



ADDITIONAL EXHIBITS

**EXHIBIT T**

Marisol Martinez <mmartinez@ci.sandy.or.us>

Fwd: Supplemental information for Rouge Fab Zone Change 20-041-ZC

Joey Gambino <gambino.joey@gmail.com>
To: Marisol Martinez <mmartinez@ci.sandy.or.us>

Fri, Nov 20, 2020 at 11:17 AM

This was sent from Ryan O'Brien to Shelly Yesterday. I am only forwarding this in case it is helpful.

Joseph

----- Forwarded message -----

From: **Ryan O'Brien** <ryanobrien1@frontier.com>

Date: Fri, Nov 20, 2020 at 1:20 AM

Subject: Supplemental information for Rouge Fab Zone Change 20-041-ZC

To: <sdenison@ci.sandy.or.us>

Cc: Joey Gambino <gambino.joey@gmail.com>, Nicole Gambino <gambino.nicolec@gmail.com>, Jeff DeBois <jeff@planetreale.com>

Shelley,


Attached is a revised Narrative for the zone change application addressing the attached traffic report prepared by Mike Ard, traffic engineer. Also attached is the legal description for the property and the supplemental land use application form. The traffic report address the Oregon Transportation Planning Rule. We do not plan to contact ODOT. According to our traffic engineer, ODOT will not comment on an application until it is accepted by the city and after the city sends the application to them. With a very large project, ODOT may comment prior to preparation of the the traffic report. Please accept this zone change application as complete. Contact Joey or Nicole if you need additional copies of the application printed and delivered to you. Give me a call if you have any questions or comments about this application.

Ryan O'Brien
Planning & Land Design LLC
1862 NE Estate Drive
Hillsboro, Oregon 97124
503-780-4061 cell
ryanobrien1@frontier.com

5 attachments

 **Rogue Fab Zone Change Narrative 11-19-20.pdf**
361K

 **12 - Legal Description & Tax Assessment.pdf**
69K

 **13 - Supplemental Land Use Form.pdf**
1045K

 **14 - Rogue Fab Traffic Study.pdf**
1542K

 **Notice of Incomplete Application.pdf**
110K

PRE-APPLICATION CONFERENCE NOTES

Project Name: Champion Way Zone Change – Tube Bender

Pre-Application Conference Date: September 15, 2020

Applicant Name: Joseph Gambino

Staff: Emily Meharg, Kelly O’Neill Jr., David Snider, Mike Walker

FIRE DISTRICT COMMENT: “I don't really have a specific comment for the Champion Way Zone Change Pre-App. Specific comments about fire apparatus access and fire flow requirements will be submitted later if the applicant proceeds with development.”

PLANNING DEPARTMENT REVIEW

Sandy Development Code (SDC): Chapters 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.26 Zoning District Amendments; 17.30 Zoning Districts; 17.50 I-2 Light Industrial; 17.66 Adjustments and Variances; 17.74 Accessory Development; 17.80 Additional Setbacks on Collector and Arterial Streets; 17.84 Improvements Required with Development; 17.90 Design Standards; 17.92 Landscaping and Screening; 17.98 Parking, Loading and Access Requirements; and Chapter 15.30 Dark Sky.

***Caveat:** This analysis includes a review of those code sections that may conflict with the proposed design as submitted. This review is not intended to be a comprehensive analysis of all applicable code sections nor shall this review nullify code requirements that are determined necessary during land use review.*

Zone Change Proposal

- Zoning Map Amendment (Industrial Park, I-1 to Light Industrial, I-2). Narrative will need to address review criteria in Section 17.26.40(B).
- Map amendments shall be done separately from the design review.
- Check with ODOT to determine if they will require Transportation Planning Rule (TPR) findings for the zoning map amendment.

I-2 Zoning District and Setbacks

- What are the proposed uses for both buildings? “Manufacturing, assembly, processing, and production” and “warehousing and distribution facilities” are both primary uses permitted outright.
- Minimum required setbacks are as follows:
 - Front: 30 foot minimum, 70 foot maximum from a transit street (Champion Way and Industrial Way are both transit streets).
 - Side or rear: none, unless abutting a more restrictive district; if abutting, the minimum setback is 50 feet.
 - Corner: 15 feet (however; Chapter 17.80 requires a minimum 20 foot setback on collector streets; both Industrial Way and Champion Way are collector streets).
- For corner lots, the front lot line shall be determined by orientation of the structure based on at least two of the following factors: location of the front door, location of the driveway, or legal street address (Section 17.10.30). Where are you proposing to place the front doors of the buildings? What is the phasing plan? Are you just proposing Building 1 now? If so, the front lot line will need to be Champion Way in order to meet the front setback requirement.

Design Review

- The Development Code calls for vehicular and pedestrian connections to adjacent properties. Reasonable provisions for pedestrian and vehicular off-street access to adjoining properties shall be considered through the design review process (Section 17.50.40(C)). Joint use of access points and interconnections shall be required, where deemed needed by the Director and City Engineer (Section 17.90.130(A.4)). The location of any real improvements to the property must provide for a future street and pedestrian network to adjacent properties (Section 17.90.130(A.6)). The submitted proposal does not detail any interconnections. Please clarify if you are requesting a Design Deviation to eliminate the requirement to provide vehicular/walkway connections between neighboring developments.
- Special attention shall be given to designing a primary building entrance that is both attractive and functional (Section 17.90.130(B.1)).
- Building entries must comply with the accessibility requirements of the Oregon State Structural Specialty Code (Section 17.90.130(B.2)).
- Buildings located at the intersection of two streets shall consider the use of a corner entrance to the building (Section 17.90.130(B.3)).
- Building facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several smaller buildings (Section 17.90.130(C.1)).
- Exterior building materials shall convey an impression of durability. Materials such as masonry, stone, stucco, and wood are encouraged. Metal is not allowed as the primary exterior building material except in the I-2 and I-3 districts (Section 17.90.130(C.2)).
- Lap or horizontal siding or walls of brick, masonry, or stone shall be required. Vertical grooved (i.e. T1-11) sheet siding is prohibited (Section 17.90.130(C.3)).
- Buildings must include changes in relief on 10 percent of the facades facing public streets. Relief changes include cornices, bases, fenestration, fluted masonry, or other treatments for pedestrian interest and scale (Section 17.90.130(C.5)).
- Preferred colors for exterior building finishes are earth tones, creams, and pastels of earth tones. High-intensity primary colors, metallic colors, and black may be utilized as trim and detail colors but shall not be used as primary wall colors (Section 17.90.130(C.6)).
- Ornamental devices, such as molding, entablature, and friezes, are encouraged at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band must be at least 8 inches wide (Section 17.90.130(C.7)).
- Buildings must incorporate features such as arcades, awnings, roofs, porches, alcoves, and porticoes to protect pedestrians from the rain and sun (Section 17.90.130(C.8)).
- Continuous outdoor arcades are strongly encouraged (Section 17.90.130(C.9)).
- For buildings designed to house retail, service, or office businesses, traditional storefront elements are required. These elements include:
 - Clearly delineated upper and lower facades;
 - A lower façade dominated by large windows and a recessed entry or entries;
 - Smaller, regularly spaced windows in the upper floor;
 - Decorative trim, such as window hoods, surrounding upper floor windows;
 - A decorative cornice near the top of the façade. (Section 17.90.130(C.10)).
- Roof pitch shall be a minimum of 3:12. Flat roofs (with minimum pitch for drainage) are permitted with detailed stepped parapets or detailed brick coursing. Visible roof materials must be wood or architectural grade composition shingle, slate, tile, or sheet metal with standing or batten seam. All roof and wall-mounted mechanical, electrical, communications, and service

