



MINUTES
Planning Commission Meeting
Monday, February 24, 2020 City Hall- Council
Chambers, 39250 Pioneer Blvd., Sandy,
Oregon 97055 7:00 PM

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

COMMISSIONERS ABSENT: Don Carlton, Commissioner

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

MEDIA PRESENT: Sandy Post

1. Roll Call

Chairman Crosby called the meeting to order at 7:03 p.m.

2. Approval of Minutes

2.1. Draft Planning Commission Minutes February 11, 2020

Motion: To approve minutes for February 11, 2020

Moved By: Commissioner Logan

Seconded By: Commissioner Mayton

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

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

Makota Lane

37828 Rachel Drive

Sandy, OR 97055

Mr. Lane stated he did not attend the previous meeting but heard that the Planning Commission approved the Bailey Meadows subdivision. He is not happy with the result especially since the City subsidized the development and the developer strong

armed the City of Sandy. He wants the City to stand-up and protect the residents. Mr. Lane said that the applicant's attorney has a history of finding loopholes. He believes the developer will use the profits from the subdivision for luxury items.

4. NEW BUSINESS

4.1. Mairin's Viewpoint Extension (19-047 EXT)

Chairman Crosby opened the public hearing on File No. 19-047 EXT 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:

Development Services Director Kelly O'Neill Jr. summarized the staff report and addressed the reasons that staff is supporting the tentative plat extension.

Applicant Testimony:

John Mahaffy
13100 SE Sunnyside Road, Suite B
Clackamas, OR 97015

Mr. Mahaffy explained they have a mortgage on the property and have been working with the lender. The lender is working with Mr. Mahaffy to get all of the documents in place to record the plat and move forward with subdivision of the property.

Mr. Crosby asked if the applicant would like to extend the tentative plat to February 24, 2021. Mr. Mahaffy stated that extending the tentative plat to February 24, 2021 would help.

Proponent Testimony:

None

Opponent Testimony:

None

Neutral Testimony:

None

Staff Recap:

O'Neill stated the code changes would be minimal if the subdivision extension

is not approved and the applicant needs to reapply for subdivision approval.

Applicant Rebuttal:

None

Discussion:

Commissioner Mayton said it sounds like the code has not changed much since the original subdivision approval. Commissioner Lesowski said that it is a slippery slope to grant extensions beyond the 1-year. Mayton asked whether it is really a slippery slope. O'Neill stated that legally speaking you would not be setting a precedence, but it might be perceived as setting precedence. Doughman said that any future proposals that are similar could use the subject proposal as a reason for requesting a similar extension. Commission Maclean-Wenzel stated she appreciates Mr. Lesowski's comment but is fine with the extension to February 24, 2021. Commissioner Mobley agreed with Maclean-Wenzel.

Motion: Motion to close the public hearing at 7:21 p.m.

Moved By: Commissioner Mobley

Seconded By: Commissioner Maclean-Wenzel

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed at 7:21 p.m.

Motion: Motion to extend the tentative plat for Mairin's Viewpoint to February 24, 2021.

Moved By: Commissioner Mayton

Seconded By: Commissioner Logan

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

No votes: None

Abstentions: None

The motion passed at 7:23 p.m.

4.2. McCormick Drive Zone Change (19-037 CPA/ZC)

Chairman Crosby opened the public hearing on File No. 19-037 CPA/ZC at 7:23 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:

Senior Planner Emily Meharg summarized the proposed location, staff report, and land surplus as explained in the 2017 UGB Expansion document. Meharg also mentioned that the C-2 zone was recently modified to allow residential above commercial.

Commissioner Logan asked about the surplus numbers on the presentation slide and why the numbers are different than in the staff report. Meharg stated that the numbers on the slideshow are the correct numbers. Maclean-Wenzel asked about the surplus. O'Neill stated that during the 2017 UGB expansion staff did not propose large surplus numbers as staff did not want the proposal to be questioned and held up in controversy. Lesowski stated he would like to see connectivity from Highway 26 to McCormick Drive. Meharg stated that connectivity would be required with development.

