

STAFF REPORT
Proposed Eastside Timbers Conditioned Plan Map Amendment

HEARING DATE: February 14, 2022

REPORT DATE: February 4, 2022

TO: Gresham Planning Commission

FROM: John Heili, Associate Development Planner

FILE NUMBER: PMA-21-00655 aka. DRE/PMA/VAR/MIS 20-26000288

PROPOSAL: The proposal is for a Conditioned Plan Map Amendment from General Industrial (GI) to Moderate Commercial (MC) for 2.43 acres of the 10-acre Tax Lot 1S3E18A -01500 to allow the construction of an approximate 46,700 square foot futsal building and associated site and parking area improvements.

APPLICANT: Butch Pollard, Eastside Timbers

REPRESENTATIVE: Joanne Rimkeit, Soderstrom Architects Ltd.

LEGAL DESCRIPTION: 1S3E18A -01500

LOCATION: 4710 SE 174th Avenue

EXHIBITS:

- A. Vicinity Map
- B. Applicant's Narratives including:
 - 1. Plan Map Amendment Narrative
 - 2. Traffic Analysis Report & Addendum
 - 3. Public Needs (Economic) Analysis
 - 4. Public Facilities Report
- C. Title 4, Industrial and Other Employment Areas Map (2014)

RECOMMENDATION: Staff recommends that the Planning Commission recommend approval of this Conditioned Plan Map Amendment to the City Council.

I. BACKGROUND INFORMATION

A. DESCRIPTION OF PROPOSAL AND HISTORY

The proposal would change the northernmost 2.43 acres of the 10-acre parcel from the current land use designation of General Industrial (GI) to Moderate Commercial (MC) to allow for the construction of an approximate 46,700 square foot futsal building and associated parking area improvements. The GI designation generally allows for industrial type uses, limited commercial uses and certain Institutional uses under the Special Use Review. The MC designation primarily allows commercial uses intended to function as locally oriented centers serving smaller trade areas, and housing is permitted as a secondary use, when developed in conjunction with a commercial development, and Institutional uses are permitted under the Special Use Review.

The site was annexed into the City under development permit AX-E 15-26000096. The south portion of the site is developed with outdoor soccer fields and the north portion is developed with a paved parking area and building pad approved under development permit DRD 16-26000122. The soccer fields are considered a private park, which is not an excluded use in the GI district but did require a Special Use Review. The site is accessed on the west from SE 174th Avenue. SW 11th Street dead-ends at the property line on the east side of the site, but fire access is provided through the site at this location. The properties across SE 174th Avenue to the west and the abutting properties to the north and south are outside the city limits. The properties to the east are designated Transit Low Density Residential (TLDR) and are developed with mostly single-family detached dwellings.

The subject site is designated Employment Land in the Title 4, Industrial and Other Employment Areas map published by Metro in October 2014 (Exhibit C).

The applicant has pointed out that the proposed change in designation is being pursued to allow the development of the site with a commercial use allowed under the MC district. The proposed use, an indoor futsal facility, is considered a Business and Retail Service and Trade; example uses include "indoor sports parks" per GDC Section 3.0232.

B. EXECUTIVE SUMMARY

The proposed Moderate Commercial (MC) designation meets all four of the City's criteria for a Conditioned Plan Map amendment. This proposed change to the Plan Map is warranted because the subject property is poorly suited for

industrial use due to access limitations, geographic isolation, size, and proximity to residential developments. The access and buildable area limitations and proximity to residential developments make the site better suited for commercial development, thus supporting the commercial policies of the Community Development Plan.

The properties surrounding the site to the east have designations that allow single family and multi-family residential development and commercial development similar to those allowed under the MC district. The City's residential and commercial land use policies would be promoted because the proposed change in designation supports an existing adjacent urban residential use (TLDR) while making use of an otherwise underutilized industrial property and capitalizing on existing improvements. Public facilities have sufficient capacity to serve residential and commercial uses and will only require standard extensions to serve the development. The traffic analysis report finds that changing the northern 2.43 acres of the subject property from GI to MC to allow construction of a new futsal center is expected to result in an increase of only two PM peak hour vehicle trips generated by the site compared to an industrial development allowed under current zoning. However, the report concludes that the change will not significantly affect the transportation system.