- equipment, including satellite dishes and vent pipes, must be screened from public view by parapets, walls, or by other approved means. (Sections 17.90.130(D.1-5))
- Buildings require pedestrian access with a primary entrance facing a public street or designated pedestrian way. Primary entrances must be architecturally emphasized and visible from the public right-of-way. Buildings must have an entrance connecting directly between the right-of-way and the building interior; secondary entrances may face parking lots or loading areas. Ground floor units shall face a public street or designated pedestrian way and be visible from the street wherever feasible and shall avoid out-of-direction travel. (Sections 17.90.130(E. 1-4, 6)).
 - Entries shall be sheltered with an overhang or portico with a depth of at least 4 feet (Section 17.90.130(E.5)).
 - Windows that allow views to the interior activity or display areas are encouraged. Windows shall include sills at bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used (Section 17.90.130(F.1)).
 - All new buildings must provide ground floor windows along street frontages.
 - Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.
 - Required windows must have a sill no more than 4 feet above grade.
 - Darkly tinted windows and mirrored windows that block two-way visibility are prohibited for ground floor windows along street facades.
 - Any wall that faces a public right-of-way must contain at least 10 percent of the ground floor wall area in display areas, windows, and doorways. Blank walls facing a public right-of-way are prohibited.
 - Glass curtain windows are not permitted fronting public rights-of-way. (Section 17.90.130(F.2))
 - Upper floor window standards:
 - Glass area dimensions shall not exceed 5 feet by 7 feet.
 - Windows must have trim or molding at least two inches wide around their perimeters.
 - At least half of all the window area in the upper floors must be made up of glass panes with dimensions no greater than 2 feet by 3 feet. Windows that have 1 foot by 1 foot grid inside double pane glass are appropriate and are encouraged. (Section 17.90.130(F.3))
 - A minimum pedestrian walkway width of 5 feet must be maintained at all times (Section 17.90.130(G.2)). If curbs are used instead of wheel stops, the walkways will need to be at least 7 feet in order to maintain a minimum clearance of 5 feet for pedestrian circulation (Section 17.98.120(F)).
 - All building entrances and exits must be well lit. Exterior lighting must be an integral part of the architectural design and must complement any ornamental street lighting and remain in context with the overall architectural character of the district. Lighting must be adequate for safety purposes. Lighting must be of a pedestrian scale and the source light must be shielded to reduce glare. (Section 17.90.130(H)). The application shall include a Photometric Plan compliant with Chapter 15.30. All lighting shall be full cut-off and shall not exceed 4,125 Kelvins. Outdoor lighting systems shall be designed and operated so that the area 10 feet beyond the property line receives no more than 0.25 foot-candles of light. Photometric Plan will need to show property line, a line 10 feet beyond the property line, and foot candles.
 - Locate windows in a manner that enables tenants to watch over pedestrian, parking, and loading areas, and enables surveillance of interior activity from the public right-of-way (Section 17.90.130(I.1-2)).
 - Buildings require an identification system, which clearly locates buildings and their entries for patrons and emergency services (Section 17.90.130(I)(3)).

- The exterior storage of merchandise and/or materials, except as specifically authorized as a permitted accessory use, is prohibited (Section 17.90.130(J.1)).
- All trash collection areas must be located within the structure or behind the building in an enclosure in accordance with the provisions of Design Standards Appendix A (Section 17.90.130(K.1)).
- Section 17.74.20 contains standards related to building features projecting into setback areas. The allowed projection amounts depend on the type of building feature and which yard setback (front, rear, or side).

Improvements, Access, and Utilities

- Frontage improvements along each proposed street frontage (Industrial Way and Champion Way) are required per Public Works standards; improvements will be required with design review. Sidewalks shall be at least 6 feet wide. Right-of-way dedication or a pedestrian easement may be required to accommodate a six-foot sidewalk and five-foot planter section.
- What is the stormwater management plan? Storm water detention and water quality treatment is required for all new impervious surface on the site (standards based on City of Portland SWMM). Stormwater detention and treatment per Section 13.18-13.20 SMC is required for all new impervious surface or any surfacing material change. Submit a detailed stormwater analysis with design review.
- Submit traffic letter.
- Contact Mike Walker regarding SDCs for transportation, water, and sanitary sewer.

Parking, Landscaping, and Screening:

- Light Industrial (I-2) has a requirement to contain a minimum of 15 percent landscaping for the site (Section 17.50.30). Submit a Landscape Plan with design review. Any existing trees on the property shall be retained and trees on adjacent properties that have critical root zones that extend into the subject property shall be protected in accordance with Section 17.92.10(C).
- Planters shall have a minimum width of 5 feet. Where the curb is used as a tire stop for parking, the planter shall be a minimum width of 7.5 feet (Section 17.92.10(D)).
- Per Section 17.98.20(A.11), manufacturing establishments require at least 1 parking space per employee on the largest shift and two bicycle parking spaces. Are you proposing both buildings at this time, or just Building 1? Parking analysis shall be based on what is actually being proposed with this design review application.
- Industrial zoned properties shall not be permitted to exceed the minimum off-street vehicle parking required by Section 17.98.20 by more than 30 percent (Section 17.98.10(Q)).
- Parking shall not be located in the required 30' front setback area (Section 17.50.30(B)). Parking areas shall be set back from a lot line adjoining a street the same distance as the required building setback (Section 17.98.50(C)). The parking spaces by the driveway entrance won't work as proposed as they are located within the required building setback. Some of the easternmost parking spaces also might not work due to insufficient room to back out.
- Standard parking spaces shall be 9 feet by 18 feet; compact parking spaces shall be 8 feet by 16 feet; ADA parking shall be 9 feet by 18 feet with an adjacent access aisle meeting ORS 447.233. No more than 40 percent of the parking spaces shall be compact spaces. (Section 17.98.60(B)).
- Double-sided 90 degree parking with two-way traffic requires a 25 foot wide aisle (Section 17.98.60(C)).

- Driveway accesses to arterials and collectors shall be located a minimum of 150 feet from any other access or street intersection (Section 17.98.80(A)).
- Parking areas, driveways, aisles, and turnarounds shall be paved with concrete, asphalt or comparable surfacing, constructed to City standards for off-street vehicle areas (Section 17.98.130(A)).
- All buildings (regardless of use) that are visible from an arterial street (Highway 26) shall be screened from view by a 20-foot minimum depth vegetative buffer as specified in Section 17.50.30(C). If the property does not abut a highway or arterial street, the screening requirement can be met by an offsite screen that has the effect of screening the property from view from arterial streets and highways. Submit line of sight analysis to determine visibility of the site from Highway 26.
- Landscape and Screening requirements of 17.98.120 need to be met:
 - Screening along a public right-of-way shall include a minimum 5-ft. depth of buffer plantings adjacent to the right-of-way (17.98.120(A)). However, the subject property will still need to be screened from arterial streets in accordance with Section 17.50.30(C).
 - Parking facilities shall include landscaping to cover not less than 10 percent of the area devoted to parking facilities. The landscaping shall be uniformly distributed throughout the parking area and may consist of trees, shrubs, and ground covers (Section 17.98.120(C)).
 - Parking areas shall be divided into bays of not more than 20 spaces in parking areas with 20 or more spaces. Between, and at the end of each parking bay, there shall be planters that have a minimum width of 5 feet and a minimum length of 17 feet for a single depth bay and 34 feet for a double bay (Section 17.98.120(D)). Each planter shall contain one major structural tree and ground cover.
 - Wheel stops, bumper guards, or other methods to protect landscaped areas shall be provided (Section 17.98.120(F)).

