over the age of 55. All residents must make less than 30% of area median income and be in need of social support (i.e. *"reason of infirmity"*). The standard dictionary definition of "infirm" is broad enough that it can include people suffering from addiction, mental health and physical issues, which is often the case with the population HACC generally serves.

- The project will not provide *"nursing care"*: As described above, third party providers will offer supportive services to residents, but this care will not include skilled nursing care, and no licensed medical staff will be employed by HACC or the third-party manager. Residents who need full

nursing care will be excluded from being tenants, and residents who over time come to need nursing care will be moved into other appropriate facilities.

As described above, the project would be of the same general type and character as a "home for the aged" based on 1990 ORS definition of such. The project therefore a similar use to the allowable conditional use of "nursing home and home for the aged" listed in the R7.2 zoning district.

Factor 2: The proposed use is not a use specifically listed in another zoning district or similar to a use specifically listed in another zoning district.

In order to meet the second qualifying factor of Section 17.74.010 - Authorization of Similar Uses, it must be demonstrated that the proposed use does not fit into the definition of "senior housing center" which is a conditional use specifically listed in the Office Park (OP) district, nor is it a "multi-family dwelling" which is an allowed use listed in the Multi-Family Residential (MR) district.

The Gladstone Zoning code defines a "senior housing center" as follows:

> *17.06.491: A "senior housing center" means a residential facility providing dwelling units without full kitchens (known as residential suites) for those aged sixty-five and older and dwelling units with full kitchens. Up to fifteen percent of the total number of dwelling units may be provided as single-family units or duplex units with full kitchens. A senior housing center is a congregate care facility which provides common services including but not limited to transportation of residents, three meals per day in a common facility and other non-medical care congregate services.*

The proposed HACC project is dis-similar to a "senior housing center" in the follow ways:

- Age of population served: The proposed HACC project will be primarily a population of older individuals over the age of 55 and those in need of social support due to addiction, mental health and physical issues (i.e. *"reason of infirmity"*). The Gladstone definition of "senior housing center" specifically limits the population of residents to 65 and older.

- *"Congregate care"* and *"common services"* will not be provided: Though optional services will be offered to the residents of the HACC project they will be provided on an individual or one-on-one basis. There will be no third-party provider who will be providing their services on a communal basis to the entire population of residents.

- Formal *"meals"* will not be provided: Though the HACC project will assure that all of the residents have *"food"* there will be no program either on or off-site that will be turning this food into meals. Residents will be in charge of their own cooking, either in their rooms or in the communal kitchen, whereas, the definition of senior housing center indicates that residents are provided three meals a day, served in a common facility.

As demonstrated above, the proposed HACC facility differs from a "senior housing center" in several substantial ways based solely on the code definition. An important overall difference between the HACC proposal and a "senior housing center" is in the amount of self-sufficiency the HACC residents will have. Unlike the residents in a senior housing center, the HACC residents will not be entirely reliant on the staff of the facility to meet their everyday needs such as food, transportation, shopping and laundry.

The Gladstone Zoning code defines a "multi-family dwelling" as follows:

> *"Multi-family Dwelling" – a building or portion thereof, designed for occupancy by three or more families living independently of each other.*

The proposed HACC project is dis-similar to a "multi-family dwelling" in the follow ways:

- The HACC project will not house *"families"*: The renovated facility residential units that will be a mix of single-room occupancy (SRO) and studios. The units will be designed for single occupancy or in the rare instance a couple, but there will be no family units provided.

- The residents will not live *"independently of each other"*: As described above the HACC facility will be managed by on-site staff who will enforce the specific rules of the building (quite hours, no smoking, etc.) and supervise the comings and goings of the residents. Though the residents will have autonomy, it will not be on the level of those living in market-rate apartments who have no supervision. Additionally, there will be facilities within the HACC facility such as the kitchen, dining hall and classroom, which will be shared communally between all of the residents.

As demonstrated above the proposed HACC facility will differ from a "multi-family dwelling" based on the code definition. The over-arching difference between the HACC proposal and a "multi-family dwelling" is the amount of oversight over the HACC residents. On-site staff will enforce the rules of the facility, whereas residents of a multi-family dwelling who are living "independently" generally have fewer rules and have to negotiate directly with neighboring residents when they have issues around things like noise and smoking. Staff will also monitor the resident's comings and goings, to assure that the residents are healthy, and taking care of themselves in terms of being cleanly, fed and mentally stable.

Conclusion
The arguments laid out above adequately demonstrate that the project HACC is proposing for the Webster Road facility can meet both the qualifying factors of Section 17.74.010 - Authorization of Similar Uses in that is it similar to the 1990 ORS definition of "home for the aged", yet distinctly different than either a "senior housing center" or a "multi-family dwelling".

CONDITIONAL USE APPROVAL CRITERIA

17.70.010 Authorization to grant or deny.
A conditional use may be approved if the applicant demonstrates that the proposed use:

a. Is listed as a conditional use in the underlying zoning district or is authorized pursuant to GMC Chapter 17.74 (authorization of similar uses);
Findings: As demonstrated above, the proposed use of supportive housing for low income seniors is similar to the conditional use of "home for the aged" listed in the underlying R-7.2 zoning district. This criterion is met.

b. Is suitable for the proposed site, considering size, shape, location, topography, existence of improvements and natural features;
Findings: The site contains an existing nursing home facility that has been vacant for several years. The unusual interior configuration of the existing facility (divided into many small patient rooms) limits the type of uses that could potentially re-use the building. However, the building provides an ideal

redevelopment opportunity for HACC since it is laid out in a way that easily allows it to be converted to single occupancy units (SRO) and the existing wide hallways are a benefit to a senior population who might need walkers and wheelchairs. Additionally, the building is close to transit, services and retail stores the residents will use. The large amount of mature landscaping on the site would allow HACC to create meaningful outdoor areas for the residents while providing substantial buffering between the adjacent properties. As such, the location, existing improvements on the site and natural features are well suited to the proposed supportive housing facility and this criterion is met.