The applicant's Public Need Analysis demonstrates a general decrease in the demand for industrial land in the Portland metropolitan region referencing the findings of the Metro Urban Growth Report (UGR). The Analysis points out that the demand for industrial land in the East Multnomah County subregion, and in the City of Gresham in particular, is focused on industrially designated sites in more competitive locations near the Interstate 84 corridor. The Analysis also demonstrates the City's commercial land inventory is more supply constrained than the industrial inventory, with only 7.9 percent of land zoned for commercial uses currently vacant and developable versus 29 percent of vacant industrial land supply.

Staff's review of the applicant's materials concludes that the Airport Way/Columbia Corridor, the Port of Portland's Gresham Vista Business Park, and the Springwater industrial area will remain the backbone of the City's long-term (20-year) industrial land reserve. The regional industrial lands capacity will remain unchanged. More precisely, the request to rezone the subject site from GI to MC will not jeopardize the industrial land supply viability over the long term, plan year 2038, outlook.

The following factors lead staff to recommend redesignating the 2.43-acre property from GI to MC designation:

1. The applicant’s narrative and staff findings demonstrate compliance with City Comprehensive Plan Policies; Metro Title 1 (Housing Capacity), Title 4 (Industrial & Employment Lands), and Title 8 (Compliance Procedures) provisions of the Urban Growth Management Functional Plan; and Oregon Goal 2 – Land Use Planning, Goal 8 – Recreation, Goal 9 – Economic Development, Goal 10 – Housing, Goal 11 – Public Facilities and Services, and Goal 12 – Transportation.
2. The applicant’s narrative and staff findings document that the proposed zone change will not result in a build-out scenario that exceeds transportation, water, sanitary sewer, and stormwater infrastructure capacity.
3. The zone change is limited to 2.43 acres of industrial land, a one percent cumulative reduction in the overall industrial land use inventory gross acreage in the city. 259.37 acres of the 261.80 acres of vacant industrial use land will remain following the zone change (based on 2020 Metro data).
4. The accessibility of the site does not offer competitive regional access to the interstate highway system. Existing nearby transportation system deficiencies along US 26 (SE Powell Boulevard) to SE 182nd Avenue to Interstate 84 or to Interstate 205 street truck routes present undesirable travel time delays to these freeway on-ramps.
5. The poor overall location of the subject site in relation to key industrial sector amenities such as Portland Airport and Port of Portland water ports and freight railyards.
6. The site is immediately adjacent to existing residential designated lands along its eastern borders and is in an area of the City where properties are predominately designated for commercial and multifamily land uses.
7. The majority of the site is developed with a recreational use and the remaining 2.43 acres does not provide sufficient area for a typical industrial use development.

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
D.	Section 12.0000	Community Development Plan Map Amendments

III. APPLICABLE COMMUNITY DEVELOPMENT PLAN POLICIES

A.	Section 10.014	Land Use Planning
B.	Section 10.313	Industrial Land Use
C.	Section 10.320	Transportation Systems
D.	Section 10.330	Public Facilities and Services
E.	Section 10.331	Water Service
F.	Section 10.332	Wastewater System
G.	Section 10.333	Stormwater Drainage Management
H.	Section 10.335	Fire and Police Protection
I.	Section 10.412	Parks, Recreation, Open Spaces and Trails
J.	Section 10.414	Economic Development
K.	Section 10.600	Residential Land Use and Housing

IV. FINDINGS

The proposed Conditioned Plan Map Amendment is consistent with all applicable criteria and policies of the Gresham Community Development Code (zoning regulations) and the Community Development Plan (comprehensive plan) as indicated in the following findings. The findings also document compliance with Oregon Statewide Planning Goals and Metro regional Urban Growth Management Functional Plan (UGMFP) regulations.

