

Sandy Planning Commission Work Session / Regular Meeting Monday, July 30, 2018

Chairman Jerry Crosby called the meeting to order at 6:34 p.m.

1. WORKSESSION ROLL CALL

Commissioner Carlton – Present
Commissioner Lesowski – Present
Commissioner MacLean Wenzel – Present
Commissioner Logan – Present
Commissioner Mobley – Present
Commissioner Abrams – Present
Chairman Crosby – Present

Others present: City Manager, Kim Yamashita, Planning & Building Director Kelly O'Neill Jr., Associate Planner Emily Meharg, Associate Planner James Cramer, Planning Assistant Rebecca Casey, Advisor Daisey Meade

2. WORK SESSION

City Manager Kim Yamashita came to the Planning Commission to address the City's new branding strategy and the progress on the Sandy Community Campus.

Yamashita explained the reason behind the new branding. Reasons included the lack of continuity across departments and the fact that the City was violating their own Municipal Code the way the seal was being used. Yamashita said the process included a selection committee that ultimately hired NorthStar Destinations with Council's approval. She said that NorthStar compiled all the City's documents such as letterhead, business cards, etc. and did undercover surveys around Sandy to see how people looked at the city. Yamashita stated that it is less about how we see ourselves and more about how others see us. She also said that this was not just a branding strategy, but also a marketing package. Yamashita showed the Commission examples of the different marketing items the City is looking to purchase, such as the utility pole banners and bike racks that follow the new design.

Regarding the Sandy Community Campus, Yamashita explained that City Council approved the purchase of the old Cedar Ridge property that is roughly 40+ acres. She explained the process of hiring the design company and elaborated on the stakeholder meetings. She also showed the Commission some conceptual designs of this project including the swimming pool area, a kitchen, a teen hangout area, and other misc. concepts to make this a multi- generational facility. Yamashita gave other examples of how to use the acquired land including an amphitheater, leasable retail space and discussed the possible locations of parking facilities over the current "bunker" building. Yamashita concluded her presentation by explaining the different phases and the city's next steps.

REGULAR MEETING

Chairman Jerry Crosby called the meeting to order at 7:31 p.m.

1. ROLL CALL

Commissioner Carlton – Present
Commissioner Lesowski – Present

Commissioner MacLean Wenzel – Present
Commissioner Logan – Present
Commissioner Mobley – Present
Commissioner Abrams – Present
Chairman Crosby – Present

Advisor Daisy Meade – Present

Others present: Planning & Building Director Kelly O'Neill Jr., Associate Planner Emily Meharg, Associate Planner James Cramer, City Attorney David Doughman, Planning Assistant Rebecca Casey

2. APPROVAL OF MINUTES – May 29, 2018 and June 14, 2018

Motion: To approve minutes for May 29, 2018 and June 14, 2018

Moved By: Commissioner Logan

Seconded By: Commissioner Lesowski

Yes votes: Commissioners Carlton, Lesowski, MacLean Wenzel, Logan, Mobley, Abrams and Chairman Crosby

No votes: None

Abstentions: Commissioner Mac-Lean Wenzel for May 29, 2018

3. REQUESTS FROM THE FLOOR – CITIZEN COMMUNICATION ON NON-AGENDA ITEMS

None

NEW BUSINESS

4. PUBLIC HEARING – Tractor Supply Store (18-018 DR/CUP/VAR) Chairman Crosby opened the public hearing on File No.18-018 DR/CUP/VAR (Tractor Supply Store) at 7:34 p.m. Crosby noted that this is a quasi-judicial public hearing. He 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. Commissioner Mobley recused himself as he owns Lancaster Engineering that worked on the Traffic Analysis Study for this application. Crosby went over the public hearing procedures for a quasi-judicial public hearing and called for the staff report.

Staff Report:

Associate Planner Emily Meharg summarized the staff report and addressed the background, factual information, applicable criteria, and went through a slide show. Meharg focused on the seven Variances, two Adjustments and the Minor Conditional Use the applicant had requested and gave a detailed explanation on each. Meharg finished with the summary and conclusion, and explained staff's main recommendations.

Commissioner MacLean-Wenzel asked about the lighting "issue" and if the applicant's request meets the city's Dark Sky Ordinance. Meharg said that staff has requested the applicant update the proposed parking area lights with lights that have a smaller distribution and emit less intense light.

