



**GLADSTONE PLANNING COMMISSION AGENDA  
GLADSTONE CIVIC CENTER, 18505 PORTLAND AVENUE**

**Tuesday, August 18, 2020**

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/95947786109?pwd=Vm9LaG42OFJsV2dpYUNQdm5EQlJoUT09>

Meeting ID: 959 4778 6109

Passcode: 175809

One tap mobile

+16699009128,,95947786109#,,,,,0#,,175809# US (San Jose)

Dial by your location

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 959 4778 6109

Passcode: 175809

Find your local number: <https://zoom.us/u/aPvaAUicQ>

**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 July 21, 2020 Meeting Minutes

**REGULAR AGENDA**

2. Monthly Planning Report – July 2020
3. **CONTINUED PUBLIC HEARING:** File TXT-2020-02. Consider amendments pertaining to parking requirements for the substitution of institutional or civic land uses in Gladstone Municipal Code Chapter 17.18, C-2 Zoning District.

4. **PUBLIC HEARING:** File, Z0149-20-D/CP. Re-zone property to MR (Multi-Family Residential) to allow the development of additional parking and recreation for the existing Webster Ridge Apartments. The land is currently zoned R-7.2 (Single-Family Residential). 18085 Webster Road. Stony Ridge LLC.

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

**BUSINESS FROM THE PLANNING COMMISSION**

**ADJOURN**

Upcoming Meeting:

- August 25, 2020 - City Council/Planning Commission/Housing Advisory Committee work session on the draft Gladstone Housing Needs Analysis – 5:30 p.m.



## **CONSENT AGENDA**



## GLADSTONE PLANNING COMMISSION MEETING MINUTES of July 21, 2020

Meeting was called to order at 6:32 P.M. (via Zoom)

### **ROLL CALL:**

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

### **ABSENT:**

None.

### **STAFF:**

Tami Bannick, City Recorder; Joy Fields, Senior Planner; Jacque Betz, City Administrator; David Doughman, City Attorney; Councilor Mersereau, Council Liaison

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### **CONSENT AGENDA:**

#### **1. Approval of June 16, 2020 Meeting Minutes**

*Commissioner de AElfweald made a motion to approve the Consent Agenda. Motion was seconded by Commissioner Natalie Smith. Motion passed unanimously.*

### **REGULAR AGENDA:**

#### **2. Monthly Planning Report – June 2020:**

Ms. Fields went over the report. She said the Clackamas County lobby was closed to the public until June 22<sup>nd</sup>. They are finding that visitation to the counter is lower than it was prior to COVID-19, although they have had lots of emails and phone calls. They had 4 building permits with land use reviews (an interior remodel, shell building, new single-family residence, and revisions to a bonus room that had been approved in 2018). There was discussion regarding the bonus room revisions.

In the future they will be discussing potential amendments to the Gladstone Municipal Code (GMC) pertaining to file TXT-2020-02 and next month there will be a public hearing for a potential Comprehensive Plan and Zoning Map amendment/property line adjustment for the apartments at 18500 Webster Road.

*Commissioner Langston made a motion to approve the June Planning Report. Motion was seconded by Commissioner Poole. Motion passed unanimously.*

#### **3. PUBLIC HEARING – File TXT-2020-02:**

This is to consider amendments pertaining to: 1) parking requirements for the substitution of institutional or civic land uses in Gladstone Municipal Code Chapter 17.18, C-2 Zoning District; and 2) the addition of definitions for vacation rental and vacation occupancy in Gladstone Municipal Code Chapter 17.06, Definitions.

Ms. Fields said there was a public hearing back in February on proposed text amendments that would remove the off-street parking space and owner-occupancy requirement for Accessory Dwelling Units (ADUs) unless they were used as a vacation rental. In the R-7.2 and R-5 single-family residential districts in Gladstone there is no longer a requirement for an additional off-street

parking space or deed restriction unless an ADU is used as a vacation rental. They found that “vacation rental” is not defined in the GMC, so a proposed definition would be: “Vacation Rental” means a dwelling unit, or accessory dwelling unit, providing vacation occupancy. Ms. Fields went over the definitions of ADU and dwelling unit and the proposed definition of vacation occupancy. There was discussion regarding the period of authorized occupancy (45 days) – Mr. Doughman said the intent is that it would be consecutive or at least as it concerns a particular renter. Commissioner Patrick Smith asked what makes a basement unit an ADU. Ms. Fields said the additional smaller subordinate dwelling located within the primary dwelling - it relies on the definitions of ADU and the dwelling unit. If the ADU is to be used by a separate family and there isn’t internal access to the unit then it would be an ADU. There was discussion regarding what happens when a residence is sold, duplexes, size requirements, etc.

Chair Milch opened the public hearing.

**Public Comments:**

None.

Chair Milch closed the public hearing.

Ms. Fields gave background information regarding consideration for the parking standards for the C-2 zoning district. The City and County are working together to develop a new library that will be built on the site of the old City Hall (C-2). Because the prior and future use of the site are better described as institutional or civic rather than commercial it is not clear whether the County could rely on 17.18.070(1) to build the library without any additional off-street parking if the building was modified. The City Council supported the Planning Commission to consider the following text amendment:

- (1) Where one commercial use allowed outright is substituted for another in an existing building and the building is not expanded by more than ten percent (10%) of the floor area used for commercial purposes on January 1, 1980, no more off-street parking shall be required than was possessed by the previous commercial use. Where successive expansions of a building are proposed, the total area of all expansions shall not exceed the ten-percent (10%) standard.
- (2) If a community service facility or civic use allowed outright is substituted for another on the same property, whether in the same building or a new building, no more off-street parking shall be required than was possessed by the previous facility or use.
- (3) When an existing residence in the C-2 zoning district along Portland Avenue is converted to commercial or mixed use development, additional off-street parking shall not be required, subject to the following standards:
  - a) The new commercial use shall not exceed a “B” occupancy rating as described in the Oregon Structural Specialty Code or its successor and shall be identified in GMC Section 17.18.020(2), (5), or (8);
  - b) Signs shall be on-building and indirectly illuminated;
  - c) The use shall generate low traffic volumes and require minimal off-street parking; and;
  - d) Structures and landscaping shall retain a residential appearance.

Commissioner de AElfweald asked if the old library location is going to be used as parking for the new facility. Ms. Betz said they don’t know. She suspects that there are not going to be issues with continuing to use the existing parking that is there in addition to what’s being proposed tonight.

It is a goal of the City Council to discuss what they want to do with that property in January of 2021.

Ms. Fields showed a map of the C-2 zoning district. She went over the definition of “community service facility” that is in 17.18.020(9). Section 17.68 establishes the authorization for amendments and zone changes. Section 17.94.060 specifies that the Planning Commission shall hold a public hearing and make a recommendation to City Council. This proposed change touches on different goals within the Gladstone Comprehensive Plan (Transportation and Facilities and Services), as well as statewide planning goals and guidelines.

Commissioner Patrick Smith said he has never seen any off-street parking at City Hall. He asked if they are planning on building a new library without any off-street parking. Ms. Fields said it is unclear in the code and that is why they are discussing this now. She said it would appear that it would be required to have a significant number of off-street parking spaces but she doesn’t know that number – she guessed it would be approximately eleven. Chair Milch said the current code requirement is one space per 400 square feet, so a 6,000 square foot library would need to have 15 spaces and 1 space per 2 employees (there are typically 4 employees on staff) for a total of 17 off-street parking spaces.

Mr. Doughman said the City adopted an amendment to its Comprehensive Plan in 2018 that dealt specifically with downtown. The Downtown Revitalization Plan showed a belief that reducing off-street parking would enhance the goal of making downtown a more vibrant place that would draw in more visitors.

Chair Milch opened the public hearing.

**Public Comments:**

None.

Chair Milch closed the public hearing.

**Discussion:**

Chair Milch said the definition of vacation rental completes the amendments the Planning Commission did in February by giving them a legal definition within the code. Commissioner de AElfweald said he has a slight concern about seeing not being well defined just because they’ve been told in the past that if it’s not well defined then there’s no enforcement possible, but since the City attorney recommends keeping it this way he is okay doing that. Chair Milch asked if the period of authorized occupancy not exceeding 45 days definition mirrors the ORS 90.100 definition – Ms. Fields confirmed that it does. She said that the ORS is referenced elsewhere in the GMC but it is not spelled out and has created some uncertainty of what the City means by definition if it’s only defined by the ORS. She felt it was important to include the ORS that presented the definition and then provide that definition so there was no confusion in the future. Commissioner de AElfweald asked if another public hearing is necessary if the State updates their definition and we want to incorporate that – Ms. Fields said yes.

*Commissioner Poole made a motion to approve the proposed changes to the Gladstone Municipal Code (GMC) Chapter 17.06 regarding vacation rentals and vacation occupancy, changes to definitions. Motion was seconded by Commissioner Patrick Smith. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Natalie Smith – yes. Commissioner de AElfweald – yes. Commissioner Poole – yes. Commissioner Williams – yes. Commissioner Patrick Smith – yes. Chair Milch – yes. Motion passed unanimously.*

*Commissioner Langston made a motion to approve the proposed text change to the Gladstone Municipal Code Chapter (GMC) 17.18.070 to support the redevelopment of community service facilities and civic uses in the C-2 zoning district. Motion was seconded by Commissioner Natalie Smith.*

Discussion: Commissioner de AElfweald said this code is not specific to the library and he wants to keep that in mind. They have to consider this as being used in the future on some other property. His concern is that as it reads now it would allow for a 200 square foot building to be replaced with a 10,000 square foot building without changing parking requirements. He thinks they need to make some condition on that because it's too lenient. Chair Milch said it would have to be one civic use replacing another civic use. Commissioner Poole said he had some of the same concerns and that it is too ambiguous. Mr. Doughman said it wasn't the intent to be able to substitute a commercial building with what was once a community service facility. He said they could strike "civic use" and say "substituted for another community facility on the same property". Commissioner de AElfweald would like to have some condition/limitation on size. Ms. Fields asked if they wanted to say "substitute for another commercial use" in item #1 – Chair Milch said that would make it more consistent and remove any ambiguity. Commissioner Williams asked what it would do to parking in the area if a future business had many more employees. Commissioner Poole is not comfortable that they don't have to add any parking or give any consideration for parking because it's a civic building. Chair Milch said that City employees used to park on Dartmouth, Portland Avenue, and Exeter. The new civic center has 36 parking spaces plus 10 off-street parking spaces directly adjacent on Dunaway. The Police Department has its own secured parking lot. He said they have dealt with part of the equation by moving a building that had no off-street parking to a facility that now has a great deal of off-street and on-street parking so they've gained a considerable amount of parking in the downtown area. The diagonal parking spaces adjacent to what will be the new library will not technically be on-site or off-street, but they will be close enough for people to use. The existing library parking lot would continue to be available – it wouldn't be on-site but it would be off-street parking in close proximity to the new library. Commissioner de AElfweald said based on the earlier comment they cannot make that assumption. His concern is the number of people who currently park at the library versus how many parking spaces they will have at the new library being less.

Ms. Fields asked for a consensus. Commissioner Williams said he still has concerns about parking. Commissioner Patrick Smith said most people who go to the library either walk or drive. He said this is a code issue and not a single building permit issue and it seems way too broad brushed to work long term. He said parking needs to be considered. Ms. Fields asked if they would like to request that staff discuss this one more time and bring back more information. Commissioner Williams agreed to that. Chair Milch had a concern that the way the amendment would be written would be to treat commercial and civic uses the same – he was pleased to see that Mr. Doughman had separated it out - minimized the change in the code to the smallest change that could be made that would address the issue we have and did not broaden it to make a more substantial change that would have a much greater impact on the community. As much as he understands the concerns about the overall parking situation in the downtown area, he is happy with the limits of this particular proposed amendment.

*Commissioner Poole made a motion to table consideration for this amendment for some further consideration and finish this up at the next meeting.*

There was discussion regarding public hearing/noticing procedures. Mr. Doughman said they might want to discuss size conditions/limitations. Commissioner Natalie Smith said she is on the same page as Commissioner de AElfweald. Commissioner Williams said his concern is not so

much the size of the building but its intended use and how many employees/customers there would be.

*Motion was seconded by Commissioner Patrick Smith. Motion passed (5-2) (Commissioner Langston and Chair Milch voted no).*

**BUSINESS FROM THE PUBLIC:**

None.

**BUSINESS FROM THE COMMISSION:**

**Commissioner Langston:**

He said he has sold his home but they have procured another home in Gladstone so he will still be a resident of the City.

He said at the corner of Abernethy and Glen Echo on the trolley trail the entrance (south side) onto the walkway is a little off-centered and he has witnessed a couple of bicycle accidents from people hitting the curb because the ramp doesn't go directly to the path.

He has noticed a lot of people out and moving around now – and an increase in pet droppings. He hopes everyone will be responsible for their pets and clean up after them.

**Commissioner Natalie Smith:**

She asked, in regard Carz Planet - the old Tebo's site, if there is a mechanism that lets the Planning Commission know when an individual or company has responded/rectified whatever complaints/problems there were. Ms. Fields said she is supposed to get a final landscaping plan from them. Commissioner Smith said it has been several months and asked what their next step is to insure that they follow through with what they were supposed to do. Ms. Fields will send them an email and request they provide that and go from there.

**Commissioner de AElfweald:**

He apologized for his internet connection issues tonight because he missed quite a bit that was said over the last half-hour or so.

**Commissioner Poole:**

He said on Thursday Metro moved forward with the three-billion dollar transportation T-2020 bond measure so that's going to be on the ballot in November. He said there are some good projects in there, such as the trolley bridge and extending Highway 212 out toward 172<sup>nd</sup>. The outcome of that is certainly going to effect our future here. He asked that everyone get up to speed on what Metro will be putting on the ballot.

**Commissioner Williams:**

He apologized for arriving late to the meeting. He said it's nice to be talking and sharing his information and listening to others.

**Commissioner Patrick Smith:**

He thanked Ms. Betz and Ms. Fields for working hard to put on meetings. He had issues seeing the entire PowerPoint presentation screens and asked if printed versions could be included in their packets. He said in regard to the last meeting – he believes everyone felt it was moving a little more quickly than it ought to. He realizes that they have to play well with Clackamas County and Metro but he also thinks that if they come to a position where they are just doing what they tell them to do or recommend they do there's really

no need to have a Planning Commission and they aren't doing the citizens of Gladstone a service. He felt the conversation about parking tonight was good and he feels they will come out of it with something better than what they went into it with tonight.

**Councilor Mersereau:**

He said he can see that the Commission has a huge challenge and they worked hard tonight to try to make things right in their minds. He recommended that Chair Milch consider working hard to allow the rest of the Commissioners to share their ideas versus making his opinion over the others. Chair Milch said he would give consideration to that comment.

**Chair Milch:**

He thanked Mr. Doughman, Ms. Betz, and Ms. Bannick for being present and helping them tonight. He thanked Mr. Doughman for his hard in preparation for the meeting. Commissioner Natalie Smith thanked Ms. Fields for all of her work.

Chair Milch apologized if he got more involved than he should have. The issues they discussed are very important to him. He hopes everyone comes to the next meeting well prepared with questions and that they make sure he allows them to share their points of view and have a good, equitable discussion of these issues and act in the best interest of our City and community.

*Commissioner Natalie Smith made a motion to adjourn the meeting. Motion was seconded by Commissioner Williams. Motion passed unanimously.*

**ADJOURN:**

Meeting adjourned at approximately 8:48 P.M.

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

\_\_\_\_\_  
Michael Milch, Chair



## REGULAR AGENDA





# City of Gladstone Monthly Report July 2020

## PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	January	February	March	April	May	June	July	YEAR TOTALS
Customer Service Counter Contacts	5	10	1	0	0	0	1	17
Customer phone/email Contacts	43	66	62	34	49	83	53	390
Building Permits with Land Use Review	5	4	11	3	0	4	1	28
Pre-application Conferences	1	0	0	0	0	0	0	1
Administrative Decisions	2	1	1	0	0	1	0	5

## PLANNING COMMISSION ACTIONS/DECISIONS

- Held Public Hearing for Potential Code Amendments (File #: TXT-2020-02) – addition of two definitions and consideration of changes to parking requirements for the C-2 zoning district. Hearing continued until August 18<sup>th</sup>.

## CITY COUNCIL LAND USE ACTIONS/DECISIONS

### PRE-APPLICATION CONFERENCES

- None

### ADMINISTRATIVE PERMITS

- None

## BUILDING PERMITS WITH LAND USE REVIEW

### JULY

<b>Date</b>	<b>Address</b>	<b>Building Permit #</b>	<b>Description</b>
7/08/2020	6600 BUCKINGHAM DR	B0302120	Retaining Wall

## FUTURE ITEMS/PROPERTY UPDATES

<b>Location</b>	<b>Topic</b>
18500 Webster Road	Comprehensive Plan and Zoning Map amendment with Property Line Adjustment.
TXT-2020-02	Gladstone Municipal Code Amendments



## **REGULAR AGENDA**





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# August 2020 PLANNING COMMISSION MEETING

## Agenda Item No. 3

TXT-2020-02 Proposed Code Amendments



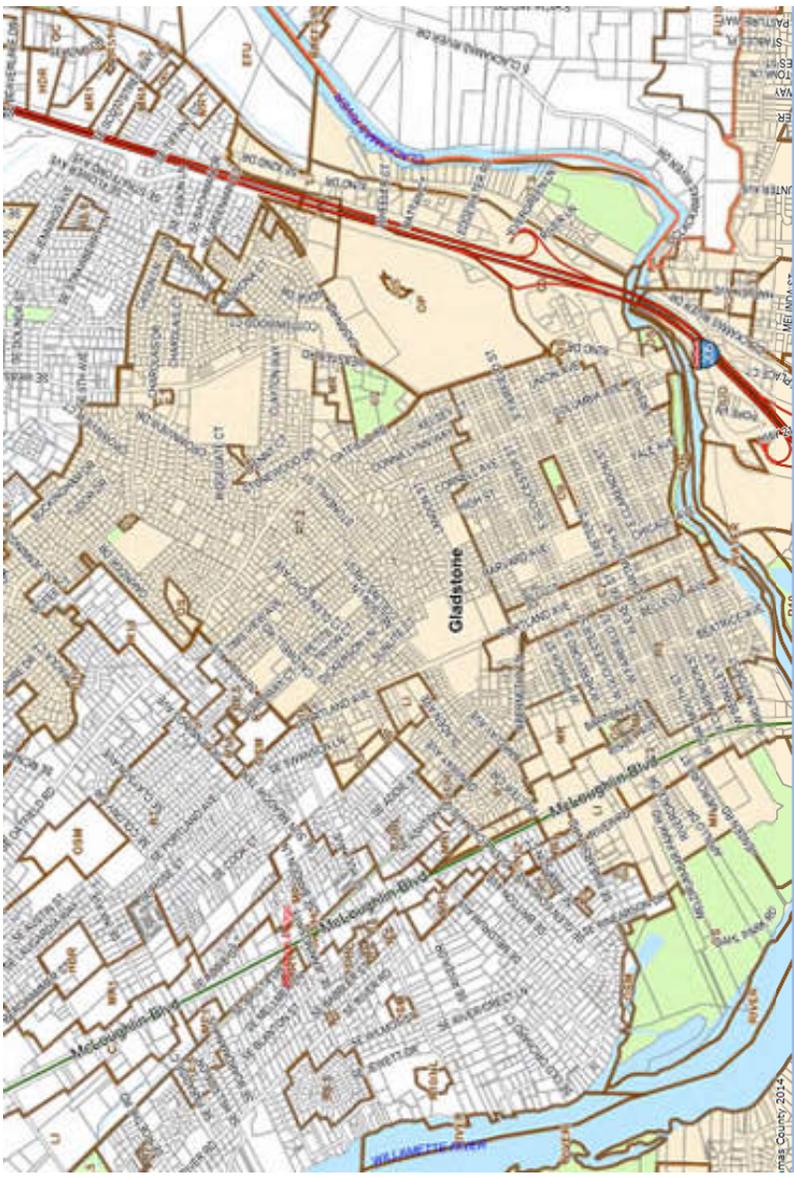
**GLADSTONE**  
Oregon

## Proposed Amendments

### PUBLIC HEARING CONTINUED FOR: SECTION 17.18.070. OFF-STREET PARKING STANDARDS.

- Parking standard when one Community Service Facility or Civic Use is substituted for another on the same parcel.

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**GLADSTONE**  
Oregon

## [Section 17.18.070](#) Additional Background

- Gladstone Downtown Revitalization Plan was adopted by City Council through Ordinance 1486 and serves to guide code amendments in the downtown area.

• **Reduce minimum off-street parking requirements.** The current off-street parking requirements hinder the potential for higher density, mixed use development. Additionally, in some cases, the parking requirements may be prohibitive for single-story commercial development. By reducing off-street parking requirements, the City will promote more efficient use of land and enable new development to be feasible on more sites. This plan recommends parking requirements be reduced throughout the C-2 zone and further reduced in the downtown core overlay.

