



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, OR 97301-2540

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www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

February 28, 2007



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Gresham Plan Amendment
DLCD File Number 007-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: March 19, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Stacy Humphrey, DLCD Regional Representative
Matthew Crall, DLCD Transportation Planner
Larry Ksionzyk, DLCD Community Development Planning Specialist
Ken Onyima, City of Gresham

<paa> ya/phone

FORM 2

DEPT OF

DLCD NOTICE OF ADOPTION FEB 27 2007

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18
(See reverse side for submittal requirements)

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Gresham

Local File No.: PMA 06-26000282

(If no number, Use none)

Date of Adoption: 2/20/07

Date Mailed: 2/26/07

(Must be filled in)

(Must be filled in)

Date the notice of Proposed Amendment was mailed to DLCD: 11/22/06

☐ Comprehensive Plan Text Amendment

☒ Comprehensive Plan Map Amendment

☐ Land Use regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use regulation

☐ Other: _____

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Plan Map Changed from: LI to: CC

Zone Map Changed from: _____ to _____

Location: 2035 NE 181st

Acres Involved: Approx. 1.48 acres

Specify Density: Previous: NA

New: NA

Applicable Statewide Planning Goals: Goal 9, Economic Development

Was an Exception Adopted? Yes: ☐

No: ☒

DLCD # 007-06 (15706)

Yes: X No:

Yes: _____ No: _____

Yes: _____ No: _____

Metro

Area Code + Phone Number: 503) 618-2521

City: Gresham, OR

Zip Code + 4: 97030-3825

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** of the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the “notice of Adoption” is sent to DLCD.
6. In addition to sending the “notice of Adoption” to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

BEFORE THE CITY COUNCIL OF THE
CITY OF GRESHAM

IN THE MATTER OF AMENDMENTS TO	)	Order No. 594
GRESHAM COMMUNITY DEVELOPMENT PLAN	)	
MAP FROM LIGHT INDUSTRIAL USE (LI) TO	)	PMA 06-26000282
COMMUNITY COMMERCIAL (CC) (MICHAEL'S	)	
FINE FURNITURE PROPERTY)	)	
	)	

On February 6, 2007, the City Council held a public hearing to take testimony on an amendment to the Gresham Community Development Plan Map to change the land use designation on a 1.34-acre portion of 1N3E30D Tax Lot 503 and the northerly 24.87 feet by 243.11 feet of Tax Lot 600, for a total of 1.48 acres, from Light Industrial Use (LI) to Community Commercial (CC). The remainder of the parcel will continue to be designated as Moderate Commercial (MC).

The hearing was conducted under Type III procedures. Mayor Shane T. Bernis presided at the hearing.

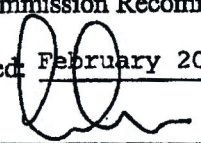
The Council closed the public hearing and approved the proposed amendments at the February 6, 2007 meeting, and a decision was made at the February 20, 2007 meeting.

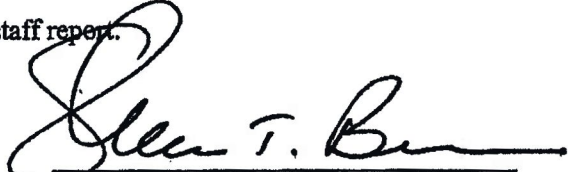
The northerly 24.87 feet by 243.11 feet of Tax Lot 600 is also Light Industrial Use but was not included in the application for a plan map amendment due to an oversight.

A permanent record of this proceeding is to be kept on file in the Gresham City Hall, along with the original of the Order.

The Council orders that this amendment is approved, including the northerly 24.87 feet by 243.11 feet of Tax Lot 600, and adopts the findings, conclusions, and recommendations as stated in the attached Planning Commission Recommendation Order and staff report.

Dated: February 20, 2007


City Manager


Mayor

**BEFORE THE PLANNING COMMISSION OF THE
CITY OF GRESHAM**

TYPE III RECOMMENDATION ORDER PMA 06-26000282

A public hearing was held on January 8, 2007, to consider a proposed Plan Map amendment from **Light Industrial (LI) to Community Commercial (CC)** on a 1.34-acre portion of a 2.81-acre site (**Michael's Fine Furniture**). The site is located at 2035 NE 181st, and is also described as State ID# 1N-3E-30D #503, Willamette Meridian, Gresham, Oregon.

The Planning Commission closed the public hearing at the January 8, 2007 meeting, and a final recommendation was made at the January 8, 2007 meeting.

Pat Speer, Vice-Chairperson, presided at the hearing.

A permanent record of this proceeding is to be kept on file in the Gresham City Hall, along with the original of this Type III Plan Map Amendment Recommendation Order.

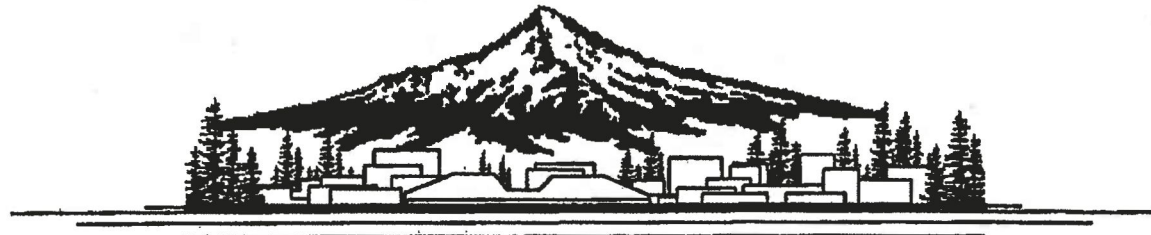
The Planning Commission recommends **Approval** of the proposed Plan Map amendment to the City Council and adopts the findings, standards, conclusions and recommendations in the December 29, 2006 staff report with the following exceptions/amendments:

NONE



Chairperson
1-8-07

Date



*Community and Economic Development Department
City of Gresham*

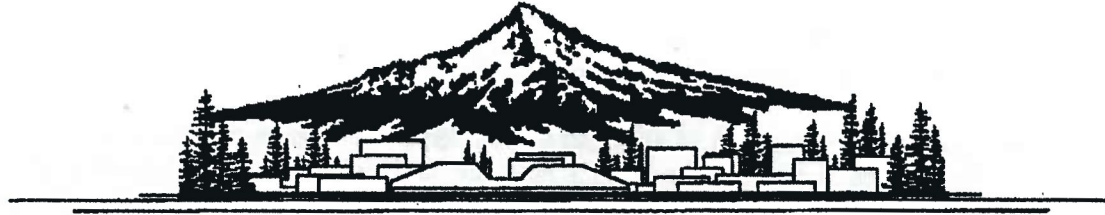
**ADDENDUM TO STAFF REPORT
TYPE III PLAN MAP AMENDMENT**

TO: Gresham City Council
FROM: Ken C. Onyima, AICP, Senior City Planner
HEARING DATE: February 6, 2007
FILE NUMBER: PMA 06-26000282
APPLICANT: Michael's Fine Furniture

RE: Clarification of properties involved in the above referenced Plan Map Amendment

In the Staff Report of January 8, 2007 to the Planning Commission, it was noted that a total of 1.34 acres was involved in the PMA from LI to CC whereas the actual acreage involved is 1.48 acres. This additional 0.14 acres represents the northerly 24.87' by 243.11' of Tax Lot 600 that is also currently designated LI.

This information was presented to the Planning Commission at the January 8, 2007 hearing, and their recommendation to the City Council included this piece after determining that the inclusion of the piece will not affect the decision to be made.



*Community and Economic Development Department
City of Gresham*

**STAFF REPORT
Proposed Michael's Fine Furniture Plan Map Amendment**

HEARING DATE: January 8, 2007

REPORT DATE: December 29, 2006

TO: Gresham Planning Commission

FROM: Ken C. Onyima, AICP, Senior City Planner

FILE NUMBER: PMA 06-26000282

PROPOSAL: The proposal is for a Plan Map Amendment from Light Industrial Use (LI) to Community Commercial (CC) on Tax Lot 503 Section 1N3E30D comprising a total of 2.81 acres [1.34 acres in LI and 1.47 acres in Moderate Commercial (MC)] north of Michael's Fine Furniture Showroom, 2035 NE 181st Avenue. The amendment involves only the 1.34 acres, while the 1.47-acre portion will continue to be designated MC.

APPLICANT: Michael To

REPRESENTATIVE: Suzanne Baker, PO Box 166 Goldendale, WA 98620

LEGAL DESCRIPTION: Section 1N 3E 30D Tax Lot 503

LOCATION: 2035 NE 181st Avenue (NW Corner of SE 181st and San Rafael)

EXHIBITS: A. Vicinity Map
B. Applicant's Narrative

RECOMMENDATION: Staff recommends that the Planning Commission recommend adoption of this Plan Map amendment to the City Council.

I. BACKGROUND INFORMATION

A. DESCRIPTION OF PROPOSAL AND HISTORY

The proposal would change 1.34 acres out of 2.81 acres that make up this split zone property (58,370.4 square feet) from the current land use designation of Light Industrial (LI) to Community Commercial (CC). The remaining 1.47 acres currently designated Moderate Commercial will remain as such. The LI designation generally allows for industrial type uses with limited commercial opportunity. The CC designation allows for a wide range of community-scale commercial uses, including retail, services, and offices. It also permits housing as a secondary use, with attached dwellings being developed in conjunction with commercial construction.

The property is located west of NE 181st Ave. between NE San Rafael and I-84. The site is bordered by commercially designated properties to the north and south. To the west and southwest are LI properties. NE 181st Ave. completes the eastern boundary with Heavy Industrial properties beyond.

The site was a subject of a recent land use applicant approval for a warehouse, office and retail use (DRMIN 05-00005958) for Michael's Fine Furniture subject to the limitations of the LI district. The applicant has pointed out that the proposed change in designation is being pursued in order to allow for the use of the site by Michael's Fine Furniture to grow his furniture retail business beyond what the LI district allows. Since this property is currently designated LI, retail sales in the magnitude that the applicant intends would not be a permitted use. However, retail sales use and all permitted uses allowed in the CC designation would be permitted if this Plan Map Amendment were to be approved.

B. EXECUTIVE SUMMARY

The proposed CC designation meets all three of the City's criteria for Plan Map amendments. This proposed change would not create a significant impact to the amount of Light Industrial lands in the City, as the amount of property involved is not significant. Also the fact that all properties along that frontage of NE 181st Ave. are designated either CC or MC makes the proposal more in line with the abutting properties. The Community Design and Economic Development Policies would be promoted because the proposed change in designation is supportive of an existing urban use while putting to use an underutilized piece of property in the LI district.

Based on these and other findings contained in this report, staff has recommended adoption of the proposed CC designation.

II. APPLICABLE COMMUNITY DEVELOPMENT CODE PROCEDURES

- | | |
|--------------------------------|---|
| A. Section 11.0204 | Type III Procedures |
| B. Section 11.0101 | Development Permit Application |
| C. Section 11.0213-0214 | Referral and Review of Development Permit Application |
| D. Section 12.0000 | Community Development Plan Map Amendments |

III. APPLICABLE COMMUNITY DEVELOPMENT PLAN POLICIES

- | | |
|----------------------------|---------------------------------------|
| A. Section 10.311 | Residential Land Use |
| B. Section 10.312 | Commercial Land Use |
| C. Section 10.319.1 | Transit Corridor Plan Area |
| D. Section 10.320 | Transportation Systems |
| E. Section 10.321 | Traffic ways |
| F. Section 10.330 | Public Facilities and Services |
| G. Section 10.413 | Community Design |
| H. Section 10.414 | Economic Development |