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 Conditioned 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. The City Council will act on a recommendation from Planning Commission and Design Commission.
- 3. Section 11.0500 - Referral and Review of Development Permit Application.** This application has been routed to affected city, county, regional, and state agencies for review and comment. The application was submitted on October 23, 2020, and deemed complete on April 21, 2021. The determination of completeness occurred within 180 days of the initial submittal. The applicant requested a 245-day extension to the 120-day decision period and then requested the application not be processed until additional information is provided to staff.
- 4. 12.0001(B)(1) and (2) - Conditioned Community Development Plan Map Amendments.** A Conditioned Plan Map Amendment links the map

amendment to a specific development proposal. The decision of the Planning Commission on a Type III Conditioned Plan Map Amendment shall be in the form of a recommendation to the City Council. The City Council shall hold a public hearing and make a final decision. A plan map amendment application was submitted at the same time as an application for a specific development Design Review. The decision on the plan map amendment shall be conditioned to that specific development proposal. Because that concurrent application is a Design Review subject to established design principles, design guidelines, and design standards of the Corridor Design District, that Design Review component shall be reviewed by the Design Commission. The Design Commission shall provide a recommendation on the Design Review element for the City Council decision in addition to this separate Plan Map Amendment review and recommendation process.

Staff Finding: This standard is met.

Section 12.0001(B)(4) – Conditioned 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.

Staff Finding: Section (IV)(B) of this staff report summarizes the applicant’s response and provides staff findings based on the applicant’s submittal with regards to how the plan map amendment complies with Community Development Plan policies.

Conclusion: Based on the applicant’s submittal staff finds the proposal is consistent with the applicable policies of the City’s Community Development Plan, and therefore is consistent with this criterion for Plan Map amendments.

- (b) The proposed designation will not negatively impact existing or planned public facilities and services.

Staff Finding: Section (IV)(B) of this staff report summarizes the applicant’s response and provides staff findings based on the applicant’s submittal with regards to how the plan map amendment impacts existing or planned public facilities and services.

Conclusion: Based on the applicant's submittal staff finds the proposal is consistent with the applicable policies of the City's Community Development Plan, and therefore is consistent with this criterion for Plan Map amendments.

(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.

Staff Finding: Section (IV)(B) of this staff report summarizes the applicant's response and provides staff findings based on the applicant's submittal with regards to item (c)(ii) above.

Conclusion: Based on the applicant's submittal staff finds the proposal is consistent with the applicable policies of the City's Community Development Plan, and therefore is consistent with this criterion for Plan Map amendments.

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

Staff Finding: Section (IV)(B) of this staff report summarizes the applicant's response and provides staff findings based on the applicant's submittal with regards to consistency with the Metro UGMFP.

Conclusion: Based on the applicant's submittal staff finds the proposal is consistent with the applicable policies of the City's Community Development Plan, and therefore is consistent with this criterion for Plan Map amendments.

Section 12.0001(B)(5) – Expiration of Conditioned Community Development Plan Map Amendments. The approval of a Conditioned Plan Map Amendment shall expire if the approved development application expires. The approval for the development permit application

is valid for one year from the date of decision. A building permit must be applied for within one year of this decision (per 11.0105) and remain active.

Staff Finding: This standard is met with Condition of Approval #1.

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 based on applicable Comprehensive Plan Policies as follows:

Section 10.310 - Land Use Policies:

Policy It is the City's policy to ensure that an adequate supply of land exists for residential, commercial, office, institutional, industrial, and open space needs.

Findings: The applicant referenced Metro's 2018 UGMFP which finds that the demand for industrial land will be reduced due to a loss in job growth in the industrial sector until 2038. The Public Needs Analysis also notes the Gresham area has a limited inventory of vacant land for commercial use. According to the report, the City's commercial land inventory is more supply constrained than the industrial inventory, with only 7.9 percent of land zoned for commercial uses currently vacant and developable versus 29 percent of vacant industrial land supply. The policy of ensuring that an adequate supply of land exists for commercial use is likely to be enhanced by this 2.43-acre re-designation.

Based upon these findings, the proposal is in conformance with the Land Use Policies of the City of Gresham Comprehensive Plan.

Section 10.312 - Commercial Land Use

Policy I It is the policy of the City 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.

Findings: Staff finds the proposed change in land use designation from an industrial-use designation to a commercial-use is consistent with the policies of designating land for the development of regional, community and neighborhood scale centers and amending the land use map to re-designate more serviceable land for commercial development.

