



MINUTES
Planning Commission Meeting
Monday, September 23, 2019 City Hall-
Council Chambers, 39250 Pioneer Blvd.,
Sandy, Oregon 97055 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:

STAFF PRESENT: Kelly O'Neill, Development Services Director and Emily Meharg, Associate Planner

MEDIA PRESENT:

1. Roll Call

2. Approval of Minutes

2.1. Approval of Minutes - August 26, 2019

Moved by Ron Lesowski, seconded by John Logan

To approve minutes for August 26, 2019

Modification needed on Page 4 of 5 – Role call vote: MacLean-Wenzel voted 'no'

CARRIED.

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

None.

4. OLD BUSINESS

None.

5. NEW BUSINESS

5.1. FSH Overlay

Chairman Crosby opened the public hearing on File No. 19-021 ZC at 7:07 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, and no declarations were made by the Planning Commissioners.

Staff Report:

Associate Planner Emily Meharg summarized the staff report and addressed the background, factual information, and presented a brief slide show.

Proponent Testimony:

None

Opponent Testimony:

None

Discussion:

Commissioner Carlton asked questions regarding the submitted maps and CAD files. Meharg stated that both submitted maps contain all of the material necessary and CAD files will be submitted by the firms that completed the mapping.

Motion: Close the public hearing

Moved By: Commissioner Lesowski

Seconded By: Commissioner MacLean-Wenzel

Yes votes: All Ayes

No votes: None

The motion passed at 7:16 PM

Further Discussion:

Commissioner Mayton asked who owns the property and Meharg said the owners are private property owners. Commissioner Mobley asked if the property owners signed the land use application. O'Neill and Meharg explained that staff is trying to do the property owners a favor by not charging them for the zone change or making them complete the land use process, but as part of the process the property owners were noticed about the hearings.

Motion: Close the public hearing

Moved By: Commissioner Mayton

Seconded By: Commissioner MacLean-Wenzel

Yes votes: All Ayes

No votes: None

The motion passed at 7:21 PM

Moved by Chris Mayton, seconded by Hollis MacLean-Wenzel

For Planning Commission to forward a recommendation of approval to City Council for the proposed Zone Map amendment to be approved to update the FSH overlay to include the two (2) subject lots.

CARRIED.

5.2. Chapter 17.44 Modification

Chairman Crosby opened the public hearing on File No. 19-029 DCA at 7:22 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, and no declarations were made by the Planning Commissioners.

O'Neill talked about the proposal and why the proposal is before the Commission. O'Neill stated he wants to make the C-2 zoning district more flexible and accommodating for residential multi-family development.

Commissioner Carlton asked some clarifying questions regarding residential above, behind or beside. Commissioner Lesowski liked the idea of residential above, but not behind or beside a commercial business. Commissioner Mayton stated that maybe 50 percent residential like the PD code allowance would be a great idea. Commissioner Lesowski asked questions about the access into the structure and stated that the devil is in the details. Commissioner Carlton asked if a large property could build residential with just a small portion devoted to commercial. O'Neill stated that the C-1 zoning district has the exact same code language that is being proposed. Commissioner Carlton said that the state is mandating the SFR will go away soon enough with the new duplex laws at the state level (i.e. HB 2001). Commissioner Crosby stated that we could forward some changes to City Council even if the Commission is not interested in the behind or beside language. Commissioner Logan said he doesn't have a problem with the proposed code changes. Commissioner Mobley stated that market demands will pressure commercial to be developed and he is fine with the proposed code changes also.

The Commissioners then each stated their feelings on mixed use and the current code. Commissioner Mayton said he is in support of the residential above a commercial use but that having the residential behind or beside also

doesn't seem like a bad idea. Commissioner Lesowski said that we need the code to be clear so that developers don't try to turn the entire property into residential with only a tiny portion devoted to commercial. Commissioner Crosby stated that we might want to be careful about allowing most of the land as residential.

Commissioner Lesowski stated he believes the Commission is in support of mixed-use development. Commissioner Mayton said that removing behind and beside from the proposed code modification might be best for now. O'Neill stated he understands that lending institutions, such as banks, are cautious to lend money for mixed-use projects especially when the project contains a large percentage of commercial. Commissioner Mobley said he would like the code to be more flexible than just allowing residential above commercial. Mobley said that the market could drive the development.

Commissioner Crosby said that in the past they have forwarded items to Council and this is an opportunity to forward the staff code changes with modifications as approved by the Commission. Commissioner Carlton said he is open to a phased code adoption approach. O'Neill stated that he is tasked with modifying the development code to make processes easier for applicants. Commissioner Lesowski asked a few questions about shared recreation areas and if they are applicable. O'Neill said that shared recreation requirements would still be applicable.

The Commission agreed to strike 'behind and beside' from the proposed code modifications.

O'Neill stated that that 50 percent of gross acreage is not a great standard, but maybe the Commission could make the standard based on percentage of square footage of the building. Commissioner Carlton stated he would like to recommend some modifications and then study the remainder of the items at a future work session. Commissioner Crosby and Carlton explained some alternatives.

Commissioner Crosby said they could forward some recommendations to Council and then study other examples at future work sessions. Commissioner Mobley asked when the last time a Planned Development (PD) was applied for. O'Neill stated that the City of Sandy has not had a PD application for at least the last 8 to 9 years. Mobley stated that a code modification is important to give an alternative to the PD process.

Motion: Close the public hearing

Moved By: Commissioner Carlton
Seconded By: Commissioner Mobley
Yes votes: All Ayes
No votes: None
The motion passed at 8:37 PM

Planning Commission would like to review the potential for beside and behind in more detail at a future work session.

Moved by Don Carlton, seconded by Ron Lesowski

*To forward a recommendation of the proposal to City Council with the following suggested changes: Item B.in the permitted uses section should become Item C. In addition, strike beside and behind from mixed-use section (17.44.10(A)) and strike the density section of the proposed code changes.
Yes votes: Carlton, Lesowski, MacLean-Wenzel, Logan, Mobley, Carlton
No votes: Mayton*

CARRIED.

6. Items from Commission and Staff

O'Neill provided information on the upcoming agenda items on the October and November Planning Commission meetings. O'Neill also mentioned that meetings in November and December are close to holidays and therefore staff will propose alternative meeting dates. The Commission and staff then had a discussion about existing applications and other development occurring around Sandy. MacLean-Wenzel asked if Planning Division staff are feeling overworked. O'Neill stated that staff are busy, and that the workload is full. Meharg stated that future staff reports will be different from previous staff reports and will be formatted more like a final order.

7. Adjourn

7.1. Motion to Adjourn the September 23, 2019 Planning Commission meeting.

Moved by Don Carlton, seconded by Chris Mayton

To adjourn.

Chairman Crosby adjourned the meeting at 9:08 p.m.

CARRIED.

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

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, looped "K" and "O".

Planning Director, Kelly O'Neill Jr