Figure 11: Downtown Revitalization Framework

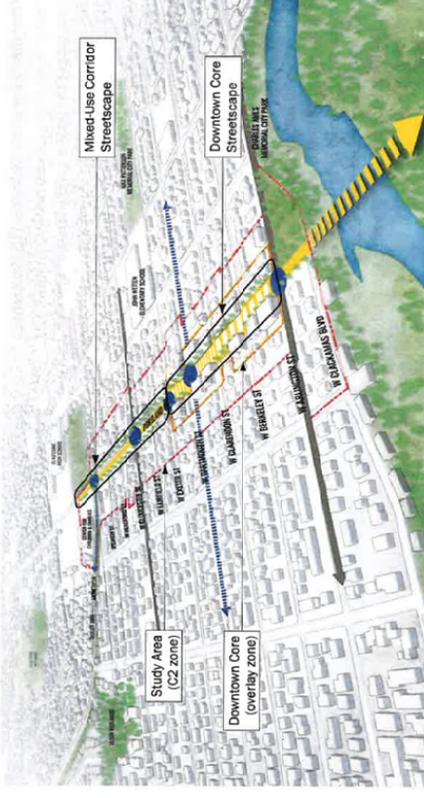


Figure 12: Recommendations Structure

	Streets and Transportation (public side)	Site Development (private side)
<b>Mixed-Use Corridor (Abernethy to Exeter)</b>	<ul style="list-style-type: none"> <li>Road reconfiguration to two lanes with bicycle lanes and parallel parking; maintain existing curb</li> <li>Gateway and wayfinding improvements, especially related to access from highways and Trolley Trail connections</li> </ul>	<ul style="list-style-type: none"> <li>Development spurred by changes to the C2 development zoning code</li> </ul>
<b>Downtown Core (Exeter to Arlington)</b>	<ul style="list-style-type: none"> <li>Full streetscape project with a two-lane shared configuration and parallel parking</li> <li>A downtown plaza focused on a curbless "festival street" between Exeter and Clarendon</li> </ul>	<ul style="list-style-type: none"> <li>A "downtown" overlay to the modified C2 zone allowing additional by-right development and further reducing parking requirements</li> <li>Possible City Hall / Library project (needing further study)</li> </ul>
<b>Elsewhere</b>	<ul style="list-style-type: none"> <li>Potential replacement bridge over the Clackamas River (needing further study)</li> </ul>	<ul style="list-style-type: none"> <li>Potential expanded and improved Arnes Riverfront Park (needing further study)</li> </ul>

## **Section 17.18.070 Proposed Change -**

- (1) Where one commercial use allowed outright is substituted for another **commercial use** in an existing building and the building is not expanded by more than ten percent (10%) of the floor area used for commercial purposes on January 1, 1980, no more off-street parking shall be required than was possessed by the previous commercial use. Where successive expansions of a building are proposed, the total area of all expansions shall not exceed the ten-percent (10%) standard.

## Section 17.18.070 Proposed Change -

- (2) If a community service facility ~~or civic use~~-allowed outright is substituted for another community service facility on the same property, whether in the same building(s) or a new building(s) (and the developed area of the parcel is not expanded by more than 10%), no more off-street parking shall be required than was possessed by the previous facility or use.

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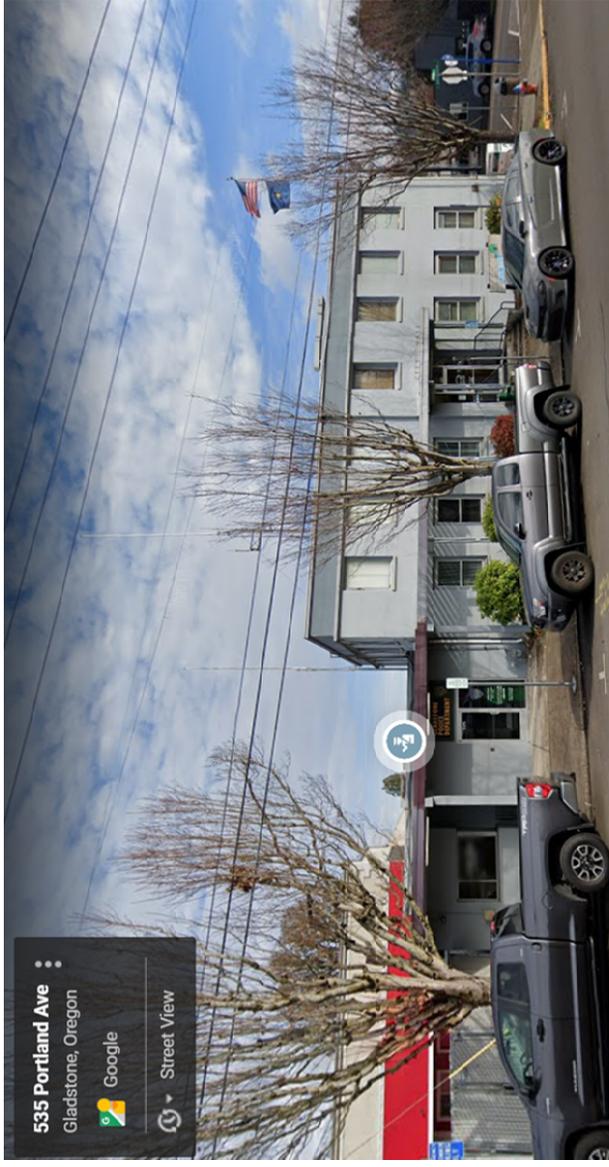


## Section 17.18.070 Example-

The library planned for the old City Hall site is an example of a community service facility being re-developed

- Previous City Hall Building covered most of the 9147.6 square foot lot
- Proposed new library is planned at 6,000 square feet regardless of design
- Therefore, the new building will be significantly smaller than the current structure.

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## Section 17.18.070 Proposed Change Continued -

~~(2)~~(3) When an existing residence in the C-2 zoning district along Portland Avenue is converted to commercial or mixed use development, additional off-street parking shall not be required, subject to the following standards:

- (a) The new commercial use shall not exceed a “B” occupancy rating as described in the Oregon Structural Specialty Code or its successor and shall be identified in GMC Section 17.18.020 (2), (5) or (8);
- (b) Signs shall be on-building and indirectly illuminated;
- (c) The use shall generate low traffic volumes and require minimal off-street parking; and
- (d) Structures and landscaping shall retain a residential appearance.

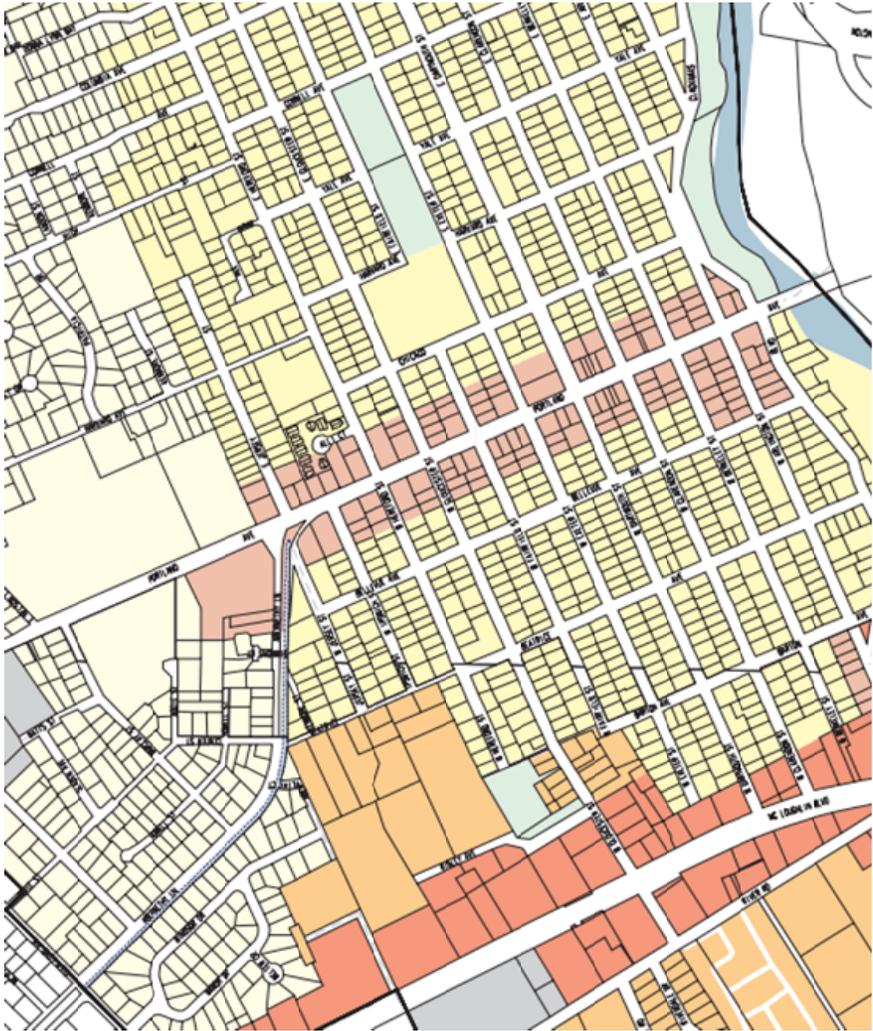
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# Current Zoning Map- Excerpt showing C-2 Zoning District

3 - 8

## City of Gladstone ZONING

- Local Commercial - C1
- Community Commercial - C2
- General Commercial - C3
- Light Industrial- LI
- Multi-Family Residential - MR
- Office Park - OP
- Open Space - OS
- Single-Family Residential - R-7.2
- Single-Family Residential - R-5
- City Limits
- Urban Growth Boundary
- Parcels
- Paper Streets
- Railroad
- Rivers



**Community Service Facility - 17.18.020 (9) "Community service facility** such as a fire station, library, community center, park, utility facility or meeting hall."

**Gladstone Municipal Code - Section 17.68** establishes the authorization for amendments and zone changes. **Section 17.94.060** specifies that the Planning Commission shall hold a public hearing and make a recommendation to the City Council

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### **Gladstone Comprehensive Plan -**

**Transportation Goal:**

*"To promote a safe, efficient and convenient multi-modal transportation system that emphasized mass transit and a street circulation pattern designed to serve people first."*

**Policy 1:** "Promote decreased reliance on the private automobile"

## Gladstone Comprehensive

### Plan -

#### Facilities And Services Goal:

*“To provide and maintain needed facilities and services in a timely, orderly and efficient manner to serve urban development in the Gladstone area.”*

**Policy 9:** “Continue to coordinate library services with Clackamas County to ensure that they keep pace with present and future resident demand.”

**Policy 10:** “Continue to espouse a policy of concentrating library facilities and services in the existing central location.”

### Statewide Planning Goals and Guidelines -

**Goal 1:** Citizen Involvement

**Goal 11:** Public Facilities and Services

**Goal 12:** Transportation

## **RECOMMENDATION**

**Planning staff are recommending Approval of the proposed text changes to 17.18.070 to support the re-development of community service facilities in the C-2 zoning district.**



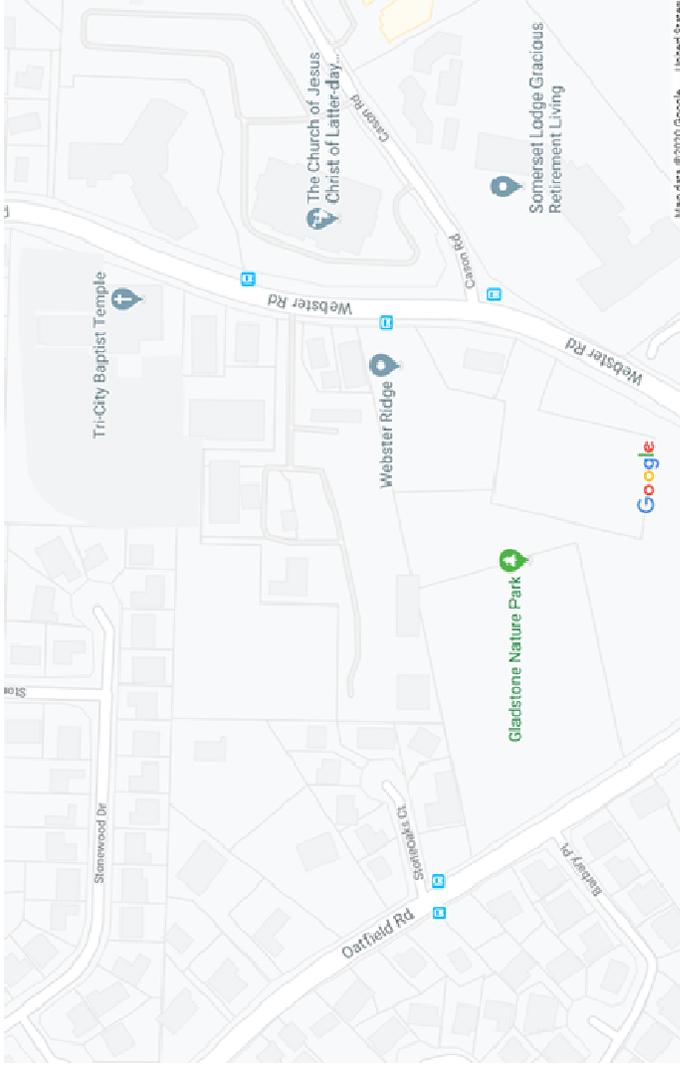
# August 2020 PLANNING COMMISSION MEETING

## Agenda Item No. 4

Z0149-20-D/CP Rezoning and Comprehensive Plan Amendment



## Project Location: 18085 Webster Road



**Proposed Project:** rezone 1.04 acres of R7.2 land to MR and therefore change the zoning map and amend the Comprehensive Plan to reflect this new zoning designation.

## Project Site

- Zoning Designation: R7.2
- Comprehensive Plan Designation: Low Density
- Property size: 2.79 acres (2.12 acres of R 7.2 and 0.85 acres of MR)

Property is not subject to any environmental overlays



1.04 acres proposed rezoning



## Public Noticing:

- Sent to the applicant, the owner of the subject property and owners of record as identified on the most recent Clackamas County property tax assessment roll of property located within two hundred fifty (250) feet of the subject property.
- Sent notice to DLCD
- Sent notice to the Clackamas Review

### Comments Received from:

- City of Gladstone Fire, and Engineering. Neighbor also provided comments

## **17.68.010 Authorization to initiate amendments:**

2) An amendment to the Zoning Map or to the Comprehensive Plan Map may be initiated by:

- (a) The City Council;
- (b) The City Planning Commission;
- (c) The City Administrator or his designee; or
- (d) By application of a property owner, contract purchaser or authorized agent of the subject property.

## Existing image of proposal area

Adjacent to the Webster Ridge Apartments. Sanitary sewer, storm sewer and water are in place and serve the property and the adjacent property



## **17.68.020 Review process.**

### **DIVISION VII. ADMINISTRATIVE PROCEDURES**

17.94.060 Planning Commission decisions.

- (1) A public hearing shall be held before the Planning Commission and a recommendation made by the Planning Commission to the City Council on the following types of applications:
- (a) Annexations;
  - (b) Zone changes;
  - (c) Comprehensive plan amendments;
  - (d) Amendments to the text of this title, unless the City Council finds that an emergency exists requiring only a hearing before the City Council on the amendment.
  - (e) Requests for revocation, pursuant to GMC Section 17.94.100 (revocation of approvals), of previous application approvals granted by the city;
  - (f) Map amendments pursuant to GMC Section 17.27.080 (map administration) or GMC Section 17.29.080 (map administration).

## 17.68.040 Conditions.

- (3) Type of conditions. Conditions may include special measures designed to limit use or density, screen or separate buildings or portions of the site from adjoining property; limit access from important thoroughfares or through residential areas; provide additional right-of-way for an abutting street, preserve or provide public access to greenspace, floodplains, or river frontage; improve bicycle or pedestrian safety and connectivity; or improve transit capacity and efficiency.
- (4) No variance of ordinance standards. In connection with the adoption of a zoning amendment, ordinance standards may be varied only when the Planning Commission finds that the development proposed and covered by specific limiting conditions will provide benefits and safeguards equal to or better than those possible under a strict interpretation of the zoning ordinance. In no case shall a use not specifically permitted within the zoning district be allowed under this section and Section 17.68.050. When circumstances as described in GMC Section 17.72.020 (circumstances for granting) exist, the regular variance procedures shall be followed.

### III. SPECIAL CONDITIONS

1. **Future Use.** The 1.04 acres that are to be rezoned shall be developed with land uses customarily considered accessory to Multifamily residences per 17.14.030 in addition to recreational uses per 17.68.040.
2. **Lighting.** The future development of the site shall provide limited lighting per 17.44.020(5) and (6). Any lighting installed shall be the minimum amount required to meet the City of Gladstone Public Works requirements.
3. **Screening.** The project currently has a retaining wall at the southwestern edge of the property closest to Stone Oaks Ct. To provide screening from adjacent neighbors, an exception to 17.14.030, fence and wall height, will be granted by the Planning Commission and the applicants shall install a six foot (6') fence on top of the retaining wall prior to receiving building permits for additional development on the rezoned portion of the parcel per 17.68.040. A six foot (6') landscaping screen may be substituted for a fence if the integrity of the retaining wall can be maintained.

## 17.68.050 Evidence supplied by applicant.

The applicant seeking a zoning map change pursuant to the provisions of GMC Section [17.68.010](#) must show by a preponderance of the evidence all of the following, unless otherwise provided for in this title:

**(1) Granting the request fulfills a public need; the greater departure from present development policies or land use patterns, the greater the burden of the applicant:**

- The Application proposed to eventually increase the availability of recreational/open space to Webster Ridge residents and by extension, increase the health and wellbeing of the City’s residents;
- A buildable land inventory (“BLI”) and a preliminary housing needs analysis (“HNA”) was completed by ECONorthwest in September 2019 and showed the subject Property as “Partially Vacant” in the BLI;
- Ultimately, the HNA report calculates that the High-Density Residential designation has a deficit capacity of 80 dwelling units, meaning there is a deficit of three acres of High-Density Residential land in Gladstone;

## 17.68.050 Evidence supplied by applicant. Continued

- With the proposed condition of approval prohibiting additional dwelling units on the subject property, the Application will neither increase nor decrease the City's supply of buildable High-Density Residential land. It will, however, facilitate occupancy of 15 available multi-family units in the City, which is consistent with the need shown in both the 1979 and 2019 housing needs analyses;
- The "departure from present development policies or land use patterns" associated with the Application is limited. The subject property is unlikely to be developed for its zoned single-family uses because it is owned by a church and because there are no local street connections available to it from outside of the church property. Utilizing the proposed part of the Church property closest to the apartment complex for an accessory multi-family use with surrounding open space and single story garages for buffers to the surrounding residential neighborhood will be less intrusive than developing the entire church parcel at the current single family and townhome zoning density.

## **17.68.050 Evidence supplied by applicant. Continued**

### **(2) The public need is best carried out by granting the petition for the proposed action, and that need is best served by granting the petition at this time.**

- The Webster Ridge Apartment Complex is not fully occupied due to the lack of parking based on the experience of the property manager, and move out interviews.
- The Applicant has not conducted a survey of current residents.
- Each apartment is assigned one parking space. For the month of April, 2020, aside from the four (4) rented garages, the remaining surface parking spaces included four (4) ADA spaces and 63 undesignated spaces, which were available to residents with a second vehicle and visitors on a first-come, first serve basis.
- Most units have at least two adult occupants, for an average of 1.54 persons per unit. The April, 2020 resident parking demand for 107 occupied units was 156 vehicles, which equals 1.46 spaces per unit.

## **17.68.050 Evidence supplied by applicant. Continued**

**(2) The public need is best carried out by granting the petition for the proposed action, and that need is best served by granting the petition at this time.**

- For the 122 units in Webster Ridge, the minimum parking under current standards is 183 spaces (1.5 spaces per unit). Although Webster Ridge has 183 spaces, less than 170 are typically available, additional vehicles and to serve tenants once parking for staff, maintenance personnel, garages, ADA spaces are considered. Three (3) garages are reserved for apartment maintenance. Two (2) garages were early leases to tenants without requirements that they be used for parking, and they are currently being used for storage,... leaving about 18 spaces in April, 2020 available for staff, visitors and undisclosed vehicles.
- The proposed future surface parking, garage, storage and open space area uses would be accessory uses for the existing Apartments. GZO 17.06.015 defines “accessory use” as a “use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.”

## **17.68.050 Evidence supplied by applicant. Continued**

### **(2) The public need is best carried out by granting the petition for the proposed action, and that need is best served by granting the petition at this time.**

- The R-7.2 and MR zones require accessory uses to be accessory to uses listed in those respective zones. GZO 17.14.020 (MR zone) and GZO 17.10.020 (R-7.2 zone). Because there is no space on the Apartment site for additional parking, this Application is necessary to allow accessory parking on the subject property.
- Approval of this Application will be followed by a lot line adjustment request to combine both MR-zoned areas into a single lot.

## 17.68.050 Evidence supplied by applicant. Continued

(3) The proposed action is consistent with the comprehensive plan and Metro’s Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660-012-0060).

**Land Use Planning Goals:** *“To provide and maintain a high standard for Gladstone’s quality of life.”* And *“To ensure a factual base for land use decisions and actions and to establish a planning process and policy framework for this purpose.”*

**Residential Use Policy:**

5. *Allow housing types ranging from low to high density units, providing for variation in the design of housing units.*
- It is unclear from the quantitative data provided in the application whether it is accurate that the 15 vacant apartment units would be filled if there was more parking.
  - In April, the vacant apartments were primarily one bedroom units.
  - However, the qualitative data from the experience of the property manager and previous residents are valuable to consider.

## 17.68.050 Evidence supplied by applicant. Continued

**(3) The proposed action is consistent with the comprehensive plan and Metro’s Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660-012-0060).**

*Housing Goal: “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.”*

*Policy 2: Promote the development of high density housing around commercial and/or industrial centers served by mass transit transfer stations.*

- The Webster Ridge apartments have a number of TriMet bus stops nearby—including northbound and southbound Webster and Cason stops, as well as a stop at the 1800 blk of Webster Road. TriMet bus lines 31 and 32 also have stops nearby on Oatfield Road.
- This provides residents with access to alternative transportation and commercial areas of town



## 17.68.050 Evidence supplied by applicant. Continued

(3) The proposed action is consistent with the comprehensive plan and Metro’s Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660-012-0060).

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

*Work with Clackamas County in applying for federal funds for housing and neighborhood rehabilitation and improvements.*

*Work with the building industry, lending institutions and school district in rehabilitation and/or maintenance programs.*

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

- The proposed additional parking would have been allowed if presented with the original land use application and providing additional parking would support the comprehensive goal to maintain a diversity of housing types and promote the upgrading of existing housing units.



## 17.68.050 Evidence supplied by applicant. Continued

(3) The proposed action is consistent with the comprehensive plan and Metro’s Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660-012-0060).

### *Metro Urban Growth Functional Plan Policies*

*Title 1: Housing Capacity requires “each city and county to maintain or increase its housing capacity.”*

*Title 3: Water Quality and Flood Management; Title 4: Industrial and Other Employment Areas;*

*Title 6: Centers, Corridors, Station Communities and Main Streets; Title 7: Housing Choice relates affordable housing production goals; Title 8: Compliance Procedures;*

*Title 12: Protection of Residential Neighborhoods; Title 13: Nature in Neighborhoods*

3 - 29

- The application increases housing capacity by rezoning land to multifamily residential. The property does not have environmental concerns and is not located in an area reserved for employment, industrial or commercial use.