Applicant Testimony:

Ron Kincaid
12937 NW Skyline Blvd.
Portland, OR 97231

The church was gifted the property and they would like to sell the property for development. They would like to rezone the property so the property can be sold for residential development. Mr. Kincaid said he would appreciate Planning Commission approving the request.

Karl Sonnenberg
15140 SW Gibraltar Court
Beaverton, OR 97007

Has been involved in several projects that include zone changes. The property is difficult to see from Highway 26 and finds that commercial development would be difficult to develop and sell. Feels that multi-family is easier to develop, and a zone change to residential will actually reduce traffic. Finds that the vegetative buffer recommendation would be a good idea. They assume they would need to improve the site with sidewalks along Highway 26.

Chris Hagerman
1140 SW 11th Ave., Suite 500
Portland, OR 97205

Staff has been very helpful during the entire process. The proposal is consistent with the statewide planning goals and the Sandy Development Code. Feels that apartments would be a better use for the site than commercial development. Multi-family development should have better

pedestrian connectivity than commercial development. The Transportation Study finds that residential development would reduce traffic on McCormick Drive. Tree preservation will be easier with residential development than with commercial development.

Proponent Testimony:

None

Opponent Testimony:

Nancy Raschke
39965 Davis Street
Sandy, OR 97055

Main concern is that additional traffic on McCormick Drive will put additional pressure on the intersection of Wolf Drive and Highway 26. Has concerns with multi-family housing and the traffic concerns it raises. The intersections of Wolf Drive at Highway 26 and Langensand Road at Highway 26 are both problematic.

Neutral Testimony:

None

Staff Recap:

Meharg stated she did not have anything else to add.

Applicant Rebuttal:

Karl Sonnenberg stated that multi-family development will produce less traffic than would be possible with commercial development. There is an existing transit route on McCormick and multi-family on a transit route is a great idea.

Discussion:

Mobley said that residential would create less traffic. He added that the property would be difficult to serve if the property was commercial. Maclean-Wenzel said the slope of the site would make it difficult to develop for commercial use and said it would be nice to have multi-family on a transit route. Also stated it would be a nice buffer to the residential already on McCormick Drive. Lesowski said his concern is parking and how that impacts the existing neighborhood.

Sonnenburg stated that based on density the property could have 20 to 35 apartment units.

Commissioner Crosby asked if there are questions or concerns with the proposal. Logan said the bigger issue will be future zone change proposals due to the small surplus of commercial. Maclean-Wenzel said this property could allow for affordable housing. Mayton said that the modifications that were made to the C-2 zoning district with residential above commercial allows for more flexibility. Mayton stated he likes reductions to traffic with the zone change proposal. Mayton does have concerns with the walkability of the site. Lesowski stated that having commercial between the exiting church and Avamere would be odd and that multi-family seems like a better fit. Crosby stated that a zone change will leave us with a surplus at just over one acre. Doughman stated that a City should not drop below the surplus of land for different zoning designations as that could be a reason for action by DLCD. He added that typically when you see proposed zone changes you see other property also get rezoned to account for the change. A city cannot go into a deficit. Options are more limited when the surplus is small, but the City could eventually look at additional zone changes to help the surplus increase. O'Neill stated that more commercial to residential zone changes will most likely be proposed soon. Lesowski asked if this zone change is approved how will that impact future proposals. Doughman provided clarity on future proposals. O'Neill stated the growth rate for residential and commercial was based on a safe harbor approach that was created by Clackamas County. Mayton asked how does a City increase land surplus for different zones? Crosby stated that a willing property owner has to be okay with the zone change.

Crosby stated that Planning Commission is only making a recommendation to City Council.

Motion: Motion to close the public hearing at 8:09 p.m.

Moved By: Commissioner Maclean-Wenzel

Seconded By: Commissioner Mayton

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed at 8:09 p.m.

Mayton stated that the subject land is better suited for residential. Lesowski stated that the Commission will face the surplus issue again very soon, but that the subject site is better suited for residential for the surrounding neighborhood than something else like a mini-storage facility. He said the site is topographically challenging. The Commission had consensus about the staff recommendation for the vegetative buffer.