c. ***Is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use;***
Findings: The site is well-served by the existing transportation system which includes a full sidewalk, bike lanes and transit stops on Webster Road, and no major improvements to this system are necessary to support the proposed use. Additionally, the site is already connected to the public sewer, water and stormwater disposal systems and the proposed use will not add any new capacity to these systems. The building has been sitting vacant for several years, making it an attractive target for trespassing and graffiti, thus a nuisance for the neighborhood and local police. Therefore, HACC redeveloping the site and refurbishing the existing building represents a viable use of an existing facility that is currently not serving the neighborhood in a positive way. The adequacy and availability of all the necessary public services plus a vacant building ripe for redevelopment make this proposal timely, and this criterion is met.

d. ***The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate development of properties in the area and neighborhoods surrounding the subject site.***
Findings: The proposal represents the redevelopment of an existing facility that is already part of the fabric of the surrounding neighborhood. The development plan by HACC includes keeping as much of the existing landscaping buffers and plantings as possible to allow the property to continue to have a lower-density residential feel and provide a substantial buffer between the site and abutting residential properties as well as Webster Road. The building itself will not be expanded or made taller as part of the redevelopment, nor will more intensive exterior activities be added to the site. The existing basketball court will be removed and replaced with an outdoor area that will provide more passive recreational activities and will be less noisy. The congregate residential nature of the supported housing facility will provide a good transition between the non-residential uses to the south, such as the church, and the single-family houses to the north. As shown, the proposal is appropriate for the site and the location and will have no impact on the livability of the surrounding neighborhood and this criterion is met.

e. ***Satisfies the policies of the comprehensive plan that apply to the proposed use.***
Findings: The following policies from the Gladstone Comprehensive Plan apply to this proposal:

<u>Land Use Planning</u>
Policy: Residential Uses
2. ***Allow churches, schools and similar facilities in residential areas only when and where compatible with surrounding uses.***
Response: As shown in the approval criteria above, the proposed supportive housing facility will be compatible with the uses that surrounding this site, which includes several churches as well as single and multi-family residential uses. Therefore, the use is appropriate for the residential area and provides a good transition between the church use directly south of the site and the single-family residential uses to the north.

5. ***Allow housing types ranging from low to high density units, providing for variation in the design of housing units.***
   Low Density Residential:
   Appropriate uses include, but are not limited to, single family and two-family dwellings, churches, schools, day-care centers, community centers, nursing homes, home occupations, and similar uses.

   Low density residential districts should be served by local streets. Non-residential uses should be located on collectors or minor arterials to minimize noise and traffic impact. Day care centers and community centers should be located at or near the intersection of minor arterials and collectors.

   Pedestrian paths and trails, open spaces, view points, utility easements, and retention of trees should be encouraged.

Response: The proposed supportive housing will provide an appropriate use in the Low Density Residential area, since it is primarily a residential use and will provide a new type of housing opportunity which in currently not represented in Gladstone. Webster Road is classified as a minor arterial, which is appropriate for the use proposed. The site will retain as much landscaping, trees and utility connections as practical, and new pedestrian paths will be constructed around the site.

Housing

Policy 3: Promote the supply of adequate housing.

a. ***Work with Clackamas County in applying for federal housing assistance funds.***
   Response: Federal housing assistance funds will be used in part to refurbish the existing building and site and support the tenants that will occupy the facility. This facility will represent the first development in Gladstone developed by the Housing Authority of Clackamas County, so allowing this proposal will help the City to meet this Policy of the Comprehensive Plan.

b. ***Explore the feasibility of offering density bonuses to developers who provide for federally subsidized low and moderate income housing units within developments.***
   Response: Though no density bonuses have been provided or requested for this proposal, it does represent the first federally subsidized low-income housing in Gladstone, so allowing this proposal will help the City to meet this Policy of the Comprehensive Plan as well.

d. ***Solicit the participation of the building industry, lending institutions and school district in a program for supplying housing structures to meet the specials needs of the physically limited and elderly.***
   Response: The proposed facility will be providing housing for the elderly, which meets this Policy.

Policy 4: Promote the upgrading and preservation of existing housing units and neighborhoods, with special emphasis on historically significant homes.

a. ***Work with Clackamas County in applying for federal funds for housing and neighborhood rehabilitation and improvements.***
b. ***Work with the building industry, lending institutions and school district in rehabilitation and/or maintenance programs.***
   Response: Though the existing facility on the site is not "historically significant" this project does involve the rehabilitation and improvement of an existing structure to provide new housing units.

Additionally, HACC and the third-party manager will assure that the property is well-maintained once it's occupied, which meets this Policy.

