

**Sandy Planning Commission  
Regular Meeting  
Monday, August 27, 2018**

Chairman Jerry Crosby called the meeting to order at 7:00 p.m.

**1. ROLL CALL**

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

Advisor Daisy Meade - Absent

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 – June 25, 2018**

**Motion:** To approve minutes for June 25, 2018

Moved By: Commissioner Lesowski

Seconded By: Commissioner Abrams

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

No votes: None

Abstentions: Commissioner Logan and Chairman Crosby abstained from the vote since they were excused from the June 25, 2018 meeting.

The motion passed.

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

**None**

**NEW BUSINESS**

**4. PUBLIC HEARING – Bloom Annexation (18-026 ANN)** Chairman Crosby opened the public hearing on File No. 18-026 ANN (Bloom Annexation) at 7:02 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:**

Associate Planner James Cramer summarized the staff report and addressed the background, factual information, public comments staff received, applicable criteria, and went through a slide show. Cramer finished with the summary and conclusion along with staff’s recommendation. Under staff’s recommendation, Cramer explained the applicant will need to submit Transportation Planning Rule (TPR) findings, pay a fee for the third-party City of Sandy traffic engineer consultant and request that the Commission continue this hearing to a future date to give the applicant time to submit the TPR findings. Staff also asked the applicant submit a waiver from the ORS 120-day final action rule (submitted as Exhibit K) and recommends this annexation be conditioned that prior to future development of this property the applicant map the Flood Slope Hazard (FSH) Overlay and required setbacks.

Chairman Crosby asked for clarification on the applicant's submitted 120-day rule waiver and asked for guidance on setting a future date for this application. City Attorney David Doughman said the Commission should first take in any testimony from the audience, keep the hearing open until the next meeting and work with the applicant to come up with an exact date when the extension is due.

Doughman then addressed the TPR requirements. He explained that because of what happened with the UGB expansion process there is now a step that requires applicants applying for annexation to analyze traffic impacts in the area.

**Applicant Presentation:**

**William Bloom, PO Box 1283, Wrangell, AK 99929**

Mr. Bloom submitted a letter requesting a 120-day rule extension. Mr. Bloom was not in attendance, so staff submitted his letter to the Commission as Exhibit K.

**Opponent Testimony:**

**James Peterson, 39128 Jerger St, Sandy, OR 97055**

Mr. Peterson told the Commission that he isn't against the annexation, but he bought his house because of the forest and does not want to see the trees removed and the land developed.

**Testimony:**

**Jeff Moyer, 19880 Bornstedt Rd, Sandy, OR 97055**

Mr. Moyer was concerned about the future of the historical log house on the applicant's property.

**Staff Recap:**

Doughman addressed Mr. Moyer's concerns about the historical log house. He said in Oregon it is property owner driven for a house to be considered historic and placed on the State registry for historic houses if approved by the State of Oregon. Doughman said the City would need to follow up and see if anything was registered or any action taken for this log house. Cramer said additional research will need to be done before development.

Mr. Moyer said the Sandy Historical Society has a complete dossier on the log house. Cramer thanked Mr. Moyer and said he would follow up with the Historical Society.

O'Neill said during the UGB expansion process staff looked at properties that could be served the easiest through water, sewer, and transportation. He also said they looked at properties that were larger in size that could be developed. O'Neill explained that land that had forest on it was not taken into account. He said that once the property comes into the city of Sandy it will have some tree retention requirements, but a good percentage of the trees will be removed if the owners choose to do so with a tree permit.

The Commission finished with discussing the Fair Housing Council letter (Exhibit N), the tree retention plan for annexations and the Flood Slope Hazard Overlay requirements in newly annexed developments.

**Motion:** Move to continue file 18-026 ANN (Bloom Annexation) to the next Planning Commission meeting on September 24, 2018.

Moved by: Commissioner Lesowski

Seconded by: Commissioner Maclean-Wenzel

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

No votes: None

Abstentions: None

## **5. PUBLIC HEARING – Sandy Community Campus Right-of-Way Vacation (18-029 VAC)**

Chairman Crosby opened the public hearing on File No. 18-029 VAC (Sandy Community Campus Right-of-Way Vacation) at 7:35 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, he went over the public hearing procedures for a quasi-judicial public hearing and called for the staff report.

### **Staff Report:**

Associate Planner James Cramer summarized the staff report and addressed the background, factual information, analysis of conformance under the Oregon Revised Statutes, agency comments staff received, applicable criteria, and went through a slide show. Cramer finished with the summary and staff's recommendation to forward the petition to City Council with a recommendation for approval.

**Motion:** To Close Public Hearing at 7:43 p.m.

Moved by: Commissioner Carlton

Seconded by: Commissioner Logan

No votes: None

Abstentions: None

The motion passed.

**Motion:** Move to forward file 18-029 VAC (Sandy Community Campus Right-of-Way Vacation) to City Council with a recommendation for approval.

Moved by: Commissioner Carlton

Seconded by: Commissioner Logan

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

No votes: None

Abstentions: None

## **6. ITEMS FROM COMMISSION AND STAFF**

Planning & Building Director Kelly O'Neill Jr. reminded the Commission that there will be a meeting on September 24, 2018 to discuss the continuance of the Bloom Annexation and also discuss Code Modifications that will include Urban Forestry.

O'Neill said if the Commission meets in October he would like to move the date from October 22 to October 29, 2018 due to a staff scheduling conflict. The Commission agreed the change of date to October 29, 2018 would work.

## **7. ADJOURNMENT**

**Motion:** To adjourn

Moved By: Commissioner Lesowski

Seconded By: Commissioner Carlton

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Chair Crosby adjourned the meeting at 7:53 p.m.

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Chairman Jerry Crosby

Attest:

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Kelly O'Neill Jr., Planning & Building  
Director

Date signed: \_\_\_\_\_