Other

- Per Subsection 17.74.40(B.3) the height of a fence or retaining wall in a front yard shall not exceed 6 ft. for industrial uses.
- Submit garbage and recycling enclosure details with design review application.
- Label building elevations with cardinal directions.
- What is your proposed phasing plan? Will you be constructing building 1 and 2 at this time? If you are only planning to build building 1, then you will need to submit for design review based on that.
- The I-2 design standards contain fewer Sandy Style requirements than I-1. This property is located on the corner of two collector streets and will have high visibility. In order for staff to support a zone change, staff will require additional Sandy Style elements, such as a belly band, on the street facing facades of the building(s) as well as more robust landscaping in the setbacks as conditions of a zone change approval.

Application Process: Type IV Zoning Map Amendment. Type II Design Review (if no deviations or Type III variances are requested), Type II Adjustment to required setback. Design Review will be a separate application.

Projected Fees (subject to change):

Procedure	Fee
Zone Change	
Zoning Map Amendment	\$2,413
Design Review	
Type II Design Review (if no requested variances)	\$1,540 - \$7,682 (depending on project valuation)
Type III Design Review (if variances are requested)	\$1,756 - \$7,682 (depending on project valuation)
Type I Adjustment (if requested)	\$329 per request
Type II Adjustment (setback)	\$442 per request
Type II Variance (if requested; not of the applicant's making)	\$657 per request
Type III Design Deviation (if requested)	\$442 per request
Type III Variance (if requested)	\$1,099 per request

Next Steps:

- Land Use Submittal Requirements. 2 hard copies and 1 digital copy submitted for completeness check. During completeness check staff will determine how many additional hard copies are necessary.
- Submit the following for the zone change request:
 - signed land use application and applicable fees;
 - supplemental land use application No.1;
 - narrative for applicable code sections including review criteria in Section 17.26.40(B); and,
 - list and two sets of mailing labels for all property owners within 500 feet of the subject property with attached radius map and affidavit (a title company can create this).
- Submit the following for the design review request:
 - signed land use application and applicable fees;
 - narrative for applicable code sections;
 - list and two sets of mailing labels for all property owners within 300 feet of the subject property (if Type II; 500 feet if Type III) with attached radius map and affidavit (a title company can create this);
 - site plan;
 - building elevations detailing proposed materials and colors;
 - landscape and street tree plan;
 - irrigation plan;
 - utility plan;
 - grading and erosion control plan;
 - stormwater report;
 - photometric plan and lighting fixture cut-sheets;
 - line of sight analysis;
 - garbage and recycling enclosure details; and,
 - traffic letter.

- **Completeness.** Staff review for completeness (30 days max. per state law), if determined incomplete then the applicant submits additional information as required within 180-days, staff then reviews for completeness again, if the application is deemed complete then the application is processed within 120-days per state law.
- **Hearings.** The zone change application will be required to have a Planning Commission and City Council hearing. The design review application will be required to have a Planning Commission hearing if deviations/variances are requested. Planning Commission meetings are typically the fourth Monday of the month at 7:00 PM, but sometimes are scheduled on different days. Council hearings are typically on the first and third Mondays of the month at 7:00 PM. The applicant should be prepared to present their case to the Planning Commission and City Council. Staff typically presents the facts and code analysis with their recommendation. Staff recommendations are not necessarily in favor of the applicant's proposal.
- **Approval.** If the application for the zone change is approved, the decision shall become effective 30 days after adoption of the ordinance. If the application for design review is approved, then you submit for building permits following the conditions outlined in the final order. *The final order is the land use decision.*
- **Denial.** If the application for the zone change is denied, then you can file an appeal to LUBA. If the application for the design review is denied, then you can file an appeal to Planning Commission (if Type II) or City Council (if Type III) per their requirements. An appeal cannot be filed until the final order is issued.

PLANNING COMMISSION STAFF REPORT

TYPE IV DECISION

DATE: January 15, 2020

FILE NO.: 20-041 ZC

PROJECT NAME: Rogue Fabrication Zone Change

APPLICANT: Joseph and Nicole Gambino, JRG Property Management

OWNER: Eastwinds Industrial Park, Inc.

LEGAL DESCRIPTION: 2-4E-15A, 24E15A, Tax Lot 205 (Parcel 1 of 1999-72)

The above-referenced proposal was reviewed as a Type IV zone change. The following Findings of Fact are adopted supporting approval of the plan in accordance with Chapter 17 of the Sandy Municipal Code.

EXHIBITS:

Applicant's Submittals:

- A. Land Use Application
- B. Supplemental Land Use Application
- C. Project Narrative
- D. Legal Description and Tax Assessment
- E. Vicinity Aerial Map
- F. Vicinity Topographical Map
- G. Sandy Zoning Map (Site)
- H. Sandy Zoning Map (City)
- I. Sandy Transportation System Plan: Functional Roadway Classification
- J. Rogue Fabrication Site Plan
- K. Phase 1 Building Perspective
- L. Phase 1 Building Elevations
- M. Phases 2 & 3 Building Perspective
- N. Phases 2 & 3 Building Elevations
- O. Traffic Study

Agency Comments:

- P. City Transportation Engineer (December 15, 2020)

- Q. ODOT (January 7, 2021)
- R. City of Sandy Public Works (January 5, 2021)

Public Comments:

- S. David Snider (January 14, 2021)

Additional Exhibits

- T. Applicant/ODOT correspondence (November 20, 2020)
- U. Pre-App Notes (September 15, 2020)

FINDINGS OF FACT

General

1. These findings are based on the applicant's submittals received on October 13, 2020. Staff deemed the application incomplete on November 9, 2020. The applicant submitted additional materials on November 20, 2020. The application was deemed complete on November 24, 2020 with a 120-day deadline of March 24, 2021.
2. This report is based upon the exhibits listed in this document, as well as agency comments and public testimony.
3. Notification of the proposal was mailed to property owners within 500 feet of the subject property on January 5, 2021 with a revision clarifying the meeting time sent on January 8, 2021. A legal notice for the Planning Commission meeting was published in the Sandy Post on January 20, 2021.
4. One public comment was received from David Snider, resident and City Economic Development Manager, on January 14, 2021. According to Snider, the proposed zone change will be good for economic growth in the City by providing export manufacturing and job growth.
5. The subject site is approximately 1.69 acres. The site is located at the southeast corner of Industrial Way and Champion Way.
6. The parcel has a Comprehensive Plan Map designation of Industrial and a Zoning Map designation of I-1, Industrial Park.
7. The applicant, JRP Property Management, is requesting a zone change from I-1 (Industrial Park) to I-2 (Light Industrial). According to the applicant, the reason for the requested zone change is to reduce the architectural requirements and setback requirements for future development. I-1 zones have more robust requirements as they are intended to be visible from Highway 26. The applicant states that the subject site is not visible from Highway 26, and therefore an I-2 zoning designation is more appropriate. Additionally, adjacent properties are also zoned I-2.