Applicant Presentation:

Trey Jinright, Project Engineer, Jade Consulting, PO Box 1929, Fairhope, AL 36533

Mr. Jinright gave a brief introduction and explained he is present on behalf of Hix Snedeker who is the developer and owner of the property going forward. Mr. Jinright said for a project such as the Tractor Supply Store to be successful it needs a combination of both cost and operational requirements. He also said they have made every effort to meet the city's "Sandy Style" requirements. Mr. Jinright explained to the Commission that the applicant would like to come to a "happy medium" regarding the parking and outdoor display requirements.

Howard Hix, Hix Snedeker, PO Box 130, Daphne, AL 36526

Mr. Hix explained that he is the developer and soon to be the owner of this property. He will then go into a long-term lease with the Tractor Supply Store. He explained the different states and cities he has other developments in and invests in making sure these stores look good. Mr. Hix explained why they need the adjustment on the outdoor display request. He said they want this store to follow the “Sandy Style” and for them to add these additional aesthetic enhancements that meet this style, but the income generated from the outdoor display sales is crucial. He also said they need a certain amount of sales per square foot to meet their objectives.

Proponent Testimony:

Mark Benson, 16355 Champion Way, Sandy, OR 97055

Mr. Benson explained he is currently the land owner and is very much in favor of this application. Mr. Benson stated that the City should be warm and welcoming in bringing this applicant into the community and by giving them as much flexibility as possible.

Testimony:

Roz Rushing, 19100 Arletha Court, Sandy, OR 97055

Mrs. Rushing said her main concerns were the outdoor displays with the pallets and the increased traffic in that area.

Advisor Testimony:

Daisy Meade, 18321 Tickle Creek, Sandy, OR 97055

Mrs. Meade addressed the elevation drawings and her idea to have more of a gabled entry on the west side of the building that can be seen from Hwy 26. She also mentioned the lighting and gave an example that would solve the problem for any light pollution.

Staff Recap:

O’Neill briefly explained the commercial/industrial building development since the “Sandy Style” was implemented. He mentioned the Goodwill building and explained that they complied 100 percent with the city’s code. O’Neill said the “Sandy Style” was adopted back in April of 2008 and explained its significance.

Applicant Rebuttal:

None

Discussion:

Commissioner Carlton said he would like to find a happy medium between staff’s recommendations and the applicant’s requests. He explained that he could see screening the west side of the building but thinks the north side should be as open as possible along with additional windows.

Commissioner Lesowski said in the beginning about ten years ago, he was opposed to the “Sandy Style”. He now believes the benefits outweigh the extra cost and overall the results have been good. In regard to landscaping, he would like to see more vegetation near the retaining wall on the south side of the site. He also wants to stick to the 15 percent for outdoor product display. Lesowski finished by saying he is in favor of sticking with the code.

Commissioner Maclean-Wenzel said over the years the community has benefited from the “Sandy Style”. She also said since this building will be in a very visible area, the “Sandy Style” is very important. Maclean-Wenzel also would like to see the 25 percent window coverage on the north side. She explained that the community did a lot of hard work deciding whether or not to adopt the “Sandy Style” and feels it is their job to make sure it is followed.

Commissioner Logan said he was ok with approving 17 percent for outdoor product display. He also said that sometimes you must pay for what the code requires and believes they should stand by the code (referring to the Sandy Style).

Commissioner Abrams said he is 100 percent in favor of sticking with the code as much as possible and following the “Sandy Style” requirements.

Chairman Crosby discussed the “faux” door. He asked how it would be perceived to have a door that leads to nowhere. Carlton said it is only for aesthetics regardless if the door opens or not. Carlton asked about the Fire Department requirements and suggested that the door could be used as a fire exit.

Maclean-Wenzel wanted more clarification on what would happen to the west side of the building. Carlton said he would like to see vegetative screening as opposed to piling on a bunch of “Sandy Style” elements on the back of the building.

Motion: To Close Public Hearing at 9:51 p.m.

Moved by: Commissioner Carlton

Seconded by: Commissioner Logan

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Motion: Move to approve File No.18-018 DR/CUP/VAR (Tractor Supply Store) but adjust the Minor Special Conditional Use Permit as defined by the staff recommendation on page 64 in the staff report, changing the allowable outdoor area square footage from 17,207 sq. ft to 19,515 sq. ft.

Moved by: Commissioner Carlton

Seconded by: Commissioner Lesowski

Yes votes: Commissioners Carlton, Maclean-Wenzel, Logan, Abrams and Chairman Crosby

No votes: Commissioner Lesowski

Abstentions: Commissioner Mobley

Motion: Move to approve File No.18-018 DR/CUP/VAR (Tractor Supply Store). Approve staff’s recommendations regarding the Variances and Adjustments stated on page 66 of the staff report but deny the Special Variance to Section 17.90.120 (E.2)

Moved by: Commissioner Carlton

Seconded by: Commissioner Logan

Yes votes: Commissioners Carlton, Lesowski, Maclean-Wenzel, Logan, Abrams and Chairman Crosby

No votes: None

Abstentions: Mobley

Commissioner Mobley returned to the dais to rejoin the meeting.

