



MINUTES
Planning Commission Meeting
Tuesday, March 19, 2019 City Hall- Council
Chambers, 39250 Pioneer Blvd., Sandy,
Oregon 97055 7:00 PM

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

COMMISSIONERS ABSENT:

STAFF PRESENT: James Cramer, Associate Planner, Emily Meharg, Associate Planner, Kelly O'Neill, Development Services Director, and Rebecca Casey, Planning Director

MEDIA PRESENT:

1. Roll Call

2. Approval of Minutes

2.1. Approval of Minutes - January 28, 2019

Motion: To approve minutes for January 28, 2019 with correction.

Moved By: Commissioner MacLean-Wenzel

Seconded By: Commissioner Mobley

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

No votes: None

Abstentions: Commissioner Lesowski since he was excused from this meeting.

The motion passed.

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

None.

4. Presentation

4.1. PRESENTATION: Transit Master Plan Update (Andi Howell and Michelle Poyourow)

Transit Planner Michelle Poyourow explained how the State of Oregon has changed the funding that is now available for Transit. She explained that the change in funding from the State seems to currently align with Sandy's plan to update the Land Use and Transportation plans.

Poyourow said the first phase of the master plan will be to gather information from the general public this spring and then produce a draft master plan in the fall. A final Transit Master Plan shall be prepared by the end of the year. She explained how they are forming a stakeholder meeting that will be held on April 15th and encouraged all Commissioners to participate. Poyourow also said they will be asking the City Council for guidance on some of the bigger choices in this plan before the final draft is written.

Commissioner MacLean-Wenzel asked Poyourow if before returning to City Council she could return to the Planning Commission first as the Council looks to the Commission for Planning related issues. Poyourow agreed to return to the Planning Commission before presenting to the City Council.

Before moving on to new business, Planning and Building Director Kelly O'Neill Jr. introduced City Attorney Spencer Parsons who works at Beery, Elsner and Hammond law offices.

5. NEW BUSINESS

- 5.1. Public Hearing
- 5.2. 18-054 CUP Scenic Street Camp Academy Conditional Use

Staff Report - 0120

Chairman Crosby opened the public hearing on File No. 18-054 CUP (Scenic Street Camp Academy) at 7:28 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 Emily Meharg summarized the staff report and addressed the background, factual information, public comments staff received, applicable criteria, and presented a brief slide show. Meharg finished her report with the summary and conclusion and staff's recommendation.

Applicant Presentation:

Kevin English, Co-owner Camp Academy, 59550 E. Hwy 26, Sandy, OR 97055

Mr. English thanked the Commission for the opportunity to hear his application and gave a brief overview of their current business model. English explained that their program is very different and that they are only working with highly structured elite athletes with Olympic aspirations.

Mr. English also explained that the program they are currently working on is being funded by the Chinese government and will continue over the next four years. He said that the best coaches in the world have been selected and all 18 coaches have moved to Sandy.

Mr. English addressed concerns by others and explained how this structured program is very different from a recreational camp. English then addressed the traffic concerns with the bus transporting students and he emphasized again how highly structured the program is. He said it is not a “hang out” scene and the students will not build anything like skateboard ramps on the property. English said they know they can’t promise zero impact to the neighborhood but can promise they are good neighbors and the athletes residing there are Olympic level ski and snowboard bound students with highly structured schedules. He explained these athletes have very high expectations put on them by their coaches as well as their own government.

Blane Skowhede, Architect, Keystone Architecture, 12020 SE Idleman Rd., Portland, OR 97086

Mr. Skowhede first addressed the traffic analysis and the nine gravel parking spaces on site. He suggested to wait on the traffic study and pave those parking spaces as needed.

Chairman Crosby asked the applicant the ages of the students and English said they generally range from 13 – 19 years old.