Natural Resources

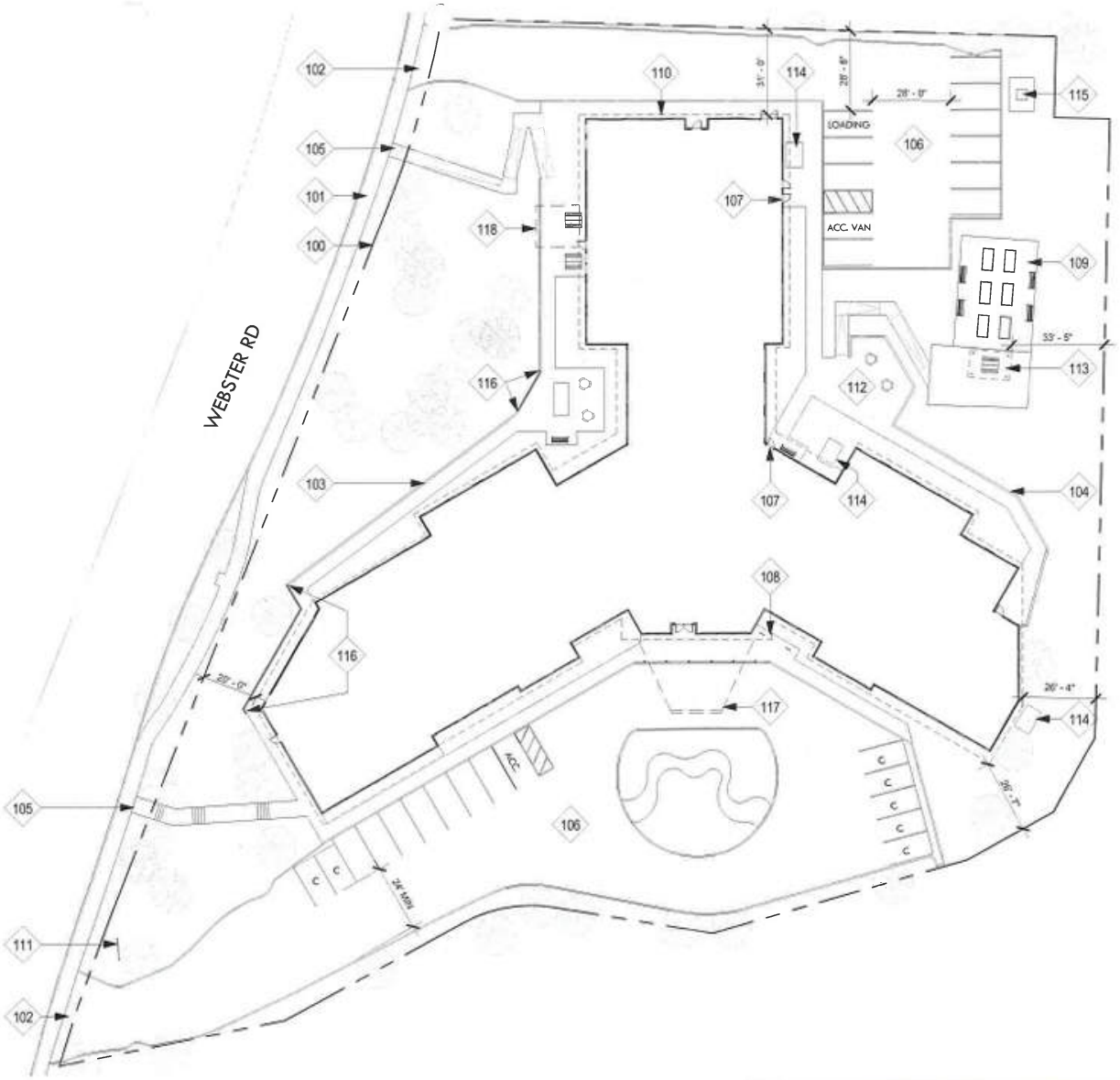
Policy 2: Encourage use of mass transit and other low-pollution transportation modes

a. Allow the development of housing densities to adequately support mass transit.

Response: The redevelopment of this site into supportive housing will help bolster mass transit because the site has excellent access to a bus line and the residents are typically frequent transit riders, so this Policy is met.

Summary Findings: As shown above the proposal satisfies all of the applicable policies of the Comprehensive Plan and this criterion is met.

FIGURES



KEY NOTES

100 PROPERTY LINE

101 EXISTING PUBLIC SIDEWALK

102 EXISTING DRIVEWAY TO REMAIN

103 EXISTING RETAINING WALL, REPLACED WITH CIP

104 NEW CIP RETAINING WALL

105 NEW PEDESTRIAN CONNECTION

106 EXISTING ASPHALT PARKING AREA, RESTRIPED

107 NEW ENTRY

108 NEW (4) SHORT TERM BICYCLE PARKING SPACES

109 NEW COMMON GARDEN AREA

110 EXISTING ROOF OVERHANG ABOVE

111 EXISTING ADDRESS SIGN STRUCTURE WITH NEW 24 SQFT SIGN

112 NEW PATIO AREA

113 NEW OPEN AIR COVERED STRUCTURE

114 NEW PAD-MOUNTED HVAC EQUIPMENT

115 NEW PAD-MOUNTED TRANSFORMER

116 NEW SECTION OF RETAINING WALL

117 EXISTING PORTE COCHERE AND SUPPORT WALL, REMOVED

118 EXISTING ROOF EXTENSION, REMOVED

VEHICLE PARKING

(16) STANDARD AT 9'-6 X 18'

(1) ACCESSIBLE WITH 6' AISLE

(1) VAN ACCESSIBLE WITH 8' AISLE

(7) COMPACT (C) AT 8'-6 X 16'