NEW BUSINESS

5. PUBLIC HEARING – Code Interpretation on Windows (18-027 INT) Chairman Crosby opened the public hearing on File No.18-027 INT (Code Interpretation on Windows) at 10:30 p.m. Crosby noted that this is a quasi-judicial public hearing. He 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. With no declarations noted, Crosby went over the public hearing procedures for a quasi-judicial public hearing and called for

the staff report.

Staff Report:

Planning & Building Director Kelly O'Neill Jr. summarized the staff report and addressed the background, factual information, applicable criteria, staff's summary and recommendation and went through a brief slide show.

Commissioner Carlton asked if a faux window and a fake window were considered the same. O'Neill said that they were considered the same.

Applicant Presentation:

Bill Whitney, Whitney Axis Design Group, 52 NW 2nd Street, Gresham, OR 97030

Mr. Whitney explained the context of the buildings and gave an example that building one is 10 feet below the sidewalk that fronts the Arco station since it recedes downhill and is not visible from Hwy 26. Mr. Whitney addressed the screening and explained that it becomes a hardship for the applicant having to follow the window code requirements.

Proponent Testimony:

Mark Benson, 16355 Champion Way, Sandy, OR 97055

Mr. Benson began explaining that he built the AMPM and their property taxes are \$45,000 a year when the Shell station is only \$6,000 a year. He said because he had to build the AMPM to "Sandy Style" requirements it raised how much his property taxes are. He said the "Sandy Style" ends up being a future tax and is very damaging.

Mr. Benson told the Commission to tell him where to put the windows if they want the 20 percent because he is open to their suggestion and finished by asking the Commission if he must put windows on his mini storage units, then what kind of bars does he use for safety and protection of the units.

Advisor Testimony:

Daisy Meade, 18321 Tickle Creek, Sandy, OR 97055

Mrs. Meade said the applicants proposal looks very good for storage units and the recessed pockets are a nice feature. Although, she said that a way to add additional windows would be to remove the "pocket" and make a straight wall where a window could be installed. She said this option would sacrifice the entry "pocket" but it would help add the required windows the code requires.

Staff Recap:

O'Neill explained that he believes a Variance on this application would have been the better option than the Code Interpretation. He also said that staff realized that building one was the only one with the entryway and wanted an interpretation from the Commission to see if they wanted entryways on each building.

Applicant Rebuttal:

Mr. Benson again addressed the amount of property taxes the "Sandy Style" would cause him.

City Attorney David Doughman responded to Mr. Benson and said the tax issue has nothing to do with the application before the Commission tonight but did state that new construction is taxed at a higher rate.

Discussion:

Commissioner Carlton voiced some concerns about adding the "Sandy Style" on the storage units that are already deemed an outright permitted use. He thinks the applicant's proposal looks good and the units will not be used as a public space but since the applicant presented their application

as a Code Interpretation instead of a Variance, then under the definition his answer is no to the request.

Chairman Crosby went over the applicants request and asked the Commission the question if an applicant can consider a garage door as qualifying for ground floor windows on the activated frontage of buildings. After the straw poll was taken, it was agreed that garage doors do not qualify as windows.

The Commission discussed the activated frontage for each building.

Motion: To Close Public Hearing at 11:26 p.m.

Moved by: Commissioner Lesowski

Seconded by: Commissioner Mobley

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Motion: Move to Interpret File No.18-027 INT (Highway 26 Storage Code Interpretation). The property owner cannot be allowed to consider garage doors as qualifying for ground floor windows on the activated frontage of buildings.

Moved by: Commissioner Logan

Seconded by: Commissioner Lesowski

Yes votes: Commissioners Carlton, Lesowski, Maclean-Wenzel, Logan, Mobley, Abrams and Chairman Crosby

No votes: None

Abstentions: None

5. ITEMS FROM COMMISSION AND STAFF

None

6. ADJOURNMENT

Motion: To adjourn

Moved By: Commissioner Lesowski

Seconded By: Commissioner Logan

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Chair Crosby adjourned the meeting at 11:34 p.m.

Chairman Jerry Crosby

Attest:

Kelly O'Neill Jr., Planning & Building
Director

Date signed: _____