Commissioner Carlton asked for clarification on what is needed for the traffic study as the applicant only submitted a traffic analysis letter. Meharg said that would be a Public Works question as to what they require in the study. O’Neill said Commissioner Mobley could speak to this as he is the owner of Lancaster Engineering. Mobley first asked about the applicant’s operation. Mr. English said it’s a year-round operation and gave the Commission the general flow of the operation during the year. English said the students will mainly be on-site training during the summer months but will travel during the other months to New Zealand to follow the snow and will be traveling to Europe, Asia and

North America to gather Olympic points. English also explained the number of 144 students was their “peak” number, but they currently have only 70 students. He mentioned they also have 30 employees, though not all those employees will live on campus as they have their own private residences. English explained a typical day for the students with three buses picking and dropping them off every day, but Sunday. Mobley said it would be a good idea to paint the picture of the seasonality of the snowboard camp in the traffic study.

Commissioner Lesowski asked staff if the application was approved tonight, would after four years (i.e. after the Olympics) it come back to the Planning Commission for another Conditional Use Permit approval. Lesowski said he doesn’t want the site “morphed” into something else over the years. City Attorney Spencer Parsons explained that the Commission can put limits and impose specific conditions on the application such as the number of vehicles on site.

English said their intended goal is to use the site long term and well beyond the next four years. He also stated that they want to restore the site and building “back to its original full glory” and breathe some life into it again.

Commissioner Carlton asked the applicant what the plan was for the students on their downtime as it sounds a bit like a prison to him. Mr. English explained that these students are a different breed and not a typical recreational athlete. Mr. Skowhede followed up to say that there will not be any skateboard ramps built as this was mentioned in one of the public comments.

Proponent Testimony:

None

Opponent Testimony:

None

Staff Recap:

Associate Planner Emily Meharg addressed the parking plan and the nine gravel spaces on site. She said staff would be open to the applicant’s proposal to wait and pave those nine spaces if the applicant can show they can accommodate enough spaces as is. Meharg stated that staff can re-word the conditions of approval to include a specific parking condition for those nine gravel spaces and require a parking plan for the entire site.

Meharg said staff has also requested a plan depicting where the buses will be

parked on site and said the applicant could address this tonight.

Planning and Building Director Kelly O'Neill Jr. said he had a few additional items. First, he agrees with Meharg on the parking and re-wording the condition. His only concern and experience in land use planning is that if there are open parking spaces, undoubtedly they will end up being used regardless of being told not to park there. He is hesitant to allow this upfront as it would then become a code enforcement issue, which then creates an adversarial relationship between the City and the applicant.

Chairman Crosby suggested conditioning the parking so the applicant would need to move the concrete barriers in front of the gravel parking so it's not accessible to vehicles. O'Neill said he believes the better solution would be to first find out how many parking spaces the applicant needs. Once they have a final number, the applicant would then need to remove the remaining gravel parking spaces and replace them with landscaping. O'Neill said City Attorney Parsons suggested staff could also condition that the students are not allowed to drive to the site.

O'Neill then addressed the concerns from the public comments staff received. He stated that Mr. Tracy Brown sent in his comments, first requesting a traffic study that O'Neill said staff agrees with. Mr. Brown also requested a condition be placed on the applicant that the buses are not allowed to travel down Fir Street and must use Scenic or Meinig instead. O'Neill responded to Mr. Brown's request and explained to the Commission that staff cannot condition this as Fir Street is a public street and not illegal for someone from the site to use. Commissioner Carlton asked staff why they can't impose this condition and O'Neill again reiterated it is a public street and conditions can't be placed on it for use. Carlton said he doesn't understand why conditions can be placed that students can't drive to the site, but they can't condition where the buses travel. Commissioner MacLean-Wenzel explained that it's a public street whereas the site is private property. Commissioner Lesowski said he understands Mr. Brown's concerns but agrees that it's a public right-of-way and said this should be something for staff and the applicant to work out and find the best route for the buses.

MacLean-Wenzel said the fact is that the building has been underutilized for a long time. Lesowski said the bigger thing is that it's a Conditional Use in a Single Family Residential zone and said his job is to ensure that the neighbors living there are somewhat protected.

O'Neill then addressed Mr. Brown's other concern regarding the students building skate ramps on their off time at the facility. O'Neill said he believes

that was well covered by the applicant but again staff can't condition the students recreational time. O'Neill said the last thing he would do is condition anything that would encourage kids to stay inside and not be able to recreate outside. He said if there was a noise nuisance then that would be a code enforcement issue.