(1) STANDARD RESERVED FOR LOADING

(26) TOTAL

N

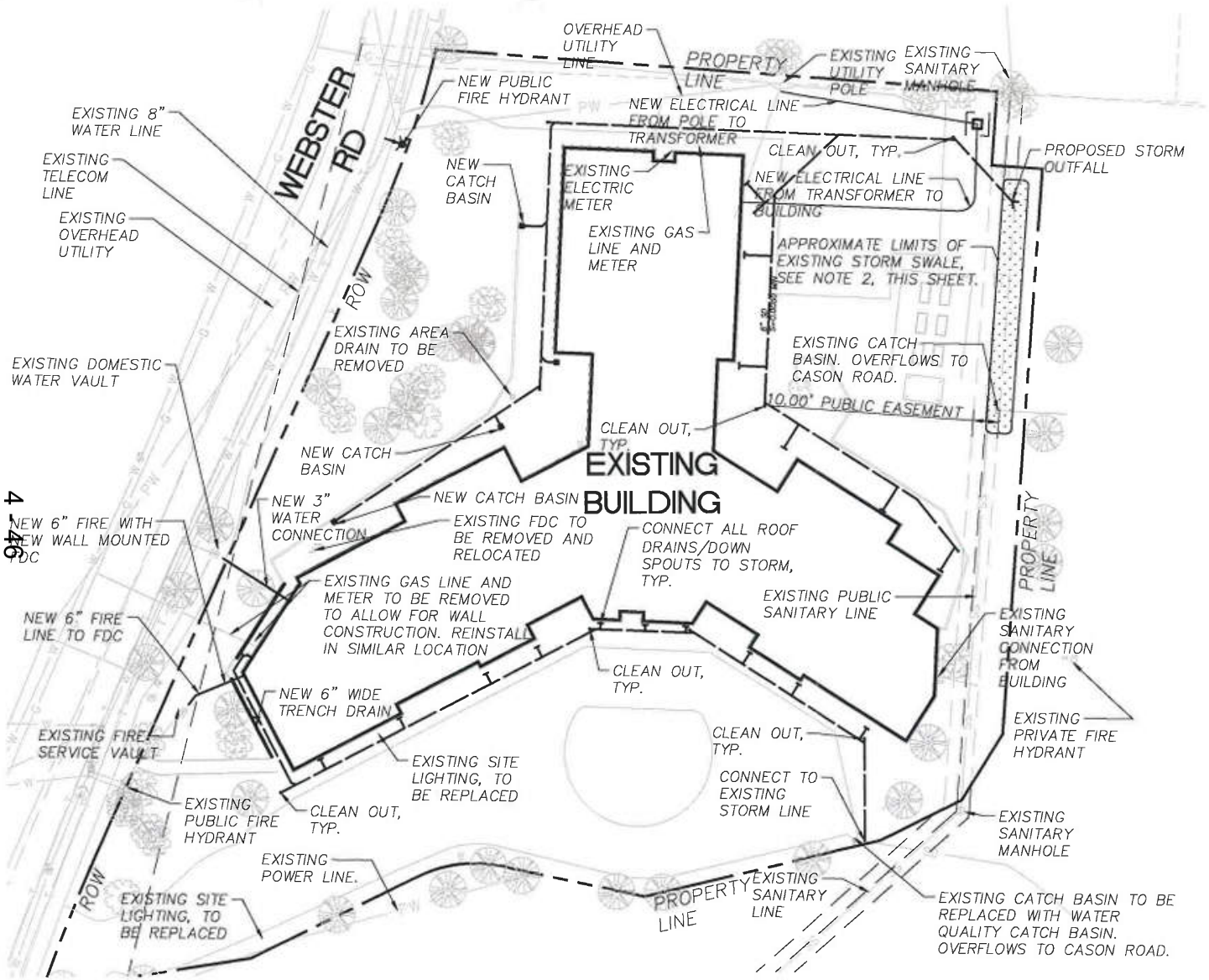
CARLETON HART ARCHITECTURE

CLACKAMAS COUNTY

WEBSTER ROAD HOUSING - 18000 WEBSTER RD, GLADSTONE, OR 97027

CONDITIONAL USE APPLICATION - FEBRUARY 2020

SITE PLAN 1" = 40' | FIG. 1



SHEET LEGEND

- ■ / ■ CATCH BASIN/AREA DRAIN, OVERFLOW
- • CLEANOUT
- EXISTING STORMWATER SWALE

SHEET NOTES

1. NEW BUILDINGS TO INCLUDE FOUNDATION DRAINS, NOT SHOWN FOR CLARITY. CONNECT TO STORM DRAIN.
2. EXISTING SWALE TO BE UPDATED/SIZED TO NEW STORM WATER REQUIREMENTS.

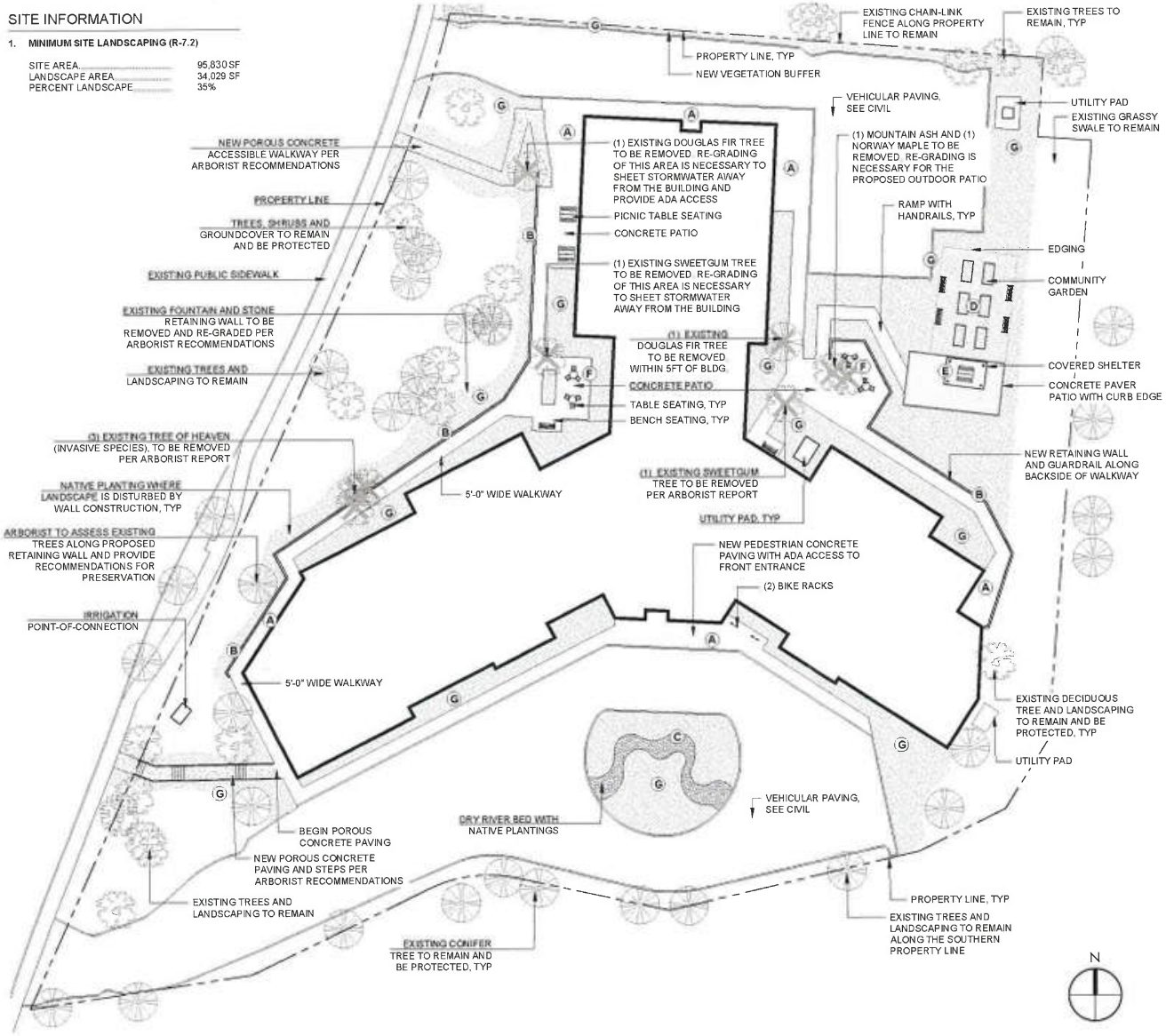
Humber Design Group, Inc.
117 SE Taylor Street
Suite 202
Portland, OR 97214
(503) 946-6880
www.hdgpdx.com