## 17.68.050 Evidence supplied by applicant. Continued

(3) The proposed action is consistent with the comprehensive plan and Metro's Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660-012-0060).

*Transportation Planning Rule (OAR 660-012-0060) aims to provide and encourage a safe, convenient and economic transportation system.*

- As conditioned the application to rezone property does not increase the number of dwelling units that would add trips to the existing transportation system.

## **17.68.050 Evidence supplied by applicant. Continued**

### **(4) Proof of significant change in a neighborhood or community or a mistake in the planning or zoning for the property under consideration, when relevant.**

- The neighborhood is currently a mix of single-family residential, multifamily residential, church and open space.
- The applicant does not contend that the Application is necessary to address a mistake in the zoning of the Property.
- The rezoning and subsequent land use applications would allow the applicant to update the existing apartment complex to meet a need the property management and owners have identified.

## **17.68.050 Evidence supplied by applicant. Continued**

**(5) The property and affected area is presently provided with, or concurrent with development can be provided with, adequate public facilities, including, but not limited to, the planned function, capacity, and performance standards of the transportation system as adopted in the transportation system plan.**

- The Property is adjacent to a fully-developed area which is complete with streets, water, sewer, and storm drainage facilities.
- Water and sewer is available for extension.
- The rezoned land would be followed by additional land use applications that would address the adequacy of the public facilities.

## 17.68.050 Evidence supplied by applicant. Continued

**(6) The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing and planned uses in the area, consistent with the Transportation Planning Rule (OAR 660-012-0060). Requirements of the State Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.**

- As part of this application, the applicant contracted with Jessica Hajar of LancasterMoblely to evaluate the impact on the City's transportation infrastructure.
- Ms. Hajar concluded that the Application will not "significantly affect" an existing or planned transportation facility.
- The Property is also adjacent to the Webster Ridge Apartments and is planned for future use as accessory uses for the existing apartments. The land use decision that approved the 122 dwelling units (Z0249-15) found that the transportation system was sufficient for 122 dwelling units and no additional units are proposed.

## Proposed Future Development Plan



- Future Development would require a partition application and a design review application prior to construction.

## Staff Recommendation

Planning staff is recommending approval of the proposed project with three (3) special conditions

### SPECIAL CONDITIONS

- 1. Future Use.** The 1.04 acres that are to be rezoned shall be developed with land uses customarily considered accessory to Multifamily residences per 17.14.030 in addition to recreational uses per 17.68.040.
- 2. Lighting.** The future development of the site shall provide limited lighting per 17.44.020(5) and (6). Any lighting installed shall be the minimum amount required to meet the City of Gladstone Public Works requirements.
- 3. Screening.** The project currently has a retaining wall at the southwestern edge of the property closest to Stone Oaks Ct. To provide screening from adjacent neighbors, an exception to 17.14.030, fence and wall height, will be granted by the Planning Commission and the applicants shall install a six foot (6') fence on top of the retaining wall prior to receiving building permits for additional development on the rezoned portion of the parcel per 17.68.040. A six foot (6') landscaping screen may be substituted for a fence if the integrity of the retaining wall can be maintained.

## Statewide Planning Goals and Guidelines -

**Goal 1:** Citizen Involvement – Public Hearing and noticing

**Goal 2:** Land Use Planning - Process

**Goal 3 -7:** Agricultural and Forest Lands; Open Spaces, Scenic and Historic Areas; and Natural Resources; Air, Water and Land Resources Quality; Areas Subject to Natural Disasters and Hazards - NA

**Goal 8:** Recreational Needs

**Goal 9:** Economy of the State

**Goal 10:** Housing - The amendments do not propose to reduce the density of land zoned for residential purposes and are in line with state legislation related to needed housing. The proposed amendments would increase the density of land zoned for residential purposes.

**Goal 11:** Public Facilities and Services

**Goal 12:** Transportation – Evidence provided showed trip generation would not increase to significantly effect the transportation services.

**Goal 13:** Energy Conservation

**Goal 14:** Urbanization

**Goals 15-19:** Willamette River Greenway, Estuarine Resources, Coastal Shore lands, Beaches and Dunes, and Ocean Resources - NA

## **RECOMMENDATIONS**

**Planning staff are recommending Approval of the proposed zone changes proposed in Z0149-20-D/CP with three special conditions.**

# 1. Executive Summary

The Downtown Gladstone Revitalization Plan presents a future vision for a Portland Avenue of renewed business activity, investment, and connectivity for pedestrians, bikes, and vehicles. The Plan is designed to remain an action-oriented document that lays out a path to accomplishing this vision. After some discussion of project background and process, the Plan describes the vision for downtown, and details policy strategies and next steps to help make it a reality.

## Project Background

The City of Gladstone initiated this planning process to bring about revitalization of a segment of Portland Avenue, the traditional civic heart and local commercial center of the community. This multi-month planning process sought to provide meaningful opportunities for community members to get involved and give input. Residents, business owners, city staff and public officials provided vital input through citizen and technical advisory groups, stakeholder meetings, two public open houses, and online surveys. This Plan is a reflection of the efforts of this community and the numerous volunteer hours of these engaged citizens.

**Gladstone Downtown Vision**

**Downtown Gladstone is a unique, lively, and accessible community center that celebrates the history of the city while accommodating the needs of residents, businesses, and visitors with a mix of uses.**

- Portland Avenue is a successful mixed use corridor where housing in various forms integrates harmoniously with a mix of restaurants, shops, and civic buildings, services, and gathering spaces.
- The corridor is a vibrant destination as well as a connection to other Gladstone neighborhoods, the Clackamas River, regional trails and natural areas, and nearby attractions outside of the city.
- Portland Avenue welcomes residents and visitors alike to Downtown Gladstone with a unifying streetscape design and easy and safe accessibility by foot, bike or car.

**Figure 1: Downtown Revitalization Plan Framework**





## Portland Avenue Streetscape Improvements

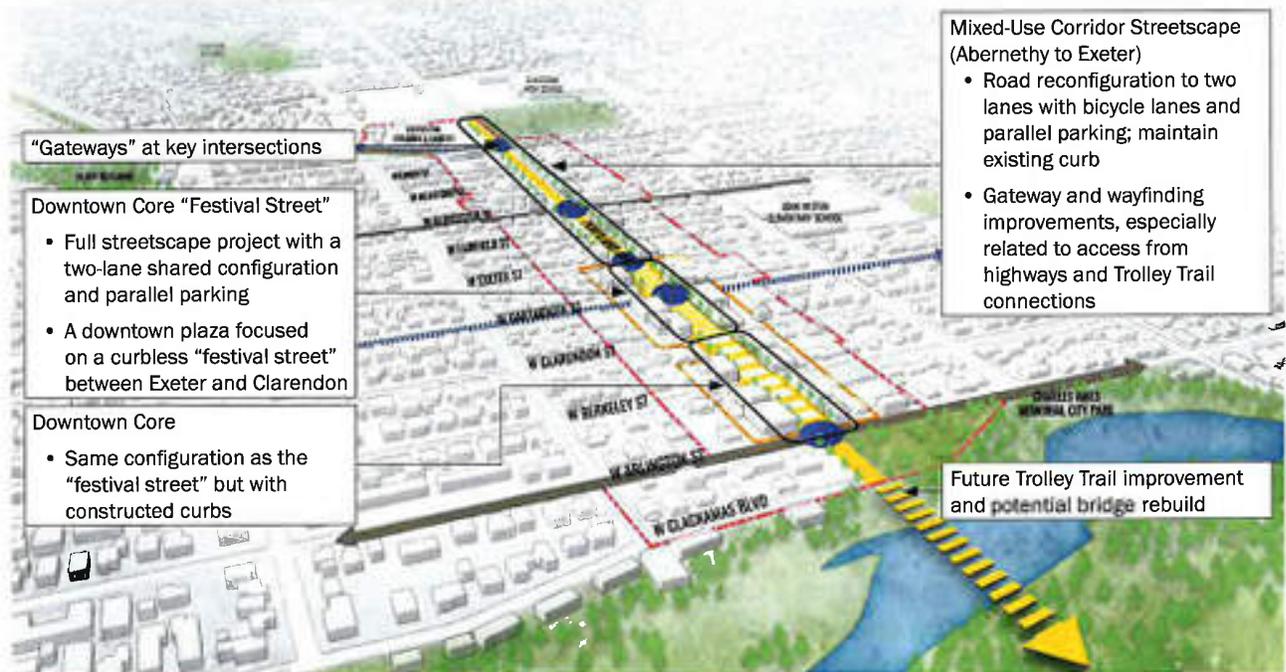
A significant component of the Plan hinges on public investment in Portland Avenue streetscape improvements. The Plan divides the corridor into three primary segments, each with different design configurations.

Portland Avenue today is a wide street that promotes higher travel speeds, is undefined and unwelcoming to bicycles, and is difficult for pedestrians to cross with ease. The elements of the preferred streetscape concept act to slow traffic, create a shared street, widen sidewalks, and create public spaces.

Recommendations for all three segments include removing the current central turn lane, and repurposing this extra space to add bike facilities for the length of the corridor. Parallel parking will remain on both sides of the street. The segment north of Exeter Street would remain the same width, with recommended replacement of the sidewalks and planting strips in their current location.

The segment south of Exeter, through the Downtown Core, would feature wider sidewalks, providing ample new pedestrian, sitting and event space in front of the storefronts. These wider sidewalks would narrow the street, allowing bicycle and vehicle traffic to utilize shared travel lanes through these four blocks. This design is a tested way to reduce speeds, create a safer space for all users, and encourage visitor and customer traffic, rather than pass-through traffic.

**Figure 3: Portland Avenue Streetscape Improvements**



# Executive Summary

## Plan Policies

The following policies articulate the vision for Downtown Gladstone and provide direction for future actions to implement the plan.

1. Plan for and promote the prosperity of Portland Avenue through policies, programs, and development regulations that are consistent with the local vision for Downtown Gladstone and the regional Metro 2040 Growth Concept Town Center designation.
2. Focus public investment in the “Downtown Core” of the Gladstone, an area along Portland Avenue between Exeter Street and Arlington Street.
3. Incentivize retail and mixed-use development in the Downtown Core to concentrate storefront businesses and pedestrian activity.
4. Encourage a mix of higher density residential, mixed-use, and commercial development Outside of the Downtown Core and throughout the Portland Avenue corridor to support the downtown.
5. Maintain and enhance design standards that promote a “Main Street” character along Portland Avenue while ensuring compatibility with surrounding residential neighborhoods.
6. Invest in a high-quality streetscape on Portland Avenue that encourages walking and bicycling, provides public space for events, and supports storefront businesses.
7. Establish Portland Avenue as a key link in the regional bicycling and walking network by creating bike facilities on Portland Avenue and pursuing reconstruction of the Trolley Bridge.
8. Build awareness of downtown Gladstone by installing gateway features and directional wayfinding signage at key locations.
9. Support efforts to establish a business district organization or volunteer association of business owners that can coordinate joint marketing initiatives for the district.
10. Assist business and property owners with enhancing the exterior appearance of buildings to attract new tenants and contribute to the aesthetic quality of the downtown.
11. Manage on-street parking in the Downtown Core to encourage short-term use by visitors and customers.
12. Explore establishing new public off-street parking areas near the Downtown Core to support the parking needs of both civic functions and small businesses.
13. Enforce off-street parking requirements for private developments that promote efficient use of land while balancing the need for adequate parking throughout the district.

### Land Use Strategies

#### **Incentivize mixed-use and community-oriented retail development in the downtown code.**

- Establish a Downtown Core overlay zone
- Require commercial uses on the ground floor in the Downtown Core
- Reduce off-street parking requirements in the Downtown Core

#### **Encourage attached single-family, multi-family, and mixed-use development throughout the Portland Avenue corridor.**

- Permit attached single-family, multi-family, and mixed-use residential development outright in the C2 zone
- Prohibit new single-family detached development in the C2 zone
- Reduce off-street parking requirements in the C2 zone
- Modify development standards for residential uses to support wider range of development types

#### **Encourage attached single-family, multi-family, and mixed-use development throughout the Portland Avenue corridor.**

- Maintain existing height limit while allowing for variation in building design
- Clarify and strengthen design standards





## REGULAR AGENDA





PC Meeting Date: 8/18/20

**STAFF REPORT: COMPREHENSIVE PLAN AMENDMENT  
AND ZONING MAP CHANGE**

**Application No.:** Z0149-20-D;  
**Applicant:** Stony Ridge LLC  
**Project Location:** 18085 Webster Road; Tax Lot 22E17DC00701  
**Project Description:** This is a request for a comprehensive plan designation change from the existing Low-Density Housing to High-Density Housing and a zone change from R-7.2 Single-Family Residential District to MR Multi-Family Residential District.

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**SUMMARY OF STAFF RECOMMENDATION**

The planning staff are recommending **APPROVAL** of the Comprehensive Plan Amendment and Zoning Map Change application Z0149-20-D and recommend the following findings and following conditions in support of approval: (1)Future Use; (2) Lighting; (3) Screening;

The subject property, is comprised of one tax lot (22E17DD0701), that is approximately 2.97 acres in size with 2.12 acres zoned R-7.2 and 0.85 acres zoned MR. The parcel has historically been part of a church property. The application is proposing to rezone only 1.04 acres of the 2.12 section of the tax lot that is zoned R-7.2. The remainder of the parcel is proposed to remain the same. The neighborhood currently includes a mix of multifamily residences, churches and single-family homes.

Land use on adjacent parcels (Tax Lots 22E17DC00700 and 22E17DC00800) were the subject of Z0249-15-D that approved the development of the Webster Ridge Apartments. The land use approval was for 122 dwelling units, 184 parking spaces, and landscaping to cover 20% of the site. Therefore, 1.5 parking spaces per unit were built to serve the Apartments as required by *Chapter 17.48 of the GMC*. The owners of the Webster Ridge Apartments are now proposing to rezone 1.04 acres of the adjacent parcel to allow future development of additional parking and garages. *Chapter 17.48 of the GMC* does not have a limit on the maximum number of parking spaces per unit in multifamily developments. Prior to development of additional parking the

following land use applications and approvals would be needed: partition application and a design review application.

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 comprehensive plan amendment and zoning map change. The standard of review for the proposed project is the City of Gladstone's Municipal Code Zoning and Development Title 17 and Statewide Planning Goals.

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## EXHIBITS

- Exhibit 1. Location Map
- Exhibit 2. Aerial Image
- Exhibit 3. Future Development Plan

## APPENDIX: SUBSTANSIVE FILE DOCUMENTS

- A. Application Materials (Narrative, Additional Evidence from Applicant)**
- 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, but comments were received from Engineering that included items related to Public Works, and Gladstone Fire provided comments. Comments were also received from a neighbor.

## II. STANDARD CONDITIONS

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

2. **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.
3. **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.
4. **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. **Future Use.** The 1.04 acres that are to be rezoned shall be developed with land uses customarily considered accessory to Multifamily residences per 17.14.030 in addition to recreational uses per 17.68.040.
2. **Lighting.** The future development of the site shall provide limited lighting per 17.44.020(5) and (6). Any lighting installed shall be the minimum amount required to meet the City of Gladstone Public Works requirements.
3. **Screening.** The project currently has a retaining wall at the southwestern edge of the property closest to Stone Oaks Ct. To provide screening from adjacent neighbors, an exception to 17.14.030, fence and wall height, will be granted by the Planning Commission and the applicants shall install a six foot (6') fence on top of the retaining wall prior to receiving building permits for additional development on the rezoned portion of the parcel per 17.68.040. A six foot (6') landscaping screen may be substituted for a fence if the integrity of the retaining wall can be maintained.

### **IV. FINDINGS**

The City of Gladstone Planning Staff finds:

#### **A. PROJECT LOCATION AND PROPOSED DEVELOPMENT**

The subject property is comprised of 1.04 acres of tax lot 22E17DC00701, that is approximately 2.97 acres in total size located at 18085 Webster road approximately 480 feet south of Ridgewood Dr. and approximately 333 feet north of Cason Rd. The property has historically been vacant. The subject property is zoned R-7.2 - Single-Family Residential District (R7.2). The proposed comprehensive plan amendment and zone change would involve rezoning 1.04 acres to the MR Multifamily Residential District.

#### **B. COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE**

#### **17.68.010 AUTHORIZATION TO INITIATE AMENDMENTS.**

*(1) An amendment to the text of this title or the Comprehensive Plan may be initiated by the City Council, the City Planning Commission or the City Administrator or his designee.*

*(2) An amendment to the Zoning Map or to the Comprehensive Plan Map may be initiated by:*

*(a) The City Council;*

*(b) The City Planning Commission;*

*(c) The City Administrator or his designee; or*

*(d) By application of a property owner, contract purchaser or authorized agent of the subject property.*

*(3) The request by a property owner for a map amendment shall be accomplished by filing an application with the city using forms prescribed by the city and submitting the information required from the applicant under Section 17.68.050.*

**Finding:** The contract purchaser of the 1.04 section of land has requested a zone change and comprehensive plan amendment. The property owner signed the application. This criteria is met.

***17.68.020 Review process.*** *Applications under this chapter shall be reviewed pursuant to GMC Division VII (administrative procedures).*

**Finding:** The application was submitted and is being reviewed according to GMC Division VII. This criteria is met.

***17.68.040 Conditions.***

*(1) City Council may require conditions. When necessary to properly relate new developments to existing or anticipated conditions in the vicinity or to make possible a higher quality of development than would otherwise be possible, the City Council may determine that a zone change will be accompanied by the acceptance or accomplishment of certain specified conditions. Conditions and requirements invoked pursuant to a zoning map amendment shall thereafter apply to the property so zoned.*

*(2) Acceptance of conditions. Such conditions shall be designed to further the objectives of the comprehensive plan and the zoning ordinance codified in this title and shall clearly set forth, in written form or upon drawings, all restrictions and requirements which will be applicable to the property rezoned. Where a zone change is made subject to such conditions, it shall become effective upon written acceptance and filing of the applicable terms and conditions by the property owner and by any other person intending to have an ownership interest in or to develop the property. The signed acceptance of conditions shall be filed with the City Recorder and a certified copy shall also be filed in the county deed records at the expense of the petitioner.*

*(3) Type of conditions. Conditions may include special measures designed to limit use or density, screen or separate buildings or portions of the site from adjoining property; limit access from important thoroughfares or through residential areas; provide additional right-of-way for an abutting street, preserve or provide public access to greenspace, floodplains, or river frontage; improve bicycle or pedestrian safety and connectivity; or improve transit capacity and efficiency.*

*(4) No variance of ordinance standards. In connection with the adoption of a zoning amendment, ordinance standards may be varied only when the Planning Commission finds that the development proposed and covered by specific limiting conditions will provide benefits and safeguards equal to or better than those possible under a strict interpretation of the zoning ordinance. In no case shall a use not specifically permitted within the zoning district be allowed under this section and Section 17.68.050. When circumstances as described in GMC Section 17.72.020 (circumstances for granting) exist, the regular variance procedures shall be followed.*

*(5) Building permit conditions. In addition to conditions as described above in this section, the Council may also provide that a zoning amendment will become effective upon satisfactory performance by the applicant of certain conditions or actions, such as a bona fide application for a building permit within a specified period of time.*

**Finding:** The applicant recommended a condition of approval be to prohibit additional dwelling units on the rezoned land. Instead, staff are suggesting a condition of approval to require that the rezoned property be used for accessory uses permitted in the MR Zone, or recreation see Special Condition # 1. In addition, staff are recommending two additional conditions of approval to address the concerns about lighting and screening. This criteria is met as conditioned.

**17.68.050 Evidence supplied by applicant.** *The applicant seeking a zoning map change pursuant to the provisions of GMC Section 17.68.010 must show by a preponderance of the evidence all of the following, unless otherwise provided for in this title:*

*(1) Granting the request fulfills a public need; the greater departure from present development policies or land use patterns, the greater the burden of the applicant.*

**Finding:** The applicant submitted the following evidence that the rezoning would fulfill a public need:

- The Application will increase the availability of recreational/open space to Webster Ridge residents and by extension, increase the health and wellbeing of the City's residents;
- A buildable land inventory ("BLI") and a preliminary housing needs analysis ("HNA") was completed by ECONorthwest in September 2019 and showed the subject Property as "Partially Vacant" in the BLI;
- Ultimately, the HNA report calculates that the High-Density Residential designation has a deficit capacity of 80 dwelling units, meaning there is a deficit of three acres of High-Density Residential land in Gladstone;
- With the proposed condition of approval prohibiting additional dwelling units on the subject property, the Application will neither increase nor decrease the City's supply of buildable High-Density Residential land. It will, however, facilitate occupancy of 15 available multi-family units in the City, which is consistent with the need shown in both the 1979 and 2019 housing needs analyses;
- The "departure from present development policies or land use patterns" associated with the Application is limited. The subject property is unlikely to be developed for its zoned single-family uses because it is owned by a church and because there are no local street connections available to it from outside of the church property. Utilizing the proposed

part of the Church property closest to the apartment complex for an accessory multi-family use with surrounding open space and single story garages for buffers to the surrounding residential neighborhood will be less intrusive than developing the entire church parcel at the current single family and townhome zoning density.

This criteria is met.

*(2) The public need is best carried out by granting the petition for the proposed action, and that need is best served by granting the petition at this time.*

**Finding:** The Webster Ridge Apartment Complex was approved through land use file Z0249-15 for 1.5 parking spaces per dwelling unit. The applicant provided the following evidence:

- The Webster Ridge Apartment Complex is not fully occupied due to the lack of parking based on the experience of the property manager, and move out interviews.
- The Applicant has not conducted a survey of current residents.
- Each apartment is assigned one parking space. For the month of April, 2020, aside from the four (4) rented garages, the remaining surface parking spaces included four (4) ADA spaces and 63 undesignated spaces, which were available to residents with a second vehicle and visitors on a first-come, first serve basis.
- Most units have at least two adult occupants, for an average of 1.54 persons per unit. The April, 2020 resident parking demand for 107 occupied units was 156 vehicles, which equals 1.46 spaces per unit.
- For the 122 units in Webster Ridge, the minimum parking under current standards is 183 spaces (1.5 spaces per unit). Although Webster Ridge has 183 spaces, less than 170 are typically available, additional vehicles and to serve tenants once parking for staff, maintenance personnel, garages, ADA spaces are considered. Three (3) garages are reserved for apartment maintenance. Two (2) garages were early leases to tenants without requirements that they be used for parking, and they are currently being used for storage,.... leaving about 18 spaces in April, 2020 available for staff, visitors and undisclosed vehicles.
- The future parking area will include 16 garages and 26 additional spaces, 23 of which shall be located underneath carports.
- The proposed future surface parking, garage, storage and open space area uses would be accessory uses for the existing Apartments. GZO 17.06.015 defines “accessory use” as a “use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.”
- The R-7.2 and MR zones require accessory uses to be accessory to uses listed in those respective zones. GZO 17.14.020 (MR zone) and GZO 17.10.020 (R-7.2 zone). Because there is no space on the Apartment site for additional parking, this Application is necessary to allow accessory parking on the subject property.
- Approval of this Application will be followed by a lot line adjustment request to combine both MR-zoned areas into a single lot.