8. It is important to note that this zone change does not require a Comprehensive Plan Map change as the latter designation will remain Industrial.

17.26 – Zoning District Amendments

9. Chapter 17.26 sets forth review criteria and procedural requirements for quasi-judicial and legislative zoning map amendments. The applicant is requesting a quasi-judicial zoning map amendment to modify the zoning district boundaries for the site.
10. Section 17.26.40 outlines the procedures for a quasi-judicial zoning map amendment.
11. Section 17.26.40(B)(1) requires the City to determine the effects on City facilities and services. Extension of sanitary sewer will be required with future development of the lot. The proposed zone change should not negatively impact public facilities or create service capacity shortfalls. The potential uses on the site should have relatively similar impacts on sanitary sewer and water facilities as uses permitted in the I-2 zoning district.
12. Section 17.26.40(B)(2) and (3) requires the City to assure consistency with the purposes of this chapter and with the policies of the Comprehensive Plan, including the following:
 - A. Goal 1 – Adequate public involvement through noticing affected property owners and holding two public hearings has achieved this goal.
 - B. Goal 2 Policy 7 – This proposal is consistent with the Sandy Development Code, Municipal Code, and all adopted standards and enforcement codes of the City of Sandy.
 - C. Goal 9 Policy 36 – Protect designated Industrial lands for Industrial uses. Because this rezoning is not changed the Industrial Comprehensive Plan Map designation, this policy is met.
13. Section 17.26.40(B)(4) requires the City to assure consistency with the Statewide Planning Goals as may be necessary, and any other applicable policies and standards adopted by the City Council. The applicable goals are as follows:
 - A. Goal 1: Citizen Involvement. The Planning Commission is holding a public hearing for this application on January 25, 2021. The City Council will also hold a public hearing on a date TBD. Public notices have been and will be sent for these respective meetings.
 - B. Goal 2: Land Use Planning. Goal 2 requires the ordinance to be coordinated with other affected governmental entities and to be supported by an adequate factual base. The City provided notice of the proposed zone change to the state, as Oregon law requires.
 - C. Goal 9: Economy. The City has adopted an economic opportunities analysis (“EOA”) as Goal 9 requires. As the EOA describes, Sandy has a need for smaller employment sites (< five acres). The EOA also describes Sandy’s comparative advantage for attracting businesses and suggested the City establish policies to

attract professional service businesses, retirement facilities, personal services (lodging, restaurants, tourist-oriented retail, etc.) and small-scale manufacturing firms. Based on the city's advantages, the EOA predicted these types of businesses are most likely to choose to locate in Sandy. The proposed zone change will further the city's efforts to capitalize on those advantages as explained in the EOA.

- D. Goal 11: Public Facilities. The City has an existing public facilities plan that includes all properties within the city's urban growth boundary, including islands of unincorporated property. The proposed zone change will not undermine or contradict any aspect of the existing public facilities plan. The Public Works Director submitted an email (Exhibit R) stating the Public Works Department doesn't have any comments regarding the proposed zone change.
 - E. Goal 12: Transportation. The applicant submitted a traffic analysis from Ard Engineering (Exhibit O) and this analysis was reviewed by Replinger & Associates, the City's Traffic Consultant (Exhibit P). This submittal was also reviewed by the Oregon Department of Transportation (Exhibit Q). This document calculated the development potential of the site based on current and proposed zoning and calculated a trip generation rate based on these assumptions. The analysis estimated at full development of the site, based on current I-1 zoning, the AM peak hour total trip count is 150, the PM peak hour total trip count is 175, and the daily total trip count is 1,760. Based on proposed I-2 zoning, the AM peak hour total trip count is 130, the PM peak hour total trip count is 138, and the daily total trip count is 1,304. Therefore, the proposed zoning of I-2 would likely generate 456 fewer daily trips based on a reasonable worst-case scenario. ODOT reviewed and concurs with this traffic analysis (Exhibit Q).
14. Given that the proposed development conforms with the Sandy Municipal Code and Comprehensive Plan goals, and that multiple conditions have been put in place to ensure that the development meets the intent of the Code and goals, staff finds that these criteria have been met.

17.50 – Light Industrial (I-2)

15. According to the intent of this Chapter, this zoning district is meant for light industrial uses that do not depend on high visibility. Such uses are intended to be screened from view from arterial streets and highways.
16. The two streets which mark the location of the site—Industrial Way and Champion Way—are neither arterial streets nor highways. Rather, they are both defined as collector streets.
17. The subject site is approximately 900 feet from Highway 26 (as measured from Google Earth), and this distance is intersected by Champion Way. Additionally, the site is screened from Highway 26 by the Mt. Hood National Forest Headquarters and Fred Meyer. When driving by the Tractor Supply Store and AMPM there is a small visual window to see this property, but due to distance and other buildings between the highway and the subject site the

prominence of this location is not highly visible. Based on limited visibility of the site from Highway 26 staff recommends the following conditions are imposed on future development of the site:

- A. Robust screening of the parking area or any outdoor storage with at least 20 feet of landscaping;
 - B. SandyStyle approved colors on all future buildings on the subject site, including all walls and any metal roofs;
 - C. Design features consistent with those identified in the submitted elevations; and
 - D. In accordance with the Comprehensive Plan definition of I-2 zoned areas, future development of the property shall have minimal impact on its surroundings and shall not produce noise, light, smoke, odor or other pollutants in excess of average levels preexisting at the boundary of the site.
18. Manufacturing, assembly, and production uses that do not produce significant levels of noise or odor beyond the boundaries of the site are permitted outright uses. Additionally, incidental retail associated with the primary use of the site is allowed so long as it occupies less than 35 percent of the gross floor area of the building(s). Use of the site shall be determined in a future design review application.
19. All development and design requirements found in this Chapter as well as in Chapters 17.80, 17.84, 17.90, and 17.90 shall be determined in a future design review application.

RECOMMENDATION

Staff recommends the Planning Commission pass a motion to recommend approval of the requested zone change to the City Council with additional conditions as identified in Finding #17.

EXHIBITS W



MINUTES
Planning Commission Meeting
Wednesday, December 16, 2020
Zoom
7:00 PM

COMMISSIONERS PRESENT: Don Carlton, Commissioner, Ron Lesowski, Commissioner, Hollis MacLean-Wenzel, Commissioner, Jerry Crosby, Commissioner, John Logan, Commissioner, Chris Mayton, Commissioner, and Todd Mobley, Commissioner

COMMISSIONERS ABSENT: None

STAFF PRESENT: Kelly O'Neill, Development Services Director, Emily Meharg, Senior Planner, and Shelley Denison, Associate Planner, and Chris Crean, City Attorney

MEDIA PRESENT: None

1. MEETING FORMAT NOTICE

2. Roll Call

Chairman Crosby called the meeting to order at 7:03 p.m.