UTILITY PLAN

SITE INFORMATION

1. **MINIMUM SITE LANDSCAPING (R-7.2)**

SITE AREA	95,830 SF
LANDSCAPE AREA	34,029 SF
PERCENT LANDSCAPE	35%



SITE MATERIALS LEGEND

	PROPERTY LINE
	BENCH
	TABLE AND CHAIRS
	ADA PICNIC TABLE
	BIKE RACK
	RAISED PLANTERS
	CONCRETE PAVING WITH CONTROL JOINTS
	STABILIZED DECOMPOSED GRANITE PAVING
	DRY RIVER BED
	NEW PLANTING AREA

KEY NOTES

A. **SITE PEDESTRIAN PAVING**
STANDARD CONCRETE PAVING IS PROPOSED FOR A MAJORITY OF THE NEW SITE PEDESTRIAN PAVING. IN LOCATIONS WHERE WALKWAYS ARE PROPOSED OVER EXISTING TREE ROOTS, POROUS CONCRETE PAVING OR SIMILAR WILL BE UTILIZED, WITH MINIMAL EXCAVATION TO THE TOP LAYER AND ROOT ZONE.

B. **RETAINING WALLS**
EXISTING RETAINING WALLS ON THE WEST SIDE OF THE BUILDING WILL BE REMOVED AND REPLACED WITH NEW CAST-IN-PLACE WALLS. WHERE TREES ARE WITHIN CLOSE PROXIMITY TO THE WALLS, THE PROJECT ARBORIST WILL BE CONSULTED TO PROVIDE GUIDANCE FOR PROTECTION AND PRESERVATION OF THE TREE'S ROOT SYSTEM.

C. **SITE STORMWATER**
A ROCKED SWALE HAS BEEN DESIGNED WITHIN THE MAIN ENTRANCE ROUND-ABOUT. THE ROCKED SWALE IS FOR AESTHETIC PURPOSES ONLY AND WILL NOT OFFICIALLY TREAT STORMWATER FOR THE SITE. THE CENTRAL ISLAND WILL BE PLANTED WITH A COMBINATION OF NATIVE SHRUBS AND GROUNDCOVER TO CREATE A PLEASANT EXPERIENCE AT THE ENTRY TO THE BUILDING.

SEE CIVIL DRAWINGS FOR ADDITIONAL STOMWATER INFORMATION.

D. **COMMUNITY GARDEN**
(6) RAISED CEDAR PLANTING BEDS ARE PROPOSED WITH STABILIZED DECOMPOSED GRANITE SURFACING, WHERE THE EXISTING CONCRETE PAD IS CURRENTLY LOCATED. THE EXISTING CONCRETE WILL BE REMOVED FROM THIS AREA AND WILL BE REPLACED WITH THE STABILIZED DECOMPOSED GRANITE SURFACING TO MEET FLUSH WITH THE ADJACENT PAVERS.

E. **COVERED SHELTER**
A 10' X 15' CANOPY SHELTER IS PROPOSED IN THE LOWER SECTION OF THE NORTHEAST OUTDOOR SPACE, TO ALLOW PROTECTED, COVERED SPACE WITH MORE PRIVACY, ADJACENT TO THE COMMUNITY GARDEN.

F. **OUTDOOR SEATING**
A COMBINATION OF BENCHES AND TABLE SEATING HAVE BEEN PROVIDED WITHIN THE OUTDOOR PATIO SPACES, SHELTER AREA, AND COMMUNITY GARDEN TO ALLOW RESIDENTS MULTIPLE OUTDOOR SPACES WITH SEATING OPPORTUNITIES.