IV. FINDINGS OF FACT

The proposed plan map amendment is consistent with all applicable criteria and policies of the Community Development Plan, as indicated in the following findings:

A. COMMUNITY DEVELOPMENT CODE PROCEDURES

1. **Section 11.0101 - Development Permit Application.** Staff has reviewed this application, and finds that it includes the information needed to fully address the Plan Map Amendment criteria,
2. **Section 11.0204 - Type III Procedures.** This proposal will be considered by both the Planning Commission and the City Council at public hearings in accordance with provisions of this section.
3. **Section 11.0213-0214 - Referral and Review of Development Permit Application.** This application has been routed to affected city, county and state agencies for review and comment.
4. **Section 12.0000 - Community Development Plan Map Amendments.** This proposal will be evaluated according to the Type III procedures and approval criteria contained in this section. Certain criteria outlined in this section of the Code must be addressed in order for an evaluation of the appropriateness of the request to be conducted. An applicant must demonstrate that:
 - a. The proposed designation is consistent with the applicable policies and implementation strategies of the City's Community Development Plan. The applicant must demonstrate that the proposed designation complies with the appropriate locational criteria identified in the Community Development Plan.
 - b. The proposed designation will not negatively impact existing or planned public facilities and services.
 - c. In addition, the proponent shall demonstrate compliance with one of the following criteria:
 - (i) A mistake was made in the current designation. The applicant must identify a specific error made during the adoption process of the Community

Development Plan that, if it had been brought to the attention of the council, would have influenced the council's decision of the appropriate designation

Or,

- (ii) The site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed land use designation and its potential use vary. The factors in determining suitability are parcel size and location.

Criteria (a), (b), and (c)(ii) have been addressed by the applicant.

- (d) The proposed designation is consistent with the Metro Urban Growth Functional Plan.

B. COMMUNITY DEVELOPMENT PLAN POLICIES

The following are Community Development Plan policies, which relate directly to this proposal. The staff has reviewed the narrative provided by the applicant and has made an evaluation of the proposal in light of applicable Comprehensive Plan Policies as follows:

Section 10.312 Commercial Land Use Policies:

Policy I It is the City's Policy to provide an adequate amount of serviceable commercial land to facilitate the development of commercial centers or infill commercial strip development and prevent the need for lateral expansion of commercial strips along major streets.

Policy II It is the City's policy to encourage commercial development which increases employment opportunities; reduces dependency on outside-of-city goods and services; promotes energy-efficient travel patterns; is compatible with neighboring land uses; and promotes good community design.

Policy III It is the City's policy to ensure that the supply of commercially designated land meets the market demand.

Findings: These policy statements and how the proposal supports them are detailed on page 10 of the applicant's narrative (Exhibit B). These findings are hereby made part of this report by reference.

The applicant has noted that the use of the site is for the continuation and expansion of an already established commercial operation (Michael's Fine Furniture). At the present time, the applicant has indicated that there is need for enlargement of the present facility to make the business a more viable operation.

Since this area has already been established as a commercial area along the NE 181st Street frontage, this change in designation would permit this area to become yet more solidly commercial, thus promoting the stability of the Furniture Retail Showroom location. This change does not cause a lateral expansion of strip commercial development.

Based upon these findings, this proposal is found to be in conformance with the Commercial Land Use Policies found in the City of Gresham Community Development Plan.

Section 10.313 - Industrial Land Use

Policy I It is the policy of the city to promote expansion of existing industrial uses and attract industrial development which is labor and capital intensive as well as environmentally desirable.

Policy II It is the policy of the city to ensure that there are opportunities for a wide range of industrial uses and to strive for compatibility between industrial and adjacent land uses.

Policy IV It is the city's policy to ensure that the supply of industrially designated land meets the market demand.

Findings: Implementation strategies of the above policies include encouraging the maintenance of large industrial tracts (20+ acres), which exist north of Sandy Blvd. for large scale, planned industrial development. Others are that the city will annually assess the supply of serviceable sites for industrial development with the view to amending the land use map to redesignate more serviceable land for industrial development. This proposed redesignation does not involve a parcel north of Sandy Blvd. and is nowhere close to the large tract (20+ acres) that the policy intends to preserve. Furthermore, based on the surrounding districts and existing uses, this 1.34-acre industrial property does not appear to be serviceable for industrial use purposes. Changing the district from the current LI to CC will harmonize its use with the rest of the commercial uses along the NE 181st Ave. frontage.

Based on the 2003 Land Use Inventory cited by the applicant on page 10 of Exhibit B, this redesignation will translate to a 0.0035% reduction in LI land inventory while at increasing that of CC by 0.0192%. This reduction will not have a significant impact on the supply of industrial land in the city.

Based upon these findings, this proposal is found to be in conformance with the Industrial Land Use Policies found in the City of Gresham Community Development Plan.

Section 10.319.1 - Transit Corridor Plan Area

The city will permit and encourage land use types and intensities of use which support creation of transit supportive development along the city's transit streets, accommodate forecast growth and are otherwise consistent with the Urban Growth Management Functional Plan and the 2040 Growth Concept Map.

Findings: The site is within the boundaries of a Corridor 2040 Design Type because it is within 680 feet (actual about 430 feet) of 181st Ave., which is a 2040 Corridor. The CC district is one of the Corridor districts and uses allowed in the CC district are intended to be transit supportive. As a result, the intended use of the site for a retail business, and any other CC district use for that matter, will be supportive of the Transit Corridor Plan Area policy.

Section 10.320 - Transportation System

It is the policy of the City to implement and maintain a balanced, coordinated, safe and efficient transportation system.

Findings The change in land use designation will not create a significant change in the transportation system of the immediate area or of the City. Development Engineering, the City's Transportation Planner and ODOT have noted that they have no concern regarding this change in designation.