3. Approval of Minutes

3.1. Draft Planning Commission Minutes for November 23, 2020

Motion: Approve the Planning Commission minutes for November 23, 2020.

Moved By: Commissioner Maclean-Wenzel

Seconded By: Commissioner Mobley

Yes votes: All Ayes

No votes: None

Abstentions: Commissioner Logan

The motion passed.

4. Requests From the Floor - Citizen Communication on Non- Agenda Items

None

5. COMMISSIONER'S DISCUSSION

Chairman Crosby asked about the new Planning Commissioners. O'Neill gave an

update on the new Planning Commissioners. Commissioner Mayton was reappointed and a new Planning Commissioner, Steven Hook, was appointed. There is still one vacancy. Chairman Crosby expressed sadness over the departure of Commissioners Mobley and Logan from the Planning Commission and thanked them for their service as did the other Commissioners.

6. OLD BUSINESS

6.1. The Views PD (20-028 SUB/VAR/TREE/FSH/PD) Continuance

Chairman Crosby opened the public hearing continuance on File No. 20-028 SUB/TREE/FSH/PD/VAR at 7:12 p.m. Crosby called for any abstentions, conflicts of interest, ex-parte contact, challenges to the jurisdiction of the Planning Commission, or any challenges to any individual member of the Planning Commission. No challenges were made. Chairman Crosby stated he received three emails sent directly by one or more members of the public but didn't open them. Commissioner Carlton received an email from John Andrade and another from someone else. He opened them, but then forwarded them to O'Neill. Commissioner Mayton also received two emails, read the first few lines on the first, and forwarded it to O'Neill, and read the second one after it was sent to all Commissioners. Commissioners Logan, Lesowski, Maclean-Wenzel, and Mobley also received the emails but didn't open them or respond. O'Neill emphasized the need for the public to send emails to planning@cityofsandy.com. City Attorney Crean asked if any commissioners had any conversations with the emailers. None of the commissioners did. Commissioner Logan stated he watched the video 1.5 times, read the minutes, and read all of the material. The applicant's attorney, Robinson, asked if the emails received by the Commissioners were now part of the record. O'Neill confirmed the emails were made part of the record. Robinson also wanted to clarify that there were no conversations between the Commissioners and the emailers. It was confirmed that no conversations took place.

Crosby stated the Planning Commission's role is to make a recommendation to Council and that there will be another public hearing on this proposal before the City Council in the future.

Staff Report:

Associate Planner Denison summarized the staff report and provided an updated presentation related to the Planned Development (PD) request. Denison presented an overview of the proposal, history of the project, and explained the intent of a PD. Denison clarified the requested use types and number of proposed lots. Denison outlined the requested density bonus and "outstanding" design elements as well as the quantifiable deviations the

applicant is requesting as part of the PD process and the two additional special variance requests. Denison mentioned that HB 2001 would allow for duplexes on all of the lots. Denison summarized comments that were received between the November 23 Planning Commission hearing and the December 16 Planning Commission hearing, including both concerns and support for the proposal. Denison clarified that no development is proposed in the Flood Slope Hazard (FSH) overlay.

Applicant Testimony:

Tracy Brown
17075 Fir Drive
Sandy, OR 97055

Mr. Brown referenced additional documents the applicant provided and showed a slideshow presentation. The applicant is proposing a “Welcome to Sandy” sign. Brown showed images associated with the proposed development and explained the PD process. Brown summarized the developer’s vision, what makes this development unique, and why the proposal should be approved. Brown responded to the concerns received from the public.

Mac Even
PO Box 2021
Gresham, OR 97030

Mr. Even introduced himself and provided background on his history as a builder. Even stated he wants to make a long-term investment in the community. Even and Engineer Moore met with approximately a dozen neighbors the morning of December 16, 2020 to discuss the proposal. Even mentioned the apartments are being included to help offset the infrastructure costs and to create inclusionary housing for all income levels to enjoy the same kinds of amenities.

Even stated the apartments on Lot 72 are proposed at 3 stories in height, but he is now proposing to remove 9 units from that building and make it a 2 story building to help preserve views for the neighbors. This would also reduce the number of units to 159, which means he’s no longer asking for a density bonus. Even stated that if they did duplexes instead, they would not be able to include the passive and active recreation areas.

Proponent Testimony:

Chris Anderson
17150 University Ave

Mr. Anderson said he thinks the project is great and appreciates that the

developer is removing one floor from the apartments on Lot 72. Prefers the PD proposal over duplexes. Asked some questions about the proposed HOA.

Cassidy Moore
1912 SW 6th Ave
Portland, OR

Ms. Moore stated she is excited to see growth.

Buzz Ortiz
41525 SE Vista Loop
Sandy, OR 97055

Mr. Ortiz said he supports the project because the alternative is rentals and duplexes.

Lindsey Sawyer
18085 Scenic Street
Sandy, OR 97055

Ms. Sawyer said she owns a property management company in Sandy and is excited for this proposal. Loves profit and rentals as a property manager but wants to see affordable housing too. Thinks having the developer assume park construction and having the park be maintained by an HOA is a good idea. Encourages everyone to think outside of the box.

Opponent Testimony:

Jason Dyami
41625 SE Vista Loop Drive
Sandy, OR 97055

Mr. Dyami expressed concerns about the additional impacts of traffic in the City of Sandy and wastewater treatment concerns. He stated that the FSH Overlay area already can't be built on so wondered if that space is included in the required open space. Wonders if there is a better location for apartments in a different part of town. He asked, why do the apartments need to be behind his house? Hard for him to swallow why current residents of the community need to suffer or lose what they've worked hard for so someone else can gain.

Lisa Hull
18265 SE Vista View Ct.
Sandy, OR 97055

Ms. Hull stated that she attended the informal meeting held by Mac Even on the morning of December 16. Her biggest disappointment is that most of the

people that live in this neighborhood have worked all their lives to afford to live in this neighborhood and enjoy beauty, peace, and quite that it provides. She stated that development will be nice for some people, but it takes the neighborhood down a notch and they've worked all their lives to be where they are today. A lot of the people living on Vista Loop are retired. She said that she learned that the eastern third of Vista Loop will be improved, but she is not sure residents of the new development will only use a third of Vista Loop. Sent a letter about her concerns about traffic safety with the influx of people and wanted to make sure her email was received. Highway 26 is already unsafe at the east end of Vista Loop and therefore suggests lowering the speed limit from 55 mph to 45 mph like on the west side of Sandy. Ms. Hull said there used to be a slip lane like a highway off ramp to exit Highway 26, which felt safer. The recent improvements to the intersection removed the slip lane and made it a hard right without a right turn lane. Parking analysis indicates no on-street parking but wants to know how that is going to be enforced based on the existing issues at the west end of Vista Loop.

John Barmettler
41613 SE Vista Loop
Sandy, OR 97055

Mr. Barmettler voiced that his biggest concern is the apartment buildings, regardless of the number of stories. He stated that he finds it preposterous. Sent emails out and wants everyone to know he's very upset about the whole thing. Concerned about the proposed location of Knapp Street intersecting with Vista Loop, which will point headlights into his bedroom. Doesn't doubt we need housing for people who can't afford high-end living, but the proposed location for apartments is the wrong place. He also stated that justifying the Planned Development (PD) by saying there are multiple housing types is circular logic.

