



## Meeting Minutes

**November 13, 2024 | Regular Meeting**

Troutdale Police Community Center – Kellogg Room  
234 SW Kendall Ct, Troutdale, OR 97060

### 1. Call to Order, Roll Call, & Pledge of Allegiance

Chair Staffenson called the meeting to order at 7:00 p.m.

**Commissioners Present:** Chair (Staffenson), Allen, Leamy, Minkoff, and Wilcox

**Commissioners Absent:** Vice Chair Prickett, and Andrews

**City Staff Present:** Erika Palmer, Community Development Director, and Nik Ramstad, Assistant Planner.

### 2. Public Comment on Non-Agenda Items

None

### 3. Public Hearings

a. LU-0014-2024 VAR, SDR – Cherry Park East Apartments. This is a Type III quasi-judicial hearing. Mr. Staffenson read a description of the public hearing procedure.

Staff Report—The applicant has submitted a revised plan that includes a 20-foot parking setback instead of the original 10-foot setback. The revised plan now complies with the code and, therefore, does not require a variance. The revisions also eliminate two parking spaces from the project. The total parking space count, as proposed, is 43 for the 15-unit property. The applicant requests that the two variances, as originally proposed, be reviewed and approved.

#### Applicant Testimony

Tracy Brown 17075 Fir Dr in Sandy, OR 97055. Mr. Brown stated that the applicant has reduced the number of parking spaces by two. The project will provide 43 spaces. Mr. Brown presented “Halstead Presentation” slides of the Cherry Park Apartments to help

explain and build his case. "The two requested variances are warranted given site conditions and constraints, and their approval will result in a better and more functional development design."

Public Testimony:

Opponents

**Kathy Jones** @ 1495 SW Wright PL in Troutdale referenced the recent Troutdale Champion article highlighting construction for enhanced pedestrian crossing and bike lanes on SW 257th. Traffic on SW 257<sup>th</sup> is the most heavily traveled Multnomah Road in Troutdale, and around 3:30 PM, the southbound traffic backs up clear down the hill. "When we add crosswalks and bike lanes, it causes distractions for drivers." Adding an apartment complex will make traffic conditions even worse. The main concern is the recreational area proposed on the site. Their house is directly behind the recreational area and resale opportunities could be limited if no one wants to purchase a home behind a party area. Is subletting allowed in the unit? Will smoking be allowed outside in designated areas? Who is responsible for issues that arise with rule breakers and noise?

**Travis Perala** @ 1320 SW 257<sup>th</sup> wanted clarification on how his concerns apply to the Troutdale code. Also, for injurious harm, a non-biased realtor needs to state what the impact could be if the requested variances were approved. Will our property values drop? It makes sense to keep the chain link fence, which is a stronger wind-resistant fence than a wood fence. Why doesn't the applicant build fewer units on the north side to have a larger setback space?

**JoAnne Newland** @ 1460 SW 257. Ms. Newland stated she has an issue with any potential dog park and noise coming from the recreational area. Renters will cause fatal fires and extreme noise which is detrimental to the community.

Proponents

None

Neutral Parties

None

Applicant Clarification / Rebuttal

Mr. Brown responded that Multnomah County granted access to 257<sup>th</sup> and that the best fence for the project is a wooden 6-foot tall, good neighbor fence. If you go out there today, there are four different fence types. The applicant will work with neighbors to find a good solution.

### Closure of Hearing

Leamy motioned to close the public hearing. Allen seconded. Motion passed. 5:0

### Planning Commission Deliberation

The applicant is maximizing the density of the lot size, which is 15 units, and staff clarified that the Commission could add a condition of approval that the project cannot exceed the maximum density of 15 units. Staff stated that this condition would be reviewed at the time of building permit submittal to ensure compliance. Staff proposed the following condition of approval, "At the time of building permit submittal, the applicant's submittal may not exceed 15 residential units." Chair Staffenson thinks that the shape of the lot is not a hardship. He sees the benefit to the community is the ample parking the applicant is providing. Commissioner Minkoff reiterated that the land is zoned for multi-family use and has existed for some time.

### **Public Hearing – Re-Opened**

#### **a. LU-0014-2024 VAR, SDR – Cherry Park East Apartments.**

Mr. Brown shared that the wood fence was proposed for consistency among adjacent properties and says it is easiest to maintain. The chair suggested changing the language to allow flexibility for other potential fence ideas neighbors may suggest.

### Motion

Leamy motioned to close the public hearing. Allen seconded. Motion passed. 5:0

### Planning Commission Deliberation

Commissioner Wilcox raised two concerns he has with the application. The first is that the site plan included 16 dwelling units, while the maximum density allowed is 15 units. The second concern is the exterior staircase for unit # 205. The uncovered staircase creates a tenant safety hazard but understands that the commission doesn't have control of this issue. Director Palmer stated that the commission could consider adding a condition of approval that states, at the time of building permit submittal, the application cannot exceed 15 residential units to ensure that the development does not exceed density standards. The commission added this condition. Chair Staffenson proposed a condition of approval for the applicant to work with neighbors on a good neighbor fence.

### Motions

Allen motioned to approve the two variances for LU-0014-2024 as submitted. Leamy seconded. The applicant is requesting two variances. The first variance is to reduce the northern side yard setback by 25% (from 20 feet to 15 feet). The second variance is to reduce the size of the required private outdoor space for all upper-level units by 30% (from 60 square feet to 42 square feet).

Motion passed. 5:0

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Allen motioned to approve the two amended Conditions of Approval for LU-0014-2024, and Leamy seconded. The first amended conditions is the applicant coordinating with adjacent neighbors in regards to building materials of the proposed fence along the northern, eastern, and southern property lines. The second amended condition is the applicant shall submit revised floor plans that clearly distinguish between habitable and uninhabitable space, so as to meet the maximum density requirement of 15 dwelling units per the Multifamily Maximum Density and Lot Size regulations of the TDC 3.130 (E)(6).

Motion passed. 4:1

Allen motioned for approval of the Finding of Fact Final Order and Decision for LU-0014-2024, and Leamy seconded. Motion passed. 4:1

#### 4. Downtown Parking Study Presentation

- a. Due to illness, the presentation will be given next month.

#### 5. Staff Communications

Next month, staff will provide an update on CFEC and a parking study presentation. In January, the commission can discuss goals for the new year. The Council will hold the second reading and adoption of the Development Code omnibus on December 10, 2024.

#### 6. Commissioner Comments

Commissioner Wilcox, campaign signs were an issue this year. What are the next steps with the marijuana ballot measure that failed? Staff responded that when the election is certified, staff will propose modifications to allow facilities as a conditional use permit with specific standards. The process will go through the hearings process.

Chair Staffenson- Commissioner Leamy is leaving for Council, so the commission alternate will join PC in January.

#### 7. Adjournment

*Motion: Commissioner Allen moved to adjourn the meeting, and Commissioner Minkoff seconded. Motion passed. 5:0*