NE 181st Ave. is a principal arterial with adequate capacity available to accommodate any potential increase in trips generated by this proposal. According to the analysis done by Lancaster Engineering on behalf of the applicant, intersections will continue to operate acceptably with or without the proposed zone change. Both the Development Engineering and the Transportation Planning staff concur with this conclusion reached by Lancaster Engineering. ODOT also concurs with this conclusion as expressed in the comment by Ross Kevlin.

Based upon these findings, the proposal has been found to be in compliance with the Transportation Policies.

Section 10.321 - Trafficways

Policy I It is the policy of the City to provide a safe and efficient trafficway system that meets current needs and anticipated future population growth and development, and to place a high priority on maintaining and improving the capacity of the existing trafficway system.

Policy II It is the policy of the city to anticipate future trafficway system needs which will result from population growth and development and to pursue financial resources that are sufficient to meet these needs at that point in time when warranted.

Findings The Trafficways policies will not be adversely impacted by the proposed change in land use designation. As noted earlier in this report, NE 181st Ave. is a principal arterial street with adequate capacity. Both Development Engineering and the City Transportation Planner indicated that they had no concerns with the proposal.

Based upon these findings, this proposal is found to be in compliance with the Trafficways Policies of the City of Gresham Comprehensive Plan.

Section 10.330 - Public Facilities and Services

It is the City's policy that development will coincide with the provision of adequate public facilities and services including access, drainage, water and sewerage services.

Section 10.331 - Water Service

It is the policy of the City to provide municipal water service to all users within the corporate limits of Gresham.

Section 10.332 - Sanitary Sewer Service

It is the policy of the City to provide municipal sanitary sewer service to all users within the Gresham sanitary sewer drainage basin.

Section 10.333 - Drainage Management

It is the City's policy to establish a drainage management system, which controls the amount and rate of surface water runoff; protects property from runoff related damage; and controls pollution of receiving streams.

Section 10.335 - Fire and Police Protection

It is the policy of the City of Gresham to provide adequate and cost-effective fire and police protection, which ensures a safe living environment and is responsive to the needs of the citizens of Gresham.

Findings Development Engineering has noted that this proposal will not have a negative effect on the noted public facilities.

The Public Safety Official has expressed no concerns regarding this proposal.

Based upon these findings, this proposal has been found to be in compliance with the Public Facilities policies of the City of Gresham Comprehensive Plan.

Section 10.413 - Community Design

It is the City's policy to establish a community design process which:

1. Evaluates and locates development proposals in terms of scale and related community impacts with the overall purpose of being a complimentary land use pattern and long term stability.
2. Evaluates individual developments from a functional design perspective, considering such factors as privacy, noise, lights, signing, access, circulation, parking provisions for the handicapped, and crime prevention techniques.

Findings: The Community Design policy focuses on practical issues of traffic circulation, compatibility among land uses, and how these considerations help to create long term stability.

The proposal will legitimize an existing commercial use and will be an extension of the existing commercial designations to the north and south; it does not promote strip commercial development due to the history of the use of the site. The proposal is not in conflict with surrounding uses, rather complements them.

By granting the change in land use designation for the site, all development on the site would be required to comply with applicable site design criteria and all attendant setbacks, buffers, and the like.

Based upon these findings, the proposal has been found to be in compliance with the Community Design policies of the Comprehensive Plan.

Section 10.414 - Economic Development

It is the policy of the City to promote diversification of the community's economic base by promoting business retention and expansion, business recruitment and marketing.

Findings The change in land use designation will allow both the existing and future commercial uses to be developed on the site. If the current development were eventually enlarged, it would allow the business to expand to better serve the customers and as a result ensure the retention of the business in the city. It is anticipated that the effect on the overall economic development of Gresham will be positive.

Based upon these findings, the proposal has been found to be in compliance with the Economic Development policies of the Comprehensive Plan.

Criteria 1 Conclusion: Based on all the above findings, the proposed CC designation has been shown to be consistent with all applicable Community Development Plan policies, and therefore satisfies Criteria 1 for Plan Map amendments.

C. IMPACTS ON EXISTING OR PLANNED PUBLIC FACILITIES AND SERVICES

Criteria 2 for Plan Map amendments (Section 10.013) requires a finding that:

"The proposed designation will not negatively impact existing or planned public facilities and services."

Findings: Based on comments from the City's Department of Environmental Services, Development Engineering Section, the proposed CC designation is not expected to negatively impact public facilities. Development of the site will be subject to review of applicable design criteria and the public works standards.

Conclusion: Based on these findings, the proposed CC designation is not expected to have negative impacts on public facilities, and therefore is consistent with Criteria 2 for Plan Map amendments.

D. SUITABILITY OF THE SITE

The applicant has addressed Criterion 3(C)(ii). Criterion 3(C)(ii) for Plan Map amendments requires a finding that: "The site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed land use designation and its potential use vary. The factors in determining suitability are parcel size and location."

Findings The vicinity of the site is defined as an area bounded by Sandy Blvd. to the north, Glisan to the south, 162nd to the west, and 192nd to the east. As pointed out by the applicant on page 6 of the narrative, there are vacant CC properties (a total of 12.5 acres) located in this vicinity where this business could relocate. However, the site in question is already developed with a 6,000 square-foot building that cannot be moved easily. It is therefore not practical for the proposed use to relocate to any of the vacant CC properties within the vicinity. Furthermore, the appropriateness of the site for a CC designation stems from the desire of the applicant to expand his current furniture retail business from the adjacent southerly CC property to this site. Designating it as a CC site also will bring it in harmony with the existing location.

Conclusion: Staff concurs with applicant's definition of "vicinity". Based on these findings, the applicant has demonstrated a need for the proposed designation, and that the site is suitable for the CC designation.