Todd Springer
18519 Ortiz Street
Sandy, OR 97055

Mr. Springer stated that his biggest concern is schools and the size of the classrooms. His grandson had 23 kids in his kindergarten class last year. He would like to see speed controls, such as speed bumps. Mr. Springer is concerned about the safety of his five grandchildren who play in his yard.

Neutral Testimony:

John Andrade
18509 Ortiz Street
Sandy, OR 97055

Mr. Andrade stated that he met with Mac Even the morning of December 16. He is concerned about three-story apartments. For example, police recently responded to apartments on the west end of Vista Loop. Likes the developer's team but wants Planning Commissioners to hear the public's concerns, including that neighbors are used to having less traffic. Wants to hold Mac Even to HOA but knows many HOAs dissolve and ultimately the City and taxpayers absorb costs.

Staff Recap:

Denison reiterated that all letters and emails received are part of the record and Planning Commission has received them. Clarified that the applicant is proposing an HOA and that the applicant has completed a TIA, which was reviewed by a third-party traffic engineer. Speed limit reduction request would be a different application but feels the sidewalk on Highway 26 and the Welcome to Sandy sign should aid in traffic calming. Parking enforcement will be done through the City's current enforcement procedures. The Planning Commission can't take schools into account, but multi-family housing statistically has fewer children than single-family homes. Sounds like Mac Even's meeting with neighbors went well, which is great. Constitution protects property rights and economic viability of land so City can't say "no, you can't develop the land." Concern about apartments is not unique but there's great research on multi-family housing.

O'Neill stated there will be additional vehicles on the highway because of the proposed development but the traffic generated from the new units will have very little impact on the 33,000 vehicles already on Highway 26 (based on 2011 numbers). He stated to contact the Public Works Director or City Manager regarding Wastewater Treatment or speed bumps. The Sandy code enforcement officer will enforce no on-street parking. ODOT would need to review a speed limit reduction request and asked concerned citizens to ask Council to get this started. Classroom size is an Oregon Trail School District (OTSD) issue and people should contact Julia Monteith with concerns. However, additional property taxes and school excise taxes collected with development should help fund additional teachers and classroom expansion. You can't develop within the restricted development area of the FSH, but the remainder of the FSH is an analysis area. Many other developments include lots platted with some FSH area which becomes a code enforcement nightmare. This area is included inside the UGB so the subject property will be developed, whether it's the proposed development or another in the future. O'Neill stated that he hopes Mac Even submits additional details on reduction of the apartment building in the Lower Views from 3-stories to 2-stories, which ultimately means the density bonus is no longer applicable and development doesn't need to be considered outstanding anymore.

Applicant Rebuttal:

Brown emphasized that Mac Even intends to have an HOA and will retain ownership of the apartments himself. Single-family residents that are in the neighborhood will also have eyes on the development if there's a problem. Understands concern about change in the neighborhood, but the only way the road will be improved is with development. If this development isn't approved the alternative probably won't have all the benefits that are being proposed.

Discussion:

Chairman Crosby reiterated the Commission's task is to forward a recommendation to City Council with any adjustments they want to make or concerns they have. Crosby wants the Commission to respond to staff's questions. O'Neill stated that if there are questions the Commission feels they don't need to discuss, that's fine. Logan talked about House Bill (HB) 2001 and wondered how many questions could be considered moot once HB 2001 provisions are adopted and duplexes are allowed where single-family residences are allowed.

Carlton stated the proposed development area is zoned SFR, which won't really exist after HB 2001, though single-family detached homes will still be built. Needed housing refers to all housing needs, not just higher density. Need to listen to Sandy's citizens. Carlton reviewed the UGB expansion analysis and determined there's R-2 and R-3 land available, so every project doesn't need to include R-2- or R-3-like development. The subject PD proposal doesn't provide analysis on effect on urban growth expansion analysis. Carlton also stated that he hasn't seen a memo from City Attorney Crean, which was requested at the last meeting. Section 17.64.30(A) states that the underlying base zone standards apply unless superseded by the PD process, which allows modification of quantifiable standards. Base zone is still SFR. The Commission and Council can make a determination on each modification request, but Section 17.34.10 doesn't include townhomes or multi-family as permitted uses. Smaller lot areas lead to smaller lot widths. Applicant doesn't provide rationale for reduced setbacks. Is block length modification a variance or can that be done as part of the PD process even though it's in Chapter 17.100 and not Chapter 17.34? Carlton states that if property were to develop as SFR, there would still be FSH areas, there wouldn't be mix of housing types, and there might still be some recreation areas still due to odd shaped areas. Doesn't feel proposal is outstanding. Believes the SFR base zone standards should apply and not be modified. O'Neill stated that block length request can be processed through the PD process because it's a dimensional and quantitative standard in the Development Code.

Lesowski stated that he appreciates the preservation of the natural areas and incorporation of rowhouses to separate residential and commercial properties. Loves the public areas and amenities with meandering paths and views of Mt Hood. However, he feels the proposed quantitative modifications are too drastic. SFR would require minimum 7,500 square foot lots; proposal includes 50 lots under 5,000 square feet. A duplex on a 7,500 square foot lot would probably give more outside space and be more functional than 2 separate lots that are 3,400 square feet each with single family homes. He feels the high number of smaller lots push the proposal past decency. Commission is not supposed to be looking at development costs, even though it always comes up in the conversation. Most of the amenities are in the Lower Views and it would have been nice to spread out the amenities to the Upper Views too.

Mayton said he believes the proposed PD is a great concept and would add benefit to the community. His six "Nos" are around lot size and setbacks. Right-turn is also a "No" for him. He drove it three times at 5pm and was nervous. It's a tough right turn to make. Entrance into Vista Loop needs to be changed to make it feel safe for drivers, though he understands the traffic analysis found otherwise. Mayton is not sure about the last four questions but would support the PD with a lot of conditions tacked on, but in its current state he wouldn't be supportive.

Logan stated that he agrees that the concept, mix of uses, and open spaces are all great. He lives in a PD in Sandy and loves it, but his neighborhood doesn't have apartment buildings. Happy to hear Mac Even and Ray Moore met with the neighbors this morning. He stated that he doesn't like the apartment building on Lot 72 but doesn't have a problem with the lot sizes and widths given the amenities proposed. Finds the right turn off the highway to Vista Loop is problematic. Understands the issues with parking on Vista Loop Drive and that maybe code enforcement isn't doing their job or people aren't complaining.

Maclean-Wenzel said that she agrees with Logan. Feels for neighbors and understands it must be hard to have a new development go in next door, but the Commissions job is to review the proposed development and determine if it meets code. HB 2001 will allow duplexes and therefore change is on the horizon. Feels the developer has worked hard to put together a nice plan with lots of amenities. She is happy the developer met with neighbors on the morning of December 16 and likes the proposal to reduce the apartment building to 2 stories on Lot 72. As a PD, she finds the proposal is outstanding

and will look nicer than some of the other subdivisions that have been approved. Her biggest concern is the right turn off Highway 26 at Vista Loop Drive.