Applicant Recap:

Kevin English said he agrees with staff and thinks it's a great idea to just landscape the gravel parking spaces that are not needed.

English addressed the bus parking and explained that they will follow what the traffic/parking study shows and if it's possible to keep the buses on site. If the study shows otherwise, English said they have another off-site location where they can be parked when not in use.

Discussion:

The Commission discussed the buses entering and exiting the site. Chairman Crosby asked Commissioner Mobley if a traffic study will look at the bus entering and exiting and the best route for the buses. Mobley said it would especially if they were required to go back to Meinig Street. O'Neill suggested that since the buses will take the most direct route possible, make the east most driveway (closer to Fir Street) as the entrance and make the west end driveway as the exit. The buses would then exit closer to Revenue creating no reason to loop back around and go east.

Lesowski brought up concerns he has about the Conditional Use "morphing" into something else and wants to ensure the neighbors are protected. The Commission, staff and City Attorney Spencer Parsons discussed different options to ensure the use of the site does not "morph" into something different over time. O'Neill also reminded the Commission they are only approving the Conditional Use Permit for the request in front of them.

Commissioner MacLean-Wenzel expressed how exciting it is to have World Class Olympian athletes in our community and believes the application is a great use for the site. Chairman Crosby agreed that it is exciting to have these athletes in our community.

Staff Report - 0120

Motion: To Close Public Hearing at 8:29 p.m.

Moved by: Commissioner Lesowski

Seconded by: Commissioner MacLean-Wenzel

*No votes: None
Abstentions: None
The motion passed.*

Motion: *To approve File no.18-054 CUP (Scenic Street Camp Academy) with the conditions as modified by staff's recommendations and the Commission's discussion.*

Moved by: Commissioner Lesowski

Seconded by: Commissioner MacLean-Wenzel

Yes votes: Commissioner Carlton, Lesowski, MacLean-Wenzel, Logan, Mobley and Chairman Crosby

No votes: None

Abstentions: None

The motion Carried.

CARRIED.

5.3. 18-047 DR/VAR/ADJ Sandy Vault Self Storage

Staff Report - 0121

Chairman Crosby opened the public hearing on File No. 18-047 DR/VAR/ADJ (Sandy Vault Mini Storage) at 8:48 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 Emily Meharg summarized the staff report and addressed the background, factual information, applicable criteria, and presented a brief slide show. Meharg finished her report covering the applicant's "biggest issues," gave staff's summary and conclusion, and finally staff's recommendations.

Planning and Building Director Kelly O'Neill Jr. went over the two public comments staff received. One was from Elie Kasab who was concerned about the applicant's buildings blocking his building. The other comment again came from Mr. Brown. On this application, Mr. Brown didn't think a pest control evaluation on the proposed site should be enforced and should be removed from staff's conditions as well as staff's recommendation to limit exterior

lighting to 3,000 Kelvins.

Applicant Presentation:

Tim Brenner, Axis Design Group, 52 NE 2nd St., Gresham, OR 97030

Mr. Brenner explained that the applicant's property is a very challenging site to build and develop on. Due to this Mr. Brenner has had to be very creative on making it possible to develop, hence the reason for all the variances.

Mr. Brenner also addressed the two short access points on Champion Way and Industrial Way they must work with. He said they are bound by the new development (Tractor Supply Store) on the north side. Mr. Brenner shared diagrams with the Commission to show the relationship of the applicant's property to other new development.

Jonathan Konkel, Axis Design Group, 52 NE 2nd St., Gresham, OR 97030

Mr. Konkel also told the Commission that this is a very challenging site and they have interpreted the Sandy Style the best they could with the site and use that is proposed. He shared drawings of their design and explained they do agree with staff that it makes sense to have "actual" windows located in the office portion of the building.

Mr. Konkel told the Commission to take note of Building 2 as they are proposing to wrap the south façade with the Hardie Siding and split base CMU treatment. Building 2 also has significant vegetation that will remain due to being in the Wetland Mitigation Buffer Zone. Mr. Konkel explained that on the north side of Building 3 the applicant is proposing 100% metal siding for maintenance reasons.