E. CONSISTENCY WITH METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN.

The Metro 2040 Growth Concept Plan has the site designated as a Corridor design type. Title 1 of the UGM Functional Plan provides for housing and employment accommodation and design type boundary requirements. The subject site is within the Corridor design type boundary being located along 181st Avenue, which is designated as a Corridor. The Title 1 description of the Corridor design type is "Along good quality transit lines, corridors feature high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities". The proposed Community Commercial was developed as a Corridor district. It accommodates a wide range of community-scale commercial uses, including retail, services and offices. It also allows housing as a secondary use in conjunction with commercial construction. New buildings are pedestrian oriented, with parking placed behind or beside buildings. The Community Commercial district would be expected to accommodate more jobs per acreage than the Light Industrial district being replaced. And the Community Commercial potentially increases residential accommodation by allowing residential uses in conjunction with commercial construction.

Title 8 of the UGM Functional Plan provides that at least 45 days prior to the first evidentiary hearing on an amendment to the comprehensive plan or land use regulation that a copy of the proposal be submitted to Metro for review. The amendment was submitted 11/22/06, which is more than 45 days prior to the 1/8/07 Planning Commission hearing, which is the first hearing. No comments from Metro have been received.

Conclusion: The proposal is consistent with Titles 1 and Title 8 of the UGM Functional plan as the Community Commercial is consistent with the 2040 Corridor Design type; there is no negative impact on job or housing capacity, proper notice has been given. The proposal affects no other Titles.

V. OTHER COMMENTS

DEVELOPMENT ENGINEERING COMMENTS (Contact Colin Stout, 503-618-2635)

Development Engineering concurs with the proposal. The proposal does not affect public facilities.

TRANSPORTATION PLANNING COMMENTS (Contact Jim Wheeler, 503-618-2881)

Development Transportation Planning has reviewed the proposed project and has no issues with the proposed Plan Map Amendment. The Transportation Impact Analysis considered the worst-case trip impact scenario between the existing and proposed uses, including the Transportation Capital Improvement Program projects to be funded through the Traffic Impact Fees. The conclusion of the analysis is that the proposed change will not result in an intersection in the influence area failing to meet the prescribed standards for operations (LOS D and v/c ratio of 0.90 or better, with individual movements LOS E and v/c ratio of 1.0 or better).

ODOT also reviewed the proposal for potential adverse impacts on the I-84 interchange ramps (as attached below) and found that the proposal will meet the applicable criteria for operation.

Therefore, Development Transportation Planning concludes that the proposal to change the land use designation of the property at 2035 NE 181st Avenue (1N3E30D 503) from Light Industrial to Community Commercial "will not negatively impact existing or planned public facilities and services" as required under Section 12.0001(A)(3)(b).

OREGON DEPARTMENT OF TRANSPORTATION COMMENTS (Contact Joseph Auth, 503-731-8225)

ODOT Region 1 Traffic has reviewed the *Michael's Fine Furniture Zone Change Traffic Impact Study* (TIS) prepared by Lancaster Engineering in July of 2006. The applicant proposes to do a zoning and comprehensive plan designation amendment for 1.34-acre portion of a parcel located on NE 181st Avenue between Interstate 84 (I-84) and NE San Rafael Street. Upon review of the TIS, the mobility and 95th-percentile queue standards are met for the I-84 / NE 181st Avenue ramp terminal.

This memorandum responds to the year 2026 analysis provided to support the proposed zoning and comprehensive plan designation amendments, and address the Transportation Planning Rule:

I-84 Eastbound Ramp Terminal at NE 181st Avenue

FINDINGS_A1

According to the *Oregon Highway Plan*, the I-84 Eastbound Ramp Terminal at NE 181st Avenue has a maximum volume-to-capacity (v/c) ratio standard of 0.99. Upon review of TIS, this document did not provide the correct traffic signal phasing in the v/c ratio analysis. *Application of Oregon Highway Plan Mobility Standards* requires that a proposed development use the existing traffic signal timing in its v/c ratio analysis.

Conducting my own v/c ratio analysis with the proper traffic signal timing, it was shown that I-84 Eastbound Ramp Terminal at NE 181st Avenue has a v/c ratio that does not exceed the maximum mobility standard during the peak hours. The maximum v/c ratio standard of 0.99 for this intersection is met.

FINDINGS_A2

According to the *Oregon Highway Plan*, the maximum v/c ratio standard may be increased to as much as 0.99, but no higher than the standard for the crossroad, if it can be determined that 95th-percentile vehicle queues would not extend into the portion of the ramp needed to accommodate deceleration from freeway speed for the I-84 Eastbound Ramp Terminal at NE 181st Avenue. Upon review of TIS, the document did not provide the correct traffic signal timing in the 95th-percentile queue analysis. *Application of Oregon Highway Plan Mobility Standards* requires that a proposed development use the existing traffic signal timing in its 95th-percentile queue analysis.

Conducting my own 95th-percentile queue analysis with the proper traffic signal timing, the I-84 Eastbound Ramp Terminal at NE 181st Avenue has a 95th-percentile that does not extend into the portion of the ramp needed to accommodate deceleration from freeway speed.

If you have any questions, feel free to contact me at (503) 731-8225.