This Criteria is met.

*(3) The proposed action is consistent with the comprehensive plan and Metro’s Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660-012-0060).*

## Excerpts from Gladstone Comprehensive Plan

**Land Use Planning Goals:** “To provide and maintain a high standard for Gladstone’s quality of life.” And “To ensure a factual base for land use decisions and actions and to establish a planning process and policy framework for this purpose.”

**Residential Use Policy:**

5. Allow housing types ranging from low to high density units, providing for variation in the design of housing units.

**Housing Goal:** “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.”

*Policy 2: Promote the development of high density housing around commercial and/or industrial centers served by mass transit transfer stations.*

*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 special 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:** It is unclear from the quantitative data provided in the application whether it is accurate that the 15 vacant apartment units would be filled if there was more parking. The vacant apartments are primarily one bedroom units that could be vacant due to market related reasons, or management decisions. However, the qualitative data from the experience of the property manager and previous residents are valuable to consider. Therefore, staff find that the comprehensive plan land use goal to have a factual basis for land use decisions is supported by the qualitative data provided.

The Webster Ridge apartments have a number of TriMet bus stops nearby—including northbound and southbound Webster and Cason stops, as well as a stop at the 1800 block of Webster Road. TriMet bus lines 31 and 32 also have stops nearby on Oatfield Road. This provides residents with access to alternative transportation and commercial areas of town in support of the Housing policy 2. The proposed additional parking would have been allowed if presented with the original land use application and providing additional parking would support

the comprehensive goal to maintain a diversity of housing types and promote the upgrading of existing housing units. This criteria is met.

**Metro Urban Growth Functional Plan Policies**

*Title 1: Housing Capacity requires “each city and county to maintain or increase its housing capacity.”*

*Title 3: Water Quality and Flood Management applies to (1) development in Water Quality Resource and Flood Management Areas and (2), development which may cause temporary or permanent erosion on any property within the Metro Boundary.*

*Title 4: Industrial and Other Employment Areas*

*Title 6: Centers, Corridors, Station Communities and Main Streets*

*Title 7: Housing Choice relates affordable housing production goals*

*Title 8: Compliance Procedures*

*Title 12: Protection of Residential Neighborhoods*

*Title 13: Nature in Neighborhoods*

**Finding:** The application increases housing capacity by rezoning land to multifamily residential. The property does not have environmental concerns related to water quality and flood management and is not located in an industrial, employment area, or other Title 6 areas per Metros 2040 Growth Functional Plan. The procedures of providing notice for this application and other procedures meet Title 8 policies. This application is not related to the production of affordable housing and does not apply to Title 12 or 13. This criteria is met.

**Transportation Planning Rule (OAR 660-012-0060)** aims to provide and encourage a safe, convenient and economic transportation system.

**Finding:** The application to rezone property does not increase the number of dwelling units that would add trips to the existing transportation system. This criteria is met as conditioned.

*(4) Proof of significant change in a neighborhood or community or a mistake in the planning or zoning for the property under consideration, when relevant.*

**Finding:** The neighborhood is currently a mix of single-family residential, multifamily residential, church and open space. The 1.04 acres proposed for rezoning to multifamily residential would be inline with the current neighborhood composition. The applicant does not contend that the Application is necessary to address a mistake in the zoning of the Property. The rezoning and subsequent land use applications would allow the applicant to update the existing apartment complex to meet a need the property management and owners have identified.

*(5) The property and affected area is presently provided with, or concurrent with development can be provided with, adequate public facilities, including, but not limited to, the planned function, capacity, and performance standards of the transportation system as adopted in the transportation system plan.*

**Finding:** The Property is adjacent to a fully-developed area which is complete with streets, water, sewer, and storm drainage facilities. The rezoned land would be followed by additional land use applications that would address the adequacy of the public facilities. This criteria is met.

*(6) The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing and planned uses in the area, consistent with the Transportation Planning Rule (OAR 660-012-0060). Requirements of the State Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.*

**Finding:** As part of this application, the applicant contracted with Jessica Hajar of LancasterMobley to evaluate the impact of the Application on the City’s transportation infrastructure based on a “reasonable worst case” development scenario to determine whether the Application would “significantly affect” an existing or planned transportation facility (Application Exhibit 3). Ms. Hajar concluded that the Application will not “significantly affect” an existing or planned transportation facility. The Property is also adjacent to the Webster Ridge Apartments and is planned for future use as accessory uses for the existing apartments. The land use decision that approved the 122 dwelling units (Z0249-15) found that the transportation system was sufficient for 122 dwelling units and no additional units are proposed. This criteria is met.

### **C. COMPLIANCE WITH THE OREGON STATEWIDE PLANNING GOALS**

- a. Goal 1 – Citizen Involvement: The amendments do not propose to change the structure of the City’s citizen involvement program. Notice of the proposed amendments and zoning map change was provided to the local newspaper, the Clackamas Review, and citizens within 250 feet of the subject property.
- b. Goal 2 – Land Use Planning: Statewide Planning Goal 2 does not apply to Z0149-20-D because the amendments do not propose to change the City’s land use planning process. The City will continue to have a comprehensive land use plan and implementing regulations consistent with that plan. The amendments to the comprehensive plan were properly noticed and followed a procedure consistent with Goal 2.
- c. Goal 3 -4 – Agricultural and Forest Lands: These goals are not applicable because the Z0149-20-D amendments do not change the Clackamas County policies required to meet these goals that are directed to counties.
- d. Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources: Goal 5 is not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations for Goal 5 open spaces, scenic and historic areas, and natural resources within the City of Gladstone. The subject property also does not contain any Goal 5 resources.
- f. Goal 6 – Air, Water and Land Resources Quality: Goal 6 is not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 6. The subject property also does not contain any Goal 6 resources.

g. Goal 7 – Areas Subject to Natural Disasters and Hazards: This Statewide Planning Goal is also not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations regarding natural disasters and hazards.

h. Goal 8 – Recreational Needs: Goal 8 is not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations related to recreational needs. The subject property is proposed to have recreational use as part of the future development that is subject to additional land use applications and approval.

i. Goal 9 – Economy of the State: Goal 9 is not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations related to economic development and analysis in the County’s urban areas.

j. Goal 10 – Housing: Goal 10 concerns urban lands designated for residential use. The amendments do not propose to reduce the density of land zoned for residential purposes or to reduce the amount of land already zoned for residential development. The amendments are in line with state legislation related to needed housing and would in fact increase the amount of land zoned for multifamily residential purposes.

k. Goal 11 – Public Facilities and Services: Goal 11 is not applicable because the text amendments do not propose to change the comprehensive land use plan policies or implementing regulations regarding public facilities and services. Future development would be reviewed in relation to the available capacity of the public facilities and services.

l. Goal 12 – Transportation: Goal 12 is implemented by Oregon Administrative Rules (OAR) Chapter 660, Division 12. Local governments are required to adopt a transportation system plan (TSP) and land use regulations to implement the TSP. OAR 660-012-0060 requires any comprehensive plan amendment to be evaluated according to the terms outlined in that OAR to demonstrate whether they will have a significant impact on the transportation system. Evaluation by Jessica Hajar, of LancasterMoblely, determined the amendments will not significantly impact the transportation system because it does not change the number of dwelling units utilizing the transportation system and does not increase the site trip generation.

m. Goal 13 – Energy Conservation: Goal 13 is not applicable because the amendments do not propose to change the comprehensive land use plan energy conservation policies or implementing regulations.

n. Goal 14 – Urbanization: Goal 14 is not applicable to the amendments do not propose to change comprehensive land use plan policies or implementing regulations regarding urbanization.

o. Goal 15 – Willamette River Greenway: Goal 15 is not applicable because the amendments do not propose to change comprehensive land use plan policies or implementing regulations regarding the Willamette River Greenway (WRG).

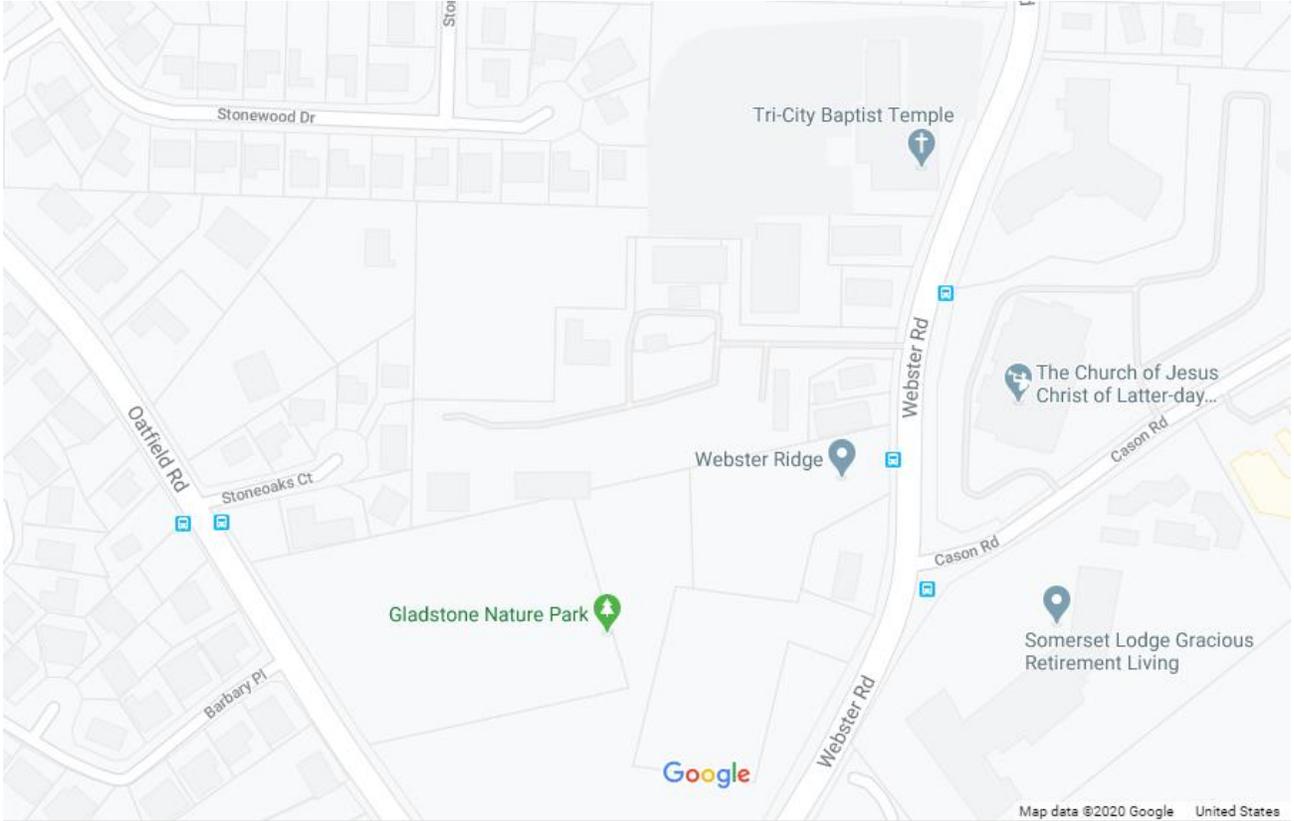
p. Goals 16-19 – (Estuarine Resources, Coastal Shore lands, Beaches and Dunes, and Ocean Resources): City of Gladstone is not subject to these four Statewide Planning Goals.

## **V. RECOMMENDATIONS**

As such, the Planning staff recommend APPROVAL of the Authorization of Similar Use and Conditional Use Application No. Z0149-20-D.

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  
Z0149-20-D

1.04 acres  
proposed rezoning



**EXHIBIT 2**  
Aerial Image  
Z0149-20-D

Page 14 of 17



Appendix A  
Application Materials

June 25, 2020

**Michael C. Robinson**

Admitted in Oregon  
T: 503-796-3756  
C: 503-407-2578  
mrobinson@schwabe.com

**VIA E-MAIL**

Ms. Joy Fields, AICP  
Senior Planner  
Clackamas County Department of Transportation and Development  
Planning and Zoning Division  
150 Beaver Creek Road  
Oregon City, OR 97045

Re: City of Gladstone File No. 20149-20-D; Applicant's Response to April 28, 2020  
Incompleteness Letter

Dear Ms. Fields:

This office represents Stony Ridge, LLC, the Applicant, in the above-referenced concurrent Comprehensive Plan map and zoning map amendment application (the "Application"). The Applicant received the Notice of Incomplete Application dated April 28, 2020 (the "Notice"), which is enclosed with this letter as **Exhibit 1**. This letter provides the information requested in the Notice and additional argument and evidence in support of the Application's approval.

As explained below, the Webster Ridge Apartments (the "Apartments") have approximately 174 parking spaces available for residents, staff, and visitors, excluding on-site garages not used for parking, and four ADA-compatible spaces. An analysis of the month of April, 2020 (**Exhibit 2**) shows that with 107 units leased and 15 vacant units, there were 165 adult tenants with 156 disclosed vehicles, which is an approximate ratio of 1.5 vehicles for each unit. Based on the limited amount of available parking spaces, it is also likely that not all vehicles have been disclosed by the residents.

With many tenants having two cars, there is insufficient parking to lease all 122 units. To mitigate the shortage of parking, the Applicant has intentionally withheld from occupancy at least 10 percent of the units at any given time. The rental history of the Apartments over the last 28 months (**Exhibit 3**) demonstrates that until additional parking spaces are available, there will continue to be an average of 13 units that cannot be leased due to the lack of parking. This Application solves this problem by purchasing part of the Tri-City Baptist Temple's property to provide the parking necessary to lease all of the units.

Assuming an average demand of 1.5 spaces per unit continues, if the remaining 15 vacant units are leased, this would require 23 additional spaces for a total of 179 spaces, without any

consideration of parking for undisclosed residents' vehicles, visitors and staff. The Applicant has identified a need for at least two (2) staff parking spaces, and one (1) visitor space for every four (4) apartment units.

Therefore, the proposed parking expansion includes 26 additional spaces and 16 additional garages in order to ensure adequate parking for leasing all 122 units.

**A. Response to Incompleteness Determination Issues**

The Notice asked four questions. This letter addresses each question below.

**1. "How many total apartments and parking spaces are currently located at 18085 Webster Road?"**

Webster Ridge has 122 units. There are 2 studio apartments, 62 one-bedroom apartments, 34 two-bedroom apartments, and 24 three-bedroom apartments.

Webster Ridge was constructed with 183 parking spaces, including four (4) ADA-accessible spaces and nine (9) single-car garages. However, not all of the garages are currently available for residential parking. Three (3) garages are reserved for apartment maintenance. Two (2) garages were early leases to tenants without requirements that they be used for parking, and they are currently being used for storage. Four (4) garages are rented to tenants with the requirement that they be used as their one assigned parking space.

At present, Webster Ridge has 174 parking (non-garage) spaces available. Of these spaces, four (4) are reserved for ADA-accessible tenants or visitors, which are frequently unused, leaving 170 surface spaces available. Adding 4 garage parking spaces to the surface spaces and excluding the ADA spaces results in a total of 174 parking spaces currently available.

**2. "Have you conducted a survey of residents to determine if additional parking is needed?"**

The Applicant has not conducted a survey of its residents. However, the need for additional parking is clear based on Webster Ridge's vacancy rates. The enclosed table (**Exhibit 4**) reflects the vacancies caused by insufficient parking over the past 28 months through April, 2020. There is an average of 13 vacancies per month over this period caused by the lack of parking (15 vacancies in April, 2020), which amounts to an approximately 10.7% vacancy rate, which is much higher than a normal vacancy rate caused by people moving in and out. The applicant has a demand for 100% occupancy if adequate parking were available.

Current demand for parking exceeds the supply. Most units have at least two adult occupants, for an average of 1.54 persons per unit. *See Exhibit 2.* The April, 2020 resident parking demand for 107 occupied units was 156 vehicles, which equals 1.46 spaces per unit. When subtracted from the 174 parking spaces that are typically available (excluding ADA

spaces), only about 18 spaces are available for employees, visitors and undisclosed vehicles on any given day

**3. “How many parking spaces are designated for each apartment?”**

Each apartment is assigned one space. If residents have a second car, they have to park the second car in a visitor space. It is possible that some tenants acquire additional vehicles over time, or do not disclose all their vehicles for fear of not being accepted as a renter. Some may also acquire additional undisclosed roommates with vehicles.

**4. “Are there limits for the number of cars per adult renter?”**

Each apartment is assigned one parking space. For the month of April, 2020, there were 107 assigned spaces, including four (4) garages. For the month of April, 2020, aside from the four (4) rented garages, the remaining surface parking spaces included four (4) ADA spaces and 63 undesignated spaces, which were available to residents with a second vehicle and visitors on a first-come, first serve basis. As noted above, a substantial number of these unassigned spaces are used for residents’ second automobiles, leaving about 18 spaces in April, 2020 available for staff, visitors and undisclosed vehicles. Full occupancy will significantly increase parking demand.

Cars parked in spaces reserved for other renters are subject to towing because there is no other way to enforce a limit on the number of cars owned by each tenant. Towing was done prior to the voluntary increase in vacancies and was not popular, resulting in some tenants moving out. The attached exit surveys (**Exhibit 4**) indicate departing tenant’s dissatisfaction with the lack of adequate parking. **Exhibit 4** includes a letter from the Webster Ridge asset manager explaining the severity of the parking deficit.

**B. Additional Arguments for Approval**

Gladstone Zoning Ordinance (“GZO”) section 17.68.050(1) requires that an applicant show by a preponderance of the evidence that “granting the request fulfills a public need; the greater the departure from present development policies or land use patterns, the greater the burden of the applicant.” In addition to the reasons for approval in the Application, the City should also consider the following points:

**1. The Application is necessary to allow full occupancy of the apartment complex.**

GZO 17.48.030, Table 1, explains that the minimum number of parking spaces for a multi-family complex is 1.5 parking spaces per unit. For the 122 units in Webster Ridge, the minimum parking under current standards is 183 spaces. Although Webster Ridge has 183 spaces, as explained above, less than 170 are typically available, additional vehicles and to serve tenants once parking for staff, maintenance personnel, garages, ADA spaces are considered. The parking demand disclosed by tenants for occupied apartments at Webster Ridge is roughly 1.5

spaces per occupied unit. However, based on the past 28 months of rental history, the 174 available parking spaces are only adequate for 107 to 109 rented units. Based on the sample rental data month of April, 2020 with 15 vacancies, at least 23 additional parking spaces are needed just to park the residents of those units, plus four (4) more spaces for their visitors. There is simply no room within the current complex for these additional spaces.

As explained in the 2019 unadopted Gladstone Housing Needs Analysis, there is an existing deficit of 80 multifamily dwelling units in Gladstone, which is somewhat of an underestimate given the fact that Webster Ridge cannot be fully occupied without the additional parking. The adopted 1979 Housing Needs Analysis also identified a demand for additional multifamily housing. The adopted 1979 Housing Needs Analysis is the legal basis of the City's policy encouraging construction of additional multi-family dwelling units, as stated in the Comprehensive Plan and its supporting documents. The most recent data used in the 2019 HNA demonstrates that the current need is even more pronounced. For this reason, the City can find that approving the Application fulfills a public need for available multi-family units.

The "departure from present development policies or land use patterns" associated with the Application is limited. The subject property is unlikely to be developed for its zoned single-family uses because it is owned by a church and because there are no local street connections available to it from outside of the church property. Utilizing the proposed part of the Church property closest to the apartment complex for an accessory multi-family use with surrounding open space and single story garages for buffers to the surrounding residential neighborhood will be less intrusive than developing the entire church parcel at the current single family and townhome zoning density.

A rezoning of the proposed parking expansion site from a low-density residential zone to a higher-density residential zone for the accessory multi-family use is primarily one of development character, not use, and constitutes a minimal change in present development policies. When coupled with the fact that the additional parking will not result in new units next to single-family units and will be significantly buffered from existing single-family units by single story garages and open space, the departure from existing policies in this case will have a very low impact, if any, on the surrounding area.

**2. The Comprehensive Plan map amendment and zoning map amendment application is necessary to allow accessory parking.**

The proposed surface parking, garage, storage and open space area uses would be accessory uses for the existing Apartments. GZO 17.06.015 defines "accessory use" as a "use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use." The R-7.2 and MR zones require accessory uses to be accessory to uses listed in those respective zones. GZO 17.14.020 (MR zone) and GZO 17.10.020 (R-7.2 zone). Because there is no space on the Apartment site for additional parking, this Application is necessary to allow accessory parking on the subject property. Approval of this Application will be followed by a lot line adjustment request to combine both MR-zoned areas into a single lot

Ms. Joy Fields, AICP  
June 25, 2020  
Page 5

and a Site Plan Review application pursuant to GMC 17.80 for the proposed garages and parking area.

**3. Revised Application Narrative.**

The Applicant has revised the March 30, 2020 Application to reflect the evidence contained in this letter (**Exhibit 5**).

**C. Conclusion.**

This letter and its enclosures provide all of the missing information pursuant to ORS 227.178(2)(a). This Application is made complete within 180 days of March 30, 2020, the date the Application was first submitted, pursuant to ORS 227.178(3)(a).

Please let me know when this Application will be scheduled for the initial evidentiary hearing before the Gladstone Planning Commission.