Motion: Motion to recommend approval to City Council with the recommendation to retain the vegetative buffer along Highway 26.

Moved By: Commissioner Mayton

Seconded By: Commissioner Mobley

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

No votes: None

Abstentions: None

The motion passed at 8:13 p.m.

Mobley stated the best opportunity for public involvement is when the rules are created. He stated there is an opportunity for that with the upcoming Transportation System Plan update.

4.3. Chapter 17.98 Code Changes (19-043 DCA)

Chairman Crosby opened the public hearing on File No. 19-043 DCA at 8:18 p.m. Crosby called for any abstentions, conflicts of interest, 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:

Development Services Director Kelly O'Neill Jr. summarized the proposed code changes and presented a brief slide show. O'Neill stated the City has been requiring too much parking in the downtown. One of the primary proposed code changes eliminates the requirement to provide off-street parking in the C-1 zone district. A reduction to required minimum parking is also proposed for other land uses, including a significant reduction in minimum parking requirements for daycare facilities. O'Neill highlighted Deek Heycamp's, owner of Next Adventure, testimony regarding support for eliminating the off-street parking requirement in the C-1.

Proponent Testimony:

None

Opponent Testimony:

None

Neutral Testimony:

None

Discussion:

The commission discussed parking courts and the 400-foot distance for required on-street parking. Lesowski expressed concerns about the 400-foot distance and recommended parking courts be located more centrally on blocks. Mobley asked whether parking would be restricted (i.e. private parking) if the parking courts are privately owned. Maclean-Wenzel voiced support for reduced parking in the Main Street area. The Commission concluded they prefer leaving the on-street parking distance requirement at 200 feet. O'Neill stated he thought the code update included vegetative buffers specifically for parking courts and asked the Commission if they wanted to add something or if the general landscaping and screening section in Chapter 17.98 suffices. The Commission concluded the general screening section is sufficient. Mayton asked for clarity on cul-de-sac measurements in relation to Tyler and Ray's comments. O'Neill provided clarity on the diagrams. The Commission requested that the cul-de-sac comments be looked into further to make sure the requirements were clarified sufficiently and to clarify the cul-de-sac diagram acronyms.

Motion: Motion to close the public hearing at 9:04 p.m.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Logan

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

No votes: None

Abstentions: None

The motion passed at 9:04 p.m.

Motion: Motion to forward recommendation of approval with the following changes: have on-street parking requirement remain at 200 feet.

Moved By: Commissioner Maclean-Wenzel

Seconded By: Commissioner Logan

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed at 9:07 p.m.

5. **Items from Commission and Staff**

The next Planning Commission hearing is March 30, 2020, then the following meeting will be April 27. O'Neill sent a Doodle poll for the May meeting due to Memorial Day on the fourth Monday. O'Neill introduced new associate planner Shelley Denison. Staff is anticipating a couple planned developments being applied for very soon. The March 30 meeting will include modifications to Sandy Vault and an expansion to the Trillium Machinery site. The April 27 meeting will include a subdivision proposal with a comprehensive plan map and zone map change, and possibly the Gunderson

Road/parkland annexation.

O'Neill stated he would like to have a work session in May or June with more code changes. O'Neill stated that Space Age Gas Station wants to use steel or metal beams instead of timber beams as approved. The Commission discussed the merits of the requested change, but decided they want heavy timber beams as approved.

Crosby asked if staff could add bookmarks to staff reports in the pdf file. O'Neill stated they will try to add bookmarks. Mayton thinks the Commission could do a better job of educating the public on the Commission's role. Maclean-Wenzel asked if Commissioners are covered if sued. O'Neill stated the City's liability insurance covers volunteers on some things but Doughman will need to weigh in on liability issues.

6. Adjourn

Motion: To adjourn

Moved By: Commissioner MacLean-Wenzel

Seconded By: Commissioner Mobley

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Chairman Crosby adjourned the meeting at 9:27 p.m.



Chair, Jerry Crosby



Planning Director, Kelly O'Neill Jr