HCM Signalized Intersection Capacity Analysis
66: NE Halsey St & 181st Ave

10/10/2008



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↰	↑↑	↱	↰	↑↑		↰	↑↑		↰	↑↑↑	↱
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width	11	12	12	11	12	12	11	12	12	11	12	12
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0		4.0	4.0	
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95		1.00	0.95		1.00	0.91	
Flt	1.00	1.00	0.85	1.00	1.00		1.00	0.99		1.00	0.99	
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1711	3539	1583	1694	3505		1646	3379		1694	4965	
Flt Permitted	0.95	1.00	1.00	0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (perm)	1711	3539	1583	1694	3505		1646	3379		1694	4965	
Volume (vph)	204	528	243	155	448	0	184	989	53	143	1587	183
Peak-hour factor, PHF	0.98	0.96	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Adj. Flow (vph)	212	550	253	161	467	0	192	1009	55	149	1653	170
RTOR Reduction (vph)	0	0	200	0	0	0	0	3	0	0	10	0
Lane Group Flow (vph)	212	550	53	161	467	0	192	1061	0	149	1813	0
Heavy Vehicles (%)	2%	2%	2%	3%	3%	3%	6%	6%	6%	3%	3%	3%
Turn Type	Prot		Perm	Prot			Prot			Prot		
Protected Phases	3	8		7	4		1	6		5	2	
Permitted Phases			8									
Actuated Green, G (s)	18.0	24.1	24.1	13.9	20.0		18.0	49.0		12.0	45.0	
Effective Green, g (s)	18.0	24.1	24.1	13.9	20.0		18.0	49.0		12.0	45.0	
Actuated g/C Ratio	0.16	0.21	0.21	0.12	0.17		0.14	0.43		0.10	0.39	
Clearance Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0		4.0	4.0	
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	268	742	332	205	610		229	1440		177	1943	
v/s Ratio Prot	0.12	c0.16		0.10	c0.13		c0.12	0.31		0.09	c0.37	
v/s Ratio Perm			0.03									
v/c Ratio	0.79	0.74	0.16	0.79	0.77		0.84	0.74		0.84	0.93	
Uniform Delay, d1	46.7	42.5	37.2	49.1	45.3		48.2	27.6		50.6	33.6	
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00		0.57	0.40	
Incremental Delay, d2	14.7	4.0	0.2	17.7	5.7		22.6	3.4		20.4	6.8	
Delay (s)	61.3	46.5	37.4	66.8	51.0		70.9	31.0		49.2	20.3	
Level of Service	E	D	D	E	D		E	C		D	C	
Approach Delay (s)		47.3			55.0			37.1			22.4	
Approach LOS		D			E			D			C	

Intersection Summary			
HCM Average Control Delay	35.6	HCM Level of Service	D
HCM Volume to Capacity ratio	0.83		
Actuated Cycle Length (s)	115.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	81.5%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

HCM Signalized Intersection Capacity Analysis
137:184 East & 181st Ave

10/10/2006



Movement	EBL	EBT	EBB	WBL	WBT	WBB	NBL	NBT	NBB	SBL	SBT	SBB
Lane Configurations		↑	↑↑					↑↑↑		↑	↑↑	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width	12	12	14	12	12	12	12	12	12	12	12	12
Total Lost time (s)		4.0	4.0					4.0		4.0	4.0	
Lane Util. Factor		1.00	0.88					0.91		1.00	0.95	
Frt		1.00	0.85					0.98		1.00	1.00	
Flt Protected		0.95	1.00					1.00		0.95	1.00	
Satd. Flow (prot)		1725	2888					4721		1719	3438	
Flt Permitted		0.95	1.00					1.00		0.95	1.00	
Satd. Flow (perm)		1725	2888					4721		1719	3438	
Volume (vph)	168	4	1114	0	0	0	0	1420	181	243	809	0
Peak-hour factor, PHF	0.92	0.92	0.92	1.00	1.00	1.00	1.00	0.92	0.92	0.92	0.92	1.00
Adj. Flow (vph)	180	4	1211	0	0	0	0	1543	197	264	879	0
RTOR Reduction (vph)	0	0	41	0	0	0	0	12	0	0	0	0
Lane Group Flow (vph)	0	184	1170	0	0	0	0	1728	0	264	879	0
Heavy Vehicles (%)	5%	5%	5%	0%	0%	0%	0%	8%	8%	5%	5%	0%
Turn Type	Perm		custom							Prot		
Protected Phases		8						8		5	2	
Permitted Phases	8		18									
Actuated Green, G (s)		19.0	81.0					61.2		21.8	44.0	
Effective Green, g (s)		19.0	81.0					62.2		21.8	46.0	
Actuated g/C Ratio		0.17	0.53					0.54		0.19	0.40	
Clearance Time (s)		4.0						5.0		4.0	6.0	
Vehicle Extension (s)		3.0						3.0		3.0	3.0	
Lane Grp Cap (vph)		285	1532					2553		328	1375	
v/s Ratio Prot								c0.37		c0.15	0.28	
v/s Ratio Perm		0.11	c0.41									
v/c Ratio		0.65	0.76					0.68		0.81	0.64	
Uniform Delay, d1		44.9	21.3					19.1		44.6	27.8	
Progression Factor		1.00	1.00					0.29		1.00	1.00	
Incremental Delay, d2		5.0	2.3					1.0		13.8	2.3	
Delay (s)		49.8	23.6					6.5		58.4	30.1	
Level of Service		D	C					A		E	C	
Approach Delay (s)		27.1		0.0				6.5			36.6	
Approach LOS		C		A				A			D	

Intersection Summary			
HCM Average Control Delay	21.3	HCM Level of Service	C
HCM Volume to Capacity ratio	0.77		
Actuated Cycle Length (s)	115.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	68.0%	ICU Level of Service	C
Analysis Period (min)	15		
c Critical Lane Group			