Mobley is less concerned about smaller lot sizes and thinks they're more common now. He lives on one. Recognizes that smaller lots could create parking issues but thinks overall the project is well designed. Likes that the design preserves views of Mt Hood. Understands neighbors wouldn't anticipate multi-family housing in a SFR zone. The right turn lane was fixed recently by taking out the slip lane at the intersection of Highway 26 and Vista Loop. Doesn't disagree with the technical analysis but understands the issues people are having with the comfort of making a right turn. Would be in favor of a speed zone analysis on that section of highway. Overall, he is in support of the development proposal.

O'Neill stated there's nothing in the evidence submitted by ODOT, or the developer's traffic engineer, or the City's third party traffic engineer that proves the intersection of Highway 26 and Vista Loop is unsafe. O'Neill believes ODOT should pay for improvements because property owner Picking already made improvements in 2018 as approved by ODOT. He stated that concerned citizens should voice concerns to ODOT. He reiterated that ODOT originally installed the slip lane, then asked a property owner to fix it by removing the slip lane and is now asking the same property owner to pay to fix it again.

Crosby agrees the overall design and appearance of the plan is wonderful, especially the meandering wide sidewalk area. Crosby reiterated the PD intent section. No one has referenced the first two points related to villages, which was a big part of the 2040 Comprehensive Plan. An essential theme in the Comprehensive Plan is village areas, which are compact developments designed to increase reliance on pedestrian mobility and reduce reliance on cars. How does a developer get to apply a PD anywhere? The Comprehensive Plan map includes designated village areas, though they never gained traction in Sandy. Other village areas have a mix of zones. This property is SFR. Crosby questioned the applicability of a PD request on SFR zoned land outside a village. O'Neill responded that last PD approved was in 2008 so no one on staff has processed one. Initially, staff believed PDs could only be applied in areas designated as Villages on the Comprehensive Plan Map but realized that almost all existing PDs in Sandy have been approved in areas that don't have the Village designation. At that time, Attorney Doughman pointed out that intent sections aren't criteria, and that Section 17.64.20 states PDs are allowed in all zones. So, the attorney interpretation was that PDs could be requested in any area. Crosby thanked O'Neill for the explanation and stated he struggles

with the idea that a PD essentially throws away residential zoning. Crosby acknowledged that the HOA is proposed to be professionally run, but that staff included a condition that should the HOA dissolve that maintenance responsibility is assumed by adjacent homeowners. There's a huge area in the north views with one lot that is adjacent so would that lot take on responsibility for the entire open space area if the HOA dissolves? Crosby would like to see a requirement that the HOA cannot be disbanded. O'Neill stated that the intent of the condition is that meandering path areas would need to be maintained by adjacent landowners. City Attorney Crean stated the City can't control HOAs or keep them from dissolving, but the City can try to anticipate downstream effects of an HOA dissolving. He explained that the HOA is responsible for paying taxes on open space too so if the HOA dissolves, eventually they would foreclose and the County would try to sell them to adjacent property owners. Crean acknowledges there's a focus on villages in the PD section but that they aren't limited to those areas. The code allows a PD in all zones; even if the focus is on villages, it's not limited to villages.

Carlton stated he appreciates the reduction of the apartment building by one story but is not sure if that will help maintain neighbors' views or not. Carlton mentioned previous open space areas were deeded to the City so that the City would maintain them instead of relying on an HOA. HOAs generally fail. City Council could ask the developer to dedicate the open space areas.

Applicant Attorney Robinson stated the Commission hasn't closed the record and is creating new conditions. Robinson mentioned there are other ways to maintain areas besides HOAs, for example maintenance agreements that run with the land.

Logan mentioned the City is getting \$472,000 from park fee-in-lieu dedication so wonders if that money could go towards maintaining open space areas if the HOA dissolves. O'Neill stated areas could be maintained but SDCs could not be used to make improvements without revising the SDC methodology. City Attorney Crean brought up a city that keeps an eye on HOAs that go defunct and then buys the property but is not sure it's possible to condition that the property would automatically go to the City if the HOA dissolves. O'Neill stated the City has acquired some land in the past that way.

Crosby requested the public hearing be closed.

Motion: Motion to close the public hearing at 10:20 p.m.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Logan

Yes votes: All Ayes

No votes: None

Abstentions: None

O'Neill stated he has a good idea of Commission's concerns and what they think the developer is doing well. Lesowski asked about process and wants to clarify Commission's points on all the questions. Mayton wants to get to a consensus on the 18 questions. Crosby believes the Commission is leaning towards moving the proposal to City Council but with serious concerns.

- A. Doesn't apply with the removal of nine dwelling units.
- B. Rowhouses allowed in SFR: 5 yes, 2 no
- C. Multi-family allowed in SFR: 4 yes, 3 no
- D. Lot sizes less than 7,500 sq. ft.: 3 yes, 4 no
- E. Minimum average lot widths less than 60 feet: 3 yes, 4 no
- F. Reduce interior side yard setbacks to 5 feet: 3 yes, 4 no
- G. Reduce rear yard setback to 10 feet, or 15 feet: 3 yes, 4 no
- H. Block lengths at 691 feet, 655 feet and 805 feet: 7 yes, 0 no
- I. Meandering walkways instead of traditional right-of-way sidewalks: 7 yes, 0 no
- J. No sidewalk on south side of The Views Drive with Tract E condition: 7 yes, 0 no
- K. No front doors facing Highway 26: 7 yes, 0 no
- L. Two development phases (Lower Views and Upper Views): 7 yes, 0 no
- M. Not require right turn lane at Vista Loop and Highway 26 to be burden of developer: 6 yes, 1 no, but want right-turn lane to be installed by ODOT. Mayton stated he believes the developer has some responsibility to help improve the intersection, regardless of whether they pay for it or not.
- N. Proposed future street layout north of Ortiz proposed by applicant or street stub or pedestrian path connection: pedestrian path connection 7 yes, 0 no
- O. Additional vegetation between the sound wall and sidewalk on Highway 26: 6 yes, 1 no. Mobley stated he thinks additional vegetation could be a maintenance issue.
- P. Alternative maintenance option research (i.e. instead of HOA): 6 yes, 1 no
- Q. Other recommendations: Crosby stated that looking into a maintenance agreement option in lieu of the proposed HOA is his preference. Mayton wants formal documentation on developer's proposal to lower apartment on Lot 72 to two stories instead of three stories. O'Neill also brought up Carlton's request for sight line analysis. Crosby asked if that should be done now or when the apartment comes in for Design Review. Carlton said it would be nice to know now. O'Neill

stated the sight line analysis could determine a maximum height now, though the design of the apartment could be done later. 7 yes, 0 no to condition line of sight analysis.

- R. Recommend approval of PD: City Attorney Crean stated the Commission does not need to make a formal recommendation of approval or denial. Carlton thinks a motion would give Council an idea of Planning Commission support. Mayton states a motion will be difficult because there are some questions where consensus might be yes, but a particular Commissioner strongly disagrees but might be amenable if a condition is included. Crean suggests that the recommendation could be that Council approve or deny the application after full consideration of the Planning Commission's concerns and recommendations.

Motion: Motion to recommend to the City Council that the Council approve or deny the application after full consideration of the Planning Commission's issues, concerns, and recommendations below.

Moved By: Commissioner Mayton

Seconded By: Commissioner Maclean-Wenzel

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed at 10:56 p.m.

