



**MINUTES**  
**Planning Commission Meeting**  
**Monday, October 26, 2020 Zoom 6:00 PM**

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

**COMMISSIONERS ABSENT:** Jerry Crosby, Commissioner

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

**MEDIA PRESENT:** None

**1. MEETING FORMAT NOTICE**

The Planning Commission will conduct this meeting electronically using the Zoom video conference platform. Members of the public may listen, view, and/or participate in this meeting using Zoom. Using Zoom is free of charge. See the instructions below:

- To login to the electronic meeting online using your computer, click this link: <https://us02web.zoom.us/j/82052351844>
- If you would rather access the meeting via telephone, dial (253) 215-8782. When prompted, enter the following meeting number: **820 5235 1844**
- If you do not have access to a computer or telephone and would like to take part in the meeting, please contact City Hall by Friday October 23 and arrangements will be made to facilitate your participation.

**2. WORK SESSION - 6:00 PM**

2.1. Vice Chairman Carlton called the work session to order at 6:01 p.m.

Kelly O'Neill Jr. introduced Ethan Stuckmayer, the Senior Planner of Housing Programs with DLCD, and Jennifer Donnelly, the Local Planning Representative with DLCD. Mr. Stuckmayer provided an overview of House Bill 2001 and how it impacts housing in middle-sized cities, such as Sandy. He reiterated that Sandy shall adopt a compliant code by the end of June 2021, or the city will be forced to use the model code drafted by DLCD.

Senior Planner Emily Meharg summarized the staff report and provided an in-depth presentation related to the proposal. Meharg summarized the proposed code change schedule with a Planning Commission hearing in January and a City Council hearing in March.

Kelly O’Neill Jr. explained that House Bill 2001 (HB 2001) makes ADUs and Duplex units like one another. Commissioner Mayton asked DLCD if any of the assumptions that staff is making are incorrect. Mr. Stuckmayer stated that staff’s assumptions in the staff report are correct. Commissioners Lesowski and Carlton asked clarifying questions that were answered by DLCD staff and City staff. Commissioner Mayton asked questions regarding permitting for duplex units and tandem parking. Commissioner Lesowski asked Stuckmayer and Donnelly about potential pitfalls with adopting code standards. Mr. Stuckmayer said the model code should help cities, but that the model code has not existed long enough to know if there are pitfalls. Meharg explained that some of the requirements in the model code were incorporated into the Sandy code modifications. Commissioner Lesowski asked for other examples around the country. Mr. Stuckmayer said that Minneapolis and New Orleans have middle housing requirements, but that Oregon is the only state to adopt such standards. Ms. Donnelly suggested that staff look at Hood River for an example of parking for single family homes.

Commissioner Maclean-Wenzel asked, does DLCD have any input regarding people working from home and how that might modify the need for families to have multiple vehicles? Ms. Donnelly said that more families will likely have less vehicles over time because of more people working from home. Mr. Stuckmayer stated that as vehicle ownership patterns change the state will reexamine rules. Commissioner Maclean-Wenzel stated that overtime she believes the necessity for multiple vehicles will decrease. Commissioners Carlton and Lesowski made some additional comments. Commissioner Mayton asked a question about having a triplex and quadplex on the same lot. Mr. Stuckmayer provided some clarity on Mr. Mayton’s question. Kelly O’Neill Jr. repeated some questions from the staff report, and the Planning Commission provided some feedback. The work session ended at 6:59 p.m.

**3. REGULAR MEETING - 7:00 PM**

**4. ROLL CALL**

Vice Chairman Carlton called the regular meeting to order at 7:05 p.m.

**5. APPROVAL OF MINUTES**

5.1. **APPROVAL OF MINUTES – September 28, 2020**

**Motion:** Approve the Planning Commission minutes for September 28, 2020.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Maclean-Wenzel

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

6. **REQUESTS FROM THE FLOOR - CITIZEN COMMUNICATION ON NON-AGENDA ITEMS**

Kathleen Walker

15920 Bluff Road

Sandy, OR 97055

Mrs. Walker commented on HB 2001 and the parking issues that already exist in the city of Sandy. Mrs. Walker asked if ADUs and Duplex units will still be required to have additional off-street parking.

7. **DIRECTOR'S REPORT**

Kelly O'Neill Jr. summarized the director's report and provided information on HB 2001 in response to Mrs. Walker's public comments.