Based upon these findings, the proposal is in conformance with this Commercial Land Use Policy of the City of Gresham Comprehensive Plan.

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.

Findings: The proposed conditioned futsal commercial-use building offers a local community-based recreation service reducing the dependency on outside-of-city recreation services (i.e., City of Portland Recreation Centers). The Type III DRE design review of the proposal requires a review of the building and site design including landscaping and lighting requirements that will help to ensure the proposal is compatible with the adjacent existing neighboring residential land uses to the east of the facility and land uses surrounding the site.

Based upon these findings, the proposal is in conformance with this Commercial Land Use Policy of the City of Gresham Comprehensive Plan.

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

Findings: The proposed change of land use from an industrial-use to a commercial-use will benefit an existing deficient supply of lands available for commercial development as outlined in the Public Needs Analysis supported with documentation from the Metro UGMFP.

Based upon these findings, the proposal is in conformance with this Commercial Land Use Policy of the City of Gresham Comprehensive Plan.

Section 10.313 - Industrial Land Use

Applicable policies with respect to Industrial Land Use are paraphrased here as follows:

- Policy I** Gresham shall ensure an adequate supply of ready to build employment lands. The City shall designate and maintain on its community development plan map the land base necessary for sustained and diverse economic development and job creation.
- Policy VI** Gresham shall be able to respond proactively to larger-scale economic development opportunities by having appropriately zoned, ready-to-build industrial/business park sites of appropriate size and location.
- Policy VIII** Gresham shall regularly update its industrial business park land supply. The City shall consider re-designating lands that cannot practicably be developed for these uses within the planning period.
- Policy X** Gresham shall manage its industrial and employment lands to prevent inappropriate and unrelated retail and office land conversion. The City shall comply with or exceed provisions required by Metro Title 4 (Industrial and Employment Lands) relative to retail and professional service limits.
- Policy XI** Gresham shall increase the potential for higher employment densities to improve its job to household ratio and make more efficient use of its existing employment lands.

Findings: The applicant’s narrative responses addressed the above policies. Implementation strategies of the above policies include encouraging the maintenance of large industrial tracts (20+ acres) which exist north of Sandy Boulevard for large scale, planned industrial development. Another strategy is that the City will annually assess the supply of serviceable sites for industrial development with an eye to amend the land use map to re-designate more serviceable land for industrial development. This proposed re-designation does not involve a parcel north of Sandy Boulevard and is less than the large tract (20+ acres) that the policy intends to preserve. Furthermore, based on the surrounding districts and existing uses, this 2.43-acre industrial property does not appear to be serviceable for industrial use purposes. Changing the district from the current GI to MC will better align its use with the residential to the east and the mixed-use and commercial uses within the vicinity of the site.

The argument that the site does not represent a strong industrial location based on scale as well as the poor access of the site, particularly the distance from I-84 fits well with the industrial land use policy, including the notion that by making this change in land use designation the City is making more efficient use of its existing employment lands by allowing this commercial project to proceed. The applicant’s Public Needs Analysis notes recent peer-reviewed baseline employment forecasts for the region anticipate a net decrease of 9,000 industrial jobs during the 2018 through 2038 time period. As a result,

the UGR finds no need for additional industrial land to support employment growth at a regional level.

The review of the zoning of this parcel is consistent with Policy VIII that the City regularly update its industrial business park land supply and consider re-designating lands that cannot practicably be developed for these uses within the planning period. Consistency with Policy X, regarding Metro Title 4 compliance, is addressed as part of this land use review and staff report.

Based upon these findings, this proposal is found to be generally in conformance with the Industrial Land Use Policies found in the City of Gresham Community Development Plan. The opportunity to function as an Employment Overlay still exists with the MC designation.

Section 10.320 - Transportation System

It is the general 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, and the City's Transportation Planner have noted that they have no concern regarding this change in designation.