Mayton expressed his appreciation for Commissioner's Logan and Mobley. O'Neill wanted to make sure there will be a quorum in January. Sounds like there will be one. Denison is still trying to figure out what a "village" is in Sandy and it will be part of the Comprehensive Plan update. Crosby mentioned that the village concept hasn't gained traction because we're not seeing commercial developed. Carlton wants staff and the Planning Commission to think about implications about allowing PDs anywhere and what that means for residential zoning.

7. Adjourn

Motion: To adjourn

Moved By: Commissioner Mobley

Seconded By: Commissioner Logan

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Chairman Crosby adjourned the meeting at 11:02 p.m.

A handwritten signature in blue ink that reads "Jerry Crosby". The signature is written in a cursive style with a large initial "J".

Chair, Jerry Crosby

A handwritten signature in blue ink that reads "Kelly O'Neill Jr". The signature is written in a cursive style with a large initial "K".

Planning Director, Kelly O'Neill Jr

EXHIBIT X

Rogue Fabrication Zone Change



20-041 ZC

Planning Commission: January 25, 2021

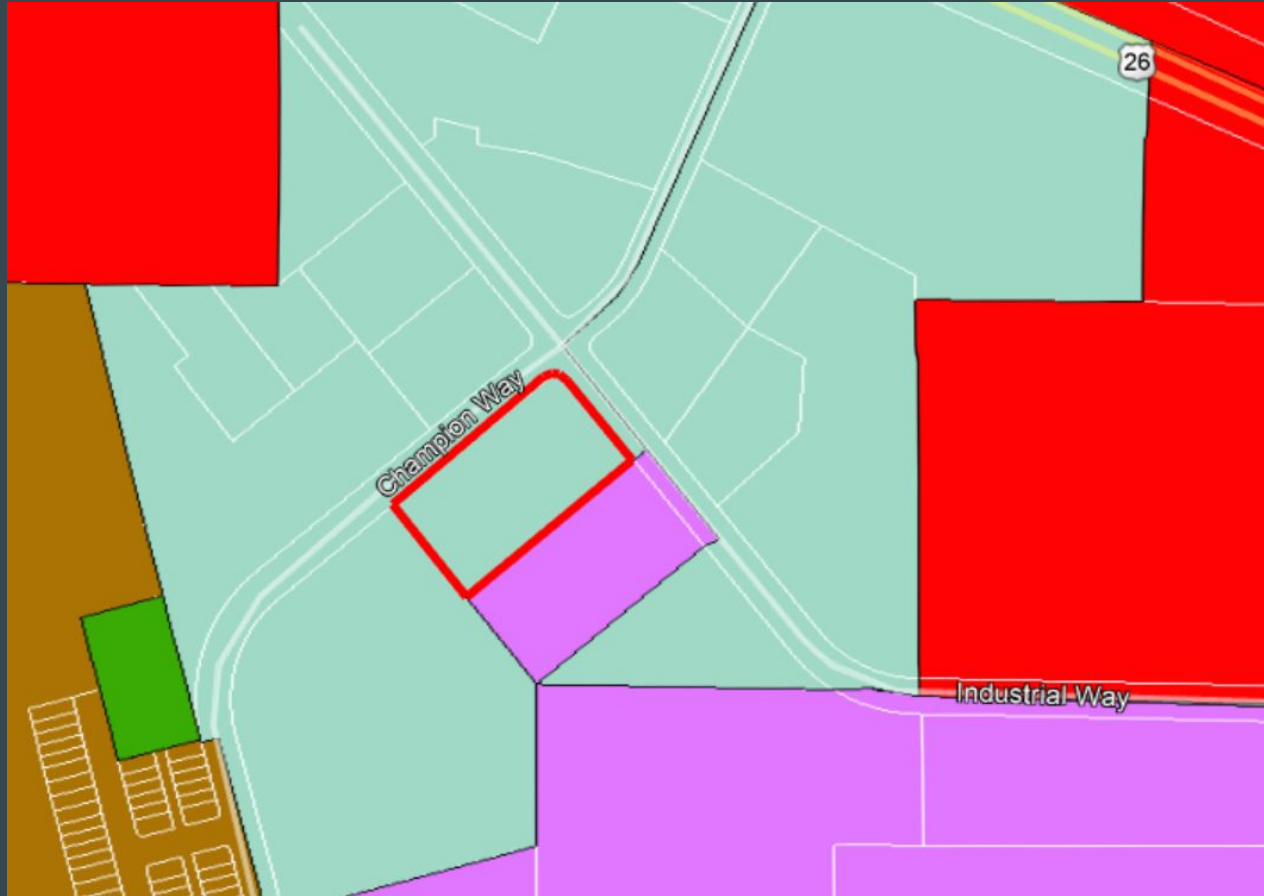
Vicinity Map



Request

- Type IV Zone Change from I-1 (Industrial Park) to I-2 (Light Industrial)
 - Note: does not require a Comprehensive Plan change

Current Zoning Map



I-1 versus I-2

I-1 (Industrial Park)

“intended to allow desirable and beneficial mixing of light industrial and warehousing businesses and commercial uses totally enclosed within buildings on large, landscaped sites which will blend harmoniously with their surroundings and adjacent land uses.” (*Comp Plan*)

I-2 (Light Industrial)

“intended to provide locations in suitable areas for light manufacturing and warehousing business which have minimal impact on their surroundings and do not produce noise, light, smoke, odor or other pollutants in excess of average levels pre-existing at the boundary of the site.” (*Comp Plan*)

“Because building design standards are less restrictive in this zone than in other zones, buildings (regardless of use) shall be screened from view from arterial streets and highways.” (*SDC*)

Review Criteria

- Determine the effects on City facilities and services
- Assure consistency with the purposes and intent of SDC Chapter 17.26
- Assure consistency with the policies of the Comprehensive Plan
- Assure consistency with the Statewide Planning Goals as may be necessary, and any other applicable policies and standards adopted by the City Council

Effects on City Facilities and Services

- I-2 land uses are anticipated to have lower traffic volume than I-1 land uses.
- The proposed zone change should not negatively impact public facilities or create service capacity shortfalls.
- Extension of water and sanitary sewer will be required with future development.

Review Criteria

- Determine the effects on City facilities and services
- Assure consistency with the purposes and intent of SDC Chapter 17.26
- Assure consistency with the policies of the Comprehensive Plan
- Assure consistency with the Statewide Planning Goals as may be necessary, and any other applicable policies and standards adopted by the City Council

Statewide Planning Goals

- Goal 9: Economy
 - Smaller manufacturing businesses are beneficial to Sandy as outlined in the City's EOA.
- Goal 12: Transportation
 - The proposed zoning of I-2 would likely generate 456 fewer daily trips.

Conditions of Future Development

- Robust screening of the parking area or any outdoor storage with at least 20 feet of landscaping.
- Sandy Style approved colors on all future buildings on the subject site, including all walls and any metal roofs
- Design features consistent with those identified in the submitted elevations.
- In accordance with the Comprehensive Plan definition of I-2 zoned areas, future development of the property shall have minimal impact on its surroundings and shall not produce noise, light, smoke, odor or other pollutants in excess of average levels pre-existing at the boundary of the site.

Public Comments

- Zone change to allow applicant's potential land use will encourage diversity of jobs and support a small business in Sandy.

Recommendation

Forward recommendation of approval to City Council.