8. **COMMISSIONER'S DISCUSSION**

Commissioner Mayton stated that he appreciated the work session and encourages residents to listen to the House Bill 2001 discussion once it is posted to YouTube. Commissioner Carlton agreed with Commissioner Mayton. Commissioner Lesowski stated that the Planning Commission does not see all of the applications and that the Commission is more of a review commission for exceptions that are being requested. Commissioner Logan announced that he will not be seeking Planning Commissioner reappointment. Commissioner Maclean-Wenzel asked if we are going to extend the deadline for submitting applications for commissioner seats. O'Neill stated that he thinks extending the deadline for submitting applications is a good idea, but that he also wants to make sure some of the open seats are filled to make sure we do not run into quorum issues. Commissioner Mayton asked other people in the public to apply for the Planning Commission. Commissioner Carlton provided some additional input.

9. **OLD BUSINESS**

9.1. **Bull Run Terrace (19-050 CPA/ZC/SAP/SUB/TREE):**

Vice Chairman Carlton opened the continuance of the public hearing on File No. 19-050 CPA/ZC/SAP/SUB/TREE at 7:31 p.m. Carlton 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, and no declarations were made by the Planning Commission.

**Staff Report:**

Associate Planner Shelley Denison summarized the staff report and provided an in-depth presentation related to the request. O'Neill presented a few additional items.

**Applicant Testimony:**

Tracy Brown  
17075 Fir Drive  
Sandy, OR 97055

Mr. Brown stated that most of the modifications to the proposal are reflective of the input that was received from the public and the Planning Commission in August. He then presented a slideshow that highlighted the modifications to the proposal.

Ray Moore  
All County Surveyors and Planners, Inc.  
PO 955  
Sandy, OR 97055

Mr. Moore thanked staff and the public. He stated that the input from the August meeting was great and modifications were made to the proposal in response to concerns that were raised. Mr. Moore also explained the logic behind adding a second stormwater pond facility.

Mike Ard  
Ard Engineering  
17790 SW Dodson Drive  
Sherwood, OR 97410

Mr. Ard explained the modifications to the traffic analysis and explained some of the concerns that were raised by ODOT. A trip cap is being proposed with the application. 340 PM Peak Hour Trips is the proposed trip cap.

Commissioner Mobley asked if a grant of access is needed for Dubarko Road. Mr. Ard said that a grant of access or another mechanism will be applied for.

Mike Robinson  
Schwabe, Williamson, and Wyatt  
1211 SW 5th Avenue, Suite 1900

Portland, OR 97204

Mr. Robinson explained that he believes only an indenture of access is needed.

Mr. Brown provided a brief recap and thanked the Planning Commission. Commissioner Maclean-Wenzel thanked the applicant for the additional landscape screening and tree retention.

Commissioner Carlton then explained the testimony process.

**Proponent Testimony:**

Vadim Verbelchuk

18382 Meadow Avenue

Sandy, OR 97055

Mr. Verbelchuk thanked the applicant for the additional screening along the common property line.

**Opponent Testimony:**

Steven Hook

18078 Meadow Avenue

Sandy, OR 97055

Mr. Hook thanked the developers for the concessions that were made to help the existing neighborhood to the west. Mr. Hook said he has some concerns with permitting higher density and the parking issues it may create.

Brenda Hoyt

40485 Buck Street

Sandy, OR 97055

Ms. Hoyt expressed concerns with parking and the issues with availability in the Deer Pointe subdivision. She also has concerns with 5th-Wheelers that are always parked on the streets.

Ann Ruhl

18368 Meadow Avenue

Sandy, OR 97055

Ms. Ruhl likes the new proposal better than the last proposal, but still doesn't think the proposal meets the municipal code criteria. Ms. Ruhl then read a letter that summarized her thoughts related to comprehensive plan changes, density increases, multi-family housing, etc. She finished her testimony by asking for a continuance to the public hearing.

Zoanna McKenzie

18428 Meadow Avenue

Ms. McKenzie expressed concerns about not knowing how the buildings in the proposed subdivision will be designed.

**Neutral Testimony:**

Kathleen Walker

15920 Bluff Road

Sandy, OR 97055

Mrs. Walker said she is speaking on behalf of the Parks and Trails Advisory Board. She said there is nothing in the staff report regarding the Parks and Trails Advisory Board input.

Bill Knapp

PO Box 880

Sandy, OR 97055

Mr. Knapp stated he doesn't see a rationale for the increase in density and wants more information. He then elaborated on the traffic impacts at Dubarko Road.