G. **PLANTING AREAS**
NATIVE AND/OR ADAPTIVE PLANT SPECIES WILL BE SPECIFIED FOR THE PLANTING AREAS WITHIN THE SITE BASED ON COLORS, TEXTURES, SIZE AND WATER NEEDS. A MIXTURE OF TREES, SHRUBS, ORNAMENTAL GRASSES AND GROUNDCOVERS WILL BE SELECTED TO HELP CREATE INTERESTING OUTDOOR SPACES THAT REFLECT THE NATURAL LANDSCAPE SURROUNDING THE PROPERTY. CARE WILL BE TAKEN TO SELECT LOW MAINTENANCE PLANT VARIETIES AND TREE SPECIES THAT WILL NOT CONFLICT WITH UTILITIES, SIDEWALKS OR CURBS

GENERAL NOTES

1. **SITE IRRIGATION**
AN EFFICIENT, AUTOMATIC IRRIGATION SYSTEM WILL BE PROVIDED FOR ALL NEW PLANTING AREAS WITHIN THE SITE. HIGHLY EFFICIENT DRIP IRRIGATION, SMART CONTROLLER, AND WEATHER SENSOR TO BE INCLUDED TO INCREASE PERFORMANCE/EFFICIENCY.

2. **SITE LIGHTING**
LIGHTING WILL BE PROVIDED FOR SITE WALKWAYS AND OUTDOOR PATIOS USING A COMBINATION OF PATH/BOLLARD FIXTURES AND POST MOUNTED FIXTURES.

3. **TREE PRESERVATION & REMOVAL**
EXISTING ON-SITE TREES WILL BE PRESERVED TO THE GREATEST EXTENT POSSIBLE. EXISTING TREES ARE PROPOSED FOR REMOVAL ONLY WHERE THEY CONFLICT WITH THE BUILDING FOUNDATION, RENOVATION OF OUTDOOR PATIOS AND ACCESSIBLE WALKWAYS.

SEE ARBORIST REPORT FOR TREE SPECIES AND ADDITIONAL NOTES.

1 SOUTH ELEVATION AT MAIN ENTRY

2 SOUTHEAST ELEVATION OF WEST WING - TYPICAL OF RESIDENTIAL UNIT AREAS

CARLETON HART ARCHITECTURE

CLACKAMAS COUNTY

WEBSTER ROAD HOUSING - 18000 WEBSTER RD, GLADSTONE, OR 97027

CONDITIONAL USE APPLICATION - FEBRUARY 2020

EXTERIOR ELEVATIONS 1/8" = 1'

FIG. 8

3 WEST ELEVATION OF NORTH WING

4 NORTH ELEVATION OF NORTH WING

Exhibit C

THE BOOKIN GROUP LLC

Land Use & Institutional Planning

Policy Analysis

Project Management

Group Facilitation

Minutes from the October 29, 2019 community meeting
Housing Authority of Clackamas County
18000 Webster Road redevelopment

Prepared by Debbie Cleek on November 4, 2019

The meeting began with Stephen McMurtrey, the Director of HACC, describing the overall vision for the project, including the anticipated residents of the project and how the facility will operate. Next Michelle Black and Jon Creighton with Carleton Hart Architecture walked through all of the changes to the interior and exterior of the building and grounds that are anticipated. The presentation included display boards of the existing building and the anticipated changes.

The community members in attendance asked the following questions about the proposal:

- Will the residents be single people, couples or families?
- Will they be 55 or older?
- Will residents be homeless people or in drug rehab?
- Will the residents likely have jobs and go to work during the day or stay around on the property?
- Who will staff the facility? Will there be some staff presence 24 hours a day?
- Who will be monitoring the property? Previous use resulted in people vandalism, trash and debris in the church parking lot across Webster.
- What will be the minimum lease period for residents? Are you looking for long-term tenants?
- How long is the waiting list to get into a facility? Will residents be selected from those waiting lists?
- Is it likely that the residents will own cars?
- Is the parking provided on side adequate for visitors and relatives?
- How many parking spaces will be allocated for employees?
- Will the existing landscaping and especially the trees remain on-site?
- Will you be installing a new crosswalk on Webster to get to the bus stop?
- Will the units have kitchen facilities?
- Will there be a cafeteria in the building?
- Will there be a designated smoking area?
- Will residents be allowed to have pets?
- The previous owner had a lot of Fire Marshall issues. Are you aware of those and have you addressed them?
- What is exterior lighting plan? Will there be light on neighboring properties? Will there be motion sensitive lights? It was suggested to look at the lighting of the adjacent LDS Church who have done a good job of controlling light trespass.
- Have you talked to church in general about what is planned?
- Does HACC own the property now? Who is maintaining it now? The north side of the building is an attractive nuisance.
- Is taxpayer money being used to construct the facility? Is it likely that taxes will go up to building and support the project?
- How much is the renovation going to cost?
- What is the timeline to start construction and how long will that take?

1140 SW 11th Ave.
Suite 500
Portland, Oregon
97205

503.241.2423

bookingroup.com

To the extent possible, all of the neighbor's questions were answered by the project team. Following the meeting all of the questions and answers were added to the FAQ section of HACC's project website.

Exhibit D

THE
BOOKIN
GROUP
LLC

Land Use &
Institutional
Planning

Policy Analysis

Project
Management

Group
Facilitation

Minutes from the January 29, 2020 community meeting
Housing Authority of Clackamas County
18000 Webster Road redevelopment

Prepared by Debbie Cleek on February 7, 2020

The meeting began with Jill Smith, the Executive Director of HACC, providing an overview of the project. Next Jon Creighton and Carolyn Kruger with Carleton Hart Architecture walked through all of the changes to the interior and exterior of the building and grounds that are anticipated. The presentation included display boards of the existing building and the anticipated changes.