Commissioner Mobley asked the applicant to expand upon the proposed metal siding. Mr. Brenner said it would be a pre-finished metal siding and they clarified the metal siding is only being proposed on the south side of Building 2 and north side of Building 3.

Proponent Testimony:

None

Opponent Testimony:

None

Staff Recap:

Associate Planner Emily Meharg did a brief recap and then staff and the

Commission discussed the possible visibility of the buildings. They also discussed the 50 percent frontage on Industrial Way, the streetscape and pedestrian access.

Planning and Building Director Kelly O'Neill Jr. stated that the applicant's presentation was one of the best visual presentations shown at a Planning Commission in Sandy. He did want to point out to the Commission to keep in mind that over time trees may fall or be removed in the Wetland Buffer Zone creating a possible visual exposure of the metal on Building 2. He also suggested the applicant "beef" up or do an extra treatment on the facades that will be highly visible.

O'Neill also explained to the Commission that they wouldn't be setting a precedent just for granting the Special Variances. He said there are special circumstances and unique sites that require variances. Staff understands the applicant's position and is trying to honor their requests with slight "tweaks" and modifications.

Applicant Recap:

None

Discussion:

Commissioner Lesowski wanted to say that he doesn't like to consider this to be a compromise and believes both parties should go into the approval with good faith. City Attorney Spencer Parsons explained the Code has allowances built into it for exactly that reason to accommodate flexibility when needed. Parsons also followed on what O'Neill said and stated the application doesn't carry precedential value just because the Planning Commission determines in this context the flexibility is warranted and doesn't necessarily carry that over to the next application.

The Commission went through staff's recommendations and denials and made adjustments during their discussion.

Staff Report - 0121

Motion: To Close Public Hearing

Moved by: Commissioner Lesowski

Seconded by: Commissioner Logan

No votes: None

Abstentions: None

The motion passed.

Motion: *To approve File no.18-047 DR/VAR/ADJ (Sandy Vault Mini-Storage) with modifications discussed by the Commission and the direction to staff to make those adjustments.*

Moved by: Commissioner Lesowski

Seconded by: Commissioner Carlton

Yes votes: Commissioner Carlton, Lesowski, MacLean-Wenzel, Logan, Mobley and Chairman Crosby

No votes: None

Abstentions: None

The motion Carried.

CARRIED.

6. Items from Commission and Staff

6.1.

Planning and Building Director Kelly O'Neill Jr. introduced Chris Mayton who will be appointed to the Planning Commission by the City Council on Monday April 1st, 2019. Mayton gave a brief introduction and explained how he has been looking to get involved in his community and is looking forward to serving on the Planning Commission.

6.2.

O'Neill also reminded the Commission of the next PC meeting, which is the continuance of the Jacoby Heights Subdivision. He also explained to the Commissioners who were absent that they could still participate in the continuance if they watch the first meeting and really get caught up to speed on what occurred and feel comfortable making a decision.

6.3.

O'Neill then reminded the Commission of the second meeting in April that will be held on April 22nd regarding the Dutch Brothers application. He also mentioned there may be two separate meetings in May as there are many big projects coming up. In the meantime, the Commission agreed they would have a quorum the day after Memorial Day (May 28th).

6.4.

O'Neill also provided the Commission an update on the Tree Code Committee. He said that Council provided the Tree Code Committee with clear direction and wants to see a balanced code. The first goal will be to adopt new code regulations in Chapter 17.92 (Landscaping), 17.60 (Flood Slope Hazard), and 17.102 (Urban Forestry). The plan is to have draft code language before the Planning Commission sometime in July or August so it's ready for City Council

to hopefully adopt this September.

7. Adjourn

Motion: To adjourn

Moved By: Commissioner Carlton

Seconded By: Commissioner Mobley

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Chairman Crosby adjourned the meeting at 10:35 p.m.



Chair, Jerry Crosby



Planning Director, Kelly O'Neill Jr