**Staff Recap:**

Denison explained the parking regulations for multi-family housing, the future design review requirements related to Lots 5-7, housing needs and affordability, and the comprehensive plan modifications. O'Neill elaborated on a few additional points related to the Parks and Trails Advisory Board and information in the recommendations section related to the rationale for supporting an increase in density.

**Applicant Rebuttal:**

Mike Robinson

Schwabe, Williamson, and Wyatt

1211 SW 5th Avenue, Suite 1900

Portland, OR 97204

Mr. Robinson elaborated on the continuance request and explained that most of the record before the Commission is from August. He then elaborated on approval criteria, state goals, modifications since the August proposal, the correct land use mix to pay for the transportation improvements, and other pertinent state laws.

Mike Ard

Ard Engineering

17790 SW Dodson Drive

Sherwood, OR 97410

Mr. Ard addressed a few of the public comments, including the comments regarding the intersection of Langensand Road and Highway 26. He then elaborated on the intersection improvements at Dubarko Road and Highway 26.

Tracy Brown  
17075 Fir Drive  
Sandy, OR 97055

Mr. Brown provided some information on the Parks and Trails Advisory Board meetings and asked staff to include the Parks and Trails Advisory Board minutes in the exhibits list. He also explained that the applicant would like to assist in construction of Deer Pointe Park.

**Discussion:**

Commissioner Mayton stated he is conflicted as he likes some of the proposal and doesn't like some of the proposal mainly because the community attitude is against multi-family housing. Commissioner Carlton stated that having a developer that is ready to develop multi-family housing is not a bad thing. David Doughman stated the review criteria for Comprehensive Plan amendments are the criteria in Section 17.24.70, and that the attitudes of the public are not approval criteria. Commissioner Mobley stated that the latest proposal is subject to a trip cap and will not generate more trips than the existing zoning. O'Neill stated that if the trip cap is not in the existing staff report it should be added as a condition.

Commissioner Carlton asked a question related to a traffic signal at Dubarko Road and Highway 26. Commissioner Mobley stated that the need for a traffic signal will be warranted eventually, but the threshold to warrant the signal has to be met first.

Commissioner Lesowski thanked the applicant for the modifications to the proposal and for listening to all of the concerns in August. He then elaborated on the relationship between 'development pays for itself' and the desire to have new parks and roads. Mr. Lesowski stated that the city could have helped pay for the transportation costs.

Commissioner Logan concurred with Mr. Lesowski. He elaborated on supply and demand with rental homes, and that people typically don't want high density in their backyard.

Commissioner Maclean-Wenzel stated that as all other commissioners have

stated it seems the proposal meets the requirements. She stated that the connection of Dubarko Road to Highway 26 is long overdue and needs to occur. Commissioner Mobley said that higher density development helps pay for transportation improvement costs.

Chairman Carlton stated the original zoning had R-2 so there likely was going to multi-family housing regardless of the zone change. He then elaborated on the proposal and explained that he feels that Dubarko Road and the park expansion are very important.

O'Neill explained the difference between a typical process that we typically do not evaluate costs, such as a design review, and this proposal that evaluates costs related to public benefits, such as transportation improvements and park improvements.

Commissioner Mayton asked if the modifications to R-3 zoning satisfy density and alternative housing options or create a public benefit. Both Commissioner Carlton and O'Neill explained their thoughts elaborating that they find the zoning modifications will do both.

Commissioner Lesowski said one of the main reasons we are hearing the comprehensive plan map change is because the applicant needs help to make the project pencil.

**Motion:** Motion to close the public hearing at 9:52 p.m.

Moved By: Commissioner Logan

Seconded By: Commissioner Mayton

Yes votes: Carlton, Lesowski, Maclean-Wenzel, Logan, Mobley and Mayton

No votes: None

Abstentions: None

The motion passed at 9:52 p.m.

**Motion:** Motion to recommend to the City Council approval of the application per the staff report, with an additional condition of approval to implement a trip cap per the transportation analysis.

Moved By: Commissioner Mobley

Seconded By: Commissioner Maclean-Wenzel

Yes votes: Carlton, Lesowski, Maclean-Wenzel, Logan, Mobley and Mayton

No votes: None

Abstentions: None

The motion passed at 9:54 p.m.



O'Neill reminded the Commission of the November 23, 2020 Planning Commission hearing.

**10. ADJOURNMENT**



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Vice Chair, Don Carlton



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Planning Director, Kelly O'Neill Jr