The community members in attendance asked the following questions about the proposal:

- Will adding bathrooms to each unit shrink the number of units in the building?
- What kind of cooking areas will be provided in the rooms?
- Are there any cooking areas that will not be shared?
- Has any asbestos testing been on the building?
- Has the building been tested for radon?
- How will applicants be selected?
- How will be building be administered?
- Will the units be furnished?
- Where will the garbage and recycling be kept?
- How will the project be funded?
- What will the impact be to the adjacent Tri-Met bus line of adding 48 new residents who generally do not drive?
- Will the project offer subsidized transit passes to incentivize residents to take transit instead of driving?
- Will there be a crosswalk installed so residents can safely walk to the park?
- Is partnering with senior centers to provide transportation an option/opportunity?
- Is partnering with the neighboring churches to help with overflow parking (visitors, staff, etc.) possible?
- What are the silver tags on the trees for?
- What will be the typical square footage of the units?
- What is the project timeline?
- Will some of the residents who will be displaced when Hillside Park is redeveloped be relocated here?
- Will the units be used for families?
- How many visitor parking spaces will be provided?
- Will it be possible to provide a unit to be used for guests of the residents?
- What will the room with the fireplace be used for?

To the extent possible, all of the neighbor's questions were answered by the project team.

1140 SW 11th Ave.
Suite 500
Portland, Oregon
97205

503.241.2423

bookingroup.com

Appendix B

February 24, 2020

City of Gladstone Public Works Department Comments

Z0071-20-D: Conditional Use, 18000 Webster Road, HACC Building:

General Conditions:

1. ADA Access. This approval is subject to the development complying with the provisions of the Americans with Disabilities Act (ADA), including provisions for curb ramps.
2. Sanitary Sewer. The proposed development shall meet all sanitary sewer requirements pursuant to Clackamas County Water Environment Services (WES) and the requirements of the Gladstone Public Works Design Standards.
3. Water. The proposed development shall meet all water system requirements pursuant to the requirements of the Gladstone Public Works Design Standards and the Oregon Health Authority.
4. Storm Drainage. The drainage plan shall conform to the drainage requirements of the Gladstone Public Works Design Standards. The design engineer shall submit to the City of Gladstone Public Works Department for review and approval a storm drainage analysis and report applicable to the approved development detailing how storm water quality, quantity and disposal are being addressed to meet the requirements of the Gladstone Public Works Design Standards.
5. Erosion Control. A sediment and Erosion Control Permit will be required from WES prior to commencing site work.
6. Construction plans detailing the installation of public and private utilities, site grading, and other public and private site improvements shall be submitted to the City of Gladstone Public Works Department for review and approval. The design, location, and planned installation of all roadways, 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.
7. Once 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.
8. Clackamas County Building Department will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical Permits for this project.

Project Specific Conditions:

9. All stormwater inlets and pipes shall be removed from the sanitary sewer drainage system.
10. If private property must be crossed in order to reach an approved point of disposal for the storm drainage system, it shall be the project's responsibility to acquire a recorded drainage easement (of dimensions in accordance with Subsection 2.0024, Easements, of the Gladstone Public Works Design Standards). The easement(s) shall be prepared using an approved City of Gladstone easement form and a copy of the recorded easement shall be provided to City of Gladstone Public Works prior to the pre-construction meeting.
11. Permanent stormwater quality and flow control facilities will be required for all new development or redevelopment activities if more than 1,000 square feet of impervious surfaces are created or disturbed.

12. Water meter sizing calculations are required to verify adequate water meter size. These calculations are typically based on a fixture count. These calculations shall be submitted to the City at the time of plan review.
13. The fire suppression system, including the fire line, backflow prevention device, and onsite fire hydrants (if needed) must be upgraded to the current standards of the City of Gladstone Public Works and the Gladstone Fire Department.
14. If the water meter, backflow preventor(s), or public fire hydrants are located outside the public right-of-way, then the project shall grant public waterline easements to the City around these structures. Easements shall be prepared using an approved City of Gladstone easement form and a copy of the recorded easement shall be provided to City of Gladstone Public Works prior to the pre-construction meeting.
15. The existing sanitary sewer main and building lateral integrity need to be verified by television inspection submitted to the Public Works Department. The existing sewer main and building lateral will have to be brought up to current standards of the City of Gladstone, if determined to be necessary by City of Gladstone Public Works.
16. The project shall grant an additional 5 feet of sanitary sewer easement to the City of Gladstone along the eastern side of the building to widen the existing sanitary sewer easement to 15 feet, in conformance with Subsection 2.0024 Easement, of the City of Gladstone Public Works Design Standards. The easement shall be prepared using an approved City of Gladstone easement form and a copy of the recorded easement shall be provided to City of Gladstone Public Works prior to the pre-construction meeting.
17. Where existing sidewalks and driveways on Webster Road do not conform to current City or ADA standards, new ADA compliant sidewalks and driveways shall be constructed matching the width of the existing improvements. Obstructions, such as utility poles, may not reduce the unobstructed width to less than 48 inches. If the public sidewalk must swing around an obstruction, adequate right-of-way shall be dedicated for the sidewalk to remain within the public right-of-way. Right-of-way dedication shall be prepared using an approved City of Gladstone right-of-way dedication deed form.
18. The project shall provide adequate street lighting as determined by the Public Works Director. The project shall submit a photometric analysis and lighting plan to City of Gladstone Public Works that conforms to Illuminating Engineering Society (IES) standards, except as modified by the City. Any required streetlights shall be acquired through Portland General Electric and energized under PGE Option A.
19. System Development Charges (SDC's) may be required due to the change of use of the property. The project shall provide all relevant information needed to calculate the SDC's to the Public Works Director. SDC calculation methodology is located on the Public Works page of the City of Gladstone website.