HCM Signalized Intersection Capacity Analysis
138: San Rafael St & 181st Ave

10/10/2008



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↰	↑	↱	↰	↑	↱	↰	↑	↱	↰	↑	↱
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			0%			0%			2%	
Total Lost time (s)	4.0	4.0	4.0		4.0	4.0	4.0	4.0		4.0	4.0	
Lane Util. Factor	0.95	0.95	1.00		1.00	1.00	1.00	0.95		1.00	0.91	
Frt	1.00	1.00	0.85		1.00	0.85	1.00	1.00		1.00	0.99	
Frt Protected	0.95	0.98	1.00		0.97	1.00	0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1603	1622	1509		1615	1417	1703	3394		1702	4839	
Frt Permitted	0.95	0.98	1.00		0.97	1.00	0.95	1.00		0.95	1.00	
Satd. Flow (perm)	1603	1622	1509		1615	1417	1703	3394		1702	4839	
Volume (vph)	252	29	177	81	35	197	79	1151	28	109	1669	128
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	271	30	190	88	38	212	85	1238	30	117	1795	135
RTOR Reduction (vph)	0	0	182	0	0	188	0	1	0	0	5	0
Lane Group Flow (vph)	147	154	28	0	104	24	85	1267	0	117	1925	0
Heavy Vehicles (%)	7%	7%	7%	14%	14%	14%	6%	6%	6%	5%	5%	5%
Turn Type	Split		Perm	Split		Perm	Prot			Prot		
Protected Phases	2	2		6	6		3	8		7	4	
Permitted Phases			2			6						
Actuated Green, G (s)	15.8	15.8	15.8		12.2	12.2	9.9	53.0		14.0	57.1	
Effective Green, g (s)	16.8	16.8	16.8		13.2	13.2	10.9	54.0		15.0	58.1	
Actuated g/C Ratio	0.15	0.15	0.15		0.11	0.11	0.09	0.47		0.13	0.51	
Clearance Time (s)	5.0	5.0	5.0		5.0	5.0	5.0	5.0		5.0	5.0	
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0	3.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	234	237	220		185	163	161	1594		222	2445	
w/s Ratio Prot	0.09	c0.09			c0.08		0.05	0.37		c0.07	c0.40	
w/s Ratio Perm			0.02			0.02						
w/c Ratio	0.63	0.65	0.13		0.56	0.15	0.53	0.79		0.53	0.79	
Uniform Delay, d1	46.2	46.3	42.7		48.2	45.8	49.6	25.8		46.7	23.4	
Progression Factor	1.00	1.00	1.00		1.00	1.00	1.35	0.38		0.91	0.83	
Incremental Delay, d2	5.2	6.0	0.3		3.9	0.4	2.3	2.1		1.5	1.8	
Delay (s)	51.4	52.4	43.0		52.0	46.3	69.2	12.0		43.9	21.1	
Level of Service	D	D	D		D	D	E	B		D	C	
Approach Delay (s)		48.4			48.2			15.6			22.4	
Approach LOS		D			D			B			C	

Intersection Summary			
HCM Average Control Delay	25.2	HCM Level of Service	C
HCM Volume to Capacity ratio	0.69		
Actuated Cycle Length (s)	115.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	63.8%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

FIRE COMMENTS (Contact Mike Kelly, 503-618-2573)

This application does not deal with specific development. I will have comments when development application is submitted.

LIENS & COLLECTION COMMENTS (Contact Diane Gallucci, 503-618-2440)

LIENS: Delinquent Fire Inspection Fees \$1,004.00. Contact Charlene Siegfried at 503-618-2380 for payoff amount.

VI. CONCLUSION

The proposed Plan Map amendment is consistent with applicable criteria and policies of the Community Development Plan, as indicated by findings contained in Section IV of this report.

VII. RECOMMENDATION

Staff recommends that the Planning Commission recommend adoption of the proposed Plan Map Amendment from Light Industrial to Community Commercial to the City Council.

End of Staff Report

CB 02-07

ORDINANCE NO. 1639

**AN ORDINANCE AMENDING THE GRESHAM COMMUNITY DEVELOPMENT PLAN MAP
FROM LIGHT INDUSTRIAL USE (LI) TO COMMUNITY COMMERCIAL (CC)
(PMA 06-26000282 - MICHAEL'S FINE FURNITURE PROPERTY)**

THE CITY OF GRESHAM ORDAINS AS FOLLOWS:

Section 1. The Gresham Community Development Plan Map is amended as follows:

City of Gresham, Multnomah County, Oregon, 1.34 acres of 1N3E30D Tax Lot #503 and the northerly 24.87 feet by 243.11 feet of Tax Lot 600, for a total of 1.48 acres, from Light Industrial Use (LI) to Community Commercial (CC).

Section 2. The amended Gresham Community Development Plan Map is marked as Exhibit A.

First reading: February 6, 2007

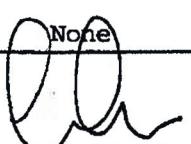
Second reading and passed: February 20, 2007

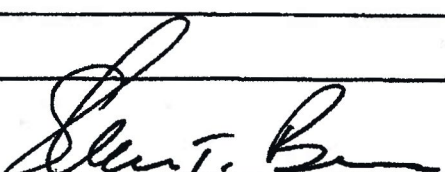
Yes: Bemis, Echols, Bennett, Craddick, Strathern, Warr-King, Nielsen-Hood