Very truly yours,



Michael C. Robinson

MCR/jmhi  
Enclosures

cc: Mr. Hans Thygeson (*via email*) (*w/enclosures*)  
Mr. Bob Sanders P.E. (*via email*) (*w/enclosures*)  
Mr. Garrett H. Stephenson (*via email*) (*w/enclosures*)

PDX\135344\251238\GST\28118600.2

## **EXHIBITS**

- Exhibit 1**      Incompleteness Notice
- Exhibit 2**      April, 2020 Analysis
- Exhibit 3**      Twenty-eight month rental history
- Exhibit 4**      Exit surveys and letter from Asset Manager
- Exhibit 5**      Revised Application Narrative



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 Fax: 503-742-4550 E-Mail: [jfields@clackamas.us](mailto:jfields@clackamas.us)

**NOTICE OF INCOMPLETE APPLICATION**

ORIGINAL DATE SUBMITTED: March 30, 2020  
FILE NUMBER: Z0149-20-D  
APPLICATION TYPE: Zone Change and Comprehensive Plan Amendment  
STAFF CONTACT: Joy Fields, jfields@clackamas.us  
DATE OF THIS NOTICE: April 28, 2020

**IMPORTANT**

**Failure to respond completely to this request within 120 days of this mailing will be deemed a refusal to comply with this written request. At such time the city will treat the application as complete for purposes of ORS 227.178(2) and render a final decision on your application based on available information at the time.**

MAILED TO APPLICANT: Bob Sanders, bob@htipllc.com  
14020 SE JOHNSON Creek Rd, STE 102, MILWAUKIE, OR 97267  
OWNER: STONY RIDGE LLC,  
1962 WALLACE RD NW , SALEM , OR 97304

MISSING INFORMATION REQUIRED FOR COMPLETE APPLICATION: \_\_\_\_\_

**Please provide the following information per 17.68.050:**

How many total apartments and parking spaces are currently located at 18085 Webster Road?

Have you conducted a survey of residents to determine if additional parking is needed?

How many parking spaces are designated for each apartment?

Are there limits for the number of cars per adult renter?

**Applicant, please check one of the following and return this notice to the above address.**

- Yes, I will be submitting the requested information within \_\_\_\_\_ calendar days or my application will be processed in its present state.
- No, I will not be submitting the requested information. Please accept the application as submitted.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Webster Ridge Apartments - April 2020

Building	Unit #	Size	Adults	Vehicles
18171	101	3	2	2
18171	102	1	1	1
18171	103	3	1	1
18171	104	1	2	2
18171	105	1	1	1
18171	106	3	2	1
18171	107	1	1	1
18171	108	3	3	2
18171	201	3	2	2
18171	202	1	0	0
18171	203	3	0	0
18171	204	1	1	1
18171	205	1	0	0
18171	206	3	1	1
18171	207	1	1	1
18171	208	3	3	2
18171	301	3	2	2
18171	302	1	1	1
18171	303	3	1	1
18171	304	1	1	1
18171	305	1	0	0
18171	306	3	1	1
18171	307	1	1	1
18171	308	3	2	2
18173	101	1	2	2
18173	102	1	1	1
18173	103	1	2	2
18173	104	1	0	0
18173	105	1	1	1
18173	106	1	1	1
18173	107	1	2	2
18173	108	1	0	0
18173	201	1	1	1
18173	202	1	0	0
18173	203	1	1	1
18173	204	1	1	1
18173	205	1	2	1
18173	206	1	2	2
18173	207	1	1	1
18173	208	1	1	1
18173	301	1	1	1
18173	302	1	2	2
18173	303	1	1	1
18173	304	1	1	1
18173	305	1	0	0
18173	306	1	1	1
18173	307	1	1	1
18173	308	1	2	2
18175	101	2	1	1
18175	102	1	2	2
18175	103	2	1	1
18175	104	1	2	2
18175	105	1	1	1
18175	106	2	1	1
18175	107	1	2	2
18175	108	2	1	1
18175	201	2	2	2
18175	202	1	1	1
18175	203	2	1	1
18175	204	1	1	1
18175	205	1	0	0
18175	206	2	1	1
18175	207	1	2	2
18175	208	2	1	1
18175	301	2	1	1
18175	302	1	1	1
18175	303	2	2	2
18175	304	1	1	0
18175	305	1	2	2
18175	306	2	1	1
18175	307	1	0	0
18175	308	2	1	1
18177	101	3	2	2
18177	102	1	0	0

18177	103	3	2	2
18177	104	1	1	1
18177	105	1	2	2
18177	106	3	3	2
18177	107	1	2	2
18177	108	3	3	3
18177	201	3	2	2
18177	202	1	1	1
18177	203	3	2	2
18177	204	1	2	2
18177	205	1	0	0
18177	206	3	2	2
18177	207	1	0	0
18177	208	3	2	2
18177	301	3	1	1
18177	302	1	1	1
18177	303	3	3	2
18177	304	1	0	0
18177	305	1	1	1
18177	306	3	1	1
18177	307	1	1	1
18177	308	3	2	2
18179	101	2	2	2
18179	102	2	1	1
18179	103	1	2	2
18179	104	2	2	2
18179	105	2	2	2
18179	106	2	2	1
18179	107	2	2	2
18179	108	1	1	1
18179	109	5	1	1
18179	110	5	1	1
18179	201	2	2	2
18179	202	2	2	2
18179	203	2	2	2
18179	204	2	1	1
18179	205	2	2	1
18179	206	2	2	2
18179	207	2	2	2
18179	208	2	2	2
18179	301	2	2	2
18179	302	2	1	1
18179	303	2	2	2
18179	304	2	0	0
18179	305	2	2	2
18179	306	2	2	2
18179	307	2	1	1
18179	308	2	2	2
<b>Total</b>			<b>165</b>	<b>156</b>
			<b># adults</b>	<b># cars</b>

<b>Average</b>		<b>1.66</b>	<b>1.54</b>	<b>1.46</b>
		<b>bedrooms/ unit</b>	<b>persons/ unit</b>	<b>cars/unit</b>

Webster Ridge Apartments 2018, 2019 and 2020 Parking Related Vacancy History												
	Jan-18	18-Feb	18-Mar	18-Apr	18-May	18-Jun	18-Jul	18-Aug	18-Sep	18-Oct	18-Nov	18-Dec
1 Bed	8	5	7	7	8	12	7	11	10	10	11	14
2 Bed	3	1	1	0	0	0	2	1	0	0	1	0
3 Bed	7	5	4	1	1	0	1	0	2	1	1	1
<b>Total</b>	<b>18</b>	<b>11</b>	<b>12</b>	<b>8</b>	<b>9</b>	<b>12</b>	<b>10</b>	<b>12</b>	<b>12</b>	<b>11</b>	<b>13</b>	<b>15</b>
	19-Jan	19-Feb	19-Mar	19-Apr	19-May	19-Jun	19-Jul	19-Aug	19-Sep	19-Oct	19-Nov	19-Dec
1 Bed	14	15	14	12	12	10	12	12	12	13	12	10
2 Bed	2	1	2	1	1	2	1	1	1	1	0	1
3 Bed	2	3	0	0	0	0	1	0	1	1	1	1
<b>Total</b>	<b>18</b>	<b>19</b>	<b>16</b>	<b>13</b>	<b>13</b>	<b>12</b>	<b>14</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>13</b>	<b>12</b>
	20-Jan	20-Feb	20-Mar	20-Apr								
1 Bed	11	11	12	13								
2 Bed	2	2	3	2								
3 Bed	0	0	0	0								
<b>Total</b>	<b>13</b>	<b>13</b>	<b>15</b>	<b>15</b>								

Average # Vacancies	12.7
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# CREATIONS NORTHWEST, LLC

CCB 181981

14020 SE Johnson Road, Suite 102

Milwaukie, OR 97267

503.908.0563

5/29/2020

Ms. Joy Fields, AICP  
Senior Planner  
Clackamas County Department of Transportation and Development  
Planning and Zoning Division  
150 Beaver Creek Road  
Oregon City, Oregon 97045

Dear Ms. Fields,

I am writing you as the Asset Manager for Creations Northwest, LLC and supervisor of the Webster Ridge Apartment manager, so I am very familiar with the current deficit in parking spaces at Webster Ridge Apartments.

We opened the property in February 2017 and reached 92% occupancy around October 2017. Once we reached 92%, we started seeing troubles with parking. People were complaining that they couldn't find a space to park so they would park next door in one of the neighboring church parking lots, The church quickly put up a cable to avoid this from happening. Soon after the church cut off the overflow parking in their lot, tenants began parking in fire lanes, in front of the trash compactor, in handicapped spaces, on Webster Road or some would also park roughly 1 mile down the road at the nearest Safeway and walk. The onsite manager would walk the property at differing times during the evening, issuing notices or would call residents directly if she knew the vehicle but in the end she was forced to call the towing company if residents parked in fire lanes and in prohibited areas as set forth by the fire marshal. The police began regular patrols and ticketed cars parked in fire lanes. The tickets got very expensive for the residents and forced people to move out to find housing elsewhere. We have attached a sampling of the move out surveys we did during this time.

This property does not have street parking nor nearby neighborhood street parking. It has a church to the North, a church straight ahead to the East and a parking lot with only 2 parking spaces to the South at a local nature park. The property has a fence around 3 sides so there is no access into the streets on the West.

When we opened, we assigned one reserved space to each apartment, most of those are carports. We also had them sign a lease stating that they were permitted one reserved space with one vehicle. One must always park in the reserved space first to allow ample parking. We allowed "guest" parking or what we call extra

vehicle parking because we know MOST couples now have two vehicles. We follow the city guidelines of 2 people per bedroom plus one, so we have an opportunity to have up to 526 people living on site when we are fully occupied. For the sample data month of April 2020, we had 165 adults living on site in 107 apartments, at 87.7% occupancy.

To provide positive customer service for our residents, to keep our onsite manager from wearing thin and to keep neighbors happy with us we have kept an average of 13-16 units off the market each month for the past 28 months. The onsite manager must turn people away and tell them we have no vacancy once our parking is full, while units sit vacant. This goes against everything we have been taught in our industry. We want to provide housing for all who need it. We would love to be able to fill those remaining units.

Thank you,

Nicole Fisher  
Asset Manager

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before 4/22/ 20 18 (30 days from today) and you may rent said premises after this date.

Apartment #: 108 Phone # 503-789-7072  
Resident Name/s (Print): Tyler Kniawa  
Forwarding Address:  
17450 Via Del Verde, Gladstone Or. 97027  
Resident Signature: [Signature]

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

**Move out Interview**

1. Reason for leaving: Moving to a house
2. Are you satisfied with apartment? Yes  ] No
3. What could we do to keep you as a resident?  
nothing
4. What did you like most about our community?  
new units
5. What did you like least about our community? Parking
6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received     /    /    

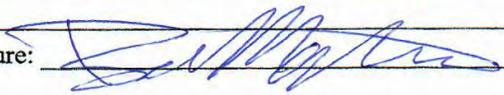
Received By \_\_\_\_\_

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before May 21 2018 (30 days from today) and you may rent said premises after this date.

Apartment #: 18173-307 Phone # 503-425-9519  
Resident Name/s (Print): Boris Matveyev, Katerina Shevchuk  
Forwarding Address:

\_\_\_\_\_  
\_\_\_\_\_

Resident Signature: 

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

\_\_\_\_\_

**Move out Interview**

1. Reason for leaving: another baby coming, need 2nd bedroom
2. Are you satisfied with apartment? Yes  No
3. What could we do to keep you as a resident?  
lower rent for lower 2 bedroom apt rent ☺
4. What did you like most about our community?  
clean, modern, quite, spacious, looks great
5. What did you like least about our community? parking was tight
6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received \_\_\_\_/\_\_\_\_/\_\_\_\_

Received By \_\_\_\_\_

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before May 31 2019 (30 days from today) and you may rent said premises after this date.

Apartment #: 18173 - 300 Phone # 503 568 9508  
Resident Name/s (Print): Tracy Tsujana + Ben Ingold  
Forwarding Address:  
17820 SE Addu St  
Milwaukie OR 97277

Resident Signature: [Signature]

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

**Move out Interview**

1. Reason for leaving: no parking (extra)
2. Are you satisfied with apartment? Yes  No
3. What could we do to keep you as a resident?  
Parking
4. What did you like most about our community?  
pool / gym / new apartment
5. What did you like least about our community? parking
6. Comments h/a

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received 4 30, 18

Received By Melissa Adams

Move out Interview

1. Reason for leaving: Roommate complications

2. Are you satisfied with apartment?  Yes [ ] No [ ]

3. What could we do to keep you as a resident?

nothing

4. What did you like most about our community?

the utilities included in apartments and

5. What did you like least about our community? N/A

garbage  
camera

6. Comments Parking Situation is frustrating

WE HAVE ENJOYED YOUR TENANCY... THANK YOU!!

FOR OFFICE USE ONLY

Date Received 5.30.18

Received By \_\_\_\_\_

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before May 31st 2018 (30 days from today) and you may rent said premises after this date.

Apartment #: 106 Phone # 503-960-9201  
Resident Name/s (Print): Casey and Brauna Weils  
Forwarding Address:  
13146 SE Terra Cascade Loop Happy valley OR 97086

Resident Signature: 

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

Move out Interview

1. Reason for leaving: Buyer house
2. Are you satisfied with apartment? Yes  No [ ]
3. What could we do to keep you as a resident?  
nothing
4. What did you like most about our community?  
good people
5. What did you like least about our community? parking
6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received \_\_\_\_/\_\_\_\_/\_\_\_\_

Received By \_\_\_\_\_

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before 4-30 2018 (30 days from today) and you may rent said premises after this date.

Apartment #: 18171-103 Phone # 503-309-0271

Resident Name/s (Print): Jeff Hartnell

Forwarding Address:

14675 SE Johnson Rd  
Milwaukie, OR 97267

Resident Signature: Jeff Hartnell

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

**Move out Interview**

1. Reason for leaving: moving to cheaper place
2. Are you satisfied with apartment? Yes  No
3. What could we do to keep you as a resident?  
cheaper rent
4. What did you like most about our community?  
quiet place
5. What did you like least about our community? parking issues
6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received 3/30/18

Received By Melissa Adams

RETURN

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before Oct 31 2018 (30 days from today) and you may rent said premises after this date.

Apartment #: 77303 Phone # 503-515-3327

Resident Name/s (Print): GENENE TESSEMA

Forwarding Address:

4973 SE BRIAR CT MILWAUKIE OR -  
97267

Resident Signature: [Signature]

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

Move out Interview

1. Reason for leaving: Personal

2. Are you satisfied with apartment? Yes  No [ ]

3. What could we do to keep you as a resident?

you need more parking for visitors

4. What did you like most about our community?

5. What did you like least about our community?

6. Comments the manager is nice and friendly

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received \_\_\_/\_\_\_/\_\_\_

Received By \_\_\_\_\_

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before 8/31/18 20\_\_ (30 days from today) and you may rent said premises after this date.

Apartment #: 302 Phone # 503-348-0886

Resident Name/s (Print): SHANE TAUBRES

Forwarding Address:

~~NOT SURE YET, GET BACK TO YOU ON THAT?~~  
- 7505 SE CENTER ST, PORTLAND OR ~~97206~~ 97206

Resident Signature: SHANE I

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

**Move out Interview**

1. Reason for leaving: NEED MORE ROOM, SPACE, PARKING
2. Are you satisfied with apartment? Yes [] No [  ]
3. What could we do to keep you as a resident?  
BETTER PARKING SYSTEM
4. What did you like most about our community?  
LOCATION, QUIET
5. What did you like least about our community? LACK IN PARKING ON WEEKENDS
6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received 7/26/18

Received By Melissa J. Lery

30 DAY NOTICE OF INTENTION  
TO VACATE

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before July 31 2018 (30 days from today) and you may rent said premises after this date.

Apartment #: 18173 #206 Phone # 503-816-3241

Resident Name/s (Print): Justin Reiner

Forwarding Address:

~~Don't have one yet~~ 330 W. CLARENDON ST. CLADSTONE, OR 97027

Resident Signature: Justin Reiner

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

Move out Interview

1. Reason for leaving: Relocating to Vancouver, WA
2. Are you satisfied with apartment? Yes  No
3. What could we do to keep you as a resident?  
Nothing
4. What did you like most about our community?  
Secular, Quietness
5. What did you like least about our community? Parking
6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY... THANK YOU!!

FOR OFFICE USE ONLY

Date Received 10/30/18

Received By Melissa Alder

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before July 15<sup>th</sup> 2018 (30 days from today) and you may rent said premises after this date.

Apartment #: 18179 #303 Phone # (503) 209-0264  
Resident Name/s (Print): Amanda Flaig, Kerin Su  
Forwarding Address:  
14433 SE Vista Heights  
Happy Valley, OR 97086  
Resident Signature: [Signature]

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST  
Failure to return keys on move out date will result in prorated rent of \$60 per day.

**Move out Interview**

1. Reason for leaving: Buying a house
2. Are you satisfied with apartment? Yes  No
3. What could we do to keep you as a resident?  
more parking & garages
4. What did you like most about our community?  
quiet and residents care nice
5. What did you like least about our community? parking
6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received 6.5.18

Received By [Signature]

30 DAY NOTICE OF INTENTION  
TO VACATE

NOV

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before 16th 2019 (30 days from today) and you may rent said premises after this date.

Apartment #: #201 Phone # 503 329.6404

Resident Name/s (Print): Tom Benner

Forwarding Address: C

Resident Signature: [Signature]

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST  
Failure to return keys on move out date will result in prorated rent of \$60 per day.

Move out Interview

1. Reason for leaving: Downsize
2. Are you satisfied with apartment? Yes  No
3. What could we do to keep you as a resident? Lower my Rent
4. What did you like most about our community? Maintenance Guy
5. What did you like least about our community? Being towed early in
6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received 10.16.19

Received By Melissa Adams

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before October 17<sup>th</sup> 2019 (30 days from today) and you may rent said premises after this date.

Apartment #: 107 Phone # 971-2636924

Resident Name/s (Print): Angela Baird

Forwarding Address:  
12630 Tidewater St  
Oregon City OR 97045

Resident Signature: 

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

**Move out Interview**

1. Reason for leaving: Not approved for a house

2. Are you satisfied with apartment? Yes  No

3. What could we do to keep you as a resident?

4. What did you like most about our community?

The community. Melissa always makes sure everyone is taken care of answering questions so fast.

5. What did you like least about our community? Parking issues at the beginning, not anymore though.

6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

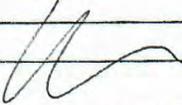
Date Received 9.17.19

Received By 

Oct 2019 - \$882.90

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before Aug 22 2019 (30 days from today) and you may rent said premises after this date.

Apartment #: 306 Phone # 541 740 9042  
Resident Name/s (Print): Megan & Matthew Polamalu Gordon  
Forwarding Address:  
2674 Crowther Dr  
Eugene OR 97404  
Resident Signature: 

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

**Move out Interview**

1. Reason for leaving: Bought House
2. Are you satisfied with apartment? Yes [] No [  ]
3. What could we do to keep you as a resident?  
N/A
4. What did you like most about our community?  
Melissa / Clean
5. What did you like least about our community? Trash / Parking
6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received 7/22/19

Received By Melissa Tolent

30 DAY NOTICE OF INTENTION  
TO VACATE

the 1st

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before AUG 15<sup>th</sup> 2019 (30 days from today) and you may rent said premises after this date.

Apartment #: 303 (1875) Phone # (503) 869 6890  
Resident Name/s (Print): JAMES + TORI WEATHERSPOON (SPOUL)  
Forwarding Address:  
147 BARKER AVE OREGON CITY OR 97045

Resident Signature: [Signature] / Victoria [Signature]

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST  
Failure to return keys on move out date will result in prorated rent of \$60 per day.

Move out Interview

- Reason for leaving: FINANCIAL
- Are you satisfied with apartment?  Yes  No
- What could we do to keep you as a resident?  
LOWER RATES
- What did you like most about our community?  
AMMENITIES
- What did you like least about our community? PARKING
- Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received 7.1.19

Received By Melissa Jones

30 DAY NOTICE OF INTENTION  
TO VACATE

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before June 30<sup>th</sup> 2019 (30 days from today) and you may rent said premises after this date.

Apartment #: 6305-75 Phone # 971-506-0739  
Resident Name/s (Print): Jordan Cr. Henden  
Forwarding Address: ~~Delray~~ at the moment 4210 Se Water Edgewater

Resident Signature: Jordan Cr. Henden

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST  
Failure to return keys on move out date will result in prorated rent of \$60 per day.

Move out Interview

1. Reason for leaving: found New Home
2. Are you satisfied with apartment? Yes [] No [ ]
3. What could we do to keep you as a resident? lower Rent
4. What did you like most about our community? The Cleanliness
5. What did you like least about our community? parking - Need Dog park
6. Comments Great place, you were always on top of things as well as Denis.

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received: 5/31/19  
Received By: Melissa Foley

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before ~~Jan. 30~~ 20 19 (30 days from today) and you may rent said premises after this date. 2-28-

Apartment #: 18173 #303 Phone # 971-313-4049  
Resident Name/s (Print): Sergey Chernysh, Angela Mayhew  
Forwarding Address: 15972 SE Martenson Ct. Milwaukie, OR 97267

Resident Signature: [Signature]

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*SEE MOVE OUT CHECK LIST  
Failure to return keys on move out date will result in prorated rent of \$60 per day.

**Move out Interview**

1. Reason for leaving: found a cheaper option
2. Are you satisfied with apartment? Yes  No
3. What could we do to keep you as a resident?  
nothing
4. What did you like most about our community?  
location, the design/layout, parking
5. What did you like least about our community? the handles don't work well on doors, cold air gets in and apartment stays cold
6. Comments \_\_\_\_\_

**WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!**

FOR OFFICE USE ONLY

Date Received    /   /   

Received By \_\_\_\_\_

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before 1/31 / 20 19 (30 days from today) and you may rent said premises after this date.

Apartment #: <sup>18179</sup> #305 Phone # 360-480-1459  
Resident Name/s (Print): Ashlee Karr, Donevan Karr, Betty Thomas  
Forwarding Address:

(deposit check) Ashlee & Donevan Karr : 6725 Riviera Court,  
West Linn, OR 97068  
Betty Thomas : 5917 Beltway Loop SE, Lacey, WA 98513

Resident Signature: Ashlee Karr, Donevan Karr  
Betty Thomas

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

Move out Interview

1. Reason for leaving: need more space & outdoor recreation
2. Are you satisfied with apartment? Yes [] No [ ]
3. What could we do to keep you as a resident?  
nothing
4. What did you like most about our community?  
the events
5. What did you like least about our community? the parking & dogs
6. Comments There definitely needs to be more parking, and stricter enforcement of dog relief areas/barking during all hours.