According to the analysis by Lancaster Mobley on behalf of the applicant, changing the northern 2.43 acres of the subject property from GI to MC to allow construction of a new futsal center is expected to result in an increase of only two PM peak hour vehicle trips generated by the site compared to development with industrial uses under current zoning. This is not expected to degrade the functioning of any existing or planned transportation facility and does not trigger an evaluation of the Transportation Planning Rule relative to the functioning of Highway 26. The study finds that impacts associated with the proposed development on SE 174th Avenue can be mitigated with the construction of a southbound left turn lane into the site.

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

Section 10.330 - Public Facilities and Services

It is the City's general 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.

Findings The change in land use designation will not create a significant change in the City's water service capacity, per Development Engineering's findings below.

Section 10.332 - Wastewater System

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

Findings The change in land use designation will not create a significant change in the City's sanitary sewer capacity, per the City's Development Engineering's findings.

Section 10.333 - Stormwater 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.

Findings The change in land use designation will not create a significant change in the City's stormwater/drainage capacity, per Development Engineering's findings below.

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 (Fire Marshal) 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 10.412 - Parks, Recreation, Open Spaces and Trails

Policy IX The City shall, as its resources allow, provide recreation programs, and also facilitate their provision by others.

Findings While not related to funding of a recreation program or facility, changing the district from the current GI to MC will allow this conditioned futsal building project to proceed and thereby provide for additional recreational opportunities to occur within the City.

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

Section 10.414 - Economic Development

Policy I 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 City's Economic Development team expressed no concern with the proposed loss of the industrial land based on the reasons stated by the applicant. It is anticipated that the effect on the overall economic development of Gresham will be negligible at the worst and positive at the best. The applicant's Public Needs (Economic) Analysis (Exhibit B.3) demonstrates the locational, economic trend, and access barrier reasons why this site is not one with great economic industrial development potential. Rather, this proposed change in land use will allow for the immediate development of the site with the proposed conditioned commercial use.

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

Section 10.311 & 10.600 - Residential Land Use and Housing

Housing Opportunities Policies

Policy I Provide a full range of housing types and sizes that reflect the needs of Gresham's citizens through all life stages and circumstances.

Finding: While the proposed MC district allows for multifamily housing associated with a mixed-use commercial development the proposed Conditioned Plan Map Amendment is for the specific development of a commercial use only futsal facility. Therefore, the proposal will not change housing availability.

Based upon these findings, the proposal has been found to be in compliance with the Housing Opportunities Policies of the Comprehensive Plan.

Section 10.014 - Land Use Planning

Policy XVI Amendments to Gresham’s Comprehensive Plan Map shall be subject to six additional criteria.

- a) Public facility capacity
- b) Avoid negative impact to public facilities
- c) Compatibility with surrounding uses and environmental conditions
- d) Development compliant with all applicable regulations and standards
- e) Demonstration of inadequate inventory of developable land with proposed use
- f) Fulfill a proven community need

Findings: The proposal complies with each of these additional criteria as demonstrated in this staff report. Documentation of sufficient infrastructure capacity and no negative impact to existing or planned public facilities is provided. The proposed MC designation will be compatible with existing TLDR land use designation to the east and commercial land uses within the immediate vicinity. The community need being provided is access to indoor recreational facilities.

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.*

The applicant asserts compliance with criteria (c)(ii). The narrative argues that based on the surrounding districts and existing uses; this 2.43-acre industrial property does not appear to be serviceable for industrial use purposes. Changing the district from the current GI to MC land use district will better align its use with the residential use to the east and the mixed-use and commercial uses within the vicinity of the site. Their argument that the site does not represent a strong industrial location based on scale as well as the poor access of the site, particularly the distance from I-84 fits well with the industrial land use policy, including the notion that by making this change in land use designation the City is making more efficient use of its existing employment lands by allowing this commercial project to proceed.

Re-designating this property is therefore in line with the Industrial Land Use Policy #8 that states:

Gresham shall regularly update its industrial and business park land supply. The City shall consider re-designating lands that cannot practically be developed for these uses within the planning period.

The site abuts residential neighborhoods on the east making it more suitable for commercial/mixed use district than an industrial district. The site also has poor access to an interstate freight system via local freight arterials. The combination of these factors supports the assertions that the site is suitable for the proposed designation and that there is a lack of appropriately designated alternative sites within the vicinity.