No: None

Absent: None

Abstain: None

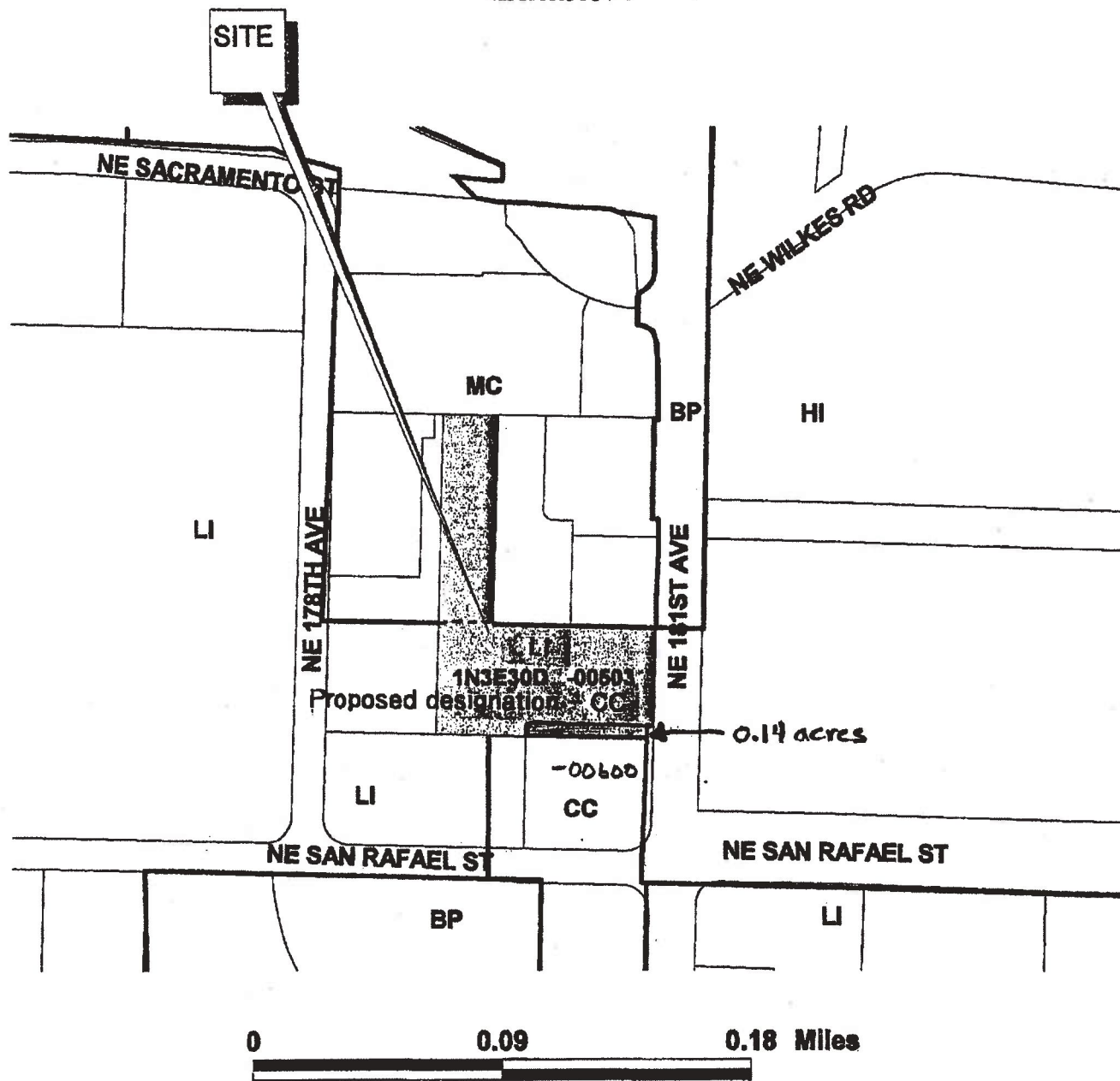

City Manager


Mayor

Approved as to Form:

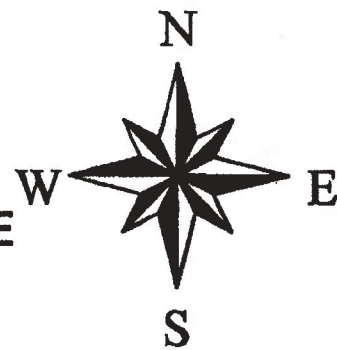

Senior Assistant City Attorney

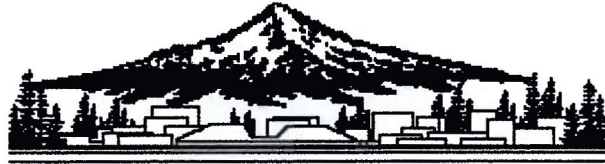
Exhibit A



File #: PMA 06-26000282

Project: MICHAEL'S FINE FURNITURE





*Community Development Department
City of Gresham*

CERTIFICATION OF MAILING

FILE NO.: PMA 06-26000282

PROJECT: Michael's Fine Furniture PMA

I, TAMMY J. RICHARDSON, CERTIFY THAT I HAVE MAILED THE
ATTACHED NOTICE OF ADOPTION TO THE FOLLOWING PARTIES:

DLCD

**Plan Amendment Specialist
635 Capitol Street, NE #150
Salem, OR 97301-2540**

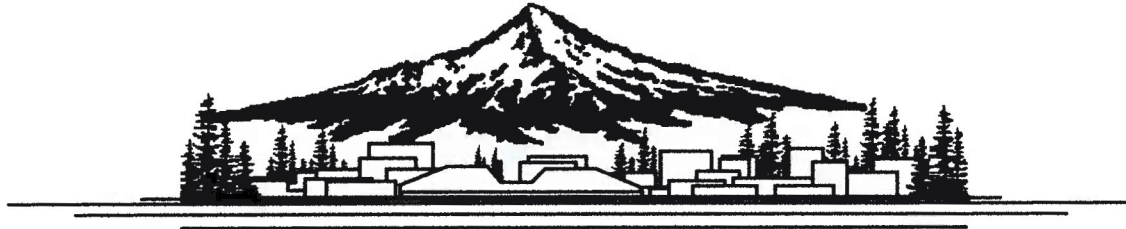
**Metro
Growth Management
600 NE Grand
Portland OR 97232-2736**

**Michael To
Michael's Fine Furniture
2011 NE 181st Avenue
Portland, OR 97230**

**Suzanne Barker
PO Box 166
Goldendale, WA 98620**

SIGNATURE: *Tammy J. Richardson*

DATE OF MAILING: February 26, 2007



CITY OF GRESHAM
Community & Economic Development Department
1333 NW Eastman Parkway
Gresham, Oregon 97030
(503) 618-2779

NOTICE OF FINAL DECISION

February 26, 2007

On February 20, 2007, the Gresham City Council Approved the application of **Michael's Fine Furniture (Council Order No. 594 and Ordinance No. 1639)** contained in **Application No. PMA 06-26000282** changing the land use designation of approximately 1.48 acres from Light Industrial (LI) to Community Commercial (CC).

An appeal of this decision may be filed with the Land Use Board of Appeals (LUBA) within 21 days of this Notice of Decision. LUBA has the jurisdiction to review all governmental land use decisions. An appeal of a land use decision must conform to the procedures and requirements of LUBA. They may be contacted in Salem at:

LUBA
550 Capitol Street, NE – Suite #235
Salem, Oregon 97301-2552
(503) 373-1265