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received 12,3,18

Received By Melissa Adams

**30 DAY NOTICE OF INTENTION  
TO VACATE**

YOU ARE HEREBY INFORMED AND NOTIFIED that the undersigned residents will vacate said premises on or before January 5 2018 (30 days from today) and you may rent said premises after this date.

Apartment #: 301 Phone # 503-781-4699

Resident Name/s (Print): Joel and Kimberly Harris

Forwarding Address:

Joel Harris c/o South Canyon Baptist Church  
3333 W Chicago St  
Rapid City, SD 57702

Resident Signature: Joel Harris

We understand the deposit may not reach us if we fail to provide an adequate forwarding address.

\*\*\*\*SEE MOVE OUT CHECK LIST

Failure to return keys on move out date will result in prorated rent of \$60 per day.

**Move out Interview**

1. Reason for leaving: moving out of state for work

2. Are you satisfied with apartment? Yes  No

3. What could we do to keep you as a resident?  
\_\_\_\_\_

4. What did you like most about our community?

good soundproof walls, swimming pool, gym, friendly manager

5. What did you like least about our community? parking issues,

6. Comments \_\_\_\_\_

WE HAVE ENJOYED YOUR TENANCY...THANK YOU!!

FOR OFFICE USE ONLY

Date Received 12, 5, 18

Received By Melissa Adams

From: **Ben Ingold** <[bnngld@gmail.com](mailto:bnngld@gmail.com)>  
Date: Mon, Jan 22, 2018 at 11:44 AM  
Subject: Parking Issue and Lease Question  
To: [nicole@living-nw.com](mailto:nicole@living-nw.com)

Hello Nicole,

My name is Ben Ingold and my wife and I live at Webster Ridge Apartments. Melissa was kind enough to pass on your contact info so we could discuss an issue and also get some questions answered.

I am not sure if you are aware but parking has been a huge issue at this property. At first we were able to park in the church lot that is right next to the property. They caught on and have chained off their lot. We then saw that other residents without Handicap stickers were utilizing the handicap spots so we decided to try that for a while until we received a parking ticket. We now have to take our car to my wife's work parking lot or to my parent's house. This is a huge inconvenience as we don't have time in the morning to get the other car. That means we are scanning the lot for a spot to open up and then rushing off to bring the other car back.

When I spoke to Melissa about this she understood my frustration and was aware parking was a huge issue. She gave me some list of vacant spots that got us by for about a week. Then management posted "VACANT" above any numbered spot to try and relieve the parking issue a little. Their efforts are appreciated but I have still had to park my car somewhere else multiple times this last week. My wife and I have two cars, there are no free spaces and I don't want to keep having to park my car somewhere else.

Is Melissa informing prospects of this parking issue? Is she warning them that they will have to cart around their second vehicle just to live here with two cars?

That brings me to my question. Would management be willing to waive our lease break fee so we can move to somewhere with adequate parking? I don't have time to move my car around every day. This is a huge inconvenience for my wife and I. I know that there is a plan to build another parking lot but our lease would most likely be up before that is completed leaving us stuck with no parking until then.

Thank you for your time and consideration.

Ben Ingold

[bnngld@gmail.com](mailto:bnngld@gmail.com)

[503-568-9588](tel:503-568-9588)

Fucking  
ASSHOLE!

Find somewhere else  
and actually LEARN  
HOW to park, dickhead.  
If you take my spot  
again, I'm going to have  
your dumbass towed.

73-108

You stupid  
pile of shit!  
what the fuck  
makes you  
think you can  
take anyone's spot?  
Getting so fucking  
sick of this.

Park here again,  
and your ass is  
towed.  
Being a Gentleman

73103

Hello Melissa:

This is Jose from app 103.

Last night around 9:50 pm got home from work and parked in 28 spot. There was a cone so I parked. Drove around and found no parking spots at all.

Woke up around 2:15 am to get something from the car and found VANDALISM. scratches with key ~~food~~ all around and a broken rear light with a threatening note. First time parking there and this is not the form to solve this. Resident will have to pay for damages.

Sorry for the inconvenience and thank you.



BEFORE THE CITY COUNCIL OF THE CITY OF GLADSTONE

An Application for a Post-Acknowledgement Plan Amendment and Zone Map Amendment to change the existing Low-Density Housing Comprehensive Plan Designation and R-7.2 zoning to High-Density Housing and MR zoning for Property Identified as Tax Lot 701 of Clackamas County Assessor's Map 2-2E-17DC.

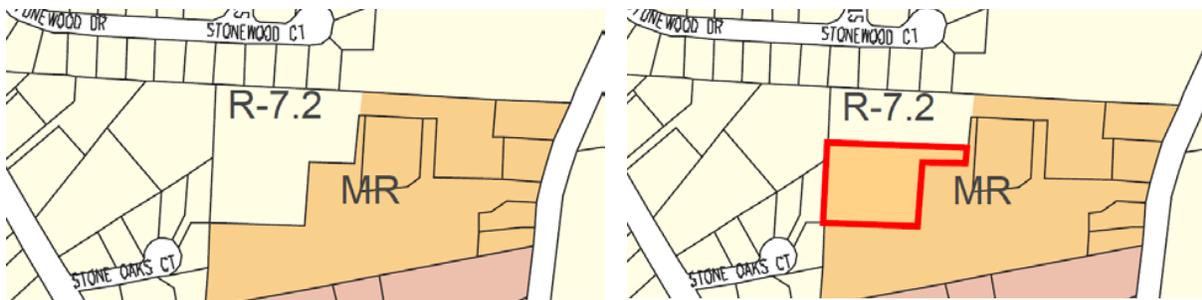
APPLICANT'S FINDINGS OF FACT AND CONCLUSIONS OF LAW ADDRESSING THE RELEVANT APPROVAL CRITERIA

(REV. JUNE 25, 2020)

*NOTE: The enclosed findings of fact and conclusions of law, dated June 25, 2020, replaces the previous version submitted with the original Application.*

I. INTRODUCTION

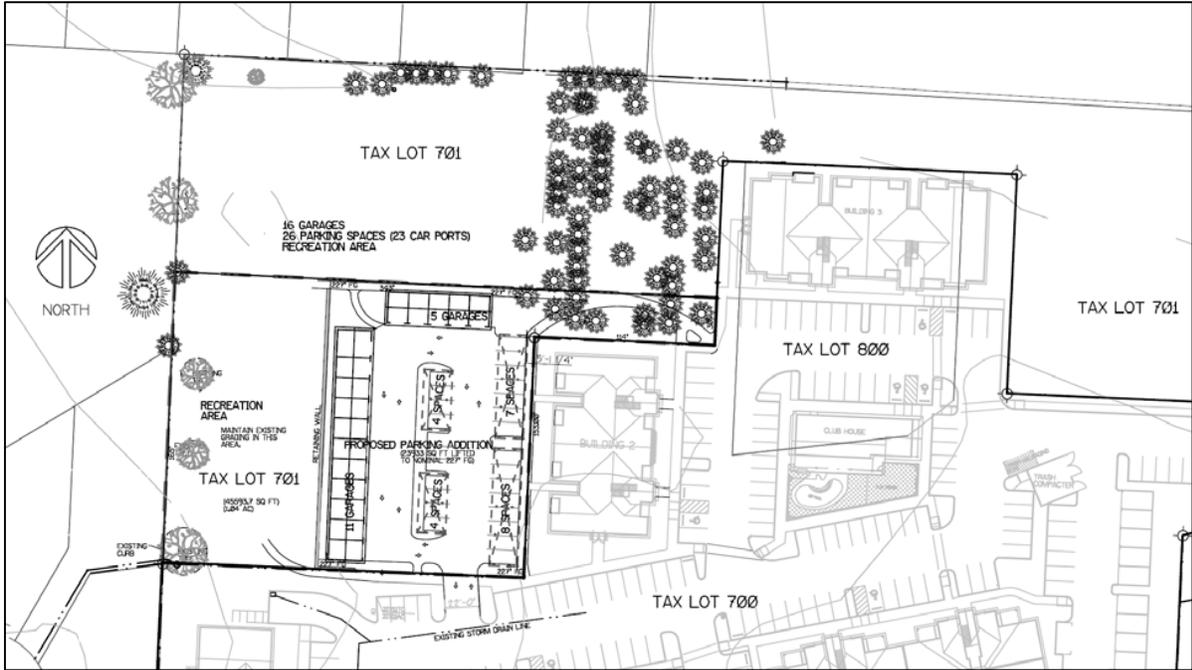
The subject property (the "Property") is a portion of tax lot 701 of Clackamas County Assessor's Map 2-2E-17DC, and owned by Tri-City Baptist Temple ("Tri-City"). **Exhibit 1.** The Applicant, Stoney Ridge LLC, is the contract purchaser of approximately 1.04 acres of tax lot 701. The existing and proposed zoning map is shown below:



The Property is located south of Stonewood Court and north of the existing Webster Ridge Apartments, which were approved in 2015. An aerial photograph showing the Property is provided below:



The Property is intended to be used as an accessory to the existing apartment complex to provide additional parking and recreation area to the Webster Ridge Apartments. This additional parking is necessary to allow occupancy of 15 unoccupied dwelling units in Webster Ridge. The Application does not include any new dwelling units and proposes a condition of approval prohibiting additional dwelling units on the Property. The Application will make the zoning of the additional parking and recreation area consistent with the existing MR zoning of the apartment complex. The parking area will include 16 garages and 26 additional spaces, 23 of which shall be located underneath carports. A tentative layout of this addition is shown below:



The above concept plan is attached to this Application as **Exhibit 2**. If approved, this Application will be followed by a lot line adjustment request to combine all MR-zoned areas into a single lot or parcel, as well as a site plan review application pursuant to GMC 17.80 for the proposed garages and parking area.

**II. APPLICABLE CRITERIA**

The approval criteria for a plan amendment/zone change is set forth in the Gladstone Municipal Code (the “GMC”) at section 17.68.050. Section A, below, addresses those approval criteria. Applicable Statewide Planning Goals are addressed in section B, below.

**A. GMC 17.68.050 - Evidence supplied by the Applicant.**

The applicant seeking a zoning map change pursuant to the provisions of GMC Section 17.68.010 must show by a preponderance of the evidence all of the following, unless otherwise provided for in this title:

**(1) Granting the request fulfills a public need; the greater departure from present development policies or land use patterns, the greater the burden of the applicant.**

RESPONSE: The Webster Ridge Apartment Complex is not fully occupied due to the lack of parking addressed by the Application. The Application will increase the supply of parking to the existing Webster Ridge Apartments complex, which will allow occupation of 15 currently-unoccupied units in the apartment complex, which have not been rented due to a shortage of available parking. Increasing parking will also reduce the need to tow parked cars parked in the wrong spaces. Finally, the Application will increase the availability of recreational/open space to Webster Ridge residents and by extension, increase the health and wellbeing of the City's residents.

A buildable land inventory ("BLI") and a preliminary housing needs analysis ("HNA") was completed by ECONorthwest in September 2019. It is not clear whether this BLI or HNA have been adopted. The BLI identified only 0.2 acres of buildable High-Density Residential land in Gladstone.<sup>1</sup> The Property is identified as "Partially Vacant" in the BLI, as demonstrated by the following map (see HNA Report at 144):

Gladstone's preliminary HNA concluded that, as the bulk of its residential land is designated for low density housing, higher density housing is critically important. Ultimately, the HNA report calculates that the High-Density Residential designation has a deficit capacity of 80 dwelling units, meaning there is a deficit of three acres of High-Density Residential land in Gladstone. The HNA Report goes on to recommend that the City "identify opportunities to address the housing deficits of Medium and High Density Residential." HNA Report at 319. The Application would re-designate approximately 1.04 acres of Low-Density Residential land to High-Density Residential, increasing the City's inventory of High-Density Residential land.

The most recent *adopted* housing needs analysis for Gladstone was completed in April, 1979 along with the Comprehensive Plan. It is mostly based on 1975 data. While the methodology at that time did not seek to identify a specific amount of additional land the multifamily housing category, it identified a need for additional multifamily units for all income levels except for the highest (which, at the time, meant incomes exceeding \$6,000/year).<sup>2</sup> This supports the general premise that Gladstone has a need for additional multifamily units. Similarly, the Comprehensive Plan itself explains that "another need is for more multi-family units close to potential mass transit corridors or stations, and near commercial centers." Comp. Plan at 7.

With the proposed condition of approval prohibiting additional dwelling units on the subject property, the Application will neither increase nor decrease the City's supply of *buildable* High-Density Residential land. It will, however, facilitate occupancy of 15 available multi-family

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<sup>1</sup> ECONorthwest, Clackamas County HNA Report 143 (September 2019), available at <https://dochub.clackamas.us/documents/drupal/c1526329-f9c4-4281-af84-1c58d8a5e15f> (hereinafter, "HNA Report").

<sup>2</sup> See Gladstone Comprehensive Plan, Inventory and Analysis B-27 (April 1979), available at [https://www.ci.gladstone.or.us/sites/default/files/fileattachments/community/page/4591/gladstone\\_comp\\_plan\\_inventory\\_analysis.pdf](https://www.ci.gladstone.or.us/sites/default/files/fileattachments/community/page/4591/gladstone_comp_plan_inventory_analysis.pdf).

units in the City, which is consistent with the need shown in both the 1979 and 2019 housing needs analyses.

For the above reasons, the Council can find that the Application meets this criterion.

**(2) The public need is best carried out by granting the petition for the proposed action, and that need is best served by granting the petition at this time.**

RESPONSE: The Council can find that the public need is best carried out by approving the Application because it will provide an immediate increase in the number of dwelling units within Webster Ridge that can be occupied and thereby increase the supply of housing.

The Applicant is aware of no other pending proposals before the City for designation of additional multi-family land. In light of the urgent need for additional affordable housing and middle-income housing, the Council can find that the public need discussed above is best carried out by granting the petition at this time.

**(3) The proposed action is consistent with the comprehensive plan and Metro’s Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660-012-0060).**

RESPONSE: The Council can find that the Application satisfies all applicable goals and polices, and the Transportation Planning Rule, for the reasons below:

**Comprehensive Plan Policies**

▪ Land Use Planning

RESPONSE: The Application is consistent with the Land Use Planning Goal because it directly furthers Policy 5, which is to “allow housing types ranging from low to high density units, providing for variation in the design of housing units.” It does so by allowing complete occupation of all residential units currently built within the Webster Ridge Apartments. As the Property will be accessed by Webster Road, which is designated a Minor Arterial, the Application is consistent with the residential goal that “high density residential should be located near [...] collectors and minor arterials.

▪ Housing

RESPONSE: Gladstone’s stated housing goal 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 a 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 Application is consistent with this goal because, by allowing 15 additional units in the existing apartment complex to be occupied it is increasing the housing options in the City. On the other hand, the proposed redesignation area is not accessible by surrounding local streets and

the development proposed thereon will be buffered by an undeveloped recreational area. Therefore, it preserves the integrity and identity of the surrounding neighborhood.

The Application is also consistent with the following policies:

- Policy 2: “Promote the development of high density housing around commercial and/or industrial centers served by mass transit transfer stations.”

The Application is consistent with this policy because Webster Road offers a number of TriMet bus stops nearby—including northbound and southbound Webster and Cason stops, as well as a stop at the 1800 block of Webster Road—and Webster Road provides direct link to the City’s commercial core via Oatfield Road. TriMet bus lines 31 and 32 also have stops nearby on Oatfield Road. Finally, Webster Road features a number of other multifamily developments, a retirement community, and a medical center.

▪ Transportation

RESPONSE: Gladstone’s stated transportation goal is to “promote a safe, efficient and convenient multi-modal transportation system that emphasizes mass transit and a street circulation pattern designed to serve people first.”

The Application is consistent with this goal because it increases density along an existing high-capacity transit route. In so doing, it also furthers the following policies:

- Policy 1: “Promote decreased reliance on the private automobile.”
- Policy 3: “Encourage and facilitate high-density residential development within walking distance (1/4 to 1/3 mile radius) from commercial districts in order to support future plans for rapid bus and/or light rail transit.”

Note also that Policy 3 requires as an implementation measure: “Revise Gladstone Zoning Ordinance to allow for high density residential development consistent with Policy 3 above.”

▪ Economy

RESPONSE: The Application is for housing and therefore, the Council can find that the Economy goal is not applicable. However, in the alternative the Council can find that the Application is consistent with this goal because it approval will result in additional construction activity and increase the overall availability of housing in Gladstone.

▪ Natural Resources

RESPONSE: The Council can find that this goal is not applicable because there are no protected natural resources on the Property.

- Public Facilities and Services

RESPONSE: The Council can find that Application is consistent with this goal because, as explained above, the Application would increase dwelling unit density in an area served by high-capacity public facilities and services.

- Growth Management

RESPONSE: The Application does affect the Portland Metropolitan Urban Growth Boundary. For this reason, the Council can find that this goal does not apply.

### Comprehensive Plan Conclusion

For the above reasons, the Council can find that the Application is consistent with all applicable goals and policies of the Gladstone Comprehensive Plan.

### Metro Urban Growth Functional Plan Policies

- Title 1: Housing Capacity

RESPONSE: Title 1 requires “each city and county to maintain or increase its housing capacity.” The Application would result in a potential increase in dwelling unit density in the City based on zoning and does not propose a change the minimum density required in the MR Zone. For these reasons, the Council can find that the Application is consistent with Title 1.

- Title 3: Water Quality and Flood Management

RESPONSE: Title 3 applies to (1) development in Water Quality Resource and Flood Management Areas and (2), development which may cause temporary or permanent erosion on any property within the Metro Boundary. The Property is not located within a Water Quality Resource or Flood Management Area. Title 3 does not apply to the Application.

- Title 4: Industrial and Other Employment Areas

RESPONSE: The Property is not located within an identified Industrial or Employment Area as established on Metro’s maps. Title 4 does not apply to the Application.

- Title 6: Centers, Corridors, Station Communities and Main Streets

RESPONSE: According to Metro’s Title 6 Map, the Property is not located within an adopted Central City, Regional Center, or Town Center boundary, or station community. It is also not located within the unadopted, conceptual Gladstone Town Center. Title 6 does not apply to the Application.

- Title 7: Housing Choice

RESPONSE: Title 7 establishes voluntary affordable housing production goals for the cities and counties within Metro. It also requires cities and counties within Metro to:

- (a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.
- (b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.
- (c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing.

Title 7 is on the one hand a voluntary mandate and on the other, a requirement for local governments to engage in certain types of comprehensive planning. Therefore, it does not apply to the Application.

- Title 8: Compliance Procedures

RESPONSE: Title 8 requires that the City provide notice of this proposed plan and zone map amendment to Metro’s Chief Operating Officer as least 35 days prior to the first evidentiary hearing on the amendments. The Council can find that this requirement was satisfied through the land use application review procedures instituted by the City, as performed by Clackamas County Land Use Planning staff.

- Title 12: Protection of Residential Neighborhoods

RESPONSE: This Title provides that Metro may not require the City to increase the residential density in a City-designated neighborhood. While the Application would result in an increase in potential zoned density, it does not constitute a *required* increase in density and Title 12 does not preclude a City-approved increase in the density of its neighborhoods. Therefore, Title 12 does not apply to the Application.

- Title 13: Nature in Neighborhoods

RESPONSE: The Property does not contain any riparian areas or a designated Habitat Conservation Area. Title 13 does not apply to the Application.

### Metro Urban Growth Functional Plan Conclusions

For the above reasons, the Council can find that the Application is consistent with all applicable provisions of the Metro Urban Growth Functional Plan.

### Transportation Planning Rule

The Transportation Planning Rule (the “TPR”), set forth in OAR 660-012-0060, is substantively addressed under criterion 5, below. As explained therein and on **Exhibit 3**, the Application satisfies the TPR.

**(4) Proof of a significant change in a neighborhood or community or a mistake in the planning or zoning for the property under consideration, when relevant.**

RESPONSE: The Council can find that construction of the Webster Ridge Apartment complex was a significant change in the neighborhood. In order to be fully occupied, additional parking must be constructed onsite, making this Application absolutely necessary. Construction of the Apartment Complex also changed the development pattern of the area towards multi-family residential, which is an important, if not dominant, development type.

The Applicant does not contend that the Application is necessary to address a mistake in the zoning of the Property. The Application will allow the applicant to fully rent the existing apartment complex.

**(5) The property and affected area is presently provided with, or concurrent with development can be provided with, adequate public facilities, including, but not limited to, the planned function, capacity, and performance standards of the transportation system as adopted in the transportation system plan.**

RESPONSE: ~~The Property is adjacent to a fully-developed area which is complete with streets, water, sewer, and storm drainage facilities. These were evaluated as part of the Planning Commission's Design Review approval for the existing apartment buildings, City file no. Z0249-15-D.~~ In particular, that decision found that:

- Public right-of-way is adequate along Webster Road and full improvements are in pace for all expected modes of transport.
- The increased traffic volume created by the apartments was accommodated, as demonstrated by the following excerpt:

“Traffic volume expansion is expected to occur as a result of this development. This was discussed at the public hearing. Several area residents expressed concerns about traffic both prior to and at the public hearing on the matter. Applicant included a traffic study as part of their submittal. The PC finds that, though the development will cause increased traffic - the existing transportation network will continue to function at acceptable levels.”

Finally, the proposed re-designation will not require any new access points onto local streets; the sole access point for the parking expansion and Webster Ridge will remain on Webster Road.

For the above reasons, the Council can find that this criterion is met.

**(6) The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing and planned uses in the area, consistent with the Transportation Planning Rule (OAR 660-012-0060). Requirements of the State Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.**

RESPONSE: The TPR provides as follows:

8 – Applicant’s Findings of Fact and Conclusions of Law  
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“(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.”

The Applicant engaged Ms. Jessica Hajar of LancasterMobley to evaluate the impact of the Application on the City’s transportation infrastructure based on a “reasonable worst case” development scenario to determine whether the Application would “significantly affect” an existing or planned transportation facility. **Exhibit 3.** Ms. Hajar concludes that the Application will not “significantly affect” an existing or planned transportation facility, as excerpted from her analysis, below:

“Webster Road is classified as a Minor Arterial by the City of Gladstone, Clackamas County, and Metro, but classified as a Major Collector by ODOT. Since the proposed use of the applicant’s parcel will not result in an increase of trip impacts to nearby facilities, there is no change in the function, capacity, or performance standards of the transportation system.