Conclusion: Based on these findings and those of the applicant's Public Needs (Economic) Analysis (Exhibit B.3) and other application narratives, the site is suitable for the MC designation due to its size and location as has been described in this staff report.

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

The applicant's response documents the proposal's consistency with Title 1, Title 4, and Title 8 of the Metro Urban Growth Management Functional Plan (UGMFP) published April 16, 2018.

Metro Title 1 (Housing Capacity)

Title 1 requires the City of Gresham to maintain or increase its housing capacity. The proposed MC land use designation allows for multifamily housing as a component of a mixed-use commercial development where the current GI district does not allow for housing of any type.

Metro Title 4 (Industrial and Other Employment Areas)

Title 4 requires the City to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIA's). The 2.43-acre site is not located within an RSIA. Rather it is located within Metro's Employment Area Overlay. As discussed in this report, the proposed Plan Amendment does not affect the ability of the city to achieve its economic development goals as there is adequate capacity to meet projected regional needs (Metro's current Urban Growth Report identifies an inventory of 2,681.9 acres of buildable industrial land in East Multnomah County) and the site would have only a limited capacity to support future industrial development. The proposed change to commercial zoning will allow the property to be developed sooner than it would be if the zoning were not changed due to the location and characteristics of the site and the surrounding area.

Section 3.07.440 - Protection of Employment Areas states that:

(a) Except as provided in subsections (c),(d), and (e), in Employment Areas mapped pursuant to Metro Code section 3.07.450, cities and counties shall limit new and expanded commercial retail uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Areas. Item (b) of this section states; Except as provided in subsections (c), (d) and (e), a city or county shall not approve a commercial retail use in an Employment Area with more than 60,000 square feet of gross leasable area in a single building, or commercial retail uses with a total of more than 60,000 square feet of retail sales area on a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way.

In this instance the proposal is for a commercial use building of less than 60,000 square feet. Furthermore, in the MC district, the maximum building footprint size permitted for any building, regardless of the type of uses within it, shall be 40,000 square feet with an exception for a maximum building footprint size of 60,000 square feet for a grocery store use. The development application proposal includes a 46,700 square foot futsal building with a footprint of 33,546 square feet. The MC district offers opportunity for employment in the event of a commercial or mixed-use development and the development application proposal meets the above maximum floor area requirement for commercial uses.

Title 8 (Compliance Procedures)

Title 8 of the Metro UGMFP provides that at least 35 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. A notice of the proposal was submitted to Metro on December 10, 2021, which

is 35 days prior to the February 14, 2022 Planning Commission hearing, the first hearing. Metro staff is being provided this staff report one week in advance of the hearing.

Conclusion

The proposal is consistent with Titles 1, 4, and 8 of the Metro UGMFP as demonstrated in the narratives and the supporting reports. There is no substantial negative impact on employment generation; housing capacity will not be impacted, and proper notice has been given.

C. STATE PLANNING GOALS

The following are State Planning Goals which relate directly to this proposal. Staff has reviewed the narrative provided by the applicant and has made an evaluation of the proposal based on applicable State Planning Goals as follows:

Goal 2 - Land Use Planning

This goal provides for a land use plan and implementation measures to be revised when public needs and desires change and when development occurs at a different rate than contemplated by the plan and requires at least 30 days' notice of a public hearing on the proposed change. As discussed in this report the applicant's Public Needs Analysis references the Metro UGM and independent studies that indicate a reduced demand for industrial lands and lack of available vacant commercial lands both factors that support the proposed Conditioned Plan Map Amendment to change the designated land use from General Industrial (GI) to Moderate Commercial (MC). This process included DLCDD public notice of the proposal at least 30 days in advance of the public hearings.

Goal 8 - Recreation

While not addressed in the applicant's narrative Staff finds that the proposed Conditioned Plan Map Amendment, necessary to allow the development of the futsal facility on this site, would align with the States goals for providing recreational opportunities near high density population centers; give preference to non-motorized types of recreational activities; and make these recreational opportunities available to the public at nominal cost.