Archived: Thursday, February 27, 2020 3:41:30 PM
From: Carr, Erik
Sent: Thursday, February 20, 2020 11:41:49 AM
To: Fields, Joy
Subject: FW: Z0071-20-D GLADSTONE NOTICE
Response requested: No
Sensitivity: Normal
Attachments:
Z0071-20-D GLADSTONE NOTICE.PDF

Hi Joy,

Please remind the applicant that the proposed development is within the Tri-City Service District and the current District rate for sanitary System Development Charge is $7,850.00 per EDU (Equivalent Dwelling Unit). Change of use to 48 residential units could result in a significant SDC. The SDC's are administered by the City of Gladstone.

	6" meter - $261,559
* Sewer Collection (City System)	$5,638 per (EDU) equivalent dwelling unit
* Sewer Treatment provided by others (pass-through) to Oak Lodge Water Services or Tri-City (WES) based on the individual district rates that the property is served by.	
* Parks	$7,836 per (RPE) residential population equivalent
* Stormwater	$3,019 per (EDU) equivalent dwelling unit

Thanks,

Erik Carr Bertram
Clackamas Water Environment Services
503-742-4571

From: Thornhill, Susan <SThornhill@co.clackamas.or.us>
Sent: Wednesday, February 19, 2020 1:52 PM
To: WES - Planning <WES-Planning@co.clackamas.or.us>
Subject: Z0071-20-D GLADSTONE NOTICE

Please see the attachment.

Susan Thornhill
Permits Specialist

Clackamas County Planning
150 Beavercreek Road
Oregon City, Oregon 97045
503-742-4515

City of Gladstone, Fire Department Comments March 13, 2020

Subject: Conditional Use notice for 18000 Webster Rd. File # Z0071-20-C
Gladstone Fire personnel have attended pre-application meetings regarding this project as well as making several site visits. The Fire Department's goal in this process is to ensure proper access and water supply with regard to this property and its proposed use. To this point we have worked closely with County representatives, designers, and architects helping with the project. We have discussed the access and water issues as outlined below. The team working on this project has been helpful and receptive to our needs.

Access: The Fire Department has reviewed the preliminary plans and drawings for this project. The building is sited at 18000 Webster Rd. with two access points to a large building. Ingress driveways have been review for adequate width and plans for proper size turnarounds where needed are being designed. Access to all portions of the building exterior appears to be within 150 feet of where the emergency vehicles may need to park or position in the event of an emergency. Red fire lanes with No-Parking signs will be assessed to allow resident parking while preserving needed emergency access.

Emergency access to the building must be maintained at all times. Clear access during construction as well as when the building is complete is required. Install and enforce no parking signs where required.

Water supply: The proposed building was originally designed for reasonably dense usage. The building is currently fully sprinkled with plans to review and update the current system as needed. A fully sprinkled building requires less water supply in required fire flow terms. The fire department has discussed hydrant needs for sprinkler system support and for hydrants needed for firefighting purposes. Those working on this project have agreed to add a fire hydrant to the City system to support fire service needs. Project designers have and continue to work with City departments to meet fire and life safety requirements.

Keep the curb frontage clear at all fire hydrants. Install an additional fire hydrant as required to meet firefighting needs. Work with Gladstone Public Works staff, for fire hydrant details.

Other comments or concerns:

1. **The Fire Department looks forward to working with the County and project designers to develop this project. Safe, affordable housing benefits everyone in our community.**

Michael Funk
Fire Marshal
City of Gladstone
Office: 503-557-2775
funk@ci.gladstone.or.us

metropolitan alliance for common good

4940 NE 8th Ave, Portland, OR 97211
ph. 503.208.4391
iafnw.org/macg

March 17, 2020

Members of Gladstone Planning Commission:

We are writing on behalf of Metropolitan Alliance for Common Good (MACG) to urge your approval of the conditional use application for 18000 Webster Road for the purpose of providing permanent supportive housing for very low income seniors.

MACG is an alliance of faith, health, education, and community nonprofits in the tri-county area committed to addressing equity issues that surface through the stories of our members. Housing insecurity is the number one pressure facing the families in our member organizations, and is a key factor in health equity.

Proposals like the one under consideration, aimed at one of the most vulnerable populations, need the support of decision-makers like you to help build the critically needed supply of affordable housing. In addition, with the shortage of buildable land, and Gladstone's need to address housing inequity, the proposed project to improve the Webster Road site and remodel the existing building is an opportunity for the city to model a practical, effective approach to solving two area problems.

We urge you to approve the Webster Road application as one step toward addressing the complex and growing housing crisis facing municipalities throughout the county.

Sincerely,

Jesse Christopherson
Alex Gillow-Wiles
Sara Gross Samuelson
Mikaila Smith
Co-Chairs
MACG Clackamas Housing Team

NOTICE OF PUBLIC HEARING
GLADSTONE PLANNING COMMISSION
****RESCHEDULED****

DATE & TIME:	**May 19, 2020.** 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, 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 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 May 12, 2020 on our website: https://www.ci.gladstone.or.us/bc-pc/page/planning-commission-meeting-71.
PERMIT FILE NO:	Conditional Use: **Z0071-20-C**
LOCATION	18000 Webster Road; Tax Lot 22E17DD00900
DEVELOPMENT PROPOSAL:	Convert the existing 27,000 square foot building to provide 48 residential units that will be a mix of single-room occupancy (SRO) and studios for older adults, as well space for third party supportive services. Proposal includes site maintenance with the removal of some accessory structures and repaving of the parking area.
APPLICABLE REVIEW STANDARDS:	Chapter 17.70, 17.74 and the Division IV. Development Standards 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, Joy Fields, at 503-742-4510 or jfields@clackamas.us; or
2. Online at https://accela.clackamas.us/citizenaccess/. After selecting the "Planning" tab, enter the permit file number to search. Then scroll down and select "Attachments," where you will find the submitted application.

For further information, contact Joy Fields at 503-742-4510 or jfields@clackamas.us.

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.

This Public Hearing has been rescheduled from the original hearing date of March 17, 2020.