\*\*\*

In order to ensure the transportation system is capable of accommodating the proposed zone change and potential traffic which could be generated with future redevelopment, a trip cap will be conditioned on the property to not allow site trip generation to exceed the current apartment development plan. The proposed development will include the construction of an accessory parking and recreational area, both of which are intended to serve the existing Webster Ridge Apartments and will not generate additional site trips.

Based on the above, subsections a) and b) are not triggered since the proposed zone change will not impact or alter the functional classification of any existing or planned facility and the proposal does not include a change to any functional classification standards. Since the proposed parking and recreational area will not

result in an increase in site trip generation, the proposed zone change will not degrade the performance of any existing or planned transportation facility below acceptable jurisdictional standards. Accordingly, subsection c) is also not triggered and Oregon's Transportation Planning Rule is satisfied."

As explained above, to ensure that the project does not generate additional trips onto Webster Road, the Applicant recommends that the following condition of approval attach to subject property:

**"No additional dwelling units shall be permitted on the portion of the subject property zoned MR."**

For the above reasons, the Council can find that the Application satisfies the TPR and that none of the measures in OAR 660-012-0060(2) are required.

### **B. Compliance with the Oregon Statewide Planning Goals**

Applicable Statewide Planning Goals are addressed below:

- Goal 1 – Citizen Participation

RESPONSE: Goal 1 requires local governments to implement procedures, including public hearings, which allow citizens to participate in land use decisions. The Application is subject to public notice and hearings before the Planning Commission and Council. For these reasons, the Council can find that the Application is consistent with Goal 1.

- Goal 2 – Land Use Planning

RESPONSE: Goal 2 requires local governments to enact and maintain comprehensive plans and land use regulations. The Council can find that the Application is consistent with Goal 2 because it follows the amendment procedures set forth in the GDC and is consistent with the relevant provisions of the Comprehensive Plan.

- Goal 10 – Housing

RESPONSE: The Council can find that the Application is consistent with Goal 10 for the same reasons that it is consistent with the City's acknowledged Housing Goals and Policies in the Comprehensive Plan, as explained above.

- Goal 11 – Public Facilities and Services

RESPONSE: The Council can find that the Application is consistent with Goal 11 for the same reasons that it is consistent with the City's acknowledged Public Facilities and Services Goals and Policies in the Comprehensive Plan, as explained above. The Council can also find that satisfaction of the Public Facilities criterion in GMC 17.68.050(5) demonstrates that the Application is consistent with Goal 11.

- Goal 12 – Transportation

RESPONSE: Plan and land use regulation amendments are reviewed for consistency with Goal 12 through the requirements of the TPR (OAR 660-012-0060). The TPR is addressed in detail above and in Ms. Hajar’s transportation analysis (**Exhibit 3**). As explained therein, the Application will not have a significant effect on an existing or planned transportation facility, and is therefore consistent with Goal 12.

### **III. CONCLUSION**

For the above reasons, the Council can find that the Application satisfies all applicable criteria for a Comprehensive Plan amendment from Low-Density Housing to High Density Housing and Zone Map Amendment from R7.2 to MR. The Council should approve the Application on that basis.



# LAND USE APPLICATION

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

A completed application includes the LAND USE APPLICATION and the items identified in the appropriate SUPPLEMENTAL APPLICATION.

- ✓ Please answer all questions. If a question is not applicable to your project, indicate "N.A."
- ✓ Incomplete applications will not be accepted for filing.
- ✓ All exhibits must be legible.

• FOR STAFF USE ONLY •

File No: 20149-20-D Other Related Permit Applications: \_\_\_\_\_  
 Pre-app: Staff \_\_\_\_\_ Date \_\_\_\_\_ Staff Member: Jay Fields MAR 30 2020  
 Date Received: 3/30/20 File 6510.00 Zone: MR  
 Hearing Date: \_\_\_\_\_ Comp. Plan: \_\_\_\_\_

Clackamas County  
Planning & Zoning Division

• APPLICANT INFORMATION •

PLEASE TYPE OR PRINT IN BLACK INK ONLY

## SECTION I. APPLICANT/ PROPERTY OWNER

NAME OF APPLICANT Stony Ridge, LLC  
 LAST FIRST  
 MAILING ADDRESS 14020 SE Johnson Creek Road, Suite 102 CITY Milwaukie ST OR ZIP 97267  
 APPLICANT IS  LEGAL OWNER  CONTRACT BUYER  OPTION BUYER  AGENT  
 NAME OF CONTACT PERON (if other than applicant) Bob Sanders  
 MAILING ADDRESS OF CONTACT 14020 SE Johnson Creek Road, Suite 102, Milwaukie, Or 97267  
 PHONE NUMBERS OF: APPLICANT: WK 503.908.0563 HM \_\_\_\_\_ CONTACT PERSON: WK: 503.908.0563 HM \_\_\_\_\_  
 EMAIL OF APPLICANT: bob@htiollc.com  
 SITE ADDRESS: 18085 Webster Road, Gladstone, OR 97027 TOTAL LAND AREA: 1.64 acres  
 LEGAL DESCRIPTION: T \_\_\_\_\_ R \_\_\_\_\_ SECTION \_\_\_\_\_ TAX LOT(S) 22E17DC00701  
 ADJACENT PROPERTIES UNDER SAME OWNERSHIP: T \_\_\_\_\_ R \_\_\_\_\_ SECTION \_\_\_\_\_ TAX LOT(S) 22E17DC00700  
 Address: 18179 Webster Road, Gladstone, OR 97027

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

NAME	ADDRESS	ZIP	RELATIONSHIP
Pastor Sam Wilder,	Tri-City Baptist Temple of Milwaukie, Inc., 18025 Webster Road, Gladstone, OR 97027		Owner-Representative
Michael C. Robinson,	1211 SW Fifth Avenue, Suite 1900, Portland, OR 97204		Legal Representative

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.

Pastor Sam Wilder OWNER'S SIGNATURE Bob Sanders APPLICANT'S SIGNATURE

Pastor Sam Wilder OWNER'S NAME (Print) Bob Sanders APPLICANT'S NAME (Print)

*Pastor Sam Wilder*



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## **ZONE CHANGE/COMPREHENSIVE PLAN AMENDMENT SUPPLEMENTAL APPLICATION**

Describe the proposed zone change and, if applicable, Comprehensive Plan amendment:

See application narrative.

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How will granting the zone change/Comprehensive Plan amendment request fulfill a public need? \_\_\_\_\_

See application narrative.

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How is the public need best carried out by granting the requested zone change/Comprehensive Plan amendment and how is that need best served by granting the request at this time?

See application narrative.

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How is the requested zone change/Comprehensive Plan amendment consistent with the Comprehensive Plan and Metro's Functional Plan?

See application narrative.

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When relevant, provide proof of significant change in a neighborhood or community or a mistake in the planning or zoning for the property under consideration.

See application narrative.

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Explain how the property and affected area are presently provided with, or concurrent with development can be provided with, adequate public facilities, including, but not limited to, transportation systems.

See application narrative.

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**(Use additional sheets to answer questions if necessary)**

## OWNER INFORMATION

Pastor Sam Wilder  
Tri-City Baptist Temple of Milwaukie, Inc.  
18025 Webster Road  
Gladstone, OR 97027  
Telephone: 971-227-2051  
Email: [sam@tcbt.or](mailto:sam@tcbt.or)

March 27, 2020

**Michael C. Robinson**  
Admitted in Oregon  
T: 503-796-3756  
C: 503-407-2578  
mrobinson@schwabe.com

**VIA E-MAIL AND VIA EXPRESS MAIL**

Ms. Joy Fields, AICP  
Senior Planner  
Clackamas County Department of Transportation and Development  
Planning and Zoning Division  
150 Beavercreek Road  
Oregon City, OR 97045

RE: Application by Stony Ridge, LLC for a Post-Acknowledgement Plan Amendment and Zone Map Amendment to Change the Existing Low-Density Housing Comprehensive Plan Designation and R-7.2 Zoning to High-Density Housing and MR Zoning for Property Identified as Tax Lot 701 of Clackamas County Assessor's Map 2-2E-17DC

Dear Ms. Fields:

This office represents Stony Ridge, LLC, the applicant. Please find enclosed with this letter the following:

- A completed City of Gladstone "Land Use Application" form signed by the property owner;
- A check made payable to the City of Gladstone in the amount of \$6,510.00 as the applicable fee for a Comprehensive Plan map and zoning map amendments application;
- One copy of the application packet, including the narrative addressing the applicable approval criteria and exhibits; and
- A electronic version of the Word document containing the application narrative and PDFs of the application exhibits will be sent via email.

Mr. Bob Sanders and I are the applicant's representatives. Please provide us with the City's determination of completeness on the application.

We look forward to working with you on this application.

Ms. Joy Fields, AICP  
March 27, 2020  
Page 2

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michael C. Robinson".

Michael C. Robinson

MCR/jmhi  
Enclosures

cc: Mr. Hans Thygeson *(via email) (w/enclosures)*  
Mr. Bob Sanders P.E. *(via email) (w/enclosures)*  
Ms. Jessica Hajar *(via email) (w/enclosures)*  
Mr. Garrett H. Stephenson *(via email) (w/enclosures)*

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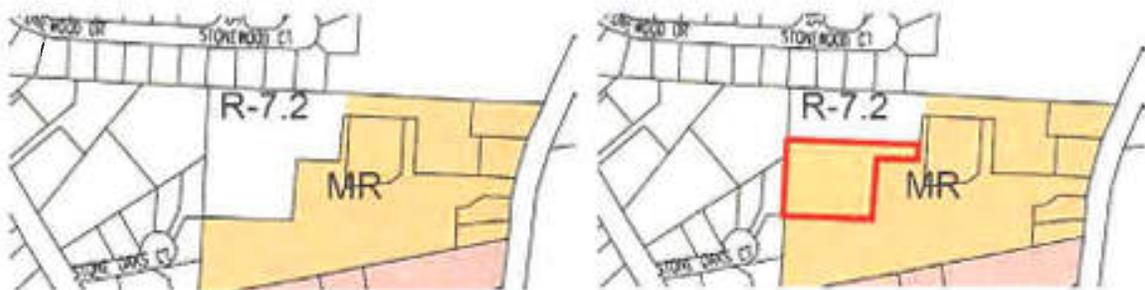
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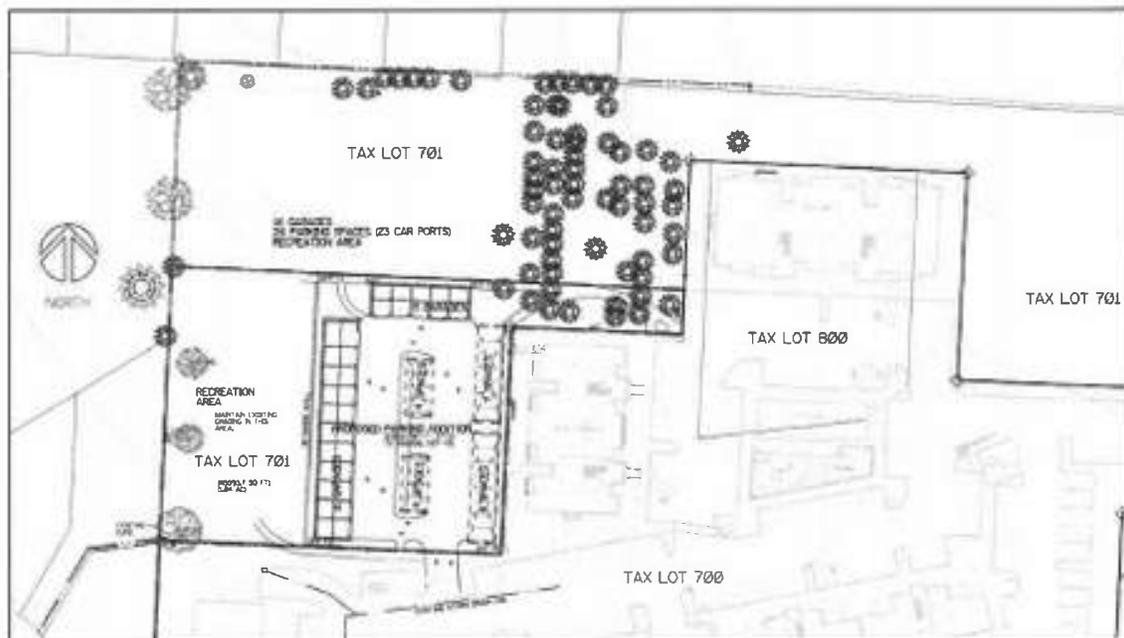
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The applicant seeking a zoning map change pursuant to the provisions of GMC Section 17.68.010 must show by a preponderance of the evidence all of the following, unless otherwise provided for in this title:

**(1) Granting the request fulfills a public need; the greater departure from present development policies or land use patterns, the greater the burden of the applicant.**

RESPONSE: The Webster Ridge Apartment Complex is not fully occupied due to the lack of parking addressed by the Application. The Application will increase the supply of parking to the existing Webster Ridge Apartments complex, which will allow occupation of 16 currently-unoccupied units in the apartment complex, which have not been rented due to a shortage of available parking. Increasing parking will also reduce the need to tow parked cars parked in the wrong spaces. Finally, the Application will increase the availability of recreational/open space to Webster Ridge residents and by extension, increase the health and wellbeing of the City's residents.

A buildable land inventory ("BLI") and a preliminary housing needs analysis ("HNA") was completed by ECONorthwest in September 2019. It is not clear whether this BLI or HNA have been adopted. The BLI identified only 0.2 acres of buildable High-Density Residential land in Gladstone.<sup>1</sup> The Property is identified as "Partially Vacant" in the BLI, as demonstrated by the following map (see HNA Report at 144):

Gladstone's preliminary HNA concluded that, as the bulk of its residential land is designated for low density housing, higher density housing is critically important. Ultimately, the HNA report calculates that the High-Density Residential designation has a deficit capacity of 80 dwelling units, meaning there is a deficit of three acres of High-Density Residential land in Gladstone. The HNA Report goes on to recommend that the City "identify opportunities to address the housing deficits of Medium and High Density Residential." HNA Report at 319. The Application would re-designate approximately 1.04 acres of Low-Density Residential land to High-Density Residential, increasing the City's inventory of High-Density Residential land.

The most recent *adopted* housing needs analysis for Gladstone was completed in April, 1979 along with the Comprehensive Plan. It is mostly based on 1975 data. While the methodology at that time did not seek to identify a specific amount of additional land the multifamily housing category, it identified a need for additional multifamily units for all income levels except for the highest (which, at the time, meant incomes exceeding \$6,000/year).<sup>2</sup> This supports the general premise that Gladstone has a need for additional multifamily units. Similarly, the Comprehensive Plan itself explains that "another need is for more multi-family units close to potential mass transit corridors or stations, and near commercial centers." Comp. Plan at 7.

With the proposed condition of approval prohibiting additional dwelling units on the subject property, the Application will neither increase nor decrease the City's supply of *buildable* High-Density Residential land. It will, however, facilitate occupancy of 16 available multi-family

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<sup>1</sup> ECONorthwest, Clackamas County HNA Report 143 (September 2019), available at <https://dochub.clackamas.us/documents/drupal/c1526329-f9c4-4281-af84-1c58d8a5e15f> (hereinafter, "HNA Report").

<sup>2</sup> See Gladstone Comprehensive Plan, Inventory and Analysis B-27 (April 1979), available at [https://www.ci.gladstone.or.us/sites/default/files/fileattachments/community/page/4591/gladstone\\_comp\\_plan\\_inventory\\_analysis.pdf](https://www.ci.gladstone.or.us/sites/default/files/fileattachments/community/page/4591/gladstone_comp_plan_inventory_analysis.pdf).

units in the City, which is consistent with the need shown in both the 1979 and 2019 housing needs analyses.

For the above reasons, the Council can find that the Application meets this criterion.

**(2) The public need is best carried out by granting the petition for the proposed action, and that need is best served by granting the petition at this time.**

RESPONSE: The Council can find that the public need is best carried out by approving the Application because it will provide an immediate increase in the number of dwelling units within Webster Ridge that can be occupied and thereby increase the supply of housing.

The Applicant is aware of no other pending proposals before the City for designation of additional multi-family land. In light of the urgent need for additional affordable housing and middle-income housing, the Council can find that the public need discussed above is best carried out by granting the petition at this time.

**(3) The proposed action is consistent with the comprehensive plan and Metro's Functional Plan (Metro Code 3.07), and the Transportation Planning Rule (OAR 660-012-0060).**

RESPONSE: The Council can find that the Application satisfies all applicable goals and polices, and the Transportation Planning Rule, for the reasons below:

**Comprehensive Plan Policies**

▪ Land Use Planning

RESPONSE: The Application is consistent with the Land Use Planning Goal because it directly furthers Policy 5, which is to “allow housing types ranging from low to high density units, providing for variation in the design of housing units.” It does so by allowing complete occupation of all residential units currently built within the Webster Ridge Apartments. As the Property will be accessed by Webster Road, which is designated a Minor Arterial, the Application is consistent with the residential goal that “high density residential should be located near [...] collectors and minor arterials.

▪ Housing

RESPONSE: Gladstone's stated housing goal 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 a 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 Application is consistent with this goal because, by allowing 16 additional units in the existing apartment complex to be occupied it is increasing the housing options in the City. On the other hand, the proposed redesignation area is not accessible by surrounding local streets and

the development proposed thereon will be buffered by an undeveloped recreational area. Therefore, it preserves the integrity and identity of the surrounding neighborhood.

The Application is also consistent with the following policies:

- Policy 2: “Promote the development of high density housing around commercial and/or industrial centers served by mass transit transfer stations.”

The Application is consistent with this policy because Webster Road offers a number of TriMet bus stops nearby—including northbound and southbound Webster and Cason stops, as well as a stop at the 1800 block of Webster Road—and Webster Road provides direct link to the City’s commercial core via Oatfield Road. TriMet bus lines 31 and 32 also have stops nearby on Oatfield Road. Finally, Webster Road features a number of other multifamily developments, a retirement community, and a medical center.

▪ Transportation

RESPONSE: Gladstone’s stated transportation goal is to “promote a safe, efficient and convenient multi-modal transportation system that emphasizes mass transit and a street circulation pattern designed to serve people first.”

The Application is consistent with this goal because it increases density along an existing high-capacity transit route. In so doing, it also furthers the following policies:

- Policy 1: “Promote decreased reliance on the private automobile.”
- Policy 3: “Encourage and facilitate high-density residential development within walking distance (1/4 to 1/3 mile radius) from commercial districts in order to support future plans for rapid bus and/or light rail transit.”

Note also that Policy 3 requires as an implementation measure: “Revise Gladstone Zoning Ordinance to allow for high density residential development consistent with Policy 3 above.”

▪ Economy

RESPONSE: The Application is for housing and therefore, the Council can find that the Economy goal is not applicable. However, in the alternative the Council can find that the Application is consistent with this goal because it approval will result in additional construction activity and increase the overall availability of housing in Gladstone.

▪ Natural Resources

RESPONSE: The Council can find that this goal is not applicable because there are no protected natural resources on the Property.

- **Public Facilities and Services**

RESPONSE: The Council can find that Application is consistent with this goal because, as explained above, the Application would increase dwelling unit density in an area served by high-capacity public facilities and services.

- **Growth Management**

RESPONSE: The Application does affect the Portland Metropolitan Urban Growth Boundary. For this reason, the Council can find that this goal does not apply.

### Comprehensive Plan Conclusion

For the above reasons, the Council can find that the Application is consistent with all applicable goals and policies of the Gladstone Comprehensive Plan.

### Metro Urban Growth Functional Plan Policies

- **Title 1: Housing Capacity**

RESPONSE: Title 1 requires “each city and county to maintain or increase its housing capacity.” The Application would result in a potential increase in dwelling unit density in the City based on zoning and does not propose a change the minimum density required in the MR Zone. For these reasons, the Council can find that the Application is consistent with Title 1.

- **Title 3: Water Quality and Flood Management**

RESPONSE: Title 3 applies to (1) development in Water Quality Resource and Flood Management Areas and (2), development which may cause temporary or permanent erosion on any property within the Metro Boundary. The Property is not located within a Water Quality Resource or Flood Management Area. Title 3 does not apply to the Application.

- **Title 4: Industrial and Other Employment Areas**

RESPONSE: The Property is not located within an identified Industrial or Employment Area as established on Metro’s maps. Title 4 does not apply to the Application.

- **Title 6: Centers, Corridors, Station Communities and Main Streets**

RESPONSE: According to Metro’s Title 6 Map, the Property is not located within an adopted Central City, Regional Center, or Town Center boundary, or station community. It is also not located within the unadopted, conceptual Gladstone Town Center. Title 6 does not apply to the Application.

- **Title 7: Housing Choice**

RESPONSE: Title 7 establishes voluntary affordable housing production goals for the cities and counties within Metro. It also requires cities and counties within Metro to:

- (a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.
- (b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.
- (c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing.

Title 7 is on the one hand a voluntary mandate and on the other, a requirement for local governments to engage in certain types of comprehensive planning. Therefore, it does not apply to the Application.

- Title 8: Compliance Procedures

RESPONSE: Title 8 requires that the City provide notice of this proposed plan and zone map amendment to Metro’s Chief Operating Officer as least 35 days prior to the first evidentiary hearing on the amendments. The Council can find that this requirement was satisfied through the land use application review procedures instituted by the City, as performed by Clackamas County Land Use Planning staff.

- Title 12: Protection of Residential Neighborhoods

RESPONSE: This Title provides that Metro may not require the City to increase the residential density in a City-designated neighborhood. While the Application would result in an increase in potential zoned density, it does not constitute a *required* increase in density and Title 12 does not preclude a City-approved increase in the density of its neighborhoods. Therefore, Title 12 does not apply to the Application.

- Title 13: Nature in Neighborhoods

RESPONSE: The Property does not contain any riparian areas or a designated Habitat Conservation Area. Title 13 does not apply to the Application.

### Metro Urban Growth Functional Plan Conclusions

For the above reasons, the Council can find that the Application is consistent with all applicable provisions of the Metro Urban Growth Functional Plan.