Goal 9 - Economic Development

Staff concurs with the applicant's finding that the proposal is consistent with Goal 9 by improving the marketability of a historically underutilized industrial site which is currently partially developed with soccer fields and will have the remainder of the site activated with the approval of this Conditioned Plan Map Amendment change to an MC land use designation that will allow for the commercial use futsal facility which would otherwise not be allowed under the current GI designation.

Goal 10 - Housing

Staff concurs with the applicant's finding that the proposal will have a negligible impact on the City's housing because the current GI land use designation does not allow for housing uses and the proposed MC designation allows multifamily housing as part of a mixed-use commercial development.

Goal 11 - Public Facilities and Services

Staff concurs with the applicant's findings that the existing utilities and public facilities are adequate for the development proposed as a component of the Conditioned Plan Map Amendment.

Goal 12 - Transportation

The applicant's traffic study demonstrates that under worst case development scenarios, the proposed zone change of the property from General Industrial to Moderate Commercial is expected to increase the number of trips by two during the evening peak hour. This increase is minimal and not expected to impact the surrounding transportation system in the year 2040 planning horizon. Accordingly, Oregon's Transportation Planning Rule is satisfied.

V. OTHER COMMENTS

DEVELOPMENT ENGINEERING COMMENTS

FROM: Jesse Davies, Engineering Tech III

A5.100: SANITARY SEWER FACILITIES

The proposed plan map amendment from General Industrial (GI) to Moderate Commercial (MC) zoning will allow for developments that have a higher wastewater production than currently planned. A downstream analysis of the potential increase in flow was provided and determined that the plan map amendment would not negatively impact existing or planned public facilities.

A5.200 & 9.0500: SURFACE WATER MANAGEMENT SYSTEMS

The proposed plan map amendment from General Industrial (GI) to Moderate Commercial (MC) zoning does not create an increase in stormwater runoff and as such will not negatively impact existing or planned public facilities.

A5.300: WATER FACILITIES

The proposed plan map amendment from General Industrial (GI) to Moderate Commercial (MC) zoning does not create an increase in water demand and as such will not negatively impact existing or planned public facilities.

Recommendation

Findings submitted under each proceeding code section are generally consistent with the Community Development Code and the Public Works Standards. This Plan Map

Amendment application can be approved as submitted with Conditions of Approval for the development of the futsal facility as indicated in the Development Engineering Comments for that application.

CITY TRANSPORTATION PLANNING COMMENTS

FROM: Jay Higgins, Development Transportation Planner

Project Description

Proposed conditional plan map amendment to change the land use designation from General Industrial (GI) to Moderate Commercial (MC) on SE 174th Avenue.

Traffic Impact Analysis

The applicant-submitted a Traffic Impact Analysis which does not show intersection capacity impacts from the Plan Map Amendment future uses. The Traffic Impact Analysis included a safety analysis of the nearby intersections. This analysis shows that there is an existing safety issue at the ODOT/PBOT intersection of SE Powell Boulevard and SE 174th Avenue, which shows a crash rate of 1.14, well above the 1.00 rate that would cause concern with City of Gresham staff. The intersection is in the City of Portland and the study reports that the intersection is already listed in Portland Bureau of Transportation's list of future safety projects.

Recommendation

This application can be approved as submitted with Conditions of Approval for the development of the futsal facility as indicated in the Transportation Planning Comments for that application.

VI. CONCLUSION

The proposed Conditioned 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 to the City Council the approval with conditions of this Type III Conditioned Plan Map Amendment PMA-21-655 designating 2.43 acres of the 10-acre Tax Lot 1S3E18A -01500 to Moderate Commercial (MC) from General Industrial (GI).

Note that this recommendation for approval with conditions is based on the applicant's presented narrative and plans and staff's analysis of the proposal based on Code compliance; any conditions are aimed at assuring the criteria are met when the

applicant's narrative and plans do not provide enough information to assure each criterion is met. Consistency with the submitted plans is required. Where Code standards and criteria could be met with conditions of approval, the finding "*This standard is met by Condition of Approval #_____*" is made.

GENERAL CONDITIONS

1. This approval of a Conditioned Plan Map Amendment shall expire if the approved development application expires. The approval for the development permit application is valid for one year from the date of decision. A building permit must be applied for within one year of this decision (per 11.0105) and remain active.

End of Staff Report