### Transportation Planning Rule

The Transportation Planning Rule (the “TPR”), set forth in OAR 660-012-0060, is substantively addressed under criterion 5, below. As explained therein and on **Exhibit 3**, the Application satisfies the TPR.

**(4) Proof of a significant change in a neighborhood or community or a mistake in the planning or zoning for the property under consideration, when relevant.**

RESPONSE: The Council can find that construction of the Webster Ridge Apartment complex was a significant change in the neighborhood. In order to be fully occupied, additional parking must be constructed onsite, making this Application absolutely necessary. Construction of the Apartment Complex also changed the development pattern of the area towards multi-family residential, which is an important, if not dominant, development type.

The Applicant does not contend that the Application is necessary to address a mistake in the zoning of the Property. The Application will allow the applicant to fully rent the existing apartment complex.

**(5) The property and affected area is presently provided with, or concurrent with development can be provided with, adequate public facilities, including, but not limited to, the planned function, capacity, and performance standards of the transportation system as adopted in the transportation system plan.**

RESPONSE: The Property is adjacent to a fully-developed area which is complete with streets, water, sewer, and storm drainage facilities. These were evaluated as part of the Planning Commission's Design Review approval for the existing apartment buildings, City file no. Z0249-15-D. In particular, that decision found that:

- Public right-of-way is adequate along Webster Road and full improvements are in pace for all expected modes of transport.
- The increased traffic volume created by the apartments was accommodated, as demonstrated by the following excerpt:

“Traffic volume expansion is expected to occur as a result of this development. This was discussed at the public hearing. Several area residents expressed concerns about traffic both prior to and at the public hearing on the matter. Applicant included a traffic study as part of their submittal. The PC finds that, though the development will cause increased traffic - the existing transportation network will continue to function at acceptable levels.”

Finally, the proposed re-designation will not require any new access points onto local streets; the sole access point for the parking expansion and Webster Ridge will remain on Webster Road.

For the above reasons, the Council can find that this criterion is met.

**(6) The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing and planned uses in the area, consistent with the Transportation Planning Rule (OAR 660-012-0060). Requirements of the State Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.**

RESPONSE: The TPR provides as follows:

“(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.”

The Applicant engaged Ms. Jessica Hajar of LancasterMobley to evaluate the impact of the Application on the City’s transportation infrastructure based on a “reasonable worst case” development scenario to determine whether the Application would “significantly affect” an existing or planned transportation facility. **Exhibit 3.** Ms. Hajar concludes that the Application will not “significantly affect” an existing or planned transportation facility, as excerpted from her analysis, below:

“Webster Road is classified as a Minor Arterial by the City of Gladstone, Clackamas County, and Metro, but classified as a Major Collector by ODOT. Since the proposed use of the applicant’s parcel will not result in an increase of trip impacts to nearby facilities, there is no change in the function, capacity, or performance standards of the transportation system.

\*\*\*

In order to ensure the transportation system is capable of accommodating the proposed zone change and potential traffic which could be generated with future redevelopment, a trip cap will be conditioned on the property to not allow site trip generation to exceed the current apartment development plan. The proposed development will include the construction of an accessory parking and recreational area, both of which are intended to serve the existing Webster Ridge Apartments and will not generate additional site trips.

Based on the above, subsections a) and b) are not triggered since the proposed zone change will not impact or alter the functional classification of any existing or planned facility and the proposal does not include a change to any functional classification standards. Since the proposed parking and recreational area will not

result in an increase in site trip generation, the proposed zone change will not degrade the performance of any existing or planned transportation facility below acceptable jurisdictional standards. Accordingly, subsection c) is also not triggered and Oregon's Transportation Planning Rule is satisfied."

As explained above, to ensure that the project does not generate additional trips onto Webster Road, the Applicant recommends that the following condition of approval attach to subject property:

**"No additional dwelling units shall be permitted on the portion of the subject property zoned MR."**

For the above reasons, the Council can find that the Application satisfies the TPR and that none of the measures in OAR 660-012-0060(2) are required.

#### **B. Compliance with the Oregon Statewide Planning Goals**

Applicable Statewide Planning Goals are addressed below:

- Goal 1 – Citizen Participation

RESPONSE: Goal 1 requires local governments to implement procedures, including public hearings, which allow citizens to participate in land use decisions. The Application is subject to public notice and hearings before the Planning Commission and Council. For these reasons, the Council can find that the Application is consistent with Goal 1.

- Goal 2 – Land Use Planning

RESPONSE: Goal 2 requires local governments to enact and maintain comprehensive plans and land use regulations. The Council can find that the Application is consistent with Goal 2 because it follows the amendment procedures set forth in the GDC and is consistent with the relevant provisions of the Comprehensive Plan.

- Goal 10 – Housing

RESPONSE: The Council can find that the Application is consistent with Goal 10 for the same reasons that it is consistent with the City's acknowledged Housing Goals and Policies in the Comprehensive Plan, as explained above.

- Goal 11 – Public Facilities and Services

RESPONSE: The Council can find that the Application is consistent with Goal 11 for the same reasons that it is consistent with the City's acknowledged Public Facilities and Services Goals and Policies in the Comprehensive Plan, as explained above. The Council can also find that satisfaction of the Public Facilities criterion in GMC 17.68.050(5) demonstrates that the Application is consistent with Goal 11.

- Goal 12 – Transportation

RESPONSE: Plan and land use regulation amendments are reviewed for consistency with Goal 12 through the requirements of the TPR (OAR 660-012-0060). The TPR is addressed in detail above and in Ms. Hajar’s transportation analysis (**Exhibit 3**). As explained therein, the Application will not have a significant effect on an existing or planned transportation facility, and is therefore consistent with Goal 12.

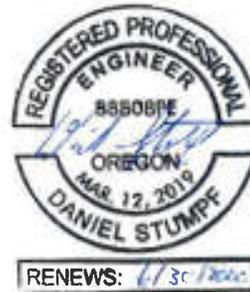
### **III. CONCLUSION**

For the above reasons, the Council can find that the Application satisfies all applicable criteria for a Comprehensive Plan amendment from Low-Density Housing to High Density Housing and Zone Map Amendment from R7.2 to MR. The Council should approve the Application on that basis.



## Memorandum

To: **Bob Sanders**  
From: **Jessica Hijar**  
Date: **March 19, 2020**  
Subject: **Webster Ridge Apartments Parking Expansion**



## Introduction

This memorandum is written to describe the proposed use of approximately 1.04 acres on Tax Lot 701 located at 18085 SE Webster Road, directly north of Webster Ridge Apartments, and address any City of Gladstone and State related transportation criteria for the application. The application includes an amendment to the City of Gladstone's comprehensive plan and zoning map by changing the applicant's portion of the property's zoning from Single Family Residential, R-7.2, to Single-Family Residential, R-5 (i.e. from Low Density Residential, LDR, to Medium Density Residential, MDR). While the applicant's portion of the property is proposed to be zoned for residential development, the application also includes a condition of approval limiting use of the rezoned portion of the property to accessory uses for the adjacent apartment complex.

Figure 1 presents an aerial image (from Gladstone Online mapping tool) of the application's vicinity with Tax Lot 701 highlighted in blue. The approximate area of the applicant's portion of the property is outlined in red.



Figure 1: Vicinity Map

## Project Description

The proposed development of the applicant's parcel will include the construction of 16 garages, 26 parking spaces, and a recreational area for residents of the existing Webster Ridge Apartment complex. The proposed use will not increase the number of residents at the Webster Ridge Apartment; rather, it will provide additional amenities to better accommodate tenants of the apartment complex. In addition, the added parking and recreational area will not be accessible to the general public and will be limited for use by the existing apartment residents.

In order to allow for the construction of the aforementioned parking and recreational area, the applicant's parcel will require a change in zoning from R-7.2 to R-5.

## Trip Generation & Distribution

The trip generation for the Webster Ridge Apartments, which was summarized in the *Gladstone Apartments Transportation Analysis Letter* (TAL) prepared by Lancaster Engineering in 2015, was based on the number of dwelling units. According to the TAL, the 122-unit apartment facility was projected to generate a total of 62 morning peak hour trips, 76 evening peak hour trips, and 812 average daily trips. Since the proposed project will not increase number of dwelling units, rather is intended to better accommodate the existing residents of the Webster Ridge Apartments, there will be no increase in site trip generation.

Access to the parking and recreation addition will be available via the existing Webster Ridge Apartment driveway at Webster Road. Therefore, no change in trip distribution will result from the additional site area.

## Approval Criteria

### Gladstone Zoning and Development Ordinance 17.68.050(5)

*"The property and affected area is presently provided with, or concurrent with development can be provided with, adequate public facilities, including, but not limited to, the planned function, capacity, and performance standards of the transportation system as adopted in the transportation system plan."*

Response:

Webster Road is classified as a Minor Arterial by the City of Gladstone, Clackamas County, and Metro, but classified as a Major Collector by ODOT. Since the proposed use of the applicant's parcel will not result in an increase of trip impacts to nearby facilities, there is no change in the function, capacity, or performance standards of the transportation system.

### Gladstone Zoning and Development Ordinance 17.68.050(6)

*"The transportation System is capable of safely supporting the uses allowed by the proposed designation in addition to the existing and planned uses in the area, consistent with the Transportation Planning Rule (OAR 660-012-0060). Requirements of the State Transportation Planning Rule shall apply to those land actions that significantly affect the transportation system, as defined by OAR 660-012-0060."*



March 19, 2020  
Page 2 of 4

Exhibit 3  
Page 2 of 4

**660-012-0060**

1. *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
  - a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
  - b) *Change standards implementing a functional classification system, or*
  - c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
    - A. *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
    - B. *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
    - C. *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

**Response:**

In order to ensure the transportation system is capable of accommodating the proposed zone change and potential traffic which could be generated with future redevelopment, a trip cap will be conditioned on the property to not allow site trip generation to exceed the current apartment development plan. The proposed development will include the construction of an accessory parking and recreational area, both of which are intended to serve the existing Webster Ridge Apartments and will not generate additional site trips.

Based on the above, subsections a) and b) are not triggered since the proposed zone change will not impact or alter the functional classification of any existing or planned facility and the proposal does not include a change to any functional classification standards. Since the proposed parking and recreational area will not result in an increase in site trip generation, the proposed zone change will not degrade the performance of any existing or planned transportation facility below acceptable jurisdictional standards. Accordingly subsection c) is also not triggered and Oregon's Transportation Planning Rule is satisfied.



## Conclusions

The proposed zone change of the applicant's parcel will not degrade the performance of any existing or planned transportation facility, provided the property is conditioned with a trip cap as to not exceed the proposed development's trip generation. The development of the 16 garages, 26 parking spaces, and a recreational area for residents of the existing Webster Ridge Apartment complex will not generate additional site trips. Accordingly, the TPR is satisfied, and no mitigation is necessary or recommended in conjunction with the proposed zone change.

If you have any questions regarding this technical memorandum, please don't hesitate to contact us.



**MEMORANDUM**

**DATE:** 03/17/2020  
**BY:** Craig Harris, PE *CHH*  
**SUBJECT:** Utility Narrative  
**PROJECT:** Webster Ridge Expansion  
**PROJECT NO.:** A15018.11

This memorandum is to outline the utility requirements for the Webster Ridge Expansion project located at 18121 Webster Road, Gladstone, OR. The project consists of adding additional covered parking and garages. As a result of this construction we will be adding impervious area to the site.

**STORM**

The existing site to be added is currently open field and therefore be required to meet the water quality and quantity requirements. This can be accomplished by either providing a localized facility or revising the existing stormwater system that is serving the existing apartment complex.

**SANITARY**

The proposed expansion is for car ports and garages and therefore will not require any sewer service. If sewer would be required in the future the project could tie into the existing sewer system that serves the existing apartment complex.

**Water**

The expansion should not require a domestic service unless a hose bib is needed. If a hose bib is desired the project could tap onto the existing domestic service that serves the existing apartment complex. The project will require fire sprinklers, this will be accomplished by expanding the existing onsite private fire line system.

# Appendix B

## Comments Received

**Archived:** Friday, July 17, 2020 3:41:28 PM

**From:** Patrick Sisul

**Sent:** Friday, July 17, 2020 3:32:06 PM

**To:** Fields, Joy

**Cc:** Jacque Betz; Jim Whynot; Fire Dist Gladstone Mike Funk

**Subject:** RE: Z0149-20

**Sensitivity:** Normal

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Warning: External email. Be cautious opening attachments and links.

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Hi Joy,

Engineering has the following comments.

1. Transportation impacts have been addressed with the memorandum from Jessica Hajar of LancasterMobley. The Transportation Analysis letter prepared by Lancaster Engineering in 2015 determined traffic related impacts of the entire 122-unit apartment complex and no additional units are proposed to be created by this proposal. The applicant is proposing a trip cap be conditioned upon the property to not allow site trip generation to exceed the current apartment development plan. With the proposed trip cap, the proposal will have no trip impacts beyond those already considered.
2. The applicant will be required to address how the proposal satisfies standards for storm water, sanitary sewer, domestic water, fire protection, and grading in greater detail with submittal of an application for Design Review.

Thank you,  
Pat

*Patrick A. Sisul, P.E.*

**SISUL ENGINEERING**

[www.sisulengineering.com](http://www.sisulengineering.com)

Gladstone: 503-657-0188 Medford: 541-227-6719 Vancouver: 360-696-3664 John Day: 541-575-3777

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**From:** Fields, Joy <JFields@clackamas.us>

**Sent:** Thursday, July 16, 2020 11:37 AM

**To:** Jim Whynot <whynot@ci.gladstone.or.us>; Patrick Sisul <patsisul@sisulengineering.com>; Fire Dist Gladstone Mike Funk <funk@ci.gladstone.or.us>

**Cc:** Jacque Betz <betz@ci.gladstone.or.us>

**Subject:** Z0149-20

Good morning,

Last January we had a pre-application meeting for the proposed improvements at the Webster Ridge Apartments. The first step of that project is a Comprehensive Plan amendment and change to the zoning map that will be heard by the City of Gladstone Planning Commission on August 18, 2020. I have attached the application for your review. Please let me know if you have any comments regarding the attached application, or if you do not have any comments at this stage. Additional land use applications will be coming in the future if this zone change is approved by both the Planning Commission and the City Council.

Please note that the attached does not include the additional evidence to support the need for additional parking and the timeliness of the application that the applicant provided on 6/25/2020. If you would like to see that additional information please let me know and I will send it to you.

I hope you all are well.

Sincerely,

Joy Fields, AICP, Sr. Planner  
Clackamas County DTD|Planning and Zoning Division  
150 Beaver Creek Road|Oregon City, OR 97045  
[JFields@clackamas.us](mailto:JFields@clackamas.us)

*The Planning and Zoning Division public service/permits lobby is open to the public Monday – Thursday from 9:00 am until 2:00 pm beginning June 22, 2020. The public service telephone line at 503-742-4500 and email account at [zoninginfo@clackamas.us](mailto:zoninginfo@clackamas.us) are staffed Monday through Thursday from 8:00 a.m. to 4:00 p.m. and Friday 8:00 a.m. to 3:00 p.m.*

The Clackamas County Department of Transportation and Development is dedicated to providing excellent customer service. Please help us to serve you better by giving us your [feedback](#). We appreciate your comments and will use them to evaluate and improve the quality of our public service.

**Subject:** 18179 Webster Rd, Webster Ridge Apartments. – Z0149-20-D

**Access:** Property access has not changed and additional residential dwelling units are not proposed. The applicant is proposing to expand parking capability and add garage spaces. The design of the newly developed space will need to meet OR Fire Code accessibility requirements.

**Water supply:** Water supply pressures have previously been a challenge on this development site. Applicant will need to ensure the sprinkler system expansion to the new garages does not adversely affect the existing systems.

**Other comments or concerns:**

The Fire Dept. does not have any comments related to any proposed zoning changes.

The Fire Dept. will need to approve the location of the FDC serving the new garage spaces.

The Fire Dept. recognizes and has witnessed parking problems in large apartment developments such as this. Gladstone Fire Dept. supports the developer's effort to keep fire lanes clear by adding additional parking space.

**Michael Funk**  
**Fire Marshal**  
**City of Gladstone**  
**Office: 503-557-2775**  
[funk@ci.gladstone.or.us](mailto:funk@ci.gladstone.or.us)

# CREATIONS NORTHWEST, LLC

CCB 181981

14020 SE Johnson Road, Suite 102

Milwaukie, OR 97267

503.908.0563

August 5, 2020

Ms. Joy Fields, AICP

Senior Planner

Clackamas County Department of Transportation and Development

Planning and Zoning Division

150 Beaver Creek Road

Oregon City, OR 97045

Re: City of Gladstone File No. 20149-20-D Concurrent Comprehensive Plan Amendment and Zoning Map Change, Tax lot 22E17DC00701– Neighbor contact

Dear Ms. Fields,

On July 13, 2020 I visited the neighboring properties that are adjoining the property we are looking to develop at 18085 Webster Road (Webster Ridge Apartments; Tax Lots 22E17DC00700 and 22E17DC00800). I was able to visit 4 of the 5 the neighbors who lived on Stonewood Drive and discussed with them our proposed land use action on the property located directly south of their houses. Currently the property belongs to the Tri-Cities Baptist Church.

1125 Stonewood Drive: I visited with Susan Strejan and her daughter Trish. Susan was glad to understand what was going on with the vacant property behind her house so she invited me into the backyard where we could have a better look at the property and point out to her what was being proposed. Susan was glad to know that there would be no lights that would reflect into her house and all the people cars would be screened by the buildings. Susan big concern was one of the porch lights on one of the existing buildings that shined into her bedroom window in the wintertime. I told her I would look into that issue and see if we could figure out how to keep the light from shining into her window at night.

1115 Stonewood Court: I was able to visit with Ronda Winters. They did not really have any questions and were glad that the buffer area was going to be retained behind their house.

1105 Stonewood Court: The homeowners were not home so I was not able to talk to them at this time.

182155 Stonewood Drive: Lucas Anderson came with his children to the door. I told him about the project, and he asked a couple of questions and said that the other neighbors had talked with the church. I asked for

his number so I could contact him again and see if he had any questions. He said he would not have any more questions and not to worry about contacting him again.

18205 Stonewood Drive. I knocked on the door and meet Tim Strecker. Tim was very supportive of the project. He was very glad that houses were not being built on the property behind his house. He brought up the point of turning the buffer area behind his house into a neighborhood park that could be used and shared with all the neighbors on the property that was being retained by the church. I told Tim I was supportive of that idea and willing to get on board with that idea and participate in some type of community use of the land that the church was retaining.

18200 Oatfield Road: I stopped by and was greeted in the yard by Kathy Kern's daughter who said Kathy was not home and to come back at another time. I made several calls over the last three weeks and talked to Kathy several times but was not able to set up a time that worked for both of us to get together.

On Monday July 20<sup>th</sup>, 2020 at 9:30 am I meet at Crossroads Coffee in Gladstone with Eddie Bazyuk, who lives at 18400 Stone Oaks Court in Gladstone. Eddie has done carpentry work for us in the past. I talked with Eddie about what we proposed doing on the adjoining lots. Eddie expressed concerns with the lights that shine from the delivery trucks that park in the fire lane when they deliver packages to residents in the apartments. Eddie talked about the wall he had to build to deal with the storm water runoff that drains onto his property from the church lot. He was glad to hear that we were taking all the storm water from the parking and garage expansion out to Webster Road. He was also glad that the garages would block the lights from the cars in the parking expansion area.

August 3, 2020, at around 8:30 am: I once again stopped by the houses on Stonewood Court to see if they had any questions. My first visit was with Susan Strejun at 1125 Stonewood Court. Susan came to the door and I asked her if she had any other questions or concerns. She said she did not and I told her we were addressing the light that shines into her bedroom window.

I next talked to Cindy Rurey in her front yard who lives at 1105 Stonewood Court. Cindy said that they had visitors and were on the back deck when I had stopped by before, so they did not come to the door. Cindy said, Nels, her husband, had talked to the pastor at the Baptist church early and that while they did not like the development that they would not fight it because they thought that it was the best possibility of a bad situation. Cindy let me know that she had been opposed to the apartments when they were built and if she felt the need would oppose this project. She stated that our existing apartment project outside of occasional car head lights was not a bother and far better than she had expected. I told her one of the benefits of our project was that the garages would block car headlights and that we would also be fencing the property.

I knocked on the door at 1115 Stonewood Court. Rhonda Winters opened the door and said that she and Robert had no other questions from when we first meet. She also stated that some of the neighbors had meet with the church pastor about what was happening. I asked her if she still had my number and to call me if she had any questions. She said they would.

I then saw Tim Strecher in his front yard at 18205 Stonewood Drive and greeted him. Tim remembered my first name and gave me a very warm greeting. He said they had talked with the church pastor and they were still thinking of how they could make the buffer area behind them into a community park. Talking with the neighbors their desire is to turn the buffer area into a community garden,

From there I stopped at 18200 Oatfield Road and was able to finally connect with Kathy Kern and discuss the project. Kathy stated that she had no objection to what we were proposing and had discussed our project with

her neighbor Eddie and felt like she could be on board with the project. One of her questions was what how we were accessing the area that we were developing and how the stormwater was treated. She also suggested that we go and visit her brother and sister-in-law next door at 18300 Oatfield.

Bill and Lisa Prevble live at 18300 Oatfield Road. They were very glad I stopped by and we discussed the project in detail. They were interested in knowing where the access would be into the development area and that we would be treating the storm water and taking it out to Webster Ridge. They thanked me for the support and cooperation of the Webster Ridge neighbors with the "friends of Gladstone park.

In summary, I received feedback on our proposal that there is a collective sense of real relief that three-story apartments were not going to be built right next to their houses. The proposed parking and one-story garages surrounding the parking to screen the car head light was much more receptive to all the adjacent neighbors. Several neighbors commented that they had spoken with the church Pastor about using the remaining vacant church property as an open space park for use by the adjacent property owners. The pastor confirmed the contact he had with the neighbors and their request to access the vacant church parcel. The pastor is concerned about liability and does not want the neighbors to use the church property.

Sincerely,

A handwritten signature in cursive script, appearing to read "Han Thygeson", with a long horizontal line extending to the right.

Han Thygeson, Owner, Manager  
Creations Northwest, LLC  
Stony Ridge, LLC  
Webster Ridge Apartments